

City of Santa Fe, NM
Regular Meeting of the Governing Body
Wednesday, January 09, 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: - a) Regular City Council Meeting – December 12, 2018**
b) 2019 Legislative Priorities Meeting – December 20, 2018
 - a) Regular City Council Meeting – December 12, 2018
 - b) 2019 Legislative Priorities Meeting – December 20, 2018

[Item 8.pdf](#)
- 9. PRESENTATIONS**
 - a) St. Michael's High School Lady Horsemen Volleyball Team – 2018 New Mexico State District AAA Champions. (Councilor Rivera)
- 10. CONSENT CALENDAR**
 - a) CONSIDERATION OF RESOLUTION NO. 2019-____. (Mayor Webber)
A Resolution Repealing Resolution No. 2018-1 Relating to the Open Meetings Act; and Adopting Annual Notice Requirements. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

[Item 10a.pdf](#)
 - b) State of the Santa Fe Municipal Court. (Virginia Vigil, Municipal Court Judge, vmvigil@santafenm.gov, 955-5110)

[Item 10b.pdf](#)

c) Request for Approval of Procurement in the Total Amount of \$263,758.45 Using State Price Agreement #60-000-15-00015 for Five Transit Vans for the Division of Senior Services; Creative Bus Sales, Inc. (Gino Rinaldi, Division Director, earinaldi@santafenm.gov, 955-4710)

[Item 10c.pdf](#)

d) Request for Approval of State Price Agreement in the Amount of \$81,280.50 for the Purchase of Labor Costs to Build Police Department Vehicles; MHQ of New Mexico. (Robert Vasquez, Deputy Police Chief, rfvasquez@ci.santa-fe.nm.us, 955-5163)

[Item 10d.pdf](#)

e) Request for Approval of Department of Justice, Bureau of Justice Assistance FY18 Edward Byrne Memorial Justice Assistance Grant Program-Local Solicitation in the Total Amount of \$25,215 for Replacement Portable Breath Test Machines (PBT's), Small Equipment and Supplies to Maintain the Body Worn Camera System; United States Department of Justice. (Andrew Padilla, Police Chief, aapadilla@santafenm.gov, 955-5102)

[Item 10e.pdf](#)

f) Request for Approval of Consolidated Project Agreement in the Total Amount of \$74,223 for Funding of End Driving While Impaired (ENDWI), Buckle Up/Click It or Ticket (BKLUP/CIOT), Selective Traffic Enforcement Program/100 Days and Nights of Summer (STEP/DNOS); New Mexico Department of Transportation. (Andrew Padilla, Police Chief, aapadilla@santafenm.gov, 955-5102)

1) Request for Approval of Budget Amendment

[Item 10f.pdf](#)

g) Request for Approval of GSA Contract in the Total Amount of \$158,409 for the FARO Laser Scanner System. (Robert Vasquez, Deputy Police Chief, rfvasquez@ci.santa-fe.nm.us, 955-5163)

1) Request for Approval of Budget Amendment

[Item 10g.pdf](#)

h) Request for Approval of Professional Services Agreement in the Amount of \$115,331.96, Inclusive of NMGRT, for the Design Services Scope Required for the Proposed Structural and Building Envelope Rehabilitation to the Salvador Perez Recreation Building – CIP #503A; Using Cooperative Educational Services/WHPacific. (Jason Kluck, Facilities Division Project Administrator, jmkluck@santafenm.gov, 955-5937)

[Item 10h.pdf](#)

i) Request for Approval of Professional Services Agreement in the Amount of \$216,117 for Kitchen Angels, Inc. to Act as Project Manager and Provide Related Services as Outlined in New Mexico Severance Tax Bond Project #18-C2574; Kitchen Angels, Inc. (David Chapman, Grant Administrator-Writer, dachapman@santafenm.gov, 955-6824)

1) Request for Approval of Budget Amendment

[Item 10i.pdf](#)

j) Request for Approval of Amendment No. 3 to Professional Services Agreement in the Amount of \$19,787.88, Plus Applicable Gross Receipts Tax, to Provide Roadway Lighting Design Services and Right-of-Way Funding for Agua Fria and Cottonwood Intersection Safety Improvement Project; Souder Miller & Associates. (William Montoya, Engineer Assistant, wpmontoya@santafenm.gov, 955-6623)

1) Request for Approval of Budget Amendment Resolution

[Item 10j.pdf](#)

k) Request for Approval to Complete a Grant Application and to Execute a Grant Agreement for the FY 2018 Section 5307 Urbanized Area Apportionment in the Total Amount of \$1,577,518 for Transit Operating Expenses; Federal Transit Administration. (Keith Wilson, Transit Division Director of Administration and Grants, kpwilson@santafenm.gov, 955-2223)

1) Request for Approval of Budget Amendment in the Amount of \$77,518

[Item 10k.pdf](#)

l) Request for Approval to Complete a Grant Application and to Execute a Grant Agreement for the FY 2019 Congestion Mitigation Air Quality Funding in the Total Amount of \$71,773 for the Ridefinders Program; Federal Transit Administration. (Keith Wilson, Transit Division Director of Administration and Grants, kpwilson@santafenm.gov, 955-2223)

[Item 10l.pdf](#)

m) Request for Approval of Professional Services Agreement in the Total Amount of \$72,000 for Subscription to Streaming Digital Video, Music, Audio Books and E-Books; Midwest Tape "Hoopla". (Jeffrey Donlan, Interim Library Director, jpdonlan@santafenm.gov, 955-6788)

[Item 10m.pdf](#)

n) Request for Approval of Amendment No. 1 to Professional Services Agreement to Transfer Fiscal Rights, Privileges, Obligations in the Total Amount of \$82,000 from Santa Fe Community College Foundation to Santa Fe Community College for CYC Recommended Services; Santa Fe Community College Foundation/Santa Fe Community College. (Julie Sanchez, Youth and Family Services Program Manager, jjsanchez@santafenm.gov, 955-6678)

[Item 10n.pdf](#)

o) Request for Approval of Sole Source Procurement in the Total Amount of \$75,000 for Annual Membership Dues and Subscriptions; New Mexico Municipal League. (Mary Freitas, Executive Administrator, mmfreitas@santafenm.gov, 955-6590)

[Item 10o.pdf](#)

p) Request for Approval of Change Order in the Amount of \$7,714 for Construction Process Changes to the Department's Type 3 Wildland Fire Engine; Super Vacuum Manufacturing Co. Inc. (Jan Snyder, Assistant Fire Chief, jmsnyder@santafenm.gov, 955-3121)

[Item 10p.pdf](#)

q) Request for Approval of Amendment No. 1 to CDBG Professional Services Agreements to Include HUD Required 2 CFR 200 Language (No Changes to Original Amounts are Required): (Jacqueline Beam, Office of Affordable Housing Planner, jybeam@santafenm.gov, 955-6574)

- 1) SFPS Adelante
- 2) Santa Fe Civic Housing Authority
- 3) The Santa Fe Community Housing Trust
- 4) Interfaith Shelter
- 5) Presbyterian Medical Services
- 6) Youth Shelters and Family Services
- 7) Youth Shelters

[Item 10q.pdf](#)

r) Request for Approval of Amendment No. 1 to CDBG Professional Services Agreement for the Soleras Station Project to Include HUD Required 2 CFR 200 Language and Approve Sole Source Procurement (No Changes to Original Amounts are Required); Santa Fe Community Housing Trust. (Jacqueline Beam, Office of Affordable Housing Planner, jybeam@santafenm.gov, 955-6574)

[Item 10r.pdf](#)

s) Request for Approval of Award and Acceptance of FHWA Section 112 Federal Transportation Planning Funds in the Total Amount of \$212,483 for Santa Fe Metropolitan Planning Organization Program Operations; New Mexico Department of Transportation. (Erick J. Aune, Transportation Planner, ejaune@santafenm.gov, 955-6664)

1) Request for Approval of Budget Amendment

[Item 10s.pdf](#)

t) Request for Approval of Award and Acceptance of FTA Section 5303 Federal Transportation Planning Funds in the Amount of \$65,080 for Santa Fe Metropolitan Planning Organization Program Operations; New Mexico Department of Transportation. (Erick J. Aune, Transportation Planner, ejaune@santafenm.gov, 955-6664)

1) Request for Approval of Budget Amendment Resolution

[Item 10t.pdf](#)

u) Request for Approval to Purchase Capital Equipment in the Amount of \$116,0808.52 for Fiscal Year 2018/2019 Utilizing a State Price Agreement - NM Lawn & Garden Equipment Contract; John Deere & Company/Dealer: Austin Turf & Tractor. (Jennifer Romero, MRC Manager, jcromero@santafenm.gov, 955-4465)

[Item 10u.pdf](#)

v) Request for Approval of Award of Construction Agreement in an Amount Not to Exceed \$4,000,000, Exclusive of NMGRT, for On-Call Roadway and Trails Construction Services; GM Emulsion LLC., EMCO of Santa Fe LLC., and Allied 360 Construction LLC. (Michelle Martinez, Project Administrator, mrmartinez1@santafenm.gov, 955-6931)

[Item 10v.pdf](#)

w) Request for Approval of Amendment No. 8 to Project Management and Fiscal Services Agreement, Item No. 07-1051 Between the Buckman Direct Diversion Board and the City of Santa Fe. (Nancy Long, BDDDB Counsel, nancy@longkomer.com, 982-8405)

[Item 10w.pdf](#)

x) Request for Approval of Amendment No. 4 to Professional Services Agreement for a Time Extension - Emergency Repair for Operations and Maintenance; Alpha Southwest. (Bill Huey, Water Division Engineer, bchuey@santafenm.gov, 955-4273)

[Item 10x.pdf](#)

y) Request for Approval of Amendment No. 2 to Professional Services Agreement in the Amount of \$84,000 for FY 2018/2019, \$504,459.50 for FY 2019/2020 and \$504,459.50 for FY 2020/2021, Exclusive of NMGRT, for the Established Electronic Billing; Valli Information Systems DBA Postal Pros. (Kathy Valdez, Interim Utility Billing Division Director, ktvaldez@santafenm.gov, 955-4348 and Shannon Jones, Public Utilities Department Director, swjones@santafenm.gov, 955-4267)

[Item 10y.pdf](#)

z) Request for Approval of Amendment No. 1 in the Amount of \$21,302 for Receipt of Additional Entitlement Funds - AIP Grant 3-35-0037-047-2017 for the Santa Fe Regional Airport. (Mark Baca, Airport Manager, mdbaca@santafenm.gov, 955-2901)

1) Request for Approval of Budget Amendment

[Item 10z.pdf](#)

aa) Request for Approval of Contract in the Amount of \$307,264.08 for the Installation of Munters Furnaces at the Genoveva Chavez Community Center; CES/B&D Industries Inc. (J. Sam Burnett, Project Administrator, jsburnett@santafenm.gov, 955-5933)

[Item 10aa.pdf](#)

bb) Request for Approval of Professional Services Agreement Using New Mexico State Price Agreement #50-000-15-00072 in the Total Amount of \$139,944.30, Inclusive of NMGRT, for Construction Services at the City of Santa Fe Environmental Services Offices at 1142 Siler Road; FacilityBuild Inc. (Curt Temple, Projects Administrator, cetemple@santafenm.gov, 955-5935)

[Item 10bb.pdf](#)

cc) CONSIDERATION OF RESOLUTION NO. 2019-____. (Councilor Villarreal)

A Resolution in Support of Legislation in the 2019 Legislative Session to Authorize the Practice of Dental Therapy and Govern the Training and Licensure of Dental Therapists in New Mexico. (Jesse Guillen, Legislative Liaison, jbg Guillen@santafenm.gov, 955-6518)

[Item 10cc.pdf](#)

dd) CONSIDERATION OF RESOLUTION NO. 2019-____. (Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Vigil Coppler and Councilor Villarreal)

A Resolution Promoting the Preservation and Care of the College of Santa Fe Art Collection by Promoting an Active Loan Program to Ensure Public Access to and Educational Opportunities with Said Collection. (Robert Lambert, Community Gallery Manager, rdlambert@santafenm.gov, 955-6705)

[Item 10dd.pdf](#)

ee) CONSIDERATION OF RESOLUTION NO. 2019-____. (Councilor Harris)

A Resolution Readopting and Supplementing Fee Schedules for Plumbing and Mechanical /Gas Permits. (Elias Isaacson, Permit Intake Division Director, esisaacson@santafenm.gov, 955-6830)

[Item 10ee.pdf](#)

ff) CONSIDERATION OF RESOLUTION NO. 2019-____. (Mayor Webber, Councilor Ives and Councilor Rivera)

A Resolution Contributing Property and Resources to New Mexico Inter-Faith Housing Community Development Corporation for Development of the Santa Fe Arts+Creativity Center Low Income Housing Tax Credit Project Pursuant to the Affordable Housing Act. (Alexandra Ladd, Office of Affordable Housing Director, agladd@santafenm.gov, 955-6346)

Fiscal Impact: (\$1,524,600 Donated Land, \$400,500 Waived Fees, \$165,572 City Cost, \$262,572 Relocation Costs, \$400,000 Infrastructure Costs)

[Item 10ff Amended.pdf](#)

[Item 10ff.pdf](#)

gg) CONSIDERATION OF RESOLUTION NO. 2019-____. (Councilor Lindell)

A Resolution Amending Resolution No. 2015-18, Regarding the Duties and Responsibilities of the Veterans' Advisory Board; Authorizing the Use of Existing Funds to Educate Residents and Promote the Option for a Voluntary Contribution to the New Mexico Veterans' State Cemetery Fund from a Tax Refund on Form NMPIT-1. (Julie Sanchez, Youth and Family Services Program Manager, jjsanchez@santafenm.gov, 955-6678)

[Item 10gg.pdf](#)

hh) Request for Approval of Findings of Fact and Conclusions of Law for Case No. H-16-109: Appeal of the Historic Districts Review Board's Decision on March 13, 2018, Denying Exception Requests for Height and Public Visibility to Construct a Rooftop Elevator on the Property Located at 76 East San Francisco Street, Listed as Contributing in the Downtown and Eastside Historic District. (Erin K. McSherry, City Attorney, ekmcsberry@santafenm.gov, 955-6512)

[Item 10hh.pdf](#)

11. WATER DAMAGE REMEDIATION SERVICES AT THE MIDTOWN CAMPUS

11. Request for Approval of Budget Adjustment Request (BAR) in the Amount of \$145,000 and Increase of Purchase Order #18194427-000-OP in the Amount of \$80,729.08, from \$60,000.00 to \$140,729.08, for Water Damage Remediation Services at the Midtown Campus; Paul Davis Remediation, Inc. (J. Sam Burnett, Project Administrator, jsburnett@santafenm.gov, 955-5933.)

[Item 11.pdf](#)

12. MATTERS FROM THE CITY MANAGER

13. MATTERS FROM THE CITY ATTORNEY EXECUTIVE SESSION:

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Subsection 10-15-1(H), Parts (5),(7), and (8):

- Discussion of Bargaining Strategy Between the Governing Body and the Police Officers Association;
 - Attorney-Client Privileged Discussion Regarding Litigation in Which the City of Santa Fe Is or May Become a Participant, Including But Not Limited to the County of Santa Clara's Local Government Amicus Brief in Support of San Francisco's Motion for Summary Judgement in San Francisco v. Whitaker, filed in the Norther District of California; and
 - Discussion of Disposal of Real Property.
- (Erin K. McSherry, City Attorney, ekmcsberry@santafenm.gov, 955-6512)

14. AUTHORIZATION TO JOIN THE COUNTY OF SANTA CLARA'S LOCAL GOVERNMENT AMICUS BRIEF

14. Authorization to Join the County of Santa Clara's Local Government Amicus Brief in Support of San Francisco's Motion to Dismiss in San Francisco v. Whitaker. (Erin K. McSherry, City Attorney, ekmcsberry@santafenm.gov, 955-6512)

15. MATTERS FROM THE CITY CLERK

16. 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 - • Santa Fe Film and Digital Media Commission****• Santa Fe Regional Juvenile Justice Board**

- Santa Fe Film and Digital Media Commission
- Santa Fe Regional Juvenile Justice Board

[Item G.pdf](#)

H. PUBLIC HEARINGS:

1) Request from La Fogata Grill, LLC, for a Restaurant Liquor License (Beer and Wine) with On-Premise Consumption Only, to be Located at La Fogata Grill, 112 W. San Francisco Street, Suite 101. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 955-6521)

[Item H-1.pdf](#)

2) Request from 1754 La Posada, LLC, for a Transfer of Ownership of Dispenser Liquor License No. 0893 From 1754 La Posada, LLC, dba La Posada de Santa Fe Resort and Spa to Ashford TRS Posada, LLC, dba La Posada de Santa Fe. This License Will Remain at 330 E. Palace Avenue. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 955-6521)

[Item H-2.pdf](#)

3) CONSIDERTION OF BILL NO. 2018-24: ADOPTION OF ORDINANCE NO. 2019-____. (Councilor Ives, Councilor Romero-Wirth, Councilor Lindell and Councilor Vigil Coppler)
An Ordinance Relating to the City of Santa Fe Economic Development Plan Ordinance, Article 11-11 SFCC 1987; Approving and Adopting a Local Economic Development Project Participation Agreement Between the City of Santa Fe and Marty's Meals, Inc. for Lease Payments for the Expansion of a New Headquarters and Manufacturing Facility, a Local Economic Development Project. (Rich Brown, Economic Development Associate, rdbrown@santafenm.gov, 955-6625)

a) Request for Approval of Local Economic Development Project Participation Agreement Between the City of Santa Fe and Marty's Meals, Inc.

b) Request for Approval of Intergovernmental Agreement Between the New Mexico Economic Development Department and the City of Santa Fe, New Mexico for the Purpose of Facilitating the Disbursement of Funds for the Marty's Meals, Inc. Local Economic Development Project.

c) Request for Approval of Budget Amendment.

[Item H-3.pdf](#)

4) Cases #H-17-098A and H-17-098B. Appeal of the Historic Districts Review Board's Decisions on July 24, 2018 Designating the Status of Contributing to the Buildings and Associated Rock Yardwalls at 124 and 126 Camino Santiago and Denying the Request to Demolish 122 and 125 Camino Santiago and the Structures South of 126 Camino Santiago in the Plaza del Monte Subdivision. Appellant Plaza del Monte LLC Requests that the Governing Body Rescind the Structures' Status Designations, Designate their Status as Non-Contributing, Vacate the Denial of Demolition of the Three Non-Contributing Structures and Approve the Proposed Demolition of All Five Structures. (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

[Item H4 Plaza Del Monte-Appeal Procedure.pdf](#)

[Item H4 pg 1-140.pdf](#)

[Item H4 pg 141-248.pdf](#)

[Item H4 pg 249-420.pdf](#)

[Item H4 pg 421-608.pdf](#)

[Item H4 pg 609-779.pdf](#)

[Item H4 pg 780-955.pdf](#)

[Item H4 pg 956-1009.pdf](#)

[Item H4 pg 1010-1078.pdf](#)

[Item H4 pg 1079-1124.pdf](#)

I. ADJOURN