

City of Santa Fe, NM
Regular Meeting of the Governing Body
Wednesday, May 27, 2020
05:00 PM – Governing Body
ATTEND VIRTUALLY
<https://www.youtube.com/user/cityofsantafe>

AGENDA

SPECIAL PROCEDURES FOR MAY 27, 2020 GOVERNING BODY MEETING

Attendance: In response to the State’s declaration of a Public Health Emergency, the Mayor’s Proclamation of Emergency, and the ban on public gatherings of more than five (5) people, the Governing Body meeting on Wednesday, May 27, 2020 will be conducted virtually.

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

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

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

Agenda: The agenda for the meeting will be posted on the City of Santa Fe’s website at <https://www.santafenm.gov>.

Petitions from the Floor: The Governing Body will take public comment for “Petitions from the Floor” in written form via email or by telephone message, through 1:00 p.m. on Wednesday, May 27, 2020. Emails and phone messages must identify the submitting party’s name and address and may be sent to petitionsfromthefloor@santafenm.gov or 505-955-6520. These comments will be distributed to the Governing Body for review prior to the meeting.

AFTERNOON SESSION – 5:00 P.M.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. SALUTE TO THE NEW MEXICO FLAG**
- 4. INVOCATION**
- 5. ROLL CALL**
- 6. APPROVAL OF AGENDA**

7. APPROVAL OF CONSENT CALENDAR**8. APPROVAL OF MINUTES:**

Special City Council Meeting – May 4, 2020

Special City Council Meeting – May 5, 2020

Regular City Council Meeting – May 13, 2020

[Item 8 - May 4, 2020.pdf](#)

[Item 8 - May 5, 2020.pdf](#)

[Item 8 - May 13, 2020.pdf](#)

9. PRESENTATIONS**10. CONSENT CALENDAR**

a) Request for Approval of Amendment #8 to Service Contract 18-0552 in the Total Amount of \$974,346.77 Plus Applicable NMGR T for Annual Security Services for City Facilities; Universal Protection Services dba Allied Universal Security. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 955-5933)

[Item 10-a.pdf](#)

[Item 10-a - Action Sheet from PW&UC.pdf](#)

b) Request for Approval of Sole Source Contract with Evoqua Water Technologies, LLC in the Amount of \$204,630, Excluding NMGR T, to Procure and Install Parts for the Secondary Clarifier at the WWMD Treatment Plant. (Efran Morales, Wastewater Treatment Plant Operator, emmorales@santafenm.gov, 955-4618)

1) Request for Approval of a Budget Increase BAR in the Amount of \$204,630.

[Item 10-b.pdf](#)

c) Request for Approval of Change Order No. 1 to the Original Construction Contract No. 19-0714 with TLC Company for the CWRTP Raw Water Supply Pipeline CIP #3038C in the Amount of \$176,385.51, Excluding NMGR T. (Robert Jorgenson, Water Division Engineer, rnjorgenson@santafenm.gov, 955-4265)

[Item 10-c.pdf](#)

d) Request for Award of Bid and Approval of the Construction Agreement with RMCI, Inc. for CIP #957 for the Construction of Aeration System Improvement Project, in the Amount of \$10,735,875, Plus \$907,538 (NMGR T), for a Total Amount of \$11,661,230.20 and to Include an Approximate 10% Contingency for a Total Project Cost of \$12,800,000 (James Martinez, Wastewater Engineer, jamartinez1@santafenm.gov, 955-4616 and Mike Dozier, Waste Water Division Director, mldozier@santafenm.gov, 955-4642)

[Item 10-d.pdf](#)

e) Request for Approval of Amendment No. 2 to the Original Professional Service Agreement with AECOM Technical Services Inc. for On-Call Engineering Services for CIP Projects in the Total Amount of \$542,188.00. (Robert Jorgenson, Water Division Engineer, rnjorgensen@santafenm.gov, 955-4265)

[Item 10-e.pdf](#)

f) Request for Approval of the Governing Body's Findings of Fact and Conclusions of Law for Case No. 2019-1535, Approving the Development Plan for a 84,276 Square Foot, 4-Story Building which Will Consist of a 70-Room Hotel, Other Amenities and a 2-Level Underground Parking Garage at 211 West San Francisco Street, Subject to Conditions of Approval and Technical Corrections Set Forth in the Staff Report and Exhibits. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

[Item 10-f.pdf](#)

g) Request for Approval of the Governing Body's Findings of Fact and Conclusions of Law for Case No. 2020-1609, Approving a Rezoning of Approximately 3.57 Acres of Vacant Land to R-7 (Residential-Seven Dwelling Units Per Acre) and Approving a Preliminary Development Plan for 26 Dwelling Units for the Jaxson Subdivision at the Intersection of Rufina Street and Lopez Lane, Subject to the Conditions of Approval and Technical Corrections Set Forth in the Staff Report and Exhibits, and Subject to the Additional Condition that there Shall Be a Perimeter Wall Built Around the Property. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

[Item 10-g.pdf](#)

h) Request for Approval of the Governing Body's Findings of Fact and Conclusions of Law for Case No. 2020-1617, Approving an Amendment to Zoning Ordinance 1997-6 to Remove the Requirement for a Grocery Store and the Prohibition Against Drive through Uses at 5750 Airport Road; and Case No. 2020-1612, Approving a Development Plan for a Mixed-Use Project at 5750 Airport Road, Subject to the Conditions of Approval and Technical Corrections Set Forth in the Staff Report and Exhibits, and Subject to the Additional Condition that Short-Term Rental Uses Shall Be Prohibited. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

[Item 10-h.pdf](#)**11. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JUNE 10, 2020:**

BILL NO. 2020-10. An Ordinance Creating a New Section 20-7 SFCC 1987 Regarding the Use of Face Coverings by Employees and Customers when Inside Places of Business and by all Members of the Public when in Public Places where Social Distancing is Not Possible; Establishing an Effective Date as the Date of Bill Adoption. (Councilor Romero-Worth, Councilor Lindell, Councilor Cassutt-Sanchez, Councilor Abeyta and Councilor Rivera) (Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov, 505-955-6518)

[Item 11.pdf](#)**12. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JUNE 24, 2020:**

BILL No. 2020-11. An Ordinance Relating to the City of Santa Fe Economic Development Plan Ordinance, Article 11-11 SFCC 1987; Approving and Adopting an Amended Local Economic Development Project Participation Agreement Between the City of Santa Fe and Descartes Labs, Inc. for Design, Development and Construction of Tenant Improvements; and Lease Payments for Expansion of a New World Headquarters Facility, a Local Economic Development Project. (Mayor Webber and Councilor Cassutt-Sanchez) (Fabian Trujillo, Office for Business Growth Manager, ftrujillo@santafenm.gov, 955-6912)

[Item 12.pdf](#)**13. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JUNE 24, 2020:**

BILL NO. 2020-12. An Ordinance Relating to the City of Santa Fe Economic Development Plan Ordinance, Article 11-11 SFCC 1987; Approving and Adopting a Local Economic Development Project Participation Agreement Between the City of Santa Fe and Descartes Labs, Inc. for an Economic Development Loan Project for Lease Payments to Provide Assistance for the Negative Financial Impacts of Covid-19. (Mayor Webber and Councilor Cassutt-Sanchez) (Fabian Trujillo, Office for Business Growth Manager, ftrujillo@santafenm.gov, 955-6912)

[Item 13.pdf](#)**14. CONSIDERATION OF RESOLUTION 2020-____. (MAYOR WEBBER)**

A Resolution Adopting the "Santa Fe Promise" to Promote a Culture of Public Health to Stem the Tide of Covid-19 Outbreaks and Ensure a Safe Return to Financial Prosperity. (Jesse Guillen, Legislative Liaison, jbg Guillen@santafenm.gov, 955-6518)

[Item 14.pdf](#)

15. REQUEST FOR APPROVAL OF THE SANTA FE RAILYARD COMMUNITY CORPORATION'S

Proposed Amendment #9 to the Amended and Restated Lease and Management Agreement to Defer a Portion of Rent Due to the Repercussions of Covid-19. (Rich Brown, Economic Development Director rdbrown@santafenm.gov, 955-6625 and Robert Siqueiros, Railyard Project Administrator rmsiqueiros@santafenm.gov, 955-6977)

[Item 15.pdf](#)

[Item 15 - Action Sheet from PW&UC.pdf](#)

16. REQUEST FOR APPROVAL OF AMENDMENT #1 TO THE GARSON STUDIOS LEASE AGREEMENT

Item # 19-0341, Amending Sections 1, 3, 4, 5, 6, 10 and 16 to Change the Term of the Lease and Add Two Year-Long Holdover Terms from July 2020-2021, and July 2021–July 2022, Remove Studio C from the Premises, Change the Base Rent Rates, Allow the City to Modify Ingress and Egress as Necessary for Construction, Modify the Termination Provision to Coincide with the Terms, and to Allow Assignment by the Lessor. (Rich Brown, Economic Development Director rdbrown@santafenm.gov, 955-6625 and Andrea Salazar, Assistant City Attorney asalazar@santafenm.gov, 955-6303)

[Item 16.pdf](#)

[Item 16 - Action Sheet from PW&UC.pdf](#)

17. CONSIDERATION OF RESOLUTION 2020-____. (MAYOR WEBBER)

A Resolution Extending the State of Emergency Proclaimed by the Mayor on May 25, 2020 by Sixty (60) Days, Pursuant to Section 20-1.3(C) SFCC. (Erin K. McSherry, City Attorney, ekmcsberry@santafenm.gov, 955-6512)

[Item 17.pdf](#)

18. APPROVAL TO JOIN THE LOS ANGELES AND OTHER LOCAL GOVERNMENTS IN AN AMICUS BRIEF

to be Filed in the Fourth Circuit Court of Appeals' Case, No. 20-1160, in Support of Refugee Organizations' Challenge of the 2019 Executive Order that Limited Federal Resettlement of Refugees to those Jurisdictions in which Both the State and Local Governments Have Consented to Receive Refugees Under the Department of State's Reception and Placement Program. (Erin K. McSherry, City Attorney, ekmcsberry@santafenm.gov, 955-6512)

19. APPROVAL TO JOIN THE COUNTY OF LOS ANGELES AND OTHER LOCAL GOVERNMENTS IN AN AMICUS BRIEF

to be Filed in Support of the Plaintiffs in Oakley v. DeVos, No. 4:20-cv-03215 (N.D. Cal.), Challenging the U.S. Department of Education's Exclusion of Undocumented Immigrants, DACA Recipients, TPS Holders, and Asylum Seekers, Among Others, from Receiving Aid Allocated by the CARES Act. (Erin K. McSherry, City Attorney, ekmcsberry@santafenm.gov, 955-6512)

20. REQUEST APPROVAL AUTHORIZING THE CITY MANAGER SIGNATORY AUTHORITY

to Accept the CARES Act Grant No. 3-35-0037-051-2020 for the Santa Fe Regional Airport. (Mark Baca, Airport Manager, mdbaca@santafenm.gov 955-2901)

[Item 20.pdf](#)

21. REQUEST APPROVAL OF THE FY2021 CITY OF SANTA FE EMPLOYEE INSURANCE PLANS.

(Bernadette Salazar, Human Services Director, bjsalazar@santafenm.gov, 955-6591)

[Item 21.pdf](#)

[Item 21 Additional Information.pdf](#)

22. MATTERS FROM THE CITY MANAGER

23. MATTERS FROM THE CITY ATTORNEY

24. MATTERS FROM THE CITY CLERK

25. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – CANCELLED (NO PUBLIC HEARINGS SCHEDULED)

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. SALUTE TO THE NEW MEXICO FLAG

D. INVOCATION

E. ROLL CALL

F. PETITIONS FROM THE FLOOR

Please Refer to the Statement "Special Procedures for May 27, 2020 Governing Body Meeting" at the Beginning of the Governing Body Agenda.

[Stefanie Beninato 1.pdf](#)

[Stefanie Beninato 2.pdf](#)

[Kathleen Dudley 1.pdf](#)

[Kathleen Dudley 2.pdf](#)

[Kathleen Dudley 3.pdf](#)

[IAFF LOCAL 2059 - POA - AFSCME LOCAL 3999-1.pdf](#)

[IAFF LOCAL 2059 - POA - AFSCME LOCAL 3999.pdf](#)

[Dr. Marilyn - Voicemail.pdf](#)

[Gregory Ross.pdf](#)

[Mike Schneider.pdf](#)

[Sammi Triolo.pdf](#)

[Kristy Janda Wagner.pdf](#)

[Christine Zipps.pdf](#)

G. APPOINTMENTS: NONE

H. PUBLIC HEARINGS: NONE

I. ADJOURN

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

NOTE: New Mexico law requires the following administrative procedures be followed when conducting “quasi-judicial” hearings. In a “quasi-judicial” hearing all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross-examination. Witnesses have the right to have an attorney present at the hearing.

Persons with disabilities in need of accommodations, contact the City Clerk’s office at 955-6521, five (5) working days prior to meeting date.