

**City of Santa Fe, NM**  
**Regular Meeting of the Governing Body**  
**Wednesday, May 08, 2019**  
**05:00 PM – Governing Body**  
**City Council Chambers**

**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 - April 24, 2019

[Minutes.pdf](#)

**9. PRESENTATIONS**

- a) Proclamation – Santa Fe High School NJROTC. (Councilor Abeyta)

**10. CONSENT CALENDAR**

- a) Request for Approval of Amendment No. 1 to Professional Services Agreement Item #19-0031, for On Call Roadway and Trails Construction Services in the Amount of \$120,000, Inclusive of NMGRT; GM Emulsion LLC. (Randy Lopez, Transmission & Distribution Operations Supervisor, rjlopez@santafenm.gov, 955-4246)

[Item 10a.pdf](#)

- b) Request for Approval of Change Order No. 3 for POTW On-Call Repair, Replacement and Term Extension in the Amount of \$100,000, Inclusive of NMGRT; Subsurface Contracting, Inc. (Stan Holland, Engineer, tsholland@santafenm.gov, 955-4637)

[Item 10b.pdf](#)

- c) Request for Approval of Amendment No. 1 to Intergovernmental Agreement for the Transfer of Funds in the Amount of 12,900, within Programs Only; NM State Department of Aging & Long Term Services. (Melanie Montoya, Program Administrator, mmmontoya@santafenm.gov, 955-4761)

[Item 10c.pdf](#)

d) Request for Approval of Change Orders #13, #14, and #15 for Cerrillos Road Reconstruction Phase IIC (RFB '16/13/B), for a Net Change to the Contract in the Amount of \$131,187.77; AUI Inc. (John Romero, Public Works Engineering Division Director, jjromero1@santafenm.gov, 955-6638)

- 1) Request for Approval of Change Order #13 in the Amount of (\$8,339.04), Exclusive of NMGRT.
- 2) Request for Approval of Change Order #14 in the Amount of (\$34,615.17), Exclusive of NMGRT.
- 3) Request for Approval of Change Order #15 in the Amount of \$174,141.98, Exclusive of NMGRT.
- 4) Request for the Approval of the Budget Amendment Resolution (BAR).

[Item 10d.pdf](#)

[Item 10d1.pdf](#)

[Item 10d2.pdf](#)

[Item 10d3.pdf](#)

[Item 10d4.pdf](#)

e) Request for Approval of a Professional Services Agreement Under RFP '19/28/P, in an Amount Not to Exceed \$125,000, Plus Gross Receipts Tax, for Engineering Services on As Needed Basis for FY19 through FY22; JoeB Engineering Inc. (Nick Schiavo, City Engineer, Land Use Department, naschiavo@santafenm.gov, 955-6641)

[Item 10e.pdf](#)

f) Request for Approval of Amendment No. 6 to Professional Services Agreement Decreasing the Amount of Compensation in the Total Amount of (\$14,498.56), Plus Applicable Gross Receipts Taxes, for Professional Security Services; Universal Protection Service, LP/DBA Allied Universal Security Services. (David Silver, Emergency Manager, dmsilver@santafenm.gov, 955-6537)

[Item 10f.pdf](#)

[PWC Item #14 Action Sheet.pdf](#)

g) Request for Approval of Budget Amendment Resolution (BAR) to Re-Appropriate \$312,824 for Phase II of the Old Santa Fe Trail Bicycle Lane Project. (Michelle Martinez, PW Project Administrator, mrmartinez1@santafenm.gov, 955-6931)

[Item 10g.pdf](#)

h) Request for Approval of Amendment No. 1 to Professional Services Agreement to Increase Compensation by \$43,000, as Approved by Children Youth Families Department (CYFD) - Juvenile Justice Advisory Committee (JJAC) for Educational Re-Engagement Services; YouthWorks. (Julie Sanchez, Planner Senior, jjsanchez@santafenm.gov, 955-6678)

[Item 10h.pdf](#)

i) Request for Approval of Amendment No. 1 to Professional Services Agreement to Decrease Compensation by \$43,000 as Approved by Children Youth Families Department (CYFD) – Juvenile Justice

Advisory Committee (JJAC) for Intensive Community Monitoring (ICM); YouthWorks. (Julie Sanchez, Planner Senior, [jjsanchez@santafenm.gov](mailto:jjsanchez@santafenm.gov), 955-6678)

[Item 10i.pdf](#)

j) Request for Approval of Amendment No. 1 to Professional Services Agreement to Decrease the Amount of Compensation by \$20 to Amend the Scope of Services to Include Service Delivery for Ortiz Middle School; Communities in Schools. (Julie Sanchez, Planner Senior, [jjsanchez@santafenm.gov](mailto:jjsanchez@santafenm.gov), 955-6678)

[Item 10j.pdf](#)

k) Request for Review and Approval of Three Contract Amendments for the FY-2018-2019 Economic Development Portfolio as Awarded through RFP to Provide Workforce Development, Business Development, and Other Support for Economic Development in Santa Fe for a Total Funding Amount of \$75,000 as Identified. (Matt Brown, Economic Development Department Director, [mpbrown@santafenm.gov](mailto:mpbrown@santafenm.gov), 955-6915)

- 1) Professional Services Agreement, Amendment No. 4 – SCORE RFP ‘15/38/P in the Amount of \$5,000.
- 2) Professional Services Agreement, Amendment No. 3 – Santa Fe Business Incubator RFP ‘16/38/P in the Amount of \$30,000.
- 3) Professional Services Agreement, Amendment No. 3 – Youthworks RFP ‘16/37/P in the Amount of \$40,000.

[Item 10k.pdf](#)

[Item 10k1.pdf](#)

[Item 10k2.pdf](#)

[Item 10k3.pdf](#)

[PWC Item #15 Action Sheet.pdf](#)

l) CONSIDERATION OF RESOLUTION NO. 2019 . (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth, Councilor Vigil Coppler, Councilor Rivera, Councilor Ives and Councilor Villarreal)  
A Resolution Creating a Women’s Commission to Identify Opportunities to Improve City of Santa Fe Programs and Policies and to Strengthen the Quality of Life of Women and Girls in Santa Fe so They Can Thrive, Personally and Professionally. (Kyra Ochoa, Community Services Department Director, [krochoa@santafenm.gov](mailto:krochoa@santafenm.gov), 955-6603)

[Item 10l.pdf](#)

**11. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON MAY 29, 2019**

a) Bill No. 2019-9: An Ordinance Amending and Repealing Various Sections of the Election Code, Section 9-1 SFCC 1987, to Accommodate Recent Changes in State Law Governing Local Elections; and Enacting a New Provision of the Election Code to Authorize Either the City Clerk or the Ethics and Campaign Review Board to Adopt Rules Applying the Code. (Councilor Romero-Wirth) (Yolanda Y. Vigil, City Clerk, [yyvigil@santafenm.gov](mailto:yyvigil@santafenm.gov), 955-6521; Marcos Martinez, Assistant City Attorney, [mdmartinez@santafenm.gov](mailto:mdmartinez@santafenm.gov), 955-6502)

b) Bill No. 2019-10: An Ordinance Amending Sections 9-3.5, 9-3.8, and 9-3.9 SFCC 1987 Regarding the Public Campaign Finance Code, Adjusting the City's Qualification Process for Public Financing to Reflect Recent Changes in State Law. (Councilor Romero-Wirth) (Yolanda Y. Vigil, City Clerk, yvigil@santafenm.gov, 955-6521; Marcos Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)

c) Bill No. 2019-11: An Ordinance Amending Section 9-2.4 to Remove Reference to a Repealed State Law; and Repealing Section 9-2.17. (Councilor Romero-Wirth) (Yolanda Y. Vigil, City Clerk, yvigil@santafenm.gov, 955-6521; Marcos Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)

[Item 11a.pdf](#)

[Item 11 b.pdf](#)

[Item 11 c.pdf](#)

## 12. CONSIDERATION OF RESOLUTION NO. 2019-18

CONSIDERATION OF RESOLUTION NO. 2019-18. (Mayor Webber, Councilor Harris and Councilor Vigil Coppler)

A Resolution Repealing Resolution No. 2019-18 Adopted on April 10, 2019, and Adopting A Substitute Resolution to Correct the Address: Amending Table 80 of the Santa Fe Impact Fee Capital Improvements Plan 2020 Regarding Planned Major Road Improvements and Adding "Sidewalk Improvements at 3240 Rufina Street" as an Eligible Project to Receive Road Impact Fees. (Lee Logston, Senior Land Use Planner, lrllogston@santafenm.gov, 955-6136)

[Item 12.pdf](#)

## 13. LEASE OF GARSON STUDIOS OF THE MIDTOWN CAMPUS

Request for Approval of a Lease of the Garson Studios of the Midtown Campus to Garson Studios Santa Fe, LLC. (Kevin Kellogg, Asset Development Manager, kckellogg@santafenm.gov, 955-6213)

[Item 13.pdf](#)

## 14. MANAGEMENT PLAN FOR WEEDS AND MEDIANS

Management Plan for Weeds and Medians in the City of Santa Fe. (John Munoz, Parks and Recreation Department Director, jpmunoz@santafenm.gov, 955-2142; Shirlene Sitton, Environmental Services Division Director, sesitton@santafenm.gov, 955-2209) (INFORMATIONAL ONLY)

## 15. PUBLIC HEARING:

a) CONSIDERATION OF RESOLUTION NO. 2019- . (Finance Committee)

A Resolution Adopting the City of Santa Fe Fiscal Year 2019/2020 Annual Operating Budget and Organizational Chart. (Mayor Webber, Erik Litzenberg and Mary McCoy)

[Item 15.pdf](#)

[Final FY20 Recommended Budget.pdf](#)

## 16. MATTERS FROM THE CITY MANAGER

## 17. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1(H), Subpart (7), Discussion of Threatened or Pending Litigation in Which the City is or May Become a Participant, Including but not Limited to State of New Mexico v. Aamodt, Case 6:66-cv-06639-WJ-WPL; San Francisco v. Barr; and

California v. Barr; High Summit v. City of Santa Fe, No. A-1-CA-36914; and Buckman Direct Diversion Board v. CDM Smith et al., D-101-cv-2018-01618. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

**18. AUTHORIZING THE CITY TO JOIN AMICI BRIEFS FILED ON BEHALF OF LOCAL GOVERNMENTS**

Authorizing the City to Join Amici Briefs Filed on Behalf of Local Governments in Appeals to San Francisco v. Barr and California v. Barr in the Ninth Circuit, Regarding Enforcement of the § 1373 Certification, Notice, and Access Conditions on the Byrne JAG Grant. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

**19. AUTHORIZING THE CITY TO JOIN THE CITIES OF CHICAGO, LOS ANGELES, OAKLAND AND OTHER LOCAL GOVERNMENTS IN AN AMICUS BRIEF**

Authorizing the City of Santa Fe to Join the City of Chicago, City of Los Angeles, City of Oakland and Other Local Governments in an Amicus Brief in Support of the Plaintiffs in Case East Bay Sanctuary Covenant v. Trump in the Ninth Circuit, Challenging the Validity of an Interim Final Rule Titled “Aliens Subject to a Bar on Entry Under Certain Presidential Proclamations; Procedures for Protection Claims” and a Proclamation Titled “Presidential Proclamation Addressing Mass Migration Through the Southern Border of the United States”. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

**20. AGREEMENT PURSUANT TO SECTION 611(G) OF TITLE VI OF THE CLAIMS RESOLUTION ACT OF 2010**

Approval of an Agreement Pursuant to Section 611(g) of Title VI of the Claims Resolution Act of 2010, as Partial Settlement of State of New Mexico v. Aamodt, Case 6:66-cv-06639-WJ-WPL. (Marcos D. Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6512)

**21. APPROVAL OF SETTLEMENT**

Approval of Settlement, High Summit v. City of Santa Fe, No. A-1-CA-36914. (Marcos D. Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6512)

**22. MATTERS FROM THE CITY CLERK**

**23. 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**

- Economic Development Advisory Committee

[Item G.pdf](#)

## **H. PUBLIC HEARINGS**

1) CONSIDERATION OF BILL NO. 2019-6: ADOPTION OF ORDINANCE NO. 2019- . (Councilor Romero-Wirth and Councilor Lindell)

An Ordinance Adding a Definition of “Electric Scooter” to the Uniform Traffic Ordinance; and Prohibiting the Use of Rented Electric Scooters in the Public Right-of-Way. (Regina Wheeler, Public Works Department Director, rawheeler@santafenm.gov, 955-6622)

a) CONSIDERATION OF RESOLUTION NO. 2019- . (Councilor Romero-Wirth and Councilor Lindell)

A Resolution Directing the City Manager to Evaluate the Suitability of Shared Electric Scooters in the City of Santa Fe; and Directing the City Manager to Recommend Whether or Not the City Should Develop a Pilot Program Unique to Santa Fe. (Regina Wheeler, Public Works Department Director, rawheeler@santafenm.gov, 955-6622)

[Item H-1.pdf](#)

[Item H-1a.pdf](#)

[Electric Scooter Prohibition \(Romero-Wirth Amend\).pdf](#)

## **I. ADJOURN**