



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
JULY 13, 2011
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

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 – June 29, 2011.
9. PRESENTATIONS

- a) Employee of the Month for July 2011 – Fire Crew – C Shift and Med 1, Santa Fe Fire Department. (5 minutes)

10. CONSENT CALENDAR

- a) Bid No. 11/41/B – Fiscal Year 2011/2012 Sanitary Sewer Line Rehabilitation Project and Agreement Between Owner and Contractor for Wastewater Management Division; Samcon, Inc. (Stan Holland)
 - 1) Request for Approval of Budget Increase – Project Fund.
- b) Request for Concept Approval of Lease Agreement – Burro Alley Right-Of-Way for Outdoor Seating Appurtenant to New Restaurant at 31 Burro Alley; Richard Montoya, Manager for Bokum Burro Alley, LLC. (Edward Vigil)
- c) Request for Approval of Memorandum of Agreement – FY 2011/2012 Santa Fe Trail Ridefinders Program. (Jon Bulthuis)
- d) Request for Approval of Sole Source Procurement and Professional Services Agreement – Operate and Maintain Animal Shelter; Santa Fe Animal Shelter. (Police Chief Ray Rael)

CITY CLERK'S OFFICE

DATE 7/8/11 TIME 3:35pm

SERVED BY _____

RECEIVED BY Pina Y. Dominguez



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
JULY 13, 2011
CITY COUNCIL CHAMBERS

- e) Santa Fe Municipal Airport (Jim Montman)
 - 1) Request for Approval of Amendment No. 3 to Professional Services Agreement – Engineering, Architectural and Planning Services; Molzen-Corbin & Associates, Inc.
 - 2) Request for Approval of Task Order 40 Through 48 – Engineering, Architectural and Planning Services; Molzen-Corbin & Associates, Inc.
 - 3) Request for Approval of Task Order 17 Modifications – Runway Pavement Marking Design; Molzen-Corbin & Associates, Inc.
- f) Request for Approval of Professional Services Agreements – Affordable Housing Services for Fiscal Year 2011. (Nick Schiavo and Melisa Dailey)
 - 1) Home Wise
 - 2) Santa Fe Community Housing Trust
- g) Request for Approval of Community Development Block Grant Contracts – FY 2011/2012 CDBG Allocation for Four (4) Projects: (Kim Dicome)
 - 1) Homewise
 - 2) Santa Fe Community Housing Trust
- h) CONSIDERATION OF RESOLUTION NO. 2011-_____. (Councilor Trujillo)
A Resolution Supporting the New Mexico Litter Control and Beautification Act of 1985 Which Provides Public Funds in the Form of Grants for the Purpose of Enhancing Local Litter Control and Beautification Programs. (Gilda Montano)
 - 1) Request for Approval of Grant Agreement 12-418-6011-0050 – New Mexico Clean & Beautiful Grant Funding Fiscal Year 2011/2012. (Gilda Montano)
- i) Request for Approval of Amendment No. 2 to Professional Services Agreement – Public Relations Services for Santa Fe Convention and Visitors Bureau; Locas Communications, Inc. (James Bradbury)
- j) Request for Approval of Amendment No. 1 to Professional Services Agreement – Website Management and Social Media Marketing Services for Santa Fe Convention and Visitors Bureau; Studio x, Inc. (James Bradbury)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
JULY 13, 2011
CITY COUNCIL CHAMBERS

- k) Discussion and Request for Approval to Publish Notice of Public Hearing on August 10, 2011:
 - 1) Bill No. 2011-25: An Ordinance Amending Section 11-2.2 SFCC 1987 and Creating New Section 11-2.6 SFCC 1987 Limiting General Fund Personnel Costs. (Councilor Ortiz) (Kathryn Raveling)
 - 2) Bill No. 2011-30: An Ordinance Amending Article 18-4 SFCC 1987 to Require Core Recyclers, Precious Metals Dealers and Transient Precious Metals Dealers to Obtain a City Business License; and to Require Persons Licensed Under Article 18-4 SFCC 1987 to Comply With Regulations Regarding the Sale Or Pledge of Copper, Catalytic Converters, Precious Metals and Other Items as May be Designated by Resolution of the Governing Body (Councilors Calvert and Trujillo) (Melissa Byers)
 - 3) Bill No. 2011-31: An Ordinance Amending the Santa Fe Election Code, Article 9-1 SFCC 1987 and the Public Campaign Finance Code, Article 9-3 SFCC 1987 to Encourage Participation in Public Campaign Financing by Advancing the Pre-Election Timetable; Repealing Sections 9-3.12 and 9-3.13 SFCC 1987 Regarding Matching Funds; Amending Section 6-16.7(B) SFCC 1987; and Making Such Other Changes as are Necessary (Councilor Calvert) (Yolanda Vigil and Geno Zamora)
- 11. MATTERS FROM THE CITY MANAGER
- 12. MATTERS FROM THE CITY ATTORNEY
- EXECUTIVE SESSION:
 - a) Discussion of Collective Bargaining Negotiations Between the City of Santa Fe and All Bargaining Units Representing the Employees of the City of Santa Fe Pursuant to §10-15-1(H)(5), NMSA 1978.
 - b) Discussion of Settlement of City of Santa Fe v. LMCI, D-101-CV-2008-02946 and City of Santa Fe v. Travelers, et al. D-101-CV-2007-01142, Pursuant to §10-15-1(H)(7), NMSA 1978.
- 13. Action on Settlement of City of Santa Fe v. LMCI, D-101-CV-2008-02946 and City of Santa Fe v. Travelers, et al. D-101-CV-2007-01142. (Marcos Martinez)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
JULY 13, 2011
CITY COUNCIL CHAMBERS

14. MATTERS FROM THE CITY CLERK
15. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. SALUTE TO THE NEW MEXICO FLAG
- D. INVOCATION
- E. ROLL CALL
- F. PETITIONS FROM THE FLOOR
- G. APPOINTMENTS
- H. PUBLIC HEARINGS:
 - 1) CONSIDERATION of BILL NO. 2011-27: ADOPTION of ORDINANCE NO. 2011-_____. (Councilor Calvert, Councilor Wurzbarger and Councilor Romero)
An Ordinance Amending Section 18-1.2 SFCC 1987 Regarding the Definition of Distress Merchandise Sale; Amending Section 14-8.10(B)(8) SFCC 1987 Regarding Violations of Sign Regulations; Amending Section 14-8.10(H)(28)(E) SFCC 1987 Regarding Price Reduction Signs; Amending Section 14-8.10(H)(29) SFCC 1987 to Regulate Price Reduction Signs in Historic Districts; and Making Such Other Changes as are Necessary.
(Matthew O'Reilly)
- I. ADJOURN

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



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
JULY 13, 2011
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.

SUMMARY INDEX
SANTA FE CITY COUNCIL MEETING
July 13, 2011

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
<u>AFTERNOON SESSION</u>		
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved	1
APPROVAL OF CONSENT CALENDAR	Approved [amended]	2
CONSENT CALENDAR LISTING		2-4
APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING –JUNE 29, 2011	Approved	4
<u>PRESENTATIONS:</u>		
EMPLOYEE OF THE MONTH FOR JULY 2011 FIRE CREW C SHIFT AND MED 1 SANTA FE FIRE DEPARTMENT		4
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – PUBLIC RELATIONS SERVICES FOR SANTA FE CONVENTION AND VISITORS BUREAU; LOCAS COMMUNICATIONS, INC.	Approved	4-5
REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – WEBSITE MANAGEMENT AND SOCIAL MEDIA MARKETING SERVICES FOR SANTA FE CONVENTION AND VISITORS BUREAU; STUDIO X, INC.	Post. to 07/27/22 - to Finance	5-9

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
DISCUSSION AND REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON AUGUST 10, 2011: BILL NO. 2011-25; AN ORDINANCE AMENDING SECTION 11-2.2 SFCC 1987, AND CREATING NEW SECTION 11-2.6 SFCC 1987, LIMITING GENERAL FUND PERSONNEL COSTS	Approved	9-11
***** END OF CONSENT CALENDAR DISCUSSION *****		
MATTERS FROM THE CITY MANAGER	None	11
<u>MATTERS FROM THE CITY ATTORNEY</u>		
EXECUTIVE SESSION	Approved	11
MOTION TO COME OUT OF EXECUTIVE SESSION	Approved	12
ACTION ON SETTLEMENT OF <u>CITY OF SANTA FE</u> <u>V. LMCDI, D-101-CV-2008-02946 AND CITY OF SANTA</u> <u>FE V. TRAVELERS, ET AL, D-101-CV-2007-091142,</u> PURSUANT TO §10-15-1(H)(7) NMSA 1978	Approved	12
MATTERS FROM THE CITY CLERK	Information	12
COMMUNICATIONS FROM THE GOVERNING BODY	Information/discussion	12-14
<u>EVENING SESSION</u>		
CALL TO ORDER AND ROLL CALL	Quorum	15
PETITIONS FROM THE FLOOR	None	15
<u>APPOINTMENTS</u>		
Ethics and Campaign Review Board	Approved	15-16
SF City and County Advisory Council on Food Policy	Approved	16

ITEM

ACTION

PAGE #

PUBLIC HEARINGS

CONSIDERATION OF BILL NO. 2011-27: ADOPTION
OF ORDINANCE NO. 2011- 25. AN ORDINANCE
AMENDING SECTION 18-1.2 SFCC 1987, REGARDING
THE DEFINITION OF DISTRESS MERCHANDISE SALE;
AMENDING SECTION 14-8.10(B)(8) FCC 1987,
REGARDING VIOLATIONS OF SIGN REGULATIONS;
AMENDING SECTION 14-8.10(H)(28)(E) SFCC 1987,
REGARDING PRICE REDUCTION SIGNS; AMENDING
SECTION 14-8.10(H)(29) SFCC 1987, TO REGULATE
PRICE REDUCTION SIGNS IN HISTORIC DISTRICTS;
AND MAKING SUCH OTHER CHANGES AS ARE
NECESSARY

Approved

16-17

ADJOURN

18

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
July 13, 2011**

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 July 13, 2011, 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 Christopher Calvert
Councilor Miguel Chavez
Councilor Carmichael A. Dominguez
Councilor Matthew E. Ortiz
Councilor Rosemary Romero
Councilor Ronald S. Trujillo

Members Excused

Councilor Rebecca Wurzbarger, Mayor Pro-Tem
Councilor Patti J. Bushee

Others Attending

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

6. APPROVAL OF AGENDA

MOTION: Councilor Dominguez moved, seconded by Councilor Trujillo, to approve the agenda as published.

VOTE: The motion was approved on a voice vote with Councilors Calvert, Chavez, Dominguez, Ortiz, Romero and Trujillo voting for the motion and none against.

7. APPROVAL OF CONSENT CALENDAR

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

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

For: Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero and Councilor Trujillo.

Against: None.

- a) **BID NO. 11/41/B – FISCAL YEAR 2011/2012 SANITARY SEWER LINE REHABILITATION PROJECT AND AGREEMENT BETWEEN OWNER AND CONTRACTOR FOR WASTEWATER MANAGEMENT DIVISION; SAMCON, INC. (STAN HOLLAND)**
 - 1. **REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND.**
- b) **REQUEST FOR CONCEPT APPROVAL OF LEASE AGREEMENT – BURRO ALLEY RIGHT-OF-WAY FOR OUTDOOR SEATING APPURTENANT TO NEW RESTAURANT AT 31 BURRO ALLEY; RICHARD MONTOYA, MANAGER FOR BOKUM BURRO ALLEY, LLC. (EDWARD VIGIL)**
- c) **REQUEST FOR APPROVAL OF MEMORANDUM OF AGREEMENT – FY 2011/2012 SANTA FE TRAIL RIDEFINDERS PROGRAM. (JON BULTHUIS)**
- d) **REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – OPERATE AND MAINTAIN ANIMAL SHELTER; SANTA FE ANIMAL SHELTER. (POLICE CHIEF RAY RAE)**
- e) **SANTA FE MUNICIPAL AIRPORT (JIM MONTMAN)**
 - 1) **REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – ENGINEERING, ARCHITECTURAL AND PLANNING SERVICES; MOLZEN-CORBIN & ASSOCIATES, INC.**
 - 2) **REQUEST FOR APPROVAL OF TASK ORDER 40 THROUGH 48 – ENGINEERING, ARCHITECTURAL AND PLANNING SERVICES; MOLZEN-CORBIN & ASSOCIATES, INC.**
 - 3) **REQUEST FOR APPROVAL OF TASK ORDER 17 MODIFICATIONS – RUNWAY PAVEMENT MARKING DESIGN; MOLZEN-CORBIN & ASSOCIATES, INC.**

- f) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENTS – AFFORDABLE HOUSING SERVICES FOR FISCAL YEAR 2011. (NICK SCHIAVO AND MELISA DAILEY)
 - 1) HOME WISE
 - 2) SANTA FE COMMUNITY HOUSING TRUST
- g) REQUEST FOR APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACTS – FY 2011/2012 CDBG ALLOCATION FOR FOUR (4) PROJECTS. (KIM DICOME)
 - 1) HOMEWISE
 - 2) SANTA FE COMMUNITY HOUSING TRUST
- h) CONSIDERATION OF RESOLUTION NO. 2011-40 (COUNCILOR TRUJILLO). A RESOLUTION SUPPORTING THE NEW MEXICO LITTER CONTROL AND BEAUTIFICATION ACT OF 1985 WHICH PROVIDES PUBLIC FUNDS IN THE FORM OF GRANTS FOR THE PURPOSE OF ENHANCING LOCAL LITTER CONTROL AND BEAUTIFICATION PROGRAMS. (GILDA MONTANO)
 - 1) REQUEST FOR APPROVAL OF GRANT AGREEMENT 12-418-6011-0050 – NEW MEXICO CLEAN & BEAUTIFUL GRANT FUNDING, FISCAL YEAR 2011/2012. (GILDA MONTANO)
- i) *[Removed for discussion by Councilor Ortiz]*
- j) *[Removed for discussion by Councilor Ortiz]*
- k) DISCUSSION AND REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON AUGUST 10, 2011:
 - 1) *[Removed for discussion by Mayor Coss]*
 - 2) BILL NO. 2011-30; AN ORDINANCE AMENDING ARTICLE 18-4 SFCC 1987, TO REQUIRE CORE RECYCLERS, PRECIOUS METALS DEALERS AND TRANSIENT PRECIOUS METALS DEALERS TO OBTAIN A CITY BUSINESS LICENSE; AND TO REQUIRE PERSONS LICENSED UNDER ARTICLE 18-4 SFCC 1987, TO COMPLY WITH REGULATIONS REGARDING THE SALE OR PLEDGE OF COPPER, CATALYTIC CONVERTERS, PRECIOUS METALS AND OTHER ITEMS AS MAY BE DESIGNATED BY RESOLUTION OF THE GOVERNING BODY (COUNCILORS CALVERT AND TRUJILLO). (MELISSA BYERS)

- 3) **BILL NO. 2011-31: AN ORDINANCE AMENDING THE SANTA FE ELECTION CODE, ARTICLE 9-1 SFCC 1987 AND THE PUBLIC CAMPAIGN FINANCE CODE, ARTICLE 9-3 SFCC 1987, TO ENCOURAGE PARTICIPATION IN PUBLIC CAMPAIGN FINANCING BY ADVANCING THE PRE-ELECTION TIMETABLE; REPEALING SECTIONS 9-3.12 AND 9.3.13 SFCC 1987, REGARDING MATCHING FUNDS; AMENDING SECTION 6-16.7(B) SFCC 1987; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY (COUNCILOR CALVERT). (YOLANDA VIGIL AND GENO ZAMORA)**

END OF CONSENT CALENDAR LISTING

8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING –JUNE 29, 2011

MOTION: Councilor Trujillo moved, seconded by Councilor Romero, to approve the minutes of the Regular City Council meeting of June 29, 2011, as presented.

VOTE: The motion was approved on a voice vote with Councilors Calvert, Chavez, Dominguez, Ortiz, Romero and Trujillo voting in favor of the motion and none against.

9. PRESENTATIONS

Mayor Coss presented the Employees of the Month for July 2011 – Fire Crew C Shift and Med 1, Santa Fe Fire Department, for their quick thinking and action to prevent a drunk driver from fleeing into oncoming traffic and possibly injuring someone. He presented each member of the crew with a plaque and a check for \$100.

Chief Salas presented a brief news clip which explained what happened and how the crew prevented the driver from leaving the scene.

Captain Briggs thanked the Mayor and Council for this honor. He said the group will be donating this check to one of our City employees, Clara Sweeney, because of her recent misfortune.

CONSENT CALENDAR DISCUSSION

10 (i) REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – PUBLIC RELATIONS SERVICES FOR SANTA FE CONVENTION AND VISITORS BUREAU; LOCAS COMMUNICATIONS, INC. (JAMES BRADBURY)

Councilor Ortiz said when this was at Finance, he requested a report from this contractor on what he has delivered during the past year. He said this contract has been at \$125,000 for several years. He said recently another \$60,000 was added to the contract because the City and County of Santa Fe were

each contributing \$37,000, to get a New York firm to do additional work. He said he believes the requested renewal amount is too high, noting the proposed contract is for \$165,000 which is an increase of \$40,000 over last year. He said a brief summary of the work done is in the Council packet. He believes some of the work being done could be absorbed through other means, and he doesn't support the contract in this amount, but would support a contract in a reduced amount of \$110,000 to \$115,000. He thanked Mr. Bradbury for timely providing the requested information.

Councilor Romero said she is supportive of this contract saying it will take this amount of money to get our name to the public, and she doesn't believe the City has the capacity to do these services in-house.

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

DISCUSSION: Mr. Bradbury said the public relations expenditures in 2008-2009 were \$180,000, and were the same in 2009-2010, and were \$150,000 back in 2007, noting we have always employed a subcontractor "to put our reach out further," and the \$165,000 is less that we spent in the past few years. He said it is important for us to keep the word out about Santa Fe.

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

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

Against: Councilor Ortiz

10 (j) REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – WEBSITE MANAGEMENT AND SOCIAL MEDIA MARKETING SERVICES FOR SANTA FE CONVENTION AND VISITORS BUREAU; STUDIO X, INC. (JAMES BRADBURY)

Councilor Ortiz said, unlike the previous case, this is a case where the City already has paid this contractor, and what is before us now is funding again for work which is still in development, which he believes also was indicated by Councilor Wurzburger. He said his question is what we paid for last fiscal year, if some of the work has still not been complete. He questions how we can approve an amendment when the contractor has not completed the work promised for the previous year. He said these are soft costs, IT contracts, and he feels they are getting less scrutiny than we normally give, for example, to construction projects. He said he doesn't believe the City can amend this contract without a clear understanding that the contractor will complete the work for which it has been paid.

Mayor Coss asked Mr. Bradbury to respond to Councilor Ortiz's concerns.

Mr. Bradbury said there is an enumerated listing of deliverables under the scope of services. He said one of the things about websites is that they constantly are in flux. He said, "You try to improve them. You're looking at surveys and all these things to try to be responsible to the public. So, in effect they did create a website, they did manage it, they did go through all of the scope of services that were required of their contract. What Councilor Ortiz is referring to now, is we invent our website to make it better and more responsive to the public demands and to what other websites are doing out there. Websites are constantly changing. And what Studio X is trying to do, with a lot of input from everyone, is to reinvent it, if you will, to make it better."

Councilor Romero said a lot of the work she does is soft work and sometimes you really can't see how much time it takes to do something, and she tries to be sensitive to billing from an hourly perspective. She does look at websites quite often and they are in flux, noting she can't afford a website for her own business. She said it does take quite a lot of time, and does not believe the City has the expertise on staff to do this. She is supportive of this request, and believes it is like the previous item we discussed. She said the City has to stay "ahead of the curve" on these kinds of things. She said the City needs the best website possible, that is easy to access with good information, noting that takes research and time. She does understand these costs. She thinks we need to track the website and challenge the designer to be sure it is giving us what we need.

MOTION: Councilor Romero moved, seconded by Councilor Calvert, for purposes of discussion, to approve this request.

DISCUSSION: Councilor Calvert noted last year's contract was \$130,000, and he has concerns that it will come before the City for that same amount year after year. He said he doesn't believe it should be the same effort year after year. He understands the website has to be updated every year, but he can't imagine that it is an equal task every year, and if it is, he thinks there is a problem in how we set it up to be maintained.

Mr. Bradbury said the update is only a small part of the contract, and there "is content management and a ton of other things." He asked Ms. Brown to talk about what they do.

Nancy Brown, Studio X, said there is more work every year because technology changes and gets more complicated every year. She said they have added the social media to the web effort. She said, "Everything that is in your packet, all of that work was done." She said a website design is very subjective. She said they have been talking to different members of the community and going over the new design they presented in the last fiscal year, and they got everyone's comments. She said they have been gathering more information about what everybody likes. She said this is a constant effort and there are 10 pages of deliverables which were completed in the contract.

Ms. Brown said, "It never gets easier and more requests are loaded onto Studio X that have to do with website marketing, interfacing with the ad agency, the PR. We're active on the site every single day. The other thing is keeping the site in the Number 1 or 2 position under Santa Fe as well. So, we're active in the community and we're active on the site every day. We also built a site for the Convention Center. We built the Winter Fiesta website during the fiscal year. I'm just asking Kyle, he works on it every day. So, it's

never less, actually it's more and more. And during the economic downturn we created a contest with the community to keep the traffic up. You can measure the success of the site with the fact that it continues to get really good traffic and really good response from the public. And we do look at all the other City sites and, you know, we think we're right up there."

Councilor Calvert said that all may be true. However, it is one thing to measure the success of the site on the number of hits, but believes we need to look beyond the number of hits to the performance and results we are getting. He said if he votes to approve this request this year, next year he will be looking to see some kind of tangible measure of results as opposed to website activity, and tracking the correlation between the number of hits and bookings, or increase in hotel days.

Ms. Brown said, "We send out eblasts and we measure how many people have clicked on the booking engine the day before and the day after – what kind of traffic increases we get from these eblasts that we're sending out every other week, then how many more people, the increase in booking... it goes directly to the hotels. And there's always an increase, and you have a document that shows that after every eblast. So we are always monitoring what we're doing and what kind of effect it's having, and adjusting, and looking at statistics and analyzing, and looking for direction."

Councilor Calvert asked if that means actual rooms booked. He said, "I spoke with the previous Director about this and the hotels are particularly interested in what the website generates in terms of bookings and the way we measure economic activity and the results of sales and everything. If they would do some actual surveys of the people and ask them, or we'll give you a complimentary dessert or a drink with your dinner, or something if you'll fill out this survey and tell us how you found out about Santa Fe, and are any of these tools that we employ are useful and helped you make that decision."

Ms. Brown said Southwest Planning did that survey, and the website ranked very high. She said they can provide the results of that survey to the Governing Body. She said the survey shows what people did when they came to the website and how it influenced their visit to Santa Fe.

Councilor Calvert said this is the kind of information he wants, and he wants to see the results of the Southwest Planning survey.

Councilor Trujillo said he wants to know what Studio X hasn't done from last year which should have been done in last year's contract.

Councilor Ortiz said they are asking for a doubling of their contract, noting they were to have provided the deliverables for \$130,000. And they are asking to double that amount. He said if we had some of the details we would know what is behind the statement they provided to us in the packet. He said we agreed to past this through at Finance so they could bring this information forward.

Councilor Ortiz said, "My objection to it is... I presume this is a contract that was let out to bid and the bid amount was \$130,000, and they're coming back here for \$260,000 with the ability to have 2 more extensions, so this could be, they bid for \$130,000, and they could actually be, in the end, for design of a website, being paid close to half a million dollars. That, to me is unacceptable as a concept. And, number

2, in terms of the information that they've provided, for example, and I'm looking at Item #7, for all of the additional costs that they were supposed to bear, they were going to sell advertising space on the site and they were going to keep track of that revenue. And that revenue was supposed to, in some ways, buffer that. We've never gotten a listing of what that revenue is. We don't know how much money they have made, separate and apart from the contract that they have from the City, for their company, for advertising space that they sold. But we know that they have developed that space. We know that they hired, trained and paid an ad sales person to make calls, create contacts and sell the ads. They've sold ad banners. So they've done all of that on City dime. They're able to keep the revenue, so why are they coming back to us."

Councilor Trujillo asked who owns the site – the City or Studio X, and Ms. Brown said the City does.

Councilor Trujillo said if they're selling advertising on that website, the money should come back to the City.

Responding to Councilor Trujillo, Mr. Bradbury said the total of the contract for 3 years would be \$390,000.

Councilor Trujillo asked why Studio X is getting the money from ad sales and it isn't coming to the City.

Mr. Bradbury said when this contract was done, that was part of the overall compensation – that they could sell advertising in addition to the \$130,000.

Councilor Trujillo asked if they solicit from the South side of Santa Fe.

Mr. Brown said they stopped soliciting advertising at the request of the Ad Hoc Committee. She said she has a document with all of the figures on what has been received from advertising and what was spent and how it was spent.

Councilor Trujillo would like that information, as well as the information requested by Councilors Ortiz and Calvert before we vote on this contract.

Councilor Dominguez said he is looking at Item #7, and he wants to see the amount of revenue that was generated. He said the new contract does not include a performance clause, noting he doesn't know what has been done and what is being duplicated. He said #2 and #3 sound like the same services, and this is confusing. He wants more clarity. He wants to see a performance clause in the new contract which provides how any advertising revenue would be split and spent.

Ms. Brown said they have asked not to have to sell advertising to pay themselves to work on the website, noting they aren't an agency which sells advertising.

Councilor Dominguez said that isn't his only concern, and he needs more information.

MOTION: Councilor Ortiz moved, seconded by Councilor Trujillo, to postpone this item to the next Council meeting and to send this back to the Finance Committee.

DISCUSSION: Mayor Coss said he convened a group meeting under Keith Toler and then under Jim Bradbury where they looked at sales strategy, marketing, PR, advertising and such, noting the GMs of various hotels were invited and there was good participation from 6-7 hotel people. He said the issue of advertising popped-up at the meeting, and the Committee thought the advertising was detracting from the message of the web page and its usefulness. He said the contractor was asked to consider not having advertising on the web page going forward.

Councilor Calvert said it would be good for the ad hoc groups to report to the Committees or the Council after each meeting so we aren't caught unaware as to what has happened in this effort.

Mayor Coss said that probably should be done at the Finance Committee.

Yolanda Vigil asked if this item will be on the Finance Committee agenda on Monday.

Councilor Ortiz said it will be placed on the agenda for discussion.

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

For: Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero and Councilor Trujillo.

Against: None.

10 (K) DISCUSSION AND REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON AUGUST 10, 2011:

- (1) BILL NO. 2011-25; AN ORDINANCE AMENDING SECTION 11-2.2 SFCC 1987, AND CREATING NEW SECTION 11-2.6 SFCC 1987, LIMITING GENERAL FUND PERSONNEL COSTS (COUNCILOR ORTIZ). (KATHRYN RAVELING)**

Mayor Coss said he can't make a motion, but he is not in favor of this bill. He said it would reduce our General Fund personnel costs to the FY 2004-2005 level.

Councilor Ortiz said that was amended from 8 years to 4 years, because the 8 years would have resulted in severe cuts. He said this still would result in cuts at mid-term.

Mayor Coss said the 2008-2009 FY is \$3 million higher than this year's approved budget.

Councilor Ortiz said the concept is to look at the lower amount in a four-year period, which is the current budget, as the benchmark/floor for budgeting for the next fiscal year, and the basis for collective bargaining agreements.

Councilor Chavez said the reference in the bill needs to be changed to 4 years.

Councilor Ortiz said he noticed that. He said if this bill is adopted, at mid-year he agreed to have the Ordinance up for reconsideration in a shorter time frame for any needed changes that need to be made

Councilor Romero said she is on the Finance Committee, and she appreciates Councilor Ortiz's perspective, and she tried to come up with amendments to the bill. She said she still is uncomfortable with the lack of prioritization that we need to make around what services we should cut, and she couldn't figure out the appropriate language, but they did come up with the 6 month review. However, she voted against the bill at Finance, and would like it to be postponed before it is published.

MOTION: Councilor Romero moved to postpone publication of this item for consideration after the Finance Committee meeting in September. **THE MOTION DIED FOR LACK OF A SECOND.**

Councilor Calvert asked if the four years would be effective for the budget of 2012-2013, from the budget of 2008-2009.

Councilor Ortiz said yes, and you would look within those four years which budget would be the most conservative, which would be the starting point for the budget, so it might not be 2008-2009, it could be the current year, 2011-2012

MOTION: Councilor Ortiz moved, seconded by Councilor Dominguez, to approve the request to publish this item.

DISCUSSION: Mayor Coss said, if you choose the lowest of the 4 years, won't it always be \$53.411 million and it will be frozen.

Councilor Ortiz said not necessarily, noting if we continue to slide, we could have a lower GRT in this fiscal year.

Mayor Coss said then the number could go down, but would never go up.

Councilor Ortiz said this is correct – it sets a ceiling but not a floor.

Mayor Coss said he is philosophically opposed to this bill.

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

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

Against: Councilor Romero.

Explaining his vote: Councilor Calvert said, "I'll vote yes to publish it, but I don't know if I'll support it in the end."

END OF CONSENT CALENDAR DISCUSSION

11. MATTERS FROM THE CITY MANAGER

There were no matters from the City Manager.

12. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

- a) **DISCUSSION OF COLLECTIVE BARGAINING NEGOTIATIONS BETWEEN THE CITY OF SANTA FE AND ALL BARGAINING UNITS REPRESENTING THE EMPLOYEES OF THE CITY OF SANTA FE, PURSUANT TO §10-15-1(H)(5), NMSA 1978.**
- b) **DISCUSSION OF SETTLEMENT OF SETTLEMENT OF CITY OF SANTA FE V. LMCDI, D-101-CV-2008-02946 AND CITY OF SANTA FE V. TRAVELERS, ET AL, D-101-CV-2007-091142, PURSUANT TO §10-15-1(H)(7) NMSA 1978.**

MOTION: Councilor Calvert moved, seconded by Councilor Romero, that the Council go into Executive Session for the discussion of collective bargaining negotiations between the City of Santa Fe and all bargaining units representing the employees of the City of Santa Fe, pursuant to §10-15-1(h)(5) , and discussion of the settlement of City of Santa Fe v. LMCI, D-101-CV-2008-02946 and City of Santa Fe v. Travelers, et al, D-101-CV-2007-1142, pursuant to §10-15-1(H)(7) NMSA 1978.

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

For: Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero and Councilor Trujillo.

Against: None.

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

MOTION TO COME OUT OF EXECUTIVE SESSION

MOTION: At 6:25 p.m. Councilor Calvert moved, seconded by Councilor Romero, 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, Chavez, Dominguez, Ortiz, Romero and Trujillo voting for the motion and no one voting against.

13. ACTION ON SETTLEMENT OF CITY OF SANTA FE V. LMCDI, D-101-CV-2008-02946 AND CITY OF SANTA FE V. TRAVELERS, ET AL, D-101-CV-2007-091142, PURSUANT TO §10-15-1(H)(7) NMSA 1978.

MOTION: Councilor Calvert moved, seconded by Councilor Ortiz accept staff's recommendation on the proposed settlement.

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

For: Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero and Councilor Trujillo.

Against: None.

14. MATTERS FROM THE CITY CLERK

Ms. Vigil reminded everyone that all of the proposed Redistricting Plans will be on display at the Finance Committee on Monday, July 18, 2011, at 5:00 p.m. She said the decision on the adoption of a Redistricting Plan will be at the Special City Council, on Monday, August 1, 2011 at 6:00 p.m., following the Finance Committee meeting at 5:00 p.m.

Councilor Romero asked for a copy of Plan B-1.

Ms. Vigil said she will do so, noting all of the proposed plans are on the City's website.

15. 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 July 13, 2011, is incorporated herewith to these minutes as Exhibit "1."

Councilor Calvert

Councilor Calvert said he would like to remind members of the community that water conservation still is very important to the City's long range water supply plan strategy. He said things aren't as tight as they have been in previous years, and people have become complacent on some of the rules and procedures which apply year-round. He said this is no time to be complacent, because we could be entering an extended drought cycle and we need to continue to conserve water

Councilor Dominguez

Councilor Dominguez introduced a Resolution repealing Resolution No. 1998-28 that established a user committee for the Genoveva Chavez Community Center and establishing the City of Santa Fe Recreation Committee, noting he is amending the advisory role to be more broad and address recreation in general. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "2."

Councilor Ortiz

Councilor Ortiz reminded everyone to come to the Triathlon on Saturday, noting he and the Mayor are participating.

Councilor Ortiz understood staff was going to provide information on the flattening of the swim fees among all swim clubs and swim teams, noting it was promised today and he didn't receive it.

Mr. Romero said the Recreation Director has that information, and the Recreation Director wants to meet with Councilor Ortiz about that. He will be sure the Recreation Director contacts Councilor Ortiz tomorrow.

Councilor Trujillo

Councilor Trujillo said he has no communications.

Councilor Romero

Councilor Romero said the fires have proven that our communications work very well, and she appreciates the efforts of Chief Salas and City Manager Romero to keep everyone informed.

Councilor Romero is calling a meeting of the Upper Canyon Road Neighborhood, and they will be working on cleaning up their yards to prevent spread of fires. She reiterated her offer to write something in terms of a neighborhood fire prevention plan.

Councilor Calvert said he appreciates the efforts of Chief Salas. He said now that things are more calm, he would like to look at getting information to the public in terms of evacuation plans under different scenarios. He wants to get ahead of the game at this time, noting it is important for the public to know what is appropriate under different scenarios.

Councilor Chavez

Councilor Chavez introduced the following:

1. Councilor Chavez introduced a Resolution in the interest of public safety, requesting that the New Mexico Department of Transportation (NMDOT) expedite the NM 599/CR62 Interchange Project, noting there has been a string of accidents at that site. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "3."
2. Councilor Chavez introduced Resolution adopting a comprehensive transparency policy for the City of Santa Fe, in response to the League of Women Voters report on transparency. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "4."

Mayor Coss

Mayor Coss thanked the Boys and Girls Clubs for the wonder fireworks show, noting it was a successful fundraising for them.

Mayor Coss thanked the public for cooperating in not doing fireworks individually.

Mayor Coss said he and Councilor Romero will be meeting with the Rio Metro on Friday about weekend service, and with the Rail Runner about its budget. He will be meeting with President Ortego of the Community College, noting she is about to get approval to buy the land for the higher learning district building next to the Santa Fe University when she appears before the Higher Education Board tomorrow.

END OF AFTERNOON SESSION AT 6:35 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 Christopher Calvert
Councilor Miguel Chavez
Councilor Carmichael A. Dominguez
Councilor Matthew E. Ortiz
Councilor Rosemary Romero
Councilor Ronald S. Trujillo

Members Excused

Councilor Rebecca Wurzbarger, Mayor Pro-Tem
Councilor Patti J. Bushee

Others Attending

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

F. PETITIONS FROM THE FLOOR

There were no petitions from the floor.

G. APPOINTMENTS

Ethics and Campaign Review Board

Mayor Coss made the following appointments to the Ethics and Campaign Review Board, effective Friday, July 15, 2011:

Justin Miller;
Roderick Thompson;
Kristina Martinez;
Arturo I. Jaramillo;

Tara Lujan – At Large;
Ruth Kovnat – At Large; and
Paul L. Biderman, J.D. – At Large

MOTION: Councilor Ortiz moved, seconded by Councilor Romero, to approve these appointments.

VOTE: The motion was approved on a voice vote with Councilors Calvert, Chavez, Ortiz, Romero and Trujillo voting for the motion, none against, and Councilor Dominguez absent for the vote.

Santa Fe City and County Advisory Council on Food Policy

Mayor Coss made the following appointment to the Santa Fe City and County Advisory Council on Food Policy:

Lynn M. Walters – to fill unexpired term ending 01/2014.

MOTION: Councilor Ortiz moved, seconded by Councilor Romero, to approve this appointment.

VOTE: The motion was approved on a voice vote with Councilors Calvert, Chavez, Ortiz, Romero and Trujillo voting for the motion, none against, and Councilor Dominguez absent for the vote.

Councilor Dominguez arrived at the meeting

H. PUBLIC HEARINGS

- 1) **CONSIDERATION OF BILL NO. 2011-27: ADOPTION OF ORDINANCE NO. 2011- 25 (COUNCILOR CALVERT, COUNCILOR WURZBURGER AND COUNCILOR ROMERO). AN ORDINANCE AMENDING SECTION 18-1.2 SFCC 1987, REGARDING THE DEFINITION OF DISTRESS MERCHANDISE SALE; AMENDING SECTION 14-8.10(B)(8) FCC 1987, REGARDING VIOLATIONS OF SIGN REGULATIONS; AMENDING SECTION 14-8.10(H)(28)(E) SFCC 1987, REGARDING PRICE REDUCTION SIGNS; AMENDING SECTION 14-8.10(H)(29) SFCC 1987, TO REGULATE PRICE REDUCTION SIGNS IN HISTORIC DISTRICTS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY. (MATTHEW O'REILLY)**

Matthew O'Reilly reviewed the proposed changes to the Ordinance, noting the changes are being made in response to continuing complaints, instances of non-compliance and in response to staff difficulties in enforcement.

Public Hearing

Mayor Coss gave everyone 3 minutes to speak to this request.

John Dressman, Member, Board of Downtown Merchants Association, said the Association is very happy with the proposed changes which try to control the "percent off sales signs" on the Plaza, which have despoiled the look downtown over the last few years. He said the Association met and voted unanimously to support the proposed language in the proposed Ordinance. He expressed appreciation of the Governing Body's efforts to get this under control

Elizabeth Perez, President, Downtown Merchants Association, and downtown business owner, thanked the Land Use Department for its work in improving the distressed sale merchandise and signage ordinance. She said the new ordinance is more clear, concise, easy to follow and easier to enforce. It will encourage compliance and consumer protection. The Association appreciates this effort and urges the Governing Body to approve the Ordinance.

Bob Andriati, Director, Board of Downtown Merchants Association, said he is in favor of the Ordinance, commenting that Mr. O'Reilly has done an excellent job in targeting some of the issues with the original ordinance. addressing issues, making it easier to understand and enforce. He said the old ordinance was very difficult because it was a little labyrinthine, and what we have now will work better. He said this will help downtown from looking less like a carnival, and will be good for everyone. He urged that the Governing Body adopt the proposed Ordinance.

The Public Hearing was closed

Calvert Calvert said the reason for the ordinance initially was to strike a balance between commerce and the historic nature of downtown, as well as to combat some unfair business practices which were occurring. He said these amendments will make the Ordinance more comprehensive and close the loopholes of which people have taken advantage, and make it more manageable and enforceable. He said it also will impose more effective penalties so people just don't figure fines into their operating budget and go on about their business.

MOTION: Councilor Calvert moved, seconded by Councilor Romero, to adopt Ordinance No. 2011-25.

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

For: Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero and Councilor Trujillo.

Against: None.

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 7:20 p.m.

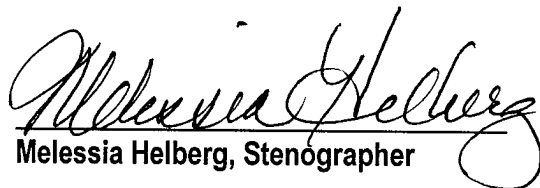
Approved by:

Mayor David Coss

ATTESTED TO:

Yolanda Y. Vigil, City Clerk

Respectfully submitted:


Melessia Helberg, Stenographer