

City of Santa Fe, NM
Regular Meeting of the Governing Body
Wednesday, August 28, 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 – August 14, 2019
[Item 8.pdf](#)
- 9. PRESENTATIONS**
- 10. CONSENT CALENDAR**
 - a) Request for Approval of Budget Amendment Resolution, in the Amount of \$225,975, to Cover SFUAD General Liability Insurance. (Bradley Fluetsch, CFA, Planning and Investment Officer, bjfluetsch@santafenm.gov, 955-6885)
[Item 10a.pdf](#)
 - b) Request for Approval of State Price Agreement #70-805-17-15677 Expected to Exceed an Amount of \$60,000 for the Procurement of Bulk Fuel; Various Vendors (Daniel Garcia, Fleet Section Manager, dagarcia@santafenm.gov, 955-2351)
[Item 10b.pdf](#)
 - c) Request for Approval of State Price Agreements: 90-000-19-0063, 90-000-19-00015, 60-000-16-00050, 90-000-19-00049AA, AB, in an Amount Expected to Exceed \$60,000 for the Procurement of General Repair, Supplies, Maintenance of City Owned Vehicle Equipment; Multiple Vendors. (Daniel Garcia, Fleet Section Manager, dagarcia@santafenm.gov, 955-2351)
[Item 10c.pdf](#)

d) Request for Approval of Exempt Procurement in the Total Amount of \$295,000 for the Purchase of Books, Related Materials and Standing Orders with Baker & Taylor (Jeffrey Donlan, Interim Library Division Director, jpdonlan@santafenm.gov, 955-6788)

[Item 10d.pdf](#)

e) Request for Approval of a Budget Amendment Resolution (BAR) to Transfer \$77,754 from ORG 5110352 to ORG 5050385 to Reclassify and Fund the Special Project Administrator Position 1725 to a Water System Operator Entry. (Shannon Jones, Public Utilities Department Director, swjones@santafenm.gov, 955-4267)

[Item 10e.pdf](#)

f) Request for Approval of Amendment No. 1 to Professional Services Agreement to Extend the Term to June 30, 2022; Service Line Warranties of America: Utility Service Partners. (Shannon Jones, Public Utilities Department Director, swjones@santafenm.gov, 955-4267)

[Item10f.pdf](#)

g) Request for Approval of Award of Bid No. '19/18/B to TLC Company, Inc. for the Canyon Road Water Treatment Plant Raw Water Supply Pipeline – CIP # 3038C for the Amount of \$2,935,706.75 Inclusive of NMGRT. (Robert Jorgensen, Engineer, rjorgensen@santafenm.gov, 955-4265)

l) Request for Approval of Budget Amendment Resolution to Increase Funds from the Cash Balance for the Total Amount of \$2,935,707.

[Item 10g.pdf](#)

h) Request for Approval of Award of Bid No. '19/26/B to Associated Asphalt and Materials, LLC for Asphalt for Four (4) Years for the Amount of \$25,000 per Fiscal Year Beginning with FY 2019/2020 for a Total Amount of \$100,000 Exclusive of NMGRT. (Mike Moya, Transmission & Distribution Manager, mrmoya@santafenm.gov, 955-4243)

[Item 10h.pdf](#)

i) Request for Approval of Award of Bid '19/25/B to Southwest Landscaping Materials, LLC for Base Course, Crushed Gravel, Concrete and Sand to be Used for Everyday Operations for Four (4) Years for the Amount of \$25,000 per Fiscal Year Beginning with FY 2019/2020 for a Total Amount of \$100,000 Exclusive of NMGRT. (Mike Moya, Transmission & Distribution Manager, mrmoya@santafenm.gov, 955-4243)

[Item 10i.pdf](#)

j) Request for Approval of a Budget Adjustment Resolution (BAR) for Budget Increase/Re-Appropriation from the Water Enterprise Fund for the Award of Bid '19/08/B for A.A.C. Construction, LLC for the Total Amount of \$250,000 Inclusive of NMGRT. (Bill Huey, Engineer, bchuey@santafenm.gov, 955-4273)

[Item 10j.pdf](#)

k) Request for the Approval of a Contract for Services Using NM State Price Agreement #90-000-19-00057 for Construction Remodeling Services at the City of Santa Fe Salvador Perez Recreation Center at 601 Alta Vista Street with FacilityBuild, Inc., for the Total Amount of \$268,388.95 Inclusive of NMGRT. (Curt Temple, Public Works Project Administrator, cetemple@santafenm.gov, 955-5935)

[Item 10k.pdf](#)

l) Request for Approval Using State Price Agreement #90-000-18-00005 to Increase the Total Amount of Purchase Order #22000335 by an Additional \$14,977.26 for a Total Amount of \$74,977.26 for the Striping of Taxiway and Runway Pavements; Highway Supply Company. (Mark Baca, Airport Manager, mdbaca@santafenm.gov, 955-2901)

[Item 10l.pdf](#)

m) CONSIDERATION OF RESOLUTION NO. 2019-____. (Mayor Webber)

A Resolution Adopting the 2021-2025 Senior Infrastructure Capital Improvements Plan (ICIP) for the Division of Senior Services, Community Services Department. (Romella Glorioso-Moss, Special Projects Administrator, rsglorioso@santafenm.gov, 955-4744)

[Item 10m.pdf](#)

n) CONSIDERATION OF RESOLUTION NO. 2019-____. (Councilor Ives)

A Resolution Adopting the 2021-2025 Infrastructure Capital Improvements Plan (ICIP). (Regina Wheeler, Public Works Department Director, rawheeler@santafenm.gov, 955-6622)

[Item 10n.pdf](#)

o) Request to Publish Notice of Public Hearing on October 8, 2019:

Bill No. 2019-12: An Ordinance Amending Various Sections of Chapter 14, the Land Development Code, to Repeal the Summary Committee, a Subcommittee of the Planning Commission, Repeal Obsolete References to the Business Capitol District Development Review Committee, and Make Such Other Changes as Are Necessary to Provide Consistency. (Councilor Abeyta) (Noah Berke, Planner Manager, nberke@santafenm.gov, 955-6647)

[Item 10o.pdf](#)

p) Request for the Approval of Professional Services Agreement in the Total Amount of \$200,000 for Business Entrepreneur Accelerator Program; RFP #19/48/P; Global Center for Cultural Entrepreneurship (GCCE dba Creative Startups). (Rich Brown, Economic Development Specialist, rdbrown@santafenm.gov, (505) 955-6625)

[Item 10p.pdf](#)

q) Request for Approval of the Governing Body's Findings of Fact and Conclusions of Law in Appeal No. 2019-60, in which the Governing Body Modified the Decision of the Planning Commission in Case No. 2018-83 by Imposing One Additional Condition of Preliminary Subdivision Plat Approval, Requiring a Restriction on Vehicular Ingress and Egress to and from the Southwest Corner of the proposed Subdivision to Emergency Vehicles Only. (Erin K. McSherry, City Attorney, ekmesherry@santafenm.gov, 955-6512)

[Item 10q.pdf](#)

r) Request for Approval for Write Off of Aged Parking Permit Debt in the Amount of \$269,340.79 Which is Uncollectable Due to Exceeding the Statute of Limitations that Prevents the Collection of these Funds. (Noel Correia, Parking Division Director, npcorreia@santafenm.gov, 955-6611) (Postponed August 14, 2019) (Removed from Agenda)

11. REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON SEPTEMBER 25, 2019

a) 2018-2019 Consolidated Annual Performance Evaluation Review (CAPER), HUD Required Report on Uses of Community Development Block Grant (CDBG). (Alexandra Ladd, Director, Office of Affordable Housing, agladd@santafenm.gov, 955-6346)

[Item 11-a.pdf](#)

b) Bill No. 2019-30. An Ordinance Amending Section 10-6.5 and 12-2.4 SFCC 1987 to Consistently Identify the Airport as the Santa Fe Regional Airport. (Councilor Harris, Councilor Vigil Coppler, Councilor Rivera, and Councilor Ives)

(Jesse Guillen, Legislative Liaison, jbg Guillen@santafenm.gov, 955-6518)

[Item 11-b.pdf](#)

c) Bill No. 2019-22. An Ordinance Repealing Ordinance 2003-33 and Granting a New Non-Exclusive Franchise to Comcast of Eastern Shore and Comcast of New Mexico/Pennsylvania (“Comcast”) to Construct, Operate, and Maintain a Cable System in the Public Rights-of-Way and to Provide Cable Service Within a Franchise Area With the City of Santa Fe. (Councilor Abeyta and Councilor Lindell) (Joe Abeyta, Project Manager, jmabeyta@santafenm.gov, 955-6037)

[Item 11-c.pdf](#)

12. REQUEST FOR APPROVAL OF AMENDMENT #1 TO NMDOT FUNDING AGREEMENT

CN S100370 (Munis Contract No. 3200842), to Increase Funding by \$55,000 and to Extend the Termination Date from December 30, 2019 to April 30, 2020 for CIP 853B – Agua Fria Street/Cottonwood Drive Intersection Safety Improvements Project. (Sarah Anderson, Engineer Supervisor, sanderson@santafenm.gov, 955-6672)

[Item 12.pdf](#)

13. REQUEST FOR APPROVAL OF AMENDMENT #2 TO NMDOT FUNDING AGREEMENT

13. Request for Approval of Amendment #2 to NMDOT Funding Agreement, CN S100460 (Munis Contract No. 3200847), to Increase Funding by \$540,000 and to Extend the Termination Date from October 16, 2020 to April 30, 2021 for CIP 801B – Reconstruction of Guadalupe Street from Agua Fria to Paseo de Peralta. (Sarah Anderson, Engineer Supervisor, sanderson@santafenm.gov, 955-6672)

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

[Item 13.pdf](#)

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

A Resolution Opposing Public Service Company of New Mexico’s (“PNM”) Investment in Nuclear Energy at Palo Verde Nuclear Power Plant; Urging the New Mexico Public Regulation Commission (“PRC”) to Require that PNM’s Replacement Power Include as Much Renewable Energy as Possible; Urging the PRC to Hold Ratepayers Harmless for PNM’s Cost Recovery; and Evaluating Intervening on Behalf of City of Santa Fe Ratepayers in Cases Before the PRC Involving Palo Verde Nuclear Power Plant. (Marcos Martinez, Senior Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)

[Item 14.pdf](#)

15. AFTER ACTION REPORT REGARDING CEASE OF DELIVERY OF RECLAIMED TREATED EFFLUENT

June 29th, 2019 through July 2, 2019. (Shannon Jones, Public Utilities Department Director, swjones@santafenm.gov, 955-4267) (Informational Only)

[Item 15.pdf](#)

16. MATTERS FROM THE CITY MANAGER

17. 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), Discussion of Threatened or Pending Litigation in Which the City is or May Become a Participant, Including but not Limited to Participating as an Amici Along With Other Local Governments in City and County of San Francisco v. U.S. Citizenship and Immigration Services, et al., Case No. 3:19-cv-4717.

(Erin McSherry, City Attorney, ekmsherry@santafenm.gov, 955-6512)

18. APPROVAL TO JOIN THE CITY OF OAKLAND AND OTHER LOCAL GOVERNMENTS IN AN AMICUS BRIEF

in Support of the City and County of San Francisco and the County of Santa Clara in Case No. 3:19-cv-4717, Filed on August 13, 2019, City and County of San Francisco v. U.S. Citizenship and Immigration Services, Challenging the Department of Homeland Security’s Public Charge Rule. (Erin McSherry, City Attorney, ekmsherry@santafenm.gov, 955-6512)

19. MATTERS FROM THE CITY CLERK

20. 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

H. PUBLIC HEARINGS

1) CONSIDERATION OF BILL NO. 2019-21: ADOPTION OF ORDINANCE NO. 2019-____.
(Councilor Vigil Coppler and Councilor Villarreal)

An Ordinance Authorizing the Execution and Delivery of a Loan Agreement By and Between the City of Santa Fe and the New Mexico Finance Authority, Evidencing a Special, Limited Obligation of the City to Pay a Principal Amount not to Exceed \$1,600,000, for the Purpose of Defraying the Cost of Purchasing, Acquiring, and Installing Equipment and Related Improvements to the City’s Public Parking Facilities; Providing for the Payment of the Loan Agreement from Certain Gross Receipts Tax Revenues Distributed to the City; Providing that the Loan Agreement Will Constitute a Subordinate Lien Upon the Pledged Gross Receipts Tax Revenues; Providing for the Distributions of Gross Receipts Tax Revenues From the Taxation and Revenue Department to be Redirected to the New Mexico Finance Authority for its Assigns Pursuant to an Intercept Agreement for the Payment of Principal and Interest Due on the Loan Agreement; Delegating Authority to the Mayor or, in the Mayor’s Absence, the City Manager or Finance Director, to Approve the Final Principal Amount, Interest Rates, and Other Details of the Loan Agreement Within the Parameters Set Forth in this Authorizing Ordinance, Including a Determination Whether Interest on the Loan Agreement Will be Excludable From Gross Income for Federal Income Tax Purposes, and to Execute and Deliver a Pricing Certificate Reflecting the Final Terms of the Loan Agreement; Ratifying Actions Heretofore Taken; Repealing All Action Inconsistent with this Ordinance; and Authorizing the Taking of Other Actions in Connection with the Execution and Delivery of the Loan Agreement and Intercept Agreement. (Brad Fleutsch, Cash and Investment Manager, bjfleutsch@santafenm.gov, 955-6885)

[Item H-1.pdf](#)

2) CONSIDERATION OF BILL NO. 2019-17: ADOPTION OF ORDINANCE NO. 2019-____.
(Councilor Harris)

An Ordinance Amending Section 11-14.5 SFCC 1987 to Allocate the Proceeds from the Sale or Lease of the Santa Fe Estates to the General Fund. (Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 955-6171)

[Item H-2.pdf](#)

3) CONSIDERATION OF BILL NO. 2019-14: ADOPTION OF ORDINANCE NO. 2019-____.
(Councilor Ives)

An Ordinance Amending Section 14-5.5(D) Regarding the Midtown Local Innovation Corridor Overlay District to Specify that the Provisions of the Midtown Local Innovation Corridor Shall Supersede the Provisions of any Other

Overlay District(s), Including, But Not Limited To, the South Central Highway Corridor Protection District as Set Forth in Subsection 14-5.5(A); and Amending Table 14-5.5-4 to Remove References to Structures that Fall Within the South Central Highway Corridor Protection District that Also Fall within the Midtown Local Innovation Corridor Overlay District. (Noah Berke, Planner Manager, Land Use Department, nlberke@santafenm.gov, 955-6647) (Postponed July 31, 2019)

[Item H-3.pdf](#)

[Item H-3 SUBSTITUTE AMENDMENT.pdf](#)

4) CONSIDERATION OF RESOLUTION NO. 2019-_____.

Case #2019-19. 4000 and 4100 Geo Lane General Plan Amendment. John Reeder, Agent, for GEO Park, LLC, Owner, Requests Approval of a General Plan Amendment to Amend the Existing General Plan Future Land Use Designation for Approximately 8.59 Acres from Institutional to Low Density Residential. The Project Site Consists of Two Parcels Located at 4000 and 4100 Geo Lane. (Lee Logston, Case Manager, lrllogston@santafenm.gov, 955-6136). (Withdrawn from Agenda)

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.