



AGENDA

REGULAR MEETING OF
THE QUALITY OF LIFE
COMMITTEE
APRIL 06, 2022
5:00 PM
ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR QUALITY OF LIFE COMMITTEE 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 Quality of Life committee meeting will be conducted virtually.

Viewing: Members of the public 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.

Internet: To join the Zoom meeting on the internet using a computer, laptop, smartphone, or tablet, use the following link: <https://santafenmgov.zoom.us/j/91023070113?pwd=QTJrQjl3M2c3TFpCRjVaRkJYZU53UT09>.

Passcode: 141109

Attendees should use the "Raise Hand" function to be recognized by the Chair 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: 910 2307 0113 - Passcode: 141109**

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

The agenda and packet for the meeting will be posted at <https://santafe.primegov.com/public/portal>.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF CONSENT AGENDA**



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APRIL 06, 2022
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5. **APPROVAL OF MINUTES**

- a. Approval of Minutes from the March 16, 2022 Quality of Life Committee Meeting

6. **PRESENTATIONS**

- a. Presentation from the Office of Affordable Housing – Using a combination of regulation and City housing funds (both local + federal) to leverage capacity, support affordability and increase supply of affordable housing in Santa Fe. (Alexandra Ladd, Director, Office of Affordable Housing: agladd@santafenm.gov, 505-955-6346)

7. **ACTION ITEMS: CONSENT**

- a. CONSIDERATION OF RESOLUTION 2022-____ (Councilor Rivera, Councilor Romero-Wirth) Proclaiming Severe or Extreme Drought Conditions Exist in the City of Santa Fe; Imposing Fire Restrictions From April 10, 2022, to May 11, 2022; Restricting the Sale or Use of Fireworks Within the City of Santa Fe; and Prohibiting Other Fire Hazard Activities. (Geronimo Griego, Fire Marshal: gggriego@santafenm.gov, 955-3317)

Committee Review:

Introduced 3/30/2022

Quality of Life Committee: 4/6/2022

Governing Body: 4/13/2022

- b. Request for the Approval of Memorandum of Understanding (MOU) between the City of Santa Fe and New Mexico Main Street Urban Neighborhood Commercial Corridor Initiative for Airport Road (Elizabeth Camacho, Economic Development and Communications Administrator: excamacho@santafenm.gov, 505-955-6042)

Committee Review:

Quality of Life Committee: 4/6/2022

Public Works/Utilities Committee: 4/11/2022

Economic Development Advisory Committee: 4/13/2022

Finance Committee: 4/18/2022



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Governing Body: 4/27/2022

- c. Request for the Approval of Memorandum of Understanding (MOU) between the City of Santa Fe and New Mexico Main Street Urban Neighborhood Commercial Corridor Initiative for the Siler Rufina Nexus Area (Elizabeth Camacho, Economic Development and Communications Administrator: excamacho@santafenm.gov, 505-955-6042)

Committee Review:

Quality of Life Committee: 4/6/2022

Public Works/Utilities Committee: 4/11/2022

Economic Development Advisory Committee: 4/13/2022

Finance Committee: 4/18/2022

Governing Body: 4/27/2022

- d. Request for Approval of Amendment No. 1 to Memorandum of Agreement (MOA) #22-0030 between the City of Santa Fe and Santa Fe County Transferring \$1,000,000 of County American Rescue Plan Act (ARPA) Funds to the City of Santa Fe for Pandemic Cash Assistance Relief Funds to Clarify the Term End Date under Article 2 and Correct a Reference in Article 3 (Kyra Ochoa, Community Health and Safety Department Director: krochoa@santafenm.gov, (505) 955-6603 and Julie Sanchez, Youth and Family Services Division Director: jjsanchez@santafenm.gov, (505) 955-6678)

Committee Review:

Finance Committee: 04/04/2022

Quality of Life Committee: 04/06/2022

Governing Body: 04/13/2022

- e. Request for Approval of the 2021 State Homeland Security Sub-grant Agreement EMW-2021-SS-00061-S01 in the Total Amount of \$143,028.00 (one hundred and forty three thousand and twenty eight dollars) for Development of Sustainment of Emergency Response and Recovery Capabilities, with a Period of Performance of January 1, 2022 to June 20, 2023; (New Mexico Department of Homeland Security and Emergency Management); (Brian Williams, Director of Emergency Management and Safety: bgwilliams@santafenm.gov, 505-469-1484).

Committee Review:



City of Santa Fe

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Finance Committee: 04/04/2022
Quality of Life Committee: 04/06/2022
Governing Body: 4/13/2022

8. **MATTERS FROM STAFF**
9. **MATTERS FROM THE COMMITTEE**
10. **MATTERS FROM THE CHAIR**
11. **NEXT MEETING: Wednesday, April 20, 2022**
12. **ADJOURN**

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.



MINUTES

REGULAR MEETING OF
THE QUALITY OF LIFE
COMMITTEE
MARCH 16, 2022
5:00 PM
VIRTUAL MEETING

1. CALL TO ORDER

The meeting of the Quality of Life Committee was called to order by Councilor Cassutt, Chair, on Wednesday, March 16, 2022, at 5:01 PM and was attended virtually.

2. ROLL CALL

Members Present:

Councilor Jamie Cassutt
Councilor Michael Garcia
Councilor Renee Villarreal
Member Lee Garcia
Member Amanda Chavez

Members Excused:

None

Others Attending:

Kyra Ochoa, Community Services Department Director
Loretta Olguin, Clerk
Elizabeth Martin, Clerk
Rich Brown, Attendee

3. APPROVAL OF AGENDA

MOTION: Councilor Garcia moved, seconded by Member Garcia, to approve the as presented.

VOTE: The motion was on the following Roll Call vote:

For: Councilor Cassutt, Councilor Garcia, Councilor Villarreal, Member Garcia, Member Chavez

Against: None

Abstain: None

4. APPROVAL OF CONSENT AGENDA



MINUTES

REGULAR MEETING OF
THE QUALITY OF LIFE
COMMITTEE
MARCH 16, 2022
5:00 PM
VIRTUAL MEETING

MOTION: Councilor Garcia moved, seconded by Member Chavez, to approve the as amended.

VOTE: The motion was on the following Roll Call vote:

For: Councilor Cassutt, Councilor Garcia, Councilor Villarreal, Member Garcia, Member Chavez

Against: None

Abstain: None

Item A was removed by Councilor Lee Garcia for discussion.

Item B was removed by Councilor Villarreal for discussion.

5. APPROVAL OF MINUTES

- a. Approval of Minutes from the March 2, 2022 Quality of Life Committee Meeting

MOTION: Councilor Villarreal moved, seconded by Councilor Garcia, to approve the minutes as presented.

VOTE: The motion was on the following Roll Call vote:

For: Councilor Cassutt, Councilor Garcia, Councilor Villarreal, Member Garcia, Member Chavez

Against: None

Abstain: None

6. ACTION ITEMS: CONSENT

- a. Request for Approval of FY22 Supplemental Police Vehicle Purchase for the Vehicles, Equipment and Labor Costs Associated with Each Vehicle in the Total Amount of \$2,962,286.02. Funding and Budget Adjustment Resolution was Approved at the March 9, 2022 Governing Body Meeting. (Ben Valdez, Deputy Chief of Police: bpvaldez@santafenm.gov, 505-955-5040)



MINUTES

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VIRTUAL MEETING

Committee Review:

Public Safety Committee: 03/15/2022
Quality of Life Committee: 03/16/2022
Finance Committee: 03/21/2022
Governing Body: 03/30/2022

MOTION: Member Garcia moved, seconded by Councilor Villarreal, to approve the purchase as presented.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Cassutt, Councilor Garcia, Councilor Villarreal, Member Garcia, Member Chavez

Against: None

Abstain: None

- b. CONSIDERATION OF RESOLUTION 2022-___ (Councilor Rivera, Councilor Cassutt) to Approve Amending Impact Fees Capital Improvement Plan FY2021-2027 and Replace Tables 80 and 81 Listing Planned Road Improvements and Parks and Trails Improvements as Recommended by the Capital Improvements Advisory Committee. (Romella Glorioso-Moss, Projects Administrator: rsglorioso-moss@santafenm.gov, 505-955-6623; and Melissa McDonald, Parks Director: mamcdonald@santafenm.gov, 505-955-6840)

Committee Review:

Governing Body (Introduced): 03/09/2022
Quality of Life Committee: 03/16/2022
Public Works and Utilities Committee: 03/28/2022
Finance Committee: 04/04/2022
Governing Body: 04/13/2022

MOTION: Councilor Garcia moved, seconded by Member Chavez, to approve the resolution as presented.

VOTE: The motion was on the following Roll Call vote:



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For: Councilor Cassutt, Councilor Garcia, Councilor Villarreal, Member Garcia, Member Chavez

Against: None

Abstain: None

- c. CONSIDERATION OF RESOLUTION 2022-___ (Councilor Lindell, Councilwoman Villarreal) Authorizing the Sale and Consumption of Alcohol During the Off the Rails: SITE Santa Fe Annual Benefit and Concert on City Property on Thursday, June 23, 2022, Pursuant to Subsection 23-6.2(C) SFCC 1987. (Kristine Mihelcic, Community Engagement Director and City Clerk: kmihelcic@santafenm.gov, 505-955-6846)

Committee Review:

Quality of Life Committee: 03/16/2022

Finance Committee: 03/21/2022

Governing Body: 03/30/2022

MOTION: Councilor Garcia moved, seconded by Member Chavez, to approve the introduction of legislation as presented.

VOTE: The motion was on the following Roll Call vote:

For: Councilor Cassutt, Councilor Garcia, Councilor Villarreal, Member Garcia, Member Chavez

Against: None

Abstain: None

This item was approved on consent.

- d. Request for the Approval of Memorandum of Agreement for FY22-26 for Santa Fe Community College Scholarships for Area Veterans and their Spouses, Children and Grandchildren between the City of Santa Fe Veterans Advisory Board (VAB) and the Santa Fe Community College Foundation



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(SFCCF) for a total amount of \$72,000.00; (Julie Sanchez, jjsanchez@santafenm.gov and (505) 955-6678)

COMMITTEE REVIEW:

Quality of Life Committee: 03/16/2022

Finance Committee: 03/21/2022

Governing Body: 03/30/2022

MOTION: Councilor Garcia moved, seconded by Member Chavez, to approve the memorandum of agreement (MOA) as presented.

VOTE: The motion was on the following Roll Call vote:

For: Councilor Cassutt, Councilor Garcia, Councilor Villarreal, Member Garcia, Member Chavez

Against: None

Abstain: None

This item was approved on consent.

7. **PRESENTATION**

- a. Homelessness and Encampment Update: Community Health and Safety Department Presentation (Kyra Ochoa, Director of Community Health and Safety Department: krochoa@santafenm.gov, 505-955-6603; Anna Cale Pendas, Youth and Family Services Division Program Manager: axcale@santafenm.gov, 505-955-6236)

A Power Point presentation was made by Director Ochoa and Ms. Pendas.

- b. Midtown Progress Report: Administrative Review Draft Plan and Code Presentation by Strategic Economics and Opticos Design, Midtown Redevelopment Land Economics and Urban Planning Partners. (Rich Brown, Director of Community Development Department: rdbrown@santafenm.gov, (505) 955-6625; Lee Logston, Midtown Asset Development Manager, (505)955-6136: llogston@santafenm.gov and Daniel Hernandez, Midtown Redevelopment Project Manager, Proyecto)



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A Power Point presentation was made by Opticos Think Tank and Director Brown.

8. **MATTERS FROM STAFF**
9. **MATTERS FROM THE COMMITTEE**
10. **MATTERS FROM THE CHAIR**
11. **NEXT MEETING: April 06 2022**
12. **ADJOURN**

There being no further business before the Committee the meeting adjourned at 7:55 pm.

Liaison

Chair



City of Santa Fe New Mexico

Memorandum



Date: March 14, 2022

To: Quality of Life Committee, Finance Committee, and Governing Body

Via: Geronimo Griego, Fire Marshal ^{GGG}_{GGG}

From: Brian Moya, Fire Chief ^{BjM}_{BjM}
Nathan Miller, Wildland Superintendent ^{NFM}_{NFM}

RE: Fire Restrictions

ITEM AND ISSUE:

The proposed Resolution requests the Governing Body adopt certain fire restrictions throughout the City of Santa Fe based on data supplied by the U.S. Forest Service and published by the National Weather Service.

BACKGROUND AND SUMMARY:

NMSA 1978, Section 60-2C-8.1 authorizes the governing body of a municipality to restrict the sale or use of fireworks within the boundaries of the municipality if severe or extreme drought conditions exist. As of March 1st, all of Santa Fe County was in exceptional drought, the highest classified level. State statute also precludes a governing body from adopting fire restrictions 20 days prior to a holiday for which fireworks may be sold – the Fourth of July. Each Resolution has a maximum effective time period of thirty days, requiring the adoption of subsequent Resolutions if drought conditions persist.

ACTION REQUESTED:

Adopt the Resolution as presented.

ATTACHMENTS:

Resolution
Fiscal Impact Report

Signature: Brian J Moya
Brian J Moya (Mar 14, 2022 11:31 MDT)
Email: bjmoya@santafenm.gov

Signature: GERONIMO GRIEGO
GERONIMO GRIEGO (Mar 14, 2022 12:50 MDT)
Email: gggriego@santafenm.gov

Signature: Nathan F Miller
Nathan F Miller (Mar 14, 2022 12:51 MDT)
Email: nfmiller@santafenm.gov

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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2022-__

INTRODUCED BY:

Councilor Chris Rivera

Councilor Carol Romero-Wirth

A RESOLUTION

PROCLAIMING SEVERE OR EXTREME DROUGHT CONDITIONS EXIST IN THE CITY OF SANTA FE; IMPOSING FIRE RESTRICTIONS FROM APRIL 10, 2022, TO MAY 11, 2022; RESTRICTING THE SALE OR USE OF FIREWORKS WITHIN THE CITY OF SANTA FE AND PROHIBITING OTHER FIRE HAZARD ACTIVITIES.

WHEREAS, the danger of range fires, grass fires, forest fires and structure fires are very high or extremely high in and around the city of Santa Fe; and

WHEREAS, the weather in Santa Fe has been dry and windy, contributing to the present very high or extremely high fire risk, and it is predicted that the windy and dry weather will continue into the coming weeks, causing progressively worsening fire conditions; and

WHEREAS, due to abnormally low winter precipitation, United States forest service data indicates very high or extreme fire danger presently exists; and

WHEREAS, it is anticipated that drought conditions will be present for the foreseeable future; and

WHEREAS, the probability of ignition of materials likely to serve as fuel for fire is

1 presently extremely high in the city of Santa Fe; and

2 **WHEREAS**, if the city experiences a fire that burns out of control in the watershed, 40%
3 of the city’s water resources are at serious risk of complete loss or substantially reduced capacity;
4 and

5 **WHEREAS**, if the city experiences a fire that burns out of control in populated areas, it
6 may be necessary to evacuate and relocate affected residents; and

7 **WHEREAS**, the COVID-19 Pandemic is complicating suppression operations on wildland
8 fires in New Mexico; and

9 **WHEREAS**, pursuant to NMSA 1978, Section 60-2C-8.1, the governing body of a
10 municipality is authorized to restrict the sale or use of fireworks within the boundaries of the
11 municipality if severe or extreme drought conditions exist; and

12 **WHEREAS**, according to the U.S. Drought Monitor, Santa Fe County is in an extreme
13 drought, the second highest category; and

14 **NOW, THEREFORE, BE IT PROCLAIMED BY THE GOVERNING BODY OF**
15 **THE CITY OF SANTA FE:**

16 **Section 1.** This resolution shall be deemed a proclamation within the meaning of
17 NMSA 1978, Section 60-2C-8.1 and Section 12-3.9 SFCC 1987.

18 **Section 2.** As per NMSA 1978, Section 60-2C-8.1, the Governing Body anticipates
19 severe or extreme drought conditions exist or may exist within the boundaries of the city of Santa
20 Fe based upon current drought indices published by the national weather service and other relevant
21 information supplied by the United States forest service.

22 **Section 3.** The Governing Body restricts the sale or use of fireworks from April 10,
23 2022 to May 11, 2022 to the maximum extent possible permitted in NMSA 1978, Section 60-2C-
24 8.1.

25 A. The sale or use of the following fireworks is specifically prohibited within

1 the city limits:

2 (1) aerial devices:

3 (a) aerial spinners;

4 (b) helicopters;

5 (c) mines;

6 (d) missile-type rockets;

7 (e) roman candles;

8 (f) shells; and

9 (g) stick-type rockets;

10 (2) ground audible devices:

11 (a) chasers; and

12 (b) firecrackers.

13 B. All fireworks within any lands covered wholly or in part by timber, brush,
14 or native grass are prohibited.

15 **Section 4.** An exception to the above restrictions is public displays of fireworks in
16 strict conformance with the requirements and conditions set forth in Section 12-3.3 SFCC 1987 and
17 as approved by the City of Santa Fe fire chief.

18 **Section 5.** Pursuant to Section 12-3.9 SFCC 1987,

19 A. Any individual, firm, partnership, or other entity found in violation of the
20 above restrictions shall be deemed guilty of a misdemeanor and shall be punished by
21 imprisonment for up to ninety (90) days or a fine not to exceed five hundred dollars (\$500),
22 or both.

23 B. Each and every occasion on which this section is violated shall be
24 considered a separate offense.

25 **BE IT FURTHER RESOLVED** that

1 **Section 1.** Due to severe or extreme drought conditions and wildland fire conditions,
2 the Governing Body hereby prohibits the following activities, in accordance with the International
3 Fire Code® , Section 307.1.1, as adopted by Section 12-2.1 SFCC 1987:

- 4 A. Open burning, including campfires, bonfires, pit barbecues;
- 5 B. Burning of weeds, trash, or other vegetation;
- 6 C. Using charcoal barbecue grills in public parks and recreation areas;
- 7 D. Smoking in public parks, recreation areas, or on any public trail; and
- 8 E. Using any motorized all-terrain vehicle or motorcycles on city owned open
9 space, parks, trails, or other recreational areas, except for the Motocross
10 Track located off of the 599 Relief Route.

11 Charcoal barbecuing at a residential structure is permitted if the fire is closely monitored
12 and fire-extinguishing equipment, such as a garden hose or fire extinguisher, is readily available.

13 **Section 2.** Pursuant to Section 1-3.1 SFCC 1987:

- 14 A. Any individual, firm, partnership or other entity found in violation of the
15 above restrictions shall be deemed guilty of a misdemeanor and shall be punished by
16 imprisonment for up to ninety (90) days or a fine not to exceed five hundred dollars (\$500),
17 or both.
- 18 B. Each and every occasion on which this section is violated shall be
19 considered a separate offense.

20 **BE IT FURTHER RESOLVED** that the Governing Body recognizes that NMSA 1978,
21 Section 60-2C-8.1 only allows municipalities to adopt fire restrictions for 30 days at a time and no
22 less than 20 days prior to a holiday for which fireworks may be sold. Therefore, to ensure that there
23 will be no lapse in the fire restrictions imposed by this resolution, the Governing Body may impose
24 these fire restrictions at any subsequent meeting date hereafter to ensure that such fire restrictions
25 are in place during extreme or severe drought conditions and wildland fire conditions.

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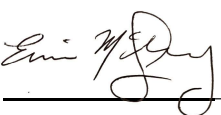
PASSED, APPROVED, AND ADOPTED this ___ day of _____, 2022.

ALAN WEBBER, MAYOR

ATTEST:

KRISTINE MIHELICIC, CITY CLERK

APPROVED AS TO FORM:



ERIN K. McSHERRY, CITY ATTORNEY

FISCAL IMPACT REPORT

General Information:

(Check) Bill: _____ Resolution: X

Short Title(s): Fire Restrictions

Sponsor(s): Councilor Rivera

Reviewing Department(s): Fire Department

Staff Completing FIR: Wildland Superintendent- Nathan Miller Date: _____ Phone: _____

Reviewed by City Attorney: *Eric McDay* Date: Mar 16, 2022

Reviewed by Finance Director: *Mary Mcay* Date: Mar 16, 2022

Summary:

The proposed Resolution establishes restrictions for the sale and use of fireworks within City limits due to severe to exceptional drought.

Departments Affected:

 Fire Department ; Police Department

Consequences of Not Enacting Legislation:

The City will not have the authority to restrict the use of fireworks in the City limits that pose a risk of starting a fire due to severe to exceptional drought.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:

The Resolution is consistent with NMSA 1978, Section 60-2C-8.1 and SFCC 1987, Chapter 12, Fire Protection and Prevention.

Performance and Administrative Implications:

If the Resolution is not adopted, there will not be an enforcement mechanism for the prohibitions adopted in the Resolution regarding the sale and use of fireworks.

Fiscal Implications:

 N/A

Fiscal Impact

 X Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and Benefits*	\$ _____	\$ _____	\$ _____	_____	_____	_____	
Capital Outlay	\$ _____	\$ _____	\$ _____	_____	_____	_____	
Contractual/	\$ _____	\$ _____	\$ _____		_____	_____	
Professional Services							
Operating	\$ _____	\$ _____	\$ _____		_____	_____	\$ _____
Total:	\$ _____	\$ _____	\$ _____				\$ _____

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

Revenue Type	FYE	FYE	FYE	Recurring (R) or Non-recurring (NR)	Fund
General Fund	\$ _____	\$ _____	\$ _____	_____	_____
Special Revenue	\$ _____	\$ _____	\$ _____	_____	_____
CIP	\$ _____	\$ _____	\$ _____	_____	_____
Enterprise	\$ _____	\$ _____	\$ _____	_____	_____
Internal Service	\$ _____	\$ _____	\$ _____	_____	_____
Trust and Agency	\$ _____	\$ _____	\$ _____	_____	_____
Federal	\$ _____	\$ _____	\$ _____	_____	_____
Other	\$ _____	\$ _____	\$ _____	_____	_____
Total	\$ _____	\$ _____	\$ _____		

Revenue Narrative:



City of Santa Fe New Mexico

Memorandum

Date: March 21, 2022

To: Finance Committee April 4, 2022
Quality of Life Committee April 6, 2022
Public Works/Utilities Committee April 11, 2022
Economic Development Advisory Committee April 13, 2022
Governing Body April 13, 2022

From: Elizabeth Camacho, Economic Development & Communications ^{EC}
Administrator _{EC}

CC: Rich Brown, Director, Community Development Department

RE: Memorandum of Understanding between the City of Santa Fe and New Mexico
Main Street Urban Neighborhood Commercial Corridor Initiative

ITEM AND ISSUE:

This Memorandum of Understanding (MOU) creates a partnership between City of Santa Fe and New Mexico's Main Street for the FY 22 Urban Neighborhood Commercial Corridor Initiative for a South Side Initiative.

This is a new pilot program of the New Mexico Economic Development Department's Main Street program. It provides project-based community economic development support to urban neighborhood commercial corridors located in cities over 50,000 in population. Its focus is on catalytic economic development projects in a traditional business districts. Communities receive professional services and technical assistance to implement and complete the proposed project within 12 to 18-months.

Ultimately, the goal will be to create a civic infrastructure and team of stakeholders/partners with the capacity and strategic plans to lead community redevelopment efforts and capable of investing time and resources in community development goals. Project leaders seek a civic infrastructure that is inclusive of residents and reflect the demographic composition of the area. Further, project leaders hope to establish a civic infrastructure that supports mitigation of longstanding racial dynamics in the community.

BACKGROUND AND GENERAL PROJECT OUTLINE

- Initial coordination meetings with local government leaders; b) seating the initial stakeholder group; and, c) launch and complete initial community asset-mapping process.
- Outreach, planning and implementation of the community visioning process (1 full day or several visioning meetings of 2-3 hours each).
- a) Strategic Planning (and plan development) for initial stakeholder group; b) Main Street training and program development (if desired); c) launch branding/marketing technical

assistance; d) finalize and distribute strategic plan document and community vision document.

- Technical assistance in identifying resources for inexpensive project implementation.
- a) finalize branding/marketing projects, deliver to stakeholder group; b) launch, if needed, MRA planning designation and seek funding for an MRA plan.

ACTION REQUESTED:

The Office of Economic Development recommends moving forward the MOU between City of Santa Fe and New Mexico Main Street, since it will create additional capacity and identify place-making opportunities with residents from the area.

Signature: 
Elizabeth Camacho (Mar 21, 2022 10:15 MDT)

Email: excamacho@santafenm.gov



NEW MEXICO MAINSTREET™

ENGAGE PEOPLE • REBUILD PLACES
REVITALIZE ECONOMIES

FY22 Urban Neighborhood Commercial Corridor Initiative Memorandum of Understanding (MOU)

Between

**New Mexico MainStreet Program,
The City of Santa Fe and Airport Road Corridor
Stakeholder Group**

The State of New Mexico's Economic Development Department seeks to increase the number of jobs and businesses, sustain and expand existing businesses, mitigate commercial leakage, support local entrepreneurs in start-ups, and improve property values within traditional and historic commercial districts. To that end, it has dedicated resources, professional assistance, and services to partnering municipalities and a local nonprofit or stakeholder groups through the Urban Neighborhood Commercial Corridor Initiative program.

The New Mexico MainStreet program is pleased to welcome the Airport Road Corridor Stakeholder group and the City of Santa Fe to the Economic Development Department's Fiscal Year 2022 Urban Neighborhood Commercial Corridor Initiative program. The purpose of the Urban Neighborhood Commercial Corridor Initiative is for project-based community economic development support to urban neighborhood commercial corridors located in cities over 50,000 in population to develop a catalytic economic development project within a traditional or historic commercial district.

New Mexico MainStreet (NMMS) has assigned Revitalization Specialist's (RS) Eduardo Martinez and Rhea Serna to your project based on their professional expertise to help develop and implement your project within a twelve to eighteen-month time frame. Based on your application and the initial site visit, NMMS has developed the following "Scope of Work" that outlines the breadth of your project, the type of technical assistance to be provided/work to be performed by the NMMS RS's, and a timeline for the project.

Project Scope of Work: South Side Civic Infrastructure Initiative - Principles and Spirit of Community Driven Development for Social Justice

Project Applicants Seek To:

1. Engage area youth, families, businesses, institutions and organizations in 6 community visioning exercises to gather input and ideas from the community of ways to revitalize the area via facilitated community meetings, online surveys, and creative engagement activities focusing on:
 - a. Health & Wellness
 - b. Community Economic Development
 - c. Housing
 - d. Arts & Culture
 - e. Education & Training
 - f. Parks & Recreation
2. As part of the visioning exercises, create models, renderings, maps, music, art, meals, stories and celebrations that residents and participants of the visioning process to community wish to see in the community.
3. Establish strong working partnerships with City (and County) government to support implementation of the vision (via funding or other practices such as zoning, ordinances, policies, community redevelopment practices, etc.).
4. Ultimately, the goal will be to create a civic infrastructure and team of stakeholders/partners with the capacity and strategic plans to lead community redevelopment efforts and capable of investing time and resources in the community development goals. Project leaders seek a civic infrastructure that is inclusive of residents and reflects the demographic composition of the area. Further, project leaders hope to establish a civic infrastructure that supports mitigation of longstanding racial/colonial dynamics in the community.
5. Engage in development of strategic and community economic development or MRA plans (including placemaking and development of community spaces) that respond to and support needs of area residents, including one or two inexpensive projects for immediate implementation to demonstrate visible progress.
6. Identify, seek and acquire resources to implement project priorities.
7. Conduct a community network analysis to:
 - a. Identify community networks and network connectors.
 - b. Identify communication and engagement opportunities with the community.
8. Position stakeholders to consider Main Street America designation, if so desired.

Technical Assistance provided by New Mexico MainStreet:

New Mexico MainStreet Revitalization Specialists will provide technical assistance in the following areas:

- A. Convene initial coordination meetings with local elected officials and city/county government.
- B. Identify initial stakeholder group and visioning design group (at least 6-12 community leaders) to help plan community visioning sessions.
- C. Facilitate a community asset-mapping process with the stakeholder group.

- D. Convene and facilitate one day-long community visioning and goal-setting session (or several 2-3 hour planning charrettes) with area residents/stakeholders, focusing on community economic development topics, including: small business development, landscape architecture, placemaking, housing, arts & culture/creative economy and housing. Integrate MainStreet-relevant content on community economic development approaches. Document the visioning process in a comprehensive planning report.
- E. Facilitate a strategic planning session with the initial stakeholder group aimed at building capacity, resources and leadership to advance the elements of the visioning process. Prepare a 3-year strategic plan.
- F. If desired, provide training for the stakeholder group on the Main Street Approach and the community engagement and strategic planning process.
- G. Provide technical assistance on community outreach activities and engagement processes.
- H. Provide technical assistance with branding, marketing and/or collateral materials, as needed.
- I. Assist the stakeholder group with identifying and seeking funding for 1-2 inexpensive placemaking or small business development projects.

General Project Timeline:

- November 2021 – February 2022: a) Initial coordination meetings with local government leaders; b) seating the initial stakeholder group; and, c) launch and complete initial community asset-mapping process.
- February – April 2022: Outreach, planning and implementation of the community visioning process (1 full day or several visioning meetings of 2-3 hours each).
- May – August 2022: a) Strategic Planning (and plan development) for initial stakeholder group; b) MainStreet training and program development (if desired); c) launch branding/marketing technical assistance; d) finalize and distribute strategic plan document and community vision document.
- September – October 2022: Technical assistance in identifying resources for inexpensive project implementation.
- November 2022 – April 2023: a) finalize branding/marketing projects, deliver to stakeholder group; b) launch, if needed, MRA planning designation and seek funding for an MRA plan.

Local Participation of Stakeholder Group and Local Government Partner:

As a participant in the Urban Neighborhood Commercial Corridor Initiative, you are expected to assemble and maintain a diverse group of public sector partners and volunteer community stakeholders to work with NMMS and the assigned Revitalization Specialist to develop and implement the project in a timely manner. New Mexico MainStreet also offers numerous training opportunities to assist with building the capacity of local stakeholders to reinvest in their local economy and we strongly encourage you to have the members of your stakeholder group attend. Training opportunities include MainStreet Conferences, Institutes, and webinars.

Reporting Requirements

The project principals (Miguel Acosta, Elizabeth Camacho) will be required to submit a semi-annual progress report and a final report that address the following elements:

A. Capacity Building and Operational Benchmarks

- i. Brief update on the status of your project.
- ii. Identify any resources (human and financial) mobilized or leveraged to advance the project goals; list funding identified, sought, received and allocated to project goals.
- iii. Describe "in-kind" services (and value if known) received for this project in addition to NMMS technical assistance.
- iv. Volunteer hours dedicated to this project (it is recommended you track them on a monthly basis).
- v. Identify how your governing body has supported project actions and priorities and what resources were provided.

B. Project-Specific Benchmarks

- i. Identify measurable outputs of the project. List activities (what you did) and participants (who you reached, partners engaged in the project, etc.).
- ii. Describe the tangible products from the stakeholder engagement/strategic planning sessions and how those products helped stimulate action toward goals.
- iii. For final report, identify project outcomes and processes used to address outcomes measures. How did the project effect change with respect to:
 - a. Knowledge (short term): What changes in awareness, attitudes, and skills for community members and stakeholders resulted from the project?
 - b. Actions (medium term): Are there any changes in practices, behaviors, decisions and policy resulting from the project activities?
 - c. Conditions (long term): How is the project helping the community set up for positive changes in economic, social, civic or environmental conditions?
- iv. For final report: Identify project tasks/work areas need to be further refined or supported or additional revitalization projects needed by the community (MRA plan, etc.)
- v. For final report: Indicate if you will be applying for additional assistance through the NMMS Frontier/Native American Communities Initiative. Identify interest in developing a comprehensive MainStreet program for the project and steps taken (if any) toward developing a community advisory group for it. If the group has been formalized, list members.

The partners of this MOU agree to dedicate collaborative resources, adopt local economic growth and revitalization tools, and establish economic development funding to implement the project and help support to economic vitality within the urban neighborhood commercial corridor.

We do hereby sign:

On behalf of New Mexico MainStreet Program, a program of the New Mexico Economic Development Department:

Director, New Mexico MainStreet Program

Date

On behalf of the Local Stakeholder Group of UNCC Project:

Airport Road Stakeholder Group Leader

Date

On behalf of the Local Government Partner CITY OF SANTA FE:

Alan Webber, Mayor

Date

Attest:

Kristine Bustos Mihelcic, City Clerk

Date

City Attorney's Office:

Marcos Martinez

Feb 23, 2022

Senior Assistant City Attorney

Date

Approved for Finances:

Mary McCoy, Finance Director

Date



City of Santa Fe

Real Estate Summary of Contracts, Agreements, Amendments & Leases

Section to be completed by department

1. Munis Contract # _____

Contractor: New Mexico Main Street Urban Neighborhood Commercial Corridor Initiative

Description: Memorandum of Understanding (MOU) between City of Santa Fe and New Mexico's Main Street Urban Neighborhood Commercial Corridor Initiative for the Southside Airport Road. No Compensation or Financial Responsibility is involved.

Contract Agreement Lease / Rent Amendment

Term Start Date: 4/1/2023 Term End Date: 7/31/2023

Approved by Council Date: _____

Contract / Lease:

Amendment # N/A to the Original Contract / Lease # _____

Increase/(Decrease) Amount \$ _____

Extend Termination Date to: _____

Approved by Council Date: _____

Amendment is for:

2. **HISTORY of Contract, Amendments & Lease / Rent - Please Elaborate** (option: attach spreadsheet if multiple amendments)
N/A

3. Procurement History: N/A

John Denny
John Denny (Apr 4, 2022 11:26 MDT)

Purchasing Officer Review: _____

Apr 4, 2022
Date: _____

Comment & Exceptions: Memo of Understanding, No Procurement of Tangibles and/or Services.

4. Funding Source: N/A

Andy Hopkins
Andy Hopkins (Mar 31, 2022 14:03 MDT)

Budget Officer Approval: _____

Org / Object: _____
Mar 31, 2022
Date: _____

Comment & Exceptions: _____

Staff Contact who completed this form: Loretta S. Olguin Phone # 505-955-6334

Email: lsoiguin@santafenm.gov

To be recorded by City Clerk:

Clerk # _____

Date of Execution: _____



City of Santa Fe New Mexico

Memorandum

Date: March 21, 2022

To: Finance Committee
Quality of Life Committee
Public Works/Utilities Committee
Economic Development Advisory Committee
Governing Body

April 4, 2022
April 6, 2022
April 11, 2022
April 13, 2022
April 13, 2022

From: Elizabeth Camacho, Economic Development & Communications Administrator *EC*

CC: Rich Brown, Community Development Department Director

RE: Memorandum of Understanding between the City of Santa Fe and New Mexico Main Street Urban Neighborhood Commercial Corridor Initiative for the Siler Rufina Nexus Area

ITEM AND ISSUE:

This Memorandum of Understanding (MOU) creates a partnership between City of Santa Fe and New Mexico's Main Street for the FY 22 Urban Neighborhood Commercial Corridor Initiative for Siler Rufina area.

This is a new pilot program of the New Mexico Economic Development Department's Main Street program. It provides project-based community economic development support to urban neighborhood commercial corridors located in cities over 50,000 in population. Its focus is on catalytic economic development projects in a traditional business districts. Communities receive professional services and technical assistance to implement and complete the proposed project within 12 to 18-months.

As a participant in the Urban Neighborhood Commercial Corridor Initiative, we will assemble and maintain a diverse group of public sector partners and volunteer community stakeholders. We seek to create awareness of the project area as a network of diverse and complementary businesses both in the perception of the local community and of tourists and visitors. The goal is to expand the understanding of the area beyond a single use destination to a one-stop experience and we anticipate seeing measurable increases in receipts of existing business and job creation.

BACKGROUND SUMMARY AND GENERAL PROJECT OUTLINE

- a) Initial coordination meetings with local government leaders; b) seating the initial stakeholder group; and, c) launch and complete initial community asset-mapping process. d) Initial discover and literature review.
- Coordination with Siler Rufina Nexus team to schedule and host a kick off meeting. Introduce NNMS, project scope and brainstorm creative place-making concepts for

- exploration around identity and vision. Learn stakeholder interests and priorities.
- Coordination of community-led asset inventory process. Provide technical support with initial zoning and land use analysis and redevelopment area criteria.
 - Organize project teams around creative place-making projects. Coordinate with City of Santa Fe to develop community outreach process for community engagement.
 - Facilitation of creative place-making projects.
 - Synthesis of community engagement process and development of toolkit.
 - Community Presentation of place-making project input and sharing of ideas around identity and vision. Formalization of community advisory group and development of goals and priorities for work plan. Determine capacity for ACD program.
 - a) Finalize branding/marketing projects, deliver to stakeholder group; b) launch, if needed, MRA planning designation and seek funding for an MRA plan.
 - Identification of next steps and additional work (if any) to be performed through the Urban Neighborhood Commercial Corridors Initiative.

ACTION REQUESTED:

The Community & Economic Development Department recommends moving forward the MOU between City of Santa Fe and New Mexico Main Street, since it will create additional capacity and identify place-making opportunities with residents from the area.

Signature: 
Elizabeth Camacho (Mar 21, 2022 10:18 MDT)

Email: excamacho@santafenm.gov



NEW MEXICO **MAINSTREET**[™]

ENGAGE PEOPLE • REBUILD PLACES
REVITALIZE ECONOMIES

FY22 Urban Neighborhood Commercial Corridor Initiative Memorandum of Understanding (MOU)

Between

**New Mexico MainStreet Program,
The City of Santa Fe and Siler Road
Stakeholder Group**

The State of New Mexico’s Economic Development Department seeks to increase the number of jobs and businesses, sustain and expand existing businesses, mitigate commercial leakage, support local entrepreneurs in start-ups, and improve property values within traditional and historic commercial districts. To that end, it has dedicated resources, professional assistance, and services to partnering municipalities and a local nonprofit or stakeholder groups through the Urban Neighborhood Commercial Corridor Initiative program.

The New Mexico MainStreet program is pleased to welcome the Siler Road Stakeholder group and the City of Santa Fe to the Economic Development Department’s Fiscal Year 2022 Urban Neighborhood Commercial Corridor Initiative program. The purpose of the Urban Neighborhood Commercial Corridor Initiative is for project-based community economic development support to urban neighborhood commercial corridors located in cities over 50,000 in population to develop a catalytic economic development project within a traditional or historic commercial district.

New Mexico MainStreet (NMMS) has assigned Revitalization Specialist (RS) Michelle Negrette to your project based on her professional expertise to help develop and implement your project within a twelve to eighteen-month time frame. Based on your application and the initial site visit, NMMS has developed the following “Scope of Work” that outlines the breadth of your project, the type of technical assistance to be provided/work to be performed by the NMMS RS’s, and a timeline for the project.

Project Scope of Work: South Side Civic Infrastructure Initiative - Principles and Spirit of Community Driven Development for Social Justice

Project Applicants Seek To:

1. Create awareness of the project area as a network of diverse and complementary businesses both in the perception of the local community and of tourists and visitors. The goal is to expand the understanding of the area beyond a single use destination to a one stop experience. The applicant anticipates seeing measurable increase in receipts of existing business and job creation.
2. Establish strong working partnerships with City (and County) government to support implementation of the vision (via funding or other practices such as zoning, ordinances, policies, community redevelopment practices, etc.).
3. Explore and implement improved placemaking elements, façade improvements and develop a cohesive identity to encourage more investment by property owners and potential attract new business and development.
4. Engage creative placemaking strategies to build capacity around arts and cultural assets and strengthen area identity.
5. Conduct an arts and culture inventory and analysis to:
 - a. Investigate opportunities and challenges related to arts and cultural assets and the potential capacity to become a New Mexico MainStreet community with an Arts & Cultural District designation. Identify communication and engagement opportunities with the community.
 - b. Developing identity and branding around arts and cultural assets.
6. Develop an identity plan and a resource toolkit for business and property owners to participate in aesthetic cohesion and neighborhood identity.
7. Identify, seek and acquire resources to implement project priorities, including potential Metropolitan Redevelopment designation.
8. Position stakeholders to consider Main Street America designation, if so desired.

Technical Assistance provided by New Mexico MainStreet:

New Mexico MainStreet Revitalization Specialists will provide technical assistance in the following areas:

- A. Convene initial coordination meetings with local elected officials and city/county government.
- B. Identify initial stakeholder group and creative placemaking team (at least 6-12 community leaders/artist groups) to help plan creative placemaking strategies.
- C. Facilitate a community asset-mapping process with the stakeholder group including an analysis of local ordinances and building codes with respect to impact on arts and cultural programs and production.
- D. Development and implementation of creative placemaking strategies to engage community members and local artists in the visioning of the Siler Rufina Nexus. In coordination with local artists and arts organizations, plan and facilitate up to three (3) creative placemaking projects to gather input on themes and designs for the Main Street area.

- E. Provide technical assistance on community outreach activities and engagement processes.
- F. Analysis of area with respect to eligibility criteria for redevelopment designation.
- G. Development of visual representations and summary document of creative placemaking work and participant input, for review, discussion and feedback.
- H. Assistance in establishing a community advisory group to formalize an ongoing organization for Siler Rufina Nexus efforts.
- I. Provide technical assistance with branding, marketing and/or collateral materials, as needed.
- J. Development of work plan to implement actions identified through creative placemaking process/projects.
- K. Identification of next steps to be performed through the Urban Neighborhood Commercial Corridor Initiative, based on project outcomes.

General Project Timeline:

- March/April 2022 – : a) Initial coordination meetings with local government leaders; b) seating the initial stakeholder group; and, c) launch and complete initial community asset-mapping process. d) initial discover and literature review.
- May 2022 Coordination with Siler Rufina Nexus team to schedule and host a kick off meeting. Introduce NNMS, project scope and brainstorm creative placemaking concepts for exploration around identity and vision. Learn stakeholder interests and priorities.
- June July 2022 - Coordination of community lead asset inventory process. Provide technical support with initial zoning and land use analysis and redevelopment area criteria.
- August -September 2022 Organize project teams around creative placemaking projects. Coordinate with City of Santa Fe to develop community outreach process for community engagement.
- October - November 2022 – Facilitation of creative placemaking projects.
- December 2022-Feb 2023 – Synthesis of community engagement process and development of toolkit.
- Jan/Feb 2023 – Community Presentation of placemaking project input and sharing of ideas around identity and vision. Formalization of community advisory group and development of goals and priorities for work plan. Determine capacity for ACD program.
- Jan – April 2023: a) finalize branding/marketing projects, deliver to stakeholder group; b) launch, if needed, MRA planning designation and seek funding for an MRA plan.
- March 2023 - Identification of next steps and additional work (if any) to be performed through the Urban Neighborhood Commercial Corridors Initiative.

Local Participation of Stakeholder Group and Local Government Partner:

As a participant in the Urban Neighborhood Commercial Corridor Initiative, you are expected to assemble and maintain a diverse group of public sector partners and volunteer community stakeholders to work with NMMS and the assigned Revitalization Specialist to develop and implement the project in a timely manner. New Mexico MainStreet also offers numerous training opportunities to assist with building the capacity of local stakeholders to reinvest in their local economy and we strongly encourage you to have the members of your stakeholder group attend. Training opportunities include MainStreet Conferences, Institutes, and webinars.

Reporting Requirements

The project principals (Miguel Acosta, Elizabeth Camacho) will be required to submit a semi-annual progress report and a final report that address the following elements:

A. Capacity Building and Operational Benchmarks

- i. Brief update on the status of your project.
- ii. Identify any resources (human and financial) mobilized or leveraged to advance the project goals; list funding identified, sought, received and allocated to project goals.
- iii. Describe “in-kind” services (and value if known) received for this project in addition to NMMS technical assistance.
- iv. Volunteer hours dedicated to this project (it is recommended you track them on a monthly basis).
- v. Identify how your governing body has supported project actions and priorities and what resources were provided.

B. Project-Specific Benchmarks

- i. Identify measurable outputs of the project. List activities (what you did) and participants (who you reached, partners engaged in the project, etc.).
- ii. Describe the tangible products from the stakeholder engagement/strategic planning sessions and how those products helped stimulate action toward goals.
- iii. For final report, identify project outcomes and processes used to address outcomes measures. How did the project effect change with respect to:
 - a. Knowledge (short term): What changes in awareness, attitudes, and skills for community members and stakeholders resulted from the project?
 - b. Actions (medium term): Are there any changes in practices, behaviors, decisions and policy resulting from the project activities?
 - c. Conditions (long term): How is the project helping the community set up for positive changes in economic, social, civic or environmental conditions?
- iv. For final report: Identify project tasks/work areas need to be further refined or supported or additional revitalization projects needed by the community (MRA plan, etc.)

- v. For final report: Indicate if you will be applying for additional assistance through the NMMS Frontier/Native American Communities Initiative. Identify interest in developing a comprehensive MainStreet program for the project and steps taken (if any) toward developing a community advisory group for it. If the group has been formalized, list members.
- vi. The partners of this MOU agree to dedicate collaborative resources, adopt local economic growth and revitalization tools, and establish economic development funding to implement the project and help support to economic vitality within the urban neighborhood commercial corridor.

We do hereby sign:

On behalf of New Mexico MainStreet Program, a program of the New Mexico Economic Development Department:

Director, New Mexico MainStreet Program

Date

On behalf of the Local Stakeholder Group of UNCC Project:

Siler Road Stakeholder Group Leader

Date

On behalf of the Local Government Partner CITY OF SANTA FE:

Alan Webber, Mayor

Date

Attest:

Kristine Bustos Mihelcic, City Clerk

Date

City Attorney's Office:

Marcos Martinez

Feb 23, 2022

Senior Assistant City Attorney

Date

Approved for Finances:

Mary McCoy, Finance Director

Date

Signature: 

Email: zfisher@gmail.com

Signature:

Email: kmmihelcic@santafenm.gov

Signature:

Email: amwebber@santafenm.gov

Signature: [Daniel J Gutierrez](#)
Daniel J Gutierrez (Feb 24, 2022 14:37 MST)

Email: daniel.gutierrez2@state.nm.us

Signature:

Email: mtmccoy@santafenm.gov

Signature:

Email: excamacho@ci.santa-fe.nm.us



City of Santa Fe

Real Estate Summary of Contracts, Agreements, Amendments & Leases

Section to be completed by department

1. Munis Contract # _____

Contractor: New Mexico Main Street Urban Neighborhood Commercial Corridor Initiative

Description: Memorandum of Understanding (MOU) between City of Santa Fe and New Mexico's Main Street Urban Neighborhood Commercial Corridor Initiative for the Siler Rufina Nexus area. No Compensation or Financial Responsibility is involved.

Contract Agreement Lease / Rent Amendment

Term Start Date: 4/1/2022 Term End Date: 7/31/2023

Approved by Council Date: _____

Contract / Lease:

Amendment # N/A to the Original Contract / Lease # _____

Increase/(Decrease) Amount \$ _____

Extend Termination Date to: _____

Approved by Council Date: _____

Amendment is for:

2. **HISTORY** of Contract, Amendments & Lease / Rent - Please Elaborate (option: attach spreadsheet if multiple amendments)

N/A

3. Procurement History: N/A

Frank Borsari
Frank Borsari (Apr 4, 2022 17:27 MDT)

Purchasing Officer Review:

Apr 4, 2022

Date:

Comment & Exceptions: MOU- No Procurement of tangibles and/or services

4. Funding Source: N/A

Andy Hopkins
Andy Hopkins (Mar 31, 2022 14:03 MDT)

Budget Officer Approval:

Org / Object: _____

Mar 31, 2022

Date:

Comment & Exceptions: _____

Staff Contact who completed this form: Loretta S. Olguin Phone # 505-955-6334

Email: lsolguin@santafenm.gov

To be recorded by City Clerk:

Clerk # _____

Date of Execution: _____



City of Santa Fe, New Mexico

Memorandum



DATE: March 8, 2022

TO: Alan Webber, Mayor and City Council
Finance and Quality of Life Committee

VIA: Mary McCoy, Finance Director
Fran Dunaway, Chief Procurement Officer
Kyra Ochoa, Community Health and Safety Department Director *KO*
Julie Sanchez, Youth and Family Services Division Director *jjs*

FROM: Christa Hernandez, Youth and Family Services Program Manager *CH*
CH

ITEM AND ISSUE:

Request for Approval of Amendment No.1 to Memorandum of Agreement (MOA) #22-0030 between the City of Santa Fe and Santa Fe County to clarify the term end date under Article 2 and correct a reference in Article 3 (Kyra Ochoa, Community Health and Safety Department Director; krochoa@santafenm.gov; 955-6603 and Julie Sanchez, Youth and Family Services Division Director, jjsanchez@santafenm.gov; 955-6678)

BACKGROUND AND SUMMARY:

The City of Santa and Santa Fe County entered into memorandum of agreement #22-0030, during the Board of County Commission (BCC) meeting an error was addressed in which Article 2 did not clarify a term end date and a correction to a referenced article 3 need to be changed. Per City legal guidance an amendment was submitted to address the issue.

The BCC approved the amended MOA during their February 22nd meeting.

PROCUREMENT METHOD:

Memorandum of Agreement with funding attached.

CONTRACT NUMBER:

The FY22 Munis contract number is 3203143.

FUNDING SOURCE:

The funding will be administered through Community Services Admin.

The funding allocation will go to:

Fund Name/Number: Community Services Admin 100

Munis Org Name/Number: Community Services Admin/1001001

Munis Object Name/Number: Grants and Services/510400

ACTION REQUESTED:

The Community Health and Safety Department and Youth and Family Services Division respectfully requests your review and approval.

Signature: Christa Hernandez

Christa Hernandez (Mar 16, 2022 08:48 MDT)

Email: chernandez@santafenm.gov

Signature: Kyra Ochoa

Kyra Ochoa (Mar 16, 2022 14:22 EDT)

Email: krochoa@santafenm.gov



CITY OF SANTA FE PROCUREMENT CHECKLIST

Contractor Name: MOA with Santa Fe County

Procurement Title: Amendment #1 MOA with Santa Fe County in the use of ARPA funds

Procurement Method: State Price Agreement Cooperative Sole Source Other

Exempt Request For Proposal (RFP) Invitation To Bid (ITB) Contract under 60K Contract over 60K

Department Requesting Community Health & Safety Staff Name Melissa Perea

Procurement Requirements:

A procurement file shall be maintained for all contracts, regardless of the method of procurement. The procurement file shall contain the basis on which the award is made, all submitted bids, all evaluation materials, score sheets, quotations and all other documentation related to or prepared in conjunction with evaluation, negotiation, and the award process. The procurement shall contain a written determination from the Requesting Department, signed by the purchasing officer, setting forth the reasoning for the contract award decision before submitting to the Committees.

REQUIRED DOCUMENTS FOR APPROVAL BY PURCHASING*

YES N/A

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Approved Procurement Checklist (by Purchasing) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Memo addressed to City Manager (under 60K) Committees/City Council (over 60K) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | State Price Agreement |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | RFP |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Evaluation Committee Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | ITB |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Bib Tab |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Quotes (3 valid current quotes) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Cooperative Agreement |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Sole Source Request and Determination Form |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Contractors Exempt Letter |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Purchasing Officers approval for exempt procurement |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | BAR |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | FIR |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Executed Contract, Agreement or Amendment |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Current Business Registration and CRS numbers on contract or agreement |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Summary of Contracts and Agreements form |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Certificate of Insurance |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | All documentation presented to Committees |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Other: |

Melissa Perea Contracts Administrator 03/22/2022

Department Rep Printed Name (attesting that all information included) Title Date

[Signature]

Purchasing Officer (attesting that all information is reviewed) Title Date

Include all other substantive documents and records of communication that pertain to the procurement and contract.



City of Santa Fe

Real Estate Summary of Contracts, Agreements, Amendments & Leases

Section to be completed by department

1. Munis Contract # 3203143

Contractor: Amendment # 1 - MOA with Santa Fe County

Description: Amendment #1 - MOA between the City of Santa Fe and Santa Fe County for the use of a million dollars of American Rescue Plan Act Funds for assistance for residents affected by the COVID-19 pandemic

Contract Agreement Lease / Rent Amendment

Term Start Date: February 22, 2022 Term End Date: February 22, 2023

Approved by Council Date: 01/26/2022

Contract / Lease: Memorandum of Agreement

Amendment # Amendment #1 to the Original Contract / Lease # _____

Increase/(Decrease) Amount \$ N/A

Extend Termination Date to: N/A

Approved by Council Date: _____

Amendment is for: Adding in a termination date.

2. **HISTORY** of Contract, Amendments & Lease / Rent - Please Elaborate (option: attach spreadsheet if multiple amendments)
Original MOA with Santa Fe County
Contract # 3203143 was approved at Governing Body on 01/26/2022.

3. Procurement History: Memorandum of Agreement

John Dandy John Dandy (Mar 23, 2022 09:50 MDT) Mar 23, 2022
Purchasing Officer Review: _____ Date: _____
Comment & Exceptions: No Procurement -MOA with SF County

4. Funding Source: Community Services Admin. Org / Object: 1001001/510400

Andy Hopkins Andy Hopkins (Mar 23, 2022 11:11 MDT) Mar 23, 2022
Budget Officer Approval: _____ Date: _____
Comment & Exceptions: _____

Staff Contact who completed this form: Melissa Perea Phone # (505) 955-6826

Email: maperea@santafenm.gov

To be recorded by City Clerk:

Clerk # _____

Date of Execution: _____

**CITY OF SANTA FE
AMENDMENT No. 1 TO
MEMORANDUM OF AGREEMENT
BETWEEN SANTA FE COUNTY and THE CITY OF SANTA FE
REGARDING
Use of American Rescue Plan Act Funds of Assistance for Residents
Affected by the COVID-19 Pandemic
ITEM# 22-0030**

This AMENDMENT No. 1 (the "Amendment") amends the CITY OF SANTA FE MEMORANDUM OF AGREEMENT, dated January 26, 2022 (the "Agreement"), between the City of Santa Fe (the "City") and Santa Fe County, a political subdivision of the State of New Mexico (the "County"). The date of this Amendment shall be the date when it is executed by the City and the Contractor whichever occurs last.

RECITALS:

A. Under the terms of the Agreement, regarding the Use of American Rescue Plan Funds for Cash Assistance for Residents Affected by the COVID-19 pandemic.

B. Pursuant to Article 4 of the Agreement, and for good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the City and the Contractor agree as follows:

1. TERM.

Article 2 of the Agreement is hereby deleted in its entirety and substitute the following Article 2 in its place:

This Memorandum shall be in effect upon the date of last signature by the parties hereto, and shall terminate one year from such date, unless terminated earlier by any party pursuant to Article 3 (Termination).

2. AGREEMENT IN FULL FORCE.

Except as specifically provided in this Amendment, the Agreement remains and shall remain in full force and effect, in accordance with its terms.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 1 to the Agreement as of the dates set forth below.

CITY OF SANTA FE:

ALAN M. WEBBER, MAYOR

DATE

ATTEST:

KRISTINE BUSTOS MIHELICIC, CITY CLERK

DATE

CITY ATTORNEY'S OFFICE:

Marcos Martinez

SENIOR ASSISTANT CITY ATTORNEY

Mar 22, 2022

DATE

APPROVED FOR FINANCES:

MARY MCCOY, FINANCE DIRECTOR

DATE

SANTA FE COUNTY BOARD OF COUNTY COMMISSIONERS:

Anna T. Hamilton
Chair, Santa Fe County Board of County Commissioners

**CITY OF SANTA FE
AMENDMENT No. 1 TO
MEMORANDUM OF AGREEMENT
BETWEEN SANTA FE COUNTY and THE CITY OF SANTA FE
REGARDING
Use of American Rescue Plan Act Funds of Assistance for Residents
Affected by the COVID-19 Pandemic
ITEM# 22-0030**

This AMENDMENT No. 1 (the "Amendment") amends the CITY OF SANTA FE MEMORANDUM OF AGREEMENT, dated January 26, 2022 (the "Agreement"), between the City of Santa Fe (the "City") and Santa Fe County, a political subdivision of the State of New Mexico (the "County"). The date of this Amendment shall be the date when it is executed by the City and the Contractor whichever occurs last.

RECITALS:

- A. Under the terms of the Agreement, regarding the Use of American Rescue Plan Funds for Cash Assistance for Residents Affected by the COVID-19 pandemic.
- B. Pursuant to Article 4 of the Agreement, and for good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the City and the Contractor agree as follows:

1. TERM.

Article 2 of the Agreement is hereby deleted in its entirety and substitute the following Article 2 in its place:

This Memorandum shall be in effect upon the date of last signature by the parties hereto, and shall terminate one year from such date, unless terminated earlier by any party pursuant to Article 3 (Termination).

2. AGREEMENT IN FULL FORCE.

Except as specifically provided in this Amendment, the Agreement remains and shall remain in full force and effect, in accordance with its terms.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 1 to the Agreement as of the dates set forth below.

CITY OF SANTA FE:

ALAN M. WEBBER, MAYOR

DATE

ATTEST:

KRISTINE BUSTOS MIHELICIC, CITY CLERK

DATE

CITY ATTORNEY'S OFFICE:

Marcos Martinez

SENIOR ASSISTANT CITY ATTORNEY

Mar 22, 2022

DATE

APPROVED FOR FINANCES:

MARY MCCOY, FINANCE DIRECTOR

DATE

SANTA FE COUNTY BOARD OF COUNTY COMMISSIONERS:

Anna T. Hamilton
Chair, Santa Fe County Board of County Commissioners

ATTESTATION:

Katharine E. Clark
Santa Fe County Clerk

Date

Approved as to form:

Gregory S. Shaffer
Santa Fe County Attorney

Date

Finance Division:

Yvonne S. Herrera
Finance Director

Date

Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Rudy N. Garcia
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Hank Hughes
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: February 28, 2022

TO: Julie Sanchez, City of Santa Fe Youth and Family Services Division
Director

FROM: Jennifer N. Romero, Health Care Assistance Administrative Program
Manager

ITEM AND ISSUE: MOA between City and County for use of ARPA Funds

Request signature approval of corrected Memorandum of Agreement No. 2022-0092-CSD/AV City of Santa Fe Item #22-0030 to correct Article 2 adding a term of one-year from last date of signature and correcting reference to termination.

At the February 22, 2022 Board of County Commission meeting, it was found that Article 2 did not reference a term end date and referred to Article 4 Termination rather than the correct Article 3 Termination. The Board moved to approve a corrected version of the MOA. No other changes to the MOA were made. All County signatures have been collected. The MOA is attached for City approval and signatures.

Please contact me with any questions or concerns.

Thank you,

Jennifer N. Romero
Health Care Assistance Administrative Program Manager
jnromero@santafecountynm.gov
PH: (505) 995-9526

**MEMORANDUM OF AGREEMENT
BETWEEN SANTA FE COUNTY and THE CITY OF SANTA FE
REGARDING
Use of American Rescue Plan Act Funds for Assistance for Residents
Affected by the COVID-19 Pandemic**

THIS MEMORANDUM OF AGREEMENT (“Memorandum”) is entered into on this 21st day of February, 2022, by and between the CITY OF SANTA FE, a municipal corporation (“CITY”), and SANTA FE COUNTY, a political subdivision of the state of New Mexico (“COUNTY”), regarding the Use of American Rescue Plan Funds for Cash Assistance for Residents Affected by the COVID-19 pandemic.

WHEREAS, the American Rescue Plan Act (ARPA) established a Coronavirus Local Fiscal Recovery Fund to support state and local governments in responding to the impact of the COVID-19 virus pandemic; and

WHEREAS, the United States Department of the Treasury promulgated Interim Final Rule to implement the Coronavirus Local Fiscal Recovery Fund; and

WHEREAS, the Interim Final Rule recognizes that the widespread public health and economic impacts of the COVID-19 virus pandemic have fallen severely on disadvantaged populations, including those of low income; and

WHEREAS, the County has received funding from the American Rescue Plan Act; and

WHEREAS, the Interim Final Rule states that recipients of ARPA funding “may presume that a household or population that experienced unemployment or increased food or housing insecurity or is low- or moderate-income experienced negative economic impacts resulting from the pandemic”; and

WHEREAS, the Interim Final Rule authorizes cash transfer programs that “focus on unemployed workers or low- and moderate-income families, which have faced disproportionate economic harms due to the pandemic”; and

WHEREAS, the City and the County agree that financial assistance for residents who have experienced financial hardship due to COVID-19 continues to be required during the ongoing pandemic, as authorized by ARPA;

WHEREAS, the City has administered a financial assistance program for residents who have experienced financial hardship due to COVID-19 resulting in an inability to cover basic living expenses such as food, transportation, housing or medical expenses, through a contract with Up Together.

NOW, THEREFORE, the parties agree as follows:

1. SCOPE OF AGREEMENT

A. The County will provide the City with \$1,000,000.00 in ARPA funds for the City to contract with a cash dispersal platform to administer financial assistance to low- or moderate-income families within the County who have experienced financial hardship due to the COVID-19 virus pandemic.

B. The City will contract with a cash dispersal platform to administer financial assistance to low- or moderate-income families within the County who have experienced financial hardship due to the COVID-19 virus pandemic.

C. The City and County will jointly determine eligibility criteria and procedures to be followed when administering financial assistance.

2. TERM. This Memorandum shall be in effect upon the date of last signature by the parties hereto, and shall terminate one year from such date, unless terminated earlier by any party pursuant to Article 3 (Termination).

3. TERMINATION. This Memorandum may be terminated by either party upon written notice delivered to the other party at least 30 days prior to the intended date of termination. By such termination, no party may nullify obligations already incurred for performance or failure to perform prior to the date of termination.

4. AMENDMENT. This Memorandum shall not be altered, changed, or amended except by an instrument in writing signed by the parties.

5. LIABILITY. Each party shall be solely responsible for fiscal or other sanctions occasioned as a result of its own violation of requirements applicable to the performance of the Agreement. Each party shall be liable for its actions in accordance with this Agreement.

6. NEW MEXICO TORT CLAIMS ACT. Any liability incurred by the City or County in connection with this Memorandum is subject to the immunities and limitations of the New Mexico Tort Claims Act, NMSA 1978, Section 41-4-1, et seq., as amended. Neither the City nor the County, including their "public employees" as defined in the New Mexico Tort Claims Act, waive sovereign immunity, nor waive any defense and do not waive any limitation of liability pursuant to law. No provision in this Agreement modifies or waives any provision of the New Mexico Tort Claims Act.

7. APPROPRIATIONS. The City and County's performance of the duties under this Memorandum are contingent upon sufficient appropriations and authorization being made by the City Council for the City's, and the Santa Fe County Board of County Commissioners for the County's, performance of the duties under this Memorandum. If sufficient appropriations and authorization are not made by the City or County's respective governing council or board, this Agreement shall terminate immediately upon written notice being given by the City or County to the other party. The City or County's decision as to whether sufficient appropriations are available shall be accepted by the other party and shall be final.

8. THIRD PARTY BENEFICIARIES. By entering into this Memorandum, the parties do not intend to

create any right, title or interest in or for the benefit of any person other than the City and County. No person shall claim any right, title or interest under this Memorandum or seek to enforce this Memorandum as a third party beneficiary.

9. **ASSIGNMENT.** None of the parties shall assign or transfer any interest in this Memorandum or assign any claims for money due or to become due under this Memorandum without the prior written approval of the other parties.

IN WITNESS WHEREOF, the parties have duly executed this Memorandum as of the last signature of the parties hereto.

CITY OF SANTA FE:

ALAN M. WEBBER, MAYOR

DATE

ATTEST:

KRISTINE BUSTOS MIHELICIC, CITY CLERK

DATE

CITY ATTORNEY:

SENIOR ASSISTANT CITY ATTORNEY

DATE

APPROVED FOR FINANCES

MARY T. MCCOY, FINANCE DIRECTOR

DATE

SANTA FE COUNTY BOARD OF COUNTY COMMISSIONERS:



Anna T. Hamilton
Chair, Santa Fe County Board of County Commissioners

ATTESTATION:



Katharine E. Clark
Santa Fe County Clerk

2/22/22
Date



Approved as to form:

Roberta D. Joe for G.S.S.

Gregory S. Shaffer
Santa Fe County Attorney

February 22, 2022
Date

Finance Division:



Yvonne S. Herrera
Finance Director

2/25/2022
Date



City of Santa Fe, New Mexico

Memorandum



DATE: March 22, 2022

TO: Alan Webber, Mayor and City Council
Finance Committee
Quality of Life Committee

VIA: Mary McCoy, Finance Department Director
Fran Dunaway, Chief Procurement Officer
Kyra Ochoa, Director Community Health and Safety Department ^{KO}_{KO}

FROM: Brian Williams, Director Office of Emergency Management and Safety ^{BW}_{BW}

ITEM AND ISSUE:

Request for approval of the 2021 State Homeland Security Sub-grant Agreement EMW-2021-SS-00061-S01 in the Total Amount of \$143,028.00 (one hundred and three thousand and twenty eight dollars) for development and sustainment of emergency response and recovery capabilities, with a Period of Performance of January 1, 2022 to June 30 2023; (New Mexico Department of Homeland Security and Emergency Management); (Brian Williams, bgwilliams@santafenm.gov, 505-469-1484).

BACKGROUND AND SUMMARY:

The City of Santa Fe applied for this reimbursable Federal Preparedness Grant through the United States Department of Homeland Security and the Federal Emergency Management Agency, and administered by the New Mexico Department of Homeland Security and Emergency Management (NM DHSEM) to fund development and sustainment of emergency response and recovery capabilities. Projects are competitively awarded by NM DHSEM in accordance with State funding priorities. There is no local match requirement for this grant.

The Santa Fe Police Department Special Operations maintains a Type II Explosive Ordinance Disposal (EOD) Team. While bomb threats, suspicious packages and devices are not an everyday occurrence, averaging 6-12 calls a year, the ability of the Santa Fe Police Department to respond is critical to the safety of our City. Nationwide bombings and related incidents are on the rise. Reliance on other agencies to provide this capability creates an unnecessary risk, as delays in response could lead to an uncontrolled detonation prior to the arrival of the requested team.

The project is seeking equipment to maintain and enhance the capability of Special Operations Teams through the purchase of new bomb technician suits and accessories, as well as a portable X-ray system. These items are essential to the safe operation of the EOD team.

The City's current bomb technician suits have reached the end of their useful life and require replacement. The following items are requested in order to maintain equipment for 2 bomb technician personnel.

- 2 EOD technician suits, and associated accessories (2 helmets, 2 foot protection kits, 2 face shield kits) (Obj:570500)
- 2 rechargeable battery kits for EOD robots. (Obj: 570500)

The city does possess Portable X-ray capabilities, but the system is antiquated and after 20 years of use, reaching the end of its service life. Portable X-ray capabilities are an invaluable tool for EOD to determine the danger of a suspect package, and this capability is the last of the essential upgrades undertaken by the

department to maintain the EOD Team's FBI qualification and Type II status. Currently, the State Capital does not have an x-ray scanner for documents or packages and relies on the Santa Fe Police Department and State Police to provide this capability in the event of a suspect package. The following items are requested in order to develop this capability.

- 1 portable X-ray system, and a rechargeable battery kit specific to this unit.(Obj:570500)
- 1 rechargeable battery kit specific to this unit. (Obj:570500)

The Emergency Management Director is responsible for ensuring the conditions of this grant are met, including providing and receiving required training, citywide compliance with the National Incident Management System, conducting emergency response exercises, and developing and maintaining appropriate emergency management plans for the City. All expenditures must be pre-approved by the New Mexico Department of Homeland Security and Emergency Management.

PROCUREMENT METHOD:

The City of Santa Fe Police Department will procure this equipment in accordance with City, State and Federal procurement regulations.

CONTRACT NUMBER:

The FY23 MUNIS contract number is 3203269.

The Project Ledger Code is: OEM2222104

The grant funding will end June 30, 2023.

FUNDING SOURCE:

The funding source is:

Fund Name/Number: Emergency Services/221

MUNIS Org Name/Number: Emergency Management/2212850

MUNIS Object Name/Number: Federal Revenue (US DHS) /490610

ACTION REQUESTED:

The Office of Emergency Management and Safety respectfully requests your review and approval.

Signature: Kyra Ochoa
Kyra Ochoa (Mar 22, 2022 14:47 MDT)

Email: krochoa@santafenm.gov

Signature: Brian Williams
Brian Williams (Mar 23, 2022 06:36 MDT)

Email: bgwilliams@santafenm.gov



CITY OF SANTA FE PROCUREMENT CHECKLIST

Contractor Name: Department of Homeland Security & Emergency Management

Procurement Title: Development & Sustainment of Emerg. Response & Recovery Capabilities Grant

Procurement Method: State Price Agreement Cooperative Sole Source Other

Exempt Request For Proposal (RFP) Invitation To Bid (ITB) Contract under 60K Contract over 60K

Department Requesting Emergency Mgt & Safety Staff Name Brian Williams

Procurement Requirements:

A procurement file shall be maintained for all contracts, regardless of the method of procurement. The procurement file shall contain the basis on which the award is made, all submitted bids, all evaluation materials, score sheets, quotations and all other documentation related to or prepared in conjunction with evaluation, negotiation, and the award process. The procurement shall contain a written determination from the Requesting Department, signed by the purchasing officer, setting forth the reasoning for the contract award decision before submitting to the Committees.

REQUIRED DOCUMENTS FOR APPROVAL BY PURCHASING*

YES N/A

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Approved Procurement Checklist (by Purchasing) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Memo addressed to City Manager (under 60K) Committees/City Council (over 60K) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | State Price Agreement |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | RFP |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Evaluation Committee Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | ITB |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Bib Tab |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Quotes (3 valid current quotes) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Cooperative Agreement |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Sole Source Request and Determination Form |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Contractors Exempt Letter |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Purchasing Officers approval for exempt procurement |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | BAR |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | FIR |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Executed Contract, Agreement or Amendment |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Current Business Registration and CRS numbers on contract or agreement |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Summary of Contracts and Agreements form |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Certificate of Insurance |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All documentation presented to Committees |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Other: |

<u>Brian Williams</u>	<u>Director</u>	<u>03/22/2022</u>
Department Rep Printed Name (attesting that all information included)	Title	Date

 <small>Print Name (Mar 22, 2022 09:43 AM)</small>		
Purchasing Officer (attesting that all information is reviewed)	Title	Date

Include all other substantive documents and records of communication that pertain to the procurement and contract.



City of Santa Fe

Real Estate Summary of Contracts, Agreements, Amendments & Leases

Section to be completed by department

1. Munis Contract # 3203269

Contractor: Department of Homeland Security & Emergency Management

Description: Development and Sustainment of Emergency Response and Recovery Capabilities Grant

Contract Agreement Lease / Rent Amendment

Term Start Date: 01/01/2022 Term End Date: 06/30/2023

Approved by Council Date: _____

Contract / Lease:

Amendment # _____ to the Original Contract / Lease # _____

Increase/(Decrease) Amount \$ _____

Extend Termination Date to: _____

Approved by Council Date: _____

Amendment is for:

2. **HISTORY** of Contract, Amendments & Lease / Rent - Please Elaborate (option: attach spreadsheet if multiple amendments)

3. Procurement History: N/A

[Signature]
From: D:\Money (Mar 28, 2022 09:49 MDT)

Purchasing Officer Review: _____

Mar 28, 2022

Date: _____

Comment & Exceptions: _____

4. Funding Source: Emergency Services

Org / Object: 2212850/490610

Andy Hopkins
Andy Hopkins (Mar 28, 2022 10:08 MDT)

Mar 28, 2022

Budget Officer Approval: _____

Date: _____

Comment & Exceptions: _____

Staff Contact who completed this form: Melissa Perea Phone # (505)955-6826

Email: maperea@santafenm.gov

To be recorded by City Clerk:

Clerk # _____

Date of Execution: _____

Michelle Lujan Grisham
Governor



**Department of Homeland
Security and Emergency
Management**

Bianca Ortiz-Wertheim
Cabinet Secretary

Kelly Hamilton
Deputy Cabinet Secretary

November 5, 2021

Brian Williams, Emergency Manager
City of Santa Fe
200 Lincoln Ave.
Santa Fe, NM 87501

Dear Brian Williams,

The New Mexico Department of Homeland Security and Emergency Management (DHSEM) is pleased to announce that the City of Santa Fe has been approved for the Fiscal Year 2021 State Homeland Security Grant program (SHSGP), as follows:

EOD/Bomb Squad Support	\$	143,028
------------------------	----	---------

The total 2021 SHSGP award amount for the City of Santa Fe is \$143,028.

All sub-recipients must comply with the Code of Federal Regulations (CFR) Part 200 Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards.

Please contact DHSEM's Homeland Security Bureau Chief, Adam Simonson, at (505) 629-9999, if you have any questions.

Sincerely,

Bianca Ortiz-Wertheim

cc: ASB Sub-Grant File
HSB 20221 SHSGP Grant File

Name of Jurisdiction: City of Snohomish Total Awarded: \$14,038.00 Difference: \$14,038.00

Project Number	Project Name	Line Item	Item Description	Quantity	Unit Cost	Amount	Project Total	Project Awarded	Planning	Organization	Equipment	Training	Exercis
1	Bomb Squad Equipment	1	ECO SAR 10E XL	1	\$18,155.00	\$18,155.00							
		2	ECO SAR 10E L	1	\$17,700.00	\$17,700.00					\$17,700.00		
		3	ECO Helmet Package	2	\$4,893.00	\$9,786.00					\$9,786.00		
		4	BP-2500 Battery w/charger RS (ECO and)	2	\$991.00	\$1,982.00					\$1,982.00		
		5	Foot Protection (ECO SAR)	2	\$300.00	\$600.00					\$600.00		
		6	Eye Protection (ECO SAR)	2	\$1,078.00	\$2,156.00					\$2,156.00		
		7	BP-2500 Battery w/charger RS (ECO and)	2	\$5,038.00	\$10,076.00					\$10,076.00		
		8	ECO SAR 10E XL (100 Source)	1	\$4,400.00	\$4,400.00	\$14,038.00	\$14,038.00			\$4,400.00		
						TOTAL COST	\$48,607.00						
						TOTAL AWARDED	\$14,038.00						

Sub-Recipient initials: EW

The grant approved award amount is a funding allocation, and is not to be interpreted as expenditure authorization or approval. Pre-approval from NMDHSEM is required for all purchases regardless of any application review.

All budget revisions must be reviewed and approved by the NMDHSEM Program Manager and/or their designee to ensure that the proposed budget revision meets all federal and state eligibility requirements. Budget revisions must meet the original approved scope of work within the approved application budget.

Signature: Eric Wick Date: 2/14/22

Sub-Recipient Manager Signature: _____ Date: _____

Local Program Manager: _____



State of New Mexico
**DEPARTMENT OF HOMELAND SECURITY &
 EMERGENCY MANAGEMENT**

P.O. Box 27111
 Santa Fe, NM 87502

SUB-RECIPIENT GRANT AGREEMENT
2021 State Homeland Security Grant Program (SHSGP)
 2021 Federal Grant No.: **EMW-2021-SS-00061-S01** CFDA No.: **97.067**

1. SUB-GRANT NO.		2. SUB-RECIPIENT NAME		3. FIDUCIARY NAME	
EMW-2021-SS-00061-S01		City of Santa Fe		City of Santa Fe	
4. STATE DFA SUPPLIER ID		5. EIN NUMBER		6. DUNS NUMBER	
54360		85-6000168		069420818	
7. CAGE CODE					
4C987					
8. SUB- RECIPIENT PHYSICAL ADDRESS			9. SUB-RECIPIENT REMIT ADDRESS		
200 Lincoln Ave. Santa Fe, NM 87501			200 Lincoln Ave. Santa Fe, NM 87501		
10. DHSEM CONTACT NAME:		11. CONTACT DESK PHONE:		505-476-9614	
Victoria L. Romero		CONTACT EMAIL ADDRESS:		Victoria.Romero@state.nm.us dhsem.grants@state.nm.us	
12a. PERFORMANCE PERIOD START DATE		January 1, 2022		PERFORMANCE PERIOD END DATE	
				June 30, 2023	
13a. SHSGP FEDERAL AWARD			13b. SHSGP TOTAL SUB-RECIPIENT AWARD		
\$ 143,028.00			\$ 143,028.00		
14a. NAME OF PROJECT AWARD				14b. AMOUNT AWARDED	
1	EOD/Bomb Squad Support			\$ 143,028.00	
2					
3					
4					
5					
6					
TOTAL AMOUNT OF PROJECTS				\$ 143,028.00	

15. RECITALS, GRANT REQUIREMENTS, ASSURANCES AND AGREEMENTS

RECITALS

WHEREAS, the New Mexico Department of Homeland Security and Emergency Management (DHSEM) has been designated by the United States Department of Homeland Security (DHS) to serve as grantee, and is thereby authorized to issue this agreement to the applicant and sub-recipient.

WHEREAS, funding has been obligated from the United States Department of Homeland Security (DHS) pursuant to a request by the applicant and sub-recipient.

NOW, THEREFORE it is mutually understood and agreed between the grantee, DHSEM, and sub-recipient as follows:

ARTICLE 1: CONTRACT DOCUMENTS

The following additional contract documents are fully incorporated into this agreement and thereby constitute additional terms and conditions of this agreement:

- Required Reimbursement Checklist
- 2021 Homeland Security Grant Program (HSGP) Application
- DHSEM 2021 HSGP Notice of Funding Opportunity

ARTICLE 2: SCOPE OF WORK

As authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act), as amended (42 U.S.C Sections 5121 et. seq.), and Section 662 of the Post Katrina Emergency Reform Act of 2006, as amended (6 U.S.C. Section 762), sub-recipient shall use SHSGP funds to assist in preparing for all-hazards. Specifically, these funds shall be utilized by Sub-Recipient to pay for the eligible expenditures per approved projects previously identified in the SHSGP grant application, and approved by the DHSEM Cabinet Secretary. All work performed pursuant to this agreement must comply with the approved SHSGP application, as applicable. All work must be completed within the performance period, from **January 1, 2021 thru June 30, 2023**. sub-recipient shall not sub-grant any part of this award to any other entity or organization. Within the first reporting quarter, all awards require confirmation that expenditures in the budget category toward this project will be made. If not, DHSEM may execute a de-obligation of Federal funds, without recourse by sub-recipient.

ARTICLE 3: PROJECT ALLOCATION

At the sole discretion of DHSEM, the sub-grant award is subject to cancellation and funds may be de-obligated and reallocated to other projects.

ARTICLE 4: REPORTING REQUIREMENTS

The sub recipient, sub-recipient shall submit timely quarterly Financial Progress Reports and a quarterly Performance Progress Report to the DHSEM Grant Specialist. Quarterly reports are due: July 30, October 30, January 30, and April 30, within the period of performance beginning after the conclusion of the first quarter of grant activity. Where applicable, Sub-recipients are required to submit a Bi-annual Strategic Implementation Report (BSIR) through the Grant Reporting Tool (GRT). The final reports are due 15 days after the end of Period of Performance. Financial Progress Reports shall describe and show the status of the funds, encumbrances, receipts of program income, cash, or in-kind contributions to the project, and whether or not a local match is required. The Final Narrative Report is a summary report, evaluating project activities and measuring performance against project goals and objectives for the entire performance period, and is required in addition to the last quarterly report.

The applicant must immediately report in writing to the DHSEM Grant Specialist any alleged acts or allegations of fraud or misappropriation of funds for work authorized under this Sub-Grant Agreement. This requirement extends further to an obligation by the sub-recipient to report any legal action, lawsuit, bankruptcy, or other action that may jeopardize the successful completion of any authorized project.

ARTICLE 5: REIMBURSEMENTS

Submission of a request for reimbursement must be accompanied by a financial report form. Reimbursement shall be based upon authorized and allowable expenditures consistent with the project narrative, grant guidelines, and the submission of timely Financial and Performance Progress Reports. Reimbursements may be withheld by DHSEM pending correction of deficiencies. Reimbursement of expenditures shall be requested no later than quarterly for expenditures within the performance period. Each period may only be billed once. Expenditures must be supported with source documentation (e.g. copies of invoices, receipts, timesheets with name/wage/hours, cost allocation, procurements, etc.). Grant staff will not process reimbursement if quarterly performance and fiscal reports are not submitted timely. DHSEM will not expend funds through OPSG until each unique and specific county-level or equivalent Operational Order/Fragmentary Operations Order budget has been reviewed and approved through an official electronic email notice issued by DHS/FEMA.

Contracts: All sole-source procurements, single vendor response to a competitive bid, and contracts require DHSEM pre-approval prior to implementation. Requests for reimbursement for contractual services must be accompanied by the relevant contract.

Local Match: Local matching funds must clearly support the source, the amount, and the timing of all matching contributions.

Equipment: Allowable equipment categories are listed on the web-based Authorized Equipment List (AEL). Screenshots of the AEL number and description are required to be submitted along with the Request for Approval.

Travel: All reimbursable travel must be pre-approved by DHSEM 30 days prior to the travel date.

Per Diem: Reimbursements for local jurisdictions cannot exceed the rates of the New Mexico Mileage and Per Diem Act.

Training: Requires DHSEM pre-approval 30 days prior to registering or participating in training opportunities.

Exercise: Requires submission of an After-Action Report/Improvement Plan within 60 days after conduct of exercise.

Food and Beverages: Per the National Preparedness Directorate (NPD) allowances, food and/or beverage expenses provided by recipients are allowable costs if:

- The food and/or beverages are provided to participants at training sessions, meetings, or conferences that are allowable activities under the NPD program guidelines; and
- Expenses incurred for food and/or beverages, and provided at training sessions, meetings, or conferences, satisfy the following tests:
 - The cost of the food and/or beverages provided is reasonable
 - The food and/or beverages provided are subject of a work-related event and work continues after meals are served
 - Participation by all participants is mandatory; and

- The food and/or beverages provided are not related directly to amusement and/or social event. (Any event where alcohol is being served is considered a social event; therefore, costs associated with the event are not allowed).

Non-reimbursable Expenses:

- Transfer of funds between any programs. Contracts, single vendor response to a competitive bid, sole source contracts, and procurements greater than \$60,000 not pre-approved by DHSEM.
- Training and related travel costs not pre-approved by DHSEM.
- Construction and renovation.
- Indirect costs (p. 5, Financial Progress Report).
- Supplanting (using federal funds to purchase items previously budgeted for with state or local funds).
- Maintenance and/or wear and tear costs of general use vehicles and emergency response apparatus.
- Equipment purchased for an exercise cannot be used for permanent installation and/or beyond the scope of an exercise.
- Weapons and ammunition.
- Entertainment and sporting events
- Personal items such as laundry, personal hygiene items, magazines, in-room movies, personal travel, personal phone calls.
- Travel insurance, visa, and passport charges.
- Lodging costs which exceeds the State per diem, as appropriate.
- Lunch when travel is wholly within a single day.
- Stand-alone working meals.
- Bar charges, alcoholic beverages.
- Finance, late fees, or interest charges.
- Lobbying, political contributions, legislative liaison activities.
- Organized fund-raising, including salaries of persons while engaged in these activities.
- Land acquisition.
- Expenditures not supported with appropriate documentation when submitted for reimbursement. Only properly documented expenditures will be processed for reimbursement. Unsupported expenditures will be returned to the jurisdiction for resubmission.

ARTICLE 6: PERFORMANCE MEASURES

Quarterly Progress Reports shall demonstrate performance and progress relative to acceptable performance on applicable critical tasks in Exercises using approved scenarios:

- Progress in achieving project timelines and milestones.
- Percent measurable progress toward completion of project.
- How funds have been expended during reporting period, and explaining expenditures related to the project.

ARTICLE 7: SUB-RECIPIENT MONITORING POLICY

Periodic monitoring is required to ensure that program goals, objectives, timelines, budgets, and other related program criteria are being met. DHSEM reserves the right to periodically monitor, review, and conduct analysis of financial, programmatic, and administrative policies, procedures, and practices. This monitoring may include review of accounting for receipts and expenditures, cash management, maintaining adequate financial records, means of allocating and tracking costs, contracting, procurement, records management, payroll, means of allocating staff costs, property and equipment management system, progress of project activities, etc.. Monitoring may include desk and field audits. DHSEM will also conduct sub-recipient monitoring through review of the BSIR. Technical assistance is available from DHSEM staff.

ARTICLE 8: PROCUREMENT

When procuring property and services under this agreement, the sub-recipient will follow 2 CFR 200.318 through 2 CFR 200.326. The sub-recipient must use its own documented procurement procedures which reflect applicable State, local, and tribal laws, and regulations, provided that the procurements conform to applicable Federal law and the standards identified in 2 CFR 200. As such, the sub-recipient must use one of the methods of procurement identified in 2 CFR 200.320. The sub-recipient may request that its procurement system be reviewed by FEMA or DHSEM to determine whether its system meets standards for its system to be compliant

Contractors that develop or draft specifications, requirements, Statements of Work, and/or Requests for Proposals (RFP) for a proposed procurement shall be excluded from bidding or submitting a proposal to compete for the award of such procurement. Local bidder's preference is not allowed for federally funded procurements. Procurement from Minority Owned and Women Owned Business is encouraged and must be tracked and reported to DHSEM on the quarterly reports. Procurement transactions shall be conducted to provide maximum open and free competition. Each sole-source procurement single vendor response to a competitive bid, and all purchases require prior approval of DHSEM.

ARTICLE 9: CONTRACTS

Any contract entered into agreement during this grant period shall comply with applicable, State and Federal government contracting regulations. Contracts for professional and consultant services must include applicable, State and Federal government required contract language, a project budget, and require pre-approval by DHSEM prior to implementation. Contract deliverables must meet the intent of the grant application and grant requirements. Justification is required for compensation for individual consultant services, which must be reasonable and consistent with the amount paid for similar services in the marketplace. Detailed invoices and time and effort reports are required for consultants.

ARTICLE 10: AUDIT REQUIREMENTS

As the Federal grant recipient, the State of New Mexico requires a sub-recipient expending \$750,000 or more in Federal funds in the organization's fiscal year to conduct an organization-wide audit in accordance with 2 CFR 200 Subpart F. Sub-recipient will permit the State of New Mexico Grant and Program officials and auditors to have access to the sub-recipient's and third-party contractors' records and financial statements as necessary for the State of New Mexico to comply with 2 CFR 200 Subpart F. Copies of audit findings must be submitted to DHSEM within 30 days after sub-recipient receives its audit report, or within a 9-month period of the grant closeout date; whichever is earlier and in accordance with 2 AAC 45.010. Include the Federal agency name, program, grant number and year; the CFDA title and number; and the name of the pass-through agency.

ARTICLE 11: PROPERTY AND EQUIPMENT MANGEMENT

The sub-recipient will follow the property standards articulated in 2 CFR 200.310 through 2 CFR 200.326. The sub-recipient shall maintain an effective property management system; safeguards to prevent loss, damage, or theft; maintenance procedures to keep equipment in good condition; and disposition procedures. A Property Inventory Report shall be submitted to DHSEM annually each January 30 with the Financial Progress Report during the performance period, and continued submission is required annually until final disposition of the equipment. The sub-recipient shall, when practical, prominently display the following on any equipment purchased with award funds: Purchased with funds provided by the U.S. Department of Homeland Security. No equipment purchased with these grant funds may be assigned to other entities or organizations without the expressed approval in writing from DHSEM, prior to the jurisdiction's encumbrance or expenditure for that equipment. Any disposition of OPSG property or equipment must be pre-approved by DHSEM.

ARTICLE 12: NEPA/EHP COMPLIANCE

The sub-recipient must provide information to DHSEM to assist with the legally required environmental planning and historic preservation (EHP) review and to ensure compliance with the applicable EHP laws and Executive Orders (EO). These EHP requirements include but are not limited to National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, E 11988 Floodplain Management, EO 11990 Protection of Wetlands, and EO 12898 Environmental Justice. The recipient must comply with all Federal, State and Local EHP requirements and obtain applicable permits and clearances.

Sub-Recipients shall not undertake any activity from the project that would result in ground disturbance, facility modification, or relates to the use of sonar equipment without the prior approval of FEMA. These include but are not limited to communications towers, physical security enhancements involving ground disturbance, new construction, and modifications to buildings that are 50 years old or older, and exercises. Sub-Recipient must comply with all mitigation or treatment measures required for the project as the result of FEMA's EHP review. An EHP Screening Form will not need to be provided for those exercises that are planned to take place at previously approved facilities, such as, fire and police academies, search and rescue training facilities, and explosive testing centers. Any type of exercise that requires any type of land, water, or vegetation disturbance or building of temporary structures must undergo an EHP review.

Any change to an approved project description will require re-evaluation for compliance with EHP requirements before the project can proceed. If ground disturbing activities occur during project implementation, the sub-recipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the Sub-recipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office. Initiation of these activities prior to completion of FEMA's EHP review will result in a non-compliance finding and may result in ineligibility of grant funding.

ARTICLE 13: PUBLICATIONS

Publications created with funding under this grant shall prominently contain the following statement: **This Document was prepared under a sub-grant from the U.S. Department of Homeland Security, and the New Mexico Department of Homeland Security and Emergency Management. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Homeland Security or the State of New Mexico.**

ARTICLE 14: RECORDKEEPING

The sub-recipient will follow the record retention and access standards articulated in 2 CFR 200.333 through 2 CFR 200.337. The grant financial and administrative records shall be maintained for a period of three (3) years following the date of the closure of the grant award, or audit if required. Time and effort, personnel and payroll records for all individuals reimbursed under the award must be maintained. Property and equipment records shall be maintained for a period of three (3) years following the final disposition, replacement or transfer of the property and equipment.

ARTICLE 15: CHANGES TO AWARD

All change requests must be submitted either in writing or electronically to the designated DHSEM Grant Specialist for review and possible approval. All change requests must be accompanied by a justification narrative and a budget and spending plan. All change requests must be consistent with the scope of the project and grant guidelines. Change requests will be considered only if reporting requirements are current, and all other terms and conditions of this agreement have otherwise been met at the time the request. If approved by DHSEM, changes in the programmatic activities, purpose of the project, key personnel specified on the grant award, contractual services for activities central to the purposes of the award, requests for additional funding, change in project site, or release of special conditions, will result in an amendment to this award.

ARTICLE 16: OTHER GENERAL PROVISIONS

- The performance period for this grant award is **January 1, 2022 thru June 30, 2023**. Further, all personnel related grant activity must be completed between **January 1, 2022 thru June 30, 2023**. Funds may not be obligated outside of these time periods. An obligation occurs when funds are encumbered, as with a purchase order and/or commitment of salaries and benefits. All obligated and encumbered funds must be liquidated within **15 days** of the end of the performance period when the Final Progress and Financial Reports are due.
- The 2021 SAFECOM guidance, in coordination with stakeholders and Federal partners, and the 2014 National Emergency Communications Plan, targets funding priorities to address:
 - a. Governance and Leadership,
 - b. Statewide Planning for Emergency Communications,
 - c. Emergency Communications Training and Exercises,
 - d. Activities that Enhance Operational Coordination, and
 - e. Standards Based Technology and Equipment.

To support these priorities, grantees should target funding toward standards-based equipment that enables the sub-recipients to:

- f. Sustain and maintain current Land Mobile Radios (LMR) capabilities
 - g. Use Project 25 (P25)-compliant LMR equipment for mission critical voice communications
 - h. Meet NMDoIT, FCC and FirstNet spectrum and authority to operate requirements
 - i. Transition towards Next Generation 911 (NG911) capabilities
 - j. Support standards that allow for alerts and warnings across different systems
 - k. Sustain backup solutions (e.g., backup power, portable repeaters, satellite phones, HF radios)
 - l. Secure equipment, information, and capabilities from physical and virtual threats
- Deployable / Shareable Assets - All assets supported in part or entirely with 2021 SHSGP Operation Stone Garden funding must be readily deployable to support emergency or disaster operations per existing IMAS and/or EMAC and other mutual aid agreements.
 - All assets supported in part or entirely with 2021 SHSGP Operation Stone Garden funding that may not be physically deployable but support national response capabilities, such as interoperable communications systems and equipment, is considered shareable assets. Access to and use of these assets must be made readily available upon the request of the New Mexico Department of Homeland Security and Emergency Management.
 - The sub-recipient shall comply with the requirements and restrictions of the DHS Federal NOFO and the 2021 State Emergency Performance Grant Program Guidance, State Guidelines. By signing this obligating award document, the sub-recipient certifies it has read, understood, and accepted these documents as binding.
 - The signatures of the signatory officials on this award certifies that all financial expenditures, including all supporting documentation submitted for reimbursement, have been incurred by the jurisdiction, and are eligible and allowable expenditures consistent with the grant guidelines for this project. The sub-recipient shall follow the financial management requirements imposed on them by DHSEM, which includes the requirements of U.S. Department of Homeland Security.
 - The signature of the signatory officials on this award attests to sub-recipient understanding, acceptance, and compliance with Lobbying; Debarment, Suspension and other responsibility matters; Drug-free Workplace; Conflict of Interest, and Non-Supplanting certifications. Federal funds will not be used to supplant State or local funds. Federal funds must be used to supplement existing funds to augment program activities, and not replace those

funds which have been appropriated in the budget for the same purpose. Potential supplanting may be the subject of application and pre-award, post-award monitoring, and audit.

- Sub-recipient shall ensure the accounting system used allows for separation of fund sources. These grant funds cannot be commingled with funds from other federal, state, or local agencies, and each award is accounted for separately.
- Sub-recipient shall comply with Federal Civil Rights Laws and Regulations: *Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Age Discrimination Act of 1975, and Americans with Disabilities Act of 1991*. Sub-recipient will take reasonable steps to ensure Limited English Proficient (LEP) persons have meaningful access to its programs and activities. *Executive Order 13347 Individuals with Disabilities in Emergency Preparedness* requires government to support safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism.
- Sub-recipient certifies that it has an Affirmative Action Plan/Equal Employment Opportunity Plan (EEOP) (for USDHS/DOJ grants). An EEOP is not required for recipients of less than \$25,000.00 or fewer than 50 employees.
- Sub-recipient certifies that its employees are eligible to work in the U.S. as verified by Form I-9, Immigration & Naturalization Service Employment Eligibility.
- Where applicable it is the responsibility of Sub-recipient as the recipient of these federal funds to fully understand and comply with the requirements of:
 - **Assurances, Administrative Requirements, Cost Principles, and Audit Requirements**, OMB Standard Form 4248 Assurances -Non-Construction Programs, OMB Standard Form 4240 Assurances - Construction Programs, 2 C.F.R. Part 200, 2 C.F.R. Part 3002
 - **Whistleblower Protection Act**
 - 10 U.S.C Section 2409
 - 41 U.S.C. 4712
 - 10 U.S.C. Section 2324
 - 41 U. S. C. Sections 4304
 - 41 U. S. C. Sections 4310
 - **Use of DHS Seal, Logo and Flags** - All recipients must obtain permission from their financial assistance office, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags.
 - **USA Patriot Act of 2001**, 18 U.S.C. Sections 175 175c
 - **Universal Identifier and System of Award Management (SAM)**, 2 C.F.R. Part 25, Appendix A,
 - **Reporting of Matters Related to Recipient Integrity and Performance**, 2 C.F.R. Part 200, Appendix ix, XII,
 - **Rehabilitation Act of 1973, 29 U.S.C. Section 794**
 - **Trafficking Victims Protection Act of 2000**, Section 106(g) 22 U.S.C. section 7104, 2 CFR Section 1 75.15,
 - **Terrorist Financing**
 - **SAFECOM**
 - **Reporting Sub-Awards and Executive Compensation**
 - **Procurement of Recovered Materials, Solid Waste Disposal Act, Resource Conservation Recovery Act,**
 - **Environmental Protection Agency (EPA) 40 C. F.R. Part 247**
 - **Patents and Intellectual Property Rights**
 - Bayh-Dole Act. Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. section 200 et seq.
 - 37 C.F.R. Part 401

- 37 C.F.R. Section 401.14
- **DHS HSGP Notice of Funding Opportunity Requirements** - All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the terms and conditions of your award. All recipients must comply with any such requirements set forth in the program NOFO.
- **Non-supplanting Requirement** - All recipients who receive awards made under programs that prohibit supplanting by law must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources.
- **Lobbying Prohibitions, 31 U.S.C. Section 1352**
- **Limited English Proficiency (Civil Rights Act of 1964, Title VI**
- **Hotel and Motel Fire Safety Act of 1990,**
- **Federal Fire Prevention and Control Act of 1974, as amended, 15 U.S.C. Section 2225**
- **Fly America Act of 1974, 49 U.S.C. Section 41102, 49 U.S.C. Section 40118**
- **Best Practices for Collection and Use of Personally Identifiable Information (PII)** - DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All recipients who collect PII are required to have a publicly-available privacy policy that describes standards on the usage and maintenance of PII they collect. Award recipients may also find as a useful resource the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template, respectively.
- **Americans with Disabilities Act of 1990, 42 U. S. C. Sections 12101, 12213,**
- **Age Discrimination Act of 1975, Title 42 U.S. Code section 6101 et,**
- **Activities Conducted Abroad** - All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.
- **Acknowledgment of Federal Funding from DHS** - All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.
- **Federal Leadership on Reducing Text Messaging while Driving**
- **Federal Debt Status**
- **False Claims Act and Program Fraud Civil Remedies, 31 U. S. C. Section 3729, 31 U. S.C. Section 3801-3812,**
- **Energy Policy and Conservation Act, 42 U.S.C. Section 6201**
- **Education Amendments of 1972 (Equal Opportunity in Education Act), 20 U.S.C. section 1681 et seq, 6 C.F.R. Part 17 and 44 C.F.R. Part 19**
- **Duplication of Benefits, 2 C.F. R. Part 200, Subpart E**
- **Drug-Free Workplace Regulations, 41 U.S. C. section 701 et seq, 2 C.F.R Part 3001,**
- **Debarment and Suspension, Executive Orders, 12549 and 12689, and 2 C.F.R. Part 180,**
- **Copyright, 17 U.S.C. sections 401 or 402**
- **Civil Rights Act of 1968, Title VIII of the Civil Rights Act of 1968, 42 U.S.C. section 3601 et seq, 24 C.F.R. Part 100, 24 C.F.R Section 100.201**
- **Civil Rights Act of 1964 - Title VI, 42 U.S.C. Section 2000d et seq, 6 C.F.R. Part 21, 44 C.F.R. Part 7**
- **DHS Specific Acknowledgements and Assurances**
 - All recipients, sub-recipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.
 - Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
 - Recipients must give DHS access to and the right to examine and copy, records, accounts, and other documents and sources of information related to the award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other

- applicable laws or program guidance.
- Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
- Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law, or detailed in program guidance.
- If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS financial assistance office and the DHS Office of Civil Rights and Civil Liberties (CRCL) by e-mail at crcl@hg.dhs.gov or by mail at **U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties Building 410, Mail Stop #0190 Washington, D.C. 20528.**
- In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS financial assistance office and the CRCL office by e-mail or mail at the addresses listed above.
- The United States has the right to seek judicial enforcement of these obligations.
- **Disposition of Equipment Acquired Under the Federal Award**, 2 C.F.R. Section 200.313,
- **National Environmental Policy Act**, National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, <https://ceq.doe.gov/>
- **Nondiscrimination in Matters Pertaining to Faith-based Organizations**, 6 C. F. R. Part 19

ARTICLE 17: PENALTY FOR NON-COMPLIANCE

For the reasons listed below, special conditions may be imposed, reimbursements may be partially or wholly withheld, the award may be wholly or partly suspended or terminated, or future awards, reimbursements and award modifications may be withheld. DHSEM may institute the following, but is not limited to, withholding authority to proceed to the next phase of a project, requiring additional or more detailed financial reports, additional project monitoring, and/or establish additional prior approvals. DHSEM shall notify the sub-recipient of its decision in writing stating the nature and the reason for imposing the conditions/restrictions, the corrective action required and timeline to remove them, and the method of requesting reconsideration of the imposed conditions/restrictions. The sub-recipient must respond within 5 days of receipt of notification.

- Unwillingness or inability to attain project goals
- Unwillingness or inability to adhere to Article 19, Special Conditions.
- Failure or inability to adhere to grant guidelines and federal compliance requirements
- Improper procedures regarding contracts and procurements
- Inability to submit reliable and/or timely reports
- Management systems which do not meet federal required management standards
- Failure or inability to adhere to the terms and conditions of this agreement

ARTICLE 18: TERMINATION

For Cause: If performance is not occurring as agreed, the award may be reduced or terminated without compensation for reduction or termination costs. DHSEM will provide notice of five (5) days to the sub-recipient stating the reasons for the action, steps taken to correct the problems, and the commencement date of the reduction or termination. DHSEM will reimburse the sub-recipient only for acceptable work or deliverables, necessary and allowable costs incurred through the date of reduction or termination. Final reimbursement may be withheld at the discretion of DHSEM until completion of a final DHSEM review. Any equipment purchased under a terminated grant may revert to DHSEM at the option of DHSEM.

For Convenience: This Agreement may be terminated without cause by either of the parties upon written notice delivered to the other party at least 30 days prior to the intended date of termination. A termination pursuant to this provision does not nullify a party's obligations for performance or liabilities for failure to perform already incurred prior to the date of termination. Any project may be terminated upon convenience, in whole or in part, for the convenience of the Government. The U.S. Department of Homeland Security (USDHS) and the DHSEM, by written notice, may terminate this grant, in whole or in part, when it is in the Government's interest. Allowable costs obligated and/or incurred through the date of termination shall be reimbursed. Any equipment purchased under a terminated grant may revert to DHSEM at the option of DHSEM.

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ARTICLE 19: SPECIAL CONDITIONS

Grant funds cannot be expended until these conditions have been met

- SHSGP Notice of Funding Opportunity Requirements - All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the terms and conditions of your award. All recipients must comply with any such requirements set forth in the program NOFO.
- The grant award amount is a funding allocation and is not to be interpreted as expenditure authorizations or approvals. Pre-approval from DHSEM's Local Preparedness Program, Preparedness Unit, and Administrative Service Bureau (ASB) is required for all purchases regardless of any application review.
- All awarded projects must be planned for, conducted, budgeted, and expended within the designated performance period. Furthermore, at least 25% of the grant award must be expended in the first quarter for each project; some exceptions and/or extenuating circumstances may apply.
- All sub-recipients must complete a National Incident Management System (NIMS) Assessment on or before September 30 of each year. All funded beneficiaries, to include but not limited to, first response agencies and special teams must also complete a NIMS Assessment. Continuing working on NIMS implementation objectives throughout the performance period of the grant and thereafter.
- All sub-recipients must complete and/or revise their Threat Hazard Identification Risk Assessment (THIRA) on or before May 30 biannually.
- All sub-recipients must complete and/or revise their local and/or regional Tactical Communication Interoperable Plan (TCIP) prior to the final request for reimbursement.
- All sub-recipients must have a fully promulgated All Hazards Emergency Operations Plan (EOP) prior to the final request for reimbursement.
- All sub-recipients are required to conduct one exercise to test the capabilities of equipment purchased with past or current federal preparedness grants. All AAR/IP and/or AAR/IP input forms must be sent to the DHSEM exercise Officer no later than 60 days after the exercise.
- All SHSGP performance activities will be monitored by the Local Preparedness Program on a quarterly basis or as needed to ensure sub-recipients are conducting progressive activities to ensure project completion within the specified performance period.
- Quarterly financial and progress reports are due on April 30, July 30, October 30, January 30 within the Period of Performance. Final reports are due 15 days after the end of Period of Performance.
- All equipment must be purchased and deployed in accordance set forth in the 2021 SHSGP NOFO. All assets supported in part or entirely with 2021 SHSGP funding must be readily deployable to support emergency or disaster operations per existing EMAC agreements.
- All Revisions must be reviewed and approved by the Local Preparedness Program to ensure that the proposed project meets all federal and state eligibility requirements. All Revisions must meet the original scope of the project.
- The beneficiary of this award is solely responsible for all expenditures that are incurred outside of the award performance period.
- All expenditures that are incurred above and beyond the amount of this sub-grant agreement are the sole responsibility of the sub-recipient of this award.
- The FEMA approved National Environmental Protection Agency-Environmental Historic Preservation (NEPA/EHP) form must be submitted prior to any ground disturbance, modification to buildings, etc.
- Annual external audit reports must be submitted to DHSEM within 30 days of receipt by sub-recipients.
- All Contracts for goods and services, to include the project scope of work, must be reviewed and approved the LPP and ASB before execution, to include signing of contract between parties.
- All requests for Sub-grant award extensions must be received at DHSEM prior to the 90-day sub-grant award termination date. Requests for sub-grant award extensions will only be considered for documented extenuating circumstances and will be reviewed by the Local Preparedness Program on a case-by-case basis.
- Upon completion of all awarded projects, any remaining funds will be de-obligated and reverted to DHSEM.

CITY OF SANTA FE:

ALAN M. WEBBER, MAYOR

DATE

ATTEST:

KRISTINE BUSTOS-MIHELICIC, CITY CLERK

DATE

CITY ATTORNEY'S OFFICE:

Marco Martinez

Mar 23, 2022

SENIOR ASSISTANT CITY ATTORNEY

DATE

APPROVED FOR FINANCES:

MARY MCCOY, FINANCE DIRECTOR

DATE

Munis Contract Number: 3203269

Munis Project Leger Number: OEM2222104 – Grant F2117