



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
OCTOBER 31, 2018
CITY COUNCIL CHAMBERS

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 – October 10, 2018
9. PRESENTATIONS
10. CONSENT CALENDAR
 - a) Request for Approval of RFP #19/05/P in the Total Amount of \$140,000 for Four Years (\$35,000 per Year) for Library Courier Services for all Three Branches; Thunder Bird Express Inc. (Patricia C. Hodapp, Library Division Director, pchodapp@santafenm.gov, 955-6788)
 - b) Request for Approval of Amendment No. 1 to Professional Services Agreement in the Amount of \$15,848.36 for Construction Work at the Santa Fe Regional Airport; FacilityBuild Inc. (Curt Temple, Project Administrator, cetemple@santafenm.gov, 955-5935)
 - c) Request for Approval of Amendment No. 7 Using NM State Price Agreement #50-361-15-01844AD in the Total Amount of \$7,164 for Monthly Fee to Create Options to Upgrade Fiber Optic Network Circuits; Qwest Corporation d/b/a CenturyLink QC. (Larry Worstell, IT Infrastructure Manager, lfworstell@santafenm.gov, 955-5580)

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: October 26, 2018

TIME: 4:40 p.m.



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- d) Request for Approval of Amendment No. 2 to Cooperative Agreement in the Amount of \$52,170 for Support and Maintenance for Various Departments; CalAmp Radio Satellite Integrators, Inc. (Yodel Catanach, Contract Analyst, yocatanach@santafenm.gov, 955-5575 and Joshua Elicio, ITT Department Director, juelicio@santafenm.gov, 955-5576)
- e) Request for Approval of Professional Services Agreement in the Amount of \$426,000 for Monitoring and Maintenance of City's Single-Spaced Parking Meters for Three Years; IPS Group, Inc. (Noel Correia, Parking Division Director, npcorreia@santafenm.gov, 955-6611)
- f) Request for Approval of Change Order No. 4 to Professional Services Agreement in the Amount of \$11,862.44 for the Final Project Closeout Tax Adjustment for the Hospital Tank Project; AUI, Inc. (Kristin Johansen, Public Utilities Engineer, kgjohansen@santafenm.gov, 955-4279)
- g) Request for Approval of Amendment No. 2 to Professional Services Agreement for a Term Extension for Engineering Services Related to the Design of a New Buckman Regional Water Treatment Facility; Molzen Corbin & Associates. (Kristin Johansen, Engineer, Water Division. kgjohansen@santafenm.gov, 955-4279)
- h) Request for Approval of Amendment No. 1 to Professional Services Agreement in the Total Amount of \$20,000, Exclusive of NMGR, \$5,000 each Year for Four Years, Beginning FY2018/2019, for T&D Instrumentation PRV Sites; Yukon & Associates. (Mike Moya, Transmission & Distribution Section Manager, mrmoya@santafenm.gov, 955-4243)
- i) Request for Approval of Credit Adjustment in the Amount of \$69,266.33 for Overpayment Due to Waterleak; Oilstop. (Caryn Fiorina, Utility Billing Division Director, cyfiorina@santafenm.gov, 955-4364)
- j) Request for Approval of Procurement in the Amount of \$30,210 Using State Price Agreement #70-00016-00002 for a Pickup Truck for the Facilities Division; Melloy Chrysler-Jeep-Dodge-RAM (Los Lunas). (Isabel Lucero, Contract Analyst, islucero@santafenm.gov, 955-5930)



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- k) Request for Approval of Procurement of Water Service Connection Equipment Using State Price Agreements 60-000-15-00030 and 60-000-16-00067 and Water Meters and Supplies Using State Price Agreement 50-000-1500052; Vendors: Baker Utility Supply Corp., Core & Main LTD, Ferguson Water Works. (Mike Moya, Transmission & Distribution Section Manager, mrmoya@santafenm.gov, 955-4243)
- l) Request for Approval of Change Order No. 2 in the Total Amount of \$14,358.93 for Two Roof Access Safety Ladders at the Ft. Marcy Recreation Building; B&D Industries, Inc. (Jason M. Kluck, jmkluck@santafenm.gov, 955-5937)
- m) Request to Publish Notice of Public Hearing on December 12, 2018:
Bill No. 2018-19. An Ordinance Amending Section 9-3 SFCC 1987, the Public Campaign Finance Code, to Include a Definition for Qualified Small Contribution; Establishing a New Section Regarding Qualified Small Contributions; Establishing a New Section Mandating Matching Payments by the City; Establishing a New Section Regarding Reporting of Qualified Small Contributions and Matching Payments; and Replacing all References in Chapter 9 of Municipal Clerk to City Clerk. (Councilor Romero-Wirth, Councilor Ives and Councilor Villarreal) (Zach Shandler, Assistant City Attorney, zashandler@santafenm.gov, 955-6303)
- n) CONSIDERATION OF RESOLUTION NO. 2018-____. (Councilor Rivera)
A Resolution Stating the Official Intent of the City of Santa Fe to Reimburse Itself for Certain Costs Relating to the Improvements Expected to be Incurred by the City Prior to the Issuance of Tax-Exempt Bonds. (Brad Fluetsch, Financial Planning and Reporting Officer, bfluetsch@santafenm.gov, 955-6885)
- o) Request for Approval of Amendment No. 1 to Professional Services Agreement for City Hall Elevator Modernization (No Fiscal Impact); Kone Elevator. (Curt Temple, Facilities Division Project Administrator, cetemple@santafenm.gov, 955-5935)
- p) Request for Approval of Sole Source Procurement in the Amount of \$173,861.72 for Land Use and Police Support Service Software Agreement; Superion. (Yodel Catanach, Contract Analyst, yocatanach@santafenm.gov, 955-5575/Joshua Elicio, ITT Department Director, juelicio@santafenm.gov, 955-5576)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
OCTOBER 31, 2018
CITY COUNCIL CHAMBERS

11. MATTERS FROM THE CITY MANAGER
12. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Subparts (H)(5), (7) and (8), Discussion of Collective Bargaining Strategy; Discussion Regarding Disposal of Real Property, Specifically Leasing the Garson Studios of the Midtown Campus to Red Lotus Films International, LLC for a Term of Six Months; and Attorney-Client Privileged Discussion Regarding Litigation in Which the City of Santa Fe Is or May Become a Participant, Including But Not Limited to *Chicago v. Sessions* and *U.S. v. California*. (Erin McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6961)

13. Request for Approval of Six Month Lease of Garson Studios Located at the Midtown Campus; Red Lotus Films International, LLC. (Sean Moody, Asset Development Manager, sxmoody@santafenm.gov, 955-6213)
14. Request for Approval to Join the Litigation Discussed During Executive Session Either as an Amici or As a Party to the Litigation and Entry Into the Associated Legal Services Contract, if Applicable. (Erin McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6961)
15. MATTERS FROM THE CITY CLERK
16. COMMUNICATIONS FROM THE GOVERNING BODY



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
OCTOBER 31, 2018
CITY COUNCIL CHAMBERS

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
 - Parks and Recreation Advisory Commission
 - Mayor's Youth Advisory Board
 - Library Board
- H. PUBLIC HEARINGS:
 - 1) Request from Santa Fe Craft Cider, LLC, for a Wine Wholesaler Liquor License to be Located at Santa Fe Cider Works, 4363 Center Pl., Unit 9. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 505-955-6521)
 - 2) Request from Santa Fe Craft Cider, LLC, for a Winegrower Liquor License, with On-Premise Consumption and Package Sales to be Located at Santa Fe Cider Works, 4363 Center Pl., Unit 9. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 505-955-6521)
 - 3) Request from MIX Santa Fe for a Waiver of the 300-Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Alcoholic Beverages for a MIX Event at Descartes Labs, 100 N. Guadalupe Street, Which is Within 300 Feet of the Shrine of Our Lady of Guadalupe Church, 417 Agua Fria Street. The MIX Event Will be Held on Thursday, November 15, 2018, with Alcohol Service from 6:00 pm to 8:00 pm. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 505-955-6521)



Agenda

REGULAR MEETING OF
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CITY COUNCIL CHAMBERS

- 4) CONSIDERATION OF BILL NO. 2018-20: ADOPTION OF ORDINANCE NO. 2018-____. (Mayor Webber, Councilor Harris, Councilor Abeyta, Councilor Ives and Councilor Vigil Coppler)
An Ordinance Authorizing the Issuance and Sale of the City of Santa Fe, New Mexico Senior Lien Gross Receipts Tax Improvement Revenue Bonds, Series 2018A in an Aggregate Principal Amount Not to Exceed \$20,000,000 for the Purpose of Defraying the Cost of Constructing, Purchasing, Furnishing, Equipping, Rehabilitating, Making Additions to or Making Improvements to Public Buildings and Facilities or Purchasing or Improving Any Ground Relating Thereto, or Any Combination of the Foregoing Purposes, and Reconstructing, Resurfacing, Maintaining, Repairing or Otherwise Improving Existing Alleys, Streets, Roads or Bridges or Any Combination of the Foregoing; Provided that Any of the Foregoing Improvements May Include but are Not Limited to Acquisition of Rights of Way; Providing that the Bonds will be Payable and Collectible from Certain Gross Receipts Tax Revenues Distributed to the City; Approving the Selection of an Underwriter and Forms of a Preliminary Official Statement and Bond Purchase Agreement; Delegating Authority to the Mayor or, in the Mayor's Absence, the City Manager or Finance Director, to Approve the Final Principal Amount, Interest Rates and Other Details of the Bonds within the Parameters Set Forth in this Authorizing Ordinance, and to Execute and Deliver a Bond Purchase Agreement and Pricing Certificate for the Sale of the Bonds to the Underwriter; Providing for the Collection of Certain Gross Receipts Tax Revenues; Approving Certain Other Agreements and Documents in Connection with the Bonds; Ratifying Action Previously Taken in Connection with the Bonds; Repealing all Ordinances in Conflict herewith; and Related Matters. (Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 955-6171)
- a) Request for Approval of Selection of RBC Capital Markets as the Senior Managing Bond Underwriter and Piper Jaffray as Co-Underwriter; (Brad Fluetsch, Financial Planning and Reporting Officer, bfluetsch@ci.santafenm.gov, 955-6885)
- 5) CONSIDERATION OF BILL NO. 2018-21: ADOPTION OF ORDINANCE NO. 2018-____. (Councilor Villarreal)
An Ordinance Relating to the Land Development Code, Chapter 14 SFCC 1987; Amending Sections 14-10.2 and 14-10.3 to Provide Exceptions for Legal Nonconforming Single Family Dwellings; and Making Such Other Changes that Are Necessary to Carry Out the Purpose of this Ordinance. (Greg Smith, Planner Supervisor, gtsmith@santafenm.gov, 955-6957)



Agenda

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- 6) James Siebert of James Siebert and Associates, Inc., Agent, Representative for Las Soleras Oeste, LTD, Santa Fe Housing Trust, and Las Soleras Center LLC, Owner, Requests Reconsideration of the September 12, 2018 Decision of the Governing Body Approving Case #2018-50, Las Soleras Master Plan Amendment; Case #2018-48, Las Soleras Lot 11-B General Plan Amendment; and Case #2018-49, Las Soleras Lot 11-B Rezoning, Subject to Conditions Identified in Section II and Technical Corrections Listed in Exhibit A, as Recommended by the Planning Commission and by Staff for the Purpose of Further Consideration with Respect to Condition of Approval #1 Pertaining to Stabilization of Disturbed Soil. (Carol Johnson, Land Use Director, crjohnson@santafenm.gov, 955-6617)
- a) **Case #2018-50. Reconsideration of Las Soleras Master Plan Amendment.**
- b) RECONSIDERATION OF RESOLUTION NO. 2018-____.
Case #2018-48. Las Soleras Lot 11-B General Plan Amendment. An Amendment to the General Plan Future Land Use Map Designation of Property Comprising 13.24± Acres of Land from Transitional Mixed Use to High Density Residential.
- c) RECONSIDERATION OF BILL NO. 2018-17: ADOPTION OF ORDINANCE NO. 2018-____.
Case #2018-49. Las Soleras Lot 11-B Rezoning. An Amendment to the Official Zoning Map of the City of Santa Fe; Changing the Zoning Classification of Property Comprising 13.24± Acres of Land from MU (Mixed Use) to R-21 (Residential – 21 Dwelling Units Per Acre) and Providing an Effective Date.

I. ADJOURN

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been considered prior to 11:30 p.m. such items shall be postponed to a subsequent meeting, provided that the date, time and place of such meeting is specified at the time of postponement.

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, five (5) working days prior to meeting date.

SUMMARY INDEX
SANTA FE CITY COUNCIL
October 31, 2018

ITEM	ACTION	PAGE
1. Call to Order	Convened at 5:00 p.m.	1
5. Roll Call	Quorum Present	1
6. Approval of Agenda	Approved as presented	1-2
7. Approval of Consent Calendar	Approved as amended	2
8. Approval of Minutes - October 10, 2018	Approved as presented	2
9. Presentations:	None	2
10. Consent Calendar Listing	Listed	2-5
Consent Calendar Discussion		
m. Public Campaign Finance Ordinance	Approved to publish	5-6
p. Purchase Agreement with Superion	Approved as presented	6
11. Matters from the City Manager	Announcement	7
12. Matters from the City Attorney	Executive Session request	7
Executive Session	From 5:18 to 6:54 p.m.	7
13. Lease of Garson Studios	Approved	8
14. Associated Legal Services	Approved joining	8-9
15. Matters from the City Clerk	None	9
16. Communications from the Governing Body	Communications made	9-10
Evening Session at 7:10	Quorum Present	10
F. Petitions from the Floor	Petitions Made	11
G. Appointments	Appointments approved	12
H. Public Hearings		
1. Santa Fe Craft Cider Liquor License	Approved	13
2. Santa Fe Craft Cider Wine License	Approved	13-14
3. MIX Santa Fe Waiver	Approved	14
4. Bond Sale Ordinance for \$20 million	Approved	15-17
a. Bond Underwriter Selection	Selected RBC Capital	17
5. Land Development Code Amendment	Approved	17-18
6. a-c Dust Control Amendments	Approved	18-21
I. Adjournment	Adjourned at 7:42 pm	21

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
October 31, 2018**

AFTERNOON SESSION

1. CALL TO ORDER AND ROLL CALL

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Alan Webber, on Wednesday, October 31, 2018, at approximately 5:00 p.m., in the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico. Following the Pledge of Allegiance, Salute to the New Mexico flag, and the Invocation, roll call indicated the presence of a quorum, as follows:

Members Present

Mayor Alan Webber
Councilor Signe I. Lindell, Mayor Pro-Tem
Councilor Roman "Tiger" Abeyta
Councilor Peter N. Ives
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

Councilor Mike Harris

Others Attending

Erik Litzenberg, City Manager
Erin McSherry, City Attorney
Melissa D. Byers, Assistant City Clerk
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

MOTION: Councilor Ives moved, seconded by Councilor Vigil Coppler, to approve the agenda, as presented.

VOTE: The motion was approved on a voice vote with Mayor Webber and Councilors Abeyta, Ives, Lindell, Rivera, Romero-Wirth, Vigil Coppler and Villarreal voting in favor of the motion and none voting against.

7. APPROVAL OF CONSENT CALENDAR

Councilor Rivera requested discussion on item 10-(m) and (p).

MOTION: Councilor Ives moved, seconded by Councilor Vigil Coppler, to approve the Consent Agenda as amended with items 10 (m) and (p) removed for discussion

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

For: Mayor Webber, Councilor Abeyta, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Vigil Coppler and Councilor Villarreal.

Against: None.

8. APPROVAL OF MINUTES: Regular City Council Meeting – October 10, 2018

MOTION: Councilor Ives moved, seconded by Councilor Lindell, to approve the minutes of October 10, 2018 as presented.

VOTE: The motion was approved on a voice vote with Mayor Webber and Councilors Abeyta, Ives, Lindell, Rivera, Romero-Wirth, Vigil Coppler and Villarreal voting in favor of the motion and none voting against.

9. PRESENTATIONS

There were no presentations.

10. CONSENT CALENDAR

- a) Request for Approval of RFP #19/05/P in the Total Amount of \$140,000 for Four Years (\$35,000 per Year) for Library Courier Services for all Three Branches; Thunder Bird Express Inc. (Patricia C. Hodapp, Library Division Director, pchodapp@santafenm.gov, 955-6788)

- b) Request for Approval of Amendment No. 1 to Professional Services Agreement in the Amount of \$15,848.36 for Construction Work at the Santa Fe Regional Airport; FacilityBuild Inc. (Curt Temple, Project Administrator, cetemple@santafenm.gov, 955-5935)

An Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, October 29, 2018, regarding Item 10 (b), is incorporated herewith to these minutes as Exhibit 1.

- c) Request for Approval of Amendment No. 7 Using New Mexico State Price Agreement #50-361-15-01844AD in the Total Amount of \$7,164 for Monthly Fee to Create Options to Upgrade Fiber Optic Network Circuits; Qwest Corporation d/b/a CenturyLink QC. (Larry Worstell, IT Infrastructure Manager, lfworstell@santafenm.gov, 955-5580)
- d) Request for Approval of Amendment No. 2 to Cooperative Agreement in the Amount of \$52,170 for Support and Maintenance for Various Departments; CalAmp Radio Satellite Integrators, Inc. (Yodel Catanach, Contract Analyst, yocatanach@santafenm.gov, 955-6611)
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- g) Request for Approval of Amendment No. 2 to Professional Services Agreement for a Term Extension for Engineering Services Related to the Design of a New Buckman Regional Water Treatment Facility; Molzen Corbin & Associates. (Kristin Johansen, Engineer, Water Division, kgjohansen@santafenm.gov, 955-4279)
- h) Request for Approval of Amendment No. 1 to Professional Services Agreement in the Total Amount of \$20,000, Exclusive of NMGRT, \$5,000 each Year for Four Years, Beginning FY2018/2019, for T&D

Instrumentation PRV Sites; Yukon & Associates. (Mike Moya, Transmission & Distribution Section Manager; nmmoya@santafenm.gov, 955-4243)

- i) Request for Approval of Credit Adjustment in the Amount of \$69,266.33 for Overpayment Due to Water leak; Oilstop. (Caryn Fiorina, Utility Billing Division Director, cyfiorina@santafenm.gov 955-4364)
- j) Request for Approval of Procurement in the Amount of \$30,210 Using State Price Agreement #70-00016-00002 for a Pickup Truck for the Facilities Division; Melloy Chrysler-Jeep-Dodge-RAM (Los Lunas). (Isabel Lucero, Contract Analyst, islucero@santafenm.gov, 955-5930)

An Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, October 29, 2018, regarding Item 10 (j), is incorporated herewith to these minutes as Exhibit 2.

- k) Request for Approval of Procurement of water Service Connection Equipment Using State Price Agreements 60-000-15-00030 and 60-000-16-0067 and Water Meters and Supplies Using State Price Agreement 50-000-1500052' Vendors: Baker Utility Supply Corp., Core & Main LTD, Ferguson Water Works. (Mike Moya, Transmission & Distribution Section Manager, mrmoya@santafenm.gov, 955-4243)
- l) Request for Approval of Change Order No. 2 in the Total Amount of \$14,358.93 for Two Roof Access Safety Ladders at the Ft. Marcy Recreation Building; B&D Industries, Inc. (Jason M. Kluck, jmkluck@santafenm.gov, 955-5937)

An Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, October 29, 2018, regarding Item 10 (l), is incorporated herewith to these minutes as Exhibit 3.

- m) Pulled for discussion by Councilor Rivera
- n) CONSIDERATION OF RESOLUTION NO. 2018-____. (Councilor Rivera)
A Resolution Stating the Official intent of the City of Santa Fe to Reimburse itself for Certain Costs Relating to the Improvements Expected to be Incurred by the City Prior to the Issuance of Tax-Exempt Bonds (Brad Fluetsch, Financial Planning and Reporting Officer, bfluetsch@santafenm.gov, 955-6885)

- o) Request for Approval of Amendment No. 1 to Professional Services Agreement for City Hall Elevator Modernization (No Fiscal Impact); Kone Elevator. (Curt Temple, Facilities Division Project Administrator, cetemple@santafenm.gov, 955-5935)

An Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, October 29, 2018, regarding Item 10 (o), is incorporated herewith to these minutes as Exhibit 4.

- p) Pulled for discussion by Councilor Rivera.

CONSENT CALENDAR DISCUSSION

- m) Request to Publish Notice of Public Hearing on December 12, 2018: Bill No. 2018-19. An Ordinance Amending Section 9-3 SFCC 1987, the Public Campaign Finance Code to Include a Definition for Qualified Small Contribution; Establishing a New Section Regarding Qualified Small Contributions; Establishing a New Section Mandating Matching Payments by the City; Establishing a New Section Regarding Reporting of Qualified Small Contributions and Matching Payments; and replacing all References in Chapter 9 of Municipal Clerk to City Clerk. (Councilor Romero-Wirth, Councilor Ives and Councilor Villarreal) (Zach Shandler, Assistant City Attorney, zashandler@santafenm.gov, 955-6303)

Councilor Rivera said he appreciated all the work of Councilor Romero-Wirth, Councilor Lindell and Councilor Abeyta to make the changes. However, he personally felt it defeats what public campaign financing was designed to do: to keep money out of the races; out of the politics of the campaigns and because the Supreme Court said PACs can be prohibited from contributing and now, because of that, let's contribute more money on the public side if people need it, as the race gets toward the end and tighter. He didn't think that was what public financing was supposed to do.

Mayor Webber added, "And to be fair, you voted against it previously."

Councilor Romero-Wirth clarified that this is just a request to publish.

MOTION: Councilor Abeyta moved, seconded by Councilor Villarreal, to approve the Request to Publish Notice of Public Hearing on December 12, 2018 for Bill No. 2018-19.

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

For: Mayor Webber, Councilor Abeyta, Councilor Ives, Councilor Lindell, Councilor Romero-Wirth, Vigil Coppler, and Councilor Villarreal.

Against: Councilor Rivera

- p) Request for Approval of Sole Source Procurement in the Amount of \$173,861,62 for Land Use and Police Support Service Software Agreement; Superion. (Yodel Catanach, Contract Analyst, yocatanach@santafenm.gov, 955-5575/Joshua Elicio, ITT Department Director, juelicio@santafenm.gov, 955-5576)

Councilor Rivera asked Mr. Elicio about the needed changes that were considered at the last Finance Committee meeting, about the party with whom the City is contracting. He didn't see them here and one that was initialed

Mr. Elicio said, "We have another memo to hand out as a point of reference."

A copy of his memo entitled, "CONTRACT #SFPD-23-2LG-180033" is incorporated herewith to these minutes as Exhibit 5.

Ms. Catanach explained That the hand-out is the first page of the addendum. A small portion was crossed out and the vendor agreed.

On page 25 of the contract, there were redlines but the packet has the full clean version that both vendor and Attorney agreed to.

Councilor Rivera asked then if this version is all that was agreed to.

Mr. Elicio agreed.

MOTION: Councilor Rivera moved, seconded by Councilor Abeyta, to approve the Sole Source Procurement in the Amount of \$173,861,62 for Land Use and Police Support Service Software Agreement from Superion.

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

For: Mayor Webber, Councilor Abeyta, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Vigil Coppler, and Councilor Villarreal.

Against: None

END OF CONSENT CALENDAR

11. MATTERS FROM THE CITY MANAGER

Mr. Litzenberg reminded the Councilors that legislative priorities started on Monday with Public Works. It is a work in process and please feel free to move out to him or Jesse Guillen, so it is clear by time of the Session.

12. MATTERS FROM THE CITY ATTORNEY

Ms. McSherry announced the items for executive session as follows:

EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Subparts (H)(5), (7) and (8), Discussion of Collective Bargaining Strategy; Discussion Regarding Disposal of Real Property, Specifically Leasing the Garson Studios of the Midtown Campus to Red Lotus Films International, LLC for a Term of Six Months; and Attorney-Client Privileged Discussion Regarding Litigation in Which the City of Santa Fe Is or May Become a Participant, Including But Not Limited to *Chicago v. Sessions* and *U.S. v. California*. (Erin McSherry, City Attorney, ekmcsherry@santafenm.gov, 9556961)

MOTION: Councilor Rivera moved, seconded by Councilor Ives to go into executive session to discuss the matters listed on the agenda in accordance with the recommendation of the City Attorney.

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

For: Mayor Webber, Councilor Abeyta, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Vigil Coppler and Councilor Villarreal.

Against: None.

Went into executive session at 5:18 p.m.

The Council ended the executive session at 6:50 p.m.
Mayor Webber called the meeting back to order at 6:54 p.m.

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, to come out of executive session, noting for the record that the discussion in executive session was limited to those matters listed on the

agenda.

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

For: Mayor Webber, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth and Councilor Vigil Coppler.

Councilor Villarreal and Councilor Abeyta were not present for the vote.

Against: None.

- 13.** Request for Approval of Six-Month Lease of Garson Studios Located at the Midtown Campus; Red Lotus Films International, LLC. (Sean Moody, Asset Development Manager, sxmoody@santafenm.gov, 955-6213)

MOTION: Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve the Six-Month Lease of Garson Studios to Red Lotus Films International, LLC.

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

For: Mayor Webber, Councilor Abeyta, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth and Councilor Vigil Coppler.

Councilor Abeyta and Councilor Villarreal not present for the vote.

Against: None.

- 14.** Request for Approval to Join the Litigation Discussed During Executive Session Either as an Amici or As a Party to the Litigation and Entry Into the Associated Legal Services Contract, if Applicable. (Erin McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6961)

Councilor Ives moved, seconded by Councilor Romero-Wirth to approve the request to join.

Councilor Rivera said the motion should stop after “party to litigation.”

Ms. McSherry agreed. She read the language for the motion, “Request for approval to join the litigation discussed during Executive Session either as an Amici or as a Party to the Litigation.”

MOTION: Councilor Rivera moved, as an amended motion, seconded by Councilor Romero-Wirth, to approve the request to join the litigation discussed during Executive Session either as an Amici or as a Party to the Litigation.

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

For: Mayor Webber, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Councilor Abeyta and Councilor Villarreal were not present for the vote.

Against: None.

15. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

16. COMMUNICATIONS FROM THE GOVERNING BODY

A listing of the Bills and Resolutions Scheduled for Introduction by Members of the Governing Body is incorporated herewith to these minutes as Exhibit 6.

Councilor Vigil Coppler said she, with Councilor Romero-Wirth and Mayor Webber, attended *Coffee with the Cops* last week and appreciated the comments by Police Officers and their graciousness, and of the Police Chief. She learned a lot and it was good to do that. She understood that will happen regularly, as public interaction with police officers creates a lot of good will.

She commended the efforts of City Staff for dressing up for Halloween. It was very cool and creative. The Mayor, Councilor Lindell and she served as judges and cash prizes were awarded for best costumes.

Councilor Abeyta and Councilor Villarreal returned at 6:59.

Councilor Rivera introduced an ordinance concerning the municipal wastewater utility system. He would also join as a cosponsor on Mayor Webber's resolution and Councilor Harris' resolution and Councilor Villarreal's resolution.

Councilor Villarreal introduced a resolution in support of appropriation of funds from the State Legislature for the *New Mexico Grown* fresh fruits and fresh vegetables program for schools and the related education program.

Councilor Ives, on behalf of Councilor Harris, in absentia, to introduce his measure promoting preservation of College of Santa Fe art collection by promoting an active loan program to ensure public access to and educational opportunities for said collection.

He is introducing, and Councilor Romero-Wirth cosponsored, an ordinance relating to the City's economic development plan approving a local economic development project of a participation agreement between the city of Santa Fe and Marty's Mules for lease and expansion of a new headquarters and manufacturing facility. He would join with the Mayor's introduction and in Councilor Rivera's ordinance and Councilor Villarreal's resolution.

Councilor Lindell joined in the Mayor's resolution and Councilor Ives's ordinance.

Mayor Webber introduced a resolution urging the New Mexico Legislature to adopt legislation allowing for development of community shared solar projects by municipalities.

He mentioned the press conference this morning on an ERP program. It is now posted at the City's website of the full packet that goes over the corrected action plan to rectify implementation problems as identified by our consultant who gave us a full assessment and also how to correct problems that occurred mainly from the original structure for it. It is to make it clear we have an on-site manager and see all components and will evaluate our consultant, going forward, and identify employee roles and set priorities for projects we will adopt; have milestones for each and look at a city-wide technology plan and continue the assessments we started last month. The City Manager commented this morning complimenting staff for their work on this report. Our department heads were praised by the consultant on candor and clarity with which they participated in the assessment. He encouraged all to read the packet on the website. It was honest, transparent and exhaustive to get the program back on track.

There were no other communications from the Governing Body.

The Governing Body continued to the evening session without recess at 7:10 p.m.

EVENING SESSION – 7:10 P.M.

A-E. CALL TO ORDER AND ROLL CALL

The regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called back to order for the evening session by Mayor Alan Webber, on Wednesday, October 31, 2018, at approximately 7:10 p.m., in the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe.

Present at the meeting were:

Members Present

Mayor Alan Webber
Councilor Signe I. Lindell, Mayor Pro-Tem
Councilor Roman "Tiger" Abeyta
Councilor Peter N. Ives
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

Councilor Mike Harris

Others Attending

Erik Litzenberg, City Manager
Erin McSherry, City Attorney
Melissa D. Byers, Assistant City Clerk
Carl G. Boaz, Council Stenographer

F. PETITIONS FROM THE FLOOR

Mayor Webber gave each petitioner two minutes to speak.

Andrea said they were having road problems. On the Plaza, a woman was robbed last week. People antagonizing each other, and she understand we are short on police. It is a very dangerous place in the center. We need an officer there all the time. People come to spend their money and I hope you would have an officer there and also take care of our first responders as a priority in the city.

Eric Heimlich said he lives in Las Soleras where there is no parking on one side of the street. But people park there all the time and I call the police, and nothing gets done. Emergency vehicles won't get through and a law suit can ensue if someone dies because no vehicles can get through.

There were no other petitions from the floor and the petitions portion of this

meeting was closed.

G. APPOINTMENTS

- Parks and Recreation Advisory Commission

Mayor Webber appointed Lorelee Freilich and Joseph E. Cosby.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Ives, to approve the appointments to the Parks and Recreation Advisory Commission.

VOTE: The motion was approved on a voice vote with Mayor Webber and Councilors Abeyta, Ives, Lindell, Rivera, Romero-Wirth, Vigil Coppler, and Villarreal voting in favor of the motion and none voting against.

- Mayor's Youth Advisory Board

Mayor Webber appointed William Hare and Diego Montoya

MOTION: Councilor Villarreal moved, seconded by Councilor Ives, to approve the appointments to the Mayor's Youth Advisory Board.

VOTE: The motion was approved on a voice vote with Mayor Webber and Councilors Abeyta, Ives, Lindell, Rivera, Romero-Wirth, Vigil Coppler, and Villarreal voting in favor of the motion and none voting against.

- Library Board

Mayor Webber appointed Rebecca R. Phillips and Marie Schow.

MOTION: Councilor Ives moved, seconded by Councilor Vigil Coppler, to approve the appointments to the Library Board.

VOTE: The motion was approved on a voice vote with Mayor Webber and Councilors Abeyta, Ives, Lindell, Rivera, Romero-Wirth, Vigil Coppler, and Villarreal voting in favor of the motion and none voting against.

H. PUBLIC HEARINGS:

- 1) Request from Santa Fe Craft Cider, LLC, for a Wine Wholesaler Liquor License to be Located at Santa Fe Cider Works, 4363 Center Pl., Unit 9. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 505-955-6521)

Ms. Byers presented the request. She said they have a wholesale liquor license at this location already but now with new owners, so a new license is required. No change in litter, traffic or noise is anticipated and Staff recommended approval. The location is not near a school or church. The applicant must comply with all City rules and ordinances.

Public Hearing:

There were no speakers from the public regarding this case and the public hearing portion was closed.

MOTION: Councilor Lindell moved, seconded by Councilor Ives, to approve the request for a Wine wholesaler License as requested.

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

For: Mayor Webber, Councilor Abeyta, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

- 2) Request from Santa Fe Craft Cider, LLC, for a Winegrower Liquor License, with On-Premise Consumption and Package Sales to be Located at Santa Fe Cider Works, 4363 Center Pl., Unit 9. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 505-955-6521)

Ms. Byers read the request and indicated this is from the same applicant. This was originally a patio - winegrower license at the location but now is under new owners. It is not near a church or school. There is no traffic impact. The Applicant must comply with all City ordinances.

Public Hearing

There were no speakers from the public regarding this case and the public hearing portion was closed.

MOTION: Councilor Ives moved, seconded by Councilor Abeyta, to approve the request with the recommended conditions.

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

For: Mayor Webber, Councilor Abeyta, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

- 3) Request from MIX Santa Fe for a Waiver of the 300-Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Alcoholic Beverages for a MIX Event at Descartes Labs, 100 N. Guadalupe Street, Which is Within 300 Feet of the Shrine of Our Lady of Guadalupe Church, 417 Agua Fria Street. The MIX Event Will be Held on Thursday, November 15, 2018, with Alcohol Service from 6:00 pm to 8:00 pm. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 505-955-6521)

Ms. Byers read the request for a waiver of the 300-foot location restriction for the MIX event at Descartes Labs at their location on 100 North Guadalupe Street and within 300 feet of the Shrine of Our Lady of Guadalupe Church at 417 Agua Fria Street. The event is to be held on Thursday, November 15, 2018 with alcohol served from 6 to 8 p.m.

Pastor Dennis Garcia at the church submitted a letter that the church had no opposition.

Public Hearing

There were no speakers from the public regarding this case and the public hearing portion was closed.

MOTION: Councilor Ives moved, seconded by Councilor Lindell, to approve the request for waiver.

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

For: Mayor Webber, Councilor Abeyta, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

- 4) CONSIDERATION OF BILL NO. 2018-20: ADOPTION OF ORDINANCE NO. 2018-25. (Mayor Webber, Councilor Harris, Councilor Abeyta, Councilor Ives and Councilor Vigil Coppler) An Ordinance Authorizing the

Issuance and Sale of the City of Santa Fe, New Mexico Senior Lien Gross Receipts Tax Improvement Revenue Bonds, Series 2018A in an Aggregate Principal Amount Not to Exceed \$20,000,000 for the Purpose of Defraying the Cost of Constructing, Purchasing, Furnishing, Equipping, Rehabilitating, Making Additions to or Making Improvements to Public Buildings and Facilities or Purchasing or Improving Any Ground Relating Thereto, or Any Combination of the Foregoing Purposes, and Reconstructing, Resurfacing, Maintaining, Repairing or Otherwise Improving Existing Alleys, Streets, Roads or Bridges or Any Combination of the Foregoing; Provided that Any of the Foregoing Improvements May Include but are Not Limited to Acquisition of Rights of Way; Providing that the Bonds will be Payable and Collectible from Certain Gross Receipts Tax Revenues Distributed to the City; Approving the Selection of an Underwriter and Forms of a Preliminary Official Statement and Bond Purchase Agreement; Delegating Authority to the Mayor or, in the Mayor's Absence, the City Manager or Finance Director, to Approve the Final Principal Amount, Interest Rates and Other Details of the Bonds within the Parameters Set Forth in this Authorizing Ordinance, and to Execute and Deliver a Bond Purchase Agreement and Pricing Certificate for the Sale of the Bonds to the Underwriter; Providing for the Collection of Certain Gross Receipts Tax Revenues; Approving Certain Other Agreements and Documents in Connection with the Bonds; Ratifying Action Previously Taken in Connection with the Bonds; Repealing all Ordinances in Conflict herewith; and Related Matters. (Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 955-6171)

Mr. Fluetsch said the bond ordinance is before you for \$20 million of senior lien bonds. It has gone through both Public Works and Finance. There was a change approved at both and he had copies of the memo to distribute.

A Memorandum dated October 30, 2018 from Mary McCoy, Brad Fluetsch and others, regarding the 2018 Senior Lien GRT Bond Package Reallocation, is incorporated herewith to these minutes as Exhibit 7.

Mr. Fluetsch said it is to allocate \$1.5 million to the South Side Fire Station and taking it from the Public Safety Radio project.

Mayor Webber understood it would stay within the \$20 million and reallocate.

Public Hearing

There were no speakers from the public regarding this case and the public hearing portion was closed.

Councilor Ives noted that funds are shifted among two projects in order to cover

the full cost of fire station. It would impact the emergency radio station and asked how that reduction would be addressed.

Chief Babcock explained that they had several vendors come in who were on the State Vendor List and could charge less. So nothing was downgraded.

Councilor Rivera asked what was cut out of the project.

Chief Babcock said the training tower and holding tower were considered. The cost is about \$400/sq. ft. and that would be cut, if needed. They would eliminate two dorm rooms, a couple of bath rooms and the bay area apparatus.

Councilor Rivera recalled that years ago, we used impact fees and they sat there for times like this. He asked if that is still available.

Chief Babcock said that has about \$100,000 and is now being confirmed and making sure it is there.

Ms. McCoy said there is \$148,000 in the Fire Impact Fund and \$2.4 million in the Road Impact Fund. So we could pull from some of that.

Councilor Rivera asked how the Road Fund could be used in this project.

Ms. McCoy said they are looking at it.

Chief Babcock was confident it would work after talking with three different vendors.

Mayor Webber explained the point Councilor Rivera was making is that we have a \$20 million issue but that is not to say that it would not need another source of revenue.

Ms. McCoy said that was correct. And we will identify the best source going forward.

MOTION: Councilor Ives moved, seconded by Councilor Abeyta, to approve Ordinance No. 2018-25, the request for issuing \$20 million in Senior Lien GRT Bonds. With the change in allocation.

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

For: Mayor Webber, Councilor Abeyta, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

Councilor Villarreal asked to be listed as a cosponsor.

Mayor saluted our hard-working team who put this together and explained it with such clarity. He listed the team members, all of whom were affected. "It is very impressive, and I tip my hat for your hard work to showcase where the benefits would go."

- a) Request for Approval of Selection of RBC Capital Markets as the Senior Managing Bond Underwriter and Piper Jaffray as CoUnderwriter; (Brad Fluetsch, Financial Planning and Reporting Officer, bjfluetsch@ci.santafenm.gov, 955-6885)

Mr. Fluetsch said they solicited through an RFQ of various underwriters who are service providers to the City but work for the bond buyers. They got eight respondents and reviewed them with bond counsel and municipal advisor. He recommended RBC Capital Markets. Their priority measure came in 3.08% or 3.07% They are large and successful underwriters and we will be in good hands. It will be a negotiated sale with them and we have the municipal adviser and bond counsel here if there are questions.

Public Hearing

There were no speakers from the public regarding this case and the public hearing portion was closed.

MOTION: Councilor Abeyta moved, seconded by Councilor Vigil Coppler, to approve the selection as recommended.

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

For: Mayor Webber, Councilor Abeyta, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

- 5) CONSIDERATION OF BILL NO. 2018-21: ADOPTION OF ORDINANCE NO. 2018-26. (Councilor Villarreal) An Ordinance Relating to the Land Development Code, Chapter 14 SFCC 1987; Amending Sections 14-10.2 and 14-10.3 to Provide Exceptions for Legal Nonconforming Single-Family Dwellings; and Making Such Other Changes that Are Necessary to Carry Out the Purpose of this Ordinance. (Greg Smith, Planner Supervisor, gtsmith@santafenm.gov, 955-6957)

Mr. Smith gave an overview of the ordinance as recommended by Finance Committee, Planning Commission and Public Works Committee. "We drafted proposal for limited expansion of family dwellings in industrial districts and gave estimates of how small the exceptions are."

Public Hearing

There were no speakers from the public regarding this case and the public hearing portion was closed.

Councilor Villarreal appreciated that Staff came up with a solution of a problem that came with following the rule when they thought they could complete their project and she apologized to those families who had to go through this. A precedent was set. One particularly staff person made a mistake allowing one family to add onto their house. That person is no longer with the City. Another long-term solution should be considered. And they should rezone some of them.

Mayor Webber seconded that. It is a creative solution, but a larger issue is zoning, and we have not looked at much of it for quite a while. We can fix things that crop up but need a better proactive approach to it with rezoning. It is a reminder we have more work to do. This is a solution but suggests a larger requirement going forward.

MOTION: Councilor Villarreal moved, seconded by Councilor Ives, to approve Ordinance 2018-26.

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

For: Mayor Webber, Councilor Abeyta, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

- 6) James Siebert of James Siebert and Associates, Inc., Agent, Representative for Las Soleras Oeste, LTD, Santa Fe Housing Trust, and Las Soleras Center LLC, Owner, Requests Reconsideration of the September 12, 2018 Decision of the Governing Body Approving Case #2018-50, Las Soleras Master Plan Amendment; Case #2018-48, Las Soleras Lot 11-B General Plan Amendment; and Case #2018-49, Las Soleras Lot 11-B Rezoning, Subject to Conditions Identified in Section II and Technical Corrections Listed in Exhibit A, as Recommended by the Planning Commission and by Staff for the Purpose of Further Consideration with Respect to Condition of Approval #1 Pertaining to Stabilization of Disturbed Soil.

a) Case #2018-50. Reconsideration of Las Soleras Master Plan Amendment.

Ms. Carol Johnson addressed the Master Plan Amendment. She explained this as three cases but only one condition. She listed again the three cases and said Staff reviewed the dust issue that is common in that area during construction, especially during the windy season and discovered some confusion on the language used regarding when it does and when it doesn't apply.

She believed the new language in the amendment makes it much clearer. She explained what it does with the amendment. It establishes a threshold when additional steps must be taken for mitigation of dust. It has a document attached that helps with interpretation as an alert to applicants and staff with this condition. Finally, it differentiates between ongoing construction and when grading happens, and things top for that two weeks. She believed with this change, it will be a much better condition and will make clear the roles and responsibilities of both staff and developer.

Public Hearing

Mr. Eric Heinrich was sworn said he had several concerns. One was the disturbed soil issue. "For months we have had dust storms that don't just affect us. It affects those at Nava Adé. There are vacant lots. Pulte has moved on to other areas of the subdivision but has not sold some lots in the original subdivision which is where I live."

Mr. Heinrich began to speak to the next section and was interrupted.

Ms. McSherry apologized and said we must limit discussion to #1 and then do each of them one-by-one.

There were no other speakers from the public regarding this case and the public hearing portion was closed.

MOTION: Councilor Ives moved, seconded by Councilor Rivera, to approve Case #2018-50, the amendment to the Las Soleras Master Plan.

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

For: Mayor Webber, Councilor Abeyta, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

- b) RECONSIDERATION OF RESOLUTION NO. 2018-59A.
Case #2018-48. Las Soleras Lot 11-B General Plan Amendment. An Amendment to the General Plan Future Land Use Map Designation of Property Comprising 13.24± Acres of Land from Transitional Mixed Use to High Density Residential.

Mayor Webber clarified that this item is limited to the matter of dust control and asked if this is to have public hearing.

Ms. Byers said the public hearing was for all three.

MOTION: Councilor Ives moved, seconded by Councilor Vigil Coppler, to approve Case #2018-48, Las Soleras, Lot 11-B General Plan Amendment.

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

For: Mayor Webber, Councilor Abeyta, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

- c) RECONSIDERATION OF BILL NO. 2018-17: ADOPTION OF ORDINANCE NO. 2018-23A.
Case #2018-49. Las Soleras Lot 11-B Rezoning. An Amendment to the Official Zoning Map of the City of Santa Fe; Changing the Zoning Classification of Property Comprising 13.24± Acres of Land from MU (Mixed Use) to R-21 (Residential – 21 Dwelling Units Per Acre) and Providing an Effective Date.

Mayor Webber said the whole point is to do a much better control of dust.

Ms. Johnson agreed. It gives us quantifiable standards.

Mayor asked if it would be an improvement then.

Ms. Johnson said it certainly will.

Councilor Ives said it is considered as a condition in this one proceeding but will it mean adoption of new rules?

Ms. Johnson said it certainly will.

Councilor Ives said it is considered as a condition in this one proceeding but will it mean adoption of new rules?

Ms. Johnson said it will as soon as the Engineering Supervisor is hired.

MOTION: Councilor Ives moved, seconded by Councilor Vigil Coppler, to approve Case #2018-49. Las Soleras Lot 11-B Rezoning.

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

For: Mayor Webber, Councilor Abeyta, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

I. **ADJOURN**

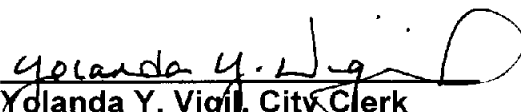
Having completed the agenda and with no other matters to come before the Governing Body, the meeting was adjourned at 7:42 p.m.

Approved by:



Mayor Alan Webber

ATTESTED TO:



Yolanda Y. Vigil, City Clerk

Respectfully submitted:



Carl G. Boaz, Council Stenographer

**MEETING OF THE GOVERNING BODY
EXECUTIVE SESSION
OCTOBER 31, 2018**

The Governing Body of the City of Santa Fe met in an executive session duly called on October 31, 2018, beginning at 5:25 p.m.

The following was discussed:

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Subparts (H)(5), (7) and (8), Discussion of Collective Bargaining Strategy; Discussion Regarding Disposal of Real Property, Specifically Leasing the Garson Studios of the Midtown Campus to Red Lotus Films International, LLC for a Term of Six Months; and Attorney-Client Privileged Discussion Regarding Litigation in Which the City of Santa Fe Is or May Become a Participant, Including But Not Limited to *Chicago v. Sessions* and *U.S. v. California*.

PRESENT

Mayor Webber	Councilor Abeyta
Councilor Ives	Councilor Lindell
Councilor Rivera	Councilor Romero-Wirth
Councilor Vigil Coppler	Councilor Villarreal

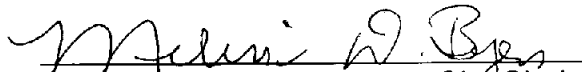
ABSENT

Councilor Harris

STAFF PRESENT

Erik J. Litzenberg, City Manager
Erin McSherry, City Attorney
Melissa Byers, Assistant City Clerk
Andrew Padilla, Chief of Police – left at 6:30 p.m.
Mary McCoy, Finance Director – left at 6:30 p.m.
Bernadette Salazar, Human Resources Director – left at 6:30 p.m.
Sean Moody, Asset Development Manager – arrived at 6:30 p.m.

There being no further business to discuss, the executive session adjourned at 6:50 p.m.


Melissa D. Byers, Assistant City Clerk

EXHIBITtabbles
1ITEM # 10(b)

**ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, OCTOBER 29, 2018**

ITEM 7

REQUEST FOR APPROVAL OF AMENDMENT NO 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH FACILITYBUILD INC. FOR CONSTRUCTION AT THE SANTA FE REGIONAL AIRPORT, IN THE AMOUNT OF \$15,848.36 (CURT TEMPLE, PW PROJECTS ADMINISTRATOR, CETEMPLE@SANTAFENM.GOV, 955-5935)

PUBLIC WORKS COMMITTEE ACTION: Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON IVES	X		
COUNCILOR ABEYTA	Not present at this time		
COUNCILOR VIGIL COPPLER	X		
COUNCILOR HARRIS	Excused		
COUNCILOR VILLARREAL	X		

EXHIBIT

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ACTION SHEET

ITEM #

1d(j)

ITEM FROM THE

PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING

OF

MONDAY, OCTOBER 29, 2018

ITEM 9

REQUEST FOR APPROVAL OF PROCUREMENT USING STATE PRICE AGREEMENT #70-00016-00002 WITH MELLOY CHRYSLER-JEEP-DODGE-RAM OF LOS LUNAS FOR A PICK-UP TRUCK FOR FACILITIES DIVISION (ISABEL LUCERO, CONTRACT ANALYST, ISLUCERO@SANTAFENM.GOV, 955-5930)

PUBLIC WORKS COMMITTEE ACTION: Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON IVES	X		
COUNCILOR ABEYTA	Not present at this time		
COUNCILOR VIGIL COPPLER	X		
COUNCILOR HARRIS	Excused		
COUNCILOR VILLARREAL	X		

EXHIBIT

3

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ACTION SHEET

ITEM # 10611

ITEM FROM THE

PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING

OF

MONDAY, OCTOBER 29, 2018

ITEM 8

REQUEST FOR APPROVAL OF CHANGE ORDER NO. 2 WITH B&D INDUSTRIES, INC.
FOR TWO ROOF ACCESS SAFETY LADDERS AT FT. MARCY RECREATION COMPLEX IN
THE AMOUNT OF \$14,358.93 (JASON KLUCK, PW PROJECTS ADMINISTRATOR,
JMKLUCK@SANTAFENM.GOV, 955-5937)

PUBLIC WORKS COMMITTEE ACTION: Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON IVES	X		
COUNCILOR ABEYTA	Not present at this time		
COUNCILOR VIGIL COPPLER	X		
COUNCILOR HARRIS	Excused		
COUNCILOR VILLARREAL	X		

EXHIBIT

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ACTION SHEET

ITEM # 10(0)

ITEM FROM THE

PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING

OF

MONDAY, OCTOBER 29, 2018

ITEM 10

REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE PSA FOR CITY HALL
ELEVATOR MODERNIZATION (CURT TEMPLE, PW PROJECTS ADMINISTRATOR,
CETEMPLE@SANTAFENM.GOV, 955-5935)

PUBLIC WORKS COMMITTEE ACTION: Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

VOTE

FOR

AGAINST

ABSTAIN

CHAIRPERSON IVES

X

COUNCILOR ABEYTA

Not present at
this time

COUNCILOR VIGIL COPPLER

X

COUNCILOR HARRIS

Excused

COUNCILOR VILLARREAL

X

CONTRACT SNFE-2345LG-180034CITY OF SANTA FE ADDENDUM SUPERIONINDEMNIFICATION

Contractor shall indemnify, hold harmless and defend the City from all losses, damages, claims or judgments, including payments of all attorneys' fees and costs on account of any suit, judgment, execution, claim, action or demand whatsoever arising from Contractor's performance under this Agreement as well as the performance of Contractor's employees, agents, representatives and subcontractors. Contractor's liability in connection with this agreement shall not exceed the amount paid by City; ~~in the twelve (12) months preceding the claim.~~

NEW MEXICO TORT CLAIMS ACT

Any liability incurred by the City in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act, Section 41-4-1, et. seq. NMSA 1978, as amended. The City and its "public employees" as defined in the New Mexico Tort Claims Act, do not waive sovereign immunity, do not waive any defense and do not waive any limitation of liability pursuant to law. No provision in this Agreement modifies or waives any provision of the New Mexico Tort Claims Act.

APPROPRIATIONS

The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the City for the performance of this Agreement. If sufficient appropriations and authorization are not made by the City, this Agreement shall terminate upon written notice being given by the City to Contractor. The City's decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final. City certifies that it has funds appropriated for this agreement and that it will not ask for or accept products or services for which funds have not been appropriated.

THIRD PARTY BENEFICIARIES

By entering into this Agreement, the parties do not intend to create any right, title or interest in or for the benefit of any person other than the City and Contractor. No person shall claim any right, title or interest under this Agreement or seek to enforce this Agreement as a third party beneficiary of this Agreement.



EXHIBIT

6

CITY COUNCIL MEETING OF
October 31, 2018BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

Stenographer



Mayor Alan Webber

Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION URGING THE NEW MEXICO LEGISLATURE TO ADOPT LEGISLATION ALLOWING FOR THE DEVELOPMENT OF COMMUNITY SHARED SOLAR PROJECTS BY MUNICIPALITIES; AND TO ADOPT LEGISLATION TO INCREASE THE RENEWABLE PORTFOLIO STANDARDS.	Public Works Committee – 11/13/18 Finance Committee – 11/19/18 Sustainable Santa Fe Committee – 11/27/18 City Council – 12/12/18

Councilor Roman Tiger Abeyta

Co-Sponsors	Title	Tentative Committee Schedule

Councilor Mike Harris

Co-Sponsors	Title	Tentative Committee Schedule
Ives Lindell	A RESOLUTION PROMOTING THE PRESERVATION AND CARE OF THE COLLEGE OF SANTA FE ART COLLECTION BY PROMOTING AN ACTIVE LOAN PROGRAM TO ENSURE PUBLIC ACCESS TO AND EDUCATIONAL OPPORTUNITIES WITH SAID COLLECTION.	Arts Commission – 11/12/18 Public Works Committee - 11/13/18 Finance Committee – 11/19/18 City Council – 12/12/18

Councilor Peter Ives

Co-Sponsors	Title	Tentative Committee Schedule
	AN ORDINANCE RELATING TO THE CITY OF SANTA FE ECONOMIC DEVELOPMENT PLAN ORDINANCE, ARTICLE 11-11 SFCC 1987; APPROVING AND ADOPTING A LOCAL ECONOMIC DEVELOPMENT PROJECT PARTICIPATION AGREEMENT BETWEEN THE CITY OF SANTA FE AND MARTY'S MEALS, INC. FOR LEASE PAYMENTS FOR THE EXPANSION OF A NEW HEADQUARTERS AND MANUFACTURING FACILITY, A LOCAL ECONOMIC DEVELOPMENT PROJECT.	Economic Development Review Subcommittee – 11/9/18 Economic Development Advisory Committee – 11/9/18 City Council (request to publish) – 11/14/18 Finance Committee – 11/19/18 City Council (public hearing) – 12/12/18

Councilor Signe Lindell

Co-Sponsors	Title	Tentative Committee Schedule

Councilor Chris Rivera		
Co-Sponsors	Title	Tentative Committee Schedule
	<p>AN ORDINANCE</p> <p>CONCERNING THE MUNICIPAL WASTEWATER UTILITY SYSTEM OF THE CITY OF SANTA FE, NEW MEXICO (THE "SYSTEM"); PROVIDING FOR THE ISSUANCE OF THE CITY'S NET SYSTEM IMPROVEMENT BONDS, SERIES 2019, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$16,525,000 FOR THE EXTENSION, ENLARGEMENT, BETTERMENT, REPAIR AND OTHER IMPROVEMENT OF THE SYSTEM; PROVIDING THAT THE BONDS SHALL BE PAYABLE SOLELY OUT OF THE NET REVENUES DERIVED FROM THE OPERATION OF THE SYSTEM; PROVIDING FOR THE ACQUISITION OF A RESERVE FUND INSURANCE POLICY IN CONNECTION WITH THE DEBT SERVICE RESERVE FUND ESTABLISHED IN CONNECTION WITH THE BONDS; PROVIDING FOR THE DISPOSITION OF THE REVENUES DERIVED FROM THE OPERATION OF THE SYSTEM; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE METHOD OF PAYING THE PRINCIPAL OF AND INTEREST ON THE BONDS AND THE SECURITY THEREFOR; PRESCRIBING OTHER DETAILS CONCERNING THE SYSTEM REVENUES, BONDS AND THE SYSTEM, INCLUDING BUT NOT LIMITED TO COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH AND WITH FUTURE FINANCING THEREFOR; APPROVING FORMS OF A PRELIMINARY OFFICIAL STATEMENT AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE BONDS; DELEGATING AUTHORITY TO THE MAYOR, CITY MANAGER, AND FINANCE DIRECTOR OF THE CITY TO DETERMINE THE EXACT PRINCIPAL AMOUNTS, MATURITY DATES, INTEREST RATES, PRICES, REDEMPTION FEATURES AND OTHER FINAL TERMS OF THE BONDS PURSUANT TO A FINAL TERMS CERTIFICATE; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH; AND REPEALING ALL ORDINANCES IN CONFLICT HERewith.</p>	<p>Public Works Committee – 11/13/18</p> <p>Public Utilities Committee – 12/5/18</p> <p>City Council (request to publish) – 12/12/18</p> <p>Finance Committee – 12/17/18</p> <p>City Council (public hearing) – 01/09/19</p>
Councilor Carol Romero-Wirth		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Renee Villarreal		
Co-Sponsors	Title	Tentative Committee Schedule
	<p>A RESOLUTION</p> <p>IN SUPPORT OF THE APPROPRIATION OF FUNDS BY THE NEW MEXICO LEGISLATURE FOR THE "NEW MEXICO GROWN FRESH FRUITS AND FRESH VEGETABLES FOR SCHOOL MEALS PROGRAM" AND RELATED EDUCATION PROGRAMS.</p>	<p>Finance Committee – 11/19/18</p> <p>City Council – 12/12/18</p>

Councilor JoAnne Vigil Coppler

Co-Sponsors	Title	Tentative Committee Schedule

Introduced legislation will be posted on the City Attorney's website, under legislative services. If you would like to review the legislation prior to that time or you would like to be a co-sponsor, please contact Jesse Guillen, (505) 955-6518, jbguillen@santafenm.gov or Linda Vigil at (505) 955-6501, lfvigil@santafenm.gov.



City of Santa Fe New Mexico

Finance Department

Memorandum



DATE: October 30, 2018
TO: Mayor Alan Webber
City Councilors
VIA: Erik Litzenberg, City Manager
FROM: Mary McCoy, Finance Director
Paul Babcock, Fire Department Chief
Joshua Elicio, ITT Director
Bradley Fluctsch, CFA, Financial Planning and Reporting Officer
RE: 2018 Senior Lien GRT Bond Package Reallocation

ITEM # H(4)

Due to revisions of estimates for two projects, staff is recommending a reallocation of funding within the proposed \$20 million, 2018 Senior Lien GRT Bond package.

The revised proposal for the GRT Bond package is revenue neutral; the Bond package the City proposes remains at \$20 million. Staff proposes to increase the funding for the Fire Station by \$1.5 million, increasing the project cost from the original \$4.5 million to \$6 million. Additionally, staff is recommending reducing the funding originally proposed for the Public Safety Radio System from \$3.5 million to \$2 million, or a decrease of \$1.5 million. See below for the details of the modifications to these two projects and attached is the updated table.

Fire Station- \$6 million

In the last few weeks, the City received construction estimates for the new Fire Station #2 that are substantially higher than \$4.5 million that was originally proposed in the bond package.

The primary source for the increase in the per square foot cost is attributed to materials and the sustainability initiatives.

Public Safety Radio System - \$2 million

Simultaneously, the City revised the Public Safety Radio System as the potential vendors utilize the Statewide Price Agreement. The City of Santa Fe's fiscal responsibilities include a radio prime site upgrade, relocation of radio prime site, backup 2-channel radio project, radio replacement, independent validation and verification and shared cost of the RECC radio upgrade.

The shared cost of the RECC radio upgrade will be in agreement with Santa Fe County.

The City has the sole financial responsibility for the radio project upgrade as well as shared cost with Santa Fe County as per the JPA.

PUBLIC SAFETY

Project Name: Fire Station #2
Project Cost: \$6,000,000
Department Name: Fire Department
Policy Goal: Public Safety
Expenditure Category: City Obligation

Scope of Project:

Fire Station #2 will provide fire and emergency medical services coverage to the area bordered to the North by Highway 599 and to the South by Airport Road area. Fire Station #2 will be an approximate 13,000 square feet facility, housing three fire/EMS apparatus and up to six Fire Department personnel.

Justification:

By building a new fire station on the Southside, we will reduce emergency response times, meet our obligations under the annexation agreement, and improve the public safety of neighborhoods throughout the area.

If this project is not funded, what are the impacts?

Continued extended response times, and delayed takeover of fire and EMS coverage in the annexation area.

Location: Highway 599 & South Meadows

City Council District: 3

Estimated Annual Cost Savings: NA

Estimated Annual Operating Costs: \$1,010,668

PUBLIC SAFETY

Project Name: Public Safety Radio System Replacement
Project Cost: \$2,000,000
Department Name: ITT, Police Department and Fire Department
Policy Goal: Public Safety
Expenditure Category: City Obligations

Scope of Project:

Complete replacement of the City Public Safety Radio (PSR) system, the primary communication system of all first responders and City field vehicles, including the City PSR Core, tower site, and dispatch console. Replacement will consist of the latest P25 equipment.

Justification:

Firefighters and police rely on the City's radio system for information as they rush to the scene of public safety emergencies. Improvement of our system to the national standard P25 Digital Radio System will enhance the quality of our first responders' interactions with dispatch. The City PSR system was installed in 2001 and is approaching its expected end of life. Motorola will end support of the existing technology December 31, 2020 and a complete replacement will have to be in place by January 2021.

If this project is not funded, what are the impacts?

Support for the City's current system ends in 2020, and the City's backup system is inadequate for full Public Safety system use. All City Radios would be reduced to one channel. Emergency repairs could take days if not weeks due to age of transmission equipment.

Location: City-wide

City Council District: City-wide

Estimated Annual Cost Savings: There will be no tower lease costs saving \$30,000 per year and there will be some maintenance contract savings for the first five years as well.

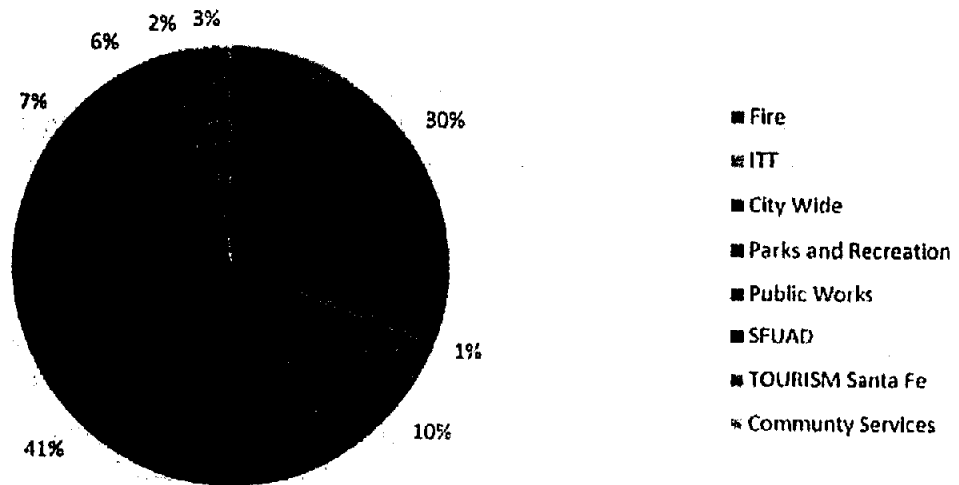
Estimated Annual Operating Costs: The radio frequency equipment (antennas, repeaters, onsite switching equipment, etc.) will require maintenance contracts that will be in the range of \$70,000 to \$100,000 annually depending on final solutions chosen as part of RFP.

2018 Senior Lien GRT Bond

The updated table of projects.

Fire Station #2 - New	599 E South Meadows Road	\$ 6,000,000	Fire	Public Safety	City Obligation
Public Safety Radio System Replacement	35 Camino Justica	\$ 2,000,000	City	Public Safety	City Obligation
Public Safety Wireless Network Project	35 Camino Justica	\$ 200,000	ITT	Public Safety	Critical Need
Santa Fe University of Art and Design	405 Griffin Street	\$ 1,100,000	SFUAD	Strategic Investment	Critical Need
CRM System	200 Lincoln Ave	\$ 100,000	City	Strategic Investment	Critical Need
Salvador Perez Building	601 Alta Vista Street	\$ 2,450,000	Parks and Recreation	Recreation	Deferred Maintenance
Genoveva Chavez Community Center	3221 Rodeo Road	\$ 4,300,000	Parks and Recreation	Recreation	Deferred Maintenance
Fort Marcy Recreation Center	490 Bishops Lodge Road	\$ 700,000	Parks and Recreation	Recreation	Deferred Maintenance
Restore Bridges at Urban Trails	Various	\$ 235,000	Parks and Recreation	Recreation	Deferred Maintenance
Library (Southside)	6599 Jaguar Drive	\$ 165,000	Community Services	Infrastructure	Deferred Maintenance
Library (Main)	145 Washington Ave	\$ 155,000	Community Services	Infrastructure	Deferred Maintenance
Sirango Road Facility	2651 Sirango Road	\$ 120,000	Public Works	Infrastructure	Deferred Maintenance
Siler Building	1142 Siler Road	\$ 580,000	Public Works	Infrastructure	Deferred Maintenance
City Hall	200 Lincoln Ave	\$ 600,000	Public Works	Infrastructure	Deferred Maintenance
Tree Roots and Pavers, Plaza	201 Lincoln Ave	\$ 60,000	Public Works	Infrastructure	Deferred Maintenance
Soccer Valley Improvements	205 Caja Del Rio Road	\$ 500,000	Parks and Recreation	Recreation	Leverage Matching Funds
MEQ Cafeteria Addition	1121 Albo Street	\$ 235,000	Community Services	Recreation	Leverage Matching Funds
Airport	121 Aviation Drive	\$ 100,000	Public Works	Infrastructure	Leverage Matching Funds
Art in Public Places	City Wide	\$ 400,000	TOURISM Santa Fe	Infrastructure	City Obligation

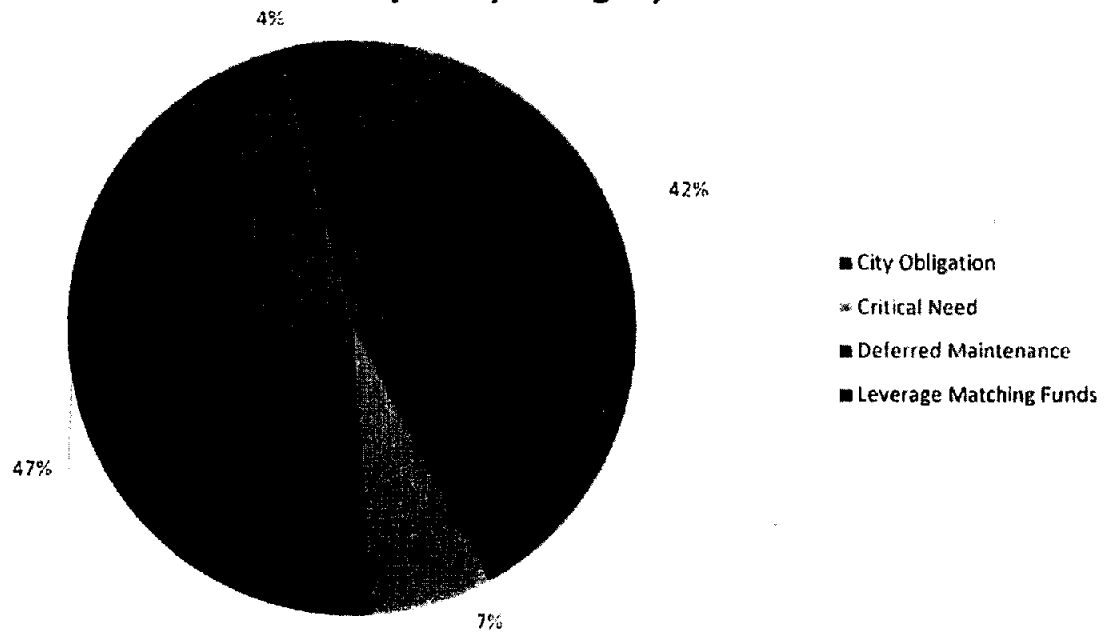
2018 GRT Bond Uses Project by Department



2018 Senior Lien GRT Bond

There was no change in the following charts

2018 GRT Bond Uses Project by Category



2018 GRT Bond Uses Project by Policy Goal

