

City of Santa Fe, NM
Regular Meeting of the Governing Body
Wednesday, April 27, 2016
05:00 PM – Governing Body
City Council Chambers
200 Lincoln Avenue

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**
Reg. City Council Meeting – April 13, 2016
[Item 08.pdf](#)
- 9. PRESENTATIONS**
 - a) April 2016 Employees of the Month: Irene Romero, Paralegal and Bernadette Romero, Public Records Custodian/Paralegal; City Attorney's Office. (5 Minutes)*
 - b) Santa Fe High School Junior ROTC Squad – 2016 New Mexico State Military Skills Meet 6A Champions. (Councilor Trujillo) (5 Minutes)*
- 10. CONSENT CALENDAR**
 - a) Request for Approval of Grant Agreement – Santa Fe Municipal Airport Annual Maintenance; New Mexico Department of Transportation Aviation Division. (Cameron Humphres)*
 - 1) Request for Approval of Budget Adjustment in the Amount of \$11,111.00.*
[Item 10-a.pdf](#)
 - b) Request for Approval of Emergency Procurement and Professional Services Agreement – Sandoval Parking Structure Elevator Electrical Feeders; Don Gorman Electric, LLC. (David Pfeifer)*
[Item 10-b.pdf](#)
 - c) Request for Approval of Amendment No. 7 to Amended and Restated Railyard Lease and Management Agreement; Santa Fe Railyard Community Corporation. (Robert Siqueiros)*
[Item 10-c.pdf](#)

d) *Request for Approval of Procurement Under State Price Agreement and Amendment No. 1 to Professional Services Agreement – Uniform and Linen Laundering for Transit Fixed Route Operations; Prudential Overall Supply. (Isaac Pino)*

[Item 10-d.pdf](#)

e) *Request for Approval of Procurement Under State Price Agreement and Amendment No. 1 to Professional Services Agreement – Uniform and Linen Laundering for Transit Fleet Maintenance; Prudential Overall Supply. (Isaac Pino)*

[Item 10-e.pdf](#)

f) *Request for Approval of Grant Application, Agreement and Award and Memorandum of Agreement – FY 2016 F.T.A. Section 5339 Financial Assistance for Purchase of Capital Equipment for Transit Division; New Mexico Department of Transportation, Transit and Rail Division. (Isaac Pino)*

1) *Request for Approval of Budget Increase in the Amount of \$155,667 and Local Match of \$38,916.*

[Item 10-f.pdf](#)

g) *Request for Approval of Grant Application, Agreement and Award and Memorandum of Agreement – FY 2016 U.C.S. Section 5310 Financial Assistance for Purchase of Capital Equipment for Transit Division; New Mexico Department of Transportation, Transit and Rail Division. (Isaac Pino)*

1) *Request for Approval of Budget Increase in the Amount of \$154,267 and Local Match of \$38,567.*

[Item 10-g.pdf](#)

h) *Request for Approval of Amendment No. 2 to Professional Services Agreement – Mechanical Operational Services at the GCCC Ice Arena; YearOut Services, LLC. (Liza Suzanne)*

[Item 10-h.pdf](#)

i) *Request for Approval of Amendment No. 1 to Legal Services Agreement – High Summit v. City of Santa Fe Legal Matters; Sheehan & Sheehan, P.A. (Marcos Martinez)*

[Item 10-i.pdf](#)

j) *Request for Approval of Amendment No. 3 to Professional Services Agreement – Financial Modeling Services for Water Division; Hawksley Consulting a/k/a MWH Americas, Inc. (Nick Schiavo)*

[Item 10-j.pdf](#)

k) *Request for Approval of Change Order No. 2 – Installation of New Water Meters and Retrofitting to Old Meters in the Total Amount of \$1,243,793.30; Badger Meter, Inc. (Nick Schiavo)*

1) *Request for Approval of Budget Adjustment in the Amount of \$1,243,793.30.*

[Item 10-k.pdf](#)

l) *Request for Approval of Purchase Agreement - One (1) Toilet Retrofit Credit Buy Back; Aldea, LLC. (Andrew Erdmann)*

1) *Request for Approval of Budget Increase in the Amount of \$317,700.*

[Item 10-l.pdf](#)

m) *Request for Approval of Amendment No. 4 to Professional Services Agreement – Printing and Mailing Services for Utility Billing Division; InfoSend, Inc. (Nick Schiavo)*

[Item 10-m.pdf](#)

n) *Request for Approval of Joint Funding Agreement – Continuation of Permit-Required Monitoring Programs for Santa Fe River and Buckman Well Field; United States Department of the Interior Geological Survey. (Bill Schneider)*

[Item 10-n.pdf](#)

o) *Request for Approval of Amendment No. 1 to Professional Services Agreement – Update the Long Range Water Supply Plan and Integrate with Capital Improvements Program; Carollo Engineers, Inc. (Bill Schneider)*

[Item 10-o.pdf](#)

p) *Request for Approval of FY 2016/2017 Internal Audit Plan. (Liza Kerr)*

[Item 10-p.pdf](#)

q) *CONSIDERATION OF RESOLUTION NO. 2016-____. (Councilor Ives)*

A Resolution Amending Resolution No. 2008-40 Regarding Membership of the Santa Fe Water Conservation Committee to Include Term Limits for Committee Members. (Christine Chavez)

[Item 10-q.pdf](#)

r) *CONSIDERATION OF RESOLUTION NO. 2016-____. (Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Maestas and Councilor Trujillo)*

A Resolution Instituting a City-Wide All-Electronic Payment Policy for Employees and Vendors to the Extent Permitted by State Law. (Oscar Rodriguez and Lynette Trujillo)

[Item 10-r.pdf](#)

s) *CONSIDERATION OF RESOLUTION NO. 2016-____. (Mayor Gonzales and Councilor Ives)*

A Resolution Amending the Santa Fe Film Commission to Change the Name to the Santa Fe Film and Digital Media Commission; and Provide for Alternate Members of the Commission. (Kate Noble)

[Item 10-s.pdf](#)

t) *CONSIDERATION OF RESOLUTION NO. 2016-____. (Councilor Maestas)*

A Resolution Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval to the New Mexico Finance Authority to Refund, Refinance and Defeasure Certain Outstanding Senior Lien and Subordinate Lien Gross Receipts Tax Revenue Bonds and Loans of the City of Santa Fe, New Mexico. (Oscar Rodriguez) Note: This Caption May Be Amended In Accordance with a Proposed Amendment in the Packet.

[Item 10-t.pdf](#)

u) *Report on the Single-Use Carryout Bag Ordinance, Pursuant to Ordinance No. 2015-12. (Informational Only) (John Alejandro)*

[Item 10-u.pdf](#)

v) *Update on Revised Santa Fe Homes Program 2016 Pricing Schedule. (Informational Only) (Alexandra Ladd)*

[Item 10-v.pdf](#)

w) *Request for Approval of Findings of Fact and Conclusions of Law for the Appeal of Nicoletta Munroe from the March 1, 2016 Decision of the Board of Adjustment to Approve the Sanbusco 2015 LLC & New Mexico School for the Arts Institute's Request for a Special Use Permit at Sanbusco Center; Case No. 2016-32. (Kelley Brennan)*

[Item 10-w.pdf](#)

11. UPDATE ON CIP PROJECT #646

City of Santa Fe Asset Management Plan Findings to Date. (Informational Only) (LeAnn Valdez)

[Item 11.pdf](#)

12. REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON MAY 25, 2016:

a) *Bill No. 2016-19: An Ordinance Authorizing the Reallocation of \$800,000 in 2008 Bond Funds to Complete Certain Incomplete Projects at City Parks and Recreation Facilities and to Replace Three Failing Bridges at Fort Marcy Park. (Councilor Ives) (Robert Carter)*

[Item 12-a.pdf](#)

b) *Bill No. 2016-20: An Ordinance Authorizing the Issuance and Sale of the City of Santa Fe, New Mexico Senior Lien Gross Receipts Tax Refunding Revenue Bonds in One or More Series in an Aggregate Principal Amount Not to Exceed \$37,000,000 for the Purpose of Defraying the Cost of Refunding, Paying and Defeating the Outstanding City of Santa Fe, New Mexico (1) Gross Receipts Tax Refunding Revenue Bonds, Series 2006b and (2) Gross Receipts Tax Revenue Bonds, Series 2008; Authorizing the Issuance and Sale of the City of Santa Fe, New Mexico Subordinate Lien Gross Receipts Tax Refunding Revenue Bonds in One or More Series in an Aggregate Principal Amount Not to Exceed \$16,000,000 for the Purpose of Defraying the Cost of Refunding, Paying and Defeating the Outstanding City of Santa Fe, New Mexico (1) Municipal Recreation Complex/Subordinate Lien Gross Receipts Tax Refunding Bonds, Series 2005, (2) Subordinate Lien Gross Receipts Tax/Wastewater System Improvement Revenue Bonds, Series 2006c, and (3) 2008 Land Acquisition Finance Authority Loan; Providing that the Bonds Will be Payable and Collectible from the Gross Receipts Tax Revenues Distributed to the City; Establishing the Form, Terms, Manner of Execution and Other Details of the Bonds; Authorizing the Execution and Delivery of Bond Purchase Agreements and Escrow Agreements; Providing for Redemption of the Refunded Bonds; Approving Certain Other Agreements and Documents in Connection With the Refunded Bonds; Ratifying Action Previously Taken in Connection With the Bonds; Repealing All Ordinances in Conflict Herewith; and Related Matters. (Councilor Maestas) (Oscar Rodriguez)*

[Item 12-b.pdf](#)

c) *Bill No. 2016-21: An Ordinance Amending Section 4-1 SFCC 1987 and Subsection 4-4.4 SFCC 1987 Related to Liquor Licenses and Related Taxes and Staggered Liquor License Renewal Dates. (Councilor Lindell) (Yolanda Y. Vigil)*

[Item 12-c.pdf](#)

d) *Bill No. 2016-22: An Ordinance Relating to Section 23-5 Regulations for the Use of the Plaza and Plaza Park and to Section 18-8.9 Vehicle Vendors; Amending Subsection 23-5.1 to Amend the Definition of "Plaza Periphery Area" as it Relates to the Vehicle Vendor Ordinance to Include Portions of the Canyon Road Area; Amending Subsection 18-8.9 to Clarify the Definition of Vehicle Vendors to Exclude Transportation Services; and Making Such Other Changes That are Necessary to Carry Out the Purpose of This Ordinance. (Councilor Maestas and Councilor Ives) (Matthew O'Reilly)*

[Item 12-d.pdf](#)

13. CONSIDERATION OF RESOLUTION NO. 2016-___. (MAYOR GONZALES, COUNCILOR DOMINGUEZ, COUNCILOR TRUJILLO AND COUNCILOR RIVERA)

A Resolution Authorizing Staff to Collaborate with the Santa Fe Farmers' Market to Stage a Plaza Farmers' Market One Sunday a Month During June, July, August and September 2016; Collaborate on a Southside Farmers' Market; and Provide Complimentary Parking During the Week. (Richard Thompson) (Postponed at April 13, 2016 Governing Body Meeting) Note: This Caption May Be Amended In Accordance with a Proposed Amendment in the Packet.

[Item 13.pdf](#)

14. PURSUANT TO RESOLUTION #2011-56 AND SECTION 1-7.11 SFCC 1987:

Review and Update of New Mexico Open Meetings Act, Inspection of Public Records Act, City of Santa Fe Ethics Ordinance and New Mexico Governmental Conduct Act. (Zachary Shandler) (Postponed at April 13, 2016 Governing Body Meeting)

[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 §§10-15-1(H)(7) and (8) NMSA 1978, Discussion Regarding Threatened or Pending Litigation in Which the City of Santa Fe is a Participant, Including, Without Limitation, Mediation Under the Dispute Resolution Provision of the Facilities Operations and Procedures Agreement Between the City of Santa Fe, Santa Fe County and Others and Litigation Concerning BDD Diversion Structure Issues; and Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights by the City of Santa Fe, Including, Without Limitation, Relating to a Lease for Property Located at 1730 Llano Street. (Kelley Brennan)

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

- *Division of Senior Services Advisory Board of Directors*
- *Regional Coalition of LANL Communities*

[Item G.pdf](#)

H. PUBLIC HEARINGS:

1) Request from Waxlander Gallery for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Alcohol at Waxlander Gallery, 622 Canyon Road, Which is Within 300 Feet of the Santa Fe Monthly Meeting of Friends (Quaker House), 630 Canyon Road. The Request is for the Following Artist Receptions Which Will be Held from 5:00 p.m. to 8:00 p.m.: (Yolanda Y. Vigil)

- *May 27, 2016 – Javier Barbosa*
- *June 10, 2016 – Suzanne Donazetti and ARTsmart Poster Reception*
- *June 24, 2016 – Marshall Noice*
- *July 8, 2016 – Joseph Bellacera*

[Item H-1.pdf](#)

2) *Request from Meow Wolf for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Beer and Wine at Meow Wolf, 1352 Rufina Circle, Which is Within 300 Feet of La Petite Academy, 1361 Rufina Circle. The Request is for the Following Events, with Alcohol Service from 6:00 p.m. to 1:00 a.m.: (Yolanda Y. Vigil)*

- *April 29, 2016 – Lindyvision*
- *April 30, 2016 – Steffen Bennemann*
- *May 3, 2016 – Chicano Batman*
- *May 6, 2016 – Jane Fitz*
- *May 7, 2016 – Primal*
- *May 12, 2016 – Eliza Richman*
- *May 13, 2016 – Community Night*
- *May 14, 2016 – Motion Flux*
- *May 20, 2016 – Rubedo*
- *May 21, 2016 – Evet (Balkan Group)*
- *May 27, 2016 – Cassergrain*
- *May 28, 2016 – Sepalcure*
- *May 29, 2016 – Memorial Day Weekend Sunday - Outdoor music with local DJs, food trucks and outdoor activities*

[Item H-2.pdf](#)

3) *Request from Christopher Martin Gallery for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Wine at Christopher Martin Gallery, 644 Canyon Road, Which is Within 300 Feet of the Santa Fe Monthly Meeting of Friends (Quaker House), 630 Canyon Road. The Request is for the Grand Opening Event Which Will be Held on May 6 and May 7, 2016, from 4:00 P.M. to 9:00 P.M., With Alcohol Service from 4:30 P.M. to 8:30 P.M. (Yolanda Y. Vigil)*

[Item H-3.pdf](#)

4) *CONSIDERATION OF BILL NO. 2016-14: ADOPTION OF ORDINANCE NO. 2016-____. (Councilor Ives and Councilor Trujillo)*
An Ordinance Amending Subsection 23-6.2 SFCC 1987 to Permit the Sale and Consumption of Alcohol at Fort Marcy Ballpark for the Bike and Brew Event and Limit the Maximum Alcohol Content of Beer to Eight Percent. (Zackary Quintero)

[Item H-4.pdf](#)

5) *CONSIDERATION OF BILL NO. 2016-15: ADOPTION OF ORDINANCE NO. 2016-____. (Councilor Trujillo, Councilor Lindell and Councilor Ives)*
An Ordinance Relating to the Sale and Consumption of Alcohol on City Property; Amending Subsection 23-6.2 SFCC 1987 to Authorize the Sale and Consumption of Wine Only in the Areas Designated for Concessions and Seating at Fort Marcy Ballpark in Accordance with State and Local Laws and Regulations. (Alfred Walker and Jesse Guillen)

[Item H-5.pdf](#)

6) *CONSIDERATION OF BILL NO. 2016-16: ADOPTION OF ORDINANCE NO. 2016-____. (Councilor Maestas, Councilor Trujillo and Councilor Dominguez)*
An Ordinance Authorizing an Amendment to the 2012 General Obligation (GO) Bond Parks and Trails Implementation Plan to Reallocate \$311,354 Currently Designated for Various City Park Improvements to Other City Parks With High Maintenance Needs. (Robert Carter) Note: This Caption May Be Amended In Accordance with a Proposed Amendment in the Packet.

[Item H-6.pdf](#)

7) *CONSIDERATION OF BILL NO. 2016-17: ADOPTION OF ORDINANCE NO. 2016-____. (Councilor Maestas, Mayor Gonzales and Councilor Ives)*

An Ordinance Amending Section 14-6.2 of the Land Use Development Code to Remove Certain Limitations on Short-Term Rental Dwelling Units; Amending the Fee Schedule for a Short-Term Rental Permit; and Requiring that Permit Holders Pay All Applicable Taxes or be Subject to Certain Penalties. (Randy Randall and Lisa Martinez) (Postponed to the May 11, 2016 Governing Body Meeting)

a) *CONSIDERATION OF RESOLUTION NO. 2016-____. (Councilor Maestas, Mayor Gonzales and Councilor Ives)*

A Resolution Establishing the Number of Short-Term Rental Permits the City of Santa Fe Land Use Department May Issue. (Randy Randall and Lisa Martinez) (Postponed to the May 11, 2016 Governing Body Meeting)

[Item H-7.pdf](#)

I. ADJOURN -

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been addressed, the meeting should be reconvened at 7:00 p.m., the following day and shall be adjourned not later than 12:00 a.m. Agenda items, not considered prior to 11:30 p.m., shall be considered when the meeting is reconvened or tabled for a subsequent meeting.

NOTE: New Mexico law requires the following administrative procedures be followed when conducting “quasi-judicial” hearings. In a “quasi-judicial” hearing all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross-examination. Witnesses have the right to have an attorney present at the hearing.

Persons with disabilities in need of accommodations, contact the City Clerk’s office at 955-6521.