



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
FEBRUARY 10, 2021
4:00 PM
ATTEND VIRTUALLY

AFTERNOON SESSION - 4:00 P.M.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

Councilor Abeyta

3. **SALUTE TO THE NEW MEXICO FLAG**

Councilor Vigil Coppler

4. **INVOCATION**

Councilwoman Villarreal

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT CALENDAR**

8. **APPROVAL OF MINUTES**

- a. Regular Governing Body Minutes – January 27, 2021
- b. Special Governing Body Meeting – January 28, 2021

9. **PRESENTATIONS**

- a. COVID-19 Update Pursuant to Resolution 2020-51. (Jarel LaPan Hill, City Manager, jlapanhill@santafenm.gov, 955-6848 and Kyra Ochoa, Interim Director of Community Health and Safety, krochoa@santafenm.gov, 955-6603) **INFORMATION ONLY**
- b. Department Overview of Santa Fe River Storage and Release Requirements Under the Rio Grande Compact. (Jesse Roach, Water Division Director,



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jdroach@santafenm.gov, 955-4309 and Marcos Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502) **INFORMATION ONLY**

- c. Economic Development Department Overview of the Midtown Bi-Weekly Development Update Report (Rich Brown, Director, Community & Economic Development Department, rdbrown@santafenm.gov, 955-6625 and Daniel Hernandez, Project Director at Proyecto LLC, Andrea Salazar, Assistant City Attorney, asalazar@santafenm.gov, 955-6303) **INFORMATION ONLY**

10. CONSENT CALENDAR

- a. Request for Approval of a Budget Amendment Resolution (BAR) in the Total Amount of \$205,000 from the Cash Balance in Water Enterprise Fund to the Transmission and Distribution Operating Supplies; (5050386.530200).
(Randy Lopez, Transmission and Distribution Supervisor, rjlopez@santafenm.gov, 955-4246)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 01/25/2021

Finance Committee: 02/01/2021

Governing Body: 02/10/2021

- b. **Request to Publish Notice of Public Hearing on March 10, 2021.**
Consideration of Bill No. 2021-__: An Ordinance Amending Section 7-1.1 SFCC 1987 to Adopt the Newest Version of the International Energy Conservation Code as Adopted and Amended by the State of New Mexico Construction Industries Division; and Amending Section 7-4.2 SFCC 1987, City of Santa Fe Green Building Code, to Update Code References in Conjunction with the Adoption of the 2018 International Energy Conservation Code as Adopted and Amended by the State of New Mexico Construction Industries Division. (Councilor Cassutt-Sanchez and Councilor Abeyta) (Jason Kluck, Assistant Planning and Land Use Director, jmkluck@santafenm.gov, 955-6729)

COMMITTEE REVIEW:

Quality of Life Committee: 02/3/21

Public Works and Utilities Committee: 02/8/21

Governing Body (request to publish): 02/10/21

Governing Body (public hearing): 03/10/21



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11. DISCUSSION/ACTION ITEMS

- a. CONSIDERATION OF RESOLUTION NO. 2021-____. (Councilor Villarreal and Councilor Lindell)

A Resolution Requesting the National Nuclear Security Administration Prepare and Complete a New Site-Wide Environmental Impact Statement for Los Alamos National Laboratory Before Expanding Plutonium Pit Production at the Facility. (Jesse Guillen, Legislative Liaison, jbg Guillen@santafenm.gov, 955-6518)

COMMITTEE REVIEW:

Quality of Life Committee: 02/3/21

Governing Body: 02/10/21

- b. CONSIDERATION OF RESOLUTION NO. 2021-____. (Councilor Vigil Coppler, Councilor Garcia, and Councilor Villarreal)

A Resolution Requiring Governing Body Approval Prior to Announcing the Availability of Any City-Owned Land, Buildings, or Other Real Property for Sale. (Andrea Salazar, Assistant City Attorney; asalazar@santafenm.gov, 955-6303 and Rich Brown, Economic and Community Development Director, rdbrown@santafenm.gov, 955-6625)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 02/8/21

Governing Body: 02/10/21

- c. Request for Approval of Amendment No. 3 to the Memorandum of Agreement between Santa Fe County and the City of Santa Fe for the Public Safety Radio Communications System Solutions Project for Implementation of Any Upgraded Communication System. This Amendment is to Extend the Term Date to December 31, 2020 to June 30, 2021. (Brian Moya, Assistant Chief, bjmoya@santafenm.gov, 955-3111)

COMMITTEE REVIEW:

Governing Body: 02/10/21

- d. Request for Approval of Amendment #2 to Lease Agreement #20-0257 by and between the City of Santa Fe and Garson Studios, Ltd., to Extend the Term



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of the Lease by 18 Months or Until August 26, 2022. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 955-5933)

COMMITTEE REVIEW:

Governing Body: 02/10/21

- e. CONSIDERATION OF RESOLUTION NO. 2021-_____. (Councilor Cassutt-Sanchez, Councilor Villarreal, Councilor Abeyta, Councilor Rivera, and Mayor Webber)

A Resolution Supporting Legislation at the New Mexico Legislature Adopting a Paid Sick Leave Act that Allows Employees to Accrue and Use Paid Sick Leave. (Jennifer Faubion, Council Liaison, jrfaubion@santafenm.gov, 955-6033; Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov 955-6518)

COMMITTEE REVIEW:

Governing Body: 02/10/21

- f. CONSIDERATION OF RESOLUTION NO. 2021-_____. (Councilor Lindell, Councilor Abeyta, Councilor Cassutt-Sanchez, and Mayor Webber)

A Resolution Urging the New Mexico Legislature to Hold New Mexico School Districts and Charter Schools Harmless for Decreased Enrollment in the 2020-2021 School Year Resulting From the COVID-19 Pandemic and to Maintain Funding at 2019-2020 Levels. (Julie Sanchez, Children and Youth Division Director, jjsanchez@santafenm.gov, 955-6678)

COMMITTEE REVIEW:

Governing Body: 02/10/21

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, Section 10-15-1, Part (H)(7), Attorney-Client Privileged Discussion Regarding Threatened and Pending Litigation in Which the City of Santa Fe Is a Party, Including, but not Limited to, a Discussion Regarding a Threatened Tort Claims Act Case. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)



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14. **MATTERS FROM THE CITY CLERK**
15. **COMMUNICATIONS FROM THE GOVERNING BODY**

EVENING SESSION - 6:00 P.M.

16. **ROLL CALL**
17. **PETITIONS FROM THE FLOOR**
18. **APPOINTMENTS**
 - a. Economic Development Advisory Committee
 - b. Request for Approval of Appointment of Municipal Court Pro Tem Judge Pursuant to §2-3.4(C) SFCC 1987: Chad Chittum. (Judge Virginia Vigil, vmvigil@santafenm.gov, 955-5054)
19. **PUBLIC HEARINGS**
20. **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.

UPCOMING PUBLIC HEARINGS

Meeting Date – February 24, 2021

Publication Date – February 2, 2021

CONSIDERATION OF BILL NO. 2021-1. ADOPTION OF ORDINANCE NO. 2021-____. (Councilor Rivera)



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An Ordinance Relating to the City of Santa Fe Uniform Traffic Ordinance (“UTO”); Amending Various Sections to Insert a Clause Stating that a Person Who Violates a Provision of the Particular Section is Guilty of a Penalty Assessment Misdemeanor; Creating a New Subsection 12-6-12.2A to Establish a Charge for Driving While Intoxicated with a Minor in the Vehicle; Amending Subsection 12-6-12.6 to Remove References to Driving When Privilege to do so Has Been Revoked; Creating a New Subsection 12-6-12.6A to Establish a Charge for Driving While License is Administratively Suspended; Creating a New Subsection 1-6-12.6B to Establish a Charge for Driving When the Privilege to do so Has Been Revoked; Amending Subsection 12-6-13.11 to Establish a Fine for Littering; Amending Subsection 12-10-4.1 to Permit the Use of a Portable Electronic Device to Show Proof of Insurance; Amending Schedule A of the UTO to Add the Fines Associated with the Addition of the Penalty Assessment Misdemeanor Provisions; and Amending Section 24-1.1 SFCC 1987 to Add the UTO as an Exhibit A to the end of Chapter 24, SFCC 1987. (Kyle Hibner, City Prosecutor, kjhibner@santafenm.gov, 955-5195)

COMMITTEE REVIEW:

Finance Committee: 01/19/21

Quality of Life Committee: 01/20/21

Governing Body (Request to Publish): 01/27/21

Governing Body (Public Hearing): 02/24/21

CONSIDERATION OF BILL NO. 2021-2. ADOPTION OF ORDINANCE NO. 2021-____. (Mayor Alan Webber, Councilor Lindell and Councilor Rivera)

An Ordinance Approving Global Management Performance Contract with Dalkia Energy Solutions, LLC, Subject to City Council Approval of a Separate Financing Transaction to Finance the Cost of the Global Management Performance Contract. (Brad Fluetsch, City of Santa Fe Cash and Investment Manager, bjfluetsch@santafenm.gov, 955-6885)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 01/25/21

Governing Body (Request to Publish): 01/27/21

Finance Committee: 02/15/21

Governing Body (Public Hearing): 02/24/21

CONSIDERATION OF BILL NO. 2021-3. ADOPTION OF ORDINANCE NO. 2021-____. (Mayor Alan Webber, Councilor Lindell and Councilor Rivera)

An Ordinance Accepting Investment Grade Audit Report and Approving Energy Savings Performance Contract with Yearout Energy Services, LLC, Subject to City Council Approval of a Separate Financing Transaction to Finance the Cost of the Energy Savings Performance Contract. (Brad Fluetsch, City of Santa Fe Cash and Investment Manager, bjfluetsch@santafenm.gov, 955-6885)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 01/25/21

Governing Body (Request to Publish): 01/27/21

Public Works and Utilities Committee: 02/08/21

Finance Committee: 02/15/21

Governing Body (Public Hearing): 02/24/21

CONSIDERATION OF BILL NO. 2021-4. ADOPTION OF ORDINANCE NO. 2021-4. (Mayor Alan Webber, Councilor Lindell and Councilor Rivera)

An Ordinance Approving Lease-Purchase Agreement and Escrow Agreement with Sterling National Bank for the Purpose of Financing the Installation of Energy Efficiency Measures in City Facilities Pursuant to the Energy Savings Performance Contract with Yearout Energy Services, LLC and the Global Management Performance Contract with Dalkia Energy Solutions, LLC. (Brad Fluetsch, City of Santa Fe Cash and Investment Manager, bjfluetsch@santafenm.gov, 955-6885)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 01/25/21

Governing Body (Request to Publish): 01/27/21

Public Works and Utilities Committee: 02/08/21



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Finance Committee: 02/15/21
Governing Body (Public Hearing): 02/24/21