



Agenda

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**SPECIAL CITY COUNCIL MEETING
OCTOBER 15, 2013
5:30 P.M.
CITY HALL, CITY COUNCIL CHAMBERS
200 LINCOLN AVENUE**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. DISCUSSION AND PUBLIC HEARING -- CHARTER AMENDMENTS:
 - a) A Resolution Calling for Santa Fe Municipal Charter Amendments Recommended by the Charter Review Commission be Placed on the Ballot of a Special Election to be Held in Conjunction with the Regular Municipal Election on March 4, 2014. (Councilor Ives and Councilor Wurzbarger) (Zachary Shandler)
 - b) A Resolution Calling for Santa Fe Municipal Charter Amendment Questions Related to Water Protection and Conservation, Neighborhood Preservation, an Independent Redistricting Commission, Timely Disclosure of the Purposes of Tax Increases and Bond Measures, Campaign Contribution Limits, an Audit Committee and Children's Issues and Concerns be Placed on the Ballot of a Special Election to be Held in Conjunction with the Regular Municipal Election on March 4, 2014. (Councilor Bushee) (Zachary Shandler)
 - 1) Proposed Amendments
 - c) A Resolution Calling for Santa Fe Municipal Charter Amendment Questions Related to the Powers and Duties of the Mayor; 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. (Councilor Ives and Councilor Wurzbarger) (Zachary Shandler)
 - d) A Resolution Calling for Santa Fe Municipal Charter Amendment Questions Related to Amendments to the Powers and Duties of the Mayor; Amendments to the Powers and Duties of the Governing Body; Deletion of Article VIII, City Manager; Creation of a New Article VIII, Department Directors and Creation of a New Provision that Would Allow Voting, on All Matters, by Chairpersons of City Committees, Commissions, Boards and Task Forces. (Councilor Rivera) (Zachary Shandler)
5. Discussion Regarding October 30th City Council Meeting Process for Identifying Final Election Charter Questions. (Zachary Shandler)
6. Adjourn

Persons with Disabilities in Need of Accommodations, Contact the City Clerk's Office at 955-6521, Five (5) Days Prior to Meeting Date.

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GOVERNING BODY
October 15, 2013

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

A RESOLUTION CALLING FOR SANTA FE
MUNICIPAL CHARTER AMENDMENT QUESTIONS
RELATED TO AMENDMENTS TO THE POWERS
AND DUTIES OF THE MAYOR, AMENDMENTS TO
THE POWERS AND DUTIES OF THE GOVERNING
BODY; DELETION OF ARTICLE VIII; CITY MANAGER;
CREATION OF A NEW ARTICLE VIII, DEPARTMENT
DIRECTORS AND CREATION OF A NEW PROVISION
THAT WOULD ALLOW VOTING ON ALL MATTERS BY
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DISCUSSION REGARDING OCTOBER 30TH CITY
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**MINUTES OF THE
SPECIAL MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
October 15, 2013**

1. CALL TO ORDER

A special meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Pro-Tem Rebecca Wurzbarger, on October 15, 2013, at approximately 5:50 p.m., the City Hall Council Chambers.

2. ROLL CALL

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
Gino Zamora, Assistant City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

NOTE: All items in the Council packet for all agenda items are incorporated herewith by reference. The original Council packet is on file in the Office of the City Clerk.

3. APPROVAL OF AGENDA

MOTION: Councilor Trujillo moved, seconded by Councilor Dimas, to approve the Agenda, as presented.

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.

4. DISCUSSION AND PUBLIC HEARING – CHARTER AMENDMENTS:

- a) **A RESOLUTION CALLING FOR SANTA FE MUNICIPAL CHARTER AMENDMENTS RECOMMENDED BY THE CHARTER REVIEW COMMISSION BE PLACED ON THE BALLOT OF A SPECIAL ELECTION TO BE HELD IN CONJUNCTION WITH THE REGULAR ELECTION ON MARCH 4, 2014 (COUNCILOR IVES, MAYOR COSS AND COUNCILOR WURZBURGER). (ZACHARY SHANDLER)**
- b) **A RESOLUTION CALLING FOR SANTA FE MUNICIPAL CHARTER AMENDMENT QUESTIONS RELATED TO WATER PROTECTION AND CONSERVATION, NEIGHBORHOOD PRESERVATION, AN INDEPENDENT REDISTRICTING COMMISSION, TIMELY DISCLOSURE OF THE PURPOSES OF TAX INCREASES AND BOND MEASURES, CAMPAIGN CONTRIBUTION LIMITS, AND AUDIT COMMITTEE AND CHILDREN'S ISSUES AND CONCERNS BE PLACED ON THE BALLOT OF THE MARCH 4, 2014 REGULAR MUNICIPAL ELECTION (COUNCILOR BUSHEE). (ZACHARY SHANDLER)**
 - 1) **PROPOSED AMENDMENTS**
- c) **A RESOLUTION CALLING FOR SANTA FE MUNICIPAL CHARTER AMENDMENTS RELATED TO THE POWERS AND DUTIES OF THE MAYOR; 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 (MAYOR COSS, COUNCILOR IVES, COUNCILOR WURZBURGER AND COUNCILOR BUSHEE). (ZACHARY SHANDLER)**

- d) **A RESOLUTION CALLING FOR SANTA FE MUNICIPAL CHARTER AMENDMENT QUESTIONS RELATED TO AMENDMENTS TO THE POWERS AND DUTIES OF THE MAYOR, AMENDMENTS TO THE POWERS AND DUTIES OF THE GOVERNING BODY; DELETION OF ARTICLE VIII; CITY MANAGER; CREATION OF A NEW ARTICLE VIII, DEPARTMENT DIRECTORS AND CREATION OF A NEW PROVISION THAT WOULD ALLOW VOTING ON ALL MATTERS BY CHAIRPERSONS OF CITY COMMITTEES, COMMISSIONS, BOARDS AND TASK FORCES (COUNCILOR RIVERA). (ZACHARY SHANDLER)**

[Items 4(a), (b), (b)(1), (c) and (d) were combined for purposes of presentation, discussion and public hearing.]

Zachary Shandler, Assistant City Attorney, reviewed the revised table, pages 1 to 11, noting there are now columns A through F. He noted the following potential additional Charter questions: 4 under Policy Statements; 4 under Elections; and 2 under Governance;

Mr. Shandler read the amendments on page 34, proposed by Councilors Bushee and Wurzbarger, into the record. Mr. Shandler read the proposed amendments on page 35, proposed by Councilors Bushee and Wurzbarger, into the record, noting the language on page 35 is different from what he read on page 34.

Councilor Bushee said she introduced the first amendment, and then was asked by Melissa Byers if she wanted to attach the new amendment from the Mayor, "and I said no." She said she sees an amendment with her name on it, and she wants a separate vote, "because I conferred with some of my colleagues and they wanted it done that way, so I'm not sure how I see my name on an amendment sheet."

Mr. Shandler said, "Duly noted. Page 35, if I understand you correctly, the idea is the proposed amendments are not what you requested."

Councilor Bushee said she understands that is the Mayor's amendment.

Mayor Coss said it should say Mayor Coss on the bottom of the amendment on page 35, instead of Councilors Wurzbarger and Bushee.

Councilor Wurzbarger said she concurs with Councilor Bushee's opinion on that.

Mr. Shandler reviewed the organizational charts on pages 14 through 8, which are labeled Weakest, Weak, Strong, Stronger and Strongest which is the new proposal by Councilor Rivera, noting the current *status quo* is on page 14. He said staff labeled them as Weakest to Strongest, but the Governing Body can decide not to call them by that name and assign another designation.

Councilor Bushee asked Mr. Shandler the reason he didn't label pages 14 and 15 as the Strong City Manager form of government.

Mr. Shandler said since it is a three-dimensional relationship, one party is weak, one is strong, and "yes, you could read that as the opposite."

Councilor Bushee said, "I have sat here through 3 different Mayors, and it's a very undefined job description for the Mayor currently in our Code. [inaudible] I lived through a very strong Mayor, almost too strong, and I've lived through each variation, and so I guess really, technically, I've always referred to the kind of government we have here as a Strong City Manager form of government. And I guess, so I'm kind of objecting to the language."

Mr. Shandler said he can refer to the colors, noting the language was used to try to distinguish between 5 different proposal.

Councilor Bushee said, "I think it's better to be more technically accurate as to the type of government that we've had here for a very long time."

Councilor Ives said, "I would propose then an amendment to this because I think that the proposal, even the Option C as it's called, and perhaps we can just refer to these Options A, B, C, D and dispense entirely with Weak or Strong nomen, because that a matter of judgment, as opposed to simply identification. Certainly would amend that to be a full time and paid as a full time, so similar to the content of Option A which is on page 17. And if you want, we can certainly hold amendments or proposed amendments to later on or discuss them as we're moving through."

Mayor Coss said, "I think we should just make note of that one Councilor."

Councilor Bushee said, "I didn't quite hear that, but I guess I'm still trying to track when some of these options came in, because Option C with a super majority was not discussed at the last public hearing."

Councilor Wurzbarger said, "You weren't there. Yes it was."

Councilor Bushee said, so that was introduced just before the last meeting and asked if that is correct, and Councilor Wurzbarger said, "That's correct."

Councilor Bushee asked, "So that I understand, Mayor are you no longer supporting any of these, because my recollection initially was that you supported Option A. Did you just take your name off."

Mayor Coss said, "At this point, I can speak after the hearing about it, but I would be in favor of letting the people vote on what the Commission came up with."

Councilor Bushee said, "Okay, I was just curious. I've been trying to read the testimony all along and it keeps changing, so you can tell us later, then. Thank you."

Councilor Wurzbarger said, "To further clarify my position on the point that Councilor Ives made, from the very beginning, it has always been my intention to support a proposal for a full-time Mayor. Mayor Coss has been a full time Mayor for the last two terms, and the idea that one can really do what needs to be done in the City, regardless of the salary, without focusing intently on making a difference as a Mayor, is a very high priority for me, as a citizen."

Ms. Shandler noted that the Charter Commission's recommendation is on page 17, Option A, in yellow, and reviewed that proposal.

Mr. Shandler noted Option D is on page 18 in red, and it is Councilor Rivera's proposal.

Councilor Rivera said, "My sense in proposing this is that if it is going to the voters, that it go to the voters with as much transparency as possible. After our last discussion, as Zach mentioned, I wasn't clear where the Mayor's responsibilities and the City Manager's responsibilities overlapped, and why we needed really both of them. So, my desire would be that we leave things the way they are. After the last meeting, Mr. Miller asked if we thought City government worked, and I think it does, for all the faults it does have, it does have a number of checks and balances and I think it works, again, not perfectly, but as well as can be expected. But, if this is going to the voters, I would want it to go with as much transparency possible and that's why I propose these changes."

Mr. Shandler noted the material from the New Mexico Municipal League is on page 62 of the packet, which explains the two traditional forms of City government, – the Mayor-Council and the Commission-Manager format. He said municipalities the size of Santa Fe have struggled with the relationship between having a Mayor and a manager, and staff research on that is in the Council packet.

Councilor Bushee asked Mr. Shandler if he was able to find any models of what we are proposing, which is a Strong Mayor and a Strong City Manager form of government.

Mr. Shandler said they looked at four equivalent-sized municipalities:

- *Albuquerque* – Albuquerque's model is completely different where the Mayor is the executive and the City Manager acts as a chief of staff and the Mayor isn't on the Council
- *Rio Rancho* – In 2012, the Charter was changed to have a full-time Mayor. Its Council hasn't yet passed the Ordinance setting the salary. There is a City Manager that can be fired by a majority vote of the Rio Rancho City Council, but the motion requires two thirds to the motion.
- *Las Cruces* – Las Cruces has a full-time Mayor which paid \$75,000, and a City Manager that makes \$150,000, and their duties seem to overlap a lot. He doesn't know how that is divided "when the rubber hits the road." The City Council can remove the City Manager.
- *Farmington* – Farmington has a part-time Mayor and what is considered a strong manager, commenting, "I need to be mindful of my language." In Farmington the Council can remove the City Manager with a 3/4 vote.

Councilor Bushee said, "The question I asked is did you encounter any models similar to what we're trying to put, well, I don't know what we're going to put out to the voters, but what has been suggested by the Commission, where there is a Strong Mayor and a Strong City Manager and the Council pretty much doesn't have any power.

Mr. Shandler said perhaps Las Cruces is the closest to that model, with a full time Mayor, and the City Manager is removed by the Council, which differs.

Public Hearing

Justice Patricio Serna, Chair, 2012 Charter Review Commission, said, "The Santa Fe Municipal Charter calls for the City Council to appoint an independent Charter Review Commission, the 'CRC', at least once every 10 years. It has been 8 years since the last CRC was appointed by the City Council. The Charter requires the CRC to evaluate the need to reform the Charter and recommend changes to the Charter. The CRC held 16 public hearings over the course of 8 months, December 2012 through July 2013, to receive public comment about the need to reform and update the Charter. It then issued its report recommending that 7 of 30 suggested changes be made to the Charter. Now that was in July and then of course, I retired in August."

Justice Serna continued, "One of the Charter amendments recommended to the people of Santa Fe would amend the Charter to give the Mayor, the Chief Executive Officer of the City, and the only City officer who is elected by all the voters of Santa Fe, authority to hire and fire key City employees. Currently, City Council has the power to remove the City Manager and other key City officials. This has resulted in 11, somebody said 10, but since we met, there has been another change-over in the City Manager, 11 City Managers in the past 19 years. That's an average turnover of one every 21.5 months. The CRC found that this imbalance of power was hurting the governance of the City and was leading to micro-management."

Justice Serna continued, "Now having received the CRC recommendations, the City Council should allow the voters of Santa Fe to vote on whether the Charter needs to be changed, rather than trying to protect the power and turf of the Council. The City Councilors, I believe, should respect the Charter Review Commission recommendations to reform the Charter and allow the voters to decide whether change is needed. So I say, let the process that has been undertaken reach its rightful conclusion and let the people speak. Let our citizens decide that. It's so crucial, so important."

Justice Serna continued, "And I have some questions that I'm going to ask and answer:

- * *Can we afford to pay the mayor a full time salary?* Yes. City Council retains the power to set the City budget and the salaries of the Mayor and other key City employees.
- * *What are the checks and balances in the system?* Right now a floating 5-member majority of the City Council has the power to run the City by firing the City Manager. Adoption of the Strong Mayor amendments will correct this imbalance of power. The City Council will retain the power of the purse. And you know what Machiavelli said, *he who controls the purse controls the power*, and all legislative power, policy and otherwise.
- * *Now what will be the duties of the Mayor and the City Council and will they conflict?* The City Manager will report to and work for the Mayor, not the City Council. The Mayor will be the true chief executive officer and will lead the City administration. The City Manager will attend to the day-to-day details of running the City. This will allow the City wide leadership by the Mayor and help Santa Fe to be more competitive in attracting new businesses and solve the problems and challenges it faces. City-wide leadership by the Mayor.
- * *And what if there is a rogue Mayor?* Well, he or she can be recalled or turned out of office by the voter. This is the same solution to the problem of an unresponsive Mayor as before the proposed Charter amendment. And I might mention that during the course of our 16 meetings and discussions, and like I mentioned last time, the City Council appointed all equals to the Commission. You didn't appoint chickadees, and you know eagles don't flock.

So we had diverse opinions, but we reached consensus on this very important issue and all the other proposed amendments."

Judge Serna continued, "Now we discussed, but didn't pass, possibly instead of a City Manager, possibly having a Chief of Staff appointed by the Mayor and with the authority to fire, and that would avoid any conflict, any crossover any overlapping and so forth, but we didn't go there. It doesn't mean that you can't go there. I'm going to thank you for your time and for the leadership that each one of you demonstrates on your positions. We know you love the City as much as we do, so please, let the people decide."

Mayor Coss thanked Justice Serna for his remarks and for his service on the Commission as well.

Andrew Wallerstein, Chief Executive Officer, Babylon Trust, said, "I would like to speak for myself and other business colleagues that have a sense of real frustration trying to operate and grow our businesses in a City that we love. And I for once, I think this contemplated new structure of a Strong Mayor would go a long way in terms of helping to manage our City, as a business person trying to manage any endeavor with a Board or committee of 8 members and making decisions would be very difficult at best. We compete every day to bring other employees from other cities and places. We all know Santa Fe has great potential to grow our businesses, our communities that requires change and new strategies in this day and age. And I ask you all to let the voters debate, discuss and vote on this Commission recommendation. It's essential for the growth of our City and to give all of us a voice in making these important decisions for our community, and thank you very much for your consideration."

Jim Harrington, State Chair, Common Cause, said their organization strongly supports the proposal by the Commission for an independent redistricting commission. He said he forgot to mention something last time. He said it was put forward as a joint proposal by the League of Women Voters and Common Cause, and the Commission agreed to adopt it.

Paul Hultin, resident of the City. Mr. Hultin said, "I vote here and I have taken an interest in this issue and I've monitored and examined the record of the proceedings before the Commission and also attended the hearings, although I was out of town for the first hearing. A couple of things I want to say. The first point is that the Mayor is the only City official elected by all the voters of the City. I don't think anybody disagrees that the Mayor's position is a full time job, that the Mayor puts in full time. Mayor Coss has made a very distinguished and selfless service. He testified before the Charter Review Commission that he spends 60 hours a week. He gets

\$29,000 a year, and that's not reasonable, and limits the pool of people who can afford to do this job to people who are independently wealthy or people that are retired. I think that is point one, is that it's pretty clear the City needs a full time Mayor."

Mr. Hultin continued, "And secondly, that the Mayor is the only elected official who answers to all the voters, not the voters in the individual districts. Thirdly, the issue of whether or not there is an imbalance of power between the City Council and the Mayor has also been addressed very eloquently by the Mayor and by the undisputable facts, that since 1995 there have been 11 City Managers, with an average tenure of 21.5 months for each City Manager. Santa Fe isn't a huge city, but it is a city of some complexity, and that turnover rate isn't good for the City. It takes about that amount of time to learn how to do the job."

Mr. Hultin continued, "The next issue is that there have been real, fundamental, structural conflicts between the current system where the City Council essentially has all of the power, because they have the power to hire and fire key employees. And the Mayor is largely ceremonial. The decisions he makes are subject to being either approved or over-ridden by the City Council. The Mayor addressed this in his testimony on the twenty-third of April before the Commission. First of all, he said he supports a full time Mayor, because to be full time and effective, most people can't afford the financial sacrifice."

Mr. Hultin continued, "As to the problem, I want to quote the Mayor, 'When you look back to when I came on the scene in 1995, we've had 10 City Managers since 1995, and Mr. Romero is the 11th. Three Mayors, but 10 City Managers. And I think that ability where the Mayor appoints, but the Council can fire is a difficult thing for any Manager.' He went on to say, 'It's who hires and fires them, but then the Council can fire them and we've been through 10. And one that I was saying about now that I think is a little perverse as Commissioner Abeyta was saying, managers start counting their votes. And we've had managers who say can I just say on the right side of the Mayor, count to 5 and keep my job. Well we've had at least two cases, one was Ron Curry, a good friend of mine and the other was Asenath Kepler who started counting their votes. Connecting with 5 Councilors and just ignore this Mayor. And when you have a Mayor elected by all the people that is being worked against by their own City Manager, and I've seen it happen twice in less than 10 years.' He went on to say, 'I would say the biggest problem right now is having 3 times as many City Managers as we've had Mayors in the last two decades,' and I'll stand for questions."

Mr. Hultin continued, "And that really is the issue that the Charter Review Commission addressed. They had that testimony from business people about the difficulty they had dealing with the City. They had 16 meetings. They had 30 proposals that they winnowed down to 7. This was one of them, it was fully debated and a majority of the Commissioners voted. And Justice Serna

who has been around a long time and seen an awful lot of things and has been an astute and dedicated public servant, said he would have voted for it as well, and he gave his reasons here tonight.”

Mr. Hultin continued, “And I would like to briefly address the proposal that is called the Strongest form of Mayor government that purports to be an enhancement of the recommendations of the Charter Commission, but it really isn’t. It dilutes those recommendations in that it first of all eliminates the City Manager, so the Mayor isn’t going to have the expertise of a Chief Operating Officer which is common to virtually every organization I’m familiar with. It gives the power to remove key employees back to the City Council. And finally there is one provision in the current Charter that would remain in Option D, and that is the Governing Body has the authority to tell the Mayor what the Mayor should do. That’s 501(L) under Option D. The Council can prescribe duties that the Mayor shall perform. So I think we have a process required by the City Charter which has been followed. The Commission had 16 public hearings, lots of debate and public testimony and came up with a recommendation. I would respectfully submit that this would wise for the people of Santa Fe to have an opportunity to vote for, up or down on this, and that those issues to be aired out in the bright light of an election. And I would hope this body would allow that to happen.”

The Public Hearing was closed

The Governing Body commented and asked questions as follows:

- Councilor Bushee said the proposal from the Commission also changed the powers and duties of the Governing Body, to “shall consider the legislative agenda and propose amendments to existing policies and proposed new policies.” She asked what was behind that change.

Justice Serna said the intent was to have Mayor present the legislative agenda to the City Council, and have the Council consider it, discuss it and amend it as they wish. So a lot of power would remain with the City Council, but the initial recommendation would come from the Mayor.

- Councilor Bushee said, “I find that not to be clear to me, the definition of the CEO of the City which has been the Mayor and it is not defined. I see the attempt through this Charter proposal to try to get some definitions.” She wants to know the powers and duties with that language. She doesn’t know how much of the specific language would go out to the voters. She asked if this specific language go out to the voters, and she asked Mr. Shandler to explain the distinction between that language and how it exists currently, in terms of the change in the powers and duties of the Governing Body.

Mr. Shandler said, "There are at least two formats for ballot orientation. I think we've been talking about the City Attorney's Office preparing a narrative summary of the event. It would be legislative language, strike-through and underscored. That's one model. The other model you'll see is what Rio Rancho did on page 94 of the packet, pages 94-96 they did do legislative language with underlines and strike-throughs in their election regarding the powers of the Mayor, which are on page 94, and on page 96, are the powers of the City Manager."

- Councilor Bushee asked Mr. Shandler if he could explain the distinction between the two proposals on the Governing Body powers and duties.

Mr. Shandler said the second part of her question is about the give and take here. He said, "As Justice Serna indicated, it would be the Council receiving it and adjusting it as necessary."

- Councilor Ives said, "I think the language is very clear and I believe the reference to the consideration of the legislative agenda put forth by the Mayor is to accommodate the proposed change in the mayoral powers which requires the Mayor to put forth a legislative agenda. The Council still retains the capacity, authority and responsibility it had previously in terms of making policy on behalf of the City, because the Mayor putting something forward doesn't make it become an ordinance or resolution, and the reason it says, 'consider the legislative agenda put forth by the Mayor and propose amendments to existing policies and propose new policies.' Functionally, that is exactly what is in our current Charter in terms of the Governing Body being the legislative body on behalf of the City. There is no change in those powers and is merely to include the consideration of a legislative agenda put forth by the Mayor as the sole person within City government elected by the populace of the entire City."
- Councilor Bushee asked Mr. Shandler, "If one were to amend the language back to what it said, and just have a second sentence. And I want to ask why the Commission didn't take this route that just said, 'The Governing Body shall serve as the principle policymakers'." She said right now we're the legislators, and said it is confusing and not clear to her that the Mayor sets up a legislative agenda and then the Council goes from there. She asked the reason language wasn't added that the Governing Body will consider the Mayor's legislative agenda at the beginning of each year, and questioned why the Commission chose to go this route.

Justice Serna said the intent is that this be a strong legislative body. He said it is similar to the Governor's recommended legislative agenda to the Legislature and the Legislature does whatever it wants because it legislates.

- Councilor Bushee said she intentionally stayed away from the hearings, because she knew she would have this opportunity and didn't want to provide any undue influence.
- Councilor Bushee said since the Commission finished its work, the proposal for instant runoff contained the caveat if there were machines available. She said a proposal has been added on runoffs, and asked if there was discussion about the instant runoff. She said, "Everybody has spoken about how they really would like to put forth your work to the voters, and I'm just feeling some heartburn left over from the fact that we put the last Charter Commission's work to the voters on instant runoff, but we did nothing. We've now got a new proposal that you didn't even get to consider."

Justice Serna said, "I was reminded the Council added that part on the voting machines after it was sent by that Commission."

- Councilor Bushee said, "Even so, the voters did vote for it."

Justice Serna said, "Yes. We addressed that and we were frustrated as apparently you are, but we heard from the City Clerk Yolanda, and said we cannot do it, and we don't know when we can do it. So then we reached consensus to say that the City Council should, as soon as possible, implement that amendment that was adopted by the citizens. But, technically, it was just impossible, and I'm sure Yolanda would back me up on that."

- Councilor Bushee asked Justice Serna, "Did you consider any other type of runoff in your deliberations."

Chair Serna said, "To the best of my recollection, I don't believe we did, but there are other Commissioners here, and they can talk about that."

- Councilor Bushee asked if the Commission considered the proposal similar to the one that has been proposed by Mayor Coss, similar to Albuquerque.

Justice Serna said, "I can't recall if we did. No, I don't believe that we did, but there was a proposal for hand-counting, and here's the person who proposed it."

- Councilor Bushee said that was related to the Instant Runoff.

Mr. Harrington said he was the Chair of the previous Commission, and that was the principal issue we considered in that connection was runoffs versus ranked choice voting. He said there was a proposal by some of the Commissioners to put both on the ballot and let the voters choose, but they felt it would be confusing. He said, "And as between the two of them, it was pretty

clear that in terms of cost and delay in settling who is the Mayor, that ranked choice voting was far superior. And as Justice Serna reminded you, it was the Council that added the proviso about the machines. So the Commission didn't consider that particular condition, so I can't speak for the old Commission on that, but just personally, I think it probably would be easier and more expeditious to work on that issue and find out what's going on at the Secretary of State. There are machines that exist and are in use in other cities that can do ranked choice from start to finish. We don't have them and as far as I know they're not certified."

- Councilor Bushee said, "Partly clarifying the record from my perspective, you [Justice Serna] were not under the impression during your deliberation that the Council had the ability to hire and fire key department heads, correct, or any personnel directly."

Justice Serna said, "No, of course not."

- Councilor Bushee said, "There was a very nicely attired gentleman that was under some misinformation that the Council had anything to do with hiring and firing."

Justice Serna said the Commission knew and were very clear on that.

- Councilor Bushee said, "Again looking at the Code and the definition of the CEO, and of course, it could use some redefining. But I would say, when I look at the proposal that came forth from the Commission, it's not clear to me that currently the City Managers and previous Mayors, haven't had a say in the hiring of department directors. It's been clear to me, even in discussions with the former City Manager and others, at least at the outset, I know that that's one of the only reasons, again the undefined position of the CEO of the City, the Mayor, has always had the ability to direct who they want to have as their team. And I think you'd have to be clear in saying that, you know, I think that's done as a matter of course here. I think the Mayor has, wouldn't you agree Mayor, at least that's been my impression through my almost 20 years of public service here on the Governing Body how that's been operating."
- Mayor Coss said he would agree the City Manager usually asks the Mayor before he appoints a department head, but he doesn't have to under the current practice.
- Councilor Bushee said, "But wouldn't you say that's the common practice."
- Mayor Coss said yes.

Justice Serna said if it's common practice it would be best to have it in writing and enforceable.

- Councilor Bushee said she has no problem with that. She said, "The impression that's been put out there about this revolving door of City Managers. What I can also tell you is that only 3 of those City Managers did not leave of their own accord. And so I just want to clear that up for people."
- Councilor Wurzbarger said, "Would you please, for the public record, say who you think those 3 were."
- Councilor Bushee said, "We know that's clear. There's public records."
- Councilor Wurzbarger said, "Would you repeat from the public record."
- Councilor Bushee said, "The three City Managers that were fired were David Coss."
- Mayor Coss said, "Nope."
- Councilor Bushee said, "Well, alright moved from the City Manager position, Isaac Pino and those both occurred under Debbie Jaramillo, and then there was Asenath Kepler, which really I was opposed to. But I just want to clarify that from my bird's eye view again, up here, it's been that the City Managers, to a great degree are often hired needing to bump up their retirement, so they come in only expecting to be there for a couple or three years at the most. And that's been my experience."

Justice Serna said, "You should have been at our meetings, you could have clarified that. We didn't know, we just thought 11."

- Councilor Bushee said, "I just wanted to say a couple of other quick things, so the turnaround, the 11, the hire and fire. The other for me that I have a great concern over is really the removal of the checks and balances, and the fact that this position right now that's being created, I understand I think the underlying thinking behind it. And I like a better definition of the Mayor's role, powers and duties, but I'm concerned that we went for a hybrid that I don't find anywhere when I look through the various models where we have a very strong new Mayor's position and we still have the strong City Manager's position. I feel like there's not enough definition to really explain where there's overlap, or where there's not."
- Councilor Bushee continued, "And I do believe, and again, I'm reading this as someone who hopes to be in that seat, so I'm looking at it and thinking what is fair and what is balanced. And what I will say if I were to take the effort to run to be on the Governing Body, and now I see this redefinition, I'm no longer clearly, from my perspective, the chief

legislative body. It is less clear the way this is worded to me, and now I'm being told that I am not going to be there as the check and balance for the hiring and firing of only really the City Manager's position. That's been the only position that the Council has ever even had any say in, and it's only been under extreme circumstances that I believe that that has actually been put into effect, in terms of an actual firing. But I do thank you all for your work, and you Chief Justice in particular for your level-headedness and just being so darned amiable as you are, but I will say that I had hoped for... and I also want to correct one other thing. This Commission was called into effect by a Resolution I believe initially sponsored by Councilor Wurzbarger. It had nothing to do about a strong mayor proposal. It was called in to look at two things. Given our dual, what is the word, rotational election for Councilors every couple of years, there was a concern initially that those that were in different off-elections would be able to stay in their seats, that was the main concern and the other I think was something that we all know is unconstitutional which is term limits, at least in the State of New Mexico."

- Councilor Bushee continued, "So it's been an interesting evolution. Sometimes people have considered it a devolution, but it's been interesting, and I think some good has come of it. But I will say I'm not in favor of the final version of things, and so I really concentrated on policy statements. I am concerned that so many new things have been entertained as of late that I believe this should take a little bit, I would like to send it back to the Charter Commission, to be honest, with some of the new things."

Justice Serna said the Commission did consider, but didn't put forward, a Chief of Staff that would alleviate that concern about the overlapping of the City Manager and the Mayor.

- Councilor Bushee asked how the City Manager would be different.
- Mayor Coss said there would be no City Manager.

Justice Serna agreed saying the position would be abolished and instead would become a chief of staff, and they chose not to move that forward, commenting the Commission never voted on it, and just discussed it during the course of the deliberations and considerations.

- Councilor Bushee said, "That actually makes more sense to me than this version."

Justice Sanchez said he didn't have a vote, but he could throw ideas out.

- Councilor Calvert said, "On one statement that I'm sure Councilor Bushee was speaking about City Councils, term limits are not necessarily constitutional in the State, because they apply to the Board of County Commission and stuff like that, but for City Council. The PRC has term limits, and so it isn't across the board unconstitutional in the State of New Mexico."
- Councilor Bushee said she was just referring as to why this initially went forward.
- Councilor Bushee said she was just clarifying.

Justice Serna said, "Across the board it's not, but for City Councilors it is, because there is a Supreme Court Opinion on it, and I signed off on it."

- Councilor Wurzbarger said, "On Councilor Bushee's point with respect to the initial purpose of the Resolution, when I introduced the Resolution there was a litany of other items, including the full time Mayor, so that is not the way it was introduced, and that is a misrepresentation of what happened as far as I'm concerned, and we can check the facts."
- Councilor Wurzbarger said, "The more important issue here for me, is indeed the underlying statements that have been made with respect to why City Managers have left. The fact that only 3 have been fired is not the issue. I believe it is a fact, and if we could get them all to come forward, it wouldn't be all of them, but many of our City Managers have indeed left over time because of the threat of being fired. That people on this Council have walked into their office and said, I have 5 votes to get rid of you if you do not do the following things. And, over time, rather than people retiring because they were just taking a job for two years to which they were not committed, it is my strong belief that some of our best City Managers have left service of the City after a very short time, because they were driven out by micromanagement and actual threats."
- Councilor Wurzbarger continued, "As we go through this, perhaps we will reveal those in specificity, and I hope perhaps some of them will come, or even the Mayor will speak to this. But that is what happens, and when that results, not only do we lost people who are committed to doing a job and doing it extremely well, but we also cast a climate across the City that ripples all the way through the City from the top to the bottom. And public service is affected when we don't know how long a City Manager is going to be here, or who will get angry because of a specific decision and then facilitate that person's early retirement by choice. Yes it's by choice, and they do go to another job, because they are simply tired of what they have to fact to work here."

- Councilor Wurzbarger continued, "And the same kind of threat is sometimes felt at the level of division director, even though this Council does not fire division directors. My opinion and strong belief after being here 12 years and serving the City, is that we do have a problem with respect to this issue in the City."
- Councilor Dominguez said he is curious to find out how much discussion there was in considering the childrens' issues and concern. He brings this up because it's very vague and he is curious as to how it fits, what the discussion was and how it fits in collaboration with our Children and Youth Commission. He said he didn't see it in the minutes, so he is unsure how much discussion the Commission had on this issue.

Mr. Shandler said on page 105 of the packet, at the Commission's July 1, 2013 meeting, there was discussion about this, but it appears to be a policy based question of how much they discussed it.

- Councilor Dominguez said there is a statement from Vice-Chair Long that the proposal was from United Way, and asked if United Way spoke during any public hearings.

Mr. Shandler said, "Yes they did."

- Councilor Dominguez asked what they said, and Mr. Shandler referred to the Charter Commission.
- **Daniel Werwath, Charter Review Commission,** said, "Zach didn't get to attend all of the meetings, because he was assigned to us about 3/4 through the Commission process. United Way did attend one meeting at the Santa Fe Public Library, maybe 2 meetings. They proposed the language around child protection. It was one of a bunch of general policy statements that were proposed. I think in general the Commission, in the end took a relatively conservative stance toward policy statements, mainly for the purpose if you start listing things in the Charter it could go on forever. And that it is a governing document and should be concise and clear and the limited number of policy statements we did recommend were highly deliberated and presented by people that attended every meeting and brought advocates."
- Councilor Dominguez said he sees statements from the Commission, but sees nothing from United way.

Mr. Werwath said United Way spoke at the meeting that was held at the Santa Fe Public Library. said, "I know for a fact that they spoke and presented the idea of including I don't remember at what point specific language was proposed by them."

- Councilor Dominguez said, "If they spoke, it's not articulated in the minutes. How am I supposed to get a complete picture of the discussion, if you will."

Kathy Dickerson said the United Way proposal is on page 169 in Steve Farber's section.

Mr. Shandler said when you made the request at the first meeting, and you have the minutes, we went through the minutes and what we located was the July 1st meeting at the Public Library. In the minutes, you indicate that there was no one from the United Way, so there must have been a previous meeting prior to my being hired, which the United Way attended. The School Board. Okay, so I'll get those minutes to you right away."

- Councilor Dominguez said he appreciates there is a proposal, and he is curious about the discussion United Way had on the record with the Commission about their proposal. He said we already have a Children & Youth Commission in place that receives a portion of tax funds. He wants to find out if there is another plan out there that we're really trying to get to.

Mr. Shandler said they will locate the minutes where they made the arguments, noting Commissioner Farber made some policy arguments that are in his minority report.

- Councilor Dominguez asked, with regard to the Strong Mayor Proposal, when you gathered all the information on the different communities, did you also consider staffing levels for the Governing Body.

Mr. Shandler said, "No. We did not look into that, except for Albuquerque. I did try to some research about whether they have staff. He said on page 66, its organizational chart indicates that they do have staffing for the City Council.

- Councilor Dominguez asked if the councilors in the other municipalities had staff, and Mr. Shandler said no.
- Councilor Ives said previously he had asked if the provision in State Statutes which allows removal of elected officials for malfeasance in office, applies to this Governing Body, in response to lack of checks and balances. He asked Mr. Shandler if he looked at that statute and what he found out.

Mr. Shandler said, "I did look at the question. Your characterization from the last meeting was accurate on the State law.

- Councilor Ives said, then we can be removed for malfeasance in office under that statute, and Mr. Shandler said yes.
- Councilor Ives said, "With regard to the Mayor and City Manager, to me they're very different functions, and I think those functions are reflected in the duties as they are described in the Charter. And to me, if I were to characterize that difference, it is the difference between leadership and management. To me, those are very separate constructs and both are very significant in any type of organization or entity of any significant size, and the City qualifies in that regard easily." He said it is the difference between the CEO who provides leadership to a corporation, versus the COO who deals with the day to day management and operation. He thinks the proposal captures the difference between leadership and management, saying that the voters deserve to have a full-time Mayor bringing visionary leadership, along with a City Manager charged with the day to day operation of the City to see that the City is operating smoothly.
- Councilor Ives said he would be happy to work with Councilor Bushee to modify the language in Option A, proposed by the Charter Commission, to clarify that this is the chief policy making body in the City of Santa Fe.
- Responding to Councilor Bushee, Councilor Ives said they wanted to propose changes that they thought made sense within the existing construct of the City. He said, "I think you could call it one thing or another, but we've used City Manager. It's a term that everybody is used to, and that is a function that will remain in place and functioning in that role."
- Councilor Bushee reviewed the material in the packet on the forms of government in Las Cruces and Albuquerque.

Councilor Bushee said she would like to see a different model, and wants to change the language on the powers and duties of the Governing Body because she thinks it strips some of their duties. She doesn't see "enough of a definition of how the City Manager functions. I don't see it as the Chief of Staff. The day to day operations Chief of Staff is usually there to help the CEO, and I find this model to be an odd structure. I was interested when the Chief Justice mentioned that they had contemplated a different model and to me that maybe makes more sense that this other model which I see has great potential to [inaudible]."

- Councilor Calvert said, "I'm going to just briefly go through these in sort of groupings. The first grouping being the policy statements. I think the distinction here for me is I may have a personal opinion on some of these things, but does my personal opinion supercede the right of the electorate to vote on these things. So I'll preface my statements with that. I guess,

unfortunately, on the policy statements, I think they're all noble goals, but I know that the door was opened in previous Charters that addresses some of them, but they're very high level. I think the more we keep adding to this, we're going to get ourselves to Chapter 14 on zoning criteria where pick one and you can support your position, no matter what it is, for or against. That's my concern here. The more you add, the more you dilute them, and sometimes may even get them being competing agenda items. So, my personal opinion would be to minimize statements in the Charter, because the Charter is mainly a governance document. But again, that's my personal preference and not necessarily what I would impose on the voters in terms of choosing."

- Councilor Calvert continued, "On the next grouping, about elections, here's where I'm going to depart from that, because there are two of these about campaign contribution limits. I have proposed two Ordinance amendments to cover this for now, and I think, because the laws on campaign contributions are so fluid, we risk getting things into our Charter that might easily be overturned by the Courts. So, I would suggest on 5-6 in the Charter about campaign contribution limits and limit on contributions, that we enact an Ordinance if we choose to do that, and see how that goes before putting it into the Charter. This is an area where my personal preference would be to ask these do not be put on the ballot at least this go around, until we have better clarity from the Courts and where they're headed on some of these4 issues. Albuquerque tried that and got themselves in trouble. So that's all I will say on this grouping."
- Councilor Calvert continued, "On the governance and duties of the Mayor, I will say if we define the Mayor, then we're probably defining the City Manager as well. Much has been made about the turnover of the City Managers and you can make your arguments on either side of that. The one point that the Mayor was elected by all the people of the City. I guess, unless and until we get a runoff where we're guaranteed that the Mayor is elected 50% of the people, I'm not sure I necessarily agree with that statement. For me, if you want to shift and give the Mayor more powers, I think it has to coincide with the runoff in the election to guarantee, if you're going to give him these powers, he's elected by at least 50% of the people. Otherwise, I'm not sure that you're achieving what you want, because if 25% of the people elect the Mayor, does he/she really represent the entire City and is his opinion more representative of the City than a Councilor. I think those two have to go hand in hand, otherwise you're not achieving what you want."
- Councilor Calvert said, "Specifically, if I were to pick my compromise, the voters, if we give them the choice, will have the choice of two things. They will have a new proposal and the existing proposal. If they vote down the new proposal, they would rather have the existing one. But I would say that if you want to give the Mayor more powers, I have real problems going into the department level, because I'm thinking patronage, cronyism, whatever and

that's going too far. And likewise if you want to restrict the Council, then I'd say define what majority of the Council is required to remove them. Maybe you don't think 5 of the Governing Body, then I'd say 6 and just say 6 of the Governing Body and be done with it instead of all these definitions of super majority and stuff like that. Just give the number."

- Councilor Calvert continued, saying this is how he would tweak some of the proposals being considered for the Mayor. He believes we should give the electorate a choice on one of these, saying however, there isn't one with which he totally agrees.
- Councilor Calvert said he has no problem with the amendment to establish an independent citizens redistricting committee.
- Councilor Rivera said, "Based on the first proposal, I still have heartache with a City Manager being there, and that's why my proposal took it out. With the Mayor appointing all of the department directors currently, they report to the City Manager. Under this proposal, they would all be equal, and we have that situation right now with the 3 people sitting right there. Geno is appointed by the Mayor, so is Yolanda, but their staffs reside under Brian, and I imagine that creates issues at times. And we're proposing to do this to the entire city as well, with everybody having somebody that they clearly report to, either on a daily or weekly basis, whatever that is. This would take that away. This would put everybody in the same situation. That we basically have our City Clerk and City Attorney in now, with people that work under them that report directly to the City Manager. And I think having everybody in that situation is a bad place to be."
- Councilor Rivera reiterated, "Again, my proposal would be to remove the City Manager, and if the Mayor at some point decides, he or she, wants something other than a City Manager or a Chief Financial Officer, or a Chief Operations Officer, then the Mayor can propose to the Governing Body what that position would be, what their defined roles and responsibilities would be, and we move from there, because right now, there's still too many questions for me up in the air."
- Councilor Ives said Justice Serna's remarks this evening reminded him of the pleasure he had in substituting for the Mayor at a Naturalization Ceremony about a year ago here at the Convention Center, in which 225 new American citizens were being sworn. He said Justice Serna spoke most eloquently about, and focused his remarks on the right to vote, and that this is the most important aspect of citizenship – participation in electing our government. He said Justice Serna again this evening spoke eloquently about allowing the people to vote, because that is such a fundamental aspect to our democracy in all that we do. And so, regardless of our positions on these various proposals, I am hoping we get them before the voters for the people to consider and act upon."

- Mayor Coss said, "The main power of the Mayor is always going to be the 'bully pulpit,' whether you call it a Strong Mayor or a Strong Manager. But I personally believe it would be better for the City to have a stronger mayor. You can argue a long time about is the City Manager just a tough job, and so it churns and so we've had 10 in these years, or is there micromanagement and personnel management going on through the role of the Council. And without going over recent history on that, I can just say I think Councilor Bushee remembers these headlines in the New Mexican: Fire the Police Chief or we'll fire you. It happened, and that is where my interest in this kind of started."
- Mayor Coss continued, "I would probably personally prefer a Strong Mayor, a la Albuquerque, with a Chief of Staff, where you wouldn't want the Mayor to vote on every land use appeal that comes up, because he or she wouldn't be on the Council. That's now what the Charter Commission proposed."
- Mayor Coss continued, "I have a question I guess for Zachary. How many questions on the ballot are we up to now."

Mr. Shandler said potentially, at least 12.

- Mayor Coss said he would like to respect the work of the Charter Commission, their 16 public meetings, their work, and stick as closely as possible to that. The issues I've heard, and I've tried to listen on Strong Mayor is the question of run-off. I just think we go through the time and have a runoff if we want a Strong Mayor. Chief of Staff versus City Manager is something we could resolve."
- Mayor Coss continued, "And then Councilor Bushee bringing up, does this bring confusion on the power of the Council to be the legislative body, and I think that should remain very clear, because you wouldn't want it to be like the next 30 day session's going to be, the Legislature can't consider it unless Governor Martinez puts it on her call. You don't want that situation. I don't think that was created, but I think we made it very clear that's not created. What I would like to do is let's let the people vote. Remember the Strong Mayor wouldn't be until 2018, so there would still be some more time, but do the people even want to consider a Strong Mayor. And I'm just wondering if, on this body, if we could put that forward and let the people vote if we answer the runoff, Chief of Staff and legislative authority questions. But I would like to see us move somewhere along the scale to Strong Mayor. I'd like to respect the work of the Commission. And I also think, and it's going to jam-up Yolanda, that we need just a little more time to work some of these things out. She has a calendar."

- Councilor Bushee said, “What is the rush. If none of this would take effect until 2018, and the Council is adding a bunch of things, and we’re looking at other models.”
- Mayor Coss said the Strong Mayor wouldn’t take effect for who is elected in 2014.
- Councilor Bushee said, “There are a lot of things. Even runoff. We sent one to the voter. How will we now send another version and say, well we just didn’t you know. Well it is, but it wasn’t even discussed by the Charter Commission. I’m just asking if you have to extend the Charter Commission, spend a little time and vote on it in 2016. I think you might get a better set of proposals. As it stands, the Commission might be interested in a little bit more input. I went a few times and just sat there and noticed that the same folks that are here went there and that’s about it. I know we made an effort to get other people interested, but it’s going to be the same reaction as to who is actually going to vote on these issues. I mean, a lot of people aren’t going to pay attention to the great details, and there’s a lot of detail in this, so I’m just asking what’s the rush. A rhetorical question really.”

Mr. Hultin said Councilor Bushee questioned whether or not the hiring and firing authority is the current Charter. 501(d) says the Mayor shall appoint and remove, subject to the approval of the Governing Body, and I read that to say that the Governing Body has the authority to approve both the hiring and firing of the City Manager, City Attorney and City Clerk. And it’s redundant in Section 8 about removal of the City Manager, and it says the City Manager may be suspended or removed, b. by the Governing Body by a majority vote of all members at a regularly scheduled meeting. The other references to hiring and firing were in Councilor Rivera’s proposal that says the City Attorney, City Clerk, department directors may be fired by a super majority. He said, “I misspoke about hiring under Councilor Rivera’s proposal and I apologize.”

- Councilor Calvert said 501(d) is talking about powers and duties of the Mayor, because it’s under the section about the Mayor, and it says, “Appoint and remove subject to the approval of the Governing Body, the City Manager, City Attorney, City Clerk and members of the advisory commissions.”

Daniel Werwath, a member of the Charter Review Commission, said he wants to clarify a couple of things that might help in how the Governing Body approaches this. He said, “Throughout the process of looking at the Stronger Mayor stuff, I think the term City Manager and Chief Operating Officer and Chief of Staff were used very interchangeably.

We chose not to change the title in the actual language in the Charter, but I think it was the intent of the Commission to create a Chief Operating Officer kind of position, or a Chief of Staff, that would be under the Mayor and would be handling day to day tasks and small tasks. And I think that was very much the intent."

Mr. Werwath continued, "I also would say that I don't know that extending this is going to help anything. I think it's a hard process. You know, you make policy all the time. It's not a straightforward thing and I think time is just going to muddy this. I think you guys have a good sense of what needs to happen. I think there's some details that you could clear up here to make this a lot more effective. Get rid of the lack of clarity in the City Manager description. But as someone who spent a lot of time, that's 16 meetings, that's not reading minutes, that's not reading articles on the internet. We spent plenty of time vetting this stuff. You guys need to make a decision and send the people to vote. You represent the populace, let them vote. A lot of you sound like you're representing your interests as Councilors, and not representing your constituents. This needs to go the people. I think clean up the details and let the folks vote."

Mr. Werwath said, "I don't know that it's going to be any different here, but I see people who are afraid of change on the Council and I'm sure there will be plenty of people in the public that are afraid of change. Let's give them that choice. Let's give them an opportunity to vote on this."

5. DISCUSSION REGARDING OCTOBER 30TH CITY COUNCIL MEETING PROCESS FOR IDENTIFYING FINAL ELECTION CHARTER QUESTIONS. (ZACHARY SHANDLER)

Mayor Coss asked if this has to be done on October 30th.

Mr. Shandler said, "No. You only have 3 Council meetings left in this calendar year. At the December 11th meeting you have to vote on a Resolution. The reason why is that staff needs to translate it into Spanish because people start voting in January. So on December 11th you have to vote on the Election Resolution, so you only have 2 meetings prior to that. You have the one on October 30th and one meeting in November. The original Resolution talked about having 3 public hearings or listening sessions, which you have concluded, and then it talked about getting your proposals... that part has been completed. I think the plan was to submit any other additional changes, new proposals to Melissa as soon as possible, so she can draft language that can be presented and read in advance."

Mr. Shandler said, "What Councilor Calvert did has to occur at some event, and it may be at the next meeting the 30th or November, when I, or the Governing Body, is going to go through the

table and say, okay, number one. Is there a motion on number one. And your options will be, 'I move to approve it, or table it, or amend it.' Maybe there's a lack of a second and it dies. But that type of methodically going through the chart is going to occur. And it will go through very quickly on some of the policy ones. When we get to the Mayor proposals we may go 11-A, 11-B, and it may require some different votes – it could be a consolidated vote or it could be a different vote. At some point, we have to go through that exercise that Councilor Calver did. The question do you want to do that on October 30th or your November meeting."

Councilor Wurzbarger asked if we could consider the option of doing the policy votes at the October meeting and move the Mayoral issue to the first meeting in November so we have more time to work out the details that have been discussed tonight.

Councilor Calvert said he would agree if she said put the Mayoral one in November and everything else at the October 30th meeting.

Councilor Wurzbarger said that is what she meant – everything but the Mayor on October 30th.

Mayor Coss said this is a good question so we do what is less controversial and more settled right now on October 30th and put the Mayor question at the meeting of November 13, 2013.

6. ADJOURN

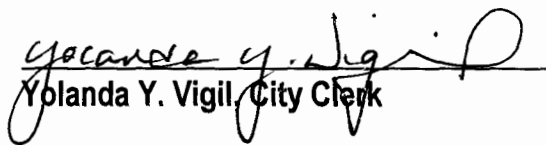
There was no further business to come before the Governing Body, and the meeting was adjourned at approximately 7:30 p.m.

Approved by:

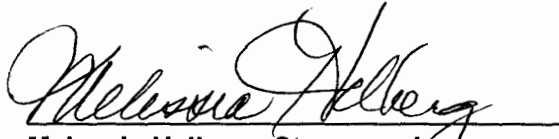


Mayor David Coss

ATTESTED TO:



Yolanda Y. Vigil, City Clerk

Respectfully submitted:


Melessia Helberg, Stenographer


CITY OF SANTA FE
NOTICE AND CERTIFICATION OF SERVICE
SPECIAL CITY COUNCIL MEETING

We, the undersigned, do hereby accept notice of the Special City Council Meeting, pursuant to the conditions set forth in Section 2-1-12 SFCC 1987 and Section 3-12-3 NMSA 1978, waiving any and all irregularities in the service of notice and do hereby consent and agree that the Governing Body shall meet at the City Council Chambers, City Hall, 200 Lincoln Avenue, at 5:30 p.m. on October 15, 2013 for the following purpose: See attached agenda.



DAVID COSS, MAYOR

October 11, 2013 4:53 p.m.
DATE/TIME




PATTI J. BUSHIE, COUNCILOR

October 11, 2013, 4:53 p.m.
DATE/TIME



CHRIS CALVERT, COUNCILOR

October 11, 2013 4:53 p.m.
DATE/TIME



BILL DIMAS, COUNCILOR

October 11, 2013 4:53 p.m.
DATE/TIME



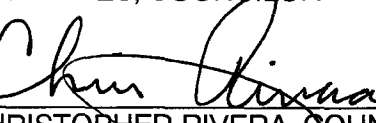
CARMICHAEL DOMINGUEZ, COUNCILOR

October 11, 2013 4:53 p.m..
DATE/TIME



PETER IVES, COUNCILOR

October 11, 2013 4:53 p.m.
DATE/TIME



CHRISTOPHER RIVERA, COUNCILOR

October 11, 2013 4:53 p.m.
DATE/TIME



RONALD TRUJILLO, COUNCILOR

October 11, 2013 4:53 p.m.
DATE/TIME



REBECCA WURZBURGER, COUNCILOR

October 11, 2013 4:53 p.m.
DATE/TIME