



Agenda

**PUBLIC WORKS/CIP & LAND USE
COMMITTEE MEETING
CITY HALL COUNCIL CHAMBERS
MONDAY, JANUARY 13, 2020
5:00 P.M.**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM DECEMBER 9, 2019 PUBLIC WORKS/CIP & LAND USE COMMITTEE MEETING
6. CONSENT AGENDA
 - a) Request for the Approval of the Purchase of Food Products: Procurement Source: State Wide Price Agreement #80-000-18-00061 "State Wide Food Items." Vendors: Sysco, Shamrock Foods and Ben E. Keith Foods, Expires 4/12/2020. (Gino Rinaldi, Senior Services Division Director, earinaldi@santafenm.gov, 955-4710)

COMMITTEE REVIEW

Finance Committee (Scheduled)

01/21/2020

Governing Body (Scheduled)

01/29/2020

- b) Request for the Approval of the Purchase of Food Products: Procurement Source: Cooperative CES#16-025B-C101-ALL "Coop. Food Program for Food and Non-Food Items" Vendor: Labatt, Expires 7/26/2020. (Gino Rinaldi, Senior Services Division Director, earinaldi@santafenm.gov, 955-4710)

COMMITTEE REVIEW

Finance Committee (Scheduled)

01/21/2020

Governing Body (Scheduled)

01/29/2020

- c) Request for Approval of Maintenance Contract for Avaya Phone Systems. This is a Three-Year Agreement for Software Upgrades, Licensing, and General Support in the Amount of \$81,213.62 per Year for a Total of \$243,640.86. (Larry Worstell, ITT Infrastructure Manager, lfworstell@santafenm.gov, 955-5580; Joshua Elicio, ITT Division Director, juelicio@santafenm.gov, 955-5576)

COMMITTEE REVIEW

Finance Committee (Scheduled)

01/21/2020

Governing Body (Scheduled)

01/29/2020

- d) Request for Approval of NMDOT Funding Agreement, CN S100470; for Design of the St. Michael's Dr, Rail Trail Pedestrian Crossing/Underpass(Sarah Anderson, Engineer Supervisor, smanderson@santafenm.gov, 955-6672):

- Request for Approval of NMDOT Funding Agreement for \$284,999.00
- Approval of BAR to Budget NMDOT Grant Funding

COMMITTEE REVIEW

Finance Committee (Scheduled)

01/21/2020

Governing Body (Scheduled)

01/29/2020

- e) Request for Approval of Budget Amendment Resolution (BAR) to Fully Fund Construction of CIP #454A – Rail Trail Extension Project from Alta Vista Street to Pen Road (Sarah Anderson, Engineer Supervisor smanderson@santafenm.gov, 955-6672)

COMMITTEE REVIEW

Finance Committee (Scheduled)

01/21/2020

Governing Body (Scheduled)

01/29/2020

- f) Amendment to a Municipal Arterial Program Cooperative Grant from the New Mexico Department of Transportation for the Planning, Design, and Construction of Agua Fria Street and South Meadows Road Intersection Improvements. (Sarah Anderson, Engineer Supervisor, smanderson@santafenm.gov, 955-6672)

- Consideration of Resolution No. 2020-__: A Resolution Requesting a Time Extension for a Municipal Arterial Program Cooperative Grant from the New Mexico Department of Transportation Identified as Control Number L500306 for the Planning, Design, and Construction of Agua Fria Street and South Meadows Road Intersection Improvements. (Councilor Rivera)
- Request for Approval of Amendment No. 1 to a Municipal Arterial Program Cooperative Agreement with the New Mexico Department of Transportation for the Planning, Design, and Construction of CIP 853C – Agua Fria and South Meadows Road Intersection Improvements Project. Amendment is for Extension of Agreement Term Only and No Additional Funding.

COMMITTEE REVIEW

Finance Committee (Scheduled)

01/21/2020

Governing Body (Scheduled)

01/29/2020

- g) Acceptance of a Grant from the Local Government Transportation Project Fund Program Administered by the New Mexico Department of Transportation for the Guadalupe/Santa Fe River Bridge Deck Rehabilitation (Sarah Anderson, Engineer Supervisor, smanderson@santafenm.gov, 955-6672)
- Consideration of Resolution No. 2020-__: A Resolution Accepting a Grant from the Local Government Transportation Project Fund Program Administered by the New Mexico Department of Transportation Identified as Control Number LP50008 for the Guadalupe/Santa Fe River Bridge Deck Rehabilitation. (Councilors Lindell and Villarreal)
 - Request for Approval of a Grant Agreement (MUNIS Contract No. 3201354) with the New Mexico Department of Transportation in the Amount of \$750,000 for the Guadalupe/Santa Fe River Bridge Deck Rehabilitation (CN LP50008)
 - Request for Approval of Budget Amendment Resolution to Budget NMDOT Grant Funding

COMMITTEE REVIEW

Finance Committee (Scheduled)

01/21/2020

Governing Body (Scheduled)

01/29/2020

- h) Request for Approval of State Price Agreement and GSA Schedule for \$204,340.87 to Purchase Mobile Video Trailers from SCI, Inc. (Ben Valdez, Deputy Chief of Police, bpvaldez@santafenm.gov, 955-5040)

COMMITTEE REVIEW

Finance Committee (Scheduled)

01/21/2020

Governing Body (Scheduled)

01/29/2020

- i) Consideration of Bill No. 2019-34: An Ordinance Amending Section 24-4.3 to Provide that the City Manager Appoints the Hearing Officer Instead of the Presiding Judge of the Civil Division of District Court; and Amending Subsection 24-4.5(H) to Remove Increased Fines for Subsequent STOP Violations within a Two-Year Period. (Councilors Lindell and Rivera) (Ben Valdez, Deputy Police Chief, bpvaldez@santafenm.gov, 955-5040)

COMMITTEE REVIEW

Public Safety Committee (Approved)

12/17/2019

Governing Body (Request to Publish) (Scheduled)

01/08/2020

Finance Committee (Scheduled)

01/21/2020

Governing Body (Public Hearing) (Scheduled)

01/29/2020

- j) Request for Approval of Memorandum of Agreement No. 20-521-0300-0041 Between the State of New Mexico, Energy, Minerals and Natural Resources Department (EMNRD) and the City of Santa Fe to Provide Access to Funds Which Can be Used to Reimburse the City of Santa Fe Fire Department for Expenditures in Accordance to this Agreement for an Amount not to Exceed \$7,000 (Carlos Nava, Assistant Fire Chief, rcnava@santafenm.gov, 955-3118)

COMMITTEE REVIEW

Finance Committee (Scheduled)

01/21/2020

Governing Body (Scheduled)

01/29/2020

- k) Consideration of Bill No. 2019-19: An Ordinance Amending Section 7-1.1 SFCC 1987 to Repeal the New Mexico Non-Load Bearing Baled Straw Construction Building Standards; to Adopt Current Versions of Building Codes as Amended by the State of New Mexico Construction Industries Division; Removing the Provision that Allowed Prior Codes to be Used if Permit Applications were Submitted Six Months Prior to the Effective Date of the New Code; and Amending Section 7-1.9 SFCC 1987 Regarding Non-Potable Rainwater Catchment Systems. (Councilor Villarreal) (Dalinda Bangert, Green Building Code Specialist, dkbangert@santafenm.gov, 955-6618)

COMMITTEE REVIEW

Governing Body (Request to Publish) (Scheduled)

01/08/2020

Finance Committee (Scheduled)

01/21/2020

Governing Body (Public Hearing) (Scheduled)

01/29/2020

- l) Consideration of Bill No. 2020-1: An Ordinance Authorizing the Sale of Approximately 10,242 Square Feet of Building and Improvements Only, Known as the "Santa Fe Clay Building," Located on Parcel F-1 at 545 Camino de la Familia in the Santa Fe Railyard Lying and Being Situated Within the City and County of Santa Fe, New Mexico. (Mayor Webber) (Kevin Kellogg, Asset Development Director, kckellogg@santafenm.gov, 955-6213; Andrea Salazar, Assistant City Attorney, asalazar@santafenm.gov, 955-6303)

COMMITTEE REVIEW

Governing Body (Request to Publish) (Scheduled)

01/08/2020

Finance Committee (Scheduled)

01/21/2020

Governing Body (Public Hearing) (Scheduled)

01/29/2020

- m) Request of Approval for Reallocation of Savings from Phases I,II, and III of the Gas Tax Projects in the Total Amount of \$3,545,000.00 for Pavement Rehabilitation on Portions of Osage, Palace, Placita de Oro, Hopewell, Armenta, Espinacitas, East DeVargas, West San Mateo, Paseo de Sol, Agua Fria, Siringo, Zafarano, Camino de Los Arroyos, Rufina Circle, Richards Lane and Crack Sealing Citywide. (Javier Martinez, jmartinez2@santafenm.gov 955-2402 or Mark Brooks, mebrooks@santafenm.gov 955-2404)

COMMITTEE REVIEW

Governing Body (Scheduled)

01/29/2020

- n) Request for Approval to Amend the Existing Professional Services Contract to Allow the Lentic Performing Arts Center to Continue to Administer the Santa Fe Public School District's Performing Arts for Student Success (PASS) Program for one (1) Additional Year. (Noel Correia, Parking Division Director, npcorreia@santafenm.gov, 955-6611)

COMMITTEE REVIEW

Finance Committee (Scheduled)

01/21/2020

Governing Body (Scheduled)

01/29/2020

- o) Project Status Presentation and Request for Approval of Amendment No. 1 to the Contract for Construction for the Salvador Perez Recreation Building Structural and Building Envelope Rehabilitation, for an Increase of \$51,396.88 to the Contract Amount for Additional Scope of Work (New Floor Tile and Interior Paint) and an Increase of 30 Days to the Contract Time. (Anson Rane, PW Project Administrator, acrane@santafenm.gov 955-5935)

COMMITTEE REVIEW

Governing Body (Scheduled)

01/29/2020

7. MATTERS FROM STAFF
8. MATTERS FROM THE COMMITTEE
9. MATTERS FROM THE CHAIR
10. NEXT MEETING: **MONDAY, JANUARY 27, 2020**
11. ADJOURN

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520
five (5) working days prior to meeting / date

RECEIVED AT THE CITY CLERK'S OFFICE	
DATE:	January 10, 2020
TIME:	2:50 PM

SUMMARY OF ACTION
PUBLIC WORKS/CIP AND LAND USE
COMMITTEE MEETING
CITY HALL, COUNCIL CHAMBERS
MONDAY, JANUARY 13, 2020, 5:00 PM

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER		1
ROLL CALL	QUORUM	1
APPROVAL OF AGENDA	APPROVED	1-2
APPROVAL OF CONSENT AGENDA	APPROVED	2
APPROVAL OF MINUTES DECEMBER 9, 2019	APPROVED	2
<u>CONSENT AGENDA</u>		
REQUEST FOR THE APPROVAL OF THE PURCHASE OF FOOD PRODUCTS: PROCURE3MENT SOURCE: STATE WIDE PRICE AGREEMENT # 80-000-18-00061 "STATE WIDE FOOD ITEMS". VENDORS: SYSCO, SHAMROCK FOODS AND BEN E. KEITH FOODS, EXPIRES 4/12/2020.	APPROVED ON CONSENT	2
REQUEST FOR THE APPROVAL OF THE PURCHASE OF FOOD PRODUCTS: PROCUREMENT SOURCE: COOPERATIVE CES #16-025B-C101-ALL "COOP FOOD PROGRAM FOR FOOD AND NON-FOOD ITEMS", VENDOR: LABATT, EXPIRES 7/26/2020.	APPROVED ON CONSENT	2
REQUEST FOR APPROVAL OF	APPROVED ON CONSENT	2-3

**MAINTENANCE CONTRACT
FOR AVAYA PHONE SYSTEMS.
THIS IS A THREE-YEAR
AGREEMENT FOR SOFTWARE
UPGRADES, LICENSING AND
GENERAL SUPPORT IN THE
AMOUNT OF \$81,213.62 PER YEAR
FOR A TOTAL OF \$243,640.86.**

**REQUEST FOR APPROVAL OF
NMDOT FUNDING AGREEMENT,
CN S100470; FOR THE DESIGN OF
THE ST. MICHAELS DR., RAIL TRAIL
PEDESTRIAN
CROSSING/UNDERPASS.**

APPROVED ON CONSENT

3

**REQUEST FOR APPROVAL OF
BUDGET AMENDMENT
RESOLUTION (BAR) TO FULLY
FUND CONSTRUCTION OF
CIP #454A - RAIL TRAIL
EXTENSION PROJECT FROM
ALTA VISTA STREET TO PEN
ROAD.**

APPROVED ON CONSENT

3

**AMENDMENT TO A MUNICIPAL
ARTERIAL PROGRAM
COOPERATIVE GRANT FROM
THE NEW MEXICO DEPARTMENT
OF TRANSPORTATION FOR THE
PLANNING, DESIGN AND
CONSTRUCTION OF AGUA FRIA
STREET AND SOUTH MEADOWS
ROAD INTERSECTION
IMPROVEMENTS**

APPROVED ON CONSENT

3-4

**ACCEPTANCE OF A GRANT FROM
THE LOCAL GOVERNMENT
TRANSPORTATION PROJECT FUND
PROGRAM ADMINISTERED BY THE
NEW MEXICO DEPARTMENT OF
TRANSPORTATION FOR THE
GUADALUPE/SANTA FE RIVER
BRIDGE DECK REHABILITATION.**

APPROVED ON CONSENT

4

REQUEST FOR APPROVAL OF STATE PRICE AGREEMENT WITH GSA SCHEDULE FOR \$204,340.87 TO PURCHASE MOBILE VIDEO TRAILERS FROM SCI, INC.	APPROVED	4-6
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CONSIDERATION OF BILL NO. 2019-34; AN ORDINANCE AMENDING SECTION 24-4.3 TO PROVIDE THAT THE CITY MANAGER APPOINTS THE HEARING OFFICER INSTEAD OF THE PRESIDING JUDGE OF THE CIVIL DIVISION OF DISTRICT COURT; AMENDING SUBSECTION 24-4.5(H) TO REMOVE INCREASED FINES FOR SUBSEQUENT STOP VIOLATIONS WITHIN A TWO-YEAR PERIOD.	APPROVED	6-7
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REQUEST FOR APPROVAL OF A MEMORANDUM OF AGREEMENT NO. 20-521-0300-0041 BETWEEN THE STATE OF NEW MEXICO, ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT (EMNRD) AND THE CITY OF SANTA FE TO PROVIDE ACCESS TO FUNDS WHICH CAN BE USED TO REIMBURSE THE CITY OF SANTA FE FIRE DEPARTMENT EXPENDITURES IN ACCORDANCE TO THIS AGREEMENT FOR AN AMOUNT NOT TO EXCEED \$7,000.	APPROVED ON CONSENT	7
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CONSIDERATION OF BILL NO. 2019-29: AN ORDINANCE AMENDING SECTION 7-1.1 SFCC 1987 TO REPEAL THE NEW MEXICO NON-LOAD BEARING BALED STRAW CONSTRUCTION STANDARDS TO ADOPT CURRENT VERSIONS OF BUILDING CODES AS AMENDED BY THE STATE OF NEW MEXICO	APPROVED ON CONSENT	7
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**CONSTRUCTION INDUSTRIES
DIVISION; REMOVING THE
PROVISION THAT ALLOWED
PRIOR CODES TO BE USED IF
PERMIT APPLICATIONS WERE
SUBMITTED SIX MONTHS PRIOR
TO THE EFFECTIVE DATE OF THE
NEW CODE; AND AMENDING
SECTION 7-1.9 SFCC 1987
REGARDING NON-POTABLE
RAINWATER CATCHMENT SYSTEMS.**

**CONSIDERATION OF BILL NO. APPROVED
2020-1: AN ORDINANCE
AUTHORIZING THE SALE OF
APPROXIMATELY 10,242 SQUARE
FEET OF BUILDING AND
IMPROVEMENTS ONLY, KNOWN AS
THE "SANTA FE CLAY BUILDING,"
LOCATED ON PARCEL F-1 AT 545
CAMINO DE LA FAMILIA IN THE SANTA
FE RAILYARD LYING AND BEING
SITUATED WITHIN THE CITY AND
COUNTY OF SANTA FE,
NEW MEXICO.**

7-19

**REQUEST OF APPROVAL FOR APPROVED ON CONSENT
REALLOCATION OF SAVINGS FROM
PHASES I, II AND III OF THE GAS
TAX PROJECTS IN THE TOTAL
AMOUNT OF \$3,545,000.00 FOR
PAVEMENT REHABILITATION ON
PORTIONS OF OSAGE, PALACE,
PLACITA DE ORO, HOPEWELL,
ARMENTA, ESPINACITAS, EAST
DEVARGAS, WEST SAN MATEO,
PASEO DE SOL, AGUA FRIA,
SIRINGO, ZAFARANO, CAMINO
DE LAS ARROYOS, RUFINA
CIRCLE, AND RICHARDS LANE
AND CRACK SEALING CITYWIDE.**

19

**REQUEST FOR APPROVAL TO APPROVED
AMEND THE EXISTING
PROFESSIONAL SERVICES**

19-20

**CONTRACT TO ALLOW THE
LENSIC PERFORMING ARTS
CENTER TO CONTINUE TO
ADMINISTER THE SANTA FE
PUBLIC SCHOOL DISTRICT'S
PERFORMING ARTS FOR
STUDENT SUCCESS (PASS)
PROGRAM FOR (1) ONE
ADDITIONAL YEAR.**

**PROJECT STATUS
PRESENTATION AND REQUEST
FOR APPROVAL OF AMENDMENT
NO. 1 TO THE CONTRACT FOR
CONSTRUCTION FOR THE
SALVADOR PEREZ
RECREATIONAL BUILDING
STRUCTURAL AND BUILDING
ENVELOPE REHABILITATION,
FOR AN INCREASE OF \$51,396.88
TO THE CONTRACT FOR
ADDITIONAL SCOPE OF WORK
(NEW FLOOR TILE AND INTERIOR
PAINT) AND AN INCREASE OF 20
DAYS TO THE CONTRACT TIME.**

APPROVED

20-21

MATTERS FROM STAFF

INFORMATION/DISCUSSION

21-22

MATTERS FROM THE COMMITTEE

INFORMATION/DISCUSSION

22

MATTERS FROM THE CHAIR

INFORMATION/DISCUSSION

22

NEXT MEETING

JANUARY 27, 2020

22

ADJOURN

ADJOURNED

23

**PUBLIC WORKS/CIP AND LAND USE
COMMITTEE MEETING
CITY HALL, COUNCIL CHAMBERS
MONDAY, JANUARY 13, 2020, 5:00 PM**

1. CALL TO ORDER

A regular meeting of the Public Works/CIP & Land Use Committee was called to order on Monday, January 13, 2020, by Councilor Christopher Rivera, Chair at approximately 5:00 PM in City Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fé, New Mexico.

2. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Councilor Christopher Rivera, Chair
Councilor JoAnne Vigil Coppler
Councilor Roman Abeyta
Councilor Renee Villarreal
Councilor Michael Garcia

MEMBERS EXCUSED:

STAFF PRESENT:

Regina Wheeler, Public Works Director

OTHERS PRESENT:

Elizabeth Martin, Stenographer

NOTE: All items in the Committee packets for all agenda items were incorporated herewith by reference. The original Committee packet is on file in the Public Works Department.

3. APPROVAL OF AGENDA

Ms. Wheeler explained a correction to item O which is herewith attached to these minutes as Exhibit "1".

MOTION A motion was made by Councilor Villarreal, seconded by Councilor Vigil

Coppler, to approve the agenda as amended.

VOTE The motion passed unanimously by voice vote.

4. APPROVAL OF CONSENT AGENDA

Councilor Villarreal pulled items H, I and L for discussion.

Councilor Vigil Coppler pulled items I, L, N and O for discussion.

MOTION A motion was made by Councilor Villarreal, seconded by Councilor Garcia, to approve the consent agenda as amended.

VOTE The motion passed unanimously by voice vote.

**5. APPROVAL OF MINUTES
DECEMBER 9, 2019**

MOTION A motion was made by Councilor Abeyta, seconded by Councilor Vigil Coppler, to approve the minutes as presented.

VOTE The motion passed unanimously by voice vote.

6. CONSENT AGENDA

A. REQUEST FOR THE APPROVAL OF THE PURCHASE OF FOOD PRODUCTS: PROCUREMENT SOURCE: STATE WIDE PRICE AGREEMENT # 80-000-18-00061 "STATE WIDE FOOD ITEMS". VENDORS: SYSCO, SHAMROCK FOODS AND BEN E. KEITH FOODS, EXPIRES 4/12/2020.

Approved on consent.

B. REQUEST FOR THE APPROVAL OF THE PURCHASE OF FOOD PRODUCTS: PROCUREMENT SOURCE: COOPERATIVE CES #16-025B-C101-ALL "COOP FOOD PROGRAM FOR FOOD AND NON-FOOD ITEMS", VENDOR: LABATT, EXPIRES 7/26/2020.

Approved on consent.

C. REQUEST FOR APPROVAL OF MAINTENANCE CONTRACT FOR AVAYA PHONE SYSTEMS. THIS IS A THREE-YEAR AGREEMENT FOR SOFTWARE UPGRADES, LICENSING AND GENERAL SUPPORT

IN THE AMOUNT OF \$81,213.62 PER YEAR FOR A TOTAL OF \$243,640.86.

Approved on consent.

D. REQUEST FOR APPROVAL OF NMDOT FUNDING AGREEMENT, CN S100470; FOR THE DESIGN OF THE ST. MICHAELS DR., RAIL TRAIL PEDESTRIAN CROSSING/UNDERPASS.

- 1. REQUEST FOR APPROVAL OF NMDOT FUNDING AGREEMENT FOR \$284,999.00**
- 2. APPROVAL OF BAR TO BUDGET NMDOT GRANT FUNDING**

Approved on consent.

E. REQUEST FOR APPROVAL OF BUDGET AMENDMENT RESOLUTION (BAR) TO FULLY FUND CONSTRUCTION OF CIP #454A - RAIL TRAIL EXTENSION PROJECT FROM ALTA VISTA STREET TO PEN ROAD.

Approved on consent.

F. AMENDMENT TO A MUNICIPAL ARTERIAL PROGRAM COOPERATIVE GRANT FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR THE PLANNING, DESIGN AND CONSTRUCTION OF AGUA FRIA STREET AND SOUTH MEADOWS ROAD INTERSECTION IMPROVEMENTS

- 1. CONSIDERATION OF RESOLUTION NO. 2020 - ____ : A RESOLUTION REQUESTING A TIME EXTENSION FOR A MUNICIPAL ARTERIAL PROGRAM COOPERATIVE GRANT FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION IDENTIFIED AS CONTROL NUMBER L500306 FOR THE PLANNING, DESIGN AND CONSTRUCTION OF AGUA FRIA STREET AND SOUTH MEADOWS ROAD INTERSECTION IMPROVEMENTS.**
- 2. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO A MUNICIPAL ARTERIAL PROGRAM COOPERATIVE AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR THE PLANNING, DESIGN AND CONSTRUCTION OF CIP 853C - AGUA FRIA AND SOUTH MEADOWS ROAD INTERSECTION IMPROVEMENTS PROJECT.**

AMENDMENT IS FOR EXTENSION OF AGREEMENT TERM ONLY AND NO ADDITIONAL FUNDING.

Approved on consent.

G. ACCEPTANCE OF A GRANT FROM THE LOCAL GOVERNMENT TRANSPORTATION PROJECT FUND PROGRAM ADMINISTERED BY THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR THE GUADALUPE/SANTA FE RIVER BRIDGE DECK REHABILITATION.

- 1. CONSIDERATION OF RESOLUTION NO. 2020-____; A RESOLUTION ACCEPTING A GRANT FROM THE LOCAL GOVERNMENT TRANSPORTATION PROJECT FUND PROGRAM ADMINISTERED BY THE NEW MEXICO DEPARTMENT OF TRANSPORTATION IDENTIFIED AS CONTROL NUMBER LP50008 FOR THE GUADALUPE/SANTA FE RIVER BRIDGE DECK REHABILITATION.**
- 2. REQUEST FOR APPROVAL OF A GRANT AGREEMENT (MUNIS CONTRACT NO. 3201354) WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$750,000 FOR THE GUADALUPE/SANTA FE RIVER BRIDGE DECK REHABILITATION (CN LP50008)**
- 3. REQUEST FOR APPROVAL OF BUDGET AMENDMENT RESOLUTION TO BUDGET NMDOT GRANT FUNDING.**

Approved on consent.

H. REQUEST FOR APPROVAL OF STATE PRICE AGREEMENT WITH GSA SCHEDULE FOR \$204,340.87 TO PURCHASE MOBILE VIDEO TRAILERS FROM SCI, INC. Chief Padilla, Chief of Police

Councilor Villarreal said she wanted to understand the first purchase we made for cameras.

Chief Padilla said we purchased two of these two years ago. The current year budget is approved for four. We would have a total of eight with these.

Councilor Villarreal asked the ones we purchased 2 and a half years ago, are they the ones that need to be serviced.

Chief Padilla said they all have to be serviced. We operate now with three out of

the four. It has to be shipped out to California for major repairs. They are constantly rotated as to location.

Councilor Villarreal asked when there are technical problems are repairs performed by our staff.

Chief Padilla said for regular maintenance. For warranty work they go to Siler Road for repair.

Councilor Villarreal asked do we pay shipping when we have to send them out.

Chief Padilla said yes, the cost is \$5,000. It is better to have our fleet manger load it on a trailer and drive it out then go back and pick it up. He is a civilian employee.

Councilor Villarreal asked so we opted for the later.

Chief Padilla said we are still in the process of deciding.

Councilor Villarreal asked are there any companies who do this kind of service that would come to us.

Chief Padilla said we have already worked with this company for the last five years. We felt we needed to keep continuity with this company. We have not done an RFP for options. This is the same company the Albuquerque Police have used for the last eight to ten years.

Councilor Villarreal said all of us would rather have personnel hired for the amount of money we spend on these. What is the funding source.

Chief Padilla said our operating budget. It was previously approved by the Governing Body.

Councilor Villarreal asked is that separate from salary and benefits.

Chief Padilla said yes, it is a force multiplier.

Councilor Villarreal said the footage or data we collect, who reviews those.

Chief Padilla said we review it internally. It is retained for thirty days then it is written over.

Councilor Villarreal asked if we had to go back to something we would not be able to go back longer than thirty days.

Chief Padilla said thirty days only.

Councilor Villarreal asked is there a way to keep it longer.

Chief Padilla said we would have to beef up the service, but we have not seen the need for that.

Councilor Villarreal asked who has access.

Chief Padilla said three of our staff in the Intelligence Unit.

Councilor Villarreal asked where do we store it.

Chief Padilla said it has an internal hard drive and a laptop computer built into it.

Chair Rivera said this was approved by Public Service in December.

MOTION A motion was made by Councilor Abeyta, seconded by Councilor Vigil Coppler, to approve the request.

VOTE The motion passed unanimously by voice vote.

I. CONSIDERATION OF BILL NO, 2019-34; AN ORDINANCE AMENDING SECTION 24-4.3 TO PROVIDE THAT THE CITY MANAGER APPOINTS THE HEARING OFFICER INSTEAD OF THE PRESIDING JUDGE OF THE CIVIL DIVISION OF DISTRICT COURT; AMENDING SUBSECTION 24-4.5(H) TO REMOVE INCREASED FINES FOR SUBSEQUENT STOP VIOLATIONS WITHIN A TWO-YEAR PERIOD.

Chief Padilla, Chief of Police

Councilor Vigil Coppler said she only pulled this to make sure the amendment was in and she see it here. She wanted to make sure that the amendment got in that the City appoints, not the City Manager. It would be most judicious to have the Municipal Judge make that appointment. It would be more fair and allows just enough distance. That position requires them to be an attorney and they are more versed in qualifications for hearing officers.

Councilor Villarreal said, on the other amendment, explain that change.

Chair Rivera said it changes the recommendation for giving out citations in school zones and five miles per hour above the speed limit for construction zones. Those fines would be different from anywhere else in the City.

Councilor Villarreal said she does not support and did not vote for the STOP Program. She doesn't think it is what we need at this time. In this case, she is willing to

support the amended Ordinance to get the correct process. The fact that we are looking toward a more equitable fee structure is something she is in favor of and will support.

Councilor Abeyta said he tends to agree with Councilor Vigil Coppler regarding having the Municipal Judge make the appointment. As a sponsor of the bill are you okay with that Mr. Chair.

Chair Rivera said yes, he does not have a problem with that.

MOTION A motion was made by Councilor Abeyta, seconded by Councilor Vigil Coppler, to approve the request with an amendment that provides that the appointment of hearing officers will be done by the City Municipal Judge and with the other amendments proposed.

VOTE The motion passed unanimously by voice vote.

- J. REQUEST FOR APPROVAL OF A MEMORANDUM OF AGREEMENT NO. 20-521-0300-0041 BETWEEN THE STATE OF NEW MEXICO, ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT (EMNRD) AND THE CITY OF SANTA FE TO PROVIDE ACCESS TO FUNDS WHICH CAN BE USED TO REIMBURSE THE CITY OF SANTA FE FIRE DEPARTMENT EXPENDITURES IN ACCORDANCE TO THIS AGREEMENT FOR AN AMOUNT NOT TO EXCEED \$7,000.**

Approved on consent.

- K. CONSIDERATION OF BILL NO. 2019-29: AN ORDINANCE AMENDING SECTION 7-1.1 SFCC 1987 TO REPEAL THE NEW MEXICO NON-LOAD BEARING BALED STRAW CONSTRUCTION STANDARDS TO ADOPT CURRENT VERSIONS OF BUILDING CODES AS AMENDED BY THE STATE OF NEW MEXICO CONSTRUCTION INDUSTRIES DIVISION; REMOVING THE PROVISION THAT ALLOWED PRIOR CODES TO BE USED IF PERMIT APPLICATIONS WERE SUBMITTED SIX MONTHS PRIOR TO THE EFFECTIVE DATE OF THE NEW CODE; AND AMENDING SECTION 7-1.9 SFCC 1987 REGARDING NON-POTABLE RAINWATER CATCHMENT SYSTEMS.**

Approved on consent.

- L. CONSIDERATION OF BILL NO. 2020-1: AN ORDINANCE AUTHORIZING THE SALE OF APPROXIMATE 10,242 SQUARE FEET OF BUILDING AND IMPROVEMENTS ONLY, KNOWN AS THE "SANTA FE CLAY BUILDING," LOCATED ON PARCEL F-1 AT 545**

CAMINO DE LA FAMILIA IN THE SANTA FE RAILYARD LYING AND BEING SITUATED WITHIN THE CITY AND COUNTY OF SANTA FE, NEW MEXICO. Andrea Salazar, Assistant City Attorney, Rich Brown, Director, Economic Development

Councilor Villarreal said she would like the memo the Committee members just received by Councilor Lindell shared.

Mr. Wheeler read the memo out loud for the attendees at the meeting.

Councilor Vigil Coppler said she would like to go over some things. Thank you to Councilor Lindell for bringing this information to us. If some of the people she refers to would testify, it would not be heresy. She also spoke to people from Barker Reality, but did not get the same information. She is not against this, but feels there are some flaws in the appraisal. She thinks the City should have its own appraisal. This appraisal represents the buyers and while that is typical in real estate transactions, there are some statements she has concern with. One is the comparables used are not comparables in her estimation. They are not downtown. They are close to Highway 14. In real estate practice you don't go way out like that. She did not see any pluses or minuses to add value for property close to the Railyard. They also didn't use the recent sale of Alvord School. That concerns her. She thinks you certainly could not put together that building for \$150,000. She understands that there was some consideration for the amount of money it will take to improve the building from what it is now. Once it is improved what are the offsets for the financial gain the parties would get. It does not give any credit for the property being downtown in the comparables. The Assessor values it at \$337,861. That is a vast difference. It seems to her that it is slanted. It is a good value because when it is done it will make David Barker's property more valuable. He is the one who said it was a good value. She is not opposed to this transaction, but thinks we have not done enough to convince the tax payers that we have their interests in mind. There have been many comments from realtors as well. It is too much of a fire sale when downtown is not on fire. The City need to look to other options and do another appraisal, then take another look at it.

Mr. Brown said he was going to have legal staff, Ms. Salazar, and Mr. Czoski, Santa Fe Railyard Community Corporation, address some of your concerns.

Ms. Salazar said thank you for asking your questions. The appraisers are also the appraisers we use in the evaluation of our own property. The other important information is that this is solely about the building. It does not include the land. With Alvord there was a large piece of property. We have to see it as what it is right now. It is basically the shell of a building that shares a wall with Museo. Mr. Kellogg checked out the site and did his own due diligence. When we evaluated the appraisal, he felt comfortable that it correctly appraised the building. It is a \$500,000 property, but when you consider the code issues and other repair issues, that brings it down to \$150,000.

The City has contracted with SFRCC to lease out and develop all the property we own at the Railyard. We own the ground and six of the four buildings. The Santa Fe Clay Building and the ground are leased by SFRCC. They have the say as to who leases the building. They did not market it for sale because they can't sell the building. They marketed it to lease it out. When they had someone who wanted to lease it, Luna Capital, they said they could not make the necessary renovations to bring it up to code because they did not own the building. The City does not hold the leases, we own the building. That is why we are proceeding as we are. When Luna Capital proposed purchasing the building we noted it was set for demolition, for which the City receives no funds. We decided we would like to see revenue come in.

Councilor Vigil Coppler said what you said about the appraisers, it seems to her that in this transaction, because it is different, but is still downtown property, maybe we should have done an RFP for appraisers. If we always use the same appraiser that is part of the problem. They should not be indebted to anyone. The appraiser does say in his report that this was done for the buyers only. Where are the City's interests in that. To her it just does not add up. That is my profession. Realtor. She knows the City can't list properties, but we can let the public know this is available. The market will tell you what the price should be. She cannot get over the low price when you could not replace the building for that. It is not enough. Because the appraiser is beholden to the buyer and did not include properties in a comparable area and she did not see adjustments attempted, it gives her pause. Is this the best appraisal we could get. If they are taking credit for all the money that has to go into the building he should have taken credit for the value of the building after the improvements. She is not comfortable with this appraisal. Also the tax appraiser values it at a higher rate. They are trained appraisers too. Are we really doing enough in the appraisal of this building to satisfy the tax payers. If she was selling this she would do everything she could to make sure she is getting the best price. She does not see that being done. It does not meet the standards in what is required in the profession she knows.

Councilor Abeyta asked we are not selling the land the building sits on. The City will continue to own the land.

Ms. Salazar said correct.

Councilor Abeyta asked what happens if they default on a lease. Does the City keep the building as improved.

Ms. Salazar said yes. There will be subleases with the tenant. If they default, the building reverts back to the City with improvements.

Councilor Abeyta asked are they paying a lease payment for the land.

Ms. Salazar said yes.

Councilor Abeyta asked how long is the lease.

Ms. Salazar said they lease the ground for the term set forth and have the ability to extend it up to 90 years.

Councilor Abeyta asked if this piece was vacant would they be able to build on it. How did Violet Crown get there.

Ms. Salazar said she will turn it this over to Mr. Czoski to address that.

Councilor Abeyta asked what happens to the Crown piece. If they leave do they take the building with them.

Mr. Czoski said to answer your question on Violet Crown, we entered into a lease for ninety years. Violet Crown constructed the building. If they defaulted on the ground lease the building would default to the City. The lender has first rights to get paid. When Market Station, where REI is, went into default the lender stepped in and paid the rent for the groups. There was a loan of \$12 million and the ground rent was several thousand a month. The City and SFRCC are at very low risk when a tenant defaults as long as a building is on the site. If there is no building there is nothing for us to recover. In this case if Luna improved the building and defaulted on the ground lease the lender would get paid first then the building would default to the City.

Councilor Abeyta asked so they want to buy the structure here.

Mr. Czoski said correct. To Councilor Vigil Coppler's point, you could not replace it for \$150,000. You would not be allowed to replace it for that because of the code violations.

Councilor Abeyta asked they are willing to buy the building and make the improvements even though they will never own the building.

Mr. Czoski said yes. All the buildings will be owned by the City at the end of the ground leases.

Councilor Abeyta asked why are they buying the building. Is that required for them to finance the improvements.

Mr. Czoski asked Mr. Axtell to address that question.

Chris Axtell, Luna Capital, said the lease at the Railyard is complex. There is long term planning there. This is estimated as a \$2.5 million project. The appraisal did not include some of the issues coming up now such as running additional gas and electric meters to the building. It is about leverage for us. We are willing to invest. We need additional capital for the leverage. We are ready to invest more.

Councilor Abeyta said so staff is looking at this favorably because it is a long term investment for the City as it will revert to the City.

Councilor Villarreal said she has some concerns similar to those of Councilor Vigil Coppler. The comparables seem skewed. There is not enough due diligence done on our part. When it changes to a process for potential sale does it not create a different scenario for us legally and give us an ability to say this building is listed for sale to the open market. How does it look different in considering a sale.

Ms. Salazar said statutorily it is different under selling. As a City, we have the right to sell, lease or exchange the private sale or public sale to the highest bidder. It depends on how we go about that. In this scenario, because SFRCC has control over the use and leases, it is different. They are bound to the Master Plan and lease and management agreement and they have the right to enter into leases with perspective tenants. Because we have given over that authority, they can come to us and say this is in the vein of the Master Plan, but they need more leverage in the transaction of the sale for other properties. Because this is different is why we are presenting this in this manner.

Councilor Villarreal said she heard her say that it is a different scenario. She thought we would have some kind of other opportunity if there was potential for selling it and that the process would change. She is curious as to why we did not opt for an RFP process.

Ms. Salazar said because it is still subject to the ground and building lease. Luna Capital could just lease the building and land and not purchase the building. If SFRCC demolishes the building then the City does not get any money.

Councilor Villarreal asked what if the potential buyer does not want to deal with this situation. It is complicated. For transparency, she is trying to think of a better way to do this. The way we are doing it now does not look right based on the appraisal and process. What is the potential for leasing. How does that work.

Ms. Salazar said we don't determine any of the leases. There are provisions that the nonprofit, SFRCC, maintain full autonomy for leases with all tenants. We gave this nonprofit, selected through an RFP process, the authority. They are not required to provide us with details. The fact that Mr. Czoski shares information with us is helpful, but he does not have to. Those are the parameters for us to move forward.

Councilor Villarreal said so the Railyard Corporation determines the lease rate. Do we have an idea of what it would be. The revenue that comes to us from the lease rates, part of that comes to the City so we do benefit from that. What do you think the rate is for that property Mr. Czoski.

Mr. Czoski said he can tell her what we have asked for the land and building

totals. It is \$134,416 annually or \$11,201 a month. \$65,000 of that is for the ground lease.

Councilor Villarreal asked is the potential buyer planning on demolishing the building.

Mr. Czoski said at this time, Luna Capital is anticipating using the building shell as is and spending between \$2 million and \$3 million on improvements and to bring it up to code.

Councilor Villarreal asked if there was a business proposal they have in mind for the space.

Mr. Czoski said there is and it has been approved, but we are not authorized to disclose that. It is compliant with the Master Plan and zoning.

Councilor Abeyta said of the \$134,000 annually, \$65,000 is ground rent. If we sell the building as opposed to leasing it are we losing out on that \$69,000 a year.

Mr. Czoski said the City will be receiving the \$150,000 for the purchase. Over time, if the building is not rented, that revenue does not come in.

Councilor Abeyta asked if it was leased we potentially could get \$69,000 for the building. If we sell it we just get the \$150,000.

Mr. Czoski said there are other ancillary benefits as well over the term of the ground lease. If they stayed 80 years we would receive \$5.2 million in ground rent over the long haul. That return on investment is significant.

Councilor Abeyta said looking at it right now it is not as good as getting lease payments for the building.

Mr. Brown said the economic impact of the renovation and use of the building is another ancillary piece.

Mr. Axtell said to use this building in the current lease, the envelope of the building would need to be to code. The City or the Railyard Corporation would have to make the building building code compliant. Those funds would have to come from somewhere other than us.

Councilor Abeyta asked it is unlikely we could get the \$134,000 a year or the \$69,000 as it.

Mr. Axtell said yes. We would not do the project without the building being up to code.

Councilor Abeyta asked Santa Fe Clay would not make it work as it is currently.

Mr. Axtell said yes, that is correct.

Mr. Axtell said the tenants project projections show strong GRT to the tune of \$3 million over ten years and sixty jobs.

Councilor Vigil Coppler said Mr. Axtell, you mentioned the economic benefit. That benefit will also go to the new owners. Appraisals usually include the economic benefit the improved value can bring. Also no one has testified to the difference between the County Assessor's value versus the appraisal value. She is not opposed to the sale, but she would like to see another appraisal. She does not have confidence in this appraisal.

Mr. Axtell said he understood her concerns. The appraisal is an appraisal for the buyer only so that the buyer can calculate returns. The seller would be dealing with this as an as is building. Luna Capital is the largest loan advisory and consulting business in New Mexico. We deal with all commercial lending and related issues.

Councilor Vigil Coppler said you are the buyer. Can you name your partners.

Mr. Axtell said his partner is silent in this project. To the appraisal question we made an offer based on market value based on the appraisal as is. The value of the property is in the land. We are paying above market. If the land was included it would be substantially higher.

Councilor Vigil Coppler said the Assessor's value does not include the land.

Mr. Axtell said we made our offer based on the appraised value.

Councilor Vigil Coppler said you are relying on an appraisal, which in this circumstance, is with a fire sale.

Mr. Axtell said it is an appraisal for this circumstance.

Councilor Garcia asked is there a reason why we are not putting this out for RFP and giving everyone a fair opportunity to purchase this property.

Ms. Salazar said the answer to that is we could stop everything and do an RFP. The reason why we didn't do that is that the SFRCC owns the lease and is trying to get a tenant in there as soon as possible.

Councilor Garcia said at the end of the day we are trying to bring in revenue. If we put this out to RFP wouldn't we then maximize the revenue we might get from the

sale.

Ms. Salazar said there is potential there, but there is the net cost of holding off on leasing for a time period. When property is sent out to RFP they have to prepare the RFP, there is a time frame for submission, then the bids are evaluated and a selection is made, then there is this process for approval.

Councilor Garcia asked what would that cost us. He wants to make sure the public knows. He sees this property as a property others would have an interest in. The greater public should have the opportunity to purchase this property should they want to. We shouldn't jump at the first offer given to us.

Ms. Wheeler said the Railyard is within Public Works. One of the things to keep in mind is that this is not like selling a house for the best price. We need a buyer willing to invest \$3 million, has a tenant and who has a market plan to pay for development and the lease. We went the other way with Market Station for many years and with an RFP there is some opportunity, but the real thing we might want to look at is if this business is going to succeed and create the vibrancy we are looking for. The price of the building is one thing to consider, but the business opportunity and long term revenue is what we want. The RFP process would be complex. It is worth at least \$100,000. The real goals for us is the successful development of a business there.

Councilor Garcia said thank you, but one thing we are missing is the value of trust. When the public gets the perception that we are rushing to sell property the public trust goes away. The public needs to know we are doing the best for them. We need to ensure the taxpayer knows the Governing Body is looking out for them. It does a disservice to the public by not doing that. We need to be fully transparent. We need to know what the reasons are that this purchase should go through. If Luna is not the owner of the building, in the information from Councilor Lindell, there are already gridlines that if the building is going to be demolished that has to be approved. If it is demolished they would not own anything. He wants to ensure that is understood. He hates to approve this and in a year or two it gets demolished and nothing happens. He wants to be sure we are following guidelines. Lets say they buy the building and twelve months later they decide the cost is more than they anticipated. Can they sell the building.

Mr. Czoski said the scenario is twelve months from now if Luna has not renovated the building the desire is to demolish it or liquidate this asset.

Councilor Garcia asked does the City have a say in who takes over the property.

Mr. Czoski said Luna would own the improvements and the ground lease would have to be assigned to the buyer. SFRCC controls the ground lease and has the sole ability to decide who it is sold to and the use. With that we can assure they have to comply with the ground lease and the Railyard Master Plan. One major requirement is

preference for local businesses. If Luna wanted to sell to Walmart we would not approve that due to the Master Plan. By keeping the ground lease in place it ensures future development is consistent with the values of the Master Plan.

Councilor Garcia asked why are we not allowing an opportunity for the general public to purchase this property. We need to offer the opportunity to the broader public. Lets have fair play. There is a lot of misunderstanding of folks who think the ground value is included in the \$150,000. The opportunity to purchase a building for \$150,000 should be afforded to the broader public. In this instance we say this is the process we have to go through and that is going to happen rather than a public process with an RFP.

Councilor Abeyta said he thought he heard if we were not dealing with selling, but leasing, there would not be an RFP. You could do what ever you want. It is not within our approval.

Mr. Czoski said that is correct, but unlikely.

Councilor Abeyta said we are talking about transparency, but we wanted the Railyard to be developed so badly back in the day that we gave up that opportunity. If you were leasing it we would not even know anything about it. We gave that up years ago when we signed the agreement with SFRCC.

Mr. Czoski said right. The lease payments go to pay the \$1 million we pay the City annually on rent. We are incentivized to get as much rent as possible.

Councilor Abeyta asked the City does not require you to do RFPs or disclose information.

Mr. Czoski said as long as we meet the payment to the City that is correct.

Councilor Vigil Coppler said she wants to clarify something. Someone said the loan would be in jeopardy if you did not own the building. Are you acting as a loan officer for this.

Mr. Axtell said he is not managing this project. He does have a vested interest in this project. He is not lending on the project.

Councilor Vigil Coppler asked would you and your partner be opposed to another appraisal.

Mr. Axtell said no, but he thinks there would be a similar outcome with the other issues found after the last one.

Councilor Vigil Coppler said you seem to understand some of the sentiments

about the public and the price. She understands when you have a buyer that is important, but she thinks the buyer needs to pay a fair price. Could you go back to your partner and see if you can come back with your best offer.

Mr. Axtell said we can look at the overall picture.

Councilor Vigil Coppler said there is the Assessor's appraisal. It is \$187,861 higher from what you offer.

Ms. Salazar said she wanted to mention that when it comes to the County Assessor's appraisal they have not looked at the interior of the building at all.

Councilor Vigil Coppler asked are you sure.

Ms. Salazar said she is not one hundred percent positive.

Councilor Vigil Coppler said they are up on their stuff.

Ms. Salazar said the appraisal is in the \$500,000 amount, but this appraisal takes into account how much it is going to cost to bring the building up to code.

Councilor Vigil Coppler said it does not take into account the money it will bring in. If you could come back with your best offer that would be good thing. We are in a transaction now.

Chair Rivera said he is not sure we can negotiate from here.

Councilor Abeyta said if this was selling a house we could not sell it for what it will be worth after the new buyer renovates it.

Councilor Vigil Coppler said this is commercial.

Chair Rivera said on page 2 of the memo the second paragraph says the value is subject to referendum. What is that referring to.

Ms. Salazar said it is subject to referendum. Any sales by the City in excess of \$25,000 is subject to a period of forty-five days between your adoption of the Ordinance and when the sale can go through where the voters can ask that this be put on a ballot to decide if this goes to sale.

Chair Rivera asked how would they make that happen.

Ms. Salazar said by petition. There is a statutory process for that.

Chair Rivera asked when the Assessor does their value do they look at just the

building or the building and the land.

Ms. Salazar said they look at the building and the land. They usually delineate it.

Councilor Vigil Coppler said it says many times in the appraisal that is it not based on any land. The Assessor says zero appraisal for the land.

Chair Rivera asked when was the last time this building was used for anything.

Mr. Czoski said it was occupied until July of 2019.

Chair Rivera said to use it in the future it would have to be brought up to code so that is where negotiations started.

Mr. Czoski said in general that is correct. SFRCC does not have the funds for code or tenant improvement. We would rely on the tenant to do those.

Chair Rivera said we have had many sales of City property before and we required an appraisal. Have we never requested three or four appraisals.

Ms. Salazar said since she has been here she had not seen any more than one appraisal.

Chair Rivera said one appraisal and we sell property based on that appraisal.

Ms. Salazar said correct. Statutorily we are required to have property appraised and that will be the value of the sale. If not we have to justify why it is up or down.

Chair Abeyta said he understands that his colleagues want to have an open process. From what he hears SFRCC has full control. If they do not want to go through that process they don't have to. We would be stuck having to improve the building to lease it.

Ms. Salazar said correct. It is also approved for demolition.

Chair Rivera asked if it was demolished we don't own the building. We just own the ground. Then SFRCC can do whatever they want with it.

Ms. Salazar said correct.

Councilor Villarreal said she understands about the lease and having the ability to decide the renter, however, with a sale or demolition that is another scenario. It is not the same as a lease. It is another process. So it could be demolished.

Ms. Salazar said in 2010 the Governing Body approved the demolition. Under

the agreement they cannot get rid of a building without approval. Since they have approval they just need a permit and a design within the Master Plan compliance.

Councilor Villarreal asked without a transaction of sale.

Ms. Salazar said correct.

Chair Rivera said he knows we don't like this set up, but this is how it was set up to keep out politics and keep the Master Plan. We gave up authority. We need to take action on this.

Councilor Garcia asked regarding the space, it has had no tenant since last summer. Besides Luna has there been any other expressed interest from anyone else.

Mr. Czoski said he has shown the building several times and there was interest, however, none of the other parties have proceeded to where Luna has with negotiation and a letter of intent. There is more interest in demolishing the building than keeping it. Luna Capital has a track record in the Railyard already. They have stepped up and they have funding. The sale has been approved by our Board. There are a lot of reasons why we moved ahead with Luna Capital. If we started over we would lose a year of process. Any replacement building would have to go to the City Planning Commission. The City Planning Commission is the successor to the Business Capital Design and Review Committee mentioned in Councilor Lindell's memo. That Commission would get a shot at approving the architecture and making sure it was in compliance with the Master Plan. There would be an opportunity for input from that point. All the permits are issued by the State of New Mexico per the Constitution. The City cannot issue a permit to itself. The Construction Industries Division with the State issues the permits. They do not do that until they get a letter from Public Works that the application has gone through SFRCC and requirements have been met.

Councilor Villarreal said the folks you showed the building to were under the impression it was for lease. No one else brought up sale or purchase.

Mr. Czoski said correct. We don't own or sell buildings. Our job is leasing and developing buildings. The only building the Railyard sold was Site Santa Fe in 2004. The current lease and management agreement from 2011 did not anticipate building sales because we don't own the buildings.

Councilor Villarreal said those folks may have been interested if they knew there was an ability to purchase the building. That may have changed the scenario. How did Luna Capital know there was a purchase option.

Mr. Czoski said it was a suggestion from Luna Capital directly to the City. He was not party to the discussion.

Chair Rivera said this still has to go to Finance and the Governing Body including a public hearing so we will hear more then.

Councilor Abeyta asked could we move this forward without recommendation.

Chair Rivera said yes.

MOTION A motion was made by Councilor Abeyta, seconded for discussion by Councilor Villarreal, to move the request forward without recommendation.

Councilor Vigil Coppler said she would like to tack on an amendment to move it without recommendation and with consideration of a second appraisal or increase in the price.

Mr. Brown said that is doable. We can talk with SFRCC to entertain that.

Councilor Abeyta withdrew his motion and Councilor Villarreal withdrew her second.

MOTION A motion was made by Councilor Abeyta, seconded by Councilor Vigil Coppler, to approve the request with the condition of having a second appraisal or an increase in price.

VOTE The motion passed on a roll call vote as follows: Councilor Villarreal - yes, Councilor Vigil Coppler - yes, Councilor Abeyta - yes, Councilor Garcia - yes, Chair Rivera- yes.

M. REQUEST OF APPROVAL FOR REALLOCATION OF SAVINGS FROM PHASES I, II AND III OF THE GAS TAX PROJECTS IN THE TOTAL AMOUNT OF \$3,545,000.00 FOR PAVEMENT REHABILITATION ON PORTIONS OF OSAGE, PALACE, PLACITA DE ORO, HOPEWELL, ARMENTA, ESPINACITAS, EAST DEVARGAS, WEST SAN MATEO, PASEO DE SOL, AGUA FRIA, SIRINGO, ZAFARANO, CAMINO DE LAS ARROYOS, RUFINA CIRCLE, AND RICHARDS LANE AND CRACK SEALING CITYWIDE.

Approved on consent.

N. REQUEST FOR APPROVAL TO AMEND THE EXISTING PROFESSIONAL SERVICES CONTRACT TO ALLOW THE LENSIC PERFORMING ARTS CENTER TO CONTINUE TO ADMINISTER THE SANTA FE PUBLIC SCHOOL DISTRICT'S PERFORMING ARTS FOR STUDENT SUCCESS (PASS) PROGRAM FOR (1) ONE ADDITIONAL

YEAR. Noel Correia, Director, Parking Division

Councilor Vigil Coppler said she is very interested in Parking and this is very interesting to her. We are charging the public one more dollar on nights when the Lensic has events. Do we post that anywhere and say thank you for your extra dollar. You are contributing to the youth of Santa Fe.

Mr. Correia said no we do not.

Councilor Vigil Coppler said this is a wonderful program. If the public knew this they would know they are supporting the youth program across the street from where they are parked. She doesn't like the caption because it hides this point. Money is going out the door every time we don't man the Railyard garage. She has brought this up many times. Now there was a letter to the editor two weeks ago complaining about how much money the City is losing by not manning the Railyard garage. She is tired of taking calls on that. The answer she has always been given is that we are changing to a new system. Violet Crown is getting away with not paying us either. That garage is always free. On the weekends for sure we could get the most revenue for the youth programs at the Lensic and at the Railyard garage. How we do parking is number two on the messy list of how we do things. She wants you to recognize that it is not lost on her or the public as to how much revenue we are losing. Then we do not even tell the public why they are paying an extra dollar. It is not okay. Is there any reason why we can't explain to people or do you think they don't need an explanation.

Mr. Correia said not at all. Staff is there and they tell them that the dollar goes to the Lensic. They don't tell them what the Lensic does with the dollar. We can do better and can post signs during those times advising and thanking people.

Councilor Vigil Coppler said she likes that very much. Tell them their dollar supports youth.

Mr. Correia said we will get that done immediately.

MOTION A motion was made by Councilor Vigil Coppler, seconded by Councilor Villarreal, to approve the request.

VOTE The motion passed unanimously by voice vote.

- O. PROJECT STATUS PRESENTATION AND REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE CONTRACT FOR CONSTRUCTION FOR THE SALVADOR PEREZ RECREATIONAL BUILDING STRUCTURAL AND BUILDING ENVELOPE REHABILITATION, FOR AN INCREASE OF \$51,396.88 TO THE CONTRACT FOR ADDITIONAL**

**SCOPE OF WORK (NEW FLOOR TILE AND INTERIOR PAINT) AND
AN INCREASE OF 20 DAYS TO THE CONTRACT TIME.
Anson Rane, PW Project Administrator**

Councilor Vigil Coppler said she is so sorry this is last. Is there something up with these memos and the dates. Is 2019 an error.

Ms. Wheeler said yes, it is an error.

Councilor Vigil Coppler said in the first paragraph, at the end, it says construction is expected to be completed by April 30, 2019.

Ms. Wheeler said that is an error.

Councilor Vigil Coppler said you need to correct that for the future as this goes forward. Is she reading this right that we are adding \$51,396.

Mr. Rane said that is correct.

Councilor Vigil Coppler asked why did everything stall due to Munis.

Ms. Wheeler said we could not get the PO. That has happened in other contracts as well. We had to stop work. It is working well now. We lost two months on every project. Some of our contractors waded through for us and waited months and month to be paid.

MOTION A motion was made by Councilor Vigil Coppler, seconded by Councilor Villarreal, to approve the request.

VOTE The motion passed unanimously by voice vote.

7. MATTERS FROM STAFF

Ms. Wheeler said Public Works did not get a chance to do a little training session we put together for the new Councilors. Maybe sometime soon she can present it. She is going on an elk hunt the weekend before the next meeting. If she is not back one of her directors will be here to staff the committee.

Chair Rivera said send out that presentation to us electronically for us to look at.

Ms. Wheeler said she will send it out.

Chair Rivera said we can wait until you can give the presentation the way you

wanted to express it and present it.

8. MATTERS FROM THE COMMITTEE

Councilor Vigil Coppler said thank you Regina for offering that up. It would be good to have it electronically and have the presentation. Could you give an update on the downtown bathrooms.

Ms. Wheeler said that project experiences a significant stall in deciding which corner of Water Street it would be on. Across from Pasquals on St. Francis or outside the St. Francis Hotel. The decision was across from Pasquals. We have the preliminary design and she will bring you more information in her quarterly capital project update. We are working on the design contract.

Councilor Vigil Coppler asked when will it be done.

Ms. Wheeler said construction will begin this summer. We have gone through the H Board with the conceptional design and it was approved.

Councilor Villarreal asked will it be opening in the fall.

Ms. Wheeler said yes.

Councilor Villarreal said the sink issue is still out there. It would be helpful to see the design.

Councilor Abeyta said thank you Regina for the update on the fence at SWAN Park.

9. MATTERS FROM THE CHAIR

Chair Rivera said thank you Regina for the information on the fence. He thanks all the Councilors on this Committee as well. The Committee seems to be running pretty well. There are some hiccups around Munis and the new system. He has some questions around business licenses and the fact that he heard people cannot pay for business licenses on line. That is creating some problems for people out of town. There are other issues with Munis as well. We will have to continue to work through those issues.


10. NEXT MEETING JANUARY 27, 2020

11. ADJOURN

There being no further business before the Committee the meeting adjourned at 7:05 pm.



Councilor Christopher Rivera, Chair



Elizabeth Martin, Stenographer

City of Santa Fe, New Mexico

memo

DATE: January 3, 2020

TO: Public Works Committee, Finance Committee & Governing Body

VIA: 
Regina A. Wheeler, Public Works Director

FROM: Javier Martinez, Streets and Drainage Division Director

ITEM & ISSUE:

Approve the reallocation of savings from Phases I, II, and III of the 2017 Gas Tax Projects in the amount of \$3,545,000 for pavement rehabilitation on roadways throughout the City in critical need.

BACKGROUND & SUMMARY:

In December 2017 a Gas Tax Bond for \$11,000,000 was approved by City Council. The approval identified city streets to receive pavement rehabilitation over a two-year period in three phases. We have completed all three phases within the two years with the exception of Rufina St which will be completed in the spring of 2020. The project status report is attached. The completion of the first three phases of the Gas Tax Projects resulted in a savings of \$3,545,000 from estimated costs. Savings resulted from the favorable pricing negotiated on the on-call paving contract and good project management. These savings can be reallocated for additional pavement rehabilitation projects. If Governing Body approves this reallocation, rehabilitation of additional streets within each Council District will be completed in 2020. The streets recommended for repaving in each District were selected based on the existing pavement conditions, traffic volumes, and roadway classifications. The roadways selected are shown in the following table:

STREETS RECOMMENDED FOR GAS TAX REALLOCATION (Estimate for repaving streets is \$3,545,000)		
Council District	Roadway	Lane Miles
District 1	Sierra del Norte (Approved by Council and Completed)	1.04
District 1	Osage (Agua Fria to St. Michaels Dr.)	1.36
District 1	Palace (Alameda to Delgado)	1.18
District 1	Placita de Oro (Rio Vista to West Alameda)	0.14
District 2	Hopewell (Llano to 2 nd St.)	1.04
District 2	Armenta (Old Pecos Trail to Corrales)	0.48
District 2	Espinacitas (Hopewell to St. Michaels Dr.)	0.42
District 2	East DeVargas (Old Santa Fe Trail to Paseo de Peralta)	0.44
District 2	West San Mateo (St. Francis Drive to Calle Lorca)	1.14
District 3	Paseo de Sol (Airport Road to Capital High School)	2.48
District 3	Agua Fria (San Felipe to Vista Verde)	0.60
District 3	Old Airport Road (Approved by Council and Completed)	0.28
District 4	Siringo Road (Richards Avenue to Camino Consuelo)	0.46
District 4	Zafarano (Cerrillos Rd. to Rodeo Road)	1.04
District 4	Camino de los Arroyos (Zafarano Dr. to Vegas Verdes)	0.42
District 4	Rufina Circe (Rufina to Rufina the entire loop)	0.80
District 4	Richards Lane (Henry Lynch to Parkway Dr.)	0.34
Citywide	Crack Sealing (utilize any savings from reallocation project)	

RECOMMENDED ACTION:

APPROVAL TO REALLOCATE THE SAVINGS FROM PHASES I, II AND III OF THE GAS TAX PROJECTS IN THE AMOUNT OF \$3,545,000 FOR PAVEMENT REHABILITATION ON PORTIONS OF OSAGE, PALACE, PLACITA DE ORO, HOPEWELL, ARMENTA, ESPINACITAS, EAST DEVARGAS, WEST SAN MATEO, PASEO DE SOL, AGUA FRIA, SIRINGO, ZAFARANO, CAMINO DE LOS ARROYOS, RUFINA CIRCLE, RICHARDS LANE, AND CITY WIDE CRACK SEALING

Attachments: Initial Approved Gas Tax Projects
Phase I, II and III Project Status Report
Proposed Reallocation Project Status Reports

Exhibit "1"