



AGENDA

REGULAR MEETING OF
THE FINANCE COMMITTEE
AUGUST 17, 2020 AT 5:00 PM
ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR FINANCE COMMITTEE 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 Finance Committee meeting will be conducted virtually.

Viewing: Members of the public 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 meeting 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 meetings on-line at any time during normal business hours. Please call 955-6521 for assistance.

Agenda: The agenda for the meeting will be posted at santafe.primegov.com.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF CONSENT AGENDA**
5. **APPROVAL OF MINUTES**
 - a. Regular Finance Committee Meeting – July 20, 2020
 - b. Regular Finance Committee Meeting – August 3, 2020
 - c. Budget Hearing Minutes – July 20, 2020
 - d. Budget Hearing Minutes – July 21, 2020
 - e. Budget Hearing Minutes – July 22, 2020
 - f. Budget Hearing Minutes – July 23, 2020



AGENDA

REGULAR MEETING OF
THE FINANCE COMMITTEE
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- g. Budget Hearing Minutes – July 24, 2020
- h. Budget Hearing Minutes – July 27, 2020
- i. Budget Hearing Minutes – July 28, 2020

7. CONSENT AGENDA

- a. Request for the Approval of the 2018 State Homeland Security Grant Program Sub-Grant Amendment to extend the Period of Performance through September 30th, 2020; New Mexico Department of Homeland Security and Emergency Management; Kyle Mason, kamason@santafenm.gov, 505-955-6704
- b. Consideration of a Bill No. 2020-__: An Ordinance Amending Section Section 23-7.4 Relating to Golf Rates at the MRC. (Councilors Lindell and Vigil Coppler) (Jennifer Romero, MRC Manager, jcromero@santafenm.gov, 955-4465)
COMMITTEE REVIEW:
Quality of Life Committee (scheduled): 8/5/20
Finance Committee (scheduled): 8/17/20
City Council (request to publish): 8/26/20
City Council (public hearing): 9/30/20
- c. Consideration of Bill No. 2020-20: An Ordinance Relating to Creating Efficiencies, Enhancing Effectiveness, and Eliminating Silos by Reorganizing Certain City Departments, Organizing the Economic Development Division, Affordable Housing Office, Land Use Department, Tourism Santa Fe Department, Recreation Division, 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 and Safety Department; and Placing the Constituent and Council Relations Department into the City Clerk's Office; Amending 2.6-3; Replacing Section 2-8 SFCC 1987 with a New Section 2-8 SFCC 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 2-9; Establishing in Ordinance the Existing Information Technology and



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Telecommunications Department and the 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. (Jesse Guillen, Legislative Liaison jbguillen@santafenm.gov, 955-6518; Erin K. McSherry, City Attorney; ekmcsberry@santafenm.gov, 955-6512, Jarel LaPan Hill, City Manager, jlapanhill@santafenm.gov 955-6534)

COMMITTEE REVIEW

Governing Body (Request to Publish): 07/29/2020

Quality of Life Committee (Scheduled): 08/19/2020

Public Works (Scheduled): 08/24/2020

Governing Body (Public Hearing): 08/26/2020

- d. Consideration of Resolution No. 2020-__: A Resolution Endorsing the North Central Regional Transit District’s FY2021 Budget Proposal; Approving the City of Santa Fe’s FY2021 Regional Transit Plan; and Directing Staff to Submit the City’s Regional Transit Plan for FY2021 to the North Central Regional Transit District Board of Directors for Consideration and Approval. (Councilor Cassutt-Sanchez) (Thomas Martinez, Director of Operations and Maintenance, tamartinez@santafenm.gov, 955-2006)

COMMITTEE REVIEW

Finance Committee (Scheduled)

08/17/2020

Governing Body (Scheduled)

08/26/2020

8. DISCUSSION AGENDA

9. PRESENTATION

- a. FY19 CAFR; (Ryan Jones, Assurance Director, CLA ((CliftonLarsonAllen LLP)) (Debra Harris-Garmendia, Accounting Officer, daharrisgarmedia@santafenm.gov, 505.955.6530)

10. MATTERS FROM STAFF

11. MATTERS FROM THE COMMITTEE



City of Santa Fe

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THE FINANCE COMMITTEE
AUGUST 17, 2020 AT 5:00 PM
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12. **NEXT MEETING: August 31 2020**
13. **ADJOURN**



MINUTES

REGULAR MEETING OF
THE FINANCE COMMITTEE
JULY 20, 2020 AT 6:00 PM

1. **CALL TO ORDER**
2. **ROLL CALL**

Members Present:

Councilor Roman, Abeyta
Councilor Renee, Villarreal
Councilor Carol, Romero-Wirth
Councilor Signe, Lindell
Councilor Jamie, Cassutt-Sanchez

Members Excused:

Others Attending:

Mary McCoy, Finance Department Director
Carolynn Roibal, Administrative Manager
Jeff Norris, Attendee

3. **APPROVAL OF AGENDA**

MOTION: Councilor Cassutt-Sanchez moved, seconded by Councilor Villarreal, to approve the minutes as presented.

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

For: Councilor Abeyta, Councilor Villarreal, Councilor Romero-Wirth, Councilor Lindell, Councilor Cassutt-Sanchez

Against: None

Abstain: None



MINUTES

REGULAR MEETING OF
THE FINANCE COMMITTEE
JULY 20, 2020 AT 6:00 PM

4. APPROVAL OF CONSENT AGENDA

MOTION: Councilor Lindell moved, seconded by Councilor Cassutt-Sanchez, to approve the consent agenda as amended. Items B, C, D and E moved to Governing Body.

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

For: Councilor Abeyta, Councilor Villarreal, Councilor Romero-Wirth, Councilor Lindell, Councilor Cassutt-Sanchez

Against: None

Abstain: None

5. APPROVAL OF MINUTES

- a. Regular Finance Committee Meeting – June 29, 2020

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to Approve the minutes as presented.

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

For: Councilor Abeyta, Councilor Villarreal, Councilor Romero-Wirth, Councilor Lindell, Councilor Cassutt-Sanchez

Against: None

Abstain: None

7. CONSENT AGENDA

- a. Consideration of Bill No. 2020-__ : An Ordinance Amending Section 14-11.4 Of The Land Development Code To Adopt Civil Penalty Provisions, A Civil Fine Schedule, And Civil Citation Procedures For Land Use Code



MINUTES

REGULAR MEETING OF
THE FINANCE COMMITTEE
JULY 20, 2020 AT 6:00 PM

Enforcement Actions; And To Permit The Land Use Director To Order A One-Year Waiting Period For Application For Short-Term Rental Permit By A Person Who Has Violated The Short-Term Rental Ordinance, Section 14-6.2(A)(5) SFCC 1987. (Mayor Webber, Councilors Lindell, Romero-Wirth, Villarreal) (Eli Isaacson, Land Use Department Director, eisaacson@santafenm.gov, 955-6830) (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

Committee Review:

Planning Commission (postponed): 6/18/20

Quality of Life Committee (approved): 7/1/20

Public Works and Utilities Committee (approved): 7/6/20

City Council (request to publish) (approved): 7/8/20

Finance Committee (scheduled): 7/20/20

Planning Commission (scheduled): 8/6/20

City Council (public hearing) (scheduled): 8/12/20

- b. Request Approval of Amendment #3 – Alpha Southwest for FY 20/21 Emergency Repair On-Call in the Amount of \$211,015.63 Inclusive of NMGRT. (Jonathan Montoya, Source of Supply Operations Manager, jmmontoya@santafenm.gov, & Efren Morales, WWM Plant Superintendent, Public Utilities, emmorales@santafenm.gov, 955-4618)
- c. Request Approval of Amendment # 1 – Carollo Engineers FY 20/21 On-Call Engineering in the Amount of \$250,000 plus NMGRT (Bill Schneider, Water Resource Coordinator, Public Utilities, whschneider@santafenm.gov, 955-4203)
- d. Request Approval of Amendment #1 – Hazen & Sawyer FY 20/21 On-Call Engineering in the Amount of \$250,000 plus NMGRT (Bill Schneider, Water Resource Coordinator, Public Utilities, whschneider@santafenm.gov, 955-4203)
- e. Request Approval of Amendment #4 – John Shoemaker & Associates Inc. for FY 20/21 in the Amount of \$197,560 plus NMGRT (Bill Schneider, Water Resource Coordinator, Public Utilities, whschneider@santafenm.gov, 955-4203)
- f. Recommendation of Approval for a Professional Services Agreement for an on-call vegetation management professional services contract not to



MINUTES

exceed \$600,000 annually per vendor exclusive of New Mexico gross receipts tax (NMGRT).

Request to Award of Invitation to Bid # 20/15/B for on-call vegetative management professional services contract not to exceed \$600,000 annually per vendor:

- Proscapes Inc.
- Seeds of Wisdom LLC
- San Isidro Permaculture Inc.

(Melissa McDonald, River & Watershed Manager, mamcdonald@santafenm.gov ; 505-231-3770)

Committee Review:

PWC – approved 4-27-20

FCM – 07-20-20

GB – 07-29-20

- g. Requesting Approval for Amendment #2 to Professional Service Agreement with Cannon Cochran Management Services, Inc 12-0718 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)

COMMITTEE REVIEW

Finance Committee (Scheduled)

07/20/2020

Governing Body (Scheduled)

07/29/2020

- h. Requesting Approval for Amendment #1 to Professional Service Agreement with Arthur J. Gallagher & Co. 12-0405 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)

COMMITTEE REVIEW

Finance Committee (Scheduled)

07/20/2020



MINUTES

Governing Body (Scheduled)
07/29/2020

- i. Consideration of Bill No. 2020-19: 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 Agreement Between the City of Santa Fe and La Puerta Originals, LLC for an Economic Development Loan Project for Lease Payments to Provide Assistance for the Negative Financial Impacts of COVID-19. (Mayor Webber and Councilor Vigil Coppler) (Fabian Trujillo, Office for Business Growth Manager, fttrujillo@santafenm.gov, 955-6912)

- j. Consideration of Bill No. 2020-__ : 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 Reseration of Legal Options; Amending Section 10-9.9 Regarding Appeals; Amending Section 10-9.10 to Remove Reference to the City Filing a Civil Action in District Court or First Judicial Court; Repealing Section 10-9.11 Regarding Supplementary Remedies for Public Nuisances; and Amending Section 10-9.13 Regarding the Right of Entry. (Councilors Lindell, Villarreal, Romero-Wirth, Vigil Coppler) (Michael Prinz, Assistant City Attorney, mnprinz@santafenm.gov, 955-6554; Jennifer Faubion, Council Liaison, jfaubion@santafenm.gov, 699-6386)
Committee Review:

Quality of Life Committee (Approved)	7/1/20
Public Works and Utilities Committee (Approved)	7/6/20
City Council (Request to Publish) (Approved)	7/8/20
Finance Committee (Scheduled)	7/20/20
City Council (Public Hearing) (Scheduled)	7/29/20

- k. Request for the Approval of Amendment #1 to Service Contract 20-0027 in the Total Amount of \$500,000.00 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)



MINUTES

REGULAR MEETING OF
THE FINANCE COMMITTEE
JULY 20, 2020 AT 6:00 PM

- I. Request approval of contracts awarded through RFP 20/15 to use affordable housing trust funds (AHTF) and general funds to support housing contracts, as follows:
NMIF Housing Corp \$200,000
NM Coalition to end Homelessness \$180,000
(Alexandra Ladd, Director, Office of Affordable Housing,
agladd@santafenm.gov, 505-303-9868)

- m. Request for Approval of a Resolution Incorporating the Fourth Quarter Budget Amendments for Fiscal Year 2019/2020, and associated Department of Finance & Administration/Local Government Division (DFA/LGD) schedule. (Andy Hopkins, Principal Budget Analyst, ajhopkins@santafenm.gov, 955-6177)

MOTION: Councilor Lindell moved, seconded by Councilor Cassutt-Sanchez, to approve the consent agenda as amended.

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

For: Councilor Abeyta, Councilor Villarreal, Councilor Romero-Wirth, Councilor Lindell, Councilor Cassutt-Sanchez

Against: None

Abstain: None

8. DISCUSSION AGENDA

9. PRESENTATION

- a. Claims Presentation - AJ Gallagher and Cannon Cochran Management Services (Nasreen Kopecky
Nasreen_Kopecky@AJG.com)

10. MATTERS FROM STAFF



City of Santa Fe

MINUTES

REGULAR MEETING OF
THE FINANCE COMMITTEE
JULY 20, 2020 AT 6:00 PM

11. **MATTERS FROM THE COMMITTEE**

MATTERS FROM THE CHAIR

NEXT MEETING:

12. **ADJOURN**



MINUTES

REGULAR MEETING OF
THE FINANCE COMMITTEE
AUGUST 03, 2020 AT 5:00 PM

1. **CALL TO ORDER**

Meeting called to order.

2. **ROLL CALL**

Members Present:

Councilor Roman Abeyta
Councilor Renee Villarreal
Councilor Carol Romero-Wirth
Councilor Signe Lindell
Councilor Jamie Cassutt-Sanchez

Members Excused:

Others Attending:

Carolynn Roibal, Administrative Manager

3. **APPROVAL OF AGENDA**

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to approve the agenda as presented.

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

For: Councilor Abeyta, Councilor Villarreal, Councilor Romero-Wirth, Councilor Lindell, Councilor Cassutt-Sanchez

Against: None

Abstain: None

4. **APPROVAL OF CONSENT AGENDA**



MINUTES

REGULAR MEETING OF
THE FINANCE COMMITTEE
AUGUST 03, 2020 AT 5:00 PM

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to Approve the consent agenda as amended (item a removed).

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

For: Councilor Abeyta, Councilor Villarreal, Councilor Romero-Wirth, Councilor Lindell, Councilor Cassutt-Sanchez

Against: None

Abstain: None

5. APPROVAL OF MINUTES

- a. Regular Finance Committee Minutes – July 20, 2020

MOTION: Councilor Lindell moved, seconded by Councilor Cassutt-Sanchez, to Approve the July 20, 2020 minutes as presented.

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

For: Councilor Abeyta, Councilor Villarreal, Councilor Romero-Wirth, Councilor Lindell, Councilor Cassutt-Sanchez

Against: None

Abstain: None

7. CONSENT AGENDA

- a. Request for the Approval to Execute a Grant Agreement for the Small Urbanized Section 5307 CARES ACT Apportionment in the Total Amount of \$4,989,235 for Transit Operating Expenses; Federal Transit Administration.
 - Request for Approval of a Budget Adjustment Resolution (BAR) in the amount of \$4,989,235 (Thomas Martinez, Director of Operations, tamartinez@santafenm.gov, 955-2006)



MINUTES

COMMITTEE REVIEW

Finance Committee (Scheduled)	08/03/2020
Governing Body (Scheduled)	08/12/2020

Item A was removed by motion and vote.

- b. Request for the Approval to Complete a Grant Application, and to Execute a Grant Agreement for the FY2020 Small Urbanized Section 5307 Apportionment in the Total Amount of \$1,750,904 for Transit Operating Expenses; Federal Transit Administration. (Thomas Martinez, Director of Operations, tamartinez@santafenm.gov, 955-2006)

COMMITTEE REVIEW

Finance Committee (Scheduled)	08/03/2020
Governing Body (Scheduled)	08/12/2020

- c. Request for the Approval Execute a Grant Agreement for the FFY2020 Congestion Mitigation Air Quality Funding in the Total Amount of \$71,773 for the Riderfinders Program; Federal Transit Administration. (Thomas Martinez, Director of Operations, tamartinez@santafenm.gov, 955-2006)

COMMITTEE REVIEW

Finance Committee (Scheduled)	8/03/2020
Governing Body (Scheduled)	08/12/2020

- d. Request for Approval of State of New Mexico, Aging and Long Term Services Department Intergovernmental Agreement (Grant) in the Amount of \$304,000 for the Senior Volunteer Programs: Foster Grandparent Program, Senior Companion Program and the Retired Senior Volunteer Program. (Melanie Montoya, Program Manager, mmmontoya@santafenm.gov, 955-4761).

COMMITTEE REVIEW

Finance Committee (Scheduled)	08/03/2020
Governing Body (Scheduled)	08/12/2020

- e. Request for Approval of a Professional Services Agreement with HEI, Inc. for Booster Station 3 and Booster Station 4 VFD/RTU Replacements in the Amount of \$774,604 excluding NMGRT. (Jonathan Montoya, Source of Supply Manager, jmmontoya@santafenm.gov, 955-4373)



MINUTES

REGULAR MEETING OF
THE FINANCE COMMITTEE
AUGUST 03, 2020 AT 5:00 PM

- Request for a Budget Adjustment Resolution (BAR) for the Professional Services Agreement with HEI, Inc. in the amount of \$774,604.00 plus NMGRT

COMMITTEE REVIEW

Finance Committee (Scheduled)	08/03/2020
Governing Body (Scheduled)	08/12/2020

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to approve the consent agenda as presented.

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

For: Councilor Abeyta, Councilor Villarreal, Councilor Romero-Wirth, Councilor Lindell, Councilor Cassutt-Sanchez

Against: None

Abstain: None

8. **DISCUSSION AGENDA**
9. **PRESENTATION**
10. **MATTERS FROM STAFF**
11. **MATTERS FROM THE COMMITTEE**

MATTERS FROM THE CHAIR

NEXT MEETING:

12. **ADJOURN**



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 20, 2020
AT 2:00 PM
VIRTUAL MEETING

1. **CALL TO ORDER**
2. **ROLL CALL**

Members Present:

Councilor Signe Lindell
Councilor Carol Romero-Wirth
Councilor Roman Abeyta
Councilor Jamie Cassutt-Sanchez
Councilor Renee Villarreal

Members Excused:

Others Attending:

Carolynn Roibal, Attendee
Mary McCoy, Attendee
Jeff Norris, Attendee
Bradley Fluetsch, Attendee

3. **APPROVAL OF AGENDA**

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to Approve the agenda as presented.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: None



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 20, 2020
AT 2:00 PM
VIRTUAL MEETING

4. **CHAIR OPENING REMARKS**

5. **MANAGEMENT PRESENTATION OF OPERATING BUDGET**

6. **DEPARTMENT REVIEWS**

a. FY21 Budget Overview 1:00PM

b. Public Works (including Parks) - 1:30PM

Public Works Department Review to continue 7/22 for Transit and Administration

c. Public Utilities – 2:30PM

Public Utilities Department Review to continue on 7/22-hold off on vote for BDD until PU heard

d. BDD – 3:30PM

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to postpone the item until the Public Utilities budget is heard.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: None

7. **ADJOURN**



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 21, 2020
AT 2:00 PM
VIRTUAL MEETING

1. **CALL TO ORDER**
2. **ROLL CALL**

Members Present:

Councilor Signe Lindell
Councilor Carol Romero-Wirth
Councilor Roman Abeyta
Councilor Jamie Cassutt-Sanchez
Councilor Renee Villarreal

Members Excused:

Others Attending:

Carolynn Roibal, Attendee
Mary McCoy, Attendee
Bradley Fluetsch, Attendee

3. **APPROVAL OF AGENDA**

MOTION: Councilor Villarreal moved, seconded by Councilor Lindell, to Continue with Transit and Administration (Public Works), then Public Utilities before Department Reviews as scheduled in today's meeting.

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

For: Councilor Abeyta, Councilor Villarreal, Councilor Romero-Wirth, Councilor Lindell, Councilor Cassutt-Sanchez

Against: None

Abstain: None



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 21, 2020
AT 2:00 PM
VIRTUAL MEETING

4. **CHAIR OPENING REMARKS**

5. **DEPARTMENT REVIEWS**

a. Public Works -continued

Discussion continued Public Works-Transit and Administration.

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to to postpone until July 27th to focus on MRC, Parks and Golf Course.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: None

b. Public Utilities (Continued)

MOTION: Councilor Lindell moved, seconded by Councilor Cassutt-Sanchez, to postpone Budget vote until Monday July 27 for BDD presentation and vote

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

For: Councilor Abeyta, Councilor Villarreal, Councilor Romero-Wirth, Councilor Lindell, Councilor Cassutt-Sanchez

Against: None

Abstain: None



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 21, 2020
AT 2:00 PM
VIRTUAL MEETING

c. Economic Development – 1:00PM

MOTION: Councilor Lindell moved, seconded by Councilor Cassutt-Sanchez, to approve Economic Development budget.

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

For: Councilor Abeyta, Councilor Villarreal, Councilor Romero-Wirth, Councilor Lindell, Councilor Cassutt-Sanchez

Against: None

Abstain: None

d. Planning and Land Use – 1:30PM

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to approve the Planning and Land Use Budget as presented with direction to staff around re-organization of MPO.

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

For: Councilor Abeyta, Councilor Villarreal, Councilor Romero-Wirth, Councilor Lindell, Councilor Cassutt-Sanchez

Against: None

Abstain: None

e. Affordable Housing– 2:00PM

MOTION: Councilor Villarreal moved, seconded by Councilor Cassutt-Sanchez, to approve item as presented.

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



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 21, 2020
AT 2:00 PM
VIRTUAL MEETING

For: Councilor Abeyta, Councilor Villarreal, Councilor Romero-Wirth,
Councilor Lindell, Councilor Cassutt-Sanchez

Against: None

Abstain: None

f. Arts and Culture– 2:30PM

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal,
to approve the Arts and Culture budget as presented.

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

For: Councilor Abeyta, Councilor Villarreal, Councilor Romero-Wirth,
Councilor Lindell, Councilor Cassutt-Sanchez

Against: None

Abstain: None

g. Recreation – 3:00PM

MOTION: Councilor Romero-Wirth moved, seconded by Councilor
Cassutt-Sanchez, to approve the Recreation budget as
presented.

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

For: Councilor Abeyta, Councilor Villarreal, Councilor Romero-Wirth,
Councilor Lindell, Councilor Cassutt-Sanchez

Against: None

Abstain: None



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 21, 2020
AT 2:00 PM
VIRTUAL MEETING

h. Tourism – 3:30PM

Recommendation by Cnslr. Lindell to move Tourism to the 7/23 agenda.
Approved by Cnslr. Abeyta

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to A motion to postpone the approval of PW Budget until Monday, July, 27th to focus on MRC,

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: None

MOTION: Councilor Lindell moved, seconded by Councilor Cassutt-Sanchez, to Postpone the Public Utility Budget item until Monday, July 27th to review additional BDD budget.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: None

6. **ADJOURN**



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 22, 2020
AT 2:00 PM
VIRTUAL MEETING

1. **CALL TO ORDER**
2. **ROLL CALL**

Members Present:

Councilor Signe Lindell
Councilor Carol Romero-Wirth
Councilor Roman Abeyta
Councilor Jamie Cassutt-Sanchez
Councilor Renee Villarreal

Members Excused:

Others Attending:

Carolynn Roibal, Attendee
Mary McCoy, Attendee

3. **APPROVAL OF AGENDA**

MOTION: Councilor Lindell moved, seconded by Councilor Cassutt-Sanchez, to (approve the Budget Hearing Agenda as amended. Start with Tourism, then Human Resources, ITT and Finance.) as presented.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: None

4. **CHAIR OPENING REMARKS**



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 22, 2020
AT 2:00 PM
VIRTUAL MEETING

5. DEPARTMENT REVIEWS

a. Tourism – 1:00PM

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to Approve the (Tourism budget as presented) as presented.

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

For: Councilor Abeyta, Councilor Villarreal, Councilor Romero-Wirth, Councilor Lindell, Councilor Cassutt-Sanchez

Against: None

Abstain: None

b. Human Resources – 2:00PM

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Cassutt-Sanchez, to Approve the human resources budget as presented.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: None

c. ITT– 3:00PM



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 22, 2020
AT 2:00 PM
VIRTUAL MEETING

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to Approve the the ITT budget as presented.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: None

d. Finance– 4:00PM

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to Approved the Finance budget as presented.

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

For: Councilor Abeyta, Councilor Villarreal, Councilor Romero-Wirth, Councilor Lindell, Councilor Cassutt-Sanchez

Against: None

Abstain: None

6. **ADJOURN**



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 23, 2020
AT 2:00 PM
VIRTUAL MEETING

1. **CALL TO ORDER**

2. **ROLL CALL**

Members Present:

Councilor Jamie Cassutt-Sanchez
Councilor Roman Abeyta
Councilor Carol Romero-Wirth
Councilor Signe Lindell
Councilor Renee Villarreal

Members Excused:

Others Attending:

Mary McCoy, Attendee
Carolynn Roibal, Attendee

3. **APPROVAL OF AGENDA**

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to approve the agenda as presented.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: None

4. **CHAIR OPENING REMARKS**



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 23, 2020
AT 2:00 PM
VIRTUAL MEETING

5. DEPARTMENT REVIEWS

a. Community Services – 1:00PM

MOTION: Councilor Abeyta moved, seconded by Councilor Romero-Wirth, to Approve the Community Services budget as presented.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: None

b. Fire – 2:00PM

MOTION: Councilor Lindell moved, seconded by Councilor Cassutt-Sanchez, to Approve the Fire Dept budget as presented.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: None

c. Police – 3:00PM

MOTION: Councilor Cassutt-Sanchez moved, seconded by Councilor Lindell, to approve the agenda as amended to move up Emergency Management and move Police to July 24th agenda.



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 23, 2020
AT 2:00 PM
VIRTUAL MEETING

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

For: Councilor Cassutt-Sanchez, Councilor Abeyta, Councilor Romero-Wirth, Councilor Lindell, Councilor Villarreal

Against: None

Abstain: None

d. Emergency Management & Safety – 4:00PM

MOTION: Councilor Cassutt-Sanchez moved, seconded by Councilor Romero-Wirth, to Motion to approve the Emergency Management and Safety Budget as presented.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: None

6. **ADJOURN**



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 24, 2020
AT 2:00 PM
VIRTUAL MEETING

1. **CALL TO ORDER**

2. **ROLL CALL**

Members Present:

Councilor Signe Lindell
Councilor Carol Romero-Wirth
Councilor Roman Abeyta
Councilor Jamie Cassutt-Sanchez
Councilor Renee Villarreal

Members Excused:

Others Attending:

Carolynn Roibal, Attendee
Mary McCoy, Attendee
Erin McSherry, Attendee
Bradley Fluetsch, Attendee
Jarel Lapan Hill, City Manager
Alan Webber, Attendee

4. **DEPARTMENT REVIEWS**

- a. Police – 1:00PM -previously postponed from the 7/23 agenda and rescheduled for 7/24

MOTION: Councilor Lindell moved, seconded by Councilor Abeyta, to Approve the Police Department Budget as presented with additional discussion at Governing Body.

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



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 24, 2020
AT 2:00 PM
VIRTUAL MEETING

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Vigil Coppler, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: None

- b. Municipal Court – 1:00PM agenda amended to move Municipal Court to Monday, July 27th agenda.
- c. Mayor / Council – 1:30PM

MOTION: Councilor Lindell moved, seconded by Councilor Cassutt-Sanchez, to to approve the Mayor / Council Budget as presented.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: None

- d. City Attorney – 2:00PM

MOTION: Councilor Lindell moved, seconded by Councilor Romero-Wirth, to Approve the City Attorney Budget as presented.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 24, 2020
AT 2:00 PM
VIRTUAL MEETING

Abstain: Vigil Coppler

- e. City Clerk / Council and Constituent Services – 2:30PM -rescheduled during Dept Reviews for Monday, July 27th.

amended to move City Clerk / Council and Constituent Services to Monday, July 27 following Municipal Court Budget presentation.

- f. City Manager – 3:00PM

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Abeyta, to Approve the City Manager budget as presented.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Vigil Coppler, Councilor Villarreal

Against: None

Abstain: Councilor Cassutt-Sanchez

- g. City Unions – POA, IAFF, AFSCME – 3:30PM

Postpone the item until Governing Body meeting July 29 at request of union.

5. **CHAIR OPENING REMARKS**

6. **ADJOURN**



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 27, 2020
AT 1:00 PM
VIRTUAL MEETING

1. **CALL TO ORDER**
2. **ROLL CALL**

Members Present:

Councilor Renee Villarreal
Councilor Signe Lindell
Councilor Carol Romero-Wirth
Councilor Roman Abeyta
Councilor Jamie Cassutt-Sanchez

Members Excused:

Others Attending:

Carolynn Roibal, Attendee
Mary McCoy, Attendee
Erin McSherry, Attendee

3. **APPROVAL OF AGENDA**

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Cassutt-Sanchez, to Approve agenda as amended.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: Vigil Coppler

4. **CHAIR OPENING REMARKS**



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 27, 2020
AT 1:00 PM
VIRTUAL MEETING

5. STAFF RESPONSE TO ANY REQUEST FOR INFORMATION

a. Municipal Court 1:00PM

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to Approve the Municipal Court budget as presented.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: Councilor Abeyta, Vigil Coppler

b. City Clerk / Council & Constituent Services – 1:30PM

MOTION: Councilor Cassutt-Sanchez moved, seconded by Councilor Romero-Wirth, to Motion made to approve the Council and Constituent Services budget as presented.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: Vigil Coppler

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Villarreal, to approve the City Clerk budget as amended,



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 27, 2020
AT 1:00 PM
VIRTUAL MEETING

to reduce the general fund transfers out- from \$150,000 to \$2,076

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

For: Councilor Villarreal, Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez

Against: None

Abstain: None

c. Public works-Parks and MRC (Continued)

MOTION: Councilor Lindell moved, seconded by Councilor Abeyta, to Approve the Public Works budget as presented with direction to staff to look into funding for Golf Course.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: Councilor Abeyta, Vigil Coppler

d. Public Utilities and BDD -Continued

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to Postpone the item until July 28.

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



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 27, 2020
AT 1:00 PM
VIRTUAL MEETING

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta,
Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: Vigil Coppler

e. Follow – Up - 1:30PM – 5:00PM

AFSCME Local 3999, Theresa Martinez, recording secretary, read a
Position Statement on Financial Budgeting. Moved forward to Governing
Body.

6. **ADJOURN**

DEPARTMENT REVIEWS



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 28, 2020
AT 2:00 PM
VIRTUAL MEETING

1. **CALL TO ORDER**
2. **ROLL CALL**

Members Present:

Councilor Signe Lindell
Councilor Carol Romero-Wirth
Councilor Roman Abeyta
Councilor Jamie Cassutt-Sanchez
Councilor Renee Villarreal

Members Excused:

Others Attending:

Carolynn Roibal, Attendee
Mary McCoy, Attendee
Erin McSherry, Attendee
Bradley Fluetsch, Attendee
Shannon Jones, Attendee
Andy Hopkins, Attendee

3. **APPROVAL OF AGENDA**

MOTION: Councilor Lindell moved, seconded by Councilor Romero-Wirth, to Approval of the agenda as amended to continue with BDD and complete for approval of budget and follow-up on other requests for info.

Motion made to approve by Cnslr. Lindell and second by Cnslr. Romero-Wirth.

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



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 28, 2020
AT 2:00 PM
VIRTUAL MEETING

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: Vigil Coppler

4. **CHAIR OPENING REMARKS**

5. **STAFF RESPONSE TO ANY REQUEST FOR INFORMATION**

- a. Public Utilities & BDD (Continued)
- b. Follow-Up – 1:00PM – 5:00PM

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Cassutt-Sanchez, to Approve the BDD staff recommended City version funding \$6,443,979 budget as presented. Motion made by Cnslr. Villarreal and second by Cnslr. Romero-Wirth. Unanimously approved.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: Vigil Coppler

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Cassutt-Sanchez, to Approved the Public Utility Budget as presented. 1) motion made by Cnslr. Romero-Wirth and second by Cnslr. Cassutt-Sanchez to approve the Public Utility Budget as presented. Unanimously approved.

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



MINUTES

SPECIAL FINANCE COMMITTEE /
BUDGET HEARINGS MEETING
JULY 28, 2020
AT 2:00 PM
VIRTUAL MEETING

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: Vigil Coppler

6. **REQUEST FOR APPROVAL OF OPERATING BUDGET FOR FISCAL YEAR 2020/2021**

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Cassutt-Sanchez, to Approve of the Operating Budget for FY 2020/2021. Motion made by Cnslr. Romero-Wirth and second by Cnlsr. Cassutt –Sanchez-All Councilors approved-to move forward to Governing Body.

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

For: Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Villarreal

Against: None

Abstain: Vigil Coppler

7. **ADJOURN**

City of Santa Fe, New Mexico

memo

Date: July 9, 2020

To: Quality of Life Committee
Finance Committee
Governing Body

From: Kyle Mason, Emergency Management Director

Subject: Extension of 2018 State Homeland Security Grant Program Sub-grant Agreement

Attached is the revised sub-grant agreement extending the performance period for this grant through September 30, 2020. This will allow the City to expend some of the remaining \$66,697.12 for Homeland Security-related improvements to our Police Department's Intelligence Center. Please sign each copy of this amended sub-grant agreement and I will forward to the New Mexico Department of Homeland Security and Emergency Management to officially extend the grant's performance period.

Please let me know if you have any additional questions or need any clarification. I may be reached via email (kamason@santafenm.gov) or at extension 6704.



State of New Mexico
**DEPARTMENT OF HOMELAND SECURITY &
 EMERGENCY MANAGEMENT**

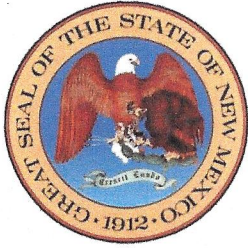
P.O. Box 27111
 Santa Fe, NM 87502

SUB-RECIPIENT GRANT AGREEMENT AMENDMENT 1
2018 State Homeland Security Grant Program (SHGP)
 2018 Federal Grant No.: **EMW-2018-SS-00056-S01** CFDA No.: **97.067**

1. SUB-GRANT NO.		2. SUB-RECIPIENT NAME		3. FIDUCIARY NAME	
EMW-2018-SS-00056-S01-01		City of Santa Fe		City of Santa Fe	
4. STATE DFA VENDOR NUMBER	5. EIN NUMBER	6. DUNS NUMBER	7. CAGE CODE		
0000054360	85-6000168	069420818	4C987		
8. SUB- RECIPIENT PHYSICAL ADDRESS			9. SUB-RECIPIENT REMIT ADDRESS		
200 Lincoln Ave. Santa Fe, NM 87501			200 Lincoln Ave. Santa Fe, NM 87501		
10. DHSEM CONTACT NAME:		11. CONTACT DESK PHONE:		505-476-9614	
Victoria L. Romero		CONTACT EMAIL ADDRESS:		DHSEM.Grants@state.nm.us	

THIS AMENDMENT EXTENDS THE PERFORMANCE PERIOD END DATE TO SEPTEMBER 30, 2020. ALL OTHER TERMS AND CONDITIONS IN THE ORIGINAL SUB GRANT AGREEMENT REMAIN THE SAME.

12a. PERFORMANCE PERIOD START DATE		January 1, 2019	12b. PERFORMANCE PERIOD END DATE		September 30, 2020
13a. SHSGP FEDERAL AWARD			13b. SHSGP TOTAL SUB-RECIPIENT AWARD		
\$ 120,464.00			\$ 120,464.00		
14a. NAME OF PROJECT AWARD				14b. AMOUNT AWARDED	
1	PLANNING			\$ 0.00	
2	EQUIPMENT			\$ 66,934.00	
3	TRAINING			\$ 53,530.00	
4	EXERCISE			\$ 0.00	
5				\$	
6				\$	
7				\$	
8				\$	
TOTAL AMOUNT OF PROJECTS				\$ 120,464.00	



State of New Mexico
DEPARTMENT OF HOMELAND SECURITY & EMERGENCY MANAGEMENT

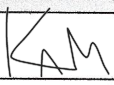
P.O. Box 27111
 Santa Fe, NM 87502

SUB-RECIPIENT GRANT AGREEMENT AMENDMENT 1
2018 State Homeland Security Grant Program

2018 Federal Grant No. EMW-2018-SS-00056-S01 CFDA No. 97.067

The acceptance of a grant from the United States and the State of New Mexico creates a legal duty and obligation on the part of the sub-grantee **City of Santa Fe** to use the funds or property made available in accordance with the conditions of the grant as administered by and through the New Mexico Department of Homeland Security and Emergency Management.

SIGNATURE OF ACCEPTANCE

JURISDICTION SIGNATURES			
Signature of Emergency Management Program Manager		DATE	
		7/27/2020	
Printed Name: Kyle Mason			
Contact Number:	505-955-6704	e-Mail Address:	kamason@santafenm.gov
Signature of Jurisdiction Chief Financial Officer		DATE	
Printed Name:			
Contact Number:		e-Mail Address:	
Signature of Jurisdiction Signatory Official		DATE	
Printed Name:			
Contact Number:		e-Mail Address:	
NM DHSEM SIGNATURES			
Signature of DHSEM Grant Manager		DATE	
Print Name: Juanita Abeyta			
Signature of DHSEM Cabinet Secretary Designate		DATE	
Print Name: Bianca Ortiz Wertheim			

Please print two (2) originals, sign both and mail to:
Grants Management Unit, P.O. Box 27111, Santa Fe, NM 87502

CITY OF SANTA FE:

ALAN WEBBER, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

CITY ATTORNEY'S OFFICE:

Marcos Martinez
Marcos Martinez (Jul 10, 2020 11:51 MDT)

SENIOR ASSISTANT CITY ATTORNEY

APPROVED:

MARY MCCOY, FINANCE DIRECTOR

Business Unit/Line Item:

22852.560700
22852.560200
22852.560500
22852.570800
22852.570500



CITY OF SANTA FE PROCUREMENT CHECKLIST

Contractor Name: US Department of Homeland Security

Procurement Title: 2018 State Homeland Security Grant Program

Procurement Method: State Price Agreement Cooperative Sole Source Other Grant

Exempt Request For Proposal (RFP) Invitation To Bid (ITB) Contract under 60K Contract over 60K

Department Requesting Emergency Management Staff Name Kyle Mason

Procurement Requirements:

A procurement file shall be maintained for all contracts, regardless of the method of procurement. The procurement file shall contain the basis on which the award is made, all submitted bids, all evaluation materials, score sheets, quotations and all other documentation related to or prepared in conjunction with evaluation, negotiation, and the award process. The procurement shall contain a written determination from the Requesting Department, signed by the purchasing officer, setting forth the reasoning for the contract award decision before submitting to the Committees. .

REQUIRED DOCUMENTS FOR APPROVAL BY PURCHASING*

YES	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Approved Procurement Checklist (by Purchasing)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Memo addressed to City Manager (under 60K) Committees/City Council (over 60K)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	State Price Agreement
<input type="checkbox"/>	<input checked="" type="checkbox"/>	RFP
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Evaluation Committee Report
<input type="checkbox"/>	<input checked="" type="checkbox"/>	ITB
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Bib Tab
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Quotes (3 valid current quotes)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cooperative Agreement
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sole Source Request and Determination Form
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contractors Exempt Letter
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Purchasing Officers approval for exempt procurement
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAR
<input type="checkbox"/>	<input checked="" type="checkbox"/>	FIR
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Executed Contract, Agreement or Amendment
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Current Business Registration and CRS numbers on contract or agreement
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Summary of Contracts and Agreements form
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Certificate of Insurance
<input checked="" type="checkbox"/>	<input type="checkbox"/>	All documentation presented to Committees
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other: _____

Kyle Mason	Emergency Management Director	7/9/2020
Department Rep Printed Name (attesting that all information included)		Date

Fran Dunaway
Fran Dunaway Oct 12, 2020 25:14 MDT

Purchasing Officer (attesting that all information is reviewed)	Title	Date
---	-------	------

Include all other substantive documents and records of communication that pertain to the procurement and any resulting contract.

*



City of Santa Fe

Real Estate Summary of Contracts, Agreements, Amendments & Leases

Section to be completed by department

1. Munis Contract # 18-1367

Contractor: US DEPT OF HOMELAND SECURITY

Description: 2018 State Homeland Security Grant Program (SHSGP). MUNIS Grant # F2038. 2212850 / 560700; 560200; 560050; 570500; 570800

Contract Agreement Lease / Rent Amendment

Term Start Date: 12/1/2019 Term End Date: 6/30/2020

Approved by Council Date: _____

Contract / Lease:

Amendment # 1 to the Original Contract / Lease # _____

Increase/(Decrease) Amount \$ _____

Extend Termination Date to: September 30, 2020

Approved by Council Date: _____

Amendment is for: Extension of Period or Performance

2. **HISTORY** of Contract, Amendments & Lease / Rent - Please Elaborate (option: attach spreadsheet if multiple amendments)

3. Procurement History: _____

Spencer Cozart
Frank Cozart (Jul 12, 2020 2:14 MDZ)

Purchasing Officer Review: _____ Date: _____

Comment & Exceptions: _____

4. Funding Source: US DEPT OF HOMELAND SECURITY Org / Object: See Description Above

Alexis Lotero
Alexis Lotero (Jul 10, 2020 20:46 MDZ)

Budget Officer Approval: _____ Date: _____

Comment & Exceptions: _____

Staff Contact who completed this form: Kyle Mason Phone # 6704

Email: kamason@santafenm.gov

To be recorded by City Clerk:

Clerk # _____

Date of Execution: _____









2018 SHSGP Amendment 1 Packet

Final Audit Report

2020-07-13

Created:	2020-07-09
By:	YODEL CATANACH (yocatanach@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAsL6mnFOV2fyDhVkg3xFZcJC5TbPDfLtl

"2018 SHSGP Amendment 1 Packet" History

-  Document created by YODEL CATANACH (yocatanach@ci.santa-fe.nm.us)
2020-07-09 - 6:51:46 PM GMT - IP address: 63.232.20.2
-  Document emailed to Alexis Lotero (aclotero@santafenm.gov) for signature
2020-07-09 - 6:56:09 PM GMT
-  Email viewed by Alexis Lotero (aclotero@santafenm.gov)
2020-07-11 - 2:45:06 AM GMT - IP address: 23.103.200.254
-  Document e-signed by Alexis Lotero (aclotero@santafenm.gov)
Signature Date: 2020-07-11 - 2:46:19 AM GMT - Time Source: server- IP address: 63.232.20.2
-  Document emailed to Fran Dunaway (fadunaway@santafenm.gov) for signature
2020-07-11 - 2:46:21 AM GMT
-  Email viewed by Fran Dunaway (fadunaway@santafenm.gov)
2020-07-13 - 5:13:30 AM GMT - IP address: 23.103.201.254
-  Document e-signed by Fran Dunaway (fadunaway@santafenm.gov)
Signature Date: 2020-07-13 - 5:14:13 AM GMT - Time Source: server- IP address: 63.232.20.2
-  Signed document emailed to Fran Dunaway (fadunaway@santafenm.gov), Kyle Mason (kamason@santafenm.gov), Alexis Lotero (aclotero@santafenm.gov), and YODEL CATANACH (yocatanach@ci.santa-fe.nm.us)
2020-07-13 - 5:14:13 AM GMT



POWERED BY
Adobe Sign

ITEM # 18-1367



State of New Mexico
DEPARTMENT OF HOMELAND SECURITY &
EMERGENCY MANAGEMENT

P.O. Box 27111
Santa Fe, NM 87502

SUB-RECIPIENT GRANT AGREEMENT
2018 State Homeland Security Grant Program (SHSGP)
2018 Federal Grant No.: EMW-2018-SS-00056-S01 CFDA No.: 97.067

1. SUB-GRANT NO.		2. SUB-RECIPIENT NAME		3. FIDUCIARY NAME	
EMW-2018-SS-00056-S01-City of Santa Fe		City of Santa Fe		City of Santa Fe	
4. STATE DFA VENDOR NUMBER	5. EIN NUMBER	6. DUNS NUMBER	7. CAGE CODE		
0000054360	85-6000168	069420818	4C987		
8. SUB-RECIPIENT PHYSICAL ADDRESS			9. SUB-RECIPIENT REMIT ADDRESS		
200 Lincoln Avenue Santa Fe, NM 87501			200 Lincoln Avenue Santa Fe, NM 87501		
10. DHSEM CONTACT NAME:		11. CONTACT DESK PHONE:		505476-9614	
Victoria Romero		CONTACT EMAIL ADDRESS:		DHSEM.Grants@state.nm.us	
12a. PERFORMANCE PERIOD START DATE		January 1, 2019		12b. PERFORMANCE PERIOD END DATE	
				June 30, 2020	
13a. SHSGP FEDERAL AWARD			13b. SHSGP TOTAL SUB-RECIPIENT AWARD		
\$ 120,464.00			\$ 120,464.00		
14a. NAME OF PROJECT AWARD			14b. AMOUNT AWARDED		
1	PLANNING		\$ 0.00		
2	EQUIPMENT		\$ 66,934.00		
3	TRAINING		\$ 53,530.00		
4	EXERCISE		\$ 0.00		
5			\$		
6			\$		
TOTAL AMOUNT OF PROJECTS			\$ 120,464.00		

See attached Project Worksheet for required Project Scope of Work Details.
This Project Worksheet attachment is incorporated into the terms and conditions of this agreement.

15. RECITALS, GRANT REQUIREMENTS, ASSURANCES AND AGREEMENTS

RECITALS

WHEREAS, the New Mexico Department of Homeland Security and Emergency Management (**DHSEM**) has been designated by the United States Department of Homeland Security (**DHS**) to serve as grantee, and is thereby authorized to issue this agreement to the applicant, sub-recipient, and sub-grantee, **City of Santa Fe**.

WHEREAS, funding has been obligated from the **DHS** pursuant to a request by the applicant, sub-recipient, and sub-grantee, **City of Santa Fe**.

NOW, THEREFORE it is mutually understood and agreed between the grantee, **DHSEM**, and sub-grantee, **City of Santa Fe** as follows:

ARTICLE 1: CONTRACT DOCUMENTS

The following additional contract documents are fully incorporated into this agreement and thereby constitute additional terms and conditions of this agreement:

This Agreement:

Attachment I Required Reimbursement Checklist

2018 Homeland Security Grant Program Application

2018 Homeland Security Grant Program Notice of Funding Opportunity (DHS-18-GPD-067-00-01)

2018 SHSGP NOFO Appendix A, B, C & D.

2018 SHSGP Project Award Approved Worksheet

ARTICLE 2: SCOPE OF WORK

As authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act), as amended (42 U.S.C Sections 5121 et. seq.), and Section 662 of the Post Katrina Emergency Reform Act of 2006, as amended (6 U.S.C. Section 762), **City of Santa Fe** shall use SHSGP funds to assist in preparing for all-hazards. Specifically, these funds shall be utilized by **City of Santa Fe** to pay for the eligible expenditures per approved projects previously identified in the SHSGP grant application, and approved by the **DHSEM** Cabinet Secretary. All work performed pursuant to this agreement must comply with the approved SHSGP application, as applicable. All work must be completed within the performance period, between **January 1, 2019** and **June 30, 2020**. **City of Santa Fe** shall not sub-grant any part of this award to any other entity or organization. Within the first reporting quarter, all awards require confirmation that expenditures in the budget category toward this project will be made. If not, **DHSEM** may execute a de-obligation of Federal funds, without recourse by **City of Santa Fe**

ARTICLE 3: PROJECT IMPLEMENTATION

Approved projects must commence within the first reporting quarter. If a project cannot commence and be operational within the first reporting quarter of the approved award date, the sub-grantee must submit a written statement to **DHSEM**, signed by the sub-recipient signatory officials, justifying the delay in implementation, the expected starting date, and a formal request to extend the project start date past the first reporting quarter. At the sole discretion of **DHSEM**, the grant award is subject to cancellation and funds may be de-obligated and reallocated to other projects.

ARTICLE 4 : REPORTING REQUIREMENTS

The sub recipient, City of Santa Fe shall submit timely quarterly Financial Progress Reports and a quarterly Performance Progress Report to the DHSEM Grant Specialist. Use of outdated forms will not be accepted. **Quarterly reports are due: July 30, October 30, January 30, and April 30, within the period of performance beginning after the conclusion of the first quarter of grant activity.** Final reports are due 45 days after the end of Period of Performance. Financial Progress Reports shall describe and show the status of the funds, encumbrances, receipts of program income, cash or in-kind contributions to the project, and whether or not a local match is required. The Final Narrative Report is a summary report, evaluating project activities and measuring performance against project goals and objectives for the entire performance period, and is required in addition to the last quarterly report. The Final Narrative will suffice as the Final Performance Progress Report.

The applicant must immediately report in writing to the DHSEM Grant Specialist any alleged acts or allegations of fraud or misappropriation of funds for work authorized under this Sub-Grant Agreement. This requirement extends further to an obligation by the sub-recipient to report any legal action, lawsuit, bankruptcy, or other action that may jeopardize the successful completion of any authorized project.

ARTICLE 5: REIMBURSEMENTS

Submission of a request for reimbursement must be accompanied by both the Quarterly Financial Progress and Performance Progress reports. If there is no reimbursement requests for a given quarter all reports must still be submitted. Reimbursement shall be based upon authorized and allowable expenditures consistent with the project narrative, grant guidelines, and the submission of timely Financial and Performance Progress Reports. Payments may be withheld by DHSEM pending correction of deficiencies. Reimbursement of expenditures shall be requested at least quarterly for expenditures within the performance period. Expenditures must be supported with source documentation (e.g. copies of proof of payment, invoices, receipts, timesheets with name/wage/hours, cost allocation, warrants, etc.). Grant staff will not process reimbursement if quarterly performance and fiscal reports are not timely submitted.

Contracts: All sole-source procurements, single vendor response to a competitive bid, and contracts require DHSEM pre-approval prior to implementation. Requests for reimbursement for contractual services must be accompanied by the relevant contract.

Local Match: Local matching funds must clearly support the source, the amount, and the timing of all matching contributions.

Equipment: Allowable equipment categories are listed on the web-based Authorized Equipment List (AEL). Screenshots of the AEL number and description are required to be submitted along with the Request for Approval.

Travel: All reimbursable travel must be pre-approved by DHSEM 30 days prior to travel date.

Per Diem: Reimbursements for local jurisdictions cannot exceed the rates of the New Mexico Mileage and Per Diem Act.

Training: Requires DHSEM pre-approval 30 days prior to registering or participating in training opportunities.

Exercise: Requires submission of an After-Action Report/Improvement Plan within 60 days after conduct of exercise.

Food and Beverages: Per National Preparedness Directorate (NPD) allowances, food and/or beverage expenses provided by recipients are allowable costs if:

- The food and/or beverages are provided to participants at training sessions, meetings, or conferences that are allowable activities under the NPD program guidelines; and
- Expenses incurred for food and/or beverages, and provided at training sessions, meetings, or conferences, satisfy the following tests:
 - The cost of the food and/or beverages provided is considered to be reasonable;
 - The food and/or beverages provided are subject of a work-related event and work continues after meals are served;
 - Participation by all participants is mandatory; and

- The food and/or beverages provided are not related directly to amusement and/or social event. (Any event where alcohol is being served is considered a social event; therefore, costs associated with the event are not allowed).

Non-reimbursable Expenses:

- Transfer of funds between any programs. Contracts, single vendor response to a competitive bid, sole source contracts, and ***procurements greater than \$60,000.00*** not pre-approved by DHSEM.
- Training and related travel costs not pre-approved by DHSEM.
- Construction and renovation.
- Indirect costs
- Supplanting (using federal funds to purchase items previously budgeted for with state or local funds).
- Maintenance and/or wear and tear costs of general use vehicles and emergency response apparatus.
- Equipment purchased for an exercise cannot be used for permanent installation and/or beyond the scope of an exercise.
- Weapons and ammunition.
- Entertainment and sporting events
- Personal items such as laundry, personal hygiene items, magazines, in-room movies, personal travel, personal phone calls.
- Travel insurance, visa, and passport charges.
- Lodging costs in excess of State per diem, as appropriate.
- Food reimbursements when travel does not exceed 24 hours.
- Alcoholic beverages
- Late fees or interest charges.
- Lobbying, political contributions, legislative liaison activities.
- Organized fund-raising, including salaries of persons while engaged in these activities.
- Land acquisition.
- Expenditures not supported with appropriate documentation when submitted for reimbursement. Only properly documented expenditures will be processed for payment. Unsupported expenditures will be returned to the jurisdiction for resubmission.
- Non-Personnel expenses not pre-approved by DHSEM via Request for Approval.

ARTICLE 6: PERFORMANCE MEASURES

Quarterly Progress Reports shall demonstrate performance and progress relative to acceptable performance on applicable critical tasks in Exercises using approved scenarios:

1. Progress in achieving project timelines and milestones.
2. Percent measurable progress toward completion of project.
3. How funds have been expended during reporting period, and explaining expenditures related to the project.

ARTICLE 7: SUB-RECIPIENT MONITORING POLICY

Periodic monitoring is required to ensure that program goals, objectives, timelines, budgets and other related program criteria are being met. DHSEM reserves the right to periodically monitor, review, and conduct analysis of financial, programmatic, and administrative policies, procedures, and practices. This monitoring may include review of accounting for receipts and expenditures, cash management, maintaining adequate financial records, means of allocating and tracking costs, contracting, procurement, records management, payroll, means of allocating staff costs, property and equipment management system, progress of project activities, etc.. Monitoring may include desk and field audits.

ARTICLE 8: PROCUREMENT

When procuring property and services under this agreement, the sub-recipient will follow 2 CFR 200.318 through 2 CFR 200.326. The sub-recipient must use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in 2 CFR 200. As such, the sub-recipient must use one of the methods of procurement identified in 2 CFR 200.320. The sub-recipient may request that its procurement system be reviewed by FEMA or DHSEM to determine whether its system meets standards in order for its system to be compliant.

Contractors that develop or draft specifications, requirements, Statements of Work, and/or Requests for Proposals (RFP) for a proposed procurement shall be excluded from bidding or submitting a proposal to compete for the award of such procurement. Local bidder's preference is not allowed for federally funded procurements. Procurement transactions shall be conducted to provide maximum open and free competition. **Each sole-source procurement, single vendor response to a competitive bid, and all purchases require prior approval of DHSEM.**

ARTICLE 9: CONTRACTS

Any contract entered into during this grant period shall comply with Local, State and Federal government contracting regulations. Contracts for professional and consultant services must include local, State and Federal government required contract language, a project budget, and require pre-approval by DHSEM prior to implementation. Contract deliverables must meet the intent of the grant application and grant requirements. Justification is required for compensation for individual consultant services, which must be reasonable and consistent with the amount paid for similar services in the market place. Detailed invoices and time and effort reports are required for consultants.

ARTICLE 10: AUDIT REQUIREMENTS

As the Federal grant recipient, the State of New Mexico requires a sub-recipient expending \$750,000.00 or more in Federal funds in the organization's fiscal year to conduct an organization-wide audit **in accordance with 2 CFR 200 Subpart F**. City of Santa Fe will permit the State of New Mexico Grant and Program officials and auditors to have access to the sub-recipient's and third-party contractors' records and financial statements as necessary for the State of New Mexico to comply with **2 CFR 200 Subpart F**. Copies of audit findings must be submitted to DHSEM within 30 days after City of Santa Fe receives its audit report, or within a 9-month period of the grant closeout date, whichever is earlier, in accordance with 2 AAC 45.010. Include the Federal agency name, program, grant number, and year; the CFDA title and number; and the name of the pass-through agency.

ARTICLE 11: PROPERTY AND EQUIPMENT MANGEMENT

The sub-recipient will follow the property standards articulated in 2 CFR 200.310 through 2 CFR 200.326. The sub-recipient shall maintain an effective property management system; safeguards to prevent loss, damage or theft; maintenance procedures to keep equipment in good condition; and disposition procedures. A Property Inventory Report shall be submitted to DHSEM annually each January 30 with the Financial Progress Report during the performance period, and continued submission is required annually until final disposition of the equipment. The sub-recipient shall, when practical, prominently display the following on any equipment purchased with award funds: **Purchased with funds provided by the U.S. Department of Homeland Security**. No equipment purchased with these grant funds may be assigned to other entities or organizations without the expressed approval in writing from DHSEM, prior to the jurisdiction's encumbrance or expenditure for that equipment.

ARTICLE 12: NEPA/EHP COMPLIANCE

The sub-recipient must provide information to DHSEM to assist with the legally-required environmental planning

and historic preservation (EHP) review and to ensure compliance with the applicable EHP laws and Executive Orders (EO). These EHP requirements include but are not limited to National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, E 11988 Floodplain Management, EO 11990 Protection of Wetlands, and EO 12898 Environmental Justice. The recipient must comply with all Federal, State and Local EHP requirements and obtain applicable permits and clearances.

Recipients shall not undertake any activity from the project that would result in ground disturbance, facility modification, or relates to the use of sonar equipment without the prior approval of FEMA. These include but are not limited to communications towers, physical security enhancements involving ground disturbance, new construction, and modifications to buildings that are 50 years old or older, and exercises. Recipient must comply with all mitigation or treatment measures required for the project as the result of FEMA's EHP review. An EHP Screening Form will not need to be provided for those exercises that are planned to take place at previously approved facilities, such as, fire and police academies, search and rescue training facilities, and explosive testing centers. Any type of exercise that requires any type of land, water, or vegetation disturbance or building of temporary structures must undergo an EHP review.

Any change to an approved project description will require re-evaluation for compliance with EHP requirements before the project can proceed. If ground disturbing activities occur during project implementation, the recipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office. Initiation of these activities prior to completion of FEMA's EHP review will result in a non-compliance finding and may result in ineligibility of grant funding.

ARTICLE 13: PUBLICATIONS

Publications created with funding under this grant shall prominently contain the following statement: **This Document was prepared under a sub-grant from DHS, and DHSEM. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Homeland Security or the State of New Mexico.**

ARTICLE 14: RECORDKEEPING

The sub-recipient will follow the record retention and access standards articulated in 2 CFR 200.333 through 2 CFR 200.337. The grant financial and administrative records shall be maintained for a period of three (3) years following the date of the closure of the grant award, or audit if required. Time and effort, personnel and payroll records for all individuals reimbursed under the award must be maintained. Property and equipment records shall be maintained for a period of three (3) years following the final disposition, replacement or transfer of the property and equipment.

ARTICLE 15: CHANGES TO AWARD

All change requests must be submitted either in writing or electronically to the designated DHSEM Grant Specialist for review and possible approval. All change requests must be accompanied by a justification narrative and a budget and spending plan. All change requests must be consistent with the scope of the project and grant guidelines. Change requests will be considered only if reporting requirements are current, and all other terms and conditions of this agreement have otherwise been met at the time the request. If approved by DHSEM, changes in the programmatic activities, purpose of the project, key personnel specified on the grant award, contractual services for activities central to the purposes of the award, requests for additional funding, change in project site, or release of special conditions, will result in an amendment to this award.

ARTICLE 16: OTHER GENERAL PROVISIONS

A. The performance period for this grant award is January 1, 2019 through June 30, 2020. Further, all

personnel related grant activity must be completed between **January 1, 2019 and June 30, 2020**. Funds may not be obligated outside of these time periods. An obligation occurs when funds are encumbered, as with a purchase order and/or commitment of salaries and benefits. **All obligated and encumbered funds must be liquidated within 45 days of the end of the performance period when the *Final Progress and Financial Reports* are due.**

- B. The 2018 SAFECOM guidance, in coordination with stakeholders and Federal partners, and the 2014 National Emergency Communications Plan, targets funding priorities to address:
- Governance and Leadership,
 - Statewide Planning for Emergency Communications,
 - Emergency Communications Training and Exercises,
 - Activities that Enhance Operational Coordination, and
 - Standards Based Technology and Equipment.

To support these priorities, grantees should target funding toward standards-based equipment that enables the sub-recipients to:

- a. Sustain and maintain current Land Mobile Radios (LMR) capabilities
- b. Use Project 25 (P25)-compliant LMR equipment for mission critical voice communications
- c. Meet NMDoIT, FCC and FirstNet spectrum and authority to operate requirements
- d. Transition towards Next Generation 911 (NG911) capabilities
- e. Support standards that allow for alerts and warnings across different systems
- f. Sustain backup solutions (e.g., backup power, portable repeaters, satellite phones, HF radios)
- g. Secure equipment, information, and capabilities from physical and virtual threats

- C. Deployable / Shareable Assets - All assets supported in part or entirely with FY2018 SHSGP funding must be readily deployable to support emergency or disaster operations per existing Interstate Mutual Aid System (IMAS) and/or Emergency Management Assistance Compact (EMAC) and other mutual aid agreements.
- D. All assets supported in part or entirely with FY2018 SHSGP funding that may not be physically deployable but support national response capabilities, such as interoperable communications systems and equipment, is considered shareable assets. Access to and use of these assets must be made readily available upon the request of the DHSEM.
- E. The sub-recipient shall comply with the requirements and restrictions of the DHS Federal NOFO and the FY2018 State Homeland Security Grant Program Guidance, State Guidelines. By signing this obligating award document, the sub-recipient certifies it has read, understood and accepted these documents as binding.
- F. The signatures of the signatory officials on this award certifies that all financial expenditures, including all supporting documentation submitted for reimbursement, have been incurred by the jurisdiction, and are eligible and allowable expenditures consistent with the grant guidelines for this project. The sub-recipient shall follow the financial management requirements imposed on them by DHSEM, which includes the requirements of U.S. Department of Homeland Security.
- G. The signature of the signatory officials on this award attests to **City of Santa Fe** understanding, acceptance, and compliance with Lobbying; Debarment, Suspension and other responsibility matters; Drug-free Workplace; Conflict of Interest, and Non-Supplanting certifications. Federal funds will not be used to supplant State or local funds. Federal funds must be used to supplement existing funds to augment program activities, and not replace those funds which have been appropriated in the budget for the same purpose. **Potential supplanting may be the subject of application and pre-award, post-award monitoring, and audit.**
- H. **City of Santa Fe** shall ensure the **accounting system** used allows for separation of fund sources. These grant funds cannot be commingled with funds from other federal, state or local agencies, and each award is

accounted for separately.

- I. **City of Santa Fe shall comply with Federal Civil Rights Laws and Regulations:** *Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Age Discrimination Act of 1975, and Americans with Disabilities Act of 1991.* City of Santa Fe will take reasonable steps to ensure Limited English Proficient (LEP) persons have meaningful access to its programs and activities. *Executive Order 13347 Individuals with Disabilities in Emergency Preparedness* requires government to support safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism.
- J. **City of Santa Fe certifies that it has an Affirmative Action Plan/Equal Employment Opportunity Plan (EEOP)** (for USDHS/DOJ grants). An EEOP is not required for recipients of less than \$25,000.00 or fewer than 50 employees.
- K. **City of Santa Fe certifies that its employees are eligible to work in the U.S. as verified by Form I-9, Immigration & Naturalization Service Employment Eligibility.**
- L. It is the responsibility of **City of Santa Fe** as the recipient of these federal funds to fully understand and comply with the requirements of:
 - **Assurances, Administrative Requirements, Cost Principles, and Audit Requirements,** OMB Standard Form 4248 Assurances -Non-Construction Programs, OMB Standard Form 4240 Assurances - Construction Programs, 2 C.F.R. Part 200, 2 C.F.R. Part 3002
 - **Whistleblower Protection Act,**
 - 10 U.S.C Section 2409
 - 10 U.S.C. Section 2324
 - 41 U. S. C. Sections 4304 41 U. S. C. Sections 4310
 - **Use of DHS Seal, Logo and Flags** - All recipients must obtain permission from their financial assistance office, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags.
 - **USA Patriot Act of 2001,** 18 U.S.C. Sections 175 175c
 - **Universal Identifier and System of Award Management (SAM),** 2 C.F.R. Part 25, Appendix A
 - **Reporting of Matters Related to Recipient Integrity and Performance,** 2 C.F.R. Part 200, Appendix ix, XII
 - **Rehabilitation Act of 1973,** 29 U.S.C. Section 794
 - **Trafficking Victims Protection Act of 2000,** Section 106(g) 22 U.S.C. section 7104, 2 CFR Section 1 75.15, Terrorist Financing
 - **2018 SAFECOM Guidance** <https://www.dhs.gov/safecom>
 - **Reporting Sub-Awards and Executive Compensation**
 - **Procurement of Recovered Materials, Solid Waste Disposal Act, Resource Conservation Recovery Act**
 - **Environmental Protection Agency (EPA) 40 C. F.R. Part 247**
 - **Patents and Intellectual Property Rights**
 - Bayh-Dole Act. Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. section 200 et seq.
 - 37 C.F.R. Part 401
 - 37 C.F.R. Section 401.14
 - **DHS HSGP Notice of Funding Opportunity Requirements** - All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the terms and conditions of your award. All recipients must comply with any such requirements set forth in the program NOFO.
 - **Non-supplanting Requirement** - All recipients who receive awards made under programs that prohibit supplanting by law must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources.
 - **Lobbying Prohibitions, 31 U.S.C. Section 1352**

- **Limited English Proficiency (Civil Rights Act of 1964, Title VI**
- **Hotel and Motel Fire Safety Act of 1990**
- **Federal Fire Prevention and Control Act of 1974, as amended, 15 U.S.C. Section 2225**
- **Fly America Act of 1974, 49 U.S.C. Section 41102, 49 U.S.C. Section 40118**
- **Best Practices for Collection and Use of Personally Identifiable Information (PII) - DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. Award recipients may also find as a useful resource the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template respectively.**
- **Americans with Disabilities Act of 1990, 42 U. S. C. Sections 12101, 12213,**
- **Age Discrimination Act of 1975, Title 42 U.S. Code section 6101 et,**
- **Activities Conducted Abroad - All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.**
- **Acknowledgment of Federal Funding from DHS - All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.**
- **Federal Leadership on Reducing Text Messaging while Driving**
- **Federal Debt Status**
- **False Claims Act and Program Fraud Civil Remedies, 31 U. S. C. Section 3729, 31 U. S.C. Section 3801-3812**
- **Energy Policy and Conservation Act, 42 U.S.C. Section 6201**
- **Education Amendments of 1972 (Equal Opportunity in Education Act), 20 U.S.C. section 1681 et seq, 6 C.F.R. Part 17 and 44 C.F.R. Part 19**
- **Duplication of Benefits, 2 C.F. R. Part 200, Subpart E**
- **Drug-Free Workplace Regulations, 41 U.S. C. section 701 et seq, 2 C.F.R Part 3001,**
- **Debarment and Suspension, Executive Orders, 12549 and 12689, and 2 C.F.R. Part 180,**
- **Copyright, 17 U.S.C. sections 401 or 402**
- **Civil Rights Act of 1968, Title VIII of the Civil Rights Act of 1968, 42 U.S.C. section 3601 et seq, 24 C.F.R. Part 100, 24 C.F.R Section 100.201**
- **Civil Rights Act of 1964 - Title VI, 42 U.S.C. Section 2000d et seq, 6 C.F.R. Part 21, 44 C.F.R. Part 7**
- **DHS Specific Acknowledgements and Assurances**
 - All recipients, sub-recipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.
 - Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
 - Recipients must give DHS access to and the right to examine and copy, records, accounts, and other documents and sources of information related to the award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
 - Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
 - Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
 - If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS financial assistance office and the DHS Office of Civil Rights and Civil Liberties (CRCL) by e-mail at crcl@hg.dhs.gov or by mail at **U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties Building 410, Mail**

Stop #0190 Washington, D.C. 20528.

- In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS financial assistance office and the CRCL office by e-mail or mail at the addresses listed above.
- The United States has the right to seek judicial enforcement of these obligations.
- **Disposition of Equipment Acquired Under the Federal Award**, 2 C.F.R. Section 200.313,
- **National Environmental Policy Act**, National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA
- **Nondiscrimination in Matters Pertaining to Faith-based Organizations**, 6 C. F. R. Part 19

ARTICLE 17: PENALTY FOR NON COMPLIANCE

For the reasons listed below, special conditions may be imposed, reimbursements may be partially or wholly withheld, the award may be wholly or partly suspended or terminated, or future awards, reimbursements and award modifications may be withheld. DHSEM may institute the following, but is not limited to, withholding authority to proceed to the next phase of a project, requiring additional or more detailed financial reports, additional project monitoring, and/or establish additional prior approvals. DHSEM shall notify the sub-recipient of its decision in writing stating the nature and the reason for imposing the conditions/restrictions, the corrective action required and timeline to remove them, and the method of requesting reconsideration of the imposed conditions/restrictions. The sub-recipient must respond within 5 days of receipt of notification.

- (a) Unwillingness or inability to attain project goals
- (b) Unwillingness or inability to adhere to Article 19, Special Conditions.
- (c) Failure or inability to adhere to grant guidelines and federal compliance requirements
- (d) Improper procedures regarding contracts and procurements
- (e) Inability to submit reliable and/or timely reports
- (f) Management systems which do not meet federal required management standards
- (g) Failure or inability to adhere to the terms and conditions of this agreement

ARTICLE 18: TERMINATION

For Cause: If performance is not occurring as agreed, the award may be reduced or terminated without compensation for reduction or termination costs. DHSEM will provide notice of five (5) days to the sub-recipient stating the reasons for the action, steps taken to correct the problems, and the commencement date of the reduction or termination. DHSEM will reimburse the sub-recipient only for acceptable work or deliverables, necessary and allowable costs incurred through the date of reduction or termination. Final payment may be withheld at the discretion of DHSEM until completion of a final DHSEM review. Any equipment purchased under a terminated grant may revert to DHSEM at the option of DHSEM.

For Convenience: This Agreement may be terminated without cause by either of the parties upon written notice delivered to the other party at least 30 days prior to the intended date of termination. A termination pursuant to this provision does not nullify a party's obligations for performance or liabilities for failure to perform already incurred prior to the date of termination. Any project may be terminated upon convenience, in whole or in part, for the convenience of the Government. DHS and the DHSEM, by written notice, may terminate this grant, in whole or in part, when it is in the Government's interest. Allowable costs obligated and/or incurred through the date of termination shall be reimbursed. Any equipment purchased under a terminated grant may revert to DHSEM at the option of DHSEM.

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ARTICLE 19: SPECIAL CONDITIONS

** Grant funds cannot be expended until these conditions have been met.*

- 1) **SHSGP Notice of Funding Opportunity Requirements** - All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the terms and conditions of your award. All recipients must comply with any such requirements set forth in the program NOFO.
- 2) The grant award amount is a funding allocation, and is not to be interpreted as expenditure authorizations or approvals. Pre-approval from DHSEM's Local Preparedness Program, Preparedness Unit, and Administrative Service Bureau (ASB) is required for all purchases regardless of any application review.
- 3) All awarded projects must be planned for, conducted, budgeted and expended within the designated performance period. Furthermore, at least 25% of the grant award must be expended in the first quarter for each project; some exceptions and/or extenuating circumstances may apply.
- 4) All sub-recipients must complete a National Incident Management System (NIMS) Assessment on or before September 30 of each year. All funded beneficiaries, to include but not limited to, first response agencies and special teams must also complete a NIMS Assessment. Continuing working on NIMS implementation objectives throughout the performance period of the grant and thereafter.
- 5) All sub-recipients must complete and/or revise their Threat Hazard Identification Risk Assessment (THIRA) every 2 years on or before May 30 of each year dependent on last revision date.
- 6) All sub-recipients must complete and/or revise their local and/or regional Tactical Communication Interoperable Plan (TCIP) every year.
- 7) All sub-recipients must have a fully promulgated All Hazards Emergency Operations Plan (EOP).
- 8) All Whole Community Preparedness sub-recipients must have a coordinating body to serve as their Citizen Corps Whole Community Council, with membership that includes, but is not limited to: representatives from emergency management, homeland security, law enforcement, fire service, EMS, public health, hospitals, HCCs, or their designee, elected officials, the private sector especially privately owned critical infrastructure, private nonprofits, nongovernmental organizations including faith-based, community-based, and voluntary organizations and advocacy groups.
- 9) All sub-recipients are required to conduct one exercise to test the capabilities of equipment purchased with past or current federal preparedness grants. All AAR/IP and/or AAR/IP input forms must be sent to the DHSEM exercise Officer no later than 60 days after the exercise.
- 10) All SHSGP performance activities will be monitored by the Local Preparedness Program on a quarterly basis or as needed to ensure sub-recipients are conducting progressive activities to ensure project completion within the specified performance period.
- 11) Quarterly financial and progress reports are due on April 30, July 30, October 30, January 30 within the Period of Performance. Final reports are due 45 days after the end of Period of Performance.
- 12) All equipment must be purchased and deployed in accordance set forth in the FY2018 SHSGP NOFO. *All assets supported in part or entirely with FY2018 SHSGP funding must be readily deployable to support emergency or disaster operations per existing EMAC agreements.*
- 13) All Budget Revisions must be reviewed and approved by the Local Preparedness Program to ensure that the proposed project meets all federal and state eligibility requirements. Budget Revisions must meet the original scope of the project.
- 14) If a revision of the project(s) scope of work is requested, it must be pre-approved by the Local Preparedness Program, before the jurisdiction can proceed with the Request for Approval (RFA) processes. If the revision is approved, the Local Preparedness Program may request additional documentation to proceed with recommendation to DHSEM Leadership for final approval.
- 15) The beneficiary of this award is solely responsible for all expenditures that are incurred outside of the award performance period.
- 16) All expenditures that are incurred above and beyond the amount of this sub-grant agreement are the sole responsibility of the sub-recipient of this award.
- 17) The FEMA approved National Environmental Protection Agency-Environmental Historic Preservation (NEPA/EHP) form must be submitted prior to any ground disturbance, modification to buildings, etc.
- 18) Procurement from Minority Owned and Women Owned Business is encouraged, and must be tracked and reported to DHSEM on the quarterly reports.
- 19) Annual external audit reports must be submitted to DHSEM within 30 days of receipt by sub-recipients.
- 20) All Contracts for goods and services, to include the project scope of work, must be reviewed and approved the Local Preparedness Program (LPP) and Administrative Services Bureau (ASB) before execution, to include signing of contract between parties.

- 21) All requests for Sub-grant award extensions must be received at DHSEM prior to the 90-day grant award termination date. Requests for sub-grant award extensions will only be considered for documented extenuating circumstances and will be reviewed by the Local Preparedness Program on a case-by-case basis.
- 22) Upon completion of all awarded projects, any remaining funds will be de-obligated and reverted back to NMDHSEM.

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State of New Mexico
DEPARTMENT OF HOMELAND SECURITY & EMERGENCY MANAGEMENT

P.O. Box 27111
 Santa Fe, NM 87502

SUB-RECIPIENT GRANT AGREEMENT
 2018 State Homeland Security Grant Program
 2018 Federal Grant No. EMW-2018-SS-00056-S01 CFDA No. 97.042

The acceptance of a grant from the United States and the State of New Mexico creates a legal duty and obligation on the part of the sub-grantee City of Santa Fe to use the funds or property made available in accordance with the conditions of the grant as administered by and through the New Mexico Department of Homeland Security and Emergency Management.

SIGNATURE OF ACCEPTANCE

JURISDICTION SIGNATURES	
Signature of Emergency Management Program Manager	DATE
	11/9/18
Printed Name: David Silver	
Contact Number: 505 955 6537	e-Mail Address: dmsilver@santafenm.gov
Signature of Jurisdiction Chief Financial Officer	DATE
Printed Name: Mary McCoy	
Contact Number: 505-955-0171	e-Mail Address: mtmccoy@santafenm.gov
Signature of Jurisdiction Signatory Official	DATE
	12/17/18
Printed Name: ALAN WEBBER	
Contact Number: (505) 955-6590	e-Mail Address: mayor@santafenm.gov
NM DHSEM SIGNATURES	
Signature of DHSEM Grants Unit Manager	DATE
	1/11/19
Print Name: Juanita Abeyta	
Signature of DHSEM Chief Financial Officer	DATE
	01/16/2019
Print Name: Sarah J. Peterson	
Signature of DHSEM Cabinet Secretary	DATE
	1/23/19
Print Name: M. Jay Mitchell Jackie White	

Please print two (2) originals, sign both and mail to:
 Grants Management Unit, P.O. Box 27111, Santa Fe, NM 87502

Attachment I
Required Reimbursement Checklist

Please Note: DHSEM reserves the right to update this check list throughout the life of the grant to ensure compliance with applicable federal and state rules and regulations. *Please only check the categories that apply to the reimbursement you are currently requesting.*

EQUIPMENT

- Have all invoices been included?
- Has AEL # been identified for each purchase?
- If service/warranty expenses are listed, are they only for the performance period of the grant?
- Has proof of payment been included? (e.g. canceled check, Electronic Funds Transfer (EFT) confirmation, or P-Card back up documentation which will include receipt with vendor, copy of credit card statement showing expense charged, and payment to credit card Company for that statement)
- If EHP form needed – has copy of it and approval from DHS/FEMA been included?

CONSULTANTS/CONTRACTORS

- Does the amount billed by consultant add up correctly?
- Has all appropriate documentation to denote hours worked been properly signed?
- Have copies of all planning materials and work product (e.g. meeting documents, copies of plans) been included? (If a meeting was held by recipient or contractor/consultant of recipient, an agenda and sign-up sheet with meeting date must be included).
- Has the invoice from consultant/contractor been included?
- Has proof of payment been included? (e.g. canceled check, Electronic Funds Transfer (EFT) confirmation, or P-Card back up documentation which will include receipt with vendor, copy of credit card statement showing expense charged, and payment to credit card Company for that statement).

SALARY POSITIONS (Note: this applies to positions billed under M&A)

- Have the following been provided: signed time sheet by employee and supervisor and proof that employee was paid for time worked (statement of earnings, copy of payroll check or payroll register)?
- Has a time period summary sheet been included for total claimed amount?
- Has a general ledger payroll report been included for total claimed amount? Ensure this report includes both employee and employer payroll information (i.e. benefits/contributions).
- Does the back-up documentation include a copy of the check stub per employee for the time period covered?
- Does the back-up documentation provided match the time period for which reimbursement is being requested?

TRAINING

- Is the course DHS/FEMA approved? Is there a course or catalog number? If not, has DHSEM approved the non-DHS training request form? Is supporting documentation included your reimbursement request?
- Have sign-in sheets, rosters and agenda been provided?
- If billing for overtime and/or backfill, has a spreadsheet been provided that lists attendee names, department, # of hours spent at training, hourly rate and total amount paid to each attendee? Have print outs from entity's financial system been provided as proof attendees were paid? For backfill, has a clear delineation/cross reference been provided showing who was backfilling who?
- Have the names on the sign-in sheets been cross-referenced with the names of the individuals for whom training reimbursement costs are being sought?
- Has any expenditures occurred in support of the training (e.g., printing costs, costs related to administering the training, planning, scheduling, facilities, materials and supplies, reproduction of materials, and equipment)? If so, receipts and proof of payment must be submitted. (e.g. system generated ledger, canceled check, Electronic Funds Transfer (EFT) confirmation, or P-Card back up documentation which will include receipt with vendor, copy of credit card statement showing expense charged, and payment to credit card Company for that statement).

MATCHING FUNDS (IF APPLICABLE)

- Contributions are from Non Federal funding sources.
- Contributions are from cash or in-kind contributions which may include training investments.
- Contributions are not from salary, overtime or other operational costs unrelated to training.

NAME OF JURISDICTION: CITY OF SANTA FE


PROJECT NUMBER	PROJECT NAME	LINE ITEM	ITEM DESCRIPTION	QUANTITY	UNIT COST	TOTAL COST	PROJECT AWARD
1	SFPD - SPECIAL OPERATIONS	1	DHS TYPE 2 SWAT OPERATOR COURSE	4	\$ 9,800.00	\$ 39,200.00	
		2	FBI HAZARDOUS SCHOOL	2	\$ 7,165.00	\$ 14,330.00	\$ 53,530.00
2	SFPD INTELLIGENCE CENTER	1	IBM i2 ANALYST NOTEBOOK	3	\$ 8,800.00	\$ 26,400.00	
		2	CELLEBRITE UFED 4PC ULTIMATE	1	\$ 9,085.00	\$ 9,085.00	
		3	CELLEBRITE UFED TOUCH 2 ULTIMATE	1	\$ 10,584.00	\$ 10,584.00	
		4	BOUNDLESS SUCURITY SYSTEM CAMERA	1	\$ 20,865.00	\$ 20,865.00	
							\$ 66,934.00
							\$ 120,464.00
TOTAL PROJECT FEDERAL AWARD \$							120,464.00

INITIALS
 (DS)


The grant approved award amount is a funding allocation, and is not to be interpreted as expenditure authorizations or approvals. Pre-approval from DHSEM's Local Preparedness Program, Training and Exercise Preparedness Unit and Administrative Service Bureau (ASB) is required for all purchases regardless of any application review.

(DS)

All budget revisions must be reviewed and approved by the Preparedness Bureau Chief, Local Preparedness Program Manager and/or their designee to ensure that the posposed budget revision meets all federal and state eligibility requirements. Budget revisions must meet the original approved Scope of Work within the approved application budget worksheet.



 SUB-RECIPIENT DESIGNEE SIGNATURE

1/28/2019
 DATE

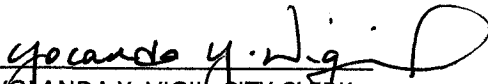

 LOCAL PROGRAMS MANAGER

28 JAN 2019
 DATE

CITY OF SANTA FE:


ALAN WEBBER, MAYOR

ATTEST:


YOLANDA Y. VIGIL, CITY CLERK
Re mtg. 12/12/18

APPROVED AS TO FORM:


ERIN MCSHERRY, CITY ATTORNEY

APPROVED:


MARY MCCOY, FINANCE DIRECTOR *AM*

Business Unit/Line Item:

21748.490610
22852.560700
22852.560200
22852.560500
22852.570800
22852.570500

ACTION SHEET
ITEM FROM QUALITY OF LIFE COMMITTEE MEETING OF 08/05/2020
FOR CITY COUNCIL MEETING OF 08/26/2020

ISSUE:

Consideration of a Bill #2020-__ : An Ordinance Amending Section Section 23-7.4 Relating to Golf Rates at the MRC. (Councilors Lindell and Vigil Coppler) (Jennifer Romero, MRC Manager, jcromero@santafenm.gov, 955-4465)

COMMITTEE REVIEW:

Quality of Life Committee (scheduled): 8/5/20
 Finance Committee (scheduled): 8/17/20
 City Council (request to publish): 8/26/20
 City Council (public hearing): 9/30/20

QUALITY OF LIFE COMMITTEE ACTION: Approved on consent

SPECIAL CONDITIONS OR AMENDMENTS:

SEND TO:

Finance and Governing Body

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON ROMERO-WIRTH	X		
COUNCILOR VILLARREAL	X		
COUNCILOR RIVERA	X		
COUNCILOR GARCIA	X		
COUNCILOR CASSUTT-SANCHEZ	X		

City of Santa Fe, New Mexico

DATE: July 17, 2020

TO: Public Works Committee
Finance Committee
Governing Body

VIA: _____
John P. Muñoz, Parks & Recreation Department Director

FROM: Jennifer Romero, MRC Manager

RE: Request approval of Greens Fee/Golf Cart Fee Rate Implementation – Effective August 1, 2020

SUMMARY:

Effective August 1, 2020, per the recommendation of the Marty Sanchez Links de Santa Fe (MSLDSF) Advisory Board, a Sub-committee of Parks and Recreation Advisory Committee (PARC), requests your approval to implement a greens fee & golf cart fee rate increase as follows:

Fee Type	NM Resident Current Fee	NM Resident Proposed Fee	Increase Amount	Increase %	Out of State Current Rate	Proposed Rate	Increase Amount	Increase %
18 hole walking	\$30.00	\$32.00	\$2.00	6.67	\$35.00	\$40.00	\$5.00	14.29
18 hole with cart	\$48.00	\$50.00	\$2.00	4.17	\$53.00	\$55.00	\$2.00	3.77
18 hole senior walking	\$25.00	\$27.00	\$2.00	8.00	\$28.00	\$30.00	\$2.00	7.14
18 hole senior with cart	\$36.00	\$38.00	\$2.00	5.56	\$42.00	\$44.00	\$2.00	4.76
9 hole walking	\$23.00	\$25.00	\$2.00	8.70	\$28.00	\$30.00	\$2.00	7.14
9 hole with cart	\$34.00	\$37.00	\$3.00	8.82	\$40.00	\$42.00	\$2.00	5.00
9 hole senior walking	\$20.00	\$22.00	\$2.00	10.00	\$25.00	\$27.00	\$2.00	8.00
9 hole senior with cart	\$28.00	\$30.00	\$2.00	7.14	\$32.00	\$34.00	\$2.00	6.25
G-28 walking	\$16.00	\$17.00	\$1.00	6.25	\$22.00	\$23.00	\$1.00	4.55
G-28 senior walking	\$13.00	\$14.00	\$1.00	7.69	\$20.00	\$21.00	\$1.00	5.00
18 hole junior walking	\$14.00	\$15.00	\$1.00	7.14	\$14.00	\$15.00	\$1.00	7.14
9 hole junior walking	\$10.00	\$11.00	\$1.00	10.00	\$10.00	\$11.00	\$1.00	10.00
G-28 junior walking	\$9.00	\$10.00	\$1.00	11.11	\$9.00	\$10.00	\$1.00	11.11
Weekday tournament (Tuesday-Thursday)	\$44.00	\$46.00	\$2.00	4.55	\$44.00	\$46.00	\$2.00	4.55
Weekend tournament (Friday-Monday)	\$46.00	\$48.00	\$2.00	4.35	\$46.00	\$48.00	\$2.00	4.35
5 round volume discount	\$135.00	\$150.00	\$15.00	11.11	\$165.00	\$190.00	\$25.00	15.15
10 round volume discount	\$250.00	\$280.00	\$30.00	12.00	\$300.00	\$360.00	\$60.00	20.00
20 round volume discount	\$460.00	\$520.00	\$60.00	13.04	\$560.00	\$700.00	\$140.00	25.00
30 round volume discount	\$630.00	\$750.00	\$120.00	19.05	\$780.00	\$990.00	\$210.00	26.92
Cart Fee for 18 holes	\$18.00	\$20.00	\$2.00	11.11	\$18.00	\$20.00	\$2.00	11.11
Cart Fee for 9 holes	\$11.00	\$12.00	\$1.00	9.09	\$11.00	\$12.00	\$1.00	9.09

Currently, our rates are significantly lower than our competitors. A Golf Course Competitor Rate Comparison spreadsheet is attached for review; reference Exhibit B. As a result of the impacts of COVID-19, in an effort to offset the overall maintenance expense and cost of reclaimed water infrastructure, and to increase revenue generated by the MRC, we request your review and approval of the proposed greens fee rate and golf cart rate increase; reference Exhibit A, FY20/21 Proposed Rate Increase spreadsheet.

Initially, we completed a 3-year average of rounds/revenue generated. However, because we transitioned point of sale systems from Jonas to Teensap in 2018, the “Fee Type” rates outlined could not be broken out. As a result, 2019 rounds and cart sale, were used to make projections.

If rounds and cart sales remain the same as 2019, we project to generate \$1,547,340 in revenue (an increase of: \$232,332.85. However, given COVID-19, a more realistic increase is projected to be approximately \$116,166; if rounds increase by 3%, we project an increase of \$211,384 in revenue and if rounds decrease by 3%, we project a decrease in revenue of \$41,186.

A 3% increase or decrease is used as an example because it is within a realistic possibility of growth or downturn. The 3% column shown on Exhibit A is calculated by taking the rounds in 2019 and increasing them by 3% then multiplying that number by the proposed new rate for the particular round profile.

Given the COVID-19 circumstances, the MSL Golf Course Advisory Sub-committee, and Parks & Recreation Commission (PARC) were unable have a recorded meeting. As a result, we are requesting that the proposal be submitted as part of the revenue generating ideas for the new fiscal year 20/21 budget.

New Mexico Golf Limited (NMGL), the Pro-shop contractor is in agreement with this request.

ACTION RECOMMENDED:

We kindly request your review and approval of the rate increase and forwarding to the Finance Committee and Governing Body Committee for review and approval.

Attachments: Exhibit A: FY20/21 Proposed Rate Increase spreadsheet
Exhibit B: Golf Course Competitor Rate Comparison Spreadsheet
Legislative Request Form
FIR Template

Cc: MRC File
Julio "Alo" Broadsky, Head Golf Professional
Jesse Guillen, Legislative Liaison

A.

Type	NM Resident Rate	Out of State Rate
18 hole walking	[\$30] <u>\$35</u>	[\$35] <u>\$40</u>
18 hole with cart	[\$48] <u>\$50</u>	[\$53] <u>\$55</u>
18 hole senior walking	[\$25] <u>\$27</u>	[\$28] <u>\$30</u>
18 hole senior with cart	[\$36] <u>\$38</u>	[\$42] <u>\$44</u>
9 hole walking	[\$23] <u>\$25</u>	[\$28] <u>\$27</u>
9 hole with cart	[\$34] <u>\$37</u>	[\$40] <u>\$42</u>
9 hole senior walking	[\$20] <u>\$22</u>	[\$25] <u>\$27</u>
9 hole senior with cart	[\$28] <u>\$30</u>	[\$32] <u>\$34</u>
G-28 walking	[\$16] <u>\$17</u>	[\$22] <u>\$23</u>
G-28 with cart	[\$27] <u>\$28</u>	[\$32] <u>\$33</u>
G-28 senior walking	[\$13] <u>\$14</u>	[\$20] <u>\$21</u>
G-28 senior with cart	[\$20] <u>\$23</u>	[\$26] <u>\$29</u>
18 hole junior walking	[\$14] <u>\$15</u>	[\$14] <u>\$15</u>
9 hole junior walking	[\$10] <u>\$11</u>	[\$10] <u>\$11</u>
G-28 junior walking	[\$9] <u>\$10</u>	[\$9] <u>\$10</u>
Weekday tournament (Tuesday-Thursday)	[\$44] <u>\$46</u>	[\$44] <u>\$46</u>
Weekend tournament (Friday-Monday)	[\$46] <u>\$48</u>	[\$46] <u>\$48</u>
5 round volume discount	[\$135] <u>\$150</u>	[\$165] <u>\$190</u>
10 round volume discount	[\$250] <u>\$280</u>	[\$300] <u>\$360</u>
20 round volume discount	[\$460] <u>\$520</u>	[\$560] <u>\$700</u>
30 round volume discount	[\$630] <u>\$750</u>	[\$780] <u>\$990</u>

1 B. Hometown Hero Rate. All active military and retired military, city and county
2 law enforcement officers, city and county fire department members, and corrections officers
3 working within Santa Fe County may receive the senior rate as noted in subsection A above.
4 Players seeking the senior rate must show military or law enforcement ID. The hometown hero
5 rate is only valid Monday-Friday after 10 a.m. and Saturday-Sunday after 1 p.m.

6 C. In order to maximize revenues, be competitive with area golf courses, and
7 respond to market conditions, the city manager may, upon review by the city finance director,
8 authorize in writing an increase or decrease of twenty-five percent (25%) to the rates described in
9 paragraph A above. Such rate change shall be published in a local daily newspaper. Such rate
10 change shall apply to the general public [~~and shall not be available to a particular group or~~
11 ~~individual~~]. The city manager may also occasionally authorize special, short-term promotional
12 rates.

13 D. Gross receipts tax shall be paid on all greens fees set forth in paragraphs A
14 through C above. The sum of the rate and gross receipts tax shall be rounded to the next highest
15 quarter.

16 E. Juniors under the age of eighteen (18) and associated with a high school golf
17 team or a golf program [~~will be allowed to hit~~] may each hit two (2) large buckets of range balls
18 [~~each~~] after 3:30 p.m., free of charge while participating in a scheduled season.

19 F. Once each fiscal year, the city may sponsor a benefit tournament to support
20 children and youth recreation programs at the genoveva chavez community center and the MRC.
21 [~~The applicable tournament rates will not be paid from the~~] Tournament revenues[~~, but~~] will be
22 incorporated into the annual MRC rate analysis and proposed rate structure to cover the
23 tournament fees that would have been applicable.

24 PASSED, APPROVED, and ADOPTED this ___ day of _____, 2020.
25

1 APPROVED AS TO FORM:

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4 ERIN K. McSHERRY, CITY ATTORNEY

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25 *Legislation/2020/Bills/Golf Course Rate Change*

Fee Type	2018									2019			2018/19			Revenue Projections		
	NM Resident				Out of State				Rounds/Individual		2019 Rounds/Individual Sales	3% increase in rounds	2018/19 Rounds average	2019 Revenue	same amount of rounds in 2020 as 2019	3% increase in rounds in 2020	3% decrease in rounds in 2020	
	Resident Current Fee	Proposed Fee	Increase Amount	Increase %	Current Rate	Proposed Rate	Increase Amount	Increase %	12/31									
18 hole walking	\$30.00	\$32.00	\$2.00	6.67	\$35.00	\$40.00	\$5.00	14.29	91	76	78	84	\$2,077.00	\$3,040.00	\$3,120.00	\$2,960.00		
18 hole with cart	\$48.00	\$50.00	\$2.00	4.17	\$53.00	\$55.00	\$2.00	3.77	1080	1233	1270	1157	\$29,935.00	\$34,524.00	\$35,560.00	\$33,516.00		
18 hole senior walking	\$25.00	\$27.00	\$2.00	8.00	\$28.00	\$30.00	\$2.00	7.14	3078	4614	5998	3846	\$138,420.90	\$147,648.96	\$191,936.00	\$113,568.00		
18 hole senior with cart	\$36.00	\$38.00	\$2.00	5.56	\$42.00	\$44.00	\$2.00	4.76	1650	2073	2695	1861	\$47,678.31	\$51,824.25	\$67,375.00	\$39,875.00		
9 hole walking	\$23.00	\$25.00	\$2.00	8.70	\$28.00	\$30.00	\$2.00	7.14	10793	15382	15844	13088	\$276,879.06	\$307,643.40	\$316,880.00	\$298,680.00		
9 hole with cart	\$34.00	\$37.00	\$3.00	8.82	\$40.00	\$42.00	\$2.00	5.00	5461	6911	7118	6186	\$124,394.94	\$138,216.60	\$142,360.00	\$134,200.00		
9 hole senior walking	\$20.00	\$22.00	\$2.00	10.00	\$25.00	\$27.00	\$2.00	8.00	11027	14130	18369	12579	\$184,945.76	\$213,221.70	\$277,188.21	\$164,013.21		
9 hole senior with cart	\$28.00	\$30.00	\$2.00	7.14	\$32.00	\$34.00	\$2.00	6.25	8227	10835	14086	9531	\$108,607.50	\$119,401.70	\$155,227.72	\$91,851.70		
G-28 walking	\$16.00	\$17.00	\$1.00	6.25	\$22.00	\$23.00	\$1.00	4.55		1733	1785		\$27,728.00	\$29,461.00	\$30,345.00	\$28,577.00		
G-28 senior walking	\$13.00	\$14.00	\$1.00	7.69	\$20.00	\$21.00	\$1.00	5.00		4395	4527		\$57,135.00	\$61,530.00	\$63,378.00	\$59,682.00		
18 hole junior walking	\$14.00	\$15.00	\$1.00	7.14	\$14.00	\$15.00	\$1.00	7.14		297	306		\$4,158.00	\$4,455.00	\$4,590.00	\$4,320.00		
9 hole junior walking	\$10.00	\$11.00	\$1.00	10.00	\$10.00	\$11.00	\$1.00	10.00		134	147		\$1,340.00	\$1,474.00	\$1,617.00	\$4,598.00		
G-28 junior walking	\$9.00	\$10.00	\$1.00	11.11	\$9.00	\$10.00	\$1.00	11.11		95	98		\$855.00	\$980.00	\$980.00	\$920.00		
Weekday tournament (Tuesday-Thursday)	\$44.00	\$46.00	\$2.00	4.55	\$44.00	\$46.00	\$2.00	4.55										
Weekend tournament (Friday-Monday)	\$46.00	\$48.00	\$2.00	4.35	\$46.00	\$48.00	\$2.00	4.35										
5 round volume discount	\$135.00	\$150.00	\$15.00	11.11	\$165.00	\$190.00	\$25.00	15.15		9	9.25		\$1,157.13	\$1,350.00	\$1,387.50	\$1,312.50		
10 round volume discount	\$250.00	\$280.00	\$30.00	12.00	\$300.00	\$360.00	\$60.00	20.00		2	2.1		\$476.20	\$560.00	\$588.00	\$532.00		
20 round volume discount	\$460.00	\$520.00	\$60.00	13.04	\$560.00	\$700.00	\$140.00	25.00		7	7.2		\$3,066.70	\$3,640.00	\$3,744.00	\$3,536.00		
30 round volume discount	\$630.00	\$750.00	\$120.00	19.05	\$780.00	\$990.00	\$210.00	26.92		21	22		\$12,600.00	\$15,750.00	\$16,500.00	\$15,000.00		
Cart Fee for 18 holes	\$18.00	\$20.00	\$2.00	11.11	\$18.00	\$20.00	\$2.00	11.11		14130	14554		\$184,945.76	\$282,600.00	\$291,080.00	\$274,120.00		
Cart Fee for 9 holes	\$11.00	\$12.00	\$1.00	9.09	\$11.00	\$12.00	\$1.00	9.09		10835	11160		\$108,607.50	\$130,020.00	\$133,920.00	\$126,120.00		
Total													\$1,315,007.76	\$1,547,340.61	\$1,737,776.43	\$1,397,381.41		
Increase/Decrease from 2019														\$232,332.85	\$422,768.67	\$82,373.65		
Increase factoring in COVID-19														\$116,166.43	\$211,384.34	\$41,186.83		

GOLF COURSE COMPETITOR RATE COMPARISON 2020

Exhibit "B"

GOLF COURSE	Weekday rates	Weekend rates	Cart fee
Marty Sanchez Links de Santa Fe	Mon - Fri	Sat- Sun	
	\$ 30.00	Same as wkday	\$ 18.00
After 2 PM	\$ 23.00	Same as wkday	\$ 11.00
(505) 955-4400 ext. 4			
Santa Fe Country Club	Tues - Thurs	Fri - Sun	
	\$ 31.00	\$ 43.00	\$ 19.00
After 2 PM	\$ 25.00	\$ 30.00	\$ 10.00
(505)471-2626			
Paa-Ko Ridge	\$ 200.00	\$200	Includes Cart and Range Balls
After 2 PM	\$95	\$95	
(505)281-6000			
Towa Golf Resort	\$ 69.00	\$ 69.00	\$18
After 2 PM	\$ 49.00	\$ 49.00	
(505)455-9000			
Black Mesa	Mon - Fri	Sat- Sun	
	\$ 82.00	\$ 87.00	Included
After 2 PM	\$ 52.00	\$ 52.00	
(505)747-8946			
Pueblo de Cochiti	\$ 59.00	\$ 69.00	Included
After 2 PM	\$ 39.00	\$ 49.00	

GOLF COURSE COMPETITOR RATE COMPARISON 2020

Exhibit "B"

Los Alamos Golf Course	\$ 31.50	\$ 34.50	\$ 15.00
(505)662-8139			
Taos Country Club	Mon-Thurs	Fri-Sun	
	\$ 71.00	\$ 82.00	\$ 20.00
After 2 PM	\$ 44.00	\$ 50.00	
(575) 758-7300			
Arroyo Del Oso	Mon-Thurs	Fri-Sun	
	\$ 26.00	\$ 32.50	ncludes Cart
After 2 PM	\$ 21.00	\$ 24.50	
(505) 884-7505			

Comments	Tournament Rates
*Seniors- \$18	Tues-Thurs: \$44.00
	Fri-Mon: \$46.00
*Seniors-no rate	Mon-Sun:65.00
*Seniors -no rate	
Rates apply Mon-Thurs only	
*Seniors-\$55 only Sun-Thur	
	Rates Vary-\$75-95
*Seniors-\$10 Less	Monday-Thursday \$59
	Friday-Sun \$69
*Seniors-(M-Th) \$47	
*Seniors- (F-Sun) \$57 Less	Mon-Thur: \$55-\$72
	Fri-Sun: \$60-\$120

GOLF COURSE COMPETITOR RATE COMPARISON 2020

Exhibit "B"

*Seniors-(M-Th) \$3 Less	
*Seniors-no rate	
*Seniors weekdays \$19 Senior weekends \$32.50	

Type	NM Resident Rate	FY20/21 NM Resident proposed rate	Out of State Rate	FY20/21 Out of State proposed rate
18 hole walking	\$30.00	\$32.00	\$35.00	\$40.00
18 hole with cart	\$48.00	\$50.00	\$53.00	\$55.00
18 hole senior walking	\$25.00	\$27.00	\$28.00	\$30.00
18 hole senior with cart	\$36.00	\$38.00	\$42.00	\$44.00
9 hole walking	\$23.00	\$25.00	\$28.00	\$30.00
9 hole with cart	\$34.00	\$37.00	\$40.00	\$42.00
9 hole senior walking	\$20.00	\$22.00	\$25.00	\$27.00
9 hole senior with cart	\$28.00	\$30.00	\$32.00	\$34.00
G-28 walking	\$16.00	\$17.00	\$22.00	\$23.00
G-28 with cart	\$27.00	\$28.00	\$32.00	\$33.00
G-28 senior walking	\$13.00	\$14.00	\$20.00	\$21.00
G-28 senior with cart	\$20.00	\$23.00	\$26.00	\$29.00
18 hole junior walking	\$14.00	\$15.00	\$14.00	\$15.00
9 hole junior walking	\$10.00	\$11.00	\$10.00	\$11.00
G-28 junior walking	\$9.00	\$10.00	\$9.00	\$10.00
Weekday tournament (Tuesday-Thursday)	\$44.00	\$46.00	\$44.00	\$46.00
Weekend tournament (Friday-Monday)	\$46.00	\$48.00	\$46.00	\$48.00
5 round volume discount	\$135.00	\$150.00	\$165.00	\$190.00
10 round volume discount	\$250.00	\$280.00	\$300.00	\$360.00
20 round volume discount	\$460.00	\$520.00	\$560.00	\$700.00
30 round volume discount	\$630.00	\$750.00	\$780.00	\$990.00
Cart Fee for 18 holes	\$18.00	\$20.00	\$18.00	\$20.00

Cart Fee for 9 holes	\$11.00	\$12.00	\$11.00	\$12.00
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FISCAL IMPACT REPORT

General Information:

(Check) Bill: X Resolution: _____

Short Title(s): AN ORDINANCE AMENDING SECTION 23.7.4 RELATING TO GOLF RATES AT THE MRC TO INCREASE GREENS FEES AND GOLF CART FEES

Sponsor(s): Councilor Lindell and Vigil Coppler

Reviewing Department(s): Parks & Recreation Department

Staff Completing FIR: Jennifer Romero Date: 07/17/20 Phone: 955-4465

Reviewed by City Attorney:  Date: 7/31/2020

Reviewed by Finance Director:  Date: 08.11.20

Summary:

This Bill is intended to increase greens fee and golf cart rates offered at the Marty Sanchez Links de Santa Fe golf course. The proposed rates are comparable to the rates charged at other golf courses in the area.

Departments Affected By:
 Parks & Recreation

Consequences of Not Enacting Legislation:

If the City does not implement a rate increase, it will continue to see a decline in revenue.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:

None identified.

Performance and Administrative Implications:

Implementing a rate increase will generate revenue for the facility which has been diminished as a result of COVID-19. It will also provide revenues for investment in effluent water infrastructure.

Fiscal Implications:

Please refer to attached "2020 Rate Increase Spreadsheet".

Fiscal Impact

_____ Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and Benefits*	\$ _____	\$ _____	\$ _____	_____	_____	_____	
Capital Outlay	\$ _____	\$ _____	\$ _____	_____	_____	_____	
Contractual/ Professional Services	\$ _____	\$ _____	\$ _____				
Operating	\$ _____	\$ _____	\$ _____		_____	_____	\$ _____
Total:	\$ _____	\$ _____	\$ _____				\$ _____

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

Revenue Type	FYE 20-21	FYE 21-22	FYE 22-23	Recurring (R) or Non-recurring (NR)	Fund
General Fund	\$ _____	\$ _____	\$ _____	_____	_____
Special Revenue	\$ _____	\$ _____	\$ _____	_____	_____
CIP	\$ _____	\$ _____	\$ _____	_____	_____
Enterprise	\$116,166	\$211,384	\$ _____	R	530
Internal Service	\$ _____	\$ _____	\$ _____	_____	_____
Trust and Agency	\$ _____	\$ _____	\$ _____	_____	_____
Federal	\$ _____	\$ _____	\$ _____	_____	_____
Other	\$ _____	\$ _____	\$ _____	_____	_____
Total	\$ _____	\$ _____	\$ _____		

Revenue Narrative:

The proposed rate restructuring is consistent with rates offered by other, nearby golf courses and will allow MSL to increase its revenue by approximately 102,582 per year, with a projected increase of 3% from 2019 actual revenue received in fee types outlined in Exhibit "A"

Golf Course Rate Change (For Signature)

Final Audit Report

2020-07-31

Created:	2020-07-31
By:	Jeff Norris (jtnorris@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAA1hA-jLLqpw5HMoJgSMHQ2mgGpRrkWVvm

"Golf Course Rate Change (For Signature)" History

-  Document created by Jeff Norris (jtnorris@ci.santa-fe.nm.us)
2020-07-31 - 2:48:25 PM GMT- IP address: 63.232.20.2
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2020-07-31 - 5:34:54 PM GMT






Golf Course Rate Change (Signed)

Final Audit Report

2020-08-11

Created:	2020-08-06
By:	Jeff Norris (jtnorris@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAM0J0vUYMCzKadIEbW0lpsBKpaKZvnPVq

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-  Document created by Jeff Norris (jtnorris@ci.santa-fe.nm.us)
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Signature Date: 2020-08-11 - 5:59:02 PM GMT - Time Source: server- IP address: 63.232.20.2
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underscoring material = new

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CITY OF SANTA FE, NEW MEXICO

BILL NO. 2020-20

INTRODUCED BY:

AN ORDINANCE

**CREATING EFFICIENCIES, ENHANCING EFFECTIVENESS, AND ELIMINATING
SILOS BY REORGANIZING CERTAIN CITY DEPARTMENTS, ORGANIZING THE
ECONOMIC DEVELOPMENT DIVISION, AFFORDABLE HOUSING OFFICE, LAND
USE DEPARTMENT, TOURISM SANTA FE DEPARTMENT, RECREATION
DIVISION, 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 DEPARTMENT INTO THE CITY CLERK'S OFFICE;
AMENDING SECTION 2.6-3; 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 THE 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**

1 **1987; AMENDING SECTION 2-22 SFCC 1987 TO PROVIDE CONTRACT INTERNAL**
2 **AUDIT FUNCTIONS; AND AMENDING SECTIONS 26-1.6 AND 26-3.5 REGARDING**
3 **THE OFFICE OF AFFORDABLE HOUSING.**

4
5 **BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

6 **Section 1. Section 2-6.3 SFCC 1987 (being Code 1953, § 2-60; Code 1973, § 2-**
7 **84; SFCC 1981, § 2-1-24, as amended) is hereby amended to read:**

8 **2-6.3 - Duties of the city clerk. The city clerk shall:**

9 A. Keep in custody all minutes, ordinances and resolutions approved by the governing
10 body;

11 B. Attend all meetings of the governing body;

12 C. Record all proceedings, ordinances and resolutions of the governing body;

13 D. Upon request, furnish copies of municipal records. The city clerk may charge a
14 reasonable fee for the cost of furnishing copies of municipal records;

15 E. Administer the municipal election and perform other election duties required pursuant
16 to Articles 8 and 9, Chapter 3 NMSA 1978;

17 F. Have custody of, and safely keep, all official records and documents, such as contracts,
18 agreements, deeds, of the city, the originals of which are to stay in the office, except upon
19 request of the city attorney for purposes of litigation;

20 G. Administer and process the filing and release of liens for the city as prescribed by
21 Article 36, Chapter 3 NMSA 1978 or as otherwise provided by law; [~~and~~]

22 H. Administer and manage the Constituent and Council Services Department; and

23 I. [H]. Perform other duties prescribed by law, ordinance or city rules and regulations.

24 **Section 2. Section 2-8 SFCC 1987 (being Ord. No. 1983-33, § 4, as amended) is**
25 **hereby repealed.**

1 **Section 3. A new Section 2-8 SFCC 1987 is hereby ordained to read:**

2 **[NEW MATERIAL] 2-8 CITY DEPARTMENTS.**

3 **2-8.1 Finance Department.**

4 A. Creation of department.

5 There is created a department of city government to be known as the "finance
6 department".

7 B. Finance officer.

8 (1) *Position Established.* The position of finance officer is established.
9 The finance officer is the city treasurer and manager of the finance department of the
10 city. The designation as finance officer shall not be considered separate employment
11 nor occasion any additional salary.

12 (2) *Duties.* The finance officer shall:

13 (a) Receive all money due and payable to the city;

14 (b) Keep his accounts and records in the manner prescribed by
15 generally accepted accounting principles;

16 (c) Keep the money of the city separate from any other money in
17 his possession;

18 (d) Expend the money only as directed by the governing body;

19 (e) Submit monthly, or more often if required by the governing
20 body, a report of the receipts and expenditures of the city;

21 (f) Supervise the depositing and safekeeping of all money
22 belonging to the city;

23 (g) With the advice and consent of the governing body designate
24 banks qualified to receive or deposit money entrusted in his care;

1 (h) Prepare annually, for the close of the fiscal year, a
2 comprehensive annual financial report showing the receipts, expenditures and
3 balances for each fund. A copy of the financial report shall be filed in the
4 finance officer; and

5 (i) Perform other duties prescribed by law, ordinance or city rules
6 and regulations.

7 (3) *Reports to Governing Body.* The finance officer shall be responsible
8 and report to the governing body through the city manager.

9 (4) *Records Open for Inspection.* The records of the finance officer shall
10 be open to inspection by any citizen during the regular business hours of the city.

11 **2-8.2 Community Health and Safety Department.**

12 A. Creation of department.

13 There is created a department of city government to be known as the
14 "community health and safety department", comprised of four divisions: the police
15 department, the fire department, the community services department, and the office of
16 emergency management.

17 B. Police Department.

18 (1) Powers and duties generally. Police officers shall execute and return all writs and
19 processes directed to them by the municipal judge and, in criminal cases or cases of
20 violations of city ordinances, they may serve the same in any part of the country. They
21 shall suppress all riots, disturbances and breaches of the peace, apprehend all disorderly
22 persons within the city and shall pursue and arrest any person fleeing from justice.
23 They shall apprehend any person in the act of committing any offense against the laws
24 of the state or the ordinances of the city, and forthwith bring such persons before a
25 competent authority for examination and trial. They shall have, in the discharge of their

1 proper duties, like powers and be subject to like responsibilities as sheriffs or
2 constables in similar cases.

3 (2) Appointment of police officers; commissions.

4 No person shall assume or exercise the functions, powers, duties and privileges incident
5 or belonging to the office of municipal policeman without first having received his
6 appointment in writing, known as his "commission", from the governing body. The
7 advice of the chief of police shall be obtained in the employment and commissioning of
8 all policemen of the department.

9 (3) Training schools and examinations.

10 (a) There shall be held and conducted at such times as may be prescribed by the
11 chief of police, with the approval of the governing body, schools for training in
12 modern police methods and practices. The schools for training and the checking
13 of the qualifications and general fitness of applicants for positions in the police
14 department shall be under the direction and supervision of the chief of police.

15 (b) All members of the police department shall take such examinations as may
16 be prescribed.

17 (c) In the taking of all written examinations there shall be assigned to each
18 applicant a number which shall be endorsed on his examination papers, and the
19 grading of the examinations shall be by number only.

20 (d) Except as otherwise provided, no member shall be retained in the police
21 department and no applicant shall be appointed to the police department unless
22 such member or applicant, after taking the prescribed training courses, has
23 successfully passed the prescribed examinations, written and oral; provided,
24 that the minimum educational qualifications required by the City Personnel Act
25 shall not apply to members of the present police department who are otherwise

1 qualified under the provisions hereof; provided further, that in passing on the
2 qualifications of members of the present police department, consideration shall
3 be given to:

- 4 (i) Length of service and faithfulness to duty; and
- 5 (ii) General aptitude for police work as disclosed by the individual
6 records of such members to be confirmed by oral examinations.

7 (4) Extra or emergency police officers.

8 The city manager may employ on behalf of the city such extra or emergency police
9 officers as may be required in the proper administration of municipal affairs.

10 (5) Police department reserve.

11 (a) Created. There is created the city "police department reserve force",
12 hereinafter referred to as the "reserve".

13 (b) Control by Chief of Police. The reserve is under the exclusive control of the
14 chief of the city police department who shall have the sole and exclusive
15 authority to:

- 16 (i) Summarily discipline or dismiss members without appeal to any
17 body or tribunal;
- 18 (ii) Approve or disapprove all bylaws, rules and regulations of the
19 reserve; and
- 20 (iii) Approve or disapprove all officers, employees or agents of the
21 reserve.

22 c. Authority. The reserve and its individual members shall only have authority
23 in law enforcement on specific request by the city police chief. A specific
24 request shall be made for each individual instance of service.

25 d. Powers and Duties.

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(i) The duties of the reserve are to assist in enforcement of law by cooperating with all law enforcement agencies and regulatory bodies.

(ii) The reserve or its members when acting upon call, and only when acting upon call, of the city police chief, for the city or for another law enforcement agency or regulatory authority, shall be possessed of the same powers and duties as a city police officer or an officer of such law enforcement agency or regulatory authority.

e. Call of Members. When the city police chief calls up the members of the reserve, the call shall be in writing, list the names of each member of the reserve called, the purpose of the call, and the date and time the call begins and terminates. Except when on call, reserve members shall have no more authority in law enforcement than that of any private citizen.

f. Requests for Assistance. Should any law enforcement agency or regulatory body desire assistance from the reserve, the request shall be made to the city police chief who may authorize it, if:

(i) Reserve members are fully covered by the workman's compensation insurance policy of the assisted agency or body, and this is evidenced by a writing presented to the chief; and

(ii) Any and all liability that may arise against the city, its officers, employees or agents, the reserve, or its members as a result of such assistance, is assumed in writing by the assisted agency or body.

g. Workmen's Compensation. The city shall immediately take steps to provide necessary workmen's compensation insurance for the reserve and necessary liability insurance covering liability that may arise against the city, its officers, employees or agents as a result of the activities of the reserve on behalf of the

1 city. If any or a portion of such liability is to be self-insured, the self-insurance
2 fund shall be increased accordingly.

3 C. Fire Department.

4 (1) Volunteer firefighters. There is created in the city "fire department, volunteer
5 firefighters force", hereinafter referred to as the volunteer firefighters.

6 (a) The volunteer firefighters shall be subject to all regulations of the fire
7 department of the city of Santa Fe and along with paid firemen be subject to the
8 authority of the chief of city fire department who shall have sole and exclusive
9 authority to:

10 (i) approve or disapprove of membership in the volunteer firefighters.

11 (ii) discipline or dismiss members of the volunteer firefighters subject
12 to the same grievance procedure as set out in Ordinance No. 1983-44.

13 (b) The volunteer firefighters and its individual members shall have authority in
14 fire protection only upon request by the city fire dispatch.

15 (c) Volunteer firefighters; powers and duties.

16 (i) The duties of the volunteer firefighters are to provide safe and
17 efficient fire fighting by adhering to any and all city of Santa Fe standard
18 operating procedures, as referenced herein, or as may be amended from time to
19 time, in Exhibit A, attached hereto.

20 (ii) The volunteer firefighters shall be summoned and will respond
21 simultaneously with fire apparatus. Volunteer firefighters and paid
22 firefighters shall possess the same powers and perform the same duties.

23 (d) Volunteer firefighters; insurance.

24 (i) The city shall provide necessary liability insurance covering liability
25 that may arise against the city, its officers, employees, volunteer

1 firefighters, or agents as a result of activities of the volunteer
2 firefighters on behalf of the city. If any or a portion of such liability is
3 to be self-insured, the self-insurance fund shall be increased
4 accordingly.

5 (ii) Active volunteer firefighter members are covered by an accident,
6 sickness, or disability insurance policy which is paid by the City of
7 Santa Fe.

8 (2) Department authority and powers.

9 (a) Pursuant to Section 3-18-1F. and G. NMSA 1978 and 3-18-11B(1), the city
10 may provide proper means for protection from fire and protect the property of
11 its municipality and its inhabitants and preserve the health, safety, peace and
12 order within the municipality. Therefore, the stated purpose of this subsection
13 is to grant the fire department all authority necessary to protect life and
14 property from the hazards created by fire, explosion, and similar emergencies.

15 (b) The fire department shall have full and complete authority in connection
16 with fighting, mitigating, and preventing the spread of any fire that may arise
17 within the city, with the power to do and perform all necessary or expedient
18 acts for the fighting of fire. When called to a fire, the fire department shall
19 have:

20 (i) Full and complete authority of the premises to which it has been
21 summoned until the fire has been extinguished and the premises are
22 deemed safe by the fire department; and

23 (ii) By emergency vehicle or by foot, the right of ingress and egress on
24 all public or private streets, alleyways, roads, driveways, and
25 thoroughfares located within the city limits or the city annexation areas.

1 (c) The fire department shall have full and complete authority in connection
2 with the provision of prehospital emergency medical services within the city,
3 with the power to do and perform all necessary or expedient acts for the
4 provision of these services.

5 (d) The fire chief shall have full authority to sign agreements, approved by the
6 city attorney's office, with landowners to implement fire hazard mitigation
7 activities.

8 (3) Department members designated as special police officers. Every member duly
9 enrolled and in good standing in the fire department shall be a special police officer of
10 the city with power to act as such from the time of the sounding of any fire alarm until
11 the apparatus and equipment for fighting fire has been returned to the fire station.

12 (4) Obstructing or interfering with firemen. It is unlawful for any person to obstruct,
13 annoy, or interfere with firemen while in the discharge of their duties.

14 (D) Community Services Division. The community services division includes senior services,
15 libraries, and family and youth services.

16 (F) Office of Emergency Management.

17 (1) In accordance with Section 12-10-5, the "office of emergency management," shall
18 consist of:

19 (a) An emergency manager who shall be appointed in accordance with Section
20 12-10-5 NMSA 1978, and who shall be subject to the personnel system of the
21 city;

22 (b) Additional professional and administrative personnel as may be required to
23 effectively carry out the emergency management program; and

24 (c) All other city officers and employees, together with those volunteer forces
25 enrolled to aid the city during periods of disaster or emergency.

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(2) Definitions.

Civil emergency means conditions of unrest, including but not limited to riot, civil disturbance, unlawful assembly, hostile military or paramilitary action, war, terrorism, or sabotage.

Comprehensive emergency management plan (CEMP) means a written document that describes the city's overall emergency management plan. A CEMP specifies the purpose, organization, responsibilities, and facilities of the agencies and officials of the city in the mitigation of, preparation for, response to, and recovery from emergencies and disasters.

Curfew means a period of time declared by the mayor, during which no person or persons, other than persons authorized by the mayor by administrative order, may be upon the public streets, sidewalks, grounds, or semi-public property, either on foot or in vehicles of any type, within the city.

Disaster means the occurrence of a natural catastrophe, technological accident, or human-caused event that has resulted in environmental damage, property damage, deaths, and/or multiple injuries, which may exceed the response capability of the local jurisdiction, necessitating state, and potentially federal, involvement.

Emergency means any occasion or instance, such as a terrorist attack, terrorist threat, civil unrest, wildland and urban fire, flood, hazardous materials spill, nuclear accident, aircraft accident, earthquake, hurricane, tornado, tropical storm, tsunami, war-related disaster, public health or medical emergency, other occurrence requiring an emergency response, or any other condition that warrants action to protect life, property, or the environment.

Emergency management means an approach to prevent, protect against, respond to, recover from, and mitigate the effects of incidents.

1 *Emergency operations center (EOC)* means the physical location at which the
2 coordination of information and resources to support incident management (on-scene
3 operations) activities normally takes place.

4 *Emergency plan* means an ongoing plan for responding to a wide variety of potential
5 hazards.

6 *Hazard mitigation plan* means the representation of the city's commitment to reduce
7 risks from natural hazards, serving as a guide for decision makers as they commit
8 resources to reducing the effects of natural hazards.

9 *National Incident Management System (NIMS)* means the federal government's
10 standardized framework of doctrines, concepts, principles, terminology, and
11 organizational processes for emergency management.

12 (3) Purpose.

13 (a) The purpose of the office of emergency management is to coordinate the
14 efforts of all municipal agencies and employees, nongovernmental agencies,
15 and private sector partners to prepare for and function in the event of disasters
16 and emergencies endangering the lives of persons in the city, property of the
17 residents of the city, or public property in the city.

18 (b) The duty of the office of emergency management is to coordinate the
19 development of emergency plans for the effective employment of municipal
20 resources to protect the lives and health of the residents of the city and the
21 private and public property therein from the effects of emergencies or natural or
22 man-caused disasters.

23 (c) The office of emergency management shall coordinate the implementation
24 of such plans in preparation for, during, and after periods of emergency or
25 disaster. Such plans shall be coordinated with those of the county and in

1 consonance with the state emergency management plans.

2 (4) Emergency manager. The emergency manager shall:

3 (a) Be responsible to the [~~city manager~~] Director of Community Health and
4 Safety for the organization, administration, and operation of the emergency
5 management program of the city;

6 (b) Coordinate the emergency management activities of all municipal
7 departments and agencies of the city, nongovernmental agencies, and private
8 sector partners;

9 (c) Be the liaison and cooperate with the emergency management agencies of
10 the federal government, the state, the county, and the other political
11 subdivisions therein;

12 (d) Develop an organizational structure for the office of emergency
13 management, subject to the approval of the governing body and recommend
14 appointments to fill the positions established therein subject to the city
15 manager's authority;

16 (e) Manage the emergency operations center ("EOC"); establish the overall
17 structure, roles, responsibilities, and direction for the operation of the EOC; and
18 ensure that the EOC is appropriately sited, staffed, equipped, and maintained;

19 (f) Maintain written emergency plans, including but not limited to all chapters,
20 annexes, and appendices of the Comprehensive Emergency Management Plan
21 and Hazard Mitigation Plan, and annually review the plans to identify any
22 recommendations for revisions; and

23 (g) Maintain records documenting compliance with requirements of federal and
24 state emergency management programs, including the National Incident
25 Management System.

1 (5) Financing.

2 (a) Funds for necessary expenses of the office of emergency management,
3 including salaries for approved positions, may be made available through
4 appropriations by the governing body in accordance with Section 12-10-7
5 NMSA 1978.

6 (b) The emergency manager shall prepare and submit to the governing body an
7 annual proposed budget for emergency management expenditures and shall
8 indicate those amounts eligible for matching funds under the federal grant
9 programs.

10 (c) During an emergency, purchases may be exempt from the city's
11 procurement code, as permitted pursuant to Section 11-13 SFCC 1987.

12 **2-8.3 Community Development Department.**

13 There is created a department of city government to be known as the
14 "community development department" that shall include the following divisions:
15 economic development division, office of affordable housing, land use division,
16 tourism Santa Fe division, recreation division, and the arts and culture division.

17 **2-8.4 Information Technology and Telecommunications Department.**

18 There is created a department of city government to be known as the
19 "information technology and telecommunications department".

20 **2-8.5 Public Works Department.**

21 There is created a department of city government to be known as the "public
22 works department".

23 **2-8.6 Public Utilities Department.**

24 There is created a department of city government to be known as the "public
25 utilities department".

1 **2-8.7 Human Resources Department.**

2 There is created a department of city government to be known as the "human
3 resources department".

4 **2-8.8 Council and Constituent Relations Department.**

5 There is created a department of city government to be known as the "council
6 and constituent relations department," within the office of the city clerk.

7 **Section 4. Section 2-9 SFCC 1987 (being _____) is hereby repealed.**

8 **Section 5. Section 2-10 SFCC 1987 (being _____) is hereby repealed.**

9 **Section 6. Section 2-11 SFCC 1987 (being Ord. No. 1983-33, § 1, as amended) is
10 hereby repealed.**

11 **Section 7. Section 2-12 SFCC 1987 (being Ord. No. 2007-45) is hereby repealed.**

12 **Section 8. Section 2-13 SFCC 1987 (being Ord. No. 1987-26, § 2, as amended) is
13 hereby repealed.**

14 **Section 9. Section 2-16 SFCC 1987 (being Ord. No. 1975-20, as amended) is
15 hereby repealed.**

16 **Section 10. Section 2-19 SFCC 1987 (being Ord. No. 2014-22, § 2) is hereby
17 repealed.**

18 **Section 11. Section 2-21 SFCC 1987 (being Ord. No. 2014-22, § 3) is hereby
19 repealed.**

20 **Section 12. Section 2-22 SFCC 1987 (being Ord. No. 1983-33, § 4, as amended) is
21 hereby amended to read:**

22 **2-22 INTERNAL AUDIT [~~DEPARTMENT~~].**

23 **2-22.1 Short title.**

24 Section 2-22 SFCC 1987 shall be cited as the "Internal Audit [~~Department~~] Ordinance."

25 **2-22.2 Findings; purpose; goals.**

1 A. The governing body finds that good governance, transparency and
2 accountability are critical in the public sector for the effective and credible functioning of a
3 healthy democracy, and in fulfilling the government's responsibility to citizens and taxpayers.

4 B. Transparent and reliable reporting and effective auditing in government serve
5 to promote accountability, enhance the effectiveness of government services to its citizens,
6 and increase the public's confidence in their government.

7 C. The members of the governing body share a duty to insure that the actions of
8 public officials, employees and contractors of the city are carried out in the most responsible
9 manner possible and that city policies, budgets, goals and objectives are fully implemented.

10 D. To accomplish this, the city requires the services of an independent office or
11 contractor to provide independent, objective assurance and review services designed to
12 promote transparency, accountability, efficiency and effectiveness of city government.

13 E. The governing body does hereby establish the internal audit department, an
14 independent city department of city government or an independent contractor reporting to the
15 city manager, which shall oversee the functions hereby established. To ensure independence
16 and compliance with generally accepted governmental auditing standards, the internal auditor:

17 (1) Shall report results to the city manager, the audit committee, the
18 finance committee and the governing body;

19 (3) Has access to the governing body in accordance with the Open
20 Meeting Act; and

21 (4) Is sufficiently removed from political pressures to conduct audits and
22 report findings, opinions, and conclusions objectively without fear of political
23 reprisal.

24 F. The [~~governing body also directs the~~] internal audit department, in
25 cooperation with the audit committee, shall establish job descriptions and department policies

1 and procedures based on generally accepted governmental auditing standards; and to adopt the
2 Code of Ethics as defined by the Institute of Internal Auditors.

3 **2-22.3 Definitions.**

4 For the purpose of this section, the following definitions shall apply, unless the context
5 clearly indicates or requires a different meaning.

6 *Auditees* mean the city related departments, programs, activities, agencies, vendors,
7 contractors, employees, public officials or other city related entities affected by an audit or
8 investigation.

9 *Committee* means the City of Santa Fe audit committee.

10 *Contractors* mean all city contractors.

11 *Employee* means a city employee.

12 *Internal auditor* means the internal auditor who is the head of the internal audit
13 department or the city's primary contact for the internal audit contractor.

14 *Official* means the mayor or a city councilor.

15 *Report* means an audit, a special audit, an investigation and/or an examination.

16 *Special investigation or special audit* means additional procedures or audits undertaken
17 because the need was not previously foreseen.

18 **2-22.4 Creation of the internal audit department; resources; staff.**

19 A. The internal audit department is created as an independent office of city
20 government. The internal auditor [~~is~~] shall either be the head of the internal audit department
21 or an independent contractor and shall report to the city manager.

22 B. The audit committee shall review applications for and make a
23 recommendation to the city manager for hiring an internal auditor~~[, a city employee].~~

1 C. The internal auditor shall review applications and make recommendations to
2 the city manager for hiring other internal audit department employees^[2] or procuring
3 independent contractors [~~to be procured~~] for assistance with the internal audit [~~department~~].

4 D. In accordance with law and in consultation with the city attorney's office, the
5 city manager shall report proposed personnel actions, such as hiring, discipline, or
6 termination, relating to the internal auditor to the audit committee in executive session, in
7 accordance with the New Mexico Open Meetings Act. Nothing in this paragraph shall prohibit
8 the city manager from immediately placing the internal auditor on administrative leave due to
9 a proposed personnel action; however, the city manager shall report the proposed personnel
10 action to the audit committee, within seven (7) business days from the date the internal auditor
11 is placed on administrative leave.

12 E. The internal auditor's work shall result in a complete written final report being
13 made of each annual audit, special audit, investigation and/or examination made ("report")
14 and shall be delivered to the city manager, except if the city manager is the subject of the
15 audit, then the report shall be delivered to the mayor. The internal auditor shall also notify the
16 governing body in writing that the final report has been delivered. Each report, in its final
17 form, shall set out in detail, in a separate section, any violation of law or good accounting
18 practices found. Such reports are confidential under this section until placed on the finance
19 committee's agenda or put in their final form, whichever occurs first. Reports shall not exist in
20 a draft form for more than thirty (30) days without presentation to the finance committee.
21 Final reports shall also be timely presented to the audit committee. If the draft report is not
22 ready to be delivered to the city manager in its final form or is not ready to be presented to the
23 finance committee after thirty (30) days, then staff shall inform the finance committee, in
24 writing, the specific date, absent court order not exceeding twenty (20) days, when the final

1 report will be delivered to the city manager or presented to the finance committee and the
2 stated basis for the additional time needed.

3 F. Any final report for presentation to city committees or the governing body
4 shall be included in the meeting packet and such meeting packets shall be posted on the city's
5 website.

6 G. Prior to the committee meeting a final report placed on a committee agenda
7 shall be accessible by all members of the governing body and the public, and at such time
8 shall become a public record consistent with the Inspection of Public Records Act and its
9 exemptions.

10 H. Within thirty (30) days after receipt of the report, the employee and/or
11 division and/or department audited may notify the internal auditor of any errors in the report.
12 If the internal auditor is satisfied from data or documents at hand, or by an additional
13 investigation, that the report is erroneous, the internal auditor shall correct the report and
14 furnish copies of the corrected report to all parties receiving the original report.

15 I. The internal auditor may disclose audit information or audit documentation
16 that is confidential, without losing the confidentiality under this Ordinance to an independent
17 external auditor in connection with a special audit, performance audit, attestation engagement,
18 or other existing or potential engagement regarding the financial affairs and transactions of
19 the city.

20 J. The auditor's budget shall be reflected in the city manager's proposed budget
21 as a separate department. The budget shall be sufficient to allow the organization to carry out
22 its responsibilities, including sufficient funding for annual continuing professional education
23 requirements and professional certification as required by the generally accepted
24 governmental auditing standards. The auditor's proposed budget shall be prepared and
25 presented to the finance director and the city manager.

1 **2-22.5 Internal auditor's duties; responsibilities; authority; administrative**
2 **subpoena power.**

3 A. If the internal auditor detects instances of possible fraud, waste, or abuse or
4 potential violations of law by an auditee, ~~he~~ the auditor shall report the irregularities to the
5 city manager and the audit committee.

6 (1) In accordance with Section 12-6-6 NMSA 1978 and state auditor's
7 Rule 2.2.2.10K(3), a notification letter regarding the possible fraud, waste, or abuse
8 shall also be sent to the state auditor's office whether or not an investigation by the
9 internal auditor is conducted.

10 (2) If the irregularity is criminal in nature, the internal auditor shall
11 immediately refer the irregularity to the appropriate prosecuting authority.

12 (3) If the irregularity warrants a special investigation, audit, and/or
13 special audit, then the internal auditor shall conduct a special investigation, audit
14 and/or special audit. The report shall be submitted to the city manager, the audit
15 committee, the auditee, the governing body through the finance committee.

16 (4) The internal auditor shall not accept complaints related to
17 discrimination or labor law matters. In some cases, it may be appropriate for internal
18 audit to work with investigators or legal authorities, or withdraw from or defer further
19 audit work on the audit or portion of the audit to avoid interfering with an ongoing
20 investigation or legal proceeding.

21 B. The internal auditor shall adhere to generally accepted governmental auditing
22 standards in conducting its work and will be considered independent as defined by those
23 standards.

24 C. The internal auditor's work department ~~department~~ is subject to a peer review by an
25 appropriate professional non-partisan objective group every three (3) to five (5) years if the

1 internal auditor is an employee; contract internal auditors shall serve for no more than four
2 consecutive years. A copy of the written report by an objective group shall be furnished to the
3 city manager, audit committee, and governing body, via the finance committee.

4 D. The internal auditor shall have the power to subpoena witnesses, administer
5 oaths, and require the production of records subject to the New Mexico Rules of Civil
6 Procedure. In the case of a refusal to obey a subpoena issued to any person, the internal
7 auditor may make application to any district court in the state that shall have the jurisdiction
8 to order the witness to appear before the internal auditor and to produce evidence if so
9 ordered, or to give testimony touching on the matter in question.

10 **2-22.6 Scope of audits.**

11 A. Audits, except for special audits or special investigations/examinations, will
12 be conducted based on an annual audit plan developed in accordance with applicable
13 professional auditing standards. This plan and any modifications thereof, are to be reviewed
14 by the audit committee and recommended for approval.

15 (1) Within sixty (60) days before the beginning of each fiscal year, the
16 internal auditor shall submit a one-to-five-year audit plan to the audit committee, the
17 city manager and the governing body for review and comments, but the internal
18 auditor shall have final authority to select the audits planned. The proposed plan shall
19 include the rationale for the selections, for auditing departments, offices, boards,
20 activities, subcontractors and agencies for the period. This plan may be amended after
21 review;

22 (2) The final plan and any amendments will be presented to the audit
23 committee, the city manager, and subject to approval of the governing body;

24 (3) In the selection of audit areas and audit objectives, the
25 determination of audit scope and the timing of audit work, the internal auditor should

1 consult with federal, state, and other external auditors so that the desirable audit
2 coverage is provided and audit effort is properly coordinated.

3 B. The internal auditor is authorized to conduct the following audits as defined in
4 generally accepted governmental auditing standards:

5 (1) *Performance/Management Audits.* Performance audits are defined as
6 engagements that provide assurance or conclusions based on an evaluation of
7 sufficient and appropriate evidence against stated criteria, such as specific
8 requirements, measures, or defined business practices.

9 (2) *Financial Audits.*

10 (3) *Attestation Engagements.* Attestation engagements result in an
11 examination, a review, or agreed upon procedures about a subject matter that is the
12 responsibility of another party. This includes special audits.

13 (4) *Advisory (Non-Audit) Services.* This includes special investigations.
14 The issued report shall not include an opinion statement or a statement indicating the
15 investigation was done in accordance with generally accepted government auditing
16 standards. These services are subject to applicable professional standards.

17 C. The auditor shall have the authority to conduct performance and financial
18 audits, attestation engagements or to provide advisory (non-audit) services to independently
19 and objectively determine whether:

20 (1) The city, state or federal law authorizes the implemented activities
21 and programs that are the subject of the audit;

22 (2) The objectives intended by city, state, or federal law are efficiently
23 and effectively accomplished in the implementation of activities and programs;

24 (3) The expenditure of funds was or is in compliance with applicable
25 laws;

1 (4) The revenues were or are properly collected, deposited, and accounted
2 for;

3 (5) The entity, programs, activities, functions, or policies are effective,
4 including the identification of any causes of inefficiencies or uneconomical practices;

5 (6) The desired result or benefits are being achieved;

6 (7) Resources, including funds, property and personnel, were or are
7 adequately safeguarded, controlled, and used in a faithful, effective, and efficient
8 manner;

9 (8) Financial and other reports fairly and fully disclosed all information
10 as required by law necessary to evaluate and ascertain the nature and scope of
11 programs and activities;

12 (9) Management established operating and administrative procedures and
13 practices, accounting internal control systems and internal management controls were
14 and are adequate and functioning as intended;

15 (10) City policies, budgets, goals, and objectives were and are fully
16 implemented; and

17 (11) Indications of fraud, waste, abuse, or illegal acts are valid and need
18 further investigation.

19 **2-22.7 Reports.**

20 A. The internal auditor shall report results of all types of audits, investigations
21 and/or engagements in their final report form to the audit committee, the city manager, the
22 auditees, and the governing body via the finance committee.

23 B. All types of audit reports, investigations, and/or engagements, in their final
24 report form, are public records, available for public inspection.

1 C. The internal auditor's reports, including attestation engagements, shall follow
2 the guidelines as specified in generally accepted governmental auditing standards, or in the
3 case of a non-audit service applicable professional auditing standards.

4 D. At a minimum audit and attestation engagement reports should include:

5 (1) Statements describing the objectives, scope and methodology of the
6 audit;

7 (2) A statement that the audit was performed in accordance with generally
8 accepted government auditing standards;

9 (3) Background information, audit results, and findings as appropriate;

10 (4) A conclusion based on the audit objectives and the audit findings;

11 and

12 (5) The findings in the audit report should present sufficient, appropriate
13 evidence to support the conclusion in relation to the audit objectives.

14 E. Responses submitted by the city manager relevant to the audit findings must
15 include a remediation plan specifying dates and corrective action to be taken to
16 resolve the issue.

17 (1) A response is required within fourteen (14) days of receipt of a final
18 report;

19 (2) If no response is received, the internal auditor will note that fact in the
20 transmittal letter and will release the report without a remediation plan.

21 F. The internal auditor shall submit an annual report to the audit committee, city
22 manager, and governing body via the finance committee within sixty (60) days after
23 fiscal year end indicating all audits, investigations, and/or engagements completed,
24 major findings, corrective actions taken by administrative managers, and significant
25 issues which have not been fully addressed by management.

1 **2-22.8 Reporting.**

2 The internal auditor shall follow the internal audit plan, report to the governing body
3 via the finance committee, the auditees, the city manager, and the audit committee regarding all
4 audit activities, results, and conclusions. Depending on the type of audit, the internal auditor
5 shall report more frequently when requested.

6 **2-22.9 Contract auditors, consultants, and experts.**

7 Within budgetary constraints, the internal auditor may obtain the services of certified
8 public accountants, qualified management consultants, certified fraud examiners, forensic
9 auditors, or other professional experts necessary to perform the functions of the internal audit
10 department. Contractors performing an audit shall not have any financial interest in the
11 affairs of the auditees, officials, or employees. The internal auditor shall coordinate and
12 monitor auditing performed by persons under contract to the internal auditor.

13 **2-22.10 Penalty; cooperation; retaliation prohibited.**

14 A. All city officials, employees, and contractors shall provide the internal auditor
15 full and unrestricted access to all city offices, employees, records, information, data, reports,
16 plans, projections, matters, contracts, memoranda, correspondence, electronic data, property,
17 equipment and facilities, and any other materials within their custody. At the internal auditor's
18 request, an official, employee, or contractor shall prepare reports and provide interviews. If an
19 auditee, official, employee, vendor, or contractor fails to produce the requested information,
20 the internal auditor shall notify the city manager requesting his assistance in causing a search
21 to be made and germane exhibits to be taken from any book, paper, or record, written or
22 electronic, excepting personal property. The city manager shall require the officials,
23 employees, vendors, or contractors to produce the requested information. Further, all contracts
24 with outside contractors and subcontractors shall contain a "right-to-audit" clause providing
25 the internal auditor access to the contractor's employees and to all financial and performance

1 related records, property, and equipment purchased in whole or in part with governmental
2 funds.

3 B. No person shall retaliate against, punish, or penalize any other person for
4 complaining to, cooperating with, or assisting the internal auditor in the performance of his
5 office. The internal auditor, all city employees and public officials, and any person
6 cooperating with the internal auditor in performance of duties has the same protections as
7 provided for in the Federal Whistle Blower Protection Act and the New Mexico
8 Whistleblower Protection Act, Sections 10-16C-1 et seq. NMSA 1978.

9 C. Any official or employee who violates this section may be subject to
10 discipline as may be specified in applicable city ordinances or any applicable collective
11 bargaining agreement.

12 **2-22.11 Audits and the Inspection of Public Records Act.**

13 A. This subsection is adopted pursuant to the general welfare and police powers
14 conferred upon the city of Santa Fe by § 3-17-1 et seq. and § 3-18-1 et seq. NMSA 1978,
15 pursuant to the powers conferred upon the city of Santa Fe by the New Mexico Constitution,
16 Article X §§ 6(D) and 6(E) and the Municipal Charter Act § 3-15-1 et seq. NMSA 1978,
17 which have been exercised by the city's adoption of the Santa Fe Municipal Charter. The
18 purpose of this subsection is within both the city's home rule powers and the delegated powers
19 that all municipalities have to provide for the general welfare of their residents by the general
20 welfare clause in Section 3-17-1(B) NMSA 1978 and police power to "protect generally the
21 property of its municipality and its inhabitants" and to "preserve peace and order within the
22 municipality" by Section 3-18-1(F) and (G) NMSA 1978.

23 B. At all times during the audit process and after the report becomes a public
24 record; the internal auditor shall follow applicable standards and 2.2.2 NMAC regarding the
25 release of any information relating to the audit. Applicable standards include but are not

1 limited to the AICPA Code of Ethics Rule 301 and related interpretations and guidance,
2 Institute for Internal Auditors interpretations and guidance and GAGAS 4.30 to 4.32 and
3 GAGAS 4.40 to 4.44.

4 **Section 13. Section 2-23 SFCC 1987 (being Ord. No. 2020-3, § 1, as amended) is**
5 **hereby repealed.**

6 **Section 14. 26-1.6 SFCC 1987 (being Ord. No. 2005-30(A), § 35 and Ord. #2007-**
7 **45, § 30, as amended) is hereby amended to read:**

8 **26-1.6 - Creation of office of affordable housing.**

9 A. The office of affordable housing shall be established to administer the Santa Fe homes
10 program in accordance with the provisions of this chapter, and to administer the city's other
11 affordable housing programs. [~~The office of affordable housing shall be an independent~~
12 ~~department responsible to the city manager.~~]

13 B. In administering this chapter, the office of affordable housing shall work with the land
14 use [~~department~~] division to eliminate conflict and duplication in the permitting and development
15 approval process.

16 C. The office of affordable housing shall administer any agreements previously executed
17 by the city and others.

18 **Section 15. 26-3.5 SFCC 1987 (being Ord. No. 2007-23, § 8, as amended) is**
19 **hereby amended to read:**

20 **26-3.5 - Definitions.**

21 *AHTF* means the affordable housing trust fund.

22 *Administrative procedures* refer to the administrative procedures adopted by resolution
23 that outline application, evaluation, and all other administrative procedures associated with the
24 AHTF.

25 *Affordable housing* means residential housing primarily for persons or households of low

1 or moderate income.

2 *Allowable uses* means those uses for the AHTF which are set forth in subsection 26-3.4
3 SFCC 1987.

4 *Community housing priorities* means priorities established from time to time by the
5 governing body to guide the allocation of funds from the AHTF.

6 *Comprehensive housing strategy* means a services delivery system that addresses the full
7 continuum of housing needs from the homeless to the homebuyer.

8 *Eligible households* means a person or households of low or moderate income as defined
9 in rules adopted by the New Mexico Mortgage Finance Association.

10 *Leverage* means the dollar value of other resources committed to projects for which an
11 application and approval has been received for a loan or grant from the AHTF. Each dollar
12 committed to the project that is not generated from the AHTF shall be considered as leverage.

13 *Office of affordable housing* means the [~~department~~] division of the city of Santa Fe or its
14 successor administering affordable housing programs.

15

16 APPROVED AS TO FORM:

17

18



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ERIN K. McSHERRY, CITY ATTORNEY

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21

22

Legislation/2020/Bills/Department Reorganization






2020-20 Department Reorg

Final Audit Report

2020-07-24

Created:	2020-07-24
By:	Jeff Norris (jtnorris@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAQJs9frQiGwv8DW4nxzjJ3gNqhAHnzO5

"2020-20 Department Reorg" History

-  Document created by Jeff Norris (jtnorris@ci.santa-fe.nm.us)
2020-07-24 - 2:29:30 PM GMT- IP address: 63.232.20.2
-  Document emailed to Erin McSherry (ekmcsherry@santafenm.gov) for signature
2020-07-24 - 2:30:22 PM GMT
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-  Document e-signed by Erin McSherry (ekmcsherry@santafenm.gov)
Signature Date: 2020-07-24 - 5:46:45 PM GMT - Time Source: server- IP address: 174.62.11.171
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2020-07-24 - 5:46:45 PM GMT

ACTION SHEET
PUBLIC WORKS AND PUBLIC UTILITES COMMITTEE MEETING OF
07/27/2020

ISSUE NO. 7E

Request for Approval to Publish Notice of Public Hearing on August 29, 2020: BILL 2020-20. An Ordinance Relating to Creating Efficiencies, Enhancing Effectiveness, and Eliminating Silos by Reorganizing Certain City Departments, Organizing the Economic Development Division, Affordable Housing Office, Land Use Department, Tourism Santa Fe Department, Recreation Division, 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 and Safety Department; and Placing the Constituent and Council Relations Department into the City Clerk's Office; Amending 2.6-3; Replacing Section 2-8 SFCC 1987 with a New Section 2-8 SFCC 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 2-9; Establishing in Ordinance the Existing Information Technology and Telecommunications Department and the 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. (Jesse Guillen, Legislative Liaison jbguillen@santafenm.gov, 955-6518; Erin K. McSherry, City Attorney; ekmcsberry@santafenm.gov, 955-6512)

COMMITTEE REVIEW

Governing Body (Request to Publish)	07/29/2020
Quality of Life Committee (Scheduled)	08/05/2020
Governing Body (Public Hearing)	08/26/2020

PUBLIC UTILITES COMMITTEE ACTION: Pulled by Councilor Vigil Coppler to inform the public about the meeting. Unanimously approved to forward to 7/29/2020 Governing Body.

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	X		

SUBSTITUTE BILL

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2020-20

INTRODUCED BY:

Mayor Alan Webber

AN ORDINANCE

**CREATING EFFICIENCIES, ENHANCING EFFECTIVENESS, AND ELIMINATING
SILOS BY REORGANIZING CERTAIN CITY DEPARTMENTS, ORGANIZING THE
ECONOMIC DEVELOPMENT DIVISION, OFFICE OF AFFORDABLE HOUSING
~~OFFICE~~, PLANNING AND LAND USE DEPARTMENT, TOURISM SANTA FE
DEPARTMENT, ~~RECREATION DIVISION~~ AND THE ARTS AND CULTURE
DEPARTMENT AS DIVISIONS OF A COMMUNITY DEVELOPMENT
DEPARTMENT; ORGANIZING THE COMMUNITY SERVICES DEPARTMENT,
POLICE DEPARTMENT, FIRE DEPARTMENT, RECREATION DIVISION, AND
OFFICE OF EMERGENCY MANAGEMENT AND SAFETY AS DIVISIONS OF A
COMMUNITY HEALTH AND SAFETY DEPARTMENT; AND PLACING ~~THE~~
CONSTITUENT AND COUNCIL RELATIONS ~~DEPARTMENT~~ INTO THE CITY
CLERK'S OFFICE TO FORM AN OFFICE OF COMMUNITY ENGAGEMENT;
AMENDING SECTION 2.6-3; 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**

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1 SUBSECTIONS OF THE NEW SECTION 2-8; ESTABLISHING IN ORDINANCE THE
2 EXISTING INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS
3 DEPARTMENT AND ~~[THE]~~ CONSTITUENT AND COUNCIL SERVICES
4 ~~[DEPARTMENT]~~; AND REPEALING THE SECTIONS OF CHAPTER 2 THAT
5 ESTABLISH DEPARTMENTS THAT ARE EITHER BECOMING DIVISIONS OR
6 NOLONGER EXIST, SECTIONS 2-9, 2-10, 2-11, 2-12, 2-13, 2-16, 2-19, 2-21, AND 2-23
7 SFCC 1987; AMENDING SECTION 2-22 SFCC 1987 TO PROVIDE CONTRACT
8 INTERNAL AUDIT FUNCTIONS; ~~[AND]~~ AMENDING SECTIONS 26-1.6 AND 26-3.5
9 REGARDING THE OFFICE OF AFFORDABLE HOUSING; AND MAKING SUCH
10 OTHER CHANGES AS ARE NECESSARY.

11
12 **BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

13 **Section 1. Section 2-6.3 SFCC 1987 (being Code 1953, § 2-60; Code 1973, § 2-**
14 **84; SFCC 1981, § 2-1-24, as amended) is hereby amended to read:**

15 **2-6.3 Duties of the city clerk. The city clerk shall:**

- 16 A. Keep in custody all minutes, ordinances and resolutions approved by the
17 governing body;
- 18 B. Attend all meetings of the governing body;
- 19 C. Record all proceedings, ordinances and resolutions of the governing body;
- 20 D. Upon request, furnish copies of municipal records. The city clerk may charge a
21 reasonable fee for the cost of furnishing copies of municipal records;
- 22 E. Administer the municipal election and perform other election duties required
23 pursuant to Articles 8 and 9, Chapter 3 NMSA 1978;
- 24 F. Have custody of, and safely keep, all official records and documents, such as
25 contracts, agreements, deeds, of the city, the originals of which are to stay in the office, except

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1 upon request of the city attorney for purposes of litigation;

2 G. Administer and process the filing and release of liens for the city as prescribed by
3 Article 36, Chapter 3 NMSA 1978 or as otherwise provided by law; [~~and~~]

4 H. Administer and manage the office of community engagement, which includes
5 constituent and council services [Department]; and

6 [~~H~~]I. Perform other duties prescribed by law, ordinance or city rules and regulations.

7 **Section 2. Section 2-8 SFCC 1987 (being Ord. No. 1983-33, § 4, as amended) is**
8 **hereby repealed.**

9 **Section 3. A new Section 2-8 SFCC 1987 is hereby ordained to read:**

10 **[NEW MATERIAL] 2-8 CITY DEPARTMENTS.**

11 **2-8.1 Finance Department.**

12 A. Creation of department.

13 There is created a department of city government to be known as the "finance
14 department".

15 B. Finance officer.

16 (1) *Position Established.* The position of finance officer is established.
17 The finance officer is the city treasurer and manager of the finance department of the
18 city. The designation as finance officer shall not be considered separate employment
19 nor occasion any additional salary.

20 (2) *Duties.* The finance officer shall:

21 (a) Receive all money due and payable to the city;

22 (b) Keep his accounts and records in the manner prescribed by
23 generally accepted accounting principles;

24 (c) Keep the money of the city separate from any other money in
25 his possession;

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- 1 (d) Expend the money only as directed by the governing body;
- 2 (e) Submit monthly, or more often if required by the governing
- 3 body, a report of the receipts and expenditures of the city;
- 4 (f) Supervise the depositing and safekeeping of all money
- 5 belonging to the city;
- 6 (g) With the advice and consent of the governing body designate
- 7 banks qualified to receive or deposit money entrusted in his care;
- 8 (h) Prepare annually, for the close of the fiscal year, a
- 9 comprehensive annual financial report showing the receipts, expenditures and
- 10 balances for each fund. A copy of the financial report shall be filed in the
- 11 finance officer; and
- 12 (i) Perform other duties prescribed by law, ordinance or city rules
- 13 and regulations.

14 (3) *Reports to Governing Body.* The finance officer shall be responsible

15 and report to the governing body through the city manager.

16 (4) *Records Open for Inspection.* The records of the finance officer shall

17 be open to inspection by any citizen during the regular business hours of the city.

18 **2-8.2 Community Health and Safety Department.**

19 A. Creation of department.

20 There is created a department of city government to be known as the

21 "community health and safety department", comprised of ~~four~~ five divisions: the

22 police department, the fire department, the community services department, the

23 recreation division, and the office of emergency management and safety.

24 B. Police Department.

25 (1) Powers and duties generally. Police officers shall execute and return all

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1 writs and processes directed to them by the municipal judge and, in criminal cases or
2 cases of violations of city ordinances, they may serve the same in any part of the
3 country. They shall suppress all riots, disturbances and breaches of the peace,
4 apprehend all disorderly persons within the city and shall pursue and arrest any person
5 fleeing from justice. They shall apprehend any person in the act of committing any
6 offense against the laws of the state or the ordinances of the city, and forthwith bring
7 such persons before a competent authority for examination and trial. They shall have, in
8 the discharge of their proper duties, like powers and be subject to like responsibilities
9 as sheriffs or constables in similar cases.

10 (2) Appointment of police officers; commissions. No person shall assume
11 or exercise the functions, powers, duties and privileges incident or belonging to the
12 office of municipal [~~police~~man] police officers without first having received his
13 appointment in writing, known as his "commission", from the governing body. The
14 advice of the chief of police shall be obtained in the employment and commissioning of
15 all [~~police~~men] police officers of the department.

16 (3) Training schools and examinations.

17 (a) There shall be held and conducted at such times as may be
18 prescribed by the chief of police, with the approval of the governing body,
19 schools for training in modern police methods and practices. The schools for
20 training and the checking of the qualifications and general fitness of applicants
21 for positions in the police department shall be under the direction and
22 supervision of the chief of police.

23 (b) All members of the police department shall take such
24 examinations as may be prescribed.

25 (c) In the taking of all written examinations there shall be assigned

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1 to each applicant a number which shall be endorsed on his examination papers,
2 and the grading of the examinations shall be by number only.

3 (d) Except as otherwise provided, no member shall be retained in
4 the police department and no applicant shall be appointed to the police
5 department unless such member or applicant, after taking the prescribed
6 training courses, has successfully passed the prescribed examinations, written
7 and oral; provided, that the minimum educational qualifications required by the
8 City Personnel Act shall not apply to members of the present police department
9 who are otherwise qualified under the provisions hereof; provided further, that
10 in passing on the qualifications of members of the present police department,
11 consideration shall be given to:

12 (i) Length of service and faithfulness to duty; and

13 (ii) General aptitude for police work as disclosed by the
14 individual records of such members to be confirmed by oral
15 examinations.

16 (4) Extra or emergency police officers.

17 The city manager may employ on behalf of the city such extra or emergency police
18 officers as may be required in the proper administration of municipal affairs.

19 (5) Police department reserve.

20 (a) Created. There is created the city "police department reserve
21 force", hereinafter referred to as the "reserve".

22 (b) Control by Chief of Police. The reserve is under the exclusive
23 control of the chief of the city police department who shall have the sole and
24 exclusive authority to:

25 (i) Summarily discipline or dismiss members without

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1 appeal to any body or tribunal;

2 (ii) Approve or disapprove all bylaws, rules and regulations
3 of the reserve; and

4 (iii) Approve or disapprove all officers, employees or
5 agents of the reserve.

6 c. Authority. The reserve and its individual members shall only
7 have authority in law enforcement on specific request by the city police chief.
8 A specific request shall be made for each individual instance of service.

9 d. Powers and Duties.

10 (i) The duties of the reserve are to assist in enforcement of
11 law by cooperating with all law enforcement agencies and regulatory
12 bodies.

13 (ii) The reserve or its members when acting upon call, and
14 only when acting upon call, of the city police chief, for the city or for
15 another law enforcement agency or regulatory authority, shall be
16 possessed of the same powers and duties as a city police officer or an
17 officer of such law enforcement agency or regulatory authority.

18 e. Call of Members. When the city police chief calls up the
19 members of the reserve, the call shall be in writing, list the names of each
20 member of the reserve called, the purpose of the call, and the date and time the
21 call begins and terminates. Except when on call, reserve members shall have no
22 more authority in law enforcement than that of any private citizen.

23 f. Requests for Assistance. Should any law enforcement agency
24 or regulatory body desire assistance from the reserve, the request shall be made
25 to the city police chief who may authorize it, if:

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1 (i) Reserve members are fully covered by the workman's
2 compensation insurance policy of the assisted agency or body, and this
3 is evidenced by a writing presented to the chief; and

4 (ii) Any and all liability that may arise against the city, its
5 officers, employees or agents, the reserve, or its members as a result of
6 such assistance, is assumed in writing by the assisted agency or body.

7 g. Workmen's Compensation. The city shall immediately take
8 steps to provide necessary workmen's compensation insurance for the reserve
9 and necessary liability insurance covering liability that may arise against the
10 city, its officers, employees or agents as a result of the activities of the reserve
11 on behalf of the city. If any or a portion of such liability is to be self-insured,
12 the self-insurance fund shall be increased accordingly.

13 C. Fire Department.

14 ~~[(1) — Volunteer firefighters. There is created in the city "fire department,~~
15 ~~volunteer firefighters force", hereinafter referred to as the volunteer firefighters.~~

16 ~~(a) — The volunteer firefighters shall be subject to all regulations of~~
17 ~~the fire department of the city of Santa Fe and along with paid firemen be~~
18 ~~subject to the authority of the chief of city fire department who shall have sole~~
19 ~~and exclusive authority to:~~

20 ~~(i) — approve or disapprove of membership in the volunteer~~
21 ~~firefighters.~~

22 ~~(ii) — discipline or dismiss members of the volunteer~~
23 ~~firefighters subject to the same grievance procedure as set out in~~
24 ~~Ordinance No. 1983-44.~~

25 ~~(b) — The volunteer firefighters and its individual members shall~~

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1 ~~have authority in fire protection only upon request by the city fire dispatch.~~

2 ~~(c) — Volunteer firefighters; powers and duties.~~

3 ~~(i) — The duties of the volunteer firefighters are to provide~~
4 ~~safe and efficient fire fighting by adhering to any and all city of Santa~~
5 ~~Fe standard operating procedures, as referenced herein, or as may be~~
6 ~~amended from time to time, in Exhibit A, attached hereto.~~

7 ~~(ii) — The volunteer firefighters shall be summoned and will~~
8 ~~respond simultaneously with fire apparatus. Volunteer firefighters and~~
9 ~~paid firefighters shall possess the same powers and perform the same~~
10 ~~duties.~~

11 ~~(d) — Volunteer firefighters; insurance.~~

12 ~~(i) — The city shall provide necessary liability insurance~~
13 ~~covering liability that may arise against the city, its officers,~~
14 ~~employees, volunteer firefighters, or agents as a result of activities of~~
15 ~~the volunteer firefighters on behalf of the city. If any or a portion of~~
16 ~~such liability is to be self insured, the self insurance fund shall be~~
17 ~~increased accordingly.~~

18 ~~(ii) — Active volunteer firefighter members are covered by an~~
19 ~~accident, sickness, or disability insurance policy which is paid by the~~
20 ~~City of Santa Fe.]~~

21 ~~(2)](1) Department authority and powers.~~

22 (a) Pursuant to Section 3-18-1F. and G. NMSA 1978 and 3-18-
23 11B(1), the city may provide proper means for protection from fire and protect
24 the property of its municipality and its inhabitants and preserve the health,
25 safety, peace and order within the municipality. Therefore, the stated purpose

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1 of this subsection is to grant the fire department all authority necessary to
2 protect life and property from the hazards created by fire, explosion, and
3 similar emergencies.

4 (b) The fire department shall have full and complete authority in
5 connection with fighting, mitigating, and preventing the spread of any fire that
6 may arise within the city, with the power to do and perform all necessary or
7 expedient acts for the fighting of fire. When called to a fire, the fire department
8 shall have:

9 (i) Full and complete authority of the premises to which it
10 has been summoned until the fire has been extinguished and the
11 premises are deemed safe by the fire department; and

12 (ii) By emergency vehicle or by foot, the right of ingress
13 and egress on all public or private streets, alleyways, roads, driveways,
14 and thoroughfares located within the city limits or the city annexation
15 areas.

16 (c) The fire department shall have full and complete authority in
17 connection with the provision of prehospital emergency medical services
18 within the city, with the power to do and perform all necessary or expedient
19 acts for the provision of these services.

20 (d) The fire chief shall have full authority to sign agreements,
21 approved by the city attorney's office, with landowners to implement fire
22 hazard mitigation activities.

23 (3) Department members designated as special police officers. Every
24 member duly enrolled and in good standing in the fire department shall be a special
25 police officer of the city with power to act as such from the time of the sounding of any

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1 fire alarm until the apparatus and equipment for fighting fire has been returned to the
2 fire station.

3 (4) Obstructing or interfering with firemen. It is unlawful for any person to
4 obstruct, annoy, or interfere with firemen while in the discharge of their duties.

5 D. Community Services ~~[Division]~~ Department. The community services
6 ~~[division]~~ department includes senior services, libraries, and family and youth services.

7 F. Office of Emergency Management and Safety.

8 (1) In accordance with Section 12-10-5 NMSA 1978, the "office of
9 emergency management and safety," shall consist of:

10 (a) An emergency manager who shall be appointed in accordance
11 with Section 12-10-5 NMSA 1978, and who shall be subject to the personnel
12 system of the city;

13 (b) Additional professional and administrative personnel as may be
14 required to effectively carry out the emergency management program; and

15 (c) All other city officers and employees, together with those
16 volunteer forces enrolled to aid the city during periods of disaster or
17 emergency.

18 (2) Definitions.

19 *Civil emergency* means conditions of unrest, including but not limited to riot,
20 civil disturbance, unlawful assembly, hostile military or paramilitary action, war,
21 terrorism, or sabotage.

22 *Comprehensive emergency management plan (CEMP)* means a written
23 document that describes the city's overall emergency management plan. A CEMP
24 specifies the purpose, organization, responsibilities, and facilities of the agencies and
25 officials of the city in the mitigation of, preparation for, response to, and recovery from

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1 emergencies and disasters.

2 *Curfew* means a period of time declared by the mayor, during which no person
3 or persons, other than persons authorized by the mayor by administrative order, may be
4 upon the public streets, sidewalks, grounds, or semi-public property, either on foot or in
5 vehicles of any type, within the city.

6 *Disaster* means the occurrence of a natural catastrophe, technological accident,
7 or human-caused event that has resulted in environmental damage, property damage,
8 deaths, and/or multiple injuries, which may exceed the response capability of the local
9 jurisdiction, necessitating state, and potentially federal, involvement.

10 *Emergency* means any occasion or instance, such as a terrorist attack, terrorist
11 threat, civil unrest, wildland and urban fire, flood, hazardous materials spill, nuclear
12 accident, aircraft accident, earthquake, hurricane, tornado, tropical storm, tsunami, war-
13 related disaster, public health or medical emergency, other occurrence requiring an
14 emergency response, or any other condition that warrants action to protect life,
15 property, or the environment.

16 *Emergency management* means an approach to prevent, protect against,
17 respond to, recover from, and mitigate the effects of incidents.

18 *Emergency operations center (EOC)* means the physical location at which the
19 coordination of information and resources to support incident management (on-scene
20 operations) activities normally takes place.

21 *Emergency plan* means an ongoing plan for responding to a wide variety of
22 potential hazards.

23 *Hazard mitigation plan* means the representation of the city's commitment to
24 reduce risks from natural hazards, serving as a guide for decision makers as they
25 commit resources to reducing the effects of natural hazards.

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1 *National Incident Management System (NIMS)* means the federal government's
2 standardized framework of doctrines, concepts, principles, terminology, and
3 organizational processes for emergency management.

4 (3) Purpose.

5 (a) The purpose of the office of emergency management and safety
6 is to coordinate the efforts of all municipal agencies and employees,
7 nongovernmental agencies, and private sector partners to prepare for and
8 function in the event of disasters and emergencies endangering the lives of
9 persons in the city, property of the residents of the city, or public property in
10 the city.

11 (b) The duty of the office of emergency management and safety is
12 to coordinate the development of emergency plans for the effective
13 employment of municipal resources to protect the lives and health of the
14 residents of the city and the private and public property therein from the effects
15 of emergencies or natural or man-caused disasters.

16 (c) The office of emergency management and safety shall
17 coordinate the implementation of such plans in preparation for, during, and
18 after periods of emergency or disaster. Such plans shall be coordinated with
19 those of the county and in consonance with the state emergency management
20 plans.

21 (d) The office of emergency management and safety shall ensure
22 that safety is a priority throughout the city's operations and coordinate and
23 oversee safety protocols and implementation for the city.

24 (4) Emergency manager. The emergency manager shall:

25 (a) Be responsible to the [~~city manager~~] director of community

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1 health and safety for the organization, administration, and operation of the
2 emergency management program of the city;

3 (b) Coordinate the emergency management activities of all
4 municipal departments and agencies of the city, nongovernmental agencies, and
5 private sector partners;

6 (c) Be the liaison and cooperate with the emergency management
7 agencies of the federal government, the state, the county, and the other political
8 subdivisions therein;

9 (d) Develop an organizational structure for the office of emergency
10 management and safety, subject to the approval of the governing body and
11 recommend appointments to fill the positions established therein subject to the
12 city manager's authority;

13 (e) Manage the [~~emergency operations center ("~~EOC[")]; establish
14 the overall structure, roles, responsibilities, and direction for the operation of
15 the EOC; and ensure that the EOC is appropriately sited, staffed, equipped, and
16 maintained;

17 (f) Maintain written emergency plans and safety protocols,
18 including but not limited to all chapters, annexes, and appendices of the
19 comprehensive emergency management plan and hazard mitigation plan, and
20 annually review the plans to identify any recommendations for revisions; and

21 (g) Maintain records documenting compliance with requirements
22 of federal and state emergency management programs, including the [~~national~~
23 ~~incident management system~~] NIMS.

24 (5) Financing.

25 (a) Funds for necessary expenses of the office of emergency

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1 management and safety, including salaries for approved positions, may be
2 made available through appropriations by the governing body in accordance
3 with Section 12-10-7 NMSA 1978.

4 (b) The emergency manager shall prepare and submit to the
5 governing body an annual proposed budget for emergency management and
6 safety expenditures and shall indicate those amounts eligible for matching
7 funds under the federal grant programs.

8 (c) During an emergency, purchases may be exempt from the city's
9 procurement code, as permitted pursuant to Section 11-13 SFCC 1987.

10 **2-8.3 Community Development Department.**

11 There is created a department of city government to be known as the "community
12 development department" that shall include the following divisions: economic development
13 division, office of affordable housing, planning and land use ~~[division]~~ department, TOURISM
14 Santa Fe ~~[division]~~ department, ~~[recreation,]~~ and the arts and culture ~~[division]~~ department.

15 **2-8.4 Information Technology and Telecommunications Department.**

16 There is created a department of city government to be known as the "information
17 technology and telecommunications department".

18 **2-8.5 Public Works Department.**

19 There is created a department of city government to be known as the "public works
20 department".

21 **2-8.6 Public Utilities Department.**

22 There is created a department of city government to be known as the "public utilities
23 department".

24 **2-8.7 Human Resources Department.**

25 There is created a department of city government to be known as the "human resources

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1 department".

2 ~~**[2-8.8 Council and Constituent Relations Department.**~~

3 ~~There is created a department of city government to be known as the "council and~~
4 ~~constituent relations department," within the office of the city clerk.]~~

5 **Section 4. Section 2-9 SFCC 1987 (being Code 1953, § 18-1; Code 1973, § 25-1;**
6 **SFCC 1981, § 5-1-1) is hereby repealed.**

7 **Section 5. Section 2-10 SFCC 1987 (being Ord. No. 1987-55 § 1, as amended) is**
8 **hereby repealed.**

9 **Section 6. Section 2-11 SFCC 1987 (being Ord. No. 1983-33, § 1, as amended) is**
10 **hereby repealed.**

11 **Section 7. Section 2-12 SFCC 1987 (being Ord. No. 2007-45) is hereby repealed.**

12 **Section 8. Section 2-13 SFCC 1987 (being Ord. No. 1987-26, § 2, as amended) is**
13 **hereby repealed.**

14 **Section 9. Section 2-16 SFCC 1987 (being Ord. No. 1975-20, as amended) is**
15 **hereby repealed.**

16 **Section 10. Section 2-19 SFCC 1987 (being Ord. No. 2014-22, § 2) is hereby**
17 **repealed.**

18 **Section 11. Section 2-21 SFCC 1987 (being Ord. No. 2014-22, § 3) is hereby**
19 **repealed.**

20 **Section 12. Section 2-22 SFCC 1987 (being Ord. No. 1983-33, § 4, as amended) is**
21 **hereby amended to read:**

22 **2-22 INTERNAL AUDIT [~~DEPARTMENT~~].**

23 **2-22.1 Short title.**

24 Section 2-22 SFCC 1987 shall be cited as the "Internal Audit [~~Department~~] Ordinance."

25 **2-22.2 Findings; purpose; goals.**

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1 A. The governing body finds that good governance, transparency and
2 accountability are critical in the public sector for the effective and credible functioning of a
3 healthy democracy, and in fulfilling the government's responsibility to citizens and taxpayers.

4 B. Transparent and reliable reporting and effective auditing in government serve
5 to promote accountability, enhance the effectiveness of government services to its citizens,
6 and increase the public's confidence in their government.

7 C. The members of the governing body share a duty to insure that the actions of
8 public officials, employees and contractors of the city are carried out in the most responsible
9 manner possible and that city policies, budgets, goals and objectives are fully implemented.

10 D. To accomplish this, the city requires the services of an independent office or
11 contractor to provide independent, objective assurance and review services designed to
12 promote transparency, accountability, efficiency and effectiveness of city government.

13 E. The governing body does hereby establish the internal audit department, an
14 independent city department of city government or an independent contractor reporting to the
15 city manager, which shall oversee the functions hereby established. To ensure independence
16 and compliance with generally accepted governmental auditing standards, the internal auditor:

17 (1) Shall report results to the city manager, the audit committee, the
18 finance committee and the governing body;

19 (3) Has access to the governing body in accordance with the Open
20 Meeting Act; and

21 (4) Is sufficiently removed from political pressures to conduct audits and
22 report findings, opinions, and conclusions objectively without fear of political
23 reprisal.

24 F. The [~~governing body also directs the~~] internal audit department, in
25 cooperation with the audit committee, shall establish job descriptions and department policies

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1 and procedures based on generally accepted governmental auditing standards; and to adopt the
2 Code of Ethics as defined by the Institute of Internal Auditors.

3 **2-22.3 Definitions.**

4 For the purpose of this section, the following definitions shall apply, unless the context
5 clearly indicates or requires a different meaning.

6 *Auditees* mean the city related departments, programs, activities, agencies, vendors,
7 contractors, employees, public officials or other city related entities affected by an audit or
8 investigation.

9 *Committee* means the City of Santa Fe audit committee.

10 *Contractors* mean all city contractors.

11 *Employee* means a city employee.

12 *Internal auditor* means the internal auditor who is the head of the internal audit
13 department or the city's primary contact for the internal audit contractor.

14 *Official* means the mayor or a city councilor.

15 *Report* means an audit, a special audit, an investigation and/or an examination.

16 *Special investigation or special audit* means additional procedures or audits undertaken
17 because the need was not previously foreseen.

18 **2-22.4 Creation of the internal audit department; resources; staff.**

19 A. The internal audit department is created as an independent office of city
20 government. The internal auditor [~~is~~] shall either be the head of the internal audit department
21 or an independent contractor and shall report to the city manager.

22 B. The audit committee shall review applications for and make a
23 recommendation to the city manager for hiring an internal auditor~~[, a city employee]~~.

24 C. The internal auditor shall review applications and make recommendations to
25 the city manager for hiring other internal audit department employees~~[;]~~ or procuring

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1 independent contractors [~~to be procured~~] for assistance with the internal audit [~~department~~].

2 D. In accordance with law and in consultation with the city attorney's office, the
3 city manager shall report proposed personnel actions, such as hiring, discipline, or
4 termination, relating to the internal auditor to the audit committee in executive session, in
5 accordance with the New Mexico Open Meetings Act. Nothing in this paragraph shall prohibit
6 the city manager from immediately placing the internal auditor on administrative leave due to
7 a proposed personnel action; however, the city manager shall report the proposed personnel
8 action to the audit committee, within seven (7) business days from the date the internal auditor
9 is placed on administrative leave.

10 E. The internal auditor's work shall result in a complete written final report being
11 made of each annual audit, special audit, investigation and/or examination made ("report")
12 and shall be delivered to the city manager, except if the city manager is the subject of the
13 audit, then the report shall be delivered to the mayor. The internal auditor shall also notify the
14 governing body in writing that the final report has been delivered. Each report, in its final
15 form, shall set out in detail, in a separate section, any violation of law or good accounting
16 practices found. Such reports are confidential under this section until placed on the finance
17 committee's agenda or put in their final form, whichever occurs first. Reports shall not exist in
18 a draft form for more than thirty (30) days without presentation to the finance committee.
19 Final reports shall also be timely presented to the audit committee. If the draft report is not
20 ready to be delivered to the city manager in its final form or is not ready to be presented to the
21 finance committee after thirty (30) days, then staff shall inform the finance committee, in
22 writing, the specific date, absent court order not exceeding twenty (20) days, when the final
23 report will be delivered to the city manager or presented to the finance committee and the
24 stated basis for the additional time needed.

25 F. Any final report for presentation to city committees or the governing body

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1 shall be included in the meeting packet and such meeting packets shall be posted on the city's
2 website.

3 G. Prior to the committee meeting a final report placed on a committee agenda
4 shall be accessible by all members of the governing body and the public, and at such time
5 shall become a public record consistent with the Inspection of Public Records Act and its
6 exemptions.

7 H. Within thirty (30) days after receipt of the report, the employee and/or
8 division and/or department audited may notify the internal auditor of any errors in the report.
9 If the internal auditor is satisfied from data or documents at hand, or by an additional
10 investigation, that the report is erroneous, the internal auditor shall correct the report and
11 furnish copies of the corrected report to all parties receiving the original report.

12 I. The internal auditor may disclose audit information or audit documentation
13 that is confidential, without losing the confidentiality under this Ordinance to an independent
14 external auditor in connection with a special audit, performance audit, attestation engagement,
15 or other existing or potential engagement regarding the financial affairs and transactions of
16 the city.

17 J. The auditor's budget shall be reflected in the city manager's proposed budget
18 as a separate department. The budget shall be sufficient to allow the organization to carry out
19 its responsibilities, including sufficient funding for annual continuing professional education
20 requirements and professional certification as required by the generally accepted
21 governmental auditing standards. The auditor's proposed budget shall be prepared and
22 presented to the finance director and the city manager.

23 **2-22.5 Internal auditor's duties; responsibilities; authority; administrative**
24 **subpoena power.**

25 A. If the internal auditor detects instances of possible fraud, waste, or abuse or

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1 potential violations of law by an auditee, ~~he~~ the auditor shall report the irregularities to the
2 city manager and the audit committee.

3 (1) In accordance with Section 12-6-6 NMSA 1978 and state auditor's
4 Rule 2.2.2.10K(3), a notification letter regarding the possible fraud, waste, or abuse
5 shall also be sent to the state auditor's office whether or not an investigation by the
6 internal auditor is conducted.

7 (2) If the irregularity is criminal in nature, the internal auditor shall
8 immediately refer the irregularity to the appropriate prosecuting authority.

9 (3) If the irregularity warrants a special investigation, audit, and/or
10 special audit, then the internal auditor shall conduct a special investigation, audit
11 and/or special audit. The report shall be submitted to the city manager, the audit
12 committee, the auditee, the governing body through the finance committee.

13 (4) The internal auditor shall not accept complaints related to
14 discrimination or labor law matters. In some cases, it may be appropriate for internal
15 audit to work with investigators or legal authorities, or withdraw from or defer further
16 audit work on the audit or portion of the audit to avoid interfering with an ongoing
17 investigation or legal proceeding.

18 B. The internal auditor shall adhere to generally accepted governmental auditing
19 standards in conducting its work and will be considered independent as defined by those
20 standards.

21 C. The internal auditor's work department is subject to a peer review by an
22 appropriate professional non-partisan objective group every three (3) to five (5) years if the
23 internal auditor is an employee; contract internal auditors shall serve for no more than four
24 consecutive years. A copy of the written report by an objective group shall be furnished to the
25 city manager, audit committee, and governing body, via the finance committee.

SUBSTITUTE BILL

1 D. The internal auditor shall have the power to subpoena witnesses, administer
2 oaths, and require the production of records subject to the New Mexico Rules of Civil
3 Procedure. In the case of a refusal to obey a subpoena issued to any person, the internal
4 auditor may make application to any district court in the state that shall have the jurisdiction
5 to order the witness to appear before the internal auditor and to produce evidence if so
6 ordered, or to give testimony touching on the matter in question.

7 **2-22.6 Scope of audits.**

8 A. Audits, except for special audits or special investigations/examinations, will
9 be conducted based on an annual audit plan developed in accordance with applicable
10 professional auditing standards. This plan and any modifications thereof, are to be reviewed
11 by the audit committee and recommended for approval.

12 (1) Within sixty (60) days before the beginning of each fiscal year, the
13 internal auditor shall submit a one-to-five-year audit plan to the audit committee, the
14 city manager and the governing body for review and comments, but the internal
15 auditor shall have final authority to select the audits planned. The proposed plan shall
16 include the rationale for the selections, for auditing departments, offices, boards,
17 activities, subcontractors and agencies for the period. This plan may be amended after
18 review;

19 (2) The final plan and any amendments will be presented to the audit
20 committee, the city manager, and subject to approval of the governing body;

21 (3) In the selection of audit areas and audit objectives, the
22 determination of audit scope and the timing of audit work, the internal auditor should
23 consult with federal, state, and other external auditors so that the desirable audit
24 coverage is provided and audit effort is properly coordinated.

25 B. The internal auditor is authorized to conduct the following audits as defined in

SUBSTITUTE BILL

1 generally accepted governmental auditing standards:

2 (1) *Performance/Management Audits.* Performance audits are defined as
3 engagements that provide assurance or conclusions based on an evaluation of
4 sufficient and appropriate evidence against stated criteria, such as specific
5 requirements, measures, or defined business practices.

6 (2) *Financial Audits.*

7 (3) *Attestation Engagements.* Attestation engagements result in an
8 examination, a review, or agreed upon procedures about a subject matter that is the
9 responsibility of another party. This includes special audits.

10 (4) *Advisory (Non-Audit) Services.* This includes special investigations.
11 The issued report shall not include an opinion statement or a statement indicating the
12 investigation was done in accordance with generally accepted government auditing
13 standards. These services are subject to applicable professional standards.

14 C. The auditor shall have the authority to conduct performance and financial
15 audits, attestation engagements or to provide advisory (non-audit) services to independently
16 and objectively determine whether:

17 (1) The city, state or federal law authorizes the implemented activities
18 and programs that are the subject of the audit;

19 (2) The objectives intended by city, state₂ or federal law are efficiently
20 and effectively accomplished in the implementation of activities and programs;

21 (3) The expenditure of funds was or is in compliance with applicable
22 laws;

23 (4) The revenues were or are properly collected, deposited₂ and accounted
24 for;

25 (5) The entity, programs, activities, functions, or policies are effective,

SUBSTITUTE BILL

1 including the identification of any causes of inefficiencies or uneconomical practices;

2 (6) The desired result or benefits are being achieved;

3 (7) Resources, including funds, property and personnel, were or are
4 adequately safeguarded, controlled, and used in a faithful, effective, and efficient
5 manner;

6 (8) Financial and other reports fairly and fully disclosed all information
7 as required by law necessary to evaluate and ascertain the nature and scope of
8 programs and activities;

9 (9) Management established operating and administrative procedures and
10 practices, accounting internal control systems and internal management controls were
11 and are adequate and functioning as intended;

12 (10) City policies, budgets, goals, and objectives were and are fully
13 implemented; and

14 (11) Indications of fraud, waste, abuse, or illegal acts are valid and need
15 further investigation.

16 **2-22.7 Reports.**

17 A. The internal auditor shall report results of all types of audits, investigations
18 and/or engagements in their final report form to the audit committee, the city manager, the
19 auditees, and the governing body via the finance committee.

20 B. All types of audit reports, investigations, and/or engagements, in their final
21 report form, are public records, available for public inspection.

22 C. The internal auditor's reports, including attestation engagements, shall follow
23 the guidelines as specified in generally accepted governmental auditing standards, or in the
24 case of a non-audit service applicable professional auditing standards.

25 D. At a minimum audit and attestation engagement reports should include:

SUBSTITUTE BILL

- 1 (1) Statements describing the objectives, scope and methodology of the
- 2 audit;
- 3 (2) A statement that the audit was performed in accordance with generally
- 4 accepted government auditing standards;
- 5 (3) Background information, audit results, and findings as appropriate;
- 6 (4) A conclusion based on the audit objectives and the audit findings; and
- 7 (5) The findings in the audit report should present sufficient, appropriate
- 8 evidence to support the conclusion in relation to the audit objectives.

9 E. Responses submitted by the city manager relevant to the audit findings must
10 include a remediation plan specifying dates and corrective action to be taken to
11 resolve the issue.

- 12 (1) A response is required within fourteen (14) days of receipt of a final
- 13 report;
- 14 (2) If no response is received, the internal auditor will note that fact in the
- 15 transmittal letter and will release the report without a remediation plan.

16 F. The internal auditor shall submit an annual report to the audit committee, city
17 manager, and governing body via the finance committee within sixty (60) days after
18 fiscal year end indicating all audits, investigations, and/or engagements completed,
19 major findings, corrective actions taken by administrative managers, and significant
20 issues which have not been fully addressed by management.

21 **2-22.8 Reporting.**

22 The internal auditor shall follow the internal audit plan, report to the governing body
23 via the finance committee, the auditees, the city manager, and the audit committee regarding all
24 audit activities, results, and conclusions. Depending on the type of audit, the internal auditor
25 shall report more frequently when requested.

SUBSTITUTE BILL

1 **2-22.9 Contract auditors, consultants, and experts.**

2 Within budgetary constraints, the internal auditor may obtain the services of certified
3 public accountants, qualified management consultants, certified fraud examiners, forensic
4 auditors, or other professional experts necessary to perform the functions of the internal audit
5 department. Contractors performing an audit shall not have any financial interest in the
6 affairs of the auditees, officials, or employees. The internal auditor shall coordinate and
7 monitor auditing performed by persons under contract to the internal auditor.

8 **2-22.10 Penalty; cooperation; retaliation prohibited.**

9 A. All city officials, employees, and contractors shall provide the internal auditor
10 full and unrestricted access to all city offices, employees, records, information, data, reports,
11 plans, projections, matters, contracts, memoranda, correspondence, electronic data, property,
12 equipment and facilities, and any other materials within their custody. At the internal auditor's
13 request, an official, employee, or contractor shall prepare reports and provide interviews. If an
14 auditee, official, employee, vendor, or contractor fails to produce the requested information,
15 the internal auditor shall notify the city manager requesting his assistance in causing a search
16 to be made and germane exhibits to be taken from any book, paper, or record, written or
17 electronic, excepting personal property. The city manager shall require the officials,
18 employees, vendors, or contractors to produce the requested information. Further, all contracts
19 with outside contractors and subcontractors shall contain a "right-to-audit" clause providing
20 the internal auditor access to the contractor's employees and to all financial and performance
21 related records, property, and equipment purchased in whole or in part with governmental
22 funds.

23 B. No person shall retaliate against, punish, or penalize any other person for
24 complaining to, cooperating with, or assisting the internal auditor in the performance of his
25 office. The internal auditor, all city employees and public officials, and any person

SUBSTITUTE BILL

1 cooperating with the internal auditor in performance of duties has the same protections as
2 provided for in the Federal Whistle Blower Protection Act and the New Mexico
3 Whistleblower Protection Act, Sections 10-16C-1 et seq. NMSA 1978.

4 C. Any official or employee who violates this section may be subject to
5 discipline as may be specified in applicable city ordinances or any applicable collective
6 bargaining agreement.

7 **2-22.11 Audits and the Inspection of Public Records Act.**

8 A. This subsection is adopted pursuant to the general welfare and police powers
9 conferred upon the city of Santa Fe by § 3-17-1 et seq. and § 3-18-1 et seq. NMSA 1978,
10 pursuant to the powers conferred upon the city of Santa Fe by the New Mexico Constitution,
11 Article X §§ 6(D) and 6(E) and the Municipal Charter Act § 3-15-1 et seq. NMSA 1978,
12 which have been exercised by the city's adoption of the Santa Fe Municipal Charter. The
13 purpose of this subsection is within both the city's home rule powers and the delegated powers
14 that all municipalities have to provide for the general welfare of their residents by the general
15 welfare clause in Section 3-17-1(B) NMSA 1978 and police power to "protect generally the
16 property of its municipality and its inhabitants" and to "preserve peace and order within the
17 municipality" by Section 3-18-1(F) and (G) NMSA 1978.

18 B. At all times during the audit process and after the report becomes a public
19 record; the internal auditor shall follow applicable standards and 2.2.2 NMAC regarding the
20 release of any information relating to the audit. Applicable standards include but are not
21 limited to the AICPA Code of Ethics Rule 301 and related interpretations and guidance,
22 Institute for Internal Auditors interpretations and guidance and GAGAS 4.30 to 4.32 and
23 GAGAS 4.40 to 4.44.

24 **Section 13. Section 2-23 SFCC 1987 (being Ord. No. 2020-3, § 1, as amended) is**
25 **hereby repealed.**

SUBSTITUTE BILL

1 **Section 14. Section 23-4.9 SFCC 1987 (being Ord. No. 1981-39 § 12, as amended)**
2 **is hereby amended to read:**

3 A. All requests for use of public parks for organized gatherings, including the
4 plaza and plaza park, as well as concessions supporting these events, may be approved by the
5 ~~[parks and recreation]~~ department authorized to do so by the City Manager.

6 B. Applicants for use of city parks shall follow and be subject to the procedures,
7 requirements, and restrictions adopted by the governing body.

8 **Section 15. 26-1.6 SFCC 1987 (being Ord. No. 2005-30(A), § 35 and Ord. #2007-**
9 **45, § 30, as amended) is hereby amended to read:**

10 **26-1.6 Creation of office of affordable housing.**

11 A. The office of affordable housing shall be established to administer the Santa Fe
12 homes program in accordance with the provisions of this chapter, and to administer the city's
13 other affordable housing programs. ~~[The office of affordable housing shall be an independent~~
14 ~~department responsible to the city manager.]~~

15 B. In administering this chapter, the office of affordable housing shall work with the
16 land use ~~[department]~~ division to eliminate conflict and duplication in the permitting and
17 development approval process.

18 C. The office of affordable housing shall administer any agreements previously
19 executed by the city and others.

20 **Section 16. 26-3.5 SFCC 1987 (being Ord. No. 2007-23, § 8, as amended) is**
21 **hereby amended to read:**

22 **26-3.5 Definitions.**

23 *AHTF* means the affordable housing trust fund.

24 *Administrative procedures* refer to the administrative procedures adopted by resolution
25 that outline application, evaluation, and all other administrative procedures associated with the

SUBSTITUTE BILL

1 AHTF.

2 *Affordable housing* means residential housing primarily for persons or households of low
3 or moderate income.

4 *Allowable uses* means those uses for the AHTF which are set forth in subsection 26-3.4
5 SFCC 1987.

6 *Community housing priorities* means priorities established from time to time by the
7 governing body to guide the allocation of funds from the AHTF.

8 *Comprehensive housing strategy* means a services delivery system that addresses the full
9 continuum of housing needs from the homeless to the homebuyer.

10 *Eligible households* means a person or households of low or moderate income as defined
11 in rules adopted by the New Mexico Mortgage Finance Association.

12 *Leverage* means the dollar value of other resources committed to projects for which an
13 application and approval has been received for a loan or grant from the AHTF. Each dollar
14 committed to the project that is not generated from the AHTF shall be considered as leverage.

15 *Office of affordable housing* means the [~~department~~] division of the city of Santa Fe or its
16 successor administering affordable housing programs.

17 **Section 16. Editor’s Note: SFCC 1987 is hereby amended to strike all references**
18 **to “land use department” and insert in lieu thereof “planning and land use department”.**

19 APPROVED AS TO FORM:

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21

22 _____
ERIN K. McSHERRY, CITY ATTORNEY

23

24

25 *Legislation/2020/Bills/2020-20 Department Reorganization (Substitute)*

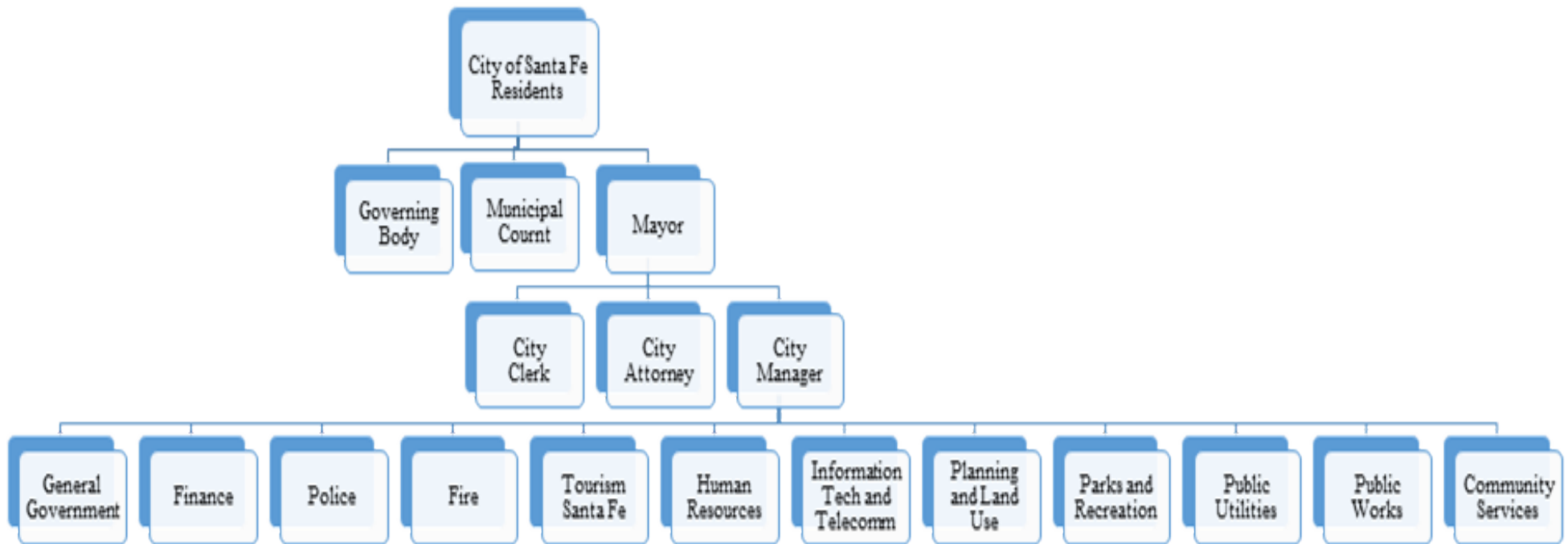
City of Santa Fe Reorganization Proposal



August 2020



Existing City Organizational Chart*



*This organizational chart that was included in the FY20 Budget Book. After that, the Arts and Culture Department was created. “General Government”, a grouping created for budgetary purposes, included several organizational units, including the Office of Affordable Housing, Economic Development Department, Office of Emergency Management, and Constituent and Council Services.



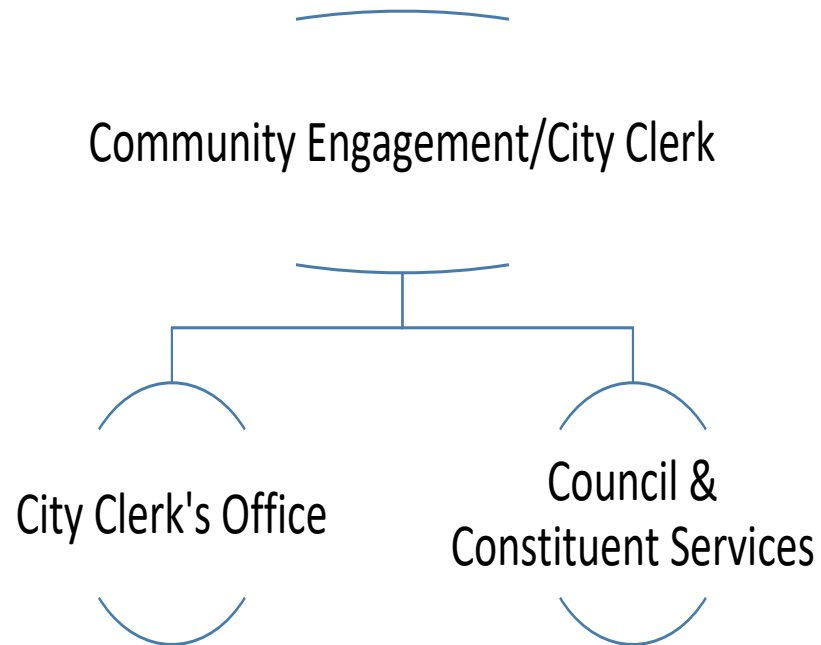
Reorganization Proposal

- Three primary re-organizations around the shared theme of Community:
 - Community Engagement
 - Community Development
 - Community Health and Safety
- Parks and Recreation changes, putting “like with like”
- Changes that were included in the FY21 budget that are not contingent on adopting legislation:
 - Creating a Grants Management Division to centralize grant accounting
 - Placing Safety staff in the Office of Emergency Management



Reorganization Proposal

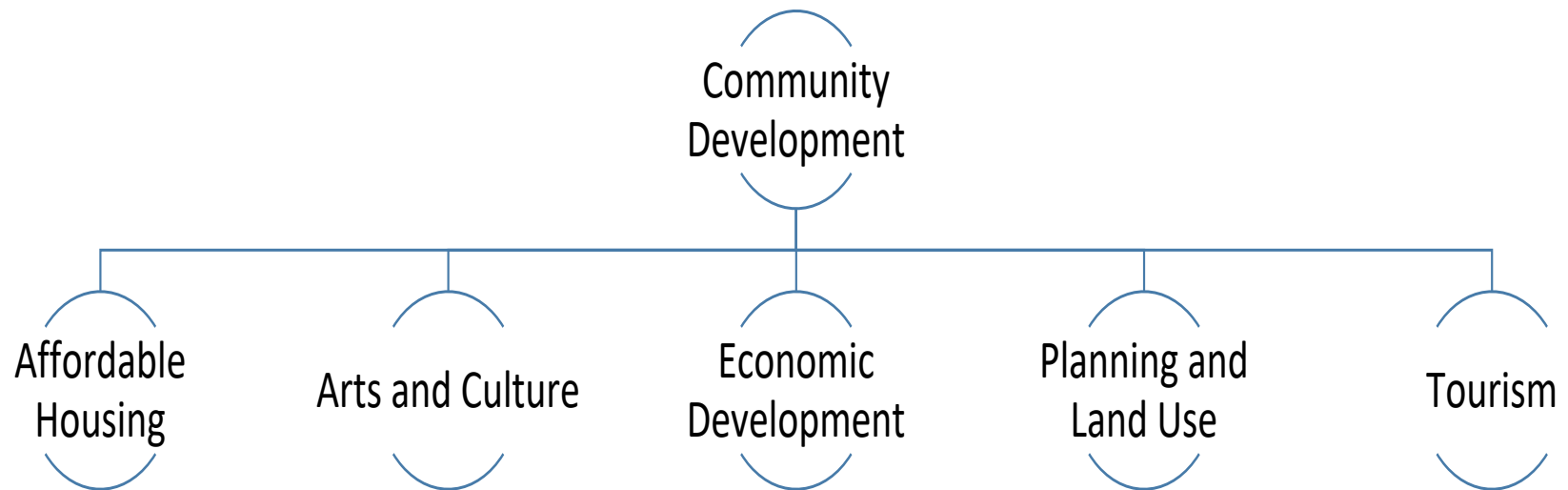
Relocate Constituent and Council Services into an Office of Community Engagement led by the City Clerk. With this change, the Clerk's office becomes the central hub for all external communications, resident outreach, and ongoing virtual meetings.





Reorganization Proposal

Bring together five of the City's external facing departments, Arts and Culture, Affordable Housing, Economic Development, Planning and Land Use, and Tourism, into a Community Development Department.





FY21 Recommended Budget Overview Reorganization Proposal

Bringing together the Police, Fire, Emergency Management and Safety, Community Services, and Recreation, to comprise a Community Health and Safety Department. This department will allow the City to continue to build on a public health approach to public safety.





City of Santa Fe New Mexico

Memorandum



Date: August 10, 2020

To: Finance Committee, Public Works and Utilities Committee, Governing Body

Via: John Romero, Acting Public Works Director

From: Thomas Martinez, Director of Operations and Maintenance

RE: 2021 NCRTD Transit Plan

ITEM AND ISSUE:

North Central Regional Transit District (NCRTD): Approval of Resolution endorsing the NCRTD's FY2020 Budget and the City of Santa Fe's FY2021 Regional Transit Plan including a reimbursement to the City up to a FY 20 total of \$778,776 for Transit Services.

BACKGROUND AND SUMMARY:

The North Central Regional Transit District (NCRTD) of which the City of Santa Fe is a member via a City of Santa Fe Resolution 2008-87 has identified funding in their FY 2020 budget proposal to keep the following transit services routes, operated by the City, funded and running through FY 2020.

1. Santa Fe Trails Route 22, serving the New Mexico 599 Rail Runner station as well as Rancho Viejo and Santa Fe Community College;
 2. Santa Fe Trails Routes 2 and 4, serving inbound and outbound Rail Runner trains at South Capitol station;
 3. Santa Fe Pick-Up Historic District Shuttle operations, providing shuttle service to and from the Rail Runner station at the Railyard and downtown destinations; and
 4. Additional enhanced or "special service" provided to:
 - a. accommodate visitors and residents alike;
 - b. meet increased demand for Rail Runner transfers;
 - c. Folk Art Market, Spanish Market, and Indian Market weekends; and
 - d. annual community celebrations of Zozobra and the Canyon Road Farolito Walk; and
-

Via the attached Resolution 2020 - _ introduced by Councilor Jamie Cassutt-Sanchez who sits on and is an active member of the NCRTD Board allows for the following:

- Endorses the NCRTD's FY2020 Budget Proposal;

-
- Approves the City of Santa Fe's FY2021 Regional Transit Plan;
 - Directs staff to submit the City's Regional Transit Plan for FY 2021 to the NCRTD Board of Directors for consideration and approval; and
 - Operationalizes the reimbursement to the City from NCRTD up to a FY 2020 total of \$778,776 for above said transit services.

ACTION REQUESTED:

Approve the Resolution as presented.

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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2020-__

INTRODUCED BY:

Councilor Jamie Cassutt-Sanchez

A RESOLUTION

ENDORING THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT’S FY2021 BUDGET PROPOSAL; APPROVING THE CITY OF SANTA FE’S FY2021 REGIONAL TRANSIT PLAN; AND DIRECTING STAFF TO SUBMIT THE CITY’S REGIONAL TRANSIT PLAN FOR FY2021 TO THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT BOARD OF DIRECTORS FOR CONSIDERATION AND APPROVAL.

WHEREAS, the North Central Regional Transit District (“NCRTD”) was created in 2004 by agreement between the City of Espanola, Los Alamos County, Pojoaque Pueblo, Rio Arriba County, San Ildefonso Pueblo, San Juan Pueblo, Santa Clara Pueblo, the City of Santa Fe, Santa Fe County, and Tesuque Pueblo; and

WHEREAS, NCRTD Resolution 2008-14 states that “in order to create a truly effective and efficient regional transit system that cooperatively and equitably serves north central New Mexico, the NCRTD believes that the City of Santa Fe should be a member of the District”; and

WHEREAS, as a result of City of Santa Fe Resolution 2008-87, the City of Santa Fe joined the NCRTD and soon thereafter expanded City delivered transit services to provide connecting

1 transportation to and from the Rail Runner, through funding made available by the NCRTD; and

2 **WHEREAS**, the City's expanded services include:

3 1. Santa Fe Trails Route 22, serving the New Mexico 599 Rail Runner station as well as
4 Rancho Viejo and Santa Fe Community College;

5 2. Santa Fe Trails Routes 2 and 4, serving inbound and outbound Rail Runner trains at
6 South Capitol station;

7 3. Santa Fe Pick-Up Historic District Shuttle operations, providing shuttle service to
8 and from the Rail Runner station at the Railyard and downtown destinations; and

9 4. Additional enhanced or "special service" provided to:

10 a. accommodate visitors and residents alike;

11 b. meet increased demand for Rail Runner transfers;

12 c. Folk Art Market, Spanish Market, and Indian Market weekends; and

13 d. annual community celebrations of Zozobra and the Canyon Road Farolito
14 Walk; and

15 **WHEREAS**, the existing services provided by Santa Fe Trails have been deemed to meet the
16 definition of regional services as adopted by the NCRTD Board and incorporated into its financial
17 policies as amended on November 4, 2011 by Board Resolution No. 2011-10; and

18 **WHEREAS**, the NCRTD has identified funding in their FY 2020 budget proposal to keep
19 the aforementioned regional services, operated by the City, funded and running through FY 2020; and

20 **WHEREAS**, the NCRTD will reimburse the City for said regional transit services, upon
21 receipt of invoices for service delivered, up to a FY 2020 total of \$778,776 subject to budgetary
22 restricts identified in its adopted FY 2020 Budget.

23 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
24 **CITY OF SANTA FE** that the Governing Body hereby endorses the proposed FY2020 NCRTD
25 budget that continues to fund regional transit services provided by the City of Santa Fe on behalf of

1 the NCRTD, and that the aforementioned expanded services are approved as the City of Santa Fe
2 Regional Transit Plan for FY 2020, and upon approval by the NCRTD Board of Directors, is
3 incorporated in the NCRTD service plan.

4 **BE IT FURTHER RESOLVED** that the City Manager is directed to submit the City of
5 Santa Fe Regional Transit Plan for FY2020 to the NCRTD Board of Directors for consideration and
6 approval.

7 PASSED, APPROVED, and ADOPTED this ___ day of _____, 2020.

8
9
10 _____
11 ALAN WEBBER, MAYOR

12 ATTEST:

13
14 _____
15 YOLANDA Y. VIGIL, CITY CLERK

16 APPROVED AS TO FORM:

17 
18 _____
19 ERIN K. McSHERRY, CITY ATTORNEY

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24
25 *Legislation/Resolutions/NCRTD Transit Plan*

FISCAL IMPACT REPORT

General Information:

(Check) Bill: _____ Resolution: X

Short Title(s): NCRTD Transit Plan

Sponsor(s): Councilor Cassutt-Sanchez

Reviewing Department(s): Public Works – Transit Division

Staff Completing FIR: Thomas Martinez Date: 8/7/20 Phone: _____

Reviewed by City Attorney: *Eric McJury* Date: Aug 13, 2020

Reviewed by Finance Director: *Mary McCoy* Date: Aug 13, 2020

Summary:

The proposed Resolution endorses the FY2021 North Central Regional Transit District’s budget allocation to the City of Santa Fe in the amount of up to \$1,051,855, and approves the FY2021 City of Santa Fe Regional Transit Plan.

Departments Affected:

Public Works - Transit

Consequences of Not Enacting Legislation:

The NCRTD Board of Directors would not be informed as to the plan regarding the expenditure of regional transit tax revenues allocated for FY2021 to deliver regional transit service in and around City of Santa Fe. Approval of a transit plan is required in order for the City to seek reimbursement from NCRTD for services provided.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:

None identified.

Performance and Administrative Implications:

Approval of the FY2021 NCRTD service plan for the City of Santa Fe will allow continued operation of a number of transit services, currently in operation, that are funded through the regional transit tax dispersed by the NCRTD.

Approval of the FY2021 NCRTD service plan for the City of Santa Fe will allow continued operation of a number of transit services, currently in operation, that are funded through the regional transit tax dispersed by the NCRTD.

Fiscal Impact

_____ Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __2021	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and Benefits*	\$ _____	\$ _____	\$ _____	_____	_____	_____	
Capital Outlay	\$ _____	\$ _____	\$ _____	_____	_____	_____	
Contractual/ Professional Services	\$ _____	\$ _____	\$ _____				
Operating	\$ _____	\$ _____	\$ _____		_____	_____	\$ _____
Total:	\$ _____	\$ _____	\$ _____				\$ _____

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

Revenue Type	FYE 21	FYE __	FYE __	Recurring (R) or Non-recurring (NR)	Fund
General Fund	\$ _____	\$ _____	\$ _____	_____	_____
Special Revenue	\$ _____	\$ _____	\$ _____	_____	_____
CIP	\$ _____	\$ _____	\$ _____	_____	_____
Enterprise	\$ _____	\$ _____	\$ _____	_____	_____
Internal Service	\$ _____	\$ _____	\$ _____	_____	_____
Trust and Agency	\$ _____	\$ _____	\$ _____	_____	_____
Federal	\$ _____	\$ _____	\$ _____	_____	_____
Other	\$778,766	\$ _____	\$ _____	NR	_____
Total	\$778,766	\$ _____	\$ _____		

Revenue Narrative:

Regional Transit GRT

NCRTD Transit Plan

Final Audit Report

2020-08-13

Created:	2020-08-13
By:	Jesse Guillen (jbguillen@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAzAg6hZ9pVC8Y5rQQbIVq4WpR_ci8Nvml

"NCRTD Transit Plan" History

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