



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
JUNE 13, 2018
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Regular City Council Meeting – May 30, 2018
9. PRESENTATIONS
10. CONSENT CALENDAR

CITY CLERK'S OFFICE

DATE 6/8/18 TIME 3:30 PM

SERVED BY Melanie Byers

RECEIVED BY [Signature]

Muchas Gracias to Leandra Daniels in Recognition of Her Bravery in Pulling Two Children Out of a House Fire on May 29, 2018. (Mayor Webber)

- a) Request for Approval of Amendment No. 1 to Memorandum of Agreement in the Total Amount of \$32,256 for City Data Center Services; New Mexico Department of Information Technology. (Larry Worstell)
- b) Request for Approval of Grant Agreement in the Total Amount of \$130,113 for Alternative to Detention Programs; State of New Mexico Children, Youth and Families Department. (Richard De Mella)
- c) Request for Approval of Procurement in the Amount of \$382,216.49 for Seven Vehicles and Equipment; Don Chalmers, Brad Francis, MHQ, Red Canyon Caps, CMS, Motorola, Digital Ally and Grants and Technology Veterans, LLC. (Chief Padilla)
 - 1) Request for Approval Budget Amendment in the Amount of \$382,217



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- d) Request for Approval to Use Sole Source Procurement for Professional Services Agreement in the Amount of \$71,280 for Assistance with Victims of Domestic Violence and the U-Visa Program; Solace Crisis Treatment Center. (Chief Padilla)
- e) Request for Approval of Amendment No. 3 to Professional Services Agreement in the Amount of \$140,300.81 for the One Year Extension of the Elevator Maintenance Agreement; Kone Inc. (Noel Correia)
- f) Request for Approval of Professional Services Agreement in the Amount of \$70,000, Exclusive of NMGR, for Drug Court Program and DUI Court Program Services; IHS Incorporated. (Jacqueline Baca)
- g) Request for Approval and Acceptance of Grant Agreement, SAF 18-05 in the Amount of \$1,087,200 to Rehabilitate Runways 10-28 and 15-33; New Mexico Department of Transportation, Aviation Division. (Nick Schiavo)
 - 1) Request for Approval of Budget Amendment in the Amount of \$1,087,200 for FY 2018-2019
- h) Request for Approval of Professional Services Agreement Using Cooperative Education Services (CES) in the Amount of \$104,921.66 for CIP Project #519 – Fort Marcy Recreation Complex Gym and Racquetball Court Floor Replacement; Robert Cohen Company LLC. (Sam Burnett)
- i) Request for Approval of Award of RFP '18/29/P and Professional Services Agreement Along with Associated AIA Agreement in the Amount of \$432,917.74, Inclusive of NMGR, for Professional Design Services, Supplemental Services and Reimbursable Expenses, CIP Project #333 – New Fire Station #2; Atkin Olshin Schade Architects, Inc. (Jason Kluck)
- j) Request for Approval of Sole Source Procurement for Professional Services Agreement in the Total Amount of \$114,000, Inclusive of NMGR, for Annual Technical Support for a Three Year Cloud-Based Software Plan; Remix Software, Inc. (Keith Wilson)
- k) Request for Approval of Memorandum of Understanding in the Amount of \$36,675 for Project Management for the Balance of the Severance Tax Bond, Project A15-0173 (Phase 1 Villa Consuelo Senior Center); Santa Fe Civic Housing Authority. (Gino Rinaldi)



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- m) Request for Approval of Amendment No. 1 to Professional Services Agreement in the Total Amount of \$96,300 for Employment Opportunities for Homeless and Precariously Housed Individuals; Life Link. (Julie Sanchez)
- n) Request for Approval to Renew Comprehensive Insurance Program Coverage in the Amount of \$2,434,017 for Insurance Policies and Coverage and Broker Fees for FY 2018-2019; Arthur J. Gallagher & Co. (Barbara Boltrek)
- o) CONSIDERATION OF RESOLUTION NO. 2018-____. (Mayor Webber)
A Resolution Stating the Official Intent of the City of Santa Fe to Reimburse Itself for Certain Costs Relating to the Improvements Expected to be Incurred by the City Prior to the Issuance of Tax-Exempt Bonds. (Brad Fluetsch)
- p) CONSIDERATION OF RESOLUTION NO. 2018-____. (Councilor Rivera)
A Resolution Proclaiming Severe or Extreme Drought Conditions May Exist 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. (Reynaldo Gonzales and Porfirio Chavarria)
- q) CONSIDERATION OF RESOLUTION NO. 2018-____. (Mayor Webber)
A Resolution in Support of the National Governors Association Summer Meeting, an Annual Conference that Brings Governors from Around the Nation Together to Address National Issues in a Bipartisan Setting July 19-22, 2018; and Waiving All Associated Fees. (David Carr)
- r) CONSIDERATION OF RESOLUTION NO. 2018-____. (Councilor Romero-Wirth)
A Resolution Endorsing the North Central Regional Transit District's FY 2019 Budget Proposal, Approving the FY 2019 City of Santa Fe Regional Transit Plan and Directing Staff to Submit the City of Santa Fe Regional Transit Plan for FY 2019 to the North Central Regional Transit District Board of Directors for Consideration and Approval. (Keith Wilson)



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- s) Request for Final Approval of the Sale and Vacation of Right-of-Way Within Portions of the Formerly Proposed Richards Avenue Extension N.M. Project M-4811 Phase 2, Containing Approximately 14,279.7 Square Feet of Fee Simple Interest within Parcel 7-4 and Parcel 7-6 and 592.3 Square Feet of Construction Maintenance Easement Interest Within Parcel 7-CME-1, Parcel 7-CME-4 and Parcel 7-CME-7 Which Adjoin Lot 2 at 3548 and Tract J-1 at 3640 A Quail View Lane, by Theresa S. Montoya, Personal Representative of the Estate of Helen G. Cowell and Raymond S. Montoya and Pablo Z. Montoya, as Individuals. (Matthew O'Reilly)
- t) Request for Final Approval for the Sale of a Parcel of Real Estate Containing Approximately 487 Square Feet Adjoining the Northerly Boundary of 1119 Don Juan Street by Colleen M. Kirwan. (Matthew O'Reilly)
- 11. Request for Approval of Option for Augmented River Flow in Support of the Santa Fe River Greenway Project. (Andrew Erdmann and Melissa McDonald)
(Postponed on May 30, 2018)
- 12. Request to Publish Notice of Public Hearing on July 11, 2018:
BILL NO. 2018-13. An Ordinance Authorizing the Sale of Approximately 0.059 Acres of Real Property Adjoining the Northerly Boundary of 436 Cerrillos Road and 423(425) Sandoval Street and Described as "Tract C" as Shown and Delineated on a Survey Entitled, "Plat of Survey for PBS Limited Liability Co." Prepared by Smith Williamson & Associates, Richard E. Smith, N.M.P.S. No. 5837, Dated February 8, 2000, Lying and Being Situated Within the City and County of Santa Fe, New Mexico. (Councilor Lindell) (Matthew O'Reilly)
- 13. **CONSIDERATION OF RESOLUTION NO. 2018-__.** (Councilor Lindell)
A Resolution Amending Resolution 2018-38 to Change the Date of the Privately Sponsored Reception for the National Governors Association to July 20, 2018. (Randy Randall)
- 14. Request for Approval of Amendment No. 2 to Legal Services Agreement to Increase the Compensation in the Amount of \$15,000 and to Extend the Term to July 15, 2018; Ortiz & Zamora Attorneys at Law, LLC. (Mayor Webber)
- 15. Request for Approval of Amendment No. 2 to Professional Services Agreement Between the City of Santa Fe and Yolanda Y. Vigil, City Clerk, to Extend the Term of the Agreement to July 15, 2018. (Mayor Webber)



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16. MATTERS FROM THE CITY MANAGER
17. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION:

In Accordance With the New Mexico Open Meetings Act §§10-15-1(H)(5), (7), and (8) NMSA 1978: (Geno Zamora)

- a) Discussion Regarding Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Participant, Including, Without Limitation:
 - 1) *Buckman Direct Diversion Board vs. CDM Smith Inc., et al*, Case No. D-101-cv-2018-01610; and
 - 2) Legal Action Regarding a Public Works Project
 - b) Discussion of the Purchase, Acquisition or Disposal of Real Property:
 - 1) Status of Santa Fe University of Arts and Design Property
 - c) Discussion of Collective Bargaining Negotiations with AFSCME, SFPOA, and SFFA
18. MATTERS FROM THE CITY CLERK
 19. 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



Agenda

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CITY COUNCIL CHAMBERS

F. PETITIONS FROM THE FLOOR

G. APPOINTMENTS

H. PUBLIC HEARINGS:

- 1) Request from Canyon Road Contemporary for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Alcoholic Beverages at Canyon Road Contemporary, 622 Canyon Road, Which is Within 300 Feet of the Santa Fe Monthly Meeting of Friends (Quaker House), 630 Canyon Road. The Request is for Artist Receptions on the Following Dates, with Alcohol Service from 5:00 p.m. to 7:00 p.m. (Yolanda Y. Vigil)

- July 13, 2018
- August 17, 2018
- September 21, 2018
- October 19, 2018

- 2) Jeffery Seres of Studio Southwest Architects, Agent Representative for the Santa Fe Public Schools, Requests the Following: (Dan Esquibel)

- a) CONSIDERTION OF RESOLUTION NO. 2018-____.
Case #2018-31. 551 Alarid Street General Plan Amendment. Approval of an Amendment to the General Plan Future Land Use Map Designation of Property Comprising 2.9± Acres of Land from Institutional to Community Commercial.

- b) CONSIDERATION OF BILL NO. 2018-12: ADOPTON OF ORDINANCE NO. 2018-____.
Case #2018-03. 551 Alarid Street Rezoning. Approval of an Amendment to the Official Zoning Map of the City of Santa Fe; Changing the Zoning Classification of Property Comprising 2.9± Acres of Land from R-8 (Residential 8 Dwelling Units Per Acre) to BCD-RED (Business Capitol District-Railyard Redevelopment District) and Providing an Effective Date.

I. ADJOURN



Agenda

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THE GOVERNING BODY
JUNE 13, 2018
CITY COUNCIL CHAMBERS

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been considered prior to 11:30 p.m. such items shall be postponed to a subsequent meeting, provided that the date, time and place of such meeting is specified at the time of postponement.

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 955-6521, five (5) working days prior to meeting date.

SUMMARY INDEX
SANTA FE CITY COUNCIL
June 13, 2018

ITEM	ACTION	PAGE
1. Call to Order	Convened at 5:00 p.m.	1
5. Roll Call	Quorum Present	1
6. Approval of Agenda	Approved as amended	1-3
7. Approval of Consent Agenda	Approved as amended	3
8. Approval of Minutes - May 30, 2018	Approved as presented	3
9. Presentations	Muchas Gracias	4
10. Consent Calendar Listing	Listed	4-7
Consent Calendar Discussion		
c. Police vehicle procurement	Approved	7-9
q. NGA Support	Approved	9-12
11. Augmented River Flow to River	Postponed to June 27	12
12. Publish Notice for property sale	Approved	12
13. NGA Reception Date Change	Approved	12-13
14. City Attorney contract amendment	Approved	13
15. City Clerk contract amendment	Approved	13-14
16. Matters from City Manager	None	14
17. Matters from City Attorney	Recommendations	14
18. Matters from City Clerk	Announced place of next meeting	14-15
19. Matters from the Governing Body	Comments	15-16
Executive Session	From 6:45 to 7:25	16
Evening Session Call to Order	Called to order at 7:	17
Return to Open Session	Approved	17
F. Petitions from the Floor	Petitions presented	17-18
G. Appointments	None	18-19
H. Public Hearings		
1. Canyon Road Contemporary Waiver	Approved	19-20
2. 551 Alarid Street Development		
a. General Plan Amendment	Approved	20-29
b. Rezoning and Master Plan	Approved	29-31
I. Adjournment	Adjourned at 9:11 pm	31

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
June 13, 2018**

AFTERNOON SESSION

1. CALL TO ORDER AND ROLL CALL

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Alan Webber, on Wednesday, June 13, 2018, at approximately 5:06 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 Alan Webber
Councilor Signe I. Lindell, Mayor Pro-Tem
Councilor Roman "Tiger" Abeyta
Councilor Mike Harris
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

Councilor Peter N. Ives

Others Attending

Renee Martínez, Deputy City Manager
Geno Zamora, Interim City Attorney
Yolanda Y. Vigil, City Clerk
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

Councilor Villarreal requested to remove item (i) from the Consent Calendar and item 11 from the regular agenda.

Councilor Harris asked to hear why the fire station (Item 11) is being withdrawn.

Mr. Marcos Martínez said it is basically because the preferences were not applied correctly in the RFP and was discovered after proposals were received. So we need to discuss further the best method of remedying the problem.

Councilor Harris noted that by ordinance we adopted the preference and procurement code in January. He asked if we need to promulgate rules for it. It seems we should have a written determination for why it is being withdrawn.

Mr. Martínez explained that we adopted the procurement code by statute but there were local preferences and other changes because we are a home rule city. We do not need to promulgate rules as long as we follow the statute, but we can adopt other rules that clarify those preferences. He agreed to consult the statute further on it for the why.

Councilor Harris surmised that we are not in need of a written determination.

Mr. Martínez said he was unfamiliar with the statute that says that in order to withdraw the RFP, there needs to be a written determination.

Councilor Harris was concerned with a number of things in this transition, including purchasing and finance and we have ended up in a number of situations and this is just the most recent for taking two steps forward and one back. This is a major step back in terms of timing. We approved the new cadet class to get ahead of the need for this fire station. Now we have to do more research and anything else that must be done, and it is at least three months lost and he hated to lose them. He respected Mr. Martínez and have worked with him but this uncertainty on procurement is problematic and bothered him.

Councilor Rivera knew we did this with the restaurant at the Links. He asked if we added local preference if it would have made a difference in the selection.

Mr. Martínez said they applied the older preference rules and not the rules adopted in January. So can we apply them now? That is the question they are looking at. We don't want to prejudice any proposals and if needed, will reissue the RFP or otherwise avoid that delay.

Councilor Rivera agreed with Councilor Harris that it would not be in the best interests of District 3 and the City.

Councilor Harris thanked Councilor Rivera for that. He concluded that we are going through the whole process or maybe he heard that in a couple of weeks, Mr. Martínez will decide if we can apply the new preference and if not, to reissue it.

Mr. Martínez agreed.

Mr. Zamora clarified that if the option still remains without a need to reissue, he would recommend the motion would be to postpone the case instead of withdrawing it.

Councilor Harris said if it went to the Consent Agenda, he was prepared to make a motion to postpone it.

MOTION: Councilor Villarreal moved, seconded by Councilor Vigil Coppler, to approve the agenda, as amended with item 10 i) postponed and item 11 postponed to July.

VOTE: The motion was approved on a voice vote with Mayor Webber and Councilors Abeyta, Harris, Lindell, Rivera, Romero-Wirth, Vigil Coppler and Villarreal voting in favor of the motion and none voting against.

7. APPROVAL OF CONSENT CALENDAR

Councilor Villarreal requested discussion on 10(c) (q) and to be added as a cosponsor for items 10 (p) and (r).

Councilor Harris asked to postpone item 10(i) to the next meeting on June 27.

Ms. Vigil clarified that it was postponed in the earlier motion.

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to approve the following Consent Calendar, as amended with items c and q pulled for discussion.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

8. APPROVAL OF MINUTES: Regular City Council Meeting – May 30, 2018

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to approve the Minutes of May 30, 2018 as presented.

VOTE: The motion was approved on a voice vote with Mayor Webber and Councilors Abeyta, Harris, Lindell, Rivera, Romero-Wirth, Vigil Coppler and Villarreal voting in favor and none voting against.

9. PRESENTATIONS

Muchas Gracias to Leandra Daniels in Recognition of Her Bravery in Pulling Two Children Out of a House Fire on May 29, 2018. (Mayor Webber)

Chief Padilla said we would like to recognize Ms. Leandra Daniels who rescued two children out of a home that was on fire on Cerro Gordo on May 29, 2018. She went above and beyond for our community and put herself at risk and saved those children.

Mayor Webber said this is clearly above and beyond the call of duty award for going into a very dangerous situation, recognizing young children's lives were at stake and riding with them in the ambulance and then having to walk home after saving those lives. We are grateful for what you have done and your remarkable act of courage.

Leandra thanked everyone for this recognition.

10. CONSENT CALENDAR

A Budget Amendment Resolution (BAR) from the Public Works/CIP and Land Use Committee meeting of Monday, June 11, 2018, regarding Item 10(g) is incorporated herewith to these minutes as Exhibit "1."

An Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, June 11, 2018, regarding Item 10(r), is incorporated herewith to these minutes as Exhibit "2."

- a) **Request for Approval of Amendment No. 1 to Memorandum of Agreement in the Total Amount of \$32,256 for City Data Center Services; New Mexico Department of Information Technology. (Larry Worstell)**
- b) **Request for Approval of Grant Agreement in the Total Amount of \$130,113 for Alternative to Detention Programs; State of New Mexico Children, Youth and Families Department. (Richard De Mella)**
- c) **Pulled for Discussion by Councilor Villarreal**
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- i) **~~WITHDRAWN - Request for Approval of Award of RFP '18/29/P and Professional Services Agreement Along with Associated AIA Agreement in the Amount of \$432,917.74, Inclusive of NMGR, for Professional Design Services, Supplemental Services and Reimbursable Expenses, CIP Project #333 – New Fire Station #2; Atkin Olshin Schade Architects, Inc. (Jason Kluck)~~**
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A Resolution Stating the Official Intent of the City of Santa Fe to Reimburse Itself for Certain Costs Relating to the Improvements Expected to be Incurred by the City Prior to the Issuance of Tax-Exempt Bonds. (Brad Fluetsch)**
- p) CONSIDERATION OF RESOLUTION NO. 2018-42. (Councilor Rivera)
A Resolution Proclaiming Severe or Extreme Drought Conditions May Exist 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. (Reynaldo Gonzales and Porfirio Chavarria)**
- q) Pulled for discussion by Councilor Villarreal**
- r) CONSIDERATION OF RESOLUTION NO. 2018-44. (Councilor Romero-Wirth)
A Resolution Endorsing the North Central Regional Transit District's FY 2019 Budget Proposal, Approving the FY 2019 City of Santa Fe Regional Transit Plan and Directing Staff to Submit the City of Santa Fe Regional Transit Plan for FY 2019 to the North Central Regional Transit District Board of Directors for Consideration and Approval. (Keith Wilson)**
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- t) Request for Final Approval for the Sale of a Parcel of Real Estate Containing Approximately 487 Square Feet Adjoining the Northerly**

Boundary of 1119 Don Juan Street by Colleen M. Kirwan. (Matthew O'Reilly)

CONSENT CALENDAR DISCUSSION

- c) Request for Approval of Procurement in the Amount of \$382,216.49 for Seven Vehicles and Equipment; Don Chalmers, Brad Francis, MHQ, Red Canyon Caps, CMS, Motorola, Digital Ally and Grants and Technology Veterans, LLC. (Chief Padilla)**

1) Request for Approval Budget Amendment in the Amount of \$382,217

Councilor Villarreal asked Chief Padilla about the action taken at Finance Committee for approval with a special condition of direction to Staff. She asked what that was about, given the hefty amount for vehicles. She asked about the discussion and if he could elaborate on that direction.

Chief Padilla said it was about the property tax to be used to purchase these vehicles and the Finance Department was going to provide further clarification to the Councilors.

Councilor Lindell had asked for what they provided: the number of deployments of crisis negotiating team and it was quite a bit less than we thought. We do trades on these vehicles based on mileage and because of the vehicle expense, she hoped we would do everything we could to keep the mileage low on that vehicle since it is so expensive.

Councilor Villarreal asked if the agreement is to only use it in crisis situations.

Chief Padilla agreed. That vehicle won't be taken home. And if there are events, it will go on dog and pony shows but not be taken home.

Councilor Villarreal asked if we are replacing a current vehicle.

Chief Padilla said the City doesn't have one now. This would provide the latest technology for them and the best working conditions for negotiating.

Councilor Harris said he had asked the question for his information because part of the revenue stream to fund this is property tax and he had not seen that before. Councilor Abeyta was leading the discussion on where we stand, and he just asked that it be identified for how much money is being spent and how it gets used. It is not just for vehicle purchases for the Police Department. We expect to have that at the next Finance Committee meeting.

Councilor Lindell had one question she didn't ask at Finance. We have two tactical emergency vehicles which are Ford Explorer XL's and three crime scene technician vehicles which are Chevy Colorados. She asked what kind of vehicle that is.

Chief Padilla said it is a light duty pickup that will have a special camper on the back end with compartments for the crime scene gear they need for tactical analysis and take to the lab.

Councilor Lindell asked if the pickup is a four-door cab.

Chief said it is an extended cab but not a four-door.

Councilor Rivera said on page 16 there is a drawing of the vehicle. He asked if that is how it will appear.

Chief Padilla said it is - a black with the logo for crisis negotiation.

Councilor Rivera knew other communities have gone to a military style vehicle and asked if this won't look like military vehicle.

Chief Padilla agreed. It will just look like a delivery vehicle.

Councilor Lindell asked why the vehicle couldn't be white which is much friendlier and cooler on the inside.

Chief Padilla said it comes with air conditioning and black matches the others in the fleet.

Councilor Lindell thought Councilor Rivera's point is well taken. Black is not friendly and can look very imposing. She would like the Department consider vehicles that look less military and more community friendly. She wished the Department could discuss that and come up with a different color combination.

Councilor Lindell clarified that she was not making a specific color on this vehicle but if you could order it in white in the future or, if this one is not ordered yet, white would be her preference.

Councilor Rivera thought the patrol vehicles were not 100% black.

Chief Padilla said the newer vehicles are because it is cheaper to do that. And the Department puts on a white vinyl wrap to make them black and white. They can no longer order a black and white vehicle from the factory. So the vehicles with black and white have been wrapped locally. After a year, the white vinyl wrap falls off when the sun destroys them.

Councilor Rivera asked if decals make it less imposing.

Chief Padilla said at one time they got white vehicles with red, white and blue decals and they were called Pepsi Can cars. He had not received complaints about the black vehicles. If others are receiving complaints, he would like to see them.

Councilor Abeyta acknowledged that they have to consider the purpose, and, in some cases, you might want it to look more intimidating. It does help people stay away from them. There are reasons why some vehicles are a certain color. Sometimes it is warranted.

Councilor Romero-Wirth had one other thought. Black vehicles from environmental consideration get hotter and require more cooling and that is more expensive. Where we could have white, we might want to consider it.

Councilor Harris remembered this conversation on cost of vehicles a few years ago. That decision was made. I think we should just order them black. It is a crime scene.

Councilor Vigil Coppler thought it was best to trust the professionals. She saw no reason to change what they are requesting.

MOTION: Councilor Abeyta moved, seconded by Councilor Vigil Coppler, to approve the procurement of seven vehicles and equipment as requested.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

q) CONSIDERATION OF RESOLUTION NO. 2018-43. (Mayor Webber)
A Resolution in Support of the National Governors Association Summer Meeting, an Annual Conference that Brings Governors from Around the Nation Together to Address National Issues in a Bipartisan Setting July 19-22, 2018; and Waiving All Associated Fees. (David Carr)

Councilor Villarreal appreciated the correct numbers. At the FIR, she asked why it was in the revenue section when typically expenditures are places where we have to pay money. That is in the second section in revenue which shows a deficit.

Mr. David Carr explained that it is actually revenue we are losing - not gaining.

Councilor Villarreal asked if they are getting free rental.

Mr. Carr agreed.

Councilor Villarreal asked if that is what the State requested for how we would "pitch in."

Mr. Randall said that was the assumption from day one - that the Convention Center space would be at no cost to the State. So, he requested that it would be shown as a beneficial contribution the City was making.

Councilor Villarreal asked if that included parking. Mr. Randall agreed.

Councilor Villarreal added that the police and fire staff came from our staff. The FIR included the loss of revenue for staff time which should be more than \$2,000.

Mr. Carr said in the calculated costs for any conference, we don't consider a loss. Our staff doesn't consider that a loss.

Mr. Randall clarified that the \$2,000 is a token amount for conference people who will work the event.

Councilor Villarreal asked if he didn't think it is under-estimated.

Mr. Randall thought it was probably a good number.

Councilor Villarreal said it doesn't include Mr. Carr and Mr. Randall's time.

Mr. Randall thanked her. That is a standard use of our time. Because the revenue is lost for use of the facility, the set up and tear down are usually covered by the revenue we receive.

Councilor Villarreal said police and fire are really overtime costs and an expense and not just a loss of revenue.

Mr. Guillen said this was done in the transition after Adam Johnson left and he didn't have much help to figure out where the figures should go. That isn't a loss of revenue.

Councilor Villarreal said she was not opposed to this event. It will bring in revenue from Tourism and she hoped the State comes through with reimbursement for police and fire protection. That was the promise made and we need to hold the partners accountable. This is a big one. She was not thrilled about the costs for overtime pay.

The resolution is interesting to say the Governors are coming to speak with a united voice because she didn't think they will. It will be interesting, and you will be privy to the meetings.

Councilor Rivera asked if he thought about other reimbursement forms like Emergency Management or Homeland Security to help us with costs.

Mr. Randall said it is all being handled by the State and we were specifically asked to not be involved with that.

Councilor Rivera reasoned that if the City doesn't get reimbursed, it probably would come out of Tourism's budget.

Mr. Randall didn't think so. The \$55,000 loss of revenue from the Convention Center would be reimbursed.

Councilor Rivera said it will be interesting to see.

Mayor Webber said, on behalf of the team working so hard on it, that the City team has been very diligent so that we hold up our end of the agreement and represent the City with great confidence that the governors coming here would be treated well and be safe and secure. Mr. Randall's team, meeting with the City Manager have worked collaboratively and we hope the State and Governor's office will pursue fund raising to make it successful and make friends here with those coming here. The benefit from this is having a safe and well promoted event.

Councilor Villarreal asked if there is a way to track this.

Mr. Randall said we can calculate the direct revenue spent but the big benefit is for Santa Fe's name in news stories throughout the country. The Bachelor event had over \$5 million in exposure. He thought this will bring \$3-5 million in earned media value.

Councilor Villarreal said there will be revenue from hotels and restaurants.

Mr. Randall said afterward, we can report on room/nights.

MOTION: Councilor Abeyta moved, seconded by Councilor Lindell, to approve the resolution in support of the NGA event as requested.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

END OF CONSENT CALENDAR

- 11. Request for Approval of Option for Augmented River Flow in Support of the Santa Fe River Greenway Project. (Andrew Erdmann and Melissa McDonald) (Postponed on May 30, 2018 and POSTPONED on June 7, 2018)**

This item was postponed at the request of Santa Fe County and under Approval of the Agenda.

- 12. Request to Publish Notice of Public Hearing on July 11, 2018: BILL NO. 2018-13. An Ordinance Authorizing the Sale of Approximately 0.059 Acres of Real Property Adjoining the Northerly Boundary of 436 Cerrillos Road and 423(425) Sandoval Street and Described as "Tract C" as Shown and Delineated on a Survey Entitled, "Plat of Survey for PBS Limited Liability Co." Prepared by Smith Williamson & Associates, Richard E. Smith, N.M.P.S. No. 5837, Dated February 8, 2000, Lying and Being Situated Within the City and County of Santa Fe, New Mexico. (Councilor Lindell) (Matthew O'Reilly)**

Councilor Lindell pointed out that this is just a request for notice to publish on a very small piece of property and these are typical of other requests like it. They usually are from a neighbor.

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal to approve the request to publish Bill No. 2018-13.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

- 13. CONSIDERATION OF RESOLUTION NO. 2018-45. (Councilor Lindell) A Resolution Amending Resolution 2018-38 to Change the Date of the Privately Sponsored Reception for the National Governors Association to July 20, 2018. (Randy Randall)**

Ms. Vigil explained that the date was changed by the State.

Mr. Randall apologized for them.

MOTION: Councilor Lindell moved, seconded by Councilor Vigil Coppler to approve Resolution No. 2018-45.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

14. Request for Approval of Amendment No. 2 to Legal Services Agreement to Increase the Compensation in the Amount of \$15,000 and to Extend the Term to July 15, 2018; Ortiz & Zamora Attorneys at Law, LLC. (Mayor Webber)

Mayor Webber said this brief extension is needed while we finish recruiting and hiring a new City Attorney. We just need a brief extension to keep Mr. Zamora here a little longer.

MOTION: Councilor Abeyta moved, seconded by Councilor Vigil Coppler, to approve the amendment to the Legal Services Agreement.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

15. Request for Approval of Amendment No. 2 to Professional Services Agreement Between the City of Santa Fe and Yolanda Y. Vigil, City Clerk, to Extend the Term of the Agreement to July 15, 2018. (Mayor Webber)

Mayor Webber said the City is in the last throws of interviewing for City Clerk with our incumbent and some challengers. He apologized to our City Clerk and promised this is the last extension.

MOTION: Councilor Harris moved, seconded by Councilor Romero-Wirth to approve the contract extension.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

16. MATTERS FROM THE CITY MANAGER

There were no matters from the Temporary City Manager.

17. MATTERS FROM THE CITY ATTORNEY

Mr. Zamora said he would not be present during the evening session since he has a conflict with one of the agenda items. Mr. Martínez will be here in his place.

Secondly, Mr. Zamora recommended the Governing Body go into Executive Session in accordance with the New Mexico Open Meetings Act §§ -10-15-1 (H)(5), (7), and (8), NMSA 1978 for the reasons listed below.

EXECUTIVE SESSION:

In Accordance With the New Mexico Open Meetings Act §§ -10-15-1 (H)(5), (7), and (8), NMSA 1978: (Geno Zamora)

a) Discussion Regarding Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Participant, Including, Without Limitation:

1) *Buckman Direct Diversion Board vs. CDM Smith Inc., et al*, Case No. D-101-cv-2018-01610; and

2) Legal Action Regarding a Public Works Project

b) Discussion of the Purchase, Acquisition or Disposal of Real Property:

1) Status of Santa Fe University of Arts and Design Property

c) Discussion of Collective Bargaining Negotiations with AFSCME, SFPOA, and SFFA

18. MATTERS FROM THE CITY CLERK

Ms. Vigil reminded the Governing Body that the next regular meeting will take place at the School Board meeting room, 610 Alta Vista on June 27, 2018.

19. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of the Bills and Resolutions Scheduled for Introduction by Members of the Governing Body is incorporated herewith to these minutes as Exhibit "3."

Councilor Vigil Coppler said that on June 23 we will proclaim Paul Weir Day. He is the Basketball Coach at UNM and will hold a Kid's Count Basketball Tournament. The UNM Lobo Club will honor him at the Eldorado at 6:00 pm. The public is invited. Mr. Weir has been a great addition to UNM>

Councilor Rivera reintroduced the resolution for extreme drought and fire restrictions for the City of Santa Fe. He also is introducing a resolution amending Resolution 2016-36 to increase the fee waiver for the Santa Fe Summer Series - Hipico Santa Fe to 50% from 25%.

Councilor Villarreal said she wanted to cosponsor Councilor Rivera's extreme drought resolution and introducing a resolution supporting the New Mexico Litter Control and Beautification Act of 1985 which provides public funds through grants for enhancing local beautification and litter control programs. She also announced the official date for our open house for Affordable Housing on June 30 at 9-11 am. It will be called "Housing the Future; Housing for All. It is more interactive and focused not just on city property but more information on what we can do, restrictions, and other presentations. It is not a talk at you type event.

They will do a full public outreach effort and might have more in the future. She hoped the media will write articles about Affordable Housing topics. She also thanked our staff for the Take Your Kids Hiking Day.

Councilor Lindell asked to be added as co-sponsor to the extreme drought resolution.

Councilor Harris also asked to be added as a co-sponsor to the extreme drought resolution and to Councilor Villarreal's litter control resolution.

He said the Airport Advisory Board had its first meeting last night. It was a good organization meeting and a lot of projects are going on. We will present to the Governing Body about it once we have a new Airport Director. We are getting lots of support from FAA, NMDOT Aviation Division for runways and parking lot. Fly Santa Fe also posted a new sign for us at the same entrance.

Mayor Webber said Friday morning at 8 a.m., there will be 8 working groups presenting on two hard months of work. About 120 volunteers working on important issues at the Convention Center. We are moving forward. The public is invited, and it will be an opportunity for good creative thinking.

He wanted to thank them for their hours of work and listed many of the issues they are working on. The documents will be available in English and Spanish and posted on the web.

He took his first trip on an airplane in a year as he went back to Boston as a newly sworn in member of the National Council of Mayors. He found that everyone loves Santa Fe. Most of them have warm feelings about Mayor Gonzales. We are so fortunate to represent our City. The sessions were worthwhile with gatherings on everything. He learned things such as the \$800,000 median price of homes in Seattle. They dealt with the opioid epidemics and fundamental issues like childcare. He wouldn't write a full-fledged report, but he did keep notes on them. He was happy to respond to specific requests. He came home with many new ideas for our work.

EXECUTIVE SESSION

MOTION: Councilor Rivera moved, seconded by Councilor Villarreal to go into closed executive session pursuant to NMSA 1978, §10-15-1(H)(7), Discussion Regarding Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Participant, Including, Without Limitation, 1) *Buckman Direct Diversion Board v. CDM Smith Inc., et al*, Case No. D-101-cv-2018-01610, 2) Legal Action regarding a Public Works Project, Discussion of the Purchase, Acquisition or Disposal of Real Property: Status of Santa Fe University of Arts and Design Property, Discussion of collective Bargaining Negotiations with AFSCME, SFPOA, and SFFA.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

The Governing Body went into executive session at approximately 6:14 p.m.

EVENING SESSION – 7:25 P.M.

A-E. CALL TO ORDER AND ROLL CALL

The regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called back to order by Mayor Alan Webber, on Wednesday, June 13, 2018, at approximately 7:25 p.m., in the City Hall Council Chambers. Present at the meeting were:

Members Present

Mayor Alan Webber
Councilor Signe I. Lindell, Mayor Pro-Tem
Councilor Roman "Tiger" Abeyta
Councilor Mike Harris
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

Councilor Peter N. Ives

Others Attending

Renee Martínez, Deputy City Manager
Marcos Martínez for Geno I. Zamora, Interim City Attorney
Yolanda Y. Vigil, City Clerk
Carl G. Boaz, Council Stenographer

RETURN TO OPEN SESSION

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, to return to open session. He noted that during the executive session, no actions were taken and the only matters discussed were those listed on the agenda above.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

F. PETITIONS FROM THE FLOOR

Mayor Webber explained that Petitions from the Floor are limited to matters not on the agenda. He gave a two-minute time limit to each petitioner.

Nick Smith spoke about the big garden issue that had much debate and Council had asked him to report back. He recognized they were a test case for this and it was the first time for the ordinance to be put in. They refurbished the MRC on June 2nd and had 12 teams working with 8 from out of the county. The tournament was a great success with participants from as far away as Alamogordo.

The main thing was the beer garden itself. We complied with the ordinance and had 8-12 people there at any one time and no children were present. They had a security guard and a maximum of three drinks served, monitored by stamping the wristbands. They had a 4' fence with a 5' gap. We were delighted. The people from out of town appreciated having it and hope to do it again next year if the Council approves our application.

Stefanie Beninato said she sent Councilors an email from contractors being hired for personal insurance. [A copy of the email is incorporated herewith to these minutes as Exhibit "4."] She thought this was a total waste of time and energy because contract lawyers have no incentive to settle. They are being paid by the hour. "Most tort claims and personal injury cases are set up. I sent you this email because, as you can see, I am a party to this lawsuit. I am addressing you as a party to the lawsuit. I am asking you to consider settlement.

I am asking you to direct this attorney who has resisted with an order to go to settlement talks. That is what I'm asking you to do here. And I am giving you this to show again how, an issue that was already decided by the court, they want to bring it back up. They want to pretend I am in violation. I'm a party. I have done nothing in violation of anything and I welcome that trying to take me into court on this because I will counter sue them and asked for disciplinary action.

This is a frivolous attempt on their part and I am tired of their lies and insinuations. This is Josh Harris, now called "why law?" And I say, why Josh Harris. In my opinion, he is one of the most unethical lawyers we have in the State of New Mexico. This is an exhibit that He put it as a wall on my neighbors to the north property. He labeled this as a wall on my property. Then he labeled it as a common wall. It is entirely on my neighbor's property.

She showed the lot line and the wall which is on her neighbor's property. "He knows it is not on my property and uses this plat for information. It is an ethical violation. And this is how he wins the case and I am asking the City to get a different contract lawyer."

There were no other speakers from the public regarding this case and the public hearing portion was closed.

G. APPOINTMENTS

There were no appointments.

H. PUBLIC HEARINGS

1) Request from Canyon Road Contemporary for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Alcoholic Beverages at Canyon Road Contemporary, 622 Canyon Road, Which is Within 300 Feet of the Santa Fe Monthly Meeting of Friends (Quaker House), 630 Canyon Road. The Request is for Artist Receptions on the Following Dates, with Alcohol Service from 5:00 p.m. to 7:00 p.m. (Yolanda Y. Vigil)

- **July 13, 2018**
- **August 17, 2018**
- **September 21, 2018**
- **October 19, 2018**

Ms. Vigil stated the request. It is before you and the location is within 300 feet of the Santa Fe Meeting of Friends House.

The events are as listed above with all being from 4-8 p.m. There is a letter in the packet from them indicating they have no opposition to this request.

Ms. Nancy Menard said she is the owner of Contemporary Art and have four specific events and spoke with them at the church, so she respectfully asked for approval of her request.

PUBLIC HEARING

Ms. Stefanie Beninato was sworn and said she hoped the Council can go to the state legislature to get this procedure shortened with an automatic administrative approval. 99% of the time because the Council does grant them.

There were no other speakers from the public regarding this case and the public hearing portion was closed.

MOTION: Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve the Canyon Road Contemporary request for waiver.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

2) Jeffery Seres of Studio Southwest Architects, Agent Representative for the Santa Fe Public Schools, Requests the Following: (Dan Esquibel)

a) CONSIDERATION OF RESOLUTION NO. 2018-46.

Case #2018-31. 551 Alarid Street General Plan Amendment. Approval of an Amendment to the General Plan Future Land Use Map Designation of Property Comprising 2.9± Acres of Land from Institutional to Community Commercial.

Ms. Vigil read both resolutions.

Mr. Dan Esquibel described the process for the application involved three ENN meetings and city facilitation of six meetings with the parties and some agreements have been reached culminating with the Planning Commission recommending approval to the Governing Body. There are three motions required: The General Plan Amendment without conditions; rezoning without conditions of approval and third is all conditions apply to Master Plan approval or denial of the Master Plan in a 10-year expiration for approval. It was not recommended by the Planning Commission as explained on page 4. The City feels the entrance should remain where it is. He asked James Martínez, with the Traffic Division to explain.

Mr. James Martinez, Traffic Engineer, said the site contains three driveway access points to Alarid and 2 to Paseo de Peralta. The applicant proposes to open a new access on Paseo and close one on Alarid that is closer to the intersection. The Traffic Division believes the second access point is not desirable because Paseo there is a minor roadway and should use Alarid access points for ease on entering the site and avoid congestion on the minor arterial. That is the reasoning. Paseo is a higher speed roadway and a lot higher volume of traffic.

PUBLIC HEARING:

Ms. Vigil asked those who wished to speak to line up and she swore them in together.

Mayor Webber asked the Applicant to speak first.

Mr. David Barker, 1011 Old Santa Fe Trail, joined by his wife and brother, said, "The property drew our interest. I grew up here and John Gaw Meem was the architect and it is not historic, and I thought that was wrong. I wanted a reuse of the property. I

first approached Dan Esquibel who advised me to listen to the neighborhood and we did that with public and private meetings and thanked the people in the audience. There are frustrations with all the changes that took place in their neighborhood with the Railyard, St. Elizabeth's, La Choza, and we made many changes to lots of things along the way with setbacks and limiting the uses and height. I like the process and feel we have a better product because of listening to them."

Mr. Jeff Seres, the architect, reviewed the Master Plan in the drawings, first is the site plan for the redevelopment along with the design guidelines and allowed uses that were pared down from 84 uses. They looked to their neighbor, the Railyard, as the guideline for the design. BCD is the zoning for the Railyard, so it directs colors and materials. They pared down the allowed uses in discussions with neighbors. In the plan you see the Alarid School in the hatched area and existing restaurant use and playground and a potential building along Camino de la Familia. The second drawing is a color site plan - for different height zones. Red and yellow are from the railyard - a 25-foot no build zone and 25 1-story zone. The north boundary abuts the neighbors and to the west along Alarid. "We used story poles. Green is 2-story massing and blue is the only 3-story height."

The last drawing shows the two phases - left and right - left is existing school and right is potential development in conjunction of the request to extend the Master Plan from 5 years to 10 years. Rezoning is in perpetuity, but the design standards are for a longer time.

Mr. Morey Walker, project engineer, explained that they did a Traffic Impact Analysis and agreed with the Traffic Division for all of it except the one entrance on Alarid. On this drawing - the entrance on Alarid - the traffic coming out of the intersection will interfere with traffic coming down the street and those turning onto Alarid. We want to move it to the front on Paseo. We think it a much better design - 140 feet from the intersection so it would move traffic away from the congested intersection. When I turn left onto Alarid - traffic is backed up. It is better visibility on Paseo and on Alarid, you can't see the cars coming around the corner.

It needs a good entrance for the project to work. We need the entrance on Paseo to get people in there.

Rosemary Menard, 544 Alarid Street, lives directly across from this property and Secretary of the Historic Guadalupe Historic Association. I am in favor of the property and worked closely with the Barkers. The zoning change and redevelopment will be a good thing for our neighborhood. She wanted the change of entrance for safety. She showed pictures of Alarid and Manhattan Streets. [A copy of the pictures is incorporated herewith to these minutes as Exhibit "5."] You can see the condition of the sidewalk on Alarid and West Manhattan. The sidewalks are extremely narrow in front of my house at 22" and diminish to nothing at the intersection. That intersection is already very busy

from three condo developments and a good number of cars and cut-through traffic to avoid St. Francis.

There are two people walking in the street and that is not safe. There is not room for even one pedestrian to walk on them, so people walk in the street and push baby carriages down the street. The speed limit is 25 posted but the drivers go much faster 35-45 mph. Down Alarid Street to West Manhattan to St. Francis is the cut-through. An article in the March 22 New Mexican said one of your priorities Mayor, is neighborhood livability and an office to monitor that priority. Please support this to make our neighborhood more livable. And move the entrance to Paseo. Thank you.

Mary gave her name away from the microphone and was inaudible. She lives at 811½ West Manhattan. She said, "In the first week I got back, I went door to door to get neighbors on board for a positive impact on the neighborhood. It makes no sense to have the exit on Alarid. Alarid is one-block and West Manhattan is 2 blocks.

"When seeking signatures, half of people were at their door and half were walking. Manhattan cuts across the railyard and it has few sidewalks and people like to walk there. Most of the lots had a lot of infill so there is a fair amount of traffic and a lot of people in traffic get blocked up on Paseo will want to leave and turn to the right - Montez Road is dead end. And you can't get out. Adolfo is a dead end at the back of the school yard and the third street is one-way going the wrong way except for garbage trucks. They get thrown to Juanita. We can't have more traffic, given the safety concerns. It is the walking street to the Railyard.

Irene Herrera - 730 Montez Place, said "Montez is a dead-end street behind Alvord School. I lived there all my life. I went to Alvord School as a child. The development is fine. I heard they wanted to use the back coming out to Alarid as a road. That would mean traffic at my house. My privacy would be totally gone. They talked about a wall but there is always noise. People park on Montez for events at the Railyard. And if I call, the City will ticket them. But people park in driveways and not letting us out. I can't call for a tow truck. That opening behind Alarid would be awful for the neighbors on the back wall.

Dan Nicholson - 811 West Manhattan, said "I'm also living at 811 West Manhattan and there is 811 b, c, d, f, and g. So it is more densely populated than you would imagine. I walk my dog every day twice a day to the Railyard and the park down Alarid and back home. So I get to see traffic and where it is safe to work. The intersection of Alarid and Paso is a hot spot. Traffic tends not to slow down despite signs to yield to pedestrians. By leaving that entrance open would be a mistake and make the intersection more congested. As you walk down Alarid, it is close for two cars to get by, but the sidewalk narrows to about 12' at Manhattan - and cars park there. So it is dangerous and there is no other option.

On Manhattan, the same happens. Sidewalks get narrower until they disappear. So it is a rough situation for pedestrians already. I hope you endorse the Planning Commission recommendations.

Collette Casky said, "I just moved here and came to testify that within the first couple of weeks, I've been walking on that street several times and as everyone else said, it is effectively a walking street and no way that two people can walk side by side on the sidewalk. Previously I was here at the holidays and would go cycling up and down the street. The street has narrow sidewalks and is a walking street.

Charles Rosacker said, "I am living on Santa Rosa Drive in Councilor Romero-Wirth's district. We call it the Taco Bell triangle. I'm glad we are not talking about tearing that building down. I have members of my family living on Manhattan and Alto and extended family who went to school at Alvord School. I walked those sidewalks before any of those people owned that property. Last December I wrote a story about my mother's barrio that was later made into a play performed at Teatro Paraguas. In 1944, when my Tio was Chief of Police and there is a lot of truth to the story about exaggerations in there. In the story, the Chile Line played a significant part. Part was joining my pueblo family and my mother's Hispanic family.

My motivations for the story were many but probably most predominate motivation was the gentrification of that neighborhood. Walk down Alto - not many local people. All these guys are local, and I respect that. But a lot are moving away for different reasons - I lost a friend, Chris Archuleta from Ohkay Owingeh who told me stories on the Chili Line. He will be missed but his stories remembered. Based on the history of Chili Line - both train and local people should not be debased in any way A commitment by SFPS and this developer to retain that mural; that art work and not defacing it in any way - from my viewpoint - is imperative.

Jerry Richardson, 703 Don Felix, President of the Guadalupe Historic Neighborhood Association, said, "Our goal from the outset was to minimize the impact from development of Alvord School and give full support to the Planning Commission recommendation. Lots of meetings and time went into this and he commended the Barkers for listening to the neighborhood. The Traffic Department still objects to the access on Paseo. But anyone coming to it will access it from Paseo; not Alarid. So it isn't a valid concern. And it should keep traffic out of that neighborhood. It is a public safety with people walking on the streets.

Paseo does have a higher traffic load but is a designated arterial, so it is supposed to. The Traffic Engineer could not cite anything that would be violated with an entrance on Paseo. So I urge you to support this solution with entrance on Paseo - I suspect it is unusual where there is not a lot of acrimony. We have this agreement and I thank the Barkers and Dan Esquibel for their work on it.

Amy Gitnick said, "I would like to say I am in full support of the development. The neighborhood has worked hard with the Barkers and I support the gate on Paseo. When the school was open, that gate on Alarid was a locked gate and never opened. The traffic did lead to congestion on Alarid and people tried to navigate through the twisty neighborhood. The sidewalks are not lit at night and many people walk back from the Railyard at night, so it is a hazard to walk there."

Will Boncher, 546 Alarid, said "I am in full support for the solution. The Barkers have been great. The School District wants to sell it."

Rick Martínez, 725 Mesilla Road, thanked the Barkers and Dan Esquibel who asked him to help and thought they came up with a good Master Plan. He wasn't too happy with the 3-story in back. He gave his full support for the entrance on Paseo and the murals are good and should be memorialized at some point. Working with Bill Smith and put images up as a way to memorializing them.

It was a good process working with staff and developers. After the first ENN, we got together and reached a good solution.

Karen Heldmeyer, 325 East Berger, said, "Rick and I speak for the Neighborhood Network. Everyone worked together. The devil is in the details. Someone associated with the City needs to pay attention to this. The traffic pattern - Alarid is a neighborhood street and might not be for very long if it is the entrance. So the plan needs to be rethought. Regarding the murals, we have been told the murals have to be taken out for windows there. If the developer needs help for the technical aspects. We have people from the City who can do that."

Julie Dean, 741 West Manhattan and lived there for 24 years. She said, "I've seen neighborhood change a lot. And losing Alvord was hard. If you bring that traffic there, you will kill our neighborhood. Crossing Railyard to this neighborhood is a different world. Please don't destroy that. Paseo has a traffic problem putting one more piece there will not change that. Work on altering Paseo instead."

Bernie Bernard said, "We want you to approve the plan. The rezoning was a condition and the reason we are here and in agreement with it. We wanted the Master Plan established in detail, so we could have the trust to make it work down the line. She got us where we are. Please pay attention to the Montez people and the tall part at Montez from private backyards and gardens. They went through the list of things allowed in BCD and struck all of those not wanted. I think you must do that for the purpose of trust among the parties - thanks."

Stephen Correia, 2500 Sawmill, spoke as President of the School Board, said, "We are in complete support of the project as proposed. When we put it up for sale, none of those interested had any intent to retain the structure and we were very excited with the Barker Plan for what it would do to enhance the area - His was the only one not

planning to destroy the school. People need to understand that we would have torn it down if the Barkers had not come along. We want to commend them for doing three ENNs. The schools were not good at that in years gone by. We stand in support of this. I apologize for not addressing Mayor and Councilors. I will be here for questions later.”

There were no other speakers from the public regarding this case and the public hearing portion was closed.

Councilor Rivera commended everyone for coming together and working this out. Too often, it is neighborhood against an applicant. All we are dealing with are the entrance, mural and back road. He asked if it is the intention to have the back as a road or a future plan or something else.

Mr. Barker said it is not a road as much as a driveway. The Fire Department requires it. But we want public to come in and leave on Paseo.

Councilor Rivera asked about any protection for those neighbors. One mentioned a wall.

Mr. Barker said they planned to have either fencing or a wall of Montez property owners.

Councilor Rivera noted their biggest concern was noise, so a fence would not do much to help.

Mr. Barker said it is a one-way entrance and they would try to discourage anyone leaving by that way. We also have setbacks there.

Councilor Rivera asked Mr. Esquibel regarding the mural, if the City has the ability to move that mural intact.

Mr. Esquibel was not sure. He said it was commissioned in 1995 in a youth program and those agreements expired a long time ago. I would leave it to the Applicant how to manage that.

Councilor Rivera said it would be worth looking at and hoped the applicant would try to do what could be done.

Mr. Barker said the south wall is block and then plastered and the mural painted on the plaster. It doesn't work to keep the murals in place. We do need windows there. We had them professionally photographed and Bill Smith is willing to work with PNM and put it on a substation someplace. I am sensitive to the concern and willing to work on ideas. But I can't keep them where they are now.

Councilor Rivera asked James Martínez why the south entrance is something to preserve.

Mr. James Martínez said the minor arterial has higher volumes and higher speeds and the Division has concerns about rear-end collisions. It would be our desire for the entrance to be on a residential street for slower moving vehicles.

Councilor Rivera gathered his concern is the speed of vehicles.

Mr. James Martínez agreed.

Councilor Rivera asked about right turn only exit onto Paseo.

Mr. James Martínez said it would require removal of two parking spaces on Paseo. We currently don't have space for left turn in.

Councilor Rivera thought the neighbors and developer have worked too hard to not do as they recommend.

Councilor Villarreal thanked all neighborhood members for speaking on this. Having nine formal meetings is a big deal. What made the difference is the local developer and she appreciated that from the Barker family. We need to do more of it. A lot of things got worked out and she favored an entrance on Paseo, but it is complicated. It is already a busy street. With those entrances, one existing and one new she wondered about the parking along the street and a line of sight issue. It is actually the same on Alarid too. Either way, it will be a problem. She asked what would happen to parking if they did both.

Mr. Marcos Martínez said, in speaking with the Parking Division, that it would be a fee.

Mr. James Martínez agreed that it would be a fee because of the lost parking revenue. Probably two or three spaces would be conceded to the City.

Councilor Villarreal was thinking about having a break for those entrances and having no parking at the entrances. James agreed.

Councilor Villarreal pointed out for the second existing entrance on the east at Camino de la Familia is very narrow and an island that people drive over. She asked if that had been considered.

Mr. Barker said it is curious that the City designed that so close to the entrance.

Councilor Villarreal asked if they looked at such a description in their design.

Mr. Seres said they did not. That aligns directly across to the south side of the Railyard and is probably why "We also looked at overall access for services such as trash and dumpsters. So that would be maintained for garbage trucks which is more conducive for future playground development. We angled the road, so they could go directly into the new development and go out to the left onto Paseo."

Councilor Villarreal asked if the road in the back is for an emergency entrance.

Mr. Barker said "There is a driveway is on the north side that has been there since day one. It is what the Fire Department requires. We don't see that as generating a lot of traffic, so I call it a driveway and not a road way."

Councilor Villarreal said anyone could enter there. She asked if they could have a gate there for emergency use only. "I'm for that only if there are two entrances there."

Mr. Barker said it is one-way into and not out.

Councilor Villarreal thought a wall there would be good. She didn't think many parents picked up their kids back there.

Mr. Barker said some neighbors expressed their interest in a fence instead of a wall. On the west edge, a neighbor was concerned that a wall would block the sunlight to his property.

Councilor Villarreal said the other question was about the mural. She loved that mural. They did an amazing job. "I think it would be extremely difficult to remove this one. My suggestion would be to consider professional pictures of the mural. They are beautiful to document. I know it is challenging and costly to move the mural and maybe somebody could recreate it. The community outreach on it is a great project and people will surely tell the Barkers if they like it or not. I'm excited to see it."

Councilor Lindell agreed. "It is terrific to see a room full of friends and neighbors. I've watched this for a number of months and had conversations with these people about it. These are honorable people and you proved me right, Dan. A person commented to me to make sure I thanked you for your work on this and for being reasonable and realistic. I sat on the Planning Commission for eight years and here for a few and I've never seen two sides come in, wanting the same thing. It is very well done. Bravo!

"It is a great example for other projects going forward. I'm not going to pick at it. Regarding murals, I appreciate you taking professional photos and maybe a group can find a location nearby for reproducing it there. I'd be happy to work with them. I'm proud of this neighborhood. Thank you."

Councilor Harris also wanted to applaud all participants plus Mr. Seres and Morey Walker. Certainly the neighborhood has participated in a practical and good way.

He had one detail to talk about it. MP-2-B is the colored rendering of heights. You have an area where it just says, "structure above." Is that a canopy?

Mr. Seres said that is on the future development playground area.

Councilor Harris thought a canopy would be okay but if it is a building structure above it, that would be problematic.

Mr. Seres said he has called it the bridge. A corner of it projects to the yellow. It is an amenity for future development - probably housing in a one-story structure and gardening area for the residents there.

Councilor Harris saw that it does project into the one-story zone.

Mr. Seres said it is 16' high there - a one-story building.

Councilor Harris understood that if it starts at ground area, it is a structure above the parking area at 16'. He was okay with that.

Councilor Vigil Coppler echoed a big thanks to everyone. "You did a terrific job with everything on it. When I first learned of it, I was glad to see local Santa Fe residents involved. I believe in the spirit of neighbors expressing how they love their neighborhood. It would be a real problem having more traffic on Alarid so I'm in full support of entrance on Paseo. I cannot envision how the mural can be saved but memorializing it through photographs and perhaps finding a good home for reproducing it.

Councilor Abeyta also thanked developers and neighbors and staff for getting together. It is a good example and the time given to look at the ENN process speaks to the need in the neighborhood of empowering a neighborhood. "I am grateful for Karen and Rick taking on the effort. I think the mural - should be more than just photographing. Murals tell stories and tell the history of our City. I think of the mural on Canyon Road my grandfather put up and worry that one day, it will be gone. We need to invest in documenting them and provide some funding to support these artists paint them someplace else. Maybe I will look into it as a Councilor now that I can. The Barkers have been a great contributor to our City. They step up to the plate and help neighbors. This should be an example of how we move forward."

Councilor Romero-Wirth said, "I think it is a great example how we can work together. It is an important property and a Meem building and I thank the applicants for

working to keep it. Maybe we need to look at how we do murals in the first place to enable them to be moved. I'm sure other cities face that too."

Mayor Webber asked if they could share the photography they did and the scale of it.

Mr. Barker showed the photo of all three panels and he said there is documentation of the history of the mural. There are ways to preserve it by replicating it.

Mayor Webber said it is clear from what you have done to keep it in some way.

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to approve the requested General Plan Amendment in Case #2018-31 with no conditions.

DISCUSSION ON THE MOTION:

Councilor Rivera asked where the best place would be to memorialize it.

Mr. Esquibel said he could continue to work with the Applicant and the neighbors so that those issues get addressed and the freedom to talk with neighbors for what they wanted. When DeVargas was built, some neighbors didn't want a wall. We can move it forward in a positive manner.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

b) CONSIDERATION OF RESOLUTION NO. 2018-46.

Case #2018-03. 551 Alarid Street Rezoning. Approval of an Amendment to the Official Zoning Map of the City of Santa Fe; Changing the Zoning Classification of Property Comprising 2.9± Acres of Land from R-8 (Residential 8 Dwelling Units Per Acre) to BCD-RED (Business Capitol District-Railyard Redevelopment District) and Providing an Effective Date.

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to approve in Case #2018-03, 551 Alarid Rezoning Resolution 2018-46 approving the requested Amendment to the Official Zoning Map without conditions.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to approve the Master Plan Amendment with a 10-year expiration, with development design standards as listed, excluding conditions 1 and 2.

DISCUSSION ON THE MOTION:

Councilor Rivera noted there is no mention of a Master Plan in the agenda.

Mr. Marcos Martínez said it is listed as an exhibit to the rezoning.

Councilor Rivera asked if it is okay to vote on it.

Mr. Marcos Martínez didn't believe it needed a separate vote. He suggested it would be appropriate to reconsider the motion on rezoning.

Councilor Lindell withdrew her motion.

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, to reconsider the previous motion.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to approve in Case #2018-03, 551 Alarid Rezoning Resolution 2018-46 approving the requested Amendment to the Official Zoning Map without conditions and with Exhibit B - Master Plan with a 10-year expiration and design standards excluding conditions 1 and 2.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

Mayor Webber thanked everyone for their testimony and participation in this matter.

I. ADJOURN

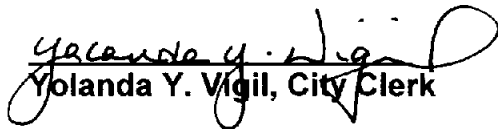
Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned approximately at 9:11 p.m.

Approved by:



Mayor Alan Webber

ATTESTED TO:



Yolanda Y. Vigil, City Clerk

Respectfully submitted:



Carl G. Boaz, Council Stereographer

RECEIVED
BA-000899

ITEM # 10(g)

FINANCE DEPT
CITY OF SANTA FE

Log # {Finance use only}:	
Batch # {Finance use only}:	

City of Santa Fe, New Mexico

BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME					DATE	
Public Works - Airport Division					5/8/2018	
ITEM DESCRIPTION	BUSINESS UNIT	LINE ITEM	SUBSIDIARY (.000000)	SUBLEDGER (0000)	INCREASE	DECREASE
EXPENDITURES					(enter as positive #)	(enter as negative #)
WIP Construction	52825 52858	572970			1,087,200	
REVENUES					(enter as negative #)	(enter as positive #)
NMDOT	51825	490150			(1,087,200)	
JUSTIFICATION: (use additional page if needed) --Attach supporting documentation/memo					\$ -	\$ -

To adjust budget to reflect acceptance of NMDOT Grant SAF-18-05 for rehab of Runways 10-28 and 15-33.

FY 18-19 BAR

(Complete section below if BAR results in a net change to ANY Fund)	
Fund(s) Affected:	Fund Bal. Increase/ (Decrease):
5825	0
TOTAL:	0

Tuesday Brzcal		(Use this form for Finance Committee/ City Council agenda items ONLY)		6/8/18	
Prepared By (print name)	Date	CITY COUNCIL APPROVAL		Budget Officer	Date
[Signature]	5/8/18	City Council		N/A > SK	
[Signature]	5/5/18	Approval Date		Finance Director {s \$5,000}	Date
[Signature]		Agenda Item #:		N/A > SK	
Department Director	Date	City Manager {s \$50,000}		Date	

ACTION SHEET **ITEM #** 10(f)
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, JUNE 11, 2018

ITEM 9

REQUEST FOR APPROVAL OF A RESOLUTION ENDORSING THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT'S FY 2019 BUDGET PROPOSAL, APPROVING THE FY 2019 CITY OF SANTA FE REGIONAL TRANSIT PLAN AND DIRECTING STAFF TO SUBMIT THE CITY OF SANTA FE REGIONAL TRANSIT PLAN FOR FY 2019 TO THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT BOARD OF DIRECTORS FOR CONSIDERATION AND APPROVAL **(COUNCILOR ROMERO-WIRTH) (KEITH WILSON)**

PUBLIC WORKS COMMITTEE ACTION: Approved on consent

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON IVES	Excused		
COUNCILOR ABEYTA	Not present		
COUNCILOR VIGIL COPPLER	X		
COUNCILOR HARRIS	X		
COUNCILOR VILLARREAL, Acting Chair	X		



**CITY COUNCIL MEETING OF
June 13, 2018
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY**

Mayor Alan Webber		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Roman Tiger Abeyta		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Mike Harris		
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 Chris Rivera		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION PROCLAIMING SEVERE OR EXTREME DROUGHT CONDITIONS MAY EXIST 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.	Public Safety Committee - 6/19/18 Finance Committee - 7/2/18 City Council - 7/11/18
	A RESOLUTION AMENDING RESOLUTION 2016-36 TO INCREASE THE FEE WAIVER FOR THE SANTA FE SUMMER SERIES HELD AT HIPICO SANTA FE TO FIFTY PERCENT FROM TWENTY-FIVE PERCENT.	Public Works Committee - 6/25/18 Finance Committee - 7/2/18 City Council - 7/11/18

Councilor Carol Romero-Wirth		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Renee Villarreal		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION SUPPORTING THE NEW MEXICO LITTER CONTROL AND BEAUTIFICATION ACT OF 1985 WHICH PROVIDES PUBLIC FUNDS IN THE FORM OF GRANTS FOR THE PURPOSE OF ENHANCING LOCAL LITTER CONTROL AND BEAUTIFICATION PROGRAMS.	Finance Committee - 6/18/18 Public Works Committee - 6/25/18 City Council - 6/27/18
Councilor JoAnne Vigil-Coppler		
Co-Sponsors	Title	Tentative Committee Schedule

Introduced legislation will be posted on the City Attorney's website, under legislative services. If you would like to review the legislation prior to that time or you would like to be a co-sponsor, please contact Jesse Guillen, (505) 955-6518, jbguillen@santafenm.gov or Linda Vigil at (505) 955-6501, lfvigil@santafenm.gov.

Email from Hawthorn, Submitte

Exhibit "4"
Council June 13, 2018

Stefanie Beninato

Aryn You are going over ground that has already been decided. Listen to the record. Harris already made that argument and it was rejected by the district court. I am pro se. I am treated differently by the courts because I am pro se. I am not representing anyone but myself and the trust that is me in this matter as allowed by law. Please read the notes as to party's rights in a lawsuit to contact the other party under the rule you are citing. It might be enlightening.

Even though the judge was going to issue a protective order based improperly on IPRA grounds, Harris withdrew that grounds when I requested an interlocutory appeal on that order. Then the judge decided to use Chapter 17 to impose some sort of restraint on my first amendment rights as a party. I now know that was improper since that chapter deals with the disciplinary board's powers and responsibilities--not a district court.

I feel that this discussion is frivolous. I am a party and am not acting out of line as a party. I will ask for monetary sanctions and disciplinary action if you go forward on issue that has already been dismissed by the district court itself.

Seiler writes:

Ms. Beninato,

On June 10, 2018, you responded to my email of the same day alerting you to Rule 16-402, which prohibits you from directly contacting represented parties in litigation about the litigation. Your response is as follows: That case is over. We are in appeal. The protective order was based on a rule that only allows the judge to restrict courtroom behavior. I did not ask her to read the rule at the time but read it later. I do not think her authority extends to the appellate stage. And it was an abuse of discretion for her to try to limit outside behaviour with that rule.

I will also point out that I am pro se and am allowed to communicate with the other party. I have asked the mayor to read my Brief and then discuss with you possible settlement--all by email. I am in my first amendment rights to do so (free speech and freedom to petition the government)"

You have communicated to me that you are a licensed attorney, despite being a pro se litigant in this matter. As a licensed attorney you are required to comply with the New Mexico Rules of Professional Conduct at all times, even when you are representing yourself in a matter. As a licensed attorney you should know that the rule upon which you have based your appeal is not over, but rather is the very subject of your appeal. Please review the Order Granting Defendant's Motion for Protective Order. The text of the Order does not mention courtroom behavior. It states you are "prohibited from having further direct contact with City of Santa Fe employees or representatives about anything to do with settlement of the claims brought in the instant lawsuit, or regarding the facts and circumstances alleged" in your lawsuit if counsel for the City of Santa Fe is not present. Your lawsuit is still pending and is on appeal. Even a lay person should understand this and you are unquestionably not a lay person. You are a licensed attorney with obligations to the profession and to the Courts.

The Order clarifies that you may continue to directly contact the City of Santa Fe for reasons unrelated to this litigation. Should you believe you do not understand the Order or your professional obligations, perhaps you should seek counsel to assist you in understanding both.

Your response indicates that you believe the trial court has abused its discretion and violated your First Amendment right to directly communicate with represented parties in litigation. You are welcome to take those issues up with the Appellate Court.

Additionally, there is no mediation scheduled for June 28 as you informed the Mayor. That you made such misrepresentations to City of Santa Fe employees and representatives in your June 6, 2018, email is highly suspect. This would be yet another reason for you not to contact my clients directly about this case. I do not want them receiving incorrect information from you. Please cease and desist from this conduct.

> In any case, if you continue to violate the Order and the New Mexico Rules of Professional Conduct, Defendant-Appellee will most likely have to petition the Appellate Court to levy monetary sanctions against you.

Aryn Seiler

YLAW, P.C.

4908 Alameda Blvd. NE

Albuquerque, NM 87113

505-266-3995 Ext: 240

aseiler@ylawfirm.com<mailto:aseiler@ylawfirm.com>

W. Manhattan btw. Juanita St. + St. Francis

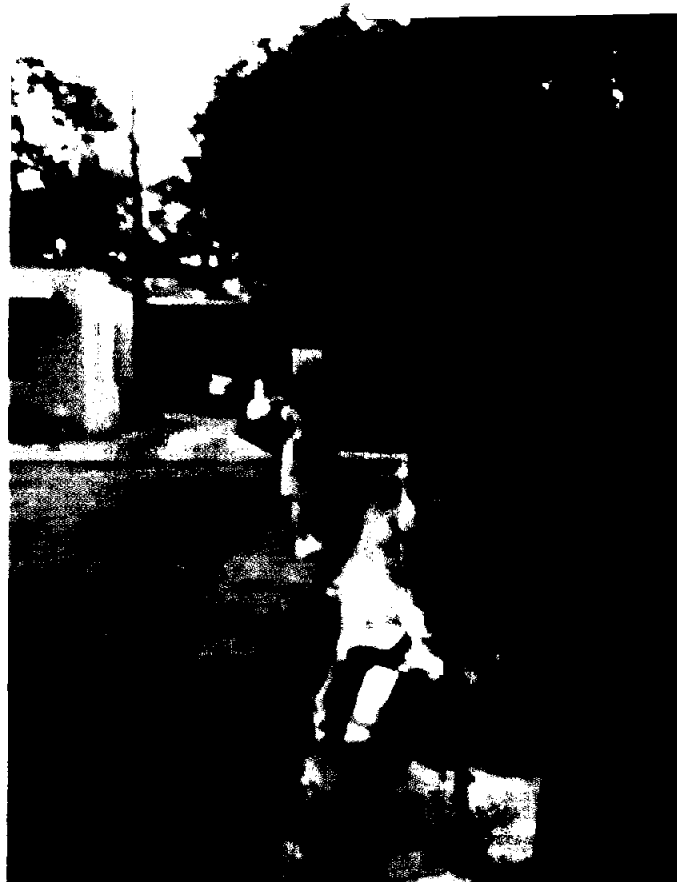
South
Side



ALARID ST. approaching W. Manhattan

Exhibit "5"
Council June 13, 2018

East
Side



ALARID ST. Approaching W. Manhattan

West
Side



W. Manhattan btw. Juanita St. + ALARID

North
Side

