



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
JUNE 09, 2021
4:00 PM
ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR GOVERNING BODY MEETING

Attendance: In response to the State's declaration of a Public Health Emergency, the Mayor's Proclamation of Emergency, and the ban on public gatherings in excess of those permitted in the current Public Health Order, and the need to incorporate technology and practices to re-institute in-person meetings consistent with the limitations established by the Order, the Governing Body meeting will be conducted virtually.

Viewing: Members of the public may view the meeting through the Government Channel on Comcast Channel 28 and Comcast HD928 or may stream the meeting live on the City of Santa Fe's YouTube channel at <https://www.youtube.com/user/cityofsantafe>. The YouTube live stream can be accessed at this address from most smartphones, tablets, or computers.

The video recording of this and all past meetings of the Governing Body will also remain available for viewing at any time on the City's YouTube channel at <https://www.youtube.com/user/cityofsantafe>. Staff is available to help members of the public access pre-recorded Governing Body meetings on-line at any time during normal business hours. Please call 955-6521 for assistance.

Radio Broadcast: The meeting can be heard on radio station KSFR 101.1.

Agenda: The agenda for the meeting will be posted at <https://www.santafenm.gov>.

Written Comments: The public may submit written comments on any of the legislative items to be considered on the *Consent Agenda*, *Discussion Agenda*, *Public Hearings* or *Petitions From the Floor* through 1:00 p.m. the day of the meeting, via the virtual comment "button" at <https://santafe.primegov.com/public/portal>.

Public Comment: To provide live public comment during *Petitions from the Floor* or *Public Hearings*, you must join the Zoom meeting by internet or phone, as follows:

Internet: To join the Zoom meeting on the internet using a computer, laptop, smartphone, or tablet, use the following link: <https://santafenm-gov.zoom.us/j/96284363805?pwd=Zzc3blYrWmV0YTI4cWJVeK5kaytLUT09>. **Passcode: 761438**



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Attendees should use the “Raise Hand” function to be recognized by the Mayor to speak at the appropriate time.

Phone: To join the Zoom meeting using a phone, use the following phone numbers and Webinar ID: **US: 1 (346) 248-7799 - Webinar ID: 962 8436 3805 - Passcode: 761438**

Phone attendees should press *9 to use the “Raise Hand” function to be recognized by the Mayor to speak at the appropriate time.

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 Meeting – May 26, 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,



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Acting Community Health and Safety Director, krochoa@santafenm.gov,
955-6603) **INFORMATION ONLY**

10. CONSENT CALENDAR

- a. CONSIDERATION OF RESOLUTION NO. 2021-___. (Councilor Cassutt)
A Resolution Notifying the County Clerk of the County of Santa Fe That the Regular Local Election to be Held on November 2, 2021, Shall Include Elections for One City Councilor From Each Council District and the Mayor for the City of Santa Fe. (Kristine Bustos - Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 955-6846)

Committee Review:

Introduced: 05/26/21

Quality of Life Committee: 06/02/21

Public Works and Utilities Committee: 06/07/2021

Governing Body: 06/09/21

- b. Submit for Review US Department of Justice, Office of Justice Programs, Certifications and Assurances by the Chief Executive of the Applicant Government. (Andrew Padilla, Chief of Police Department, aapadilla@santafenm.gov, 955-5102) **Committee Review:**

Quality of Life Committee: 05/19/2021

Public Works and Utilities Committee: 06/07/2021

Governing Body: 06/09/2021

- c. Request for Approval of the Modification to Grant #1 and #2 to Contract 17-0519 to Redistribute Funding Levels within the Previously Approved Cost Elements in the Financial Plan, and Extend the Expiration Date from June 15, 2021 to June 15, 2022. (Porfirio Chavarria, Wildland Urban Interface Specialist: pnychavarria@santafenm.gov, 995-3119)

Committee Review:

Quality of Life Committee: 06/02/2021

Public Works and Utilities Committee: 06/07/2021

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- d. CONSIDERATION OF RESOLUTION NO. 2021-___. (Mayor Webber)



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A Resolution Establishing an Operation Plan for Bicentennial Pool for the 2021 Season. (Regina Wheeler, Public Works Department Director: rawheeler@santafenm.gov, 955-6622; Gino Rinaldi, Acting Recreation Division Director: earinaldi@santafenm.gov, 955-4710)

Committee Review:

Introduced: 05/12/21

Public Works and Utilities Department: 05/24/21

Quality of Life Committee: 06/02/21

Governing Body: 06/9/21

11. **DISCUSSION/ACTION ITEMS**

- a. Request for Approval of a State Capital Outlay Grant Agreement for a Supportive Housing Facility Project 20-E2745 in the Amount of \$844,470 to Plan, Design, Construct and Renovate a Facility for Homeless and Below-Market Renters, Including Housing and Services in Santa Fe. (David A. Chapman, Grants Administrator, dachapman@santafenm.gov, 505-660-2619)

1) Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$844,470.

Committee Review:

Public Works and Utilities Committee: 06/7/2021

Governing Body: 06/9/2021

- b. Request for the Approval of Amendment # 13 to Service Contract 18-0552 Increasing Compensation for the Upcoming Fiscal Year by \$1,570,498.68 to a New Total of \$4,460,466.74 Including NMGRS for Security Services throughout City Facilities; Universal Protection Services, LP dba Allied Universal Security. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 505-795-2491) **Committee Review:**
Public Works Committee: 06/7/2021
Governing Body: 06/9/2021

- c. Request for Approval of Service Agreement in the Total Amount of \$334,873 for Roof, HVAC and Employee Parking Security Measures; Pluma, LLC. (Caryn Grosse, Facilities Project Administrator, clgrosse@santafenm.gov, 955-5938)

Committee Review:



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Public Works and Utilities Committee: 05/24/2021
Governing Body: 06/9/2021

- d. Request for Approval of Amendment #5 to Alpha Southwest for Emergency Repairs for the WWMD and Water Division Source of Supply in the Amount of \$211,015.63 for FY 2022 and Extending the Term through 6/30/22. (Jonathan Montoya, Source of Supply Operations Manager, jmmontoya@santafenm.gov, 955-4373 and Efran Morales, WWMD III, emmorales@santafenm.gov, 955-4618)

Committee Review:

Works and Utilities Committee: 05/24/2021
Governing Body: 06/09/2021

- e. Request for Approval of Amendment #2 to Professional Services Agreement 19-0235 with Hazen to Provide On Call Engineering Services for Capital Improvement and Priority Projects in the Amount of \$500,000 Exclusive of NMGRT. (William Schneider, Water Resources Manager, whschneider@santafenm.gov, 955-4203) 1) Request for Approval of a Budget Adjustment Resolution (BAR).

Committee Review:

Public Works and Utilities Committee: 05/24/2021
Governing Body: 06/09/2021

- f. Request for Approval of Memorandum of Agreement (MOA) with the City of Santa Fe and the United States Bureau of Reclamation (USBR) to Support the Ongoing Water Supply Planning Efforts Specified in City Resolution 2019-56. (William Schneider, Water Resources Manager, whschneider@santafenm.gov, 955-4203)

Committee Review:

Public Works and Utilities Committee: 05/24/2021
Governing Body: 06/09/2021

- g. Request for Approval of Amendment #3 to a Professional Services Agreement with Aecom Technical Services Inc. to Provide On-Call Engineering Services for Capital Improvements Program (CIP) Projects in the Amount of 542,188. (Robert Jorgensen, Engineer, rjorgensen@santafenm.gov, 955-4265)

- 1) Request for Approval of Budget Amendment Resolution

Committee Review:



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Public Works and Utilities Committee: 05/24/2021
Governing Body: 06/09/2021

- h. Request for Approval of a Professional Services Contract with Hazen Engineering for Technical Services to Support the 2100 Water Planning through June 20, 2024 in the Amount of \$298,448 Inclusive of NMGRT. (William Schneider, Water Resources Manager, whschneider@santafenm.gov, 955-4203) 1) Request for Approval of a Budget Adjustment Resolution (BAR) to Fund the Hazen Engineering Contract.

Committee Review:

Public Works and Utilities Committee: 05/24/2021
Governing Body: 06/09/2021

- i. Request for Approval of Award and Acceptance of Recurring Federal Planning Funding Section 112 (FHWA) and Section 5303 (FTA) Funds for: Santa Fe MPO Section 112 MOA between the NMDOT and the SFMPO Contract #3202718; Section 5303 Cooperative Agreement Between the NMDOT and the SFMPO Contract #3202718; Summary: Acceptance of Reoccurring Grant Awards to Support SFMPO Management. (Erick Aune, MPO Officer, ejaune@santafenm.gov 505-330-8483)

1) Request for Approval of Budget Amendment Resolution (BAR).

Committee Review:

Public Works Committee: 06/07/21
Governing Body: 06/09/21

- j. Request for Approval of the 2020 State Homeland Security Grant Program Sub-Grant Agreement EMW-2020-SS-0127-S01 in the Total Amount of \$262,749.19; New Mexico Department of Homeland Security and Emergency Management. (Brian Williams, Acting Director Emergency Management and Safety: bgwilliams@santafenm.gov, 505-469-1484)

Committee Review:

Governing Body: 06/09/21

12. MIDTOWN OVERVIEW



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- a. Midtown Planning & Development Bi-Weekly Report, by Office of Economic Development Department. (Rich Brown, Director, Community & Economic Development Department. rdbrown@santafe.gov) **INFORMATION ONLY**

Information Presentation Topic: Furniture, Fixtures, & Equipment + Arts Assets

Presenters: Robert Lambert, Office of Arts & Culture
Sam Burnett, Public Works Department

13. MATTERS FROM THE CITY MANAGER

14. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Parts (H)(7), and (H)(8), Attorney-Client Privileged Discussion Regarding Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Party, Including, But Not Limited to, *City of Albuquerque et al v. Taxation and Revenue Department; Plaza Entrada Co. et al. v. S.F. Holdings, LLC, et al.*, D-101-CV-2020-02681, and *Cook County v. Wolf* (N.D. Ill.). (Erin K. McSherry, City Attorney, ekmsherry@santafenm.gov, 955-6512,)

15. EXECUTIVE SESSION ACTION ITEMS

- a. Approval to Join Los Angeles County and the City of Chicago and Other Cities and Counties in an Amicus Brief in Support of the Federal Government in *Cook County v. Wolf* (N.D. Ill.), and Any Subsequent Appeals of the Case, Defending the Federal Government's Abandonment of the Public Charge Rule, Supporting its Opposition to Intervention by a Coalition of States Seeking to Defend the Public Charge Rule, and Outlining the Harms that the Public Charge Rule Inflicts Upon Local Communities. (Erin K. McSherry, City Attorney, ekmsherry@santafenm.gov, 955-6512)

16. MATTERS FROM THE CITY CLERK

17. COMMUNICATIONS FROM THE GOVERNING BODY

- a. Introduction of Legislation



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EVENING SESSION - 6:00 P.M.

18. **ROLL CALL**

19. **PETITIONS FROM THE FLOOR**

20. **APPOINTMENTS**

- a. Mayor's Youth Advisory Board

21. **PUBLIC HEARINGS**

- a. CONSIDERATION OF BILL NO. 2021-11. ADOPTION OF ORDINANCE 2021-_____. (Councilor Garcia and Councilor Lindell)

An Ordinance Regarding the Independent Salary Commission; Amending Section 6-19.3 SFCC 1987 To Reassign the Authority to Appoint the Members of the Commission to the Ethics and Campaign Review Board and to Reassign the Authority to Appoint the Commission's Chairperson to the Commission's Members; and Amending Section 6-16.2 SFCC to Add the Duty of Appointing the Independent Salary Commission Members to the Ethics And Campaign Review Board's Powers and Duties. (Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov, 955-6518)

Committee Review:

Introduced: 04/14/21

Quality of Life Committee: 04/21/21

Public Works and Utilities Committee: 04/26/21

Finance Committee: 05/3/21

Governing Body (Request to Publish): 05/12/21

Governing Body (Public Hearing): 06/09/21

- b. CONSIDERATION OF BILL NO. 2021-13. ADOPTION OF ORDINANCE 2021-_____. (Councilor Abeyta, Councilor Lindell, and Councilor Rivera)

An Ordinance Amending Subsection 14-3.7(F), Notes 15 and 16 of Table 14-7.2-1, and Subsection 14-9.6(B) to Allow the Minimum Lot Size to be 1.25 Acres for a Lot Created Through an Inheritance or Family Transfer Subdivision and that Results in Only One Additional Lot; Amending Subsection 14-7.2(B) to Require Rounding Down of the Calculation of Maximum Number of Dwelling Units for a Family Transfer Subdivision Where Neither Public Sewer nor Public



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Water are Available; and Amending Subsection 14-9.6(A) to Require Proof of Adequate Septic and Well Assurances Prior to the Approval of an Inheritance or Family Transfer Subdivision that Lacks Public Sewer and Water. (Eli Isaacson, Planning and Land Use Director: esisaacson@santafenm.gov, 955-6830)

Committee Review:

Introduced: 03/31/21

Planning Commission: 05/6/21

Public Works and Utilities Committee: 05/11/21

Governing Body (Request to Publish): 05/12/21

Governing Body (Public Hearing): 06/9/21

- c. CONSIDERATION OF RESOLUTION NO. 2021-___. (Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal)
A Resolution Proclaiming Severe or Extreme Drought Conditions Exist in the City of Santa Fe; Imposing Fire Restrictions June 10, 2021 to July 10, 2021; Restricting the Sale or Use of Fireworks Within the City of Santa Fe and Prohibiting Other Fire Hazard Activities. (Geronimo Griego, Acting Fire Marshall: gggriego@santafenm.gov, 955-3310)

Committee Review:

Introduction: 05/26/21

Quality of Life Committee: 06/02/21

Governing Body: 06/09/21

- d. CONSIDERATION OF RESOLUTION NO. 2021-___. (Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal)
A Resolution Proclaiming Severe or Extreme Drought Conditions Exist in the City of Santa Fe; Imposing Fire Restrictions July 11, 2021 to August 10, 2021; Restricting the Sale or Use of Fireworks Within the City of Santa Fe and Prohibiting Other Fire Hazard Activities. (Geronimo Griego, Acting Fire Marshall: gggriego@santafenm.gov, 955-3310)

Committee Review:

Introduction: 05/26/21

Quality of Life Committee: 06/02/21

Governing Body: 06/09/21

22. **ADJOURN**



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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.