

**City of Santa Fe, NM**  
**Regular Meeting of the Governing Body**  
**Wednesday, January 10, 2018**  
**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) Special City Council Meeting – December 4, 2017  
[Item 8a.pdf](#)
  - b) Regular City Council Meeting – December 13, 2017  
[Item 8b.pdf](#)
  - c) December 20, 2017:
    - 1) Study Session
    - 2) Special Meeting[Item 8c.pdf](#)
- 9. PRESENTATIONS**
- 10. CONSENT CALENDAR**
  - a) Request for Approval of Professional Services Agreement in the Total Annual Amount of \$76,159.14, Inclusive of NMGRT, for the Annual Renewal of Maintenance and Support of 48 Plus Canon MFP Copy Machines Throughout the City; Rocky Mountain Business Systems. (David A. Kulb)  
[Item 10a.pdf](#)
  - b) Request for Approval of Amendment No. 3 to Professional Services Agreement in the Amount of \$49,995 for Renewal of Annual Maintenance Support for the Critical Need Software JD Edwards Platform (E1); Spinnaker Support LLC. (David Kulb)  
[Item 10b.pdf](#)

c) Request for Approval to Award RFP #17/47/P and Approval of Professional Services Agreement in the Total Amount of \$100,000, Inclusive of NMGRT, for Debt Issuance Services; First Southwest, a Division of Hilltop Securities Inc. (Christina Keyes)

[Item 10c.pdf](#)

d) Request for the Approval of Acceptance of Federal Highway Administration Section 112 Federal Transportation Planning Funds in the Total Amount of 248,693.00, Inclusive of City of Santa Fe Required Match in the Amount of \$36,210.00, for Santa Fe Metropolitan Planning Organization Program Operations; New Mexico Department of Transportation. (Mark Tibbetts)

1) Request for Approval of Budget Amendment in the Amount of \$248,693.00

[Item 10d.pdf](#)

e) Request for the Approval of Acceptance of 2018 FTA Section 5303 MPO Funds in the Total Amount of \$79,677.00, Inclusive of City of Santa Fe Required Match in the Amount of \$15,935.00, for Santa Fe Metropolitan Planning Organization Program Operations; New Mexico Department of Transportation. (Mark Tibbetts)

1) Request for Approval of Budget Amendment in the Amount of \$79,677.00

[Item 10e.pdf](#)

f) Request for Approval to Use National Joint Power Alliance Agreement for WEX Bank Fuel Card to Procure Fuel and Miscellaneous Items for Repair of Units through July 2020 for the Police Department; National Joint Power Alliance Agreement-WEX Bank. (Nancy Jimenez)

[Item 10f.pdf](#)

g) Request for Approval of Grant Agreement in the Total Amount of \$74,433 for New Mexico Department of Transportation Traffic Projects; New Mexico Department of Transportation. (Deputy Chief Padilla)

1) Request for Approval of Budget Amendment in the Amount of \$74,433.00

[Item 10g.pdf](#)

h) Request for Approval of an Exempt Procurement Agreement in the Amount of \$138,286.00, Exclusive of NMGRT for the CRWTP Centrifuge & Conveyor Control System Upgrade Project; Andritz Separation, Inc. (Alex Gamino and Alex Puglisi)

[Item 10h.pdf](#)

i) Request for Approval of Ratification of Contract 2013-027 914-230 in the Amount of \$57,026.53, Procured through Cooperative Educational Services (CES)/TLC Company, Inc. dba TLC Plumbing and Utility Utilizing Contract #2013-027 941-230TLC for the Emergency Repair of a Natural Gas Leak at the Wastewater Management Division; TLC Plumbing. (Luis Orozco)

1) Request for Approval of Budget Amendment in the Amount of \$57,026.53

[Item 10i.pdf](#)

j) Request for Approval of Grant Agreement A16A5086 (Mary Esther Gonzales Senior Center - Renovation) in the Total Amount of \$70,300 for Equipping, Furnishing and Rewiring of the New Computer Lab at Mary Esther Gonzales Center a Division of Senior Services; State of New Mexico Aging and Long-Term Services Department. (Gino Rinaldi)

1) Request for Approval of Budget Amendment in the Amount of \$70,300.00

[Item 10j.pdf](#)

k) Request for the Approval of Grant Agreement A16A5087 (Mary Esther Gonzales Senior Center - Vehicles) in the Total Amount of \$496,800 for Procuring, Replacing and Equipping Program Vehicles; State of New Mexico Aging and Long-Term Services Department. (Gino Rinaldi)

1) Request for Approval of Budget Amendment in the Amount of \$496,800.00

[Item 10k.pdf](#)

l) Request for the Approval of Grant Agreement A16A5093 (Villa Consuelo Senior Center Meals - Equipment) in the Total Amount of \$80,900 for Procurement of a Variety of Commercial Kitchen Equipment and Appliances for the New Commercial Kitchen at Villa Consuelo Senior Center; Division of Senior Services; State of New Mexico Aging and Long-Term Services Department. (Gino Rinaldi)

1) Request for Approval of Budget Amendment in the Amount of \$80,900.00

[Item 10l.pdf](#)

m) Request for Approval of Amendment No. 4 to Professional Services Agreement in the Amount of \$20,000 for an Amended Total of \$3,400,000, Inclusive of NMGR, for Advertising the Artist in Residence Program for FY 2018 (November 2017 Through February 2018); Fuseideas LLC. (Randy Randall)

[Item 10m.pdf](#)

n) Request for Approval of Grant Agreement SAF-18-02 in the Total Amount of \$11,111 for Annual Aviation Maintenance Grant; New Mexico Department of Transportation. (Nicolas Schiavo)

1) Request for Approval of Budget Amendment

[Item 10n.pdf](#)

o) Request for Approval of Professional Services Agreement in the Amount of \$696,821.52, Inclusive of NMGR, for CIP #518B HVAC Replacement Construction Scope of Services at Fort Marcy Recreation Complex; B & D Industries, Inc., ABOC. (Jason Kluck)

[Item 10o.pdf](#)

p) Request for Approval of Amendment No. 5 to Professional Services Agreement in the Amount of \$4,000,000 for On-Call Roadway and Trails Construction Services FY 2018/2019 and to Extend the Term by One Year to February 2, 2019; GM Emulsions. (David Catanach)

[Item 10p.pdf](#)

q) Request for Approval of Amendment No. 1 to Professional Services Agreement in the Amount of \$4,000,000 for On-Call Roadway and Trails Construction Services FY 2018/2019 and to Extend the Term by One Year to February 2, 2019; EMCO. (David Catanach)

[Item 10q.pdf](#)

r) Request for Approval of Amendment No. 2 to Professional Services Agreement in the Amount of \$75,000 for Pre-Employment Screening; Joshua Brown, MD; IMS Practice Management Group, LLC. (Lynette Trujillo)

[Item 10r.pdf](#)

s) Request for Approval to Publish Notice of Public Hearing on February 14, 2018: (Councilor Rivera and Councilor Maestas)

Bill No. 2018-1. An Ordinance Relating to the City of Santa Fe Uniform Traffic Ordinance; Amending Section 12-1-5.1 Regarding the Definition for "Autocycle"; Amending Section 12-1-67 Regarding the Definition of a "School Bus"; Amending Section 12-6-7.4 Regarding the Operation of Vehicles on Approach of Emergency Vehicles; Amending Section 12-7-9.2 Regarding Operation of Off-Highway Vehicles on Streets or Highways; Amending Section 12-7-9.9 Regarding Off-Highway Vehicle Safety Requirements; and Amending Section 12-10-1.44 Regarding Special Restrictions on Lamps. (Jesse Guillen)

[Item 10s.pdf](#)

- t) CONSIDERATION OF RESOLUTION NO. 2018-\_\_\_\_. (Mayor Gonzales)  
A Resolution Repealing Resolution No. 2017-2 Relating to the Open Meetings Act; Adopting the State of New Mexico Open Meetings Act by Reference; and Adopting Notice Requirements. (Yolanda Y. Vigil)  
[Item 10t.pdf](#)
- u) CONSIDERATION OF RESOLUTION NO. 2018-\_\_\_\_. (Mayor Gonzales, Councilor Ives and Councilor Maestas)  
A Resolution Sponsoring the Next Generation Water Summit and Waiving All Space Rental Fees for Use of the Santa Fe Community Convention Center for 2018, 2019, and 2020. (Christine Chavez)  
[Item 10u.pdf](#)
- v) CONSIDERATION OF RESOLUTION NO. 2018-\_\_\_\_. (Councilor Villarreal)  
A Resolution in Support of the ‘New Mexico Grown Fresh Fruits and Fresh Vegetables for School Meals Program’ State Legislation. (Jesse Guillen)  
[Item 10v.pdf](#)
- w) CONSIDERATION OF RESOLUTION NO. 2018-\_\_\_\_. (Councilor Villarreal, Councilor Ives, Councilor Dominguez and Councilor Tujillo)  
A Resolution Supporting 2018 Farm Bill Priorities as a Means to Securing a Regional Food System that is Just and Accessible for all Members of the City of Santa Fe. (Jesse Guillen)  
[Item 10w.pdf](#)
- x) Pursuant to Resolution No. 2017-19, Update on Policy Changes to Safeguard Residents’ Sensitive Personal Information, Reaffirming the City of Santa Fe’s Commitment to Human and Civil Rights, the Established Rule of Law, and Its Status as a Welcoming Community for Immigrants and Refugees. (Chris Sanchez) (Informational Only)  
[Item 10x.pdf](#)  
[Item 10x\\_Attachments.pdf](#)
- y) Request for Approval of Appointment of Precinct Officials for the March 6, 2018 Regular Municipal Election. (Yolanda Y. Vigil)
- 1) Request for Approval to Extend City Clerk’s Hours on February 22, 2018 and February 26, 2018 from 5:00 p.m. to 9:00 p.m. to Allow Precinct Officials to Vote Early for the March 6, 2018 Regular Municipal Election.  
[Item 10y\\_updated.pdf](#)
- z) Request for Approval of Appointment of Municipal Court Pro Tem Judge Pursuant to §2-3.4(C): Angela Pacheco. (Judge Virginia Vigil)  
[Item 10z.pdf](#)
- aa) Presentation on the State of the Municipal Court. (Judge Virginia Vigil)  
[Item 10aa.pdf](#)
- bb) CONSIDERATION OF RESOLUTION NO. 2018-\_\_\_\_. (Mayor Gonzales, Councilor Ives, Councilor Maestas, Councilor Trujillo and Councilor Rivera)  
A Resolution Directing City Staff to Collaborate with the Public Service Company of New Mexico (PNM) to Develop a Photovoltaic (PV) Project to Provide City Owned Facilities with Solar Power, in Accordance with the City of Santa Fe’s Stated Goal of Achieving Carbon Neutrality by 2040. (John Alejandro) (Postponed on December 13, 2017) (Postpone to January 31, 2018)
- cc) CONSIDERATION OF RESOLUTION NO. 2018-\_\_\_\_. (Mayor Gonzales)

A Resolution Authorizing Tourism Santa Fe to Enter into a Franchise Agreement with Gran Fondo New York to Develop a Preliminary Event in Santa Fe. (Randy Randall) (Postponed on November 8, 2017) (Postponed on December 13, 2017) (Postponed to January 31, 2018)

Fiscal Impact: Expenditures = \$322,500; Revenue = \$262,500

**11. CONSIDERATION OF RESOLUTION NO. 2018-\_\_\_. (COUNCILOR RIVERA AND COUNCILOR TRUJILLO)**

A Resolution Supporting State Legislation That Would Allow Police Officers to Return to Employment in Law Enforcement After Retirement While Continuing to Collect Their Earned PERA Benefits. (Deputy Chief Padilla)

[Item 11.pdf](#)

**12. CONSIDERATION OF RESOLUTION NO. 2018-\_\_\_. (COUNCILOR DOMINGUEZ, COUNCILOR IVES AND COUNCILOR MAESTAS)**

A Resolution Amending Resolution No. 2017-72 to Implement Ranked Choice Voting for the Regular Municipal Election to be Held on March 6, 2018 for the Purpose of Electing One Mayor At-Large and One City Councilor from Each Council District. (Yolanda Y. Vigil)

Resolución Que Enmienda la Resolución No. 2017-72 Con El Fin de Implementar la Votación Por Orden de Preferencia Para la Elección Municipal Regular Que Tendra Lugar el 6 de Marzo de 2018, Cuyo Propósito Es Elegir Un Alcalde General y Un Concejal Municipal de Cada Distrito Concejal.

[Item 12.pdf](#)

**13. MATTERS FROM THE CITY MANAGER**

**14. MATTERS FROM THE CITY ATTORNEY**

**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**

**H. PUBLIC HEARINGS:**

1) Request from JPU, LLC for a Transfer of Ownership of Interlocal Dispenser Liquor License No. 2590, with On-Premise Consumption Only and Patio Service, from PC's Restaurant & Lounge, Inc. to JPU, LLC; this License Will Remain at PC's Restaurant & Lounge, 4220 Airport Road. (Yolanda Y. Vigil)

[Item H1.pdf](#)

2) Request from Opuntia Café, LLC, for a Restaurant Liquor License (Beer and Wine), with On-Premise Consumption Only and Patio Service, to be Located at Opuntia Café, 922 Shoofly Street. (Yolanda Y. Vigil)  
[Item H2.pdf](#)

3) Request from Santa Fe Brewing Company for the Following (Yolanda Y. Vigil):

a) Pursuant to §60-6B-10 NMSA 1978, a Request for a Waiver of the 300 Foot Location Restriction to Allow the Sale of Alcohol at Santa Fe Brewing Co. Downtown Taproom, 510 Galisteo Street, Which is Within 300 feet of the Santa Fe Jewish Center Chabad, 230 W. Manhattan Avenue.

b) If the Waiver of the 300-Foot Restriction is Granted, a Request for a Small Brewer Off-Site (Tap Room) License With On-Premise Consumption, Package Sales and Patio Service, to be Located at Santa Fe Brewing Co. Downtown Taproom, 510 Galisteo Street.

[Item H3.pdf](#)

4) CONSIDERATION OF BILL NO. 2017-40: ADOPTION OF ORDINANCE NO. 2018-\_\_\_\_. (Councilor Lindell)

An Ordinance Amending Section 11-4 to Increase the Contract Approval and Budget Adjustment Amount the City Manager is Authorized to Approve; Adopting the State of New Mexico Procurement Code as the Purchasing Manual for the City of Santa Fe; and Adopting Additional Exemptions from the Procurement Code. (Marcos Martinez)

[Item H4.pdf](#)

5) CONSIDERATION OF BILL NO. 2017-34: ADOPTION OF ORDINANCE NO. 2018-\_\_\_\_. (Mayor Gonzales, Councilor Lindell, Councilor Ives, Councilor Trujillo and Councilor Harris)

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 Design, Development and Construction of Tenant Improvements; and Lease Payments for Expansion of a New World Headquarters Facility, a Local Economic Development Project. (Fabian Trujillo)

Fiscal Impact: \$100,000 from the City Economic Development Fund

a) Request for Approval of 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 Located at 100 North Guadalupe Street, Santa Fe, NM.

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 Facilitation the Disbursement of Funds for the Descartes Labs, Inc. Local Economic Development Project.

c) Request for Approval of Budget Amendment in the Amount of \$400,000.

[Item H5.pdf](#)

6) CONSIDERATION OF BILL NO. 2017-35: ADOPTION OF ORDINANCE NO. 2018-\_\_\_\_. (Councilor Dominguez)

An Ordinance Amending Subsection 23-6.2 SFCC 1987 to Establish a Minimum Fund Balance; and Amending the Powers and Duties of the Children and Youth Commission to Include an Annual Strategic Planning Process and Recommended Funding Priorities. (Chris Sanchez)

[Item H6.pdf](#)

- 7) CONSIDERATION OF BILL NO. 2017-36: ADOPTION OF ORDINANCE NO. 2018-\_\_\_\_. (Councilor Maestas, Councilor Harris and Councilor Ives)  
An Ordinance Relating to the Economic Development Plan, Section 11-11 SFCC 1987; Amending and Adding Definitions; Specifying Fees Eligible for Waiver; Amending Staff Reporting Guidelines; Amending the Application Review Criteria to Simplify Guidelines; Amending Exhibit A of Section 22 to Permit the Waiver of UEC Fees; and Making Other Such Changes as are Necessary. (Matt Brown)  
[Item H7.pdf](#)
- 8) CONSIDERATION OF BILL NO. 2017-37: ADOPTION OF ORDINANCE NO. 2018-\_\_\_\_. (Mayor Gonzales)  
An Ordinance Amending Section 9-3.4 Public Campaign Finance Fund to Authorize the Use of Surplus Funds to Support a Public Education Campaign Relating to Ranked Choice Voting for the 2018 Municipal Election; and Amending Section 9-3.10 to Add Disbursement of Funds for a Runoff Election. (Kelley Brennan)  
[Item H8.pdf](#)
- 9) CONSIDERATION OF BILL NO. 2017-39: ADOPTION OF ORDINANCE NO. 2018-\_\_\_\_. (Councilor Lindell, Councilor Villarreal, Councilor Ives and Councilor Dominguez)  
An Ordinance Amending Section 14-3.11(B) of the Land Development Code to Require Public Posting of Construction Permits for Properties that do not Abut Public Streets or Roads. (Noah Berke)  
[Item H9.pdf](#)
- 10) Case No. 2017-91. Appeal of William L. Harper, Alma Waldo, Russell Waldo, and the Las Brisas de Santa Fe Condominium Association from the September 5, 2017, Decision of the Board of Adjustment to Grant a Request by the Museum of New Mexico Foundation for a Variance From City Code Section 14-8.4(J)(3) (Buffer for Nonresidential Development Abutting Residential). (Rick Word) (Postponed on December 13, 2017)  
[Item H10.pdf](#)
- 11) CONSIDERATION OF BILL NO. 2017-31: ADOPTION OF ORDINANCE NO. 2018-\_\_\_\_. (Mayor Gonzales and Councilor Harris)  
An Ordinance Repealing Section 2-22 SFCC 1987 Internal Audit Department in its Entirety; and Amending Section 6-5 SFCC 1987 to Charge the Audit Committee with the Management of an Independent Audit Contract to Perform the Functions Currently Performed by the Internal Auditor. (Kelley Brennan) (Postponed on December 13, 2017) (Postponed to February 14, 2018)
- a) CONSIDERATION OF RESOLUTION NO. 2018-\_\_\_\_. (Mayor Gonzales and Councilor Harris)  
A Resolution Directing the City Manager to Develop a Plan to Outsource the Functions Currently Performed by the Internal Audit Department in Accordance with Said Recommendation Within 60 Days of the Adoption of this Resolution. (Kelley Brennan) (Postponed on December 13, 2017) (Postponed to February 14, 2018)
12. CONSIDERATION OF BILL NO. 2017-27: ADOPTION OF ORDINANCE NO. 2018-\_\_\_\_. (Councilor Dominguez).  
An Ordinance Relating to Independently Sponsored Campaign Communications and Reporting; Amending Subsection 9-2.6 to Make Changes to Independently Sponsored Campaign Communications and Reporting. (Kelley Brennan) (Postponed on December 13, 2017) (Withdrawn by Sponsor)
- 13) CONSIDERATION OF BILL NO. 2017-38: ADOPTION OF ORDINANCE NO. 2018-\_\_\_\_. (Mayor Gonzales)  
An Ordinance Creating a New Section 9-1.18 SFCC to Establish a Method for Identifying the Winning Candidate in the Event No Candidate Receives a Majority of Votes Cast in a Ranked Choice Voting Election in Accordance With Article 4, Section 6 of the Santa Fe Municipal Charter and Under the Rules Established in Section 9-1.15. (Kelley Brennan) (Withdrawn by Sponsor)

## 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. 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.