

City of Santa Fe, NM
Regular Meeting
Wednesday, May 11, 2016
05:00 PM – Governing Body
City Council Chambers
200 Lincoln Avenue

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:**
Reg. City Council Meeting – April 27, 2016
[Item 08.pdf](#)
- 9. PRESENTATIONS**
- 10. CONSENT CALENDAR**

a) Request for Final Approval of the Sale of 1,182 Square Feet of City-Owned Easement Rights Located at the Northwest Corner of 4684 Wagon Road Adjacent to the Wagon Road Right-of-Way by Tracy Northington, Agent for Wagon Road Investments, LLC. (Matthew O'Reilly)

[Item 10a.pdf](#)

b) Request for Approval of Agreement – New Software System to Streamline and Support the Management of the CVB and Convention Center (RFP #16/03/P); iDSS. (Randy Randall)

(1) Request for Approval of Budget Adjustment in the Amount of \$10,600.

[Item 10b.pdf](#)

c) Request for Approval of Procurement Under State Price Agreement and Professional Services Agreement – Annual Testing and Software Subscription Renewal for ITT Department; RiskSense, Inc. (Caryn Fiorina)

[Item 10c.pdf](#)

d) *Request for Approval of Grant Award – Pre-Teen and Teen (10-17) Independent Transit and Mobility Plan; New Mexico Department of Transportation. (Mark Tibbetts)*

(1) *Request for Approval of Budget Increase in the Amount of \$24,000 (Federal) and \$6,000 (Local Match).*

[Item 10d.pdf](#)

e) *Request for Approval of Grant Award and Sub-Grant Agreement – 2015 Emergency Management Performance Grant Program Per-Diem; New Mexico Department of Homeland Security. (David Silver)*

(1) *Request for Approval of Budget Increase in the Amount of \$53,250 (Local Match) and \$106,500 (Federal).*

[Item 10e.pdf](#)

f) *Request for Approval of Procurement of State of New Mexico Audit Contract – Financial & Compliance Auditing Services for Fiscal Year Ending June 30, 2016 (RFP #14/38/P). (Teresita Garcia)*

[Item 10f.pdf](#)

g) *CONSIDERATION OF RESOLUTION NO. 2016-____. (Councilor Rivera)*

A Resolution Directing the City of Santa Fe Fire Department to Waive EMT Standby Fees for the Santa Fe Summer Series and Fall Fun Series Equestrian Events at the Equicenter de Santa Fe; and Authorizing the Payment of said Fees from a Portion of the Lodgers Tax Dedicated for Public Safety Overtime Costs. (Chief Litzenberg and Randy Randall)

Fiscal Impact – Yes - FY 16/17 – (\$31,850); FY 17/18 – (\$15,925)

The City Will Waive the Full Cost of Having EMTs on Standby for the Summer and Fall Series' at the Equicenter de Santa Fe in 2016. The City Will then Waive 50% of Costs in 2017 and 25% of Costs in 2018.

[Item 10g.pdf](#)

h) *CONSIDERATION OF RESOLUTION NO. 2016-____. (Councilor Rivera)*

Request for Approval of a Resolution Supporting the Party on the Pitch Soccer Tournament to be Held at the Santa Fe Downs May 21-22, 2016. (Jesse Guillen)

[Item 10h.pdf](#)

i) *CONSIDERATION OF RESOLUTION NO. 2016-____. (Councilor Maestas) A Resolution Endorsing the North Central Regional Transit District's FY 2017 Budget Proposal, Approving the FY 2017 City of Santa Fe Regional Transit Plan and Directing Staff to Submit the City of Santa Fe Regional Transit Plan for FY 2017 to the North Central Regional Transit District Board of Directors for Consideration and Approval. (Isaac Pino and Thomas Martinez)*

The NCRTD's Approved FY 2017 Budget Includes \$993,300.00 Allocated to the City of Santa Fe for Expenditure on Regional Transit Services on Behalf of the NCRTD. These Services Will be Delivered by Santa Fe Trails as Indicated in the City of Santa Fe's Regional Transit Service Plan. Included in the Resolution is Agreement for City of Santa Fe to Pay \$25,000 for Pilot Mountain Run. This Money Will be Deducted from Amount Billed to NCRTD from the Santa Fe Trails on the First Quarter Invoice.

[Item 10i.pdf](#)

j) *Request for Approval of Findings of Fact and Conclusions of Law for the Appeal of the Historic Districts Review Board's Decision on January 26, 2016, Concerning Contributing Historic Property Located at 1379 Canyon Road in the Downtown & Eastside Historic District as Case #H-15-100. Kurt A. Sommer and Eric Enfield, Agents for Dean and Allyson Rogers, Request that the Governing Body Rescind the Conditional Approval to Install a Vehicular Gate with Fenestration; Case #2016-10. (Kelley Brennan)*

[Item 10j.pdf](#)

k) Pursuant to Resolution No. 2015-15, Update on the Parking Fee at the Sandoval Parking Garage for Events at the Lensic Performing Arts Center. (Noel Correia) (Informational Only)

[Item 10k.pdf](#)

l) Request to Publish Notice of Public Hearing on June 8, 2016:

Bill No. 2016-23: An Ordinance Repealing a Municipal Capital Outlay Gross Receipts Tax. (Councilor Dominguez and Councilor Maestas) (Oscar Rodriguez)

[Item 10l.pdf](#)

11. REQUEST FOR APPROVAL OF APPOINTMENT OF MUNICIPAL COURT PRO TEM JUDGES PURSUANT TO §2-3.4(C):

Ann Yalman, Anthony Tupler, Paul Biderman and Stephen Pfeffer. (Judge Virginia Vigil)

[Item 11.pdf](#)

12. REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON JUNE 8, 2016:

a) Bill No. 2016-25: An Ordinance Authorizing the Execution and Delivery of a Loan Agreement and Intercept Agreement by and Between the City of Santa Fe, New Mexico (the "Governmental Unit") and the New Mexico Finance Authority, Evidencing a Special, Limited Obligation of the Governmental Unit to Pay a Principal Amount of \$917,815 for the Purpose of Acquiring Fire Protection Equipment for its Fire Department and Paying a Loan Processing Fee; Providing for the Payment of the Principal and Interest Due Under the Loan Agreement Solely from the Distribution of Fire Protection Fund Revenues Distributed by the State Treasurer to the Governmental Unit Pursuant to Section 59A-53-7 NMSA 1978; Providing for the Distribution of Fire Protection Fund Revenues to be Redirected by the State Treasurer to the New Mexico Finance Authority or its Assigns for the Payment of Principal and Interest Due on the Loan Agreement Pursuant to an Intercept Agreement; Approving the Form and Terms of, and Other Details Concerning the Loan Agreement and Intercept Agreement; Setting the Maximum Interest Rate of the Loan; 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. (Councilor Rivera) (Oscar Rodriguez)

[Item 12a.pdf](#)

b) Bill No. 2016-24: An Ordinance Relating to the Sale and Consumption of Alcohol on City Property; Amending Subsection 23-6.2 SFCC 1987 to Authorize the Sale and Consumption of Beer and Wine on the Top Level of the Sandoval Parking Garage for the Sunset Party on June 30, 2016. (Mayor Gonzales) (Noel Correria)

[Item 12b.pdf](#)

c) Bill No. 2016-26: An Ordinance Amending Subsection 18-1.4 to Include Businesses Selling Goods Represented as Native American Within the Native American Arts or Crafts District; and Creating a New Subsection 18-5.29 to Establish the Native American Arts or Crafts District, and Establishing Regulations for Sale of Native American Arts or Crafts Within the District. (Mayor Gonzales, Councilor Ives and Councilor Lindell) (Debra Garcia)

[Item 12c.pdf](#)

13. MATTERS FROM THE CITY MANAGER

14. MATTERS FROM THE CITY ATTORNEY - Executive Session:

In Accordance with the New Mexico Open Meetings Act §§10-15-1(H)(7) and (8) NMSA 1978, Discussion Regarding Threatened or Pending Litigation in Which the City of Santa Fe is a Participant, Including, without Limitation, Mediation Under the Dispute Resolution Provision of the Facilities Operations and

Procedures Agreement Between the City of Santa Fe, Santa Fe County and Others and Litigation Concerning BDD Diversion Structure Issues; and Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights by the City of Santa Fe, Including, without Limitation, Disposition of Certain City-Owned Lands in the Vicinity of Alto Street and Lease for Property Located at 1730 Llano Street. (Kelley Brennan)

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

- *Historic Districts Review Board*
[Item G.pdf](#)

H. PUBLIC HEARINGS:

1) *Request from Sanbusco 2015, LLC. for a Transfer of Ownership of Canopy License #1362, with Package Sales, from Trigild, Inc. to Sanbusco 2015, LLC. This License is Currently Located at Cost Plus World Market, 550-560 Montezuma Avenue. If Approved, this License Will be Placed in Suspension and Will Not Operate at this Location. (Yolanda Y. Vigil)*

[Item H 1.pdf](#)

2) *Request from Lucia's & Jalapeños Restaurant, LLC for a Restaurant (Beer and Wine) Liquor License, with On-Premise Consumption Only, to be located at Lucia's & Jalapeño's Restaurant, LLC, 2411 Cerrillos Road. (Yolanda Y. Vigil)*

[Item H 2.pdf](#)

3) *Request from Sub Rosa Cellars Inc. for the Following: (Yolanda Y. Vigil)*

a) *Restaurant (Beer and Wine) Liquor License, with On-Premise Consumption and a Patio, to be Located at Rowley Farmhouse Ales, 1405 Maclovía Street; and*

b) *Small Brewers License, with On-Premise Consumption, Package Sales and with a Patio, to be Located at Rowley Farmhouse Ales, 1405 Maclovía Street.*

[Item H 3.pdf](#)

4) *Request from Taos Brewing Company, LLC for a Small Brewer Off-Site License, with On-Premise Consumption, Package Sales and a Patio, to be Located at the Burger Stand at Burro Alley, 207 W. San Francisco Street. (Yolanda Y. Vigil)*

[Item H 4.pdf](#)

5) *Request from Parallel Studios for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Beer and Wine at El Museo Cultural, 555 Camino de la Familia, Which is Within 300 Feet of Tierra Encantada Charter School @ Alvord, 551 Alarid Street. The Request is for the Currents 2016: Santa Fe International New Media Festival Which Will be Held on June 10 and June 11, 2016, with Alcohol Service from 6:00 p.m. to 11:30 p.m. (Yolanda Y. Vigil)*

[Item H 5.pdf](#)

6) *Request from Manitou Galleries for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Wine at Manitou Galleries, 225 Canyon Road, Which is Within 300 Feet of the Cathedral Basilica of St. Francis of Assisi, 131 Cathedral Place and the New Mexico School for the Arts, 275 East Alameda Street. The Request is for the Douglas Aagard and Paul Rhymer Opening, Which Will be Held on May 20, 2016, with Alcohol Service from 5:00 p.m. to 7:30 p.m. (Yolanda Y. Vigil)*

[Item H 6.pdf](#)

7) *Request from Joe Wade Fine Art for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Wine at Joe Wade Fine Art, 102 East Water Street, Which is Within 300 Feet of The Church of Antioch at Santa Fe, 207 Old Santa Fe Trail. The Request is for the Following Events, with Alcohol Service from 5:00 p.m. to 8:00 p.m. on June 11, 2016 and from 5:00 p.m. to 7:00 p.m. on the Remaining Dates: (Yolanda Y. Vigil)*

- *June 11, 2016 – ArtSmart Edible Art Tour*
- *July 1, 2016 – Jon Oteri Solo Exhibition Opening Reception*
- *August 19, 2016 – Annual Indian Market Exhibition Opening Reception*
- *August 26, 2016 – Roger Williams Exhibition Opening Reception*
- *September 16, 2016 – Manfred Rapp Exhibition Opening Reception*

[Item H 7.pdf](#)

8) *Request from Meow Wolf for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Beer and Wine at Meow Wolf, 1352 Rufina Circle, Which is Within 300 Feet of La Petite Academy, 1361 Rufina Circle. The Request is for the Following Events, with Alcohol Service from 6:00 p.m. to 1:00 a.m.: (Yolanda Y. Vigil)*

- *May 19, 2016 – MIX Santa Fe*
- *May 25, 2016 -- STRFKR*

[Item H 8.pdf](#)

9) *Request from the Santa Fe Green Chamber for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Beer at El Museo Cultural, 555 Camino de la Familia, Which is Within 300 Feet of Tierra Encantada Charter School @ Alvord, 551 Alarid Street. The Request is for the Santa Fe Green Festival Which will be Held on May 14, 2016, with Alcohol Service from 12:00 p.m. to 4:00 p.m. (Yolanda Y. Vigil)*

[Item H 9.pdf](#)

10) *Request for Approval of Affordable Housing Draft 2016-2017 Annual Action Plan. (Margaret Ambrosino)*

a) *Request for Approval of Professional Services Agreements – FY 2016-2017 Community Development Block Grant (CDBG) Allocation in the Amount of \$412,408.*

b) *Request for Approval of FY 2016-2017 CDBG Grant Administration in the Amount of \$100,000.*

[Item H 10.pdf](#)

11) *CONSIDERATION OF BILL NO. 2016-18: ADOPTION OF ORDINANCE NO. 2016-____. (Mayor Gonzales and Councilor Maestas)*

An Ordinance Authorizing the Issuance and Sale of the City of Santa Fe, New Mexico Water Utility System Refunding Revenue Bonds, Series 2016 in an Aggregate Principal Amount [Not to Exceed \$75,000,000] of

§39,870,000 for the Purpose of Defraying the Cost of Refunding, Paying, Defeating, Discharging, and/or Restructuring Certain Outstanding Water Utility System/Capital Outlay Gross Receipts Tax Obligations of the City; Providing that the Bonds Will Be Payable and Collectible from the Net Revenues of the City's Water Utility System; Establishing the Form, Terms, Manner of Execution and Other Details of the Bonds; Authorizing the Execution and Delivery of a Bond Purchase Agreement and Escrow Agreement; Approving Certain Other Agreements and Documents in Connection With the Bonds and the Outstanding Refunded or Restructured Water Utility System/Capital Outlay Gross Receipts Tax Obligations; Ratifying Action Previously Taken in Connection With the Bonds; Amending and Restating Ordinance No. 2006-47; Repealing All Ordinances in Conflict Herewith; and Related Matters. (Oscar Rodriguez)

[Item H 11.pdf](#)

12) CONSIDERATION OF BILL NO. 2016-17: ADOPTION OF ORDINANCE NO. 2016-____. (Councilor Maestas, Mayor Gonzales and Councilor Ives)

An Ordinance Amending Section 14-6.2 of the Land Use Development Code to Remove Certain Limitations on Short-Term Rental Dwelling Units; Amending the Fee Schedule for a Short-Term Rental Permit; and Requiring that Permit Holders Pay All Applicable Taxes or be Subject to Certain Penalties. (Randy Randall and Lisa Martinez) (Postponed at the April 27, 2016 Governing Body Meeting)

a) CONSIDERATION OF RESOLUTION NO. 2016-____. (Councilor Maestas, Mayor Gonzales and Councilor Ives)

A Resolution Establishing the Number of Short-Term Rental Permits the City of Santa Fe Land Use Department May Issue. (Randy Randall and Lisa Martinez) (Postponed at the April 27, 2016 Governing Body Meeting)

[Item H12.pdf](#)

I. ADJOURN

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been addressed, the meeting should be reconvened at 7:00 p.m., the following day and shall be adjourned not later than 12:00 a.m. Agenda items, not considered prior to 11:30 p.m., shall be considered when the meeting is reconvened or tabled for a subsequent meeting.

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.