City of Santa Fe

Agenda

REGULAR MEETING OF
THE GOVERNING BODY
MARCH 26, 2014
CITY COUNCIL CHAMBERS

CITY CLERK'S OFFICE
DATE 3/21/14 TIME 2:30pm
SERVED BY
RECEIVED BY

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 – March 12, 2014
9. PRESENTATIONS
   a) Santa Fe School Team Recognitions: (15 minutes)
      1) St. Michael's High School Football City Champions;
      2) St. Michael's High School Boys Basketball City Champions;
      3) Santa Fe High School Volleyball City Champions; and
      4) Santa Fe High School Girls Basketball City Champions
   b) Santa Fe High School Girls Basketball Team – Class 4A State Champions. (5 minutes)
   c) Santa Fe Trends. (Reed Liming) (5 minutes)
10. CONSENT CALENDAR
    a) Bid No. 14/23/B – Genoveva Chavez Community Center Photovoltaic (PV) Project and Capital Improvements Program Agreement; Affordable Solar. (Nick Schiavo)
       1) Request for Approval of Budget Increase – Water Fund.

b) Request for Approval of Budget Increase Adjustments to Water Fund from Water Revenue Cash Balance for Water Division. (Nick Schiavo)

c) Request for Approval of Procurement Under State Price Agreement – Two (2) Support Vehicles for Environmental Services Division; Bob Turner Ford Country. (Lawrence Garcia)

d) Request for Approval of Change Order No. 3 – City of Santa Fe Reservoirs Improvements Project; Weaver Construction Management, Inc. (Robert Jorgensen)

1) Request for Approval of Budget Increase – Project Fund.

e) Request for Approval of Budget Increase for Reimbursement Costs from Administrative Office of the Courts to Municipal Court. (Judge Ann Yalman)

f) Request for Approval of Amendment No. 4 to Agreement Between Owner and Architect – Mary Esther Gonzales Senior Center (MEG); Ellis/Browning Architects, LTD. (LeAnn Valdez)

g) Request for Approval of Grant Application – FY 2014-15 Law Enforcement Protection Fund (LEPF) for Police Department; State of New Mexico Department of Finance, Local Government Division. (Deputy Chief John Schaerfl)

h) Request for Approval of Budget Increase – FY 2013-14 Mid-Year Adjustment for Jail Costs. (Deputy Chief John Schaerfl)

i) Request for Approval of Procurement Under State Price Agreement – TASER Equipment for Expansion Positions for Police Department; ProForce Marketing, Inc. (Lieutenant Andrew Padilla)

j) Request for Approval of Procurement Under Cooperative Price Agreement; Equipment for Parks and Municipal Recreation Complex; Cooperative Educational Services/Simpson Norton. (Ben Gurule)

k) Request to Publish Notice of Public Hearing on April 30, 2014:

1) Bill No. 2014-12: An Ordinance Relating to Tournament Fees and Adult League Fees at the MRC and City Sports Fields; Amending Subsection 23-4.12 SFCC 1987 to Establish Tournament Fees, Amend the Adult League Fees and to Include Youth League Requirements to be Consistent with Subsection 23-7.5 SFCC 1987; Amending Section 23-7.5 SFCC 1987 to Establish Tournament Fees and to Amend the Adult League Fees; and Making Such Other Stylistic and Grammatical Changes that are Necessary. (Councilor Trujillo) (Jennifer Romero)

2) Affordable Housing 2014/2015 Annual Action Plan. (Alexandra Ladd)

l) Request for Approval of Cooperative Services Agreement – Access to Public Facilities for Annual Summer Youth Program and Other Community Uses; Santa Fe Public Schools. (Isaac Pino)

m) Request for Approval of Exempt Procurement – Two (2) Physio Control LifePak 15 Heart Monitors and Electronic Defibulators for Fire Department; Physio Control, Inc. (Jan Snyder)

n) Request for Approval of Procurement Under Cooperative Price Agreement – 2014 Fire Engine and Equipment; Siddon-Martin Emergency Group. (Jan Snyder)

o) Request for Approval of Loan Consolidation Pay-Off of Current Electronic Reporting Systems for Fire Department; EF Recovery. (Jan Snyder)

p) Request for Approval of Interim Schedule of Airport Landing and Fire Protection Fees at Santa Fe Municipal Airport. (Francey Jesson)

q) Request for Approval of Budget Transfer of Funds to Anti-Graffiti Program from Police Department and Parks Division for FY 2013/2014 Anti-Graffiti Program. (Gilda Montano)

r) Request for Approval of Amendment No. 2 to Professional Services Agreement – Advertising and Distribution of 2014 Santa Fe Travel Planner for Santa Fe Community Convention Center; Bella Media, LLC. (Jim Luttjohann)

s) CONSIDERATION OF RESOLUTION NO. 2014-____. (Councilor Trujillo) A Resolution Directing Staff to Collaborate with Local Youth Service Agencies and Emergency Shelters to Explore the Options for Establishing a "Safe Place" Program that Would Benefit Young People Who Are in Crisis in the Santa Fe Community. (Terri Rodriguez)

t) CONSIDERATION OF RESOLUTION NO. 2014-____. (Councilor Bushee, Councilor Dominguez and Councilor Rivera) A Resolution Directing Staff to Explore the Options for Constructing "Single Track and Stacked Loop" Trails in a 30 Minute Zone Surrounding Santa Fe; Supporting Efforts for Santa Fe to be Designated as a Ride Center by the International Mountain Biking Association; and Calling on Santa Fe County and the Santa Fe Fat Tire Society to Support and Join the City of Santa Fe in Such Efforts. (Robert Siqueiros and Jim Luttjohann) **(Note: This Title May Be Amended in Accordance with the Amendments Provided in the Packet.)**

u) Request for Approval of Findings of Fact and Conclusions of Law for Case #2014-08, Appeal of the December 10, 2013 Decision of the Historic Districts Review Board (HDRB) in Case #H-13-076A Designating the Defouri Street Bridge (Bridge) as Contributing and from the January 14, 2014 Decision of the HDRB in Case #H-13-076B Approving the Demolition of the Bridge with Conditions Limiting the Width of its Replacement. (Kelley Brennan and Zachery Shandler)

v) CONSIDERATION OF RESOLUTION NO. 2014-____. (Councilor Bushee) A Resolution Authorizing a Discount Bus Pass Sale Program for Non-Profit Social Service Organizations Who Purchase Bus Passes in Volume for Distribution to Indigent Clients Who Utilize the City of Santa Fe's Public Transportation System: Santa Fe Trails. (Jon Bulthuis) **(Postponed to April 9, 2014 City Council Meeting)**

w) CONSIDERATION OF RESOLUTION NO. 2014-____. (Councilor Dimas) A Resolution Directing the Traffic Engineering Division to Reconstruct the Median at Zia Road and Galisteo Road so as to Restrict Left Turn Movements to and from Galisteo Road and to Increase the Length of Zia's Eastbound Dual Left-Turn Lane at the St. Francis Drive Signalized Intersection. (John Romero) **(Withdrawn by Sponsor)**

11. Pursuant to Resolution #2011-56, Overview and Update of New Mexico Open Meetings Act, Inspection of Public Records Act, City of Santa Fe Ethics Ordinance and New Mexico Governmental Conduct Act. (Zachary Shandler)

12. MATTERS FROM THE CITY MANAGER

13. MATTERS FROM THE CITY ATTORNEY

    Executive Session

    In Accordance with the New Mexico Open Meetings Act §10-15-1(H)(7), NMSA 1978, and Pursuant to City of Santa Fe Resolution No. 2012-31, Quarterly Discussion of Threatened or Pending Litigation in Which the City of Santa Fe is or May Become a Participant.

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) Request from Santa Fe Preparatory School for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Alcoholic Beverages at the Santa Fe Preparatory School Gymnasium, 1101 Camino de Cruz Blanca. This Request is for the Santa Fe Prep Parents' Association "Gala 1964" to be Held on April 5, 2014 from 6:30 p.m. to 12:00 a.m. (Yolanda Y. Vigil)

2) Request from Catenary Art Gallery for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Wine at Catenary Art Gallery, 616½ Canyon Road Which is Within 300 Feet of Acequia Madre Elementary School, 700 Acequia Madre Street. This Request is for a Grand Opening Celebration to be Held on March 28, 2014 from 5:00 p.m. to 7:00 p.m. (Yolanda Y. Vigil)

3) CONSIDERATION OF BILL NO. 2014-9: ADOPTION OF ORDINANCE NO. 2014-____. (Councilor Wurzburger)
An Ordinance Amending Subsection 6-4.2 SFCC 1987 Regarding Membership Requirements for the City Community Development Commission. (Alexandra Ladd)

4) CONSIDERATION OF BILL NO. 2014-10: ADOPTION OF ORDINANCE NO. 2014-____. (Councilor Calvert)
An Ordinance Relating to Street Performers on Public Property; Amending Section 23-8 SFCC 1987. (Zachary Shandler)

5) CONSIDERATION OF BILL NO. 2014-11: ADOPTION OF ORDINANCE NO. 2014-____. (Councilor Wurzburger and Councilor Dominguez)
An Ordinance Relating to the Code of Ethics, Section 1-7 SFCC 1987; Amending the Code of Ethics to Establish that Workplace Bullying by Governing Body Members Would be a Prohibited Act and Subject to a Violation of the Code of Ethics. (Sandra Perez)

6) Presentation and Public Hearing Regarding PRC Case #13-00390-UT – In the Matter of the Application of the Public Service Company of New Mexico for Approval to Abandon San Juan Generating Station Units 2 and 3, Issuance of Certificates of Public Convenience and Necessity For Replacement Power Resources, Issuances and Accounting Orders and Determination of Related Rate Making Principles and Treatment. (Nick Schiavo)

   a) CONSIDERATION OF RESOLUTION NO. 2014-____. (Councilor Rivera, Councilor Dimas, Councilor Calvert, Councilor Dominguez, Councilor Trujillo, Councilor Bushee and Councilor Ives)
   A Resolution Relating to Public Service Company of New Mexico's Plan to Replace 836 Megawatts at the San Juan Generating Station, PRC Docket #13-000390-UT; Urging the New Mexico Public Regulation Commission to Modify PNM's Plan and Claims for Cost Recovery.

I. ADJOURN

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

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

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

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March 26, 2014

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MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
March 26, 2014

AFTERNOON SESSION

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Javier M. Gonzales, on Wednesday, March 26, 2014, 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 Javier M. Gonzales
Councilor Bill Dimas
Councilor Carmichael A. Dominguez
Councilor Peter N. Ives
Councilor Signe I. Lindell
Councilor Joseph M. Maestas
Councilor Christopher M. Rivera
Councilor Ronald S. Trujillo

Members Excused
Councilor Patti J. Bushee

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

6. APPROVAL OF AGENDA

Brian Snyder, City Manager, asked that Item H(6) from the evening agenda be moved to be heard after Item H(2), because there will be youth attending and we would like to give them time to speak in the early part of the Evening Session.

Councilor Maestas asked to be added as a cosponsor on the Resolution.

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

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

7. APPROVAL OF CONSENT CALENDAR

Mayor Gonzales said, with respect to the Consent Calder, as we go forward, he would ask Councilors, if they have the opportunity, to discuss these items through the interim committee or the subcommittees, commenting that is, of course, the decision of the individual Councilor, but if they could do this, it would be great.

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

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

For: Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

10. CONSENT CALENDAR

A copy of an Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, March 24, 2013, regarding Item 10(f) is incorporated herewith to these minutes as Exhibit "1."

a) BID NO. 14/23/B – GENOVEVA CHAVEZ COMMUNITY CENTER PHOTOVOLTAIC (PV) PROJECT AND CAPITAL IMPROVEMENTS PROGRAM AGREEMENT; AFFORDABLE SOLAR. (NICK SCHIAVO)

1) REQUEST FOR APPROVAL OF BUDGET INCREASE – WATER FUND.

b) REQUEST FOR APPROVAL OF BUDGET INCREASE ADJUSTMENTS TO WATER FUND FROM WATER REVENUE CASH BALANCE FOR WATER DIVISION. (NICK SCHIAVO)

c) REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – TWO (2) SUPPORT VEHICLES FOR ENVIRONMENTAL SERVICES DIVISION; BOB TURNER FORD COUNTRY. (LAWRENCE GARCIA)

d) REQUEST FOR APPROVAL OF CHANGE ORDER NO. 3 – CITY OF SANTA FE RESERVOIRS IMPROVEMENTS PROJECT; WEAVER CONSTRUCTION MANAGEMENT, INC. (ROBERT JORGENSEN)

1) REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND.

e) REQUEST FOR APPROVAL OF BUDGET INCREASE FOR REIMBURSEMENT COSTS FROM ADMINISTRATIVE OFFICE OF THE COURTS TO MUNICIPAL COURT. (JUDGE ANN YALMAN)

f) REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO AGREEMENT BETWEEN OWNER AND ARCHITECT – MARY ESTHER GONZALES SENIOR CENTER (MEG); ELLIS/BROWNING ARCHITECTS, LTD. (LeANN VALDEZ)

g) REQUEST FOR APPROVAL OF GRANT APPLICATION – FY 2014-15 LAW ENFORCEMENT PROTECTION FUND (LEPF) FOR POLICE DEPARTMENT; STATE OF NEW MEXICO DEPARTMENT OF FINANCE, LOCAL GOVERNMENT DIVISION. (DEPUTY CHIEF JOHN SCHAERFL)

h) *[Removed for discussion by Councilor Lindell]*

i) REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – TASER EQUIPMENT FOR EXPANSION POSITIONS FOR POLICE DEPARTMENT PROFORCE MARKETING, INC. (LIEUTENANT ANDREW PADILLA)

j) REQUEST FOR APPROVAL OF PROCUREMENT UNDER COOPERATIVE PRICE AGREEMENT; EQUIPMENT FOR PARKS AND MUNICIPAL RECREATION COMPLEX; COOPERATIVE EDUCATIONAL SERVICES/SIMPSON NORTON. (BEN GURULE)

k) REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON APRIL 30, 2014:

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

2) AFFORDABLE HOUSING 2014/2015 ANNUAL ACTION PLAN. (ALEXANDRA LADD)

l) *[Removed for discussion by Councilor Lindell]*

m) REQUEST FOR APPROVAL OF EXEMPT PROCUREMENT – TWO (2) PHYSIO CONTROL LIFEPAK 15 HEART MONITOORS AND ELECTRONIC DEFIBULATORS FOR FIRE DEPARTMENT; PHYSIO CONTROL, INC. (JAN SNYDER)

n) REQUEST FOR APPROVAL OF PROCUREMENT UNDER COOPERATIVE PRICE AGREEMENT – 2014 FIRE ENGINE AND EQUIPMENT; SIDDON-MARTIN EMERGENCY GROUP. (JAN SNYDER)

o) REQUEST FOR APPROVAL OF LOAN CONSOLIDATION PAY-OFF OF CURRENT ELECTRONIC REPORTING SYSTEMS FOR FIRE DEPARTMENT; EF RECOVERY. (JAN SNYDER)

p) REQUEST FOR APPROVAL OF INTERIM SCHEDULE OF AIRPORT LANDING AND FIRE PROTECTION FEES AT SANTA FE MUNICIPAL AIRPORT. (FRANCEY JESSON)

q) *[Removed for discussion by Councilor Lindell]*

r) REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – ADVERTISING AND DISTRIBUTION OF 2014 SANTA FE TRAVEL PLANNER FOR SANTA FE COMMUNITY CONVENTION CENTER; BELLA MEDIA, LLC. (JIM LUTTJOHANN)

s) CONSIDERATION OF RESOLUTION NO. 2014-23 (COUNCILOR TRUJILLO). A RESOLUTION DIRECTING STAFF TO COLLABORATE WITH LOCAL YOUTH SERVICE AGENCIES AND EMERGENCY SHELTERS TO EXPLORE THE OPTIONS FOR ESTABLISHING A "SAFE PLACE" PROGRAM THAT WOULD BENEFIT YOUNG PEOPLE WHO ARE IN CRISIS IN THE SANTA FE COMMUNITY. (TERRI RODRIGUEZ)

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

u) REQUEST FOR APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR CASE #2014-08, APPEAL OF THE DECEMBER 10, 2013 DECISION OF THE HISTORIC DISTRICTS REVIEW BOARD (HDRB) IN CASE #H-13-076A, DESIGNATING THE DEFOURI STREET BRIDGE (BRIDGE) AS CONTRIBUTING AND FROM THE JANUARY 14, 2014 DECISION OF THE HDRB IN CASE #H-13-076B, APPROVING THE DEMOLITION OF THE BRIDGE WITH CONDITIONS LIMITING THE WIDTH OF ITS REPLACEMENT. (KELLEY BRENNAN AND ZACHARY SHANDLER)

v) CONSIDERATION OF RESOLUTION NO. 2014- ___ (COUNCILOR BUSHEE). A RESO9LUTION AUTHORIZING A DISCOUNT BUS PASS SALE PROGRAM FOR NON-PROFIT SOCIAL SERVICE ORGANIZATIONS WHO PURCHASE BUS PASSES IN VOLUME FOR DISTRIBUTION TO INDIGENT CLIENTS WHO UTILIZE THE CITY OF SANTA FE'S PUBLIC TRANSPORTATION SYSTEM: SANTA FE TRAILS. (JON BULTHUIS) (Postponed to April 9, 2014 City Council Meeting)

w) **CONSIDERATION OF RESOLUTION NO. 2014-___ (COUNCILOR DIMAS). A RESOLUTION DIRECTING THE TRAFFIC ENGINEERING DIVISION TO RECONSTRUCT THE MEDIAN AT ZIA ROAD AND GALISTEO ROAD SO AS TO RESTRICT LEFT TURN MOVEMENTS TO AND FROM GALISTEO ROAD AND TO INCREASE THE LENGTH OF ZIA'S EASTBOUND DUAL LEFT-TURN LANE AT THE ST. FRANCIS DRIVE SIGNALIZED INTERSECTION. (JOHN ROMERO). (WITHDRAWN BY SPONSOR)**

8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – MARCH 12, 2014.

MOTION: Councilor Ives moved, seconded by Councilor Rivera, to approve the minutes of the Regular City Council meeting of March 12, 2014, as presented.

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

9. PRESENTATIONS

a) SANTA FE HIGH SCHOOL TEAM RECOGNITIONS:

1) ST. MICHAEL'S HIGH SCHOOL FOOTBALL CITY CHAMPIONS

Councilor Trujillo, assisted by Councilor Rivera, presented a trophy to the St. Michael's High School Football City Champions, coached by Joey Fernandez and Guy Fernandez, and congratulated them on their championship. He said they were unable to be here this evening.

2) ST. MICHAEL'S HIGH SCHOOL BOYS BASKETBALL CITY CHAMPIONS

Councilor Trujillo, assisted by Councilor Rivera, presented a trophy to the St. Michael's High School Boys Basketball City Champions, coached by Ron Guy, Gerard Garcia and Frank Leyba. He congratulated them on their championship. Mayor Gonzales added his congratulations. Coach Guy thanked the Governing Body for this honor.

3) SANTA FE HIGH SCHOOL VOLLEYBALL CITY CHAMPIONS

Councilor Trujillo, assisted by Councilor Dimas and Councilor Dominguez, presented a trophy to the Santa Fe High School Girls Volleyball City Champions, coached by Sam Estrada and Mary Louise Romero. He congratulated them on their win. Coach Estrada thanked the City for this honor, saying he is glad for the tradition of City champions to return to Santa Fe High.

4) SANTA FE HIGH SCHOOL GIRLS BASKETBALL CITY CHAMPIONS.

Councilor Trujillo, assisted by Councilor Dimas and Councilor Dominguez, presented a trophy to the Santa Fe High School Demonettes Girls Basketball City Champions, coached by Elmer Chavez, Eric Gonzales, Oliver Torres and Chris Williams. He congratulated them on a fabulous season.

b) SANTA FE HIGH SCHOOL GIRLS BASKETBALL TEAM – CLASS AAAA STATE CHAMPIONS

Mayor Gonzales read a proclamation into the record declaring March 26, 2014, as Santa Fe High School Demonettes Day in Santa Fe. Mayor Gonzales said next year Santa Fe is moving into Class 6A, and he has no doubt they will return this time as State Champions. He said we will support their efforts and believe in this tem, said he looks forward to presenting them with a trophy and proclamation again next year. He introduced the team members in attendance.

Councilor Trujillo, assisted by Councilor Dimas and Councilor Dominguez, presented a trophy to the Santa Fe High School Girls Basketball Team, the Class AAAA State Champions.

c) SANTA FE TRENDS. (REED LIMING)

A copy of *Santa Fe Trends 2014*, is incorporated herewith to these minutes as Exhibit "2."

Reed Liming presented information on the Santa Fe Trends, highlighting information from Trends. Please see Exhibit "2," for specifics of this presentation.

Mayor Gonzales asked if there were any red flags from last year.

Mr. Liming said in one area, the number of new housing units did drop significantly, but that was because in 2012 the City approved an apartment complex which happens only so many years. There were more than 400 housing unit permits in 2012, which dropped to 175 in 2013. He said in terms of building permits, commercial square footage increased over 2012.

Councilor Maestas said the population gain is a consequence of the annexation, but it isn't included in the 2010 population. He asked, for future federal opportunities between now and the next census, if they will count the updated population, or if we are stuck with the 2010 census for 10 years when it comes to federal funding.

Mr. Liming said it may depend on the federal agency with which we are working. He isn't familiar with all the different agencies in terms of, for example CDBG funding, and that may vary from agency to agency.

Councilor Dominguez thanked Mr. Liming for the information, commenting he looks forward to *Santa Fe Trends* every year, noting he has an electronic copy to which he refers. He noted the traffic volumes are in alphabetical order, and asked if those can be organized by the highest to the lowest volume,

Councilor Dominguez urged the Finance Committee and the entire Governing Body to pay attention to Trends, because there is lots of information which will be beneficial as we start our budget process. He noted that 45% of the City's funds come from fees, water, sewer, parking, etc. He said there is a good overview of the City's source of funds on page 21. He asked if Trends is on the City's website.

Mr. Liming said it is on the web.

Mr. Liming said, with regard to the Mayor's question, he said when you look at the 2005 volumes from NMDOT and look at the 2013 volumes, the volumes have fallen on many streets, the 24 hour counts. He said, with regard to the reason for that, we do have an aging community, and during the recession traffic volumes around the country started to fall. He said we are starting to see more retirement as the baby boomers start to hit that age, and these may be some of the factors for the reasons there are lower volumes on our streets.

Councilor Rivera said it is a great report, as always. He said he received a question recently, and he looked through *Santa Fe Trends*, to help him make an educated guess. He would like to see the population broken down by District please include that.

Mr. Liming said that information isn't in Trends.

Councilor Rivera said if he would include that, it would be helpful.

Mayor Gonzales would like to drill down on a few things for the future, and part of it is to see the population by age and trends that have been taking place during the past. He would like to see those trends, in terms of where we are losing population and where we are gaining. He asked about a quarterly update which might include where the population is shifting.

Mr. Liming said, "The closest that I can get to that Mayor, if you go to the very back of Trends, and again, it's by census data. Sometimes it's tough to tract this subannually or annually. You will see on page 24, a map of the census tracts of Santa Fe, and then all of the data for the past 3 decennial census. And I have the numbers in blue where it gained from the prior census, and numbers in red where we lost population from the last census. So that may be at least a start and give you a little bit of an idea."

Mayor Gonzales asked him to extrapolate those numbers, and say, "ages zero to fifteen, or whatever is appropriate and the plus or minus so we can see. I think that would be helpful to know."

Mayor Gonzales asked, with regard to unemployment, if there is a way to measure unemployment. He would like to know the numbers which include under-employed people in the City. He said in Santa Fe, as a service industry largely, a lot of people are working less than 40 hours per week, and he would like to see those numbers from an unemployment standpoint. And then the numbers when you factor in people living in the City working less than 40 hours. He is unsure we can drill down further, but he would like to see more data, commenting the jobs in Santa Fe County are representative of the GDP. He would like to see GDP numbers so we know whether it is expanding or contracting in some of the sectors, so we know where opportunity for growth is occurring, or where we see decreased areas of investment happening.

Mayor Gonzales said he would like to get an idea of where our wages are in the City, and have some historical data and then try and track future trends. He said the goal of all us is to work on developing an economy where we see year over year wage increases across the sectors, which is directly tied to the investment coming into Santa Fe. He said, "I think it would be great to drill this down a little bit more so we really know what's happening at the kitchen tables, when it comes to wage income and full employability."

Mr. Liming said the data may be most available at the County level, but the City has the lion's share of employment.

Mayor Gonzales said he is fine in looking at it at the County level.

CONSENT CALENDAR DISCUSSION

10(h) REQUEST FOR APPROVAL OF BUDGET INCREASE – FY 2013-14 MID-YEAR ADJUSTMENT FOR JAIL COSTS. (DEPUTY CHIEF JOHN SCHAERFL)

Councilor Lindell said one of the questions she had has been answered. She asked, regarding the booking fees, is there a set cost for booking, or if that fee changes.

Deputy Chief Schaerfl said, "Historically, the City has been charged a booking fee in addition to the daily 24 hour clock housing fee for every single inmate that we were to book into the jail. In 2012, the booking fees were let's call it forgiven, or they weren't charged any longer to the City of Santa Fe. The daily housing costs remained the same at the time, and they are in fact as of today $85 per 24 hour period. When we figured this budget initially, we looked at the cost savings of every booking fee initially as a benefit that then would reduce how much we had to budget for the housing fee. Unfortunately, this year, the length of time that we have persons incarcerated, the quantity of persons being incarcerated and the number of people that are now being incarcerated initially for felony charges have risen. So our initial estimates of what we though, based on historic trends, was slightly low. So even though we were counting on the booking fee savings to cover part of that gap, it's just not enough. So as of today, we don't pay any booking fees and we haven't since 2012."

MOTION: Councilor Lindell moved, seconded by Councilor Maestas, to approve this request.

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

10(k)(1) **REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON APRIL 30, 2014:**

BILL NO. 2014-12: AN ORDINANCE RELATING TO TOURNAMENT FEES AND ADULT LEAGUE FEES AT THE MRC AND CITY SPORTS FIELDS; AMENDING SUBSECTION 23-4.12 SFCC 1987, TO ESTABLISH TOURNAMENT FEES, AMEND THE ADULT LEAGUE FEES AND TO INCLUDE YOUTH LEAGUE REQUIREMENTS TO BE CONSISTENT WITH SUBSECTION 23-7.5 SFCC 1987; AMENDING SECTION 23-7.5 SFCC 1987, TO ESTABLISH TOURNAMENT FEES AND TO AMEND THE ADULT LEAGUE FEES; AND MAKING SU8CH OTHER STYLISTIC AND GRAMMATICAL CHANGES THAT ARE NECESSARY (COUNCILOR TRUJILLO). (JENNIFER ROMERO)

A copy of an Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, March 24, 2013, regarding this matter is incorporated herewith to these minutes as Exhibit "3."

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

DISCUSSION: Councilor Dominguez said the MRC and Marty Sanchez are all part of one bond. The debt service the City pays was approved in one bond, not two separate questions about one for Marty and one for the MRC.

Jennifer Romero said this is correct. The Municipal Recreation Complex encompasses both the Marty Sanchez Golf Course and the Sports Complex.

Responding to Councilor Dominguez, Ms. Romero said this FIR is approximately $30,800 for operating expenses and salaries.

Councilor Dominguez asked if we are increasing fees elsewhere in the MRC and Ms. Romero said no.

Councilor Dominguez asked if we are increasing fees at the golf course.

Ms. Romero said there is no increase from those currently. She said, "Recently we had under a 25% increase in fees at the Marty Sanchez Golf Course, which was within the range of the City Manager approval. To give you some historical background. Last year we implemented the construction rate special as the result of construction to Caja del Rio and the County Road. And at the request of our Advisory Board we decreased them last year, but we increased them this year to bring them back to what they were prior to that special."

Councilor Dominguez asked, "Do we have measurements that we can definitely say that, because of the decrease in rates last year, that there were enough rounds to be able to make up the difference in lost revenue, potentially.

Ms. Romero said this is correct.

Councilor Dominguez said he is hoping, and she has answered the question, that we aren't intending to subsidize the $30,000 loss at the fields by increasing golf course fees, and Ms. Romero said no. Councilor Dominguez said, "I just want to make sure we get that on the record so when constituents come and ask about that, we can explain it."

Councilor Rivera said many many years ago, when he played baseball, the concession stand was bid-out by the City, and someone would win the bid, that person would pay a certain amount of money in order to sell their concessions there He asked if this is still the way it works at the softball fields.

Ms Romero said, "Yes. What we've done is we've allowed the league to operate the session at the softball field, and a concession that is operated at Soccer Valley for that particular area and for the hardball area. Each area pays a monthly fee, while they are in season, to the MRC/City of $350 per months. And that actually seems to work well for all parties. We did, initially, in previous years have an RFP. We did looking at bringing an RFP back this year, but in working with the league for softball for the concession stand, they'll be operating the concession this year."

Councilor Rivera said then they pay $350 per month, and asked if we know how much they're bringing in.

Ms. Romero said she would have to do the match based on the number of months they are there, but it is $350 times the 8 months they are there, more or less, April through October. Last year, they ended in September. She said, "As we changed to this route, other concessions within the City are run by Leagues, so this is how this came about."

Councilor Rivera said he doesn't think they are losing money, and asked what they are doing with the revenue they earn.

Ms. Romero said, "It's my understanding that the League puts it back into the League for their expenses. For example, for their expenses for softballs and other items they need to run the program throughout their season. This year, what we requested is their monthly fee, but also what they'll do is each month, is they will track their sales through a Z-tape. At the end of the year, we'll collect that information, and we'll look at it to determine next year if this the right way to go and if it is something we consider changing, we could possibly bring it to the Governing Body."

Councilor Rivera said, "So they're making a profit off the concession stand, and now we're lowing rates so they can potentially have more people out there, more tournaments, which will again increase the revenue of the concession stand, and we have no idea what they're making. This goes back to conversation that we've had on this Governing Body many times about other leagues, and not really understanding the total

profit. And I'm glad you're going to be looking at the Z-tape. I hope it's accurate, and I hope we stay on top of them. And again, there is a one year review built into this, and I hope all of these can come back to the Governing Body at the same time, so we can have a better idea of the whole picture."

Ms. Romero said, "I agree, Councilor."

Councilor Trujillo said, "When we ask for their financial statements, and that is by ordinance, you guys are checking that."

Mr. Romero said, "Yes. We do collect those. I have received those from the League, and we have those file for review. Before I am permitting any of the leagues, adult or youth, I'm collecting that from last year."

Councilor Trujillo said he is glad we are doing that now, noting that had been a pet peeve of his. He said this is essential. In terms of Councilor Rivera's question, where is this money going. He wants to ensure the money coming into these leagues is going back into those leagues, and not into somebody's pocket, reiterating he is glad they are doing that.

Ms. Romero said, "To add to that, the Parks Division, on the permitting for all other City parks, are also following the Ordinance in acquiring those league financials."

Councilor Trujillo said he wants to make sure all leagues are in compliance before getting their permits, because you know we go this year by year, and he is "truly am tired of having to beg some leagues for their stuff. It's been by Ordinance all these years, and there are some leagues that feel they are above the law for this community, and we need to put a stop to it. You're out there for the kids, you are out there for the adults to do things. It's real simple to get financials to you guys, so you can review them."

Councilor Dominguez said, "In the Ordinance we require that fees collected go into a Parks Maintenance. Are you all keeping track of that on both on the MRC side and the Park side."

Ms. Romero said, "Yes. In the structure, how fees are collected on the Parks Division side, under Barb Reynolds, is she does have tracking. And under our financial system, you can see that the monies collected are deposited into that account. The General Fund, but there is a particular line item she uses to deposit those funds. And on the MRC side, we have several line items that we use. For example, Sports Tournament Fees, League User Fees and Permitting Fees. And in making these fee changes, it is to simplify the rate structure as well as meeting our goals in anticipating increased tournaments.

Councilor Dominguez said it is a great opportunity to simply it for the users, and perhaps it will bring in new revenue in other ways. However, in terms of making sure those funds don't get sucked into the general fund and it is not intended for its intended use for Parks Maintenance to relieve the General Fund. He asked Isaac Pino, "Could you tell me, relatively quickly, how much money we've collected for Parks Maintenance through that Ordinance."

Mr. Pino said if he had known he was going to ask this question, he would have had that information with him, but he can get that information to him relatively soon.

Councilor Dominguez said, "I imagine you're keeping track of things to be able to provide that information relatively quickly."

Mr. Pino said, "Yes, and just a prediction, just so you don't get excited, you're going to be really disappointed in the disparity between the income and the expense."

Councilor Dominguez said he understands, but at least it's going to be used for its intended purpose, even though it's a small amount.

Mayor Gonzales asked, "As it relates to the MRC and Marty Sanchez, is there a market plan that is developed annually that the governing board knows about in terms of how we promote the usage of the facilities."

Ms. Romero said, "We have put together marketing plans in the past. What we're working on now, we have our internal in-house timeline of marketing efforts that we put together for this fiscal year. And now moving into next fiscal year, what we're looking to is bringing... in the past it's been very beneficial, but bringing in students that have put together a project. For example at UNM at the Anderson School, they've come in and they helped us put marketing plans together to give us new insight as to what we can do, that maybe we hadn't looked into. It's something that has been very useful in the past, and that is very reasonable in cost, and something we're consider again."

Mayor Gonzales said he would be interested in a presentation at Public Works that talks about a marketing effort with measurement of specific outcomes to measure the effectiveness of funds invested. He said it would be good to see that, whether it is done by UNM or others, so we can have discussions such as this evening, with a little more data.

Mayor Gonzales asked if a usage analysis has been done for Marty Sanchez and the MRC. He said they were built to handle a certain capacity, and there is current usage. He is interested in knowing what is the current use of the capacity – for example, at Marty Sanchez are we at 60% of the total green fees it can handle. He assumes MRC may be a different story because of the excitement around softball in terms of the fields and the availability. It would be helpful to know, as part of this marketing effort, if there was a high level analysis of what the golf course was built to handle, the usage, and seeing a marketing plan which corresponding to how to increase the usage. And hopefully, through that process, move beyond the enterprise activities, and start looking at our Parks in general. He said he would like, whenever it is appropriate that an analysis be done on the actual usage of the parks by the community, and if we need to put more dollars into marketing the uses.

Mayor Gonzales said, "But I think that's down the road, and shouldn't occupy what's going on now, but my interest is to really note, for those areas that we count on generating revenues and support some kind of debt that is associated with those recreational activities – looking at a marketing plan, understanding if

those assets are performing to where they need to be, and having some kind of comparative mark, the other City parks that are out there, what are they performing at. Just to kind of help us understand a little bit how we're doing."

Ms. Romero said, "We do have statistics, but this is definitely an opportunity to look at all areas and see where we are."

Mayor Gonzales asked Councilors Trujillo and Dominguez to let him know when they put it on the agenda, so we can listen and participate if we would like to do so.

Councilor Trujillo told Ms. Romero that we can set this up with Bobbie Mossman for one of the Public Works Agenda.

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

For: Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

10(I) REQUEST FOR APPROVAL OF COOPERATIVE SERVICES AGREEMENT – ACCESS TO PUBLIC FACILITIES FOR ANNUAL SUMMER YOUTH PROGRAM AND OTHER COMMUNITY USES; SANTA FE PUBLIC SCHOOLS. (ISAAC PINO)

Councilor Lindell said every Councilor this week got an email from someone having problems accessing the property at Capshaw. She said we looked at this in Finance Committee, but believes it is reasonable to take a minute to give it a second look. It seems that people are having problems with access. She asked if Mr. Pino was privy to the email chain of which she is speaking.

Mr. Pino said he was not.

Councilor Lindell said she spoke with Councilor Dominguez briefly, and asked if the Agreement includes all schools.

Mr. Pino said, "Technically it does, but the permitting for the use of those fields, has to be done through the Santa Fe Public Schools and not through the City. Previously it was the other way around, but the Santa Fe Public Schools wanted to have more control over what goes on, on their fields. So they will be issuing permits to anybody.... well I shouldn't say it's just that simple. They'll be considering issuing permits who anyone who applies with Santa Fe Public Schools. The indoor facilities are available by this agreement to the City, and does not address availability to any other groups, other than the City groups, and the league sponsored by the City."

Responding to Councilor Lindell, Mr. Pino said the Agreement addresses both indoor use and outdoor use.

Councilor Lindell said she thought it addresses individual use, like people going onto school property. She said the email she received was from someone wanting an outdoor use at Capshaw. She said, "You responded to that also, didn't you Councilor [Dominguez]."

Councilor Dominguez said, "I did. As the author of this back when I was on the Board of Education even, the intent is to provide both the City and the Public Schools the flexibility that they need to be able to manage their facilities, I guess intergovernmentally between the two organizations and the public in the form of leagues and other people. I understand that is School District property, correct. Capshaw is School District property"

Mr. Pino said this is correct, entirely.

Councilor Dominguez said, so we don't necessarily run leagues out of that field, and Mr. Pino said no.

Councilor Dominguez said basically this individual is asking for Capshaw to be utilized as a public park, is essentially how he understands it. He said, "So I know you didn't get the email and we should probably have sent it to you." He asked Mr. Snyder if he received the email.

[Mr. Snyder's response here is inaudible.]

Mr. Pino said, "Just to be clear, if you look at Paragraph 4, Outdoor Field Use, you will see that four specific areas have been identified as 'Joint Use' through this Agreement. And why those four are called out specifically is there is a little *quid pro quo* that goes on, in terms of they make the fields available to us if we maintain them. So we'll mow grass, pick up trash and do things like that, so we can run some of our leagues on the fields where there are tennis courts."

Councilor Lindell said she brought this up to make the point that she hopes the Schools will grant that access. She said it seems people have been having that access, but they aren't now. She asked if we could follow-up on that, and be encouraging to have that continue into the future.

Councilor Ives said, "On that point, I also responded in that email chain sent to me by the security person for the schools. They have 4 policy pages on access and use of school facilities. I'll circulate it to the Council. That incident you're speaking of, in context, arose after there had been an incident involving a dog, and apparently folks at the facility, and my understanding is that security then when the person who was at the school, asked them to leave the premises, presumably of some downside consequence from the prior incident. And supposedly, the policy does invite folks to file permits. I would hope we can find a way, if you are, for instance, walking on the track over at Capshaw, that type of passive, no impact use, can be tolerated in an easier way, rather than asking individuals to apply for permits."

MOTION: Councilor Lindell moved, seconded by Councilor Maestas, to approve this request.

DISCUSSION: Councilor Maestas said Capshaw is in his District and he did respond to the concerned citizen only, not to "reply all." He would ask Councilor Lindell to work with him to look at the joint use policy and see what the rationale is for identifying those 4 school facilities. He said perhaps the joint use policy should be updated. He realizes there is a policy to strive to establish 5 acres per thousand population, but oftentimes the actual accessibility to populated areas may not be as convenient, and it is a matter of acquiring open land and building a park. He said we want our parks to be accessible to where people live, but that's not always the case, so he assumes they seek out school property. He said perhaps we can identify any potential gaps in public parks for certain neighborhoods which have a need.

Mr. Pino said, "The agreements that set those fields up, through annexation or some other form, are attached to the Agreement. He said, "I can tell you when we did Wood Gormley, for example, we did a CIP project. That was the first joint use, and we went ahead and built the soccer field on their property, with a promise that we could use it if we maintained it. So that's how that came to be. The limiting factor, and we can include this in our discussions as we proceed on this in the future, is the amount of resources we have for maintenance. Because if the agreements stay in such a form that we can use a facility in exchange for maintenance, we're already challenged just to maintain our own parks, without adding schools to the mix during the summer."

Mr. Pino continued, "And then, one of the things that might be happening at Capshaw, it's been a long time since I was there. I'll use Cesar Chavez as an example. Councilor Dominguez and I have talked about this one recently. Sometimes Schools close the gate to disallow admittance into the property, because there is no separation between the play field and the school facility. So they don't want people sauntering onto the property after hours, so they just lock the main gate. I know that is the case at Cesar, and that might be the case at Capshaw as well."

Councilor Rivera asked, for the Summer Youth Program facilities, if we negotiate with the schools in terms of which sites they will allow us to use.

Mr. Pino said yes, and by January 31st we sit and talk about which schools are available. He said many times it boils down to projects under construction, such as Kearney which has been under construction for two years and out of the rotation. He said we try to distribute the sites geographically in terms of the location of the kids. He said we have 5 schools and Monica Roybal, Carlos Ortega and the Boys and Girls Club as 3 additional sites.

Responding to Councilor Rivera, Mr. Pino said the Public School sites for this summer are Amy Beal, E.J. Martinez, Carlos Gilbert, Gonzales and Capshaw.

Councilor Rivera noted that 40% of school children live on the south side of town, Southside Library, Capital High, which is the area he represents. He said the closest school for many of these kids to attend is Amy Beal. He said many of the kids walk to the program, or are transported by parents on the way to work. He said, in his opinion, Amy Beal seems too far for the residents of his district or part of town. He asked if there is a way to renegotiate a closer school.

Mr. Pino said, "Not this year anymore, Councilor. They're pretty well fixed now."

He asked the reason Amy Beal was chosen instead of the 3-4 elementary schools which are in the District and in the southwest area.

Mr. Pino said he doesn't know, but he can find out the negotiation for that side of town.

Councilor Rivera asked him to email the answer to him.

Councilor Trujillo said, with regard to the locking the fields, he just wants to make sure the fields at two parks are locked at 10:00 p.m., at Ragle and Herb Martinez and that they are reopened at 5:00 p.m. He noted a discussion earlier in the year that some of the parks weren't being opened. He wants to be sure this is being done now.

Mr. Pino said he said Parks works in the morning and the Police help us in the evening, noting some of the Parks personnel go out in the evening as well.

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

For: Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

Mayor Gonzales said he understands the sites probably are set for this year. However, when it is possible, he would like to meet with Mr. Pino and the City Manager, to talk about what to do next year on the school sites selected which would show more parity on the south side for the kids. He said we can then provide direction to staff with regard to what sites are appropriate in negotiating with the Schools.

10(q) REQUEST FOR APPROVAL OF BUDGET TRANSFER OF FUNDS TO ANTI-GRAFFITI PROGRAM FROM POLICE DEPARTMENT AND PARKS DIVISION FOR FY 2013/2014 ANTI-GRAFFITI PROGRAM. (GILDA MONTANO)

Councilor Lindell said she wants to be assured that we are going to track the effectiveness and responsiveness of this program.

Gilda Montano said they are working hard to get graffiti removed within 24 hours, unless they are waiting for a consent form from the property owners.

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

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

For: Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

10(t) CONSIDERATION OF RESOLUTION NO. 2014-24 (COUNCILOR BUSHEE, COUNCILOR DOMINGUEZ AND COUNCILOR RIVERA). A RESOLUTION DIRECTING STAFF TO EXPLORE THE OPTIONS FOR CONSTRUCTING "SINGLE TRACK AND STACKED LOOP" TRAILS IN A 30 MINUTE ZONE SURROUNDING SANTA FE; SUPPORTING EFFORTS FOR SANTA FE TO BE DESIGNATED AS A RIDE CENTER BY THE INTERNATIONAL MOUNTAIN BIKING ASSOCIATION; AND CALLING ON SANTA FE COUNTY AND THE SANTA FE FAT TIRE SOCIETY TO SUPPORT AND JOIN THE CITY OF SANTA FE IN SUCH EFFORTS. (ROBERT SIQUEIROS AND JIM LUTTJOHANN). (NOTE: THIS TITLE MAY BE AMENDED IN ACCORDANCE WITH THE AMENDMENTS PROVIDED IN THE PACKET).

Councilor Ives asked if we have reached out to the County to ask them if they would like to be engaged. He said the caption of the bill provides in part, ".... and calling on Santa Fe County.... to support and join the City of Santa Fe..." He asked if we have reached out to the County in this regard, commenting there would be a much more effective process with the County if we invite them, before we start bringing things forward saying, "County pay attention."

Mr. Siqueiros said he has met several times with the County staff on this particular item. He said they also had a conference call with the stakeholders and the County staff, on this Resolution along with Mr. Luttjohann going over the application process. He said sometime in May, the IMBA representatives will be coming to Santa Fe to meet and there will be both County and City Staff. He said, "So yes, we were in contact with them before the Resolution was introduced."

MOTION: Councilor Ives moved, seconded by Councilor Trujillo, to adopt Resolution No. 2014-24 with the amendment in the packet.

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

For: Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

11. PURSUANT TO RESOLUTION #2011-56, OVERVIEW AND UPDATE OF NEW MEXICO OPEN MEETINGS ACT, INSPECTION OF PUBLIC RECORDS ACT, CITY OF SANTA FE ETHICS ORDINANCE AND NEW MEXICO GOVERNMENTAL CONDUCT ACT. (ZACHARY SHANDLER)

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VERBATIM TRANSCRIPT
OF THE REQUESTED PORTION OF AGENDA ITEM #11
AFTERNOON SESSION
CITY COUNCIL MEETING
MARCH 26, 2014

ZACHARY SHANDLER: Mayor, members of the Council, I have titled this the ten minute ethics presentation, and I'm going to talk about the City's Ethics Ordinance, the State's Governmental Conduct Act, the State Inspection of Public Records Act and the State Open Minutes Act during the next 10 minutes, and highlight five issues involving municipal elected officials. This is an orientation and refresher course under Resolution 2011-56.

Issue #1, Conflict of Interest, and that is found in the City's Ethics Ordinance. The definition in shorthand is a conflict of interest is when an elected official takes an official act that benefits a certain group with a specific and identifiable prospect of financial gain. There is an exception, when that gain is shared with the public. So, an example, if you vote to approve an Airport Road Overlay District, even though you and others may live in the District, since that benefit is shared with the public, there is no conflict of interest on that vote. What are the certain groups that have been identified. You or your family member, and that family membership definition basically includes every type of family member, except your cousins or aunts, or your nephews and grandparents, except if that group of people live with you, a business owned by you, or a household or a family member, you employer, your client, your customer, a non-profit group that you're an office or director, or a contributor that makes a series

of contributions greater than $250 in the last two-year period, but that clock started in March 2014.

So how do you deal with a conflict of interest. There's three steps. Steps one is you disclose to your colleagues at a public session. Step two is you don't vote. And step three is you don't influence the decision. So let me try to provide an example, if you have a conflict you can't handle the City's decision. So, for example, if you're on the Board of the Boys and Girls Club and they want to lease a building, you can't participate in the committee discussion on that lease. You can't call City staff members, even if you think you're providing helpful, historical information. That could be seen as influencing, and you can't vote at the Council. Now please note, if the item is on the Consent Calendar, you can ask the Mayor to pull that off the Consent Calendar and then you can disclose to your colleagues the conflict, and not to vote when the Mayor calls for a Roll Call vote. So that's Conflict of Interest.

And Issue number two is Gifts, and that's also found in the City's Ethics Ordinance, and the definition in shorthand is cash, check, financial benefits like gift cards, stock options, and the general rule is that the acceptance of gifts are banned. Now it technically goes a little further, in that it is impermissible if you have knowledge that the giver has a prospect of financial gain based on your official action, but I think the City Attorney's general advice to you is to not accept gifts. But there are several exceptions, though, if the gift is given to a substantial segment of the general public. So if St. Vincent's has an event and provides free water bottles that is given out to the substantial members of the general public. Probably, more relevant is that you can accept an occasional meal or non-financial gift less than $50. So an example is if the Kiwanis Club invites you to their annual meeting, and lunch is approximately $25, you can accept that, because that's an occasional meal. Now, as City Councilors and the Mayor, you have an additional exception, that you can accept an occasional meal or non-financial gift between $50 and $250, but there are three conditions you have to fulfill. It has to be related to your official duties, you have to report it to the City Clerk within 10 days and the City Clerk has to put it on the City website. Let me try to provide an example of that. Maybe there's an event at the Opera, where you will have a discussion with the Director, possibly about the City's support of the facility going forward, and then be attending the Opera. So that might be those Opera tickets might be in that $50 and $250 range.

Issue number three, to keep on my 10 minute track here is honorariums. And that is found in the City's Ethics Ordinance and then in the State

Governmental Conduct Act. An honorarium, that definition in shorthand is speaking fees and the acceptance of speaking fees is banned. The exception is that you can accept reasonable reimbursement for food and travel, but must report the reimbursement to the City Clerk within 10 days. So let me give you another example. The City of Austin wants to fly you in to give a speech on plastic bag ban ordinances. You can be reimbursed for your travel expenses, your hotel expenses and food if you report it to the City Clerk, but you can't accept a speaking fee. I was trying to work on a joke about reusable bags, but I couldn't figure out how to do that.

Issue number four, moving along, is the State Open Meetings Act which applies to the City. The bottom line is a quorum of the policy makers who are talking policy, must do it front of the public. So an example of that is five of you can't have lunch if there is a prospect that you might be talking about City business. I am going to read from a recent editorial from the Taos newspaper from November of 2013, so very recently. There the five person Taos County Commissioners appear to get along so well that they sometimes have lunch together on the days they meet. Unfortunately, if there are three or more of them, since that would be a quorum, Commissioners could be violating the Open Meetings Act. A quorum is a quorum, no matter where the Commissioners meet and that includes the local restaurants. Commissioners and the County Attorney said eating lunch together is perfectly on the up and up, no County business is discussed. But we strongly agree with the legal consultant with the New Mexico Foundation for Open Government, that even if one sentence is uttered about county business, commissioner have broken the Open Meetings Act, so that's a recent event from the Taos County Commission.

Another example, and I heard this tonight and my ears perked up, hitting reply all on emails. If I could invent an app on computers, I would create one that blocks reply all for all elected officials and board members. Because hitting reply all means you've created an electronic lunch, or an electronic rolling quorum is probably the technical term, which means that you are talking and listening to each other, not in front of the public and that's going to be a violation of the open meetings act, so don't hit reply all.

And issue number 5, the final issue here, is the State Inspection of Public Records Act which applies to the City. I want you to accept the fact that your life is now changed on email. It's not over, but it's changed, and you need to accept that. I won't even talk to you about how your life on Face Book is changed, but I'll take a little aside. Did you hear about this horse

slaughter plant case. Well the Judge on that case had a Face Book page, and some people were making comments on the Judge's Face Book page, like, you're doing a great job. So one of the lawyers took a screen shot of the comments, and argued that the Judged is now biased and should be recused from the case because of those comments made by the citizens. It was taken to a higher court, and the higher court said no, you're not biased or removed from a case because of what others have said.

But an email is what you've said, so I want to focus on email. And as a lawyer, an email is the ultimate smoking gun. It's there is plain writing, it's in your own words. And lawyers and citizens want to read your emails, and I know many elected officials and government officials now have two phones just to try to keep everything separate. One phone for private matters, and one phone for public business. But just because you have two different phones doesn't resolve everything. According to the State Attorney General's Compliance Guide, it says, 'If an email is used to conduct public business, the email is a public record, even though a personal account is used. On the other hand, not every personal email of a public official is necessarily a public record. The communication must relate to public business.' And they provide an example in the guide. 'The Mayor of a city routinely uses his personal email account to communicate in his official capacity with city councilors and lobbyists regarding city business. An interested citizen requests all email communications between the mayor and the lobbyist regarding an issue facing the city. In responding to the request, the mayor must include all applicable messages sent to and from his personal email account, as those records related to public business held on behalf of the city. So again, your life on email is not over. You just need to be disciplined on how you segregate those different accounts, and I'm sure the City Manager's staff and the City Attorney's Office will be happy to try to navigate these modern issues.

But, in conclusion, we've talked about the City Ethics Ordinance, the State Open Meetings Act, the State Inspection of Public Records Act, the State Governmental Conduct Act, and highlighted five issues involving municipal elected officials. I stand for questions. Or if you want to hold questions for later because there are remaining items still on your afternoon agenda, please always feel free to contact the City Attorney's Office, Ms. Brennan and myself. Thank you."

END OF VERBATIM TRANSCRIPT

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The Governing Body commented and asked questions as follows:

- Mayor Gonzales said he wants to make sure there is training for City employees, as well, from the standpoint that they understand what is appropriate behavior by the Governing Body as well, so if there is a slip-up, or somebody is asking and the employees know there obviously is a conflict, that there is a process to be able to disclose and file that. He presumes this is already being done, but he believes it is important to do this training be done from the employees' perspective as well, who can find themselves in a position having to do a task for a member of the board that they know is a conflict, that hasn't been disclosed, or even it has been disclosed.

  Mr. Shandler said, "As part of the City Manager's ACT program, if I have that acronym correct, there is annual training."

- Councilor Trujillo said, "I do this sometimes, I know I do. If I want to send an email to members of my Public Works Committee, like I sent one the other day. 'I look forward to making this Committee blah, blah, blah.' But I send it to all the members. That's a rolling quorum right there, right, through my email."

  Mr. Shandler said, "Well, Mr. Chairman, first, I'm not familiar with the total numbers of Councilors on that Committee. Is it five."

- Councilor Trujillo said, "Five. So okay."

  Mr. Shandler said, "Generally scheduling emails are not considered violating the act. So as long it was in that spirit, I think you'll be okay."

- Councilor Trujillo said he just wanted clarification.

- Councilor Rivera said he occasionally gets an email saying his mailbox is full, and to delete emails. He said, "I've heard from the City Attorney's Office not to delete any emails. So is there a way to make sure there is enough storage space that we don't get that message."

  Mr. Snyder said, "Councilor Rivera, I can look into your email situation. There is a limit to what we would like to have stored. As you can imagine, if everybody is storing everything, and they have 20 meg attachments and larger or whatever it is, they add up quickly. So there are limitations, but I can look at yours specifically as well as all the Councilors' email."

- Councilor Rivera said, "Zach and Geno have me so scared, every email I've ever received has not been deleted. It's still there, so maybe that's why I get that..."

- Mayor Gonzales said guidance needs to be provided. He said in the short time he's been here he has received enormous amounts of non-City related emails that have nothing to do with anything that's being discussed. He said he would assume those are okay for deletion if they don't relate...

He said we find ourselves on email lists just because we're public officials and there are national email lists and groups that are trying to push and influence things. He asked, "Can we delete or unsubscribe from those emails if we find our way onto those lists."

Mr. Snyder said, "We can definitely looking into developing some policy. I think we have policy already for the City employees. I'm not familiar with it off the top of my head. And we probably do for the Governing Body as well. If we don't, we definitely can develop that. I've deleted emails and it's not necessarily always City-business related. The reality of it is, a lot of emails in my opinion, are chain, so you have a chain. I'll keep probably the last chain of the chains, I have the whole history. I don't know if that's a good policy or not, but that's definitely we can definitely look at and provide some guidance to the Governing Body as well as City employees."

- Mayor Gonzales said what we do know, is that it's very fluid, as the case law is continuously helping to define the issue, and he believes you can find something out there where there is guidance related to unrelated emails that arrive into our boxes that have nothing to do with City business. So you guys can work that out for us.

- Councilor Maestas asked how should we reply to a constituent. He said obviously their inclination is to send the email to the entire Governing Body. They have an issue they want addressed. He said, "I looked at it and felt it was a School issue and I didn't want to reply to all, so I just replied to her. But if it's a City issue, and we don't reply all, and let's just say it's not in our District, should we refer it to maybe our complaint intake system, and have process it as a complaint. Or, reply individually and say I will forward it as a complaint. We want to appear to be responsive, but we don't want to violate the Open Meetings Act. So, what's your suggestion, because we're going to get a zillion of these email notes to every member of the Governing Body."

  Mr. Shandler said, "My jurisdiction is don't hit reply all, but in terms of handling constituent matters about City business, that really is between the City Council and the City Manager, so that's really above my pay grade to figure out how to best respond to those types of inquiry, and how the City Manager and you have worked out who responds."

- Mayor Gonzales said, "It seems also that there is probably just an added paragraph. So you reply back and say, please know that replying to all constitutes a quorum, but I would encourage you to individually reach out to the other people who are on this email. And I would assume that allows you to be responsive, and lets them know that they have to individually work with the others. And a lot of it, because I know what you're talking about, is that we get in the habit of doing a single reply and not reply all. And then, assuming that everybody else can decide whether they want to respond or not. I don't think we need to all stay, or obviously we can't stay, going into this email chain that's going on. So I think as a matter of practice, just hit reply to the person sending it and just assume everyone else that's on there will do their job and working to try to get an answer back."

- Councilor Ives said he presumes that the email systems are part of what is regularly backed up. So, at a City-wide level, presumably, we are capturing all of those emails. And he thinks the issue with individual mailboxes is that we're only allocated so much space which is not part of the backup system. It's part of the ongoing daily, so he thinks the presumption is at some point here, clearing out that which isn't still important, and the City is capturing that in the back up tapes. He noted we've had discussions about the backup systems not being perfect. He said at one point last year we covered the records retention policy that the City has as well, and it would be good to know how these issues play out across the Records Retention Policy and whether we are complying with that Policy in connection with our emails.

  Mr. Shandler said he looks forward to meeting with Mr. Williams and Ms. Martinez, and then focus everything through the City Manager to give you answers.

- Mayor Gonzales said, "If there is a question, Kelley is a cell phone call away. So I would encourage all of you if you are at the moment, jeez, what should I do, making the quick call is always a safer path to go."

12. MATTERS FROM THE CITY MANAGER

Mr. Snyder said he has spoken with several Councilors today regarding the article in *The Santa Fe New Mexican*, regarding the Railyard. He said, "I want to let you know that, per the Public Works Director, the Railyard building isn't falling down, and it's not a safety issue for the public. It's not a safety issue for the staff."

Mayor Gonzales said, "When you say not falling down, you're saying not sinking."

Mr. Snyder said, "Not sinking. Not sinking. There are subsidence issues in the walkway areas, and that is what was before Public Works earlier this week, and we have a contractor that we're working on getting the design contractor out there to verify what the sub-grade looks like, and we will be bringing it before the Council and giving you more information on that. But it's not a safety issue, the building is not sinking and it is not a public or a staff safety issue."

Mr. Snyder said, "The other thing I wanted to mention is, in addition to that, the Railyard has a long history to it. And there was a settlement back in 2010 that the Governing Body entered into. And most of you were not on this Council at the time. So I have asked staff to put together a brief summary which will be brought to Council next meeting, two weeks from that, that will itemize what the Settlement Agreement covered and the do's and don'ts of the Governing Body, as well as how we need to move forward directed by situation."

Mayor Gonzales said he asked Mr. Snyder to make sure it is noticed on the agenda and it will be in public session. He said those of us who are new to the Governing Body, need to understand is, in that Settlement, what were the agreements that were made between the Council and the developers. And in that, he thinks it is important to try to break down the outstanding issues that remain, and staffs' plans to address some of those.

13. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT §10-15-1(H)(7), NMSA 1978, AND PURSUANT TO CITY OF SANTA RE RESOLUTION NO. 2012-31, QUARTERLY DISCUSSION OF THREATENED OR PENDING LITIGATION IN WHICH THE CITY OF SANTA FE IS OR MAY BECOME A PARTICIPANT.

Mayor Gonzales said, "Before we do that, are there items to discuss, or do we just go in quarterly."

Ms. Brennan said, "I will have a sheet listing the status of a number of things that have changed, a bunch of pending and threatened litigation, so yes. And there is one additional matter."

Mayor Gonzales asked, "Is there any prohibition from being able to at least notice publicly what the items were that you presented to us."

Ms. Brennan said, "Considering that we are briefing on litigation that is currently active."

Mayor Gonzales said, "What I'm looking for is moreso to whom the matter relates as opposed to the details of the matter."

Ms. Brennan said, "Yes, but the caption of a case.."

Mayor Gonzales, "Right. So if it's litigation, it would be the matter of ABC, and then XYZ is the next one. And I think my point on that is that oftentimes, that the confusion is, if we're not able to disclose what we're talking about when we go in, we could be talking about anything in there. And so I think that somehow, for all of us, we'd all feel a little bit more comfortable with some public disclosure as to what the actual discussions were, even if we don't do a summary of what was actually talked about in there, because of how it might influence the litigation."

Ms. Brennan said, "Mayor, I think we probably could list most of the items without disclosing the subject matters of discussion. In some cases, there may be something immediately pending where it would indicate a discussion that would have strategic value to someone, which is a reluctance to disclose, but yes, I think we could do that."

Mayor Gonzales said, "So can you go ahead and list then what we'll be talking about now."

Ms. Brennan asked if he wants that done now.

Mayor Gonzales said, "Well, right before we go in."

Ms. Brennan said it actually is a very long list.

Mayor Gonzales said, "It's either we're going to list it before we go in or afterwards, but I think it's important to go ahead on that to list the titles now. I just want the titles."

Ms. Brennan said, "It's hard for a lawyer to do this."

Councilor Ives said, "On that point, and the point you raise, Kelley, with regards to sometimes covering the matters might dispose some strategic circumstance related. I wonder if we might, at least in this one instance, do it afterwards, rather than put Kelley on the spot of making that assessment on the fly here. This is would be my recommendation in this regard."

Mayor Gonzales said, "Maybe, if there is strategic values, in terms of there is a risk to the City by disclosing at this point on one of those cases, fine. But on the ones where there is not, I think maybe we can go ahead and disclose it. The other thing is Kelley, maybe in advance of the meeting, there's an opportunity for us to talk. Maybe I have to shoulder a little bit more of that responsibility or that burden of determining if there is some strategic interest to withhold disclosure before the Council goes in."

Ms. Brennan said, "I can certainly give a number of these, or I can wait until afterwards."

Mayor Gonzales said, "Since it's just starting, we can wait until after. Maybe what we do is before we come in that there is at least a handout that if members of the press or the public what to know what was discussed, that handout has basically the title of the issues that we can hand readily to the public."

Ms. Brennan said, "I can certainly do that the next time and we can review it before the Session."

MOTION: Councilor Maestas moved, seconded by Councilor Ives, that the Council go into Executive Session for quarterly discussion of threatened or pending litigation in which the City of Santa Fe is or may become a participant, in accordance with§10-15-1(H)(7) NMSA 1978, and pursuant to City of Santa Fe Resolution No. 2012-31.

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

For: Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

The Council went into Executive Session at 6:45 p.m.

MOTION TO COME OUT OF EXECUTIVE SESSION

MOTION: At 7:45 p.m. Councilor moved Lindell moved, seconded by Councilor Trujillo, 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 Dimas, Dominguez, Ives, Lindell, Maestas, Rivera and Trujillo voting in favor of the motion and no one voting against.

Mayor Gonzales said, "Direction was given to the City Attorney to provide a categorized listing tomorrow of pending litigation that was presented before the Council today, but tonight we don't have that list in a manner that can be released publicly, but it will be made available to the public tomorrow. And then, we will work in the future being able to have available a title description of items that the Council will be discussing in executive session for the public knowledge."

ITEMS 14 AND 15 WERE MOVED TO THE END OF THE EVENING AGENDA

END OF AFTERNOON SESSION AT APPROXIMATELY 7:45 P.M.

EVENING SESSION

A. CALL TO ORDER AND ROLL CALL

The Evening Session was called to order by Mayor Javier M. Gonzales, at approximately 7:45 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 Javier M. Gonzales
Councilor Bill Dimas
Councilor Carmichael A. Dominguez
Councilor Peter N. Ives
Councilor Signe I. Lindell
Councilor Joseph M. Maestas
Councilor Christopher M. Rivera

Members Excused
Councilor Patti J. Bushee

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

F. PETITIONS FROM THE FLOOR

David McQuarie, 2997 Calle Cerrada, said he wants to talk about the Railyard subsidence. He said according the photograph in the newspaper of the doorway of the entrance it says they are ADA compliant. He said this isn't correct. He said the strips should be 2½ to 3 feet long, and are only about a foot. He said the main thing he wants to talk about is one of the City engineers currently is putting in curb ramps on the diagonal, and it is strongly recommended they be directional, not diagonal, because diagonal tends to direct the pedestrians to the center of the intersection, not across the street. They are doing nothing but encroaching on traffic and causing a potential accident. A good example is the northeast corner of Alameda and Paseo de Peralta. They put in diagonal ramps and there was an injury to a person in a wheelchair last year. He asked how many deaths it will take until our illustrious road engineer learns that traffic is also pedestrians and bicycles. He said, "He is discriminating against us."

Mayor Gonzales asked Mr. Snyder to follow up regarding the representations regarding the engineers.

Alexander [inaudible] asked that the Council move #6 up on the agenda, because there are youth here that want to speak to that issue.

Mayor Gonzales said that was done in the Afternoon Session, and it will be heard after Item H(2), and apologized for not making that announcement earlier.

G. APPOINTMENTS

A Memorandum dated March 25, 2014, to the City Council from Mayor Javier M. Gonzales, regarding Appointments, is incorporated herewith to these minutes as Exhibit "4."

Mayor Gonzales made the following appointments:

Public Works/CIP & Land Use Committee: Councilor Bushee (replacing Councilor Lindell);
Solid Waste Management Joint Powers Board: Councilor Bushee (replacing Councilor Dimas);and
SFMPO Transportation Policy Board: Mayor Gonzales (replacing Councilor Lindell).

Mayor Gonzales noted there is a requirement that the Mayor sit on the SFMPO, and thanked Councilor Lindell to allow him to replace her on that Board.

MOTION: Councilor Maestas moved, seconded by Councilor Ives, to approve these appointments.

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

H. PUBLIC HEARINGS

1) REQUEST FROM SANTA FE PREPARATORY SCHOOL FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/ CONSUMPTION OF ALCOHOLIC BEVERAGES AT THE SANTA FE PREPATORY SCHOOL GYMNASIUM, 1101 CAMINO DE CRUZ BLANCA. THIS REQUEST IS FOR THE SANTA FE PREP PARENTS' ASSOCIATION "GALA 1964," TO BE HELD ON APRIL 5, 2014, FROM 6:30 P.M. TO 12:00 A.M. (YOLANDA Y. VIGIL)

The staff report was presented by Yolanda Vigil, City Clerk, from her memorandum of March 20, 2014, with attachments, to Mayor Gonzales and City Councilors, which is in the Council packet, noting there is a letter in the packet from Bruce Sachs, Santa Fe Prepatory School, Director of Finance, requesting approval of this event.

Public Hearing

There was no one speaking for or against this request.

The Public Hearing was closed

MOTION: Councilor Dimas moved, seconded by Councilor Maestas, to grant the waiver of the 300 foot location restriction and approve the dispensing/consumption of alcoholic beverages at the Santa Fe Prepatory School Gymnasium, 1101 Camino de Cruz Blanca for the Santa Fe Prep Parents' Association "Gala 1964," to be held April 5, 2014, 6:30 p.m. to 12:00 a.m., with all conditions as recommended by staff.

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

For: Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

2) **REQUEST FROM CATENARY ART GALLERY FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/ CONSUMPTION OF WINE AT CATENARY ART GALLERY, 616 ½ CANYON ROAD WHICH IS WITHIN 300 FEET OF ACEQUIA MADRE ELEMENTARY SCHOOL, 700 ACEQUIA MADRE STREET. THE REQUEST IS FOR A GRAND OPENING CELEBRATION TO BE HELD ON MARCH 28, 2014 FROM 5:00 P.M. TO 7:00 P.M. (YOLANDA Y. VIGIL)**

The staff report was presented by Yolanda Y. Vigil, from her memorandum of March 20, 2014, with attachments, to Mayor Gonzales and City Councilors, which is in the Council packet. Ms. Vigil noted there is a letter in the packet from Carl Gruenler, Santa Fe Public Schools, stating that the Schools will restrain from issuing a decision regarding opposition or non-opposition to this request.

Public Hearing

There was no one speaking for or against this request.

The Public Hearing was closed

MOTION: Councilor Dimas moved, seconded by Councilor Trujillo, to grant the request for a waiver of the 300 foot location to allow the dispensing/consumption of wine at Catenary Art Gallery, 616 ½ Canyon Road for a Grand Opening Celebration on March 28, 2014, 5:00 p.m. to 7:00 p.m., with conditions of approval as recommended by staff.

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

For: Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

6) **PRESENTATION AND PUBLIC HEARING REGARDING PRC CASE #13-00390-UT – IN THE MATTER OF THE APPLICATION OF THE PUBLIC SERVICE COMPANY OF NEW MEXICO FOR APPROVAL TO ABANDON SAN JUAN GENERATING STATION UNITS 2 AND 3, ISSUANCE OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR REPLACEMENT POWER RESOURCES, ISSUANCES AND ACCOUNTING ORDERS AND DETERMINATION OF RELATED RATE MAKING PRINCIPLES AND TREATMENT. (NICK SCHIAVO)**

a) **CONSIDERATION OF RESOLUTION NO. 2014-25 (COUNCILOR RIVERA, COUNCILOR DIMAS, COUNCILOR CALVERT, COUNCILOR DOMINGUEZ, COUNCILOR TRUJILLO, COUNCILOR BUSHEE ~~AND~~ COUNCILOR IVES, COUNCILOR MAESTAS AND COUNCILOR LINDELL). A RESOLUTION RELATING TO PUBLIC SERVICE COMPANY OF NEW MEXICO'S PLAN TO REPLACE 836 MEGAWATTS AT THE SAN JUAN GENERATING STATION, PRC DOCKET #13-000390-UT; URGING THE NEW MEXICO PUBLIC REGULATION COMMISSION TO MODIFY PNM'S PLAN AND CLAIMS FOR COST RECOVERY.**

Items H(6) and H(6)(a) were combined for purposes of presentation and public hearing.

Mayor Gonzales noted this is the second hearing, as it relates to this Resolution. He said, "For the record, PNM has submitted a letter to myself and the Council, and we should make this available to members of the public upon request, I'm not sure how we can do that, and PNM is not going to be here tonight."

Mayor Gonzales said, "So what I want to do is make sure that any information that is being presented to the Council tonight, minus the incredible kids of the Global Warm Express, that it's new. So for people who are wanting to speak to the Council tonight on this matter, please make sure that it's not redundant from the issues that were brought up two weeks ago, and that it is something additional to the record that has not been discussed."

Councilor Dominguez asked if all of the proposed changes have been incorporated into the Substitute Resolution which is before us this evening.

Mr. Schiavo said they are.

Nick Schiavo noted that nothing will change from the last meeting, and asked the Mayor if he would like him to make a presentation on the basics.

Mayor Gonzales said no, unless the Council has questions of him, he "thinks we're all briefed pretty much on the matter."

Public Hearing

Mayor Gonzales introduced "our friends from the Global Warming Express" for a presentation to the Council.

Marina and Helen, 11 years old, from Acequia Madre School, thanked the Council for letting them speak. Marina asked why we don't use the sun and wind we have so much of in New Mexico, and said we need to work hard to get rid of fossil fuels, altogether, and create a clean and efficient planet for the future. She said, "We are the Global Warming Express and we are here because we care."

Helen said she is here because we care about what happens in the future for us, our family, friends and the animals. She said burning coal produces methane which is 10 times worse than carbon dioxide in the atmosphere and increases global warming more than any other fuel. She said PNM must rethink its plan, and use the resources around us. She said as "Marina once said, we're either doing this or not." She said Kids can change the world.

Sophie Ortiz and Karen Walsh, 11 years old, from Wood Gormley School. Karen said they are from the Wood Gormley Go Green Club. Sophie said PNM has the opportunity to choose different forms of energy to use for the new San Juan Generating State they plan to build, and they are here in support of using clean and safe forms of renewable energy.

Sophie said New Mexico has plenty of sun and wind, so we should seize this opportunity to use clean energy. She said 25 years ago the decision was made to open the WIPP plant in Carlsbad, and not much thought given to our future. And the future is now. There were a lot of problems with WIPP recently. She said, "Let's not make the same mistake with the decision we have before us right. Why revisit this in 10 years. Do the right thing now. We are at a crossroads. Choose a path that will lead us to a clean health future, our future."

Mayor Gonzales said, "I want to say how incredibly proud I am to be Mayor of a town where we have such amazing young people who are fighting for important issues. Tonight is an important step in your civic engagement, but it doesn't stop. You need to recognized that it is very important, going forward. Your participation tonight is important, but it is important to use your pen and paper to write to people who make decisions so they can hear your ideas and your concerns. Please know we're proud of you for being here tonight, but this is just the beginning of a very long effort to do some of the things you've talked about, and you need to be by our side every step of the way. So thank you for what you're doing. I'm so proud of

you. I know your parents were watching while you were speaking. I am happy your are ambassadors to a green, cleaner community, and you have proven you can change your mind set. Now you need to continue to influence the rest of us to do the same thing. So well done, good job."

Mayor Gonzales gave everyone one minute to speak to the issue.

Esha Chiocchio, with [Scott?] Soul, which works to promote renewable energy in New Mexico. She said she wants to address two things in the PNM plan, the first is coal. It says, "The EPA tightens controls on coal, become increasingly less cost effective." The San Juan Generation Station is one of the dirtiest power plants in our nation, releasing 12 million tons of carbon dioxide, 18,000 tons of nitrogen oxide, and more than 190,000 pounds of other poisons into the atmosphere annually, including mercury. She said strategies to reduce these emissions are taking form globally and we can expect tighter controls, a carbon tax or other incentives to reduce the use the use of coal. She said New Mexico should make the most of this opportunity to clean its air and water and shift our investments to cleaner technologies. Coal was an attractive option for so many years because PNM could externalize the real costs, air and water pollution which has led to $250 million in increased heath costs annually, which is a significant social burden for those living in the Farmington area and a huge drain on New Mexico's economy. She said, "Now that we understand the implications, it's time to change."

Mayor Gonzales said two weeks ago in the first session, the Council spent two hours on this, and we want to make sure all voices are heard, and what you are providing us is continued testimony that helps build the record, so it's the reason he is asking for new material which hasn't been mentioned.

David Van Winkle, Board Member, New Energy Economy, said there is very little renewable energy in the replacement plan. The 40 MW of solar presented by PNM will replace less than 4% of the energy they lose from closing two units of coal. He said the worst part about is, when you run the nuclear facilities to 2047 and the coal plan to 2053, you will have run those facilities for 60-70 years, and there will be no opportunity to grow renewable energy. PNM's plan is to spend only 120 MW of renewable energy from 2017 to 20133, that's 7 MW per year. At that rate, we will get 100% renewable energy in 338 years. He doesn't think this is consistent with the City's values.

Lisa Randall, Energy & Water Conservation, Waste Reduction and Recycling Programs, Santa Fe Public Schools, said often PNM cites that they are beholding to shareholders in their decisions, and they have a profit margin they must meet. She would argue that the stakeholders they really need to be beholden to are the kids. There is no more important stakeholder in this dialogue. She said, "As a large consumer of electricity, Santa Fe Public Schools uses over 16 million kWh of energy every year, with a $1.7 million electricity budget. We asked electrical provider to generate that electricity in a clean, green

way. And they have the capacity, that possibility. We're at a crossroads. I'm proud to be a member of the City and see the leadership in asking PNM to be a responsible, more sustainable utility provider. So thank you. We stand in solidarity with you and we appreciate your efforts."

Lisa Sandoval, Junior at the Academy for Arts & the Classics, said she is speaking today because she is concerned about her future, and believes you should share her concerns. She said PNM's decision to close half of its San Juan coal burning plant is an incredible step toward a greener future, yet PNM wants to undo its progress by proposing a short sighted replacement power plan. Instead of rely on cheaper and sustainable resources such as wind and solar, it wants to replace the coal plant with nuclear energy and more coal. She said, "As a youth in Santa Fe, I cannot begin to tell you how much this going to affect me." First, it will impact the environment, and we are suffering from water shortage, yet PNM uses large amounts of water for both coal and nuclear energy. The Governor has issued a drought warning, and the climate signs says it's only going to get worse, so using that much water seems extremely illogical. Secondly, this will be taking jobs away from New Mexicans. PNM's replacement plan is unnecessarily expensive. PNM would save money if it opted for renewable sources. Fourthly, there are high costs, include asthma, lung and heart diseases. Sustainability is clearly the way to go. [inaudible] she said, "Isn't it time we started working together for a better energy future and the future of our earth.".

Monique Novella, on behalf of Youth Eyes, Earth Care. She said she supports natural renewable resources for a better future. She said PNM wants to use coal which is a fossil fuel, which produces carbon dioxide which is a huge contributor to global warming. She said nuclear is not the most cost-efficient solution, and is putting the community out of jobs. She said there is a simple, more beneficial solution which can be used which is low cost, better for the environment, more jobs, and "this is my alternative, so why not take action now."

Nicole [inaudible] from Santo Dominguez Pueblo. She has lived, worked and played in Santa Fe for over 16 years, and attended High School at the Santa Fe Indian School. She currently works at the Institute for American Indian Arts. She comes as an indigenous person always thinking about her connection to land, and nature and the environment. She grew up hiking, backpacking, climbing. She has worked in outdoor education and with youth for more than 10 years, both of which are two great passions of hers. She comes tonight to speak of the land. She said you have the opportunity to make decisions that will benefit out land and our children and the future. She said most indigenous cultures have a concept and practice about making decisions for 7 generations, but decisions like these will impact more than the next 7 generations, and she asked the Governing Body to keep that in mind when thinking about our land and our children. She said, "Time is of the essence, if there's anything that we can together, let's do it. We can preach to one another, we can talk to one another about good things, but it's a different matter to take an action that is actually going to make a difference. If you have a family, take a look at your little ones, you families, your grandchildren, daughters your sons, and say I'm going to do my best to make this a good place for you to grow up in, then we have done our job."

Bianca Sopoci-Belknap, Chair, Sustainable Santa Fe Commission, thanked the Councilors for bringing forward this Resolution. She said the Commission reviewed this Resolution in February and voted unanimously to recommend you adopt this Resolution. The Commission is charged with helping the City and the community to implement the goals of the Sustainable Santa Fe Commission, and chief of those goals is the reduction of our carbon emission by 7% of 1990 levels by 2012, but we did not reach the goal, but we will keep working to achieve our goals. She said one of the biggest parts of this is where our energy comes from, and we need our energy provider to provide us with renewable pace than PNM is proposing. The Resolution is important because of the points it makes about bringing in Palo Verde 3, and there are costs and risks in this. PNM raised the issue of the appropriate forum for this discussion at the last meeting, and she applauds the City providing this opportunity for the public to weigh in. The decision impacts us all, and thinks it is fantastic that the City interviewed in the case, but the City needs to go into the case with a position. To do that you need to hear from the people you represent. She said we are leaving you with a very clear directive about the position you should take in that case.

Gayla Bechtol, Historic Architect, said she can't say it any better than Ms. Sopoci-Belknap just did. She said, please don't be bullied by PNM. She asked the Council to vote in favor of the Resolution.

Lisa Donahue, student, Santa Fe Community College, said she is a student in sustainable technologies. She said we stand upon shoulders upon shoulders of those who are older. She said we must think in solar, in wind. She asked if you have children, if your children have children, and asked how it feels to know you are responsible for the earth's demise. We are running out of time.

Paul Biderman, said he is here in his capacity as a private attorney, and noted for many years, he represented consumers before the Public Service and Public Utilities Commission when he was at the A.G. Office, and subsequently served as Secretary of Energy & Minerals. He was very committed to energy conservation and renewable policy at that time. He will focus on one legal issue, which is today's generation of public officials, including the PRC, need to think in terms of making decisions for future generations. The law requires that the PRC find that the replacement power plan its accepts serves the public convenience and necessity. He said there is no new construction that incorporates fossil fuel generation that is going to meet the standard realistic. He said when we look at replacement sources of power, the threat climate change poses to public health and ecosystem can't continue to be ignored in calculating the cost. He said as the impacts of climate change become increasingly intolerable, the external costs will be factored into the cost of fossil fuels. He said the costs of the fossil fuel units will become uneconomic and will no long serve the public convenience and necessity years down the road. So the short term of gas plants isn't a long term benefit at all and that, I hope, will part of your argument. Thank you for intervening in the case.

Alexander De Zuric, 422 Greg Avenue, said he is a principal of Autotroph Design. A hallmark of their practice is collaborative and innovative problem solving. Part of this process is not to find the methods to reach your desired outcomes and goals. They bring in outside experts, consults and get together and brainstorm and figure out a way to meet those goals. PNM's plan may be step in the right direction in carbon reduction, they have cruelly pre-defined their methods. The plan does not meet the desires of the City and the residents. He is here to issue a challenge to propose goals that its plan should meet, which is zero carbon dug out of the ground, burned and put into the atmosphere; zero radiation left over from nuclear processes, and zero fresh water use in the process of making power. This won't be easy , but with our resources, PNM could collaborate together to meet these goals. "I urge the City to amend the Resolution to incorporate these goals, and I urge PNM to join in this process."

Mary Jane Parks, said she resides in Councilor Ives' District. She has been in the utility business for 22 years. She said 20 years ago Sacramento utility closed down a nuclear power plant, primarily due to public pressure, and put up solar panels in the acreage in front of it. It is possible, and she knows we can move forward in New Mexico to convert our coal fired power plants to something more green. She said, "I'm also here on behalf of Valerie Espinoza, my employer at the PRC, and she looks forward to hearing this Resolution and the public testimony and comments, and I encourage you to also address the Public Regulation Commission with your comments. Thank you."

Unidentified said we know about mercury and the poisoning it can cause in human bodies as the result of coal. She is a mercury poison survival. She lived with this craziness for decades, 5 miles down wind from the Mt. Tom Power Plant, which burned coal during 10 years of her childhood. She is fortunate that she survived the symptoms of mercury poisoning, which are irritability and particularly suicidalness, noting you can look this up on the internet and talk to medical experts. She said you will find we are potentially deeply affecting our population. She was fortunate to have a Doctor in Santa Fe to provide the needed program to remove mercury from her body. She is fortunate to be 99% better. She asked about all of the children suffering bipolar disorder as well as committing suicide. We don't know how many of these is the result of mercury poisoning. She asked the Council to reflect on the health of our citizens and to go solar.

Robert Bernstein, New Mexico physician, for 34 years, his kids grew up here. He strongly supports the Resolution to oppose the PNM plan. He is here as a physician to speak to health. He said public health has been and will continue to be affected by coal fired power plants wherever they are. He said, "In Santa Fe, we are affected by the Four-Corners Power Plant. The pollutants from burning coal are several. There are tiny particles that get into the lungs, nitric oxide which can impair lung development in kids and cause them to be at risk for future lung disease. Other pollutants cause heart disease, mercury is prevalent pollutant from burning coal, and severely impairs neurologic development in kids, and leads to learning disorders and behavior problems." He said from the standpoint of public health we must and we can, with modern technology, phase out coal completely. This would be a start for our own health, our kids and our grandchildren."

Former Councilor Christopher Calvert, said he is here to urge you to support this measure tonight. He thinks we all can agree that a good start has been made by closing two of the coal-fired plants, but the discussion then becomes how to replace that power. He said, unfortunately, he thinks PNM has taken the easy or lazy route. This is the easiest thing for them to do and they can just pass the costs along to the consumer, and they don;'t have to break a sweat to come up with this plan. He said they could do more if they were creative, for the environment and the people of New Mexico. Jobs in Arizona don't do much for the local economy and those who will be paying the rate increases they are proposing to pass on. He said he would challenge them to be more creative. He said we call it PNM, but its official name is the Public Service Company of New Mexico, and I think that we would like for them to do a public service and rethink the plan.

The Public Hearing was closed

Councilor Rivera thanked everyone for attending this evening, commenting it is important to hear from the youth. He said everyone has spoken so eloquently and brought up the major points. He thanked the Public Schools for attending, noting it is a major customer of PNM, so your participation is very important, as well as it is from the public. He thanked Former Councilor Chris Calvert for being here this evening. He said this is important legislation, but the fight doesn't end here, it continues at the PRC.

MOTION: Councilor Rivera moved, seconded by Councilor Dominguez, to adopt Resolution No. 2014-25.

FRIENDLY AMENDMENT: Councilor Ives proposed an amendment to the Resolution, page 7, line 6, as follows: "... as a portion of the official public testimony on....". He believes we will have more to say on this issue in connection with our intervention, and wouldn't want it to be interpreted as a final statement or the City's only statement. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE GOVERNING BODY.**

Councilor Dominguez asked, regarding page 2, line 17, it refers to the IPCC Report and asked what that is.

Mr. Schiavo said it is an acronym for the International Panel on Climate Change.

FRIENDLY AMENDMENT:. Councilor Dominguez would like to include the entire title of the report, as well as the acronym, proposed an amendment on line 17, as follows: "...the 2013 International Panel on Climate Change (IPCC) Report..." **THE AMENDMENT WAS FRIENDLY TO THE MAKER, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE GOVERNING BODY.**

Councilor Dominguez said on page 1, line 18, there are references to Units 2 and 3, and on page 2, the lists 1 through 7, which talks about ownership of Units 2 and 3. He asked, "We're talking the same units there, correct."

Mr. Schiavo said, "Yes."

Councilor Dominguez said he wanted to be sure this is a part of the record.

FRIENDLY AMENDMENT: Councilor Dominguez, referring to page 3, lines 10 through 12, said, "It is factual as far as I can tell, but I'm wondering if we could.... and I'm not going to necessarily fall on the sword for this one, but if there's a way to put language on line 12, as follows: "... school students have been diagnosed with asthma, which comes from various sources, including coal generated power plants; and.." He said it makes it sound as if the only reason kids are getting asthma is because of PNM, and he knows it may be a significant reason, but doesn't know it is the entire reason. ***There was no indication as to whether the amendment was friendly to the maker.***

Councilor Dominguez asked, referring to page 5, line 15, where "It talks about the transition away from fossil fuels and present an opportunity to rapidly deploy renewable energy technologies, we're talking PNM, correct."

Mr. Schiavo said yes.

FRIENDLY AMENDMENT: Councilor Dominguez proposed to amend the language on page 5, line 14-15 as follows: "...The closure of San Juan Units 2 & 3 presents a critical opportunity to transition away from fossil fuels and present an opportunity for PNM to rapidly deploy...." **THE AMENDMENT WAS FRIENDLY TO THE MAKER, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE GOVERNING BODY**.

Councilor Dominguez asked, referring to "page 6, lines 7-18, and specifically lines 9, 10, 11 and 13, are we going to be prepared to measure that during the course of this case at the PRC, because it says we may not achieve the City's CO2 reduction goals , and that's probably very likely, but are we going to be able to measure any of that.

Mr. Schiavo said, "Yes. We're currently tracking how much CO2 the City of Santa Fe is generating, and so I can certainly adjust the estimates of that reduction, based on PNM's final plan."

Councilor Dominguez said he doesn't need to change any language to make that clear, and asked Mr. Schiavo for suggestions.

FRIENDLY AMENDMENT: Councilor Dominguez suggested amending the Resolution on page 6, adding what Mr. Schiavo just said. **THE AMENDMENT WAS NOT FRIENDLY TO THE MAKER.**

Councilor Rivera said, "This is some of the discussion that Councilor Bushee and I had regarding some of the changes she made, and his initial language was stronger than the 'May not.' And again, may not leaves some flexibility in there, or some discussion in there that shutting down... that PNM is not fully responsible or may not be fully responsible for all of our energy efficiency goals, but they do contribute. So I think the language has already been vetted down enough that I think it should remain as is."

Councilor Dominguez said he is fine with that. He said, "If anything, it's been part of the record, but I agree with the bill and the way it's written."

Councilor Dominguez continued, "I'm really glad to see this substitute bill that has come forward, because it is somewhat different than the original bill. I think, with all due respect to Councilor Rivera, I think that it is a bill that articulates my desire, and even this Governing Body's desire, to make sure we do what we can to protect the environment, and that we hold people, in this a corporation like PRC accountable. And as it goes through the PRC process, our comments and this piece of legislation will be duly noted on that, so I stand in support of the motion."

Councilor Maestas commended sponsors for the legislation, and agrees with Councilor Dominguez that some of the amendments which were made this a lot stronger. He said, "We have heard testimony from the community and we know PNM is the largest investor-owned utility, and commend them for closing those two units, Units 2 & 3. But here is a golden opportunity for them to usher in, I think, a new era in renewables by a utility company that has a virtual monopoly here, at least in Santa Fe County. And so I urge PNM to seize this opportunity. And I think we all know there are State mandated renewable portfolio standards. Why have that limit PNM in terms of their portfolio of renewable energy. Let's shatter that paradigm. In fact, I would urge the City, as an intervener in this case, as we develop our position before the PRC, that we urge the Public Regulation Commission to revisit the renewable portfolio standards, and let's increase those. I think beyond 2020 there are no standards that have been set by the Legislature through the PRC."

Councilor Maestas continued, "I hope that our position as an intervener tends to broaden and that we seek a new paradigm in terms of renewable energy and renewable energy provided by utility providers, to the point of revisiting that legislation that sets those standards, so I also stand in support of this Resolution."

FRIENDLY AMENDMENT: Councilor Ives, addressing a point that Councilor Dominguez made on page 3 of the Resolution, lines 10-12, suggested amending the Resolution on line 12, as follows: "...diagnosed with asthma; and therefore, any source of pollutants that do or may impact negatively the quality of air in Santa Fe is of concern to the City and its citizens; and..." **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE GOVERNING BODY**

Councilor Trujillo said, "I too, support this Resolution, and I want to comment on what Councilor Maestas said. I think there are opportunities that PNM can look at for renewable energy and how they work up in Four Corners. One think I want to be on the record for me, at least. I know there is some bad tension between PNM and a lot of people here in the City because of what we're talking about. But I want everybody to remember too, that those people that come out when we don't have electricity, those are Santa Feans. Those are people work and live here in the City. This is a big, huge company. Don't look down on those people because they're trying to earn a living. This Council always talks big on keeping work, and keeping work here in the City of Santa Fe, and I want you always to remember that those people that work for PNM are Santa Feseanos. They're coaches. They pay into this community. They pay taxes

just like we do. Just because they work for a company that some people may not care for, they're just trying to earn a living just like anybody else in the community, and that's their way of life. And I just want that to be clear, because I heard some people say bad things about some workers, and that's not how it should be. It's a problem that people have problems with, I have my problems with it as well, having to pay for certain things, because nobody wants to pay taxes. Nobody wants to do that, but I just wanted that to be stated."

Mayor Gonzales said, "Before I call for roll call, I want to thank the Councilors who brought this forward, and those that started before this term, for their foresight, working with the community to develop a statement of where this body stands when it comes to the shutting down of the parts of the San Juan. I do also want to let the public know that we are in the process of forming a task force made up of public officials and the public, to develop an energy strategy for our City. And that process is going to allow for lots of public participation and input in what the strategy is that we will adopt when it comes to energy in our community for the future. And it's going to be all encompassing. And it allows us to set the framework for the future of this town when it comes to reducing our dependence on fossil fuels, when it comes to looking at ways we can deploy more renewable energy in our community."

Mayor Gonzales continued, "I know the Public Schools are developing a School sustainability plan. We have the opportunity to develop the next generation of green labor jobs in our town, but it means we have to continuously push for ways we can retrofit homes and businesses, build community solar. Some of those things we can do on our own. Some of it requires we work through the PRC and the Legislature, and certainly all of it does need presence by everybody, including PNM, at the table. And we'll have that process as we go forward, and I look forward to all of your participation in that."

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

For: Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo, Councilor Dimas, Councilor Dominguez, and Councilor Ives.

Against:. None.

. **Explaining her vote:** Councilor Lindell said, "Yes, and add me as a sponsor."

3) CONSIDERATION OF BILL NO. 2014-9: ADOPTION OF ORDINANCE NO. 2014-14 (COUNCILOR WURZBURGER). AN ORDINANCE AMENDING SUBSECTION 6-4.2 SFCC 1987, REGARDING MEMBERSHIP REQUIREMENTS FOR THE CITY COMMUNITY DEVELOPMENT COMMISSION. (ALEXANDRA LADD)

The staff report was presented by Alexandra Ladd from the materials in the Council Packet. Ms. Ladd said this bill expands the eligibility criteria for the Community Development Commission to include residents of Santa Fe County. She said presently, membership is limited to residents within the City limits.

She said, "We have had problems keeping our Board filled. It's just a rather stringent requirement. This will bring it in line with many of our other citizen bodies." She said this Commission provides the funding recommendations for the City's Community Development Block Grant, as well as providing guidance on different policy initiatives and issues that come up in the realm of, mostly housing, but also Community Development. The Commission is also responsible for making funding recommendations for the Affordable Housing Trust Fund.

Public Hearing

There was no one speaking for or against this request.

The Public Hearing was closed

Councilor Trujillo said, "I just want a clarification from Kelley. Mayor, being as you appointed me as the Chairman of this Committee, am I allowed to vote on this."

Ms. Brennan said, "Yes Councilor, you are."

MOTION: Councilor Dominguez moved, seconded by Councilor Lindell, to adopt Ordinance No. 2014-14.

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

For: Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

Councilor Maestas commended the Commission on its allocations of the CDBG funds, which was on the Consent Calendar. He said he looked through those, which was a great allocation of those limited funds. He said kudos to staff and the Commission.

4) CONSIDERATION OF BILL NO. 2014-10: ADOPTION OF ORDINANCE NO. 2014-___ (COUNCILOR CALVERT). AN ORDINANCE RELATING TO STREET PERFORMERS ON PUBLIC PROPERTY; AMENDING SECTION 23-8 SFCC 1987. (ZACHARY SHANDLER)

A sheet of proposed amendments to this bill, introduced by Councilor Signe Lindell, is incorporated herewith to these minutes as Exhibit "5."

An email from Robin Martinez Rice dated March 24, 2014, to Melissa D. Byers, regarding Bill 2014-10, is incorporated herewith to these minutes as Exhibit "6."

A series of color photographs with commentary, handwritten notes, entered for the record by Lee Murphy, are incorporated herewith collectively to these minutes as Exhibit "7."

A series of color photographs with commentary, entered for the record by Ben Chavez, are incorporated herewith collectively to these minutes as Exhibit "8."

A statement for the record, entered for the record by Ben Chavez , is incorporated herewith to these minutes as Exhibit "9."

The staff report was presented by Zachary Shandler and Former Councilor Christopher Calvert.

Mr. Shandler said , "We provided a list of possible amendments, based on emails and comments we received from the public, and the public may raise in the public hearing. If they raise it, then we would be happy to discuss the pros and cons and some language about the possible amendments."

Mr. Shandler continued his presentation using the overhead projector. Mr. Shandler said, "There are several different changes I'm going to point to quickly. 'This' would be on page 13 of the packet. I'm going to point to E, noting the underscored language is new, . 'At all times street performers shall have available and display the performer's business license, and have available proof of identification for review by the City.' During the Committee process there were some amendments with handwritten language. It's just the amendments that were added. It should all be in your packet.

Mr. Shandler continued, "See this picture here, I can provide it, we have these two gentlemen here and I'm not sure if they're panhandling or busking. But under a panhandling ordinance you cannot be 20 feet away from an entrance. So at Public Safety Committee, that identical language was added in. So regardless if these people are busking or panhandling, if they're 20 feet from an entrance, that would not be allowed under the amendment there on the top of the page."

Mr. Shandler continued, "Then there's some significant sections here, and I'll go through them."

Mayor Gonzales said, "A real quick question, just so I understand. When you talk about an amendment, you're talking about an amendment that's being presented by staff that's in place. Or, is it an amendment for consideration separately from what's in our packet.

Mr. Shandler said, "Mr Mayor, this particular thing has already been adopted by Committee."

Councilor Calvert said, "Clarification it has been recommended by Committee for adoption by the Council."

Mr. Shandler said, "Item F here [page 4, line 18], I just want to point out has not been changed in this bill, but I'm anticipating there will be public comment about it. *F. Street Performers shall stay at least one hundred fifty feet away from other street performers.* That's not being changed in this bill, but I thought it might be a section people point to. What is being changed is a new sentence being added [page 4, line 21]: The sound level shall not be audible one hundred feet away from the performance site. A performer or group of performers may use sound battery powered portable amplification as long as this sound level is not exceeded. A performer or group of performers may not use public power sources or portable generators.

Mr. Shandler continued, "I just wanted to point out to you, under the current Ordinance, it was kind of a one, two, three strike-out policy, that we heard some feedback about, so in this bill that's going to be changed, and that's what I pointing at to being struck out. And on the next page, under 2 is going to be a new process and I understand there might be an additional amendment tonight that's on your tables as well. Let me check with the Clerk. Is Councilor Lindell's amendment on the peoples table."

Ms. Vigil said yes.

Mr. Shandler continued, "And so I think that language will be changed even further to say, 'upon violation, the police department may issue a criminal citation.' So we don't have to worry about this verbal warning, this written notation of warning that is in the existing Code. Now the Police Department will have authority to issue a criminal citation. What is significant is the Police Department has a second tool, right now if they cite to criminal court, the end result will be a fine. But there's a second part that deals with the license, which may be more valuable to the performers. And so what we tried to do is to streamline this process where, currently, if a Police Officer wants to cite regarding the license, it has to go to Finance Committee, and based on the information I received, I don't believe that's happened recently, nor do I think that's probably the highest priority for the Finance Committee that deals with a multi-million dollar budget. So this changes it to the Finance Director, and makes it a streamlined process with due process protections. So the Police Department always has the option to do the criminal citation, or simultaneously they can file a complaint with the Finance Director, and the Director sends that notice to the busker. There is an opportunity for evidence, there's a hearing within 15 days, so a very timely process. If the City fails to hold a hearing in that time, then the complaint is dismissed, and then there is due process in terms of an appeal to the Council and further."

Mr. Shandler continued, "And the last thing I want to point out in my quick summary is that the Public Safety recommended an amendment that, 'in a public meeting no later than 6 months after the effective date of this Ordinance, the Public Safety Committee shall review and evaluate the effectiveness of the Ordinance. I've tried to go through just the highlights. I know you might have a lot of questions. I want to see if Councilor Calvert wants to say anything in terms of big picture remarks."

Councilor Calvert said this is an existing Ordinance, and these are amendments to the Ordinance to make it work better for all involved – the public, the buskers, merchants, vendors and police who have to enforce it, commenting this was the goal of these amendments.

Councilor Maestas asked if we should allow the public to offer input before we ask questions, or is it easier to have questions first and the public to react to it.

Mayor Gonzales said he will accept questions.

Councilor Maestas asked Councilor Ives, Parliamentarian, "After the public hearing what we have before us is the main piece of legislation which is the existing Ordinance, with some proposed amendments that were just summarized, and there are formal amendments submitted by individual Councilors, and then there is a table with additional possible amendments recommended by stakeholders and staff. I just want a clarification on the process. So the main motion will be on the existing ordinance with proposed amendments, and then any motions to amend will be in the order of formal amendments submitted by individual Councilors, and then we're going to go down the list of the table of possible amendments and entertain motions to amend as well. Just a clarification on that."

Mayor Gonzales said, "I think if there is a motion, it will be on what is in our packet, because this has been amended by the Committee, and adopted. When we move to amend it further, I would assume that all of you have had a chance to look at the table of possible amendments plus you own amendments, and at that time it would be appropriate to work with all amendments at one time, as opposed to going through yours and then going item by item on the table."

Councilor Maestas said, "I would agree and there may not be support for each of the individual amendments in the table, but a lot of work was put into this by staff, there's a lot of feedback by concerned vendors, and we probably have some in the audience. I want to make sure we do everyone justice and proper respect and go through each item. We don't have to read it, to determine if there is any support on the Council in the form of a motion to amend, once we get through the formal amendments submitted by Councilors. I think it's Councilor Lindell, we have the Public Safety Committee."

Mayor Gonzales asked if Councilor Maestas is proposing to go through fifteen motions for amendment, because that's how many suggested amendments there are. He said, "We have been able to make it in our packet, so I'm assuming being able to look at the packet, that there are items in here that you would want to put into play or not. I just don't know about taking the Council's time to go through all fifteen, because then it will set a precedent for every amendment that's going to be proposed out there, that in the future we're going to take every amendment up."

Councilor Ives said, "If I might suggest a process similar to that which we did on the Charter Amendments. We do have the main form of the Resolution which is in our packet. That is often considered sort of 'hat in hand' with written amendments which we receive as part of our consideration here. So I imagine the initial motion would be on the Resolution that is in the packet, and possibly on the proposed amendments submitted by Councilors. In regards to the chart, I think it is certainly open to consideration, and my suggestion is, if there is a Councilor who has a particular item on that chart that they

could like to see addressed after the main motion is made and seconded, as part of the discussion, hopefully we could go quickly through the chart and only add those issue that folks wish to have proposed as amendments to be considered."

Councilor Maestas said, "The only thing, and this will be my last response, is that I think we should go through each one, just by number, to poll the Council for any support on the table, only because this represents, not just feedback from the Plaza vendors, but staff analyzing the suggestions, identifying pros and cons and even providing proposed language to the Ordinance. So again, I don't want to prolong this. And I really would also say that just because that particular Councilor did not take one of the suggested amendments in the table and formally submit it, doesn't mean there isn't support on the Council. So I just want to make sure, out of respect to the vendors and all the feedback provided by the stakeholders that we go through these in the order they are in the table."

Councilor Rivera said in one of the committee meetings, there was a discussion that the hearing process goes the Finance Director, and asked if he is not available, what happens.

Former Councilor Calvert said the Ordinance provides Finance Director or their designee, so there is backup in case he isn't available.

Mr. Shandler said that is on page 9, line 6.

Councilor Rivera said then anywhere in the Ordinance it refers to the Finance Director, it is presumed that is the Finance Director or the designee.

Mr. Shandler said this is correct.

Public Hearing

Mayor Gonzales gave each person two minutes to speak to the issue. He asked people to refrain from repetitive remarks. He suggested that they focus on the issues up front so they are in the record right away, so you don't miss any points you would want to state once the two minutes has expired.

Responding to the Mayor, Ms. Vigil said people speaking don't need to be sworn because they are speaking to legislation.

Lee Murphy thanked Former Councilor Calvert and Councilor Trujillo for bringing this important issue before the Council to be heard. She said, "I am asking that you reconsider moving this particular proposal forward and instead please reconsider a new Ordinance that would better serve and better solve the main problems that our City endures with the Buskers. Forbes Magazine has named New Mexico the number one death spiral state in the union, surpassing California and Chicago, Illinois. We have more

takers than makers. We have more people pulling on the economic system than contributing. Many of our good citizens have already probed other economically sound cities to live and thrive. But word has traveled far and wide, are you willing to come to Santa Fe, purchase a $35 Busker's Permit and begin your performance on and around the historic downtown Santa Fe and the Santa Fe Plaza. Easy money, easy cash and no strings attached, no restrictions on what you say or do or how you do it. No restrictions on [inaudible] or what instruments you want to bang and clang and bang again and how you to make your presentation, or what you want to wear or don't want to wear."

Ms. Murphy continued, "Just this Monday, a busker was heard saying Santa Fe is giving a permit for all the things other cities won't let me do. Amplification, no problem. You can set up with amplifiers, microphones, megaphones and as many amps as you need to make some noise. If you don't have an amplifier, you can just set up under one of the main portals where there is a natural amplification and wow does the sound travel. And if that doesn't suit you, just set up on the Plaza and face any direction and your sound will even penetrate through the store front glass windows and permeate their businesses. Before you know it, you will be performing to the whole Santa Fe and historic downtown area. Nobody will be able to carry on a conversation or think good thoughts."

Ms. Murphy continued, "And because no one is keeping track you could perform like this busker, traveling through Massachusetts on spring break. He roped off an area, put on his Celtic kilt and heckled the crowd with his microphone, and then he proceed up onto his unicycle with his bagpipe. He didn't play a song, but told the crowd, if they didn't put $20 bills in his hat, he would pee out of his horn on them. And then he proceeded in his performance by taking off his skirt. These are the pictures [Exhibit "7"...."

Mayor Gonzales asked Ms. Murphy to wrap up because she has exceed her allotted time.

Ms. Murphy said, "I did turn in the rest of my notes, and I would really appreciate it if you would just really consider Mayor, that we would just spur on those makers and not the takers and reconsider what is in this proposal."

Michael Murphy, Lee's husband, said the Plaza is a limited space, with a limited number of Plaza vendors and food vendors, and we need to limit the number of buskers as well. He said, "Anyone can walk in and get a Busker's License, and it is not necessary to have any real talent to do that – you can be a homeless drifter, an alcohol, a drug addict, a pedofile, and you can be a real musician, which there are some, or you can be a non-musician of which we have plenty that are just worthless. We would just ask that there be no buskers allowed under the portals because the portals act as an amphitheater and it really does project the sound. Also no amplification. This would keep the Buskers from stealing electricity, which many of them do come down and plug in and run their speakers. Some of them have battery powered speakers. We also ask that they not have generators, which many run generators down to run multiple speakers. They also have cords that would be tripping hazards when they run their generators. But, you would limit the Buskers on the Plaza to no more than 2-3."

Mr. Murphy continued, "We had some Buskers that were here this week from Canada, they were actually really good, kind of like a New Orleans style jazz band. But the problem was, with the brass and everything, if you had three Buskers like that on the Plaza it would be a train wreck. So them, by themselves were great, but if you had multiple Buskers on the Plaza, it would have been awful. Also, Buskers should be a minimum of 50 feet from Plaza vendors. A lot of times, I have Buskers set up 15-20 feet from me, which I have the kettle corn stand on the Plaza and I can't hear to do business, especially when they're amplified. It's really a problem, I'm yelling at my customers and trying to figure out what they want."

Mr. Murphy continued, "Okay, one other thing, we have one Busker who supposedly has a permit to sell poetry. What he sells is sage. That's not the only green thing he sells. He's also a drug dealer and most of the Police Officers know him, his name is Thomas the Cat. We'd like to get rid of him from the Plaza from Santa Fe, and also just to give the Police some power so that they have enforcement power. One of the problems down there, is the Police will come, they're standing around leaning up against the cars, but they don't know the Ordinances, they don't know how to enforce them, or maybe they don't know when they can enforce them. We just ask that they be able to do that."

Elizabeth Perez, Downtown Merchants Association, owns "Things Finer" at La Fonda Hotel. She thanked the Governing Body and the City Attorneys for their hard work in improving the regulation of activities in the Plaza periphery. We are glad our new Mayor is supporting law enforcement efforts and is helping to ensure that City staff and citizens alike know the law, obey the law and enforce the law. Our Plaza has been a vibrant source of commerce and culture for hundreds of years. It belongs to everyone. Visitors, residents and employees should all feel safe in the Plaza park and surrounding streets. I believe that with sympathy, communication and good will, everyone's legal interests can coexist peacefully and creatively for all of us."

Bobby Androtti, Downtown Merchants Board, said he is here to speak on behalf of the Downtown Merchants. He said a lot of hard work went into the modification of this Ordinance, and staff has solicited our opinions and our input and he commends them for that. He said he would emphasize that one of significant reasons this is happening at all is because the original Ordinance wasn't enforced properly. There were a lot of rules in that Ordinance, as Mr. Shandler said earlier. However, the downtown merchants feel they weren't enforced appropriately and it didn't do anything to enhance the Plaza or downtown. He suggested in 6 months there is a review of how this Ordinance is working, and the major benchmark of success will be how significant a topic enforcement is, when talking six months down the road. He said Sgt. McCord met with the Downtown Merchants at our annual meeting this week, we are excited that how the Police Department intends to move forward. He said the Merchants are backing him up, and think he has a good plan. He is asking the Council back up him and his team, because he needs that to work with us and make this Ordinance work. He said, "Thank you, and let's make this a better Plaza."

John Dressman, Downtown Merchants Association, said they believe the changes put together by Councilor Calvert and Mr. Shandler are adequate to solve the problems presented by the buskers downtown, saying that enforcement is the big repetition. He feels that if the Governing Body will get behind the Police 100% and the Police really want this, the whole thing can be straightened out so the buskers who really want to busk and do their music can do it, and the merchants can continue selling merchandise and the tourists can choose what they want to do at what time. We are asking that the Governing Body support, as a unit, the police in their efforts.

Famous Smith, Street Musician, said he is concerned about changes to the Ordinance, in terms of being 20 feet from the entrance to a building. If he is hired to play on private property, meaning the entrance to a private building on private property, he feels he should be able to play there even if he is within 20 feet to the doorway of their building. He said legitimate buskers bring a lot of joy and enhance the downtown shopping experience, and the 20 foot rule would essentially ban all music on San Francisco Street. He realizes there are problems, and many transients know they can come to Santa Fe and get a cheap licence, and act in inappropriate ways, but they're not busking, they are using it as an excuse to panhandle. He asked if it is to restrict issuing licenses to the first part of the year, do away with the one license, or limit the number of licenses issues, or require a State Tax ID number for gratuities, or increase the license fee to maybe head some of this off. The existing sound level code needs to be enforced. It is 60 decibels. There are hand held devices the Police should have so they actually can see what somebody is playing. He said, "I implore you not to take this action on the 20 foot rule, but if it is applied, I urge you to include the words, "unless otherwise specified by the merchant." He said there are people on the Plaza you can hear 300 feet away, and it is a big mishmash of sound. If the 20 foot rule is applied and nobody can play on San Francisco Street, it will force more people to the Plaza, and make matters worse.

Ben Chavez, Plaza vendor for 30 years. He said he has seen everything on the Plaza you can possibly see, from people selling heroin, and sometimes it wafts of marijuana on the Plaza. He said there are Ordinances posted on the Plaza with regard to skateboarding and flying objects. He said when you ask the Police, they don't know there is an Ordinance that exists, but there is. He said a skateboard got away from a skateboarder and it hit a woman and broke her ankle. He would like to see that the Buskers don't play too close to the vendors. Some of them are very loud and belligerent, and if you ask them to move, they think they own the park. When he tries to talk to his customers he can't hear them because they're playing 6 feet of 10 feet behind him. He said, right now, with 150 feet from each other, there is not room for more than 2 buskers on the Plaza, and if you put them on either end they are going to get in each others way and sometimes there are too many of them there. He would like to see the City to designate spaces where the Buskers can play away from everyone else. He said, in some of the pictures [Exhibit "8"] he has "shown you," a lot of the have a lot of instruments and they spread out a lot of cords. He think's its important they carry a liability policy, the way the vendors do in case somebody trips one of their wires, or whatever, and hurts themselves. This is very important. He said these are some of the things I think are really important.

Jean Smith, wife of a Busker, said she went through the whole Ordinance and emailed every Councilor and 2 responded, and 2 emails came back. She said she is here tonight to please postpone what you're doing and really revisit the Ordinance, because there is a lot in the Ordinance, and it just needs to be enforced. She said, "And when he just came just now and said I want to put this and then I want to put this. I need to sit and read it, so it's hard for me to look at something new like that. Thank you anyway for your time."

Michael Combs, member of SF Buskers Alliance, said he addressed this Council on this issue for the first time in 1995. He said the Alliance agrees there some serious problems. He said they have not seen any meaningful inclusion of the Buskers in the process. If you look at that paper, it says the vendors and the downtown merchants. He said, "We at no time have been invited to participate." He said if he designs his friend's farms, and he isn't a farmer, it wouldn't come out as well. He said among them, they have busked a lot of cities on this planet and seen successful and less successful. He said, "I would like to ask that be postponed for 90 days. I was going to ask Councilor Bushee, if she was here, and I would like to ask Councilor Trujillo to consider sponsoring this because Councilor Calvert's term is up. And we would like to have at least 3 meetings with the police, the vendors, the downtown buskers, City staff and elected officials. In the past when we originally designed this 8 years ago, we had some very good cooperative process in some of the rooms here. I would like to see us identify what the problems are, what are the areas that we agree on, what we disagree on and where we can compromise. And then I think, 90 days from now, we could bring a measure here that the Buskers could support and we would have better support and cohesion amongst us. This is poorly designed, hasty and not democratic because the buskers have not had an opportunity to participate."

George Robinson, a 30 year Santa Fe resident, said he has been busking on the Plaza for 6-7 years He said he busks to bring smiles to peoples faces, to see children dance and smile, and people hold hands and hug. It's great to see that. He busks to inspire and to be inspired. He feels the buskers are a benefit to the City, because they bring people to the Plaza and create a sense of community, involvement and participation. He said they aren't in competition with the vendors, and handled correctly, the buskers could be a benefit to the vendors, and the vendors can benefit them as well, a synergetic sort of thing. He has concerns about the bill, which is 10 pages long, but the arguments around the bill are 30 pages long. There were 17 points of request for amendment, 11 by Plaza by Plaza vendors, 3 by City staff, 2 by Plaza merchants and 2 by Councilors, but 0 from the buskers. The buskers have had no input into what is happening to their work. He said they have not been involved in the formulation of the proposed changes. He said this will directly impact more than 200 individuals who have had no input. He said the Bill no longer has a sitting sponsor, and he would like to see a more cooperative effort in building a new Busker law. He can't support the bill as is, and asked for a reformulation, a postponement and a bill brought forward with new sponsors, so we can do this properly.

Elisha Shaw said he has lived here for 9 years, and has been, among other things, a professional musician in a number of different venues in the region across many states. She said some of the comments from Plaza vendors about buskers "hurts my heart." She said it is exclusive, xenophobic, and doesn't represent what she knows to be the busking community here. The buskers she knows are professional musicians and artists in Santa Fe who are struggling to make a living here and who are significantly supplementing their income by sharing the Plaza. They add to the vibrancy of the Plaza and the cultures. She would encourage everyone to think about the young artists and musicians who struggle to thrive here as you consider changes to the Ordinance, now and in the future. She said she has never seen any of the bad things people have said about buskers, and has seen only satisfied people, tourists, locals and people being able to supplement their incomes. She thinks there is too much bureaucracy and exclusivity around the arts in Santa Fe and we need to avoid that. She understands the issues about amplification, but she has never performed amplified, noting she has had 3 busking license since 2010 and played with a number of groups in town. She encourages the Council to think about how we can coexist. She didn't know about this meeting until she saw it on Face Book this evening and ran over here. She thinks you need to hear more voices and consider the broader community and how we can coexist. She said cities which have supported buskers, have added to their cultural diversity and made the community more enjoyable.

Grannia Griffith said she has been a regular street performer in Santa Fe for many years, and it isn't easy. She is here to stand up for free speech creative expression. She thinks it's unfair to restrict their right to play music in a public space and make people happy. She said, "We are here to inspire people, create magic in peoples' minds, to inspire tourists to enjoy Santa Fe. She said sometimes the Downtown Merchants make her feel Santa Fe is a shopping mall and the only thing to do in Santa Fe is spend money, which makes sense to them because of their reliance on seasonal visitors. She thinks they won't come here if that is the only thing here for them. She understands panhandlers and buskers aren't very joyous at times. She said people who have taken the time to get a Busker's license which proves you are allowed to be in a public place and play music, you should be able to do that. She said if merchants don't allow busking in front of their stores, they should let people know and they should be humane and talking about it like people instead of having to go through this crazy process involving paper and is very bureaucratic. People should communicate with one another and get things done in a way that isn't frustrating and scary.

Alex McDunnough said he was born here and lived here most of his life. He would like Santa Fe to be a place for locals as well. He likes buskers and they bring him joy. Many of his friends are buskers and it's a very important thing for them.

Sean Sutherland, has lived and busked in Santa Fe for 4 years. He thinks there should be a clear line between people who are "spare changing" and those busking for expression and creativity. He said a photo shown earlier definitely wasn't a performer. He said we're being misrepresented as a dirty

underclass kind of thing and that should stop. He said they are contributing to the culture of Santa Fe by being there along with the many store owners and merchants welling wares, commenting we are selling our music and what we believe in. We are putting money back into the Santa Fe economy when it comes through the tourists, just like those working on the Plaza. We need to be represented correctly and we should be heard about it.

Luna Redondo said she busks on the Plaza sometimes. She thinks venders and buskers should be equal. She said buying a license and sit on the ground aren't really busking. She said like Sean said, being a busker, we fuel the economy just as much as the vendors might, although their jewelry might cost more than a dollar thrown into a hat. She spends the money in Santa Fe, and thinks it's important to keep the money in Santa Fe as long as possible, buying locally. She said busking is fun and a lot of tourists enjoy it as well.

Jeff Green said he is here to support buskers who weren't involved in the process of writing the Ordinance which he thinks is unfair and wrong, and doesn't reflect the values of the City and community as being inclusive and involving all of the stakeholders in these important discussions. He isn't a busker, but he does enjoy going to the Plaza or seeing them in other parts of the City. He said we have heard some absurd arguments tonight such as buskers are somehow responsible for the death spiral of New Mexico which he feels is ridiculous. He asked how a busker is supposed to self-enforce the 100 foot requirement. He said, "Maybe they could get a boom box and play an audio projection of themselves at the same volume, where they're performing, get a yardstick and measure 100 feet around the boom box so they know where their sound is going and how loud it is, but that is subjective. Some people hear well and some don't, and asked how this is going to be enforced." He is concerned about the criminalization of music and when did Santa Fe become a community that wants to treat musicians like criminals. He said, "Let's keep Santa Fe funky and not make Santa Fe a passive city.

Ben Baur said he represents himself this evening. He is here because he is a musician and has a lot of friends who are musicians, many of whom are buskers, noting he has never busked. He brings his 3 children to the Plaza to hear music, both at the bandstand and the buskers. He said some of his fondest memories are of standing and listening to wonderful music from buskers downtown, commenting he always brings dollars to throw in the basket for good performances. He said this draws people. He said the job of the Governing Body is to balance the interests here, because there are a number of people with really legitimate interests. He has been interested in the Merchants' Association positions and Mr. Dressman's testimony prior to this. He said these people really are trying to make things. He talked about two specific things, ones is not have entry ways or display areas blocked, and the other is amplification which can be addressed. He said there needs to be enforcement, the Police need to be educated on this and how to go about doing it. He said, as a lawyer, he is concerned about criminalizing. He said on the very last page, there are parts this makes this a petty misdemeanor where the person is subject to arrest. He said people spend days in jail for these kinds of offenses. It is hard for him to imagine a busker, even a rude busker,

being arrested for this kind of activity. He urged that you not criminalize it, look at the civil penalties, postpone action, and have a meeting, have the buskers represented and come in and talk about this, and he thinks you will find a better resolution.

Roark Baron said he is a busker residing in Santa Fe for 40 years, and has 4 children, all born here. He sees the beneficial side of how the music makes people happy. He loves the job he gets to do and for people telling him they were looking for this when they came to Santa Fe and it is part of the magic they were hoping to realize and see here. He said there are conflicts and a need to postpone this measure for a few months. There should be more integration and talking with buskers about what might work. He said, "I find I have problems with some of the situations, too. There's overlap of sound that is too loud sometimes, there's too many, so I wish these could be addressed amongst the buskers themselves. Find ways to make it work. Many other cities have been through this and have designated areas and time by a lottery or some way that when I go down there I don't compete with 4-5 other people for the same spaces." He said he plays a harp and has amplification, but if playing next to a trumpet or saxophone player, unamplified, or a banjo player, they are louder than the amplified people. So it is not strictly amplified or unamplified, it's the camber and the way the instruments relate to the are. He appreciates Michael trying to bring an alliance together. He said he played art festivals around the country 20 years before doing this, and it was finding the balance that creates the ambiance for people to do shopping. It served everyone, so the people playing music were having a beneficial experience as well as those hearing it and selling their wares. He asked for postponement and a chance to talk about it.

Andreta Caldera said she sells fajitas on the Plaza. She said many buskers take their business seriously but many don't. She feels we need to have space between vendors and buskers. The amplification has gotten a bit out of hand, and thinks the buskers, vendors and everyone can work together, but it will be difficult. She doesn't think anyone can do this among themselves. She said the problem has been that the ordinance is not written so everyone reads the same intent. She said the Police need to be informed on this. She asked if there should be generators, she doesn't think so. She is not for amplification. She would like at least 50 feet between herself and a busker. She has had situations where buskers get testy when you asked them to tone it down a little bit. The Police comes down to enforce the law, and it's gotten physical. The tourists feel threatened. The Police makes an arrest or they don't and then they hear about it, and "they get taken down by the public." She doesn't think it is fair for the Police to "stand down" to the buskers or a lot of the element that is on the Plaza. She said there is an element that shouldn't be on the Plaza, people feel threatened. She said we need Police presence all day on the Plaza, every day. It's the center of town, where tourists convene. If they're not safe, they won't go downtown and that's going to affect everybody.

Martha Wright a Plaza vendor for 35 years, said she is the longest tenured vendor on the Plaza. She said has never seen the Plaza as bad as it is now, and it isn't all buskers. There are very good buskers on the Plaza that bring in people and tourists. However, there are those that buy a license and

take advantage of the Plaza. She said the stage is a fun place for buskers. She is right next to the stage and hears everything that sees and hears everything that happens on the Plaza, she's right next to it. She has never seen it as bad as it is now. Everybody is complaining. The tourists complain about the dogs there with the buskers. Their dogs are urinating on the stage. She said, "It's bad, and I mean it is bad, and I've never seen it this bad until last year and this year. Where are you going to put 200 buskers at one time. I don't know where they're going to fit..... I pay $1,500 for insurance, and rent, and I have to buy liability insurance. Buskers don't have to buy liability insurance." She thinks Buskers should have to buy insurance is she does, so they can protect themselves as well as the City.

The Public Hearing was closed

The Governing Body commented and asked questions as follows:

- Councilor Trujillo said he is hearing from everybody that only certain players were asked to come to the table, and the buskers weren't, and asked Former Councilor Calvert to address that issue.

  Former Councilor Calvert said he had numerous conversations with members of the busking community. He said, as one busker told him, part of the problem is that there is no such thing as the Busker's community. In other words, there isn't a cohesive group that can stand together and be represented and to speak as one voice. He has spoken with many individuals through email and on the phone. He said he and Mr. Shandler went to the Plaza in person to talk to the buskers as well as other stakeholders at a public meeting that was advertised. He said some of those to whom he spoke are here tonight. He said they went through the changes, but some of the things have changed based on conversations with individual buskers. He said another busker said, "Yes, I know, with buskers, it's like herding cats."

  Former Councilor Calvert said, "With all due respect to the buskers, I've tried to reach out to as many as I can, word of mouth, or whatever. This issue has been in the public for almost a year now. Initially, with my first ill-conceived version that got publicity in the paper and even on a local TV stations. I got a lot of calls and emails from buskers that I communicated with. We changed things, as a result of that, and we've continued to refine with their input as well as everybody else's input, so we haven't just asked certain people. Nobody from the busking community has come forth with their amendments, and why they aren't listed here. The other people did. I think, in all fairness the buskers are probably a little bit on the defensive and so they're just trying to hold their ground, and I understand and appreciate that, and I even support that to a certain extent."

  Acting Councilor Calvert continued, "But I do think that what we're trying to propose here tonight, is there is an existing Ordinance and it will continue regardless of what happens here tonight. What we're proposing are some amendments we think will make it work better for everybody. And we certainly went through the analysis, and would be discuss that, on all the other possible amendments that people have proposed. Some I think have merit, some I don't, but that's something we can continue to discuss. But I just wanted to let you that I did reach out the best

way I knew to buskers. And I talked to a fair number of them, and granted, it was individually, but that's the only way I found that I could get the response."

- Councilor Trujillo said he knows Councilor Calvert and he is diligent when it comes to that. He said there is talk about postponing. He said, "This is my question to all the parties. I see you out there. I don't think there's a problem with you at all. It's those buskers that aren't here that create the problem. You've heard from a lot of the vendors that there a lot of good buskers out there. I know a lot you guys, I've seen you perform. But there is a problem on the Plaza there is no doubt. And I've driven by there. I've walked through there. I myself hear amplification that is too loud. When an amplification is drowning-out a car's radio driving next to them, there is a problem there. But my concern is, how do we get all of us, all of you here, into one room to have the discussion, if you want to have a collaboration between the vendors, the Plaza merchants, the buskers. He said Councilor Calvert has said he just reached out. He has, and I know this man has. We need these answers. How can we do this. If we're going to postpone this, I don't know yet, I don't know what the wishes are up here, but, where do we have this meeting. Who is going to show up. And the fact is, after we have these discussions, and we pass the Ordinance, guess what, we're probably going to have the same problem, because you're going to have those buskers that could care less still setting up. And then next year, we're going to be revisiting this thing again and it's going to be an ongoing cycle. And I know it has been, because Councilor Calvert has been doing this for the last 8 years. These are my questions, I guess, to the buskers, the Plaza merchants. How do we come together, how do we collaborate."

- Mayor Gonzales said, "It seems like we've very close, but not quite there. Meaning you have brought us to a level, Councilor Calvert, where there is an Ordinance in place. And I think one of the important things that I heard tonight, it seemed like people are feeling like we're doing away with buskers in Santa Fe. And I think, for myself certainly, I see the value in the presence. As a child, I got the chance to walk on the Plaza. And I didn't know them as buskers, but it's the incredible musicians. I think they are a part of the vibrancy of this community. I think it does send a strong message to the youth about their participation through their music. I do agree with what the Councilor has said, we all know that there are still problems that need to be addressed there, is that balance."

  Mayor Gonzales continued, "And I'm wondering if, to answer Councilor Trujillo's point, if we set a firm date, and we made the Council Chambers available for people to come in and have, if you're willing Councilor Calvert to continue this with Zach and any of the Councilors who want to be here, to allow for people to have time to look at the amendments, to take a look at the Ordinance and submit comments, and then come back and answer questions, and allow for some type of participation. Possibly a 30 day postponement with a meeting in between. And if people want to participate in offering input they could show up. If they don't, we're going to be ready 30 days from now to adopt an Ordinance that tries to strike that balance. What I do appreciate about this Ordinance is that is does allow for us to come back 6 months down the road and be able to measure its effectiveness."

- Mayor Gonzales continued, "Hopefully, in its best form, what it is going to do is what everyone has said tonight. It's going to allow for an enforceable Ordinance that promotes a vibrant, and very energetic part of Santa Fe through the voices of many people who want to be a part of it. And does so in a balanced way, because it allows for the removal of individuals who try and take advantage of a situation that is very inexpensive and they can just show up on the Plaza and do what they do, which doesn't necessarily improve or enhance the quality of life for people who are there. And I think there's some confusion out there and maybe possibly some opportunity to discuss the setbacks, the separations maybe a little bit more to allow for an understanding as to how we arrived at the 20 foot separation or the 100 foot separation for the buskers so they can have some type of input into that, understanding the parameters that we still need to make sure that we don't have a Plaza that's full of musicians that are singing over each other and stepping over each other. I understand Councilor where you're going and if the Council does choose to table this issue that there could be a firm date for vendors and buskers to show up to allow input, to have discussion, prior to the next meeting or the next meeting in 30 days, for discussion. This is my two cents."

- Councilor Maestas thanked Former Councilor Calvert for his service to the City and said he doesn't want his work to go into some process that has no conclusion. He would offer to sponsor the Legislation so we have a working draft with a sitting sponsor. He said, "I would suggest that we do what has been suggested, which is to postpone this for 30 days. But what I would like to see in the way of a process is, that we have each and every member of the Governing Body to formally submit amendments from any of the potential amendments in the table. And incorporate those amendments into the bill that is before us. That way we have one piece of legislation which has all amendments suggested by members of the Governing Body, then we can initiate the coordination of public involvement. And particularly consult with the busking community before we take action on this."

- Councilor Maestas asked, "On the table itself, Mr. Shandler, have these cleared any appropriate committees."

  Mr. Shandler said, "No. We provided them so you wouldn't be flat footed when you heard all he public testimony. That was the purpose of providing them in advance to you all, and they were provided publicly as well.

- Councilor Maestas asked how long it would take to incorporate these formal amendments, sponsored by a member of the Governing Body, how long would it take for them to go through another round of committee meetings as one piece of legislation with proposed amendments. How long would that take.

  Former Councilor Calvert said it would take another two months at least.

- Councilor Maestas said, "My only concern is there are some enforcement-related amendments in this table, that have not been vetted through Committees, and I would hate to not have our Public Safety Committee, our Police Department, our Finance Director who has some role in the enforcement of some of these provisions, to take a look at this. I want to make sure we have an organized process going forward. I saw a lot of common themes. We need a buffer between vendors and buskers, the amplification is an issue. I heard all that and I saw a lot of common themes."

- Councilor Maestas continued, "But the thing that hurt me the most was the criticism of our democracy, our process. And if anything, let's make sure we have a robust, democratic process. That way, not everyone may be happy, but they can't criticize the process. And I heard a lot of criticism on that. So I would advocate for a postponement, but I want to make sure that we have an organized process to consider all the work that's been done. The vendors provided a lot of feedback, staff provided a lot of feedback, Mr. Shandler provided some specific language to amend the Ordinance. Let's maybe try and organize the process again, and work from one piece of legislation going forward. That would be my suggestion going forward."

- Councilor Dimas said he has spoken to both sides, but he hasn't heard from law enforcement, and he is concerned as to how we are going to enforce this, that is his main question. He said, "I agree with Ben Baur who brought up the point. I don't think this is really a criminal matter. I would like to see this more as a civil matter than a criminal matter. So I think there is still some work to be done on this legislation in a lot of ways. There are a lot of questions to be answered. And I think we need to take a little bit more time to study this issue a little bit more. And I agree with you Councilor, in that I think we need to postpone this. I think it needs to go to committees to get a better idea of what the amendments might be from different committees that are affected by this and to come up with ideas. While I appreciate all the hard work Councilor Calvert has done on this, and I know he spent a long time on it, and it's difficult to get all the parties to come together, but I think it's something that we need to do that has to happen before this Council can actually vote on this particular issue. So I think there are some things that need to happen before that."

- Mayor Gonzales thanked Councilor Dimas saying, " I think we're moving to a place where we certainly want to have a clear direction so the public understands the opportunities to participate. Because one of the things we're doing is we're tracking to an updated Ordinance that is in the works. And so it should be very clear that tracking means there will be a definitive date in the future that everyone knows that we will be back as a whole, discussing and then ultimately voting on the process. So can you maybe take a couple of minutes and work through a quick calendar. I think the issue would go to Public Safety and then Public Works and then to the Council. I'm suggesting Public Works because of the Plaza and the Park, and Public Safety. Councilor Ives any other remarks."

- Councilor Ives said, "The issue about criminalization is one I would share concerns about. And I would certainly invite the participation of Police Department to comment on that. As I look at the proposals here, that movement toward criminalization is only after, for instance, a license has been revoked and presumably one is performing without a license, or has failed to comply with the reasonable direction of the Police Department. I think in Santa Fe we don't try to be heavy handed, but we also have to make sure there is enough capacity in our Police Department and enough clarity in the Ordinance to be able to act definitively if folks simply refused to comply with what the law provides. So I would love your participation in the process."

- Councilor Ives continued, "Again, I understand the hesitancy to go toward criminalization, but I'm not sure at some point there is an alternative. So, if there are alternatives, I would love to understand those better. To our officers, I agree, enforcement is always a difficult issue and sometimes I think that part of the problem with our existing Ordinances is that we've never been staff to the point where we can ensure there is a police presence on the Plaza." He said the escalation into conflicts, fight, name-calling, swearing, etc., as we've heard are the issues which really cause significant problems. He will be looking to make sure that whatever we do, the Police Department dopes have the capacity to enforce, and similarly asking the Police Department for its input as to what you think is difficult in terms of enforcement.

  Councilor Ives said, "And I would point just to one item which is page 4 of the Ordinance, all of Section G, "The sound levels and street performers shall be kept at such a level that other street performances are not disturbed. The sound level shall not be plainly audible 100 feet away from the performance site. And I can tell you, if my wife were a police officer and I were a police officer, that would be a different measurement in terms of when it became audible. Her hearing is much better than mine. So that would be an area where, for instance, a contribution from the Police force in terms of, if you are going to be the ones who are called upon to enforce it, what do you think you can enforce. Please help us understand what would make your job easier as we consider this in its entirety. And what we need to and, of course realizing that we do have an Ordinance currently on the books, which again, hopefully is being enforced."

- Councilor Trujillo asked if we will first have the meeting between the 3 parties and then have that discussion, and from that discussion we can rewrite the Ordinance. He asked if we are going to set dates to go to Public Safety, because in his opinion, he doesn't think that will work, and believes we need to have the collaboration listening to all parties involved before we take this to Committees.

- Mayor Gonzales said this is a valid point. He said he doesn't think it will take long to assemble a group of Plaza merchants, vendors, buskers and the Police to sit in a room to see if we can drive to at least a working group's effort. He said we have to be careful though, that it will be limited to the people who choose to participate, so there will be a lot of voices that will be left outside of this. He said, "So I think if we identify a date certain, Zach, you would be available, and if the Councilor could show up that would be great, along with Councilor Maestas and the others. Then, let's try

for what Councilor Trujillo is asking, let's try and find some consensus by allowing for one more meeting here at City Hall, prior to going through the Committee process, to work out the amendments, to identify what can be agreed on by a core group, what's not agreed upon. And those are the things that should make its way through the Public Safety and Public Works Committees." He asked the Councilors if they are okay with that meeting.

- Councilor Rivera said, "I'm not in favor of postponing it. I think Councilor Calvert has worked on this for over a year. I believe he truly does his diligence, and I know he has spoken with many people, both merchants, vendors on the Plaza as well as buskers. It has gone through the process. It went through Public Works on February 10, 2014, through the Finance Committee on February 17, 2014, and went to Public Safety on February 18, 2014. I think if we postpone this and bring it back, you are going to have people on both sides that come in that are fresh and new, that say, 'I haven't had a chance,' 'Nobody asked me.' And where does the process really end. Do you give everybody an opportunity to speak that hasn't had the chance yet. It's not perfect, I don't think it probably will ever be perfect, but I think it's better than what is on the books right now, and that's just my opinion on it, Mr. Mayor, and I'll be voting no if the proposal is for postponement."

- Mayor Gonzales said, "And I appreciate that, because you're right. There has been a lot of public meetings on this. We're so close, that if the issue is just more education and maybe more awareness in a 30-day period, I'm not sure if there's an urgency. If there is an urgency, then I think Zach, you need to let us know or maybe the Police Department needs to let us know. Maybe we don't go back through the committee process, but to allow for more time for the public to review what is in place before we act, I think at a minimum, doesn't hurt the process. Having to go back through and having to take another round, I'll defer and certainly look to the wisdom of the veterans when you have this many amendments, if they've already made it through the committee process, that's fine. But, if 15 amendments have come forward after the committee process, and then we start going through and debating them individually, I think you have the potential to substantially change the bill or have an ordinance that didn't really make it through those rounds. But I don't know when these amendments came forward."

  Former Councilor Calvert said all of the suggested amendments in the matrix were not intended to be considered with the same degree of seriousness. He said some of them are "straw men. They were put out there because these are things that came up during the discussion and we wanted the Council to have the benefit of the discussion and the research that was done subsequently to show the pros and cons, and in some cases show they already are covered, that this isn't something new, and is already in the existing Ordinance, and perhaps just needs to be enforced.

- Former Councilor Calvert said he appreciates Councilor Rivera's comments, and said, "Pardon for a second, my impertinence here, that is the rationale for having committee meetings is for these things. And I understand that the three of you up there are new, but when these things go through committee, if you have questions about whether we should have criminalization, that wasn't even

anything new and maybe that's why it was overlooked. But that's in the existing Ordinance. So, if you have these kinds of questions, these are the kinds of things that people should bring up when it goes through the committee, otherwise what's the point."

Former Councilor Calvert continued, "I don't have a problem and it's not my decision anyway, but even if I had a problem, you wouldn't care. But I don't have a problem with postponing it, but I would say to a date certain. I would say that if we consider the proposed amendments in this package as part of the public record, then perhaps we can avoid the renoticing and adding another month to the process. And I would recommend the process you were talking about. You can go back through the Committee in a month, but you also should have a facilitated meeting with all the stakeholders, and you give them a date, and wherever it is going to be, and 'Speak now or forever hold your peace. He said he is fine with erring on the side of getting more people involved. He said he may not be here for the meetings. He said people need to understand it will be a well defined process and not open-ended. This thing has been going on, for a long time and people have had chances to make their voices heard. He said sometimes it takes the eleventh hour to get people to really seriously consider something.

Former Councilor Calvert continued, "I really think you need to honor what has gone on to this point. I don't have any authorship issues or anything like that. Whatever the public and the Council want is fine with me. What I will say is, in the meantime, we do need to concentrate on enforcement, and that will be a constant, whatever we move forward with. And I appreciate the Police Department's efforts of late to get more involved with this, but it isn't just this one, because there are a lot of issues that revolve around the Plaza and various issues, and we can pass Ordinances until we are blue in the face, but if we can't enforce them, then they're meaningless. As some of the people said, the Council needs to support the Police Department in making sure they have the information and support to enforces these, and ask them to enforce them. I'll just leave it at that."

- Mayor Gonzales said he has directed the City Manager to work with the Police Department to present a plan for more police presence on the Plaza, and certainly more enforcement, on a number of the Ordinances that are directed to the Plaza. He said a lot of issues were brought up this evening, outside the buskers that need to be addressed, and we can start working on that once the Manager has drafted the plan and we move forward. He said we are very close to having something like that in place before us. He did want the Councilors to know that this direction has been given to the City Manager and he is waiting to hear back on what the plan is for a more permanent presence of the Police Department on the Plaza, what they need from us as a City to do that. He said this Ordinance is about enhancing the busker presence where it is at quality and continues to show Santa Fe as being a fully vibrant arts community in a way that is receptive to all of us.

Mayor Gonzales continued, "And you've got us there. I think what it is, is 30 more days to allow the public to look at what it is and the Council committing to moving to some action at some point."

- Councilor Dominguez thanked Former Councilor Calvert for all of the work he has done to this point to get this on the table and make sure we have a debate about it. He said, "In some regards, I agree with Councilor Rivera, because I'm ready to have the debate now if we need, and mill through the language and talk about some of the stuff that maybe is arbitrary in the language. But, I think, in all fairness to the new members of the Governing Body, and it sounds like they want to take some ownership of this, that's a good thing I think. In all fairness to them, I think we should give the opportunity to really dive into it and get their hands dirty, for lack of a better way to put it."

- Councilor Dominguez, "Just a couple of other comments real quick, I think what I see and what I've heard, is really that enforcement mechanism, especially in light of the direction you've given the City Manager, I think it would be beneficial for the Police Department, whoever it is going to be, to provide us with a memo about some of their challenges in enforcing it. Again, we're going to have a lot of the same issues if it's not enforced, and so we need to be able to understand that and hopefully address it appropriately, or at least understand that, you know what, there are going to be incidents that happen that aren't enforceable, or whatever the case may be."

- Councilor Dominguez continued, "And I guess the final thing, in order to kind of make sure that we do have that buy-in, or that people have been given the opportunity to speak, that we close the public hearing on this issue tonight. And I'm not sure if we can do that legally, Zach or.... the title.."

  Ms. Brennan said, "The question is, can you close the public hearing. Yes. And you can have another public hearing, you can continue the matter to a date certain for debate."

- Councilor Dominguez said, "And I'm not sure if the Governing Body wants to do that. I'm just thinking that in order to get folks to the table that they understand that maybe tonight the public hearing has been closed, and it forces them to engage and participate in whatever process we decide on. That's the only reason I bring that up, is it kind of forces the issue if you will on people. And so, that's it. Thank you Mayor."

- Councilor Trujillo asked Mr. Snyder how quickly can we set up this meeting, or who is going to set up this meeting.

- Mayor Gonzales said, "We're talking about a meeting where we can bring in the interested parties and see if we can work through some consensus – where is the consensus between the Plaza vendors, the community at large and the buskers. Okay, so go ahead."

- Mr. Shandler said, "It could be an informal meeting. We could set it up, Jody could do a press release. We could go down to the Plaza on a certain date, we could use the chambers on a certain date."

- Mayor Gonzales said he wants to do the meeting here at City Hall, and asked when the chambers would be available, so we can make sure we have enough room, and asked if April 16, 2014, is available..

  Ms. Vigil said April 16th is an off Wednesday for Council, so it should be available.

- Mayor Gonzales would like to do it on April 16th, even if Councilor Trujillo can't be here, but one of us will be there, and asked if Councilor Maestas if he can be here.

  Mr. Shandler said the "blue" is Public Safety and asked Councilor Dimas if he would like to hear it.

- Mayor Gonzales said, "Well, let's just go back to that question. Councilor Dimas and Councilor Trujillo, being that this has already made a lap through your committees, so you want it to go another lap through your committees to discussion, or are we okay with moving to opening it for review, basically making it available to members of the public, the table that has been presented to us, the updated amendments, starting tonight. People come in on the sixteenth and we'll work to see if we can facilitate consensus between the Downtown Merchants and the buskers, as well as other interested parties, and then come back to the Council on the thirtieth for debate and adoption."

- Councilor Trujillo said, "I would rather it not come to Public Works, and then go directly to the Council."

- Councilor Dimas said, "I agree with that."

- Mayor Gonzales said, "I know we need to do this in the form of a motion, so I'm assuming on the sixteenth, I'm assuming we should probably do it in the evening to allow people to come in."

  Ms. Vigil said Melissa Byers is going to her office to get the book to verify that that date is available, and asked him to hold the motion for two minutes.

- Councilor Lindell said, "First of all, I would like to see us move to a date certain, because this issue does need to be addressed before the end of the summer, and these things can have a way of dragging on. Date certain. I would like to see us have the public hearing be closed, have folks meet and talk about this. I did propose an amendment tonight dealing with enforcement, because I know that is a high problematic part of what we have that exists. So, we have started to address some of that, and I think a date certain is extremely important to this, because I think there is some immediacy to it."

- Mayor Gonzales said we are all tracking to a date certain.

Former Councilor Calvert said, "I would add a little more urgency than Councilor Lindell, to say you would want to have this resolved and in place, and working before the Summer starts."

- Mayor Gonzales agreed, saying we understood what she was saying.

- Former Councilor Calvert said, "Whatever you do is going to require education of everybody – staff and the community members involved as well. It's one thing to say we want better enforcement. Where you have to start with that is with the education, in getting everybody understanding and on the same page on what is in the Ordinance, and what it says and doesn't say. And then we can get the enforcement done better."

- Mayor Gonzales said, "I think we can have the meeting on the 16th. If I'm here, I'll participate with you Councilor Maestas. We go to the 30th and we adopt, and they we go to the education side of it. So we can host a series of either the Downtown Merchants, the buskers, the community at large. We can work with Jody to make sure both through digital media, and being able to answer the 'what if' questions. I had a chance to see the officer the other night. He did a great job with the Downtown Merchants. So I think engagement by the Police officers will help in communicating what is happening."

  Former Councilor Calvert said whether or not you close the public hearing, I guess if we are going to err on the side of more inclusion, then I wouldn't, because maybe everybody didn't have the opportunity to see the matrix with all of the proposals. It might be a matter of semantics whether you close it tonight and reopen it again. I would say we're continuing this process and postponing it for a month, so he wouldn't necessarily close the public hearing and just consider everything that's been presented here tonight and what you gather at the meeting is fair game for discussion at that month."

- Mayor Gonzales agreed, saying, "One of the things we want to come out with on the sixteenth is some consensus that can be released to the public, and with that Ordinance, there should be people who would be able to speak to it, or offer some vehicle, but it's your call.

- Councilor Maestas said, "Then we're just going to throw everything in there in the middle of the table of possible amendments, the Resolution that was discussed tonight, and that's where we're going to start from. Because, I want to entertain the possibility that there could be some additional amendments suggested as the result of that meeting. Will staff have enough time to vet those and will we have enough time to come up with specific language to be proposed and considered at the April thirtieth meeting. So I appreciate the need to suspend the Committee process to move this along, but I just want to make sure that we still do have some checks and balances in the event we get some new suggested amendments as the result of this consensus building meeting."

Former Councilor Calvert said, "What I will say to that and Kelley can tell me I'm wrong. If all you are considered is what was offered here tonight, and why I mentioned the matrix of possible amendments. If you start and I'm not saying you shouldn't, but if you offer new things that substantially change it, then you might have to re-notice because you've substantially what the public record is and what will be discussed."

Ms. Brennan said, "What I would say to that, is this has been advertised as an Ordinance relating to street performers on public property, amending the existing Ordinance. And I would also say that it seems to me, that the range of amendments proposed is fairly exhaustive, and it seems that the subject matter of whatever amendments seem desirable will fall within those categories. If there is some surprise out there that someone hasn't raised yet, it might be possible that you would have to re-notice it as a significantly different bill. So, because of its general title and because of the extent of the discussion so far and the numbers, the range of options that you have, I feel that you can postpone to a date certain in order to have further discussion. And, even when public hearings are closed, they can be reopened for comment. I think we've seen that before. I think the thing is to make sure you postpone to a date certain, whatever that is, and I think Yolanda has some information about dates."

Ms. Vigil said, "I want to propose a couple more dates. The first available date would be Thursday, April 10, 2014, that would certainly give staff enough time to prepare any amendments or anything for the April thirtieth meeting. The next available date would be Monday, April 14, 2014. April 16, 2014, currently as BTAC at 5:30 p.m., so that's scheduled in the Chambers. But if you want additional time for the staff to work on it, I would say that maybe we do it then on Thursday, April 10th, if that works, here in the Chambers."

- Councilor Maestas said, "I would like to have it early in advance of the April 30th meeting. Is April 10th enough time to provide sufficient time to provide sufficient public notice, to plan this meeting, to provide notice and such."

  Mr. Snyder said, "Mayor, Councilor Maestas, I believe it is."

- Mayor Gonzales said all the discussion that's going to happen on the tenth already is available to the public, starting from here forward in terms of the ability to see information and participate. He agrees, we want to make sure from the point of, hopefully, the tenth being a meeting of consensus that then people are able to see what that means.

- Councilor Ives said, "I'm just trying to follow up the thinking on keeping the public hearing open, if the intent is to have this study session, presumably, to receive public comment. I would probably be more inclined to close the public hearing and then take input from that meeting which presumably is the opportunity we are creating for folks to come in and provide that input, for fear we'll just keep on getting more new input. If we're defining that special opportunity for folks to weigh-in, comment and participate, we should use that as, if you will, the conclusion of the public

comment process, so that by the time it comes back to Council on the thirtieth, we're really looking, hopefully, at simply getting in and taking action on something where there hopefully is great consensus."

MOTION: Councilor Trujillo moved, seconded by Councilor Maestas to postpone this item to the City Council meeting of April 30, 2014, with direction to staff to hold a meeting with all parties/stakeholders involved on Thursday, April 10, 2014, at 5:30 p.m. in the Council Chambers to try to find consensus, and with the Mayor's request that Councilors Trujillo and Maestas to serve as this Body's representatives to try and find that consensus.

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

For: Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas and Councilor Trujillo.

Against: Councilor Rivera.

Mayor Gonzales said, "And I guess my message, obviously would be to those that are here who have the relationships, April tenth, that's your time to come to the table and trying to work through finding some type of consensus. I have confidence in Councilor Trujillo and Council Maestas to be the muses of bringing people together."

5) CONSIDERATION OF BILL NO. 2014-11: ADOPTION OF ORDINANCE NO. 2014-15 (COUNCILOR WURZBURGER ~~AND~~ COUNCILOR DOMINGUEZ AND COUNCILOR IVES). AN ORDINANCE RELATING TO THE CODE OF ETHICS, SECTION 1-7 SFCC 1987; AMENDING THE CODE OF ETHICS TO ESTABLISH THAT WORKPLACE BULLYING BY GOVERNING BODY MEMBERS WOULD BE A PROHIBITED ACT AND SUBJECT TO A VIOLATION OF THE CODE OF ETHICS. (SANDRA PEREZ)

Sandra K. Perez, Interim Human Resources Director, said Former Councilor Wurzburger is in attendance, and has a few things to say in addressing this particular item.

Councilor Wurzburger said, "I wish I wasn't so addicted to this. I actually enjoyed the previous discussion. This is housekeeping, let's call it. It's not as provocative and doesn't engage the public, as the previous discussion or the discussions earlier. But all I want to say about it is that I really appreciate that, in the lame duck session of the last four months as several of us ended our service to the Council, one of the highlights for me was the tremendous work we did on the Charter Commission. And I want to thank Councilor Ives and the Council for moving that forward."

Councilor Wurzburger continued, "The genesis of this Resolution came from my personal inability, during that process, to get the issue addressed of having a Mayor to have the sole responsibility for hiring and firing. And we did pass that Charter amendment, with a larger majority of Councilors who would have to make that decision. But because of what had actually happened, for the benefit of those of you who are new and welcome Councilor Maestas, and welcome Councilor Lindell. I just want to put on the public record for your benefit again, as well as Mayor Gonzales, that I had never before brought an issue like this to Council and I was not comfortable, but it was based on my twelve years experience of seeing actual circumstances where the City Manager was threatened by a Councilor or multiple Councilors, or particularly one Councilor saying he or she had the votes to get rid of that City Manager if they didn't do A, B, C or D. And the impact of that on the organization – it ripples all the way through – and the fear that it establishes and the climate that is created is not one that is appropriate, to say it nicely. So that's why I brought this forward."

Former Councilor Wurzburger continued, "So that's why I brought this forward. I'm very grateful that the previous Council has moved it all the way through, we got it all the way through except to the final vote. And I will stand for any questions in support of this. I think that, if you notice, the term 'bullying,' is now widely recognized as a problem in the private sector. It's been in the public sector. I had two people call me just this week, wanting to come, because they were engaged in an altercation with their company and I did not call them back, because I did not want to be this a debate about bullying in any other place, other than City Hall, and bullying done by no one other than the Councilors. And, as Sandy will point out, what's very disturbing about our law is that you, as City Councilors and the Mayor, do not function under the same legal restrictions that the staff does, and that's even more important in terms of passing this. So thank you for your attention, and I hope that soon I shall be able to go to bed. Like Councilor Bushee, I too am sick, but I am here."

Councilor Ives said, "For me as I stated at other meetings when we considered this, the fact that we don't hold ourselves to at least as high a standard as we expect from the other employees of the City is a circumstance that needs to be corrected, so I would join as a sponsor here, and if for no other reason alone, move to approve.".

Public Hearing

There was no one speaking for or against this request.

The Public Hearing was closed

MOTION: Councilor Ives moved, seconded by Councilor Maestas, to adopt Ordinance No. 2014-15.

DISCUSSION: Councilor Lindell said she is uncomfortable that we have to see an ordinance like this. She asked how it is enforced and what are the penalties. She said, "It's not a Resolution. We're codifying this. It's an Ordinance, and seems very subjective to me when I look at it and it just makes me a little uncomfortable to having it be so subjective, and I don't know what the penalties for it are."

Ms. Perez said, "My understanding is, violations of this Ordinance and, particularly any of the sections within the Ordinance regarding the Ethics Commission, are brought forward. And there is actually an ethics hearing held. Kelly is that correct."

Ms. Brennan said, "Yes, I believe it is reviewed by the Ethics and Campaign Review Board and you'll see there's also, with the lower protection in that case, if a complaint is filed, you have the protection from retaliation for that complaint. So it's in that whole body of complaints that fall within ethics violations." Ms. Brennan.

Councilor Lindell said, "Okay. Could you say just a little bit more, Ms. Brennan, about like what some of the possible.... say someone violates this, and they go in front of the Ethics Boards. And the Ethics Board finds that there is bullying that took place, then what happens."

Ms. Brennan said, "They can be fined. Basically, there are sanctions and fines. So, there are monetary penalties and sanctions."

Ms. Perez said she doesn't have that section with her, but she can provide it.

Councilor Lindell said, "I guess where I'm trying to go with this, with something like this, is the City open to being sued over something like this."

Ms. Brennan says, "If a Councilor bullies an employee, and the employee files a complaint, I think the City is capable of being sued on almost anything, which is not to say that makes a claim legitimate. I can imagine examples of where that could happen. I would think it would be extreme, and I would think by having enforcement mechanisms via the Ethics Board, that there is a due process afforded and sanctions would be the result of a number of people considering what was appropriate under the circumstances."

Councilor Rivera asked, "Kelley, this is being codified now, but right now, if somebody bullied an employee, they would still have the same opportunity, right, to file a complaint."

Ms. Brennan said, "They could file a complaint, but the language of the Ordinance currently specifically excludes officials elected by vote, so this brings you within the operation of the Ethics Ordinance, with the enforcement of a complaint to the Ethics Committee. But you are correct, I'm not sure they couldn't file a complaint now under sort of a general principle."

Councilor Rivera said, "And I won't get into it with Sandy about whether we're employees or not, we've already been through that, so, thank you."

Councilor Ives said, "I was going to point out that the sanctions provision in the Code, provides for possibly the issue of a public reprimand, imposition of a fine not to exceed $500 per violation, recommended removal or suspension from office of a public official by a Governing Body, referring complaints against public officials, where appropriate, to the District Attorney's Office for investigation and prosecution. Those are really the four that potentially could apply to this type of violation."

Councilor Trujillo said, "I'm trying to figure out the definition of bullying, and there are so many ways we can look at this. As a City Councilor, our job is to set policy, that's what our job is, not to interfere in personnel matters. That gentleman right there, that's his job. And I can honestly say that in my years here on the Council I have seen that. I'm not going to say names and all that. But I've also seen things where.... Staff is here to help us, not to be our personal servants, bringing us food and stuff like that. These are things that I consider to be also considered bullying, because if you didn't do it for me, guess what. Could there be retaliation. These are things I want all the Councilors here to take to heart. Staff is here to help us do our jobs, do it correctly. They're not here to wait on us hand and foot. And I just wanted that to be stated."

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

For: Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo, Councilor Dimas, Councilor Dominguez, and Councilor Ives.

Against: None.

Mayor Gonzales thanked Councilor Wurzburger for bringing forward this Ordinance.

14. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

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 March 26, 2014, is incorporated herewith to these minutes as Exhibit "10."

Councilor Dimas

Councilor Dimas had no communications.

Councilor Maestas

Councilor Maestas said he attended the Wall that Heals ceremony on Sunday, and wanted to recognize all of the staff that set up Fort Marcy, commenting the staff did a yeoman's job in that. He was unable to attend the ceremony on Thursday.

Councilor Ives

Councilor Ives said tomorrow the Convention Center is hosting more than 400 mid-school math teachers, a convention that has come to town, and we wanted to welcome that group. He said they are looking to coming back next year.

Councilor Ives congratulated the Institute of American Indian Arts, which dedicated and opened the new Kiva welcome center on their campus. He encouraged everyone to visit the campus, noting it has brown in 14 years from the first hogan they set up, to 7-8 different more buildings planned. He said the vibrancy and the fantastic art is truly remarkable.

Councilor Ives introduced a Resolution on behalf of Councilor Bushee, noting he is a cosponsor, follows:

A Resolution directing staff to study the feasibility and fiscal impact of establishing a single-stream recycling program for the City of Santa Fe. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "11."

Councilor Dominguez

Councilor Dominguez had no communications.

Councilor Lindell

Councilor Lindell had no communications.

Councilor Trujillo

Councilor Trujillo introduced two Resolutions as follows:

1. A Resolution directing the City Manager to establish a City of Santa Fe Internship Program to provide an opportunity for college students to be employed by the City during semester breaks from college. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "12."

2. A Resolution directing staff to study the feasibility of holding, on an annual basis, at least one City Council meeting in each of the four Council Districts to encourage involvement and participation by residents of the Council Districts. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "13."

Councilor Trujillo sent condolences to the Baca family on the passing of their father.

Councilor Trujillo said a constituent emailed him a picture of a broken box in front of Long John Silver's, and he was able to forward it to Mr. Pino at Public Works. He asked if we can set up a Face Book page, Public Works, Santa Fe graffiti, and people can snap a picture and send it to that site. He said we wouldn't have to be searching for graffiti, broken pull boxes, broken lights in the City. He said we have this technology and let's put it to use for the City, because there are a lot of ways the social media can help the City and make the lives of our City workers a lot easier.

Councilor Trujillo said it was extremely nice to see the Santa Fe High School Demonettes here in the Council as State Champions, something we haven't seen in a long time. He said, "I tell everybody I bleed blue and gold, so just kudos to that again."

Responding to the Mayor, Councilor Trujillo said you're probably going to get a lot of St. Michael's people calling you, asking why they didn't provide a police escort for them.

Mayor Gonzales said they will win a State title next year, and I'll do that for them.

Councilor Rivera

Councilor Rivera said he went to a Walgreen's this weekend, and two gentlemen from the City, Johnny and Stephen, were handing our reusable bags. He said they were doing a very good job, and were very professional, and thanked them for the great job they were doing.

Councilor Rivera asked Brian to look into the Summer Youth Program, because he believes the Amy Beal School is not a good choice, and believes we will get the brunt of complaints that come through because of choosing this site, or it was dictated to us. He is hoping Mr. Snyder can have a dialogue with the Superintendent, commenting he doesn't believe anything is final until the program starts. He asked Mr. Snyder to update him how that discussion goes.

Mr. Snyder said, "I've already exchanged texts with the Superintendent and he's looking into it.

Mayor Gonzales

Mayor Gonzales said he is very interested in the use of technology and how we are able to use it to engage and deliver more services and feedback. He plans to work with Brian, Jody, the IT staff and others in that regard. He said cities across the nation are setting great trends for civic engagement by allowing access to data, full participation, and being able to do what Councilor Trujillo said – snap a picture and submit into a system that starts the clock, generates budget to address it, gives you feedback, and on an annual basis, rolls up all the complaints by District and by area. This is an area he is going to focus on strongly in trying to enhance the IT capabilities here at the City and he will be reporting back.

Councilor Ives noted in conversations with people from the Trust for Public Lands, there is a company with a system which is on the market to do exactly this. He will get that name to the City Manager as part of looking at a program like that.

Mayor Gonzales said it is basically a 311 system, and when a photo is sent in, for example, it starts the process for delivering some kind of work.

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 10:50 p.m.

Approved by:

Mayor Javier M. Gonzales

ATTESTED TO:

Yolanda Y. Vigil, City Clerk

Respectfully submitted:

Melessia Helberg, Council Stenographer

CITY COUNCIL MEETING
EXECUTIVE SESSION
March 26, 2014

The governing body of the City of Santa Fe met in an executive session duly called on March 26, 2014 beginning at 6:47 p.m.

The following was discussed:

1) In accordance with the New Mexico Open Meetings Act §10-15-1(H)(7), NMSA 1978, and Pursuant to City of Santa Fe Resolution No. 2012-31, Quarterly Discussion of Threatened or Pending Litigation in Which the City of Santa Fe is or May Become a Participant.

PRESENT
Mayor Gonzales
Councilor Dimas
Councilor Dominguez
Councilor Ives
Councilor Lindell
Councilor Maestas
Councilor Rivera
Councilor Trujillo

ABSENT
Councilor Bushee

STAFF PRESENT
Brian K. Snyder, City Manager
Kelley Brennan, Interim City Attorney
Yolanda Y. Vigil, City Clerk
Marcos Martinez, Assistant City Attorney

There being no further business to discuss, the executive session adjourned at 7:34 p.m.

Yolanda Y. Vigil, City Clerk

ITEM #10-f

ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, MARCH 24, 2014

ITEM 8

REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO AGREEMENT BETWEEN OWNER AND ARCHITECT FOR THE MARY ESTHER GONZALES SENIOR CENTER (MEG) WITH ELLIS/BROWNING ARCHITECTS, LTD. IN THE AMOUNT OF $$15,930 PLUS $1,304.27 NMGRT FOR A TOTAL OF $17,234.27 **(LEANN VALDEZ)**

PUBLIC WORKS COMMITTEE ACTION: Approved on Consent

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON TRUJILLO			
COUNCILOR DIMAS	X		
COUNCILOR DOMINGUEZ	X		
COUNCILOR LINDELL	Excused		
COUNCILOR RIVERA	X		

Exhibit "1"

Santa Fe Trends

"Planning is bringing the future into the present so that you can do something about it now"
-Alan Lakein



Plan for the future because that's where you are going to spend the rest of your life.
- Mark Twain

2014

Strategic planning is worthless — unless there is first a strategic vision.
-John Naisbitt



Few people have any next, they live from hand to mouth without a plan, and are always at the end of their line.
-Ralph Waldo Emerson

Introduction

This 17th annual report provides a statistical view of how the city is progressing on various issues. These trends provide a snapshot of important issues in and around Santa Fe, by providing annual data.

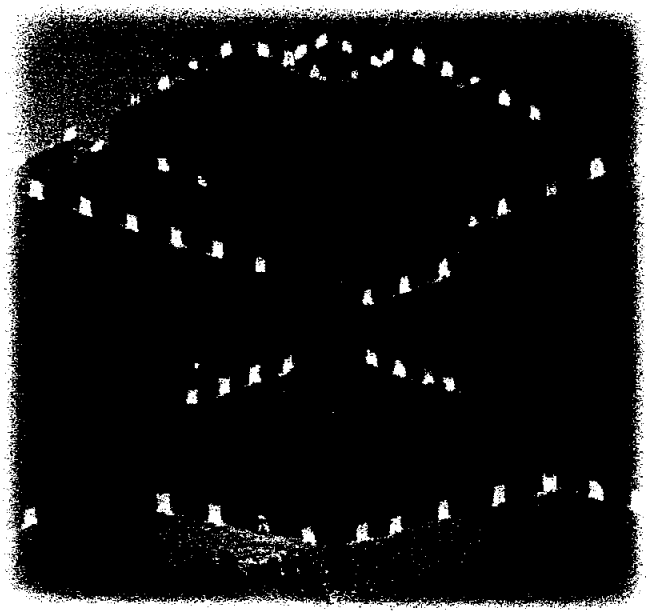
There are many issues that can be measured within a city or region. This report focuses on one or two measurements for various topics.

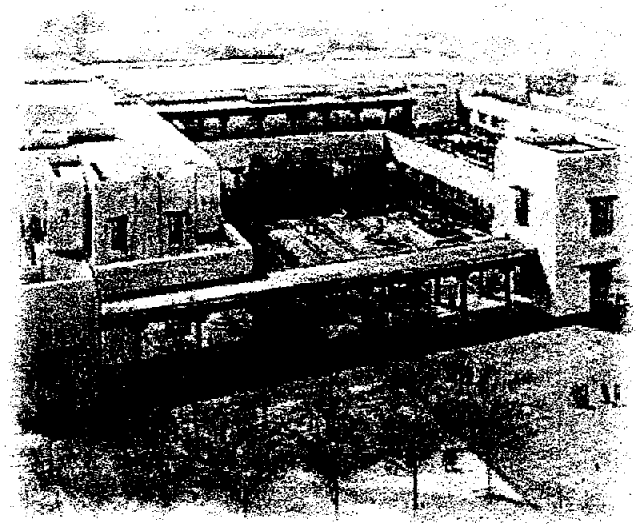
City staff collects readily obtainable information. This streamlines the process of producing and updating the report. However, it is recognized that different types of measurements may be important to add or substitute in future reports.

The "Census Stats" section at the end of the report includes a map of urban area census tracts, and Census 2010 data for each tract.

Numerical Goals for Trends

A few of the trends in this report are supplied with numerical goals or projections, usually stated in the City's General Plan. Some cities have convened citizen task forces or committees to develop measurable goals or thresholds to provide a target for the city to achieve. Numerical targets can help focus the actions of city government and other community agencies.





A Word About Data

Numbers and statistics can be very useful, but they can also seem bewildering. While charts and graphs cannot explain the essence of a city as experienced by its residents and visitors, numbers and data do provide insights that are important in setting public policy. Readers can look at the trends of the various topics and develop a better knowledge of how well the city functions and performs.

Santa Fe and Tourism

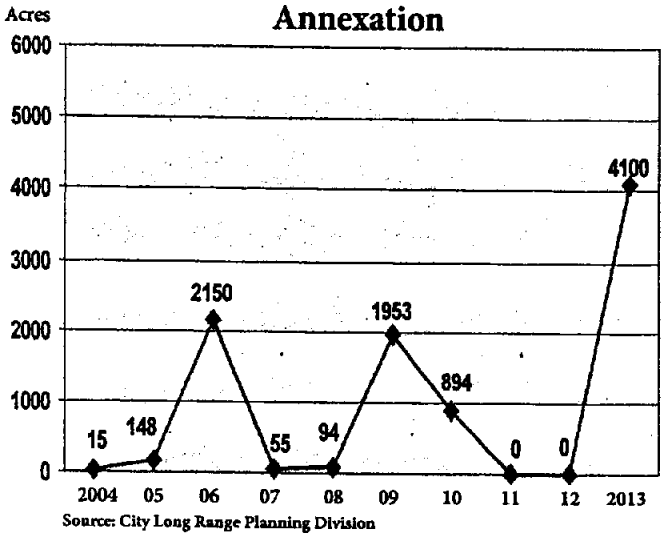
Santa Fe attracts 1 to 2 million visitors each year. Area hotels, motels and bed and breakfasts offer 5,600 rooms, with 1,800 of the rooms located downtown. These lodging facilities generate over 1 million occupied room nights annually. The combination of day visitors and overnight visitors increases the city's population significantly, especially during the summer months.

The large amount of tourism relative to Santa Fe's size may affect some issues, such as water use and housing prices. The city's outstanding record on water conservation is remarkable when considering all of Santa Fe's visitors and their added water use.

City Growth

By the end of 2013 the city contained 33,591 acres of land (52.5 square miles) within its corporate limits. According to Census 2010, the city has an overall population density of 1,478 persons per square mile. Albuquerque has a population density of 2,908 and Las Cruces 1,276 persons per square mile.

The city annexed 4,100 acres during 2013.



Source: City Long Range Planning Division

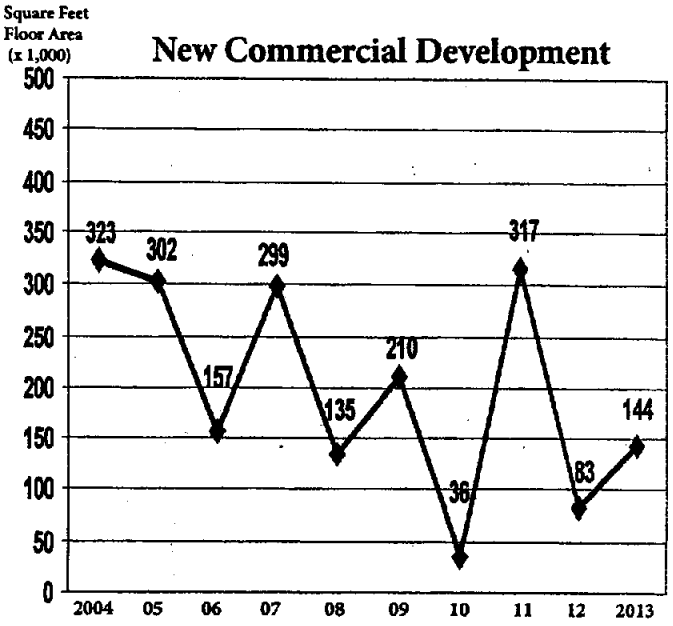


Commercial Development

City staff tracks new commercial (non-residential) development by permit. Since 2000, the city has added 3.4 million square feet of building floor area, including churches, community buildings, stores, offices, etc. The 10-year annual average is approximately 200,000 square feet of new non-residential building construction. Annual averages include approximately 130,000 square feet of new retail-related development (55%), 75,000 square feet of new office space (35%), and 12,500 square feet of new industrial/warehouse development (5%). Schools and churches comprise the remainder.

During 2013, the city approved 143,570 square feet of new commercial development, most of which was located along South Cerrillos Road and Airport Road.

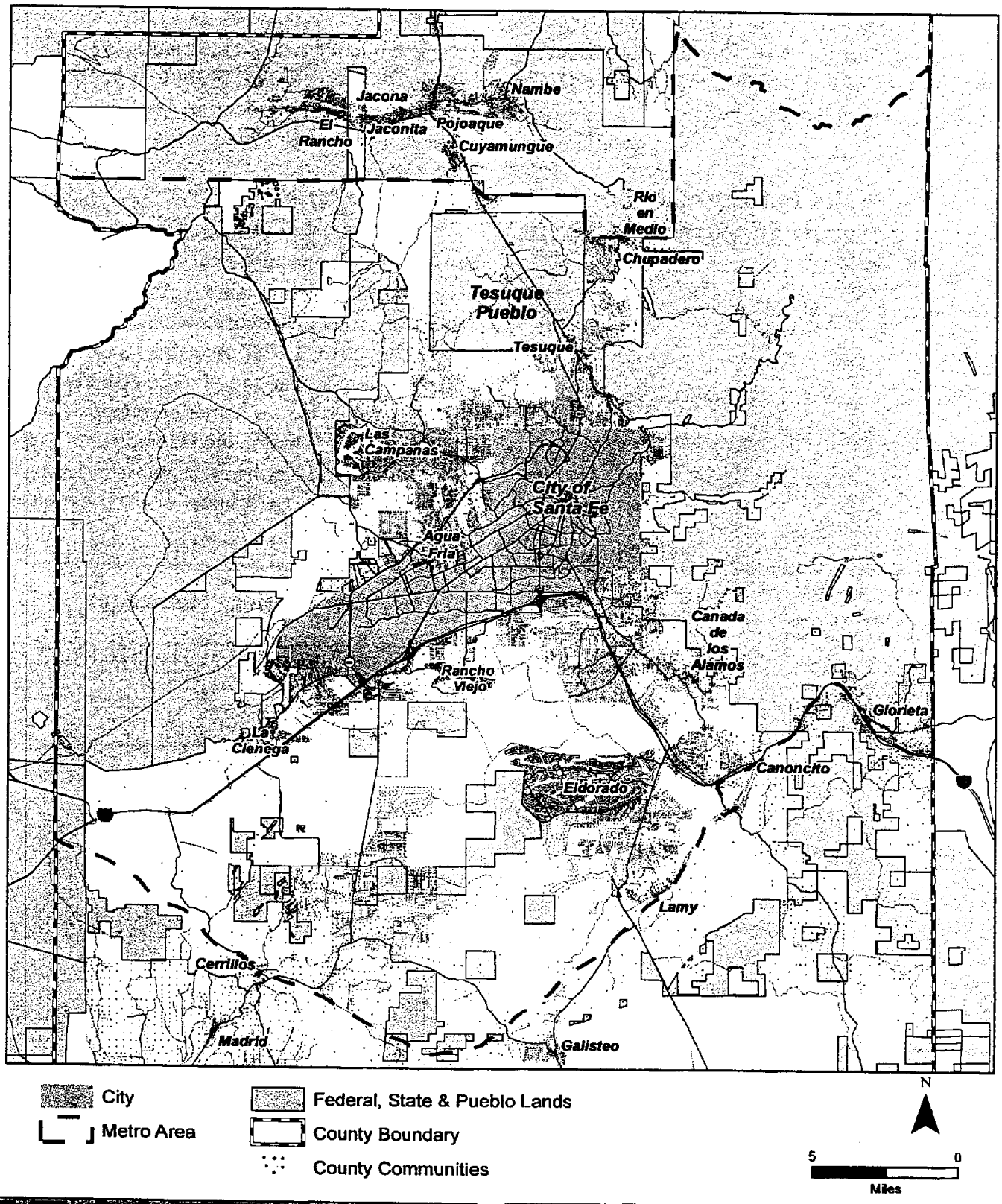
Approximately 5-6 acres are developed for every 100,000 square feet of commercial floor area built. As a result, 170-200 acres of land have been commercially developed in the city since 2000, or an average absorption rate equivalent to 12-15 acres, annually.



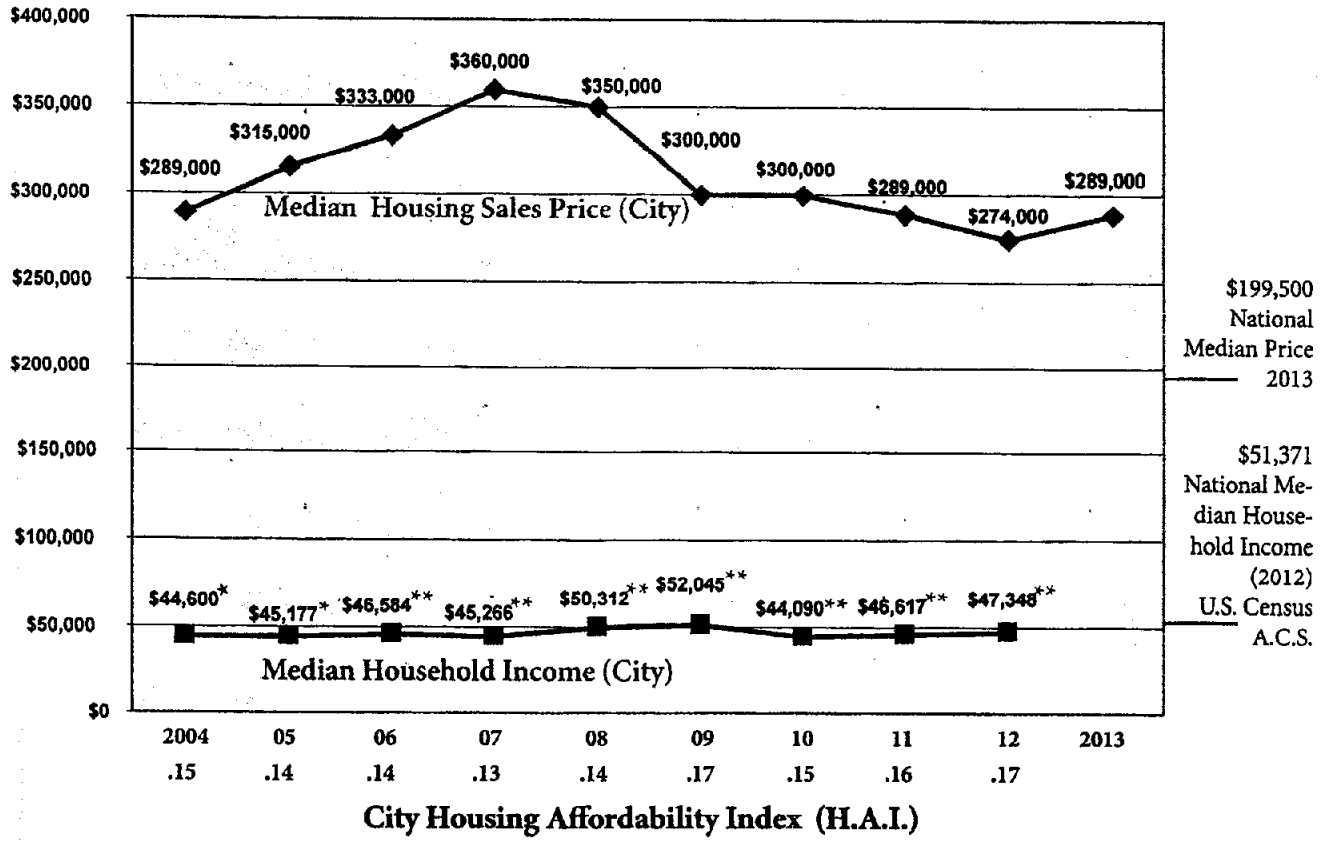
Source: City Land Use Department
Includes New Super Wal Mart (150,000 Sq. Ft.) On South Cerrillos Rd.

Note: Excludes Government Buildings Permitted By New Mexico Construction Industries Division.

Santa Fe Area



Housing Prices And Household Incomes



Source: Santa Fe Association Of Realtors; National Association Of Realtors; U.S. Bureau Of The Census, American Community Survey; *City Staff Estimates; **U.S. Census ACS 1-Year Estimate; File DP03.

Housing Prices and Incomes

At the end of 2013, the median sales price of single-family detached homes in the city dropped from $289,000 in 2011 to $274,855 according to the Santa Fe Association of Realtors Multiple Listing Service (MLS). (City median sales price figures beginning with 2005 include the Airport Road area.) The nation's median housing sales price finished 2012 at $180,600, increasing 9% from 2011.

Also during 2013, the number of sales of single family detached homes in the City of Santa Fe increased 9% from 694 in 2012 to 753.

The association warns that the MLS medians may over-estimate actual median prices in Santa Fe, because they do not reflect sales of new affordable homes, or other homes that may not be part of MLS.

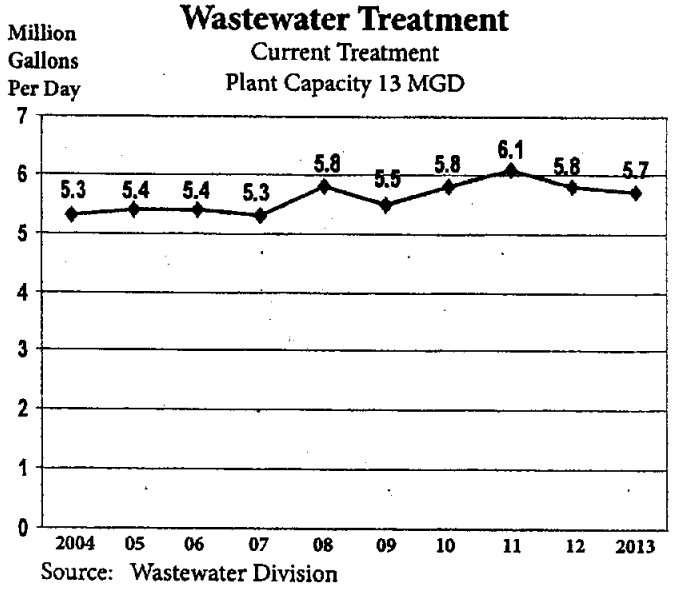
When median housing price statistics are compared with median household income figures, a Housing Affordability Index (HAI) is created. This index simply divides an area's median household income by the median housing price for the same year and arrives at a ratio. Higher ratios indicate greater affordability of single-family homes. (There is no ratio for 2013, as median household income figures for Santa Fe had not been released by the US Census Bureau at press time.)

Waste

The need to recycle and re-use both wastewater and solid waste is important in moving toward a more sustainable community in Santa Fe. The ability of the entire city to work toward recycling and re-use now will help provide more options for the future of the entire region.

Wastewater System

Along with water supply, an adequate wastewater system is necessary for a growing Santa Fe. New wastewater lines must be extended and old lines replaced. An important indicator of the city's ability to absorb future growth is comparing the wastewater treatment plant's daily capacity with the average daily amounts of wastewater that are actually generated.



Source: Wastewater Division

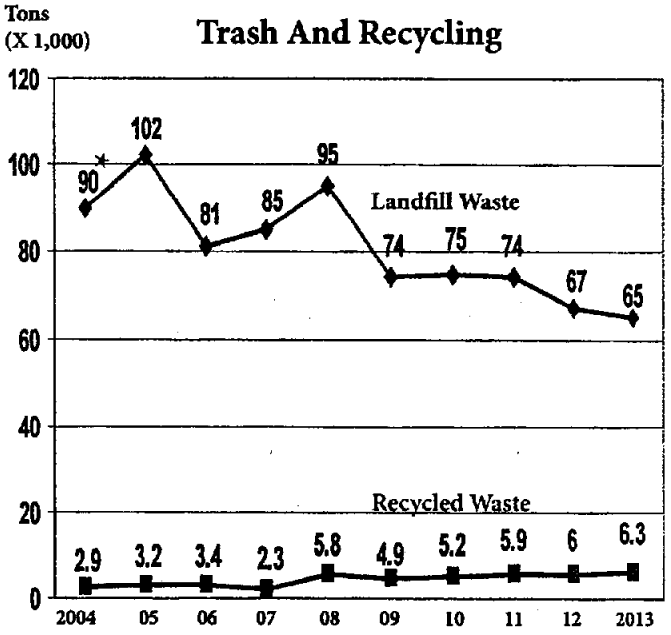
In 2013, the city treated an average of 5.7 million gallons of wastewater daily, including an average daily peak of 7.8 million gallons. The city has the capability to treat an average of 13 million gallons of wastewater per day, and instantaneous peaks of 12-13 million gallons at the wastewater treatment plant located north of the airport.

Plant expansion will handle growth for the next 10-15 years. Using treated wastewater effluent, especially at the regional landfill and at the Marty Sanchez Links de Santa Fe Golf Course, will help reduce future demand for potable water. This approach to the city's treated effluent will keep users of large amounts of water, such as landfills and golf courses, from relying on valuable drinking water, reserving it for human consumption.

Solid Waste/Recycling

During 2013, the City of Santa Fe's recycling program diverted approximately 6,341 tons, (10%) of material from being dumped into the regional landfill and a 5% increase in recycling over 2012. Recycling is an important part of the community's efforts at creating a sustainable future.

In 2013, city-generated trash emptied into the landfill was just 64,975 tons, a 2.5% decrease from 2012.



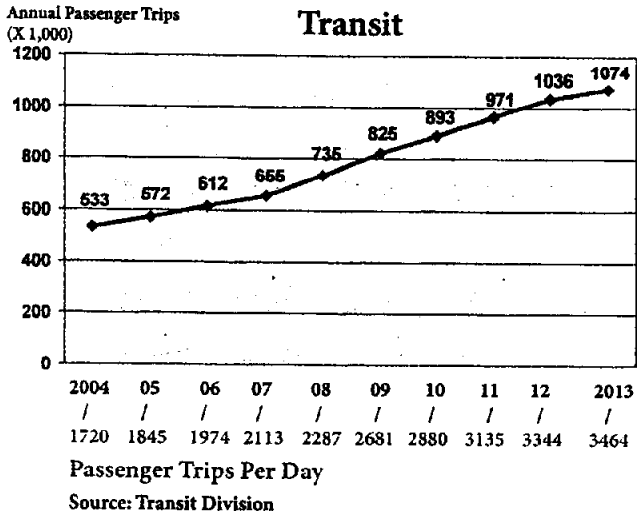
Source: Solid Waste Division; Caja Del Rio Regional Landfill.

*Estimated City Generated Trash

Transit

Santa Fe's bus system, Santa Fe Trails, celebrated 20 years of service, transporting passengers since January, 1993. Santa Fe Trails was the first all Compressed Natural Gas (CNG) fleet in the nation and remains 100% CNG today. "Passenger Trips" provides the most useful indication of how much the system is being used. A "Passenger Trip" is defined as one person riding one direction only (not roundtrip), including all transfers needed to reach a destination.

During 2013, the number of passenger trips on Santa Fe Trails increased by 3.6% over 2012 from



1,036,495 to 1,074,024 - the highest ridership in the system's 21 years of operation. Route 2 along Cerrillos Road accounts for just over 50% of the total ridership. Santa Fe Trails operates 22 full-size compressed natural gas (CNG) buses during peak hours, with a total fleet size of 32 buses.

Rail Runner Service

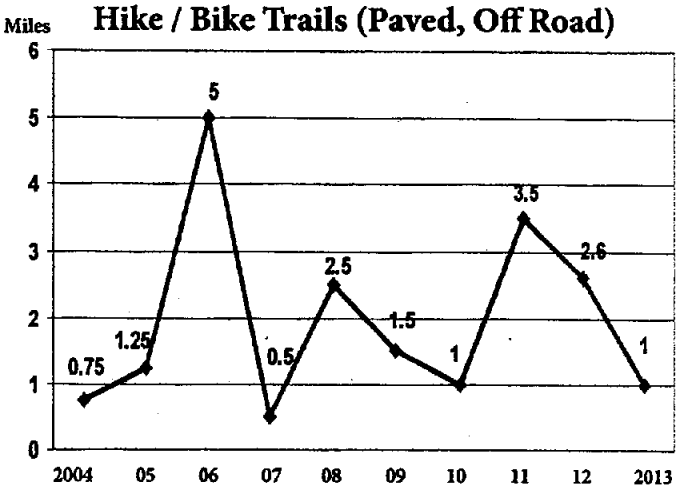
The Rail Runner Express commuter train completed its fifth year of service to Santa Fe. During 2013, the Rail Runner carried 358,097 passengers to and from the "City Different". This accounted for about 32% of the 1,082,588 passengers the entire system carried between Belen, Albuquerque and Santa Fe. Rail Runner system-wide ridership decreased in 2013 by 4% from 2012. Ridership to Santa Fe increased slightly by 394 passenger trips in 2013.



Urban Hike/Bike Trails

Since 2004, the city has added 12 miles of paved, off-road hike/bike trails, and another 12 miles of designated bike routes have been established along Siringo Road, Old Pecos Trail, Don Gaspar Avenue, Galisteo Street, and Yucca Street. In addition, another five miles of bike routes along Rodeo Road and Airport Road have been striped to easily accommodate bicyclists.

During 2013, the city added 1/3 of a mile of new trails/sidewalk along the river, downtown between Delgado and El Alamo and 1/4 mile along the Camino de los Montoyas urban trail connection to the La Tierra Trails.



The City of Santa Fe contains 26 miles of paved hike/bike trails. Santa Fe also has an extensive "Wilderness Trail System" of soft surface trails including the Dale Ball System (22 miles) and the La Tierra System (25 miles).

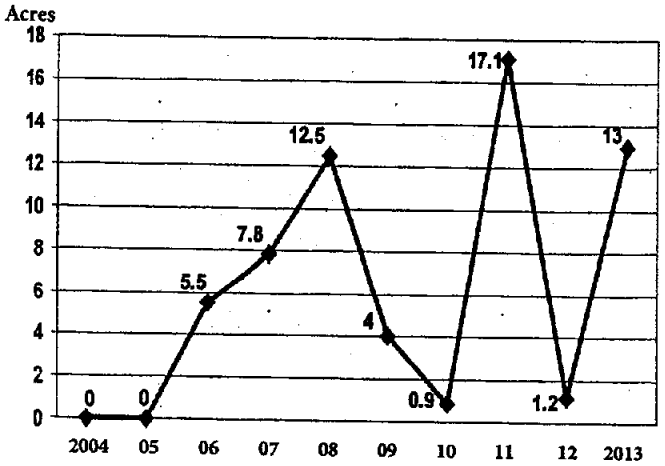
Parks and Recreation

Park development in a growing city like Santa Fe is an important part of the overall quality of life, particularly for families with children. Parks have long been considered an integral part of city life. As Santa Fe grows, it will be important to follow and measure the progress the city makes in the development of new neighborhood and community parks.

PARK DEVELOPMENT
(Neighborhood & Community Parks)

Year	Name (Acres)
1992	"Marc" Brandt (4.8)
1993	Las Acequias (5.1), Peralta (2.0)
1995	Franklin Miles (Additional 8.0)
1996	Wood Gormley* (2.5), Rancho Siringo (.5), Calle Alvarado (4.8), Frenchy's (14.1)
1997	Sweeney* (2.5), Cesar Chavez* (2.5), Pueblos del Sol (9.0)
1998	Los Milagros (1.2)
1998	Ball fields developed at the Municipal Recreation Complex (MRC); Genoveva Chavez Community Center.
2002	Espinacitas (.25), Rugby Fields at MRC (5.0)
2003	MRC Trails (9.0 miles), MRC/Agua Fria (2.0 miles from San Felipe to MRC Rugby Fields)
2006	Pueblos del Sol (5.3), Entrada Park (.2)
2007	Maclovia (.2), Plaza Entrada (.6), Martin Luther King (1.3), Las Estancias (5.7)
2008	Railyard Park (12.5)
2009	Power Plant Park (3.4), Valentine Park (.6)
2010	Sunny Slope Meadows Community Garden Park (.65) Salvador Perez Pool Patio Park (.25)
2011	Parque del Rio (4.0), Via Caballero (4.8), Nava Ade (5.3), Genoveva Chavez Community Center (3.0).
2012	Cielo Vista Park (1.2)
2013	SWAN / Phase 1 (13.0)

*Soccer Field Developed at Elementary School



Source: Public Works Department

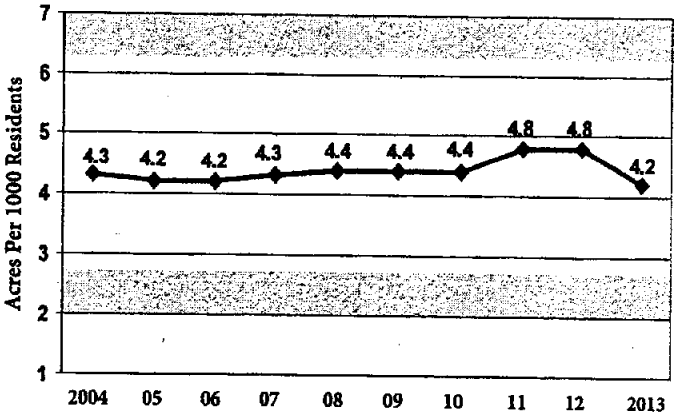
During 2013, phase 1 of S.W.A.N. (Southwest Activity Node) was completed in Tierra Contenta and includes 13.0 acres.



Park Acreage per 1,000 Residents

The amount of park acreage developed per 1,000 city residents is an important indicator that reveals how close Santa Fe is to achieving its own code requirements of providing a combined total of five acres of developed neighborhood and community parkland per 1,000 city residents.

Total Developed Parkland Per 1000 Residents

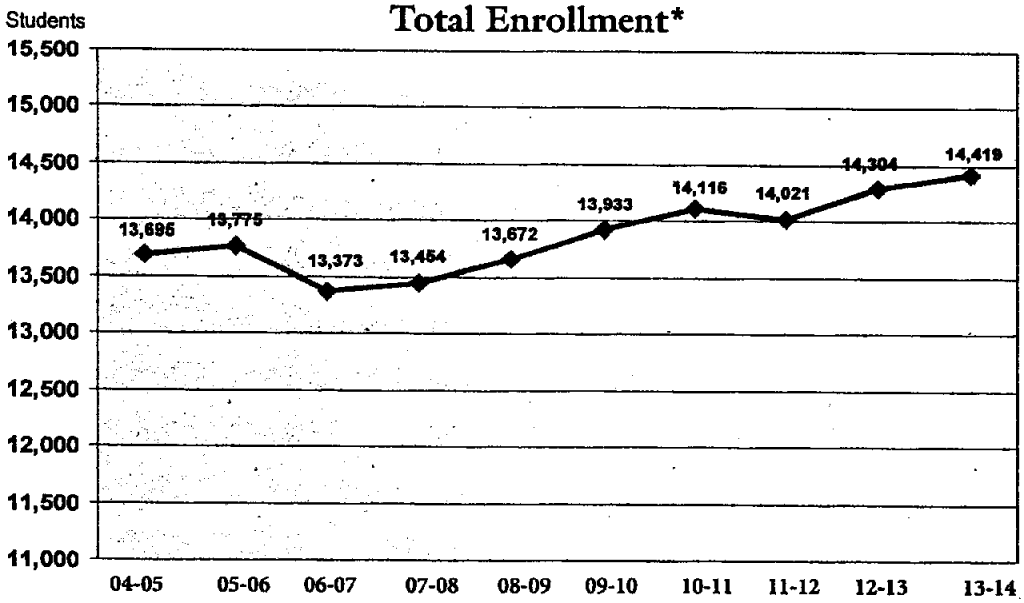


Source: Public Works Department

Since 2004, Santa Fe has maintained a range of 4.2 to 4.8 acres of developed neighborhood and community parkland per 1,000 city residents. As of 2013, the "developed parkland per 1,000 residents" ratio is at 4.2 acres. The ratio dropped due to the city adding 13,000 residents by way of annexation.

Santa Fe contains approximately 343 acres of developed neighborhood and community park land, but needs a total of 410 acres of developed parks, or 67 additional acres, to meet a goal of five acres per 1,000 residents. (Based on city's new population of 82,000 after the phase 2 annexation.)

Public School Enrollment



PUBLIC SCHOOL STUDENTS K-12

Note: *Figures Include Students In Special Education Programs And Charter Schools.
Source: New Mexico Public Education Department; Santa Fe Public Schools (40-Day Count).





The Lensic Performing Arts Center

The Lensic was built in 1931 by Nathan Salmon and his son-in-law, E. John Greer. The Boller Brothers of Kansas City were the architects. For decades, the Lensic flourished with appearances by performers like Rita Hayworth, Roy Rogers and Judy Garland. In 2001, a $9 million renovation was completed. The Lensic continues to host great speakers and live performances.

The Greer Garson Theatre

Greer Garson Theatre Center is named for film actress Greer Garson who was a supporter of new theatre work and a generous benefactor. Through the presentation of new plays and re-imagined classics, this theatre company invites audiences to explore provocative themes that embrace the human condition and readings of new work within the Santa Fe community.

The following is a list of more outstanding performing arts theatres in Santa Fe:

Armory for the Arts
Ensemble Theatre Festival
Railyard Performance Center
Santa Fe Performing Arts Co
Santa Fe Stages
Southwest Children's Theatre
Theater Grottesco
Theatre Residency Project
Theatrework
Wise Fool New Mexico

Higher Education

Santa Fe is fortunate to have some outstanding institutions of higher education. Both private and public education colleges are located here.

Santa Fe Community College

Established in 1983, Santa Fe Community College has grown rapidly, both in enrollment and campus expansion. Today, the college serves more than 8,000 students in any given semester in its credit, noncredit and adult basic education programs. The campus is situated on 366 acres off Richards Avenue, south of Interstate 25.

St. John's College

St. John's College is a private, co-educational, four-year liberal arts college. The college is known for its "great books" curriculum. St. John's is a single college located on two campuses; one in Annapolis, Maryland, and the other in Santa Fe. Each campus is small with fewer than 500 students. A gift of land at the foot of the Sangre de Cristo mountains by John and Faith Meem determined the Santa Fe college's site.

Santa Fe University of Art and Design

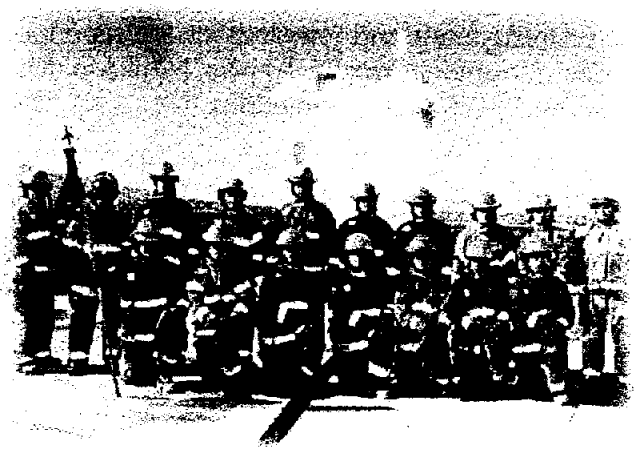
In 1859, four Lasallian Order Brothers, a teaching order of the Catholic Church, left France for Santa Fe and started a preparatory school. In 1950, it became the College of Santa Fe and graduated its first college class of 23. On August 30, 2010, the name of the college was changed to Santa Fe University of Art and Design. The university has a strong liberal arts curriculum and is distinguished by its programs in the creative arts.



Fires and Emergencies

City staff tracks "response time" to calls for fires and emergency assistance using a computer-aided dispatch system. This system allows the staff to analyze how quickly they respond to calls for help. Response time is a very important indicator to Fire/EMS departments nationwide. In many cases, help during the first 6-7 minutes is necessary in preventing major property loss and/or death of a critically ill or injured person. In 2013, average response time for emergency calls was 6:40 in Santa Fe.

During 2013, the Santa Fe Fire Department responded to and fought 185 fires. The 10-year average is 186 fires per year. The city experienced 22 total structural fires. Brush and grass fires represent the most common fires in Santa Fe.



Emergency medical responses comprise the vast majority of calls responded to by the Fire Department. During 2013, the Fire Department responded to 10,322 calls (28 per day) for emergency medical assistance. Each day the city responds to an average of more than one vehicle accident requiring medical attention.

Fires

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Building Fires	54	49	57	62	42	64	46	33	60	22
Vehicle Fires	26	42	30	41	27	24	40	30	33	32
Brush/Other Fire	119	127	111	72	78	76	97	118	118	131
Total	199	218	198	175	147	164	183	181	211	185

Emergency Medical Service(EMS) Responses

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Total EMS Responses	8,661	7,956	8,133	8,981	9,066	8,637	8,471	11,876*	11,330	10,322
Vehicle Accidents w/medical attention	1,505	1,164	1,096	946	817	649	679	390	427	316

Source: Santa Fe Fire Department.

* The City began a new system of EMS Response Tracking and may explain much or all of the increase in "Total EMS Responses" from 2010 to 2011.

City Finances

According to the city's 2013-2014 annual budget, the City of Santa Fe has financial resources of $260.6 million. The city has seen gross receipts tax revenue increase slightly during the past year. The city has dipped into cash reserves to cover the shortfall resulting from increased operational costs.

Santa Fe has one of the lowest residential property tax rates of the 10 largest cities in New Mexico. Residential property tax rates are currently $691 per $100,000 of market value. The low tax rate helps offset traditionally high property values in Santa Fe.

The city's financial resources for the 2013-2014 budget year come from the following:

• Gross Receipts Tax	$91,400,000	(35%)
• Lodger's Tax	$8,000,000	(3%)
• Franchise Tax	$3,000,000	(1%)
• Property Tax	$8,100,000	(3%)
• Other Tax	$1,800,000	(1%)
• Federal and State Grants	$13,300,000	(5%)
• Fees (water, sewer, Parking, etc.)	$116,600,000	(45%)
• Fines, Licenses & permits	$5,100,000	(2%)
• Cash Reserves (used in Budget)	$3,900,000	(1%)
• Other Sources	$9,400,000	(4%)
TOTAL	**$260,600,000**	

Bonds and Borrowing

The city borrows money through the sale of bonds. There are two primary types of municipal bonds that cities use to borrow money:

1. General Obligation Bonds (GO Bonds) – These bonds, usually approved by voters, pledge increased property taxes for the repayment of the bonds. By law, Santa Fe could issue general obligation bond debt up to 4% of the total tax-assessed land value in the city. In March 2012 voters approved G.O. Bonds for two projects: $14 million for Parks/ Trails and $3.8 million for environmental projects including solar panels for GCCC and some arroyo and watershed projects. The city's current G.O. Bond debt is $52.5 million.
2. Revenue Bonds – These bonds are issued by the city to borrow money secured by gross receipts taxes and other fees and revenues the city collects, such as water and sewer fees. Revenue bonds require City Council approval, but generally not voter approval. The city currently has revenue bond indebtedness (outstanding principal and interest) of $468 million. Some of this bond debt includes:

   - $117 million -Gross Receipts Revenue Bonds
   - $172 million -Water Enterprise Bonds
   - $ 75 million - Santa Fe Community Convention Center
   - $ 20 million - Railyard

City officials have preferred to use Revenue Bonds because the financial burden to pay for these bonds is shared by residents and visitors through the purchase of goods and services. General Obligation Bonds, on the other hand, rely on property taxes and therefore place the burden on local residents.

Loans and Borrowing

The city also borrows money through institutions such as the New Mexico Finance Authority (NMFA). Currently the city has outstanding loan debt (principal, interest & fees) of $75.3 million which includes loans for the following projects:

- $51.0 million - Purchase of the former College of Santa Fe (now Santa Fe University of Art & Design)
- $18.0 million - Water System Projects
- $ 1.7 million - Railyard Projects
- $ 4.1 million - Land Acquisition

City Staffing

The city spends approximately one third of its total appropriated funds on salaries and benefits for all employees. The city currently employs 1,470 individuals, of which 1,360 are full-time. The general fund supports approximately half of the city staff, while enterprise funds (i.e. water, sewer, transit, parking), grants, and other funds directly support the other half. The City of Santa Fe has reduced total staff levels approximately 17% from a high of 1,766 (FY 07-08). The cut backs have been achieved through attrition rather than forced layoffs.

Census Stats

Population

According to the 2010 census, the city of Santa Fe's population continues to grow at a slow pace, but faster than the 1990s. The growth that many observe when they discuss Santa Fe has occurred outside the city limits. While growth within the city was steady during the last 20 years, growth on the city's fringe was not. In 1980 that portion of the urban area outside the city contained less than 4,000 people and just 7% of the urban area population. By 2000, there were nearly 17,000 people in that portion of the urban area outside the city, accounting for 21% of the urban area population. As the table indicates, higher growth rates occur outside the urban area.

Housing

The city's housing supply has nearly doubled since 1980, increasing from 20,154 units to 37,200 units in 2010. Housing growth rates can be very different from population growth rates, as can be seen by comparing the annual rates of increase in the tables below. For example, while Santa Fe's population growth rate was less than 1.0% annually between 2000-2010, the city's housing growth rate during the same period was more than double that pace at 2.2%. Smaller family size and more second homes used by part-time residents account for much of the difference.

The figures for each geographic area in the tables below include the figures from the geographic area directly above it (e.g. Urban Area figures include City figures).

Population

	1980	1990	2000	2010	Annual Increase 2000-2010
City	49,160	57,605	62,203	67,947	574 (0.9%)
Urban Area	53,000*	66,104	79,100	84,877	578 (0.7%)
Metro	62,125	82,134	104,192	117,651	1,346 (1.3%)
County	75,360	98,928	129,292	144,170	1,488 (1.2%)

Housing Units

	1980	1990	2000	2010	Annual Increase 2000-2010
City	20,154	24,681	30,533	37,200	667 (2.2%)
Urban Area	21,810*	28,573	36,579	43,405	683 (1.9%)
Metro	24,449	34,853	47,459	59,041	1,158 (2.4%)
County	28,314	41,464	57,701	71,267	1,357 (2.4%)

*Estimate.

Note: Percentages in parentheses are average annual growth rates rounded to the nearest tenth of percent.

Santa Fe Urban Area

Census Data by Tract, 1990, 2000 and 2010

Census Tract	Total Population			Children (Under 18)			Median Age		Hispanic Population			Housing Units			Persons per Household[1]	
	1990	2000	2010	1990	2000	2010	2000	2010	1990	2000	2010	1990	2000	2010	2000	2010
1.01	4,106	4,185	3,944	602	508	317	53	60	896	799	660	2,504	2,853	3,241	1.92	1.79
2	3,526	3,581	3,527	710	541	504	44	50	1,531	1,339	1,095	1,705	1,947	2,248	1.97	1.89
3	2,044	1,814	1,441	445	286	119	38	48	1,238	939	493	982	1,089	1,111	1.85	1.57
4	536	556	336	32	22	14	74	78	125	131	53	320	374	339	1.35	1.52
5	3,295	2,574	2,294	476	311	235	49	58	883	705	521	1,820	1,864	2,005	1.78	1.71
6	2,469	2,400	2,062	402	324	222	43	50	709	676	473	1,369	1,476	1,621	1.79	1.62
7	2,353	2,139	2,099	550	328	250	40	46	1,566	1,142	984	965	1,125	1,231	2.01	1.92
8	3,120	3,067	2,987	822	641	579	39	43	2,040	1,708	1,503	1,222	1,445	1,544	2.22	2.07
9	3,397	3,668	3,578	809	770	594	40	45	1,967	2,138	1,876	1,358	1,604	1,728	2.32	2.20
10.01	2,147	2,089	2,011	352	310	240	54	60	681	685	652	986	1,049	1,117	1.89	1.93
10.02	3,454	3,541	3,468	1,074	944	794	30	35	2,357	2,460	2,336	1,399	1,459	1,850	2.56	2.12
11.02	1,566	2,727	3,206	313	525	565	40	45	240	952	1,167	751	1,434	1,955	2.08	1.96
11.03	2,455	2,366	1,889	601	396	384	30	38	1,167	1,165	1,117	860	839	838	2.34	2.41
11.05	2,824	2,672	2,437	794	574	442	39	46	1,182	1,091	1,143	1,137	1,219	1,282	2.20	2.08
11.06	3,116	2,694	2,674	798	538	462	43	46	2,041	1,672	1,731	1,132	1,111	1,379	2.36	2.19
11.07	5,953	5,689	5,143	1,772	1,207	1,037	38	43	3,462	3,207	3,028	2,106	2,362	2,330	2.51	2.33
12.02	3,243	4,026	5,100	1,034	1,181	1,311	30	34	2,508	3,182	3,919	1,311	1,750	2,315	2.67	2.38
12.03	1,606	2,478	2,865	520	807	819	30	32	969	1,691	2,176	660	868	1,027	2.92	2.96
12.04*	3,216	4,940	5,556	1,415	1,676	1,674	27	30	2,080	4,021	4,595	1,140	1,751	2,107	2.82	2.86
12.05*	1,402	4,593	5,290	(incl. ^)	1,621	1,783	27	28	907	3,597	4,695	706	1,494	1,652	3.07	3.38
13.01*	1,036	1,409	1,661	1,217	342	353	33	36	551	716	971	317	637	767	2.21	2.29
13.02*	1,279	3,269	2,852	(incl. ^)	1,102	916	27	27	1,118	2,546	2,426	391	1,110	959	2.95	3.11
13.03*	365	2,631	6,888	(incl. ^)	1,002	2,292	26	30	283	1,896	4,736	110	904	2,523	2.91	2.85
13.04*	491	902	902	(incl. ^)	312	270	30	35	399	678	742	150	273	304	3.30	3.18
102.04 (part)	---	124	155	9	14	13	---		---	6	48	---	104	142		1.40
103.14*	308	587	1,497	813	136	337	36	40	128	323	774	123	266	704	2.27	2.26
103.15*	1,458	2,349	2,594	(incl. ^)	487	425	44	50	479	836	1.052	677	1,171	1,391	2.01	2.00
103.16*	1,490	1,547	1,584	(incl. ^)	332	240	47	54	508	608	581	598	654	822	2.34	2.10
104	2,267	2,880	3,066	470	475	392	49	56	278	359	383	1,102	1,458	1,697	2.15	2.24
105	1,502	1,603	1,771	304	265	202	48	56	620	526	510	672	889	1,176	2.15	2.00
TOTAL	**66,104**	**79,100**	**84,877**	**16,334**	**17,967**	**17,785**	**41**	**44**	**32,913**	**41,794**	**46,440**	**28,573**	**36,579**	**43,405**	**2.35**	**2.25**

* New Census Tract in 2010 Census

Figures in the table embed data from the 1990 Census and Census 2000 into the Census 2010 tract geography for the purpose of comparison.

3,247 – Figures in blue signify an increase from the prior census.

3,247 – Figures in red signify a decrease from the prior census.

(incl. ^) – part of the Census Tract and figure above in 1990. (example: Tracts 13.02, 13.03 and 13.04 were part of tract 13.01, or what was then tract 13.)

NOTE: All data from U.S. Census using Summary File 1 (SF-1).

[1] "Persons per household" is the population divided by the number of occupied housing units.

Summary Stats

(For 2013)

Santa Fe Population	US Census 2010	Jan. 1, 2014 (estimated)
City	67,947	82,800 *
Metro Area (*includes city*)	117,651	119,200
County (*includes metro area & city*)	144,170	146,200

** Includes city's annexation of 13,000+ residents effective January 1, 2014*

- City size: 33,591 acres (52.5 square miles)
- City housing growth rate: 0.5% (175 new housing units)
- Metro housing growth rate: 0.4% (276 new housing units including city.)
- Tierra Contenta: 25 new housing units (14% of all new residential construction in the city, and 9% of all new residential construction in the metro area during 2013)
- Median sales price, single-family house
  (city): $289,000 (MLS listings only)
  (county): $393,500 (MLS listings only)
  (U.S.): $199,500
- 2012 Median household income (city): $47,348
  *Census Bureau, 2012 5-year estimate (N.M.): $42,588
  American Community Survey (ACS) (U.S.): $51,371
- City water system demand: 9703 acre feet, 108 gallons per person daily (An estimated 80,500 residents are city water system customers)
- Water system available annual supply up to: 15,730 acre feet
- Transit ridership: 1,074,024 passenger trips (3.5% increase over 2012)
- Santa Fe public high schools 4-year cohort graduation rate: 60%
  (class of 2013) statewide graduation rate: 70%

City of Santa Fe

Javier M. Gonzales, Mayor
Brian Snyder, City Manager

City Councilors

Peter N. Ives, District 2, Mayor Pro Tem
Patti J. Bushee, District 1
Signe I. Lindell, District 1
Joseph M. Maestas, District 2
Carmichael A. Dominguez, District 3
Christopher M. Rivera, District 3
Bill Dimas, District 4
Ronald S. Trujillo, District 4

Housing & Community Development Department

Kate Noble, Acting Department Director
Reed Liming, Division Director, Trends Editor
Richard Macpherson, Senior Planner
Alexandra Ladd, Housing Special Projects Manager
Kym Dicome, Senior Housing Planner
Maria Vigil, Project Specialist
Keith Wilson, MPO Senior Planner

City Staff Contributors

Sheila Beuler, Fire Department
Yolanda Cortez, Building Permit Supervisor
Brian Drypolcher, River/Watershed Coordinator
Miquela Gonzales, Police Department
Ben Gurule, Parks Division Director
Helene Hausman, Finance Department
Andy Hopkins, Finance Department
Erik Litzenberg, Fire Chief
Katherine Mortimer, Environmental Services Division
Luis Orozco, Wastewater Division
Peter Ortega, Utility Billing Division
Leroy Pacheco, Engineering Division
Casey Padilla, Transit Division
Leonard Padilla, G.I.S. Analyst
David Sandoval, Fire Department
William Schneider, Water Division

Other Contributors

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Paco Arguello, Santa Fe Assoc. of Realtors
Steve Burstein, Architectural Research Consultants
Tyler Muxworthy, New Mexico Environment Department
Amanda Romero, S. F. County Land Use Department
Dave Thomas, Tierra Contenta Corporation
Becky Valencia, NMDOT

Special Thanks

Gil Martinez - Graphic Art, City of Santa Fe
Therese Prada - Trends Reviewer

Photo Credits

Maria Clokey, City of Santa Fe Multi-Media	Cover Photo
Santa Fe Community Convention Center rendering, Spears Architects	pg 1
Christmas Farolitos, Jack Parsons	pg 1
Vegetables, Parks, Trails & Open Space	pg 2
Marty Sanchez Links de Santa Fe, Public Domain	pg 3
McClure Reservoir, Water Division	pg 8
Bus Riders, Santa Fe Trails	pg 11
Chapel, Richard Macpherson	pg 12
New Mexico Rainbow, Public Domain	pg 12
Railyard Park, Swartz Architects	pg 13
School Bus, Public Domain	pg 14
Capital High School, Public Domain	pg 15
Canyon Road, Richard Macpherson	pg 16
Lensic Theater, Arts Commission	pg 17
Firefighters, Santa Fe Fire Department	pg 19
Police Personnel, Santa Fe Police Department	pg 20

Comments and Questions

Reed Liming, Long-Range Planning Division Director
P.O. Box 909
Santa Fe, New Mexico 87504-0909
PH: (505) 955-6610 FAX: (505) 955-6332
e-mail: rcliming@santafenm.gov

ITEM #10-k-1

ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, MARCH 24, 2014

ITEM 14

REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO TOURNAMENT FEES AND ADULT LEAGUE FEES AT THE MRC AND CITY SPORTS FIELDS; AMENDING SUBSECTION 23-4.12 SFCC 1987 TO ESTABLISH TOURNAMENT FEES, AMEND THE ADULT LEAGUE FEES AND TO INCLUDE YOUTH LEAGUE REQUIREMENTS TO BE CONSISTENT WITH SUBSECTION 23-7.5 SFCC 1987; AMENDING SECTION 23-7.5 SFCC 1987 TO ESTABLISH TOURNAMENT FEES AND TO AMEND THE ADULT LEAGUE FEES; AND MAKING SUCH OTHER STYLISTIC AND GRAMMATICAL CHANGES THAT ARE NECESSARY **(COUNCILOR TRUJILLO) (JENNIFER ROMERO)**

PUBLIC WORKS COMMITTEE ACTION: Approved on Consent

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON TRUJILLO			
COUNCILOR DIMAS	X		
COUNCILOR DOMINGUEZ	X		
COUNCILOR LINDELL	Excused		
COUNCILOR RIVERA	X		

Exhibit "3"

ITEM # G

City of Santa Fe, New Mexico

memo

DATE: **March 25, 2014**

TO: **City Council**

FROM: **Mayor Javier M. Gonzales**

RE: **Appointments**

I would like to make the following appointments:

Public Works/CIP & Land Use Committee

Councilor Bushee (Replacing Councilor Lindell)

Solid Waste Management Joint Powers Board

Councilor Bushee (Replacing Councilor Dimas)

SFMPO Transportation Policy Board

Mayor Gonzales (Replacing Councilor Lindell)

Exhibit "4"

ITEM #H-4

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2014-10
Street Performers

Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2014-10:

1. On page 6, ***delete*** lines 8 through 11 and ***insert*** the following provision in lieu thereof:

   "(2) Upon violation, the police department may issue a criminal citation for municipal court that shall, upon conviction, be punished in accordance with the provisions of Article 1-3 SFCC 1987."

2. On page 8, ***delete*** lined 13 through 16 and ***insert*** the following provision in lieu thereof:

   "(2) Upon violation, the police department may file a written complaint with the finance director, separately or concurrently with actions taken under Section 23-8.7(A). This will start the administrative process to revoke the street performer's license."

Respectfully submitted,

_____
Councilor Signe Lindell

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Yolanda Y. Vigil, City Clerk

Exhibit "5"

ITEM #H-4

BYERS, MELISSA D.

m: Robin Martinez Rice [mailto:ricepublic@gmail.com]
t: Monday, March 24, 2014 9:42 AM
To: BYERS, MELISSA D.
Subject: Bill 2014/10

Greetings,

My name is Robin Martinez Rice, and I am a California resident. I am a writer who visits New Mexico each year, as much of my fiction takes place in your beautiful state.

It recently came to my attention that on March 26 there will be further discussion regarding the street musicians and "buskers" in the Santa Fe plaza. (Bill 2014-10)

As a tourist and one who has spent time and money for many years in the plaza--no trip to New Mexico is complete without a visit to the plaza--I would like to offer my observations for your consideration.

In my early visits (1965-1980) the plaza was a bustling place with a traditional aura. The native artists, the historic shops, the music all contributed to a feeling I have never experienced anywhere else in the world.

Then came a long period when I didn't visit New Mexico.

When I returned many years later I was horrified to step onto a plaza that had been "yuppified." Chic shops for the rich
›vie star culture had replaced much of the "earthy" or magical shops of previous times.
I was happy to see that I could still visit the native artists and sit on the plaza people watching.

Last year when I visited the plaza with a Road Scholar group, I was pleased to find a street musician to listen to while the rest of the crowd visited the museum (I had been the week before). He was one of the BEST young guitar players I had heard in a long time. I leaned against to the pillar of the porch and felt myself transported by his music. Some of the former New Mexico magic was back for me.

Later that day the bus took the Road Scholar group up to Chimayo. I was shocked to see the tiny, mystical sanctuary transformed into a tourist attraction. Gone were the trees that clung to the back of the church. Gone was the amazing altar on the side of the sanctuary which contained the icons of thanks left by the pilgrims. Chimayo had gone the way of the plaza.

I beg all of you who are involved in Bill-2014-10/ Street Performers to consider the fact that you are stripping New Mexico of that which makes it different from the rest of the world. I love the fact that the plaza has retained an air of casual fun. That the folks who stop and play might be professional musicians, might be beggars, might be famous artists, might be someone on their lunch break. If this "spirit" of camaraderie and human connection are regulated away, then the plaza will lose a huge portion of the attraction. The idea behind street performance (to me) is spontaneity, sharing and people "seeing" other people. This is what attracts me and leads me to spend time in Santa Fe.

--
Robin Martinez Rice

cepublic@gmail.com

http://robinmartinezrice.com

Exhibit "6"



SAGE GUY
THOMAS DURETT High?
- lots OF WARRENTS
BUT HAS A BUSKERS
Permit to Sell Poetry
POLICE DONT STOP 'EM

Exhibit "7"

GIE INC. WE (ANY PAYING/PARTICIPATING) VENDOR CANNOT SELL TO ANYONE BEFORE, AFTER OR DURING BREAK DOWN



CLOSED SIGN AT EVENT



THESE PEOPLE PLAYED WITH AMPS & MICS THE SAME TIME THE UNDERWEAR BUSKER PERFORMED AND PEDRO BANGED ON HIS FOOT TAMBORINE AND THE GIRL WHO SING NONSENSE PLAYED

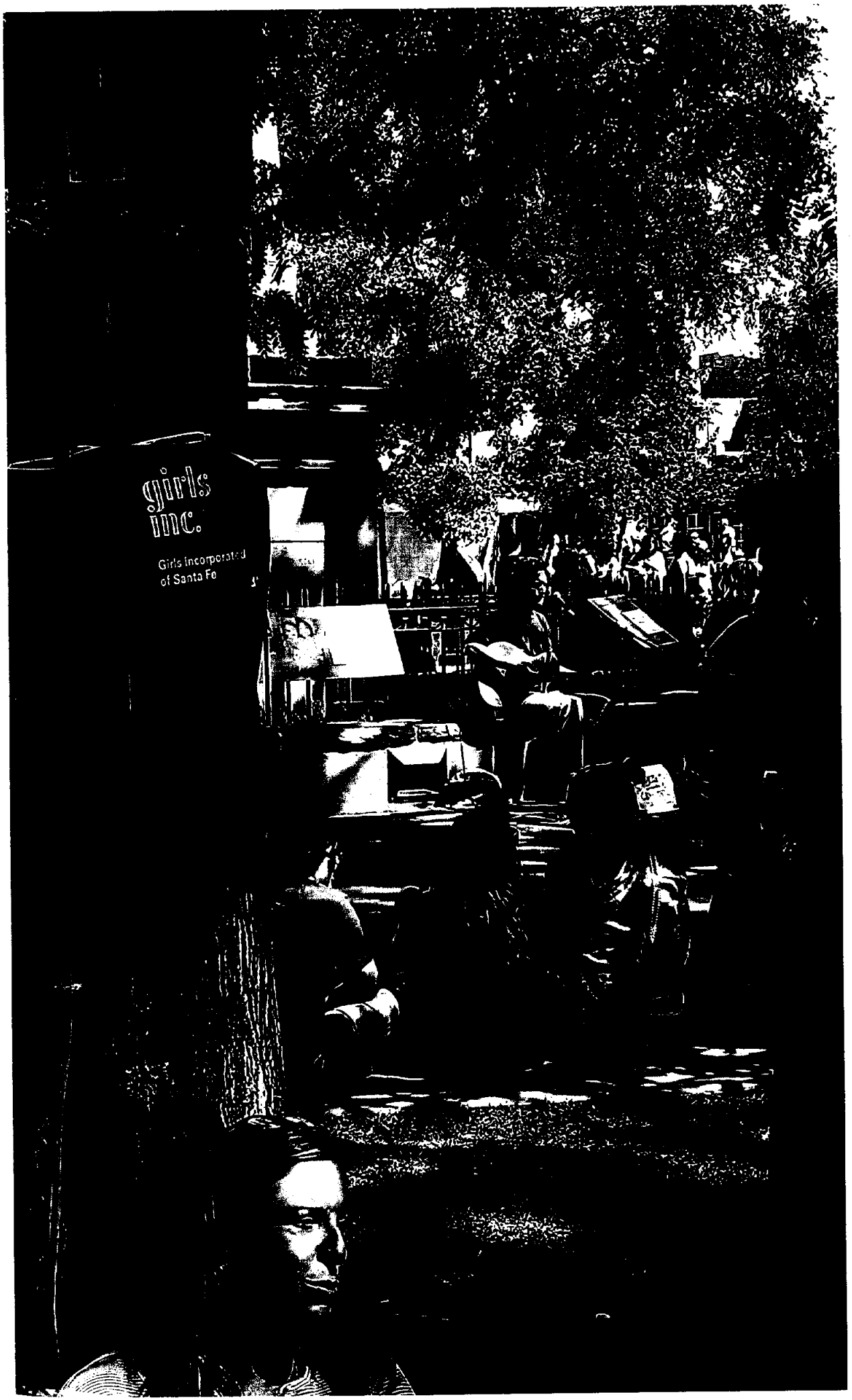
THEY HAVE NO LICENSE - PLUGGED IN WITH MICS & AMPS - "ALTERNATNE" MUSIC AND... SELLING CDS

SUPER LOUD - COULD BE HEARD INSIDE SANTA FE DRY GOODS - WORK SHOP AND GIFT GOURMET

BUT BUSKERS SELLING DURING WITH OR WITHOUT A LETTER AND THEN USE THIER BUSKER LICENSE TO SELL AFTER HOURS



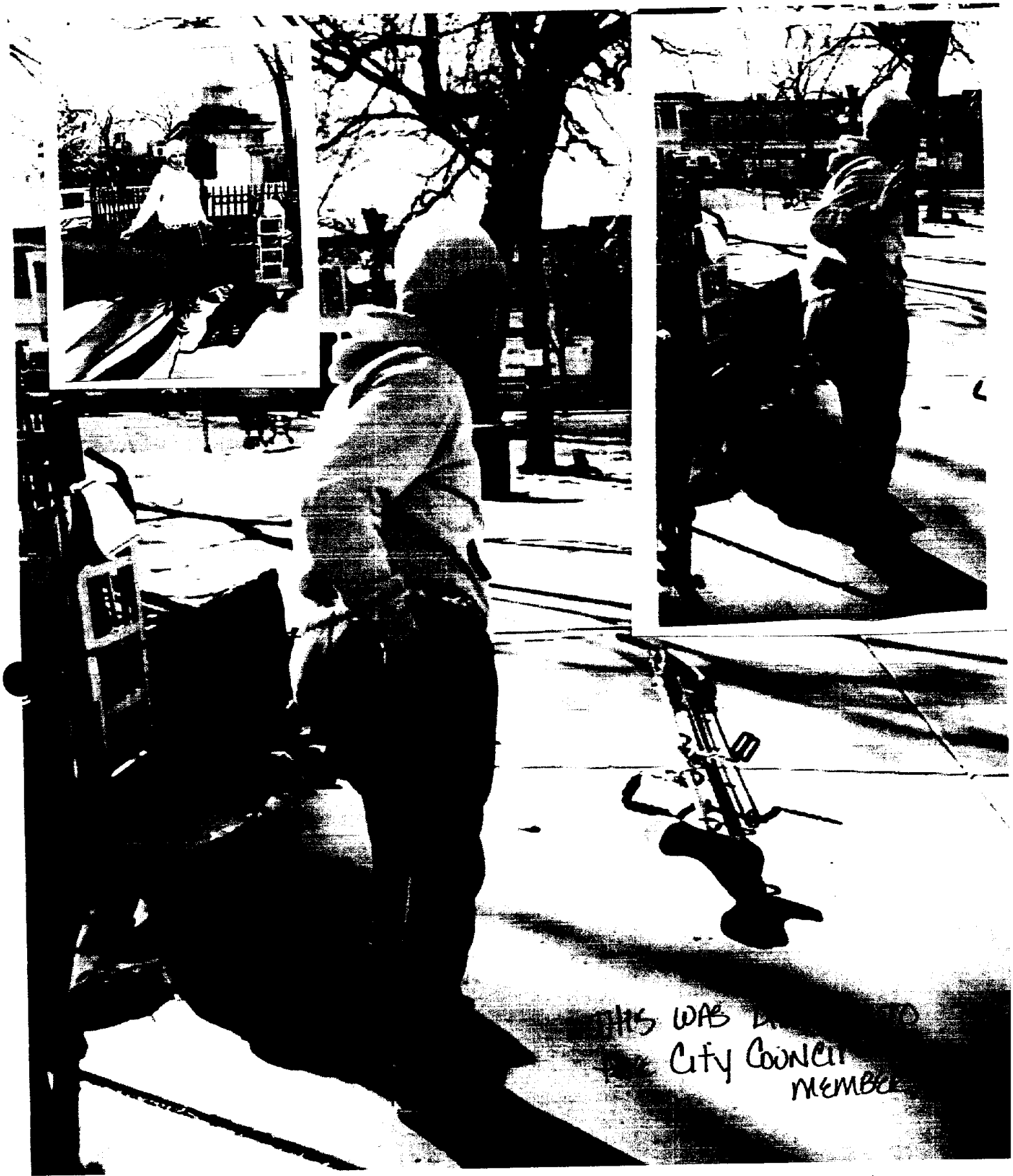
PLAZA VENDORS AND OTHER PARTICIPATING VENDORS CANNOT


girls inc.
Girls Incorporated of Santa Fe



IS THIS NOT REPRESENTATIVE OF SF?
AND CRUDE. HE SAID
IF THEY DONT GIVE
HIM $20 BILLS
HE WOULD PEE IN
HIS
HORN
ON THEM

WE HAVE HAD SO MANY
COUPLES & FAMILIES WHO SAID
THEY WILL NEVER COME BACK to
SANTA FE.



WHEN I STEPPED OVER TO TAKE A PHOTO. HE TURNED TO ME AN SAID "MAKE IT VIRAL"..."PUT IT EVERYWHERE". I SAID "THIS ONE IS FOR THE City Council" THEN HE TURNED AND PUT HIS BUTT OUT AND KEPT HITTING IT OVER & OVER.



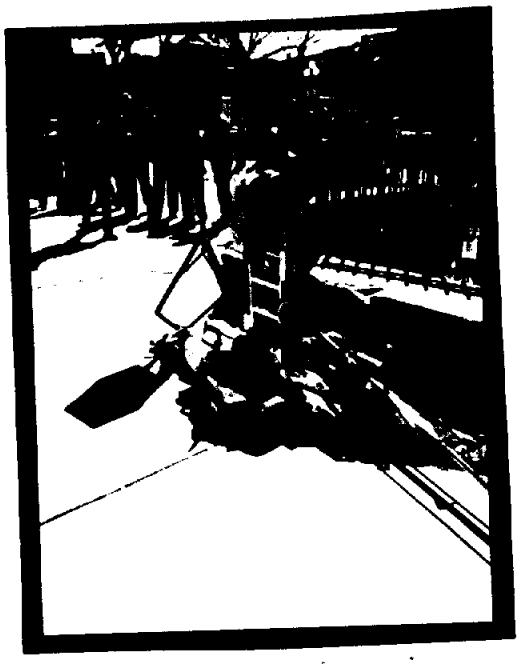
↑ EQUIPMENT, AMP, CLOTH

↑ ROPE

THIS BUSKER HAS A LICENSE. HE HAS BEEN "PERFORMING" MOST DAYS, ALL DAY ON THE PLAZA.

HE "ROPES" OFF HIS ENTIRE SPACE. HAS HIS EQUIPMENT SPREAD ABOUT THE MONUMENT AREA. HE IS AM. AND PLUGGED IN WITH A PORTABLE MICROPHONE

HE SCREAMS A FEW TIMES - CALLS A CROWD THEN PUTS HIS SKIRT OVER THRU AMP ON - CANNOT PLAY THE BAG PIPES HE MERELY BLOWS & SCRETCHES SOUNDS. CLIMBS UP HIS CYCLE (WITH PEOPLE FROM THE CROWD HOLDING HIM UP) THEN TELLS THE CROWD "IF YOU DON'T GIVE ME #20 BILLS I will PEE IN MY HORN". HE SCREAMS THEN TAKES OFF HIS SKIRT WITH NOTHING LEFT ON BUT UNDERWEAR THEN HE COMES DOWN to COLLECT MONEY



AMP & CYCLE & EQUIPMENT & CLOTHS ... ETC

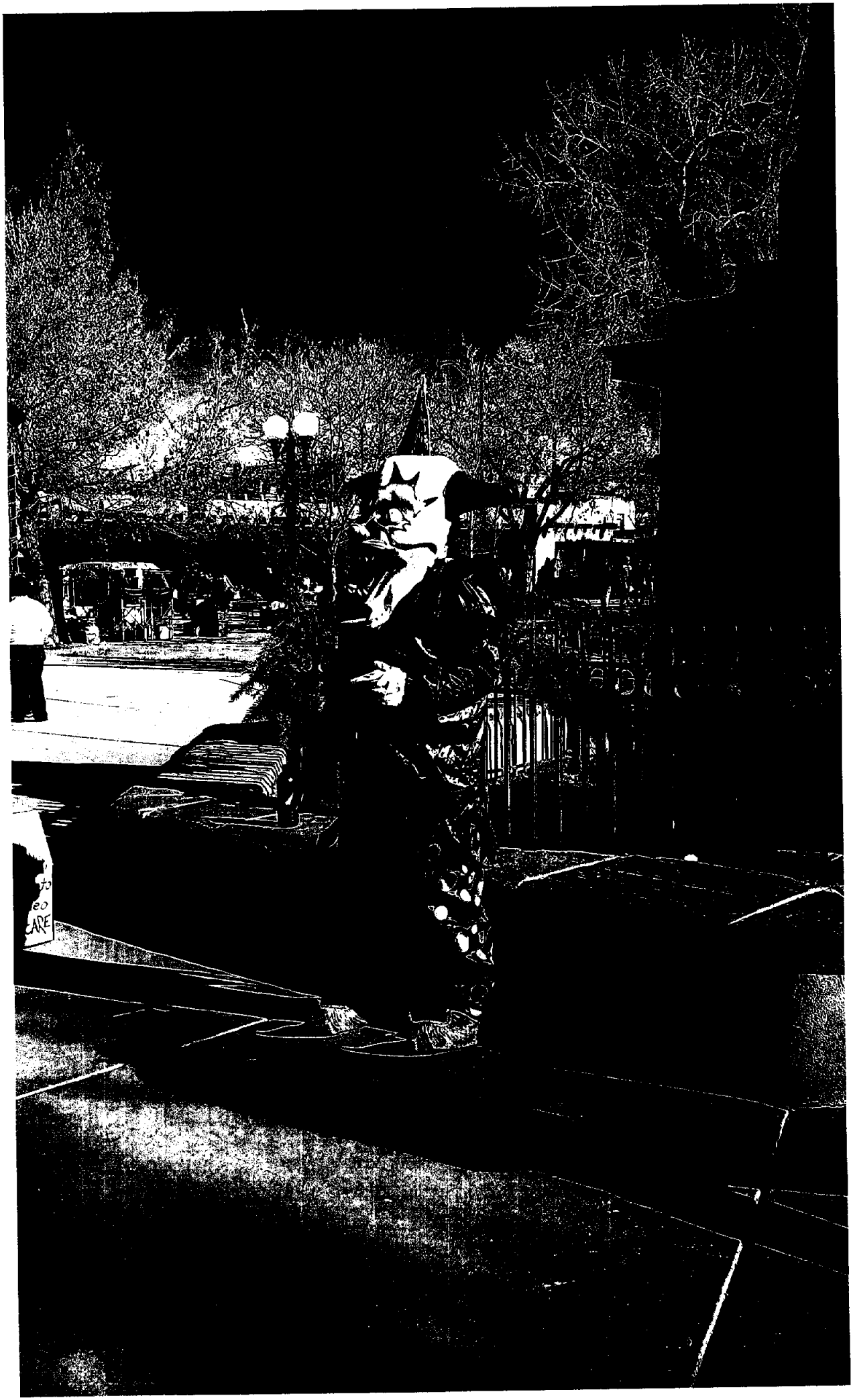
WHO IS HE?
IS HE A [redacted] PEDOPHILE?
HOW DID HE GET A PERMIT?

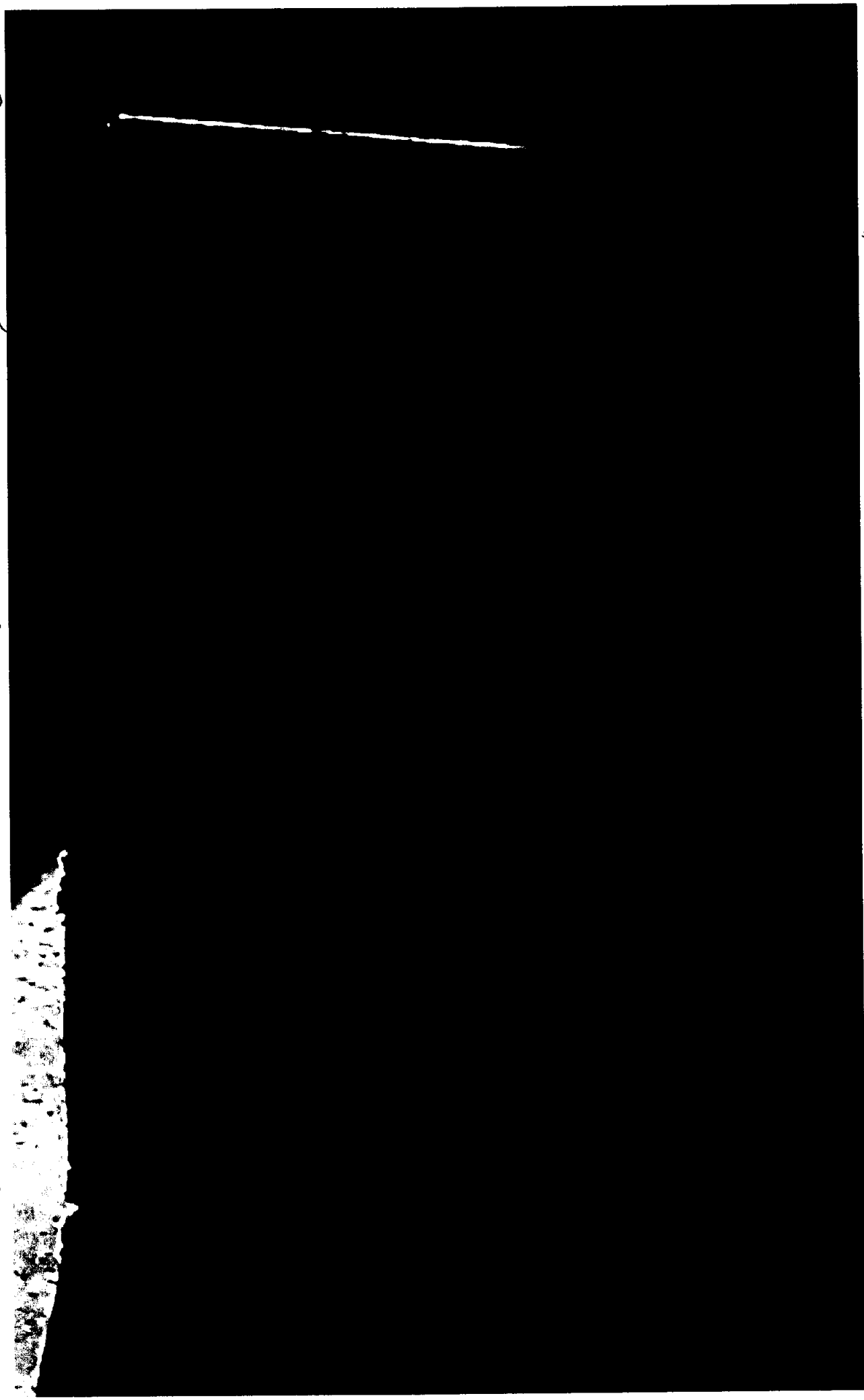
(SIGNS ARE POSTED - NO CYCLES SKATE BOARDS)

RIDES A CYCLE ON THE PLAZA →









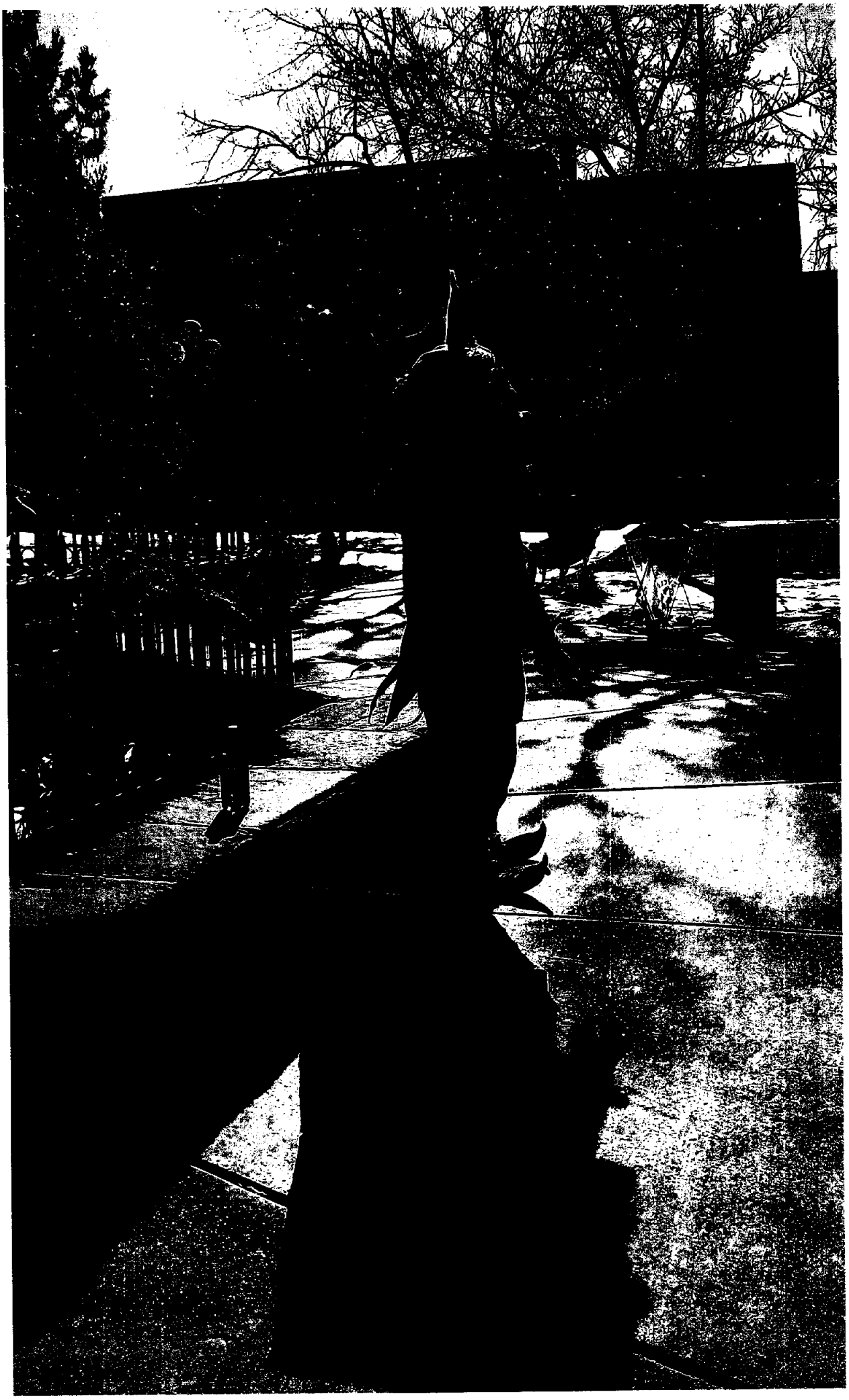
HE SCREAMED SO [redacted] LOUD AND SO TERRIFYIN HE HAD CHILDREN CRYING AND EVEN ADULTS WERE NERVOUS

W WHO HE?

WHAT WAS HE DOING?

WHY IS THIS SO EASY TO FIND???

SELLING VIDEOS PHOTOS + ***** RIGHT AFTER BOSTON BOMBING





Bobby setting up lots of Buskers to "Perform" together.

Amps, mics

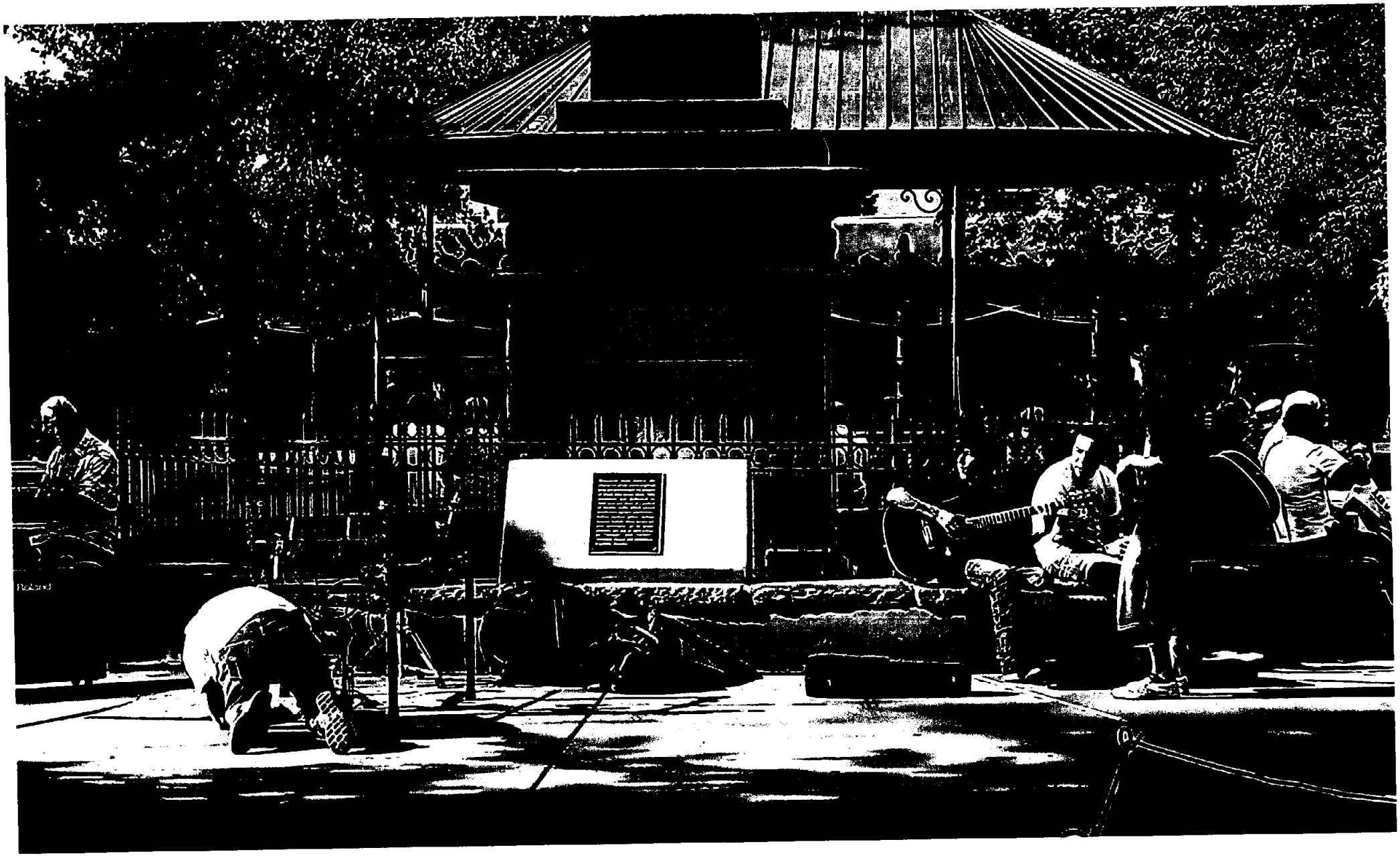
THE POLICE RESPONDED SEVERAL TIMES OVER WEEKS OF Bobby DOING this. THEY WARNED HE to GET OFF the STAGE.

THIS DIDNT PHAZ ANY OF them.
THEY KEPT ON DOING it CLAIMING they HAD "RIGHTS

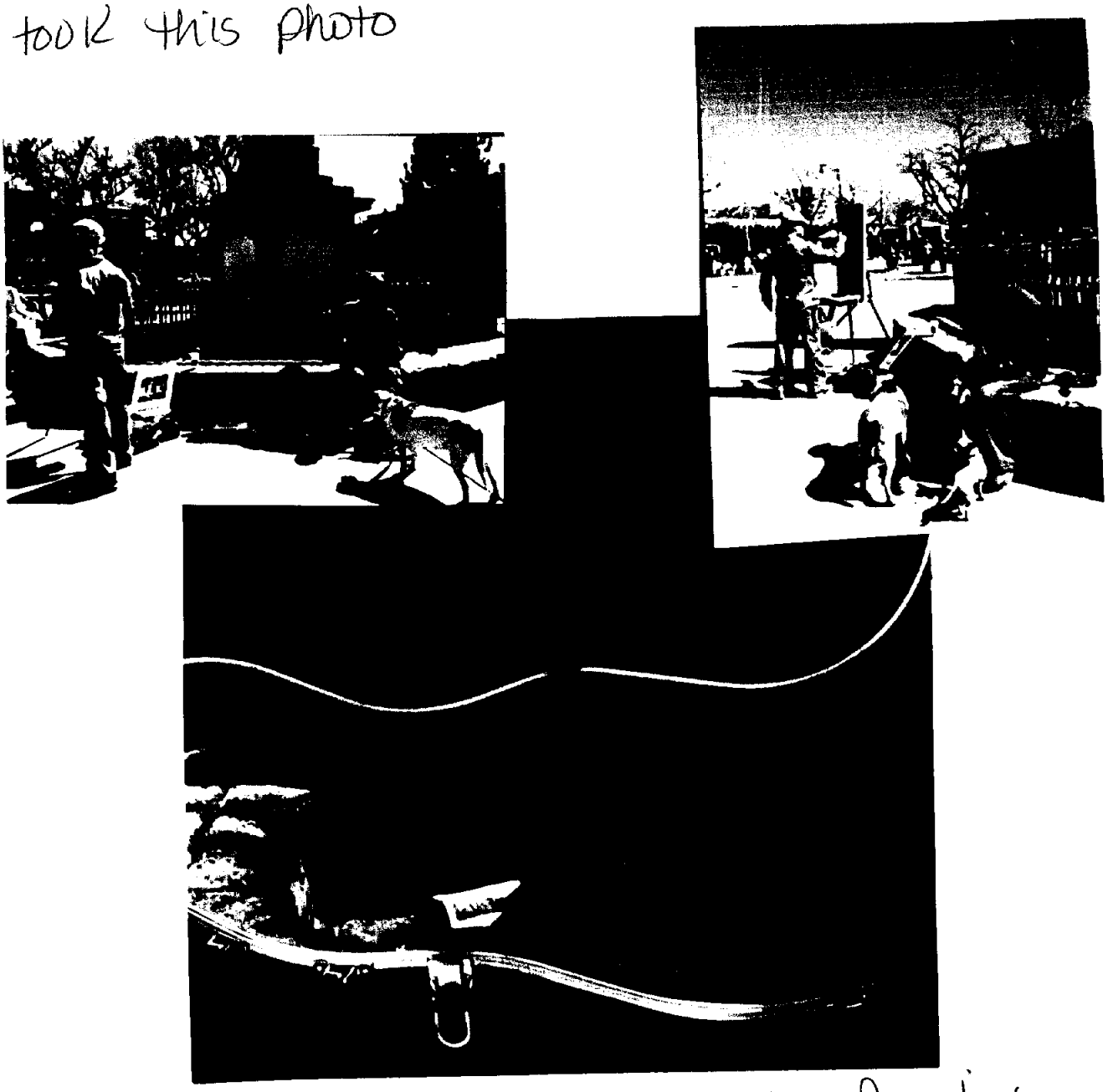
BUSKER CHARGING LARGE EQUIPMENT AND GETTING READY TO TAKE OVER THE MONUMENT AREA TO "PERFORM"



WITH HIS "CHARGED" EQUIPMENT - SPREAD OUT AROUND MONUMENT



THESE BUSKERS WERE HERE DURING SPRING BREAK TOO PAINTING - "PERFORMING" MUSIC - DOGS AND MONEY (NO PERMITS) AND THEY STAYED FOR HOURS AFTER I TOOK THIS PHOTO



I DONT KNOW IF THEY SOLD THE PAINTING OTHER BUSKERS DO

SHOULDNT THAT BE IN THE ARTIST PROGRAM (1,500 PERMITS.

He is Selling his Guitars - Amp in Suitcase



ANOTHER BUSKER DURING SPRING BREAK.
HIS AMP IS HIS SUITCASE AND HIS TIP JAR HIS HELMET. NO PERMIT. HE STAYED OVER 4 HOURS GEORGE (ANOTHER BUSKER) CAME OVER AND COACHED HIM HOW TO MOVE AROUND WITHOUT A PERMIT.

THE POLICE DID STOP AND TALK TO HIM BUT NOTHING WAS DONE

WE WERE RIGHT NEXT TO HIM. I COULD NOT HEAR MY CUSTOMERS AND FROM TRYING TO TALK OVER HIS "PERFORMING" I DID NOT HAVE A VOICE LEFT AT THE END OF THE DAY.
HE PLAYED ONLY ONE SONG "LET THE EVER LOVING LIGHT SHINE ON ME" THATS THE ONLY WORDS HE KNEW AND SANG FOR OVER 4 HOURS



CAME FROM ABQ

TRAVELING THRU ----



BAND STAND CROWD



FOOD →

VENDING WITH NO PERMITS

~HIS KID CAME OUT AND SET UP BEHIND THE MONUMENT DURING THE BAND STAND AND SOLD DRINKS NIGHT AFTER NIGHT HE DID VERY WELL. HE ALSO SOLD TO THE POLICE ON DUTY. THE SAME POLICE WE ASKED FOR HELP FROM to STOP HIM FROM SELLING FOOD - DRINKS.
EVEN IF HE SOLD 50^{00} A NIGHT DURING THE 2 HOUR BAND STAND THAT WOULD ADD UP to $2500 IN JUST 2 MONTHS OF CONCERTS. HIS FATHER WAS WITH HIM. WE ASKED HIM to STOP SELLING - HE IGNORED BOTH MY HUSBAND AND I AND THE FATHER WENT OFF ON ME FOR TELLING HIS SON HE WAS NOT ALLOWED to SELL. THE SON BECAME ENRAGED
NOTICE THE SKATEBOARD???
HE IS ALSO ONE OF MANY KIDS WHO FLY THRU THE PLAZA AND USE THE STAGE AS A RAMP. POLICE WARNED HIM BUT DON'T GIVE OUT VIOLATIONS SO HE KEPT DOING IT OVER & OVER.
ONE DAY HE WENT FLYING OFF THE STAGE - BROKE HIS ARM AND HIS MOMMY CAME to PICK HIM UP. IT WAS A REAL SCENE!

Nov 26, 2012, 2:40pm MST

Forbes: NM worst 'death spiral state' for investment

Dan Mayfield
Reporter- *Albuquerque Business First*
Email | Twitter | Reporter RSS Feed

Forbes magazine calls them "death spiral states."

And New Mexico is at the top of the list.

The magazine Sunday posted a list of 11 states it calls "danger spots for investors." Basically, the study says, don't invest in any of these 11 states, because they rely too much on government for their income.

In other words, rent, don't buy.

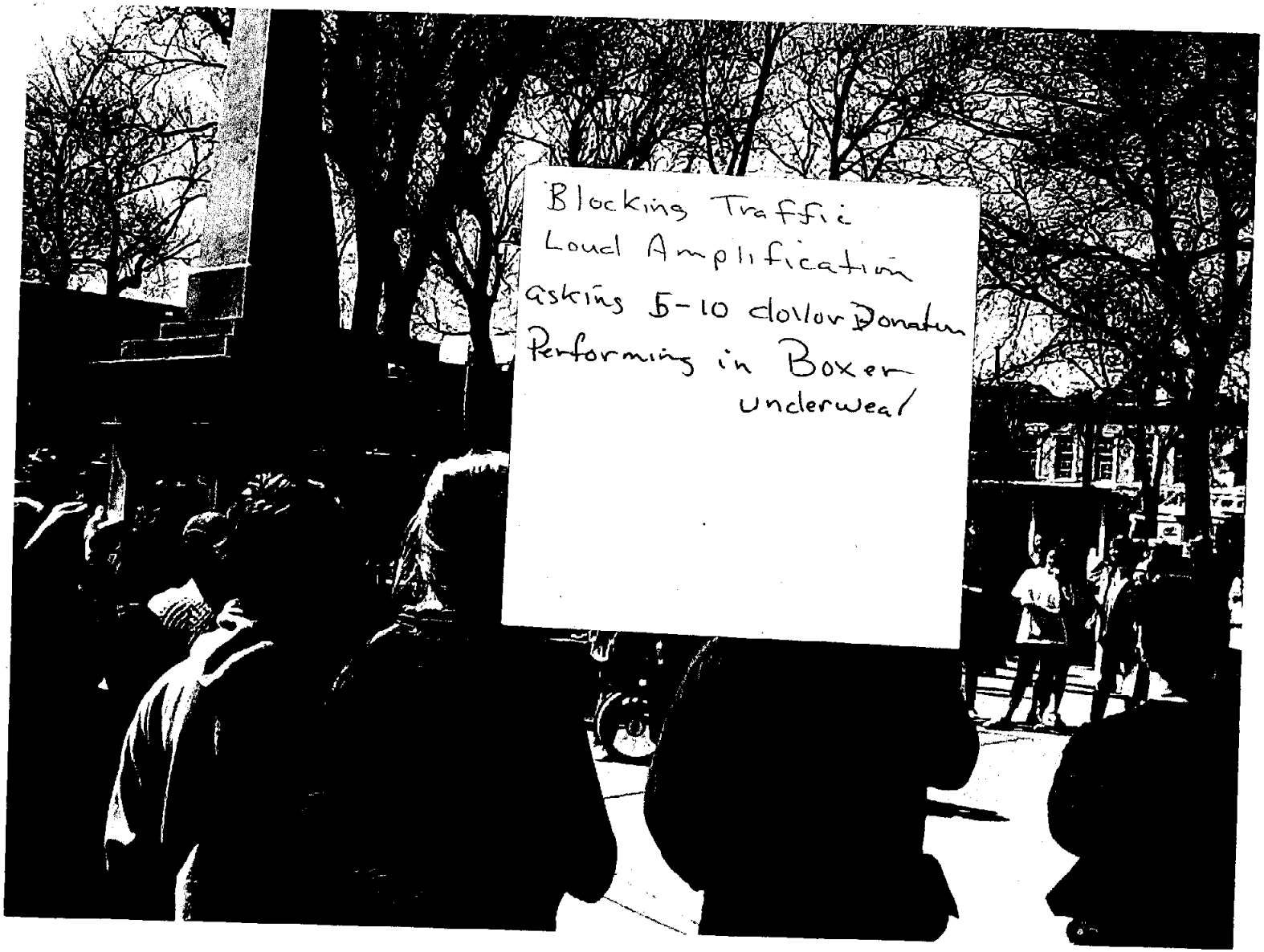
The new report on what Forbes called "fiscal hellholes" considered each state's ratio of "takers" (those who are government employees, or on assistance) and "makers" (those in the private sector), plus unfunded pension liabilities. The second element in the "death 'ral list" is a scorecard of the state's creditworthiness.

New Mexico has the highest "death spiral" ratio of all 50 states, at 1.53 "takers" for every "maker." Ohio has a one-to-one ratio.

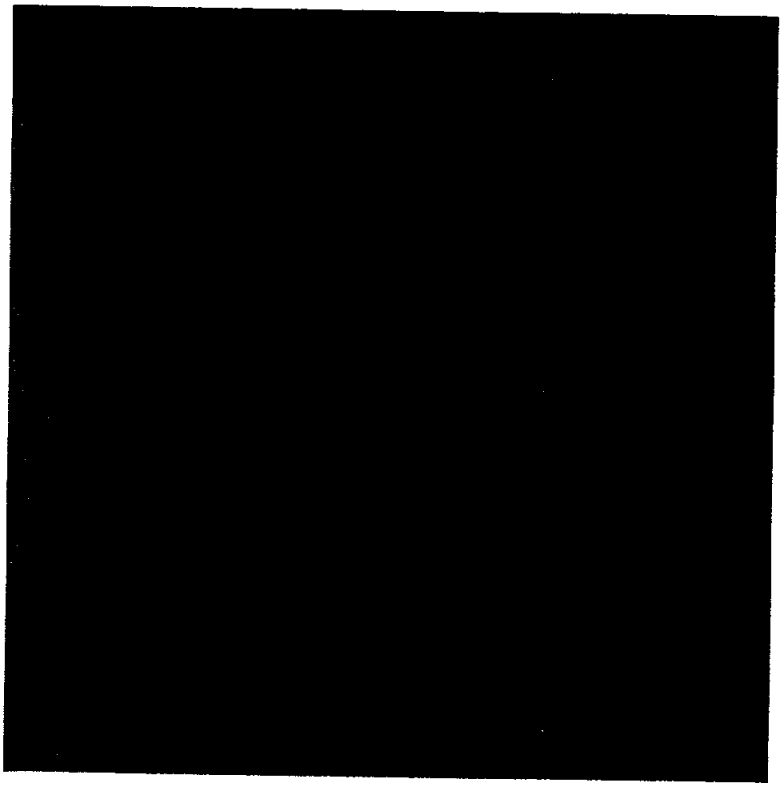
New Mexico is followed by Mississippi, California, Alabama, Maine, New York, South Carolina, Kentucky, Illinois, Hawaii and Ohio.

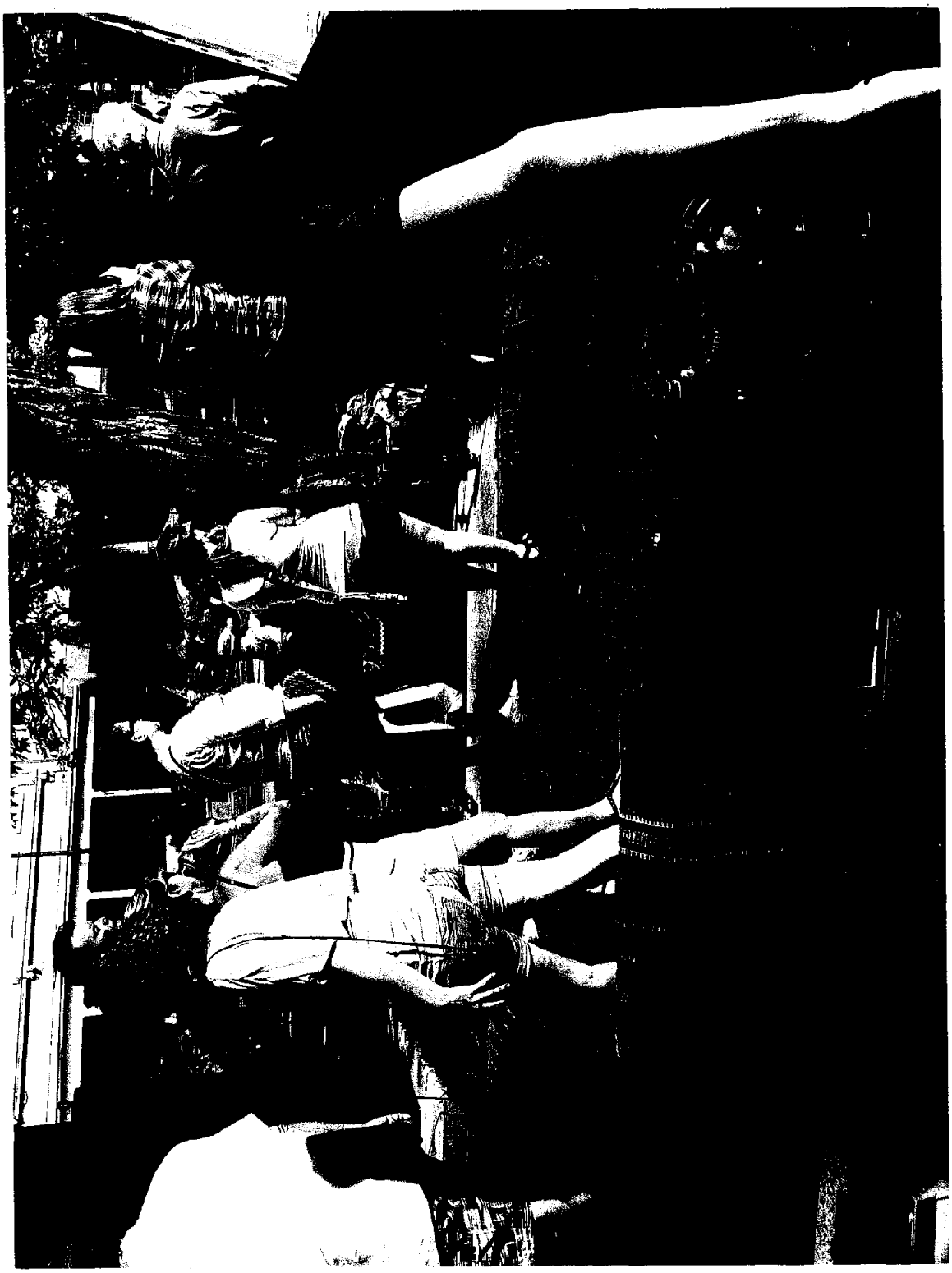
Read the full report here.

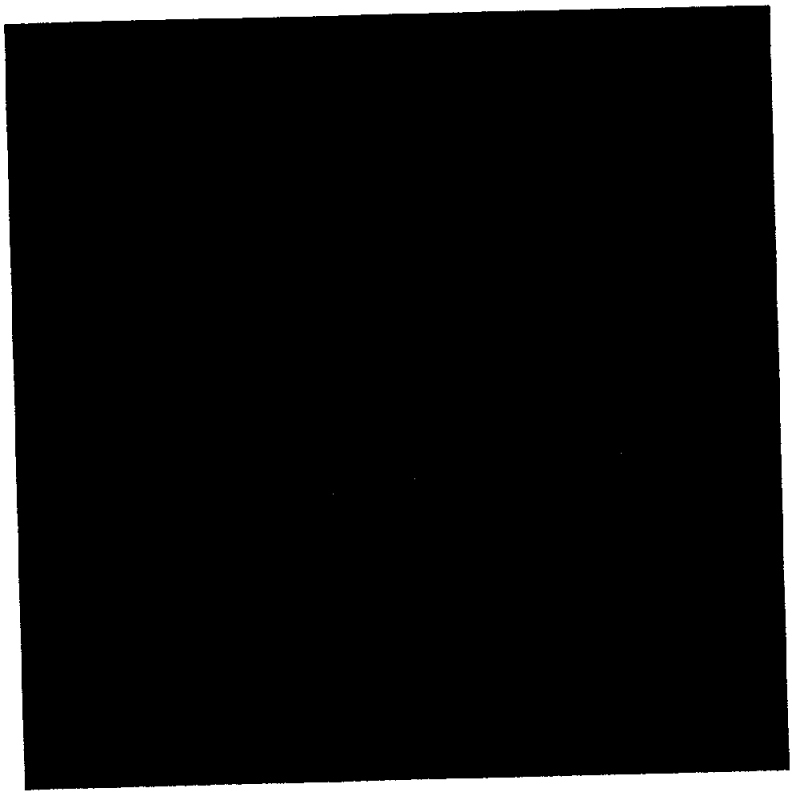

Exhibit
"8"


Blocking Traffic
Loud Amplification
asking 5-10 dollar Donation
Performing in Boxer
underwear

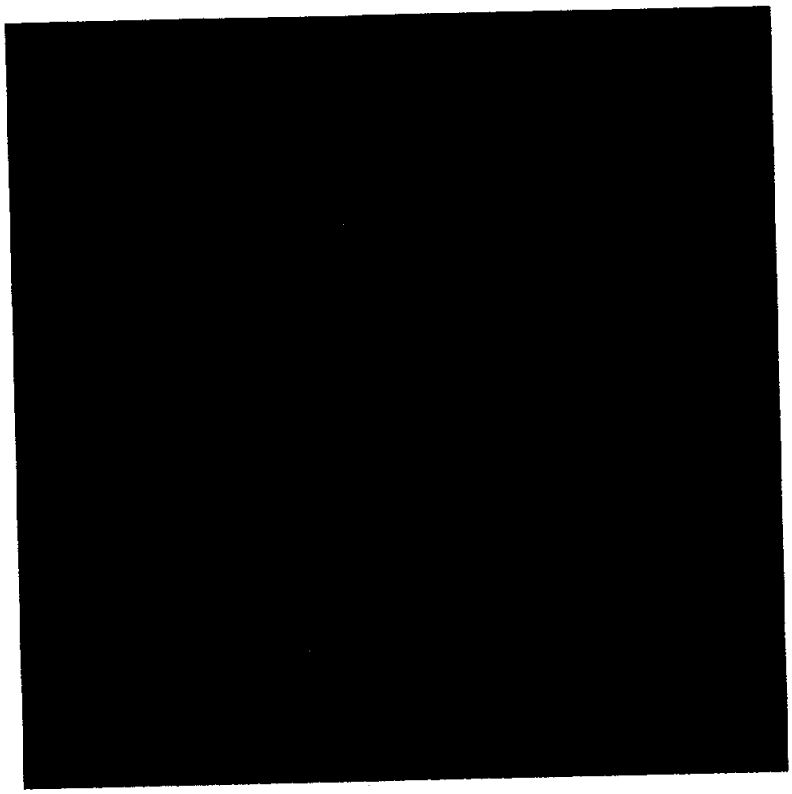


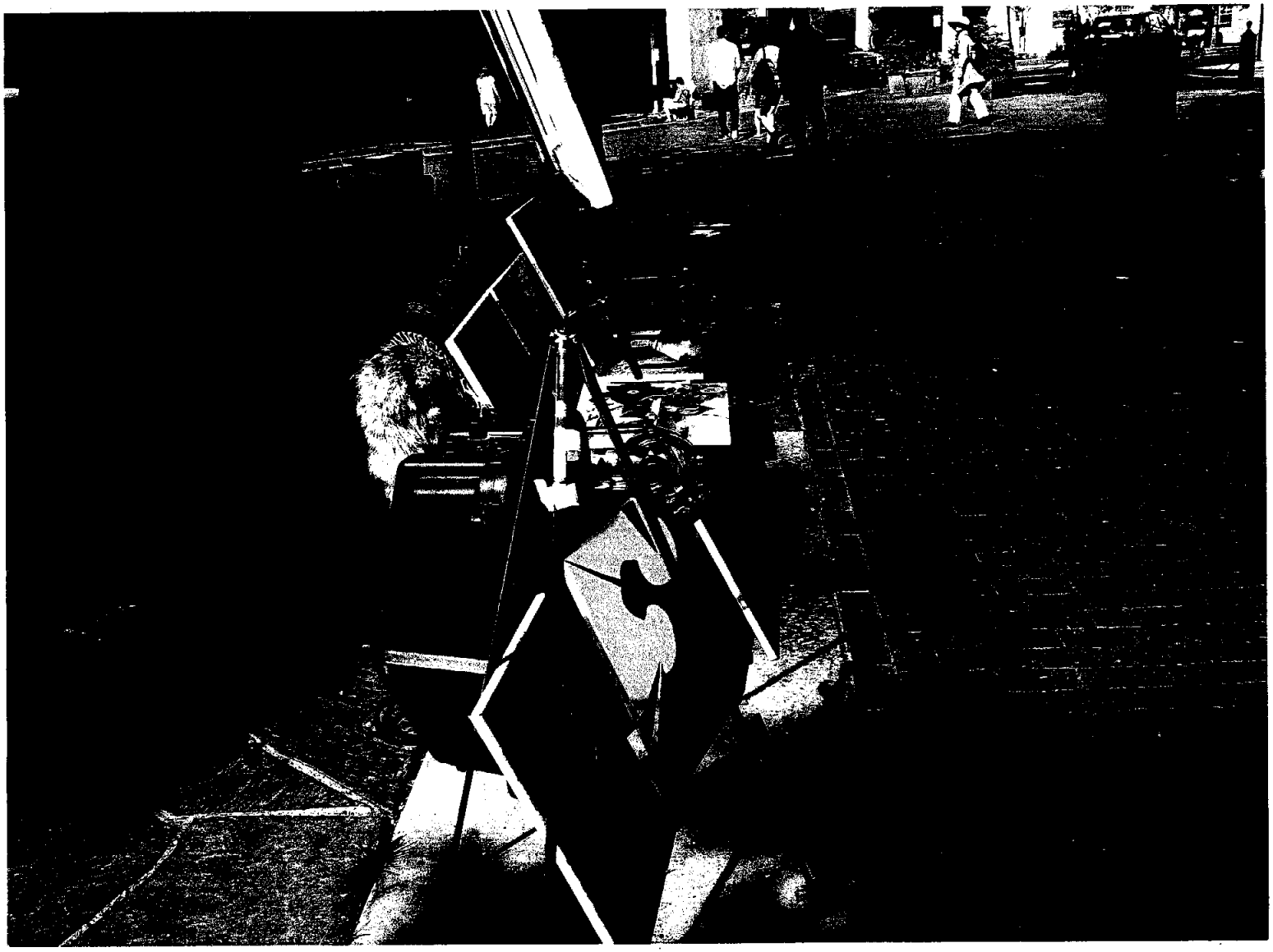


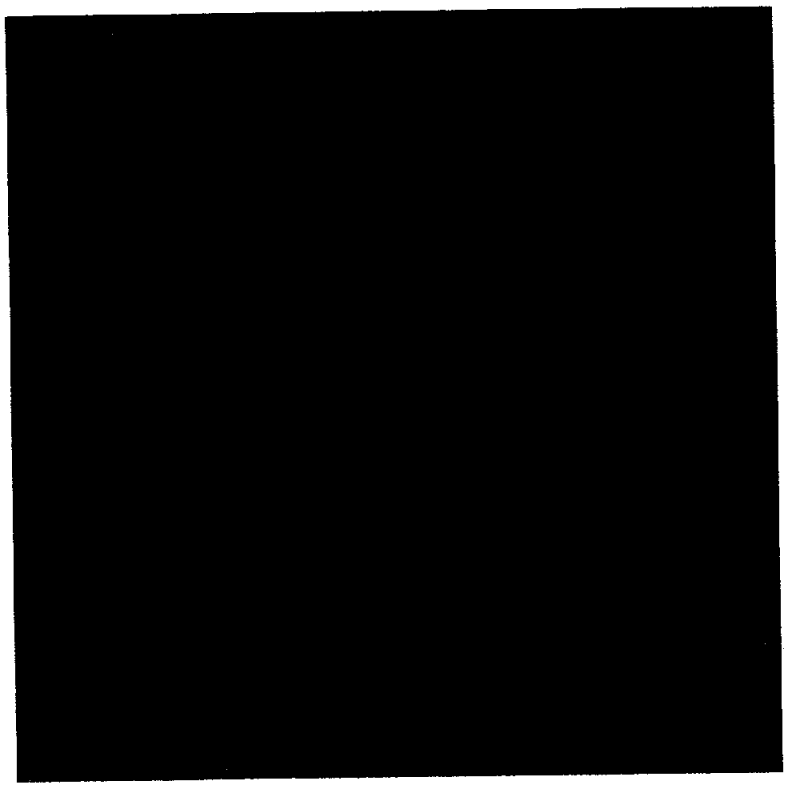




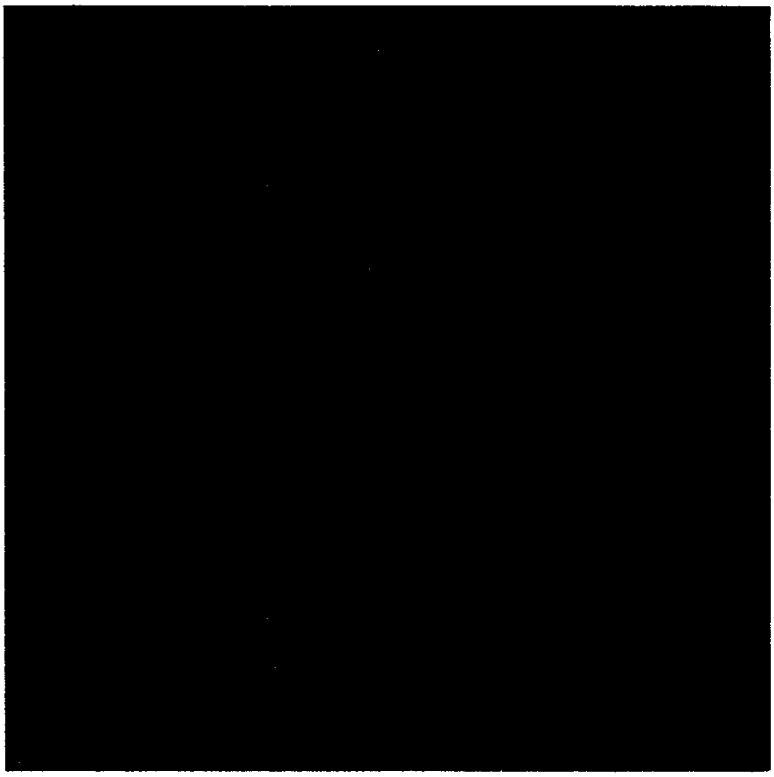




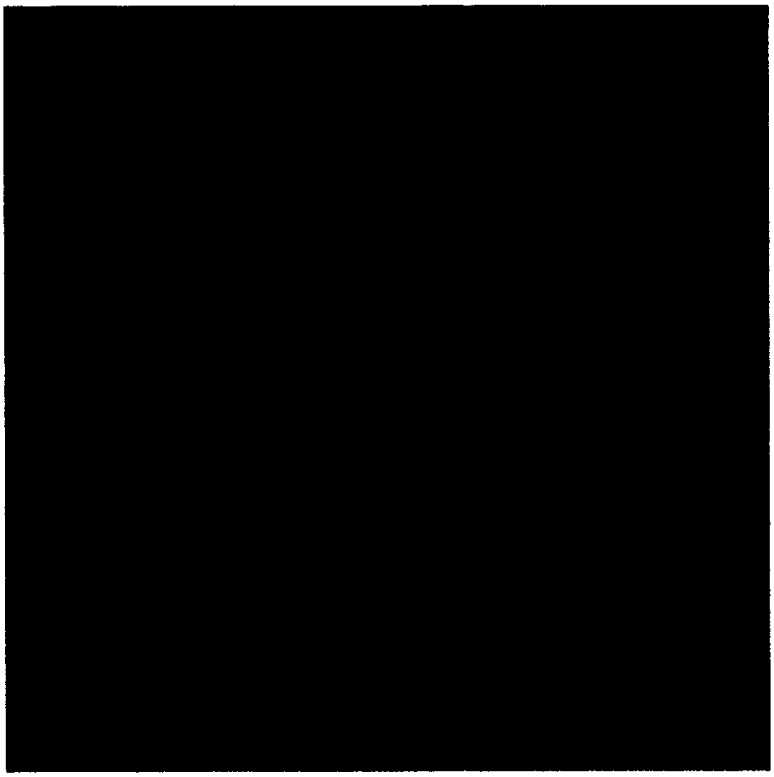




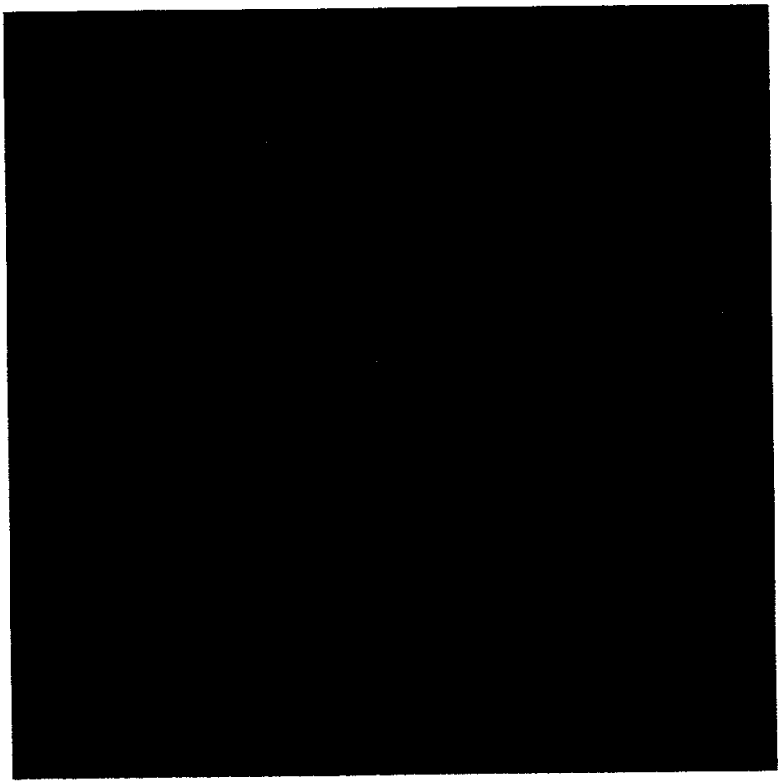




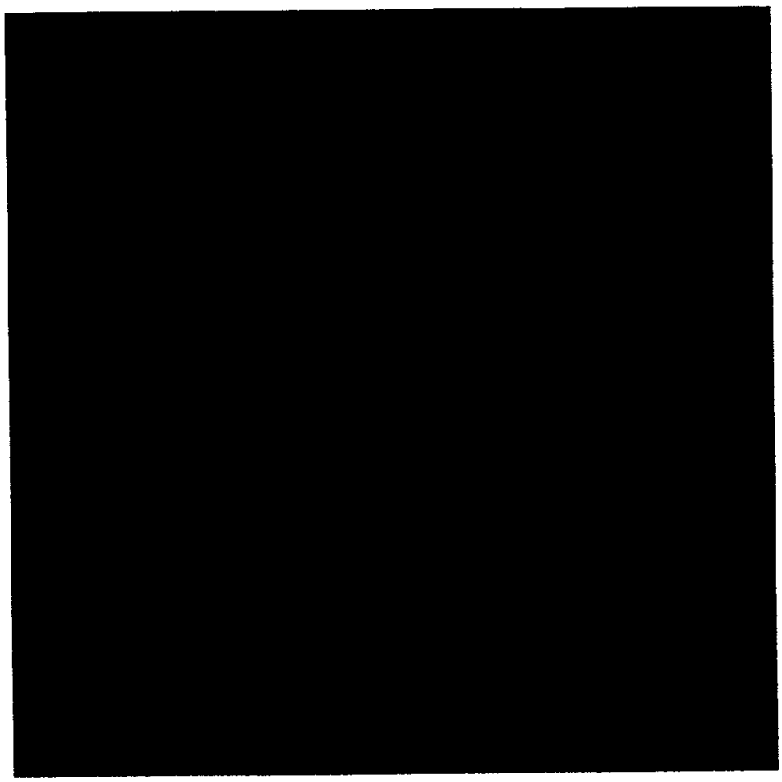




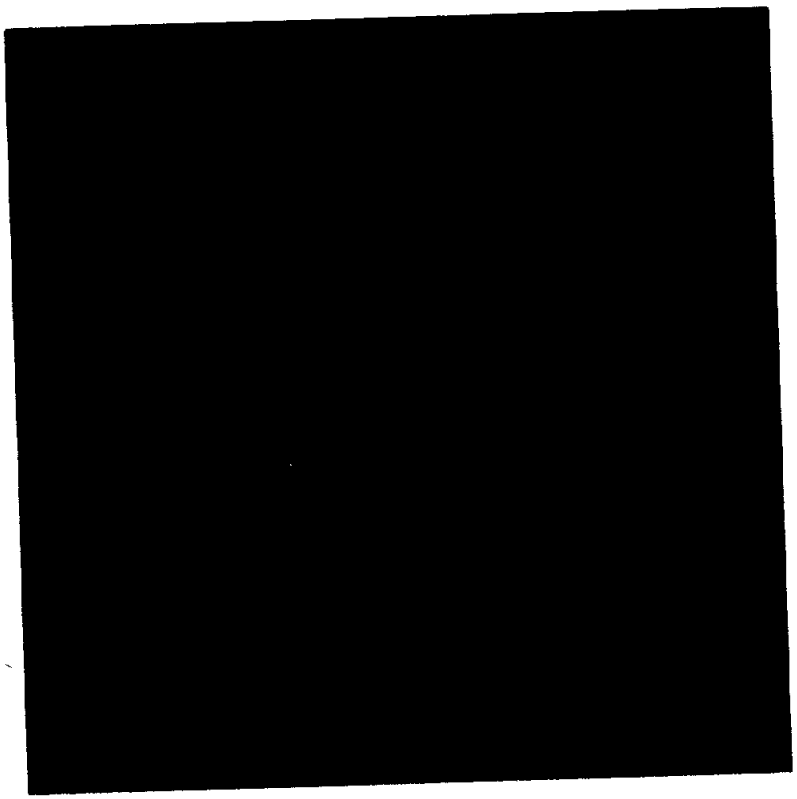


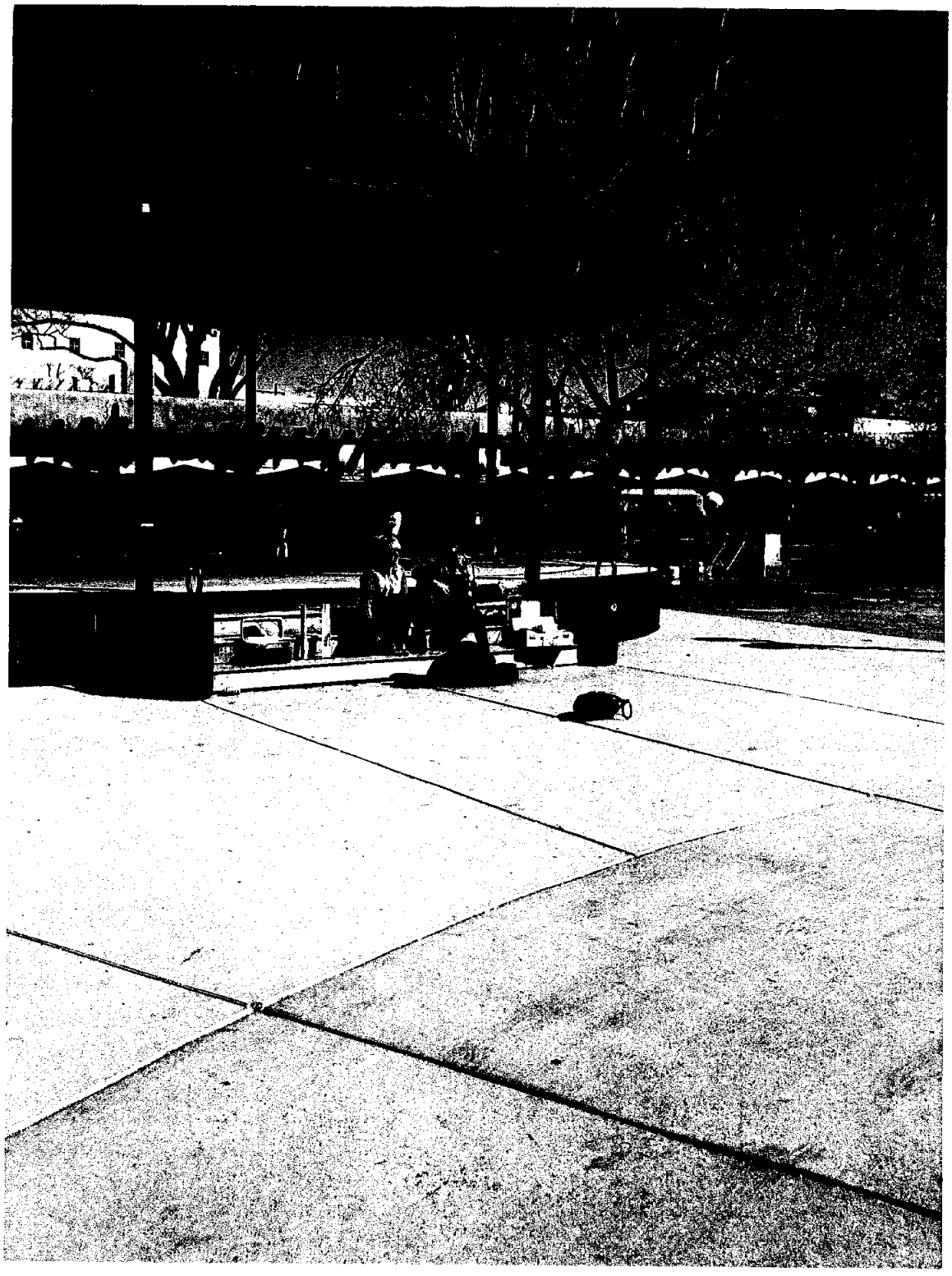


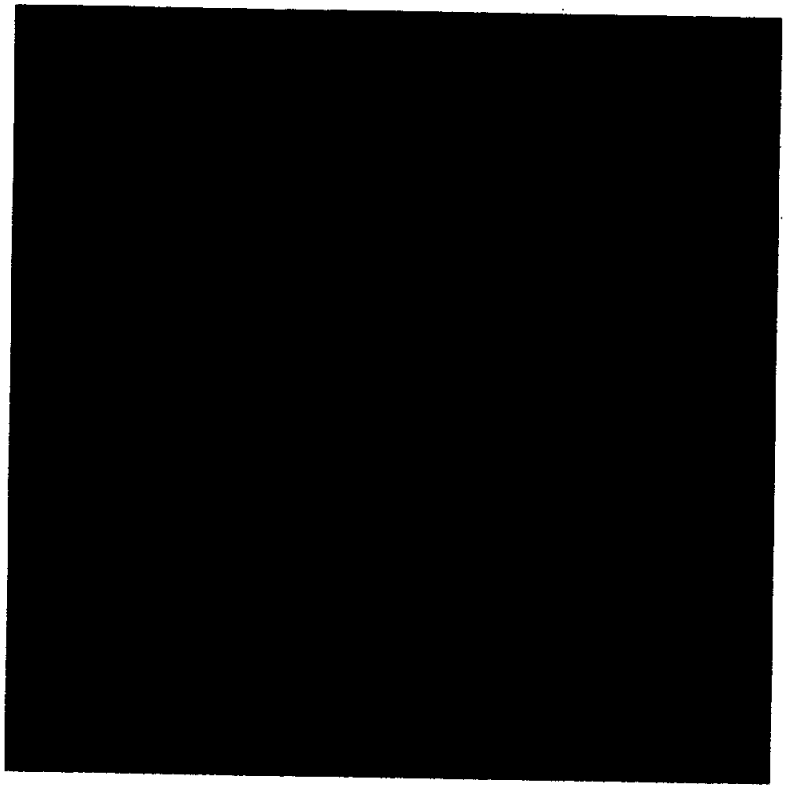




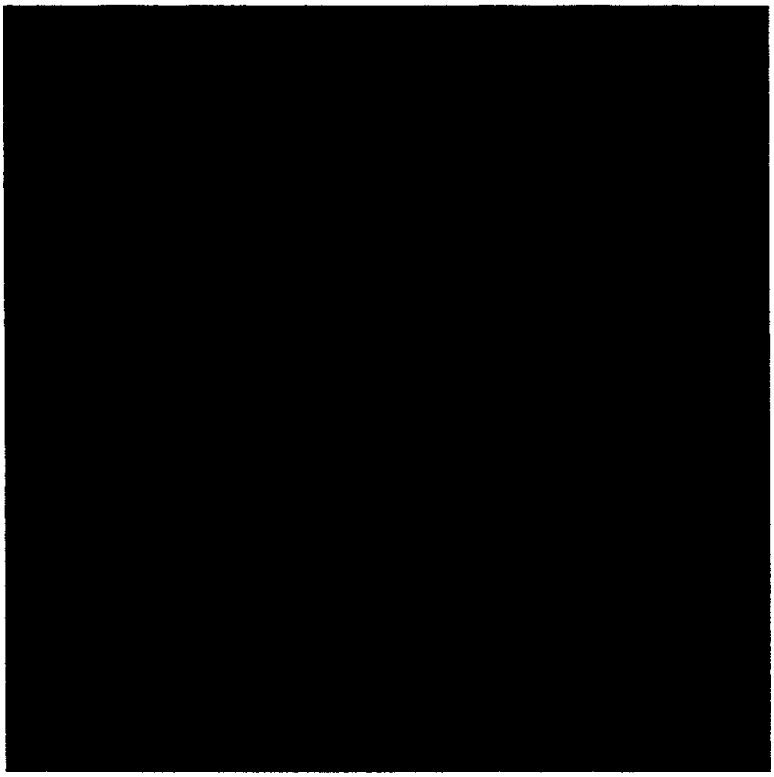




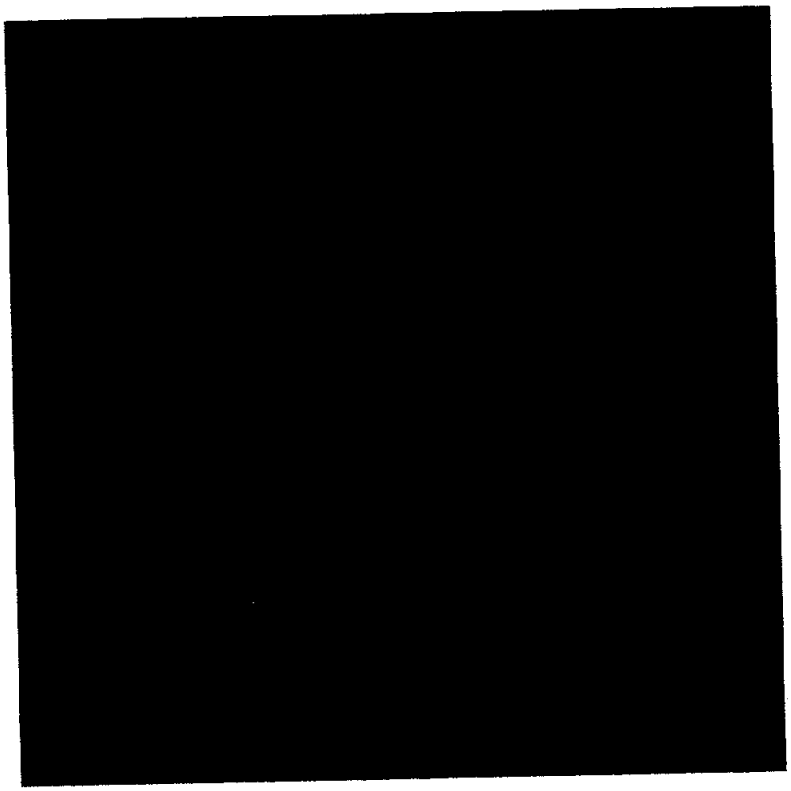


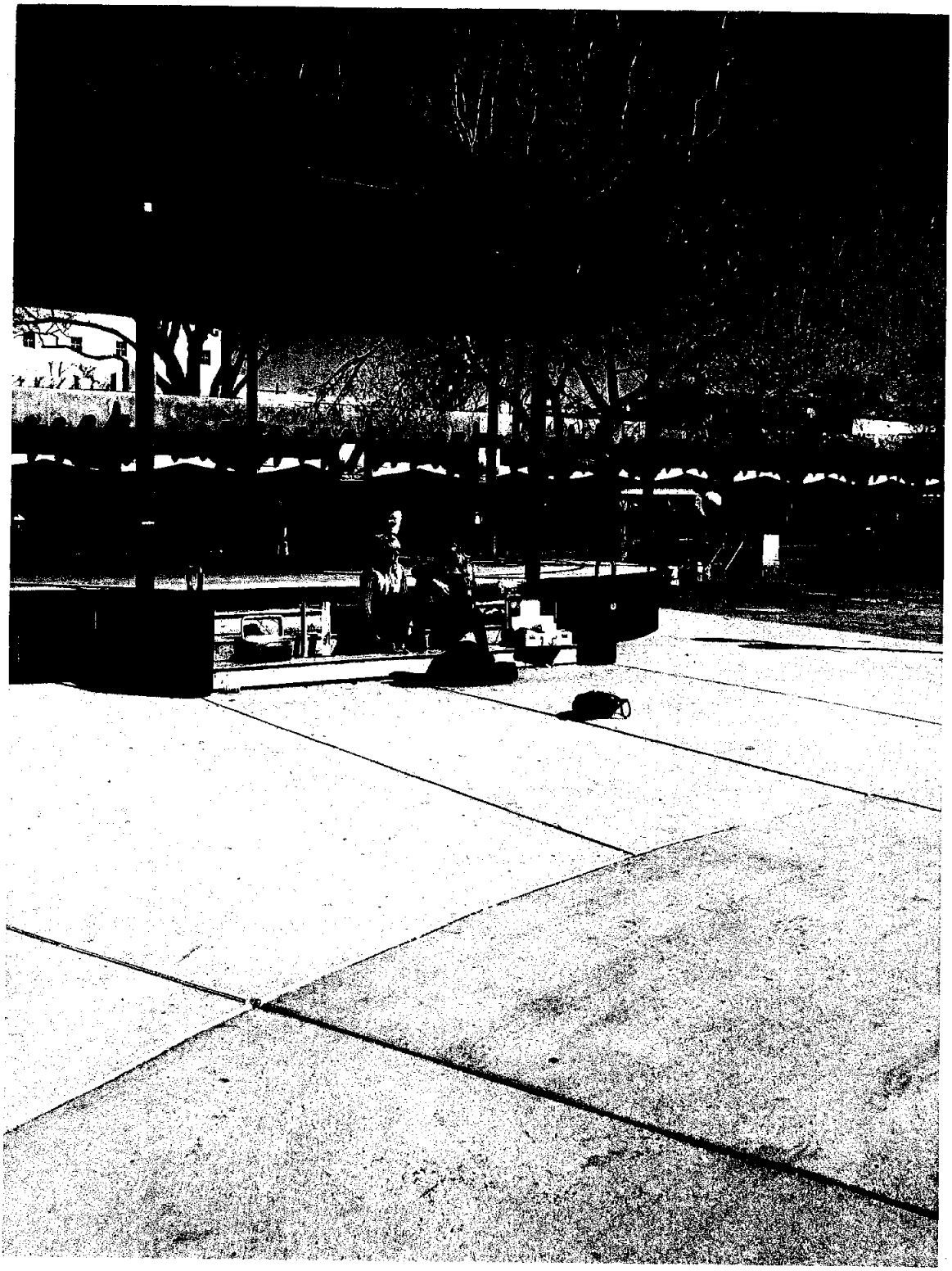


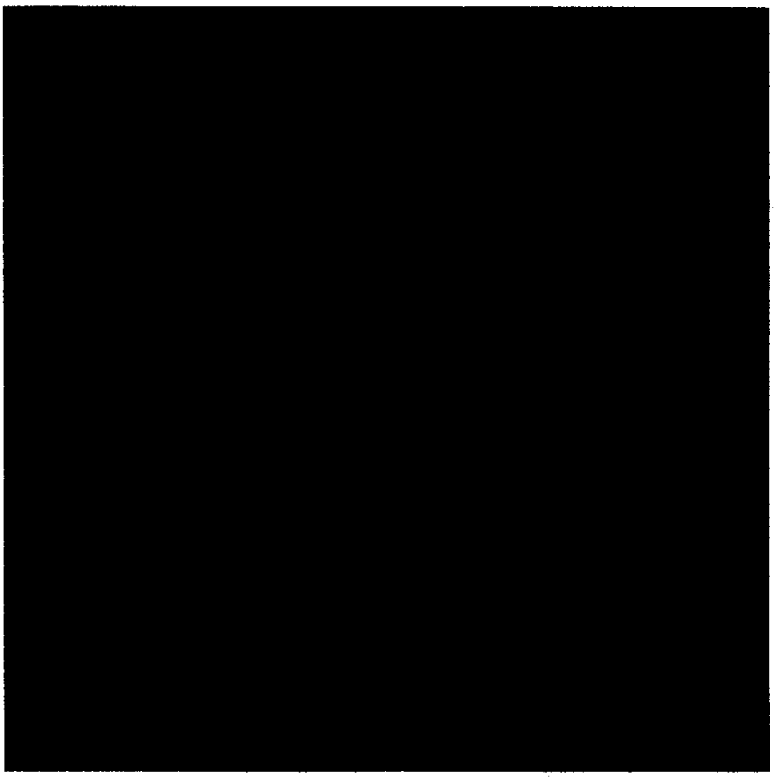




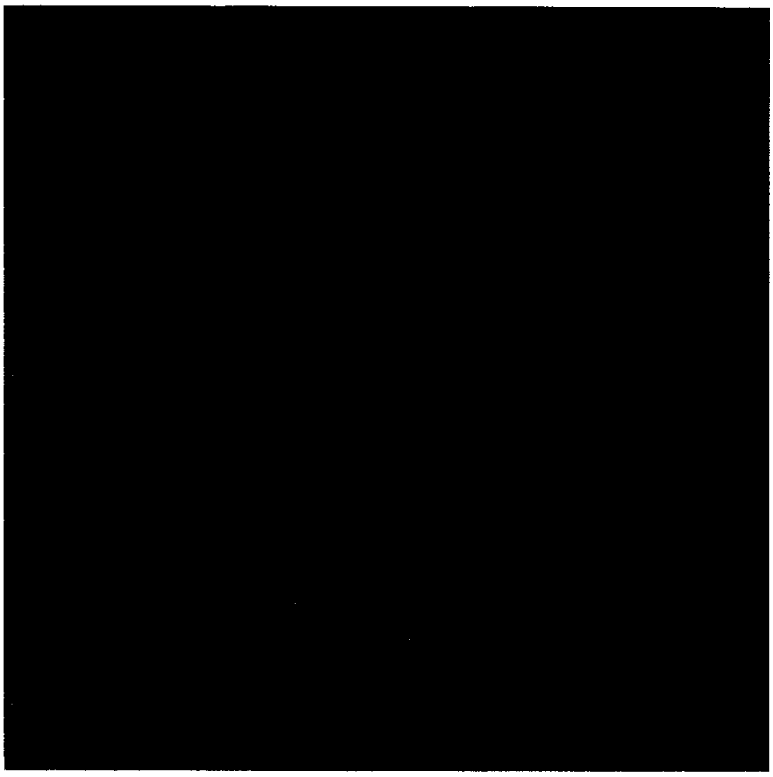




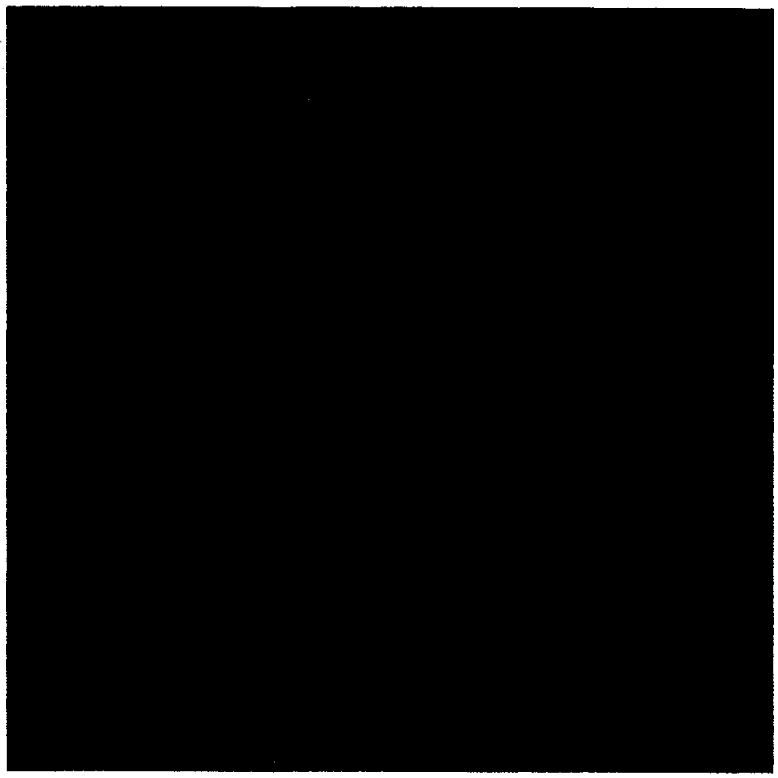




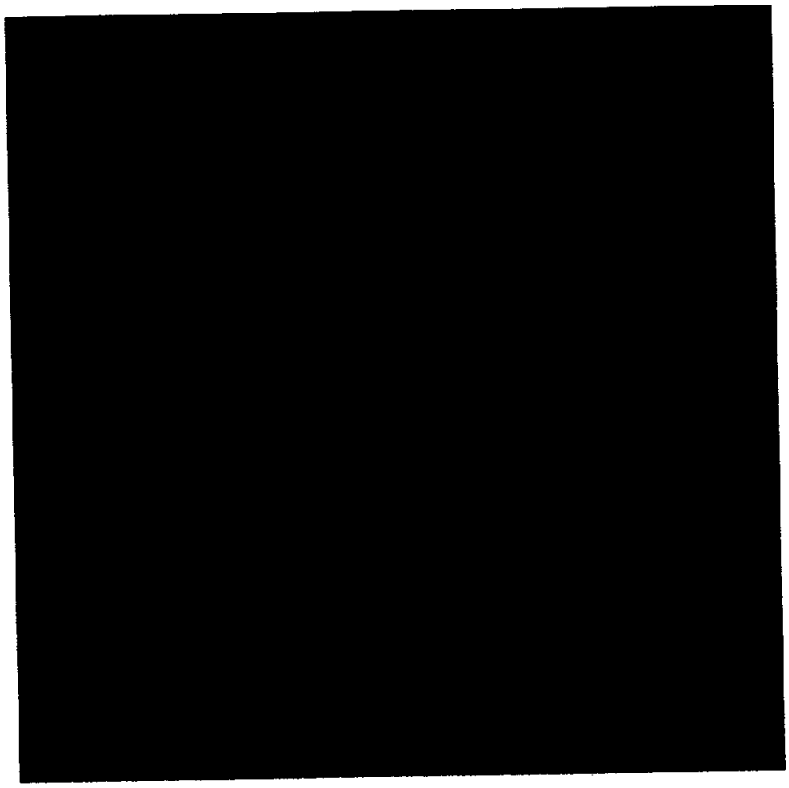


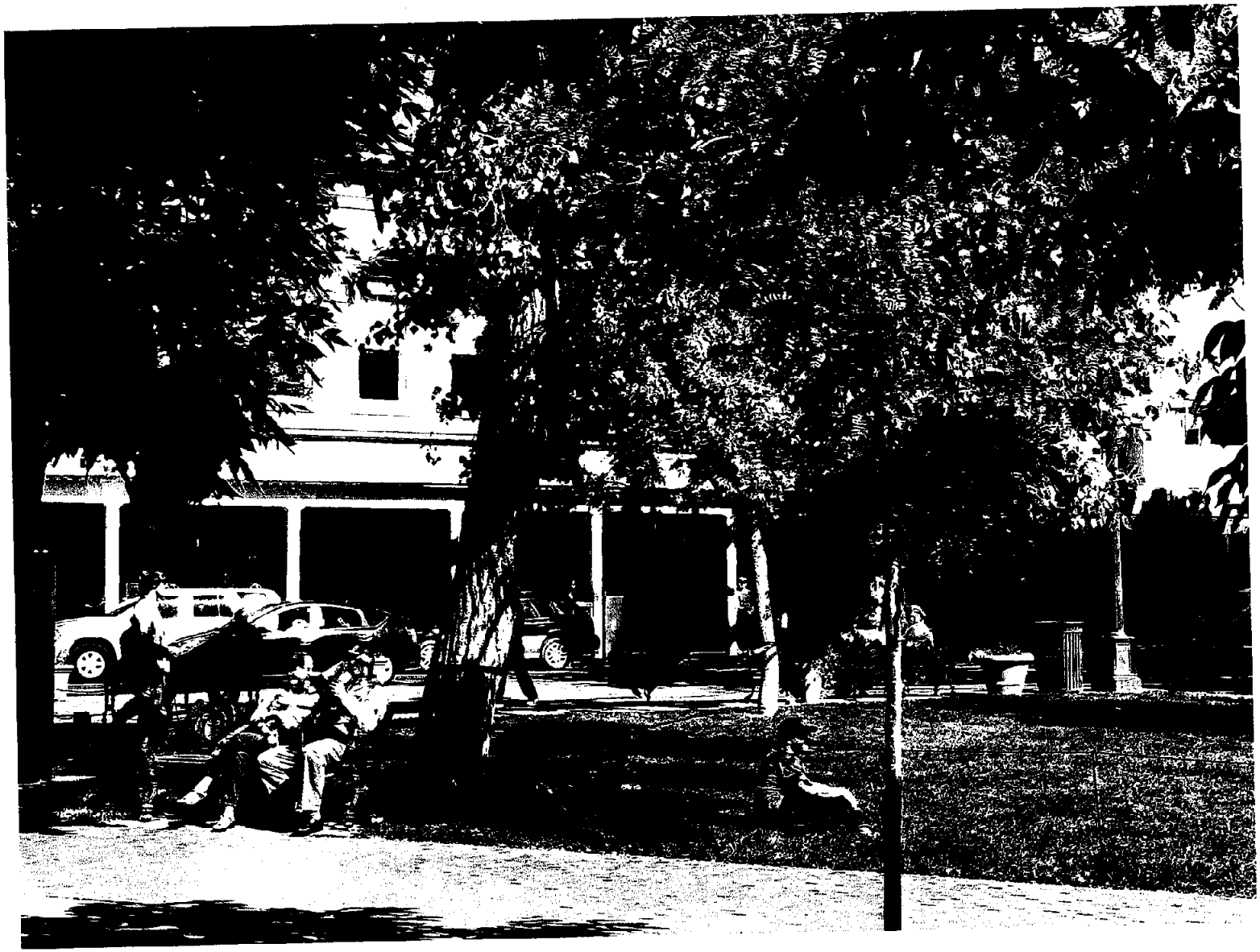


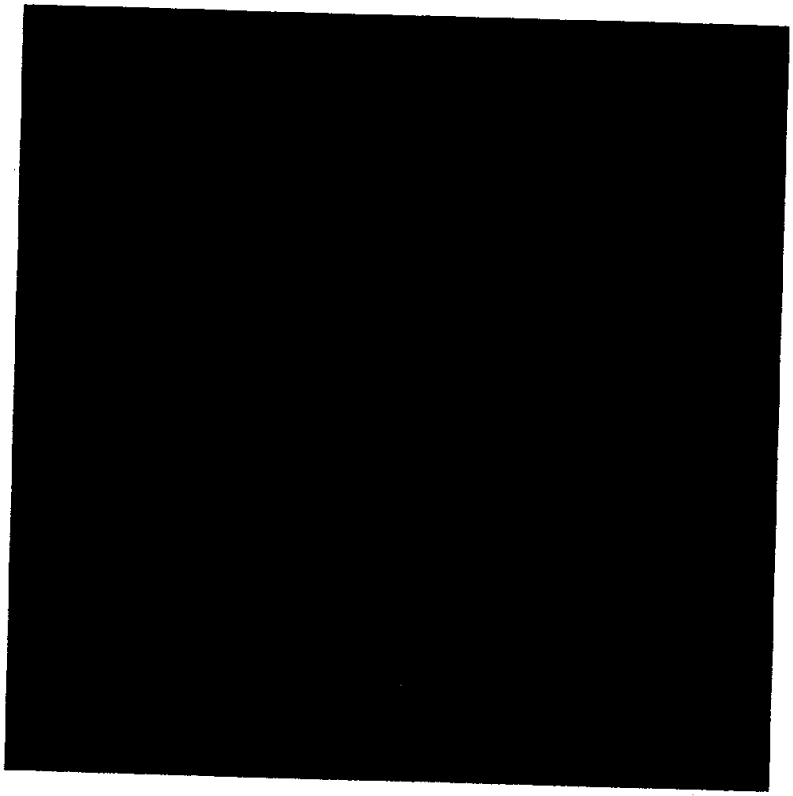

CDs Available



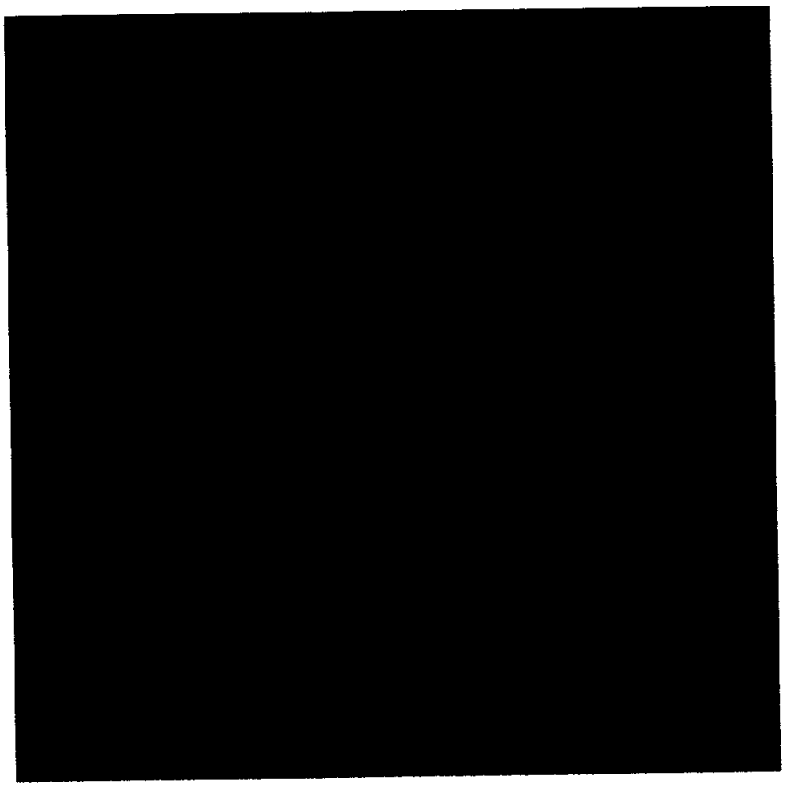




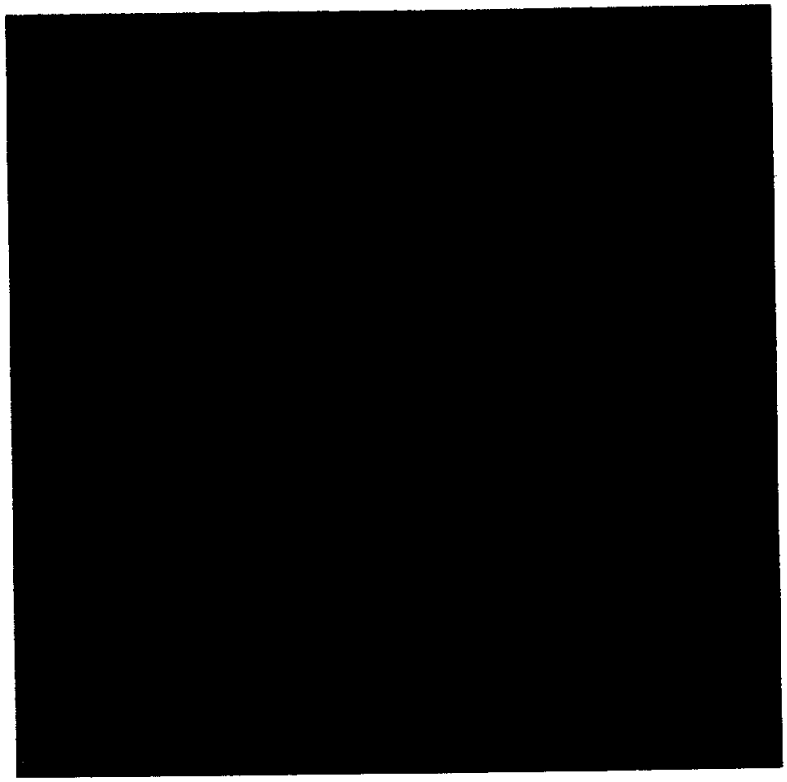


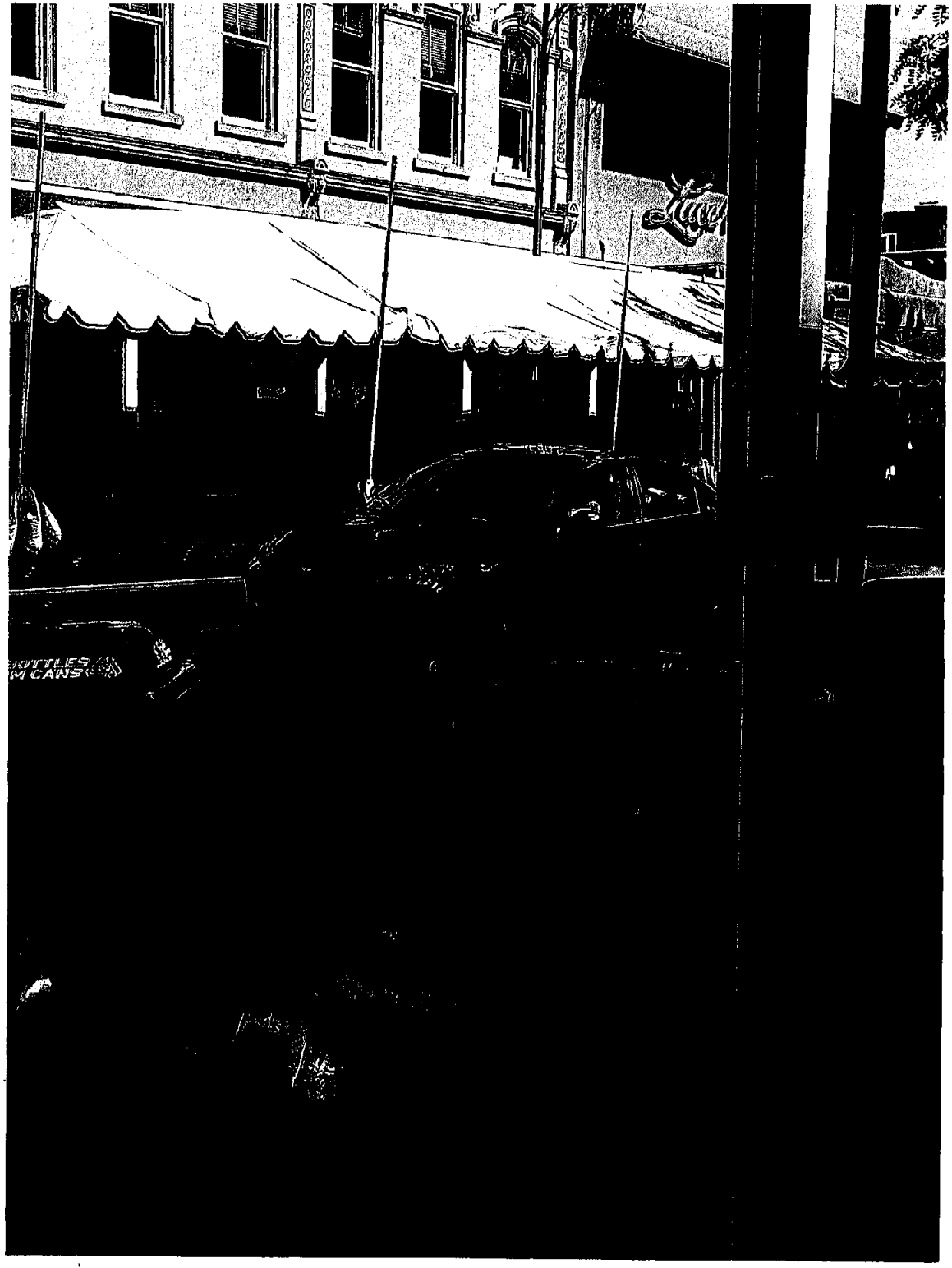


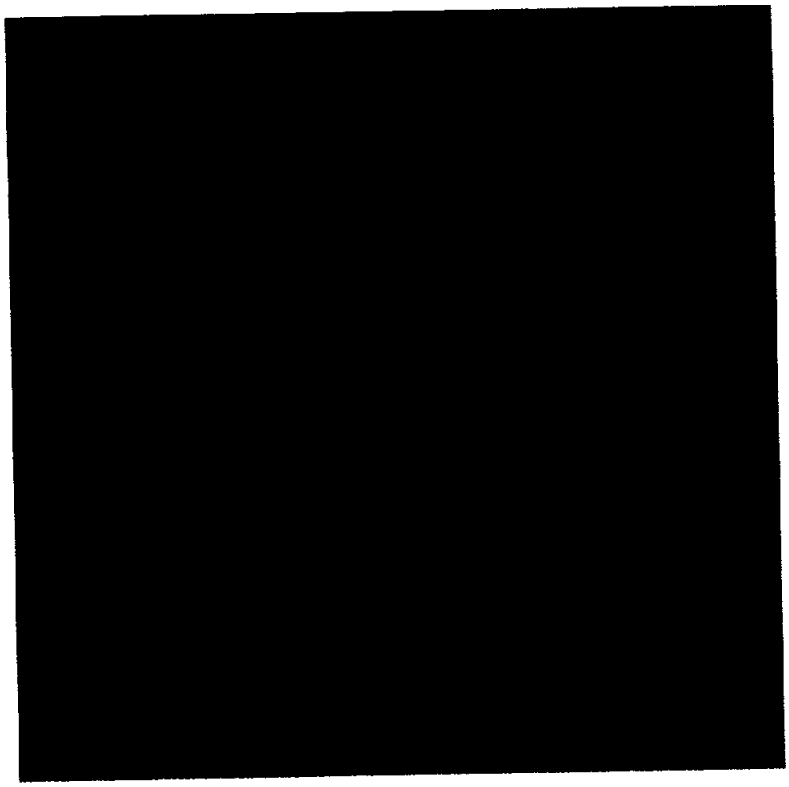














Packards

Recently I spoke with a couple of friends of mine who worked for Packards. Because e are right on the Plaza a common curiosity with employees or business owners downtown is how do we stand the situation with the panhandlers and buskers? Both of my friends spoke freely about how Mr. Packard's family had tried repeatedly to get the attention of a past City Manager in hopes of getting some help with the buskers and panhandlers overtaking their business by setting up just outside or across the street on the Plaza. Buskers amplify themselves outside the store or set up and play across the street from the store and that noise reverberates off of the glass windows at Packards. It can almost seem louder than what is actually occurring outside. Other stores and restaurants have the same problem. They told me that the meetings the family had with the City offered not relief and in the end the City sided with the buskers and this was one of the factors in closing the business. One of my friends who likely sold a million dollars a year lost her job when Packards closed. Her husband retired from the County and while they had a beautiful home here and at one time she loved being here, they decided to sell their home and move out of state. I find it stunning that Packards is no longer in business and that they could find no relief from the buskers and panhandlers. Today the same problem exsists with Moulouf. I have seen the ıanager come out and try her best to run off panhandlers and buskers from the store ⌟nd without success. Buskers don't move and neither do panhandlers.

Starbucks

Not long ago I spoke with the previous manager of the downtown Starbucks. This particular Starbucks is a place that panhandlers and buskers love to over whelm. She is an incredible manager of people and sales and she could really bring in the business at the downtown location. Occasionally she would order kettle corn to reward her staff for a job well done. One day while I was delivering the kettle corn she had ordered and I stepped thru the buskers and panhandlers outside her doors. I knew this bunch and was a little concerned for her. So I asked her if she was ok with what was going on at the front doors. She whispered "No" and I responded by saying "Then why don't you say something?" She lowered her voice and said "I am intimidated by them and the police will not do anything". Eventually she asked Starbuck's corporation for a transfer. She did transfer out of downtown and I see her occasionally and I have asked her if ıe misses downtown to which she replies "I love downtown but I don't miss it".

I could tell you many a conversations like this with so many employees, managers and business owners here in Santa fe.

Exhibit "9"

Santa fe Goldworks

Santa fe Goldworks, David Griego is a good customer of ours. Recently I ran into him t our Chiropractors' office and the conversation quickly turned to the problems with buskers. David said he can hardly conduct business these days with all the buskers and panhandlers at his front door and the opening to the mall area at his business. He said while it is private property, the police do not move the buskers out of there and he is forced to deal with the situation himself. All thru out the day buskers musical noise permeates his store. Because the store is mostly glass, the sound level is nearly twice as loud inside the building. It's like being in a bubble. And the cigarette smoke from the buskers and panhandlers fumigates his store. Still police do nothing as long as there is a permit.

There are many more conversations like this with business owners such as La Fonda, Dream Cakes, Dressman's Gifts, Workshop, Santa fe Dry Goods, Mavericks, Diva, Simply Southwest, Cowboys and Indians, Overland Sheepskin Co.,Hobby Lobby, TJ Maxx, Ross Dress for Less and others.

CITY COUNCIL MEETING OF
March 26, 2014
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION BY MEMBERS OF THE GOVERNING BODY

Co-Sponsors	Title	Tentative Committee Schedule
Mayor Javier Gonzales		
Councilor Patti Bushee		
	A RESOLUTION DIRECTING STAFF TO STUDY THE FEASIBILITY AND FISCAL IMPACT OF ESTABLISHING A SINGLE-STREAM RECYCLING PROGRAM FOR THE CITY OF SANTA FE.	Finance Committee - 3/31/14 City Council (scheduled) – 4/9/14
Councilor Bill Dimas		
Councilor Carmichael Dominguez		
Councilor Peter Ives		
Councilor Signe Lindell		
Councilor Joseph Maestas		

This document is subject to change.

Exhibit "10"

CITY COUNCIL MEETING OF
March 26, 2014
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION BY MEMBERS OF THE GOVERNING BODY

Mayor Javier Gonzales		
Co-Sponsors	**Title**	**Tentative Committee Schedule**

Councilor Patti Bushee		
Co-Sponsors	**Title**	**Tentative Committee Schedule**
	A RESOLUTION DIRECTING STAFF TO STUDY THE FEASIBILITY AND FISCAL IMPACT OF ESTABLISHING A SINGLE-STREAM RECYCLING PROGRAM FOR THE CITY OF SANTA FE.	Finance Committee - 3/31/14 City Council (scheduled) – 4/9/14

Councilor Bill Dimas		
Co-Sponsors	**Title**	**Tentative Committee Schedule**

Councilor Carmichael Dominguez		
Co-Sponsors	**Title**	**Tentative Committee Schedule**

Councilor Peter Ives		
Co-Sponsors	**Title**	**Tentative Committee Schedule**

Councilor Signe Lindell		
Co-Sponsors	**Title**	**Tentative Committee Schedule**

Councilor Joseph Maestas		
Co-Sponsors	**Title**	**Tentative Committee Schedule**

This document is subject to change.

Exhibit "10"

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2014-___

INTRODUCED BY:

Councilor Patti Bushee

Councilor Peter Ives

A RESOLUTION

DIRECTING STAFF TO STUDY THE FEASIBILITY AND FISCAL IMPACT OF ESTABLISHING A SINGLE-STREAM RECYCLING PROGRAM FOR THE CITY OF SANTA FE.

WHEREAS, currently, there are 25,330 residential curbside recycling customers who participate in the City's residential recycling program; and

WHEREAS, recycling customers are directed to separate their recycling into two separate categories: (1) glass; (2) mixed paper, aluminum, tin, plastic bottles and cardboard; and

WHEREAS, the current trend throughout municipal governmental entities is to have single-stream recycling; and

WHEREAS, single-stream recycling refers to a system in which all recyclables are mixed together in a collection truck, instead of being sorted by material type; and

WHEREAS, single-stream recycling systems for collection and processing are designed to handle the commingled mixture of recyclables, excluding glass; and

WHEREAS, thereafter, single-stream materials are separated for reuse at a materials

Exhibit "1"

recovery facility; and

WHEREAS, single-stream recycling would reduce sorting by residents which could mean that more recyclables will be placed at the curb and more residents would be willing to participate in recycling.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that staff is directed to study the feasibility and fiscal impact of converting the current City of Santa Fe recycling program into a single-stream recycling program.

BE IT FURTHER RESOLVED that staff is directed to report their findings, including the fiscal impact of a single-stream recycling program to the Governing Body within 60 days of the adoption of this resolution.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2014.

_____

JAVIER M. GONZALES, MAYOR

ATTEST:

_____

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

_____

KELLEY A. BRENNAN, INTERIM CITY ATTORNEY

M/Melissa/Resolutions 2014/Single-Stream Recycling

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2014___

INTRODUCED BY:

Councilor Ronald Trujillo

A RESOLUTION

DIRECTING THE CITY MANAGER TO ESTABLISH A CITY OF SANTA FE INTERNSHIP PROGRAM TO PROVIDE AN OPPORTUNITY FOR COLLEGE STUDENTS TO BE EMPLOYED BY THE CITY DURING SEMESTER BREAKS FROM COLLEGE.

WHEREAS, college students who are residents of Santa Fe could be a valuable employment resource for the City of Santa Fe; and

WHEREAS, some college students do not remain in or return to Santa Fe during the semester breaks because of the lack of employment opportunities; and

WHEREAS, the Governing Body desires to implement a college student internship program to temporarily employ college students with the City of Santa Fe; and

WHEREAS, college students who would be employed as interns would have the opportunity to gain knowledge about government and may decide to remain in Santa Fe after their college studies are completed because they may have the opportunity to be employed full time by local governmental entities because of the governmental knowledge gained from being employed as an City of Santa Fe intern.

Exhibit "12"

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that:

1. The City Manager is directed to implement an internship program and policy, through the Human Resources Department, that would provide employment opportunities for college students during semester breaks; and

2. The program should begin with a minimum number of positions with the possibility of increasing the number of positions as budget allows.

BE IT FURTHER RESOLVED that the intern policy should, at a minimum, include the following criteria:

1. The positions shall be created and placed in the Human Resources Department.

2. The college interns who are employed shall be employed alongside a professional position within a City department.

3. The intern positions would be considered temporary employment and not subject to benefits.

4. Employment would be during semester breaks, the summer (mid-May through end of August) and winter (end of November through January of the following year).

5. Santa Fe residents who are college students would be eligible to apply.

6. Students shall have a 2.0 GPA and be currently enrolled in an accredited college.

7. Each student shall apply for the internship program, with such application to include a cover letter indicating their area of interest with an explanation on how their interest relates to their area of study.

8. City Departments will apply to the Human Resources Department for assignment of a student intern, outlining what the student will gain from their work experience with the City and the designated professional position that will oversee, assist and mentor the intern.

9. At the conclusion of the intern's service, the designated professional and the intern

shall participate in an exit interview.

10. Acceptance of an intern position is not a guarantee of employment for subsequent years or a guarantee of continued employment with the City of Santa Fe

PASSED, APPROVED and ADOPTED this _____ day of _____, 2014.

_____

JAVIER GONZALES, MAYOR

ATTEST:

_____

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

_____

KELLEY A. BRENNAN, INTERIM CITY ATTORNEY

M/MELISSA/ Resolutions 2014/Internship Program

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2014-___

INTRODUCED BY:

Councilor Ronald Trujillo

A RESOLUTION

DIRECTING STAFF TO STUDY THE FEASIBILITY OF HOLDING, ON AN ANNUAL BASIS, AT LEAST ONE CITY COUNCIL MEETING IN EACH OF THE FOUR COUNCIL DISTRICTS TO ENCOURAGE INVOLVEMENT AND PARTICIPATION BY RESIDENTS OF THE COUNCIL DISTRICTS.

WHEREAS, currently, city council meetings are scheduled and conducted in the City Council Chambers at City Hall, unless, due to extraordinary circumstance there is a need to hold the meeting at an alternative location; and

WHEREAS, in an effort to encourage participation and involvement in local government by all residents of the City, the Governing Body desires to consider holding at least one City Council meeting in each Council district at least one time per year; and

WHEREAS, in addition to the once per year in each Council district, the Governing Body desires to also consider conducting City Council meetings in a Council district when an item is set for consideration that would have substantial impact on that district.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE

Exhibit "3"

CITY OF SANTA FE that staff is directed to study the feasibility and fiscal impact of holding, on an annual basis, at least one city council meeting in each of the four council districts to encourage involvement and participation by residents of the council districts while maintaining compliance with the State of New Mexico Open Meetings Act.

BE IT FURTHER RESOLVED that staff is directed to report their findings, including fiscal impact, to the Governing Body within 60 days of the adoption of this resolution.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2014.

_____

JAVIER M. GONZALES, MAYOR

ATTEST:

_____

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

_____

KELLEY A. BRENNAN, INTERIM CITY ATTORNEY

M/Melissa/Resolutions 2014/Council Meeting Location Changes