

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2018-27

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4  
5 AN ORDINANCE

6 AMENDING SUBSECTION 6-17.2 TO REMOVE REFERENCES TO THE ECONOMIC  
7 DEVELOPMENT REVIEW SUBCOMMITTEE; REPEALING SECTION 6-17.6  
8 REGARDING THE ECONOMIC DEVELOPMENT REVIEW SUBCOMMITTEE;  
9 REPEALING SUBSECTION 11-11.6 REGARDING THE ECONOMIC DEVELOPMENT  
10 REVIEW SUBCOMMITTEE; AMENDING SUBSECTION 11-11.8 TO REMOVE  
11 REFERENCES TO THE ECONOMIC DEVELOPMENT REVIEW SUBCOMMITTEE;  
12 AND REPEALING SECTIONS 6-8 AND 19-10 REGARDING THE GRIEVANCE  
13 REVIEW BOARD.

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15 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

16 Section 1. Subsection 6-17.2 of SFCC 1987 (being Ord. #2005-5, as amended) is  
17 hereby amended to read:

18 **6-17.2 Powers and duties.**

19 The powers and duties of the committee shall include (without limitation):

20 A. At the discretion of the economic development advisory committee, reviewing  
21 and making a recommendation to the governing body on proposed ordinances amending the  
22 city code, resolutions or other city regulations which may have a potential impact on  
23 businesses in the community. The committee shall conduct a public meeting regarding such  
24 proposed ordinances, resolutions or regulations as early as possible in their development.  
25 Items under consideration by the committee may be moved to another committee or to the

1 governing body for appropriate consideration upon a majority vote of the governing body at  
2 any time.

3 B. Providing timely information to businesses regarding those proposed  
4 ordinances, resolutions and regulations;

5 C. Informing the governing body, in a timely manner, as to the potential impacts  
6 of proposed ordinances, resolutions or regulations on the business community;

7 D. Initiating proposals, through an annual work plan, which would improve the  
8 business climate and the quality of life in the community as a whole including, but not limited  
9 to, modifications to city regulations and operations and staff responsibilities for the governing  
10 body's consideration;

11 E. Advising the governing body on matters of importance to the business  
12 community and the community as a whole including, but not limited to, impacts on the  
13 business community and the community as a whole due to city regulations and operations and  
14 suggesting improvements for city services;

15 F. Reviewing and making recommendations to the governing body on  
16 implementing the economic development plan and the annual budget for implementing the  
17 economic development plan. The committee, in coordination with public groups, shall appoint  
18 working groups or advisory subcommittees of the economic development committee, as  
19 needed, to implement the economic development plan.

20 G. Making recommendations to the governing body regarding:

21 (1) Applications for assistance for economic development projects; and

22 (2) Reviewing and making recommendations to the governing body on  
23 applications for industrial revenue bonds (IRBs) as set forth in Resolution No. 1995-  
24 83 as may be amended.

1 H. Adopting procedures, schedules and administrative policies for matters within  
2 the committee's powers and duties in order to provide information and assistance to city staff,  
3 the public and the governing body.

4 **Section 2. [REPEAL] Section 6-17.6 of SFCC 1987 (being Ord. #2008-16, as**  
5 **amended) is hereby repealed.**

6 **Section 3. [REPEAL] Subsection 11-11.6 of SFCC 1987 (being Ord. #1996-**  
7 **21, as amended) is hereby repealed.**

8 **Section 4. Subsection 11-11.8 of SFCC 1987 (being Ord. #1996-21, as amended)**  
9 **is hereby amended to read:**

10 **11-11.8 Application review process.**

11 A. The economic development division, finance department, and such other city  
12 staff as are necessary and appropriate shall review the application.

13 B. If the application does not exceed the maximum threshold allowed under city  
14 procurement provisions for city manager's approval and the proposed project meets the  
15 definitions of this section and the policies and objectives of the city's economic development  
16 plan, staff shall make a recommendation to the city manager who may approve the  
17 application. Staff shall report to the economic development advisory committee on a periodic  
18 basis, no more than quarterly and no less than annually, regarding the progress and results of  
19 all applications approved by the city manager, with the period of reporting being set forth in  
20 the relevant project participation agreement. All other requirements of Section 11-11 shall  
21 apply.

22 C. If the application exceeds the maximum threshold allowed under city  
23 procurement provisions for city manager's approval, staff shall advise the economic  
24 development advisory committee if the entity and the proposed project meet the definitions of  
25 this section and the policies and objectives of the city's economic development plan. The city

1 | may at its discretion engage independent consultants to assist in the review of applications.

2 |         D.       The economic development advisory committee shall determine at a public  
3 | meeting whether the entity and the proposed project qualify under this section.

4 |         E.       City staff shall then coordinate with the qualifying entity to develop a project  
5 | participation agreement as set forth in subsection 11-11.11 SFCC 1987.

6 |         F.       The economic development advisory committee shall consider the economic  
7 | development project and the project participation agreement at a public meeting in accordance  
8 | with the criteria set forth in subsection 11-11.9 SFCC 1987.

9 |         G.       The recommendation will be forwarded with the project participation  
10 | agreement, minutes of the economic development advisory committee meetings and any other  
11 | pertinent information to the governing body for final consideration at a public hearing.  
12 | Review of the application by the finance committee shall be required in lieu thereof.

13 |         H.       Information obtained by the city of Santa Fe that is proprietary technical or  
14 | business information or related to the possible relocation or expansion of a qualifying entity  
15 | shall be confidential and not subject to inspection pursuant to the Inspection of Public Records  
16 | Act 14-2-4 NMSA 1978.

17 |         I.       It is unlawful for any employee of the city, or any former employee of the city  
18 | to reveal to any person other than another employee of the city any confidential information  
19 | obtained by the city that is proprietary technical or business information or related to the  
20 | possible relocation or expansion of a qualifying entity and not available from public sources,  
21 | except in response to an order of a district court, an appellate court or a federal court.

22 |         J.       Any employee or former employee of the city who reveals to another person  
23 | any information that employee or former employee is prohibited from lawfully revealing is in  
24 | violation of this section and shall be sentenced in accordance with the provisions of  
25 | subsection 1-3.1 SFCC 1987.

1 Section 5. **[REPEAL]** Section 6-8 of SFCC 1987 is hereby repealed.

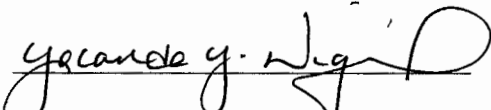
2 Section 6. **[REPEAL]** Section 19-10 of SFCC 1987 (being Ord. #1983-44) is  
3 hereby repealed.

4 PASSED, APPROVED, AND ADOPTED this 12th day of December, 2018.

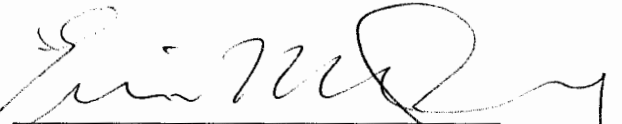
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ALAN M. WEBBER, MAYOR

9 ATTEST:

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12 VOLANDA Y. VIGIL, CITY CLERK

13 APPROVED AS TO FORM:

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15 \_\_\_\_\_  
16 ERIN McSHERRY, CITY ATTORNEY