



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
APRIL 11, 2012
CITY COUNCIL CHAMBERS

AMENDED – ITEM #9-d, 9-e and 9-f

AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE

DATE 4-9-12 TIME 2:00 pm

SERVED BY _____

RECEIVED BY _____

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 – March 28, 2012
9. PRESENTATIONS
 - a) Employee of the Month for April 2012 – Detective Randy Pecorelli; Police Department. (5 minutes)
 - b) Santa Fe Trends 2012. (Reed Liming) (5 minutes)
 - c) Proclamation – April 2012 Fair Housing Month. (Kym Dicome) (5 minutes)
 - d) Muchas Gracias – Jayline Aguirre (2nd Place) and Valeria Cera (1st Place); Cesar Chavez Community School Annual Spelling Bee. (5 minutes)
 - e) Muchas Gracias – Lois Simms, Mayor's Committee on Disability. (5 minutes)
 - f) Proclamation – 10th Anniversary -- Santa Fe Internment Camp. (5 minutes)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
APRIL 11, 2012
CITY COUNCIL CHAMBERS

10. CONSENT CALENDAR

- a) Request for Approval of Professional Services Agreement – Engineering Design Services at the Santa Fe Depot Platform and Performance Stage Rental for the Railyard Park Performance Green Stage and Plaza; Santa Fe Railyard Community Corporation. (Bob Siqueiros)
 - 1) Request for Approval of Budget Increase – Project Fund.
- b) Request for Approval of Santa Fe University of Arts and Design (SFUAD) Scholarships Section Revisions. (Sean Moody and John Griego)
- c) CONSIDERATION OF RESOLUTION NO. 2012-____. (Councilor Bushee, Councilor Calvert and Councilor Wurzburger)
A Resolution Directing Staff to Inventory Annexation Items and Issues to be Discussed Between the Governing Bodies of the City and the County. (Reed Liming)
- d) CONSIDERATION OF RESOLUTION NO. 2012-____. (Councilor Wurzburger)
A Resolution Supporting the Continuation of Economic Development Activities Related to the Film Industry within the City of Santa Fe and Authorizing the Use of City-Owned Properties, at No Cost, for Film and Television Productions that are Enrolled in the New Mexico Film Production Tax Credit Program. (Fabian Trujillo)
- e) CONSIDERATION OF RESOLUTION NO. 2012-____. (Councilor Bushee and Councilor Calvert)
A Resolution Amending the Designated Funding for Interim Bridge Rehabilitation, Approved by the Governing Body on November 30, 2011, so that All Such Designated Funding be Used, in Conjunction with Other Local, State and Federal Funding Mechanisms, to Replace the Defouri Street Bridge. (Isaac Pino)
- f) CONSIDERATION OF RESOLUTION NO. 2012-____. (Mayor Coss, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera, Councilor Trujillo, Councilor Wurzburger and Councilor Bushee)
A Resolution Establishing a Blue Ribbon Panel whose Sole Purpose is to Develop and Recommend a Plan to End Homelessness in Santa Fe. (Nick Schiavo and Terrie Rodriguez)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
APRIL 11, 2012
CITY COUNCIL CHAMBERS

- g) CONSIDERATION OF RESOLUTION NO. 2012-____. (Councilor Romero, Councilor Trujillo, Councilor Wurzbarger, Councilor Calvert, Councilor Ives and Councilor Rivera)
A Resolution Directing Staff to Prepare the Required Documents to Amend the Current Agreement between the City of Santa Fe and the Santa Fe Railyard Park Stewards for Continued Services to be Provided at the Santa Fe Railyard Park and Plaza for an Additional \$100,000 per Year to be Paid Over a Three Year Term. (Bob Siqueiros) **(Postponed to April 25, 2012 City Council Meeting)**
- h) Request for Approval to Publish Notice of Public Hearing on May 9, 2012:
 - 1) Bill No. 2012-12: An Ordinance Amending Article 23-6 SFCC 1987 to Establish Regulations for Event Sponsors Who Have Been Authorized to Use a City Park when the Sale and Consumption of Alcohol is Permitted. (Councilor Dominguez) (Alfred Walker)
 - 2) Bill No. 2012-13: An Ordinance Amending Subsections 14-3.10(B) SFCC 1987 and 14-3.10(C) SFCC 1987 Relating to Development in Special Flood Hazard Areas; Amending Section 14-8.3 Relating to Flood Regulations; Amending Article 14-12 SFCC 1987 to Repeal the Definition of "Floodplain" Amend Various Definitions and Establish Definitions for "Flood Insurance Rate Map" and "Waiver"; and Making Any Other Changes as are Necessary. (Mayor Coss) (Matthew O'Reilly)
- i) Request for Approval of Consideration to Fill Vacant Positions. (Robert Romero)
- j) Request for Approval of the 2010 Annual Water Report and Water Bank Allocation. (Alan Hook)
- k) Request for Approval of the 2011 Annual Water Report and Water Bank Allocation. (Alan Hook)
- l) CONSIDERATION OF RESOLUTION NO. 2012-____. (Councilor Bushee)
A Resolution Directing Staff to Amend City Water Conservation Incentive Program Policies, Procedures and the City's Website Relating to Water Conservation Device Rebates so that Sangre de Cristo Water Customers are Given Options for Providing Proof of Purchase or Trade for Water Conservation Devices that Qualify for a Rebate. (Brian Snyder)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
APRIL 11, 2012
CITY COUNCIL CHAMBERS

- m) Request for Approval to Re-align a Portion of Right-of-Way within the Bounds of Parkway Drive Adjoining the Westerly Boundary of Lot 17 of the Richards Avenue Business Park Located at 1225 Parkway Drive; James Ellegood d/b/a Plains Eagle Corporation. (Edward Vigil)
11. CONSIDERATION OF RESOLUTION NO. 2012-____. (Councilor Calvert, Mayor Coss, Councilor Wurzbarger, Councilor Ives, Councilor Rivera and Councilor Bushee)
A Resolution Recognizing and Honoring Speaker of the House of Representatives, Ben Lujan, for His Dedication and Commitment to Public Service on Behalf of the People of New Mexico and the City of Santa Fe; and Directing Staff to Determine a Future Date to Honor Speaker Lujan. (Melissa Byers)
12. CONSIDERATION OF RESOLUTION NO. 2012-____. (Councilor Calvert, Mayor Coss, Councilor Wurzbarger, Councilor Ives, Councilor Rivera and Councilor Bushee)
A Resolution Recognizing and Honoring United States Senator Jeff Bingaman, for His Dedication and Commitment to Public Service on Behalf of the People of the United States, New Mexico and the City of Santa Fe; and Directing Staff to Determine a Date to Honor Senator Bingaman. (Melissa Byers)
13. Pursuant to Resolution No. 2012-35, Review of the Following:
An Inventory of All Substantive Public Policy Reports and Public Audits Currently Under Development; and Proposed Schedule of Completion and Presentation of the Proposed Reports to City Committees or the Governing Body. (Robert Romero and Geno Zamora)
14. MATTERS FROM THE CITY MANAGER
15. MATTERS FROM THE CITY ATTORNEY

Executive Session:

Discussion of the Purchase, Acquisition or Disposal of Real Property by the City of Santa Fe, Office Space Purchase Agreement, 500 Market Street, Suite 200 at the Railyard; with Railyard Company LLC, Pursuant to § 10-15-1(H)(8), NMSA 1978, and Discussion of Threatened or Pending Litigation in which the City of Santa Fe Is or May Become a Participant Involving Railyard Company, LLC in Accordance with §10-15-1(H)(7), NMSA 1978.



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
APRIL 11, 2012
CITY COUNCIL CHAMBERS

16. Action Regarding the Purchase, Acquisition or Disposal of Real Property by the City of Santa Fe, Office Space Purchase Agreement, 500 Market Street, Suite 200 at the Railyard; with Railyard Company LLC, and Regarding Threatened or Pending Litigation in which the City of Santa Fe Is or May Become a Participant Involving Railyard Company, LLC. (Robert Romero and Geno Zamora)
17. MATTERS FROM THE CITY CLERK
18. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. SALUTE TO THE NEW MEXICO FLAG
- D. INVOCATION
- E. ROLL CALL
- F. PETITIONS FROM THE FLOOR
- G. APPOINTMENTS
- H. PUBLIC HEARINGS:
 - 1) Request from DONM Associates, LLC for a Transfer of Ownership of Dispenser License #2602 from CA Santa Fe Beverage, LLC, to CONM Associates, LLC. This License Will Remain at Courtyard Santa Fe, 3347 Cerrillos Road. (Yolanda Y. Vigil)
- 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.



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
APRIL 11, 2012
CITY COUNCIL CHAMBERS

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.



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
APRIL 11, 2012
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE

DATE 4-6-12 TIME 3:41 pm

SERVED BY

RECEIVED BY

A handwritten signature in black ink, likely of the City Clerk, written over the 'RECEIVED BY' line.

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 – March 28, 2012
9. PRESENTATIONS
 - a) Employee of the Month for April 2012 – Detective Randy Pecorelli; Police Department. (5 minutes)
 - b) Santa Fe Trends 2012. (Reed Liming) (5 minutes)
 - c) Proclamation – April 2012 Fair Housing Month. (Kym Dicome) (5 minutes)
10. CONSENT CALENDAR
 - a) Request for Approval of Professional Services Agreement – Engineering Design Services at the Santa Fe Depot Platform and Performance Stage Rental for the Railyard Park Performance Green Stage and Plaza; Santa Fe Railyard Community Corporation. (Bob Siqueiros)
 - 1) Request for Approval of Budget Increase – Project Fund.
 - b) Request for Approval of Santa Fe University of Arts and Design (SFUAD) Scholarships Section Revisions. (Sean Moody and John Griego)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
APRIL 11, 2012
CITY COUNCIL CHAMBERS

- c) CONSIDERATION OF RESOLUTION NO. 2012-____. (Councilor Bushee, Councilor Calvert and Councilor Wurzburger)
A Resolution Directing Staff to Inventory Annexation Items and Issues to be Discussed Between the Governing Bodies of the City and the County. (Reed Liming)
- d) CONSIDERATION OF RESOLUTION NO. 2012-____. (Councilor Wurzburger)
A Resolution Supporting the Continuation of Economic Development Activities Related to the Film Industry within the City of Santa Fe and Authorizing the Use of City-Owned Properties, at No Cost, for Film and Television Productions that are Enrolled in the New Mexico Film Production Tax Credit Program. (Fabian Trujillo)
- e) CONSIDERATION OF RESOLUTION NO. 2012-____. (Councilor Bushee and Councilor Calvert)
A Resolution Amending the Designated Funding for Interim Bridge Rehabilitation, Approved by the Governing Body on November 30, 2011, so that All Such Designated Funding be Used, in Conjunction with Other Local, State and Federal Funding Mechanisms, to Replace the Defouri Street Bridge. (Isaac Pino)
- f) CONSIDERATION OF RESOLUTION NO. 2012-____. (Mayor Coss, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera, Councilor Trujillo, Councilor Wurzburger and Councilor Bushee)
A Resolution Establishing a Blue Ribbon Panel whose Sole Purpose is to Develop and Recommend a Plan to End Homelessness in Santa Fe. (Nick Schiavo and Terrie Rodriguez)
- g) CONSIDERATION OF RESOLUTION NO. 2012-____. (Councilor Romero, Councilor Trujillo, Councilor Wurzburger, Councilor Calvert, Councilor Ives and Councilor Rivera)
A Resolution Directing Staff to Prepare the Required Documents to Amend the Current Agreement between the City of Santa Fe and the Santa Fe Railyard Park Stewards for Continued Services to be Provided at the Santa Fe Railyard Park and Plaza for an Additional \$100,000 per Year to be Paid Over a Three Year Term. (Bob Siqueiros) **(Postponed to April 25, 2012 City Council Meeting)**



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
APRIL 11, 2012
CITY COUNCIL CHAMBERS

- h) Request for Approval to Publish Notice of Public Hearing on May 9, 2012:
 - 1) Bill No. 2012-12: An Ordinance Amending Article 23-6 SFCC 1987 to Establish Regulations for Event Sponsors Who Have Been Authorized to Use a City Park when the Sale and Consumption of Alcohol is Permitted. (Councilor Dominguez) (Alfred Walker)
 - 2) Bill No. 2012-13: An Ordinance Amending Subsections 14-3.10(B) SFCC 1987 and 14-3.10(C) SFCC 1987 Relating to Development in Special Flood Hazard Areas; Amending Section 14-8.3 Relating to Flood Regulations; Amending Article 14-12 SFCC 1987 to Repeal the Definition of "Floodplain" Amend Various Definitions and Establish Definitions for "Flood Insurance Rate Map" and "Waiver"; and Making Any Other Changes as are Necessary. (Mayor Coss) (Matthew O'Reilly)
- i) Request for Approval of Consideration to Fill Vacant Positions. (Robert Romero)
- j) Request for Approval of the 2010 Annual Water Report and Water Bank Allocation. (Alan Hook)
- k) Request for Approval of the 2011 Annual Water Report and Water Bank Allocation. (Alan Hook)
- l) CONSIDERATION OF RESOLUTION NO. 2012-____. (Councilor Bushee)
A Resolution Directing Staff to Amend City Water Conservation Incentive Program Policies, Procedures and the City's Website Relating to Water Conservation Device Rebates so that Sangre de Cristo Water Customers are Given Options for Providing Proof of Purchase or Trade for Water Conservation Devices that Qualify for a Rebate. (Brian Snyder)
- m) Request for Approval to Re-align a Portion of Right-of-Way within the Bounds of Parkway Drive Adjoining the Westerly Boundary of Lot 17 of the Richards Avenue Business Park Located at 1225 Parkway Drive; James Ellegood d/b/a Plains Eagle Corporation. (Edward Vigil)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
APRIL 11, 2012
CITY COUNCIL CHAMBERS

11. CONSIDERATION OF RESOLUTION NO. 2012-____. (Councilor Calvert, Mayor Coss, Councilor Wurzbarger, Councilor Ives, Councilor Rivera and Councilor Bushee)
A Resolution Recognizing and Honoring Speaker of the House of Representatives, Ben Lujan, for His Dedication and Commitment to Public Service on Behalf of the People of New Mexico and the City of Santa Fe; and Directing Staff to Determine a Future Date to Honor Speaker Lujan. (Melissa Byers)
12. CONSIDERATION OF RESOLUTION NO. 2012-____. (Councilor Calvert, Mayor Coss, Councilor Wurzbarger, Councilor Ives, Councilor Rivera and Councilor Bushee)
A Resolution Recognizing and Honoring United States Senator Jeff Bingaman, for His Dedication and Commitment to Public Service on Behalf of the People of the United States, New Mexico and the City of Santa Fe; and Directing Staff to Determine a Date to Honor Senator Bingaman. (Melissa Byers)
13. Pursuant to Resolution No. 2012-35, Review of the Following:
An Inventory of All Substantive Public Policy Reports and Public Audits Currently Under Development; and Proposed Schedule of Completion and Presentation of the Proposed Reports to City Committees or the Governing Body. (Robert Romero and Geno Zamora)
14. MATTERS FROM THE CITY MANAGER
15. MATTERS FROM THE CITY ATTORNEY

Executive Session:

Discussion of the Purchase, Acquisition or Disposal of Real Property by the City of Santa Fe, Office Space Purchase Agreement, 500 Market Street, Suite 200 at the Railyard; with Railyard Company LLC, Pursuant to § 10-15-1(H)(8), NMSA 1978, and Discussion of Threatened or Pending Litigation in which the City of Santa Fe Is or May Become a Participant Involving Railyard Company, LLC in Accordance with §10-15-1(H)(7), NMSA 1978.
16. Action Regarding the Purchase, Acquisition or Disposal of Real Property by the City of Santa Fe, Office Space Purchase Agreement, 500 Market Street, Suite 200 at the Railyard; with Railyard Company LLC, and Regarding Threatened or Pending Litigation in which the City of Santa Fe Is or May Become a Participant Involving Railyard Company, LLC. (Robert Romero and Geno Zamora)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
APRIL 11, 2012
CITY COUNCIL CHAMBERS

17. MATTERS FROM THE CITY CLERK
18. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. SALUTE TO THE NEW MEXICO FLAG
- D. INVOCATION
- E. ROLL CALL
- F. PETITIONS FROM THE FLOOR
- G. APPOINTMENTS
- H. PUBLIC HEARINGS:
 - 1) Request from DONM Associates, LLC for a Transfer of Ownership of Dispenser License #2602 from CA Santa Fe Beverage, LLC, to CONM Associates, LLC. This License Will Remain at Courtyard Santa Fe, 3347 Cerrillos Road. (Yolanda Y. Vigil)
- I. ADJOURN

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been addressed, the meeting should be reconvened at 7:00 p.m., the following day and shall be adjourned not later than 12:00 a.m. Agenda items, not considered prior to 11:30 p.m., shall be considered when the meeting is reconvened or tabled for a subsequent meeting.

NOTE: New Mexico law requires the following administrative procedures be followed when conducting "quasi-judicial" hearings. In a "quasi-judicial" hearing all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross-examination. Witnesses have the right to have an attorney present at the hearing.

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520, five (5) days prior to meeting date.

SUMMARY INDEX
SANTA FE CITY COUNCIL MEETING
April 11, 2012

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
<u>AFTERNOON SESSION</u>		
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AMENDED AGENDA	Approved	1-2
APPROVAL OF CONSENT CALENDAR	Approved	2
CONSENT CALENDAR LISTING		2-4
APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – MARCH 28, 2012	Approved	5
<u>PRESENTATIONS</u>		
EMPLOYEE OF THE MONTH FOR APRIL 2012 – DETECTIVE RANDY PECORELLI; POLICE DEPARTMENT		5
SANTA FE TRENDS 2012		5-6
PROCLAMATION – APRIL 2012 FAIR HOUSING MONTH		6
MUCHAS GRACIAS – JAYLINE AGUIRRE 2 ND PLACE AND VALERIA CERA (1 ST PLACE) CESAR CHAVEZ COMMUNITY SCHOOL ANNUAL SPELLING BEE		6-7
MUCHAS GRACIAS – LOIS SIMMS, MAYOR'S COMMITTEE ON DISABILITY		7
PROCLAMATION – 10 TH ANNIVERSARY – SANTA FE INTERNMENT CAMP		7-9
CONSIDERATION OF RESOLUTION NO. 2012-41. A RESOLUTION RECOGNIZING AND HONORING SPEAKER OF THE HOUSE OF REPRESENTATIVES BEN LUJAN FOR HIS DEDICATION AND COMMITMENT TO PUBLIC SERVICE ON BEHALF OF THE PEOPLE OF NEW MEXICO AND THE CITY OF SANTA FE; AND DIRECTING STAFF TO DETERMINE A FUTURE DATE TO HONOR SPEAKER LUJAN	Approved	9

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
CONSIDERATION OF RESOLUTION NO. 2012- 42 A RESOLUTION RECOGNIZING AND HONORING UNITED STATES SENATOR JEFF BINGAMAN, FOR HIS DEDICATION AND COMMITMENT TO PUBLIC SERVICE ON BEHALF OF THE PEOPLE OF NEW MEXICO AND THE CITY OF SANTA FE; AND DIRECTING STAFF TO DETERMINE A DATE TO HONOR SENATOR BINGAMAN	Approved [amended]	9-10
PURSUANT TO RESOLUTION NO. 2012-35, REVIEW OF THE FOLLOWING: AN INVENTORY OF ALL SUBSTANTIVE PUBLIC POLICY REPORTS AND PUBLIC AUDITS CURRENTLY UNDER DEVELOPMENT; AND PROPOSED SCHEDULE OF COMPLETION AND PRESENTATION OF THE PROPOSED REPORTS TO CITY COMMITTEES OF THE GOVERNING BODY	Presentation/discussion	10-11
MATTERS FROM THE CITY MANAGER	None	11
<u>MATTERS FROM THE CITY ATTORNEY</u>		
EXECUTIVE SESSION	Approved [amended]	12-13
MOTION TO COME OUT OF EXECUTIVE SESSION	Approved	13
ACTION REGARDING THE PURCHASE, ACQUISITION OR DISPOSAL OF REAL PROPERTY BY THE CITY OF SANTA FE, OFFICE SPACE PURCHASE AGREEMENT, 500 MARKET STREET, SUITE 200 AT THE RAILYARD; WITH RAILYARD COMPANY, LLC, AND REGARDING THREATENED OR PENDING LITIGATION IN WHICH THE CITY OF SANTA FE IS OR MAY BECOME A PARTICIPANT INVOLVING RAILYARD COMPANY, LLC	Postponed to 04/25/12	13-14
MATTERS FROM THE CITY CLERK	Information	14
<u>EVENING SESSION</u>		
CALL TO ORDER AND ROLL CALL	Quorum	15
PETITIONS FROM THE FLOOR		15-17

ITEM**ACTION****PAGE #****APPOINTMENTS****Sustainable Santa Fe Commission****Approved****17****PUBLIC HEARINGS****REQUEST FROM CONM ASSOCIATES, LLC, FOR
A TRANSFER OF OWNERSHIP OF DISPENSER
LICENSE #2602 FROM CA SANTA FE BEVERAGE,
LLC, TO CONM ASSOCIATES, LLC. THIS LICENSE
WILL REMAIN AT COURTYARD SANTA FE, 3347
CERRILLOS ROAD****Approved****18****COMMUNICATIONS FROM THE GOVERNING BODY****Information/discussion****18-23****ADJOURN****23**

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
April 11, 2012**

AFTERNOON SESSION

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Coss, on Wednesday, April 12, 2012, at approximately 5:00 p.m., in the City Hall Council Chambers. Following the Pledge of Allegiance, Salute to the New Mexico flag, and the Invocation, roll call indicated the presence of a quorum, as follows:

Members Present

Mayor David Coss
Councilor Rebecca Wurzbarger, Mayor Pro-Tem
Councilor Patti J. Bushee
Councilor Dimas
Councilor Carmichael A. Dominguez
Councilor Ives
Councilor Rivera

Members Excused

Councilor Christopher Calvert
Councilor Ronald S. Trujillo

Others Attending

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

6. APPROVAL OF AMENDED AGENDA

Robert Romero noted items 9(d), (e) and (f) under Presentations were added to the Amended Agenda.

MOTION: Councilor Dominguez moved, seconded by Councilor Rivera, to approve the Amended Agenda as presented

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

7. APPROVAL OF CONSENT CALENDAR

MOTION: Councilor Dominguez moved, seconded by Councilor Wurzbarger, to approve the following Consent Calendar, as presented.

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

For: Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera and Councilor Wurzbarger.

Against: None.

Absent for the vote: Councilor Bushee

A copy of the *Amended Legislative Summary, Resolution No. 2012- _____*, regarding Item 10(d) is incorporated herewith to these minutes as Exhibit "1."

A copy of an Action Sheet Item from the Public Works/CIP and Land Use Committee Meeting of Monday, April 9, 2012, is incorporated herewith to these minutes as Exhibit "2."

- a) **REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – ENGINEERING DESIGN SERVICES AT THE SANTA FE DEPOT PLATFORM AND PERFORMANCE STAGE RENTAL FOR THE RAILYARD PARK PERFORMANCE GREEN STAGE AND PLAZA; SANTA FE RAILYARD COMMUNITY CORPORATION. (BOB SIQUEIROS)**
 - 1. **REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND.**
- b) **REQUEST FOR APPROVAL OF SANTA FE UNIVERSITY OF ARTS AND DESIGN (SFUAD) SCHOLARSHIPS SECTION REVISIONS. (SEAN MOODY AND JOHN GRIEGO)**

- c) **CONSIDERATION OF RESOLUTION NO. 2012- 36 (COUNCILOR BUSHEE, COUNCILOR CALVERT AND COUNCILOR WURZBURGER). A RESOLUTION DIRECTING STAFF TO INVENTORY ANNEXATION ITEMS AND ISSUES TO BE DISCUSSED BETWEEN THE GOVERNING BODIES OF THE CITY AND THE COUNTY. (REED LIMING)**
- d) **CONSIDERATION OF RESOLUTION NO. 2012-37 (COUNCILOR WURZBURGER). A RESOLUTION SUPPORTING THE CONTINUATION OF ECONOMIC DEVELOPMENT ACTIVITIES RELATED TO THE FILM INDUSTRY WITHIN THE CITY OF SANTA FE AND AUTHORIZING THE USE OF CITY-OWNED PROPERTIES, AT NO COST, FOR FILM AND TELEVISION PRODUCTIONS THAT ARE ENROLLED IN THE NEW MEXICO FILM PRODUCTION TAX CREDIT PROGRAM. (FABIAN TRUJILLO)**
- e) **CONSIDERATION OF RESOLUTION NO. 2012- 38 (COUNCILOR BUSHEE AND COUNCILOR CALVERT)). A RESOLUTION AMENDING THE DESIGNATED FUNDING FOR INTERIM BRIDGE REHABILITATION, APPROVED BY THE GOVERNING BODY ON NOVEMBER 30, 2011, SO THAT ALL SUCH DESIGNATED FUNDING BE USED IN CONJUNCTION WITH OTHER LOCAL, STATE AND FEDERAL FUNDING MECHANISMS, TO REPLACE THE DEFOURI STREET BRIDGE. (ISAAC PINO)**
- f) **CONSIDERATION OF RESOLUTION NO. 2012- 39 (MAYOR COSS, COUNCILOR CALVERT, COUNCILOR DIMAS, COUNCILOR DOMINGUEZ, COUNCILOR IVES, COUNCILOR RIVERA, COUNCILOR TRUJILLO, COUNCILOR WURZBURGER AND COUNCILOR BUSHEE). A RESOLUTION ESTABLISHING A BLUE RIBBON PANEL WHOSE SOLE PURPOSE IS TO DEVELOP AND RECOMMEND A PLAN TO END HOMELESSNESS IN SANTA FE. (NICK SCHIAVO AND TERRIE RODRIGUEZ)**
- g) **CONSIDERATION OF RESOLUTION NO. 2012- ____ (COUNCILOR ROMERO, COUNCILOR TRUJILLO, COUNCILOR WURZBURGER, COUNCILOR CALVERT, COUNCILOR IVES AND COUNCILOR RIVERA). A RESOLUTION DIRECTING STAFF TO PREPARE THE REQUIRED DOCUMENTS TO AMEND THE CURRENT AGREEMENT BETWEEN THE CITY OF SANTA FE AND THE SANTA FE RAILYARD PARK STEWARDS FOR CONTINUED SERVICES TO BE PROVIDED AT THE SANTA FE RAILYARD PARK AND PLAZA FOR AN ADDITIONAL \$100,000 PER YEAR TO BE PAID OVER A THREE YEAR TERM. (BOB SIQUEIROS) (Postponed to April 25, 2012 City Council Meeting)**

- h) REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON MAY 9, 2012:**

 - 1. BILL NO. 2012-12: AN ORDINANCE AMENDING ARTICLE 23-6 SFCC 1987, TO ESTABLISH REGULATIONS FOR EVENT SPONSORS WHO HAVE BEEN AUTHORIZED TO USE A CITY PARK WHEN THE SALE AND CONSUMPTION OF ALCOHOL IS PERMITTED (COUNCILOR DOMINGUEZ). (ALFRED WALKER)**
 - 2. BILL NO. 2012-13: AN ORDINANCE AMENDING SUBSECTIONS 14-3.10-(B) SFCC 1987, AND 14-3.10(C) SFCC 1987, RELATING TO DEVELOPMENT IN SPECIAL FLOOD HAZARD AREAS; AMENDING SECTION 14-8.3 RELATING TO FLOOD REGULATIONS; AMENDING ARTICLE 14-12 SFCC 1987, TO REPEAL THE DEFINITION OF "FLOODPLAIN," AMEND VARIOUS DEFINITIONS AND ESTABLISH DEFINITIONS FOR "FLOOD INSURANCE RATE MAP" AND "WAIVER"; AND MAKING ANY OTHER CHANGES AS ARE NECESSARY (MAYOR COSS). (MATTHEW O'REILLY)**
- i) REQUEST FOR APPROVAL CONSIDERATION TO FILL VACANT POSITIONS. (ROBERT ROMERO)**
- j) REQUEST FOR APPROVAL OF THE 2010 ANNUAL WATER REPORT AND WATER BANK ALLOCATION. (ALAN HOOK)**
- k) REQUEST FOR APPROVAL OF THE 2022 ANNUAL WATER REPORT AND WATER BANK ALLOCATION. (ALAN HOOK)**
- l) CONSIDERATION OF RESOLUTION NO. 2012- 40 (COUNCILOR BUSHEE). A RESOLUTION DIRECTING STAFF TO AMEND CITY WATER CONSERVATION INCENTIVE PROGRAM POLICIES, PROCEDURES AND THE CITY'S WEBSITE, RELATING TO WATER CONSERVATION DEVICE REBATES SO THAT SANGRE DE CRISTO WATER CUSTOMERS ARE GIVEN OPTIONS FOR PROVIDING PROOF OF PURCHASE OR TRADE FOR WATER CONSERVATION DEVICES THAT QUALIFY FOR A REBATE. (BRIAN SNYDER)**
- m) REQUEST FOR APPROVAL TO RE-ALIGN A PORTION OF RIGHT-OF-WAY WITHIN THE BOUNDS OF PARKWAY DRIVE ADJOINING THE WESTERLY BOUNDARY OF LOT 17 OF THE RICHARDS AVENUE BUSINESS PARK, LOCATED AT 1225 PARKWAY DRIVE; JAMES ELLEGOOD D/B/A PLAINS EAGLE CORPORATION. (EDWARD VIGIL)**

8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – MARCH 28, 2012

MOTION: Councilor Dominguez moved, seconded by Councilor Ives, to approve the minutes of the Regular City Council meeting of March 28, 2012, as presented.

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

9. PRESENTATIONS

a) EMPLOYEE OF THE MONTH FOR APRIL 2012 – DETECTIVE RANDY PECORELLI; POLICE DEPARTMENT

Mayor Coss read the letter of nomination into the record and presented a plaque and a check, for \$100 from the Employee Benefit Committee, to Sgt. Finney who accepted on behalf of Detective Randy Pecorelli who couldn't be here this evening. Mayor Coss expressed thanks and appreciation to Detective Pecorelli for his outstanding work on behalf of the City.

Sgt. Finney said he has known Detective Pecorelli for 10 years. He said one of the pieces recovered by Detective Pecorelli was valued \$3 million to \$27 million, noting he is returning property today. He said, "He is one of the Detectives there that nobody really knows, but everybody respects. And he's got an incredible work ethic and he works very hard for the City. I don't know, I can't give you any numbers, but his recovery of stolen property is in the millions of dollars every year. He's fantastic. He's a great investigator. He teaches us every day how to do our job, and there's not enough like him. So, thank you, Councilor, Mr. Mayor. He'll appreciate it, the check especially."

Mayor Coss thanked Sgt. Finney for his work as well.

b) SANTA FE TRENDS 2012. (REED LIMING)

Reed Liming presented information from *Santa Fe Trends 2012*, which is in the Council packet.

Councilor Dominguez thanked Mr. Liming for the work he put into this document, and encouraged the Governing Body and the public to study it, saying there is valuable information for the City and the community.

Mr. Liming said *Trends* is on the City's home page on the left side.

Councilor Ives thank Mr. Liming for the report, commenting it is helpful to get a snapshot of the City. It helps him identify some of the issues we, as a Council, need to look at in the upcoming year.

Councilor Ives said, supplemental to the information on water in the report, with regard to the City's per capita water use at 105 gallons per day, it is one of the lowest rates in the country, not limited to the Southwest. He said the tend was up from 104 last year and 102 from the prior year.

Councilor Ives said Mayor Coss issued a challenged to reduce our annual water use. He said the Water Conservation Committee met yesterday, and noted the slight increase over the past 3 years from 102 to 105, and the Committee intends to try to address this issue and keep the use moving "in a positive negative way, which I think would be the correct way to express that."

Councilor Wurzburger thanked Mr. Liming for his work, saying appreciates the information. She said it is the most beautiful cover he has presented, which should be a real "eye grabber" on the website.

Mayor Coss said it is interesting that Transit is about to hit 1 million trips per year on Santa Fe Trails. He said when the system first started, it took 3 years to reach 1 million riders, so this is a very positive trend.

c) PROCLAMATION – APRIL 2012 FAIR HOUSING MONTH (KYM DICOME)

Mayor Coss read the Proclamation into the record declaring April 2012, as Fair Housing Month in Santa Fe.

Councilor Bushee arrived at the meeting

d) MUCHAS GRACIAS – JAYLINE AGUIRRE 2ND PLACE AND VALERIA CERA (1ST PLACE) CESAR CHAVEZ COMMUNITY SCHOOL ANNUAL SPELLING BEE.

Mayor Pro-Tem Wurzburger spoke about her personal experience in a spelling bee, and congratulated both of the winners.

Councilor Rivera presented Valeria Cera with a Muchas Gracias certificate and congratulated her on the first place win.

Councilor Dominguez said these are City champions. Councilor Dominguez presented a Muchas Gracias certificate to Jayline Aguirre which was accepted by the coach.

The Spelling Bee coach said Valeria Cera is a 4th grader, who competed against students from the 5th through 8th to win the championship. He said last year Cesar Chavez also won the City Championship, so this is the second year in a row, noting this year they also captured second place. He introduced Lupita, the other coach who works very hard with the children.

Valeria Cera said, "Thank you very much."

e) MUCHAS GRACIAS – LOIS SIMMS, MAYOR'S COMMITTEE ON DISABILITY.

Mayor Coss presented a Muchas Gracias certificate to Lois Simms for her long time service on the Mayor's Committee on Disability.

Lois Simms said, "Thank you for allowing me to be on the Committee to work for the City. I've enjoyed every minutes of it. Can I make one little statement. Very nicely, I say to you, everything that the people with disabilities do for themselves is also good for you, because you use the ramps, you use everything that we install. The only thing we ask you not to do is park in our parking spots. Otherwise, you are allowed to use everything. Thank you so very much, I appreciate this."

Mayor Coss thanked Ms. Simms and the members of the Committee in attendance today.

Councilor Bushee said she is grateful for Ms. Simms work and for bringing things to her attention which needs to be done.

f) PROCLAMATION – 10TH ANNIVERSARY – SANTA FE INTERNMENT CAMP

Mayor Coss read the Proclamation into the record, assisted by Mayor Pro-Tem Wurzburger and Councilor Bushee, declaring this the 10th Anniversary of the Santa Fe Internment Camp.

Councilor Bushee said when the idea was brought to her by people from the community, they educated her on this issue. She said she introduced the Resolution which brought forth a lot of discourse and discussion, not all of it comfortable and easy, noting there were survivors of the

Bataan death march who felt it was wrong to make this acknowledgment. She said, to her, it was a part of the local history, and she is grateful it turned out to be a wonderful memorial and recognition of our history. She thanked Vicente Ojinaga, a Bataan death march survivor, who stood up for the memorial with a strong voice. She said people should learn more about the local history "right here in our back yard."

Councilor Wurzbarger publicly thanked and acknowledged the research and writing of Nancy Bartlit, which has done a lot to make this real for Santa Feans and people across the nation and the world.

Nancy Bartlit said she was here when the Council had the initial discussions, noting Gerard Martinez was hired to facilitate this effort. She attended 2 of the 3 meetings, and people were sharing why a marker was necessary. She said the veterans and their families believed there were Japanese POWs in the camp, but there never were. All of the people in the camp were civilians, who were considered disloyal because they didn't answer the loyalty questionnaire "yes yes," and they lost their citizenship. She said there were newspaper articles describing disloyal Americans in the camp, which was part of the controversy which was very intense at the time.

Ms. Bartlit spoke about her research over the past 10 years which included the internment camps, the Navajo Code Talkers and the survivors of the Bataan death march. She said Tom Chavez told her there were Confederate soldiers buried in Rosario Cemetery. She said she is a historian and past Mayor of Los Alamos. She said she was very proud of each member of the Santa Fe City Council that night because of the process of democracy and the heartfelt reasons expressed by each member for their vote which was a tie, broken by Mayor Delgado.

Ms. Bartlit said there are Japanese descendants of people in the Camp who come to Santa Fe to find out what happened while their fathers and/or grandfathers were in the Camp. She said the population was 1/10 the population of Santa Fe at the time, noting it was a Department of Justice Camp which was well run and the internees were treated very well under the Geneva Convention.

Councilor Bushee said the teachers from Gonzales School brought the issue forward, and she asked that they be involved in the celebration in some way, and Ms. Bartlit noted Susan McIntosh will be attending.

Ms. Bartlit said, "Our committee is committed to try to continue collecting our histories and to give our information to the Chavez Library."

Mayor Coss thanked Councilors Bushee and Wurzbarger for bringing this forward, commenting that the night this was approved was another historic night in the Council Chambers, and he felt it was a good thing to do and helped to heal some feelings and some wrongs, noting he attended the 70th ceremony of the Bataan death march yesterday.

- 11. CONSIDERATION OF RESOLUTION NO. 2012-41 (COUNCILOR CALVERT, MAYOR COSS, COUNCILOR WURZBURGER, COUNCILOR IVES, COUNCILOR RIVERA AND COUNCILOR BUSHEE), A RESOLUTION RECOGNIZING AND HONORING SPEAKER OF THE HOUSE OF REPRESENTATIVES BEN LUJAN FOR HIS DEDICATION AND COMMITMENT TO PUBLIC SERVICE ON BEHALF OF THE PEOPLE OF NEW MEXICO AND THE CITY OF SANTA FE; AND DIRECTING STAFF TO DETERMINE A FUTURE DATE TO HONOR SPEAKER LUJAN. (MELISSA BYERS)**

MOTION: Councilor Wurzbarger moved, seconded by Councilor Dominguez, to adopt Resolution No. 2012-41.

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

For: Councilor Bushee, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera and Councilor Wurzbarger.

Against: None.

- 12. CONSIDERATION OF RESOLUTION NO. 2012- 42 (COUNCILOR CALVERT, MAYOR COSS, COUNCILOR WURZBURGER, COUNCILOR IVES, COUNCILOR RIVERA AND COUNCILOR BUSHEE). A RESOLUTION RECOGNIZING AND HONORING UNITED STATES SENATOR JEFF BINGAMAN, FOR HIS DEDICATION AND COMMITMENT TO PUBLIC SERVICE ON BEHALF OF THE PEOPLE OF NEW MEXICO AND THE CITY OF SANTA FE; AND DIRECTING STAFF TO DETERMINE A DATE TO HONOR SENATOR BINGAMAN. (MELISSA BYERS)**

A copy of a proposed amendment to this Resolution, presented by staff, is incorporated herewith to these minutes as Exhibit "3."

Mayor Coss acknowledged Pablo Sedillo of Senator Bingaman's Office.

Mr. Sedillo congratulated the newly elected Councilors on behalf of Senator Bingaman. He said Senator Bingaman has served New Mexico well, and we are losing a great legislator and friend

of the people, noting Senator Bingaman will be leaving office January 3, 2013, which also will be Mr. Sedillo's last day. He said hopefully, Senator Bingaman will resurrect in another capacity, commenting he will be moving back to Santa Fe. He thanked the Mayor and Council for this well deserved honoring of Senator Bingaman.

MOTION: Councilor Wurzbarger moved, seconded by Councilor Ives, to adopt Resolution No. 2012-42 with the proposed amendment.

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

For: Councilor Bushee, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera, and Councilor Wurzbarger.

Against: None.

13. PURSUANT TO RESOLUTION NO. 2012-35, REVIEW OF THE FOLLOWING: AN INVENTORY OF ALL SUBSTANTIVE PUBLIC POLICY REPORTS AND PUBLIC AUDITS CURRENTLY UNDER DEVELOPMENT; AND PROPOSED SCHEDULE OF COMPLETION AND PRESENTATION OF THE PROPOSED REPORTS TO CITY COMMITTEES OF THE GOVERNING BODY. (ROBERT ROMERO AND GENO ZAMORA)

Geno Zamora said, "On March 30th, the Governing Body passed, as an urgent Resolution, Resolution No. 2012-35, which provided for two items. The first providing direction to City staff as far as a process for finalizing and publicly presenting draft public policy reports and public audits. That's the first purpose. The second purpose is why we are here this evening, which is that at the April 11, 2012 meeting, staff is required to provide, 1) an inventory of all substantive public policy reports currently under development, and, 2) a proposed schedule of completion and presentation of the proposed reports to City committees or the Governing Body. In accordance with this Resolution, both the City Attorney's Office and the City Manager's Office, informed all Division Directors of this Resolution, of their recording requirements, both in Senior Staff meetings as well as by email, asked for them to submit that inventory of pending public policy reports or audits."

Mr. Zamora continued, "And what you have before you, is a table that displays those items. First is, and there were 4 responses, the first being an update to the City's General Plan; the second being an update to the Housing Needs Assessment Plan; the third being a Bicycle Master Plan; and the fourth being an Airport Master Plan. What is included in your packet, is that inventory and that schedule for presentation to City committees and/or the Governing Body."

Councilor Bushee said, "On the land use piece of the update to the City's General Plan, I would really like to know an intended schedule – it doesn't have to be now, you can email me one – of public input, either as you work on the draft... I mean that's my experience when we did it before. I don't need to hire somebody from San Francisco and pay them a lot of money to do it, so I think we can do it in-house, but I want to know how we're going to seek public input into the report, and then how we're going to distribute that report afterward. So if you could get back to me on that, I don't really need it now, but I assume there is going to be some public input, or a way to air it even when it's completed, or both."

Mr. O'Reilly said he will pass that on to Reed Liming, Long Range Planning Division Director, who will be handling that, and ask him to respond to the Councilor's concerns.

Councilor Bushee said, "Then you might want to combine things with our public relations sort of staff and see if there's some way to be able to conduct public meetings with some of our in-house staff as well, to take comments, and survey stakeholders, any of it, because it's been long over due and we impact everything from land use policy, potential changes, so I think it's important to take some public comment."

Councilor Wurzbarger said, "Geno, I presume that this is something that is going to be updated as we go through the year. For example, I'm quite certain that through Public Works we'll be developing some additional strategic reports that perhaps haven't even existed in the past. So, I would presume that you have a mechanism for doing updates on this."

Mr. Zamora said, "What the Resolution creates... well, the short answer is yes. This table can be updated periodically. By following the Resolution, as public policy reports begin development, there is a requirement to have them presented within 15 days of that report being available, so it's self-effecting, if you will, going forward, but I do believe it is also a good practice to periodically present this table to the Governing Body."

Councilor Wurzbarger said, then we will expect a longer list as we go along doing work, and Mr. Zamora said yes.

14. MATTERS FROM THE CITY MANAGER.

There were no matters from the City Manager.

15. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION:

- a) **DISCUSSION OF THE PURCHASE, ACQUISITION OR DISPOSAL OF REAL PROPERTY Y THE CITY OF SANTA FE, OFFICE SPACE PURCHASE AGREEMENT, 500 MARKET STREET, SUITE 200 AT THE RAILYARD; WITH RAILYARD COMPANY, LLC, PURSUANT TO §10-15-1(H)(8), NMSA 1978, AND DISCUSSION OF THREATENED OR PENDING LITIGATION IN WHICH THE CITY OF SANTA FE IS OR MAY BECOME A PARTICIPANT, INVOLVING RAILYARD COMPANY, LLC, IN ACCORDANCE WITH §10-15-1(H)(7), NMSA 1978.**

Councilor Bushee said she would like to clarify that we are not going into executive session to discuss the potential purchase of property at 500 Market Street, just the ongoing negotiations.

Mr. Zamora said, "Again, the two items are listed. It is within the discretion of the Governing Body if they want to discuss that item. I believe there are some new Councilors who may not have an understanding of the history of the discussions and the previous settlements that have been agreed to. So it is up to them if they want that discussion in this meeting."

Councilor Bushee said it was her understanding that was postponed.

Mr. Zamora said, "The Railyard Company has asked that action on the Settlement Agreement and the purchase and/or lease relating thereto be delayed until the next meeting."

Mayor Coss said he is glad Mr. Zamora pointed out that that there are two pieces to the request. He said the pending litigation has been going on for two years. He said, "the actual discussion of purchase or acquisition, the parameters of how we do that, how we finance that, why we do that, why that makes sense or doesn't make sense, we could do it in Executive Session. But I just think that's better done in open session, and now I understand they've asked for no action tonight, so maybe we won't do that tonight. I just wanted to put that out that I think it's fine and good to go in [executive session] on threatened and pending litigation. But I think when we start talking about purchase or acquisition, my preference would be to just do that on the record out here."

Councilor Bushee said this is the reason she asked for the distinction.

Councilor Wurzburger said, "I agree with you Mayor."

Mayor Coss said, then I think the motion would be to go into executive session just for the discussion of threatened or pending litigation.

MOTION: Councilor Wurzburger moved, seconded by Councilor Rivera, that the Council go into Executive Session for 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 Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera, and Councilor Wurzburger.

Against: None.

The Council went into Executive Session at approximately 6:00 p.m.

MOTION TO COME OUT OF EXECUTIVE SESSION

MOTION: At 7:15 p.m. Councilor Wurzburger moved, seconded by Councilor Ives, 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, Dimas, Dominguez, Ives, Rivera, Wurzburger voting for the motion and none voting against.

16. ACTION REGARDING THE PURCHASE, ACQUISITION OR DISPOSAL OF REAL PROPERTY BY THE CITY OF SANTA FE, OFFICE SPACE PURCHASE AGREEMENT, 500 MARKET STREET, SUITE 200 AT THE RAILYARD; WITH RAILYARD COMPANY, LLC, AND REGARDING THREATENED OR PENDING LITIGATION IN WHICH THE CITY OF SANTA FE IS OR MAY BECOME A PARTICIPANT INVOLVING RAILYARD COMPANY, LLC. (ROBERT ROMERO AND GENO ZAMORA)

MOTION: Councilor Wurzburger moved, seconded by Councilor Dominguez, to postpone this item to the next meeting of the Governing Body on April 25, 2012.

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

For: Councilor Bushee, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera, and Councilor Wurzbarger.

Against: None.

17. MATTERS FROM THE CITY CLERK

Yolanda Vigil, City Clerk, said she would like to note that she just provided the Mayor and Councilors with a brand new Governing Body Procedural Rules, which up to date and is the "latest and greatest."

***Mayor Coss moved Communications from the Governing Body
to the end of the Evening Agenda***

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

EVENING SESSION

A. CALL TO ORDER AND ROLL CALL

The Evening Session was called to order by Mayor David Coss, at approximately 7:15 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 Dimas
Councilor Carmichael A. Dominguez
Councilor Ives
Councilor Rivera

Members Excused

Councilor Christopher Calvert
Councilor Ronald S. Trujillo

Others Attending

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

F. PETITIONS FROM THE FLOOR

A copy of an Affidavit dated April 4, 2012, to Stephanie Beninato from Earl Sury, President, Western Power Service, entered for the record by Stephanie Beninato, is incorporated herewith to these minutes as Exhibit "4."

David McQuarie, 2997 [inaudible] said he is here to talk about two items. First item is the Consent Agenda and what's been talked about where it will be more transparent and there will be more detail to let the public know what is happening "behind closed doors." He said he is perfectly in favor of that, noting he has run into many problems over and over of what he calls "stonewalling." He said he is trying find a simple answer, "and you get the runaround, or they just look at you like

they're looking at a blank wall." He reiterated that he is firmly in favor of being transparent, noting he has had a problem more than once where he doesn't get an answer to a question, or "we get a real sideline answer, undocumented." He said we ask for things in writing, but we never get it in writing.

Mr. McQuarie said the second thing he wants to talk about has been in the newspaper, is where Advantage Asphalt is being reviewed and he is in favor of that. He said we did have one problem with Advantage on Pueblos del Sol Trail, and they are still waiting for something to be done according to federal regulations. And according to the chair of our Committee, it is not being done. He said, "I think there might be some collusion, because we've asked about it and we get this, 'Oh, Advantage is great, they treat us so good.'" He said perhaps the newspaper will have an easier time getting public information. He said a Complaint has been filed with a federal agency about some of these items, so we will be able to go to the feds for public information and not get stonewalled."

Sagemaya Dandhi, 1492 Upper Canyon Road, said he is back here on the same issue. He said he has a copy of the City Animal Control Ordinances of the City of Santa Fe, and would like to call your attention to the definition on the second page, which says, "A service animal means any animal trained to assist mobility impaired, blind or deaf people, or trained for and actively employed by a police department." He spoke to the Governor's Commission on Disability, and the last section there is incorrect. Police Dogs are not service animals, and should be removed from the Ordinance and updated and made correct. He said they can verify this with either Hope or Dee Martinez at the Governor's Commission on Disability. He said he met with the Mayor and Police Chief regarding service dogs, and "I told them the interview that transpired with the City Manager, April 5, 2010, where at the end of the meeting, Kelly Brennan told me that she's not going to enforce service dog laws." He realizes the Chief is new and he said he would get back with him, but there has been no resolution. He said, as a taxpayer, I find it very disheartening that people are sitting here in the City Council obligating the City of Santa Fe to damage awards, because you're not going to enforce service dog laws and the most stringent laws passed by the State, which give someone a year in jail and a \$1,000 fine, and the City Ordinance gives no fine at all, "so nobody likes the City ordinance, so people violating the law are going where businesses don't allow us to go in there." He said "That opens up to a tremendous lawsuit, because you are specifically discriminating against a group of people that the law was designed to protect."

Stefanie Beninato, 604-604 ½ Galisteo, said she has an Affidavit from Earl Sury who was present with her and John Paul Romero when they talked to the City Attorney, and the Assistant

City Attorney that the City Engineer had agreed that something would happen at the intersection of Santa Fe Avenue and Galisteo Street, and it was dependent on what was in the budget. She said, even though, 7 months later the Assistant City Attorney wants to tell me that no water came off the street, it is really physically impossible for just water from her roof to have done the kind of damage it did, and to go onto her neighbor's property and flood out SUVs over their wheel wells when they were above a holding pond. She said this letter [Exhibit "4"] is more evidence that the City did agree to do something there. She said she spoke with the Mayor, and he said he would speak with the City Engineer about doing something. She said flooding twice in 10 years is too many times for City water to come onto her property, noting the City doesn't have an easement for it. She said it's not just her property.

Ms. Beninato continued. She said you also got a letter this week from Peter Komis, the head of the Don Gaspar Neighborhood Association, noting he gave his letter to the City Clerk and it was supposed to be given to the Mayor and Council, and if they didn't get that, she would be happy to email it to them. She said, "Mr. Komis, as head of the Neighborhood Association, is also asking for some improvement at that intersection. And again, a transverse grade or drain would be the most beneficial to the community. It would help prevent icing at that intersection, and Mr. Max Garcia is in his mid-80s and cannot go out there and clear the ice any more, so a grate would be a good thing there and again, it would prevent flooding of my property and would prevent flooding at 610 Galisteo Street as well. So I hope, your honor that I'll hear from somebody from the City about what's going to happen there and when. Thank you."

G. APPOINTMENTS

Sustainable Santa Fe Commission

Mayor Coss made the following appointment to the Sustainable Santa Fe Commission:

Esha Chiochio – to fill unexpired term ending 05/2013.

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

VOTE: The motion was approved unanimously on a voice vote with Councilors Bushee, Dimas, Dominguez, Ives, Rivera, and Wurzbarger voting in favor of the motion and none voting against.

H. PUBLIC HEARINGS

- 1) REQUEST FROM CONM ASSOCIATES, LLC, FOR A TRANSFER OF OWNERSHIP OF DISPENSER LICENSE #2602 FROM CA SANTA FE BEVERAGE, LLC, TO CONM ASSOCIATES, LLC. THIS LICENSE WILL REMAIN AT COURTYARD SANTA FE, 3347 CERRILLOS ROAD.**

The staff report was given by Yolanda Y. Vigil, City Clerk, noting the business is not within 300 feet of a church or school. She said there are staff reports in the Council packet regarding litter, noise and traffic. She said, "We are recommending that it be noted that Courtyard Santa Fe is required to comply with the City's litter and noise Ordinances as a condition of doing business in the City."

Public Hearing

Mike Schoffet, General Manager, Courtyard, was sworn. Mr. Schoffet said, "Nothing changes, it is the same building, everything's the same. It's just that on January 23, 2012, there was a transfer of ownership of the property, so it is the formality of changing the liquor license from one owner to the other, nothing in fact changes."

The Public Hearing was closed

MOTION: Councilor Ives moved, seconded by Councilor Dominguez, to approve the request for a transfer of ownership of Dispenser License #2602 from CA Santa Fe Beverage, LLC, to CONM Associates, LLC, to remain at Courtyard Santa Fe, 3347 Cerrillos Road.

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

For: Councilor Bushee, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera, and Councilor Wurzbarger.

Against: None.

16. COMMUNICATIONS FROM THE GOVERNING BODY

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

Councilor Dimas

Councilor Dimas said he got a call from a constituent who said every time it rains or snows the dirt washes down onto the sidewalk by the County Fairgrounds, and people can't use the sidewalk. Councilor Dimas said he looked at the site, and he thinks we will need a small retaining wall or something there. He asked Mr. Romero to look at it and see how it can be resolved, commenting that it ices in the winter and people can't use the sidewalk.

Councilor Dimas wished a happy birthday to his mother who will be 87 years old tomorrow.

Councilor Ives

Councilor Ives said Santa Fe is in the running as a potential winner for the Mayor's Water Conservation Challenge. He said we are competing with jurisdictions that 100,000 plus citizens which is the largest category. It is a competition for water conservation which is sponsored by the Wyland Foundation. He said you can go to www.mywaterpledge.com and make a pledge. He said he is asking everyone watching at home to go the website and make a pledge, and hopefully the City of Santa Fe can prevail, noting the people of Santa Fe already regularly participate in water conservation, and this would provide some national recognition.

Councilor Wurzbarger said she read the description and we all want to do this for the purpose of supporting conservation, and said she understood the City also could win a car.

Councilor Ives said yes, he believes it's a Prius. He said Dan Ransom was here earlier, but had to leave. However, there is something very positive, a little pot of gold at the end of the rainbow here.

Councilor Ives noted the Water Fiesta t-shirt he's wearing this evening, which relates to the Water Fiesta which is being held next door at the Convention Center today and tomorrow. He said it is sponsored by the City which involves approximately 650 elementary school students, primarily 4th graders from 27 different schools around the City. This is the 10th year of the Water Fiesta, and it has grown larger each year. He attended today and said it was fabulous to see those kids so thoroughly engaged in learning activities. He noted there were a number of members from the Rio Rancho Water Conservation Commission in attendance. He said the program has become so popular, instructors came from Taos Pueblo and will take it back to the Pueblo and into the Taos area. He encouraged everyone to attend the Water Fiesta tomorrow to see the activities in which the kids are engaged.

Councilor Ives introduced a Resolution relating to the Inspection of Public Records Act; and establishing a full-time, dedicated position in the City Attorney's Office to be known as the "Custodian" of Public Records. He said the City Clerk has done a great job, but thinks perhaps that's not the best place to ensure that we get the most effective review, tracking, staffing and production of records in response to IPRA requests. He said he spoke with the City Attorney with regard to housing that person in the City Attorney's Office. Councilor Ives noted Councilor Bushee would like to join as a cosponsor of the Resolution. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "6."

Councilor Rivera

Councilor Rivera had no communications.

Councilor Wurzburger

Councilor Wurzburger reminded everyone that the Baille de Cascarones will be held on Saturday, 6:30 to 11:00 p.m., at the Convention Center, and she hopes to see everyone there. She said people can go alone, because all of the traditional dances are taught and people are invited to come and join and dance with children and middle aged people and very old people. She said this is one of the most fun evenings in which she has participated.

Councilor Wurzburger said her daughter is in her first year of medical school at UNM, and last night, her daughter told her that she helped deliver her first baby.

Councilor Bushee

Councilor Bushee is happy with the Resolution introduced by Councilor Ives, and asked the source of funds to pay for this effort.

Councilor Ives said he doesn't have that answer in hand yet, but we're already paying staff to do those duties.

Mr. Romero said there is a vacant Administrative Assistant position which they will convert to that position, so it will be revenue neutral.

Councilor Bushee would like to add to the scope of work to keep up the electronic records in the Sunshine Portal with regard to IPRA requests and such, noting she wants to see if it can be done electronically as well.

Councilor Bushee introduced the following:

1. A Resolution amending the City of Santa Fe records retention rule for Campaign Contribution Reports. A copy of the Resolution is incorporated herewith to these minutes as Exhibit " 7."
2. A Resolution calling on the United States Congress and the President of the United States to redirect military spending to domestic priorities. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "8."

Mayor Coss said he would like to cosponsor the Resolution, noting he cosponsored it at the U.S. Conference of Mayors.

Councilor Bushee asked, regarding Officer [inaudible] and the issues in the City, if there are procedures in place, and if that would have fallen under Internal Affairs. She has had a few women to express concerns, and asked if the City has conducted any kind of investigation to date, and she told them she was unsure.

Robert Romero said he believes an Internal Affairs investigation is underway, noting they were made aware of the situation by the DA's office in January, and that's when the investigation started.

Councilor Bushee said then we are doing our own investigation which we started in January, and Mr. Romero said yes.

Councilor Bushee said she had a number of people during the election to talk about the need for traffic calming on Hickox Street. She has worked with staff about separate problems on one end of the street, and on the other, as well as on Sierra Vista. She would like to convene a public meeting in the area about what they want, and she needs to work with Isaac Pino to get this done. She asked if the B.F. Young building is available. She asked Mr. Romero to advise Councilor Calvert about this.

Councilor Dominguez

Councilor Dominguez invited all members of the Governing Body to attend the budget hearings which will begin at the next Finance Committee on Monday, April 16, 2012, with regular business at 4:00 p.m., followed by the budget hearings, noting staff has a list of dates and departments which the Committee will be looking at.

Responding to Councilor Wurzbarger, Councilor Dominguez said there will be food at the full day meeting.

Councilor Dominguez said the Great American Cleanup is coming up soon, and he would like to encourage staff to do as much public outreach as possible to encourage people to participate. It is an opportunity for us to take pride in, and responsibility for, keeping a clean community. He isn't sure of the exact dates, but whatever staff can do to promote that would be beneficial.

Councilor Dominguez asked staff, with regard to the BMX Track in the Northwest Quadrant, to investigate the idea of creating a permanent source of water for a group of users at that site, and to consider utilizing some of the NWQ funds for some of that construction.

Councilor Dominguez said he won't be attending the Council meeting on April 25, 2012.

Councilor Dominguez said, with regard to the Baille de los Cascarones, there is a dance called Baille de los Compadres, and his oldest son's Madre is Carla Aragon, so if they see each other at the Baille, it is required that they dance together. He said this is a great event and a great tradition, and urged everyone to attend.

Councilor Bushee wants to be kept abreast of the NWQ water.

Councilor Calvert

Councilor Calvert was not in attendance. A Resolution was introduced on his behalf, directing staff to inventory and assess unpaid balances currently owed to the City of Santa Fe and recommend options for the Governing Body to consider, relating to civil enforcement and collection of unpaid balances. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "9."

Mayor Coss

Mayor Coss introduced the following:

1. A Resolution supporting Santa Fe Fiesta, Inc.; and commemorating the Jubilee 300th year of the resettlement of La Villa Real de la Santa Fe de San Francisco de Asis. He said the Resolution is cosponsored by all of the Councilors. He told the Fiesta Council he would look for \$50,000 from OTAB to promote the Fiesta and to get visitors to come to Santa Fe for Fiestas. He said that will require OTAB/Finance Committee review for this, and asked staff to work strongly with them on that effort. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "10."
2. A Resolution authorizing a City of Santa Fe sponsorship for the 63rd Annual Rodeo de Santa Fe in an amount not to exceed \$10,000 in cash or in-kind services or a combination of both, noting Councilors Trujillo, Dimas, Bushee, Dominguez and Wurzbarger would like to cosponsor this Resolution. He would like to amend the Resolution as it goes to Committee to provide some sort of in-kind service and support for the Gay Rodeo coming up in August 2012. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "11."

Mayor Coss wished a happy birthday to his granddaughter Jeana who will be 8 years old, and is holding an ice skating party at GCCC on Sunday.

I. ADJOURN

There was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 7:45 p.m.

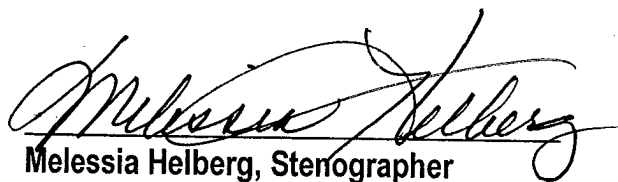
Approved by:

Mayor David Coss

ATTESTED TO:

Yolanda Y. Vigil, City Clerk

Respectfully submitted:



Melessia Helberg, Stenographer

City of Santa Fe, New Mexico

AMENDED

LEGISLATIVE SUMMARY RESOLUTION NO. 2012-_____

Item
#10(d)

SHORT TITLE: Authorizing the Use of City-Owned Properties, At No Cost, For Film and Television Productions in Exchange for Credit Recognition

SPONSOR(S): Wurzburger, Rivera

SUMMARY: Supports the continuation of economic activities related to the film industry within the city of Santa Fe by:

- Authorizing the use of City-owned properties, at no cost, for film and television productions that are enrolled in the New Mexico Film Production Tax Credit Program in exchange for credit recognition
- Directing staff to implement policies and procedures for filming in or on City-owned properties
- Directing staff to establish a contract for film and television productions that includes the following terms:
 - Suitable arrangements shall be made by the film or television production and the City to accommodate the needs of City staff and residents before, during and after each production.
 - The production shall incur costs associated with using the City property, including, without limitation, special staffing requirements, building and ground improvements and utilities.
 - The production shall be fully insured.
 - When the production is completed, the production will restore the property to its original condition, or in an improved condition, if improvements are authorized in the contract. In no case shall the property be left in a worse condition.
 - The production shall pay for all inspection costs, including city staff time associated with inspection.

AMENDMENTS: Yes

- Specifies that the production company shall pay for police and fire overtime
- Requires that each production, in its written agreement with the City, shall agree to the City's standard insurance and indemnity provisions
- Directs staff to prioritize the needs of local Northern New Mexico/Santa Fe film and student productions and provide outreach opportunities for such productions
- Resolves that City property wherein the City has entered into federal grant assurances restricting the free use of such property is exempt from the resolution.

FISCAL IMPACT: Yes

PREPARED BY: Melissa D. Byers, Legislative Liaison

DATE: April 11, 2012

ATTACHMENTS: Amendment Sheet
Resolution
FIR
City's Standard Insurance and Indemnity Provisions

Exhibit 1

CITY OF SANTA FE, NEW MEXICO

**PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2012-____
(Film Production on City Property)**

Mayor and Members of the City Council:

We propose the following amendment(s) to Resolution No. 2012-____:

1. On page 2, line 15, *insert* the following:

WHEREAS, to assist in the development of an indigenous production community, the City should prioritize the needs of local Northern New Mexico/Santa Fe film productions and student productions because low budget film making often operates on micro budgets that do not allow for location fees; and

2. On page 3, line 16, *insert* the following:

3. Staff is directed to prioritize the needs of local Northern New Mexico/Santa Fe film and student productions and provide outreach opportunities for such productions.

BE IT FURTHER RESOLVED that this resolution shall not apply to City property wherein the City has entered into federal grant assurances restricting the free use of such property.

Respectfully submitted,

Rebecca Wurzbarger, Councilor

ADOPTED: _____

NOT ADOPTED: _____

DATE: _____

Yolanda Y. Vigil, City Clerk

**ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, APRIL 09, 2012**

ITEM 14

REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING THE CONTINUATION OF ECONOMIC DEVELOPMENT ACTIVITIES RELATED TO THE FILM INDUSTRY WITHIN THE CITY OF SANTA FE AND AUTHORIZING THE USE OF CITY-OWNED PROPERTIES, AT NO COST, FOR FILM AND TELEVISION PRODUCTIONS THAT ARE ENROLLED IN THE NEW MEXICO FILM PRODUCTION TAX CREDIT PROGRAM (COUNCILOR WURZBURGER) (FABIAN TRUJILLO)

PUBLIC WORKS COMMITTEE ACTION: APPROVED

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP: Councilor Rivera co-sponsor

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON WURZBURGER			
COUNCILOR CALVERT	Not present at this time		
COUNCILOR RIVERA	X		
COUNCILOR IVES	X		
COUNCILOR TRUJILLO	X		

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2012-__
(Jeff Bingaman)

Mayor and Members of the City Council:

We propose the following amendment(s) to Resolution No. 2012-__:

1. On page 2, delete lines 14-16
2. On page 3, line 3, *insert* the following:
WHEREAS, Senator Bingaman is a friend to transit who has been supportive of public transportation throughout his career including securing federal funds to:
 - Purchase the Santa Fe Southern Railway corridor (ROW now part of the Rail Runner)
 - Expand Santa Fe Trails operations and maintenance facility
 - Purchase 16 new "clean fuel" transit buses in last six years
 - Design and construct new passenger benches and shelters (Spring 2012)
 - Design improvements to Sheridan Street Transit Center (Spring 2012)
 - Construct improvements at Santa Fe Place Transit Center (Summer 2012)

Respectfully submitted,

Staff

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

Yolanda Y. Vigil, City Clerk

April 4, 2012

Stephanie Beninato
P.O. Box 1601
Santa Fe, NM 87504

To Whom It May Concern:

In a meeting with the Santa Fe City attorney at his office in Santa Fe, let me state that in my presence Mr. Jon Paul Romero engineer, did in fact state that the Santa Fe City engineer stated "there were a costly and a less costly fix for Ms. Beninato's drainage problem and that he would check the city budget to see what funds were available to fix the problem". This is my sworn testimony and made in the presence of the following notary.

Sincerely,

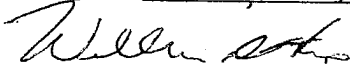
WESTERN POWER SERVICE



Earl Sury
President

State of: New Mexico
County of: Bernalillo

The foregoing instrument was acknowledged
Before me This 4TH Day of April, 2012
By Earl Sury an individual.
My commission expires FEB 26, 2015.



Notary Public



OFFICIAL SEAL
WILLIAM R. KNOX
NOTARY PUBLIC - STATE OF NEW MEXICO
Notary Public Filed with Secretary of State
My Commission Expires 2-26-2015

Exhibit "4"



**CITY COUNCIL MEETING OF
APRIL 11, 2012
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY**

Mayor David Coss		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION SUPPORTING SANTA FE FIESTA, INC.; AND COMMEMORATING THE JUBILEE 300 TH YEAR OF THE RESETTLEMENT OF LA VILLA REAL DE LA SANTA FE DE SAN FRANCISCO DE ASIS.	OTAB – 4/26/12 Finance – 4/30/12 Council – 5/9/12
	A RESOLUTION AUTHORIZING A CITY OF SANTA FE SPONSORSHIP FOR THE 63 rd ANNUAL RODEO de SANTA FE IN AN AMOUNT NOT TO EXCEED \$10,000 IN CASH OR IN-KIND SERVICES OR A COMBINATION OF BOTH.	Finance – 4/30/12 Council – 5/9/12
Councilor Patti Bushee		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION AMENDING THE CITY OF SANTA FE RECORDS RETENTION RULE FOR CAMPAIGN CONTRIBUTION REPORTS.	Finance – 4/30/12 Council – 5/9/12
	A RESOLUTION CALLING ON THE UNITED STATES CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO REDIRECT MILITARY SPENDING TO DOMESTIC PRIORITIES.	Council – 4/25/12
Councilor Chris Calvert		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION DIRECTING STAFF TO INVENTORY AND ASSESS UNPAID BALANCES CURRENTLY OWED TO THE CITY OF SANTA FE AND RECOMMEND OPTIONS FOR THE GOVERNING BODY TO CONSIDER RELATING TO CIVIL ENFORCEMENT AND COLLECTION OF UNPAID BALANCES.	Finance – 4/30/12 Council – 5/9/12

Councilor Bill Dimas		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Carmichael Dominguez		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Peter Ives		
	A RESOLUTION RELATING TO THE INSPECTION OF PUBLIC RECORDS ACT; AND ESTABLISHING A FULL- TIME, DEDICATED POSITION IN THE CITY ATTORNEY'S OFFICE TO BE KNOWN AS THE "CUSTODIAN" OF PUBLIC RECORDS.	Finance -- 4/30/12 Council -- 5/9/12
Councilor Chris Rivera		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Ron Trujillo		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Wurzbarger		
Co-Sponsors	Title	Tentative Committee Schedule

Introduced legislation will be posted on the City Attorney's website, under legislative services (<http://www.santafenm.gov/index.asp?nid=320>). If you would like to review the legislation prior to that time or you would like to be a co-sponsor, please contact Melissa Byers, (505)955-6518, mdbyers@santafenm.gov.

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5

2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5

3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5

4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5

0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5

5
6
7
8
9
0
1
2
3
4
5

7
8
9
0
1
2
3
4
5

9
0
1
2
3
4
5

- 1
- 2
- 3
- 4
- 5

4
5

1 and control of the records in order to assemble same, and thereafter, the City Attorney reviews the
2 records provided in response to such IPRA requests and determines that the records provided are
3 responsive to such requests and which fall under the delineated exceptions, and in turn directs the
4 City Clerk to release such records; and

5 **WHEREAS**, in the interest of streamlining the IPRA process for the public and ensuring the
6 accurate and timely handling of such requests, the Governing Body desires that a “custodian” of
7 public records position be established in the City Attorney’s Office.

8 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
9 **CITY OF SANTA FE** that in an effort to continue the Governing Body’s on-going commitment for
10 the City of Santa Fe to be open, transparent and accessible to the public:

11 1. The Governing Body hereby establishes a full-time, dedicated position of “custodian”
12 of public records in the City Attorney’s Office for prompt and complete disclosure of public records.

13 2. The “custodian” will be a trained professional who specializes in the disclosure of
14 public records.

15 3. In accordance with IPRA, the “custodian” of public records shall:

16 A. Act as the City of Santa Fe's custodian of public records
17 for purposes of IPRA and ensure compliance therewith;

18 B. Coordinate with the various Departments of the City of
19 Santa Fe the identification of public records responsive to requests made
20 under IPRA;

21 C. Receive and timely respond to requests to inspect public
22 records;

23 D. Provide proper and reasonable opportunities for the
24 inspection of public records;

25 E. Provide reasonable facilities to make or furnish copies of

1 public records during normal business hours; and

2 F. Post in a conspicuous location in the City Manager's
3 Office a notice describing:

4 (1) The right of a person to inspect the City of Santa
5 Fe's records;

6 (2) Procedures for requesting inspection of public
7 records;

8 (3) Procedures for requesting copies of public
9 records;

10 (4) Reasonable fees for copying public records; and

11 (5) The responsibility of the City of Santa Fe to
12 make available public records for inspection.

13 G. Provide to the City Council a quarterly report of IPRA requests
14 received by the City of Santa Fe and the status of the City's responses thereto.

15 PASSED, APPROVED, and ADOPTED this _____ day of _____, 2012.

16
17 _____
18 DAVID COSS, MAYOR

19 ATTEST:

20
21 _____
22 YOLANDA Y. VIGIL, CITY CLERK
23
24
25

1 APPROVED AS TO FORM:

2

3

4 GENO ZAMORA, CITY ATTORNEY

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25 *M/Melissa/Resolutions 2012/IPRA Custodian*

1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION NO. 2012-_____

3 INTRODUCED BY:

4 Councilor Patti Bushee

5
6
7
8
9
10 A RESOLUTION

11 AMENDING THE CITY OF SANTA FE RECORDS RETENTION RULE FOR CAMPAIGN
12 CONTRIBUTION REPORTS.

13
14 WHEREAS, on October 13, 2010, the Governing Body adopted Resolution No. 2010-81 that
15 adopted as official policy the most current approved records retention and disposition schedules and
16 microphotography standards on file with the New Mexico State Records Center and Archives for the
17 retention, destruction and microphotography of city records with the exception of municipal court
18 records which were modified; and

19 WHEREAS, such records and schedules were adopted as the *City of Santa Fe Records*
20 *Retention Guidebook for Records Liaisons* ("Guidebook"); and

21 WHEREAS, the *Guidebook* currently states that the retention period for campaign
22 contribution reports is "two years after election or until termination of office, whichever is longer";
23 and

24 WHEREAS, the Governing Body desires to amend the retention period for campaign
25 contribution reports to "eight years after election".

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that Rule 1.19.8.154 of the *Guidebook* is amended to read:

1.19.8.154 CAMPAIGN CONTRIBUTION REPORTS

- A. **Program:** municipal election records
- B. **Maintenance System:** [municipal preference]
- C. **Description:** records concerning the contribution to fund campaigns of candidates or special issues. Reports may show name of contributor, amount of contribution, candidate name, etc.
- D. **Retention:** eight years after election date.

PASSED, APPROVED, and ADOPTED this ____ day of _____, 2012.

DAVID COSS, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

GENO ZAMORA, CITY ATTORNEY

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0

2
3
4
5
6
7
8
9
0

1
2
3
4
5
6
7
8
9

3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9

4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0

- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9

4
5
5
7
8
9

5
'
:
:
:

1 in December 2010; and

2 **WHEREAS**, the U.S. Conference of Mayors passed a resolution in June 2011 calling on
3 Congress to redirect spending to domestic priorities; and

4 **WHEREAS**, the people of the United States, in numerous opinion polls, favor redirecting
5 spending to domestic priorities and withdrawing the U.S. military from Afghanistan; and

6 **WHEREAS**, the United States has armed forces stationed at approximately 1,000 foreign
7 bases in approximately 150 foreign countries; and

8 **WHEREAS**, the United States is the wealthiest nation on earth but trails many other nations
9 in life expectancy, infant mortality, education level, housing, and environmental sustainability, as
10 well as non-military aid to foreign nations.

11 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
12 **CITY OF SANTA FE** that the Governing Body calls on the United States Congress and the
13 President of the United States to end foreign ground and drone wars, refrain from entering new
14 military ventures in Iran and reduce base military spending in order to meet vital human needs,
15 promote job creation, re-train and re-employ those losing jobs in the process of conversion to non-
16 military industries, rebuild our infrastructure, aid municipal and state governments and develop a new
17 economy based upon renewable, sustainable energy.

18 **BE IT FURTHER RESOLVED** that the City Clerk is directed to forward a copy of this
19 resolution to New Mexico's Federal Congressional Delegation and the President of the United States.

20 PASSED, APPROVED, and ADOPTED this _____ day of _____, 2012.

21
22 _____
23 DAVID COSS, MAYOR
24
25

1 ATTEST:

2

3

4 YOLANDA Y. VIGIL, CITY CLERK

5 APPROVED AS TO FORM:

6

7

8 GENO ZAMORA, CITY ATTORNEY

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25 *M/Melissa/Resolutions 2012/Military Spending*

[illegible][illegible]

3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
3
9
)
.
2
)

[illegible]

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

16
17
18
19
20
21
22
23
24
25

18
19
20
21
22
23
24
25

20
21
22
23
24
25

23
24
25

1 **WHEREAS**, because Article 37-1 NMSA 1978, sets the statute of limitations for collection
2 on various types of overdue balances, there is an urgent need to inventory and assess all unpaid
3 balances currently owed to the City and establish a policy to collect such unpaid balances currently
4 owed and which may be owed in the future.

5 **NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE**
6 **CITY OF SANTA FE** that staff is directed to:

7 **Section 1.** Inventory and assess unpaid balances currently owed to the City for
8 administrative fees, fines, lodgers' tax, citations, penalties and other such collectible money; and

9 **Section 2.** Evaluate the City's legal rights, remedies and options for civil enforcement
10 and collection of unpaid balances; and

11 **Section 3.** Establish when it is necessary for the City engage in collection activities
12 either through itself or through a contractor.

13 **BE IT FURTHER RESOLVED** that within 90 days of adoption of this resolution, staff
14 shall report their findings as they relate to the directives of this resolution to the Governing Body.

15 **PASSED, APPROVED, and ADOPTED** this ____ day of _____, 2012.

16
17 _____
18 **DAVID COSS, MAYOR**

19 **ATTEST:**

20
21 _____
22 **YOLANDA Y. VIGIL, CITY CLERK**
23
24
25

1 APPROVED AS TO FORM:

2

3

4 GENO ZAMORA, CITY ATTORNEY

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25 CAO/M/Melissa/Resolutions 2012/Civil Enforcement-Collections

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2012-__**

3 **INTRODUCED BY:**

4 Mayor David Coss

5
6
7
8
9
10 **A RESOLUTION**

11 **SUPPORTING SANTA FE FIESTA, INC.; AND COMMEMORATING THE JUBILEE 300TH**
12 **YEAR OF THE RESETTLEMENT OF LA VILLA REAL DE LA SANTA FE DE SAN**
13 **FRANCISCO DE ASIS.**

14
15 **WHEREAS**, the Governing Body of the City of Santa Fe is proud of its cultural and
16 historical significance; and

17 **WHEREAS**, the annual Fiesta de Santa Fe is preserved inviolate for the residents of the City
18 of Santa Fe in the spirit and letter as outlined in the original Fiesta Proclamation issued by the Santa
19 Fe City Council on the sixteenth day of September of seventeen hundred and twelve; and

20 **WHEREAS**, Santa Fe Fiesta, Inc. is a not-for-profit organization which is responsible for
21 producing the annual Fiesta de Santa Fe; and

22 **WHEREAS**, the Governing Body congratulates Santa Fe Fiesta, Inc., on the 300th Jubilee
23 Year of the oldest continuous community celebration in the continental United States; and

24 **WHEREAS**, Santa Fe Fiesta, Inc. has a 150 community volunteer membership dedicated to
25 preserving the continued fulfillment of a promise made by Capitán General y Gobernador Don Diego

Exhibit "12"

1 de Vargas Zapata y Lujan Ponce de León y Contreras, Marqués de la Nava de Barcinas to the Blessed
2 Virgin Mary on the Fourteenth day of September of sixteen hundred and ninety two; and

3 **WHEREAS**, Santa Fecinos have long been proud of their city's heritage developed through
4 the merging of the Native American, Spanish, and Mexican cultures; and

5 **WHEREAS**, the evolvment and settlement of Santa Fe has produced a tradition of colorful
6 music, vibrant dance and song, together with a spirit of friendliness, hospitality and acceptance which
7 encompasses what the Fiesta de Santa Fe represents and seeks to preserve and perpetuate annually;
8 and,

9 **WHEREAS**, the Fiesta de Santa Fe is an integral part of the rich cultural fabric that has
10 drawn visitors to Santa Fe for centuries; and

11 **WHEREAS**, the Governing Body recognizes the special and unique cultural and historical
12 importance of Fiesta de Santa Fe and its contribution to the growth of tourism and the revenue it
13 brings to the city; and

14 **WHEREAS**, Santa Fiesta, Inc., is sponsoring a 300th Anniversary Golf Tournament on May
15 21, 2012 at Marty Sanchez Links de Santa Fe and is requesting a waiver of green fees on this day; and

16 **WHEREAS**, Santa Fe Fiesta, Inc., is requesting \$50,000 in funding to advertise statewide the
17 300th Anniversary of La Fiesta de Santa Fe in order to further increase the number of visitors to this
18 unique event; and

19 **WHEREAS**, Santa Fe Fiesta, Inc. has established the following marketing plan, as written by
20 the Anderson School of Business at the University of New Mexico, which outlines marketing of this
21 event:

Mariachi Extravaganza	\$12,500
Fiesta de Santa Fe - Fiesta Week events	\$25,000
Santa Fe Fiesta Fine Arts and Craft Market -	\$12,500

25 To include: regional radio, regional print (magazine, newspaper and target demographic

1 publications), direct mail advertising (postcards), Social Media (Facebook, Google, etc.),
2 brochures, billboards on I-25, and metro bus wraps.

3 **NOW, THERE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF**
4 **SANTA FE** that the Governing Body hereby recognizes and honors Santa Fe Fiesta, Inc., for
5 preserving and promoting La Fiesta de Santa Fe and declares that the Jubilee celebration is unique
6 and important and preserves Santa Fe's cultural and historical significance.

7 **BE IT FURTHER RESOLVED** that the green fees are hereby waived at Marty Sanchez
8 Links de Santa Fe on May 21, 2012 for the Fiesta de Santa Fe Golf Classic.

9 **BE IT FURTHER RESOLVED** that \$50,000 in OTAB funding for advertising be directed
10 to Santa Fe Fiesta, Inc. to promote statewide this auspicious anniversary.

11 PASSED, APPROVED and ADOPTED THIS ____ day of _____ 2012.

12
13 _____
14 DAVID COSS, MAYOR

15 ATTEST:

16
17 _____
18 YOLANDA Y. VIGIL, CITY CLERK

19 APPROVED AS TO FORM:

20
21 _____
22 GENO ZAMORA, CITY ATTORNEY

23
24
25 *M/Melissa/Resolutions 2012/SF Fiesta Jubilee_Golf*

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2012-____**

3 **INTRODUCED BY:**

4 Mayor David Coss

5
6
7
8
9
10 **A RESOLUTION**

11 **AUTHORIZING A CITY OF SANTA FE SPONSORSHIP FOR THE 63rd ANNUAL RODEO**
12 **de SANTA FE IN AN AMOUNT NOT TO EXCEED \$10,000 IN CASH OR IN-KIND**
13 **SERVICES OR A COMBINATION OF BOTH.**

14
15 **WHEREAS**, the 63rd annual Rodeo de Santa Fe is June 20 through 23, 2012 that will start
16 off with its annual parade in beautiful downtown Santa Fe on June 16; and

17 **WHEREAS**, the Rodeo de Santa Fe remains one of the top 60 PRCA Rodeos in the nation
18 that draws local residents and visitors from around the Country to enjoy the rodeo, the carnival
19 midway, concessions and vendors which contributes to Santa Fe's economy and increases GRT; and

20 **WHEREAS**, the Rodeo de Santa Fe pays for City services to operate the Rodeo such as
21 environmental services and paramedic services; and

22 **WHEREAS**, the Governing Body desires to be a proud sponsor of the 63rd annual Rodeo de
23 Santa Fe.

24 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
25 **CITY OF SANTA FE** that the Governing Body hereby authorizes a sponsorship for the 63rd annual

1 Rodeo de Santa Fe in the amount of \$10,000 in cash or in-kind services or a combination of both cash
2 and in-kind services.

3 PASSED, APPROVED, and ADOPTED this _____ day of _____, 2012.
4

5
6 ATTEST:

DAVID COSS, MAYOR

7
8 _____
9 YOLANDA Y. VIGIL, CITY CLERK

10 APPROVED AS TO FORM:
11

12 _____
13 GENO ZAMORA, CITY ATTORNEY
14
15
16
17
18
19
20
21
22
23
24

25 *M/Melissa/Resolutions 2012/Rodeo Sponsorship*