

City of Santa Fe, NM
Regular Meeting of the Governing Body
Wednesday, March 13, 2019
05:00 PM – Governing Body
Southside Library
6599 Jaguar Drive

AGENDA

AFTERNOON SESSION - 5:00 P.M.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. SALUTE TO THE NEW MEXICO FLAG

4. INVOCATION

5. ROLL CALL

6. APPROVAL OF AGENDA

7. APPROVAL OF CONSENT CALENDAR

8. APPROVAL OF MINUTES

Regular City Council Meeting - February 27, 2019

[Minutes.pdf](#)

9. PRESENTATIONS

- a) Proclamation – Chivas Santa Fe Soccer Team Appreciation Day – March 23, 2019. (Councilor Abeyta)

10. CONSENT CALENDAR

- a) Request for Approval of Amendment No. 1 in the Amount of \$1,119,813.12, (Paid in 96 Installments) for the Compressed Natural Gas (CNG) Fueling Facility Design, Build, Operation and Maintenance (RFP '18/01/P); Clean Energy. (Keith Wilson, Transit Division Director, kpwilson@santafenm.gov, 955-2223 and Shirlene Sitton, Environmental Services Division Director, sesitton@santafenm.gov, 955-2209) (Postponed on February 27, 2019)

[Item 10a.pdf](#)

- b) Request for Approval of Amendment No. 1 to Professional Services Agreement in the Total Amount of \$38,716.33 for the Replacement of Analog Amps and Wireless Mics for the Creston System; SGR Media, dba 5 Words Media. (Randy Randall, Executive Director, Tourism Santa Fe, rrandal@santafenm.gov, 955-6209)

[Item 10b.pdf](#)

- c) Request for Approval of Memorandum of Agreement Between the City of Santa Fe and Santa Fe County in the Total Amount of \$150,000 for Support of the Jointly Funded Santa Fe Film Office. (Randy Randall, Executive Director, Tourism Santa Fe, rrandall@santafenm.gov, 955-6209)

[Item 10c.pdf](#)

d) Request for Approval of Contract for Services Using NM State Price Agreement #50-000-15-00072 in the Total Amount of \$370,315.20, Inclusive of NMGR, Using Grant Funds Appropriated by the State Legislature in 2017 for Roof Remodel Construction Services at the City of Santa Fe's New South Side Transit Building Located at 2521 Camino Entrada; Davenport Construction Management, LLC. (Curt E. Temple, Public Works Project Administrator, cetemple@santafenm.gov, 955-5935)

1) Request for Approval of Budget Amendment Resolution (BAR) to Place the Grant Funds into CIP Construction .

[Item 10d.pdf](#)

e) Request for Approval of Amendment No. 1 to Contract #18-1072 in an Additional Amount of \$8,482.50, Increasing the Original Contract Sum to \$215,443.60, Inclusive of NMGR, for Fort Marcy Women's Locker Room Remodel Project for Repairs to Substandard and Damaged Electrical Lines Discovered During the Demolition Process; CES/FacilityBuild Inc. (Sam Burnett, Public Works Project Administrator, jsburnett@santafenm.gov, 955-5933)

[Item 10e.pdf](#)

f) Request for Approval of Amendment No. 1 to NMDOT Funding Agreement CN-S100460 in the Amount of \$52,200 for Reconstruction of Guadalupe from Agua Fria to Paseo De Peralta. (John Romero, Engineering, Division Director, jjromero1@santafenm.gov, 955-6638)

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

[Item 10f.pdf](#)

g) Request for Approval of Contract for Goods and Services in the Amount of \$278,890.65 for Parks Trash Receptacles; Exerplay, Inc. (Caryn Grosse, Public Works Project Administrator, clgrosse@santafenm.gov, 955-5938)

[Item 10g.pdf](#)

h) Request for Approval of State Issued Severance Tax Bond Agreement (STBA) #16-A2507, Amendment No. 1 to the STBA and Professional Services Agreement between the City of Santa Fe and Presbyterian Medical Services, Inc., dba La Comunidad de Los Ninos Head Start, in the Amount of \$84,000. (David A. Chapman, Grant Administrator-Writer / Interim ADA Coordinator, dachapman@santafenm.gov, 955-6824)

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

[Item 10h.pdf](#)

i) Request for Approval of a Three (3) Year Agreement to Waive Fees with Bienvenidos Where the City Will Issue Free Parking Permits for Validation at the Sandoval Parking Garage and Loading Zone Permits for Use at the Loading Zone on Lincoln Avenue as Bienvenidos' Volunteers Work to Promote City Attractions. This Is a Non-Monetary Agreement. (Noel Correia, Parking Division Director, npcorreia@santafenm.gov, 955-6611)

[Item 10i.pdf](#)

j) Request for Approval of Amendment No. 4 to Professional Services Agreement to Increase Total Compensation by \$145,876.64 to Provide 24-Hour Security at the Midtown Property Through June 30, 2019; Allied Universal Security Services. (Sam Burnett, Public Works Project Administrator, jsburnett@santafenm.gov, 955-5933)

[Item 10j.pdf](#)

k) Request for Approval to Amend Federal Aviation Administration Grant #3-35-0037-048-2017 in the Total Amount of \$4,279.43 and Required City Sponsor Match in the Amount of \$285.29, for the Rehabilitation of

Taxiway Delta Grant; Federal Aviation Administration. (Mark Baca, Airport Manager, mdbaca@santafenm.gov, 955-2901)

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

[Item 10k.pdf](#)

l) Request for Approval to Amend Federal Aviation Administration Grant #3-35-0037-047-2017 in the Total Amount of \$100,855.87 and Required City Sponsor Match for \$6,723.72, for the Rehabilitation of Runway 2-20, Mill and Overlay Grant; Federal Aviation Administration. (Mark Baca, Airport Manager, mdbaca@santafenm.gov, 955-2901)

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

[Item 10l.pdf](#)

m) Request for Approval of Change Order #1 and Change Order #2 in the Total Amount of \$112,144.31 for the Rehabilitation of Taxiway Delta Project and Rehabilitation of Runway 2-20, Mill Overlay Project for the Santa Fe Regional Airport; Mountain States Constructors Inc. (Mark Baca, Airport Manager, mdbaca@santafenm.gov, 955-2901)

[Item 10m.pdf](#)

n) Request for Approval of New Mexico Department of Transportation (NMDOT) Grant SAF-19-02 in the Amount of \$171,000 and Required City Sponsor Match in the Amount of \$19,000 for Taxiway Delta Reconstruction Design Phase II Grant. (Mark Baca, Airport Manager, mdbaca@santafenm.gov, 955-2901)

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

[Item 10n.pdf](#)

o) Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from DSW Santa Fe, LLC, for a Transfer of Ownership of Inter-Local Dispenser Liquor License No. 2507, from Drury Hotels Company, LLC, to DSW Santa Fe, LLC. This License will Remain at Drury Plaza Hotel – Santa Fe, 828 Paseo de Peralta. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 955-6521)

[Item 10o.pdf](#)

p) Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Manitou Galleries for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Alcohol at Manitou Galleries, 225 Canyon Road, Suite 11, which is Within 300 Feet of The Cathedral Basilica of St. Francis of Assisi, 131 Cathedral Place and The New Mexico School for the Arts, 275 East Alameda Street. The Request is for the Following Art Exhibitions, With Alcohol Service Times from 5:00 P.M. to 7:30 P.M.:

- April 12, 2019 – “Four the Birds” Group
 - May 10, 2019 – Jennifer O’Cualain & Robin Laws
 - June 14, 2019 – David Riley & Hib Sabin
 - July 12, 2019 – Jeff Cochran & Paul Rhymer
 - July 26, 2019 – Spanish Market
 - August 16, 2019 – Jim Eppler
 - August 17, 2019 – Jim Eppler
 - September 13, 2019 – Sharon Markwardt, Fran Larsen & Upton Ethelbah Jr.
 - October 11, 2019 – Douglas Aagard & Liz Wolf
 - November 8, 2019 – David Jonason & Greg Woodard
- (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 955-6521)

[Item 10p.pdf](#)

q) Request for Approval to Publish Notice of Public Hearing on April 10, 2019: (Councilor Abeyta) Bill No. 2019-3: An Ordinance Amending Section 11-4 to Clarify the City Manager's Authority to Approve Budget Revenue and Expenditure Increases in Excess of \$60,000 Under Certain Circumstances and to Allow the Finance Department to Implement Re-Appropriations of Unspent Budget Amounts for Ongoing Grants and Capital Projects Upon Request by the Associated Department. (Andy Hopkins, Budget Analyst, ajhopkins@santafenm.gov, 955-6177)

[Item 10q.pdf](#)[Bill 2019-3 Amendment Sheet.pdf](#)

r) A Resolution Approving the Exchange and Transfer of One Tract of City-Owned Real Property Located at 4491 Cerrillos Road to the State of New Mexico in Exchange for the Transfer of Multiple Tracts of State-Owned Real Property to the City of Santa Fe. (Councilor Ives, Councilor Romero-Wirth and Councilor Rivera) (Sean Moody, Asset Development Manager, sxmoody@santafenm.gov, 955-6213) (Postponed on December 12, 2018) (Withdrawn by Staff)

[Item 10r.pdf](#)**11. PUBLISH NOTICE OF PUBLIC HEARING**

11. Request to Publish Notice of Public Hearing on April 24, 2019: Affordable Housing Draft 2019-20 Annual Action Plan (Jacqueline Beam, Affordable Housing Planner, jybeam@santafenm.gov, 955-6574)

- 1) Professional Services Agreement – Fiscal Year 2019-20 Community Development Block Grant (CDBG) Estimated Allocation in the Amount of \$560,000.
- 2) Fiscal Year 2019-20 CDBG Grant Administration in the Amount of \$140,000.
- 3) Professional Services Agreements – Fiscal Year 2019-20 Affordable Housing Trust Fund (AHTF) Allocation in the Amount of \$475,000.

[Item 11.pdf](#)**12. AMICUS BRIEF**

12. Request to Approve Joining an Amicus Brief Filed in the Fifth Circuit Court of Appeals Case, Texas v. United States, on Behalf of Local Governments in Support of the Affordable Care Act's Legality. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

[Item 12.pdf](#)**13. DECISION CONCERNING CASE #2018-57 - GREATER CALLECITA NEIGHBORHOOD ASSOCIATION**

13. Decision to Accept or Reject the City Attorney Office's Recommendation Concerning Case #2018-57; Concurring with the Land Use Director's Determination that an Appeal Filed by the Greater Callecita Neighborhood Association of a Final Subdivision Plat for Estancias del Norte, 702 Hyde Park Road Does Not Conform with the Requirements of the Santa Fe City Code and Should be Denied Without a Hearing. (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

[Item 13 Part 1.pdf](#)[Item 13 Part 2.pdf](#)[Item 13 Part 3.pdf](#)

14. RAILROAD CROSSING CONSTRUCTION AND MAINTENANCE AGREEMENT

14. Request for Approval of Railroad Crossing Construction and Maintenance Agreement with New Mexico Department of Transportation, Pursuant to NMAC 18.14.4.9(A)(9), Regarding the Multi-use Transportation Pathway Extension from the South Side of Alta Vista and the Western Side of the Railroad Tracks to the Eastern Side of the Railroad Tracks. (John Romero, Engineering Division Director, jjromero1@santafenm.gov, 955-6638) (Erin K. McSherry, City Attorney, ekmsherry@santafenm.gov, 955-6512)

[Item 14.pdf](#)

15. MATTERS FROM THE CITY MANAGER

16. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, NMSA 1978 Section 10-15-1(H), Part (7), Discussion Regarding Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Participant, Including, Without Limitation City v. Catanach, D-101-CV-2016-01719; NMSURF v. City of Santa Fe, 1:17-cv-00355-KG-SCY; Rio Grande Foundation v. City of Santa Fe, 1:17-cv-00768-JCH-CG; City of Albuquerque, et al. v. New Mexico Taxation & Revenue, D-202-CV-2018-08036; and Opioid Litigation. (Erin K. McSherry, City Attorney, ekmsherry@santafenm.gov, 955-6512)

17. MATTERS FROM THE CITY CLERK

18. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION - 7:00 P.M.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. SALUTE TO THE NEW MEXICO FLAG

D. INVOCATION

E. ROLL CALL

F. PETITIONS FROM THE FLOOR

G. APPOINTMENTS

H. PUBLIC HEARING

1) Appeal by Allen Holmes of the Public Works Department's Decision to Deny Permit Application #18-10-20 to Access Public Right-of-Way at 924 Agua Fria Street. (Michael Prinz, Assistant City Attorney, mnprinz@santafenm.gov, 955-6554) (Postponed on February 13, 2019) (Postponed on February 27, 2019)

[Item H1.pdf](#)