



# Agenda

REGULAR MEETING OF  
THE GOVERNING BODY  
SEPTEMBER 11, 2013  
CITY COUNCIL CHAMBERS

## AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE

DATE 9-6-13 TIME 1:02 pm

SERVED BY

RECEIVED BY

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Reg. City Council Meeting – August 27, 2013
9. PRESENTATIONS
  - a) Employee of the Month for September 2013 – Carmelina Spears, Records Management Specialist, City Clerk's Office. (5 minutes)
  - b) Proclamation – September 2013 - Preparedness Month in Santa Fe. (Andrew Phelps) (5 minutes)
  - c) Making Strides Against Breast Cancer in Santa Fe. (Mike Ely, American Cancer Society) (5 minutes).
10. CONSENT CALENDAR
  - a) Request for Approval of Grant Award and Professional Service Contract – Diabetes Prevention Program at GCCC; New Mexico Department of Health Diabetes Prevention and Control Program and New Mexico State University. (David Chapman)
    - 1) Request for Approval of Budget Increase – Grant Fund.
  - b) Request for Approval of Grant Award and Agreement – 2013 Emergency Management Performance Grant Program; New Mexico Department of Homeland Security & Emergency Management. (Andrew Phelps)
    - 1) Request for Approval of Budget Increase – Grant Fund.



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- c) Santa Fe Municipal Airport. (Francey Jesson)
  - 1) Bid No. 14/05/B – Santa Fe Municipal Airport Runway 2/20 MIRL; Vis-Com, Inc.
  - 2) Request for Approval of Grant Application and Award – Federal Airport Improvement Program for Construction of Runway 2/20 MIRL at Santa Fe Municipal Airport; U.S. Department of Transportation, Federal Aviation Administration.
  - 3) Request for Approval of Amendment No. 2 to Professional Services Agreement – Task Order No. 115 for Bidding and Construction Phase Services for Runway 2/20 MIRL and Request for Approval of Task Order No. 114 for Construction Observation and Testing Services for Runway 2/20 MIRL at Santa Fe Municipal Airport; Molzen-Corbin & Associates, Inc.
  - 4) Request for Approval of Budget Increase – Grant Fund.
- d) Request to Publish Notice of Public Hearing on October 9, 2013:
  - 1) Bill No. 2013-35: An Ordinance Amending Subsection 11-9.1 SFCC 1987 to Require the City of Santa Fe to Provide Information, in a Timely Manner, Related to the Purposes of a Proposed General Obligation Bond Measure that Would Require Ratification by the Electorate of the City of Santa Fe; and Creating a New Section 18-9 SFCC 1987 to Require the City of Santa Fe to Provide Information Related to the Purposes of Any Proposed New or Increased Tax that Would Require Ratification by the Electorate of Santa Fe. (Councilor Calvert, Councilor Bushee and Councilor Ives) (Marcos Tapia and Judith Amer)
- e) CONSIDERATION OF RESOLUTION NO. 2013-\_\_\_\_. (Mayor Coss)  
A Resolution Authorizing and Approving the Submittal of a Grant Application to the Federal Aviation Administration for the Purpose of Receiving \$2.5 Million Dollars to Construct an Extension to Taxiway F at the Santa Fe Municipal Airport. (Francey Jesson)
- f) Request for Approval of Professional Services Agreement – Administrative Support to Create and Maintain a Management and Accountability Structure for Santa Fe Resource Opportunity Center; Interfaith Community Shelter Group, Inc. (Terrie Rodriguez)



# Agenda

REGULAR MEETING OF  
THE GOVERNING BODY  
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CITY COUNCIL CHAMBERS

11. MATTERS FROM THE CITY MANAGER
12. 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.

13. MATTERS FROM THE CITY CLERK
14. 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
  - Airport Advisory Board
- H. PUBLIC HEARINGS:
  - 1) Request from Julmarq, LLC for the Issuance of a Restaurant Liquor License (Beer and Wine On-Premise Consumption Only) to be Located at Swiss Bakery & Bistro, 401 & 403 S. Guadalupe Street. (Yolanda Y. Vigil)



# Agenda

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- 2) Request from St. John's College for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Wine at St John's College, Great Hall, 1160 Camino Cruz Blanca. The Request is for an Art Gala/Reception to be Held on September 21, 2013 from 6:00 p.m. to 8:00 p.m. (Yolanda Y. Vigil)
- 3) Request from Patricia Carlisle for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Champagne at Patricia Carlisle Fine Art, 554 Canyon Road Which is Within 300 Feet of the Acequia Madre Elementary Property, 700 Acequia Madre. The Request is for a Gallery Reception to be Held on September 20, 2013 from 5:00 p.m. to 7:00 p.m. (Yolanda Y. Vigil)
- 4) CONSIDERATION OF BILL NO. 2013-31: ADOPTION OF ORDINANCE NO. 2013-\_\_\_\_: (Mayor Coss)  
An Ordinance Amending Section 9-1.3 SFCC 1987 to Include Precinct 89 in District 3 and Making Such Other Grammatical and Stylistic Changes as are Necessary. (Yolanda Y. Vigil)
- 5) CONSIDERATION OF BILL NO. 2013-32: ADOPTION OF ORDINANCE NO. 2013-\_\_\_\_: (Councilor Calvert)  
An Ordinance Relating to the Campaign Code, Section 9-2 SFCC 1987 and the Public Campaign Finance Code, Section 9-3 SFCC 1987: Amending Subsections 9-2.9 and 9-2.11 SFCC 1987 to Provide Uniformity in Campaign Treasurer Duties and Amending Subsection 9-3.14 SFCC 1987 to Clarify that a Candidate for Municipal Judge is Not Required to Sign Expenditure Reports. (Yolanda Y. Vigil)
- 6) Request from Dahl Enterprises, LLC for a Transfer of Location of Dispenser License #0493 from Lucky Shoe, 350 E. Therma, Eagle Nest to Ringside Bowl, 500 Market Street, Suite #210. (Yolanda Y. Vigil)  
(Postponed at August 27, 2013 City Council Meeting) (Postponed to September 25, 2013 City Council Meeting)

## I. ADJOURN

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



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CITY COUNCIL CHAMBERS

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

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

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September 11, 2013

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*****		
END OF CONSENT CALENDAR DISCUSSION		
*****		
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<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
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**ITEM****ACTION****PAGE #**

REQUEST FROM PATRICIA CARLISLE FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL FO ALLOW THE DISPENSING/CONSUMPTION OF CHAMPAGNE AT PATRICIA CARLISLE FINE ART, 554 CANYON ROAD WHICH IS WITHIN 300 FEET OF THE ACEQUIA MADRE ELEMENTARY PROPERTY, 700 ACEQUIA MADRE. THE REQUEST IS FOR A GALLERY RECEPTION TO BE HELD ON SEPTEMBER 20, 2013, FROM 5:00 P.M. TO 7:00 P.M.

Approved

20-21

CONSIDERATION OF BILL NO. 2013-31: ADOPTION OF ORDINANCE NO. 2013-30. AN ORDINANCE AMENDING SECTION 9-1.3 SFCC 1987, TO INCLUDE PRECINCT 89 IN DISTRICT 3 AND MAKING SUCH OTHER GRAMMATICAL AND STYLISTIC CHANGES AS ARE NECESSARY

Approved

21-22

CONSIDERATION OF BILL NO. 2013-32: ADOPTION OF ORDINANCE NO. 2013-31. AN ORDINANCE RELATING TO THE CAMPAIGN CODE, SECTION 9-2 SFCC 19087 AND THE PUBLIC CAMPAIGN FINANCE CODE, SECTION 9-3 SFCC 1987; AMENDING SUBSECTIONS 9-2.9 AND 9-2.11 SFCC 1987, TO PROVIDE UNIFORMITY IN CAMPAIGN TREASURER DUTIES AND AMENDING SUBSECTION 9-3.14 SFCC 1987, TO CLARIFY THAT A CANDIDATE FOR MUNICIPAL JUDGE IS NOT REQUIRED TO SIGN EXPENDITURE REPORTS

Approved

22-23

REQUEST FROM DAHL ENTERPRISES, LLC, FOR A TRANSFER OF LOCATION OF DISPENSER LICENSE #0493 FROM LUCKY SHOE, 350 E. THERMA, EAGLE NEST TO RINGSIDE BOWL, 500 MARKET STREET, SUITE #210

Postponed to 09/25/13

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ADJOURN

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**MINUTES OF THE  
REGULAR MEETING OF THE  
GOVERNING BODY  
Santa Fe, New Mexico  
September 11, 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, September 11, 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  
Kelley Brennan, Assistant City Attorney  
Yolanda Y. Vigil, City Clerk  
Melessia Helberg, Council Stenographer

**6. APPROVAL OF AGENDA**

**MOTION:** Councilor Dimas moved, seconded by Councilor Ives, to approve the agenda as presented.

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

## **7. APPROVAL OF CONSENT CALENDAR**

Councilor Bushee asked to be added as a cosponsor of Item 10(e), and Councilor Rivera asked to be added as a cosponsor of Item 10(d).

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

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

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

**Against:** None.

**Absent for the vote:** Councilor Calvert and Councilor Wurzbarger.

A copy of an Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, September 9, 2013, regarding Item 10(c) is incorporated herewith to these minutes as Exhibit "1."

A copy of an Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, September 9, 2013, regarding Item 10(e) is incorporated herewith to these minutes as Exhibit "2."

- a) **REQUEST FOR APPROVAL OF GRANT AWARD AND PROFESSIONAL SERVICE CONTRACT – DIABETES PREVENTION PROGRAM AT GCCC; NEW MEXICO DEPARTMENT OF HEALTH, DIABETES PREVENTION AND CONTROL PROGRAM AND NEW MEXICO STATE UNIVERSITY. (DAVID CHAPMAN)**
  - 1) **REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.**
- b) **REQUEST FOR APPROVAL OF GRANT AWARD AND AGREEMENT – 2013 EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM; NEW MEXICO DEPARTMENT OF HEALTH DIABETES PREVENTION AND CONTROL PROGRAM AND NEW MEXICO STATE UNIVERSITY. (DAVID CHAPMAN)**
  - 1) **REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.**

- c) **SANTA FE MUNICIPAL AIRPORT. (FRANCEY JESSON)**
- 1) **BID NO. 14/05/B – SANTA FE MUNICIPAL AIRPORT RUNWAY 2/20 MRL; VIS-COM, INC.**
  - 2) **REQUEST FOR APPROVAL OF GRANT APPLICATION AND AWARD – FEDERAL AIRPORT IMPROVEMENT PROGRAM FOR CONSTRUCTION OF RUNWAY 2/20 MRL AT SANTA FE MUNICIPAL AIRPORT; U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION.**
  - 3) **REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – TASK ORDER NO. 115 FOR BIDDING AND CONSTRUCTION PHASE SERVICES FOR RUNWAY 2/20 MRL AND REQUEST FOR APPROVAL OF TASK ORDER NO. 114 FOR CONSTRUCTION OBSERVATION AND TESTING SERVICES FOR RUNWAY 2/20 MRL AT SANTA FE MUNICIPAL AIRPORT; MOLZEN-CORBIN & ASSOCIATES, INC.**
  - 4) **REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.**
- d) **REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON OCTOBER 9, 2013:**
- 1) **BILL NO. 2013-35: AN ORDINANCE AMENDING SUBSECTION 11-9.1 SFCC 1987, TO REQUIRE THE CITY OF SANTA FE TO PROVIDE INFORMATION IN A TIMELY MANNER RELATED TO THE PURPOSES OF A PROPOSED GENERAL OBLIGATION BOND MEASURE THAT WOULD REQUIRE RATIFICATION BY THE ELECTORATE OF THE CITY OF SANTA FE; AND CREATING A NEW SECTION 18-9 SFCC 1987, TO REQUIRE THE CITY OF SANTA FE TO PROVIDE INFORMATION RELATED TO THE PURPOSES OF ANY PROPOSED NEW OR INCREASED TAX THAT WOULD REQUIRE RATIFICATION BY THE ELECTORATE OF SANTA FE (COUNCILOR CALVERT, COUNCILOR BUSHEE AND COUNCILOR IVES AND COUNCILOR RIVERA). (MARCOS TAPIA AND JUDITH AMER)**
- e) **CONSIDERATION OF RESOLUTION NO. 2013-83 (MAYOR COSS AND COUNCILOR BUSHEE). A RESOLUTION AUTHORIZING AND APPROVING THE SUBMITTAL OF A GRANT APPLICATION TO THE FEDERAL AVIATION ADMINISTRATION FOR THE PURPOSE OF RECEIVING \$2.5 MILLION TO CONSTRUCT AN EXTENSION TO TAXIWAY F AT THE SANTA FE MUNICIPAL AIRPORT. (FRANCEY JESSON)**

f) *[Removed for discussion by Councilor Trujillo]*

**8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – AUGUST 27, 2013**

**MOTION:** Councilor Dominguez moved, seconded by Councilor Dimas, to approve the minutes of the Regular City Council meeting of August 27, 2013, as presented.

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

*Councilor Calvert arrived at the meeting*

**9. PRESENTATIONS**

**a) EMPLOYEE OF THE MONTH FOR SEPTEMBER 2013 – CARMELINA SPEARS, RECORDS MANAGEMENT SPECIALIST, CITY CLERK'S OFFICE.**

Mayor Coss read the letter of nomination into the record, and presented Ms. Spears with a plaque and a check for \$100 from the Employees Benefit Fund.

Ms. Spears thanked the Governing Body and the City for this honor and such a wonderful job.

**b) PROCLAMATION – SEPTEMBER 2013 – PREPAREDNESS MONTH IN SANTA FE. (ANDREW PHELPS).**

Mayor Coss read the Proclamation into the record declaring September 2013 as Preparedness Month in Santa Fe, and presented it to Andrew Phelps.

Mr. Phelps thanked the City for this recognition of the importance of preparedness in Santa Fe, especially today, the anniversary of 9/11 which is a day of remembrance and reflection on how far we've come since then and our level of preparedness now.

**c) MAKING STRIDES AGAINST BREAST CANCER IN SANTA FE. (MIKE ELY, AMERICAN CANCER SOCIETY)**

Mike Ely, Senior Director, Community Events, Great West Division of the American Cancer Society, noting the City has sponsored the event for 4 years. He said they want to formally thank the Governing Body for its support. reviewed their efforts. He talked about some of the things they do with the funds that they raise as follows:

- a. The 24/7 Call Center, noting that 1 of 2 women diagnosed with breast cancer reaches out to the Call Center; The Reach to Recovery where they match newly-diagnosed cancer patients with survivors to mentor them through the process of treatment and survivorship;
- b. Look Good, Feel Better where cosmetologists are brought in and teach people going through chemo to apply makeup, wigs and prosthetics;
- c. Provided 150 rides last year to their treatment and services; and
- d. 100% of the money goes directly to cancer research and services.

Mr. Ely said last year there was a 33% reduction in breast cancer deaths, which is directly related to the funds that they raise, noting 100% of all funds raised go directly into cancer research and the services. He said currently there is \$86.5 million invested in cancer research, \$2.5 million coming to the State to various researchers here. He said the Cancer Society is responsible for, and have had a hand in 46 Nobel Peace Prizes to day in cancer research, and have been involved with every breakthrough in Cancer, including *Tamoxifen* and *Herceptin*.

Mr. Ely invited the Governing Body to be involved in the Walk for Breast Cancer on October 5, 2013, at Villa Linda Park, noting he presented each Councilor with a Team Leader Kit a tee-shirt and a poster. He said these materials describe the event in further detail and how to get involved. He said there is a volunteer committee in Santa Fe that runs the event, mostly comprised of survivors. He said they raised \$85,000 last year, and their goal is \$100,000 for this year.

Councilor Dominguez said he lost his mother to breast cancer in April, and thanked him for the services that they provide and the work they do in fighting breast cancer and in supporting those who have breast cancer. He said he will be participating on October 5, 2013, noting he and Councilor Ives participated last year.

Councilor Bushee said her mother is breast cancer survivor, and she thanked him for everything they do in the community, and said she will try to be there on October 5<sup>th</sup>.

Councilor Dimas said his mother also is a breast cancer survivor. He thanked them for all the work that they do which is exemplary, and he said he will be there on October 5<sup>th</sup> to participate along with Councilor Dominguez.

*Councilor Wurzbarger arrived at the meeting*

Councilor Ives said he attended the event last year, noting there was a huge turnout, which was fabulous. He said perhaps if we get enough Councilors at the event, perhaps they can lead one of the Zumba Sessions.

Mayor Coss said it is a great event, and urged everyone to participate. He thanked Mr. Ely for coming to the Council to make the presentation.

### **CONSENT CALENDAR DISCUSSION**

**10(f) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT –  
ADMINISTRATIVE SUPPORT TO CREATE AND MAINTAIN A MANAGEMENT  
AND ACCOUNTABILITY STRUCTURE FOR SANTA FE RESOURCE  
OPPORTUNITY CENTER; INTERFAITH COMMUNITY SHELTER GROUP, INC.  
(TERRIE RODRIGUEZ)**

Councilor Trujillo said his wife, Amber, serves on the Board of the Interfaith Community Shelter Group, Inc., and therefore he will be recuse himself. Councilor Trujillo left the room.

**MOTION:** Councilor Bushee moved, seconded by Councilor Dimas, 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 Ives, Councilor Rivera and Councilor Wurzbarger.

**Against:** None.

**Recused:** Councilor Trujillo.

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### **END OF CONSENT CALENDAR DISCUSSION**

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**11. MATTERS FROM THE CITY MANAGER**

There were no matters from the City Manager.

**12. 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**

Councilor Ives recused himself from participation.

**MOTION:** Councilor Bushee moved, seconded by Councilor Rivera, that the Council go into Executive Session for 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, in accordance with §10-15-1(H)(7) NMSA 1978.

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

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

**Against:** None.

**Recused:** Councilor Ives,

The Council went into Executive Session at 5:25 p.m.

**MOTION TO COME OUT OF EXECUTIVE SESSION**

**MOTION:** At 5:30 p.m. Councilor Trujillo moved, seconded by Councilor Calvert, that the City Council come out of Executive Session and stated that the only items which were discussed in executive session were those items which were on the agenda, and no action was taken.

**VOTE:** The motion was approved unanimously on a voice vote with Councilors Calvert, Dimas, Dominguez, Ives, Rivera, Trujillo and Wurzbarger voting in favor of the motion, no one voting against and Councilor Bushee absent for the vote.

#### **15. MATTERS FROM THE CITY CLERK**

Ms. Vigil said dates have been selected for the public hearings regarding the Charter as follows:

September 24, 2013	Genoveva Chavez Community Center	5:30 p.m.
October 3, 2013	Public Schools Administration Building	5:30 p.m.
October 15, 2013	City Council Chambers	5:30 p.m.

Ms. Vigil said she will send the information to the Governing Body in an email tomorrow, noting the information also will be posted on the website.

#### **16. COMMUNICATIONS FROM THE GOVERNING BODY**

A copy of "Bills and Resolutions scheduled for introduction by members of the Governing Body," for the Council meeting of September 11, 2013, is incorporated herewith to these minutes as Exhibit "3."

##### **Councilor Calvert**

Councilor Calvert said he had no communications.

##### **Councilor Dimas**

Councilor Dimas said tomorrow is his wife, Candy's, birthday, and he wished her a very Happy Birthday.

Councilor Dimas said he would like to cosponsor the Ordinance and Resolution introduced by Councilor Rivera.



### **Councilor Ives**

Councilor Ives said a big thank you to all City staff for what he thought was a fabulous Fiesta weekend, which was run efficiently and smoothly, and everyone seemed to get everything they needed to get things done quickly and well. He thanked the Kiwanis who he felt did a fabulous job on Thursday. He said many old-time Santa Feans said they thought it was "the best Zozobra evening ever." He said it was a perfect night, moved forward well and the crowd seemed to have a fabulous time.

### **Councilor Rivera**

Councilor Rivera wished a Happy Birthday to his daughter Gabriel who turned 18 yesterday, and to his mom, whose birthday was September 7<sup>th</sup>, and to his Cousin Chris whose birthday also is on September 7<sup>th</sup>, who was visiting for Fiestas from Cortland, New York.

Councilor River agreed that it was a great Fiesta weekend, and thanked the Kiwanis and the Fiesta Council, as well to the City crews who do such a great job.

Councilor Rivera introduced the following:

1. An Ordinance creating a new section 19-2 SFCC 1987, to establish a fraud, waste and abuse hotline for City employees to report alleged fraud, waste and abuse being committed by employees and officers of the City. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "4."
2. A Resolution authorizing staff to budget and acquire an independent contractor to design, implement and administer a fraud, waste and abuse hotline for City employees to report alleged fraud, waste and abuse being committed by employees and/or officers of the City. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "5."

Councilor Rivera thanked City staff for attending the ENN meetings, the first two at the GCCC. He said attendance has been okay and the discussions have gone well. He asked Mr. Snyder to thank staff on his behalf.

### **Councilor Trujillo**

Councilor Trujillo said, "Ditto on everything with the Kiwanis and the Fiesta Council and our staff. He said it was a great Fiestas.

Councilor Trujillo wished his mother Happy Birthday.

### **Councilor Bushee**

Councilor Bushee introduced a Resolution recognizing the unique volunteer services that the Santa Fe Conservation Trust Trails Program provides on behalf of the City of Santa Fe's Trails and open spaces; and directing the City Manager to enter into a Professional Services Agreement with the Santa Fe Conservation Trust to provide trails volunteer coordinator services on behalf of the City of Santa Fe. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "6."

Councilor Bushee asked if we need to formalize in any way, the meeting with the School Board on a regular basis, twice a year as suggested.

Councilor Bushee said she understands the School Board recently made a decision regarding the La Farge Library, and wants to make sure that information gets to us soon in "whatever form." She wants to be sure we get right on that.

### **Councilor Wurzbarger**

Councilor Wurzbarger echoed her thanks for the great Fiestas and Zozobra. She thanked Ray Sandoval, in particular, for his exemplary leadership in turning something around completely. She hopes we will, as a Council, a Muchas Gracias award. She said, "Every aspect of the fiesta was perfect."

Councilor Wurzbarger introduced a Resolution directing City staff to collaborate with the Regional Soccer Leagues to identify necessary improvements to the MRC Soccer Facility and to explore funding mechanisms for such improvements and construction. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "7."

Councilor Wurzbarger said we received a Memo from David McQuarie on September 3, 2013, on the Ragle Park basketball court, and asked Mr. Snyder to see if there is something we need to do something differently.

Councilor Wurzbarger said Santa Fe Preparatory School is 50 years old this year, noting there was a program this week to celebrate that. She said one of the most impressive things is the special program they have with respect to scholarships, and she is impressed with what has been accomplished in the last 10 years since her children and Councilor Ives' children attended. She said, "I want to give a shout out to Prep."

### **Councilor Dominguez**

Councilor Dominguez thanked the public and the City employees for the festivities this weekend. He said this was one of the best Zozobra shows he's seen in his life. He said the weather was perfect, the crowds were manageable – it was just great.

Councilor Dominguez said he wants an update overall on the Santa Fe Public Schools.

Councilor Dominguez said he would like to know the status of the City's MOU with the Santa Fe Public Schools, and asked Mr. Snyder to provide an update to the Governing Body.

Councilor Dominguez said one of his constituents and co-worker, told him she had heard that there would be no volleyball this year at our recreation sites. He said she was told that was because the MOU no longer exists. He asked Mr. Snyder to do whatever is possible to get that straightened out, and to send him an email update.

### **Mayor Coss**

Mayor Coss thanked everyone involving in the Fiestas and Zozobra which were great this year, and the Kiwanis will be at the next meeting for a Muchas Gracias.

Mayor Coss introduced an Ordinance, cosponsored by Councilor Ives and Councilor Wurzbarger, calling for Santa Fe Municipal Charter Amendment questions related to the establishment of a strong Mayor provision; and authorizing that such amendments be placed on the ballot of a Special Election to be held in conjunction with the Regular Municipal Election on March 4, 2014. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "8."

Councilor Wurzbarger and Councilor Ives want to cosponsor the Ordinance.

Responding to Councilor Bushee, Mayor Coss said he is talking about a runoff based on what Albuquerque does.

Councilor Bushee asked Mayor Coss if he has any interest in ranked choice voting as a runoff method.

Mayor Coss said he is interested, but he understands we have to change State law and buy our own machines to do that. He said, "When you say you have to change State law, it gives me pause, so this will be just a straight runoff."

**END OF AFTERNOON SESSION AT 5:45 P.M.**

## **EVENING SESSION**

### **A. CALL TO ORDER AND ROLL CALL**

The Evening Session was called to order by Mayor David Coss, at approximately 7:00 p.m. Following the Pledge of Allegiance, salute to the New Mexico Flag, and Invocation, Roll Call indicated the presence of a quorum as follows:

#### **Members Present**

Mayor David Coss  
Councilor 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

#### **Members Excused**

Councilor Rebecca Wurzbarger, Mayor Pro-Tem

#### **Others Attending**

Brian K. Snyder, City Manager  
Kelley Brennan, Assistant City Attorney  
Yolanda Y. Vigil, City Clerk  
Melessia Helberg, Council Stenographer

### **F. PETITIONS FROM THE FLOOR**

Mayor Coss gave everyone 3 minutes to petition the Governing Body

**David McQuarie, 2997 Calle Cerrada**, said he has questions, first about Transit and Engineering – why aren't they working together instead of separately. He said the intersection of Cathedral Place and Alameda was done about 4½ years ago, and asked the reason it hasn't been finished, noting there are islands that need to be leveled. There is no level landing for bus stops. He said the new bus shelters are being put in and a few of them don't meet the ADA. The site is improper and non-accessible and for almost all of them, they aren't putting in the required traffic

signs, but they say the contractor is being paid for it. He asked if this is misuse of public funds. He said he asked about it and they said that is engineering's responsibility, and engineering said it is transit's responsibility. He thought it was City staff's responsibility.

Councilor Bushee said with regard to El Castillo in the Alameda area, it is on their radar screen and she's been working with Mr. Pino and the engineers to make sure they redo the sidewalk. However, she understands the nearby bridge is a big structural issue which will take funds the City will need to pursue. However, the sidewalk itself is being looked at. She said, "Would you just make sure the City Manager adds the bus stops that were mentioned and to have Joe Lujan get back to us on that."

**Gloria Mendoza** said Plan A was to come to you a few weeks ago and ask you for a City-wide meeting, and you totally ignored her. She said Plan B was to hold a protest, and she was happy about that protest, noting there were about 60 people there. She said the Police Chief and the Sheriff went down and talked with them. She said they support our thoughts, what we want to do, what we want to learn and we do have their support. She said she spoke with Bill Dimas, who was the only Councilor that got in touch with her before the protest to let her know he couldn't be there, although he wanted to. She said he told her about a Resolution he was going to be proposing. She was happy to hear tonight that Councilor Rivera, Councilor Bushee, Councilor Trujillo and Councilor Dominguez have signed onto the Resolution. She is disappointed that Councilor Wurzbarger, Councilor Ives and Councilor Calvert haven't signed on. She asked if the rest of you supported Calvert's plastic ban. She is surprised that Councilors Ives, Calvert and Wurzbarger would support taking plastic bags out of grocery stores, but won't support taking heroin out of Santa Fe. She asked their reasons.

Ms. Mendoza said she is here again to tell the Governing Body that heroin is an epidemic, and here to say that Santa Fe is the capitol of heroin in New Mexico. She said we read where Espanola has the most deaths from heroin. She said we are the ones selling the heroin in Santa Fe – the dealers are here and they're selling big time. She said this is the reason you'll read on the police blotter there are people from Espanola, Chimayo and the other small towns out of Santa Fe, and even Rio Rancho, who are coming into Santa Fe and burglarizing. She asked if you know the reason. She said it is because they come to Santa Fe to pick up their heroin, and while they are here they think they'll break into houses. She said this is a problem and the Mayor has known this for a long time.

Ms. Mendoza supports the LEAD program, but there's so much more to do. She said this community has the right to sit down and have a good panel discussion about what the City is doing about it, what the Police Department is doing about it, and how the community can help. She said we have drugs in our neighborhoods and asked who to call to get someone, or do you have ideas of what we know. She said for 6 months she lived on [inaudible] Street and they were dealing drugs. She called 911 and never got a police officers so she went out with a tablet and a pencil and went behind their cars and told them to get out of her neighborhood they weren't wanted here, to go deal drugs in their neighborhood, and told them she was taking down their license plate number. She said they were using "this license plate for every car that came there, every time they came, they put that license plate on, so they couldn't track them." She followed them home, and knew where they lived and she told the police where they lived. The police went over there, and they still continued to do it, then she went there to their homes, and they never did it again.

Ms. Mendoza said she is happy for those who came to speak with them this evening while they were sitting out there waiting to come in. It gives her hope. She said a lot of families are hurting, but they won't come out because they're embarrassed. They don't want people to know. She said heroin is the cheapest drug right now, opiates, pain killers are \$5 to \$10 apiece and an addict needs 30-40 a day, that's \$300 to \$400 a day. She said heroin is \$20 a hit, and keeps you high for 2 days – that's real cheap and the reason they are turning to heroin.

Ms. Mendoza said we need your help to educate this community about everything about heroin. She is willing to help you to get people on panels, commenting people are lined up wanting to be on the panel. She said there are people from the recovery center, the doctors that are giving out suboxone, counselors, all of whom want to be on the panel to tell people what they can do. She would appreciate if the City could do this as soon as possible. The holidays are coming and we don't want to put a damper on the holidays so she would like to have the community meeting sometime in October. She said she would appreciate that.

**Jalene Rodriguez** said she is here to talk about the same thing as Gloria. She said the situation hits home for her as well, commenting she has small children in elementary school. She said the drugs and heroin use is ridiculous in the elementary schools. He said her children need to be taught about any kinds of drugs – heroin, cocaine, crack – whatever it may be, because kids in our elementary, middle and high schools are using drugs. She said kids in the 4<sup>th</sup> and 5<sup>th</sup> grades are using drugs and the elementary schools will tell you that. She said something needs to be done. As a mother, she fears for her kids, and she doesn't want them to go through that, because she's already seen it with her uncles and brothers. She hopes we can get something done with the schools to tone it down and take the drugs off the streets and away from our kids.

**Raymond Herrera, 379 Hillside Avenue**, said he is privileged to have been invited by Gloria Mendoza to join this group. She said he and Gloria go back many many years. He said they were the original activists in Santa Fe, and people thought we were or dead or out of commission, but they are back. He said he is here to support Gloria in this effort, and hopes the Council does something on this issue. He said every one of us are touched by someone on drugs, whether we like it or even admit it – it's in our families one way or another and it's getting worse. He said fortunately his children are grown up, but he is starting with a six-year-old grandchild, and his concern is the future of our children in the face of the drug situation. He said he hopes we can do something as a community and the people are funning for Mayor and City Council who are listening, will put that as the top priority on their agenda if and when they win, to make it important for our community. He said, "I've known all of you for years, and your heart is there, so let's push for it. Okay. Thanks a lot."

**Monique Lovato** said she is here to support Gloria, but more to give a voice to the younger population. She said she is 20 years old and she has 16 friends fighting heroin addiction. She said the LEAD program is great. It is Gloria's idea to have a City-wide meeting where can educate people. She said a lot of people are hiding because they are embarrassed. But if they know there is a place to go where they can learn where to get their kids help, that is a great idea. She also has an idea that we need to prevent our kids from getting started. She said a lot of these kids get high with their own parents, and if you come from a home like that, you have no choice and the only time you're away from home is at school. She said we give kids sex education in the 4<sup>th</sup> grade with parental consent, and asked why we can't have a drug education program as early as elementary school. She suggested collaborating with the UNM Psychology Department or something to come up with a 3 day curriculum where kids watch a video about these drugs and then guest speakers come in talk about their fight with addiction so kids know what happens if they get into drugs or they see it at home they know it isn't normal.

**Stephanie Beninato** said she isn't here to talk about heroin, although there is a drug problem in Santa Fe and there needs to be constant education to help people understand the consequences. She said she is here to remind Mayor Coss of his promise to her of a year ago that her house could never flood again. She said the City paid \$8,000 for something that shows clearly there should be a 100 year capacity drain on the east side of Galisteo and a 15 year capacity on the west side in front of her driveway. The City increased the drain from 10 to 15 years which means at some point her house will flood again. The berm put in by the City was to be temporary, is not effective, catches debris, pushes water on both sidewalks and is damaging the external foundation of her front house which is a historic, contributing adobe, so you have unintended



consequences with that. She said if the City had bothered to settle with her 2 years, she would have walked away with \$20,000 and having the street improved to that capacity. She has been forced by the City because of their lack of cooperation to sue the City on that.

Ms. Beninato said she wanted to point out that, "Your backers, Carol Oppenheimer and Marty Simon as well as Richard Ellenberg, the head of the Democratic Party are going around in the County to get food servers to sign a petition to have a living wage in the County. I think they are, like you Mr. Coss, being disingenuous, in that food servers are not given a \$10 hour wage or a \$10 plus an hour wage, they're paid \$3 per hour, plus their tips. Hopefully, their tips are good enough to make that \$10, but if you work where there's not much business or it's a low cost place, your wages still might not reach \$10. And I do think it's important that people aren't deluded into thinking that would occur, that they're actually going to make a living wage, even if it goes into effect, because there is an exemption for food servers. I think we need more transparency and I'm talking to those of you who are going to run for City Council or Mayor, we need a lot more transparency at the City. We need lawyers who won't stonewall people, but recognize there is a problem, the City is legally liable and they come to settlement with people early on rather than trying to make them go away. And I would urge each and every one of you to consider having an office of mediation within the City Attorney's office to deal with problems that should be settled because the City is liable and should recognize that and accept responsibility. Because when you say, we made a mistake, it changes the whole dynamic and people get reasonable and would be willing to settle for a whole lot less than when you stonewall them for 2-3 years.

**Kevin Maillett** said in April 2009, he walked in front of one of your bicycle cops, Officer Jeff Worth. He was attacked by him, and he fractured his dentures, broke his foot, bent the 10 titanium screws and plates in his foot and it had to be completely rebuilt. He said afterward, with no warrants and no charges, he was arrested by officer Worth, put in cuffs and decided that was the best time "to start tasing him straight through the heart, giving me a heart attack that I have to pay for the rest of my life." He said he took him a hour to get straightened out. He came back to Santa Fe and learned he had been promoted to Detective. He said he has him on 8 felonies, "but he has me on nothing but walking in front of him and saying hello to him." He has watched him for 5½ years bust people, break them and beat them in the Railyard Park. He said there was a meeting with Mayor Coss on December 3<sup>rd</sup> of that year, but he was unaware until after it happened, otherwise he would have been. He said all through January the newspapers ran articles about what was wrong with being a bicycle cop, no audio no visual, no witnesses, you're done. Two against one. I took them to Court 10 months later, a 6-man jury. He said, "I really didn't have to say anything. Not Guilty. He got me on resisting, eluding and obstructing an officer in the line of duty. He said he ran him statewide, nationwide, got into his finances, which really freaked him out.

He said, "Oh look you owe money." He said, "I'm a U.S. citizen, of course I owe money. I don't owe it to you, this City, this County, this State. So what you do you want. Every time I come back here, I disappeared for 10 months, I had a trip to make. I do pen and ink illustration work. I come back and find out you've promoted him to Detective. You've done nothing about this man. You don't know his history in California, Hobbs, New Mexico where he shot a guy and got thrown out and ends up on the Plaza for beating the hell out of the tourists, and now you've made a Detective out of him. Anybody here going to do anything about this made. Oh, by the way, you've read about the heroin problem on him."

**Unidentified person** said they are deeply disappointed with Mayor David Coss's remarks in the newspaper, in the article entitled, *City stalled on ranked voting, despite approval at polls, where the Mayor was quoting as saying, "The last thing I would do is go out and buy new voting machines so we can do ranked choice voting because two people in the Green Party want it."* I understand you may have different priorities than the people who wanted it, but that was 65% of voters in 2008 who favored establishing the ranked choice voting, not just two people in the Green Party. For the benefit of those listening, who may not be aware, ranked choice voting is the way of electing the single winner from a field of candidates when no one gets more than half of the votes cast." Unidentified explained how the ranked choice voting works. He believes this would benefit the City, noting in the upcoming election, a winner could have less than 1/3 or less than 1/4 of the vote, and the person who wins won't be perceived as having a majority. He said in 40% of Santa Fe election, the winner has received less than a plurality of the vote. It is important to have elected representatives to have a plurality, and it is important to implement ranked choice voting.

## **G. APPOINTMENTS**

### **Airport Advisory Board**

Mayor Coss made the following appointment to the Airport Advisory Board:

Troy A. Padilla – to fill unexpired term ending 02/2014.

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

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

## **H. PUBLIC HEARINGS**

- 1) REQUEST FROM JULMARQ, LLC, FOR THE ISSUANCE OF A RESTAURANT LIQUOR LICENSE (BEER AND WINE ON-PREMISE CONSUMPTION ONLY) TO BE LOCATED AT SWISS BAKERY & BISTRO, 401 AND 403 S. GUADALUPE STREET.**

The staff report was presented by Yolanda Y. Vigil, City Clerk, noting the business is not within 300 feet of a church or school. She said this business contains an outdoor seating area, and the current configuration of the outdoor boundaries does comply with the Alcohol & Gaming Division's requirements. There are staff reports in the packet regarding litter, noise and traffic, and staff requests the business be required to comply with all of the City's ordinances.

### **Public Hearing**

There was no one speaking for or against this request.

### **The Public Hearing was closed**

**MOTION:** Councilor Bushee moved, seconded by Councilor Calvert, to approve the request from Julmarq, LLC, for the issuance of a Restaurant Liquor License, beer and wine on-premise consumption only, to be located at the Swiss Bakery & Bistro, 401 and 403 S. Guadalupe Street, as recommended by staff.

**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.

- 2) REQUEST FROM ST JOHN'S COLLEGE FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/CONSUMPTION OF WINE AT ST. JOHN'S COLLEGE, GREAT HALL, 1160 CAMINO CRUZ BLANCA. THE REQUEST IS FOR AN ART GALA/RECEPTION TO BE HELD ON SEPTEMBER 21, 2013 FROM 6:00 P.M. TO 8:00 P.M.**

The staff report was presented by Yolanda Y. Vigil, City Clerk.

### **Public Hearing**

There was no one speaking for or against this request.

### **The Public Hearing was closed**

**MOTION:** Councilor Calvert moved, seconded by Councilor Ives, to grant the waiver of the 300 foot location restriction and allow the dispensing/consumption of wine at St. John's College in the Great Hall, for an art gala/reception on September 21, 2013, from 6:00 p.m. to 8:00 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 and Councilor Trujillo.

**Against:** None.

- 3) **REQUEST FROM PATRICIA CARLISLE FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL FO ALLOW THE DISPENSING/CONSUMPTION OF CHAMPAGNE AT PATRICIA CARLISLE FINE ART, 554 CANYON ROAD WHICH IS WITHIN 300 FEET OF THE ACEQUIA MADRE ELEMENTARY PROPERTY, 700 ACEQUIA MADRE. THE REQUEST IS FOR A GALLERY RECEPTION TO BE HELD ON SEPTEMBER 20, 2013, FROM 5:00 P.M. TO 7:00 P.M. (YOLANDA Y. VIGIL)**

A letter dated September 9, 2013, to Patricia Carlisle Fine Art from Carl Gruenler, Chief Business Officer, Santa Fe Public Schools, saying the District will not issue a decision regarding opposition or non-opposition to the special events where liquor will be sold. A copy of the letter is incorporated herewith to these minutes as Exhibit "9."

The staff report was presented by Yolanda Y. Vigil, City Clerk, noting there is a letter in the packet dated September 9, 2013, to Patricia Carlisle Fine Art from Carl Gruenler, Chief Business Officer, Santa Fe Public Schools, saying the District will not issue a decision regarding opposition or non-opposition to the special events where liquor will be sold. Please see Exhibit "9," for the text of this letter.

### **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 grant the waiver of the 300 foot location restriction and allow the dispensing/consumption of champagne at Patricia Carlisle Fine Art, for a gallery reception to be held on September 20, 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 and Councilor Trujillo.

**Against:** None.

- 4) **CONSIDERATION OF BILL NO. 2013-31: ADOPTION OF ORDINANCE NO. 2013-30 (MAYOR COSS). AN ORDINANCE AMENDING SECTION 9-1.3 SFCC 1987, TO INCLUDE PRECINCT 89 IN DISTRICT 3 AND MAKING SUCH OTHER GRAMMATICAL AND STYLISTIC CHANGES AS ARE NECESSARY.**

A copy of *Modified Santa Fe County Precincts – September 2013*, is incorporated herewith to these minutes as Exhibit “10.”

The staff report was presented by Yolanda Vigil, noting the precinct has to be split into two because there were more than 800 voters for primary or general election. She said this was approved by the Board of County Commissioners yesterday, and by the Secretary of State today.

### **Public Hearing**

There was no one speaking for or against this request.

### **The Public Hearing was closed**

**MOTION:** Councilor Dimas moved, seconded by Councilor Ives, to adopt Ordinance No. 2013-30, as presented.

**DISCUSSION:** Councilor Bushee asked when this change will be incorporated into the map.

Ms. Vigil said this change will go into effect five (5) days after publication, noting she will send it out right away. However, the maps containing the change will be done in the next few weeks."

**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.

- 5) **CONSIDERATION OF BILL NO. 2013-32: ADOPTION OF ORDINANCE NO. 2013-31. AN ORDINANCE RELATING TO THE CAMPAIGN CODE, SECTION 9-2 SFCC 19087 AND THE PUBLIC CAMPAIGN FINANCE CODE, SECTION 9-3 SFCC 1987; AMENDING SUBSECTIONS 9-2.9 AND 9-2.11 SFCC 1987, TO PROVIDE UNIFORMITY IN CAMPAIGN TREASURER DUTIES AND AMENDING SUBSECTION 9-3.14 SFCC 1987, TO CLARIFY THAT A CANDIDATE FOR MUNICIPAL JUDGE IS NOT REQUIRED TO SIGN EXPENDITURE REPORTS. (YOLANDA VIGIL)**

The staff report was presented by Zach Shandler, Assistant City Attorney, from the Legislative Summary which is in the packet. Please see the Legislative Summary for specifics of this presentation.

### **Public Hearing**

There was no one speaking for or against this request.

### **The Public Hearing was closed**

**MOTION:** Councilor Calvert moved, seconded by Councilor Trujillo, to adopt Ordinance no. 2013-31, as presented..

**DISCUSSION:** Councilor Trujillo asked said on page 2, line 17 it provides, "The campaign treasurer or deputy campaign treasurer shall not accept anonymous contributions. Any such contribution received by the campaign treasure or deputy campaign treasure shall, within seven (7) days of

receipt, be donated to a charity or to the City's general fund." He asked why it would go to the General Fund.

Mr. Shandler noted that provision already is law, and is not being amended or changed, so that couldn't be amended today.

Councilor Trujillo said he has a problem with it going to the General Fund.

Mr. Shandler said that was a policy decision made previously.

Councilor Trujillo said he will be looking at this legislation a little more.

Councilor Bushee understands all \$5 contributions go to the General Fund.

Ms. Vigil said it goes into the Public Campaign Finance Fund.

Councilor Bushee asked the reason this would be specific to the General Fund.

Councilor Calvert said the Public Campaign Finance Fund is part of the General Fund.

Ms. Vigil said it also can be donated to a charity of the candidate's choice.

*[Jim Harrington arrived at the meeting at this time, but his remarks were inaudible because he was speaking from the audience and away from the microphone]*

**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.

- 6) REQUEST FROM DAHL ENTERPRISES, LLC, FOR A TRANSFER OF LOCATION OF DISPENSER LICENSE #0493 FROM LUCKY SHOE, 350 E. THERMA, EAGLE NEST TO RINGSIDE BOWL, 500 MARKET STREET, SUITE #210. (YOLANDA Y. VIGIL) (Postponed to September 25, 2013 City Council Meeting)**

**I. ADJOURN**

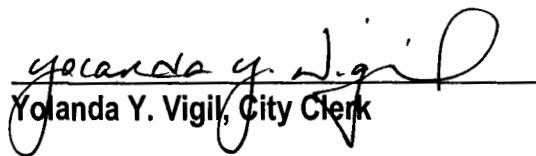
The was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 7:45 p.m.

**Approved by:**

A handwritten signature in cursive script, appearing to read "David Coss", written over a horizontal line.


**Mayor David Coss**

**ATTESTED TO:**

A handwritten signature in cursive script, appearing to read "Yolanda Y. Vigil", written over a horizontal line.

**Yolanda Y. Vigil, City Clerk**

**Respectfully submitted:**

A handwritten signature in cursive script, appearing to read "Melessia Helberg", written over a horizontal line.

**Melessia Helberg, Council Stenographer**



**ACTION SHEET  
ITEM FROM THE  
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING  
OF  
MONDAY, SEPTEMBER 9, 2013**

**ITEM 14****SANTA FE MUNICIPAL AIRPORT**

- REQUEST FOR APPROVAL OF RUNWAY 2/20 MEDIUM INTENSITY RUNWAY LIGHTING (MIRL) RFB NO. 14/05/B; AWARD OF BID TO VISCOM INC. IN THE AMOUNT OF \$469,662.49 CONTINGENT ON FAA GRANT AWARD
- REQUEST FOR APPROVAL OF AN APPLICATION FOR A FEDERAL AIRPORT IMPROVEMENT PROGRAM (AIP) GRANT IN THE AMOUNT OF \$762,910 FOR THE PURPOSE OF CONSTRUCTION OF RUNWAY 2/20 MIRL
- REQUEST FOR APPROVAL OF TASK ORDER NO. 115 TO THE MOLZEN-CORBIN PROFESSIONAL SERVICES AGREEMENT FOR BIDDING AND CONSTRUCTION PHASE SERVICES FOR RUNWAY 2/20 MIRL IN THE AMOUNT OF \$82,828.85
- REQUEST FOR APPROVAL OF TASK ORDER NO. 114 TO THE MOLZEN-CORBIN PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION OBSERVATION AND TESTING SERVICES FOR RUNWAY 2/20 MIRL IN THE AMOUNT OF \$157,582.72
- REQUEST FOR APPROVAL OF AMENDMENT NO. 2 OF MOLZEN-CORBIN PROFESSIONAL SERVICES AGREEMENT INCREASING COMPENSATION FOR TASK ORDERS NO. 114 AND 115
- REQUEST FOR APPROVAL FOR THE MAYOR OR IN HIS ABSENCE THE CITY MANAGER TO ACCEPT THE FEDERAL GRANT ONCE FORMALLY OFFERED IN ORDER TO MEET FEDERAL AIRPORT IMPROVEMENT PROGRAM DEADLINES (FRANCEY JESSON)

**PUBLIC WORKS COMMITTEE ACTION: Approved**

**SPECIAL CONDITIONS OR AMENDMENTS:**

**STAFF FOLLOW UP:**

<b>VOTE</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAIN</b>
<b>CHAIRPERSON WURZBURGER</b>			
<b>COUNCILOR CALVERT</b>	<b>X</b>		
<b>COUNCILOR IVES</b>	<b>X</b>		
<b>COUNCILOR RIVERA</b>	<b>X</b>		
<b>COUNCILOR TRUJILLO</b>	<b>X</b>		

*Exhibit "1"*

**ACTION SHEET  
ITEM FROM THE  
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING  
OF  
MONDAY, SEPTEMBER 9, 2013**

**ITEM 15**

REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING AND APPROVING THE SUBMITTAL OF A GRANT APPLICATION TO THE FEDERAL AVIATION ADMINISTRATION FOR THE PURPOSE OF RECEIVING \$2.5 MILLION DOLLARS TO CONSTRUCT AN EXTENSION TO TAXIWAY F AT THE SANTA FE MUNICIPAL AIRPORT (MAYOR COSS) (FRANCEY JESSON)

**PUBLIC WORKS COMMITTEE ACTION:** Approved on Consent

**SPECIAL CONDITIONS OR AMENDMENTS:**

**STAFF FOLLOW UP:**

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON WURZBURGER			
COUNCILOR CALVERT	X		
COUNCILOR IVES	X		
COUNCILOR RIVERA	X		
COUNCILOR TRUJILLO	X		

*Exhibit "2"*



**CITY COUNCIL MEETING OF  
SEPTEMBER 11, 2013  
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION  
BY MEMBERS OF THE GOVERNING BODY**

<b>Mayor David Coss</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
	A RESOLUTION CALLING FOR SANTA FE MUNICIPAL CHARTER AMENDMENT QUESTIONS RELATED TO THE ESTABLISHMENT OF A STRONG MAYOR PROVISION; REMOVAL OF THE CITY MANAGER AND THE ESTABLISHMENT OF A RUNOFF ELECTION PROVISION; AND AUTHORIZING THAT SUCH AMENDMENTS BE PLACED ON THE BALLOT OF A SPECIAL ELECTION TO BE HELD IN CONJUNCTION WITH THE REGULAR MUNICIPAL ELECTION ON MARCH 4, 2014.	Special Council Meetings for Charter Amendment Hearings
<b>Councilor Patti Bushee</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
	A RESOLUTION RECOGNIZING THE UNIQUE VOLUNTEER SERVICES THAT THE SANTA FE CONSERVATION TRUST TRAILS PROGRAM PROVIDES ON BEHALF OF THE CITY OF SANTA FE'S TRAILS AND OPEN SPACES; AND DIRECTING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH THE SANTA FE CONSERVATION TRUST TO PROVIDE TRAILS VOLUNTEER COORDINATOR SERVICES ON BEHALF OF THE CITY OF SANTA FE.	Finance – 9/16/13 Bicycle & Trails Advisory Committee – 9/18/13 Public Works – 9/23/13 Council – 9/25/13
<b>Councilor Chris Calvert</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Bill Dimas</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Carmichael Dominguez</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Peter Ives</b>		

<b>Councilor Chris Rivera</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
	<p>AN ORDINANCE</p> <p>CREATING A NEW SECTION 19-2 SFCC 1987 TO ESTABLISH A FRAUD, WASTE AND ABUSE HOTLINE FOR CITY EMPLOYEES TO REPORT ALLEGED FRAUD, WASTE AND ABUSE BEING COMMITTED BY EMPLOYEES AND OFFICERS OF THE CITY.</p> <p>A RESOLUTION</p> <p>AUTHORIZING STAFF TO BUDGET AND ACQUIRE AN INDEPENDENT CONTRACTOR TO DESIGN, IMPLEMENT AND ADMINISTER A FRAUD, WASTE AND ABUSE HOTLINE FOR CITY EMPLOYEES TO REPORT ALLEGED FRAUD, WASTE AND ABUSE BEING COMMITTED BY EMPLOYEES AND/OR OFFICERS OF THE CITY.</p>	<p>Finance – 9/30/13</p> <p>Council (request to publish) – 10/9/13</p> <p>Council (public hearing) – 11/13/13</p>
<b>Councilor Ron Trujillo</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Rebecca Wurzbarger</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
Rivera	<p>A RESOLUTION</p> <p>DIRECTING CITY STAFF TO COLLABORATE WITH THE REGIONAL SOCCER LEAGUES TO IDENTIFY NECESSARY IMPROVEMENTS TO THE MRC SOCCER FACILITIES AND THE POSSIBLE CONSTRUCTION OF AN INDOOR SOCCER FACILITY AND TO EXPLORE FUNDING MECHANISMS FOR SUCH IMPROVEMENTS AND CONSTRUCTION.</p>	<p>Public Works – 9/23/13</p> <p>Finance – 9/30/13</p> <p>Council – 10/9/13</p>

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](mailto:mdbyers@santafenm.gov).

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2013-\_\_\_\_\_

INTRODUCED BY:

Councilor Chris Rivera

AN ORDINANCE

CREATING A NEW SECTION 19-2 SFCC 1987 TO ESTABLISH A FRAUD, WASTE AND ABUSE HOTLINE FOR CITY EMPLOYEES TO REPORT ALLEGED FRAUD, WASTE AND ABUSE BEING COMMITTED BY EMPLOYEES AND OFFICERS OF THE CITY.

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

Section 1. A new Section 19-2 SFCC 1987 is ordained to read:

**19-2 [NEW MATERIAL] FRAUD, WASTE AND ABUSE HOTLINE.**

**19-2.1 Short Title.** This Section shall be known as the Fraud, Waste and Abuse Hotline Ordinance.

**19-2.2 Authority.** The city has the authority to enact this Ordinance under all powers possible for a city to have under the constitution and laws of New Mexico by virtue of its enactment of its charter pursuant to the provisions of Article X, Section 6 of the New Mexico Constitution, and pursuant to the New Mexico Municipal Charter Act including all implied powers and all powers necessary to implement all express powers of the city, as if each and every one of the city's implied powers were fully, completely and expressly enumerated in its charter.

1           **19-2.3 Purpose; Intent.**

2           A.     The purpose of this Ordinance is to establish a mechanism specifically for city  
3 employees, in good faith, to report alleged fraud, waste or abuse by city employees or city public  
4 officers of the city.

5           B.     The intent of the governing body in enacting this Ordinance is to protect public  
6 employees by keeping confidential the name of the public employee who lodges a good faith  
7 complaint through the fraud, waste and abuse hotline from retaliation.

8           **19-2.4 Establishment of Fraud, Waste and Abuse Hotline.**

9           A.     There is established a fraud, waste and abuse hotline in the city for city employees to,  
10 in good faith, report confidentially alleged acts of fraud, waste and abuse committed by other city  
11 employees or city public officials.

12          B.     The city shall provide sufficient budget to acquire an independent contractor to  
13 design, implement and administer the fraud, waste and abuse hotline.

14          **19-2.5 Confidentiality of Complaints.** Pursuant to this Ordinance and the city's home rule  
15 powers, it is necessary for the welfare of the city's employees and its residents that all complaints  
16 filed by city employees using the fraud, waste and abuse hotline shall remain confidential and be  
17 exempt from any request to inspect public records submitted in accordance with the Inspection of  
18 Public Records Act, Chapter 14, Article 2 NMSA 1978.

19          **19-2.6 Adoption of Whistleblower Protection Act.** The New Mexico Whistleblower  
20 Protection Act provides protection to public employees and prohibits a public employer from taking  
21 any retaliatory action against a public employee based upon a communication about an action or a  
22 failure to act that the public employee believes in good faith constitutes an unlawful or improper act.  
23 The provisions of the Whistleblower Protection Act, Sections 10-16C-1 through 10-16C-6 NMSA  
24 1978, are adopted by reference as if fully set out herein.

25          **19-2.7 Annual Review.** This Ordinance shall be reviewed one year from the date of

1 adoption and thereafter, on an annual basis.

2 APPROVED AS TO FORM:

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5 GENO ZAMORA, CITY ATTORNEY  
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*M/Melissa/Bills 2013/Fraud Waste Abuse Hotline Bill*

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2013-\_\_\_\_

INTRODUCED BY:

Councilor Chris Rivera

A RESOLUTION

**AUTHORIZING STAFF TO BUDGET AND ACQUIRE AN INDEPENDENT CONTRACTOR TO DESIGN, IMPLEMENT AND ADMINISTER A FRAUD, WASTE AND ABUSE HOTLINE FOR CITY EMPLOYEES TO REPORT ALLEGED FRAUD, WASTE AND ABUSE BEING COMMITTED BY EMPLOYEES AND/OR OFFICERS OF THE CITY.**

**WHEREAS**, there is currently a mechanism in place, through the City Constituent Services Office, for the community to report fraud, waste or abuse through the on-line request tracker system, the telephone or in person; and

**WHEREAS**, there is not a mechanism in place designated specifically for City employees to report alleged fraud, waste or abuse by city employees or city public officers of the City, either fully disclosing their identity or anonymously; and

**WHEREAS**, on \_\_\_\_\_, 2013, the Governing Body adopted Ordinance No. 2013-\_\_\_\_ for the purpose of establishing a fraud, waste and abuse hot line to be used as a mechanism specifically for city employees to report, in good faith, alleged fraud, waste or abuse by city employees or city public officers of the city ("Ordinance"); and



1       **WHEREAS**, the intent of the governing body in enacting the Ordinance is to protect public  
2 employees from retaliation by keeping confidential the name of the public employee who lodges a  
3 good faith complaint via the fraud, waste and abuse hotline; and

4       **WHEREAS**, the Ordinance adopted by reference the New Mexico Whistleblower Protection  
5 Act, Sections 10-16C-1 through 10-16C-6 NMSA 1978, which provides protection to public  
6 employees and prohibits a public employer from taking any retaliatory action against a public  
7 employee based upon a communication about an action or a failure to act that the public employee  
8 believes in good faith constitutes an unlawful or improper act; and

9       **WHEREAS**, the Internal Audit Department was created to insure that the actions of public  
10 officials, employees and contractors of the City are carried out in the most responsible manner  
11 possible; and

12       **WHEREAS**, the Internal Audit Department should take an active role in requesting  
13 proposals for a third-party contractor to design, implement and administer a confidential, fraud, waste  
14 and abuse hotline for City employees.

15       **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**  
16 **CITY OF SANTA FE** that in accordance with Ordinance No. 2013-\_\_\_\_, staff is authorized to  
17 budget and acquire an independent contractor to design, implement and administer a fraud, waste and  
18 abuse hotline for city employees to report, in good faith, alleged fraud, waste and abuse being  
19 committed by employees and/or officers of the city.

20       Section 1.       The Internal Audit Department shall issue RFPs and oversee the contract on  
21 behalf of the City.

22       Section 2.       The independent contractor shall make at least one annual presentation to the  
23 Governing Body on the implementation and administration of the fraud, waste and abuse hotline.

24       **PASSED, APPROVED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2013.  
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\_\_\_\_\_  
DAVID COSS, MAYOR

4 ATTEST:

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\_\_\_\_\_  
7 YOLANDA Y. VIGIL, CITY CLERK

8 APPROVED AS TO FORM:

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11 GENO ZAMORA, CITY ATTORNEY

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25 *M/Melissa/Resolutions 2013/Fraud\_Waste\_Abuse\_Resolution*

1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION NO. 2013-\_\_

3 INTRODUCED BY:

4  
5 Councilor Patti Bushee

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8  
9  
10 A RESOLUTION

11 RECOGNIZING THE UNIQUE VOLUNTEER SERVICES THAT THE SANTA FE  
12 CONSERVATION TRUST TRAILS PROGRAM PROVIDES ON BEHALF OF THE  
13 CITY OF SANTA FE'S TRAILS AND OPEN SPACES; AND DIRECTING THE CITY  
14 MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH  
15 THE SANTA FE CONSERVATION TRUST TO PROVIDE TRAILS VOLUNTEER  
16 COORDINATOR SERVICES ON BEHALF OF THE CITY OF SANTA FE.

17  
18 WHEREAS, on September 14, 2011, the Governing Body adopted Resolution 2011-46  
19 which approved the La Tierra Trails Master Plan as City policy to guide development of the  
20 City's open space and trails in the Northwest Quadrant; and

21 WHEREAS, the master plan's stewardship recommendations include designation of a  
22 single point of contact for public convenience to deal with all wilderness trail/area issues; and

23 WHEREAS, on March 27, 2013, through the adoption of Resolution No. 2013-34, the  
24 Governing Body directed the City Manager to explore and evaluate the creation of a city position  
25 for managing and maintaining the city's bike-pedestrian trail network; and

*Exhibit "6"*

1           **WHEREAS**, the Governing Body adopted Resolution 2013-49 on May 8, 2013, which  
2 approved the annual budget for the City of Santa Fe for Fiscal Year 2013/14; and

3           **WHEREAS**, included in the annual budget is an allocation of \$50,000 for funding a  
4 Trails Volunteer Coordinator position to work on coordinating the trail volunteer program that  
5 will be provided through a professional services agreement with a local non-profit rather than  
6 through the creation of a City position; and

7           **WHEREAS**, the Santa Fe Conservation Trust (SFCT) is a private non-profit corporation  
8 based in the city of Santa Fe and through the support of hundreds of people who share a passion  
9 for protection of the land for all living creatures, currently holds over 34,000 acres in northern  
10 New Mexico in voluntary conservation; and

11           **WHEREAS**, the SFCT Trails Volunteer Program, is a unique partnership between SFCT  
12 and a large network of local trail volunteers calling themselves the Trails Alliance of Santa Fe,  
13 that seeks to provide a direct link to a growing source of volunteers who support a public/private  
14 partnership for a well-planned and well-maintained regional public trails network by organizing  
15 volunteer trail work, facilitating the training and coordination of volunteers, and providing  
16 information and awareness of trails events in the area.

17           **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**  
18 **CITY OF SANTA FE** that the Governing Body hereby recognizes the unique volunteer services  
19 that the SFCT Volunteer Trails Program provides in partnership with the Trails Alliance on  
20 behalf of the City of Santa Fe's trails and open spaces by providing volunteers who desire to help  
21 maintain the City's trails and open spaces.

22           **BE IT FURTHER RESOLVED** that the City Manager is directed to enter into a  
23 professional services agreement with the SFCT Volunteer Trails Program in partnership with the  
24 Trails Alliance to fund a trails volunteer coordinator position to work on coordinating the  
25 Volunteer Trails Program's services on behalf of the City of Santa Fe.

- 1 1. SFCT in partnership with the Trails Alliance is a sole source provider that is uniquely  
2 qualified to administer the trail volunteer coordinator position and the Volunteer  
3 Trails Program's services in coordination with a designated city staff contract  
4 manager.
- 5 2. The amount budgeted for such service is \$50,000 for Fiscal Year 2013/2014. No  
6 additional City staff or resources of the City of Santa Fe will be required for the  
7 administration of the volunteer trail coordinator position and the trails volunteer  
8 program.
- 9 3. SFCT in partnership with the Trails Alliance shall collaborate with the City to  
10 establish a trails volunteer coordinator position to serve as a single point of contact  
11 for volunteers working on City of Santa Fe trails and open space related issues.
- 12 4. All actions taken under the Trails Volunteer Coordinator program shall be consistent  
13 with the guidance of the La Tierra Trails Master Plan and all applicable federal, state  
14 and local ordinances, regulations and statutes.

15 PASSED, APPROVED, and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2013.

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17  
18 ATTEST:

\_\_\_\_\_  
DAVID COSS, MAYOR

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20 \_\_\_\_\_  
21 YOLANDA Y. VIGIL, CITY CLERK

22 APPROVED AS TO FORM:

23  
24 \_\_\_\_\_  
25 GENO ZAMORA, CITY ATTORNEY

*M/Melissa/Resolutions 2013/Trails Coordinator\_SFCT\_MB\_JA*

**CITY OF SANTA FE, NEW MEXICO**

**RESOLUTION NO. 2013-\_\_**

**INTRODCUED BY:**

Councilor Rebecca Wurzburger

Councilor Chris Rivera

**A RESOLUTION**

**DIRECTING CITY STAFF TO COLLABORATE WITH THE REGIONAL SOCCER LEAGUES TO IDENTIFY NECESSARY IMPROVEMENTS TO THE MRC SOCCER FACILITIES AND THE POSSIBLE CONSTRUCTION OF AN INDOOR SOCCER FACILITY AND TO EXPLORE FUNDING MECHANISMS FOR SUCH IMPROVEMENTS AND CONSTRUCTION.**

**WHEREAS,** Northern Soccer Club in collaboration with La Liga, Santa Fe Adult Soccer, Liga Nocturna, AYSO, and area high school soccer coaches are seeking funding and community support for extensive renovations of the soccer facilities at the MRC; and

**WHEREAS,** soccer is one of the most rapidly growing sports in the United States which can be attributed to, in part, to the low cost of participation as well as the highly inclusive nature of the sport; and

**WHEREAS,** Northern New Mexico, including Santa Fe, has seen a spike in interest for soccer by the general population; and

**WHEREAS,** an influx of immigrants from countries where soccer is a primary sport has also

1 influenced growth in the soccer community; and

2       **WHEREAS**, with the increase in interest in the sport there has been a consequential upsurge  
3 in the demand for adequate facilities such as fields and stadiums; and

4       **WHEREAS**, the City of Santa Fe has designated limited parks and recreation spaces for  
5 soccer use; and

6       **WHEREAS**, problems specific to use, design and maintenance of said fields include,  
7 drainage, sprinkler units, turf quality and upkeep; and

8       **WHEREAS**, New Mexico faces a litany of challenges related to literacy, teen pregnancy and  
9 health; and

10       **WHEREAS**, statistically, communities that devote resources to youth programs, in particular  
11 sports programs, can see a notable benefit for the general health of at risk populations; and

12       **WHEREAS**, investing in a project to enhance the City's soccer fields will not only have a  
13 positive impact on the local soccer community, it will also have a positive effect on the regional  
14 population; and

15       **WHEREAS**, a single, average size soccer tournament can yield approximately \$600,000 of  
16 direct and indirect economic benefit for the hosting entity; and

17       **WHEREAS**, although there is obvious support for the renovations as well as a collaborative  
18 effort on the part of the regional soccer associations, there is no clearly identified project.

19       **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**  
20 **CITY OF SANTA FE** that City staff, including staff from the Municipal Recreation Complex, Parks,  
21 Recreation and Economic Development are directed to:

- 22       1. Collaborate with the regional soccer leagues to identify necessary improvements to  
23       the MRC soccer facilities and the possible construction of an indoor soccer facility;
- 24       2. Explore funding mechanisms for such improvements, including planning, design and  
25       construction; and

3. Identify the direct and indirect economic benefits of pursuing and hosting regional  
and national soccer tournaments.

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/MRC Soccer Complex



CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2013-\_\_\_\_

INTRODUCED BY:

Mayor David Coss

A RESOLUTION

CALLING FOR SANTA FE MUNICIPAL CHARTER AMENDMENT QUESTIONS  
RELATED TO THE ESTABLISHMENT OF A STRONG MAYOR PROVISION; REMOVAL  
OF THE CITY MANAGER AND THE ESTABLISHMENT OF A RUNOFF ELECTION  
PROVISION; AND AUTHORIZING THAT SUCH AMENDMENTS BE PLACED ON THE  
BALLOT OF A SPECIAL ELECTION TO BE HELD IN CONJUNCTION WITH THE  
REGULAR MUNICIPAL ELECTION ON MARCH 4, 2014.

**WHEREAS**, the Charter Review Commission ("Commission") was created by Resolution  
2012-45, pursuant to Section 10.01 of the Municipal Charter; and

**WHEREAS**, the Commission presented its Final Report and Recommendations to the  
Governing Body on July 31, 2013, see Exhibit A, attached hereto; and

**WHEREAS**, the Governing Body commends the Commission for its work and dedication in  
considering more than 30 matters and ultimately recommending seven proposed substantive Charter  
amendments to the Governing Body; and

**WHEREAS**, a proposed recommendation of the Commission included the establishment of a

1 strong-mayor form of government; and

2       **WHEREAS**, the Governing Body desires that provisions related to a strong-mayor form of  
3 government be included as a proposed Charter amendment, however, such proposed amendment  
4 should not include that the mayor be a full-time position and the following provisions shall be  
5 included in the proposed amendment:

- 6       • The mayor shall appoint the city manager, the city attorney and the city clerk, subject to  
7       the approval of the governing body;
- 8       • The mayor may solely remove the city manager, city attorney and city clerk, without the  
9       approval of the governing body;

10       **WHEREAS**, the current Charter provides that “The city manager may be removed subject to  
11 the approval of the council or by the governing body by a majority vote of all members at a regularly  
12 scheduled meeting;” and

13       **WHEREAS**, the Commission recommended a proposed amendment that would authorize  
14 only the mayor to remove the city manager; and

15       **WHEREAS**, the Governing Body desires that the Charter be amended to authorize the mayor  
16 to solely remove the city manager and further authorize the Governing Body to remove the city  
17 manager by a supermajority vote; and

18       **WHEREAS**, the Governing Body desires that an additional proposed Charter amendment  
19 that would establish a run-off provision so that if no candidate receives 40% of the votes cast for the  
20 particular office in question, a runoff election shall be held within forty-five days after certification of  
21 the results of the election.

22       **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**  
23 **CITY OF SANTA FE** that the Governing Body hereby calls for proposed amendments to the Santa  
24 Fe Municipal Charter to be placed on the ballot of a special municipal election to be held in

1 conjunction with the regular municipal election on March 4, 2014:

2       **Section 1.**       A question for the voters of the city of Santa Fe shall be presented to decide  
3 whether or not to amend the Charter to include a strong-mayor form of government, as recommended  
4 by the Commission, with amendments authorized by the Governing Body to amend Section 5.01 to  
5 read:

6       **“5.01. Powers and duties.**

7               The city shall have a mayor who shall:

8               A.       be elected at large by the voters of the city;

9               B.       ~~[vote only in the case of a tie or when his or her vote will provide the~~  
10 ~~necessary number of votes required by law for taking action on an issue before the~~  
11 ~~governing body]~~ vote on all matters that come before the governing body;

12              C.       be the chief executive officer of the city;

13              D.       appoint ~~[and remove]~~, subject to the approval of the governing body,  
14 the city manager, city attorney, city clerk, and members of advisory commissions;

15              E.       have sole authority to remove the city manager, city attorney and city  
16 clerk;

17              ~~[E]~~F.    cause the ordinances and regulations of the city to be faithfully and  
18 constantly  
19 obeyed;

20              ~~[F]~~G.    have, within the city limits, the power conferred on the sheriffs of  
21 counties to suppress disorders and keep the peace;

22              ~~[G]~~H.    propose programs and policies to the governing body;

23              I.       work with city personnel and timely prepare an annual budget and  
24 proposed spending priorities for review and approval by the finance committee and  
25 the City Council;

[H]J. represent the city in intergovernmental relationships;

[I]K. present an annual state of the city message, which shall identify among other matters the mayor's legislative agenda for the upcoming year;

[J. ~~perform other duties compatible with the nature of the office as the governing body may from time to time require;~~]

[K]L. be recognized as head of the city government for all ceremonial purposes; and

[L]M. be recognized by the governor for purposes of military law.”

**Section 2.** A question for the voters of the city of Santa Fe shall be presented to decide whether or not to amend the Charter to authorize the mayor to solely remove the city manager, as recommended by the Commission, with an amendment by the Governing Body that would also authorize the Governing Body to remove the city manager by a supermajority vote – Section 8.04 is amended to read:

**“8.04 Removal.**

The city manager may be suspended or removed:

A. by the mayor [~~subject to the approval of the council~~]; or

B. by the governing body by a supermajority vote of all members at a regularly scheduled meeting.”

**Section 3.** A question for the voters of the city of Santa Fe shall be presented to decide whether or not to amend the Charter to establish a runoff election provision – a new Section 4.07 would be established to read:

**“4.07 RUNOFF ELECTIONS.**

A. If no candidate receives 40% of the votes cast for the particular office in question, a runoff election shall be held within forty-five days after

1 certification of the results of the election in question as now provided by law and as  
2 amended and supplemented from time to time. Unless otherwise specified in this  
3 Charter, the two candidates who receive the highest number of votes cast for the  
4 office in question shall automatically become the candidates at the runoff election  
5 and the filing of declarations of candidacy is dispensed with.

6 B. The governing body shall by resolution fix the date of the runoff  
7 election and specify the offices to be filled and the names of the candidates therefor.  
8 The resolution shall be published once, at least seven days before the runoff election  
9 date. Otherwise, no publications are required in connection with runoff elections.

10 C. Only such voting precincts and procedures will be reactivated for a  
11 runoff as will be required, on a city-wide basis if officials to be voted on by the entire  
12 city electorate are involved, otherwise only such district councilor districts as may be  
13 involved."

14 PASSED, APPROVED, AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2013.

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16  
17 ATTEST:

\_\_\_\_\_  
DAVID COSS, MAYOR

18  
19  
20 YOLANDA Y. VIGIL, CITY CLERK

21 APPROVED AS TO FORM:

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23  
24 GENO ZAMORA, CITY ATTORNEY

25 *M/Melissa/Resolutions 2013/Charter Charter Questions\_Coss*



September 9, 2013

Patricia Carlisle Fine Art  
554 Canyon Road  
Santa Fe, New Mexico 87504

RE: The VIP Party

Dear Ms. Carlisle;

Thank you for your email of September 6, 2013 concerning The VIP Party to be held at the Patricia Carlisle Fine Art Gallery, 554 Canyon Road, Santa Fe, New Mexico on Friday, September 20, 2013 from 5 – 7 pm. Below are excerpts from the Santa Fe Public School District Board of Education Policy 623 "Certain Special Events within 300 Feet of District" adopted on December 18, 2012.

In accordance with the School Alcohol-Free Zone Act and NMAC 60-6B-10, the Santa Fe School District promotes and encourages an alcohol-free environment for District students and the District community, on school property, and within 300 feet of District property related to the functions of public schools.

The District will refrain from issuing a decision regarding opposition or non-opposition to the City of Santa Fe regarding special events where liquor will be sold consumed within 300 feet of school district property and instead will refer the City of Santa Fe to this policy.

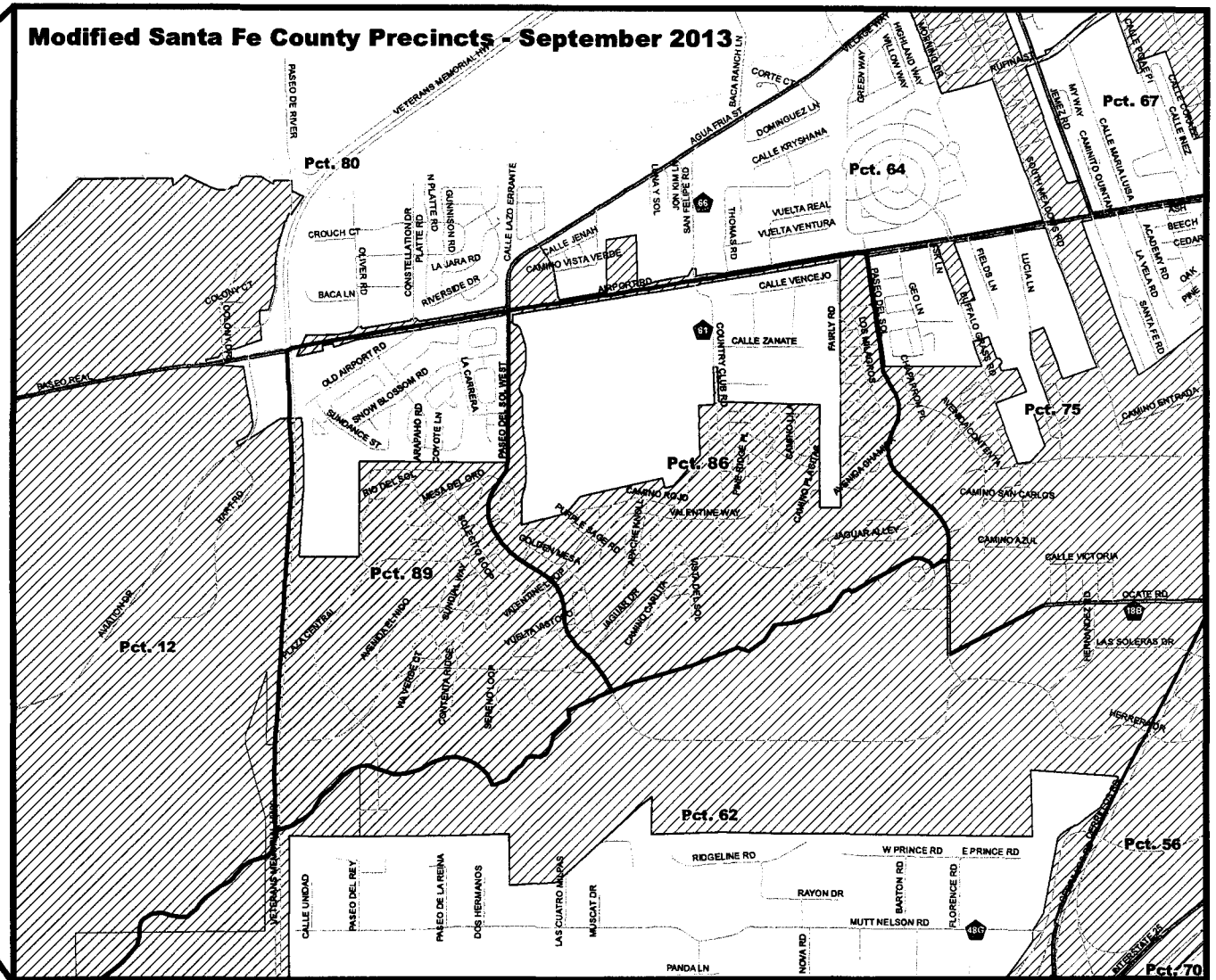
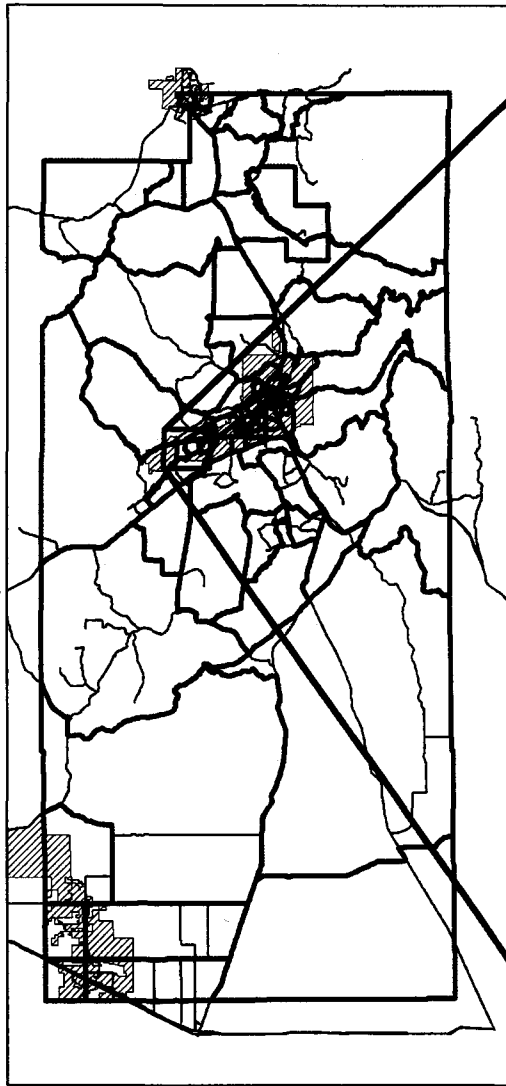
Sincerely,

Carl Gruenler  
Chief Business Officer  
Santa Fe Public Schools

cc: Joel Boyd, Superintendent

*Exhibit "9"*

## Modified Santa Fe County Precincts - September 2013



### Legend

- Modified Precincts
- 2011 Precinct Boundaries
- Incorporated Areas
- Roads
- Major Streams

**Chair Kathy Hoffman**  
Commissioner, District 4

**Daniel "Danny" Mayfield**  
Commissioner, District 1

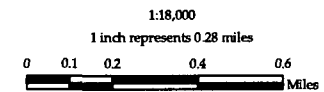
**Robert A. Anaya**  
Commissioner, District 3

**Ceraldine Salazar**  
Santa Fe County Clerk

**Miguel M. Chavez**  
Commissioner, District 2

**Liz Stefanics**  
Commissioner, District 5

**Dianna J. Duran**  
New Mexico Secretary of State



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September 10, 2013