

City of Santa Fe, NM
Regular Meeting of the Governing Body
Wednesday, December 13, 2017
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 – November 8, 2017
[Item 8.pdf](#)
- 9. PRESENTATIONS**
- 10. CONSENT CALENDAR**
 - a) Request for Approval to Accept a General Obligation Bond Award in the Amount of \$165,083.42 for Library Materials, Equipment and Supplies; State of New Mexico Department of Cultural Affairs, New Mexico State Library Division. (Gail L. Vigil)
 - 1) Request for Approval of Budget Amendment.
[Item 10a.pdf](#)
 - b) Request for Approval of Professional Services Agreement in the Total Amount of \$80,000 for Four Years to Clean, Inspect and Wash Department Structural Protective Firefighting Clothing; FireWire, LLC. (Jan Snyder)
[Item 10b.pdf](#)
 - c) Request for Approval of Amendment No. 2 to Professional Services Agreement in the Amount of \$46,771.42 to Procure Annual Maintenance and Support Under Exempt Procurement; Desert Elements. (David Kulb)
[Item 10c.pdf](#)

d) Request for Approval of Joint Funding Agreement in the Total Amount of \$71,556 for Water Resources Investigation for October 1, 2017 through September 30, 2019; U.S. Geological Survey, United States Department of Interior. (Bill Schneider)

[Item 10d.pdf](#)

e) Request for Approval of RFP #18/08/P – Lease Operating Agreement for Food and Beverage Service Facility at Marty Sanchez Links de Santa Fe; El Sabor. (Jennifer Romero)

[Item 10e.pdf](#)

f) Request for Approval of Procurement Under State Purchasing Agreement No. 70-000-16-00002 in the Total Amount of \$30,263 for One Service Vehicle for the Environmental Services Division; Melloy Dodge. (Lawrence Garcia)

[Item 10f.pdf](#)

g) Request for Approval of Procurement Under State Purchasing Agreement No. 70-000-16-00002 in the Amount of \$78,790 for Two Service Vehicles for the Environmental Services Division; Melloy Dodge. (Lawrence Garcia)

[Item 10g.pdf](#)

h) Request for Approval of Procurement of a New Type 1 Fire Engine in the Total Amount of \$508,305 for the Fire Department; Siddons-Martin/Pierce Manufacturing. (Jan Snyder)

[Item 10h.pdf](#)

i) Request for Approval to Use State Price Agreements 50-000-15-00059, 60-000-16-00050 to Spend Over \$50,000 for Automotive Vehicles, Heavy Equipment Services and Repairs and for the Procurement of Tires and Services via State Price Agreement 20-000-00-0083 A, B, C; Various Vendors. (Lawrence Garcia)

[Item 10i.pdf](#)

j) Request for Approval of Procurement Under the National IPA Agreement #141003 in an Amount Above \$50,000 for City-Wide Maintenance, Repairs and Operational Supplies; Grainger. (Lawrence Garcia)

[Item 10j.pdf](#)

k) Request for the Approval of Amendment No.3 to Professional Services Agreement in the Amount of \$24,300 for Deliveries of the Official Santa Fe Visitor Guide Including Incidental or Special Deliveries as Requested by Tourism Santa Fe; Fun & Games. (Randy Randall)

[Item 10k.pdf](#)

l) Request for Approval of Procurement Under Cooperative and State Price Agreements in an Amount Not to Exceed \$150,000 for Food Products, Services and Equipment for All City Locations; Various Vendors. (Eugene Rinaldi)

[Item 10l.pdf](#)

m) Request for Approval of Professional Services Agreement in the Total Amount of \$69,883.99 for Audio Visual Upgrades in Council Chambers; Team 1st Technologies, LLC. (Joe Abeyta)

[Item 10m.pdf](#)

n) Request for Approval of Amendment No. 1 to Professional Services Agreement in an Amount Not to Exceed \$16,443.72, Including NMGR, for Engineering Services Related to the Design of the New Buckman Direct Diversion Water Treatment Facility Four Million Gallon Finished Water Storage Tank; Molzen Corbin. (Kristin Johansen)

[Item 10n.pdf](#)

o) Request for Approval of Amendment No. 2 to Professional Services Agreement in the Amount of \$23,100, Plus Applicable Gross Receipts Tax, for Additional Regulatory Methane Monitoring at Paseo de Vista Closed Landfill; Golder Associates. (Shirlene Sitton)

[Item 10o.pdf](#)

p) Request for Approval to Award a Compressed Natural Gas Fueling Station Construction, Operation, Maintenance and CNG Sales Agreement in the Amount of \$3,740,186.88 (Paid in 96 Installments) Plus an Amount Based on Fuel Usage for the Compressed Natural Gas (CNG) Fueling Facility Design, Build, Operation and Maintenance (RFP #18/01/P); Clean Energy. (Keith Wilson and Shirlene Sitton)

[Item 10p.pdf](#)

q) Request for Approval of Award of RFB '18/05/B in the Amount of \$1,083,125, Including Gross Receipts Tax, for the Priority Line Replacement Projects, CIP #3054; Sub Surface Contracting, Inc. (Lee Gagnon)

[Item 10q.pdf](#)

r) Request for Approval of Addendum #3 to Innovative Interfaces, Inc. Agreement Using Exempt Procurement in the Amount of \$64,944 for Maintenance; Innovative Interfaces Inc. (Patricia Hodapp)

[Item 10r.pdf](#)

s) Request for Approval of Draft "RFP for the STOP Program" Advertisement, RFP to Follow Once the Draft is Final; Police Department. (Deputy Chief Padilla)

[Item 10s.pdf](#)

t) Request for Approval of Procurement of Enterprise License Agreement with Addendum Leveraging the National Intergovernmental Purchasing Alliance, in the Annual Amount of \$27,361.70 for Three Year Enterprise Term License Agreement for Adobe Software; CDW Government LLC. (Joshua Elicio)

[Item 10t.pdf](#)

u) Request for Approval of Professional Services Agreement Using State Price Agreement 60-000-15-00019 AI in the Total Amount of \$109,244.03, Including GRT, for Repair and Maintenance of the Land Mobile Radio System; Motorola. (Larry Worstell)

[Item 10u.pdf](#)

v) Request for Approval of Procurement Under State Price Agreement in an Amount Not to Exceed \$550,000 for Network and Communication Cable Installations for Local Area Networks at Several City of Santa Fe Facilities; HEI Inc. (Larry Worstell)

1) Request for Approval of Budget Amendment

[Item 10v.pdf](#)

w) Request for Approval of Amendment No. 1 to the Amended and Restated Lease Dated April 13, 2016 By and Between the City of Santa Fe and Santa Fe University of Art and Design, LLC, for the Real Property Located at 1600 St. Michaels Drive. (Kelley Brennan)

[Item 10w.pdf](#)

x) Request for Approval of Amendment No. 3 to the Santa Fe Municipal Airport Lease Agreement By and Between the City of Santa Fe and Jet Center at Santa Fe Real Estate, LLC, for Certain Real Property Located at the Santa Fe Municipal Airport. (Kelley Brennan)

[Item 10x.pdf](#)

y) Request for Approval of Amendment No. 3 to Professional Services Agreement in the Total Amount of \$50,000, Plus GRT, for Legal Services; Sheehan and Sheehan, PA. (Marcos Martinez)

[Item 10y.pdf](#)

- z) Request for Approval of Amendment No. 2 to Professional Services Agreement in the Amount of \$50,000, Exclusive of NMGRT for Consulting Services; A. Anderson Consulting, LLC. (Adam Johnson)
[Item 10z.pdf](#)
- aa) CONSIDERATION OF RESOLUTION NO. 2017-____. (Councilor Ives)
A Resolution Recognizing the Importance of Living River Flows to All the Residents of Santa Fe; Calling for the Study of River and Hydro-Geologic Conditions, and the Better Management of Bypassed Flows and Irrigation Flows to Increase Efficiencies in the Delivery of Water to the Acequias; and For the Future Management of Living River Flows for the Maximum Benefits of the City of Santa Fe, its Citizens, and the City's Beneficial Use of its Water Rights. (Alan Hook)
[Item 10aa.pdf](#)
- bb) CONSIDERATION OF RESOLUTION NO. 2017-____. (Councilor Ives, Mayor Gonzales, Councilor Maestas and Councilor Villarreal)
A Resolution Requesting that the New Mexico Legislature Enact a Change to the Tax Structure that Requires all Management and Operations of Los Alamos National Laboratories to be Taxable. (Adam Johnson)
[Item 10bb.pdf](#)
- cc) CONSIDERATION OF RESOLUTION NO. 2017-____. (Mayor Gonzales, Councilor Lindell, Councilor Villarreal, Councilor Ives, Councilor Maestas, Councilor Dominguez, Councilor Rivera, Councilor Trujillo and Councilor Harris)
A Resolution Establishing City of Santa Fe Legislative Priorities for Consideration by the New Mexico State Legislature During the 53rd Legislature – State of New Mexico – Second Session, 2018. (Brian Snyder)
[Item 10cc.pdf](#)
- dd) CONSIDERATION OF RESOLUTION NO. 2017-____. (Mayor Gonzales and Councilor Ives)
A Resolution Supporting an Annual Santa Fe Jewish Community Center-Chabad Chanukah Menorah Lighting Ceremony on One Sunday of Each Chanukah Season on the Santa Fe Plaza: and Waiving the First \$2500 in Associated City Fees. (Barbara Lopez)
[Item 10dd.pdf](#)
- ee) CONSIDERATION OF RESOLUTION NO. 2017-____. (Councilor Maestas, Councilor Dominguez and Councilor Villarreal)
A Resolution to Address the Opioid Crisis by Investigating and Pursuing Legal Claims Against Pharmaceutical Manufacturers and Distributors of Opioids that have Contributed to the Opioid Epidemic in the City of Santa Fe. (Rick Word)
[Item 10ee.pdf](#)
- ff) CONSIDERATION OF RESOLUTION NO. 2017-____. (Mayor Gonazales and Councilor Ives)
A Resolution Directing the City Manager to Establish a Plan and Program to Replace Non-Emergency Administrative Fleet Vehicles Currently Running on Gasoline or Diesel with Electric or Hybrid Vehicles by 2025. (John Alejandro)
[Item 10ff.pdf](#)
- gg) CONSIDERATION OF RESOLUTION NO. 2017-____. (Councilor Maestas)
A Resolution to Amend the City of Santa Fe's Five Year CIP Plan Authorizing Specific Future Road Projects Currently Approved, to be Accelerated to the Current Year CIP Project List, Utilizing Gas Tax Bond Proceeds. (Bradley Fluetsch)
[Item 10gg.pdf](#)
- hh) CONSIDERATION OF RESOLUTION NO. 2017-____. (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)

[Item 10hh.pdf](#)

ii) Request for Approval to Publish Notice of Public Hearing on January 10, 2018:

1) Bill 2017-34. 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. (Mayor Gonzales, Councilor Lindell, Councilor Ives, Councilor Trujillo and Councilor Harris) (Fabian Trujillo)

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

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 Located at 100 North Guadalupe Street, Santa Fe, NM.

b) 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 10 ii 1.pdf](#)

2) Bill No. 2017-35. 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. (Councilor Dominguez) (Chris Sanchez)

Fiscal Impact: \$450,000 Increase in Funding From the 1% Increase in Annual Dedications to the Fund

[Item 10 ii 2.pdf](#)

3) Bill No. 2017-36. 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. (Councilor Maestas, Councilor Harris and Councilor Ives) (Matt Brown)

[Item 10 ii 3.pdf](#)

4) Bill No. 2017-40. 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. (Councilor Lindell) (Marcos Martinez)

[Item 10 ii 4.pdf](#)

jj) CONSIDERATION OF RESOLUTION NO. 2017-____. (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 to January 10, 2018)

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

11. REQUEST FOR APPROVAL OF THE FOLLOWING CHANGE ORDERS TO PROFESSIONAL SERVICES AGREEMENT 17-0139 FOR THE BUCKMAN PARALLEL PIPELINE PROJECT; RMCI, INC. (KRISTIN JOHANSEN)

- a) Change Order No. 1 in the Amount of \$121,893.42, Exclusive of NMGR.T.

[Item 11_a.pdf](#)

- b) Change Order No. 2 in the Amount of \$72,795.35, Including NMGR.T.

[Item 11_b.pdf](#)

12. UPDATE ON THE INVENTORIES OF CITY SUPPORT AND MEMORIALS, MONUMENTS OR MARKERS RELATED TO HISTORIC EVENTS OR PEOPLE.

(Sevastian Gurule) (Informational Only)

[Item 12.pdf](#)

13. REQUEST FOR APPROVAL TO WAIVE RULE I.B.3 AND RULE IV.A.2 OF THE CITY OF SANTA FE GOVERNING BODY PROCEDURAL RULES, PURSUANT TO IV.A.3(A)

- 1) Bill No. 2017-37. 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.

(Mayor Gonzales) (Kelley Brennan)

[Item 13_a_1.pdf](#)

- 2) Bill No. 2017-38. 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. (Mayor Gonzales) (Kelley Brennan)

[Item 13_a_2.pdf](#)

14. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JANUARY 10, 2018:

Bill No. 2017-39. 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. (Councilor Lindell and Villarreal) (Noah Berke)

[Item 14.pdf](#)

15. CONSIDERATION OF RESOLUTION NO. 2017-___. (COUNCILOR MAESTAS)

A Resolution Authorizing the Placement of a Question on the Ballot of the Regular Municipal Election, to be Held on March 6, 2018, To Ask the Voters of the City of Santa Fe Whether or Not the Santa Fe Municipal Charter Should be Amended to Include a Provision to Establish an Independent Office of Inspector General for the City of Santa Fe. (Renee Martinez)

[Item 15.pdf](#)

16. MATTERS FROM THE CITY MANAGER

17. MATTERS FROM THE CITY ATTORNEY

18. MATTERS FROM THE CITY CLERK

- a) Nominating Petition Verification Report for Candidates in the March 6, 2018 Regular Municipal Election. (Yolanda Y. Vigil)

[Item 18_a.pdf](#)

- b) Qualifying Contribution Verification Report for Candidates in the March 6, 2018 Regular Municipal Election Who Applied for Certification as a Participating Candidate for Public Campaign Financing as Prescribed by § 9-3.5 SFCC 1987. (Yolanda Y. Vigil)

[Item 18_b.pdf](#)

19. 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

- Arts Commission
- Santa Fe Film and Digital Media Commission
- Community Development Commission
- Public Safety Committee
- Planning Commission

[Item G.pdf](#)

H. PUBLIC HEARINGS:

- 1) Request from Pho Ava Vietnamese Restaurant, LLC, for the following:

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 Pho Ava Vietnamese Restaurant, 2400 Cerrillos Road, Suite 2430, Which is Within 300 Feet of the Santa Fe University of Art and Design, 1600 St. Michaels Drive, Santa Fe.

b) If the Waiver of the 300-Foot Restriction is Granted, a Request for a Restaurant Liquor License (Beer and Wine) with On-Premise Consumption Only, to be Located at Pho Ava Vietnamese Restaurant, 2400 Cerrillos Road, Suite 2430, Santa Fe.

[Item H-1.pdf](#)

- 2) CONSIDERATION OF BILL NO. 2017-30: ADOPTION OF ORDINANCE NO. 2017-____.
(Councilor Dominguez and Councilor Rivera)

An Ordinance Relating to the Land Development Code, Chapter 14 SFCC 1987; Amending Subsection 14-5.5(C)(1) to Clarify That Incentivizing Certain Uses is Part of the Purpose of the Overlay District; Amending Subsection 14-5.5(C)(5) to Provide that the Land Use Director May Allow Vehicular Access From Other Than the Side or Rear of a Lot if Such Access is Infeasible and to Provide Setbacks From the Airport Road Right-of-Way for New Development of Certain Types of Uses; Amending Subsection 14-5.5(C)(11) to Modify the Types of Uses Eligible for Incentives; and Making Such Other Changes That are Necessary to Carry Out the Purpose of This Ordinance. (Lisa Martinez and Matthew O'Reilly)

[Item H-2.pdf](#)

- 3) West Santa Fe River Corridor Plan: (Councilor Villarreal) (Reed Liming)
- a) CONSIDERATION OF RESOLUTION NO. 2017-____.
A Resolution Adopting the West Santa Fe River Corridor Plan as an Official Amendment to the General Plan and Specifically Amending the Future Land Use Map.
- b) CONSIDERATION OF BILL NO. 2017-29: ADOPTION OF ORDINANCE NO. 2017-____.
An Ordinance Relating to the Land Development Code Chapter 14 SFCC 1987 Regarding the West Santa Fe River Corridor Plan; Creating a New Section 14-5.11 SFCC 1987 to Establish the West Santa Fe River Corridor Overlay Zoning District.
[Item H-3.pdf](#)
- 4) CONSIDERATION OF BILL NO. 2017-27: ADOPTION OF ORDINANCE NO. 2017-____.
(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 to January 10, 2018)
- 5) 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 to January 10, 2018)
- 6) CONSIDERATION OF BILL NO. 2017-31: ADOPTION OF ORDINANCE NO. 2017-____. (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 to January 10, 2018)
- a) CONSIDERATION OF RESOLUTION NO. 2017-____. (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 to January 10, 2018)

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.