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June 25, 2014

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Approved

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REQUEST FROM SANTA FE UNIVERSITY OF ART AND DESIGN FOR A PERMANENT WAIVER OF THE 300 FOOT LOCATION RESTRICTION TO ALLOW THE SALE/ DISPENSING/CONSUMPTION OF ALCOHOLIC BEVERAGES AT THE FOLLOWING FACILITIES AT THE SANTA FE UNIVERSITY OF ART AND DESIGN, 1600 ST. MICHAEL'S DRIVE; ADMINISTRATION BUILDING, CAMPUS VIEW CAFÉ/ PRESIDENTIAL DINING ROOM, FOGELSON LIBRARY, THE FORUM, GARSON STUDIOS, MARION CENTER FOR PHOTOGRAPHIC ARTS, SOUTHWEST ANNEX, THAW ART HISTORY CENTER AND THE FILM SCHOOL

Approved

30-32

REQUEST FROM SANTA FE COMMUNITY FOUNDATION FOR THE FOLLOWING *(ONLY IS H-3 IS NOT APPROVED)*: REQUEST FROM SANTA FE COMMUNITY FOUNDATION FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/ CONSUMPTION OF ALCOHOLIC BEVERAGES AT THE SANTA FE UNIVERSITY OF ART AND DESIGN, FOGELSON LIBRARY, 1600 ST. MICHAELS DRIVE. THIS REQUEST IS FOR "GUESS WHO'S COMING TO DINNER" ON JULY 19, 2014, FROM 8:30 P.M. TO 10:30 P.M.

Not considered

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CONSIDERATION OF RESOLUTION NO. 2014- 50. A RESOLUTION PROCLAIMING SEVERE OR EXTREME DROUGHT CONDITIONS IN THE CITY OF SANTA FE; IMPOSING FIRE RESTRICTIONS, RESTRICTING THE SALE OR USE OF FIREWORKS WITHIN THE CITY OF SANTA FE AND PROHIBITING OTHER FIRE HAZARD ACTIVITIES

Approved w/amendment

33-34

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CONSIDERATION OF BILL NO. 2014-16: ADOPTION OF ORDINANCE NO. 2014-21. AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BY AND AMONG THE CITY OF SANTA FE (THE "GOVERNMENTAL UNIT") AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL, LIMITED OBLIGATION OF THE CITY TO PAY A PRINCIPAL AMOUNT OF \$3,500,000, FOR THE ACQUISITION OF TRANSIT BUSES FOR THE GOVERNMENTAL UNIT'S PUBLIC TRANSPORTATION SYSTEM; PROVIDING FOR THE PAYMENT OF THE LOAN AGREEMENT FROM CERTAIN GROSS RECEIPTS TAX REVENUES DISTRIBUTED TO THE CITY; PROVIDING FOR THE DISTRIBUTIONS OF GROSS RECEIPTS TAX REVENUES FROM THE TAXATION AND REVENUE DEPARTMENT TO BE REDIRECTED TO THE NEW MEXICO FINANCE AUTHORITY OR ITS ASSIGNS, PURSUANT TO AN INTERCEPT AGREEMENT FOR THE PAYMENT OF PRINCIPAL AND INTEREST DUE ON THE LOAN AGREEMENT; SPECIFYING DETAILS OF THE LOAN AGREEMENT, INCLUDING THE NET EFFECTIVE INTEREST RATE; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS ORDINANCE; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT AND INTERCEPT AGREEMENT

Approved w/amendment

34-35

ADJOURN

35

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
June 25, 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, June 25, 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 Signe I. Lindell
Councilor Joseph M. Maestas
Councilor Christopher M. Rivera
Councilor Ronald S. Trujillo

Members Excused

Councilor Peter N. Ives, Mayor Pro-Tem
Councilor Patti J. Bushee

Others Attending

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

6. APPROVAL OF AGENDA

Councilor Dominguez said he would like to request that Item 10(y) be postponed to the Council meeting of July 30, 2014.

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

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

7. APPROVAL OF CONSENT CALENDAR

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

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

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

Against: None.

11. CONSENT CALENDAR

- a) **BID NO. 14/27/B – SECURITY SERVICES AT MUNICIPAL PARKING FACILITIES, CITY HALL/SANTA FE COMMUNITY CONVENTION CENTER, PUBLIC LIBRARIES, MUNICIPAL COURT AND SANTA FE TRAILS AND AGREEMENT; AAA SECURITY. (P.M. GRIEGO)**
- b) **REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO PARKEON TERMINAL SUPPORT SERVICES AGREEMENT – PAY AND DISPLAY MULTI-SPACE PARKING METERS AT RAILYARD AND ARCHDIOCESE/CATHEDRAL SURFACE LOTS; PARKEON SERVICES. (P.J. GRIEGO)**
- c) **REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO LEASE AGREEMENT – CANYON ROAD PARKING LOT; ROMAN SALAZAR. (P.J. GRIEGO)**
- d) **REQUEST FOR APPROVAL OF GOLF COURSE MANAGEMENT SERVICES AGREEMENT – LEASE OF CONCESSION AREA AT MARTY SANCHEZ LINKS DE SANTA FE GOLF COURSE (RFP #14/26/P); NEW MEXICO GOLF LTD. (JENNIFER ROMERO)**
- e) **REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – SANTA FE MUNICIPAL COURT DRUG COURT PROGRAM AND DUI COURT PROGRAM; MILLENNIUM TREATMENT SERVICES, INC. (JUDGE YALMAN)**

- f) REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – SANTA FE REGIONAL JUVENILE JUSTICE BOARD CONSULTING (RFP #14/33/P); JAC-O CONSULTANTS. (RICHARD DeMELLA)
- g) REQUEST FOR APPROVAL OF EXEMPT PROCUREMENT AND CONTRACT – FY 2014/2015 ADVERTISING SERVICES FOR CITY OF SANTA FE; THE SANTA FE NEW MEXICAN. (ROBERT RODARTE)
- h) REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT – CONTINUED PROCUREMENT OF GOODS AND SERVICES FOR CITY OF SANTA FE; SAM’S CLUB. (ROBERT RODARTE)
- i) REQUEST FOR APPROVAL OF PROCUREMENT UNDER COOPERATIVE PRICE AGREEMENT – COPIERS AND MAINTENANCE AGREEMENTS FOR OFFICE OF THE CITY CLERK; CANON USA, INC. C/O ROCKY MOUNTAIN BUSINESS SYSTEMS. (ROBERT RODARTE)
- j) REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO PROFESSIONAL SERVICES AGREEMENT – SECURITY SERVICES FOR WATER SYSTEM FACILITIES; CHAVEZ SECURITY, INC. (ALEX PUGLISI)
- k) REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO CONSTRUCTION AGREEMENT – CITY WIDE UTILITY CONSTRUCTION AND REPAIR PROJECTS FOR WATER DIVISION; SUB SURFACE CONTRACTING, INC. (ALEX PUGLISI)
- l) REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – CITY WIDE WATER UTILITY PAVEMENT RESTORATION PROJECT FOR WATER DIVISION; TLC PLUMBING & UTILITY, INC. (MIKE MOYA)
- m) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – OSHA FOR NEW MEXICO DEPARTMENT OF TRANSPORTATION TRAINING FOR TRAFFIC CONTROL, TRENCH SAFETY AND BARRICADES FOR WATER DIVISION; SOUTHWEST SAFETY SERVICES. (MIKE MOYA)
- n) REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – STATE OF NEW MEXICO AGREEMENT FOR SALE AND PURCHASE OF NATURAL GAS FOR DISTRIBUTION TO CITY-WIDE FACILITIES; BP ENERGY COMPANY. (NICK SCHIAVO)
- o) REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – PRINTING AND MAILING SERVICES FOR UTILITY BILLING DIVISION; INFOSEND, INC. (NICK SCHIAVO)

- p) REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – PROJECT MANAGEMENT SERVICES FOR NEW UTILITY BILLING SYSTEM IMPLEMENTATION; SCHAFFER CONSULTING. (NICK SCHIAVO)
- q) REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – PERFORM RATE EVALUATIONS AND FINANCIAL SERVICES FOR PUBLIC UTILITIES DEPARTMENT; MWH AMERICAS, INC. (NICK SCHIAVO)
- r) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICE AGREEMENTS – FISCAL YEAR 2014-2015 HUD'S SHELTER PLUS CARE PROGRAM FOR HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT. (ALEXANDRA LADD)
 - 1) SANTA FE COMMUNITY HOUSING TRUST
 - 2) LIFE LINK/LA LUZ
- s) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – DRIVER'S LICENSE RECORD CHECK SERVICES FOR EMPLOYEES WHO DRIVE CITY OWNED VEHICLES; OFFICE OF RISK MANAGEMENT/SAFETY (RFP #14/41/P); SAMBA HOLDINGS, INC. (CARLOS RAMIREZ AND BARBARA BOLTRAK)
- t) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – HEPATITIS-B VACCINATIONS, TITER TEST AND BOOSTER VACCINATION SERVICES FOR EMPLOYEES IN CLASSIFICATIONS COVERED UNDER THE CITY OF SANTA FE'S BLOODBORNE PATHOGEN POLICY (RFP #14/22/P); OCCUPATIONAL HEALTH SERVICES OF THE SOUTHWEST, P.A. D/B/A CONCENTRA MEDICAL CENTERS. (DEBBIE ROUSE AND BARBARA BOLTRAK)
- u) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – SUBSTANCE ABUSE TESTING SERVICES FOR CITY OF SANTA FE EMPLOYEES (RFP #14/23/P); DATCO SERVICES CORPORATION. (DEBBIE ROUSE AND BARBARA BOLTRAK)
- v) *[Removed for discussion by Councilor Maestas]*
- w) REQUEST FOR APPROVAL OF GRANT AWARD AND AGREEMENT – WILDLAND/ URBAN INTERFACE AND HAZARDOUS FUELS REDUCTION/AZTEC SPRINGS FUEL REDUCTION PROJECT; NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT, FORESTRY DIVISION. (GREG GALLEGOS)
- x) CONSIDERATION OF RESOLUTION NO. 2014-49 (MAYOR GONZALES, COUNCILOR IVES AND COUNCILOR DIMAS). A RESOLUTION DECLARING THE GOVERNING BODY'S INTENTION TO BRING PEOPLE TO THE SANTA FE PLAZA BY PROVIDING A SAFER ENVIRONMENT AND INCREASED ECONOMIC DEVELOPMENT OPPORTUNITIES. (ISAAC PINO)

- y) **CONSIDERATION OF RESOLUTION NO. 2014-___ (COUNCILOR DOMINGUEZ AND COUNCILOR RIVERA). A RESOLUTION DIRECTING STAFF TO EXPLORE POTENTIAL CITY OF SANTA FE TAXPAYER EMPOWERMENT POLICIES RELATED TO OUTSOURCED CITY SERVICES THAT WOULD PROMOTE TRANSPARENCY, ACCOUNTABILITY, SHARED PROSPERITY AND COMPETITION. (MARCOS TAPIA)**
This item was removed from the agenda and postponed to the Council Meeting of July 30, 2014.

8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – JUNE 11, 2014.

MOTION: Councilor Trujillo moved, seconded by Councilor Dimas, to approve the minutes of the Regular City Council meeting of June 11, 2014, as presented.

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

9. PRESENTATIONS

Brian Snyder, City Manager, asked to move Item 9(a) to be heard after Item 9(e), because the Police Chief is tied up in meetings and has not yet arrived.

b) MUCHAS GRACIAS – LEAD TASK FORCE (COUNCILOR DIMAS)

Councilor Dimas gave an overview of the history and the work of the LEAD Task Force, noting the Task Force enabling Resolution was approved unanimously by the City Council in July 2013. He thanked Mayor Coss, "without whose help the program would never have gotten off the ground."

Councilor Dimas presented Muchas Gracias Certificates to the members of the LEAD Task Force, and thanked them for their hard work in creating the LEAD Program.

Mayor Gonzales thanked Mayor Coss and the other members of the LEAD Task force, as well as others who worked on this most important initiative in this community. He thanked Councilor Dimas for his passion and commitment to keep LEAD in the forefront of the City's efforts.

c) MUCHAS GRACIAS – ST. MICHAEL'S HIGH SCHOOL CHESS TEAM – AAA STATE CHAMPIONS. (COUNCILOR RIVERA)

Jim Johnston, Coach of the Chess Team, presented the members of the AAA State Champion Chess Team, whom he said are "grand chess players."

Councilor Rivera, on behalf of the Governing Body, congratulated the coach and Team, and presented Muchas Gracias to the St. Michael's High School Chess Team, the 2014 AAA State Champions.

d) CURRENT STATUS OF THE SANTA FE RAILYARD DEVELOPMENT. (RICHARD CZOSKI, EXECUTIVE DIRECTOR, SANTA FE RAILYARD COMMUNITY CORPORATION.

A copy of *Santa Fe Railyard Project*, prepared by Richard A. Czoski, Executive Director, the Santa Fe Railyard Community Corporation, is incorporated herewith to these minutes as Exhibit "1."

Richard Czoski presented information via power point. Please see Exhibit "1" for specifics of this presentation.

The Governing Body commented and asked questions as follows:

- Councilor Lindell asked if the debt of \$18.9 million will it be paid when the agreement expires in 2029.

Mr. Czoski said yes, noting the expiration date is not a coincidence.

- Councilor Rivera asked who is responsible for the extension of the road which will be built next to the theater.

Mr. Czoski said the Agreement with the City provides that the City can build it or hire the Railyard to do it under a professional services agreement, noting the City is obligated to fund it under the agreement. He said they will build everything around the new cinema including the Plaza on the track side, so not all of the land is occupied by the Cinema. He said the road should be constructed this Fall.

- Mayor Gonzales noted there is approximately 115,000 sq. ft. available for build-out to 100%.

Mr. Czoski said this is correct.

Mayor Gonzales said a lot of the discussion during the transition team reports to him was the fact that there is a master plan agreement which was developed pre-recession. He asked if the Governing Body or the Railyard Board made the decision that 115,000 sq. ft. was to go to non-profit.

Mr. Czoski said it was the Railyard Board.

- Mayor Gonzales asked if that was at the direction of the Governing Body.

Mr. Czoski said that was before his time, and he can't say.

- Mayor Gonzales asked if the Railyard Board has discussed relooking at the master plan that exists today for the rest of the 115,000 sq. ft. to make sure that the types of uses that we want in place complement what is happening currently in Santa Fe, as opposed to uses which may have been more applicable when the master plan originally was adopted.

Mr. Czoski said, "The master plan really allows for a lot of diverse use. The only prejudice, if you will is again national businesses and national chain stores, drive-up facilities and filling stations. Those are the items that are specifically, maybe prohibited is too strong a word, but discouraged.

- Mayor Gonzales said, "The opportunity of the Railyard, obviously for job growth, you're making a major investment in broadband infrastructure, I believe that's going in here fairly shortly.

Mr. Czoski said, "The City is going to run its broadband through, yes."

- Mayor Gonzales said, "So, if a Silicon Valley company wanted to come in and lease out portions of the Railyard for, let's say post-production film editing or animation, that would be strongly discouraged."

Mr. Czoski said, "In the master plan, it would be, but the Board approved a post-production film studio in 2010 that got all the way to the City Council, because we had to come here for some master plan amendments for the architecture. When the State started changing its subsidy rules, that resulted in this post-production facility. So, for example, one of our tenants came to us with an Apple store, and the Board approved that. So the Board, in the master plan, has the discretion to make those kinds of subjective judgments. The Board didn't approve Chipotle and Panera Bread fast food. The master plan says you can approve a national tenant or chain store if it meets an unmet need in the local community. Now that's a bit of a subjective item, but there are a lot of folks around who make food, and there are a lot of fast foods, and the Board didn't feel that was a good use. But it's not an absolute. So they've approve some national tenants and they've not approved some national tenants. It is subjective and the Board exercises their discretion."

- Mayor Gonzales said, "If you could just share with us. I know there have been various communications back on the New Mexico School for the Arts, but very briefly, was there ever a proposal made to the Board, or was that kind of a lot of chatter that was out there that never happened."

Mr. Czoski said, "We met with the school a number of times. We asked them for a firm proposal. And that really was somewhere around 8 months, maybe 10 months, something along those lines, so we asked them for specific needs and really, it didn't really happen until the end. If you are familiar with it, they were trying to get the Alvord School Campus, and they really couldn't tell us the size of the requirement, until they learned that they wouldn't get Alvord School. So where the last informal proposal.... we didn't get anything in writing, but an informal proposal, was to take all

the area south of Paseo de Peralta, so from the tracks, Paseo de Peralta and Alarid Street, fence it off and build a campus for 400 students. The Board carefully considered that proposal and determined that the master plan didn't envision a school, that fencing off the entire area in the north Railyard is prohibited. And when we made our initial arrangements and did leases with all the tenants who were there, they bought into a development that was governed by the master plan. So they made significant investment, millions of dollars of their own money to build buildings, and be in a project that was defined by the master plan. So when the Board looked at a school, which was never envisioned in the master plan, which is totally different than the vision of the master plan originally, the Board decided that it was an inappropriate use, and that it would have been not fair to all those tenants who had already invested millions of dollars in the Railyard. The Railyard is pretty equally public money and private money. It's about \$140 to \$150 million, and it's about \$70-\$71 million of public money and the balance is private money. So they have a lot invested and we didn't feel it was appropriate to change the whole feeling of the project at this point for this year."

- Mayor Gonzales said, "This is the last question. And I'm asking this as a new Governing Board member, is there ever any, or is there any desire by the Board to have consultation with the Governing Body regarding uses, so that potentially, maybe the Governing Body might have an interest in seeing the School for Performing Arts in the downtown area, and that would have been a nice place to capture it, or maybe we're trying to recruit a business that's coming in, or we're trying to get younger people into the area. And so having access to a Chipotle is kind of one of those issues. Is there any opportunity to be able to have some type of participation without telling you who the individuals should be, into the types of uses that are left, or is the Board pretty adamant that the Council basically stay out of it and they finish what they're doing. And it's an open question, and I think it's an important one for us, right. Because it's either saying, all right, sit back and we'll take care of the \$115,000 square feet that's left, or yeah, look, we know there are things that you want to do. I'm wondering if there's opportunity for that participation."

Mr. Czoski said, "I'm looking at my Board members."

- Mayor Gonzales said, "I think the pause says a lot, Richard it's fine. I think what you ought to do is maybe go back and talk to your Board members and see. And I've not visited with the Governing Board members, so there might not be an interest. I think there is an incredible opportunity in the future here. And I love the fact that non-profits have a strong presence, that makes sense. But, what I've heard you say is that... I'm confused as to the yeses on some, the nos on others, and I think that's good that you are able to maintain that type of authority. You should, because it's a big investment. But I also think that there should be an opportunity for the public, through its elected officials, to weigh-in on what is left to be developed."

Former Councilor Rosemary Romero, Railyard Board member said, "I'm on the Board of the Railyard, and just as a reminder for folks, when I was on Council we did have significant communications with the Railyard Board. I was not on the Board, I was on the Council, and we talked about Masks was one example where there was a lot of discussion about economic

development, bringing youth into the Railyard, and that didn't go anywhere. The issue about housing continues to be discussed, and now, several off of Council, it's coming to fruition. So, it's not for lack of trying, and I think these communications you are asking about have occurred and continue to occur. Some of them are more, I think, appropriate through the master plan, and yes, there is the discretion. But I think the conversations are, it's our City, it's our Railyard, and I think the Governing Body and the Railyard Board need to have more communication about what is real and what's happening on the Railyard. So I think we would welcome that."

Former Councilor Romero continued, "We talked about the changing of the master plan, and it's never easy, as anyone knows who has come before the Governing Body with any master plan. What you came in with is not always the same. And we have neighbors to take into account, which we've been very considerate. And I will say, that in the last couple of years, I think we have resolved many of the conflicts that occurred with the neighbors, so it's been a challenging relationship from a variety of factors, including the economy, the neighbors, changes in the Governing Body. I think what we've tried to do is maintain fairness and transparency. The similar process, just to reaffirm, and I'm going to underscore process, because it was fair, it was appropriate, it was not political. It was driven by criteria. So I think there has been some of that."

Former Councilor Romero continued, "So I just want to make sure that folks understand, yes, it's a non-profit, and I think there is a lot of discussion that's occurred in the past and will continue to occur into the future with the Governing Body on how the Railyard moves forward. I wish Sandy was here to really tout the things that have been happening to get young folks to the Railyard, which I know is of concern to you, and other members of the Council. So, we're trying as hard as we can, given the economy, and I think, given where we're at, there's not that much left. We gave the School for the Arts major consideration, a tremendous amount of our time and energy. And really, it didn't work out. We wish them well, and I know they're discussing things with NMDOT. I actually helped to guide some of discussion toward other areas that I thought would be appropriate. So I think we tried really really hard with them, but it just wasn't a good fit."

Mayor Gonzales asked is there any chance for them to come back.

Former Councilor Romero said, "Quite frankly, the discussions that we had with them never were put on paper appropriately. But the thought of a fenced-in area, as Richard noted, that is a significant fenced-in area which is mandated for public schools, and it wasn't an appropriate fit for the Railyard. The tenants that are there that have put in their own personal money, it's still not a fit. As a Board member, speaking only as myself on the Board, I would say it is still not an appropriate fit. I did show them lots of other schools and other properties. I think that fencing off part of the Railyard takes away from what you had said earlier you felt was important, and for other members of the public who come to the Railyard to have a fenced-off area doesn't fit in my mind."

- Councilor Dominguez asked Mr. Czoski if his presentation available to the Governing Body, saying there is information in it which he believes will be helpful.

Mr. Czoski said yes, and he will send it to him.

- Councilor Dominguez said Mr. Czoski said the Board has 16 members, and asked if it is a complete Board.

Mr. Czoski said there could be more, but it is 16 at the moment, noting it has been as many as 17 and as low as 13, and there is turnover over time.

- Councilor Dominguez asked the maximum number based on the governing documents.

Mr. Czoski said he thinks it is 17-18, but he would have to get back with him.

- Councilor Dominguez asked if there are two vacancies, and Mr. Czoski said, "Perhaps."
- Councilor Dominguez would like a list of the Board members, noting he wants to look at the demographics of the Board.

Mr. Czoski said he will send him one, noting it also is at the website..

- Councilor Dominguez said Mr. Czoski said there are 3.25 staff members, and asked if these are City staff, and Mr. Czoski said no, they work for the non-profit.

- Councilor Dominguez asked if there is any City staff that is dedicated solely to the Railyard.

Mr. Czoski said no, commenting that Robert Siqueiros does the Botanical Garden and BTAC and other things, so he isn't 100% with the Railyard, although he would like that to happen if possible.

- Councilor Dominguez asked if the 3.25 does the construction management.

Mr. Czoski said, "Yes sir, I do that." He said when they were building the infrastructure, and a huge project going, he had two additional staff members to help him at that point. However, the construction, although continuous, is on a smaller scale, and he manages that.

- Councilor Dominguez said, then you do the construction management for the organization, and Mr. Czoski said yes.

Mr. Czoski asked the members of the Railyard Board in attendance to stand.

- Councilor Dominguez said, "I think it's unfortunate, but I think it says something that we don't all know all the Board members, so that's an interesting observation, to kind of speak to your point Mayor, in terms of the relationship that the Governing Body could potentially have with the Board."

- Councilor Trujillo said, "To elaborate on what the Mayor was saying. When we did this master plan, it's been quite a while. Things have changed, there is a brand new Council here. It is something I think that warrants discussion – should we change what we're doing, as Councilor Romero said. One of my biggest concerns is the lack of infrastructure for children in this community. Do I want to see another gallery. No, I don't. I really don't want to see another gallery on the Railyard. I want to see something that is actually going to bring the locals, especially from the south side, have them come there. We just did People to the Plaza Initiative. Let's do an initiative for People to the Railyard, and get them from all this community to come there."

- Councilor Trujillo continued, "And the other thing that I see, and I've said it many times, where do I sometimes take my children and where do I go. I go to Albuquerque, because there's a lot of stuff to do there. There's jump places for kids, there's Hinkle's. I don't know if they would work in the Railyard, but these are considerations. I don't want to see one segment of this population left out just because they don't pay taxes and they don't vote. They're important to me, because I have kids. And I want to see more things in the community for them to do. That's been one of the biggest things I always hear from a lot of constituents, a lot of kids. You know, Ron, there's not a lot for us to do here in this community. I want the entire City to change that mentality. How do we do that. When we had the discussion about the movie theater, that is something we promised back in the day, we were going to get that, and I'm hoping once that movie theater is built, that a lot more people start going to the Railyard. I think they are, I really do, depending on the movies they show, but I'm hoping they show a few action-packed here and there. That's the only thing I wanted to say."

- Councilor Trujillo continued, "I'm hoping that maybe the Council, we can meet with your Board members and have that collaboration and have that discussion. I think it is warranted. I am very pleased with a lot of things in the Railyard, especially the Movies in the Park which is something we enjoy attending. And Stevie Ray Vaughn's brother was just down there. To me, that is great, when you see those kinds of concerts coming to Santa Fe. I'm glad that we're stealing some of these concerts from Albuquerque, and bringing them here to capitol City, and let them enjoy this things. I just wanted to let you know that."

- Mr. Czoski said, "One challenge we have with bringing events to the Railyard, is that the Conservation Easement prohibits charging admission. So every event that is in the Railyard, has to be sponsored by somebody, and the City contributes for the stage, for example, but everything else has to be developed from private funding. So, we couldn't agree more. We want the Railyard to be for the entire City, and in fact, we did a survey with our tenants, and we had close to a million visits last year to the Railyard. It tends to come in big rushes. It's not constant, but hopefully the cinema will help it to be more constant."

- Mayor Gonzales said, "You're moving, but there are 115,000 square fee left, and once that's done, we're done, and I'm wanting to at least have that balance."

- Councilor Maestas said, "Part and parcel with Councilor Trujillo's discussion on the need to really accommodate our youth, I know Warehouse 21 is one of your tenants I believe. And these non-profits that provide these vital services to our youth, it's a struggle to raise money and pay the rent. I don't know what conditions or dispensation you have for Warehouse 21, if you do have such provisions in the Lease Agreement. But I just ask you to consider going forward, to consider the services they provide to our youth, and understand the struggle they have to remain solvent and provide the necessary programs for our youth. I would like to see Warehouse 21, not just continue, but flourish there as one of your tenants."

Mr. Czoski said, "So would we, absolutely. The non-profits that are there, the four I mentioned, we basically gave them a hugely subsidized rent or they couldn't have afforded to ever be there, so they paid approximately 20% of the ground rent that the for-profit businesses pay. Had we charged them 100%, there is no way they could afford it." He said they worked closely with Warehouse 21 over the years, which has had its problems, but there is a new Executive Director and believe4s they are poised to make some programming changes. "We think they're an integral part of the prospect.

Mayor Gonzales thanked Mr. Czoski and the Board members and staff for the fun events at the Railyard these days. He feels the community is feeling connected to the Railyard, and he appreciates the work that has been done to date. He said, "I don't want you to take any of these questions that I've asked you as anything other than what I view as being an important conversation between two partners that want to see the best happen in that area. He looks forward to continuing to visit with them.

Mayor Gonzales exercised the prerogative of the Chair to hear Item 9(a) next on the agenda

a) INTRODUCTION OF POLICE CHIEF ERIC GARCIA.

Mayor Gonzales introduced the new Police Chief, Eric Garcia, and welcomed him to the City. He said we took a different road in choosing a Police Chief, asking members of the community to be a part of the process, including the Police Union. He said Chief Garcia was chosen after a rigorous process, and he believes the process gave us the absolute best person to be our Chief at this time. He asked him to talk about how things are going along.

Chief Garcia said they have taken the current operational plan and partially flipped it upside down. He said they are reorganizing the current administration, noting he has asked applicants to submit their interest for the Deputy Chief's positions. He said in 1-2 weeks, they will be moving forward with the Captains positions and promoting from within the ranks. He said it is important to move upward in this way so the boots on the grounds officers can have a vested interest in the City and help them move forward and have an investment in the department. He said the priority is overall public safety, public safety, public safety. They are implementing a stand alone narcotics unit within the Department, as well as an intelligence unit, which he believes is important to help the City move forward. He has an open door policy

and invited the Governing Body, City Manager and Legal staff at any time, noting they are welcome to go on a ride-along. He would like the Governing Body to see how they function as a law enforcement agency first hand, including the child in need of help right now.

Councilor Trujillo said he spoke with the Chief two weeks ago, and welcomed him to the City of Santa Fe, saying he looks forward to working with him and what he has planned for the City.

Councilor Dominguez welcomed Chief Garcia as well, and thanked him for being willing to take this position. He said there are challenges in the work they do and thanked the officers for the work they do. He is glad to see the new energy he brings. He will work with the Public Safety Committee to address some of the fiscal challenges. He thanked Chief Garcia's family for letting the City utilize his services.

Councilor Maestas said he attended the swearing-in ceremony. He said the Chief referenced media reports about police conduct in other cities, and he wants to "make sure we don't become that City." He said we need to become better able to deal with the mentally ill and hopes the officers will be trained to work with the mentally ill and how to de-escalate a situation and to avoid violence if at all possible. He said he is unsure if the Police Department has a policy to administer Narcan, and asked the Chief his position, and if he will revisit that policy and consider authorizing first officers on the scene to administer Narcan to reduce the effects of an overdose.

Chief Garcia said the Narcan program is an excellent tool for law enforcement officers in responding to a call for service. He said, "Rest assured... actually the draft is almost done and will be sent to the Mr. C.M.'s office for review, and will be presented to the Public Safety Committee and then up to the full Council. So yes, we are moving forward with that."

Chief Garcia said with regard to the mentally ill and the CIT Crisis Intervention Techniques, Captain Lettenberger is spearheading several programs. There are several specialists, including Dr. Troy Rogers from Albuquerque, Brian Coss, Lead Instructor for the Corrections Department, so they are moving forward with those programs, commenting training is of the utmost importance. He said the City Manager has said he will do everything possible to help us get the needed training for our staff.

Councilor Rivera said he also was at the Chief's swearing-in ceremony, was privileged to meet his family which are behind him 100% which is very important. He thanked the Chief's family, noting it can be difficult for them at times. He commended him on looking at promoting from within and the other changes which are being made. He said he has received requests from a few people asking the Mayor and Police Chief to meet with some of the neighborhood associations to discuss issue, and hopes he is amenable to attending some of those.

Chief Garcia said he is open to this.

Councilor Rivera said he did a ride-along with the Police 5 months ago and was impressed with the Department, and is interested in setting up another one, once the Chief has implemented the changes.

Councilor Dimas also has done some ride-alongs through the years. He said he knows Chief Garcia is happy to have him on board. He said the Chief is making progress and there is a lot of excitement at the Police Department. He doesn't recall the POA supporting a Chief in the Chambers like it is doing tonight. He said he speaks highly of the Chief. He is very happy to hear there finally is going to be a Narcotics Unit in the Department, something for which he has been fighting since he's been on the Council. He congratulated the P.D. for the arrests made as the result of the Drug Hotline initiated by this Council. He said the Hotline number is 428-3737. He looks forward to working Chief Garcia as closely as possible, and welcomed him aboard.

Mayor Gonzales said he is excited with the combination of Chief Garcia and Councilor Dimas who heads up the Public Safety Committee, commenting that he believes we will start seeing a lot of pro-active public safety policy, and believes the entire Council is eager to see the next generation of policing in Santa Fe. He thinks this community needs people who understand how to de-escalate situations, in spite of some of the news articles.

Sergeant Martinez, President, Police Officers Association, said, "It's been a long time since we've been able to stand behind our Chief, stand behind our Council and our Mayor, and we appreciate every opportunity that you have given us. Besides everything the Chief has mention, I will reiterate my first job, first and foremost, is as a Police Sergeant. That means that I have a job to effectively and efficiently give the citizens of this community my best. That is it. It has nothing to do with the Union. That's what I took this oath for. Besides what the Chief said, I can say that key implementation of programs such as the stand alone Narcotics Unit, the Intelligence Unit, Domestic Violence and other CIT programs will be implemented with the help of the police officers through the rank and file because of the Chief, and he stated that when he first came in – we're going to turn this upside down. It's going to be the rank and file that has say on what happens from now on as well. So we appreciate that. So thank you very much for the opportunity, and thank you Chief, we appreciate it."

Mayor Gonzales said it is telling to him when Chief Garcia walked in wearing same color uniform that the rank and file did, and said he appreciates that very subtle, but profound message which was sent. "It impressed me, so thank you."

e) **UPDATE ON STATUS OF WASTE ISOLATION PILOT PLANT (WIPP). (DANA BRYSON, CARLSBAD FIELD OFFICE DEPUTY)**

Dana Bryson, Carlsbad Field Office, Deputy, U.S. Department of Energy, presented information regarding this matter.

Mr. Bryson said, "As you know, WIPP had two accidents. One, separate first, was an underground fire, a salt hauler caught on fire. It burned up through the tiers, so you can imagine what that did in the underground with the miners, but everyone got out safely. On February fourteenth, we had a radiological release from the sealed containers in the underground. They've vented, but everything is sealed and designed to prevent release. Well, we had a release. And fortunately, the ventilation system worked as

designed. There was no risk to the public. There was some low level exposure to workers, in fact, I was one, but it was within limits, allowable limits. Release was below the EPA reporting requirement. We have been working to improve the design of the ventilation system. It can always get better, and that's what we're aiming to do here, is learn from our mistakes, learn from what happened and assure that we're better and it doesn't happen again."

Mr. Bryson continued, "Thousands of air and environmental surveys were taken since the February fifteenth [14th?] radiological release. The majority are non-detectible for contamination. We've had independent checks from New Mexico Environmental Department, from the Environmental Protection Agency, from an independent agency in Carlsbad, and we even got the Center for Disease Control to validate our lab results."

Mr. Bryson continued, "So now, we're looking at the recovery process. Phase 1, was just deal with the emergency and try and get back down, keep things safe, and identify the source of contamination. We're kind of getting at the tail end of Phase 1, and we've already started Phase 2, which is decontaminating the mine, replacing equipment and improving infrastructure, and upgrading procedures and process to ensure a safe and compliant future operation. And we're looking at having an approved recovery plan. In fact, it's in the process, going through the bidding right now, next month. And that, in fact, ties-in with our isolation plan which we developed as part of that, in response to an administrative order from the New Mexico Environment Department for Panel 6 and Panel 7, Room 7, where we believe the incident occurred."

Mr. Bryson continued, "So right at first, we had about six weeks where we had to assure that everything was safe, make sure the environment and workers were safe, get our safety management programs vetted and we made upgrades to the ventilation system to assure that it would continue running and would protect the environment as best it could. After that, we were able to start limited re-entries, and when I say limited, you're sending people down into an unknown situation, so you have to assure that, in any scenario plausible, that they are going to be safe. So then those limited re-entries, they're completed a dozen entries. They went to the wait state. They did observations with remote cameras, but we still have to get better equipment to allow us to inspect everything, all the way back, the full range of waste. We've got about 80 feet of waste in place in Room 7. You've got about 30 feet wide from rib to rib in the panel there. And so we're putting together a set of equipment that will be able to go in an inspect that, from top to bottom."

Mr. Bryson continued, "So as I said, the cause is being investigated. We have an Accident Investigation Board that we appointed in accordance with the orders. They are independently evaluating what happened in WIPP. They are doing site inspections to look at the generator side of it as well. We also have a Technical Assessment Team that was appointed by the Secretary and Under Secretary, to assure that our world class scientists across the nation, in our National Lab, are coordinated in evaluating this issue as well; not just the accident, but how we go back into operations in assuring that we are doing is going to be safe."

Mr. Bryson continued, "So, what do we know. We know that the mine is stable. There is concern because we're essentially a potash mine that's also a nuclear facility. So mine stability was the prime concern. The Magnesium Oxide stacks are set on top of the wastes, which has nothing to do with near term safety, that's for long term performance of the waste retention scenarios. They were disturbed by the event. Some of them appear to have been damaged by head, the outside containment, and at least one container is no longer intact. It looks like the lid popped up on one side from a hear reaction, a heat generation. Now as I said, all of our containers are vented, so in order to overcome that vent, it would have to have been a reaction that generated enough heat that it couldn't be vented out through that little vent and it popped the lid."

Mr. Bryson continued, "So the Accident Investigation Board is looking at what caused the damage to the waste container, was the original source to the entire event or were there other containers involved. And that's why it's critical that in our upcoming entries that we look at everything to assure what the exact situation was."

The Governing Body commented and asked questions as follows:

- Mayor Gonzales said, "I appreciate you coming up here and giving us that input. I think, for me, and possibly the Governing Board, the question is on Los Alamos, right, in terms of when you talk about an event and what's going on. Two things come to mind. Obviously, WIPP isn't necessarily accepting any more waste from Los Alamos right now, correct."

Mr. Bryson said, "WIPP is not accepting any waste, at all."

- Mayor Gonzales said, "What is DOE doing to be able to monitor and determine Los Alamos's current capacity, both in infrastructure and in personnel, one, to deal with the existing waste. And then, two, if the container originated in Los Alamos, as I've heard, what is being done to make sure that the existing containers on site are properly sealed. Is there testing that is going on. And what is the DOE going to do to publicly report what their findings are."

Mr. Bryson said, "Okay, good question. So, in looking at the scene of the accident, and what we're narrowed it down to is, it looks like we have a waste stream from Los Alamos, Minnow 2 Waste Stream, that you're heard about. You've heard about the organic kitty litter. You've heard about the nitrate waste. This has all of those coming together, but that's a pretty large waste stream. So, we've been working together. Like I said, we've got national labs from across the country participating in this. And we've isolated some containers of concern. We have taken certain containers in Los Alamos and taken precautions with those. Put them in a special place and taken precautions in monitoring them and making sure that if anything did happen, that they would be safe and the people around them would be safe."

Mr. Bryson continued, "We've done the same thing with the WCS, the facility in Texas that we started shipping to after the fire, when we were trying to meet the commitment we had to New Mexico to meet the 3706 Transuranic Waste..."

- Mayor Gonzales said, "Right now, you've said you've identified the barrels and you've got them isolated up from Los Alamos."

Mr. Bryson said, "We have barrels of concern. We actually have them spread out, this waste stream of concern. We have them spread out. Some are in Los Alamos. We have some at WCS, we have some in the waste handling at WIPP, and we have some in the underground."

- Mayor Gonzales asked, "Is there any type of threat assessment that the DOE does to determine the exposure to the area and to the City that can be released, published."

Mr. Bryson said, "Yes. We've done assessments like that around WIPP, especially around the accident, and while you had the ventilation operating and all. What Los Alamos has done, is actually a step beyond that. They have isolated it, so that it's not exposed to the atmosphere. I mean it's behind barriers. It's contained."

- Mayor Gonzales asked, "What about to the individuals who work in those areas."

Mr. Bryson said, "Well, the individuals that work in those areas, so DOE addresses threats by looking at, first and foremost, engineering control. Engineering control, they put in a contained area with its own ventilation system, and I believe there is viral protection in there too. Okay, if you have to send people in, well engineering controls the ventilation health, but then you have to go down a step and you have personal protective controls, and in this case, it is supplied area or it's breathing on filters. We've all worked under those environments in the nuclear industry, so that's to protect the workers. Your last level is administrative controls, and in this case, they would have your radiological controls program. You would only have people that needed to go in there, go in there, that sort of thing."

- Mayor Gonzales said, "So just in closing, because I know we've got to move on and I want to see if there are any other questions. So the DOE is comfortable stating here, to the Governing Body that, in terms of what is happening in Los Alamos, that there are measures and mechanisms in place to address any threats and to monitor appropriately the waste that is sitting up on the hill that can be.... because we don't know how many years it might take to open up WIPP. So obviously, I assume that the DOE is taking the pro-active stance and making sure Los Alamos is doing all the preparations to protect the waste. Right."

Mr. Bryson said, "DOE is working to get WIPP open as soon as possible to start removing that waste. And in parallel, to protect the waste that is in Los Alamos, and I have to put a caveat on this. I'm speaking for DOE here, but Los Alamos is under different set of management who I work with closely. And I've given you information that wasn't in my presentation, but I know from

working with them. And if you have specific questions on safety precautions that Los Alamos is taking, I suggest that you contact them, or I can contact them for you and ask them to provide that information to you."

- Councilor Rivera said, "I was part of the Fire Department when WIPP first opened, and we were always told that there would be low-level radiation being transported, at that time, through Santa Fe. Is that still the situation. It sounds like it could potentially be more than low level radiation."

Mr. Bryson said, "We have transuranic waste, but it is transported from Los Alamos to WIPP. It doesn't go through the City and it doesn't expose people to radiation. It is all contained."

- Councilor Rivera said, "Obviously there was a situation where the container that happened at WIPP, so I assume that situation could pop up in transport as well. Now if they come down from Los Alamos, I assume they go through the 599 By-pass."

Mr. Bryson said, "And let me explain that. So, you have a drum, and in this case, it was a drum that had a vent on it that had a reaction and the lid popped up. Okay. And then, oftentimes, you'll put those in standard waste boxes, which are a big container that's sealed up. But before it comes down here, typically you'll put it in a Tru-Pack 2, which is a Class B, NRC regulated, DOT container that is very solid and sealed. And if this has happened in one of those containers, it would have stayed. It could have popped out of the drum. It would have stayed in that Tru-Pak 2."

- Councilor Rivera said, "Since the City Fire Department... they still have the only regional hazmat team within the area, they would be responsible for responding to accidents along the 599 corridor. Is there ongoing training with the City Fire Department to make sure they can handle those types of situations."

Mr. Bryson said, "There is ongoing training and exercise that take place with these containers, and they simulate.... we have the best drivers, with the best safety records. That's all we allow for our contracts. But let's say there was an accident. Let's say a trailer tips over. Let's say the container goes rolling off. Those containers are designed to stay intact, but we take the accident scenario seriously, and we work with the local authorities to do simulations. We just finished one with Texas. I believe that they are trying to line-up something up in Northern New Mexico next. And so if you feel that one hasn't happened here in a while, please let me know, and we'll get you on the list."

- Councilor Rivera said, "If you could get together with our Fire Chief. Maybe you can get a phone number from the City Manager, from City Staff, and at least have a discussion with him so see if they may feel it's important or not. I think it should be at least looked at, but I'll leave it up to him."

Mr. Bryson said, "Absolutely. These exercises are designed to help the local authorities feel comfortable with whatever situation might develop."

- Councilor Maestas said, "Thank you Mr. Bryson. Can you just clarify one thing for me. The waste that's being shipped from the Labs, it is still being shipped at the pre-occurrence rate, and is it being sent to this facility in Texas."

Mr. Bryson said, "No waste, no transuranic waste is being shipped. And we have waste at the facility in Texas. Until we can fully understand the issues, and we can have NMED and their Texas counterparts comfortable with everything, and we're comfortable with everything, then we will resume shipping."

- Councilor Maestas said, "Okay, but the facility in Texas was meant to be a temporary facility, thinking that this accident, and we could get WIPP on line much quicker than we now realize. Correct."

Mr. Bryson said, "Yes."

- Councilor Maestas said, "So, are there are any other facilities that can receive waste from Los Alamos National Labs besides WIPP."

Mr. Bryson said, "Right now, we don't have anything arranged, but we continue to look for opportunities like that. Like I said, we take our commitment seriously and the 3706 commitment with New Mexico, we were so close to it, and we really wanted to meet that commitment, but we fell short, and will have to take the consequences on that."

- Councilor Maestas said, "And then the last thing, I just want to remind everyone, I believe this Governing Body, before my time, passed a Resolution 2013, urging the Department of Energy to clean up Area G, and avoid this cap and cover. And I think anything that curtails the transportation of waste outside of Los Alamos Labs should be of concern to all of us. My hope is that this situation is corrected and we can resume those shipments, and so I want to make sure we don't take our eye off that 8-ball and continue the cleanup far beyond the scope of the current cleanup. I want you to thank you for coming down and giving this update, Mr. Bryson. I appreciate that."

Mr. Bryson said, "You're welcome."

Mayor Gonzales thanked Mr. Bryson for being here.

CONSENT CALENDAR DISCUSSION

10 (v) REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – PILOT PROGRAM LEAD SANTA FE; THE LIFE LINK. (TERRIE RODRIGUEZ)

Councilor Maestas said this is a great program and he's a big supporter. He said the Memo

indicates there are only 2 clients so far. He asked the potential for increasing capacity of more clients by Life Link, because he's heard there aren't very many beds. He wonders if the LEAD Program will require a lot of beds. He asked about the potential of LifeLink to increase capacity to accommodate more clients, certainly more than just 2.

Ms. Rodriguez said the issue with two people in LEAD right now, is they were identified through the process which was "purely by the process." These were persons caught in some criminal act and being put into LEAD because of their substance abuse. She said there are now 3 people in the program. She said the ability of LifeLink to handle people isn't limited, because it's not a "bed process." She said the Police Officer makes a decision to send this person to LEAD and they contact LifeLink immediately and hand off the client to LifeLink's case manager. They then do an assessment as well as determine the kinds of services the person needs. She said it isn't a residential, in-house treatment process."

Ms. Rodriguez continued, "The idea at this time is that it would cost about \$10,000 per client. So with the \$100,000 this fiscal year, we were anticipating 10 people, but at the last Finance Committee meeting, the Police Officers said they were disappointed we were able to identify only these 3 people for the LEAD program this fiscal year. They are pleased with this idea, because they want to make sure they can do the process correctly in working with so many governmental entities and the non-profits, and we want to be sure there are no legal mis-steps. There is the potential to continue to increase. Councilor Dimas suggested we should work with people on probation and juveniles, but there are processes of getting the law right so they can work with those people. At this point, we are looking at persons who are low level property crime folks. With the additional funding, we anticipate being able to serve 30 people through the LEAD process in the next fiscal year."

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

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

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

Against: None.

11. REQUEST FOR APPROVAL OF APPOINTMENT OF MUNICIPAL COURT PRO-TEM JUDGES PURSUANT TO §2-3-4(C); ANTHONY TUPLER, PAUL BIDERMAN, VIRGINIA VIGIL, MICHAEL VIGIL AND STEPHEN PFEFFER. (JUDGE ANN YALMAN)

Judge Ann Yalman presented information regarding this matter, and requested approval of this request.

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

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

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

Against: None.

12. MATTERS FROM THE CITY MANAGER

There were no matters from the City Manager.

13. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

- a) **IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT §10-15-1(H)(2) NMSA 1978, DISCUSSION REGARDING LIMITED PERSONNEL MATTERS, APPOINTMENT OF KELLEY A. BRENNAN AS THE CITY ATTORNEY.**
- b) **IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT §10-15-1(H)(7) NMSA 1978, DISCUSSION REGARDING PENDING OR THREATENED LITIGATION IN WHICH THE CITY OF SANTA FE IS OR MAY BECOME A PARTICIPANT. (KELLEY A. BRENNAN).**

MOTION: Councilor Rivera moved, seconded by Councilor Maestas, that the Council go into Executive Session for discussion of limited personnel matters, the appointment of Kelley A. Brennan as the City Attorney, pursuant to §10-15-1(H)(2) NMSA 1978; and discussion regarding 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.

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

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

Against: None.

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

Mayor Gonzales introduced Zach Quintero, who is one of the Summer Interns, as the result of Councilor Trujillo's program. He said we have placed 9 so far, and only 1 or 2 are in the private sector, noting one of the City's interns is at the Modrall Firm. The idea is to create a place of employment for younger people from Santa Fe to come and work here and get connected with job, so when they graduate there is an opportunity. It is a pilot program, and "is not fully baked where you want it Councilor Trujillo, but we'll have it ready by next year. It's a start."

Mr. Snyder said the City is partnering with the Santa Fe University for some of the housing for out-of-town college students, so they're living in some of the dorm rooms at the University.

MOTION TO COME OUT OF EXECUTIVE SESSION

MOTION: At 7:35 p.m. Councilor Rivera moved, seconded by Councilor Maestas, 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 on the following roll call vote:

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

Against: None.

14. REQUEST FOR APPROVAL OF APPOINTMENT OF AND PROFESSIONAL SERVICES AGREEMENT FOR KELLEY A. BRENNAN AS THE CITY ATTORNEY.

MOTION: Councilor Lindell moved, seconded by Councilor Trujillo, to approve this appointment.

DISCUSSION: Councilor Maestas noted he found a typographical error on page 2, paragraph B of the Professional Services Agreement, which provides, "If the contract employee terminates employment voluntarily, the contract shall consult with the Mayor and the City Council so as to develop a reasonable departure schedule and the Contract Employee shall be to severance pay..." He said it should read, "Shall not be provided severance pay under Paragraph 4

Ms. Vigil said, "We did catch that and we put in 'shall not be entitled'."

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

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

Against: None.

Mayor Gonzales said, "Kelley Brennan, congratulations, you are our new City Attorney, and it's been well earned, well deserved and I think we're in incredible hands. We promise to cause you lots of headaches."

Mayor Gonzales departed the meeting and Councilor Dominguez assumed the duties of the chair.

MOTION: Councilor Rivera moved, seconded by Councilor Maestas, "to instruct the City Attorney to take final action consistent with the discussion held during the Executive Session.

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

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

Against: None.

Absent for the vote: Mayor Gonzales.

15. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

16. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of "Bills and Resolutions scheduled for introduction by members of the Governing Body," for the Council meeting of March 12, 2014, is incorporated herewith to these minutes as Exhibit "2."

Councilor Dimas

Councilor Dimas had no communications.

Councilor Maestas

Councilor Maestas said he attended the 50th Anniversary Celebration of the St. John's Santa Fe Campus. He said the City has enjoyed a great partnership with Dr. John's, and after 50 years, it has become such a vital part of our community. He said the event went well, and Mayor Gonzales issued a proclamation declaring Saturday, June 20, 2014, as St. John's College Day.

Councilor Maestas said he also attended the New Mexico Municipal League Policy Committee meeting for Taxation, to present some Resolutions on behalf of the City. He said the Resolution that the Governing Body adopted, with regard to requesting that the Legislature take immediate action on comprehensive tax reform for municipalities, passed unanimously at the Committee. He said, because the Revenue Stabilization Committee may not be able to take action on gross receipts tax reform, he believes the more fundamental issue is, as a home rule city, we need full authority to enact whatever taxes we deem possible. He said after home rule municipalities was created by the State Constitution, the Legislature subsequently enacted State law limiting our taxing authority.

Councilor Maestas introduced the following:

1. A Resolution calling on the New Mexico State Legislature to take immediate action during the 2015 Legislative Session to enact legislation that would remove the taxing limitations currently imposed on home rule municipalities.

Councilor Maestas noted that there are 16 home rule municipalities across New Mexico out of the 104 incorporated municipalities. And although it is a fraction of the total, he believes it is fundamental for us to realize truly our self determination to govern and create a government as it was intended originally through the Constitution. He hopes his fellow members of the Governing Body will support this Resolution.

2. A Resolution calling on the New Mexico State Legislature to take immediate action during the 2015 Legislative Session to enact a Municipal Telecommunications Tax Act, that would authorize municipalities to collect from telecommunications providers a Municipal Telecommunications Tax on the telecommunications provider's gross receipts from telecommunications service.

Councilor Dominguez

Councilor Dominguez wished his son a Happy Birthday today.

Councilor Lindell

Councilor Lindell introduced the following Resolution on behalf of Councilor Bushee and asked to be added as a cosponsor:

A Resolution relating to a Local Government Road Fund Cooperative Agreement between the City of Santa Fe and the New Mexico Department of Transportation for improvements to Alameda Street between Camino Alire and Calle Nopal; directing staff to cause such cooperative agreement to be executed on behalf of the City of Santa Fe. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "3."

Councilor Trujillo

Councilor Trujillo said he and his wife celebrated their 17th Wedding Anniversary this past Saturday, and wished his wife, Amber, Happy Anniversary.

Councilor Trujillo said, with regard to the Fishing Derby, "Hats off to staff. Once again, you guys nailed it. It was a wonderful event. Families throughout the City came down. We had a great time, and fish were caught. Unfortunately, there was a rainstorm on Friday night, and it breached the dams they had put up, so a lot of the fish ended up a little farther downstream than anticipated. He said fish are still in the river, and people can harvest as many as they want, noting they probably will catch a lot of fish by San Ysidro Crossing. But, just hats off to staff. They did a heckuva job and we really had a good time."

Councilor Trujillo reminded his colleagues and the entire City of Santa Fe, that on Monday, June 30, 2014, the Pecos Baseball League will hold its All-Star Game at Ft. Marcy Park, and he hopes to see all the Councilors there. He said the Fuego are in their third year, and Santa Fe has been able to hold the All-Star for the second year, noting last year, close to 1,500 people attended the All-Star Game last year. He hopes to hit 1,000 people this year since it is on Monday night. He said this demonstrates that this is a popular venue for the Pecos League and it's growing and will only get better.

Councilor Rivera

Councilor Rivera thanked and acknowledge the Sidewalk Angels. He said this is a group in Tierra Contenta, headed by Bridget Wolfe, that gathers neighbors and volunteers in the area to come and help clean sidewalks, clean-out any brush that may be impeding sidewalks. He said the group has been together for three years, and this year they had 18 volunteers, along with City staff Daniel, Mario, Marcos and Nick, and they did a great job. He would like the City Manager to pass that on to the City staff. They did a significant job in cleaning up a street in Tierra Contenta which was over vegetated and people couldn't walk on the sidewalk and had to walk in the street at certain points to avoid the vegetation.

Councilor Rivera congratulated the Las Acequias Neighborhood Association who has been participating in the twice-yearly Keep Santa Fe Beautiful project. He said for the first time ever, Keep Santa Fe Beautiful gave out some awards, and the Las Acequias Neighborhood Association is the first recipient of the Neighborhood Association of the Year Award, so congratulations to that neighborhood..

Councilor Rivera wished his daughter Emily a Happy Birthday on July 5th.

Councilor Rivera wished a Happy Anniversary to his beautiful wife, Angela, noting tomorrow will be their 21st anniversary.

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 Councilor Carmichael A. Dominguez, Acting Chair, 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

Councilor Carmichael A. Dominguez, Acting Chair
Councilor Bill Dimas
Councilor Signe I. Lindell
Councilor Joseph M. Maestas
Councilor Christopher M. Rivera
Councilor Ronald S. Trujillo

Members Excused

Mayor Javier M. Gonzales
Councilor Peter N. Ives, Mayor Pro-Tem
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

Acting Chair Dominguez gave everyone 2 minutes to petition the Governing Body.

Stefanie Beninato said, "I have four, hopefully really quick things to talk about. One is that I got a public records request, a duplicate of what I got from the City. The lawyer that the City did not hire apparently, was hired by a third party, unknown, has contacted the City to get the same public records sent to me that I already got from the City. So it is duplicative effort that we taxpayers are paying this lawyer for. I did ask for a public records request to see his contract, so I would know how much we were actually paying for this lawyer to see what invoices he has submitted so far. And I was told a third party hired him. Again, this is really not transparency when you know who the third party is, but you don't tell the person in the public records request. So I had to come back and go, who's the third party, what's the contract that third party has with the City, what kinds of invoices has that third party submitted. So I'm wondering if the City Manager might meet with me about public records requests and the problems that I'm having with that. So those are two items. Then, I wanted to also point out another public records request problem that

I've had and what appears to be disinformation. I'll be nice about it and say disinformation. Because my neighbor has that wall that is back-filled, and it's a yard wall, not a retaining wall, I asked to see the, and I asked this a long time ago, it took forever to get this, to see the inspections. There was no footing inspection done, there was no terrain management drainage inspection done, and two inspections were done, and I have the field copy. The field copy, right here, okay. So I have the field copy for that wall, because her agent gave it to me actually, and it says, right here, on this orange thing, excuse me, I'm sorry, on this orange piece of paper that is given out every time you get a permit. It has instructions on it about calling in for inspections, and it clearly states here that you cannot have an inspection without the perforated field copy on site. If you call for an inspection, you're going to get fined. So there were two inspections, one in 2011 and one in 2012 on this wall, but I have the field copy, so how did the inspection occur. So I said, oh, well maybe the neighbor, the actual person who applied, got a second copy of this field copy, got a substitute. So I asked about that, and I was told that it wasn't necessary for her to get a copy. But of course it was, because she didn't have one on site. So again, what's going on in zoning that I get these basically, what I feel like are false representations, false records, and I'm just getting "jerked around." I'm sorry to be colloquial about that, but that's exactly how I feel. I'm being jerked around on public records request. So I would like that the City Manager actually meet with me."

Acting Chair Dominguez asked Ms. Beninato to wrap up since she has exceeded her time.

Ms. Beninato said, "I want to point out to you that you did, Councilor Trujillo, I believe introduce a Resolution saying there is serious fire danger. I think you're introducing another resolution tonight. I thought your first Resolution said there was to be no smoking in parks. I've been in at least 3 City parks in the past week and people are smoking. That is the Plaza, it's a City park downtown for District 1, Cathedral Park and the Rose Park. So how do you enforce this non-smoking provision, and does it really matter that people are smoking in parks, and if it does, then let's do something about it. And if it doesn't, then withdraw the Resolution."

Mark Fitzgerald, 848 Camino Consuelo, said, "I just had an observation that I wanted to bring up, but I don't have a lot of background on it. There was an article in the Sunday paper about our local Airport and the Airport Advisory Council, I assume reports to the City. A couple of weeks ago, I came before you and said how much I enjoyed living here since moving here about 7 months ago, and all the wonderful things this City has to offer. And after reading the article, a lightbulb went on in my head. For a City the size of Santa Fe, and being the State Capitol, I think our Airport is an example of something that needs to grow for the City to grow, not only for tourism. I've lived in 8 different states across this country, and small towns and big towns, and I think you can look to mid-size cities such as Santa Fe. If they're successful in bringing good jobs to the community, they have a good airport. By a good airport, I mean an airport that serves business, travelers, leisure travelers and so forth and you don't have to drive 50-60 miles to get to an airport that takes you to where you want to go at a reasonable price. So I would ask the Council, if there is a committee or an advisory board, I would like to know who that is and give them some input. Because I think for Santa Fe to go forward, our airport needs to improve. The airlines have consolidated and they kind of got us into a corner, but I think you can fight back and get some regional carriers to come in here and offer some service to people which will entice businesses and companies to look at Santa Fe as possible relocation that bring good jobs to the community, as well as tourism."

Acting Chair Dominguez asked Mr. Snyder to be sure that staff provides Mr. Fitzgerald with the requested information on members of the Advisory Board and its meeting dates.

G. APPOINTMENTS

There were no appointments.

H. PUBLIC HEARINGS

Councilor Maestas said, "I need to read a statement that is germane to Item H(1). I disclosed at a prior meeting that I have an interest in a family business, that owns an inter-local dispenser liquor license in Espanola. It is currently for sale. I have stated on the record that I will be recusing myself, until the family license is sold, from voting on any inter-local license transfer request, and from any discussion this body may have about inter-local transfer licenses in general. As a result, I will recuse myself from Item H(1) on tonight's agenda."

- 1) **REQUEST FROM SLEEPING DOG TAVERN, INC., FOR A TRANSFER OF LOCATION OF INTER-LOCAL DISPENSER LICENSE #2663 (WITH ON-PREMISE CONSUMPTION ONLY) FROM SLEEPING DOG TAVERN, 114 W. SAN FRANCISCO STREET TO SANTA FE CULINARY ACADEMY, 112 W. SAN FRANCISCO STREET, SUITE 310. (YOLANDA Y. VIGIL)**

The staff report was presented by Yolanda Vigil, City Clerk, from her memorandum of June 10, 2014, with attachments, to Mayor Gonzales and City Councilors, which is in the Council packet, noting the business is not within 300 feet, that there are staff reports in the packet regarding litter, noise and traffic and staff recommends this business be required to comply with all of the City's Ordinances.

Public Hearing

There was no one speaking to this request.

The Public Hearing was closed

MOTION: Councilor Rivera moved, seconded by Councilor Trujillo, to approve the request from Sleeping Dog Tavern, Inc., for a transfer of location of inter-local Dispenser License #2663, with on-premise consumption only, from Sleeping Dog Tavern, 114 W. San Francisco Street to Santa Fe Culinary Academy, 112 W. San Francisco Street, Suite 310, with all conditions as recommended by staff.

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

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

Against: None.

Recused: Councilor Maestas.

2) REQUEST FROM FIRE & HOPS, LLC, FOR A RESTAURANT LIQUOR LICENSE (BEER AND WINE ON-PREMISE CONSUMPTION ONLY) TO BE LOCATED FIRE & HOPS, 222 N. GUADALUPE. (YOLANDA Y. VIGIL)

The staff report was presented by Yolanda Y. Vigil, from her memorandum of June 19, 2014, with attachments, to Mayor Gonzales and City Councilors, which is in the Council packet, noting the business is not within 300 feet, and there are staff reports in the packet regarding litter, noise and traffic. She said because this business actually is not opened, staff is requesting, as a condition of approval, that the applicant be required to submit for all applicable permits and also to comply with all City and State regulations related to this request, and to comply with all of the City's Ordinances

Public Hearing

Stephanie Beninato was sworn. Ms. Beninato said it is unfortunate that the City does not have a liquor distribution plan that is City-wide, rather than doing this piecemeal. She said, "I didn't stand up at the first one, because really, it's just moving down the street, but this is a new license, again, in downtown, and I wonder when the City Council is going to feel that liquor licenses are saturated in the downtown. What does it take. Why wasn't there a plan, really, for the City-wide distribution of liquor. Then I think, again, you would be serving everybody in town, rather than just one section of town."

The Public Hearing was closed

MOTION: Councilor Trujillo moved, seconded by Councilor Dimas, to approve the request from Fire & Hops, LLC, for a Restaurant Liquor License, beer and wine on-premise consumption only, to be located at Fire & Hops, 333 N. Guadalupe, with all conditions as recommended by staff.

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

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

Against: None.

- 3) **REQUEST FROM FOOD ART, LLC, FOR A TRANSFER OF OWNERSHIP OF DISPENSER LICENSE #2593 FROM MORNMOR, INC., TO FOOD ART, LLC. THIS LICENSE WILL REMAIN AT PRANZO ITALIAN GRILL, 540 MONTEZUMA. (YOLANDA Y. VIGIL)**

The staff report was presented by Yolanda Y. Vigil, from her memorandum of June 19, 2014, with attachments, to Mayor Gonzales and City Councilors, which is in the Council packet. Ms. Vigil noted this business is not within 300 feet of a church or school. She said staff reports regarding litter noise and traffic are in the packet, and staff is requesting that this business be required to comply with all of the City's Ordinances.

Public Hearing

Jacqueline Berg, representing Food Art, LLC, was sworn. Ms. Berg said she is here to answer any questions.

The Public Hearing was closed

MOTION: Councilor Dimas moved, seconded by Councilor Rivera, to approve the request from Food Art, LLC, for a transfer of ownership of Dispenser License #2593 from Mornmor, Inc., to Food Art, LLC, with the license to remain at Pranzo Italian Grill, 500 Montezuma, with all conditions as recommended by staff.

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

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

Against: None.

- 4) **REQUEST FROM SANTA FE UNIVERSITY OF ART AND DESIGN FOR A PERMANENT WAIVER OF THE 300 FOOT LOCATION RESTRICTION TO ALLOW THE SALE/ DISPENSING/CONSUMPTION OF ALCOHOLIC BEVERAGES AT THE FOLLOWING FACILITIES AT THE SANTA FE UNIVERSITY OF ART AND DESIGN, 1600 ST. MICHAEL'S DRIVE; ADMINISTRATION BUILDING, CAMPUS VIEW CAFÉ/ PRESIDENTIAL DINING ROOM, FOGELSON LIBRARY, THE FORUM, GARSON STUDIOS, MARION CENTER FOR PHOTOGRAPHIC ARTS, SOUTHWEST ANNEX, THAW ART HISTORY CENTER AND THE FILM SCHOOL. (YOLANDA Y. VIGIL)**

- a) **REQUEST FROM SANTA FE COMMUNITY FOUNDATION FOR THE FOLLOWING (ONLY IF H-3 IS NOT APPROVED): REQUEST FROM SANTA FE COMMUNITY FOUNDATION FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/ CONSUMPTION OF ALCOHOLIC BEVERAGES AT THE SANTA FE UNIVERSITY OF ART AND DESIGN, FOGELSON LIBRARY, 1600 ST. MICHAELS DRIVE. THIS REQUEST IS FOR "GUESS WHO'S COMING TO DINNER" ON JULY 19, 2014, FROM 8:30 P.M. TO 10:30 P.M. (YOLANDA Y. VIGIL)**

The staff report was presented by Yolanda Y. Vigil, from her memorandum of June 19, 2014, with attachments, to Mayor Gonzales and City Councilors, which is in the Council packet. She said Item H(4) is a request for a permanent waiver, so if the Council approves that item, that essentially would approve Item H(4)(a), so you wouldn't have to act on that item. She noted there is a letter in the packet from Larry Hinz, President, Santa Fe University of Art and Design, requesting the permanent waiver of the 300 foot location restriction. She said the facilities being requested presently do not have a waiver, noting the facilities are listed in the caption of this request.

Ms. Vigil said in 2007, the Governing Body approved a permanent waiver of the 300 foot location from Rose Marie Shellabarger Tennis Center, Greer Garson Theater and Lobby, Driscoll Fitness Center, Moving Arts Building Studios, Gallern and The Screen, Visual Arts Center and Courtyard, O'Shaughnessey Performance Space in Benildus Hall, the Quad, which includes the outdoor lawn with the band shell) and Alumni Hall. She noted Alumni Hall sold alcoholic beverages prior to July 1, 1987.

Ms. Vigil said there is a map in the packet which identifies all of the aforementioned facilities on the campus. She asked Acting Chair Dominguez if he would like her to continue a presentation on Item H(4)(a), and he said no, he would like to first hear Item H(4).

Public Hearing

Stephanie Beninato was sworn. Ms. Beninato said she is surprised the City did a permanent waiver in 2007, noting she wasn't aware of that. She finds it really disturbing that a University would want permanent waivers at so many locations, commenting the dorm buildings don't allow the sale of alcohol, but this is a lot of buildings on the campus. She said, "So, what, students can just go over and have a beer at lunch. Is that the point of doing this, because it isn't restricted as to when the use will occur, it's not for special events, it's pretty much all the time. And this is a large number of buildings. And I find it almost hypocritical in a sense that we're so concerned about alcohol consumption, we're so concerned about students. I know these are mostly adult students or close to adult students, but this seems almost hypocritical, ironic that this City-owned property, this City-owned University is asking for a permanent waiver."

Ms. Vigil said, "I just want to add that for events that will be held at these locations, they will be required to receive a Special Dispenser's Permit which is processed through my office, as well as the State Alcohol & Gaming Division."

The Public Hearing was closed

Councilor Trujillo said, "So, Yolanda, explain that to me then. We're giving the 300 foot waiver, but they still have to come to you any time there is an event, right, and does that go through us again."

Ms. Vigil said, "You will not see the request, they'll just go to me. All that is happening now, is that they won't have to come each and every time they have an event at the University for the waiver of the 300 foot location restriction, but they still have to file for a Special Dispenser Permit for each event, and I will process that through my office."

Councilor Trujillo said, "That's my concern. Then for any event, they still have to go through the process. They can't just have a beer bust on the campus in the middle of the Quad. These are the things... Stephanie I hear you, but I just want to make sure on that."

Ms. Vigil said request for events at the buildings which previously received a permanent waiver, come to her office, including Alumni Hall, for a Special Dispenser application.

Councilor Dominguez said, "I just want to make it clear for the record that this map is just a map of the campus. It is not a map that shows where sales may be happening."

Ms. Vigil said, "Councilor, that is correct. It corresponds with the request, so that you can see where each facility is located on the campus."

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

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

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

Against: None.

Ms. Vigil said since this motion was approved, the Governing Body does not need to consider Item H(4)(a)

5) **CONSIDERATION OF RESOLUTION NO. 2014- 50 (COUNCILOR RIVERA, COUNCILOR TRUJILLO, COUNCILOR LINDELL, COUNCILOR BUSHEE, COUNCILOR IVES, COUNCILOR DIMAS, COUNCILOR MAESTAS AND COUNCILOR DOMINGUEZ). A RESOLUTION PROCLAIMING SEVERE OR EXTREME DROUGHT CONDITIONS IN THE CITY OF SANTA FE; IMPOSING FIRE RESTRICTIONS, RESTRICTING THE SALE OR USE OF FIREWORKS WITHIN THE CITY OF SANTA FE AND PROHIBITING OTHER FIRE HAZARD ACTIVITIES. (FIRE MARSHAL REYNALDO GONZALES)**

The staff report was presented by Reynaldo Gonzales, Fire Marshal. He said we are at the 30 day requirement to impose this again. We currently are at severe, and expecting to get to extreme, drought conditions before the weekend is over. So they are trying to impose for another 30 days, noting they did "submit an amendment to include the MX Track to go ahead and still operate under the drought conditions, due to the fact that they have no vegetation and it is designed for a motorized vehicle."

Acting Chair Dominguez asked if this amendment is on the table.

Councilor Rivera asked if the amendments were put into the previous Resolution.

Fire Marshal Gonzales said, "I don't know if Melissa Byers put them in at this point."

Councilor Rivera said, "I reviewed the amendments and thought they were appropriate Mr. Chair, and I thought they were included in the packet. However, I don't see them."

Acting Chair Dominguez said since they didn't make it into the packet, we need to make sure they are there in the Resolution.

Ms. Vigil said, "That is correct. If you'll just include that in the motion."

Public Hearing

There was no one speaking to this request.

The Public Hearing was closed

Councilor Rivera asked, "Approaching the 4th, have we had an application for a fireworks presentation by anybody."

Fire Marshal Gonzales said, "We have. I think the Boys & Girls Club are going through with it at Santa Fe High School."

MOTION: Councilor Rivera moved, seconded by Councilor Trujillo, to adopt Resolution 2014-50, as amended – allowing the MX Track to go ahead and still operate under the drought conditions, due to the fact that they have no vegetation and it is designed for a motorized vehicle.

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

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

Against: None.

- 6) **CONSIDERATION OF BILL NO. 2014-16: ADOPTION OF ORDINANCE NO. 2014-21 (COUNCILOR BUSHEE). AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BY AND AMONG THE CITY OF SANTA FE (THE "GOVERNMENTAL UNIT") AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL, LIMITED OBLIGATION OF THE CITY TO PAY A PRINCIPAL AMOUNT OF \$3,500,000, FOR THE ACQUISITION OF TRANSIT BUSES FOR THE GOVERNMENTAL UNIT'S PUBLIC TRANSPORTATION SYSTEM; PROVIDING FOR THE PAYMENT OF THE LOAN AGREEMENT FROM CERTAIN GROSS RECEIPTS TAX REVENUES DISTRIBUTED TO THE CITY; PROVIDING FOR THE DISTRIBUTIONS OF GROSS RECEIPTS TAX REVENUES FROM THE TAXATION AND REVENUE DEPARTMENT TO BE REDIRECTED TO THE NEW MEXICO FINANCE AUTHORITY OR ITS ASSIGNS, PURSUANT TO AN INTERCEPT AGREEMENT FOR THE PAYMENT OF PRINCIPAL AND INTEREST DUE ON THE LOAN AGREEMENT; SPECIFYING DETAILS OF THE LOAN AGREEMENT, INCLUDING THE NET EFFECTIVE INTEREST RATE; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS ORDINANCE; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT AND INTERCEPT AGREEMENT. (MARCOS TAPIA AND JON BULTHUIS)**

The staff report was presented by Dwayne Brown, Modrall Firm. Mr. Brown said they are working with Jon Bulthuis and Helene Hausman of the Finance Department, to put together this financing package for 7 new buses, noting the City is getting a loan from the New Mexico Finance Authority to accomplish that. He said, "And what this Ordinance does, is approve the Loan Agreement and related documents, and sets us up to proceed with a closing on August 1st, so that the procurement process can get started for the new buses that are needed for the public bus division."

Mr. Brown said, "There is one amendment that I need to discuss with you, with regard to this Ordinance. It is on page 9 of the Ordinance, line 3. You'll see in there that there is a net effective interest rate of To Be Determined, TBD. And we now have that interest rate from the New Mexico Finance Authority. That should be 2.41 percent. So when you do the motion, or if you want to do a formal amendment to strike TBD and put in 2.41 percent, that would be appropriate to clear that up, and then we can proceed with adoption of the Ordinance."

Public Hearing

There was no one speaking to this request

The Public Hearing was closed

MOTION: Councilor Maestas moved, seconded by Councilor Trujillo, to Adopt Ordinance No. 2014-21, with the amendment on page 9, line 3, to read, net effective interest rate of 2.41 percent.”

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

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

Against: None.

I. ADJOURN

The was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 8:15 p.m.

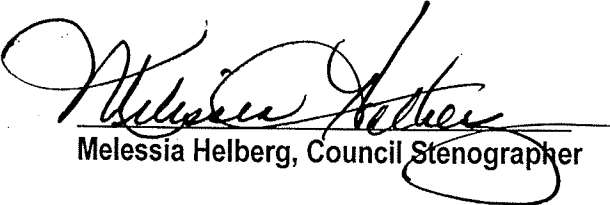
Approved by:

Mayor Javier M. Gonzales

ATTESTED TO:

Yolanda Y. Vigil, City Clerk

Respectfully submitted:



Melessia Helberg, Council Stenographer