



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
JUNE 12, 2013
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE

DATE 6/7/13 TIME 4:27 p

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 – May 29, 2013
9. PRESENTATIONS
 - a) Warehouse 21's 17th Birthday – June 26, 2013. (Performing Artists of Warehouse 21 Summer Musical Program) (5 minutes)
 - b) Employee of the Month for June 2013 – Louella Pacheco, Paralegal – City Prosecutor's Office. (5 Minutes)
 - c) Muchas Gracias – De Vargas Middle School Girls Group for Surveys on St. Michael's Drive Project. (5 minutes)
 - d) Regional Coalition of LANL Communities. (DeAnza Sapien, Executive Director) (5 minutes)
 - e) Operation DUI Program Award Recognition. (Chief Rael) (5 minutes)
10. CONSENT CALENDAR
 - a) Bid No. 13/30/B – Airport Road Landscaping Improvements Project and Construction Agreement; H.O. Construction, Inc. (Desirae Lujan)
 - 1) Request for Approval of Budget Increase – Project Fund.
 - b) Request for Approval of Professional Services Agreement – Santa Fe River Trail Crossing at St. Francis Drive and Alameda Street; Parsons Brinckerhoff, Inc. (Brian Drypolcher)
 - c) Request for Approval of Memorandum of Understanding – Day Reporting Program for Juveniles; Santa Fe County. (Richard DeMella)



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- d) Request for Approval of Professional Services Agreements for 1% Lodgers' Tax Services – Advertising, Publicizing and Promotion of Tourism-Related Non-Profit Arts Activities (RFP #12/12/P). (Debra Garcia y Griego)
 - 1) Santa Fe Opera
 - 2) Georgia O'Keeffe Museum
- e) Request for Approval of Amendment No. 1 to Professional Services Agreement – Automatic Vehicle Locator (AVL) System for City of Santa Fe; Radio Satellite Integrators, Inc. (Thomas Williams)
- f) Request for Approval of Professional Services Agreement – Production of 2014 Official Santa Fe Travel Planner for Santa Fe Convention & Visitors Bureau; Bella Media, LLC. (Jim Luttjohann)
- g) CONSIDERATION OF RESOLUTION NO. 2013-____. (Mayor Coss, Councilor Rivera, Councilor Bushee, Councilor Dimas, Councilor Wurzburger, Councilor Ives, Councilor Trujillo and Councilor Calvert)
A Resolution Naming the Courtyard of the Santa Fe Community Convention Center the "Catua and Omtua Courtyard" to Commemorate Over 400 Years of History and Cultural Sharing Between the City of Santa Fe and the Pueblo of Tesuque. (Jim Luttjohann)
- h) Santa Fe Rail Trail Retaining Wall and Slope Stabilization Project. (James Martinez)
 - 1) CONSIDERATION OF RESOLUTION NO. 2013-____. (Councilor Dimas, Councilor Rivera, Councilor Calvert, Councilor Bushee, Councilor Dominguez and Councilor Wurzburger)
A Resolution Supporting the Santa Fe Rail Trail Retaining Wall and Slope Stabilization Project Funded Through a Cooperative Project Agreement with the New Mexico Department of Transportation. (James Martinez)
 - 2) Request for Approval of a Cooperative Project Agreement – Improvements to the Santa Fe Rail Trail; New Mexico Department of Transportation.
 - 3) Request for Approval of a Budget Adjustment Increase – Project Fund.



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- i) CONSIDERATION OF RESOLUTION NO. 2013-____. (Councilor Dominguez and Councilor Bushee)
A Resolution Relating to Healthy Lifestyles and a Clean Environment; Directing Staff to Design a Bus Pass Rebate Program for Residents of Santa Fe who Acquire, by Purchase from a Participating Bicycle Vendor or Acquire by Providing Volunteer Services to a Participating Bicycle Vendor a Bicycle and/or Bicycle Equipment and Utilizing a Funding Mechanism of the CIP Fund Reallocation of \$50,000 for Such Program. (Jon Bulthuis)
- j) Request for Approval of Grant Awards – Senior Services Division; State of New Mexico Aging and Long Term Services Department. (Melanie Montoya)
 - 1) Foster Grandparent Program
 - 2) Retired Senior Volunteer Program
 - 3) Senior Companion Program
 - a) Request for Approval of Budget Increase – Grant Fund.
- k) Request for Approval of Amendment No. 7 to Legal Services Agreement – Qwest Corporation v. City of Santa Fe Matter (Federal Case); Cuddy & McCarthy, LLP. (Kelley Brennan)
 - 1) Request for Approval of Budget Increase – Insurance Claims Fund.
- 11. CONSIDERATION OF RESOLUTION NO. 2013-____. (Mayor Coss, Councilor Bushee and Councilor Wurzbarger)
A Resolution Supporting the Protection and Preservation of the La Bajada Mesa Lands and Respectfully Requesting that the President of the United States, by Proclamation, Designate and Establish the La Bajada Mesa National Monument Which is Located in Congressional District 3.
- 12. Request for Approval of Appointment of Municipal Court Pro Tem Judges Pursuant to §2-3.4(C) SFCC 1987; Sonya Carrasco-Trujillo, Paul L. Biderman and Anthony Tupler. (Municipal Judge Ann Yalman)
- 13. Request for Approval of Villas Di Toscana Annexation Agreement Amendment. Vistancia, LLC, Requests an Amendment to the Carlos Rey del Sur Annexation Agreement to Privatize the Streets, Sidewalks, Landscaping and Lighting. The Property is Zoned R-3 PUD (Residential, 3 Dwelling Units Per Acre, Planned Unit Development) and is Located Between Governor Miles Road and I-25, and East of Camino Carlos Rey. (Tamara Baer)



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14. MATTERS FROM THE CITY MANAGER
15. MATTERS FROM THE CITY ATTORNEY

Executive Session

In Accordance with the New Mexico Open Meetings Act, §10-15-1(H)(7), NMSA 1978, Discussion Regarding Pending Litigation in Which the City of Santa Fe is a Participant, Qwest Corporation v. City of Santa Fe, Case No. 10-CV-00617 in the U.S. District Court for the District of New Mexico.

16. MATTERS FROM THE CITY CLERK
17. 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
 - Parks and Open Space Advisory Commission
- H. PUBLIC HEARINGS:
 - 1) CONSIDERATION OF BILL NO. 2013-23: ADOPTION OF ORDINANCE NO. 2013 - ____ (Mayor Coss)
An Ordinance Authorizing the Issuance and Sale of City of Santa Fe, New Mexico, General Obligation Bonds, Series 2013, in the Principal Amount of \$12,000,000, Payable from Ad Valorem Taxes Levied on all Taxable Property Within the City, Levied Without Limit as to Rate or Amount; Providing for the Form, Terms and Conditions of the Bonds, the Manner of Their Execution, and the Method of, and Security for, Payment; Providing for the Award and Sale of the Bonds to the Purchaser and the Price to be Paid by the Purchaser for the Bonds; and Providing for Other Details Concerning the Bonds. (Helene Hausman and Marcos Tapia)



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CITY COUNCIL CHAMBERS

- 2) CONSIDERATION OF RESOLUTION NO. 2013-____. (Councilor Rivera, Councilor Calvert, Councilor Bushee, Councilor Ives, Councilor Dimas, Councilor Trujillo, Councilor Dominguez and Councilor Wurzburger)
A Resolution Proclaiming Severe or Extreme Drought Conditions in the City of Santa Fe and Restricting the Sale or Use of Fireworks Within the City of Santa Fe and Prohibiting Other Fire Hazard Activities. (Fire Marshal Reynaldo Gonzales)
- 3) CONSIDERATION OF BILL NO. 2013-24: ADOPTION OF ORDINANCE NO. 2013 - _____. (Councilor Wurzburger)
An Ordinance Approving Certain Leases Between the City of Santa Fe and the Santa Fe Civic Housing Authority for the Lease of Certain Real Property To Be Used for Public Housing Family Units Located at 1222-1265 Cerro Gordo Road, 1227-1265 Gallegos Lane, 1237-1246 Senda del Valle, 1209-1219 Senda Lane, 911 A-F Agua Fria Street, 1752-1788 Hopewell Street and 1750-1765 Mann Street; and Public Housing Senior Units Located at 664-670 Alta Vista Street and 1510-1520 Luisa Street. (Alexandra Ladd)
- 4) CONSIDERATION OF BILL NO. 2013-25: ADOPTION OF ORDINANCE NO. 2013 - _____. (Councilor Dominguez, Councilor Dimas and Councilor Rivera)
An Ordinance Relating to the Municipal Recreation Complex (MRC), City Sports Fields and League Fees; Repealing Article 23-7 SFCC 1987 and Adopting a New Article 23-7 SFCC 1987 to Establish Regulations and Fees at the MRC; Adopting a New Section 23-4.12 SFCC 1987 to Establish Regulations and Fees for City Sports Fields, Other Than MRC Sports Fields; and Creating a New Section 23-4.13 SFCC 1987 to Establish a Voluntary Sports Field Maintenance Fund. (Ben Gurule and Melissa Byers)
 - a) CONSIDERATION OF RESOLUTION NO. 2013-____. (Councilor Dominguez)
A Resolution Establishing City of Santa Fe Sports Field Clean-Up Days at the Municipal Recreation Complex and at Other Sports Fields Throughout the City of Santa Fe. (Ben Gurule and Melissa Byers)



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- 5) Request from Goler Fine Imported Shoes for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Champagne at Goler Fine Imported Shoes, 125 East Palace Avenue. This Location is Within 300 Feet of the Cathedral Basilica of Saint Francis of Assisi, 131 Cathedral Place. The Request is for a Champagne Reception and Silent Auction to Benefit SWAIA Education Programs. This Event Will be Held on June 21, 2013 from 5:00 p.m. to 7:00 p.m. (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.

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SANTA FE CITY COUNCIL MEETING
June 12, 2013

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CONSENT CALENDAR LISTING		3-5
APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – MAY 29, 2013	Approved	5
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BID NO. 13/30/B – AIRPORT ROAD LANDSCAPING IMPROVEMENTS PROJECT AND CONSTRUCTION AGREEMENT; H.O. CONSTRUCTION, INC.	Approved [amended]	6-7
REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND	Approved	6-7

ITEM

ACTION

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**SANTA FE RAIL TRAIL RETAINING WALL AND
SLOPE STABILIZATION PROJECT:**

**CONSIDERATION OF RESOLUTION NO. 2013- 59.
A RESOLUTION SUPPORTING THE SANTA FE RAIL
TRAIL RETAINING WALL AND SLOPE
STABILIZATION PROJECT FUNDED THROUGH A
COOPERATIVE PROJECT AGREEMENT WITH THE
NEW MEXICO DEPARTMENT OF TRANSPORTATION**

Approved

7

**REQUEST FOR APPROVAL OF A
COOPERATIVE PROJECT AGREEMENT –
IMPROVEMENTS TO THE SANTA FE RAIL
TRAIL; NEW MEXICO DEPARTMENT OF
TRANSPORTATION**

Approved

7

**REQUEST FOR APPROVAL OF A BUDGET
ADJUSTMENT INCREASE – PROJECT FUND**

Approved

7

**CONSIDERATION OF RESOLUTION NO. 2013-60. A
RESOLUTION RELATING TO HEALTHY LIFESTYLES
AND A CLEAN ENVIRONMENT; DIRECTING STAFF
TO DESIGN A BUS PASS REBATE PROGRAM FOR
RESIDENTS OF SANTA FE WHO ACQUIRE, BY
PURCHASE FROM A PARTICIPATING BICYCLE
VENDOR OR ACQUIRE BY PROVIDING VOLUNTEER
SERVICES TO A PARTICIPATING BICYCLE VENDOR
A BICYCLE AND/OR BICYCLE EQUIPMENT AND
UTILIZING A FUNDING MECHANISM OF THE CIP
FUND REALLOCATION OF \$50,000 FOR SUCH
PROGRAM**

Approved [amended]

8-9

**REQUEST FOR APPROVAL OF AMENDMENT NO. 7
TO LEGAL SERVICES AGREEMENT – QWEST
CORPORATION V. CITY OF SANTA FE MATTER
(FEDERAL CASE); CUDDY & McCARTHY, LLP**

Approved

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END OF CONSENT CALENDAR DISCUSSION

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
CONSIDERATION OF RESOLUTION NO. 2013- ____ . A RESOLUTION SUPPORTING THE PROTECTION AND PRESERVATION OF THE LA BAJADA MESA LANDS AND RESPECTFULLY REQUESTING THAT THE PRESIDENT OF THE UNITED STATES, BY PROCLAMATION, DESIGNATE AND ESTABLISH THE LA BAJADA MESA NATIONAL MONUMENT WHICH IS LOCATED IN CONGRESSIONAL DISTRICT 3	Postponed to 07/31/13	10
REQUEST FOR APPROVAL OF APPOINTMENT OF MUNICIPAL COURT PRO TEM JUDGES, PURSUANT TO §2-3.4(C) SFCC 1987; SONYA CARRASCO- TRUJILLO, PAUL L. BIEDERMAN AND ANTHONY TUPLER	Approved	10
REQUEST FOR APPROVAL OF VILLAS DI TOSCANA ANNEXATION AGREEMENT AMENDMENT. VISTANCIA, LLC, REQUESTS AN AMENDMENT TO THE CARLOS REY DEL SUR ANNEXATION AMENDMENT TO PRIVATIZE THE STREETS, SIDEWALKS, LANDSCAPING AND LIGHTING. THE PROPERTY IS ZONED R-3 PUD (RESIDENTIAL, 3 DWELLING UNITS PER ACRE, PLANNED UNIT DEVELOPMENT), AND IS LOCATED BETWEEN GOVERNOR MILES ROAD AND 8-25, AND EAST OF CAMINO CARLOS REY	Approved	11-12
MATTERS FROM THE CITY MANAGER	None	13
<u>MATTERS FROM THE CITY ATTORNEY</u>		
EXECUTIVE SESSION	Approved	13
MOTION TO COME OUT OF EXECUTIVE SESSION	Approved	13
MATTERS FROM THE CITY CLERK	None	13
<u>EVENING SESSION</u>		
CALL TO ORDER AND ROLL CALL	Roll Call	15
PETITIONS FROM THE FLOOR		15-16
<u>APPOINTMENTS</u>		
Parks and Open Space Advisory Commission	Approved	16

ITEM**ACTION****PAGE #****PUBLIC HEARINGS**

CONSIDERATION OF BILL NO. 2013-23; ADOPTION OF ORDINANCE NO. 2013-24. AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF SANTA FE, NEW MEXICO, GENERAL OBLIGATION BONDS, SERIES 2013, IN THE PRINCIPAL AMOUNT OF \$12,000,000, PAYABLE FROM AD VALOREM TAXES LEVIED ON ALL TAXABLE PROPERTY WITHIN THE CITY, LEVIED WITHOUT LIMIT AS TO RATE OR AMOUNT; PROVIDING FOR THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE MANNER OF THEIR EXECUTION, AND THE METHOD OF, AND SECURITY FOR, PAYMENT; PROVIDING FOR THE AWARD AND SALES OF THE BONDS TO THE PURCHASER AND THE PRICE TO BE PAID BY THE PURCHASER FOR THE BONDS; AND PROVIDING FOR OTHER DETAILS CONCERNING THE BONDS

Approved

16-17

CONSIDERATION OF RESOLUTION NO. 2013-61. A RESOLUTION PROCLAIMING SEVERE OR EXTREME DROUGHT CONDITIONS IN THE CITY OF SANTA FE AND RESTRICTING THE SALE OR USE OF FIREWORKS WITHIN THE CITY OF SANTA FE AND PROHIBITING OTHER FIRE HAZARD ACTIVITIES

Approved

18

REQUEST FRO GOLER FINE IMPORTED SHOES FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/ CONSUMPTION OF CHAMPAGNE AT GOLER FINE IMPORTED SHOES, 125 EAST PALACE AVENUE. THIS LOCATION IS WITHIN 300 FEET OF THE CATHEDRAL BASILICA OF SAINT FRANCIS OF ASSISI, 131 CATHEDRAL PLACE. THE REQUEST IS FOR A CHAMPAGNE RECEPTION AND SILENT AUCTION TO BENEFIT SWAIA EDUCATION PROGRAMS. THIS EVENT WILL BE HELD ON JUNE 21, 2013 FROM 5:00 P.M. TO 7:00 P.M.

Approved

18-19

ITEM**ACTION****PAGE #**

CONSIDERATION OF BILL NO. 2013-24; ADOPTION OF ORDINANCE NO. 2013-25. AN ORDINANCE APPROVING CERTAIN LEASES BETWEEN THE CITY OF SANTA FE AND THE SANTA FE CIVIC HOUSING AUTHORITY FOR THE LEASE OF CERTAIN REAL PROPERTY TO BE USED FOR PUBLIC HOUSING FAMILY UNITS LOCATED AT 1222-1265 CERRO GORDO ROAD, 1227-1265 GALLEGOS LANE, 1237-1246 SENDA DEL VALLE, 1209-1219 SENDA LANE, 911 A-F AGUA FRIA STREET, 1752-1788 HOPEWELL STREET AND 1750-1765 MANN STREET AND PUBLIC HOUSING SENIOR UNITS LOCATED AT 664-670 ALTA VISTA STREET AND 1510-1520 LUISA STREET

Approved

9-20

CONSIDERATION OF BILL NO. 2013-25; ADOPTION OF ORDINANCE NO. 2013-26. AN ORDINANCE RELATING TO THE MUNICIPAL RECREATION COMPLEX (MRC), CITY SPORTS FIELDS AND LEAGUE FEES; REPEALING ARTICLE 23-7 SFCC 1987, AND ADOPTING A NEW ARTICLE 23-7 SFCC 1987, TO ESTABLISH REGULATIONS AND FEES AT THE MRC; ADOPTING A NEW SECTION 23-4.12 SFCC 1987, TO ESTABLISH REGULATIONS AND FEES FOR CITY SPORTS FIELDS, OTHER THAN MRC SPORTS FIELDS; AND CREATING A NEW SECTION 23-4.13 SFCC 1987, TO ESTABLISH A VOLUNTARY SPORTS FIELD MAINTENANCE FUND

Approved

20-21

CONSIDERATION OF RESOLUTION NO. 2013-62 (COUNCILOR DOMINGUEZ). A RESOLUTION ESTABLISHING CITY OF SANTA FE SPORTS FIELD CLEAN-UP DAYS AT THE MUNICIPAL RECREATION COMPLEX AND AT OTHER SPORTS FIELDS THROUGHOUT THE CITY OF SANTA FE

Approved

20-21

COMMUNICATIONS FROM THE GOVERNING BODY

22-26

ADJOURN

26

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
June 12, 2013**

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 Wednesday, June 12, 2013, 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 Christopher Calvert
Councilor Bill Dimas
Councilor Carmichael A. Dominguez
Councilor Peter N. Ives
Councilor Christopher M. Rivera
Councilor Ronald S. Trujillo

Others Attending

Brian K. Snyder, City Manager
Geno Zamora, City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

6. APPROVAL OF AGENDA

Councilor Bushee said there is an amendment to the annexation agreement in Item 13, which is an old annexation agreement, but she's never seen us administratively amend an annexation agreement. She said it isn't all that clear in the Code as to how to address this, but she would err on the side of making sure that we did this publicly. This isn't a time on the agenda when we have a public hearing, and she said she would ask to postpone Item #13 to the next Council meeting, to be the first item under Public Hearings.

MOTION: Councilor Bushee moved to approve the agenda, with an amendment to postpone Item #13 to the next Council meeting to be the first item under Public Hearings.

DISCUSSION PRIOR TO SECOND: Mayor Coss asked Councilor Bushee if she has anything on Item #11.

FRIENDLY AMENDMENT: Councilor Bushee would like to amend the motion to postpone Item #11 to the next meeting of the Council, to make sure people from the La Cienega area have the opportunity to meet.

CONTINUATION OF DISCUSSION PRIOR TO SECOND: Mayor Coss asked if she would like for Item #11 to be a Public Hearing.

Councilor Bushee said she is uncertain, noting the Mayor is the main sponsor, and will leave it to him on Item #11.

Councilor Bushee said, with regard to Item #13, "just a precedent setting kind of situation, that we consider having a public hearing. It is an annexation agreement."

Councilor Trujillo asked Geno Zamora if Item #13 should be a public hearing, or the reason it is placed on the agenda as it is this evening.

Mr. Zamora said, "This item is on the agenda because it is an amendment to essentially a contractual agreement, and therefore it is on the afternoon session. So it would be at the discretion of the Governing Body to place it in the evening session for a hearing, but it is not a requirement. The amendment itself, to give some light on why we came up with our interpretation, it's not changing the boundaries of the land that was annexed which is what requires the most scrutiny and the most public hearings. There's a development within the annexed land that agreed to build City streets to City specifications, and within that limited development of Villas Di Toscana, they have continued to agree to build it to City specs, but their neighborhood wishes them to remain private streets, rather than public streets. So that's the nature of the amendment. Again, it's a contractual amendment and it can be administrative. It's not required to be heard, but it is within the discretion [of the Council]."

Councilor Bushee said, "As I mentioned in the beginning. I'm clear in the Code what is required, but is my understanding this was first annexed in 1994. There are only about 14 of the units out of 60 some that were proposed. And so again, I would just suggest that we consider having a public hearing."

CLARIFICATION OF THE MOTION BY THE MAYOR: Mayor Coss said the motion is to approve the agenda, postponing Items #11 and #13 until the second meeting in June.

SECOND TO THE MOTION: Councilor Ives seconded the motion.

FRIENDLY AMENDMENT: Mayor Coss said, with regard to #11, as the main sponsor of the bill, he would say we should make it a public hearing, but would like to do it at the end of July when Councilor Bushee has returned. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND AND THERE WERE OBJECTIONS BY THE OTHER MEMBERS OF THE GOVERNING BODY.**

Councilor Wurzbarger asked if it would be possible to vote on the motion on the two separate items to be postponed, rather than collectively, or does it have to go together:

MOTION: Councilor Wurzbarger moved to separate the motion.

VOTE: The motion was approved on a voice vote with Councilors Calvert, Dimas, Dominguez, Ives, Rivera, Trujillo and Wurzbarger voting in favor of the motion and Councilor Bushee voting against.

MOTION: Councilor Bushee moved, seconded by Councilor Calvert, to postpone Item #11 to the Council meeting of July 31, 2013.

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

MOTION: Councilor Bushee moved to postpone Item #13 to the Council meeting of June 26, 2013, and have it be the first item under Public Hearings.

THE MOTION DIED FOR LACK OF A SECOND.

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

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

7. APPROVAL OF CONSENT CALENDAR

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

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

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

Against: None.

Absent for the vote: Councilor Bushee.

a) *[Removed for discussion by Councilor Dominguez]*

- b) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – SANTA FE RIVER TRAIL CROSSING AT ST. FRANCIS DRIVE AND ALAMEDA STREET; PARSONS BRINCKERHOFF, INC. (BRIAN DRYPOLCHER)
- c) REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING – DAY REPORTING PROGRAM FOR JUVENILES; SANTA FE COUNTY. (RICHARD DeMELLA)
- d) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENTS FOR 1% LODGERS' TAX SERVICES – ADVERTISING, PUBLICIZING AND PROMOTION OF TOURISM-RELATED NON-PROFIT ARTS ACTIVITIES (RFP #12/12/P). (DEBRA GARCIA Y GRIEGO)
 - 1) SANTA FE OPERA
 - 2) GEORGIA O'KEEFFE MUSEUM
- e) REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – AUTOMATIC VEHICLE LOCATOR (AVL) SYSTEM FOR CITY OF SANTA FE; RADIO SATELLITE INTEGRATORS, INC. (THOMAS WILLIAMS)
- f) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – PRODUCTION OF 2014 OFFICIAL SANTA FE TRAVEL PLANNER FOR SANTA FE CONVENTION & VISITORS BUREAU; BELLA MEDIA, LLC. (JIM LUTTJOHANN)
- g) CONSIDERATION OF RESOLUTION NO. 2013 -58 (MAYOR COSS, COUNCILOR RIVERA, COUNCILOR BUSHEE, COUNCILOR DIMAS, COUNCILOR WURZBURGER, COUNCILOR IVES, COUNCILOR TRUJILLO AND COUNCILOR CALVERT). A RESOLUTION NAMING THE COURTYARD OF THE SANTA FE COMMUNITY CONVENTION CENTER THE "CATUA AND OMTUA COURTYARD" TO COMMEMORATE OVER 400 YEARS OF HISTORY AND CULTURAL SHARING BETWEEN THE CITY OF SANTA FE AND THE PUEBLO OF TESUQUE. (JIM LUTTJOHANN)
- h) *[Removed for discussion by Councilor Trujillo]*
- i) *[Removed for discussion by Councilor Dominguez]*
- j) REQUEST FOR APPROVAL OF GRANT AWARDS – SENIOR DIVISION; STATE OF NEW MEXICO AGING AND LONG TERM SERVICES DEPARTMENT. (MELANIE MONTOYA)
 - 1) FOSTER GRANDPARENT PROGRAM
 - 2) RETIRED SENIOR VOLUNTEER PROGRAM
 - 3) SENIOR COMPANION PROGRAM
 - a) REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.

k) *[Removed for discussion by Councilor Ives]*

8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – MAY 29, 2013

MOTION: Councilor Wurzbarger moved, seconded by Councilor Dominguez, to approve the minutes of the Regular City Council meeting of May 29, 2013, as presented.

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

9. PRESENTATIONS

a) WAREHOUSE 21'S 17TH BIRTHDAY – JUNE 26, 2013. (PERFORMING ARTISTS OF WAREHOUSE 21 SUMMER MUSICAL PROGRAM.

Prior to the start of the Council meeting, the Governing Body was entertained with selections by the performing artists from the Warehouse 21 Summer Musical Program.

b) EMPLOYEE OF THE MONTH FOR JUNE 2013 – LOUELLA PACHECO, PARALEGAL – CITY PROSECUTOR'S OFFICE.

Mayor Coss read the letter of nomination into the record and presented Louella Pacheco with an Employee of the Month plaque and a check for \$100 from the Employee Benefit Committee. Mayor Coss congratulated Ms. Pacheco and thanked her for her exemplary service to the City.

Ms. Pacheco said, "Thank you for everything."

Krishna Piccard, Assistant City Attorney, said Ms. Pacheco is an extraordinary employee, and said, "I meant every word when I wrote that [letter of nomination]." She said where we get the work done is by Ms. Pacheco who puts the entire case together for prosecution so they have everything needed for trial. She said, "She is really the core of why our community is a safer place by helping get those drunk drivers off the road, so thank you very much."

Councilor Dimas said Ms. Pacheco worked for him at the Santa Fe Magistrate Court, and said she was one of the best employees he ever had when he was Chief Judge of the Magistrate Court, and one of his saddest days was when she left. He congratulated her on this honor.

Councilor Trujillo congratulated Ms. Pacheco, noting their families attend San Ysidro and every Sunday the whole family is at church, and said it is good to see her family here this evening to support her. He thanked her for her service.

c) MUCHAS GRACIAS – DE VARGAS MIDDLE SCHOOL GIRLS GROUP FOR SURVEYS ON ST. MICHAEL’S DRIVE PROJECT.

Mayor Coss, assisted by Councilor Wurzbarger, presented Muchas Gracias Certificates to the DeVargas Middle School girls group for their school-wide survey with regard to St. Michael's Drive.

d) REGIONAL COALITION OF LANL COMMUNITIES. (DeANZA SAPIEN, EXECUTIVE DIRECTOR).

Mayor Coss said this item is postponed to the next meeting.

e) OPERATION DUI PROGRAM AWARD RECOGNITION. (CHIEF RAE)

Mayor Coss, assisted by Councilor Wurzbarger and Chief Rael presented Muchas Gracias Certificates to the Police Officers for being recognized with the Operation DUI Program Award.

Councilor Bushee said she read about this in the newspaper, noting they placed first out of 70 in enforcing the forfeiture. She thanked the officers individually for all of their work.

CONSENT CALENDAR DISCUSSION

12 (a) BID NO. 13/30/B – AIRPORT ROAD LANDSCAPING IMPROVEMENTS PROJECT AND CONSTRUCTION AGREEMENT; H.O. CONSTRUCTION, INC. (DESIRAE LUJAN)
1) REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND.

MOTION: Councilor Wurzbarger moved, seconded by Councilor Dominguez, to approve this request, with an amendment that "staff will work with Councilors from that District to designate one of the new medians as a no-water median experiment, providing space for public art and recognizing that this could be applied to other districts as well, once we see how this works."

FRIENDLY AMENDMENT: Councilor Dominguez would like to amend the motion to direct staff to start looking at public art options in this regard. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE GOVERNING BODY.**

DISCUSSION: Councilor Wurzbarger noted that her amendment comes from a discussion at Public Works about the importance of looking at how we water, and if we should be watering with potable water. She said this proposal is to put in the pipes, and direction was given to staff to look at options which can be applied City-wide.

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

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

Against: None.

**12 (h) SANTA FE RAIL TRAIL RETAINING WALL AND SLOPE STABILIZATION PROJECT.
(JAMES MARTINEZ)**

- 1) CONSIDERATION OF RESOLUTION NO. 2013- 59 (COUNCILOR DIMAS, COUNCILOR RIVERA, COUNCILOR CALVERT, COUNCILOR BUSHEE, COUNCILOR DOMINGUEZ AND COUNCILOR WURZBURGER). A RESOLUTION SUPPORTING THE SANTA FE RAIL TRAIL RETAINING WALL AND SLOPE STABILIZATION PROJECT FUNDED THROUGH A COOPERATIVE PROJECT AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION. (JAMES MARTINEZ)**
- 2) REQUEST FOR APPROVAL OF A COOPERATIVE PROJECT AGREEMENT – IMPROVEMENTS TO THE SANTA FE RAIL TRAIL; NEW MEXICO DEPARTMENT OF TRANSPORTATION.**
- 3) REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT INCREASE – PROJECT FUND.**

Councilor Trujillo said, "The reason I pulled this item was to acknowledge I do work for the New Mexico Department of Transportation. I used to oversee the cooperative agreements for the District. I no longer do that, and there is no conflict of interest so I will move for approval.

MOTION: Councilor Trujillo moved, seconded by Councilor Wurzbarger to adopt Resolution No. 2013-59 as presented.

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

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

Against: None.

MOTION: Councilor Trujillo moved, seconded by Councilor Calvert to approve Items 12(h)(2) the Cooperative Project Agreement, and (3) the request for Budget Adjustment, as presented.

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

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

Against: None.

- 12 (i) **CONSIDERATION OF RESOLUTION NO. 2013-60 (COUNCILOR DOMINGUEZ AND COUNCILOR BUSHEE). A RESOLUTION RELATING TO HEALTHY LIFESTYLES AND A CLEAN ENVIRONMENT; DIRECTING STAFF TO DESIGN A BUS PASS REBATE PROGRAM FOR RESIDENTS OF SANTA FE WHO ACQUIRE, BY PURCHASE FROM A PARTICIPATING BICYCLE VENDOR OR ACQUIRE BY PROVIDING VOLUNTEER SERVICES TO A PARTICIPATING BICYCLE VENDOR A BICYCLE AND/OR BICYCLE EQUIPMENT AND UTILIZING A FUNDING MECHANISM OF THE CIP FUND REALLOCATION OF \$50,000 FOR SUCH PROGRAM. (JON BULTHUIS)**

An amendment to this item, submitted by Councilor Dominguez, is incorporated herewith to these minutes as Exhibit "1."

A packet of 300 written testimonials from Chainbreakers, *I SUPPORT AND WOULD BENEFIT FROM A PRO-BUS RIDER, PRO-BIKE REBATE BECAUSE*: submitted for the record by Tomas Rivera, Chainbreakers, is incorporated herewith collectively to these minutes as Exhibit "2."

MOTION: Councilor Dominguez moved, seconded by Councilor Bushee, to adopt Resolution No. 2013-60, with the amendments presented to the Governing Body.

REQUEST BY MAKER: Councilor Dominguez asked the Mayor for an opportunity for Tomas Rivera of Chainbreakers to speak on this item.

Tomas Rivera said he is representing Chainbreakers, a membership based transportation advocacy organization, and is a member of the City's Bicycle and Trail's Advisory Committee. He said the intention of the bill is to try to help low income people who are struggling with transportation costs to alleviate some of that cost, and they believe this bill is a good step in the right direction. He submitted approximately 300 written testimonials for the record [Exhibit "2"].

DISCUSSION: Councilor Bushee said there is an amendment sheet on the Councilors desk. She said the traditional bike-sharing program isn't suited for Santa Fe. This replaces bike-sharing and provides an amenity for those who need to depend on bicycles as a mode of transportation.

Councilor Dominguez thanked Mr. Rivera and the membership of Chainbreakers for helping with this Resolution, noting this isn't done in other parts of the country. He spoke with members of NALEO where there are also bicycle friendly communities who don't have quite the same kind of programs. He said this is cutting edge and thanked them for that. He would like to make sure there is one more step to this. He said, assuming this is approved, he would like for Mr. Snyder and staff to come up with the program as soon as possible and get that rolling sooner, rather than later.

FRIENDLY AMENDMENT: Councilor Bushee would like to amend the motion to provide that the program doesn't have to come back to the Council and to trust Jon Bulthuis's expertise in developing the pilot program. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE GOVERNING BODY.**

Mr. Rivera said they were happy to work with Councilors Dominguez and Bushee on this and would appreciate their vote in favor. He said they are having a celebration between the afternoon and evening agendas, and invited the Governing Body to attend.

CLARIFICATION OF THE MOTION BY THE CITY CLERK: Yolanda Vigil said, "Just for clarification, Councilor Bushee are you talking about the Be It Further Resolved, about bringing it back to Council." Councilor Bushee said yes. Ms. Vigil said, "There is also the Transit Advisory Board, BTAC and Finance Committees." Councilor Bushee said, "I would ask that we strike those lines."

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

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

Against: None.

Explaining her vote: Councilor Bushee said, "Yes and thank the Chainbreakers for all the hard work."

Councilor Ives statement after the vote: Councilor Ives said, "My statement is that I certainly like what we're doing here. I still have concerns about how we're doing it under the Anti-Donation provision of the New Mexico Constitution. And I know we received information from the City Attorney's office, so I don't want to hold anything up. I guess I would like to work ultimately, with you Geno, to get greater comfort, certainly I would, on that issue vis a vis this Ordinance, especially in light of some of the correspondence the City has received with regard to the sewer line insurance program which raised anti-donation provision issues as well, so I look forward to doing that with you."

12(k) REQUEST FOR APPROVAL OF AMENDMENT NO. 7 TO LEGAL SERVICES AGREEMENT – QWEST CORPORATION V. CITY OF SANTA FE MATTER (FEDERAL CASE); CUDDY & MCCARTHY, LLP. (KELLEY BRENNAN)

Councilor Ives said he removed this item to recuse himself.

MOTION: Councilor Calvert moved, seconded by Councilor Rivera, to approve this request.

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

For: Councilor Bushee, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Rivera and Councilor Trujillo.

Against: None.

Absent for the vote: Councilor Wurzbarger.

Recused: Councilor Ives.

END OF CONSENT CALENDAR DISCUSSION

Councilor Bushee departed the meeting

11. **CONSIDERATION OF RESOLUTION NO. 2013- ____ (MAYOR COSS, COUNCILOR BUSHEE AND COUNCILOR WURZBURGER). A RESOLUTION SUPPORTING THE PROTECTION AND PRESERVATION OF THE LA BAJADA MESA LANDS AND RESPECTFULLY REQUESTING THAT THE PRESIDENT OF THE UNITED STATES, BY PROCLAMATION, DESIGNATE AND ESTABLISH THE LA BAJADA MESA NATIONAL MONUMENT WHICH IS LOCATED IN CONGRESSIONAL DISTRICT 3.**

This item is postponed to the Council meeting of July 31, 2013.

12. **REQUEST FOR APPROVAL OF APPOINTMENT OF MUNICIPAL COURT PRO TEM JUDGES, PURSUANT TO §2-3.4(C) SFCC 1987; SONYA CARRASCO-TRUJILLO, PAUL L. BIEDERMAN AND ANTHONY TUPLER. (MUNICIPAL JUDGE ANN YALMAN)**

Judge Yalman said these people have been serving as Pro Tem judges, and have been particularly helpful to her when she can't be in attendance for whatever reason. She said they do an excellent and professional job.

Judge Yalman said she hopes to bring two more people for approval to the Council in July, noting she has been called to Jury Duty, and it will be necessary to get people on short notice, so she is hoping to expand the Pro Tems. She said, except for the time she serves on Jury duty, it shouldn't increase the budget very much.

MOTION: Councilor Dimas moved, seconded by Councilor Wurzbürger, to approve this request.

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

For: Councilor Calvert, Councilor Dimas, Councilor Ives, Councilor Rivera, Councilor Trujillo and Councilor Wurzbürger.

Against: None.

Absent for the vote: Councilor Bushee and Councilor Dominguez.

13. REQUEST FOR APPROVAL OF VILLAS DI TOSCANA ANNEXATION AGREEMENT AMENDMENT. VISTANCIA, LLC, REQUESTS AN AMENDMENT TO THE CARLOS REY DEL SUR ANNEXATION AMENDMENT TO PRIVATIZE THE STREETS, SIDEWALKS, LANDSCAPING AND LIGHTING. THE PROPERTY IS ZONED R-3 PUD (RESIDENTIAL, 3 DWELLING UNITS PER ACRE, PLANNED UNIT DEVELOPMENT), AND IS LOCATED BETWEEN GOVERNOR MILES ROAD AND 8-25, AND EAST OF CAMINO CARLOS REY. (TAMARA BAER)

A Memorandum prepared May 30, 2013, with attachments, for the June 12, 2013 City Council hearing, to Mayor David Coss and members of the City Council, from Geno Zamora, City Attorney, in this matter, is incorporated herewith to these minutes as Exhibit "3."

The staff report was presented by Tamara Baer. Please see Exhibit "3" for specifics of this presentation. Ms. Baer noting there is a typo in the memo, and in 1994, 51± acres were annexed into the City. She said this would save the City a considerable amount of money annually on maintenance and operations. She said the main reason they requested this is so they could put gates on the street and make the subdivision private. She said, "It's just the one street that loops through the subdivision. It does not connect to any other streets, so it compromise circulation in the vicinity at all, which is the reason staff was able to support the annexation amendment, as stated."

Councilor Calvert asked if the Police and Fire Departments will have access to the gate.

Ms. Baer said, yes, and an opticon system will be installed on the gate so there absolutely would be emergency access.

MOTION: Councilor Trujillo moved, seconded by Councilor Dimas to approve this request.

DISCUSSION: Councilor Rivera said the opticon system is available only to Fire right now, and asked if the Police would have access through a different means.

Jon Paul Romero, Project Manager and Agent for the Developer, said they haven't submitted any permits for any gates at this time, but if they do, it will go through the appropriate procedures to get City Fire, City Police and staff involved. He said in the past when they did things like this, they put in an opticon system with enough boxes for all "health, safety and welfare for the general public."

Mayor Coss said he didn't find the Findings of Fact and Conclusions of Law from the Planning Commission in this case in the Council packet. He said he recalls in 1994, when Mayor Jaramillo signed this annexation agreement, the City had just recently passed an Ordinance which said there would be no more gated communities in Santa Fe, noting he wasn't involved in City government at that time. He said it seems there was a big reaction to the gated community by St. John's, and the City said there would be no more gated communities in Santa Fe. He was looking for the Findings of Fact, noting we haven't had any gated communities since that one. He said, "Now, we're going to have a new gated community, and I'm wondering why."

Ms. Baer said, "The General Plan does say that we prefer not to have gated communities, and there was some discussion with the recent changes to Chapter 14, the Land Development Code, about putting something in to that effect, but that wasn't supported at the Planning Commission. It didn't make it into the changes proposed to Chapter 14. There is at least one gated community that's been established that I'm aware of, and that is Vista Primera which was built in the County, and it was open originally. I think within the last 5-10 years they did establish gates because of issues with crime. So there's nothing actually in the Code that says we can't do a gated community, and there certainly are some in Santa Fe."

Mayor Coss said, "Just as a long time public employee and worker, when I see the word privatization, it sets me off. And I just know we've had issues after issues after issues with private roads and private this and private that, and so I just didn't find... You said there was a good reason for it, but I didn't see it in my packet of why we're going in a different direction than what I thought. I know the General Plan says we're all part of this community. But we're going to start putting gates up to separate ourselves. We're going to start creating private infrastructure, even though we want Police and Fire to be able to in there. Those questions occurred to me, and I haven't heard a good reason for doing that yet. I'll bet it saves the developer a lot of money to not build to City Code, but that it costs us a lot of money later."

Ms. Baer said, "The developer is required to build the streets to City Code, and they propose taking over not only the streets, but also the lights, the landscape, that would normally have to be taken care of by Parks and by Public Works. So one of the reasons that I think people were swayed, in part, was that it would save the City some money, and the Applicant presented some numbers that amounted to at least \$50,000 per year. And the fact that this road didn't connection was really the critical element that allowed us to support it as a staff."

Mayor Coss asked, "Do they follow the Santa Fe Homes Program, then."

Ms. Baer said, "Absolutely."

Mayor Coss said, "Okay. It's just my concern because we used to not want to have any more gated communities in Santa Fe. And I think this is going to be the first one in about 20 years. And I'm uncomfortable with the message it sends that we want to privatize infrastructure and gate our neighborhoods off from each other, but I don't get to vote."

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

For: Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Rivera, Councilor Trujillo and Councilor Wurzbarger.

Against: Councilor Ives

Absent for the vote: Councilor Bushee.

14. MATTERS FROM THE CITY MANAGER

There were no matters from the City Manager.

15. MATTERS FROM THE CITY ATTORNEY

IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT, §10-15-1(H)(7), NMSA 1978, DISCUSSION REGARDING PENDING LITIGATION IN WHICH THE CITY OF SANTA FE IS A PARTICIPANT, QWEST CORPORATION V. CITY OF SANTA FE, CASE NO. 10-CV-00617, IN THE U.S. DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO.

MOTION: Councilor Wurzburger moved, seconded by Councilor Calvert, that the Council go into Executive Session for discussion of pending litigation in which the City of Santa Fe is a participant, particularly Qwest Corporation v. City of Santa Fe, Case No. 10-CV-00617 in the U.S. District Court for the District of New Mexico, in accordance with §10-15-1(H)(7) NMSA 1978.

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

For: Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Rivera, Councilor Trujillo and Councilor Wurzburger.

Against: None.

Absent for the vote: Councilor Bushee.

Recused: Councilor Ives.

The Council went into Executive Session at approximately 5:55 p.m.

MOTION TO COME OUT OF EXECUTIVE SESSION. At 7:00 p.m., Councilor Calvert moved, seconded by Councilor Trujillo, to 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 on a voice vote with Councilors Calvert, Dimas, Dominguez, Rivera and Trujillo voting for the motion, none voting against, Councilor Wurzburger absent for the vote, and Councilor Ives abstaining.

16. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

Mayor Coss moved Item #17 to the end of the evening agenda

END OF AFTERNOON SESSION AT 7:00 P.M.

EVENING SESSION

A. CALL TO ORDER AND ROLL CALL

The Evening Session was called to order by Mayor David Coss, at approximately 7:10 p.m. There was the presence of a quorum as follows:

Members Present

Mayor David Coss
Councilor Rebecca Wurzbarger, Mayor Pro-Tem
Councilor Patti J. Bushee
Councilor Christopher Calvert
Councilor Bill Dimas
Councilor Carmichael A. Dominguez
Councilor Peter N. Ives
Councilor Christopher M. Rivera
Councilor Ronald S. Trujillo

Others Attending

Brian K. Snyder, City Manager
Geno Zamora, City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

F. PETITIONS FROM THE FLOOR

David McQuarie, 2997 Calle Cerrado, said he is here for two reasons. He said you heard about the controversy about public parking at the new County Court, and as a result they have come up with a plan to put six accessible parking spaces out front. He said the municipality has, by its jurisdiction, authority over all roadways and streets within its boundary. He said they did not go through the City, and even though the City wouldn't normally do that, they still have the responsibility. It was not done right. Usually when you put in accessible parking spaces, you leave room between it and the next space for people to get in the back of their vehicle, or if they have to get out a mobility device such as walkers, wheelchairs, canes and such. There is no space available to do that, because they didn't do it right. Secondly, they took the space designed for the bus drop-off and made two "inaccessible" spaces. The reason they had the bus [inaudible]. He said they are now taking it away and putting it for a sidewalk, to get the handicap buy-in. "I use that word because I'm thoroughly ticked off." He said, I wish the City would step in and notify the County to do it right and give them some guidance. Again, I would be able to assist. I did in 2004 with Bill Hon and I'll do it again."

Mr. McQuarie continued, "Thirdly, June 20, at 10:00 a.m. the Mayor's Committee on Disabilities will hear a progress report on the Transition Plan and the Governing Body is invited. He said the recent proposed projects are nothing more than misuse of public funds. They say one thing, they do another.

And on the barrier assessment, you're looking at \$50,000 to hire a consultant. We paid him another \$20,000 I believe for an extension. So in other words the City paid \$70,000. He asked, "What did they get for it. The City is supposed to get a mitigation report once a year. It was due in November. Have you got one yet. No. There's none in existence. So I finally got a staff member to give a report on the progress of what has been done." He said I'm reminding you this is taxpayer money. Are you interested.

G. APPOINTMENTS

Parks and Open Space Advisory Commission

Mayor Coss made the following appointments to the Parks and Open Space Advisory Commission:

Anna Hansen, Chair – Reappointment – term ending 06/2015;
Bette Booth – Reappointment – term ending 06/2015;
Daniel Coriz – Reappointment – term ending 06/2015;
Joe Lehm – Reappointment – term ending 06/2015;

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

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

H. PUBLIC HEARINGS

- 1) **CONSIDERATION OF BILL NO. 2013-23; ADOPTION OF ORDINANCE NO. 2013-24 (MAYOR COSS). AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF SANTA FE, NEW MEXICO, GENERAL OBLIGATION BONDS, SERIES 2013, IN THE PRINCIPAL AMOUNT OF \$12,000,0000, PAYABLE FROM AD VALOREM TAXES LEVIED ON ALL TAXABLE PROPERTY WITHIN THE CITY, LEVIED WITHOUT LIMIT AS TO RATE OR AMOUNT; PROVIDING FOR THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE MANNER OF THEIR EXECUTION, AND THE METHOD OF, AND SECURITY FOR, PAYMENT; PROVIDING FOR THE AWARD AND SALES OF THE BONDS TO THE PURCHASER AND THE PRICE TO BE PAID BY THE PURCHASER FOR THE BONDS; AND PROVIDING FOR OTHER DETAILS CONCERNING THE BONDS. (HELENE HAUSMAN AND MARCOS TAPIA)**

A copy of *City of Santa Fe, New Mexico \$12,000,000 General Obligation Bonds, Series 2013*, entered for the record by staff, is incorporated herewith to these minutes as Exhibit "4."

A copy of *Abstract of Proceedings*, with attachments, dated June 12, 2013, is incorporated herewith to these minutes as Exhibit "5."

The staff report was presented by Marcos Tapia, noting this portion of the bonds were approved in the amount of \$12 million for the Parks projects and sustainable environmental projects. Mr. Tapia noted that the 2013 GO Bond Project List is on page 2 of his Memorandum, which is in the Council packet. He noted there is still \$5.8 million to be issued which will come at a later date.

George Wiliford, First Southwest, presented information regarding this matter from Exhibit "5." Please see Exhibit "5" for specifics of this presentation. He noted the low bid was William Blair & Company with an interest rate of 3.2879, with which he is very pleased. He noted there are two pages in the book which show the actual debt service and how that adds to the existing G.O. debt service.

Councilor Bushee asked if we will get a breakdown of the, for example, Priority List Trails Improvement from the Parks staff, just to see how it corresponds. She would like that information for everything listed.

Mr. Tapia said he does not have that information but he will look into that.

Public Hearing

There was no one speaking for or against this request.

The Public Hearing was closed

MOTION: Councilor Wurzbarger moved, seconded by Councilor Calvert, to adopt Ordinance No. 2013-24.

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

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

Against: None.

Mayor Coss thanked Mr. Wiliford and Mr. Tapia for their good work and for the good interest rate.

- 2) **CONSIDERATION OF RESOLUTION NO. 2013-61 (COUNCILOR RIVERA, COUNCILOR CALVERT, COUNCILOR BUSHEE, COUNCILOR IVES, COUNCILOR DIMAS, COUNCILOR TRUJILLO, COUNCILOR DOMINGUEZ AND COUNCILOR WURZBURGER). A RESOLUTION PROCLAIMING SEVERE OR EXTREME DROUGHT CONDITIONS IN THE CITY OF SANTA FE AND RESTRICTING THE SALE OR USE OF FIREWORKS WITHIN THE CITY OF SANTA FE AND PROHIBITING OTHER FIRE HAZARD ACTIVITIES. (FIRE MARSHAL REYNALDO GONZALES)**

Public Hearing

There was no one speaking for or against this request.

The Public Hearing was closed

MOTION: Councilor Rivera moved, seconded by Councilor Calvert, to adopt Resolution No. 2013-61.

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

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

Against: None.

MOTION: Councilor Bushee moved, seconded by Councilor Trujillo, to reconsider the previous approval of the agenda, to amend the agenda to hear Item H(5) next on the Agenda, and to approve the agenda as further amended.

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

- 5) **REQUEST FRO GOLER FINE IMPORTED SHOES FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/ CONSUMPTION OF CHAMPAGNE AT GOLER FINE IMPORTED SHOES, 125 EAST PALACE AVENUE. THIS LOCATION IS WITHIN 300 FEET OF THE CATHEDRAL BASILICA OF SAINT FRANCIS OF ASSISI, 131 CATHEDRAL PLACE. THE REQUEST IS FOR A CHAMPAGNE RECEPTION AND SILENT AUCTION TO BENEFIT SWAIA EDUCATION PROGRAMS. THIS EVENT WILL BE HELD ON JUNE 21, 2013 FROM 5:00 P.M. TO 7:00 P.M. (YOLANDA Y. VIGIL)**

A letter dated June 7, 2013, from the Very Rev. Adam Lee Ortega y Ortiz, Rector, The Cathedral Basilica of St. Francis of Assisi, received by the City Clerk's Office on June 10, 2013, stating they have no objections to this request, is incorporated herewith to these minutes as Exhibit "6."

The staff report was presented by Yolanda Y. Vigil, City Clerk, noting there is a letter in the Council packet from Very Rev Adam Lee Ortega y Ortiz, Rector of the Cathedral Basilica of St. Francis of Assisi, stating they have no objection to this request [Exhibit "6"].

Public Hearing

There was no one speaking for or against this request.

The Public Hearing was closed

MOTION: Councilor Calvert moved, seconded by Councilor Bushee, to grant the waiver of the 300 foot location restriction and allow the dispensing/consumption of champagne at Goler Fine Imported Shoes, 125 East Palace Avenue for a champagne reception and silent auction to benefit SWAIA education programs, on June 21, 2013, 5:00 p.m. to 7:00 p.m.

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

For: Councilor Bushee, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera, Councilor Trujillo and Councilor Wurzburger.

Against: None.

- 3) **CONSIDERATION OF BILL NO. 2013-24; ADOPTION OF ORDINANCE NO. 2013-25 (COUNCILOR WURZBURGER). AN ORDINANCE APPROVING CERTAIN LEASES BETWEEN THE CITY OF SANTA FE AND THE SANTA FE CIVIC HOUSING AUTHORITY FOR THE LEASE OF CERTAIN REAL PROPERTY TO BE USED FOR PUBLIC HOUSING FAMILY UNITS LOCATED AT 1222-1265 CERRO GORDO ROAD, 1227-1265 GALLEGOS LANE, 1237-1246 SENDA DEL VALLE, 1209-1219 SENDA LANE, 911 A-F AGUA FRIA STREET, 1752-1788 HOPEWELL STREET AND 1750-1765 MANN STREET AND PUBLIC HOUSING SENIOR UNITS LOCATED AT 664-670 ALTA VISTA STREET AND 1510-1520 LUISA STREET. (ALEXANDRA LADD)**

The staff report was presented by Alexandra Ladd.

Councilor Dominguez said in looking at the list of addresses, for example there is 1227-1265 Gallegos Lane, and asked "is that 1227, 1228, 1229, 1229 and so forth."

Ms. Ladd said yes, it is all of the units at that site.

Councilor Dominguez said the ones at 1237 through 1246 are single family units and it is 1237, 1238, and so forth, and Ms. Ladd said this is correct.

Public Hearing

There was no one speaking for or against this request.

The Public Hearing was closed

MOTION: Councilor Wurzbarger moved, seconded by Councilor Calvert, to adopt Ordinance No. 2013-25, with the amendment sheet from Councilor Calvert.

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

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

Against: None.

Mayor Coss and Councilor Wurzbarger wished them good luck with all of the projects.

- 4) **CONSIDERATION OF BILL NO. 2013-25: ADOPTION OF ORDINANCE NO. 2013-26 (COUNCILOR DOMINGUEZ, COUNCILOR DIMAS AND COUNCILOR RIVERA). AN ORDINANCE RELATING TO THE MUNICIPAL RECREATION COMPLEX (MRC), CITY SPORTS FIELDS AND LEAGUE FEES; REPEALING ARTICLE 23-7 SFCC 1987, AND ADOPTING A NEW ARTICLE 23-7 SFCC 1987, TO ESTABLISH REGULATIONS AND FEES AT THE MRC; ADOPTING A NEW SECTION 23-4.12 SFCC 1987, TO ESTABLISH REGULATIONS AND FEES FOR CITY SPORTS FIELDS, OTHER THAN MRC SPORTS FIELDS; AND CREATING A NEW SECTION 23-4.13 SFCC 1987, TO ESTABLISH A VOLUNTARY SPORTS FIELD MAINTENANCE FUND. (BEN GURULE AND MELISSA BYERS)**
 - a) **CONSIDERATION OF RESOLUTION NO. 2013-62 (COUNCILOR DOMINGUEZ). A RESOLUTION ESTABLISHING CITY OF SANTA FE SPORTS FIELD CLEAN-UP DAYS AT THE MUNICIPAL RECREATION COMPLEX AND AT OTHER SPORTS FIELDS THROUGHOUT THE CITY OF SANTA FE. (BEN GURULE AND MELISSA BYERS)**

An amendment sheet, submitted by Councilor Calvert regarding this item, is incorporated herewith to these minutes as Exhibit "7."

An amendment sheet, submitted by Councilor Dominguez regarding this item, is incorporated herewith to these minutes as Exhibit "8."

Public Hearing

There was no one speaking for or against this request.

The Public Hearing was closed

MOTION: Councilor Dominguez moved, seconded by Councilor Calvert, to adopt Ordinance No. 2013-26, with the amendments on the desk from Councilor Calvert and himself [Exhibits "7" and "8"].

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

For: Councilor Bushee, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera and Councilor Trujillo.

Against: None.

Absent for the vote: Councilor Wurzbarger.

MOTION: Councilor Dominguez moved, seconded by Councilor Calvert, to adopt Resolution No. 2013-62.

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

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

Against: None.

Councilor Trujillo said he wants to give Ben Gurule credit for something he managed to do. He said he wants to be clear that we've established these fees and make sure they are collected from every League, commenting he wants to keep everyone on the same page and fair – that's all he asks.

Councilor Dominguez said the Governing Body is the one that makes all of this happen, and he thanked the Governing Body for listening to and working with him on this, commenting really it is a community effort.

19. 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 June 12, 2013, is incorporated herewith to these minutes as Exhibit "9."

Councilor Dimas

Councilor Dimas had no communications.

Councilor Calvert

Councilor Calvert said he would urge everyone to be careful with fire wherever they travel, whether or not they are in the City.

Councilor Calvert introduced the following:

1. A Resolution encouraging the United States of America Veterans' Administration to support the expansion of the Santa Fe Community Based Outpatient Clinic ("CBOC") that is designed to deliver primary care services to eligible veterans and to support continued collaboration of comprehensive services offered between the Santa Fe Vet Center and the Santa Fe CBOC. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "10."

Councilor Calvert said the VA is going to have a forum to discuss this and other issues at the American Legion, 1601 Berry, next Wednesday at 6:00 p.m. He said he will attend the forum to speak to this issue, noting the facility is very small and not functional and our U.S. Senators are working with us to get this accomplished. He said everyone is invited to attend the meeting.

Councilor Wurzbarger would like to cosponsor the Resolution.

Councilor Bushee asked Councilor Calver to send her an email about this event.

2. An Ordinance relating to the Campaign Code, Article 9-2 SFCC 1987; amending Section 9-2.3, to amend the definition of contribution; amending Section 9-2.9 to amend the duties of the Campaign Treasurer and Deputy Treasurer; amending 9-2.11 to amend the requirements for the contents of the Campaign Finance Statement and amending Section 9-2.12 to exempt judicial candidates from signing campaign finance statements; and relating to the Public Campaign Finance Code, Article 9-3 SFCC1987; amending Section

9-3.3 to amend the definition of contribution; amending Section 9-3.6, 9-3.7, 9-3.8 and 9-3.10 to clarify requirements for unspent seed money; amending Section 9-3.11 to clarify the required disposition of unspent payments from the fund and capital assets purchased with those payments; and amending Section 9-3.14 to require that the date shall be included on all reports of expenditures. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "11."

Ms. Vigil noted both ordinances were approved by the ECRB with all changes.

Councilor Rivera

Councilor Rivera introduced an Ordinance relating to the Land Development Code, Chapter 14 SFCC 1987, amending Subsection 14-6.3(B)(2)(c) to clarify restrictions on the parking of commercial or industrial vehicles in residential districts; adding a new Subsection 14-6.3(D)(2)(c)(vii) to allow the parking of certain types of towing vehicles related to home occupation businesses in residential districts; and making such other stylistic or grammatical changes that are necessary. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "12."

Councilor Rivera congratulated Lt. Abram Anaya who is retiring from the Police Department, noting he served as Deputy Chief for a while, and did a great job during his time with the City, and wished him the best of luck.

Councilor Ives

Councilor Ives introduced the following:

1. A Resolution amending Resolution 2010-83, to repeal the establishment of the City Audit Committee. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "13."
2. An Ordinance relating to Chapter VI SFCC 1987, Boards, Committees and Commissions; creating a new Article 6-5 SFCC 1987, to establish the City of Santa Fe Audit Committee. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "14."

Councilor Ives said we have seen the value of the Audit Committee and the work it has done, and believes it should be created by Ordinance to strengthen its position, recognize its importance and allow it to continue to function here in the City.

Councilor Bushee

Councilor Bushee introduced the following:

1. A Resolution directing the City of Santa Fe Public Safety staff to develop a Public Safety Apprenticeship Program that will benefit residents of Santa Fe and directing the City Manager to explore the options for establishing Apprenticeship programs in other areas of the City. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "15."
2. A Resolution directing staff to draft amendments to the City Code and the established policies and procedures related to community gardens to include provisions related to the establishment of a permitted use in certain zoning districts for form stands; and directing staff to collaborate with local non-profit organizations to develop a local farm stand plan so the residents of Santa Fe will have the ability to purchase fresh produce. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "16."

Councilor Bushee said she would like the City Manager to be aware that she has asked the Public Works Director to look into signage for the golf course and two other non-profits on County Road 62 at the new South Meadows Interchange. She said there is a little bit of confusion and she wants to make sure people know how to get out there.

Councilor Bushee wished her father a Happy Birthday, saying he will be 85 tomorrow.

Councilor Trujillo

Councilor Trujillo thanked all the members of the Governing Body for their condolences on the passing of his wife Amber's grandmother, and he will pass those condolences to the family.

Councilor Trujillo wants to be a sponsor of Councilor Rivera's Ordinance on tow trucks.

Councilor Trujillo introduced a Resolution relating to the New Mexico Litter Control and Beautification Act of 1985, which authorizes the use of public funds in the form of grants for the purpose of enhancing local litter control and beautification programs; authorizing Keep Santa Fe Beautiful to plan, budget and apply for a grant pursuant to the New Mexico Litter Control and Beautification Act. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "17."

Councilor Wurzbarger asked to be a sponsor of the Resolution.

Councilor Trujillo said he would like Brian Snyder to provide an update on Ragle Park dealing with the proposed basketball court and the skate park to which we allocated funds. He also would like a report on the baseball fields in District 4 with regard to Miles and Ragle, noting he is getting complaints that there are divots and holes which could be caused by gophers. He would like those holes filled in.

Councilor Trujillo said we checked the sprinkler system at Mark Brandt Park last year, but there are still sections of that park which are completely dry, and asked the City Manager to check the sprinkler system to see if it has gone out again.

Councilor Trujillo said he drove by Frenchy's Field, noting we put in a sprinkler system, and it is looking nice, but he does see prairie dogs there by the sprinkler system. He wants to be sure there is no damage there, and wants the City to stay on top of that.

Councilor Dominguez

Councilor Dominguez said Councilor Rivera had correspondence with Mr. Snyder regarding the weeds at Calle Atajo in the devil's strip or along the sidewalk. He would like to know if we can coordinate a larger meeting because there are a number of areas in Tierra Contenta that need that as well, noting the chamisa is huge and you can't walk on the sidewalk.

Councilor Dominguez said he received a call from a constituents regarding the back fields at the MRC, that those need to be worked on, commenting it sounds like the same issues as Councilor Trujillo had.

Councilor Dominguez said our invocations now need to include a prayer for rain.

Councilor Wurzbarger

Councilor acknowledged the passing of Rabbi Leonard Hellman, and gave a short tribute to his life and accomplishments.

Councilor Wurzbarger said on Saturday, 3:00 p.m. to 11:00 p.m., the new skate park will be open, and in cooperation with Creative Santa Fe, the festival will go on all day with food and events, with the Mayor riding in on a horse. She invited the entire community to attend, commenting it is a free event and will be a lot of fun.

Mayor Coss said the grand opening of the Skateboard Park is on Saturday, and right before that, there will be the Rodeo Parade.

Mayor Coss

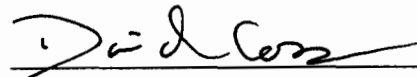
Mayor Coss invited everyone to the Rodeo Parade and the Creative Santa Fe event, and to attend the Rodeo next week.

Mayor Coss wished his daughter, whose birthday was yesterday, a very Happy Birthday. He said next Thursday, his parents will celebrate their 60th Wedding Anniversary, and he congratulated them and thanked them for being his mom and dad.

I. ADJOURN

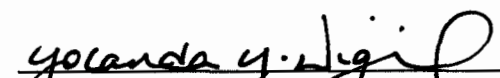
The was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 7:45 p.m.

Approved by:



Mayor David Coss

ATTESTED TO:



Yolanda Y. Vigil, City Clerk

Respectfully submitted:



Melessia Helberg, Council Stenographer

CITY COUNCIL MEETING
EXECUTIVE SESSION
June 12, 2013

The governing body of the City of Santa Fe met in an executive session duly called on June 12, 2013 beginning at 5:58 p.m.

The following was discussed:

- 1) **In Accordance with the New Mexico Open Meetings Act, §10-15-1(H)(7), NMSA 1978, Discussion Regarding Pending Litigation in Which the City of Santa Fe is a Participant, Qwest Corporation v. City of Santa Fe, Case No. 10-CV-00617 in the U.S. District Court for the District of New Mexico.**

PRESENT

Mayor Coss
Councilor Bushee
Councilor Calvert
Councilor Dimas
Councilor Dominguez
Councilor Rivera
Councilor Trujillo
Councilor Wurzbarger

ABSENT

Councilor Ives (Recused)

STAFF PRESENT

Brian K. Snyder, City Manager
Geno Zamora, City Attorney
Yolanda Y. Vigil, City Clerk
Kelley Brennan, Assistant City Attorney
Marcos Martinez Assistant City Attorney

There being no further business to discuss, the executive session adjourned at 6:30 p.m.


Yolanda Y. Vigil, City Clerk

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2013-__
(Bus Pass Program)

Mayor and Members of the City Council:

We propose the following amendment to Resolution No. 2013-__ :

1. On page 1, lines 15-16 *delete*:
"UTILIZING A FUNDING MECHANISM OF THE CIP FUND
REALLOCATION OF \$50,000 FOR SUCH PROGRAM"

And *insert* in lieu thereof:
"REALLOCATING \$50,000 FROM THE CIP FUND DESIGNATED FOR A
BIKE SHARING PROGRAM TO THE TRANSIT DIVISION TO BE
DESIGNATED FOR CAPITAL EXPENDITURES IN ORDER TO ALLOW A
BUDGET TRANSFER FROM THE GENERAL FUND TO BE USED FOR
COSTS ASSOCIATED WITH THE BUS PASS PROGRAM"
2. On page 3, lines 2-3 *delete*:
 - "Utilize as the funding source for such program a CIP Fund reallocation of
\$50,000 currently designated for the bike sharing program"
3. On page 3, line 4, *insert* the following clause:
"BE IT FURTHER RESOLVED that \$50,000 from the CIP fund
currently designated for a bike sharing program shall be reallocated to the
Transit Division for capital expenditures in order to allow a budget transfer
from the general fund for costs associated with the bus pass program."

Respectfully submitted,

Carmichael Dominguez, Councilor

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

Yolanda Y. Vigil, City Clerk

Exhibit "1"



Chainbreaker

The city is faced with a choice about how to spend \$50,000 of our taxpayer dollars. One option is to create a taxpayer subsidized bike rental service that mostly serves tourists and people downtown. Instead, the Help Santa Feans Ride proposal will create a rebate program that provide free annual bus passes to people who buy a bike from a shop in Santa Fe.

I SUPPORT AND WOULD BENEFIT FROM A PRO-BUS RIDER, PRO-BIKE REBATE BECAUSE:



*Very need
a bike.*



☒ I use the BUS as my main transportation

☐ The distance to and/or from my bus stop is too long and/or unsafe

☒ There's not enough bus service where I live

☒ A bike would help me ride the bus more

☒ This rebate would help me get a bike

every other day
I ride the bus _____ days a week

☐ I ride a BIKE as my main transportation

☐ Long distances and/or unsafe conditions make it hard for me to ride my bike

☐ I would use the bus to supplant my bike

☐ This rebate would help me get safety and/or commuter equipment

☐ This rebate would help me ride the bus

I ride my bike _____ times a week

*Thank
you.*

☒ Transportation costs make it hard for me to make ends meet

☐ I usually drive a car. This rebate would help me start taking the bus and/or riding a bike.

I urge the City Council to use the funds currently allocated to a bike share program to fund the Help Santa Feans Ride proposal because:

*A Bike would help me lose weight
Doctor order, ride Bike, walk little
be more active for your health.*

NAME Tommy Mares

PHONE 316-1585

EMAIL _____

Address 2101 Tecolote Santa Fe.

Help Santa Feans Ride!

Send completed petitions to PO Box 31666, Santa Fe, NM 87594

For more information or to get involved call 505-989-3858 or visit www.chainbreaker.org.

EXHIBIT 2

*EXHIBIT 2 IS AVAILABLE IN IT'S ENTIRETY IN THE CITY CLERK'S OFFICE

City of Santa Fe, New Mexico

memo

DATE: May 30, 2013 for the June 12, 2013 City Council hearing

TO: Mayor David Coss
Members of the City Council

FROM: Geno Zamora, City Attorney *GZ*

VIA: *BK Snyder*
Bryan Snyder, P.E., City Manager
Matthew S. O'Reilly, P.E., Director, Land Use Department *MSO*

FROM: Tamara Baer, ASLA, Planning Manager, Current Planning Division *TB*

VILLAS DI TOSCANA ANNEXATION AGREEMENT AMENDMENT

Villas Di Toscana Annexation Agreement Amendment. Vistancia, LLC, requests an amendment to the Carlos Rey del Sur Annexation Agreement to privatize the streets, sidewalks, landscaping and lighting. The property is zoned R-3 PUD (Residential, 3 dwelling units per acre, Planned Unit Development) and is located between Governor Miles Road and I-25, and east of Camino Carlos Rey.

RECOMMENDATION: On March 7, 2013 the Planning Commission recommended approval to amend the original Annexation Agreement for Villas Di Toscana, Phase IV of the Carlos Rey del Sur Subdivision, to allow privatization of the streets, sidewalks, landscaping and lighting. The Land Use Department and the Office of the City Attorney concur with this recommendation.

BACKGROUND: The original Annexation Agreement was adopted in conjunction with Annexation Ordinance NO. 52, 1984, which incorporated into the City limits 51.625 acres of land located at the southern end of Camino Carlos Rey. Section 5.01 of that Agreement, recorded on June 8, 1995, specified that "All streets and roads within the Property will be designed and constructed to conform to current City standards and specifications and shall be dedicated to the City upon completion of the construction..."

The current owners of the subdivision, Vistancia, LLC, have requested permission to make the streets and related infrastructure private, thereby assuming all responsibility for their upkeep and maintenance. It is their further intent to install privacy gates at the two entrances to the property in anticipation of proceeding with further construction and sale of homes within the subdivision. Currently there are 14 houses constructed on a total of 62 approved lots. The developer has

Exhibit "3"

provided an estimate showing that privatization of the infrastructure would represent an annual savings to the City of approximately \$50,000.

The primary roadway through the subdivision does not connect, and was never intended to connect, to any other development. Therefore, placing gates at the two entry and exit points would not compromise circulation in the vicinity.

The Owners and the City have agreed on the proposed language of the amendment needed to effect this change and respectfully request the approval of the governing body.

ATTACHMENTS:

EXHIBIT 1: Annexation Agreement Amendment

EXHIBIT 2: Original Annexation Agreement

EXHIBIT 3: Annexation ordinance NO. 52, 1984

FIRST AMENDED ANNEXATION AGREEMENT

CARLOS REY DEL SUR

This **FIRST AMENDED ANNEXATION AGREEMENT** ("First Amended Agreement") by and between the City of Santa Fe, New Mexico, a New Mexico municipal corporation (the "City" and Vistancia, LLC ("Vistancia") as the successor in interest to John Newton Eddy, an unmarried person, Joseph Edward Brosseau, a married person, and Roberta M. Brosseau, the spouse of Joseph M. Brosseau (collectively the "Parties"). This First Amended Agreement is intended and shall only pertain to the Phase IV Carlos Rey Del Sur subdivision property known as Villas Di Toscana and shall not apply to the remainder of the Carlos Rey Del Sur property.

RECITALS

A. Vistancia owns certain real property (the "Property") situated in Santa Fe County, New Mexico, consisting of approximately 12.96 acres (\pm), being situated in Section 10, T.16 N, R.9E N.M.P.M., as more fully described in the Development Plan approved April 4th 2013, as case # 2012-109. (the "Property").

B. The City and Vistancia's predecessors in interest agreed to annex the Property to the City subject to, and upon, the terms of the original Annexation Agreement dated as of November 30, 1994 (the "Original Agreement") a copy of which is attached hereto as Exhibit A. A copy of the Original Agreement was recorded with the Santa Fe County Clerk as an attachment to City of Santa Fe, New Mexico Ordinance No. 52, 1994, in Book 1711, at page 686.

C. Vistancia's predecessors in interest developed the first phases of the Property in accordance with the Original Agreement and the City has agreed to the development of the Property upon the terms and conditions of the Original Agreement and the subdivision plat and development plans duly approved by the City pursuant to the Original Agreement.

D. The City approved an amendment to the development plan for the final phase of the Property development at the March 7th 2013 Planning Commission meeting and adopted its final Findings of Fact and Conclusions of Law on April 4th 2013 in Case #2012-109, Item #13-0211. (the "2013 Development Plan")

E. The parties agreed during the Planning Commission review and approval process that the roads and non-utility infrastructure would be privately owned and maintained rather than

dedicating said infrastructure to the City, thereby decreasing the cost and expense of maintenance for the City.

AGREEMENTS

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained in the Agreement and this First Amended Agreement, and for other good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the parties agree to amend so much of the Agreement as is necessary to implement the development plan for the development of the Property as follows. Only the portions of the Agreement expressly amended herein are changed. All other provisions of the Agreement are not altered or amended.

5. ON-SITE INFRASTRUCTURE.

5.01. Streets and Other Rights of Way.

a. **Compliance with City Standards.** All streets and roads within the Property will be designed and constructed to conform to current City standards and Specifications but shall be owned, operated and maintained exclusively by Vistancia, its heirs, successors, assigns or such private entities as may receive and accept the obligation for ownership, maintenance and repair of the roadways. Nothing herein shall be deemed to limit or affect the duly granted and existing or future grant of easements for utilities and drainage whether to the City or third parties.

8. MISCELLANEOUS.

8.10. **Amendments: Approvals.** Any amendments to this First Amended Agreement shall be reviewed by the City Council for approval as appropriate.

8.11 **Effective Date.** As used in this Agreement, the term "Effective Date" means the date on which this First Amended Agreement is executed and delivered by all parties to this Agreement and recorded in the records of Santa Fe County, New Mexico.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as
of _____.

CITY:

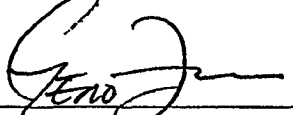
CITY OF SANTA FE

Mayor David Coss

Attest:

Yolanda Vigil, City Clerk

Approved as to form:



Geno Zamora, City Attorney

Vistancia:

VISTANCIA, LLC

By: _____
Its: _____

ACKNOWLEDGEMENTS

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

THIS Agreement was acknowledged before me on this ____ day of _____,
2013, by _____.

My Commission expires:

Notary Public

THIS Agreement was acknowledged before me on this ____ day of _____,
2013, by _____.

Notary Public

My Commission expires:

THIS Agreement was acknowledged before me on this ____ day of _____,
2013, by _____.

Notary Public

My Commission expires:

1
2 **ANNEXATION AGREEMENT**

3 **CARLOS REY DEL SUR**

1171670

4 **ANNEXATION AGREEMENT ("Agreement") by and between the City of Santa Fe,**
5 **New Mexico, a New Mexico municipal corporation (the "City"), on the one hand, and John**
6 **Newton Eddy, an unmarried person, Joseph Edward Brosseau, a married person, and Roberta**
7 **M. Brosseau, the spouse of Joseph M. Brosseau, joining to this Agreement pro forma (all**
8 **such persons, collectively, the "Landowner"), on the other hand, as of November 30, 1994.**

9
10 **RECITALS**

11 **A. Landowner owns certain real property (the "Property") situated in Santa**
12 **Fe County, New Mexico, consisting of approximately 51.625 acres (+/-), being situated in**
13 **Section 10, T.16 N, R.9E N.M.P.M., as more fully described in the Annexation Plat attached**
14 **to this Agreement as Exhibit 1 (the "Annexation Plat").**

15 **B. Landowner desires, and the City agrees, to annex the Property to the**
16 **City subject to, and upon, the terms and conditions of this Agreement.**

17 **C. Landowner desires to develop the Property and the City agrees to the**
18 **development of the Property subject to, and upon, the terms and conditions of this**
19 **Agreement.**

20 **AGREEMENTS**

21 **NOW, THEREFORE, in consideration of the mutual covenants and conditions**
22 **contained in this Agreement, and for other good and valuable consideration, the receipt and**
23 **sufficiency of which are acknowledged by the parties, the parties agree as follows:**

1. ANNEXATION.

1.01. Annexation Plat. Landowner represents that the Annexation Plat was prepared in accordance with, and complies with, Section 14-9.6 Santa Fe City Code (1987) as amended (the "Code").

1.02. Annexation of the Property to the City. As of the Effective Date (as defined below), the Annexation Plat will be executed on behalf of the City and filed with the City, whereupon the Property will be deemed annexed to the City and will lie within the municipal boundaries of the City.

2. MASTER PLAN.

2.01. Master Plan Submittal. A master plan for the Property is attached to this Agreement as Exhibit 2 (the "Master Plan"); and the parties acknowledge and agree that the Master Plan is part of the Preliminary Development Plan (as defined below) for the Property. In addition to the Master Plan, the Landowner has made such other submittals as the parties deem necessary or appropriate to comply with Section 14-9.6 of the Code. By executing this Agreement, the City approves the Master Plan as and for the master plan for the Property.

2.02. Density; Restriction on Resubdivision of Property Lots. Without limiting any other provision of this Agreement, the Property is master planned so that the Property will be divided into no more than one hundred and thirty-three (133) residential lots and one (1) nonresidential lot (the "Tank Lot") for the purpose of housing a six million gallon water tank (the "Tank"). No further division of any lot on the Property shall be permitted. The master plan for the Property is in accordance with the City's General Plan,

1 "Plan 83" (the "General Plan"). However, the General Plan calls for a density in the
2 particular zone where the Property is situate of 1-4 dwelling units per acre. The parties
3 agree that the densities contemplated by the master plan for the Property calls for a density
4 of approximately 2.6 dwelling units per acre.

5 2.03. Arroyo Open Space. Although not required by the City as a condition
6 to the annexation effected by this Agreement, Landowner represents that the area on the
7 Annexation Plat demarcated as "ARROYO" and "100 YEAR FLOOD PLAIN AS DEFINED BY
8 RED MOUNTAIN ENGINEERING" (the "Arroyo Open Space") shall be deeded to, or subject
9 to a conservation easement or conservation trust for the benefit of, a nonprofit, tax-exempt
10 entity to be selected by Landowner (the "Nonprofit"); and that the purpose of such deed,
11 easement or trust shall be to preserve and protect the Arroyo Open Space as open space for
12 the public benefit. Prior to deeding the Arroyo Open Space to the Nonprofit or placing a
13 conservation easement or trust on the Arroyo Open Space, the Landowner acknowledges
14 that the Landowner has agreed to, and shall, make improvements to the Arroyo Open Space,
15 which improvements shall consist of a six (6) foot asphalt hike and bike trail constructed to
16 City standards, installation of signs at the trail's beginning and end noting length of trail,
17 installation of benches in small turn-outs along the trail, removal of all trash from the Arroyo
18 Open Space, including dead vegetation and trimming of trees, and construction of a tot lot
19 at the end of the southeastern-most cul-de-sac of the Arroyo Open Space. In addition, prior
20 to deeding the Arroyo Open Space to the Nonprofit or placing a conservation easement or
21 trust on the Arroyo Open Space, the Landowner will dedicate an easement throughout the
22 Arroyo Open Space to the City for the purposes of drainage (the "Drainage Easement"). The

1 legal metes and bounds description of the Drainage Easement shall be provided by the
2 Landowner as part of the final development submissions for the Property. The parties
3 acknowledge and agree that these improvements for the Arroyo Open Space were not
4 required by the City; but, rather, are part of the transaction between the Landowner and the
5 Nonprofit.

6 **3. REZONING AND DEVELOPMENT OF THE PROPERTY.**

7 3.01. **Rezoning of the Property.** On the Effective Date, the Property will be
8 rezoned R-3/PUD, as provided in the Code. The Master Plan for the Property will reflect
9 this zoning status and, as indicated on Exhibit 2, includes the addition of five (5) lots in the
10 patio home area of the development of the Property.

11 3.02. **Final Development Plan.** The Landowner will timely make all
12 submittals to the City required by Section 14-30.10 of the Code for the final development
13 of each phase (as approved by City Planning Commission and staff) of the development of
14 the Property (such submittals, the "Final Development Plan"). If the Final Development Plan
15 for a particular phase of the development of the Property conforms to the requirements of
16 the Code, the City will approve the Final Development Plan so long as the Final
17 Development Plan substantially conforms to the preliminary development plan for the
18 Property, including any conditions with respect to the preliminary development plan
19 approval (such plan, subject to such conditions, the "Preliminary Development Plan"), and
20 to the other terms and conditions of this Agreement, and so long as the following conditions
21 are satisfied with respect to the Final Development Plan:

22 a. **Traffic Report - Camino Carlos Rey and Plaza Verde.** Upon

1 submission of the Final Development Plan, the Landowner shall submit to the City traffic
2 reports that are sufficient in nature and scope to permit the City's traffic engineer to assess
3 the need for a traffic signal or 4-way stop at Camino Carlos Rey and Plaza Verde. If the
4 City's traffic engineer determines that such traffic signal or 4-way stop is required, the
5 Landowner will amend the Final Development Plan to reflect the addition of a traffic signal
6 at the appropriate intersection. The City acknowledges that it has received a traffic report
7 from the Landowner and that, as of the date of the recordation of this Agreement no further
8 submissions by the Landowner are required to comply with this subsection.

9 b. **Pro Rata Sewer Construction Payment.** Upon submission of the Final
10 Development Plan for the first phase of the Property to be developed, the Landowner shall
11 pay to the City the Landowner's pro rata share of the costs to construct the Arroyo Chamiso
12 sewer, which pro rata share is determined to be twenty-five thousand, three hundred and
13 eighteen dollars (\$25,318.00).

14 c. **Covenants.** Upon submission of the Final Development Plan for the
15 first phase of the Property to be developed, the Landowner shall submit to the City
16 covenants, conditions and restrictions that bind the Property ("Covenants"), which Covenants
17 shall provide, among other things, for (i) restrictions on building heights, other than on the
18 Tank Lot (as defined below), (ii) a prohibition of the drilling of wells on any residential lot
19 within the Property, (iii) setbacks, and (iv) preservation of vegetation in rear yards along Villa
20 Caballero III. The City shall have thirty (30) days to review the Covenants. The Landowner
21 will make such modifications to the Covenants as reasonably requested by the City. This
22 condition will be deemed satisfied once the Landowner produces a set of Covenants that

1 is in recordable form and that is approved by the City.

1171675

2 The Final Development Plan for each phase of the development of the
3 Property will be reviewed and, as appropriate, approved by the City's Planning Commission.

4 3.03. Conditions to Development. Each of the following conditions shall be
5 satisfied with respect to the Property, either by actually being performed on the Property
6 prior to the submission of the Final Development Plan for the relevant phase of the Property
7 or being incorporated into the Final Development Plan for the relevant phase of the
8 development of the Property as a condition to such development:

9 a. Wooden Power Poles. The wooden power poles at the north end of
10 the Property shall be removed by the Landowner prior to, or contemporaneously with, the
11 construction of roads and infrastructure for the 68 single-family detached home lots within
12 the Property. The City acknowledges that, as of the date this document is recorded, the
13 Landowner has removed the wooden power poles.

14 b. Chain Link Fence. The Landowner shall install a green vinyl-covered
15 chain link fence along the eastern boundary of the Property.

16 c. Buffering of Camino Carlos Rey. The Landowner shall provide
17 buffering of Camino Carlos Rey in accordance with Section 14.57 of the Code "to screen
18 the proposed development from the street and to diminish the effects of street noise on the
19 development" of the Property. The Landowner shall construct a pilaster and wooden fence,
20 with dimensions of no more than twelve feet (12') on center, along Camino Carlos Rey from
21 the northern boundary of the Property to the Governor Miles Road Intersection, and shall
22 identify the type of treatment south of Governor Miles Road as part of the final development

1 plans for the affected phases of the Property.

1171676

2 d. Barricade. A barricade shall be installed at the end of the paved
3 section of Governor Miles Road.

4 3.04. Subdivision of the Property. In accordance with Section 14-30.10 of
5 the Code, once the conditions set forth in this Agreement are satisfied, the Final
6 Development Plan for a particular phase of Final Development Plan shall also be the final
7 subdivision plat for the Property and shall have the effect of subdividing the Property into
8 those lots indicated on the Final Development Plan. Accordingly, once the conditions set
9 forth in this Agreement are satisfied, the City shall execute the Final Development Plan or
10 the relevant portion of the Final Development Plan for a particular phase of the
11 Development of the Property and the same shall be filed with the City and the County of
12 Santa Fe, New Mexico, as required, to subdivide the Property and create as legal lots of
13 record those lots designated on the relevant Final Development Plan.

14 3.05. City Sewer. The parties agree that the Property will be served by City
15 sanitary sewer service. The Landowner shall have the right to connect to the sewer lift
16 station in the Pueblos del Sol development, provided that such connection does not occur
17 prior to completion of the relief sewer line to be constructed south of the Villa Linda Mall;
18 which shall be constructed by the City within a reasonable time. Once the Arroyo Chamiso
19 sewer line is constructed up to the Pueblos del Sol lift station, the Landowner shall connect
20 to the gravity-flow sewer line and discontinue use of the lift station.

21 4. CITY SERVICES.

22 4.01. Fire and Police Protection. Fire and police protection of the

1 development on the Property will be provided by current existing City police and fire
2 department facilities and personnel. The Landowner shall install three-way fire hydrants
3 within five-hundred feet (500') travel distance of all lots on the Property.

4 4.02. Refuse. Refuse disposal services shall be provided to the development
5 on the Property in accordance with applicable City ordinances.

6 4.03. Water Services. As a condition of development of the Property, the
7 Landowner agrees to connect the proposed development on the Property to and service the
8 development on the Property via the water delivery system owned by the Water Company
9 or its successor using dedicated easements; and the Landowner shall extend the water main
10 through the Property as required by the Water Company and the City. The Landowner shall
11 reserve easements throughout the Property as shown on the Preliminary Development Plan
12 for the Property to insure the water lines can be built accordingly throughout the Property.
13 The Landowner agrees that no well shall be drilled on the Property and no water rights shall
14 be transferred to permit a diversion of water from the Property after the date of this
15 Agreement.

16 4.04. Storm Water, Waste Water Collection and Sewer Service. Prior to
17 construction of residences within the Property, the Landowner shall construct storm water
18 improvements as shown on the engineering plans that are part of the Final Development
19 Plan(s) for the Property and domestic waste water improvements to serve Property in
20 accordance with the Code. A portion of the Arroyo Open Space may be used for storm
21 water drainage purposes pursuant to the terms of the Drainage Easement.

22 5. ON-SITE INFRASTRUCTURE.

1 5.01. Streets and Other Rights of Way.

1171678

2 a. Compliance with City Standards. All streets and roads within the
3 Property will be designed and constructed to conform to current City standards and
4 specifications and shall be dedicated to the City upon completion of the construction of the
5 street or road. The appropriate dedication language for streets and roads within the Property
6 shall appear on the plat that is part of the Final Development Plan(s) for the Property.

7 b. Street Construction Cost. Each street, road, and trail within the
8 Property shall be constructed at the Landowner's expense.

9 c. Camino Carlos Rey. A forty-three (43') foot right-of-way through the
10 Property for the extension of Camino Carlos Rey to Interstate 25 shall be dedicated to the
11 City. Camino Carlos Rey shall be improved at its current cross section and extended up to
12 the intersection with Governor Miles Road.

13 d. Governor Miles Road. A right-of-way width of sixty-six (66') for
14 Governor Miles Road shall be dedicated to the City.

15 e. Governor Miles Dead-End. The eastern dead-end on Governor Miles
16 Road shall be dedicated to the City and left in its natural state.

17 f. Direct Vehicular Access from Property. No lot within the Property
18 shall have direct vehicular access to Camino Carlos Rey or Governor Miles Road.

19 5.02. Financial Guarantees. All improvements that are required to be
20 constructed within the Property pursuant to this Agreement or the Final Development Plan
21 for the Property shall be undertaken in accordance with the provisions of the Code in effect
22 as of the Effective Date. When completed in accordance with the specifications required

under the Code or imposed by the City as a condition of approval, said improvements shall be dedicated to the City for its use in perpetuity; and the filed plat that is part of the Final Development Plan for the Property will contain appropriate dedication language. As a prerequisite to the recording of the Final Development Plan for any phase of the Property's development, the Landowner shall provide a letter of credit or other financial guarantee acceptable to the City, for the construction of improvements to the Property as part of the phase to which the particular Final Development Plan relates to the extent City policy or the Code requires financial assurances for such improvement or, in the alternative, the Landowner shall have constructed the required improvements to the Property in accordance with the Code. The amount of the financial guarantee shall be based on a certified engineer's estimate and both the amount of financial guarantee and the certified estimate shall be acceptable to the City.

5.03. Underground Utilities. The Property shall be served only with underground utilities.

6. Archeological Review Ordinance. Prior to the Effective Date, the Landowner shall comply, and the Property shall be in compliance, with Section 14-75 of the Code. The City acknowledges and agrees that as of the date of the recordation of this Agreement, the Landowner has complied with the Archeological Review Ordinance with respect to the Property.

7. Impact Fees. The Landowner agrees to pay impact fees as required by the Code as in effect on the Effective Date. Impact fees will not be assessed on the Affordable Lots.

8. Miscellaneous.

1 8.01. Effect of Agreement. The parties acknowledge and agree that this
2 Agreement runs with the land and binds the Property, including the development and use
3 of the Property, in perpetuity.

4 8.02. Assignment. Subject to Section 9.01, the Landowner, in the
5 Landowner's discretion, may assign this Agreement or specific obligations under this
6 Agreement to the successor owner of the Property, another developer of the Property, or to
7 an association of owners of the Property. Any assignees shall be bound to the terms and
8 conditions of this Agreement to the same extent that the Landowner is bound. Nothing in
9 this Agreement precludes the Landowner from transferring all or a portion of the Property
10 to a third-party provided such transfer is made subject to the terms and conditions of this
11 Agreement.

12 8.03. Captions. The captions and paragraph headings of this Agreement are
13 not necessarily descriptive, or intended or represented to be descriptive, of all the provisions
14 thereunder, and in no manner shall such captions and paragraph headings be deemed or
15 interpreted to limit the provisions of this Agreement.

16 8.04. Further Assurances. Each of the parties agree to take all such actions
17 and to execute and deliver all such documents as may be necessary or appropriate to give
18 effect to the terms and conditions of this Agreement.

19 8.05. Severability. If any provision of this Agreement, or the application of
20 such provisions to any person or circumstances, shall be held invalid or voided by a court
21 of competent jurisdiction, the remainder of this Agreement, or the application of such
22 provisions to persons or circumstances other than those to which their application is held

1 invalid or voided, shall not be affected by such invalidation or voiding.

2 8.06. No Waiver. No waiver of a breach of any of the covenants contained
3 in this Agreement shall be construed to be a waiver of any succeeding breach of the same
4 or any other covenants.

5 8.07. Jurisdiction; Governing Law. The parties agree that this Agreement will
6 be executed and performed by them in Santa Fe County, New Mexico, and that this
7 Agreement shall be governed by, and construed in accordance with New Mexico law.

8 8.08. Binding Effect. This Agreement shall be binding upon, and inure to the
9 benefit of, the parties and their respective heirs, successors and permitted assigns.

10 8.09. Effect of Agreement. This Agreement states the entire agreement of the
11 parties with respect to the subject matter of this Agreement. The provisions of this
12 agreement shall be severable and may be modified only in writing. This Agreement shall
13 not relieve the Landowners from complying with present or future City ordinances, duly
14 adopted resolutions or regulations applicable to the development.

15 8.10. Amendments; Approvals. Any amendments to this Agreement shall be
16 reviewed by the City's Planning Commission and sent to the City Council for approval as
17 appropriate.

18 8.11. Effective Date. As used in this Agreement, the term "Effective Date"
19 means the date on which this Agreement is executed and delivered by all parties to this
20 Agreement and recorded in the records of Santa Fe County, New Mexico.

21 IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as
22 of November 30, 1994.

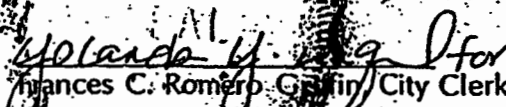
CITY:

1171682

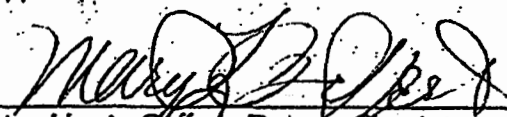
CITY OF SANTA FE


Mayor Debbie Jaramillo

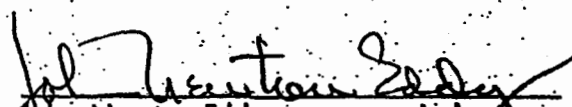
Attest:


Frances C. Romero Griffin, City Clerk


Approved as to form:


MaryLiz A. Geffert, Deputy City Attorney

LANDOWNER:


John Newton Eddy, an unmarried person

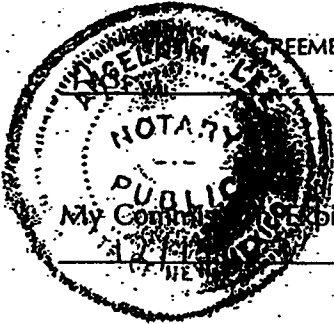

Joseph Edward Brosseau, a married person


Roberta M. Brosseau, executing pro forma,
as the spouse of Joseph Edward Brosseau

ACKNOWLEDGEMENTS

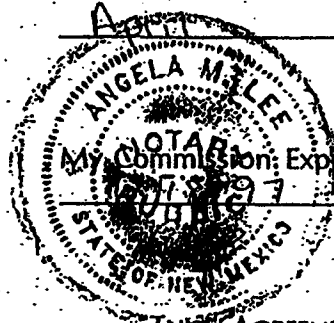
STATE OF NEW MEXICO)
) SS.
COUNTY OF SANTA FE)

1171683



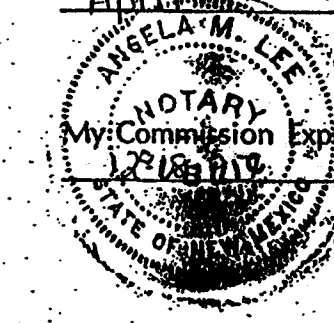
THIS AGREEMENT was acknowledged before me on this 10th day of April, 1995, by John Newton Eddy.

Angela M. Lee
Notary Public



THIS AGREEMENT was acknowledged before me on this 10th day of April, 1995 by Joseph Edward Brosseau.

Angela M. Lee
Notary Public



THIS AGREEMENT was acknowledged before me on this 10th day of April, 1995, by Roberta M. Brosseau.

Angela M. Lee
Notary Public

COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that this instrument was filed for
record on the 8 day of June, A.D.
1995, at 3:15 o'clock P.m. and
was duly recorded in book 707,488 page
670 of the records of Santa Fe County.
Witness my Hand and Seal of Office
Jona G. Armijo
County Clerk, Santa Fe County, NM
[Signature]



CITY OF SANTA FE

ADOPTION OF ORDINANCE NOS. 1994-49, 1994-50, 1994-51, 1994-52 and 1994-53

- ORD. NO. 1994-49: An Ordinance Amending Sections 10-2.3, 10-2.4 and 10-2.7 SFCC 1987 of the Noise Ordinance Regarding Exemptions and Prohibiting the Use of Retarders in the City of Santa Fe.
- ORD. NO. 1994-50: An Ordinance Restricting Truck and Truck Trailer Traffic on Valley Drive, Between Bishop's Lodge Road and Vallecita Drive.
- ORD. NO. 1994-51: An Ordinance Relating to Santa Fe, New Mexico Special Assessment District No. 38; Ratifying the Proceedings Taken in Providing for Certain Street Paving and Drainage Improvements in Such District; Providing for the Payment of the Costs and Expenses of such Improvements; Providing for the Filing of a Claim of Lien; Assessing the Cost of such Improvements Against the Tracts, Parcels and Lots of Land Benefitted by such Improvements; Providing for a Penalty for Delinquent Payments; and Declaring an Emergency. (Gonzales Road)
- ORD. NO. 1994-52: An Ordinance Annexing a Certain Tract of Land Lying Contiguous with the Santa Fe Corporate Limits Consisting of 51.625 Acres Located at the South End of Camino Carlos Rey.
- ORD. NO. 1994-53: An Ordinance Amending the Official Zoning Map of the City of Santa Fe: Changing the Classification of a Certain Area from Its Present Designation and Class of R-1 to R-3 PUD Providing an Effective Date. Property Located at the South End of Camino Carlos Rey.

Passed, Approved and Adopted this 30th day of November, 1994.

Copies of these ordinances are available in their entirety, upon request and payment of a reasonable charge, in the City Clerk's Office at City Hall, 200 Lincoln Avenue, from 8:00 a.m. to 5:00 p.m., Monday through Friday.


Frances Romero-Griffin
City Clerk

Received by Santa Fe New Mexican on

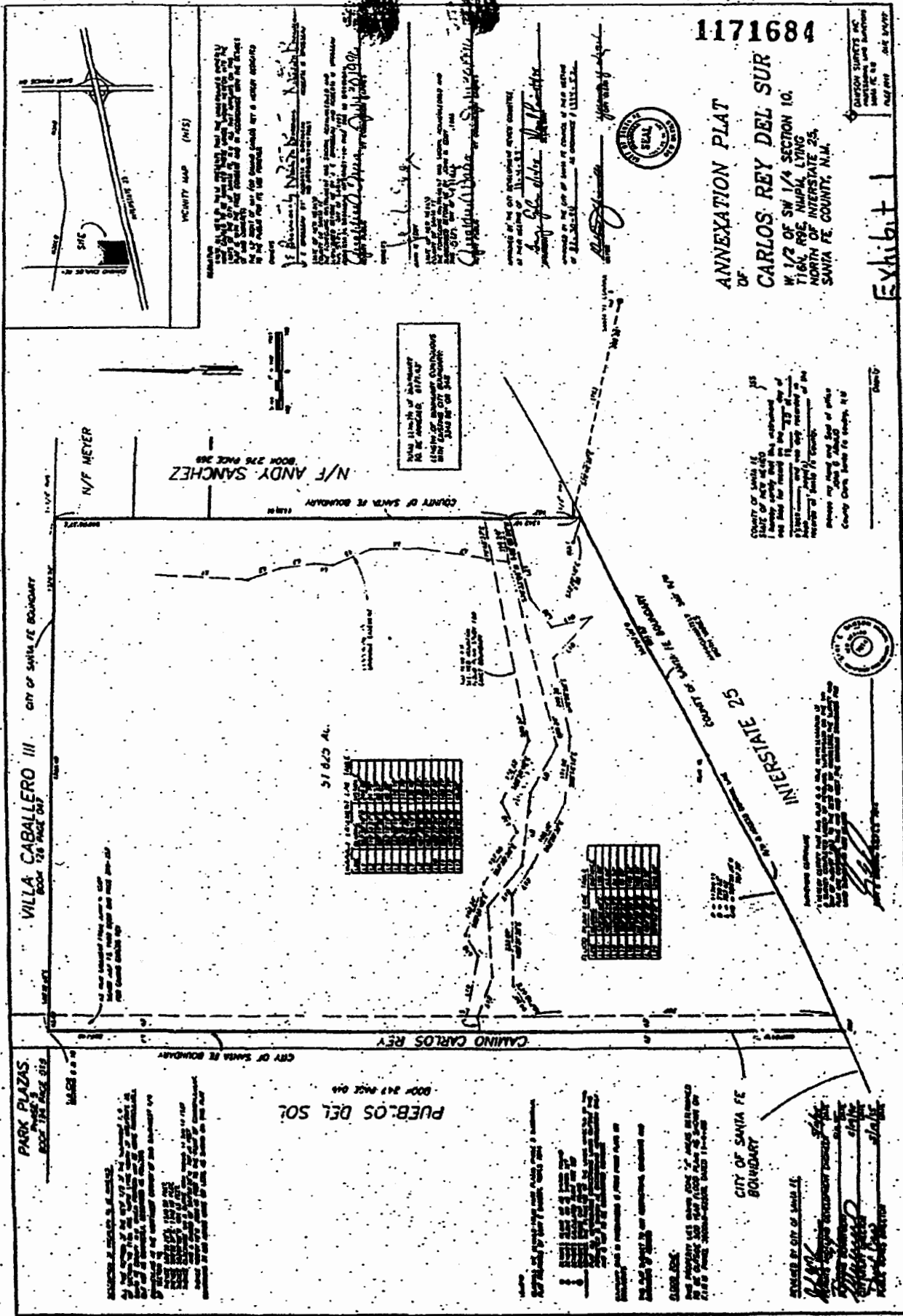
Date December 2, 1994

To be published on

December 7, 1994

By John S. Sumner

New Mexican (Signature)



1171684

ANNEXATION PLAT
OF
CARLOS REY DEL SUR
W. 1/2 OF SW 1/4 SECTION 10,
T18N, R9E, NUPM, LYING
NORTH OF INTERSTATE 25,
SANTA FE COUNTY, N.M.

Exhibit 1

COUNTY OF SANTA FE
I, the County Clerk, do hereby certify that the foregoing is a true and correct copy of the original plat on file in the County Clerk's Office, and that the same has been duly recorded in the County Clerk's Office.



INTERSTATE 25

CITY OF SANTA FE
BOUNDARY

RECEIVED BY CITY OF SANTA FE
11/1/84

CITY OF SANTA FE, NEW MEXICO

ORDINANCE NO. 52, 1994

1171686

AN ORDINANCE

ANNEXING A CERTAIN TRACT OF LAND LYING CONTIGUOUS WITH THE
SANTA FE CORPORATE LIMITS CONSISTING OF 51.625 ACRES LOCATED
AT THE SOUTH END OF CAMINO CARLOS REY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA
FE:

Section 1. Pursuant to Section 3-7-17, NMSA 1978, the
following described land is annexed to the city of Santa Fe,
thereby extending the corporate limits:

Beginning at the northeast corner of the
southwest 1/4 of Section 10; Thence
S88°35'25"E, 1329.50 feet; Thence
S00°05'37"E, 1342.10 feet; Thence
S63°07'09"W, 691.93 feet; Thence clock-
wise on a curve with radius 11,309.11
feet and a chord of S64°59'26"W, 787.26
feet; Thence N00°01'19"W, 2020.48 feet
to the point of commencement.

Property located at the south end of Camino Carlos Rey
as shown on the plat attached hereto and referenced herein
as Exhibit "A".

Section 2. A petition has been presented to the
governing body of the city of Santa Fe requesting the
annexation of a contiguous area of land to the corporate

1171687

1 limits, which annexation is done pursuant to the provisions
2 of the agreement attached hereto and referenced herein as
3 Exhibit "B" dated November 30, 1994 between
4 the city of Santa Fe and the owner of the land sought to be
5 annexed.

6 Section 3. The petition was accompanied by a plat
7 showing the external boundaries of the land proposed to be
8 annexed and the relationship of the land proposed to be
9 annexed to the existing boundary of the municipality, as
10 well as an annexation agreement and master plan.

11 Section 4. It is in the best interest of the city of
12 Santa Fe and the owner and inhabitants of such contiguous
13 land that it be annexed.

14 Section 5. This ordinance shall be published one time
15 by title and general summary and shall become effective five
16 days after publication.

17 PASSED, APPROVED AND ADOPTED THIS 30TH DAY OF NOVEMBER,
18 1994.



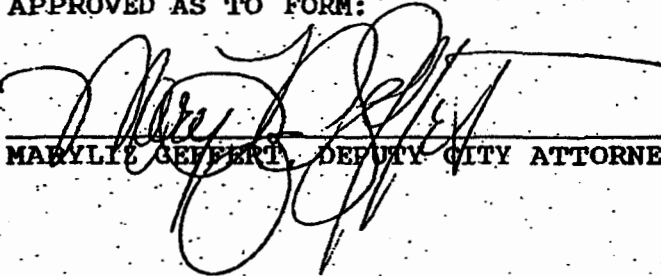
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Debbie Jaramillo
DEBBIE JARAMILLO, MAYOR

Frances Romero Griffin
FRANCES ROMERO-GRIFFIN, CITY CLERK

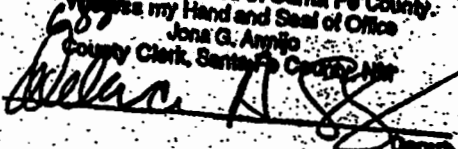
1 APPROVED AS TO FORM:

1171688

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4 MARYLIN GEFPERT, DEPUTY CITY ATTORNEY
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12 d94-4/CRD94-52
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COUNTY CLERK
STATE OF NEW MEXICO 907-489
I hereby certify that this instrument was filed for
record on the 8 day of June A.D.
19 85 at 3:17 p.m. and
was duly recorded in book 1777 page
605 of the records of Santa Fe County.
Witness my Hand and Seal of Office
Jona G. Armijo
County Clerk, Santa Fe County, New Mexico


CITY OF SANTA FE, NEW MEXICO

ORDINANCE NO. 52, 1994

1171686

AN ORDINANCE

ANNEXING A CERTAIN TRACT OF LAND LYING CONTIGUOUS WITH THE
SANTA FE CORPORATE LIMITS CONSISTING OF 51.625 ACRES LOCATED
AT THE SOUTH END OF CAMINO CARLOS REY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA
FE:

Section 1. Pursuant to Section 3-7-17, NMSA 1978, the
following described land is annexed to the city of Santa Fe,
thereby extending the corporate limits:

Beginning at the northeast corner of the
southwest 1/4 of Section 10; Thence
S88°35'25"E, 1329.50 feet; Thence
S00°05'37"E, 1342.10 feet; Thence
S63°07'09"W, 691.93 feet; Thence clock-
wise on a curve with radius 11,309.11
feet and a chord of S64°59'26"W, 787.26
feet; Thence N00°01'19"W, 2020.48 feet
to the point of commencement.

Property located at the south end of Camino Carlos Rey
as shown on the plat attached hereto and referenced herein
as Exhibit "A".

Section 2. A petition has been presented to the
governing body of the city of Santa Fe requesting the
annexation of a contiguous area of land to the corporate

1171687

1 limits, which annexation is done pursuant to the provisions
2 of the agreement attached hereto and referenced herein as
3 Exhibit "B" dated November 30, 1994 between
4 the city of Santa Fe and the owner of the land sought to be
5 annexed..

6 Section 3. The petition was accompanied by a plat
7 showing the external boundaries of the land proposed to be
8 annexed and the relationship of the land proposed to be
9 annexed to the existing boundary of the municipality, as
10 well as an annexation agreement and master plan.

11 Section 4. It is in the best interest of the city of
12 Santa Fe and the owner and inhabitants of such contiguous
13 land that it be annexed.

14 Section 5. This ordinance shall be published one time
15 by title and general summary and shall become effective five
16 days after publication.

17 PASSED, APPROVED AND ADOPTED THIS 30TH DAY OF NOVEMBER,
18 1994.

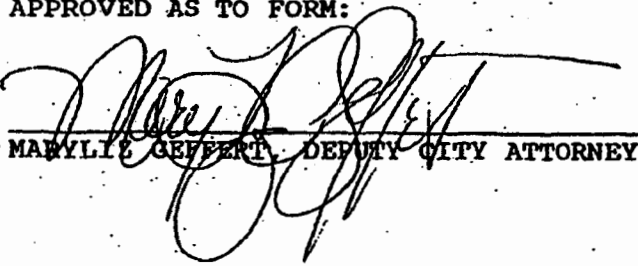


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Debbie Jaramillo
DEBBIE JARAMILLO, MAYOR

Frances Romero-Griffin
FRANCES ROMERO-GRIFFIN, CITY CLERK

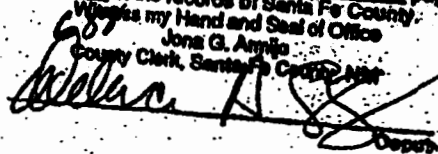
1 APPROVED AS TO FORM:

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3 
4 MARVLIN G. JEFFERY, DEPUTY CITY ATTORNEY
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1171688

11 /cmo
12 d94-4/CRD94-52
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COUNTY CLERK
STATE OF NEW MEXICO 907 P. 489
I hereby certify that this instrument was filed for
record on the 8 day of June A.D.
19 95 at 3:19 P.M. and
was duly recorded in book 11716 page
607 of the records of Santa Fe County.
Witness my Hand and Seal of Office
Jona G. Armijo
County Clerk, Santa Fe County, New Mexico


CITY OF SANTA FE



NEW MEXICO

\$12,000,000 GENERAL OBLIGATION BONDS, SERIES 2013

JUNE 12, 2013

THE FOLLOWING RATINGS HAVE BEEN ASSIGNED:

STANDARD AND POOR'S

"AA"

FITCH

"AA+"

Exhibit "4"

PRELIMINARY OFFICIAL STATEMENT DATED May 29, 2013

OFFICIAL NOTICE OF BOND SALE*

Unconditional bids for the purchase of the Bonds will be received at 11:00 a.m.,
Central Daylight Savings Time, Wednesday, June 12, 2013**
in a sealed envelope at the offices of the City's Financial Advisor
George Williford, First Southwest Company, 325 North St. Paul Street, Suite 800, Dallas, Texas 75201
or by electronic submission through the facilities of PARITY

NEW ISSUE Book-Entry Only

In the opinion of Modrall, Sperling, Roehl, Harris & Sisk, P.A., Bond Counsel, under existing laws, regulations, rulings and judicial decisions, and assuming the accuracy of certain representations and continuing compliance described in "TAX MATTERS" herein, interest on the Bonds is excludable from gross income for federal income tax purposes. Interest on the Bonds is not a specific preference item for purposes of the federal alternative minimum tax imposed on individuals and corporations, although for purposes of computing the federal alternative minimum tax imposed on certain corporations, such interest is taken into account in determining certain income and earnings as described in "TAX MATTERS" herein. Under existing laws, regulations, rulings and judicial decisions, Bond Counsel is further of the opinion that interest on the Bonds is excludable from New Mexico state income taxes. See "TAX MATTERS" herein.

**\$12,000,000
CITY OF SANTA FE, NEW MEXICO
General Obligation Bonds, Series 2013**

Dated: Date of Delivery

Due: as shown below

The City of Santa Fe, New Mexico General Obligation Bonds, Series 2013 (the "Bonds") are being issued as fully registered bonds to be sold in denominations of \$5,000 or any integral multiple thereof. The Depository Trust Company will act as securities depository for the Bonds through its nominee, Cede & Co. One fully registered bond equal to the principal amount of each maturity of series of the Bonds will be registered in the name of Cede & Co. Individual purchases of Bonds will be made in book-entry form only and beneficial owners of the Bonds will not receive physical delivery of bond certificates, except as described herein. Upon receipt of payments of principal and interest, DTC will remit such payments to its participants for subsequent disbursement to the beneficial owners of the Bonds.

Principal of and interest on the Bonds will be payable to DTC, or its nominee, as owner of the Bonds, by BOKF, N.A. dba Bank of Albuquerque, Albuquerque, New Mexico, as Paying Agent/Registrar for the Bonds. Interest on the Bonds is payable on February 1 and August 1, commencing February 1, 2014.

MATURITY SCHEDULE

Maturity (August 1)	Principal Amount	Interest Rate	Yield	CUSIP	Maturity (August 1)	Principal Amount	Interest Rate	Yield	CUSIP
2014	\$ 475,000				2024	\$ 645,000			
2015	500,000				2025	660,000			
2016	515,000				2026	675,000			
2017	530,000				2027	695,000			
2018	545,000				2028	715,000			
2019	560,000				2029	735,000			
2020	580,000				2030	755,000			
2021	595,000				2031	780,000			
2022	610,000				2032	805,000			
2023	625,000								

The Bonds constitute general obligation indebtedness of the City, payable from property taxes levied against all taxable property in the City, without limitation of rate or amount, and the full faith and credit of the City is pledged for the payment of the Bonds.

In connection with the issuance of the Bonds, the City will commit to provide certain annual information and notice of certain specified events as described herein under the caption "CONTINUING DISCLOSURE UNDERTAKING."

Approval of certain legal matters will be passed on by Modrall, Sperling, Roehl, Harris & Sisk, P.A., Albuquerque, New Mexico, as Bond Counsel. Certain legal matters will also be passed on for the City by the office of the City Attorney. It is expected that the Bonds will be delivered to DTC in New York, New York on or about July 23, 2013.

*Subject to sale reservations, including the City's right to reject any and all bids, as provided in the Official Notice of Bond Sale. See "OFFICIAL NOTICE OF BOND SALE – Sale Reservations."

**The examination, acceptance and ratification of bids may be postponed by the City until 11:00 a.m. Central Daylight Savings Time on June 26, 2013, by publishing notice thereof in Munifacts prior to 8:30 a.m., local time in the City of New York, New York, on Wednesday, June 12, 2013 in which case the examination and acceptance of the bids will take place at the same location, subject to ratification by the City Council at its meeting to be held by 7:00 p.m. prevailing Mountain Time on June 26, 2013. For purposes of the bids received through the electronic bidding process, the time maintained by PARITY shall constitute the official time.

12:07:34 p.m. CDST

[Upcoming Calendar](#)[Overview](#)[Compare](#)[Summary](#)**Bid Results****Santa Fe
\$12,000,000 General Obligation Bonds, Series 2013**

The following bids were submitted using **PARITY®** and displayed ranked by lowest TIC.
Click on the name of each bidder to see the respective bids.

Bid Award*	Bidder Name	TIC
<input checked="" type="checkbox"/> Reoffering	William Blair & Company, LLC	3.287920
<input type="checkbox"/>	Hutchinson, Shockey, Erley & Co.	3.361629
<input type="checkbox"/>	Robert W. Baird & Co., Inc.	3.432570
<input type="checkbox"/>	Mesirow Financial, Inc.	3.461456
<input type="checkbox"/>	Stifel Nicolaus & Company, Inc.	3.552784
<input type="checkbox"/>	Morgan Stanley & Co, LLC	3.629475

*Awarding the Bonds to a specific bidder will provide you with the Reoffering Prices and Yields.

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Winning Bid Form

Upcoming Calendar

Overview

Result

Excel

William Blair & Company, LLC - Chicago , IL's Bid
Santa Fe



\$12,000,000 General Obligation Bonds, Series 2013

For the aggregate principal amount of \$12,000,000.00, we will pay you \$12,214,002.80, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

Maturity Date	Amount \$	Coupon %	Bond Insurance
08/01/2014	465M	2.0000	
08/01/2015	490M	2.0000	
08/01/2016	500M	1.7500	
08/01/2017	520M	1.7500	
08/01/2018	535M	2.0000	
08/01/2019	550M	2.0000	
08/01/2020	565M	2.0000	
08/01/2021	585M	3.0000	
08/01/2022	600M	3.0000	
08/01/2023	620M	3.0000	
08/01/2024	635M	3.0000	
08/01/2025	655M	3.1250	
08/01/2026	675M	4.0000	
08/01/2027	700M	4.0000	
08/01/2028	725M	4.0000	
08/01/2029	750M	4.0000	
08/01/2030	780M	4.0000	
08/01/2031	810M	4.0000	
08/01/2032	840M	4.0000	

Total Interest Cost: \$4,652,054.31

Premium: \$214,002.80

Net Interest Cost: \$4,438,051.51

TIC: 3.287920

Total Insurance Premium: \$0.00

Time Last Bid Received On: 06/12/2013 10:59:14 CDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: William Blair & Company, LLC, Chicago , IL

Contact: Phil Gutman

Title:

Telephone: 312-364-8566

Fax:

Final - 6/12/13

City of Santa Fe, New Mexico
General Obligation Bonds, Series 2013

Calendar Year	Existing GO Debt Service ⁽¹⁾	\$12mm - 7/23/2013 Delivery - 3.28792%			AGGREGATE Total Debt Service	Calendar Year
		Principal	Interest	Debt Service		
2014	\$ 2,298,176	\$ 465,000	\$ 383,148	\$ 848,148	\$ 3,146,324	2014
2015	2,302,826	490,000	365,519	855,519	3,158,345	2015
2016	2,305,701	500,000	355,719	855,719	3,161,420	2016
2017	2,311,801	520,000	346,969	866,969	3,178,770	2017
2018	2,323,601	535,000	337,869	872,869	3,196,470	2018
2019	2,328,001	550,000	327,169	877,169	3,205,170	2019
2020	2,329,551	565,000	316,169	881,169	3,210,720	2020
2021	2,333,046	585,000	304,869	889,869	3,222,915	2021
2022	2,332,336	600,000	287,319	887,319	3,219,655	2022
2023	2,338,111	620,000	269,319	889,319	3,227,430	2023
2024	2,340,536	635,000	250,719	885,719	3,226,255	2024
2025	2,344,599	655,000	231,669	886,669	3,231,268	2025
2026	2,348,349	675,000	211,200	886,200	3,234,549	2026
2027	2,352,869	700,000	184,200	884,200	3,237,069	2027
2028	740,069	725,000	156,200	881,200	1,621,269	2028
2029	740,919	750,000	127,200	877,200	1,618,119	2029
2030		780,000	97,200	877,200	877,200	2030
2031		810,000	66,000	876,000	876,000	2031
2032		840,000	33,600	873,600	873,600	2032
\$ 34,070,493		\$ 12,000,000	\$ 4,652,054	\$ 16,652,054	\$ 50,722,547	

(1) Includes Series 2008 and Series 2010.

SOURCES AND USES OF FUNDS

Santa Fe, New Mexico
General Obligation Bonds, Series 2013

Dated Date	07/23/2013
Delivery Date	07/23/2013

Sources:

Bond Proceeds:	
Par Amount	12,000,000.00
Net Premium	262,002.80
	<hr/>
	12,262,002.80

Uses:

Project Fund Deposits:	
Project Fund	12,000,000.00
Delivery Date Expenses:	
Cost of Issuance	140,000.00
Underwriter's Discount	48,000.00
	<hr/>
	188,000.00
Other Uses of Funds:	
Additional Proceeds	74,002.80
	<hr/>
	12,262,002.80

Note: Final

BOND PRICING

Santa Fe, New Mexico
General Obligation Bonds, Series 2013

Bond Component	Maturity Date	Amount	Rate	Yield	Price	Yield to Maturity	Call Date	Call Price	Premium (-Discount)	Principal Cost
=====										
Bond Component:										
	08/01/2014	465,000	2.000%	0.390%	101.640				7,626.00	472,626.00
	08/01/2015	490,000	2.000%	0.550%	102.911				14,263.90	504,263.90
	08/01/2016	500,000	1.750%	0.800%	102.831				14,155.00	514,155.00
	08/01/2017	520,000	1.750%	1.110%	102.510				13,052.00	533,052.00
	08/01/2018	535,000	2.000%	1.440%	102.703				14,461.05	549,461.05
	08/01/2019	550,000	2.000%	1.840%	100.907				4,988.50	554,988.50
	08/01/2020	565,000	2.000%	2.100%	99.350				-3,672.50	561,327.50
	08/01/2021	585,000	3.000%	2.410%	104.279				25,032.15	610,032.15
	08/01/2022	600,000	3.000%	2.650%	102.791				16,746.00	616,746.00
	08/01/2023	620,000	3.000%	2.840%	101.386				8,593.20	628,593.20
	08/01/2024	635,000	3.000%	3.030%	99.720				-1,778.00	633,222.00
	08/01/2025	655,000	3.125%	3.250%	98.763				-8,102.35	646,897.65
	08/01/2026	675,000	4.000%	3.390%	105.146 C	3.504%	08/01/2023	100.000	34,735.50	709,735.50
	08/01/2027	700,000	4.000%	3.490%	104.281 C	3.608%	08/01/2023	100.000	29,967.00	729,967.00
	08/01/2028	725,000	4.000%	3.570%	103.595 C	3.686%	08/01/2023	100.000	26,063.75	751,063.75
	08/01/2029	750,000	4.000%	3.660%	102.830 C	3.763%	08/01/2023	100.000	21,225.00	771,225.00
	08/01/2030	780,000	4.000%	3.720%	102.323 C	3.813%	08/01/2023	100.000	18,119.40	798,119.40
	08/01/2031	810,000	4.000%	3.780%	101.820 C	3.859%	08/01/2023	100.000	14,742.00	824,742.00
	08/01/2032	840,000	4.000%	3.830%	101.403 C	3.895%	08/01/2023	100.000	11,785.20	851,785.20
		12,000,000							262,002.80	12,262,002.80

Dated Date 07/23/2013
 Delivery Date 07/23/2013
 First Coupon 02/01/2014

Par Amount 12,000,000.00
 Premium 262,002.80

Production 12,262,002.80 102.183357%
 Underwriter's Discount -48,000.00 -0.400000%

Purchase Price 12,214,002.80 101.783357%
 Accrued Interest

Net Proceeds 12,214,002.80

BOND DEBT SERVICE

Santa Fe, New Mexico
General Obligation Bonds, Series 2013

Period Ending	Principal	Coupon	Interest	Debt Service
12/31/2014	465,000	2.000%	383,148.06	848,148.06
12/31/2015	490,000	2.000%	365,518.76	855,518.76
12/31/2016	500,000	1.750%	355,718.76	855,718.76
12/31/2017	520,000	1.750%	346,968.76	866,968.76
12/31/2018	535,000	2.000%	337,868.76	872,868.76
12/31/2019	550,000	2.000%	327,168.76	877,168.76
12/31/2020	565,000	2.000%	316,168.76	881,168.76
12/31/2021	585,000	3.000%	304,868.76	889,868.76
12/31/2022	600,000	3.000%	287,318.76	887,318.76
12/31/2023	620,000	3.000%	269,318.76	889,318.76
12/31/2024	635,000	3.000%	250,718.76	885,718.76
12/31/2025	655,000	3.125%	231,668.76	886,668.76
12/31/2026	675,000	4.000%	211,200.00	886,200.00
12/31/2027	700,000	4.000%	184,200.00	884,200.00
12/31/2028	725,000	4.000%	156,200.00	881,200.00
12/31/2029	750,000	4.000%	127,200.00	877,200.00
12/31/2030	780,000	4.000%	97,200.00	877,200.00
12/31/2031	810,000	4.000%	66,000.00	876,000.00
12/31/2032	840,000	4.000%	33,600.00	873,600.00
	12,000,000		4,652,054.42	16,652,054.42

TIC Rate: 3.2879%

Note: Final

Final – June 12, 2013

AN ABSTRACT OF PROCEEDINGS

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

The City Council (the "Council") of the City of Santa Fe (the "City") in the County of Santa Fe, State of New Mexico, met in regular session in full conformity with law and ordinances and rules of the City, at City Hall, being the regular meeting place of the Council, at the hour of 7:00 p.m., on Wednesday, the 12th day of June, 2013.

[illegible]

ABSENT: _____

Exhibit "5"

Thereupon the following proceedings, among others, were had and taken:

PUBLIC HEARINGS

CONSIDERATION OF BILL NO. 2013-_____

ADOPTION OF ORDINANCE NO. 2013-_____

Issuance of General Obligation Bonds, Series 2013

Mr. Marcos Tapia, Finance Director, presented Bill No. 2013-_____

The Mayor announced that the City Council would take action awarding the City of Santa Fe General Obligation Bonds, Series 2013 in the amount of \$12,000,000 in conformity with the Notice of Sale issued by the City Council on May 8, 2013.

Councilor _____ thereupon moved that the City Council accept the bid of _____ for the purchase of the Bonds, said bid being the best bid received for said Bonds.

Said bid is as follows:

<u>Amounts</u> <u>Maturing</u>	<u>Years Maturing</u> <u>(August 1)</u>	<u>Interest Rate</u> <u>(Per Annum)</u>
\$465,000	2014	2.000%
490,000	2015	2.000%
500,000	2016	1.750%
520,000	2017	1.750%
535,000	2018	2.000%
550,000	2019	2.000%
565,000	2020	2.000%
585,000	2021	3.000%
600,000	2022	3.000%
620,000	2023	3.000%
635,000	2024	3.000%
655,000	2025	3.125%
675,000	2026	4.000%
700,000	2027	4.000%
725,000	2028	4.000%
750,000	2029	4.000%
780,000	2030	4.000%
810,000	2031	4.000%
840,000	2032	4.000%

plus a premium of \$214,002.80.

The motion was duly seconded by Councilor _____ and carried on a vote of ____ for and ____ against.

Councilor _____ thereupon introduced and moved the adoption of the following ordinance:

CITY OF SANTA FE, NEW MEXICO
ORDINANCE NO. 2013-__

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF SANTA FE, NEW MEXICO, GENERAL OBLIGATION BONDS, SERIES 2013, IN THE PRINCIPAL AMOUNT OF \$12,000,000, PAYABLE FROM AD VALOREM TAXES LEVIED ON ALL TAXABLE PROPERTY WITHIN THE CITY, LEVIED WITHOUT LIMIT AS TO RATE OR AMOUNT; PROVIDING FOR THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE MANNER OF THEIR EXECUTION, AND THE METHOD OF, AND SECURITY FOR, PAYMENT; PROVIDING FOR THE AWARD AND SALE OF THE BONDS TO THE PURCHASER AND THE PRICE TO BE PAID BY THE PURCHASER FOR THE BONDS; AND PROVIDING FOR OTHER DETAILS CONCERNING THE BONDS.

WHEREAS, at the general obligation bond election held for the City of Santa Fe (the "City"), State of New Mexico, on the 6th day of March, 2012, the electors of the City authorized the City Council of the City (the "City Council") to contract bonded indebtedness on behalf of the City and upon the credit thereof by issuing general obligation bonds of the City (the "Bonds") to secure funds for the following purposes (collectively, the "Project"), in the following amount:

<u>Purpose</u>	<u>Amount Authorized At Election</u>	<u>Amount Previously Issued</u>	<u>Amount To be Issued</u>
To acquire land for, and to plan, design, build, equip, renovate and improve public parks, bike-pedestrian trails and related infrastructure.	\$14,000,000	\$0	\$9,200,000
To acquire, install, construct, upgrade and improve sustainable environment projects, including renewable energy, arroyo drainage and watershed security projects.	\$3,800,000	\$0	\$2,800,000

WHEREAS, the City Council has determined, and does hereby determine, that it is necessary and in the best interest of the City and the inhabitants thereof that a portion of the general obligation bonds authorized at the election (the "Bonds"), be issued at this time, provided, however, that a satisfactory price be obtained therefor upon a public sale; and

WHEREAS, the City Council has received and publicly opened sealed bids for the purchase of the Bonds and the City Council has determined and hereby does

determine to accept the bid and award the Bonds to William Blair & Company, LLC, the best bidder for the Bonds;

WHEREAS, the City Council has determined and does hereby determine that the Bonds shall be issued at this time under the authority of the New Mexico Constitution and applicable law as hereinafter set forth, and desires to fix the form and details of the Bonds and to provide for the levy of taxes for the payment of the principal of and interest on the Bonds; and

WHEREAS, the net effective interest rate on the Bonds is not more than ten percent (10%) a year; and

WHEREAS, no action or suit has been commenced by any person or corporation contesting the validity of any of the proceedings directed toward the issuance and sale of the Bonds heretofore taken by the City Council and the officers of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANTA FE:

Section 1. All actions heretofore taken by the City Council and the officers and employees of the City directed toward the issuance and sale of the Bonds to secure funds for the purposes stated above be, and the same hereby are, ratified, approved and confirmed, including the awarding of the Bonds in the amount of \$12,000,000 to William Blair & Company, LLC.

Section 2. In order to provide funds for the purposes stated above, the City Council, on behalf of the City and upon the full faith and credit thereof, shall issue the City's general obligation bonds maturing and bearing interest as follows:

<u>Amounts</u> <u>Maturing</u>	<u>Years Maturing</u> <u>(August 1)</u>	<u>Interest Rate</u> <u>(Per Annum)</u>
\$465,000	2014	2.000%
490,000	2015	2.000%
500,000	2016	1.750%
520,000	2017	1.750%
535,000	2018	2.000%
550,000	2019	2.000%
565,000	2020	2.000%
585,000	2021	3.000%
600,000	2022	3.000%
620,000	2023	3.000%
635,000	2024	3.000%
655,000	2025	3.125%
675,000	2026	4.000%
700,000	2027	4.000%
725,000	2028	4.000%
750,000	2029	4.000%
780,000	2030	4.000%
810,000	2031	4.000%
840,000	2032	4.000%

The Bonds shall be dated the date of delivery (herein the "Series Date"), will be issued in one series and shall consist of bonds numbered consecutively from R-1 upward, issuable in the denomination of \$5,000 each or integral multiples thereof (provided that no individual bond will be issued for more than one maturity); shall bear interest from the Series Date to maturity at the rates per annum set forth above for the Bonds, payable to the registered owner thereof, or registered assigns, on February 1, 2014, and semiannually thereafter on August 1 and June 1 in each year in which the Bonds are outstanding and shall mature on August 1 of each year set forth above.

The Bonds maturing on or after August 1, 2024, are subject to prior redemption at the City's option on and after August 1, 2023, in whole or in part at any time, in one or more units of principal of \$5,000 in such order of maturities as the City may determine (and by lot if less than all of the Bonds of any maturity are called, such selection by lot to be made by the Registrar/Paying Agent, as defined below, in such manner as it shall consider appropriate and fair). The purchase price for Bonds selected for redemption will be equal to the principal amount of each bond (or portion thereof) so redeemed, plus accrued interest thereon to the redemption date.

If less than all of the outstanding Bonds are to be redeemed at any one time, the Bonds to be redeemed shall be selected by the Registrar in the manner designated by the City. If a Bond to be redeemed is of a denomination larger than \$5,000, a portion of such

Bond may be redeemed, but Bonds will be redeemed only in the principal amount of \$5,000 or any integral multiple thereof.

Notice of redemption shall be given by the Registrar/Paying Agent by sending a copy of such notice by first-class, postage prepaid mail at least thirty (30) days prior to the redemption date to the registered owner of each Bond, or portion thereof, to be redeemed at the address shown as of the close of business of the Registrar/Paying Agent on the fifth day prior to the mailing of notice on the registration books kept by the Registrar/Paying Agent. The City shall give notice of redemption of the Bonds to the Registrar/Paying Agent at least fifteen (15) days prior to the date the Registrar/Paying Agent is required to give the bond owners notice of redemption specifying the Bonds and the principal amount thereof to be called for redemption and the applicable redemption date. If the City has not designated the Bonds to be called for redemption on the dates specified above, the Registrar/Paying Agent is to select the Bonds to be redeemed by lot.

Neither the City's failure to give such notice, the Registrar/Paying Agent's failure to give such notice to the registered owner of any Bonds, or any defect therein, nor the failure of The Depository Trust Company ("DTC") to notify any registered owner, of any such redemption, will affect the validity of the proceedings for the redemption of any Bonds for which proper notice was given. All notices of redemption shall specify the maturity dates and the number or numbers of the Bonds to be redeemed (if less than all are to be redeemed) and if less than the full amount of any Bond is to be redeemed, the amount of such Bond to be redeemed, the date fixed for redemption, the redemption price, the series and CUSIP number, and that on such redemption date there will become due and payable upon each Bond to be redeemed at the office of the Registrar/Paying Agent the principal amount to be redeemed plus accrued interest to the redemption date and that from and after such date interest will cease to accrue on such amount.

Unless money sufficient to pay the principal of and premium, if any, on the Bonds to be optionally redeemed is received by the Registrar/Paying Agent prior to the giving of notice of redemption, that notice is to state that the redemption is conditional upon the receipt of that money by the Paying Agent by 2:00 p.m. on the redemption date. If an amount sufficient to redeem all Bonds called for redemption is not received by that time (i) the Registrar/Paying Agent is to redeem only those Bonds for which the redemption price was received, (ii) the Bonds to be redeemed are to be selected in the manner set forth in this Ordinance and (iii) the redemption notice will have no effect with respect to those Bonds for which the redemption price was not received and those Bonds will not be redeemed. The Registrar/Paying Agent is to give notice to the registered owners of the Bonds previously called for redemption which will not be redeemed in the manner in which the notice of redemption was given, identifying the Bonds which will not be redeemed and stating that the redemption did not take place with respect to those Bonds and is to promptly return any Bonds previously delivered by the registered owners of the Bonds. Notice having been given in the manner hereinbefore provided, the Bond or Bonds so called for redemption shall become due and payable on the redemption date so designated and if an amount of money sufficient to redeem all Bonds called for redemption shall on the redemption date be on deposit with the Registrar/Paying Agent,

the Bonds to be redeemed shall be deemed not outstanding and shall cease to bear interest from and after such redemption date. Upon presentation of the Bonds to be redeemed at the office of the Registrar/Paying Agent on or after the redemption date, or, so long as the book-entry system is used for determining beneficial ownership of the Bonds, upon satisfaction of the terms of any other arrangements between the Registrar/Paying Agent and DTC, the Registrar/Paying Agent will pay the Bond or Bonds so called for redemption with funds deposited with the Registrar/Paying Agent by the City.

The principal of and interest on the Bonds due at maturity shall be payable to the registered owner thereof as shown on the registration books kept by BOKF, NA dba Bank of Albuquerque, as "registrar/paying agent" (such registrar/paying agent and any successor thereto, the "Registrar/Paying Agent") for the Bonds, upon maturity and upon presentation and surrender thereof at the principal office of the Registrar/Paying Agent. If any Bond shall not be paid upon such presentation and surrender at or after maturity, it shall continue to draw interest at the rate borne by said Bond until the principal thereof is paid in full. Payment of interest on the Bonds (other than at maturity) shall be made by check or draft mailed by the Registrar/Paying Agent (or by such other arrangement as may be mutually agreed to by the Registrar/Paying Agent and such registered owner), on or before each interest payment date (or, if such interest payment date is not a business day, on or before the next succeeding business day), to the registered owner thereof as of the close of business on the Record Date (defined below) at his address as it appears on the registration books kept by the Registrar/Paying Agent. All such payments shall be made in lawful money of the United States of America. The term "Record Date" as used herein with respect to any interest payment date shall mean the 15th day of the month preceding the interest payment date. The person in whose name any Bond is registered at the close of business on any Record Date with respect to any interest payment date shall be entitled to receive the interest payable thereon on such interest payment date notwithstanding any transfer or exchange thereof subsequent to such Record Date and prior to such interest payment date; but interest on any Bond which is not timely paid or duly provided for shall cease to be payable as provided above and shall be payable to the person in whose name such Bond is registered at the close of business on a special record date (the "Special Record Date") fixed by the Registrar/Paying Agent for the payment of any such overdue interest. The Special Record Date shall be fixed by the Registrar/Paying Agent whenever moneys become available for payment of overdue interest, and notice of any such Special Record Date shall be given not less than ten days prior thereto, by first-class mail, to the registered owners of the Bonds as of the fifth day preceding the mailing of such notice by the Registrar/Paying Agent, stating the Special Record Date and the date fixed for the payment of overdue interest.

Section 3. The Bonds shall constitute the general obligation bonds of the City, payable from general ad valorem taxes which shall be levied without limitation as to the rate or amount. The full faith and credit of the City shall be, and hereby is, irrevocably pledged to the payment of the principal of and interest on the Bonds.

Section 4. The Bonds shall bear the facsimile or manual signature of the Mayor of the City and shall be attested by the facsimile or manual signature of the City Clerk and shall bear the facsimile or original seal of the City. The Bonds shall be

authenticated by the manual signature of an authorized officer of the Registrar/Paying Agent. The Bonds bearing the signatures or facsimile signatures of the officers in office at the time of the signing thereof shall be the valid and binding obligations of the City, notwithstanding that before the delivery of the Bonds and payment therefor, or before the issuance thereof upon transfer or exchange, any or all of the persons whose signatures appear on the Bonds shall have ceased to fill their respective offices. The Mayor and City Clerk shall, by the execution of a signature certificate pertaining to the Bonds, adopt as and for their respective signatures the facsimiles thereof appearing on the Bonds; and, at the time of the execution of the signature certificate, the Mayor and City Clerk may each adopt as and for his or her facsimile signature the facsimile signature of his or her predecessor in office in the event that such facsimile signature appears upon any of the Bonds. If facsimile signatures are to appear on the Bonds, the Mayor and City Clerk, pursuant to Sections 6-9-1 through 6-9-6, inclusive, NMSA 1978, shall each forthwith file his or her manual signature, certified by him or her under oath, with the Secretary of State of New Mexico, provided that such filing shall not be necessary for any officer where any previous filing shall have application to the Bonds.

No Bond shall be valid or obligatory for any purpose unless the certificate of authentication, substantially in the form hereinafter provided, has been duly executed by the Registrar/Paying Agent. The Registrar/Paying Agent's certificate of authentication shall be deemed to have been duly executed by it if manually signed by an authorized officer of the Registrar/Paying Agent, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds issued hereunder.

Section 5.

A. Books for the registration and transfer of the Bonds shall be kept by the Registrar/Paying Agent, which is hereby appointed by the City as registrar and as paying agent for the Bonds. Upon the surrender for transfer of any Bond at the principal office of the Registrar/Paying Agent, duly endorsed for transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing, the Registrar/Paying Agent shall authenticate and deliver not more than three business days after receipt of the Bond to be transferred in the name of the transferee or transferees a new Bond or Bonds in fully registered form of the same aggregate principal amount of authorized denominations, and of the same maturity, interest rate and series, bearing a number or numbers not contemporaneously outstanding. Bonds may be exchanged at the principal office of the Registrar/Paying Agent for an equal aggregate principal amount of Bonds of other authorized denominations, and of the same maturity, series and interest rate. The Registrar/Paying Agent shall authenticate and deliver not more than three business days after receipt of the Bond to be exchanged a Bond or Bonds which the registered owner making the exchange is entitled to receive, bearing a number or numbers not contemporaneously outstanding. Exchanges and transfers of Bonds as herein provided shall be without charge to the owner or any transferee, but the Registrar/Paying Agent may require the payment or reimbursement by the owner of any Bond requesting exchange or transfer of any transfer fee, tax or other governmental charge required to be paid with respect to such exchange or transfer. The Registrar/Paying Agent shall close the registration books fifteen days prior to each

interest payment date for change of name or address of the registered owners. Transfers shall be permitted within fifteen days prior to each interest payment date but such transfer will not include transfer of interest payable on such interest payment date.

B. The person in whose name any Bond shall be registered on the registration books kept by the Registrar/Paying Agent, shall be deemed and regarded as the absolute owner thereof for the purpose of making payment thereof and for all other purposes except as may otherwise be provided in this ordinance with respect to payment of interest; and payment of or on account of either principal or interest on any Bond shall be made only to or upon the written order of the registered owner thereof or his legal representative, but such registration may be changed upon transfer of such Bond in the manner and subject to the conditions and limitations provided herein. All such payments shall be valid and effectual to discharge the liability upon such Bond to the extent of the sum or sums so paid.

C. If any Bond shall be lost, stolen, destroyed or mutilated, the Registrar/Paying Agent shall, upon receipt of the mutilated Bond and such evidence, information or indemnity relating thereto as it may reasonably require and as may be required by law, authenticate and deliver a replacement Bond or Bonds of a like aggregate principal amount of authorized denominations, and of the same maturity, interest rate and series, bearing a number or numbers not contemporaneously outstanding. If such lost, stolen, destroyed or mutilated Bond shall have matured, the Registrar/Paying Agent may pay such Bond in lieu of replacement.

D. Bonds which are reissued upon transfer, exchange or other replacement shall bear interest from the most recent interest payment date to which interest has been fully paid or provided for in full or, if no interest has been paid, from the Series Date.

E. The officers of the City are authorized to deliver to the Registrar/Paying Agent fully executed but unauthenticated Bonds in such quantities as may be convenient to be held in custody by the Registrar/Paying Agent pending use as herein provided.

F. Whenever any Bond shall be surrendered to the Registrar/Paying Agent upon payment thereof, or to the Registrar/Paying Agent for transfer, exchange or replacement as provided herein, such Bond shall be promptly canceled by the Registrar/Paying Agent, and counterparts of a certificate of such cancellation shall be furnished by the Registrar/Paying Agent to the City.

G. The Bonds may be issued or registered, in whole or in part, in book-entry form from time to time with no physical distribution of bond certificates made to the public, with a depository acting as securities depository for the Bonds. A single certificate for each maturity date of the Bonds issued in book-entry form will be delivered to the depository and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in authorized denominations, with transfer of ownership effected on the books of the depository and its participants ("Participants").

As a condition to delivery of the Bonds in book-entry form, the purchaser will, immediately after acceptance of delivery thereof, deposit, or cause to be deposited, the Bond certificates with the depository, registered in the name of the depository or its nominee. Principal, premium, if any, and interest will be paid to the depository or its nominee as the registered owner of the Bonds. The transfer of principal, premium, if any, and interest payments to Participants will be the responsibility of the depository; the transfer of principal, premium, if any, and interest payments to the beneficial owners of the Bonds (the "Beneficial Owners") will be the responsibility of Participants and other nominees of Beneficial Owners maintaining a relationship with Participants (the "Indirect Participants"). The City will not be responsible or liable for maintaining, supervising or reviewing the records maintained by the depository, Participants or Indirect Participants.

If (i) the Bonds are not eligible for the services of the depository, (ii) the depository determines to discontinue providing its services with respect to the Bonds or (iii) the City determines that a continuation of the system of book-entry transfers through the depository ceases to be beneficial to the City or the Beneficial Owners, the City will either identify another depository or certificates for the Bonds will be delivered to the Beneficial Owners or their nominees, and the Beneficial Owners or their nominees, upon authentication of Bonds and registration of those Bonds in the Beneficial Owners' or nominees' names, will become the owners of the Bonds for all purposes. In that event, the City shall mail an appropriate notice to the depository for notification to Participants, Indirect Participants and Beneficial Owners of the substitute depository or the issuance of bond certificates to Beneficial Owners or their nominees, as applicable.

Authorized Officers of the City are authorized to sign agreements with the depository relating to the matters set forth in this Section.

Notwithstanding any other provision of this ordinance, so long as all of the Bonds are registered in the name of the depository or its nominee, all payments of principal, premium, if any, and interest on the Bonds, and all notices with respect to the Bonds, shall be made and given by the Registrar/Paying Agent or the City to the depository as provided in this ordinance and by the depository to its Participants or Indirect Participants and to the Beneficial Owners of the Bonds.

Section 6. If the Registrar/Paying Agent initially appointed hereunder shall resign, or if the City shall reasonably determine that said Registrar/Paying Agent has become incapable of fulfilling its duties hereunder, the City may, upon notice mailed to each registered owner of Bonds at the address last shown on the registration books, appoint a successor registrar/paying agent. Every such successor registrar/paying agent shall be a bank or trust company located in and in good standing in the United States and having shareholders' equity (e.g., capital stock, surplus and undivided profits), however denominated, of not less than \$10,000,000.

Section 7. Subject to the registration provisions hereof, the Bonds hereby authorized shall be fully negotiable and shall have all the qualities of negotiable paper, and the registered owner or owners thereof shall possess all rights enjoyed by the holders of negotiable instruments under the provisions of the Uniform Commercial Code.

Section 8. The Bonds shall be in substantially the following form:

[Form of Bond]

REGISTERED

REGISTERED

NO. R-__

\$_____

UNITED STATES OF AMERICA
STATE OF NEW MEXICO
CITY OF SANTA FE
SANTA FE COUNTY, NEW MEXICO
GENERAL OBLIGATION BONDS
SERIES 2013

Registered Owner: _____

Principal Amount: _____ DOLLARS

Interest Rate	Maturity Date	Series Date	CUSIP
_____% per annum	_____	_____, 2013	_____

The City Council of the City of Santa Fe (the "City Council"), on the faith, credit and behalf of the City of Santa Fe, Santa Fe County, New Mexico (the "City"), for value received, hereby promises to pay to the registered owner named above, or registered assigns, the principal amount hereof on the Maturity Date and to pay interest on the principal amount at the Interest Rate on February 1, 2014, and thereafter on August 1 and February 1 of each year (the "Interest Payment Date") from the Series Date to its maturity. The principal of the bonds of the series of which this is one (the "Bonds") and interest due at maturity shall be payable to the registered owner thereof as shown on the registration books kept by BOKF, NA dba Bank of Albuquerque, as "registrar/paying agent" (such registrar/paying agent and any successor thereto, the "Registrar/Paying Agent") for the Bonds, upon maturity and upon presentation and surrender thereof at the principal office of the Registrar/Paying Agent. If any Bond shall not be paid upon such presentation and surrender at or after maturity, it shall continue to draw interest at the rate borne by said Bond until the principal thereof is paid in full. Payment of interest on the Bonds (other than at maturity) shall be made by check or draft mailed by the Registrar/Paying Agent (or by such other arrangement as may be mutually agreed to by the Registrar/Paying Agent and such registered owner), on or before each Interest Payment Date (or, if such Interest Payment Date is not a business day, on or before the next succeeding business day), to the registered owner thereof as of the close of business on the Record Date (defined below) at his address as it appears on the registration books kept by the Registrar/Paying Agent. All such payments shall be made in lawful money of the United States of America. The term "Record Date" as used herein with respect to any Interest Payment Date shall mean the 15th day of the month preceding the Interest Payment Date. The person in whose name any Bond is registered at the close of business

on any Record Date with respect to any Interest Payment Date shall be entitled to receive the interest payable thereon on such Interest Payment Date notwithstanding any transfer or exchange thereof subsequent to such Record Date and prior to such Interest Payment Date; but interest on any Bond which is not timely paid or duly provided for shall cease to be payable as provided above and shall be payable to the person in whose name such Bond is registered at the close of business on a special record date (the "Special Record Date") fixed by the Registrar/Paying Agent for the payment of any such overdue interest. The Special Record Date shall be fixed by the Registrar/Paying Agent whenever moneys become available for payment of overdue interest, and notice of any such Special Record Date shall be given not less than ten days prior thereto, by first-class mail, to the registered owners of the Bonds as of the fifth day preceding the mailing of such notice by the Registrar/Paying Agent, stating the Special Record Date and the date fixed for the payment of overdue interest.

The Bonds are fully registered and are issuable in denominations of \$5,000 and any integral multiple thereof (provided that no individual bond may be issued for more than one maturity).

The series of Bonds of which this bond is one is limited to the total principal amount of \$12,000,000 of like tenor except as to number, denomination, maturity date, and interest rate, issued by the City, for the purposes of providing funds (1) in the amount of \$9,200,000 to acquire land for, and to plan, design, build, equip, renovate and improve public parks, bike-pedestrian trails and related infrastructure in the City and (2) in the amount of \$2,800,000 to acquire, install, construct, upgrade and improve sustainable environment projects, including renewable energy, arroyo drainage and watershed security projects. The Bonds are issued under the authority of and in full conformity with the Constitution and laws of the State of New Mexico (particularly Sections 3-30-1 through 3-30-9 NMSA 1978, the provisions of Sections 6-15-1 through 6-15-22 NMSA 1978, and acts amendatory and supplemental thereto), and pursuant to an ordinance of the City Council duly adopted and made a law of the City prior to the issuance of this bond (the "Bond Ordinance").

The Bonds maturing on or after August 1, 2024, are subject to prior redemption at the City's option on and after August 1, 2023, in whole or in part at any time, in one or more units of principal of \$5,000 in such order of maturities as the City may determine (and by lot if less than all of the Bonds of any maturity are called, such selection by lot to be made by the Registrar/Paying Agent in such manner as it shall consider appropriate and fair). The purchase price for Bonds selected for redemption will be equal to the principal amount of each bond (or portion thereof) so redeemed, plus accrued interest thereon to the redemption date, without any premium.

The Registrar/Paying Agent will maintain the books of the City for the registration of ownership of the Bonds. Upon the surrender for transfer of any Bond at the principal office of the Registrar/Paying Agent, duly endorsed for transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing, the Registrar/Paying Agent shall authenticate and deliver not more than three business days after receipt of the Bond to be transferred in the name of

the transferee or transferees a new Bond or Bonds in fully registered form of the same aggregate principal amount of authorized denominations, and of the same maturity, interest rate and series, bearing a number or numbers not contemporaneously outstanding. Bonds may be exchanged at the principal office of the Registrar/Paying Agent for an equal aggregate principal amount of Bonds of other authorized denominations, and of the same maturity, series and interest rate. The Registrar/Paying Agent shall authenticate and deliver not more than three business days after receipt of the Bond to be exchanged a Bond or Bonds which the registered owner making the exchange is entitled to receive, bearing a number or numbers not contemporaneously outstanding. Exchanges and transfers of Bonds as herein provided shall be without charge to the owner or any transferee, but the Registrar/Paying Agent may require the payment or reimbursement by the owner of any Bond requesting exchange or transfer of any transfer fee, tax or other governmental charge required to be paid with respect to such exchange or transfer. The Registrar/Paying Agent shall close the registration books fifteen days prior to each Interest Payment Date for change of name or address of the registered owners. Transfers shall be permitted within fifteen days prior to each Interest Payment Date but such transfer will not include transfer of interest payable on such Interest Payment Date.

The person in whose name any Bond shall be registered on the registration books kept by the Registrar/Paying Agent, shall be deemed and regarded as the absolute owner thereof for the purpose of making payment thereof and for all other purposes except as may otherwise be provided with respect to payment of interest; and payment of or on account of either principal or interest on any Bond shall be made only to or upon the written order of the registered owner thereof or his legal representative, but such registration may be changed upon transfer of such Bond in the manner and subject to the conditions and limitations provided herein. All such payments shall be valid and effectual to discharge the liability upon such Bond to the extent of the sum or sums so paid.

If any Bond shall be lost, stolen, destroyed or mutilated, the Registrar/Paying Agent shall, upon receipt of the mutilated Bond and such evidence, information or indemnity relating thereto as it may reasonably require and as may be required by law, authenticate and deliver a replacement Bond or Bonds of a like aggregate principal amount of authorized denominations, and of the same maturity, interest rate and series, bearing a number or numbers not contemporaneously outstanding. If such lost, stolen, destroyed or mutilated Bond shall have matured, the Registrar/Paying Agent may pay such Bond in lieu of replacement.

For the punctual payment of the principal of and interest on this bond as aforesaid and for the levy and collection of taxes in accordance with the statutes authorizing the issuance of this bond, the full faith and credit of the City is hereby irrevocably pledged. The City Council has, by the Bond Ordinance, ordered the creation of an interest and sinking fund for the payment of the Bonds. Such fund is to be held in trust for the benefit of the owner or owners of the Bonds.

It is hereby certified, recited and warranted that all the requirements of law have been complied with by the proper officials of the City in the issuance of this bond; that

the total indebtedness of the City, including that of this bond, does not exceed any limit of indebtedness prescribed by the Constitution or laws of the State of New Mexico; that provision has been made for the levy and collection of annual taxes sufficient to pay the principal of and the interest on this bond when the same become due. This bond shall not be valid or obligatory for any purpose until the Registrar/Paying Agent shall have manually signed the certificate of authentication hereon.

IN TESTIMONY WHEREOF, the City Council of the City of Santa Fe, in Santa Fe County, New Mexico, constituting the governing board of the City, has caused the seal of the City to be hereto affixed and this bond to be signed and executed with the facsimile or manual signature of the Mayor of the City and subscribed and attested with the facsimile or manual signature of the City Clerk, all as of the Series Date.

CITY COUNCIL OF THE
CITY OF SANTA FE, NEW MEXICO

[SEAL]

By _____
Mayor

ATTEST:

By _____
City Clerk

[Form of Certificate of Authentication]

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds described in the Bond Ordinance and has been duly registered on the registration books kept by the undersigned as Registrar/Paying Agent for the Bonds.

Date of Authentication and
Registration: _____

BOKF, NA dba Bank of Albuquerque,
as Registrar/Paying Agent

By _____
Authorized Officer

[End of Form of Certificate of Authentication]

[Form of Assignment]

ASSIGNMENT

For value received, the undersigned sells, assigns and transfers unto
_____ whose social security or tax identification number is
_____ the within bond and irrevocably constitutes and appoints
_____ attorney to transfer such bond on the books kept for registration
thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

NOTE: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

[End of Form of Assignment]

[End of Form of Bond]

Section 9. When the Bonds have been duly executed and authenticated, they shall be delivered to the lawful purchaser thereof named in Section 1 of this ordinance. The funds realized from the sale of the Bonds shall be applied solely to the specified purposes for the Bonds, but the purchaser of the Bonds shall in no manner be responsible for the application of or disposal by the City, or any of its officers, of any of the funds derived from the sale thereof.

Section 10. In order to pay the principal of and interest on the Bonds as they become due and, at the option of the City, to reimburse the general fund or other funds for the payment of principal of or interest on the Bonds for which property taxes were not available, there shall be an annual assessment and levy upon all of the taxable property of the City subject to taxation which provides an amount sufficient to pay the principal of and the interest on the Bonds as they become due and payable. However, the City may, at its option, apply any other funds lawfully available for the purpose to the payment of principal or interest on the Bonds as they become due, and the levies required by this Section may be reduced to the extent other revenues are or will be available and used for payment of the Bonds. To the extent property taxes are not available for the purpose, the principal of and interest accruing on the Bonds shall be paid from the City's general fund or from any other fund lawfully available for that purpose. The taxes shall be assessed, levied and collected annually at the time and in the manner as other City taxes are assessed, levied and collected. Annually, the City Council shall take all reasonable action to insure the levy and collection of taxes by the governmental authority charged with legal responsibility to levy and collect taxes in amounts sufficient at the time to pay the principal of and interest on the Bonds. The money produced by the levy of taxes provided in this Section to pay the principal of and interest on the Bonds is appropriated for that purpose and that amount shall be included in the annual budget adopted and passed by the City Council each year. The taxes collected shall be maintained in an interest and sinking fund, which is hereby created, and kept for and applied only to the payment of the principal of and interest on the Bonds when due and as otherwise required or permitted by law.

Section 11. The Mayor, City Clerk and other officers of the City be and they hereby are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the deposit of the proceeds of the Bonds, into separate acquisition funds for payment of the costs of each purpose funded by the Bonds and the costs of issuance of the Bonds, the execution and delivery of a continuing disclosure undertaking to enable the purchaser of the Bonds to comply with Securities and Exchange Commission Rule 15c2-12(b)(5), the printing of the Bonds, the execution of an official statement of the City relating to the Bonds and the execution of such certificates as may be required by the Bond purchasers relating to the signing of the Bonds, the tenure and identity of City officials, the receipt of the purchase price of the Bonds from the purchasers and the absence of litigation, pending or threatened, if in accordance with the facts, affecting the validity thereof and the absence and existence of factors affecting the exclusion of interest on the Bonds from gross income for federal income tax purposes.

Section 12. The City covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary so that the Bonds will not constitute arbitrage bonds under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The Mayor, City Clerk and any other officer of the City having responsibility for the issuance of the Bonds shall give an appropriate certificate of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of interest on the Bonds.

The City covenants that it (a) will take or cause to be taken such actions which may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, and (b) will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield, as required, on investment property acquired with those proceeds, (iii) make timely rebate payments, if required, to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code. The Mayor and City Clerk and other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications, as may be appropriate to assure such exclusion of that interest.

Section 13. Any Bond and the interest thereon shall be deemed to be paid, retired, and no longer outstanding (a "Defeased Bond") hereunder when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity, upon redemption, or other) either (i) shall have been made or caused to be made in accordance with the terms thereof (including the giving of any required notice of redemption), or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to a qualified depository for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Government Obligations which mature as to principal and interest in such amounts and at such times as will ensure the availability, without reinvestment, of sufficient money to provide for such payment (as verified by a certified or registered public accountant), and when proper arrangements have been made by the City with a qualified depository for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of the ad valorem taxes herein levied and pledged as provided in this ordinance, and such principal and interest shall be payable solely from such money or Government Obligations.

Any moneys so deposited with the qualified depository may, at the written direction of the City, also be invested in Government Obligations, maturing in the amounts and times required to make payments when due on the Defeased Bonds, and all income from such Government Obligations received by the qualified depository which is

not required for the payment of the Defeased Bonds and interest thereon, with respect to which such money has been so deposited, shall be turned over to the City for deposit in the interest and sinking fund for payment of principal and interest on the Bonds. The term "Government Obligations" means direct obligations of the United States of America, including obligations the principal of and interest on which are unconditionally guaranteed by the United States of America which may be United States Treasury Obligations such as its State and Local Government Series, which may be in book-entry form.

Section 14. Moneys in any fund not immediately needed may be invested as provided by state law and applicable federal statutes and regulations, provided that the City Council and the City hereby covenant to the purchasers and the holders of the Bonds from time to time that the City will make no use of the proceeds of the Bonds or any funds reasonably expected to be used to pay the principal of or interest on the Bonds which will cause the Bonds to be arbitrage bonds within the meaning of Section 148 of the Code, as amended, or which would adversely affect the tax status of interest on the Bonds under the Code. This covenant is for the benefit of the purchasers and the holders of the Bonds from time to time.

Section 15. After any of the Bonds have been issued, this ordinance shall constitute a contract between the City and the holder or holders of the Bonds and shall be and remain irrevocable and unalterable until the Bonds and the interest thereon shall have been fully paid, satisfied and discharged, defeased or until such payment has been duly provided for.

Section 16. If any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 17. The following notice shall be published one time in a newspaper having general circulation in the City as soon as is practicable following the adoption hereof and this ordinance shall be effective five days after such publication as provided by law.

[Form of Notice]

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the City Council of the City of Santa Fe, Santa Fe County, New Mexico, did on the 12th day of June, 2013, adopt an ordinance entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF SANTA FE, NEW MEXICO, GENERAL OBLIGATION BONDS, SERIES 2013, IN THE PRINCIPAL AMOUNT OF \$12,000,000, PAYABLE FROM AD VALOREM TAXES LEVIED ON ALL TAXABLE PROPERTY WITHIN THE CITY, LEVIED WITHOUT LIMIT AS TO RATE OR AMOUNT; PROVIDING FOR THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE MANNER OF THEIR EXECUTION, AND THE METHOD OF, AND SECURITY FOR, PAYMENT; PROVIDING FOR THE AWARD AND SALE OF THE BONDS TO THE PURCHASER AND THE PRICE TO BE PAID BY THE PURCHASER FOR THE BONDS; AND PROVIDING FOR OTHER DETAILS CONCERNING THE BONDS.

The Ordinance directs and authorizes the issuance of City of Santa Fe, General Obligation Bonds in the aggregate principal amount of \$12,000,000; awards the sale of the bonds to the best bidder therefor and provides for the delivery thereof; provides for the form of the bonds; provides for levy of taxes to pay the principal of and interest on the bonds; makes certain covenants with the bond purchaser; and provides other details concerning the bonds. Complete copies of the Ordinance are available for public inspection during normal and regular business hours at the offices of the City of Santa Fe, New Mexico. This notice constitutes compliance with Section 6-14-6 NMSA 1978.

DATED this 12th day of June, 2013.

CITY OF SANTA FE, NEW MEXICO

By _____
City Clerk

Section 18. All acts and resolutions in conflict with this ordinance are hereby rescinded, annulled and repealed.

PASSED, ADOPTED AND APPROVED this 12th day of June, 2013.

CITY OF SANTA FE, NEW MEXICO

[SEAL]

By _____
Mayor

ATTEST:

By _____
City Clerk

Councilor _____ then seconded the motion to adopt the foregoing ordinance introduced and moved for adoption by Councilor _____.

The motion to adopt said ordinance upon being put to a vote was passed and adopted on the following recorded vote:

Those Voting Aye:

Those Voting Nay:

Those Absent:

_____ (____) members of the City Council having voted in favor of said motion, the presiding officer declared said motion carried and said ordinance adopted, whereupon the Mayor and City Clerk signed the foregoing proceedings and ordinance upon the records of the minutes of the City Council.

After transaction of other business not related to the bond issue, the City Council, upon motion duly made, seconded and carried, adjourned the meeting.

CITY COUNCIL OF THE
CITY OF SANTA FE, NEW MEXICO

[SEAL]

By _____
Mayor

ATTEST:

By _____
City Clerk

STATE OF NEW MEXICO)
COUNTIES OF SANTA FE) ss.
CITY OF SANTA FE)

I, Yolanda Y. Vigil, the duly qualified and acting Clerk of the City of Santa Fe (the "City"), State of New Mexico, do hereby certify:

1. The foregoing pages are a true, perfect and complete copy of the record of the proceedings of the City Council of the City of Santa Fe (the "City Council"), constituting the governing board of the City had and taken at a duly called regular meeting held at 200 Lincoln Avenue, Santa Fe, New Mexico, commencing on the 12th day of June, 2013, at the hour of 7:00 p.m., insofar as the same relate to the proposed bond issue, a copy of which is set forth in the regular book of official records of the proceedings of the City Council kept in my office. None of the action taken has been rescinded, repealed or modified.

2. The proceedings and the meeting were duly held and the persons therein named were present at said meeting, as therein shown.

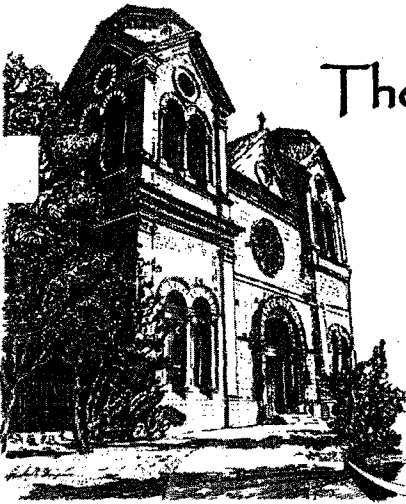
3. Notice of such meeting was given in accordance with the open meetings standards of the City presently in effect, i.e., City Resolution No. 2013-1.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the City this 12th day of June, 2013.

CITY OF SANTA FE, NEW MEXICO

[SEAL]

By _____
City Clerk



The Cathedral Basilica of St. Francis of Assisi

Parish founded in 1610

Church established as a Cathedral in 1853

Elevated to Basilica in 2005



June 7, 2013

Re: Goler Event

Dear Sir or Madam,

Our neighbor, La Casa Sena, has asked our permission to process a picnic license on behalf of Goler Fine Shoes. Goler is hosting a reception on June 21, 2013, from 5:00p.m. - 7:00p.m., for a SWAIA Benefit and has asked La Casa Sena to provide the beverage service.

We are fine with this event going forward and with La Casa Sena providing alcoholic beverage service for this event.

Sincerely in Christ,

Fr. Adam Lee Ortega y Ortiz

Very Rev. Adam Lee Ortega y Ortiz
Rector

P.O. Box 2127, Santa Fe, New Mexico 87504-2127
Phone: 505-982-5619 FAX 505-989-1952



Exhibit "L"

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO SUBSTITUTE BILL NO. 2013-25
(Leagues/City Sports Fields)

Mayor and Members of the City Council:

I propose the following amendment(s) to Councilor Dominguez's Amendment Sheet (page 5 of the Council packet) for Substitute Bill No. 2013-25:

1. Amendment to item #3 shall read:
 3. On page 8, line 5, *insert* the following provision:
"F. *Noncompliance.* A league or school that does not comply with the requirements of Article 23-7 SFCC 1987 shall not be granted a permit to use sports fields at the MRC *or the league or school permit may be suspended.*"
2. Amendment to item #6 shall read:
 6. On page 11, line 12, *insert* the following provisions:
"D. *Noncompliance.* A league or school that does not comply with the requirements of Section 23-4.12 SFCC 1987 shall not be granted a permit to use city sports fields *or the league or school permit may be suspended.*
E. *Priority of Use of City Sports Fields, other than the MRC Sports Fields.* City sports fields shall be prioritized for youth league and school use."

I propose the following amendment to Substitute Bill No. 2013-25:

1. On page 7, line 20, *insert* the following:
"(3) All leagues and schools shall be responsible, on an as-used basis, for clean-up of trash and litter directly related to their use of a sports field. The clean-up shall include proper separation of recyclables from trash."
2. On page 11, line 12, *insert* the following:
"(4) All leagues and schools shall be responsible, on an as-used basis, for clean-up of trash and litter directly related to their use of a sports field. The clean-up shall include proper separation of recyclables from trash."

Respectfully submitted,

Chris Calvert, Councilor

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

Yolanda Y. Vigil, City Clerk

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO SUBSTITUTE BILL NO. 2013-25
(Leagues/City Sports Fields)

Mayor and Members of the City Council:

I propose the following amendment to Substitute Bill No. 2013-25:

1. On page 11, line 12, *insert* the following:

“(c) Copy of educational material provided by the city related to the disposal of solid waste and recycling which outlines the leagues and schools responsibility to dispose of solid waste and promote recycling.”

Respectfully submitted,

Carmichael Dominguez, Councilor

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

Yolanda Y. Vigil, City Clerk



**CITY COUNCIL MEETING OF
JUNE 12, 2013
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY**

Mayor David Coss		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Patti Bushee		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION DIRECTING CITY OF SANTA FE PUBLIC SAFETY STAFF TO DEVELOP A PUBLIC SAFETY APPRENTICESHIP PROGRAM THAT WILL BENEFIT RESIDENTS OF SANTA FE AND DIRECTING THE CITY MANAGER TO EXPLORE THE OPTIONS FOR ESTABLISHING APPRENTICESHIP PROGRAMS IN OTHER AREAS OF THE CITY.	Finance – 8/1/13 Public Safety – 7/16/13 Council – 7/31/13
	A RESOLUTION DIRECTING STAFF TO DRAFT AMENDMENTS TO THE CITY CODE AND THE ESTABLISHED POLICIES AND PROCEDURES RELATED TO COMMUNITY GARDENS TO INCLUDE PROVISIONS RELATED TO THE ESTABLISHMENT OF A PERMITTED USE IN CERTAIN ZONING DISTRICTS FOR FARM STANDS; AND DIRECTING STAFF TO COLLABORATE WITH LOCAL NON-PROFIT ORGANIZATIONS TO DEVELOP A LOCAL FARM STAND PLAN SO THE RESIDENTS OF SANTA FE WILL HAVE THE ABILITY TO PURCHASE FRESH PRODUCE.	Food Policy Council – 6/27/13 Public Works – 6/24/13 Finance – 7/1/13 Council – 7/10/13
Councilor Chris Calvert		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION ENCOURAGING THE UNITED STATE OF AMERICA VETERANS' ADMINISTRATION TO SUPPORT THE EXPANSION OF THE SANTA FE COMMUNITY BASED OUTPATIENT CLINIC ("CBOC") THAT IS DESIGNED TO DELIVER PRIMARY CARE SERVICES TO ELIGIBLE VETERANS AND TO SUPPORT CONTINUED COLLABORATION OF COMPREHENSIVE SERVICES OFFERED BETWEEN THE SANTA FE VET CENTER AND THE SANTA FE CBOC.	Council – 6/26/13

Councilor Chris Calvert Continued		
Co-Sponsors	Title	Tentative Committee Schedule
	<p>AN ORDINANCE</p> <p>RELATING TO THE CAMPAIGN CODE, ARTICLE 9-2 SFCC 1987; AMENDING SECTION 9-2.3 TO AMEND THE DEFINITION OF CONTRIBUTION; AMENDING SECTION 9-2.9 TO AMEND THE DUTIES OF THE CAMPAIGN TREASURER AND DEPUTY TREASURER; AMENDING 9-2.11 TO AMEND THE REQUIREMENTS FOR THE CONTENTS OF THE CAMPAIGN FINANCE STATEMENT AND AMENDING SECTION 9-2.12 TO EXEMPT JUDICIAL CANDIDATES FROM SIGNING CAMPAIGN FINANCE STATEMENTS.</p> <p>RELATING TO THE PUBLIC CAMPAIGN FINANCE CODE, ARTICLE 9-3 SFCC 1987; AMENDING SECTION 9-3.3 TO AMEND THE DEFINITION OF CONTRIBUTION; AMENDING SECTIONS 9-3.6, 9-3.7, 9-3.8 AND 9-3.10 TO CLARIFY REQUIREMENTS FOR UNSPENT SEED MONEY; AMENDING SECTION 9-3.11 TO CLARIFY THE REQUIRED DISPOSITION OF UNSPENT PAYMENTS FROM THE FUND AND CAPITAL ASSETS PURCHASED WITH THOSE PAYMENTS; AND AMENDING SECTION 9-3.14 TO REQUIRE THAT THE DATE SHALL BE INCLUDED ON ALL REPORTS OF EXPENDITURES.</p>	<p>Council (request to publish) -- 6/26/13</p> <p>Council (public hearing) -- 7/31/13</p>
Councilor Bill Dimas		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Carmichael Dominguez		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Peter Ives		
	<p>AN ORDINANCE</p> <p>RELATING TO CHAPTER VI SFCC 1987, BOARDS, COMMITTEES AND COMMISSIONS; CREATING A NEW ARTICLE 6-5 SFCC 1987 TO ESTABLISH THE CITY OF SANTA FE AUDIT COMMITTEE.</p>	<p>Audit Committee -- 7/3/13</p> <p>Finance -- 7/15/13</p> <p>Council (request to publish) -- 7/31/13</p> <p>Council (public hearing) -- 8/27/13</p>
	<p>A RESOLUTION</p> <p>AMENDING RESOLUTION 2010-83 TO REPEAL THE ESTABLISHMENT OF THE CITY AUDIT COMMITTEE.</p>	<p>Audit Committee -- 7/3/13</p> <p>Finance -- 7/15/13</p> <p>Council -- 8/27/13</p>

Councilor Chris Rivera		
Co-Sponsors	Title	Tentative Committee Schedule
	AN ORDINANCE RELATING TO THE LAND DEVELOPMENT CODE, CHAPTER 14 SFCC 1987, AMENDING SUBSECTION 14-6.3(B)(2)(c) TO CLARIFY RESTRICTIONS ON THE PARKING OF COMMERCIAL OR INDUSTRIAL VEHICLES IN RESIDENTIAL DISTRICTS; ADDING A NEW SUBSECTION 14-6.3(D)(2)(c)(vii) TO ALLOW THE PARKING OF CERTAIN TYPES OF TOWING VEHICLES RELATED TO HOME OCCUPATION BUSINESSES IN RESIDENTIAL DISTRICTS; AND MAKING SUCH OTHER STYLISTIC OR GRAMMATICAL CHANGES THAT ARE NECESSARY.	Planning Commission – 7/11/13 Public Safety – 7/16/13 Public Works – 7/29/13 Council (request to publish) – 7/31/13 Council (public hearing) – 8/27/13
Councilor Ron Trujillo		
Co-Sponsors	Title	Tentative Committee Schedule
	RELATING TO THE NEW MEXICO LITTER CONTROL AND BEAUTIFICATION ACT OF 1985 WHICH AUTHORIZES THE USE OF PUBLIC FUNDS IN THE FORM OF GRANTS FOR THE PURPOSE OF ENHANCING LOCAL LITTER CONTROL AND BEAUTIFICATION PROGRAMS; AUTHORIZING KEEP SANTA FE BEAUTIFUL TO PLAN, BUDGET AND APPLY FOR A GRANT PURSUANT TO THE NEW MEXICO LITTER CONTROL AND BEAUTIFICATION ACT.	Public Utilities – 7/3/13 Finance – 7/15/13 Council – 7/31/13
Councilor Rebecca Wurzbarger		
Co-Sponsors	Title	Tentative Committee Schedule

Introduced legislation will be posted on the City Attorney's website, under legislative services. 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.

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2013-__

INTRODUCED BY:

Councilor Chris Calvert

A RESOLUTION

ENCOURAGING THE UNITED STATE OF AMERICA VETERANS' ADMINISTRATION TO SUPPORT THE EXPANSION OF THE SANTA FE COMMUNITY BASED OUTPATIENT CLINIC ("CBOC") THAT IS DESIGNED TO DELIVER PRIMARY CARE SERVICES TO ELIGIBLE VETERANS AND TO SUPPORT CONTINUED COLLABORATION OF COMPREHENSIVE SERVICES OFFERED BETWEEN THE SANTA FE VET CENTER AND THE SANTA FE CBOC.

WHEREAS, the Santa Fe Community Based Outpatient Clinic (CBOC) is designed to deliver primary care services to eligible veterans; and

WHEREAS, services provided by the Santa Fe CBOC include blood draws, electrocardiograms, evaluations by doctors, immunizations and routine lab tests; and

WHEREAS, veterans who live throughout the Santa Fe area receive services from the Santa Fe CBOC; and

WHEREAS, the Governing Body is honored to have these veterans who have served our nation valiantly live in our community; and

1 **WHEREAS**, our veterans have earned the right to quality local healthcare; and

2 **WHEREAS**, the United States Veterans' Administration is tasked with providing such care
3 to all veterans; and

4 **WHEREAS**, the current Santa Fe CBOC is too small to provide adequate services to our
5 veterans; and

6 **WHEREAS**, many of our veterans are forced to travel to Albuquerque to obtain quality
7 veterans' healthcare services; and

8 **WHEREAS**, the Governing Body of the City of Santa Fe believes that expanding the Santa
9 Fe CBOC into a new, larger, and modern VA clinic is in the best interests of the citizens and veterans
10 of Santa Fe, New Mexico.

11 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
12 **CITY OF SANTA FE** that the Governing Body hereby formally expresses its gratitude and support
13 to those armed services veterans living in and visiting Santa Fe, New Mexico.

14 **BE IT FURTHER RESOLVED** that the Governing Body encourages the United States
15 Veterans' Administration to support the expansion of the Santa Fe CBOC that is designed to deliver
16 primary care services to eligible veterans and for the VA to support the continued collaboration of
17 comprehensive services offered between the Santa Fe Vet Center and the Santa Fe CBOC.

18 **BE IT FURTHER RESOLVED** that the City Clerk is hereby directed to forward a copy of
19 this resolution to the City's Congressional Delegation and the Secretary of the United States
20 Veterans' Administration.

21 PASSED, APPROVED and ADOPTED this ____ day of _____, 2013.

22
23 _____
24 DAVID COSS, MAYOR
25

1 ATTEST:

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4 _____
YOLANDA Y. VIGIL, CITY CLERK

5 APPROVED AS TO FORM:

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8 _____
GENO ZAMORA, CITY ATTORNEY

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25 *M/Melissa/Resolutions 2013/VA Clinic*

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2013-__

INTRODUCED BY

Councilor Chris Calvert

AN ORDINANCE

RELATING TO THE CAMPAIGN CODE, ARTICLE 9-2 SFCC 1987; AMENDING SECTION 9-2.3 TO AMEND THE DEFINITION OF CONTRIBUTION; AMENDING SECTION 9-2.9 TO AMEND THE DUTIES OF THE CAMPAIGN TREASURER AND DEPUTY TREASURER; AMENDING 9-2.11 TO AMEND THE REQUIREMENTS FOR THE CONTENTS OF THE CAMPAIGN FINANCE STATEMENT AND AMENDING SECTION 9-2.12 TO EXEMPT JUDICIAL CANDIDATES FROM SIGNING CAMPAIGN FINANCE STATEMENTS; AND

RELATING TO THE PUBLIC CAMPAIGN FINANCE CODE, ARTICLE 9-3 SFCC 1987; AMENDING SECTION 9-3.3 TO AMEND THE DEFINITION OF CONTRIBUTION; AMENDING SECTIONS 9-3.6, 9-3.7, 9-3.8 AND 9-3.10 TO CLARIFY REQUIREMENTS FOR UNSPENT SEED MONEY; AMENDING SECTION 9-3.11 TO CLARIFY THE REQUIRED DISPOSITION OF UNSPENT PAYMENTS FROM THE FUND AND CAPITAL ASSETS PURCHASED WITH THOSE PAYMENTS; AND AMENDING SECTION 9-3.14 TO REQUIRE THAT THE DATE SHALL BE INCLUDED ON ALL REPORTS OF EXPENDITURES.

1 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

2 Section 1. Section 9-2.3 SFCC 1987 (being Ord. #1998-41, §3, as amended) is
3 amended to read:

4 9-2.3 Definitions.

5 As used in the Campaign Code:

6 A. Anonymous contribution means a contribution for which any of the information
7 required to be recorded or reported by the Campaign Code is unknown to the persons who are
8 required to record or report it.

9 [A]B. Ballot proposition means any measure, amendment or other question submitted to, or
10 proposed for submission to, a popular vote at a Santa Fe election.

11 [B]C. Campaign depository means a bank, mutual savings bank, savings and loan
12 association or credit union doing business in this state under which a campaign account or accounts
13 are maintained.

14 [C]D. Campaign finance statement means a report of all contributions received and
15 expenditures made according to a form prescribed by the city clerk which, when completed and filed,
16 provides the information required in the sections to follow.

17 [D]E. Campaign materials means any published communication, electronic or otherwise,
18 disseminated to more than one hundred (100) persons that either supports the election or defeat of any
19 identifiable candidate or candidates or supports the approval or defeat of a ballot proposal, other than
20 communications to, or editorials, reports, or commentary by news media.

21 [E]F. Campaign treasurer and deputy campaign treasurer means the individual who is
22 responsible for keeping the financial records of the political committee or candidate (the candidate
23 may be their own campaign treasurer or deputy campaign treasurer).

24 [F]G. Candidate means any individual who seeks election to a Santa Fe municipal office.
25 An individual shall be a candidate when they:

- (1) Announce publicly;
- (2) File for office;
- (3) When contributions are accepted or expenditures made; or
- (4) Any activity is held to promote an election campaign of an individual if that activity is endorsed or supported by that person or if the benefits of such activity are later accepted by such person.

H. Charity means an organization that is exempted from federal taxation by Title 26 United States Code, section 501(c)(3).

[G]. Contribution means a loan, loan guarantee, gift, advance, pledge, contract, agreement or promise of money or anything of value or other obligation, whether or not legally enforceable, made directly or indirectly, to a candidate or political committee for the purpose of influencing the outcome of a municipal election.

(1) The term "contribution" includes:

(a) The transfer of funds or anything of value between political committees;

(b) The transfer of anything of value ~~/, including personal and professional services,~~ for less than full consideration;

(c) Interest, dividends or other income derived from the investment of campaign funds;

(d) The payment for the services of an individual serving on behalf of a candidate or political committee, which payments are made by a third party; and

(e) The purchase ~~[of over twenty-five dollars (\$25.00)]~~ of tickets for fundraising events such as dinners, rallies, raffles, etc. and the proceeds of collections at fundraising events ~~[which are not otherwise reported]~~.

(2) The term "contribution" does not include:

(a) A volunteer's personal services provided without compensation or the travel or personal expenses of such a campaign worker; and

(b) The cost of an event held in honor of or on behalf of a candidate when the total cost of the event amounts to no more than two hundred dollars (\$200.).

[H]J. *Contributor* means:

(1) *Individual contributor* means an individual who makes a contribution from their personal assets which are not those of a business, corporation, partnership ~~/s/~~ or political committee.

(2) *Business contributor* means an individual who uses the assets of ~~[their]~~ a business, corporation, partnership ~~/s/~~ or political committee ~~[or PAC]~~ as a contribution or any business, corporation, partnership ~~/s/~~ or political committee ~~[or PAC]~~ which makes a contribution.

[H]K. *Election* means any regular or special Santa Fe municipal election.

[H]L. *Election period* means the fifty-six (56) days before a municipal election is held.

[K]M. *Expenditure* means a payment or transfer of anything of value in exchange for goods, services, property, facilities or anything of value for the purpose of assisting, benefiting or honoring any public official or candidate, or assisting in furthering or opposing any election campaign for a candidate or ballot proposition. This includes contributions, subscriptions, distributions, loans, advances, deposits, or gifts of money or anything of value, and includes a contract, a promise or agreement, whether or not legally enforceable, to make an expenditure. The term "expenditure" also means the transfer of funds or anything of value between political committees. In determining the dollar value of an expenditure, only that proportion of a payment or transfer of anything of value that is directly related to the campaign shall be considered an expenditure.

[L]N. *Political committee* means any entity formed for the principal purpose of:

(1) Raising or collecting, and expending or contributing money or anything of

value for supporting the election or defeat of any identifiable candidate or candidates or for supporting the approval or defeat of ballot propositions; or

(2) Coordinating or cooperating in efforts to support the election or defeat of any identifiable candidates or of supporting the approval or defeat of any ballot proposition.

Section 2. Section 9-2.9 SFCC 1987 (being Ord. #1998-41, §7, as amended) is amended to read:

9-2.9 Campaign Treasurer; Deputy Campaign Treasurer; Duties.

A. The campaign treasurer or deputy campaign treasurer shall keep a true and full record of contributions and expenditures. The record of contributions and expenditures required to be kept under the terms of the Campaign Code shall include but not be limited to:

(1) The full name and complete mailing address and principal business or occupation of every individual contributor [~~of an amount of twenty-five dollars (\$25.00) or more or an aggregate of contributions of a single contributor totaling twenty-five dollars (\$25.00) or more~~] for the period of time beginning with the acceptance of the first contribution;

(2) The full name, [~~and~~] complete mailing address of every business [~~and political committee which contributes twenty-five dollars (\$25.00) or more or an aggregate of contributions from a business and or political committee totaling twenty-five dollars (\$25.00) or more~~] contributor for the period of time beginning with the acceptance of the first contribution;

(3) The date of receipt, amount and form of every contribution;

(4) The aggregate donated by each such contributor [~~Contributions of less than twenty-five dollars (\$25.00) from any individual or from any business or political committee in any campaign shall be reported as a lump sum without identifying the contributor by name~~];

1 (5) An itemized record of all disbursements, including the name and address of
2 every recipient thereof, receipts reflecting the purpose of each expenditure and the day and
3 method of payment; and

4 (6) All campaign bank records, including deposit slips and canceled checks.

5 B. The campaign treasurer or deputy campaign treasurer shall not accept anonymous
6 ~~[donations over twenty-five dollars (\$25.00) or more]~~ contributions. Any such contribution received
7 by the campaign treasurer or deputy campaign treasurer shall, within seven (7) days of receipt, be
8 donated to a charity or to the city's general fund. The campaign treasurer or deputy campaign
9 treasurer shall keep a record of the amount and date of receipt of any such contributions and of the
10 disposition that was made of the contribution, including the date when it was donated to the city or to
11 a charity and the identity of the recipient of the donation.

12 C. Records required to be kept by the campaign treasurer or deputy campaign treasurer
13 under the terms of paragraph A items (1), (2), (3) and (4) of this subsection, shall be filed with the
14 city clerk as part of the public record, shall be provided to the ethics and campaign review board set
15 forth in Section 6-16, SFCC 1987 upon request and may be inspected by the public during usual
16 business hours, Monday through Friday, excluding legal holidays.

17 D. Records kept by the campaign treasurer or deputy campaign treasurer shall be made
18 current not more than seven (7) days after the date of a contribution or of an expenditure. During the
19 eight (8) days immediately preceding the date of any election for which the political committee has
20 received any contributions or made any expenditures, the books of the account shall be kept current
21 within one (1) business day.

22 E. The campaign treasurer or deputy campaign treasurer shall preserve books of accounts,
23 bills, receipts and all other financial records of the campaign or political committee for two (2)
24 calendar years following the year in which the transaction occurred.

25 F. The campaign treasurer or deputy campaign treasurer shall deposit within five (5)

1 business days after receipt all monetary contributions received by a candidate, political committee,
2 campaign treasurer or deputy campaign treasurer in the campaign depository designated for that
3 purpose.

4 G. Campaign funds shall be used and distributed as follows:

5 (1) All contributions received shall be under the custody of the campaign
6 treasurer or deputy campaign treasurer and shall be segregated from, and not be commingled
7 with, the personal funds of an individual, group or political committee. Contributions shall be
8 used exclusively to pay expenses incurred in furtherance of the candidate's campaign, and
9 shall not be used for any other purpose, including:

10 (a) The candidate's personal living expenses or compensation to the
11 candidate;

12 (b) A contribution to the campaign of another candidate or to a political
13 party or political committee or to a campaign supporting or opposing a ballot
14 proposition;

15 (c) An expenditure supporting the election of another candidate or the
16 passage or defeat of a ballot proposition; or

17 (d) ~~[A purchase of capital assets having a value in excess of one~~
18 ~~thousand dollars (\$1000.) and a useful life extending beyond the date of the~~
19 ~~election; or~~

20 ~~—(e)]~~ Any gift or transfer for which compensating value is not received,
21 other than a donation or distribution permitted by this subsection at the conclusion of
22 an election.

23 (2) Any campaign contributions remaining unspent and any tangible assets
24 purchased with such contributions remaining in the possession of the campaign at the
25 conclusion of an election shall be distributed for the following purposes:

(a) Expenditures of the campaign;

(b) Donations to the city's general fund or, in the case of tangible assets, to the city for its use or disposition in accordance with the city's procurement code.

Proceeds from such disposition shall be deposited in the city's general fund;

(c) Donations to charities [~~and/or other non-profit entities~~]; or

(d) Disbursements to return unused funds to the contributors.

(3) All unspent campaign contributions shall be distributed within six (6) months following a municipal election, for any of the purposes listed in this subsection 9-2.9G. All candidates and political committees shall file reports listing the date, amount and recipient of each post-election expenditure, donation or disbursement made from campaign funds pursuant to this subsection 9-2.9G. Such report shall be part of the final campaign finance statement that is required by subsection 9-2.10B SFCC 1987.

H. A campaign treasurer, deputy campaign treasurer or political committee may invest funds deposited in the campaign account in an account of indebtedness of a financial institution up to the amount of federal deposit insurance; United States bonds or certificates of indebtedness or those of a federal agency; and/or bonds or warrants of the state or any municipal corporation of the state. All interest, dividends, and/or other income derived from the investment and the principal when repaid shall be deposited in the campaign account.

Section 3. Section 9-2.11 SFCC 1987 (being Ord. #1998-41, §10, as amended) is amended to read:

9-2.11 Campaign Finance Statement; Contents.

A. Each campaign finance statement filed in accordance with subsection 9-2.10 SFCC 1987 shall disclose for the period beginning at the end of the period for the last report, or in the case of the initial report, at the time of the first contribution or expenditures, and shall contain the following information:

1 (1) The funds on hand at the beginning of the period. This shall include the
2 cumulative total amount of all contributions and expenditures. This includes, but is not
3 limited to, contributions and expenditures in aid of, or in opposition to, candidates or ballot
4 propositions before they qualify for the ballot and contributions and expenditures following
5 the election;

6 (2) The full name and complete mailing address and principal business or
7 occupation of each individual contributor from whom a contribution ~~[or contributions of~~
8 ~~twenty-five dollars (\$25.00) or more]~~ in money, goods, materials, services, facilities or
9 anything of value has been received and the [amount] date of receipt and amount of each
10 contribution received from that individual and whether the contribution was received in cash,
11 by check, by credit card, by electronic transfer or otherwise;

12 (3) The full name and complete mailing address of each business ~~[or political~~
13 ~~committee]~~ contributor from whom a contribution ~~[of twenty-five dollars (\$25.00) or more]~~
14 in money, goods, materials, services, facilities or anything of value has been received, and the
15 [amount] date of receipt and amount of each contribution received from that business ~~[or~~
16 ~~political committee]~~ contributor and ~~[the date of each contribution]~~ whether the contribution
17 was received in cash, by check, by credit card, by electronic transfer or otherwise;

18 (4) The date of receipt and amount of any anonymous contribution received by
19 the campaign treasurer or deputy campaign treasurer and the disposition that was made of
20 each such contribution pursuant to Section 9-2.9(B) SFCC 1987, including the date when it
21 was donated to the city or to a charity and the identity of the recipient of the donation.

22 [(4)](5) The full name and complete mailing address of each individual or
23 business to whom an expenditure has been made, the purpose of each campaign expenditure
24 and the date each expenditure was made. This report shall be itemized with the total amount
25 paid to each individual or business for the goods, services or facilities provided;

1 ~~[(5)]~~(6) The full name of the candidate or political committee and the full name
2 and complete address of the campaign treasurer or deputy campaign treasurer;

3 ~~[(6)]~~(7) For each contributor, the cumulative total of all contributions made; and

4 ~~[(7)]~~(8) Where goods, materials, services, facilities or anything of value other
5 than money is contributed or expended, the monetary value thereof shall be reported at the
6 fair market value.

7 B. Loans of money, property or other things made to a candidate or political committee
8 during the period covered by the campaign finance statement shall be reported separately in the
9 statement, with the following information:

10 (1) The total value of all loans received during the period covered by the
11 campaign finance statement;

12 (2) The full name and address of each lender, the date of the loan, the
13 interest rate and the amount of the loan remaining unpaid;

14 (3) The cumulative total value of all loans received; and

15 (4) The total amount of loans remaining unpaid.

16 C. If a loan has been forgiven or paid by a third person, it shall be reported pursuant to
17 this section.

18 D. Investments made with campaign funds under subsection 9-2.9 SFCC 1987 and
19 interest, dividends and/or other income received shall be reported separately in the statement.

20 **Section 4. Section 9-2.12 SFCC 1987 (being Ord. #1998-41, §11, as amended) is**
21 **amended to read:**

22 **9-2.12 Campaign Finance Statement; Signing.**

23 Each campaign finance statement shall be signed under oath and acknowledged by both the
24 campaign treasurer or deputy campaign treasurer and the candidate and shall contain a statement that
25 the campaign finance statement has been prepared with all reasonable diligence and that it is true and

complete; provided, however, that the campaign finance statement of a candidate for municipal judge is not required to be signed or acknowledged by the candidate.

Section 5. Section 9-3.3 SFCC 1987 (being Ord. #2009-44, §4, as amended) is amended to read:

9-3.3 Definitions.

As used in this Article, the following terms have the following meanings:

A. Campaign depository means a bank, mutual savings bank, savings and loan association or credit union doing business in this state under which a campaign account or accounts are maintained.

B. Campaign materials means any published communication, electronic or otherwise, disseminated to more than one hundred (100) persons that either supports the election or defeat of any identifiable candidate or candidates or supports the approval or defeat of a ballot proposal, other than communications to, or editorials, reports, or commentary by news media.

C. Candidate means any individual who seeks election to a Santa Fe municipal office. An individual shall be a candidate when they:

(1) Announce publicly;

(2) File for office;

(3) When contributions are accepted or expenditures made; or when

(4) Any activity is held to promote an election campaign of an individual if that activity is endorsed or supported by that person or if the benefits of such activity are later accepted by such person.

D. Contested race means a race in which there are at least two (2) candidates for the office sought.

E. Contribution means a loan, loan guarantee, gift, advance, pledge, contract, agreement or promise of money or anything of value or other obligation, whether or not legally enforceable,

1 made directly or indirectly, to a candidate or political committee for the purpose of influencing the
2 outcome of a municipal election.

3 (1) The term "contribution" includes:

4 (a) The transfer of funds or anything of value between political
5 committees;

6 (b) The transfer of anything of value ~~[including personal and~~
7 ~~professional services,]~~ for less than full consideration;

8 (c) Interest, dividends or other income derived from the
9 investment of campaign funds;

10 (d) The payment for the services of an individual serving on
11 behalf of a candidate or political committee, which payments are made by a
12 third party; and

13 (e) The purchase ~~[of over twenty-five dollars (\$25.00)]~~ of tickets
14 for fundraising events such as dinners, rallies, raffles, etc. and the proceeds
15 of collections at fundraising events ~~[which are not otherwise reported]~~.

16 (2) The term "contribution" does not include:

17 (a) A volunteer's personal services provided without
18 compensation or the travel or personal expenses of such a campaign worker;
19 and

20 (b) The cost of an event held in honor of or on behalf of a
21 candidate when the total cost of the event amounts to no more than two
22 hundred dollars (\$200.00).

23 F. Election means any regular or special Santa Fe municipal election.

24 G. Expenditure means a payment or transfer of anything of value in exchange for goods,
25 services, property, facilities or anything of value for the purpose of assisting, benefiting or honoring

1 any public official or candidate, or assisting in furthering or opposing any election campaign for a
2 candidate or ballot proposition. This includes contributions, subscriptions, distributions, loans,
3 advances, deposits, or gifts of money or anything of value, and includes a contract, a promise or
4 agreement, whether or not legally enforceable, to make an expenditure. The term "expenditure" also
5 means the transfer of funds or anything of value between political committees. In determining the
6 dollar value of an expenditure, only that proportion of a payment or transfer of anything of value that
7 is directly related to the campaign shall be considered an expenditure.

8 H. Fund means the public campaign finance fund created by Section 9-3.4 SFCC 1987.

9 I. Non-participating candidate means a candidate who is not a participating candidate.

10 J. Participating candidate means a candidate who has qualified and has been certified
11 pursuant to Section 9-3.9 SFCC 1987 as eligible to receive payments from the fund.

12 K. Qualified elector means a person who is registered to vote in the city of Santa Fe.

13 L. Qualifying contribution means a contribution of no more or no less than five dollars
14 (\$5.00) that is received from a qualified elector during the qualifying period by a candidate seeking to
15 become a participating candidate. A candidate for councilor shall only receive qualifying
16 contributions from qualified electors registered to vote in the council district in which the candidate is
17 running.

18 M. Qualifying period means the period during which a candidate seeking to become a
19 participating candidate is permitted to collect qualifying contributions and to apply for certification as
20 a participating candidate. It begins one hundred eighty-three (183) days before the election and ends
21 one hundred six (106) days before the election.

22 N. Race means the electoral process in which one (1) or more candidates run and one (1)
23 candidate is elected to the office of mayor, municipal judge or city councilor for a particular district.

O. Seed money contribution means a contribution of no more than one hundred dollars (\$100.) made and accepted in compliance with the provisions of Section 9-3.6 SFCC 1987 and used exclusively for the purposes specified in that section.

P. Uncontested race means a race in which there is only one (1) candidate for the office sought.

Section 6. Section 9-3.6 SFCC 1987 (being Ord. #2009-44, §7, as amended) is amended to read:

9-3.6 Seed Money Contributions.

A. A candidate seeking to become a participating candidate may solicit and accept seed money contributions to defray expenses incurred in obtaining qualifying contributions and in seeking certification as a participating candidate.

B. The aggregate amount of seed money contributions from any one contributor shall not exceed one hundred dollars (\$100.), and the aggregate amount of seed money contributions accepted by a candidate shall not exceed ten percent (10%) of the amount payable under Section 9-3.10 SFCC 1987 to a candidate in a contested election for the office sought.

C. Each seed money contribution shall be accompanied by a form signed by the contributor, which shall include the contributor's name, home address and telephone number. The form for a contribution exceeding twenty-five dollars (\$25.00) shall also state the contributor's occupation and name of employer.

D. All seed money contributions received by a candidate shall be deposited in a non-interest-bearing account in a campaign depository to be established by the candidate before soliciting or accepting any such contributions. All expenditures of seed money shall be made from the campaign depository.

E. Seed money contributions shall be used only for the purposes specified in paragraph A. of this Section, and all seed money contributions that have not been spent or used for such

1 purposes by the time the candidate applies for certification as a participating candidate or by the end
2 of the qualifying period, whichever is sooner, shall then be paid over to the municipal clerk for
3 deposit in the fund; provided, however, that if payment of all of the candidate's unspent seed money
4 to the municipal clerk would cause the bank account in the campaign depository to be closed, an
5 amount of seed money necessary to keep the account open may be temporarily retained in the account
6 and paid over to the municipal clerk at a later time in compliance with paragraph C of Section 9-3.10
7 SFCC 1987.

8 **Section 7. Section 9-3.7 SFCC 1987 (being Ord. #2009-44, §8, as amended) is**
9 **amended to read:**

10 **9-3.7 Qualifying Contributions.**

11 A. Each qualifying contribution shall be accompanied by a form signed by the
12 contributor, which shall include the contributor's name, registered address and telephone number.

13 B. No candidate or person acting on a candidate's behalf shall pay to any other person
14 any form of compensation for soliciting or obtaining a qualifying contribution.

15 C. No person shall knowingly make and no candidate shall knowingly receive a
16 qualifying contribution which is not from the person named on the form or for which the person
17 named on the form has been or will be reimbursed or compensated by another person.

18 D. All qualifying contributions received by a candidate shall be deposited in a non-
19 interest-bearing account in a campaign depository to be established by the candidate before
20 soliciting or accepting any such contributions, and shall be paid over to the municipal clerk for
21 deposit in the fund when the candidate applies for certification as a participating candidate or when
22 the qualifying period ends, whichever is sooner.

23 **Section 8. Section 9-3.8 SFCC 1987 (being Ord. #2009-44, §9, as amended) is**
24 **amended to read:**

25 **9-3.8 Application for Certification as a Participating Candidate.**

1 A. A candidate who wishes to be certified as a participating candidate shall, before the
2 end of the qualifying period, file an application for such certification with the municipal clerk on a
3 form prescribed by the municipal clerk.

4 B. The application shall identify the candidate and the office that the candidate is
5 seeking, and shall set forth:

6 (1) The candidate's averment under oath that the candidate satisfies the requisites
7 for qualification and certification as a participating candidate prescribed by Section 9-3.5
8 SFCC 1987;

9 (2) The candidate's averment under oath that the candidate has accepted no
10 contributions to the candidate's current campaign other than qualifying contributions and seed
11 money contributions solicited and accepted pursuant to Sections 9-3.6 SFCC 1987 and 9-3.7
12 SFCC 1987;

13 (3) The candidate's averment under oath that the candidate has made no
14 expenditures for his or her current campaign from any source other than seed money
15 contributions; and

16 (4) The candidate's agreement that his or her current campaign will not accept
17 any further contributions [~~and~~] or make any further expenditures from any sources other than
18 payments received from the fund pursuant to Section 9-3.10 SFCC 1987.

19 C. The application shall be accompanied by:

20 (1) Reports listing all seed money contributions and qualifying contributions
21 received by the candidate and all expenditures of seed money contributions made by the
22 candidate, and showing the aggregate amounts of all such contributions and expenditures and
23 the aggregate amounts of all contributions received from each contributor;

24 (2) Copies of forms signed by contributors for all seed money contributions and
25 qualifying contributions received by the candidate; and

(3) A check or checks issued to the city of Santa Fe from the candidate's campaign depository for the amount of all qualifying contributions received by the candidate and all seed money contributions received by the candidate [~~and not yet spent for the purposes specified in paragraph A of Section 9-3.6 SFCC 1987.~~] except:

(a) amounts previously spent for the purposes specified in paragraph A of Section 9-3.6 SFCC 1987; and

(b) the amount, if any, that has been temporarily retained by the candidate for the purpose of keeping open the bank account in the campaign depository pursuant to paragraph E of Section 9-3.6 SFCC 1987.

Section 9. Section 9-3.10 SFCC 1987 (being Ord. #2009-44, §11, as amended) is amended to read:

9-3.10 Payments to Participating Candidates.

A. Within three (3) business days of certifying a candidate as a participating candidate, the municipal clerk shall disburse to the candidate from the fund:

(1) Sixty thousand dollars (\$60,000.) for a candidate in a contested race for the office of mayor;

(2) Fifteen thousand dollars (\$15,000.) for a candidate in a contested race for the office of city councilor;

(3) Fifteen thousand dollars (\$15,000.) for a candidate in a contested race for the office of municipal judge; or

(4) For a candidate in an uncontested race, ten percent (10%) of the amount that would be due to a candidate in a contested race for the same office.

B. If the amounts required to be paid to candidates under paragraph A of this Section exceed the total amount available in the fund, each payment shall be reduced in proportion to the amount of such excess. Any such proportionate reduction in the payment due to any candidate under

1 paragraph A of this Section shall give the candidate the option to reject the payment and to withdraw
2 as a participating candidate. A candidate who withdraws as a participating candidate pursuant to this
3 paragraph shall file an affidavit with the municipal clerk so stating and shall thenceforth be treated for
4 all purposes as a non-participating candidate relieved of all obligations and restrictions and excluded
5 from all benefits and exemptions imposed or conferred on a participating candidate by this Article 9-3
6 SFCC 1987.

7 C. Within *five* business days of the candidate's receipt of the amount disbursed under
8 paragraph A of this Section or the municipal clerk's refusal to certify the candidate as a participating
9 candidate pursuant to paragraph A of Section 9-3.9 SFCC 1987, whichever is sooner, the candidate
10 shall pay over to the municipal clerk for deposit in the fund any amount of seed money that has been
11 temporarily retained by the candidate for the purpose of keeping open the bank account in the
12 campaign depository pursuant to paragraph E of Section 9-3.6 SFCC 1987.

13 **Section 10. Section 9-3.11 SFCC 1987 (being Ord. #2009-44, §12, as amended) is**
14 **amended to read:**

15 **9-3.11 Use of Payments from the Fund; the Fund as Exclusive Source.**

16 A. All payments received by a participating candidate from the fund shall be deposited in
17 a non-interest bearing account in the candidate's campaign depository and shall be used exclusively
18 to pay expenses reasonably incurred in furtherance of the candidate's current campaign.

19 B. Payments received from the fund shall not be used for any other purpose, including:

20 (1) The candidate's personal living expenses or compensation to the candidate or
21 the candidate's family;

22 (2) A contribution to another campaign of the candidate or a payment to retire
23 debt from another such campaign;

24 (3) A contribution to the campaign of another candidate or to a political party or
25 political committee or to a campaign supporting or opposing a ballot proposition;

(4) An expenditure supporting the election of another candidate or the passage or defeat of a ballot proposition or the defeat of any candidate other than an opponent of the participating candidate;

(5) Payment of legal expenses or any fine levied by a court or the ethics and campaign review board.

(6) Any gift or transfer for which compensating value is not received.

C. All payments from the fund received by a participating candidate which have not been spent or obligated for the purposes specified in paragraph A of this Section and any tangible assets purchased with such payments remaining in the possession of the campaign as of the date of the election shall be returned by the candidate and shall be ~~[paid-over]~~ conveyed to the municipal clerk ~~[for deposit to the fund]~~ within ~~[ten days (10)]~~ forty-five (45) days after that date. Returned payments shall be deposited in the fund. Tangible assets shall be conveyed to the city for its use or disposition in accordance with the city's procurement code. Proceeds from such disposition shall be deposited in the fund.

D. In accordance with the agreement entered into pursuant to subparagraph B(4) of Section 9-3.8 SFCC 1987, a candidate who has been certified as a participating candidate shall not thereafter accept any contribution to the candidate's campaign other than payments received from the fund pursuant to Section 9-3.10 SFCC 1987, and shall not make any expenditure in support of the candidate's campaign from any source other than payments so received and previously deposited in the candidate's campaign depository.

Section 11. Section 9-3.14 SFCC 1987 (being Ord. #2009-44, §15, as amended) is amended to read:

9-3.14 Reports of Expenditures; Exemption from Certain Reporting Requirements.

A. A participating candidate shall file with the municipal clerk reports under oath of expenditures made from the payments received from the fund, showing the date and amount of each

1 expenditure, the name and address of the person or organization to whom it was made, the purpose of
2 the expenditure, the aggregate amount of expenditures made to each person or organization and the
3 aggregate amount of all expenditures made by the candidate or by his or her campaign.

4 B. The reports required by paragraph A of this Section shall be filed on each of the days
5 prescribed for the filing of campaign finance statements by Section 9-2.10 SFCC 1987.

6 C. Except as provided in paragraphs A and B of this Section and paragraph C of Section
7 9-3.8 SFCC 1987, participating candidates are exempt from the requirement to file campaign finance
8 statements imposed by Sections 9-2.10 SFCC 1987 through 9-2.12 SFCC 1987 and from the
9 requirement to file campaign records with the municipal clerk imposed by paragraph C of Section 9-
10 2.9 SFCC 1987; provided, however, that campaign records shall be maintained in the manner required
11 by the applicable provisions of the Campaign Code (Article 9-2 SFCC 1987) and shall be made
12 available upon request to the municipal clerk and the ethics and campaign review board.

13 APPROVED AS TO FORM:

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15 _____
16 GENO ZAMORA, CITY ATTORNEY
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25 CAO/M/Melissa/Bills 2013/Campaign Code (Amended)

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2013-__

INTRODUCED BY:

Councilor Chris Rivera

AN ORDINANCE

RELATING TO THE LAND DEVELOPMENT CODE, CHAPTER 14 SFCC 1987, AMENDING SUBSECTION 14-6.3(B)(2)(c) TO CLARIFY RESTRICTIONS ON THE PARKING OF COMMERCIAL OR INDUSTRIAL VEHICLES IN RESIDENTIAL DISTRICTS; ADDING A NEW SUBSECTION 14-6.3(D)(2)(c)(vii) TO ALLOW THE PARKING OF CERTAIN TYPES OF TOWING VEHICLES RELATED TO HOME OCCUPATION BUSINESSES IN RESIDENTIAL DISTRICTS; AND MAKING SUCH OTHER STYLISTIC OR GRAMMATICAL CHANGES THAT ARE NECESSARY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. Subsection 14-6.3(B)(2)(c) SFCC 1987 (being Ord. No. 2011-37, §3) is amended to read:

(c) The following activities are prohibited within residentially zoned districts:

(i) storage or parking, either continuous or intermittent, of commercial or industrial vehicles, except for those vehicles that are authorized by a special use permit or other permitted non-residential use.

1 A. Commercial or industrial vehicles include:

- 2 (1) vehicles requiring a commercial driver's license to
3 operate;
4 (2) tour buses or school buses;
5 (3) concrete mixer trucks or concrete pumper trucks;
6 (4) towing vehicles (except as related to a registered
7 home occupation business in accordance with
8 Subsection 14-6.3(D)(2)(c));
9 (5) earthmoving or grading equipment;
10 (6) trailers or tractors (except lawn tractors);
11 (7) motorized construction or agricultural equipment;
12 (8) cranes;
13 (9) roll-off trash containers (except as related to an
14 active construction permit); or
15 (10) any other vehicles designed by the manufacturer for
16 business purposes.

17 B. Commercial or industrial vehicles do not include:

- 18 (1) recreational vehicles or trailers related to
19 recreational vehicles used for personal purposes; or
20 (2) passenger vehicles, pickup trucks or small trailers
21 that may be used for business purposes related to a
22 registered home occupation business.

- 23 (ii) On-street parking of a towing vehicle except when a towing vehicle
24 is actively engaged in the collection or delivery of a towed vehicle at
25 a collection or delivery location.

(iii) Idling of a towing vehicle for more than five minutes except when a towing vehicle is actively engaged in the collection or delivery of a towed vehicle at a collection or delivery location.

(iv) outdoor storage of construction materials, except in connection with an active construction permit [activities] on the premises;

~~[(iii)]~~(v) storage of mobile homes or commercial shipping containers;

and

~~[(iv)]~~(vi) recreational or other vehicles used as dwelling units.

Section 2. A new Subsection 14-6.3(D)(2)(c)(vii) SFCC 1987 is ordained to read:

(vii) [NEW MATERIAL]. The parking of a towing vehicle within a residential district as part of a home occupation is permitted with the following restrictions:

A. A total of one Class "A" or Class "B" towing vehicle is allowed to be parked as part of a home occupation.

B. On-street parking of a towing vehicle at a home occupation is prohibited.

C. A towing vehicle is prohibited to idle for more than five minutes at the home occupation location.

D. Radios and other communication devices associated with the home occupation shall not be audible outside a towing vehicle while a towing vehicle is parked at a home occupation unless the towing vehicle is parked within a closed garage.

1 E. A towing vehicle shall not be parked within twenty
2 feet of a residence on any lot adjacent to the *home*
3 *occupation* unless the towing vehicle is parked
4 within a closed garage.

5 F. A towing vehicle shall be parked facing the street
6 while at the *home occupation*. Alternatively, the
7 audible back-up warning signals of a towing vehicle
8 may be disabled if otherwise permitted by law.

9 G. Towed vehicles shall not be transported to or stored
10 at a *home occupation*.

11 H. The *land use director* shall revoke the approval of a
12 towing vehicle that has been granted the authority to
13 be parked in a residential district as part of a *home*
14 *occupation* where a *home occupation* is found to be
15 in violation of the restrictions of this Subsection 14-
16 6.3(D)(2)(c)(vii).

17 Editor's Note: For state regulations related to towing vehicle
18 classifications and weight limitations see the New Mexico
19 Administrative Code, Section 18.3.12.9

20 APPROVED AS TO FORM:

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22 _____
23 GENO ZAMORA, CITY ATTORNEY

24
25 *M/Melissa/Bills 2013/Tow Truck Ordinance*

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2013-__

INTRODUCED BY:

Councilor Peter Ives

A RESOLUTION

AMENDING RESOLUTION 2010-83 TO REPEAL THE ESTABLISHMENT OF THE
CITY AUDIT COMMITTEE.

WHEREAS, on October 13, 2010, the Governing Body adopted Resolution No. 2010-83
to create the City Audit Committee and direct staff to take certain steps to further ensure that
proper procedures are followed for all city purchases and professional services contracts; and

WHEREAS, the Governing Body desires that the Audit Committee be established by
ordinance for the purpose of making the Audit Committee a permanent committee; and

WHEREAS, on _____, 2013, the Governing Body adopted Ordinance No.
2013-__ to establish Article 6-5 SFCC 1987, Audit Committee.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
CITY OF SANTA FE** that Resolution No. 2010-83 is amended to repeal the establishment of the
Audit Committee because Ordinance No. 2013-__ has established the Audit Committee to be a
permanent committee in the Santa Fe City Code.

PASSED, APPROVED, and ADOPTED this ____ day of _____, 2013.

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DAVID COSS, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

GENO ZAMORA, CITY ATTORNEY

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2013-__

INTRODUCED BY:

Councilor Peter Ives

Mayor David Coss

AN ORDINANCE

**RELATING TO CHAPTER VI SFCC 1987, BOARDS, COMMITTEES AND
COMMISSIONS; CREATING A NEW ARTICLE 6-5 SFCC 1987 TO ESTABLISH THE
CITY OF SANTA FE AUDIT COMMITTEE.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. A new Article 6-5 SFCC 1987 is ordained to read:

6-5 [NEW MATERIAL] AUDIT COMMITTEE

6-5.1 Creation; Purpose.

A. There is created the city of Santa Fe audit committee, an advisory committee.

B. The purpose of the audit committee is to advise the city manager and the governing body regarding financial audits and investigations and related policies and procedures in order to promote transparency, accountability, efficiency and effectiveness of city government for the citizens of Santa Fe.

6-5.2 Powers and Duties. The audit committee shall:

A. Review and make recommendations regarding reports from the city's internal

auditor;

B. Review and make recommendations regarding the city's annual external audit;

C. Review the request for proposals for the external auditor and the resulting recommendation for the selection of the city's external auditor (public accounting firm);

D. Review the city's preliminary financial reports semiannually;

E. Review and make recommendations regarding the city's policies and practices and internal controls in place to control the operations, accounting, and regulatory compliance of the city; and

F. Review the findings in the external audit and the proposed plans from the departments for correction of the findings.

6-5.3 Membership; Chairperson; Terms; Vacancies.

A. *Membership.* The audit committee shall consist of five individuals solicited and appointed by the municipal judge with the advice and consent of the governing body. The members of the audit committee shall include individuals that have experience and knowledge that would assist the governing body in completing the audit committee's purpose and who are qualified by training, experience, and ability to exercise sound and practical judgment regarding the duties and responsibilities of the audit committee. Of the five members one member shall be a certified public accountant, one member shall be a lawyer or have a law enforcement background and one member shall be a management consultant. Members shall reside in the state of New Mexico.

B. *Chairperson.* The mayor, with the approval of the city council, shall appoint the initial chairperson. The chairperson shall designate the vice chairperson. The chairperson shall serve as chairperson for a period of one year. Following one year of service, the chairperson shall be elected (or reelected) by the members of the Committee. The chairperson may appoint subcommittees and sub-committee chairpersons as needed.

1 C. *Terms.* Two of the members shall be appointed for two year terms and three
2 shall be appointed for three year terms. Subsequent terms shall be for three years to maintain
3 staggering of terms. There is no limitation to reappointment. The members shall serve at the
4 pleasure of the governing body and may be removed at any time with or without cause.

5 D. *Vacancies:* Vacancies on the audit committee shall be filled in the same manner
6 as initial appointments and shall be for the remainder of the term of the vacant position.

7 **6-5.4 Meetings; Staff.**

8 A. *Meetings.* A quorum of the audit committee shall be at least three members. The
9 audit committee shall conduct all meetings in accordance with adopted city policies and
10 procedures and shall use *Robert's Rules of Order* in conducting its meetings. The audit committee
11 shall meet at least quarterly or as needed to accomplish the duties and responsibilities of the
12 committee.

13 B. *Staff.* The finance department shall serve as the primary liaison to the Committee
14 unless otherwise designated by the City Manager. Depending upon the issue, other city staff may
15 also be required to assist the Committee.

16 APPROVED AS TO FORM:

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18 _____
19 GENO ZAMORA, CITY ATTORNEY
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25 *M/Melissa/Bills 2013/Audit Committee*

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2013-__

INTRODUCED BY:

Councilor Patti Bushee

A RESOLUTION

DIRECTING CITY OF SANTA FE PUBLIC SAFETY STAFF TO DEVELOP A PUBLIC SAFETY APPRENTICESHIP PROGRAM THAT WILL BENEFIT RESIDENTS OF SANTA FE AND DIRECTING THE CITY MANAGER TO EXPLORE THE OPTIONS FOR ESTABLISHING APPRENTICESHIP PROGRAMS IN OTHER AREAS OF THE CITY.

WHEREAS, an apprenticeship is a combination of on-the-job learning and related classroom instruction in which workers learn the practical and theoretical aspects of a highly skilled occupation; and

WHEREAS, apprenticeship programs are usually sponsored by joint employer and labor groups, individual employers and/or employer associations; and

WHEREAS, a City public safety apprenticeship program could be established through public/private partnerships between the City, local educational institutions and local job development organizations; and

WHEREAS, local residents will benefit from a public safety apprenticeship program because they will have the ability to learn a skilled trade through education and on-the-job training from

professional police/fire personnel.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that City of Santa Fe public safety staff is directed to develop a public safety apprenticeship program that will benefit residents of Santa Fe. The apprenticeship program shall include but not be limited to program goals, the number of participants that can be involved in the program at any time, how participants will be utilized and funding mechanisms for the program.

BE IT FURTHER RESOLVED that staff shall present the public safety apprenticeship program to the Governing Body within 60 days of adoption of this resolution.

BE IT FURTHER RESOLVED that the City Manager is directed to explore the options for establishing apprenticeship programs in other areas of the city

PASSED, APPROVED and ADOPTED this ____ day of _____, 2013.

DAVID COSS, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

GENO ZAMORA, CITY ATTORNEY

M/Melissa/Resolutions 2013/Public Safety Apprenticeship

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2013-__

INTRODUCED BY:

Councilor Patti Bushee

A RESOLUTION

DIRECTING STAFF TO DRAFT AMENDMENTS TO THE CITY CODE AND THE
ESTABLISHED POLICIES AND PROCEDURES RELATED TO COMMUNITY GARDENS
TO INCLUDE PROVISIONS RELATED TO THE ESTABLISHMENT OF A PERMITTED
USE IN CERTAIN ZONING DISTRICTS FOR FARM STANDS; AND DIRECTING STAFF
TO COLLABORATE WITH LOCAL NON-PROFIT ORGANIZATIONS TO DEVELOP A
LOCAL FARM STAND PLAN SO THE RESIDENTS OF SANTA FE WILL HAVE THE
ABILITY TO PURCHASE FRESH PRODUCE.

WHEREAS, the Governing Body adopted Resolution No. 2009-53 on May 13, 2009 for the
purpose of establishing a City of Santa Fe Community Garden Program with related policies and
procedures; and

WHEREAS, currently, the Santa Fe City Code does not allow for the sale of fresh fruits and
vegetables from stands that would offer for sale fresh harvested produce that is grown at community
gardens, community orchards or at farms; and

WHEREAS, fresh grown fruits and vegetables are a nutritious and healthful addition to any

1 diets and having the ability to purchase freshly grown produce from a local farm stand would be
2 beneficial to our residents as well as promote our local economy.

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

5 1. Draft amendments to the city code and the established policies and procedures related to
6 community gardens to include provisions related to the establishment of a permitted use
7 in certain zoning districts for farm stands, which shall include provisions that:

- 8 • local farmers will have the ability to sell their produce at the farm stands and
9 clarify that the produce does not have to be grown at a community garden or
10 orchard but can be grown at local farms; and
11 • all produce sold at the farm stands shall not be genetically modified

12 2. Collaborate with local organizations such as Earth Care and Youthworks; the Food Policy
13 Council, Sustainable Santa Fe Commission and neighborhood associations to develop a
14 local farm stand plan so the residents of Santa Fe will have the ability to purchase fresh
15 produce from community garden and orchard sites;

16 3. Examine the possibilities for establishing large community gardens, i.e. at SWAN Park;

17 4. Explore opportunities to end food deserts in Santa Fe.

18 PASSED, APPROVED and ADOPTED this ____ day of _____, 2013.

19
20 _____
21 DAVID COSS, MAYOR

22 ATTEST:

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24 _____
25 YOLANDA Y. VIGIL, CITY CLERK

1 APPROVED AS TO FORM:

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4 GENO ZAMORA, CITY ATTORNEY

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25 *M/Melissa/Resolutions 2013/Farm Stand*

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2013-__

INTRODUCED BY:

Councilor Ron Trujillo

A RESOLUTION

RELATING TO THE NEW MEXICO LITTER CONTROL AND BEAUTIFICATION ACT
OF 1985 WHICH AUTHORIZES THE USE OF PUBLIC FUNDS IN THE FORM OF
GRANTS FOR THE PURPOSE OF ENHANCING LOCAL LITTER CONTROL AND
BEAUTIFICATION PROGRAMS; AUTHORIZING KEEP SANTA FE BEAUTIFUL TO
PLAN, BUDGET AND APPLY FOR A GRANT PURSUANT TO THE NEW MEXICO
LITTER CONTROL AND BEAUTIFICATION ACT.

WHEREAS, the city of Santa Fe recognizes the existence of a litter problem within the
boundaries of Santa Fe; and

WHEREAS, the New Mexico Litter Control & Beautification Act of 1985 (the "ACT")
provides, through the State Tourism Department, Litter Control and Beautification Section, for the
allocation of public funds in the form of grants for the purpose of enhancing local litter control and
beautification programs; and

WHEREAS, the city of Santa Fe has reviewed and considered the regulations, the agreement
covering administration and use of said funds.

1 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
2 **CITY OF SANTA FE** that the city of Santa Fe:

3 Section 1. Endorses and supports such a program and delegates the administration of such
4 program to Keep Santa Fe Beautiful, as indicated in Exhibit "A" attached hereto and incorporated
5 herein by reference.

6 Section 2. Authorizes Keep Santa Fe Beautiful Inc. to plan, budget and apply for a grant
7 under the ACT which if approved, will be used to fund said programs.

8 Section 3. Requests the State Tourism Department, Litter Control Beautification Section to
9 consider and approve said application and program. Said program is in accordance with the Act and
10 related regulations governing the use and expenditure of said funds.

11 PASSED, APPROVED and ADOPTED this ____ day of _____, 2013.

12
13 _____
14 DAVID COSS, MAYOR

15 ATTEST:

16
17 _____
18 YOLANDA Y. VIGIL, CITY CLERK

19 APPROVED AS TO FORM:

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21 _____
22 GENO ZAMORA, CITY ATTORNEY

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25 *M/Melissa/Resolutions 2013/SF Beautiful Grant*