



Agenda

CITY CLERK'S OFFICE

DATE 4/14/14 TIME 8:26am

SERVED BY Jessica Pfeifer

RECEIVED BY [Signature]

PUBLIC SAFETY COMMITTEE
Tuesday, April 19, 2016
4:00 PM
City Council Chambers
200 Lincoln Avenue, Santa Fe, NM 87501

1. Roll Call
2. Approval of agenda
3. Approval of Tuesday, February 16, 2016 minutes
4. New business: Action Item

A. A RESOLUTION DIRECTING THE CITY OF SANTA FE FIRE DEPARTMENT TO WAIVE EMT STANDBY FEES FOR THE SANTA FE SUMMER SERIES AND FALL FUN SERIES EQUESTRIAN EVENTS AT THE EQUICENTER DE SANTA FE; AND AUTHORIZING THE PAYMENT OF SAID FEES FROM A PORTION OF THE LODGERS TAX DEDICATED FOR PUBLIC SAFETY OVERTIME COSTS. (Councilor Rivera) (Chief Litzenberg / Randy Randall)

B. 2015 Emergency Management Performance Grant (EMPG) Program Per-Diem Sub-Grant Agreement, City has been awarded \$53,250.00 from the NM Department of Homeland Security, City must match \$53,250.00 for a total grant award of \$106,500.00 (David Silver, Emergency Manager)

5. Matters from Municipal Court Judge Virginia Vigil
6. Matters from Police Chief Patrick Gallagher
7. Matters from Fire Chief Erik Litzenberg
8. Matters from the Regional Emergency Communications Center Ken Martinez
9. Communications from the Floor
10. Matters from Committee Members
11. Adjournment

For information regarding the agenda, you can call Jessica Pfeifer at 955-5074. Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520, five (5) working days prior to meeting date.

INDEX SUMMARY OF MINUTES

Public Safety Committee

February 16 2016

<u>INDEX</u>	<u>ACTION TAKEN</u>	<u>PAGE(S)</u>
Cover Page		2
Call to Order and Roll Call		Page 1
Review and Approval of Agenda No Changes from Staff	Councilor Bill Dimas, Chair called the meeting to order at 4:00 pm. A quorum was not present. Meeting continued with no formal actions.	Page 2
Approval of January 26, 2016 Corrections: A quorum did exist, minutes reflect lack of quorum. Mr. Mizrahi – Ms. Mizrahi Remove Interim Chief of Police, Chief of Police Patrick Gallagher	<i>Mr. Harris moved to approve the agenda as presented, second by Mr. Mizrahi, motion carried by unanimous voice vote.</i>	Page 2
New Business – Action Items. A. Resolution establishing a New Year’s Event on the Plaza as an annual tradition as part of the People to the Plaza initiative.	<i>Mr. Mizrahi moved to approve the minutes of January 26, 2016 as amended, second by Mr. Harris, motion carried by unanimous voice vote.</i>	Page 2
Matters from Municipal Judge Ann Yalman	<i>Dr. Mier moved to approve resolution establishing a New Year’s Event on the Plaza as an annual tradition as part of the people to the plaza initiative with the condition that an updated FIR reflecting the actual cost for added fire and police staffing be provided, second by Chief Johnson, motion carried by unanimous voice vote.</i>	Page 3
Matters from Police Chief Patrick Gallagher	<i>Report included in packet.</i>	Page 3
Matters from Assistant Fire Chief Babcock	<i>Informational</i>	Page 3-4
Matters from the Regional Emergency Communications Center	<i>Informational</i>	Page 4
Matters from Committee Members	<i>Not in attendance</i>	Page 4
Communications from the Floor	<i>Informational</i>	Page 5
Adjournment and Signature Page	Meeting was adjourned at 4:45 pm	Page 4
		Page 5

City of Santa Fe

Public Safety Committee Meeting – February 16, 2016

Minutes – Draft Until Approved

Fran Lucero, Stenographer
2/16/2016

PUBLIC SAFETY COMMITTEE
Tuesday, February 16, 2016, 4:00 pm – 4:45 pm
City Council Chambers
Santa Fe, NM

MINUTES

Meeting was called to order at 4:00 pm by Councilor Dimas, Chair for the Public Safety Committee. Roll call reflects a quorum.

1. Roll Call

Present

Councilor Bill Dimas, Chair
Peter Mizrahi
Herbert Harris
Joe Arellano
Dr. Mike Mier
Eric Johnson

Absent/Excused

Dr. Nancy Owen Lewis
Mike Bowen

Others Present:

Patrick Gallagher, Santa Fe Police Chief
M. Salbidrez, Assistant Police Chief
Greg Gurule, Public Information Officer, SFPD
Jesse Guillen, Legislative Liaison
Erik Litzenberg, Santa Fe Fire Chief
Nancy Jimenez, Police Fiscal Administrator
Fran Lucero, Stenographer

2. Approval of Agenda

No Changes.

Mr. Harris moved to approve the agenda as presented, second by Mr. Mizrahi, motion carried by unanimous voice vote.

3. Approval of Minutes January 26, 2016

Corrections:

A quorum did exist, minutes reflect lack of quorum.

Mr. Mizrahi – Ms. Mizrahi

Remove ~~Interim~~ Chief of Police, Chief of Police Patrick Gallagher

Mr. Mizrahi moved to approve the minutes of January 26, 2016 as amended, second by Mr. Harris, motion carried by unanimous voice vote.

4. **New Business: Action Item**

- A. Resolution establishing a New Year's Event on the Plaza as an annual tradition as part of the People to the Plaza initiative.

Mr. Guillen provided an update on the success of the first New Year's Event and expressed the Mayor and Council's wishes to have this event continue for future years. Chief Gallagher would like to increase the police coverage and anticipates doubling the staff for public safety not only in the plaza but around the vicinity. This will require overtime hours for police staffing. Chief Litzenberg also provided staffed resources on the plaza and stated that in the future in addition to fire staffing an ambulance and additional staff would be needed.

Mr. Harris asked if the FIR includes the increase in staffing and salaries for police and fire. Mr. Guillen said that it does not look like the total personnel cost is reflected.

Dr. Mier said that before this moves on he would like to see the FIR corrected and reflect the amount that will be needed for staffing. The Chair said that \$50,000 was the professional services budget allocated and in the FIR it says for parks. Mr. Guillen did not have a response for this line item allocation. Dr. Mier would like to see law enforcement and fire salaries reflected for the cost incurred and for the future projection.

It was asked when action will be taken on this resolution. Mr. Guillen said that it probably will not go to the City Council until approximately March, 2016 as it continues to go through committees.

Dr. Mier moved to approve resolution establishing a New Year's Event on the Plaza as an annual tradition as part of the people to the plaza initiative with the condition that an updated FIR reflecting the actual cost for added fire and police staffing be provided, second by Chief Johnson, motion carried by unanimous voice vote.

5. **Matters from Municipal Court Judge Ann Yalman**

Report included in packet.

6. **Matters from Police Chief Patrick Gallagher**

Crime update report was presented verbally to the Public Safety Committee. The only crime that shows a significant increase is auto theft. Detective unit is looking in to this and evaluating what could be the causes. Chief Gallagher said that there are processes that are being discussed in order to get this matter under control. We have touched base with the FBI but they don't see a need to get involved at this time.

Staffing: We are swearing in one officer today, we still have 20 vacancies as of today. We have had a high rate of failure in the written test and with the new changes implemented we had more individuals pass the test this go round. It is important to say that we have not compromised any of the requirements in the testing we have made the verbiage easier to understand. We have five more testing dates coming up between February and April, 2016.

Mr. Greg Gurule was introduced as the new Public Information Officer for the Santa Fe City Police. At each future meeting we would like to highlight positive work that has been done by our officers.

Chief Gallagher said that as a standard item under his report every month, he would like to recognize those officers that do exemplary service for the month. Assistant Chief Salbidrez proceeded to give this report.

Assistant Chief Salbidrez provided a verbal report naming the officers that have gone over and above the call of duty.

Chief provided stats related to in-house narcotic unit. 109 cases have been generated, 78 have resulted in arrests, 280 drug tips thru hotline, 9 generated a case and 2 have been closed out. Staff meetings are held every Monday and we ask the senior staff to bring forth any positive feedback on the officers. Officer Casias, Officer Garcia, Officer McKennon, Officer Chandlin – were recognized for calls of duty such as assisting a woman who has been assaulted for money and going over and beyond to apprehend the offender, drug cases and persistence in investigating and identifying the individual leading to an arrest, car theft investigation leading to an arrest, felony aggravated assault resulting in an arrest. Details were provided to the Public Safety Committee members for each act in recognizing the outstanding public safety service and added effort these officers have made.

The Chair commended the work of the Santa Fe Police Department and looks forward to continued success results in identifying and incarcerating the drug sellers. The LEAD program is doing an excellent job and hopes that the community continues to support this program. Councilor Dimas is very proud of the Santa Fe Police Department, every officer should be commended, continue to do the good work and hopefully the City of Santa Fe will continue to financially support public safety. Councilor Dimas hopes and encourages the Public Safety Committee members to continue supporting both Fire and Police and do as much as can be done to reflect on their successes. Thank you to the PSC members for the fine job and unselfish contribution of time and effort made serving as PSC members as this was Councilor Dimas last meeting as Chair. Councilor Dimas offered his support to this committee at any time there is a need and assured everyone that he will also stay involved through his community involvement. Thank you to the Fire and Police Departments for a great job.

7. Matters from Fire Chief Erik Litzenberg

Chief Litzenberg stated that with all the snow we have had the SFFD has assisted with many car accidents and many trips have been made up to the Santa Fe Ski Basin. The fire projections are being reviewed and the SFFD is preparing for the dry/fire season in the spring.

Fund Raiser – Children with Cancer function at Santa Ana – March 13th – you will see a lot of “bald fire fighters” in support of these children suffering from cancer and for this event.

Chief Litzenberg expressed his thank you to Councilor Dimas for support throughout the years, you will be missed and congratulations on your future endeavors.

Councilor Dimas said thank you for the outstanding job that the Santa Fe Fire Department does and in particular Chief Litzenberg.

8. Matters from the Regional Emergency Communications Center Ken Martinez

Not in attendance.

9. Communications from the Floor

Mr. John Dressman, Santa Fe Downtown Association representative spoke to the problems they are having in the plaza with the buskers. He feels it is necessary for the Police Department to familiarize themselves with the ordinance and to be able to approach the buskers when there are problems. The buskers have to secure a license and they have to sign an acceptance of the rules. This would affect New Year’s Eve as there is other music on the plaza and we should assure that law enforcement is aware of this.

10. Matters from Committee Members

Dr. Mier – This is a request for the Parks Department – There is a large-tall hedge/bush by Trader Joe’s that should be trimmed, it is obstructing the view of traffic. Staff will follow up on this request.

Councilor Dimas asked that we look in to graffiti on Zia Road. Staff to look in to this.

Chief Johnson expressed his thank you to Councilor Dimas for all of his support and the work he has done in public safety.

Mr. Mizrahi also expressed his thanks to Councilor Dimas as their friendship goes back many years, thank you for all of his work and support.

Ms. Jimenez noted that with elections taking place in March, deadline for agenda items and the appointment of new members and a Chair after the election; March meeting is cancelled.

Next meeting scheduled for April 19, 2016.

11. Adjournment

There being no further business to come before the Public Safety Committee, the meeting was adjourned at 4:45 pm.

Signature Page for the Public Safety Committee:

Councilor Bill Dimas, Chair



Fran Lucero, Stehographer

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

Resolution No. 2016-____
Equicenter EMT Fees

SPONSOR(S): Councilor Rivera

SUMMARY: The proposed resolution directs the City of Santa Fe Fire Department to waive EMT standby fees for the Santa Fe Summer Series and Fall Fun Series Equestrian Events at the Equicenter de Santa Fe; and authorizing the payment of said fees from a portion of the lodgers tax dedicated for public safety overtime costs.

PREPARED BY: Rebecca Seligman, Legislative Liaison Assistant

FISCAL IMPACT: Yes

DATE: April 12, 2016

ATTACHMENTS: Resolution
FIR

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2016-_____

INTRODUCED BY:

Councilor Christopher M. Rivera

A RESOLUTION

**DIRECTING THE CITY OF SANTA FE FIRE DEPARTMENT TO WAIVE EMT
STANDBY FEES FOR THE SANTA FE SUMMER SERIES AND FALL FUN SERIES
EQUESTRIAN EVENTS AT THE EQUICENTER DE SANTA FE; AND AUTHORIZING
THE PAYMENT OF SAID FEES FROM A PORTION OF THE LODGERS TAX
DEDICATED FOR PUBLIC SAFETY OVERTIME COSTS.**

WHEREAS, the Santa Fe Summer Series 2016 presented by Grand Prix de Santa Fe will
take place between July 27, 2016 and August 14, 2016; and

WHEREAS, the Santa Fe Fall Fun Series will take place between August 24 and
September 4, 2016 and between September 14 and September 25, 2016; and

WHEREAS, the events over a period of seven weeks will take place at the Equicenter de
Santa Fe; and

WHEREAS, events such as this provide an expanded dimension for Tourism Santa Fe,
increasing the diversity of the guests we welcome to the city; and

WHEREAS, the City of Santa Fe is being requested to waive the EMT standby fees for

1 the required presence of medical personnel throughout the duration of the event.

2 **NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
3 **CITY OF SANTA FE** that the City of Santa Fe Fire Department is directed to waive the EMT
4 standby fees for the SANTA FE Summer Series and the Fall Fun Series equestrian events to be
5 held at the Equicenter de Santa Fe.

6 **BE IT FURTHER RESOLVED** that these fees will be paid from a portion of the
7 Lodgers Tax directed for public safety overtime costs.

8 **BE IT FURTHER RESOLVED** that EMT standby fees shall be waived in 2017 at fifty
9 percent of total 2016 costs, or of current year costs, whichever is lower; and shall be waived in
10 2018 at twenty-five percent of total 2016 costs, or of current year costs, whichever is lower.

11 PASSED, APPROVED AND ADOPTED this ____ day of _____, 2016.

12
13
14 _____
JAVIER M. GONZALES, MAYOR

15 ATTEST:

16
17 _____
18 YOLANDA Y. VIGIL, CITY CLERK

19 APPROVED AS TO FORM:

20 
21 _____
22 KELLEY A. BRENNAN, CITY ATTORNEY

City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: _____ Resolution: X

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): A RESOLUTION DIRECTING THE CITY OF SANTA FE FIRE DEPARTMENT TO WAIVE EMT STANDBY FEES FOR THE SANTA FE SUMMER SERIES AND FALL FUN SERIES EQUESTRIAN EVENTS AT THE EQUICENTER DE SANTA FE; AUTHORIZING THE PAYMENT OF SAID FEES FROM A PORTION OF THE LODGERS TAX DEDICATED FOR PUBLIC SAFETY OVERTIME COSTS; AND AUTHORIZING EMT STANDBY FEE WAIVERS IN 2017 AT 50% OF COST, AND IN 2018 AT 25% OF COSTS.

Sponsor(s): Councilor Rivera

Reviewing Department(s): Tourism/Fire Department

Persons Completing FIR: Randy Randall/Chief Litzenberg Date: 4/11/16 Phone: x6209/x3111

Reviewed by City Attorney: Kelly A. Burman Date: 4/12/16
(Signature)

Reviewed by Finance Director: [Signature] Date: 4-12-2016
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:

This resolution would waive EMT standby fees for events held at the Equicenter de Santa Fe over a seven-week period in 2016. The fees would be paid for by a portion of the Lodgers Tax dedicated for public safety overtime costs. In 2017 the City would waive 50% of the costs while in 2018 the City would waive 25% of the costs. Equicenter de Santa Fe would be responsible for the full costs of coverage beginning in 2019.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: _____

_____ Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Total:	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY <u>16/17</u>	"R" Costs Recurring or "NR" Non-recurring	FY <u>17/18</u>	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected

<u>EMT Fees</u>	<u>\$(31,850)</u>	_____	<u>\$(15,925)</u>	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
Total:	<u>\$(31,850)</u>	_____	<u>\$(15,925)</u>	_____	_____	_____

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

The City will waive the full cost of having EMTs on standby for the Summer and Fall series' at the Equicenter de Santa Fe in 2016. The City will then waive 50% of costs in 2017 and 25% of costs in 2018.

Section D. General Narrative

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None identified.

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

The City would not waive the EMT standby fees for the event.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None identified.

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

This resolution would allow the Equicenter de Santa Fe to promote their summer and fall events that could bring additional tourism to the area in the future. Waiving these fees would provide a potential boost for a successful event, ensuring it returns in subsequent years. Not waiving the fees would present the event coordinators with a significant cost hurdle to overcome in order to be successful and stage the event in future years. Subsequent years would see the level of fee waivers provided by the City reduced to 50% in 2017 and 25% in 2018.

City of Santa Fe, New Mexico

memo

Date: 11 April 2016

To: Public Safety Committee

Finance Committee

City Council

From: David Silver, Emergency Manager

Subject: 2015 Emergency Management Performance Grant Per Diem Acceptance

Item:

Attached is the 2015 Emergency Management Performance Grant (EMPG) Program Per Diem Sub-grant agreement, awarded on January 6, 2016, covering the period between October 1, 2015 and August 31, 2016. The City of Santa Fe has been awarded \$53,250.00 which shall be used to support activities essential to the ability of states, territories, and urban areas to prepare for, prevent, and respond to terrorist attacks and other all-hazards events. The matching amount required for this grant is \$53,250.00. This match can be either a cash or in-kind match. The Budget Adjustment Request is attached for reference. This sub-grant will be presented to the following Committees:

- Public Safety: April 19, 2016
- Finance: May 2, 2016
- City Council: May 11, 2016

The sub-grant expires on August 31, 2016. Below is an outline of the projects to be funded through this sub-grant:

Project	Amount	Match	Bus. Unit/Line Item
1 – Emergency Management Per Diem	\$1,000.00	Cash	22790/560500
2 – Santa Fe Police Department – SWAT & EOD Team Training	\$60,000.00	In-Kind	
3 – Santa Fe OEM Exercise Program	\$10,000.00	In-Kind	
4 – Santa Fe Fire Department – Hazmat Team/ Tech Rescue Training	\$35,500.00	In-Kind	

The Emergency Manager is responsible for ensuring the conditions of this grant are met, including providing and receiving required training, conducting emergency response exercises, and developing and maintaining appropriate emergency management plans for the City.

If you have any questions, please do not hesitate to contact me at dmsilver@santafenm.gov, 505-955-6537 (w), 505-629-3958 (c).



**NEW MEXICO DEPARTMENT OF HOMELAND SECURITY
& EMERGENCY MANAGEMENT
Sub-Grant Agreement**

2015 Emergency Management Performance Grant Program
2015 Federal Grant No. EMW-2015-EP-00066-S01 CFDA No. 97.042

1. Sub-Grant No. EMW-2015-EP-00066-S01-Per Diem-City of Santa Fe	2. Recipient City of Santa Fe	3. FIDUCIARY City of Santa Fe	4. DFA VENDOR NUMBER/DUNS NUMBER 54360 / 069420818
5. Recipient Address City of Santa Fe PO Box 909 Santa Fe, NM 87504		6. Issuing Office and Address NEW MEXICO DEPARTMENT OF HOMELAND SECURITY AND HOMELAND SECURITY AND EMERGENCY MANAGEMENT PO BOX 27111 SANTA FE, NM 87502	
7. Effective Date of This Action October 1, 2015	8. DHSEM Grant Specialist: Margaret Burger		Phone: 505-476-9615 Fax: 505-476-9695 Email: dhsem.grants@state.nm.us
9. Termination Date August 31, 2016			
10. Funding: Total Federal Awarded Amount: \$106,500.00 Total Jurisdiction Matching Amount: \$106,500.00			
11. Grant Requirements, Assurances and Agreements: (see Grant Requirements, Assurances and Agreements) <i>The acceptance of a grant from the United States creates a legal duty on the part of the grantee to use the funds or property made available in accordance with the conditions of the grant through the State.</i>			
12. Special Conditions: Grant funds cannot be expended until these conditions have been met.			
<ol style="list-style-type: none"> 1. Award Amount is a funding allocation, and is not to be construed as expenditure authorizations or approvals. Grant program guidelines and Federal, State, and local contracting and procurement compliance requirements apply 2. Quarterly financial and programmatic reports must be current in order for DHSEM to process requests for reimbursement. All expenses related to time, on both the quarterly financial report and the request for reimbursement must correlate to the specific performance period of the sub-grant agreement. 3. All EMPG sub-grantees must be NIMS compliant and must undergo a yearly NIMS site visit and complete their jurisdictions NIMS assessment on or before September 30, 2015. 4. All EMPG sub-grantees are required to develop a Multi-Year Training and Exercise Plan (TEP) and update it annually. 5. Local EOP's must be current within 2 - 3 years. 6. Local THIRA must be updated and submitted to DHSEM by May 30, 2016 7. <u>No backfill, overtime or meals will be reimbursed under this grant.</u> 			

13. Recipient is required to sign and return the original of this document, as well as the signed and accepted grant requirements, assurances and agreements to the Issuing Address in block 6, within 30 days from the date of issuance.	
14. Signature of Jurisdiction Grant Specialist/Program Manager	Date: _____ Phone: _____ Fax: _____ Email: _____
Printed Name:	
15. Signature of Jurisdiction Chief Financial Officer	Date: _____ Phone: _____ Fax: _____ Email: _____
Printed Name:	
16. Signature of Jurisdiction Signatory Official	Date: _____ Phone: _____ Fax: _____ Email: _____
Printed Name and Title:	
17. DHSEM Signatory Official (Name and Title)	Date: _____

Grant Terms and Conditions

City of Santa Fe has been awarded **\$106,500.00** which shall be used to support activities essential to the ability of states, territories, and urban areas to prepare for, prevent, and respond to terrorist attacks and other all-hazards events.. The matching amount required for this grant is **\$106,500.00**.

The scope of work is as follows:

- Project 1 - Emergency Management - Per Diem - \$1,000.00
- Project 2 - Santa Fe Police Department - SWAT & EOD Team Training - \$60,000.00
- Project 3 - Santa Fe OEM - Exercise Program - \$10,000.00
- Project 4 - Santa Fe Fire Department - Hazmat Team/ Tech Rescue Team Training - \$35,500.00

The performance period of this grant award is **October 1, 2015** through **August 31, 2016**. **City of Santa Fe** cannot sub-grant any part of this award to any other entity or organization. All awards require confirmation within the first reporting quarter that expenditures in the budget category toward projects will be made, or DHSEM will execute de-obligation of the funds.

(A) **Changes to Award:** All change requests must be submitted in writing, or electronically to the DHSEM Grant Specialist, accompanied by a justification narrative and budget/spending plan, for review and approval. Changes must be consistent with the scope of the project and grant guidelines. Requests for changes will be considered only if the reporting requirements are current, and if terms and conditions have been met at the time the request. Changes in the programmatic activities, or purpose of the project, changes in 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.

(B) **NEPA/EHP Compliance;** The 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. 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. Recipient must comply with all mitigation or treatment measures required for the project as the result of FEMA's 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 recipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the 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.

(C) **Reporting Requirements:** **City of Santa Fe** shall submit timely quarterly *Financial Progress Reports* to the Grant Specialist at DHSEM. For grant awards, the sub-recipient is required to submit a quarterly Performance Report to the Program Specialist within the Preparedness Bureau. Blank forms are located electronically at www.nmdhsem.org, and may be reproduced. Jurisdictions must check the web site quarterly for most current forms. **Use of outdated forms will not be accepted.** Quarterly reports are due: January 30, April 30, July 30, and October 30 for each calendar year the grant is open. The final report is due the following quarter after all funds have been reimbursed to the jurisdiction. *Financial Progress Reports* shall describe the status of the funds, show encumbrances, and receipts of program income, cash or in-kind contributions to the project, 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.

(D) Additional Reporting Requirements: 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 extends to reporting any legal action, lawsuit, bankruptcy, or other action that may jeopardize the successful completion of any authorized project.

(E) 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 project narrative and grant guidelines, and submission of timely *Financial Progress Reports*. Payments may be withheld pending correction of deficiencies. Reimbursement of expenditures may be requested at any time within the performance period. Expenditures must be supported with source documentation (e.g. copies of invoices, receipts, timesheets with name/wage/hours, cost allocation, warrants, etc.). Grant staff will not process reimbursement, until performance/fiscal quarterly reports are submitted.

- **Personnel Costs:** FOR EMPG GRANTS ONLY – All time reported must correlate with the specific term of the sub-grant agreement. Payroll reports signed and certified by the chief financial officer that capture the employee name, position, coded allocation to the project, amount paid, are acceptable. Staff may not self-certify their own time and wages. The sub-recipient shall retain all supporting payroll records, including time and attendance records signed by the employee and supervisor and copies of warrants as per the recordkeeping requirements.
- **Contracts:** All sole-source procurements, single vendor response to a competitive bid, and contracts over \$100,000 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) on the Responder Knowledge Base (RKB) at www.rkb.mipt.org. Documentation required per instructions attached to DHSEM quarterly reports.
- **Travel:** All reimbursable travel must be pre-approved by DHSEM 30 days prior to 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 30 days after conduct of the exercise.
- **Food and Beverages:** Per National Preparedness Directorate (NPD) allowances, food and/or beverage expenses provided by recipients are allowable costs if:
 - (1) 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
 - (2) Expenses incurred for food and/or beverages, and provided at training sessions, meetings, or conferences, satisfy the following tests:
 - (a) The cost of the food and/or beverages provided is considered to be reasonable;
 - (b) The food and/or beverages provided are subject of a work-related event and work continues after meals are served;
 - (c) Participation by all participants is mandatory; and
 - (d) 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).**

(F) Non-reimbursable Expenses:

- Transfer of funds between any programs (SHSP, LETPP, CCP, MMRS)
- Contracts, single vendor response to a competitive bid, and procurements > \$100,000 not pre-approved by DHSEM
- Sole source contracts and procurements 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.
- Hiring of sworn public safety officers to fill traditional public safety duties or to supplant traditional public safety positions and responsibilities
- 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 in excess of 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 payment. Unsupported expenditures will be returned to the jurisdiction for resubmission.

(G) Property and Equipment Management: 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* is available at www.nmdhsem.org and 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.

(H) Procurement: Procurement shall comply with local procurement policies and procedures, and conform to applicable State and Federal law and the standards identified in the Procurement Standards Sections of *28 CFR Parts 66 and 70, and 2 CFR Part 215 "Uniform Administrative Requirements for Grants and Cooperative Agreements with State and Local Governments."* 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 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.**

(I) Contracts: Any contract entered into during this grant period shall comply with local, State and Federal government contracting regulations. Contracts for professional and consultant services must include local, 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 market place. Detailed invoices and time and effort reports are required for consultants.

(J) 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.*

(K) 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 *OMB Circular A-133*. **City of Santa Fe** 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 *OMB Circular A-133*. Copies of audit findings must be submitted to DHSEM within 30 days after **City of Santa Fe** receives its audit report, or within a 9-month period of the grant closeout date, whichever is earlier, 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.

(L) Recordkeeping Requirements: 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.

(M) Performance Measures: Quarterly *Progress Reports* shall demonstrate performance and progress relative to: Acceptable performance on applicable critical tasks in Exercises using approved scenarios

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

(N) 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 the financial, programmatic and administrative policies and procedures such as, accounting for receipts and expenditures, cash management, maintaining adequate financial records, means of allocating and tracking costs, contracting and procurement policies and records, payroll records and means of allocating staff costs, property/equipment management system(s), progress of project activities, etc. This may include desk and field audits. Technical assistance is available from DHSEM staff.

(O) 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.

- a. Unwillingness or inability to attain project goals
- b. Unwillingness or inability to adhere to Special Conditions listed in Block 12
- c. Failure or inability to adhere to grant guidelines and federal compliance requirements
- d. Improper procedures regarding contracts and procurements
- e. Inability to submit reliable and/or timely reports
- f. Management systems which do not meet federal required management standards

(P) 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 5 days notice 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 payment 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.

(Q) Termination 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.

(R) Project Implementation: Due to the competitiveness of the Homeland Security grant program, approved projects shall be ready-to-go. Project implementation shall begin within the first reporting quarter.

- a. If a project cannot be operational within the first reporting quarter of the approved award date, the sub-grantee must submit a written statement signed by the signatory officials to DHSEM, justifying the implementation delay, expected starting date, and a formal request to extend the project start date past the first reporting quarter. At the discretion of DHSEM, the grant award is subject to cancellation and funds may be de-obligated and reallocated to other projects.

Grant Requirements, Assurances and Agreements (continued from Section 11 of the Award)

(A) The performance period for this grant award is October 1, 2015 through August 31, 2016. Monies may not be obligated outside of this time period. 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 45 days of the end of the performance period when the Final Progress Reports are due.

(B) The sub-recipient shall comply with the requirements and restrictions of the 2014 State Emergency Management Performance Grant Guidance and State Guidelines. By signing this obligating award document, the sub-recipient certifies it has read, understood and accepted these documents as binding.

(C) The signature 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.

(D) The signature of the signatory officials on this award attests to 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.

(E) Jurisdiction 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.

(F) Jurisdiction 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, Americans with Disabilities Act of 1991. Jurisdiction 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.

(G) Jurisdiction certifies that it has an Affirmative Action Plan/Equal Employment Opportunity Plan (for USDHS/DOJ grants). An EEOP is not required for recipients of less than \$25,000.00 or fewer than 50 employees.

(H) Jurisdiction certifies that its employees are eligible to work in the U.S. as verified by Form I-9, Immigration & Naturalization Service Employment Eligibility.

- (I) It is the responsibility of Jurisdiction as the recipient of these federal funds to fully understand and comply with the requirements of:**
- a. Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the "A-102 Common Rule"). These A-102 requirements are also located within DHS regulations at Title 44, Code of Federal Regulations (CFR) Part 13.
 - b. OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to 2 CFR Part 215.

The cost principles that apply to DHS award recipients through a grant cooperative agreement originate from one of the following sources:

- c. OMB Circular A-21, Cost Principles for Educational Institutions, relocated to 2 CFR Part 220.
- d. OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal
- e. Governments, relocated to 2 CFR Part 225.
- f. OMB Circular A-122, Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230.

The audit requirements for State, Local and Tribal recipients of DHS awards originate from:

- g. OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

The above requirements are found at: www.whitehouse.gov/omb/circulars/index.html

- h. OGO Financial Guide www.dhs.gov/dhspublic/interweb/assetlibrary/Grants_FinancialManagementGuide.pdf
- i. New Mexico State Procurement Code <http://www.conwaygreene.com/nmsu/lpext.dll?f=templates&fn=main-h.htm&2.0>
- j. New Mexico Administrative Code Title 2 – Public Finance <http://www.nmcpr.state.nm.us/NMAC/title02/title02.htm>

We certify we have read, understood, and accept the Grant Terms and Conditions, the Grant Requirements, and Assurances and Agreements, in accordance with this Award.

Grant Specialist's/Program Manager's Signature

Chief Financial Officer's Signature

Signatory Official's Signature



**NEW MEXICO DEPARTMENT OF HOMELAND SECURITY
& EMERGENCY MANAGEMENT**
Sub-Grant Amendment
 2015 Emergency Management Performance Grant Program
 2015 Federal Grant No. EMW-2015-EP-00066-S01 CFDA No. 97.042

1. Sub-Grant No. EMW-2015-EP-00066-S01-Per Diem-City of Santa Fe	2. Recipient City of Santa Fe	3. Amendment Number <p align="center">1</p>	
5. Recipient Address <p align="center">City of Santa Fe PO Box 909 Santa Fe, NM 87504</p>		6. Issuing Office and Address New Mexico Department of Homeland Security & Emergency Management PO Box 27111 Santa Fe, NM 87502	
7. Effective Date of This Action: <p align="center">October 1, 2015</p>	8. DHSEM Grant Specialist: Margaret Burger	Phone: 505-476-9615 Fax: 505-476-9695 Email: DHSEM.Grants@state.nm.us	
9. Termination Date: <p align="center">August 31, 2016</p>			
10. Award Amount: <p align="right"> Total Federal Awarded Amount: \$53,250.00 Total Jurisdiction Matching Amount: \$53,250.00 </p>			
11. Type of Amendment: <p>This amendment is to correct the funding allocation for this sub-grant from \$106,500.00 Federal Awarded Amount and \$106,500.00 Local Jurisdiction Match Amount to \$53,250.00 federal award amount and \$53,250.00 Local Jurisdiction match amount in accordance with the application.</p> <p>All other terms and conditions remain the same.</p>			
12. Recipient is required to sign and return the original of this document, as well as the signed and accepted grant requirements, assurances and agreements to the Issuing Address in block 6, within 30 days from the date of receipt of amendment.			
13. Signature of Jurisdiction Grant Specialist/Program Manager Printed Name:		Date: _____ Phone: _____ Fax: _____ Email: _____	
14. Signature of Jurisdiction Chief Financial Officer Printed Name:		Date: _____ Phone: _____ Fax: _____ Email: _____	
15. Signature of Jurisdiction Signatory Official Printed Name and Title:		Date: _____ Phone: _____ Fax: _____ Email: _____	
16. DHSEM Signatory Official (Name and Title) M. Jay Mitchell, Cabinet Secretary		Date	

CITY OF SANTA FE:

JAVIER M. GONZALES, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

 

KELLEY A. BRENNAN, CITY ATTORNEY

APPROVED:

OSCAR S. RODRIGUEZ, FINANCE DIRECTOR

Business Unit/Line Item:
