



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
JULY 29, 2020
ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR GOVERNING BODY MEETING

Attendance: In response to the State's declaration of a Public Health Emergency, the Mayor's Proclamation of Emergency, and the ban on public gatherings of more than five (5) people, the Governing Body meeting will be conducted virtually.

Viewing: Members of the public may view the meeting through the Government Channel on Comcast Channel 28 and Comcast HD928 or may stream the meeting live on the City of Santa Fe's YouTube channel at <https://www.youtube.com/user/cityofsantafe>. The YouTube live stream can be accessed at this address from most smartphones, tablets, or computers.

The video recording of this and all past meetings of the Governing Body will also remain available for viewing at any time on the City's YouTube channel at <https://www.youtube.com/user/cityofsantafe>. Staff is available to help members of the public access pre-recorded Governing Body meetings on-line at any time during normal business hours. Please call 955-6521 for assistance.

Radio Broadcast: The meeting can be heard on radio station KSFR 101.1.

Agenda: The agenda for the meeting will be posted at <https://www.santafenm.gov>.

Written Comments: The public may submit written comments on any of the items to be considered on the *Consent Agenda*, *Discussion Agenda*, *Public Hearings* or *Petitions From the Floor* through 8:00 a.m. the day of the meeting, via the virtual comment "button" at santafe.primegov.com/portal/search.

Public Comment: To provide live public comment during *Petitions from the Floor* or *Public Hearings*, you must join the Zoom meeting by internet or phone, as follows:

Internet: To join the Zoom meeting on the internet using a computer, laptop, smartphone, or tablet, use the following link: <https://santafenm-gov.zoom.us/j/94373867877?pwd=cldYNGpCQIV5bVFYm2VzRXBJYzZBUT09>. Passcode: 634845

Attendees should use the "Raise Hand" function to be recognized by the Mayor to speak at the appropriate time.

Phone: To join the Zoom meeting using a phone, use the following phone numbers and Webinar ID: **US: +1 253 215 8782 - Webinar ID: 943 7386 7877 - Passcode: 634845**

Phone attendees should press *9 to use the "Raise Hand" function to be recognized by the Mayor to speak at the appropriate time.



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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**
 - a) Regular Governing Body Meeting – July 8, 2020
9. **PRESENTATIONS**
10. **CONSENT CALENDAR**
 - a. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Vinos Bravos Distributing, LLC, for the Following: (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 955-6521)
 1. Waiver of the 300 Foot Location Restriction to Allow the Sale of Alcohol at Vinos Bravos Distributing, LLC, 2882 Trades West Road, Unit B, Santa Fe, which is within 300 Feet of the Rios de Agua Viva Church, 2884 Trades West Road.
 2. Wine Wholesaler Liquor License to be Located at Vinos Bravos Distributing, LLC, 2882 Trades West Road, Unit B.
 - b. **CONSIDERATION OF RESOLUTION 2020-____.** (Finance Committee)



AGENDA

A Resolution Relating to a Request for Approval of Fourth Quarter Budget Amendments and Associated New Mexico Department of Finance and Administration/Local Government Division (“DFA/LGD”) Schedules for Fiscal Year 2019/2020. (Andy Hopkins, Principal Budget Analyst, ajhopkins@santafenm.gov, 955-6177)

- c. Request for Approval of Professional Services Agreements for On-Call Vegetation Management Services Not to Exceed \$600,000 Annually Per Vendor, Exclusive of New Mexico Gross Receipts Tax (NMGRT): (Melissa McDonald, River & Watershed Manager, mamcdonald@santafenm.gov ; 955-6840)
 - San Isidro Permaculture, Inc.
 - Proscapes, Inc.
 - Seeds of Wisdom, LLC
- d. Request for Approval of Amendment #2 to Professional Services Agreement #12-0718 with Cannon Cochran Management Services, Inc. in the Amount of \$198,141 for Third Party Administrative and Adjusting Services for Our Workers Compensation and General Liability Claims. (Bradley Fluetsch, CFA, Planning and Investment Officer, bjfluetsch@santafenm.gov, 955-6885)
- e. Request for Approval of Amendment #1 to Professional Services Agreement #12-0405 with Arthur J. Gallagher & Co. in the Amount of \$77,613.32 for Comprehensive Insurance Program Broker Services. (Bradley Fluetsch, CFA, Planning and Investment Officer, bjfluetsch@santafenm.gov, 955-6885)
- f. Request for Approval of Amendment #1 to Service Contract #20-0027 in the Total Amount of \$500,000 Plus Applicable NMGRT for On-Call HVAC, Mechanical, Plumbing and Electrical Services at Midtown and Other City Facilities as Needed; B&D Industries, Inc. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 955-5933)
- g. Request for Approval of Contracts Awarded through RFP #P/20/15 to Use Affordable Housing Trust Funds (AHTF) and General Funds to Support Housing Contracts, as Follows: (Alexandra Ladd, Director, Office of Affordable Housing, agladd@santafenm.gov, 955-6346)



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NMIF Housing Corp - \$200,000
NM Coalition to end Homelessness – \$180,000

- h. State of the Santa Fe Municipal Court. (Virginia Vigil, Municipal Court Judge, vmvigil@santafenm.gov, 955-5110)

11. DISCUSSION/ACTION ITEMS

- a. Request for Approval of Amendment #3 to Contract #19-0115 with Alpha Southwest for FY 20/21 Emergency Repair On-Call in the Amount of \$211,015.63 Inclusive of NMGR. (Jonathan Montoya, Source of Supply Operations Manager, jmmontoya@santafenm.gov 955-4373, and Efron Morales, WWM Plant Superintendent, Public Utilities, emmorales@santafenm.gov, 955-4618)
- b. Request for Approval of Amendment # 1 to Professional Services Agreement #19-0234 with Carollo Engineers FY 20/21 On-Call Engineering in the Amount of \$250,000 Plus NMGR. (Bill Schneider, Water Resource Coordinator, Public Utilities, whschneider@santafenm.gov, 955-4203)
- c. Request for Approval of Amendment #1 to Professional Services Agreement #19-0235 with Hazen & Sawyer FY 20/21 On-Call Engineering in the Amount of \$250,000 Plus NMGR. (Bill Schneider, Water Resource Coordinator, Public Utilities, whschneider@santafenm.gov, 955-4203)
- d. Request for Approval of Amendment #4 to Professional Services Contract #17-0520 John Shoemaker & Associates Inc. for FY 20/21 in the Amount of \$197,560 Plus NMGR. (Bill Schneider, Water Resource Coordinator, Public Utilities, whschneider@santafenm.gov, 955-4203)
- e. Request for Approval of Amendment # 3 Financial Consulting Solutions in the Amount of \$108,000 plus NMGR for FY 20/21 Public Utilities Financial Planning Services in the Amount of \$108,000 plus NMGR. (Shannon Jones, Public Utilities Department Director, swjones@santafenm.gov, 955-4267)



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- f. Request for Approval of Change Order #3 Sub Surface for FY 20/21 Priority Line Replacement in the Amount of \$1,626,562.50 Inclusive of NMGRT. (Bill Huey, Engineer, Public Utilities, bchuey@santafenm.gov, 955-4273)
- g. Request for Approval of Amendment #3 with MNM Office of Archeological Services for FY 2020/21 in the Amount of \$100,000 Plus NMGRT. (Paul Duran, Archeological Technician, Public Utilities, paduran@santafenm.gov, 955-4234)
- h. Request for Approval of Award of Bid 20/14/B for FY2021 City Wide Water Utility Pavement Restoration Contract, CIP #3056 to TLC Plumbing & Utility, Inc. in the Amount of \$200,000.00 plus NMGRT. (Bill Huey, Engineer, Public Utilities, bchuey@santafenm.gov, 955-4273)
- i. Request to Award Contract to Bosque Natural Company in Response to Request for Proposal # '20/18/P for On-Call Services for Dam Vegetation Management in the Amount of \$240,000.00 Exclusive of NMGRT. (Bill Huey, Engineer, Public Utilities, bchuey@santafenm.gov, 955-4273)
- j. CONSIDERATION OF RESOLUTION NO. 2020-____. (Councilor Vigil Coppler, Councilor Cassutt-Sanchez, Councilor Villarreal and Councilor Garcia)
A Resolution Requiring that the City Manager Seek Governing Body Approval Before Extending the Term of the Exclusive Negotiation Agreement with KDC Cienda SF Investments One LP ("KDC/Cienda") Beyond its Initial One-Year Term; and Requiring that the 30-Day Progress Reports from the Midtown Development Team be Submitted to the Governing Body. (Marcos Martinez, Senior Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)
- k. CONSIDERATION OF RESOLUTION NO. 2020-____. (Mayor Webber)
A Resolution Supporting the United States Conference of Mayors Compact to Combat Hate, Extremism, and Bigotry to Promote the Fundamental Principles of Justice and Equality that Define America. (Jesse Guillen, Legislative Liaison, jbguillen@santafenm.gov, 955-6518)
- l. CONSIDERATION OF RESOLUTION NO. 2020-____. (Councilor Villarreal)



AGENDA

A Resolution Changing the Start Time of Afternoon Sessions of Governing Body Meetings to 4:00 P.M. and Evening Sessions of Governing Body Meetings to 6:00 P.M. Beginning with the August 12, 2020 Meeting and Continuing through the December 9, 2020 Governing Body Meeting. (Jesse Guillen, Legislative Liaison, jbg Guillen@santafenm.gov, 955-6518)

- m. Request for Approval to Publish Notice of Public Hearing on August 26, 2020:

BILL 2020-20: An Ordinance Creating Efficiencies, Enhancing Effectiveness, and Eliminating Silos by Reorganizing the Economic Development Division, Affordable Housing Office, Land Use Department, Tourism Santa Fe Department, and the Arts and Culture Department as Divisions of a Community Development Department; Organizing the Community Services Department, Police Department, Fire Department, and Office of Emergency Management as Divisions of a Community Health & Safety Department; and Placing the Constituent and Council Relations into the City Clerk's Office; Replacing Section 2-8 SFCC 1987 with a New Section 2-8 SFCC 1987 that Establishes all City Departments; Reorganizing Existing Sections 2-8, 2-14, 2-15, 2-19 and 2-10 as Subsections of the New Section 2-8; Establishing in Ordinance the Existing Information Technology and Telecommunications Department and Constituent and Council Services Department; and Repealing the Sections of Chapter 2 that Establish Departments that are Either Becoming Divisions or No Longer Exist, Sections 2-9, 2-10, 2-11, 2-12, 2-13, 2-16, 2-19, 2-21 and 2-23 SFCC 1987; Amending Section 2-22 SFCC 1987 to Provide Contract Internal Audit Functions; and Amending Sections 26-1.6 and 26-3.5 Regarding the Office of Affordable Housing. (Mayor Webber) (Jesse Guillen; jbg Guillen@santafenm.gov, 505-955-6518; Erin K. McSherry, City Attorney; ekmcsberry@santafenm.gov, 955-6512)

- n. CONSIDERATION OF RESOLUTION 2020-____. (Mayor Webber, Councilor Villarreal and Councilor Rivera)

A Resolution Creating a Community Health and Safety Task Force. (Jesse Guillen; jbg Guillen@santafenm.gov, 505-955-6518 and Jeff Norris; jtnorris@santafenm.gov, 955-6710)

- o. CONSIDERATION OF RESOLUTION 2020-____. (Mayor Webber)



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A Resolution Extending the State of Emergency Proclaimed by the Mayor on July 27, 2020 by Sixty (60) Days, Pursuant to Section 20-1.2(C) SFCC. (Erin K. McSherry, City Attorney; ekmcsberry@santafenm.gov, 955-6512)

- p. CONSIDERATION OF RESOLUTION 2020-____. (Mayor Webber and Councilor Abeyta)

A Resolution Permitting City Departments to Seek Retroactive Approval of Contracts for Fiscal Year 2021 for Up to Ninety (90) Days. (Fran Dunaway, Chief Procurement Officer; fadunaway@santafenm.gov, 505-955-6432 and Marcos Martinez, Senior Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)

12. **MATTERS FROM THE CITY MANAGER**
13. **MATTERS FROM THE CITY ATTORNEY**
14. **MATTERS FROM THE CITY CLERK**
15. **COMMUNICATIONS FROM THE GOVERNING BODY**

EVENING SESSION - 7:00 P.M.

16. **ROLL CALL**
17. **PETITIONS FROM THE FLOOR**
18. **APPOINTMENTS**
19. **PUBLIC HEARINGS**

- a. CONSIDERATION OF RESOLUTION 2020-____. (Finance Committee)
A Resolution Adopting the City of Santa Fe Fiscal Year 2020/2021 Annual Operating Budget and Organizational Chart. (Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 955-6171)



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- b. CONSIDERATION OF BILL 2020-18. ADOPTION OF ORDINANCE NO. 2020-____. (Councilor Lindell, Councilor Villarreal, Councilor Romero-Wirth and Councilor Vigil Coppler)
An Ordinance Relating to the Nuisance Abatement Ordinance, Section 10-9 SFCC 1987; Amending Section 10-9.2 to Align the Intent with the Purpose of the Bill; Amending Section 10-9.3 to Amend and Add Definitions; Amending Section 10-9.4 to Make the Property Owner Responsible; Repealing and Readopting a New Section 10-9.5 to Establish a Process for a Nuisance Investigation and Abatement Process; Repealing and Readopting a New Section 10-9.6 to Establish Tenants Rights; Amending Section 10-9.7 to Establish Enforcement Provisions to Hold the Property Owner Accountable; Amending Section 10-9.8 Regarding Reservation of Legal Options; Amending Section 10-9.9 Regarding Appeals; Amending Section 10-9.10 to Remove Extraneous Language; Repealing Section 10-9.11 Regarding Supplementary Remedies for Public Nuisances; and Amending Section 10-9.13 Regarding the Right of Entry. (Michael Prinz, Assistant City Attorney, mnprinz@santafenm.gov, 955-6554 and Jennifer Faubion, Council Liaison, jrfaubion@santafenm.gov, 699-6386)
- c. CONSIDERATION OF BILL 2020-19. ADOPTION OF ORDINANCE NO. 2020-____. (Mayor Webber, Councilor Lindell and Councilor Vigil Coppler)
An Ordinance Relating to the City of Santa Fe Economic Development Plan Ordinance, Section 11-11 SFCC 1987; Approving and Adopting a Local Economic Development Project Participation Loan Agreement Between the City of Santa Fe and La Puerta Originals, LLC for an Economic Development Loan for Lease Payments to Provide Assistance for the Negative Financial Impacts of COVID-19. (Fabian Trujillo, Office for Business Growth Manager, fttrujillo@santafenm.gov, 955-6912)
- d. CONSIDERATION OF RESOLUTION NO. 2020-____.
Case #2019-19. 4000 and 4100 Geo Lane General Plan Amendment. John Reeder, Agent, for GEO Park, LLC, Owner, Requests Approval of a General Plan Amendment to Amend the Existing General Plan Future Land Use Designation for Approximately 8.59 Acres from Institutional to Low Density Residential. The Project Site Consists of Two Parcels Located at 4000 and 4100 Geo Lane. (Lee Logston, Case Manager, llogston@santafenm.gov, 955-6136).



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- e. CONSIDERATION OF BILL NO. 2020-16: ADOPTION OF ORDINANCE NO. 2020-____.
- Case # 2019-20. 4000 and 4100 Geo Lane Rezoning.** John Reeder, Agent, for GEO Park, LLC, Owner, Requests a Rezoning from R-1 (Residential- One Dwelling Unit Per Acre) to R-5 (Residential- Five Dwelling Units Per Acre). The Properties are Located at 4000 and 4100 Geo Lane and Total Approximately 8.59 Acres. (Lee Logston, Case Manager, llogston@santafenm.gov, 955-6136).
- f. CONSIDERATION OF BILL 2020-11. ADOPTION OF ORDINANCE NO. 2020-____. (Mayor Webber and Councilors Cassutt-Sanchez, Abeyta, Lindell, and Vigil Coppler)
- An Ordinance Relating to the City of Santa Fe Economic Development Plan Ordinance, Article 11-11 SFCC 1987; Approving and Adopting an Amended Local Economic Development Project Participation Agreement Between the City of Santa Fe and Descartes Labs, Inc. for Design, Development and Construction of Tenant Improvements; and Lease Payments for Expansion of a New World Headquarters Facility, a Local Economic Development Project. (Mayor Webber and Councilor Cassutt-Sanchez) (Fabian Trujillo, Office for Business Growth Manager, ftujillo@santafenm.gov, 955-6912) (POSTPONED JULY 24, 2020) **(POSTPONED TO AUGUST 12, 2020)**
- g. CONSIDERATION OF BILL 2020-12. ADOPTION OF ORDINANCE NO. 2020-____. (Mayor Webber and Councilors Cassutt-Sanchez, Abeyta, Lindell, and Vigil Coppler)
- An Ordinance Relating to the City of Santa Fe Economic Development Plan Ordinance, Article 11-11 SFCC 1987; Approving and Adopting a Local Economic Development Project Participation Agreement Between the City of Santa Fe and Descartes Labs, Inc. for an Economic Development Loan Project for Lease Payments to Provide Assistance for the Negative Financial Impacts of COVID-19. (Fabian Trujillo, Office for Business Growth Manager, ftujillo@santafenm.gov, 955-6912) (POSTPONED JULY 24, 2020) **(POSTPONED TO AUGUST 12, 2020)**
- h. Land Use Appeal No. 2020-2175-APPL of Case No. 2020-1732-HDRB. Appeal by Christina Halaburka of the May 12, 2020 Decision of the Historic Districts Review Board to Deny a Request to Demolish Thirteen (13) Horizontal Feet of a Wall Located at 868 East Alameda, which has Been



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Designated as a Contributing Structure in the Downtown and Eastside Historic District. (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501) **(POSTPONED TO AUGUST 12, 2020)**

20. **ADJOURN**

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been considered prior to 11:30 p.m. and the Governing Body does not vote to extend the meeting, 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.