

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

AFTERNOON SESSION - 5:00 P.M.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

- INVOCATION
- 4. ROLL CALL
- APPROVAL OF AGENDA
- 6. APPROVAL OF CONSENT CALENDAR
- 7. APPROVAL OF MINUTES: Spec. City Council Meeting February 19, 2007

City Council Study Session – February 27, 2007 Reg. City Council Meeting – February 28, 2007 City Council Study Session – March 1, 2007

8. PRESENTATIONS

- a) Employee of the Month for March 2007 Gilbert Gonzales, Fire Engineer. (5 Minutes)
- b) Muchas Gracias John Periner, Fire Engineer and David Bethel, Rescue Technician. (Fire Chief Chris Rivera) (5 Minutes)
- c) Proclamation "Eagle Scout Month in Santa Fe" and Recognition of 2006 Eagle Scouts. (Manuel Ortiz, Scoutmaster) (5 Minutes)
- d) Santa Fe Trends 2007. (Reed Liming) (5 Minutes)
- e) Muchas Gracias Friends of the Library and the Southside Library Campaign. (5 Minutes)
 - 1) Proclamation "Library Day in Santa Fe" March 23, 2007.

CONSENT CALENDAR

a) Request for Approval of Amendment No. 1 to Professional Services Agreement – Interpreting Services for Municipal Court; Leticia Medina. (Judge Ann Yalman)

CITY CLERK'S OFFICE

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Agenda

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

- b) Request for Approval of Professional Services Agreement Interpreting Services for Municipal Court; A. Samuel Adelo, dba Adelocorp, Ltd. (Judge Ann Yalman)
- c) Request for Approval of Amendment No. 2 to Legal Services Agreement Buckman Direct Diversion Project for Water Division; Hawkins Delafield & Wood, LLP. (Rick Carpenter)
- d) Request for Approval of Sole Source Procurement to Professional Services Agreement – Services for Dectron Units at GCCC; Travers Mechanical Services. (Robert Siqueiros)
- e) Request for Approval of Professional Services Agreement Community Youth Mural at Franklin Miles Park; Santa Fe Teen Arts Center d/b/a Warehouse 21. (Becky Lo Dolce)
- f) Request for Approval of Procurement Under State Price Agreement Five (5) Trucks for Planning and Land use Department; Reliable Chevrolet. (Robert Rodarte)
- Request for Approval of Procurement Under Federal Price Agreement –
 Aerial Lift Unit for Traffic Operations Division; Altec Industries, Inc. (Rick DeVine)
 - 1) Request for Approval of Budget Increase from Available Cash Balances ½% CIP GRT Fund.
- h) Request for Approval of Amendment No. 1 to Lease Agreement Fair Market Value of Zona del Sol Complex; Santa Fe Youth and Family Center Consortium. (David Chapman)
- i) Request for Approval of Grant Application to Law Enforcement Protection Fund for Police Department. (Chief Eric Johnson)
- j) Request for Approval of Budget Increase Law Enforcement Protection Fund for Police Department; State of New Mexico Department of Finance, Local Government. (Chief Eric Johnson)



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

- k) CONSIDERATION OF RESOLUTION NO. 2007-(Councilor Heldmeyer, Mayor Coss, Councilor Wurzburger and Councilor Calvert) A Resolution Directing the City Manager to Develop a Plan to Encourage More Female Employees to Enter the Blue-Collar Trades Within the Government of the City of Santa Fe. (Debbie Blea)
- CONSIDERATION OF RESOLUTION NO. 2007- . I) (Councilor Bushee and Councilor Calvert) A Resolution Rededicating Magers Field Park. (Fabian Chavez)
- CONSIDERATION OF RESOLUTION NO. 2007m) (Councilor Heldmeyer, Mayor Coss and Councilor Bushee) A Resolution Directing Staff to Update the City's Snow Removal Plan and Associated Emergency Plans. (Robert Romero)
- n) Request for Approval to Publish Notice of Public Hearing on April 11, 2007:
 - 1) Bill No. 2007-9: An Ordinance Amending Section 14-2.8 SFCC Archaeological 1987 Regarding the Review Committee: Qualifications for Archaeologists, Historical Archaeologists and Historian; and Making Such Other Changes as are Necessary. (Councilor Bushee) (Marissa Barrett)
 - 2) Bill No. 2007-10: An Ordinance Amending Section 2-4.6 SFCC 1987 Regarding the Powers and Duties of the City Manager. (Councilor Heldmeyer, Councilor Wurzburger and Councilor Chavez) (Galen Buller)
 - Bill No. 2007-11: An Ordinance Amending Article 6-16 Regarding 3) the Ethics and Campaign Review Board and Amending Article 9-2 of the City of Santa Fe Campaign Code. (Mayor Coss, Councilor Trujillo, Councilor Wurzburger and Councilor Bushee) (Yolanda Vigil)
- Request for Approval of Memorandum of Understanding Master Plan 0) Process for Northwest Quadrant; Santa Fe Public Schools. (Kathy McCormick)





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

- p) Request for Approval of Grant Award – Training Event Through Easter Seals Project Action for Public Works Department; U.S. Department of Transportation, Federal Transit Administration, (David Chapman)
 - 1) Request for Approval of Budget Increase from Grant Revenues -Grant Fund.
- CONSIDERATION OF RESOLUTION NO. 2007- . q) (Councilor Bushee, Councilor Trujillo and Mayor Coss) A Resolution Designating the 2.3 Million Dollars Previously Used for the Regional Emergency Communication Center be Used for Public Safety Purposes. (Chief Chris Rivera and Chief Eric Johnson)
- r) Request for Approval and Implementation of Emergency Management Basic Plan. (Chief Chris Rivera and Jack Hiatt)
- 10. MATTERS FROM THE CITY MANAGER
- 11. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION:

- Discussion of Limited Personnel Matters Regarding the City Manager a) Pursuant to §10-15-1 (H) (2) NMSA 1978.
- Discussion of Land Swap with New Mexico Department of Transportation, b) Pursuant to §10-15-1 (H) (8) NMSA 1978.
- Discussion of Acquisition of Property from the New Mexico School for the C) Deaf, Pursuant to §10-15-1 (H) (8) NMSA 1978.
- 12. Request for Approval of Professional Services Agreement with City Manager Galen M. Buller. (Mayor Coss)
- 13. Action Regarding Land Swap with New Mexico Department of Transportation. (Robert Romero)
- Action Regarding Acquisition of Property from the New Mexico School for the 14. Deaf. (Jack Hiatt)
- MATTERS FROM THE CITY CLERK 15.



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

COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. INVOCATION
- D. ROLL CALL
- E. PETITIONS FROM THE FLOOR
- F. APPOINTMENTS
- G. PUBLIC HEARINGS (None)
- H. 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.

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

CITY COUNCIL MEETING EXECUTIVE SESSION March 14, 2007

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

The following items were discussed:

1) Land Swap with the New Mexico Department of Transportation, Pursuant to §10-15-1 (H)(8) NMSA 1978.

PRESENT

Mayor Coss

Councilor Calvert

Councilor Chavez

Councilor Dominguez

Councilor Heldmeyer

Councilor Trujillo (left at 6:20 p.m.)

Councilor Wurzburger

<u>ABSENT</u>

Councilor Bushee

Councilor Ortiz

STAFF PRESENT

Galen Buller, City Manager

Frank Katz, City Attorney

Yolanda Y. Vigil, City Clerk

John Lopez, NMDOT

2) Acquisition of Property from the New Mexico School for the Deaf, Pursuant to §10-15-1 (H)(8) NMSA 1978.

PRESENT

Mayor Coss

Councilor Calvert

Councilor Chavez

Councilor Dominguez

Councilor Heldmeyer

Councilor Wurzburger

ABSENT

Councilor Bushee Councilor Ortiz Councilor Trujillo

STAFF PRESENT

Galen Buller, City Manager Frank Katz, City Attorney Yolanda Y. Vigil, City Clerk

3) Limited Personnel Matters Regarding the City Manager, Pursuant to §10-15-1 (H)(2) NMSA 1978.

PRESENT

Mayor Coss
Councilor Calvert
Councilor Chavez
Councilor Dominguez
Councilor Heldmeyer
Councilor Wurzburger

ABSENT

Councilor Bushee Councilor Ortiz Councilor Trujillo

STAFF PRESENT

Galen Buller, City Manager Frank Katz, City Attorney Yolanda Y. Vigil, City Clerk

There being no further business to discuss, the executive session adjourned at 7:15 p.m.

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MINUTES OF THE REGULAR MEETING OF THE GOVERNING BODY Santa Fe, New Mexico March 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 March 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 Miguel Chavez, Mayor Pro-Tem
Councilor Christopher Calvert
Councilor Carmichael A. Dominguez
Councilor Karen Heldmeyer
Councilor Ronald S. Trujillo
Councilor Rebecca Wurzburger

Members Excused

Councilor Patti J. Bushee Councilor Matthew E. Ortiz

5. APPROVAL OF AGENDA

Councilor Calvert moved, seconded by Councilor Dominguez, to approve the agenda as presented. The motion was approved on a voice vote with Councilors Calvert, Chavez, Dominguez, Heldmeyer and Trujillo voting for the motion and none against [Absent: Councilor Wurzburger].

6. APPROVAL OF CONSENT CALENDAR

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

For: Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Heldmeyer and Councilor Trujillo.

Against: None.

Absent: Councilor Wurzburger

- a) REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT INTERPRETING SERVICES FOR MUNICIPAL COURT; LETICIA MEDINA. (JUDGE ANN YALMAN)
- b) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT INTERPRETING SERVICES FOR MUNICIPAL COURT; A. SAMUEL ADELO, D/B/A ADELOCORP, LTD. (JUDGE ANN YALMAN)
- c) REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO LEGAL SERVICES AGREEMENT BUCKMAN DIRECT DIVERSION PROJECT FOR WATER DIVISION; HAWKINS DELAFIELD & WOOD, LLP. (RICK CARPENTER)
- d) REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT TO PROFESSIONAL SERVICES AGREEMENT SERVICES FOR DECTRON UNITS AT GCCC; TRAVERS MECHANICAL SERVICES. (ROBERT SIQUEIROS)
- e) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT COMMUNITY YOUTH MURAL AT FRANKLIN MILES PARK; SANTA FE TEEN ARTS CENTER D/B/A WAREHOUSE 21. (BECKY LO DOLCE)
- f) REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT FIVE (5) TRUCKS FOR PLANNING AND LAND USE DEPARTMENT; RELIABLE CHEVROLET. (ROBERT RODARTE)
- g) REQUEST FOR APPROVAL OF PROCUREMENT UNDER FEDERAL PRICE AGREEMENT AERIAL LIFT UNIT FOR TRAFFIC OPERATIONS DIVISION; ALTEC INDUSTRIES, INC. (RICK DEVINE)
 - 1) REQUEST FOR APPROVAL OF BUDGET INCREASE FROM AVAILABLE CASH BALANCES ½% CIP GRT FUND.
- h) REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO LEASE AGREEMENT FAIR MARKET VALUE OF ZONA DEL SOL COMPLEX; SANTA FE YOUTH AND FAMILY CENTER CONSORTIUM. (DAVID CHAPMAN)
- I) REQUEST FOR APPROVAL OF GRANT APPLICATION TO LAW ENFORCEMENT PROTECTION FUND FOR POLICE DEPARTMENT. (CHIEF ERIC JOHNSON)
- j) REQUEST FOR APPROVAL OF BUDGET INCREASE LAW ENFORCEMENT PROTECTION FUND FOR POLICE DEPARTMENT; STATE OF NEW MEXICO, DEPARTMENT OF FINANCE, LOCAL GOVERNMENT. (CHIEF ERIC JOHNSON)

- k) CONSIDERATION OF RESOLUTION NO. 2007- 23 (COUNCILOR HELDMEYER, MAYOR COSS, COUNCILOR WURZBURGER AND COUNCILOR CALVERT). A RESOLUTION DIRECTING THE CITY MANAGER TO DEVELOP A PLAN TO ENCOURAGE MORE FEMALE EMPLOYEES TO ENTER THE BLUE COLLAR TRADES WITHIN THE GOVERNMENT OF THE CITY OF SANTA FE. (DEBBIE BLEA)
- I) CONSIDERATION OF RESOLUTION NO. 2007- 24 (COUNCILOR BUSHEE AND COUNCILOR CALVERT). A RESOLUTION REDEDICATING MAGERS FIELD PARK. (FABIAN CHAVEZ)
- m) CONSIDERATION OF RESOLUTION NO. 2007- 25 (COUNCILOR HELDMEYER, MAYOR COSS AND COUNCILOR BUSHEE). A RESOLUTION DIRECTING STAFF TO UPDATE THE CITY'S SNOW REMOVAL PLAN AND ASSOCIATED EMERGENCY PLANS. (ROBERT ROMERO)
- n) REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON APRIL 11, 2007:
 - 1) BILL NO. 2007-9: AN ORDINANCE AMENDING SECTION 14-2.8 SFCC 1987, REGARDING THE ARCHAEOLOGICAL REVIEW COMMITTEE; QUALIFICATIONS FOR ARCHAEOLOGISTS, HISTORICAL ARCHAEOLOGISTS AND HISTORIAN; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY (COUNCILOR BUSHEE). (MARISSA BARRETT)
 - 2) BILL NO. 2007-10: AN ORDINANCE AMENDING SECTION 2-4.6 SFCC 1987, REGARDING THE POWERS AND DUTIES OF THE CITY MANAGER (COUNCILOR HELDMEYER, COUNCILOR WURZBURGER AND COUNCILOR CHAVEZ). (GALEN BULLER)
 - 3) BILL NO. 2007-11: AN ORDINANCE AMENDING ARTICLE 6-16
 REGARDING THE ETHICS AND CAMPAIGN REVIEW BOARD AND
 AMENDING ARTICLE 9-2 OF THE CITY OF SANTA FE CAMPAIGN
 CODE (MAYOR COSS, COUNCILOR TRUJILLO, COUNCILOR
 WURZBURGER AND COUNCILOR BUSHEE). (YOLANDA VIGIL)
- o) REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING MASTER PLAN PROCESS FOR NORTHWEST QUADRANT; SANTA FE PUBLIC SCHOOLS. (KATHY MCCORMICK)
- p) REQUEST FOR APPROVAL OF GRANT AWARD TRAINING EVENT THROUGH EASTER SEALS PROJECT ACTION FOR PUBLIC WORKS DEPARTMENT; U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL TRANSIT ADMINISTRATION. (DAVID CHAPMAN)
 - 1) REQUEST FOR APPROVAL OF BUDGET INCREASE FROM GRANT REVENUES GRANT FUND.

- q) [Removed for discussion by Councilor Chavez]
- r) REQUEST FOR APPROVAL AND IMPLEMENTATION OF EMERGENCY MANAGEMENT BASIC PLAN. (CHIEF CHRIS RIVERA AND JACK HIATT)

Councilor Wurzburger arrived at the meeting at this time

7. APPROVAL OF MINUTES: Special City Council Meeting – February 19, 2007
Council Study Session – February 27, 2007
Reg. City Council Meeting – February 28, 2007
Special City Council Meeting – March 1, 2007

Councilor Calvert moved, seconded by Councilor Dominguez, to approve the minutes of the Special City Council Meeting of February 19, 2007, as presented. The motion was approved on a voice vote, with Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Heldmeyer, Councilor Trujillo and Councilor Wurzburger voting for the motion and none against.

Councilor Calvert moved, seconded by Councilor Dominguez, to approve the minutes of the Council Study Session of February 27, 2007, as presented. The motion was approved on a voice vote, with Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Heldmeyer, Councilor Trujillo and Councilor Wurzburger voting for the motion and none against.

Councilor Dominguez moved, seconded by Councilor Trujillo, to approve the minutes of the Regular City Council Meeting of February 28, 2007, as presented. The motion was approved on a voice vote, with Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Heldmeyer, Councilor Trujillo and Councilor Wurzburger voting for the motion and none against.

Councilor Trujillo moved, seconded by Councilor Chavez, to approve the minutes of the Special City Council Meeting of March 1, 2007, as presented. The motion was approved on a voice vote, with Councilor Chavez, Councilor Dominguez, Councilor Heldmeyer, Councilor Trujillo and Councilor Wurzburger voting for the motion, none against, and Councilor Calvert abstaining.

8. PRESENTATIONS

a) Employee of the Month for March 2007 – Gilbert Gonzales, Fire Engineer.

Mayor Coss presented the Employee of the Month award to Gilbert Gonzales, Fire Engineer. Mayor Coss read the nomination into the record. Mayor Coss presented Mr. Gonzales with a plaque and a check for \$200 from the Employees Benefit Committee.

Mr. Gonzales thanked the Captain for nominating him, and the employees, and his wife and children for their support. He thanked his mother for her assistance to him in learning the Spanish language.

b) Muchas Gracias – John Penner, Fire Engineer and David Bethel, Rescue Technician. (Fire Chief Chris Rivera)

Chief Rivera presented John Penner with a Nambe plaque for his 22 years of service to the City. He said Mr. Penner will be missed greatly, and wished him well in his retirement. Chief Rivera introduced Mr. Penner's family.

Mr. Penner said it has been an honor & privilege to serve the City. He said he has seen good changes in Department and complimented Chief Rivera. He thanked his family for their support.

Councilor Trujillo said he coached Mr. Penner's son and said Mr. Penner is a very supportive father.

Mayor Coss presented Mr. Penner with a Muchas Gracias certificate.

c) Proclamation – "Eagle Scout Month in Santa Fe" and Recognition of 2006 Eagle Scouts. (Manuel Ortiz, Scoutmaster)

Mayor Coss read the Proclamation into the record, proclaiming March 2007, as Eagle Scout Month in Santa Fe.

Manuel Ortiz, Scoutmaster introduced Fred Gross, of Troop #57. The Eagle Scouts in attendance thanked the City for their support.

Councilor Heldmeyer said last year, Mr. Ortiz was named a Santa Fe living treasure because of his work with the Eagle Scouts. She commented that Eagle Scouts are over represented among the Presidents of the United States.

Mr. Ortiz said there are now 56 Eagle Scouts in Troop #228 and 38 in Troop #57.

Mayor Coss decided to go to Item 8(e) as the next order of business.

- e) Muchas Gracias Friends of the Library and the Southside Library Campaign.
 - Proclamation "Library Day in Santa Fe" March 23, 2007.

Mayor Coss said the first load of books was taken to the Library a month ago, and it is exciting to be opening this beautiful facility. The grand opening will be on Friday, March 23, 2007. Mayor Coss presented the Friends of the Library with Muchas Gracias certificates.

Mayor Coss read the Proclamation into the record declaring March 23, 2007, as Library Day in Santa Fe.

The members of Friends of the Library in attendance thanked the City for this honor and for its support in this effort.

d) Santa Fe Trends 2007. (Reed Liming)

A copy of <u>Santa Fe Trends 2007</u>, is incorporated herewith to these minutes as Exhibit "1."

Reed Liming thanked Valerie Halonis and those in duplicating, as well as all City staff who assisted in putting this together. Mr. Liming reviewed the information in Exhibit "1." He said copies are available in the Planning Division for \$2 each, and the entire document is on the City's website at www.santafenm.gov on the home page.

Councilor Chavez said the Citywide water demand is estimated based on 78,000 residents, and asked if this means that the commercial component isn't factored into the per capita. Mr. Liming said it is, noting it isn't a residential water figure, but it is a total water figure, so all of the nonresidential water use is also part of that.

CONSENT CALENDAR DISCUSSION

9(q) CONSIDERATION OF RESOLUTION NO. 2007-_____ (COUNCILOR BUSHEE, COUNCILOR TRUJILLO AND MAYOR COSS). A RESOLUTION DESIGNATING THE \$2.3 MILLION PREVIOUSLY USED FOR THE REGIONAL EMERGENCY COMMUNICATION CENTER BE USED FOR PUBLIC SAFETY PURPOSES. (CHIEF CHRIS RIVERA AND CHIEF ERIC JOHNSON)

A copy of the proposed amendments to this Resolution proposed by Councilor Chavez, is incorporated herewith to these minutes as Exhibit "2."

Councilor Chavez moved, seconded by Councilor Heldmeyer, to adopt this Resolution with the amendments he is proposing [Exhibit "2"].

Discussion: Councilor Chavez said he spoke with Chief Rivera and Fabian Chavez earlier in the day regarding these amendments. He said the amendments are not made to disrespect the sponsors nor the Fire Chief or the Police Chief. He said public safety is critical and very important. He said there was some debate during the committee process to reallocate the \$2.3 million. He said there are proposals from the Fire and Police Departments in the Committee packet as to how to spend these funds.

Councilor Chavez said his amendments focus on the Fire Department Five-Year spending plan. He asked the Fire Chief if he would be sensitive to this request. In 2008-2009, the Fire Chief proposes to purchase one fire engine and one ambulance, in anticipation of the

Northwest Quadrant. He said there will be no fire station in the Northwest Quadrant for two years. His thinking is to take the \$550,000 for this purpose and supplant it into the Parks Department for two years, and then put it back into the five-year plan in 2010-2011.

Councilor Chavez said his amendments speak to the reallocation of the \$2.3 million and try to make a connection which Parks would play in helping to maintain the public safety in snow removal and maintenance of streets and rights-of-way. It also makes a connection to the strategic budget planning process currently being undertaken by the Council, as well as to the commitment the City has made to implement the Parks, Open Space, Trails and Recreation Master Plan. He felt this might be his last opportunity to expand the debate and ask the Council to consider these amendments.

Councilor Calvert said he appreciates what Councilor Chavez is trying to do, in trying to meet all the City's commitments without necessarily going to the voters for additional funds. However, he believes, in a certain respect, this ties our hands going into the strategic planning and budget process.

Councilor Calvert moved, seconded by Councilor Wurzburger, to postpone voting on this Resolution, with or without the amendments, until after the budget process. [Mayor Coss ruled this motion as a priority motion, taking precedence over the previous motion.]

Discussion: Councilor Wurzburger said, "Part of my decision on postponing would be determined by the answer to the question as to whether the money, the \$550,000, could not be taken over the next year...it's not something that has to be used in this fiscal year, is it."

Councilor Chavez asked Ms. Raveling to speak to this issue.

Ms. Raveling said she will move this money to a separate fund and it can sit in that fund until it is spent, so there is no immediate necessity to spend the money. If it isn't spent, it will sit in this fund.

Councilor Wurzburger said then it could be saved for public safety in the more traditional sense. Ms. Raveling said yes it can.

Councilor Trujillo said he has no problem with postponement.

Councilor Dominguez said then Councilor Calvert's motion is "to postpone even the allocation of the \$2.3 until after budget as well, and not just including the amendments, but the whole..."

Councilor Calvert said right. He said during the budget process we will get all the information, noting he doesn't believe we have all the information that we are going to want to have. He said, "I don't have a problem with the original resolution, you know, allocating it that way, and I hear what Councilor Chavez is saying and trying to do. I think that we will be better in the forum and be able to make these decisions after we get all the information that will be provided in the budget process, so I would postpone a vote on this, with or without the amendments, until after we do the budget process."

Councilor Dominguez said he doesn't have a problem with that. He asked Ms. Raveling if we are on track time wise with the budget.

Ms. Raveling said we have been going through the strategic planning process, which relates very closely to the budget process. Normally toward the end of March we begin hearings with the City Manager and the departments. There has been some feeling that since we've gone through this much more detailed process than we usually do, there may not be a need for this. She said this has been discussed, but she would need to meet with the City Manager to finalize that. She said usually the third week in April, we begin the hearings with the Finance Committee. She said we need to have discussions on Monday as to how to handle that. The Departments have turned in their budgets, which are being reviewed by the budget office for accuracy and completeness.

Ms. Raveling said following the Finance Committee hearings in April, the recommended changes are made, and the proposed budget will be presented to the Council in May. The budget must be submitted to the State by June 1, 2007.

Councilor Heldmeyer said she believes the motion to postpone is a good suggestion. She would like, if possible, to obtain an amended JPA from the County before the budget is finalized. She said when the County Commission appeared before the Council, promises were made, but what was passed is fairly simple, and doesn't include a lot of the things which were promised verbally. She said the only thing which was passed is, "The County will be solely responsible for the costs of the day to day operation of the RECC." She said she is now hearing rumors, that this may not be the case completely. She said if the JPA is the contract between the City and County, she would like to see that adopted so we know where we stand with this money. If the JPA follows the Resolution she believes it should be passed fairly quickly. She said the packet indicates that the Board will amend the JPA, but the JPA is amended by the City and County governing bodies, and not by the Board.

Responding to Councilor Chavez, Councilor Calvert said his motion is to postpone action on this Resolution, either with or without the amendments, until the budget is done.

Councilor Chavez asked that his amendments stay attached to the Resolution and be part of the process.

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

END OF CONSENT CALENDAR DISCUSSION

10. MATTERS FROM THE CITY MANAGER

None.

15. MATTERS FROM THE CITY CLERK

None.

16. COMMUNICATIONS FROM THE GOVERNING BODY.

Councilor Dominguez

Councilor Dominguez had no communications.

Councilor Calvert

Councilor Calvert had no communications.

Councilor Trujillo

Councilor Trujillo had no communications.

Councilor Wurzburger

Councilor Wurzburger said she is introducing an Ordinance on short term rentals, which is based on the Resolution she and Councilor Heldmeyer sponsored over a year ago. There was then a task force report, and then it went to several committees, but nothing happened. She has been trying to pull together different constituencies to look at it to see if we can move this issue forward. She asked that it go to the Business and Quality of Life Committee, Public Works Committee, Finance Committee and the Planning Commission. The proposed ordinance amendment is incorporated herewith to these minutes as Exhibit "3."

Councilor Heldmeyer

Councilor Heldmeyer said she heard there was an ordinance amendment on short term rentals coming forward, but was told it wouldn't be available until this evening. She said she has her own thoughts on short term rentals which probably aren't the same as those of Councilor Wurzburger. She also is introducing amendments to that ordinance which may be different from Councilor Wurzburger's. She has heard from a lot of people who were not happy with the staff's suggestions a few weeks ago because they felt they didn't take into account some of the issues which were brought up in the course of discussing short term rentals. Her preference would be, in addition to the Committees mentioned by Councilor Wurzburger, to begin this process with a big meeting and a discussion of short term rentals, what the City should do about them, and let everybody just "lay it on the line." She asked, during the committee process, that there be plenty of opportunity for clear, fair, public input, something

which was not available to everyone during the meetings of the task force. She said there are a lot of different ideas about short term rentals, and we can let the community decide which ones with which they are more comfortable.

The proposed ordinance amendment is incorporated herewith to these minutes as Exhibit "4."

Councilor Chavez

Councilor Chavez had no communications.

Mayor Coss

Mayor Coss reminded the Councilors that strategic budget planning will be discussed at the Finance Committee on Monday. Councilors have been asked to priority rank ten issues they would like to see funded, and ten in which they are less interested.

Mayor Coss distributed an information sheet about a campaign in which the Sierra Club has asked the City to participate on April 14, 2007, Climate Change Action Day. The Sierra Club is working with many groups in Santa Fe. He said this may become a Resolution. A copy of the information sheet is incorporated herewith to these minutes as Exhibit "5."

Mayor Coss introduced a Resolution with regard to the City's issuance of an Industrial Revenue Bond for Thornburg, noting that Councilor Wurzburger is a cosponsor. A copy of the proposed Resolution is incorporated herewith to these minutes as Exhibit "6."

11. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

- a) Discussion of Limited Personnel Matters Regarding the City Manager, Pursuant to §10-15-1(H)(2) NMSA 1978.
- b) Discussion of Land Swap with New Mexico Department of Transportation, Pursuant to §10-15-1(H)(8) NMSA 1978.
- c) Discussion of Acquisition of Property from the New Mexico School for the Deaf, Pursuant to §10-15-1(H)(8) NMSA 1978.

Councilor Wurzburger moved, seconded by Councilor Calvert, that the Council go into Executive Session for the purpose of discussing limited personnel matters regarding the contract for the City Manager, pursuant to §10-15-1(H)(2) NMSA 1978; and discussion of land swap with the New Mexico Department of Transportation, and acquisition of property from the New Mexico School for the Deaf pursuant to §10-15-

1(H)(8) NMSA 1978. The motion was passed on a Roll Call vote as follows:

For: Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Heldmeyer, Councilor Trujillo and Councilor Wurzburger.

Against: None.

The Council went into Executive Session at 5:58 p.m.

MOTION TO COME OUT OF EXECUTIVE SESSION

At 7:15 p.m., Councilor Heldmeyer moved, seconded by Councilor Calvert, that the City Council come out of Executive Session and stated that the only items which were discussed in executive session were limited personnel matters relating to the City Manager, the land swap with the NM DOT and acquisition of property from the NM School for the Deaf.

The motion was passed unanimously on a voice vote with Councilors Calvert, Chavez, Dominguez, Heldmeyer, and Wurzburger voting for the motion, no one voting against, and Councilor Trujillo absent.

12. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH CITY MANAGER GALEN M. BULLER. (MAYOR COSS)

Councilor Heldmeyer moved, seconded by Councilor Chavez, to approve the Professional Services Agreement with City Manager Galen M. Buller, as amended. The motion was passed on a Roll Call vote as follows:

For: Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Heldmeyer, and Councilor Wurzburger.

Against: None.

Absent: Councilor Trujillo.

13. ACTION REGARDING LAND SWAP WITH NEW MEXICO DEPARTMENT OF TRANSPORTATION. (ROBERT ROMERO)

No action was taken.

14. ACTION REGARDING ACQUISITION OF PROPERTY FROM THE NEW MEXICO SCHOOL FOR THE DEAF. (JACK HIATT)

No action was taken.

END OF AFTERNOON SESSION AT 7:18 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 W. Coss, at approximately 7:18 p.m. Roll Call indicated the presence of a quorum as follows:

Members Present

Mayor David W. Coss
Councilor Miguel Chavez, Mayor Pro-Tem
Councilor Christopher Calvert
Councilor Carmichael A. Dominguez
Councilor Karen Heldmeyer
Councilor Rebecca Wurzburger

Members Excused

Councilor Patti J. Bushee Councilor Matthew E. Ortiz Councilor Ronald S. Trujillo

E. PETITIONS FROM THE FLOOR

Mayor Coss allowed two minutes to all of those speaking under Petitions from the Floor.

John Padilla, Padilla & Associates Architects, said he is in attendance to speak in support of Dan Featheringill AIA Architect, member of the Historic Design Review Board ["HDRB"]. Mr. Padilla is a past member of the HDRB, and served as co-chair during his tenure on the Board. Mr. Padilla serves on other City committees and is aware that the appointments to boards, commissions and committees are at the discretion of the Mayor, and the members serve at the will of the Mayor. He said the removal of Dan Featheringill from the HDRB, or the decision not to reappoint him, as reported by The Journal North, is unacceptable. He said it is unacceptable on many levels. Mr. Featheringill is only six months into his first term of one year. To relieve him in a move to "clamp down" on confused and potentially arbitrary and capricious ruling, as stated in The Journal North, is targeting the wrong HDRB members. Mr. Padilla said Mr. Featheringill reviews cases before the HDRB and makes a judgment on those cases based on the Historic ordinance and not on personal tastes and dislikes. It is a mistake to replace Mr. Featheringill with Ms. Sharon Woods, a contractor, not an architect, who has served the Board well during her tenure. He requested that Mayor and Councilors reconsider the removal of Dan Featheringill from the HDRB and focus on the real issue at hand: Establish a Board which understands the Code and is willing to give up on personal likes and dislikes in order to preserve the fabric which makes Santa Fe's Historic District wonderful and unique, and a Board which addresses realistically the ideals and principles of historic preservation.

Allen Baer, Architect, President-Elect of AlA New Mexico. Mr. Baer said he is here to second Mr. Padilla's position on John Featheringill. Mr. Baer said, "What I would like to add, one qualification that he brings to the Board. He is a LEED accredited professional, and as this

Board moves into integrating sustainability and historic preservation, and of course the preservation of actual fabric is the single most important sustainable strategy that we can adopt. His technical knowledge, his professionalism is just an invaluable part of his contribution to the Board. The Board all too often issues arbitrary taste-based or emotion-based rulings that are characterized by reference to the harmony clause as its sole basis for rejection or approval of a given project. Mr. Featheringill does not participate in that kind of decision-making and follows the ordinance. I think he makes a valuable contribution and should be retained."

Dan Featheringill, Incoming President AIA Santa Fe, said he was also a member of the HDRB. He said he worked a long time to get on the Board and it is very frustrating to have been able to serve for only six months. He doesn't believe he did anything extraordinary, out of line with the Board, although he may have "ruffled a few feathers" here and there. He said he did this for the Code and believes he brings a real honest opinion to the Board. Mr. Featheringill said his Master's Thesis for the architecture school was Historic Preservation. He said this was a great opportunity for him to apply what he learned for the benefit of the City. He said most people say they don't get their stride on the Board in the first year, and he was only on the Board for six months. He said if there is another opportunity he would like to serve, and would like to stay on the Board now.

Victor Johnson, architect in Santa Fe since 1972. Mr. Johnson said he has dealt with the Historic Ordinance for thirty-five years. His specialization has been historic preservation. He is an emeritus board member of the National Trust for Historic Preservation, and believes he is the only architect in Santa Fe who has won a National Historic Preservation award. He seconded the comments which have been made and the endorsement of Mr. Featheringill. He said the nominee may be the wrong person at the wrong time if the intention is to lighten the number of appeals coming to the Council, which he understands is one of the motivations. He said there are a number of boards to whom Councilor Wurzburger could make her appointment. He suggested if possible, that this appointment be tabled for discussion with the broader preservation community. He is primarily interested in preserving the integrity of the Historic ordinance and to lessen the number of challenges and the kinds of things which weaken it.

Carold Oldham, Sierra Club, a National staff person, talked about the proposed Compact Fluorescent Bulb Campaign on April 14, 2007, which is Climate Change Action Day. She said people struggle with the enormity of climate change, and what they can do about it. She said this gives people the opportunity to do something which, although small will lower energy bills as well as carbon emissions.

Ms. Oldham distributed information on the "Compact Fluorescent Bulb Campaign," which is incorporated herewith to these minutes as Exhibit "7." Ms. Oldham reviewed Exhibit "7," including the three phases of the campaign which are: a City rally at a local park; bulb exchanges at local churches; and a City exchange using all the left over compact fluorescent bulbs.

Ms. Oldham said it was her hope to hold a rally on City property and turn in the bulbs at Genoveva Chavez Community Center. She said the Sierra Club will provide the volunteers, the

compact fluorescent bulbs, its organizational skills and the literature which will include a stuffer which will be included with the bulb, and a door hanger for door knobs.

Councilor Wurzburger said she and Councilor Calvert have been working with the County to develop ten ideas for saving energy and moving the 23 Initiative forward. One of the first ideas was to do something with light bulbs. She suggested that Ms. Oldham contact Commissioner Campos as soon as possible, so this can be a joint City/County effort.

Councilor Calvert suggested that one of the neighborhoods visited should be a low income neighborhood which would benefit the most by saving money. He said with regard to a continuing program based at the City, he believes it would be better based at one of the local hardware stores which would help economic development, the business would benefit from foot traffic and we would see an environmental benefit. He believes it would help to have a list of the best bulbs or uses to change.

Ms. Oldham said it was the intent in the neighborhood walks to reach out to the low income neighborhoods. Unfortunately, at this time, she is the only staff person in the state, and she is unsure she can run both an Albuquerque walk and a Santa Fe walk. She has good volunteers to run the rally and such in Santa Fe, and she can organize that. She is working with the local chapter for assistance.

Councilor Heldmeyer said she gets questions about 3-way fixtures and fixtures on rheostats.

Ms. Oldham said there are compact fluorescents which can be used for that, but the ones which will be handed-out will not be those because of the cost.

Councilor Calvert said although there isn't a significant amount of mercury, he believes the information distributed should mention proper disposal of the bulbs.

Ms. Oldham is working on a fact sheet in this regard.

F. APPOINTMENTS

Historic Design Review Board

Mayor Coss appointed the following individuals to the Historic Design Review Board:

Cecilia Rios (At-Large) – reappointment – term ending 01/2009;

Deborah Shapiro (Construction Industry) – reappointment – term ending 01/2009; Jane Farrar (Old Santa Fe Association) – term ending 01/2008 (Group title change only);

Charles Carter Newman II (Architect) – reappointment and group title change – term ending 01/2009; and

Sharon Lynn Woods (At-Large) – term ending 01/2008.

Councilor Wurzburger moved, seconded by Councilor Calvert, to approve the appointments.

Discussion: Mayor Coss said he appreciates the remarks from the architects, especially from Mr. Featheringill. He told Mr. Featheringill not to read anything personal into this at all. He said there was a lot of miscommunication in the emails, and he is not proposing that Ms. Woods fill the architect position. He is proposing that Ms. Woods fill an at-large position, and by moving Mr. Newman, who is an architect, into the architect's position, there will now be one architect and two construction industry members on the HDRB.

Councilor Chavez asked if it is typical that the HDRB would have two at-large members.

Mayor Coss said, there are two at-large positions under the ordinance.

Councilor Chavez said then Ms. Woods would be involved in the construction industry and would bring that experience to the Board.

Councilor Heldmeyer she received a lot of emails and phone calls on this appointment, most of which came in this afternoon, too late to do anything about it. She said many were clearly based on misinformation, with regard to whose term ended and when, and who fit into what slot. There were some discussions about Ms. Woods and how she has presented her credentials over the years. She sent an email back to everyone who contacted her in this regard, and asked for more information. She hasn't yet received this information, but this is something which concerns her. She asked if it would be possible to delay the appointment of Ms. Woods to the next Council meeting to look into these allegations.

Councilor Heldmeyer moved to delay the appointment of Miss Woods to give time to look into allegations. THE MOTION DIED FOR LACK OF A SECOND.

Mayor Coss said he wants to make it very clear that Ms. Woods isn't being appointed as an architect, and is appointed to an at-large position.

Councilor Heldmeyer said in addition to questions as to whether Ms. Woods is an architect, there were questions which basically go to questions of integrity. She said she has no idea whether or not the information is correct.

Mayor Coss said he has had his integrity questioned about his comments on immigration as well as snow. He has known Ms. Woods for a long time. The information he has is that she served well when she served on the HDRB previously. He said decisions have to be made and appointments have to be presented. He believes the HDRB will continue to function well.

Councilor Wurzburger said she met Ms. Woods several years ago when Ms. Woods was attending soccer games while diligently reading material on the HDRB. She said when she first started looking at identifying new people for appointment to the HDRB, numerous people suggested that Ms. Woods' experience would be very helpful during the transition period, and

this is the spirit in which she brought her name forward. Councilor Wurzburger reiterated this was not an effort to replace Mr. Featheringill. It is a nomination of someone who she believes will add greatly to the deliberations of the HDRB.

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

Airport Advisory Board

Mayor Coss appointed the following individual to the Airport Advisory Board:

Bill Sauter - term ending 02/2010.

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

Extraterritorial Zoning Commission

Mayor Coss appointed the following individuals to the Extraterritorial Zoning Commission:

Patricio Gonzales – reappointment – term ending 02/2008; Mike Mier – reappointment – term ending 04/2008; and Mark Marquez – term ending 04/2008.

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

400th Anniversary Committee

Mayor Coss appointed the following individual to the 400th Anniversary Committee, noting this is the final appointment to this Committee:

Eva Torres Aschenbrener [no term specified in the Memorandum]

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

G. PUBLIC HEARINGS

There were no public hearings.

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 7:41 p.m.

Approved by:

Mayor David Coss

ATTESTED TO:

Respectfully submitted:

Melessia Helberg, Stenographer