

City of Santa Fe, NM
Regular Meeting of the Governing Body
Wednesday, October 30, 2019
05:00 PM – Governing Body
City Council Chambers

AGENDA

AFTERNOON SESSION – 5:00 P.M.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. SALUTE TO THE NEW MEXICO FLAG**
- 4. INVOCATION**
- 5. ROLL CALL**
- 6. APPROVAL OF AGENDA**
- 7. APPROVAL OF CONSENT CALENDAR**
- 8. APPROVAL OF MINUTES:**
Regular City Council Meeting – October 8, 2019
[Item 8.pdf](#)
- 9. PRESENTATIONS**
- 10. CONSENT CALENDAR**
 - a) Request for Approval of Professional Services Agreement in the Total Amount of \$112,232.81 for Internal Audit Services; RFP # 20/04/P; REDW. (Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 505-955-6530)
[Item 10a.pdf](#)
 - b) Request for Approval of a Budget Amendment Resolution (BAR) Budget Increase from Cash Balances for the Valli Bill Print and Denovo Contract for Service Contracts in the Amount of \$300,000. (Nancy Jimenez, Utility Billing Division Director, nljimenez@santafenm.gov, 955-4364)
[Item 10b.pdf](#)
 - c) Request for Approval of a Budget Amendment Resolution (BAR) for Re-Appropriation of Funds in the Amount of \$2,341,621 - Approved Purchases in FY 2018/2019. (Lawrence Garcia, ESD Maintenance Manager, lmgarcia@santafenm.gov, 955-2241 and Manuel Sanchez, Administrative Manager, mnsanchez@santafenm.gov, 955-2212)
[Item 10c.pdf](#)
 - d) Request for Approval of a Budget Amendment Resolution (BAR) to Increase Budget for the Yukon Contract and Chemicals for Water Treatment into Operating Supplies (530200) and Repair/Maintenance System

Equipment (520150) for the Total Amount of \$259,949. (Jonathan Montoya, Source of Supply Operations Manager, jmmontoya@santafenm.gov, 955-4373)

[Item 10d.pdf](#)

e) Request for Approval of Amendment No. 1 to Lease Agreement #BL-2248 By and Between the City of Santa Fe and the State of New Mexico Commissioner of Public Lands to Extend to Amend Provision of Agreement Adding a Drainage Easement for Storm River LLC into the Lease Agreement, with Conditions. (Kevin Kellogg, Asset Development Manager, kckellogg@santafenm.gov, 955-6213)

[Item 10e.pdf](#)

f) Request for the Approval of Acceptance of Appropriation in the Total Amount of \$237,142.85 from LEAD Planning and Operations; State of New Mexico. (Andres J. Mercado, Battalion Chief/Mobile Integrated Health Office, ajmercado@santafenm.gov, 955-3604)

1) Request for Approval of a Budget Amendment Resolution (BAR).

[Item 10f.pdf](#)

g) Request for the Approval of Memorandum of Agreement and Maintenance Agreement with New Mexico Department of Transportation for Rectangular Rapid Flashing Beacons on Alta Vista Street. (John Romero, PW Engineering Division Director, jjromero@santafenm.gov, 955-6638)

[Item 10g.pdf](#)

h) Request for Approval of Service Contract in the Amount of \$107,612.42 for Installation of Bullet Resistant Glass and Hearing Loops at Municipal Court with Davenport Construction Management, LLC. (Caryn Grosse, Facilities Project Administrator, clgrosse@santafenm.gov, 955-5938)

[Item 10h.pdf](#)

i) Request for Approval of a Professional Services Agreement Amendment No. 1 to Change the Fiscal Agent Name for Coming Home Connection; RFP #19/23/P. (Alexandra Ladd, agladd@santafenm.gov, 955-6346)

[Item 10i.pdf](#)

j) Request for Approval of a Contract for Services Using Bid #19/27/B for Milling and Overlay of Runway 10-28 along with Crack Seal, Sealcoating and Striping of Runway 15-33 and Runway 10-28. Construction Services will be at the City of Santa Fe Regional Airport, 121 Aviation Drive with Mountain States Constructors, Inc. for the Total Amount of \$1,169,500.06 Inclusive of NMGR. (Curt Temple, Santa Fe Regional Airport Project Administrator, cetemple@santafenm.gov, 955-2906)

[Item 10j.pdf](#)

k) Request for Approval of a Professional Services Agreement with Davenport Construction Management, Inc. for the Installation of a Post and Cable Perimeter Fence at SWAN Park. The Cost of This Project will be \$121,112.62 Inclusive of NMGR. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 955-5933)

[Item 10k.pdf](#)

l) Request for Approval of Amendment #2 to the Professional Service Agreement (Munis Contract #3200932) with Wilson & Company to Increase Compensation in the Total Amount of \$303,196.31 Plus Applicable Gross Receipts Taxes to Provide Additional Design and Right of Way Services for CIP # 801B – Guadalupe Street Reconstruction from Agua Fria Street North to Paseo de Peralta”. (Sarah Anderson, PW Engineer Supervisor, smanderson@santafenm.gov, 505-955-6672)

[Item 10l.pdf](#)

m) Request for Approval of a City Wide On-Call Professional Services Agreement with Keers Inc. for On-Call Remediation and Cleaning Services Rendered on an As Needed Basis Not to Exceed \$250,000 Exclusive of NMGR. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 955-5933)

[Item 10m.pdf](#)

n) Request for Approval of a Multiple Source Award of Bid RFB '19/24/B for Traffic Control Services as Follows:

1) Southwest Safety Services for Four (4) Years for \$30,000 each Fiscal Year for a Total of \$120,000.00 Exclusive of NMGRT. Munis Contract No. 3200652. (Mike Moya, Transmission & Distribution Operations Manager, mrmoya@santafenm.gov, 955-4243)

2) Highway Supply for Four (4) Years for \$30,000 each Fiscal Year for a Total of \$120,000.00 Exclusive of NMGRT. Munis Contract No. 3201144. (Mike Moya, Transmission & Distribution Operations Manager, mrmoya@santafenm.gov, 955-4243)

[Item 10n.pdf](#)

o) Request for Approval of a City Wide On-Call Professional Services Agreement with National Roofing, Inc. for Roofing Services Rendered on an As Needed Basis that Shall Not Exceed \$271,093.75 Inclusive of NMGRT. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 955-5933)

[Item 10o.pdf](#)

p) Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Santa Fe Distillery, LLC, 308 Read Street, Small Brewer 1st Off-Site Location Liquor License to be Located at Santa Fe Spirits, 308 Read Street. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 955-6521)

[Item 10p.pdf](#)**11. REQUEST FOR APPROVAL OF A CLOSING AGREEMENT AND WARRANTY DEED**

between the City of Santa Fe and New Mexico Inter-Faith Community Housing Development Corporation to Convey Tract 2 in the Lot Line Adjustment for Tract 1 & Tract 2 for the City of Santa Fe Pursuant to Resolutions 2014-13, 2015-24, 2016-30, 2018-9, 2019-6, and Ordinance 2016-44. (Alexandra Ladd, Director, Director, Office of Affordable Housing, agladd@santafenm.gov, 955-6346 and Andréa Salazar, Assistant City Attorney, asalazar@santafenm.gov, 955-6303)

[Item 11.pdf](#)**12. REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON DECEMBER 11, 2019:**

Bill No. 2019-27: An Ordinance Amending Various Sections of the Santa Fe Homes Program, Section 26-1 SFCC 1987, to Revise the Requirements for Multifamily Rental Housing Development so that Developers Can Choose from a Menu of Compliance Options; Increasing the Fee-in-Lieu as Determined by an "Affordability Gap Calculation"; Determining the Requirements for "Low-Priced Dwelling Units" as They Apply to Multifamily Rental Housing Units; Determining the Requirements for Subsidized Rental Units Included On-Site in Market-Rate Rental Housing; Clarifying Developer Incentives and Terms of Compliance so They Correlate with Degree of Affordability; Prohibiting Market-Rate Properties that Receive Incentives from Discriminating on the Basis of Income Source When Qualifying Tenants; Amending Section 26-2 SFCC 1987 to Clarify the Requirements for Rental Low-Priced Dwelling Units that Comply with the Santa Fe Homes Program; Amending Section 26-3 SFCC 1987 to Permit Alternative Funding Cycles for Administration of the Affordable Housing Trust Fund; and Other Such Changes to the Santa Fe Homes Program as Needed. (Mayor Webber and Councilor Ives) (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

[Item 12.pdf](#)**13. CONSIDERATION OF RESOLUTION NO. 2019-____. (MAYOR WEBBER, COUNCILOR HARRIS, COUNCILOR ABEYTA AND COUNCILOR IVES)**

A Resolution Urging the New Mexico Legislature to Pass an Extreme Risk Protection Bill and an Appropriation to Fund Research on the Causes of Gun Violence and Solutions to End Gun Violence Amongst New Mexico Youth During the 2020 Legislative Session; and Urging the New Mexico Legislature to Propose a Constitutional

Amendment to Allow Municipalities to Adopt Their Own Public Safety Measures if the Legislature Fails to Act. (Jesse Guillen, Legislative Liaison, jbg Guillen@santafenm.gov, 955-6518)

[Item 13.pdf](#)

14. CONSIDERATION OF RESOLUTION NO. 2019-____. (COUNCILOR VILLARREAL)

A Resolution Supporting the Protection of Wildlife Corridors in the Upper Rio Grande Basin. (Jesse Guillen, Legislative Liaison, jbg Guillen@santafenm.gov, 955-6518)

[Item 14.pdf](#)

15. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, - Specifically NMSA 1978, Section 10-15-1(H), Subpart (7), Meetings Subject to the Attorney-Client Privilege Pertaining to Threatened or Pending Litigation in Which the City Is or May Become a Participant. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6961)

16. APPROVAL OF AMENDMENT #2 TO A CONTRACT FOR LEGAL SERVICES WITH ROTHSTEIN DONATELLI, LLP,

in the Amount of \$550,000 Including GRT for a Total Amount of \$766,875.50. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6961)

a) Request for Approval of Budget Adjustment Resolution (BAR).

[Item 16.pdf](#)

17. MATTERS FROM THE CITY CLERK

18. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. SALUTE TO THE NEW MEXICO FLAG

D. INVOCATION

E. ROLL CALL

F. PETITIONS FROM THE FLOOR

G. APPOINTMENTS

• Immigration Committee

[Item G.pdf](#)

H. PUBLIC HEARINGS:

1) CONSIDERATION OF BILL NO. 2019-28: ADOPTION OF ORDINANCE NO. 2019-____. (Mayor Webber)

An Ordinance Repealing Section 24-9 SFCC 1987 Regarding the Vehicle Forfeiture Ordinance; and Limiting the Use of Funds Remaining in the Program Account from Forfeitures that Occurred Prior to the Espinoza Case. (Mike Prinz, Assistant City Attorney, mnprinz@santafenm.gov, 955-6554)

[Item H-1.pdf](#)

2) CONSIDERATION OF BILL NO. 2019-33: ADOPTION OF ORDINANCE NO. 2019-____. (Councilor Vigil Coppler and Councilor Abeyta)

An Ordinance Amending Exhibit A of Chapter 22 SFCC 1987 to Add a Provision to Allow for a More Accurate Reading of Wastewater Discharge; and Amending Various Tables to Remove Provisions that are No Longer Applicable. (Shannon Jones, Public Utilities Department Director, swjones@santafenm.gov, 955-4267)

[Item H-2.pdf](#)

3) Appeal No. 2019-921-APPL of Planning Commission Case #2019-62. Appeal by Titan Rodeo SS LLC of the Planning Commission's Decision to Deny Variances to (1) Exceed the Maximum of 3 Signs Permitted by Santa Fe City Code (SFCC) §14-8.10(G)(7)(a); (2) Exceed the Maximum Sign Size of 150 Total Square Feet Set Forth in SFCC §14-8.10(G)(7)(a); and (3) Exceed the Maximum Sign Height of 25 Feet Set Forth in SFCC §14-8.10(G)(7)(d), at Extra Space Storage, Located at 2977 Rodeo Park Drive East, which is Zoned BIP (Business Industrial Park) and is Located within the South Central Highway Corridor Overlay District. (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

[Item H-3.pdf](#)

[Item H-3 Exhibit H to City Attorney Memo.pdf](#)

4) CONSIDERATION OF BILL NO. 2019-23: ADOPTION OF ORDINANCE NO. 2019-____. (Councilor Romero-Wirth, Mayor Webber, Councilor Ives and Councilor Lindell)

An Ordinance of the City of Santa Fe, New Mexico Authorizing and Providing for the Issuance and Sale of its Taxable Industrial Revenue Bonds for the Benefit of New Mexico Fresh Foods, LLC, in an Aggregate Principal Amount Not to Exceed Eighteen Million Dollars (\$18,000,000) for the Purpose of Financing the Acquisition, Construction, Renovation, Installation, and Equipping of a High Pressure Processing Facility in Santa Fe, New Mexico, Authorizing the Execution and Delivery of a Lease Agreement Between the City and New Mexico Fresh Foods, LLC, an Indenture Securing Said Bonds, a Bond Purchase Agreement, Closing Documents, and Such Bonds in Connection Therewith; Providing for the Terms of the Series 2019 Bonds and Making Determinations as to the Sufficiency of the Lease Payments and Other Matters Related to the Project; Authorizing the Sale of Said Bonds and Any Ancillary Agreements in Connection Therewith; and Authorizing Other Matters Pertaining to the Issuance of Said Bonds. (Fabian Trujillo), Office for Business Growth Manager, ftrujillo@santafenm.gov, 955-6912) (POSTPONED SEPTEMBER 25, 2019) (POSTPONED TO NOVEMBER 13, 2019)

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.