



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
JANUARY 29, 2020
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 – January 8, 2020
9. PRESENTATIONS
10. CONSENT CALENDAR
 - a) Request for the Approval of Amendment No. 1 to Lease Agreement By and Between the City of Santa Fe and Wayne S. Colmer and Roberta L. Colmer 1998 Revocable Inter Vivos Trust, As to an Undivided 53% Interest, and Colmer Development Company a California Limited Partnership, As to an Undivided 47% Interest to Extend Term and Amend Provision of Agreement. (Edward Vigil, Property Manager, ejvigil@santafenm.gov, 955-6626)
 - b) Request for Approval of Award of Bid '19/51/P to Denora-Miox Inc. for the Onsite Disinfectant Solution in the Amount of \$394,918, Exclusive of NMGRT. (Alex Gamino, Automation and Security System Administrator, aegamino@santafenm.gov, 955-4375)
 - 1) Request for Approval of Budget Amendment Resolution in the Amount of \$428,240, inclusive of NMGRT.



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- c) Request for Approval of a 5 Year Lease Agreement with Verizon to Place Telecommunication Equipment on Buckman Booster Station No.4 for a Proposed Lease Fee of \$2,000 per Month Effective April 1, 2020. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309)
- d) Request for Approval of a Budget Adjustment Request/ Budget Increase for Operating Funds for the Water Division's, Transmission and Distribution (T&D) Section in the total amount of \$255,506.00. (Randy Lopez, Transmission & Distribution Supervisor, rjlopez@santafenm.gov, 955-4248)
- e) Request for Approval of Professional Services Agreement in the Total Amount of \$290,000 for SGR Media, Inc. dba 5 Words Media. (Randy Randall, TSF Executive Director, rrandall@santafenm.gov, 955-6209)
- f) Request for Approval of Procurement Under State Price Agreement 80-000-18-00061 Vendors: Sysco, Shamrock Foods & Ben E. Keith Foods for the Purchase of Food Products, Services & Equipment in an Amount Not to Exceed \$160,000 per Vendor. (Gino Rinaldi, Senior Services Division Director, earinaldi@santafenm.gov, 955-4710)
- g) Request for Approval of Procurement with Cooperative Education Services (CES) 16-025B-C101 Vendors: Labatt for the Purchase of Food Products, Services & Equipment in an Amount Not to Exceed \$160,000 per Vendor. (Gino Rinaldi, Senior Services Division Director, earinaldi@santafenm.gov, 955-4710)
- h) 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)
- i) 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):
 - 1) Request for Approval of NMDOT Funding Agreement for \$284,999.00
 - 2) Request for Approval of BAR to Budget NMDOT Grant Funding.



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- j) 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)
 - k) Amendment to 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)
 - 1) CONSIDERATION OF RESOLUTION NO. 2020-____. (Councilor Rivera)
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.
 - l) 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)
 - 1) CONSIDERATION OF RESOLUTION NO. 2020-____. (Councilor Lindell and Councilor Villarreal)
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.



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- 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.
 - m) 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)
 - n) 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)
 - o) Request for Approval of 2019 State Homeland Security Grant Program (SHSGP) in the Total Amount of \$382,666 for EOD Robot, Controller, Rigging and Tools, EOD Canine and Patrol Canine, DHS Type II SWAT Operator Course, FBI Hazardous Device School; Federal Emergency Management Agency. (FEMA); (Kyle Mason, kamason@santafenm.gov, 955-6704) (Ben Valdez, Deputy Chief of Police, bpvaldez@santafenm.gov, 955-5040)
 - p) Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Fen Wang for a Restaurant Liquor License (Beer and Wine), with On Premise Consumption Only, to be Located at Dumpling Tea, 66 E. San Francisco Street, Suite 10. (Yolanda Y. Vigil, City Clerk, yvvigil@santafenm.gov, 955-6521)
 - q) Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from James W. Campbell, 2064 Calle Sombra, Santa Fe, for a Restaurant Liquor License (Beer and Wine), with On Premise Consumption Only, to be Located at Taberna, 125 Lincoln Avenue, Suite 117. (Yolanda Y. Vigil, City Clerk, yvvigil@santafenm.gov, 955-6521)



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- r) Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Santa Fe Children's Museum for a Waiver of the 300 Foot Location Restriction to Allow the Dispensing/Consumption of Alcoholic Beverages (Beer and Spirits) at the Santa Fe Children's Museum, 1050 Old Pecos Trail, which is Within 300 Feet of St. John's United Methodist Church, 1200 Old Pecos Trail (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 955-6521)
11. Request for Approval of 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 and Mark Brooks, mebrooks@santafenm.gov 955-2404)
12. Request for Approval of a Service Contract in the Total Amount of \$234,991.11 including NMGRt for the Rehabilitation of Seven (7) Footbridges Located throughout the City of Santa Fe Trail System; FacilityBuild, Inc. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 505-955-5933 O / 505-795-2491)
13. 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, Public Works Project Administrator, aerane@santafenm.gov, 955-5935)
14. MATTERS FROM THE CITY MANAGER

Upcoming Meetings

- Tuesday, February 11, 2020—Arroyo de los Chamisos Proposed Crossing Public Meeting
- Tuesday, February 25, 2020—Governing Body Study Session
- Tuesday, March 10, 2020—Governing Body Study Session



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15. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

- a) In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(2), Discussion of Limited Personnel Matters, In Particular the Appointment of Jarel LaPan Hill as City Manager.
- b) In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(5), Discussion of Strategy Preliminary to Collective Bargaining Negotiations with the Police Officers Association; and
- c) In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(7), Attorney-Client Privileged Discussion Regarding Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Participant; Including, But Not Limited to, Participation in an Amicus Brief Supporting Challenges to the Federal Safer Affordable Efficient Vehicles (SAFE) rule in New York, et al. v. Environmental Protection Agency in the Court of Appeals for the D.C. Circuit.

(Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

- 16. Request for Approval for the City to Join Other Local Governments in an Amicus Brief Challenging the Federal Safer Affordable Efficient Vehicles (SAFE) Rule.
(Erin K. McSherry, City Attorney; 955-6512, ekmcsherry@santafenm.gov)

- 17. Request for Approval of the Appointment of, and Contract with, Jarel LaPan Hill as the City Manager. (Mayor Webber)

18. MATTERS FROM THE CITY CLERK

19. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE



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C. SALUTE TO THE NEW MEXICO FLAG

D. INVOCATION

E. ROLL CALL

F. PETITIONS FROM THE FLOOR

G. APPOINTMENTS

H. PUBLIC HEARINGS:

- 1) CONSIDERATION OF BILL NO. 2019-19: ADOPTION OF ORDINANCE NO. 2020-____. (Councilor Villarreal)
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. (Dee Bangert, Green Building Code Specialist, dkbangert@santafenm.gov, 955-6618)
- 2) CONSIDERATION OF BILL NO. 2019-34: ADOPTION OF ORDINANCE NO. 2020-____. (Councilor Lindell and Councilor Rivera)
An Ordinance Relating to the STOP Program Amending Section 24-4.3 to Provide that the City Appoint 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. (Ben Valdez, Deputy Chief, bpvaldez@santafenm.gov, 955-5040)
- 3) CONSIDERATION OF BILL NO. 2019-37: ADOPTION OF ORDINANCE NO. 2020-____. (Mayor Webber)
An Ordinance Creating a New Section 2-23 to Establish the Arts and Culture Department; and Repealing Section 6-1.3 Regarding the Director of the Arts Commission. (Pauline Kamiyama, Arts Commission Director, pkkamiyama@santafenm.gov, 955-6653)



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4) **CONSIDERATION OF BILL NO. 2020-1: ADOPTION OF ORDINANCE NO. 2020-____. (Mayor Webber)**

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 Lease 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. (Rich Brown, Director-Office of Economic Development, rdbrown@santafenm.gov, 505-955-6625; Andr a Salazar, Assistant City Attorney, asalazar@santafenm.gov, 955-6303)

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. and the Governing Body does not vote to extend the meeting, 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.

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: January 24, 2020

TIME: 4:49 PM

SUMMARY INDEX
SANTA FE CITY COUNCIL
January 29, 2020

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
7. Approval of Consent Calendar	Approved as amended	2
8. Approval of Minutes		
Regular Meeting - Jan 8, 2020	Approved as amended	2
9. Presentations	None	3
10. Consent Calendar	Listed	3-6
Consent Calendar Discussion		
a. Colmer Lease Amendment	Approved	6-7
e. SGR Media PSA	Approved	7-8
i. DPT Grant Funding	Approved	8-9
11. Gas Tax Savings Reallocation	Approved	9-10
12. Footbridges Service Contract	Approved	10-11
13. Salvador Perez Construction	Approved	11-12
14. Matters from the City Manager	Approved	12-14
15. Matters from the City Attorney	Approved	14-15
Executive Session I	5:59 to 7:28	15-16
Evening Session at 7:30	Quorum Present	16-17
F. Petitions from the Floor	Petitions Made	17-18
G. Appointments	None	18
H. Public Hearings		
1. Building Codes Ordinance	Approved	18-20
2. STOP Program Amendment	Approved	21-22
3. Arts/Culture Ordinance Amendment	Approved	22-24
4. Santa Fe Clay Building Ordinance	Approved	24-33
16. Amicus Brief Request	Approved	33
Executive Session II	9:54 - 10:43	33-34
17. City Manager Contract	Approved	34-36
18. Matters from the City Clerk	Announcements	36
19. Communications from Gov. Body	Communicated	36-38
I. Adjournment	Adjourned at 11:55 pm	38

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
January 29, 2020**

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, January 29, 2020, 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 Roman "Tiger" Abeyta
Councilor Jamie Cassutt-Sanchez
Councilor Michael J. Garcia
Councilor Signe I. Lindell
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

Others Attending

Jarel LaPan Hill, City Manager
Erin McSherry, City Attorney
Yolanda Y. Vigil, City Clerk
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

MOTION: Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve the agenda as published.

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

7. APPROVAL OF CONSENT CALENDAR

Councilor Vigil Coppler requested discussion on items 10 (a) and 10 (e).

Councilor Lindell requested discussion on item 10 (i).

MOTION: Councilor Abeyta moved, seconded by Councilor Villarreal, to approve the Consent Calendar as amended.

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

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

Against: None.

8. APPROVAL OF MINUTES:

Regular City Council Meeting -- January 8, 2020

Councilor Cassutt-Sanchez requested the following changes:

On page 4, third paragraph, "big" should be "bid."

On page 5, in the conversation about lost revenue, there is an assumption but no comparison on what the world would look like without the brochure.

On item #24 (page 21) she voted for the motion; not against it.

Councilor Cassutt-Sanchez said she thought Councilor Rivera voted against approval of item #25.

Councilor Rivera said he voted in the affirmative for that contract.

MOTION: Councilor Villarreal moved, seconded by Councilor Garcia, to approve the minutes of the January 8, 2020 Governing Body Meeting as amended.

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

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

Against: None.

9. PRESENTATIONS

There were no presentations.

10. CONSENT CALENDAR LISTING

- a) This item was pulled for discussion by Councilor Vigil Coppler.
- b) Request for Approval of Award of Bid '19/51/P to Denora-Miox Inc. for the Onsite Disinfectant Solution in the Amount of \$394,918, Exclusive of NMGR. (Alex Gamino, Automation and Security System Administrator, aegamino@santafenm.gov, 955-4375)
 - 1) Request for Approval of Budget Amendment Resolution in the Amount of \$428,240, inclusive of NMGR.
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- d) Request for Approval of a Budget Adjustment Request/ Budget Increase for Operating Funds for the Water Division's, Transmission and Distribution (T&D) Section in the total amount of \$255,506.00. (Randy Lopez, Transmission & Distribution Supervisor, rjlopez@santafenm.gov, 955-4248)
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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, lworstell@santafenm.gov, 955-5580; Joshua Elicio, ITT Division Director, juelicio@santafenm.gov, 955-5576)

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- j) 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)
- k) Amendment to 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)
 - 1. CONSIDERATION OF RESOLUTION NO. 2020-04. (Councilor Rivera)
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 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).
- l) 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)
 - 1) CONSIDERATION OF RESOLUTION NO. 2020-05. (Councilor Lindell and Councilor Villarreal)
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.
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- A copy of the Action Sheet from the Public Works, CIP and Land Use Committee Meeting on Monday, January 27, 2020 is incorporated herewith to these minutes as Exhibit 1.*
- p) Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Fen Wang for a Restaurant Liquor License (Beer and Wine), with On Premise Consumption Only, to be Located at Dumpling Tea, 66 E. San Francisco Street, Suite 10. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 955-6521)
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- r) Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Santa Fe Children's Museum for a Waiver of the 300 Foot Location Restriction to Allow the Dispensing/Consumption of Alcoholic Beverages (Beer and Spirits) at the Santa Fe Children's Museum, 1050 Old Pecos Trail, which is Within 300 Feet of St. John's United Methodist Church, 1200 Old Pecos Trail (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 955-6521)

CONSENT CALENDAR DISCUSSION

- a) Request for the Approval of Amendment No. 1 to Lease Agreement By and Between the City of Santa Fe and Wayne S. Colmer and Roberta L. Colmer 1998 Revocable Inter Vivos Trust, As to an Undivided 53% Interest, and Colmer Development Company a California Limited Partnership, As to an Undivided 47% Interest to Extend Term and Amend Provision of Agreement. (Edward Vigil, Property Manager, ejvigil@santafenm.gov, 955-6626)

This item was pulled for discussion by Councilor Vigil Coppler. She said she pulled it to bring attention to the memo (cover page) which was kind of old. When she first read it, it appeared to her there might be misinformation under the background section, last sentence, on negotiations among these parties to bring in a food processing facility in. This is not being negotiated to our knowledge.

Mr. Vigil agreed. This request was based upon the proposed sale of the adjoining property which would have included a lease of it. The sale did not come to fruition, but the owner still wants the option to extend the lease on the basis that this private property is still listed for sale and the additional lease makes it more appealing to prospective buyers.

Councilor Vigil Coppler asked if this lease would amend the existing lease. That lease expired one year ago. How can it be amended?

Mr. Vigil said that lease was extended prior to expiration of the initial lease term and adds a five-year option. That is in here on page 3 of the lease agreement under Article 3.

Councilor Vigil Coppler asked if it went to Public Works.

Mr. Vigil said it did.

Councilor Romero-Wirth noted that letter and the extension of the lease should be part of the packet.

Mr. Vigil agreed.

MOTION: Councilor Lindell moved, seconded by Councilor Garcia, to approve the lease amendment as presented.

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

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

Against: None.

e) Request for Approval of Professional Services Agreement in the Total Amount of \$290,000 for SGR Media, Inc. dba 5 Words Media. (Randy Randall, TSF Executive Director, rrandall@santafenm.gov, 955-6209)

A copy of the revised copy of page 3 of the PSA is incorporated herewith to these minutes as Exhibit 2.

Councilor Vigil Coppler pulled this item for discussion. She said she and Mr. Randall spoke on the phone this morning. We got a handout regarding action taken by Public Works.

Mr. Randall agreed. The handout is a revised page 3 on the lease, which is where the renewal option had been requested by Public Works to be removed. He apologized that it was not removed when it went to the Finance Committee and the packet, but this would be the revised page that removes that renewal option.

Councilor Vigil Coppler pointed out that when the Committee discussed it at Public Works, it had a very involved discussion and former Councilor Harris at the time had questioned if there was enough public notice of the RFP. There were many questions about that, and Mr. Randall's assistant was there but was not able to answer those questions. That was why this contract language was stricken and she was glad it was done. She voted for it because the work is really needed. She saw in the packet that from October until now was quite a delay. It was first presented as an emergency, but it does not seem to be an emergency since there so many months in between.

Mr. Randall agreed it was not an emergency, but it is urgent because there would be only 12 days when the ballroom would be vacant and was the only time to get the work done. But now there is a time period in March where we can allow one evening event to happen and get the work accomplished.

Councilor Vigil Coppler asked if it is on time now.

Mr. Randall agreed. It will be in the done in the last half of March.

Councilor Vigil Coppler said the committee people names are illegible. Who were they?

Mr. Randall said he was the third on the list and the others were Melanie Moore, the Operations Manager, and Jessie Barr, the Assistant Operations Manager. He apologized and said going forward, we will always type the names on there.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Lindell, to approve the PSA with SGR Media as presented.

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

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

Against: None.

- i) 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):
 - 1. Request for Approval of NMDOT Funding Agreement for \$284,999.00
 - 2. Request for Approval of BAR to Budget NMDOT Grant Funding.

Councilor Lindell corrected the record. She did not vote for this at Finance because she was not at the Finance meeting and she had questions on it. She asked Ms. Anderson to address what the planning has been for this project, the City's share of funding, and the total cost of the project.

Ms. Anderson understood this project has been in the works for over 10 years and she has been with the City for just over one year. A roadside safety audit was done in 2013 to look at the safety conditions at the intersection and work alternative was to move forward with an underpass like the one at Acequia Trail. The project, as it stands right now, is in the design phase at just under \$285,000 and of that, the City share is \$41,496 and at the State, there is \$4.7 million programmed for construction and no City match. It is entirely Federal funding with state match. So the total City cost is \$41,496

Councilor Lindell thought it would not be fair to ask Ms. Anderson her other questions since it was not a project, she has been involved in. But she was curious why this design instead was selected instead of a bridge over. She was averse to

these tunnels. They are a bit of an attractive nuisance. There was some severe problem with one at Railyard. The attract people living in them and nighttime naughty behavior. She was much more in favor of seeing something over the top, rather than more tunnels. There are tunnels further down and parents tell her their kids are not allowed to use them. They are a problem. So a tunnel is not her preferred way to solving the safety issue and she didn't know how seriously the City looked at a bridge over the top. Aside from being a \$5 million cost, tunnels are not her preferred way to get trails over railroad tracks.

Councilor Vigil Coppler added that this item was discussed by BTAC and they very much in favor of the tunnel. The Committee never talked about the bridge. But for safety, with the traffic there, there was almost no way to get across. There was a lot of discussion at Council on the crossing at St. Francis Cerillos and she seemed to recall that a bridge would cost more. She wanted a bridge back then but had no authority. Bicyclists maybe would have to get off their bicycles and carry it across on a bridge.

Councilor Lindell said the bridge design is one the bicyclists could ride over the top.

Ms. Anderson knew a number of options were looked at and probably it came down to the cost difference for a bridge versus a tunnel.

Councilor Villarreal thought we also were looking at the trail paralleling the tracks there.

Ms. Anderson agreed. This has considered all of those.

MOTION: Councilor Villarreal moved, seconded by Councilor Vigil Coppler, to approve the funding agreement as presented.

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

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: Councilor Lindell.

11. **REQUEST FOR APPROVAL OF 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 del Sol, Agua Fria, Siringo, Zafarano, Camino de Los Arroyos, Rufina Circle, Richards Lane and Crack Sealing Citywide. (Javier Martinez, jamartinez2@santafenm.gov 955-2402)

and Mark Brooks, mebrooks@santafenm.gov 955-2404)

Mr. Brooks said the request is for a reallocation of the \$3.5 million saved from the first round of roads to be rehabilitated. The savings came from the way they were estimated and trying to be efficient on the work. The new projects were chosen because of the traffic on them and the condition of the roadways. The request is for 17 roads but two were already done. So it is for the other 15 to be reconstructed this year.

Mayor Webber observed on page 3, the recommended reallocations of streets were by districts and lane miles. So the Staff has been able to stretch the funding to get other work done when weather permits.

Mr. Brooks agreed.

Councilor Villarreal pointed out on page three, the streets that were recommended, a correction that was made in committee, but not here, in District One, Placita del Oro should be corrected and should read Rio Vista and Delgado should be West Alameda.

Mr. Brooks said he would make sure those street names were corrected.

MOTION: Councilor Rivera moved, seconded by Councilor Villarreal, to approve the reallocation of Gas Tax savings as amended with corrected street names.

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

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

Against: None.

Mayor Webber thanked the staff for stretching these funds.

- 12. REQUEST FOR APPROVAL OF A SERVICE CONTRACT** in the Total Amount of \$234,991.11 including NMGR for the Rehabilitation of Seven (7) Footbridges Located throughout the City of Santa Fe Trail System; FacilityBuild, Inc. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 505-955-5933 O / 505-795-2491)

Mr. Burnett presented the request on rehabilitation of the footbridges listed on the first page of his memo.

Councilor Vigil Coppler could not remember if this went to the Public Works

Committee.

Mr. Burnett said this went directly to the Finance Committee and apologized for using his standard memo boilerplate that indicated that it did go to Public Works. It did not go to Public Works.

Councilor Vigil Coppler said she could accept his apologize but was not sure the Chair does.

Councilor Rivera said Director Wheeler did mention it to him before, so he also accepted the apology.

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to approve the Service Contract with FacilityBuild for rehabilitation of seven footbridges as presented.

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

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

Against: None.

- 13. PROJECT STATUS 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, Public Works Project Administrator, aerane@santafenm.gov, 955-5935)

Mr. Rane presented the update on progress of the construction at the Salvador Perez Recreation Building and to request an amendment to the B&D Industries contract for additional improvements to the facility. He noted this was laid out in the memo, but he could go through it if there were any questions.

There were no questions.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Vigil Coppler, to approve the amendment.

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

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor

Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

14. MATTERS FROM THE CITY MANAGER

Ms. LaPan Hill announced the Upcoming Meetings

- Tuesday, February 11, 2020—Arroyo de los Chamisos Proposed Crossing Public Meeting
- Tuesday, February 25, 2020—Governing Body Study Session
- Tuesday, March 10, 2020—Governing Body Study Session

She explained that they try to decide on the topics for the study sessions about two weeks before the date.

For the record, she sent a memo to Councilors last night on the evidence room where we are on the corrective action plan set out on January 10. Our Police Department put together a budget and timeline for it and the items range from software, added contracts, identification of appropriate vendors, to one-time costs from vacancy savings and working with HR to reclassify them. As Interim City Manager, she was working closely with Chief Padilla on an audit, we requested for something we know is not going well - to have outside assistance to identify changes needed.

Councilor Villarreal observed that those two dates were not changed.

Ms. LaPan Hill agreed. The 11th and 25th were the only dates available other than Fridays. The topic for February 25 is not set yet.

Councilor Villarreal was surprised that they already selected a vendor to contract for clean-up. She was not sure who made the decision but thought we could make it more transparent. So it does not look like we are cleaning up our own problem rather than opening it up to other possible vendors. There were already companies selected and she was surprised we were not more involved in the selection process.

Ms. LaPan Hill said there is a limited number of possible vendors for the evidence software. So they went through the due diligence. We can go into more detail if needed. Nothing has been decided on yet. This report is on their due diligence. No contract has been signed but we could walk through all of them.

Councilor Villarreal asked if this has not gone through the procurement process.

Ms. LaPan Hill agreed. That still has to happen.

Councilor Villarreal concluded there are still opportunities for other companies. She asked how it will be advertised.

Ms. LaPan Hill said it depends on each particular item and the procurement method.

Councilor Abeyta said, on that point, that there also was a sense of urgency with evidence in cases that are going to court that cannot wait until we are done with our work. He agreed with Councilor Villarreal but also encouraged Ms. LaPan Hill to be as expedient as possible, especially for collection of evidence for the types of crimes that require evidence be collected. It is also important for the public to have updates on the process.

Ms. LaPan Hill agreed. We produced a document that was public with the McHard Report and she planned to do something similar on this one. We will share information on a timely basis.

Councilor Vigil Coppler said when she first learned of it, this is evidence that needs guidance for preservation, cataloging, and guidance, which is not new in doing police work or our Police Department. But she was at a loss in wondering why it did not come to the surface much sooner. The buck stops with the Police Chief and that is also true for the City Manager's position. That responsibility should have been dealt with in the past. But it is a cornerstone for the future, not just here, but across the country. It bothered her that we are going to fill vacant police officer positions with these people which means they cannot be filled with police officers. This is a breakdown of management completely. And throwing more money at it would be good if you could still say that it will be managed. We did not see any of that in the report. That is what she thought was important. How are we going to manage the Police Department in all of its functions? With this very flagrant thing going on, what else is going on? That was her concern. She knew how it is going to work - you will take these officer positions and call them administrative staff for the evidence room. And at budget time, more police officers would be asked for. We need to be diligent and get some management ability through training and get it done. She will be hounding Ms. LaPan Hill on it if she is in this position after tonight. There is a lot of public discontent because of this and it is incumbent on this Body to keep an eye out for it. It also affects other departments.

Councilor Romero-Wirth underscored that we did not undertake this audit because of a court order. We had already signed up for an audit before the court order, dismissing evidence in this case.

Ms. LaPan Hill understood that was correct.

Councilor Romero-Wirth noted that is important because she also has heard from constituents that we did it to respond to a court order which is not true. But she agreed with the urgency to figure it out as soon as possible.

Councilor Rivera agreed with Councilor Abeyta on the urgency. She informed the Council that on February 18 at the Public Safety meeting, the Police will give a thorough report on what happened and what the fixes are. That meeting will be here in chambers.

Mayor Webber remarked that as Councilor Romero-Wirth said, it is the case that the review was initiated by Chief and his team knew it was a problem before any court case or lawsuits in a criminal case came to light. So they deserve credit for recognizing the problem and for acting swiftly to come up with an action plan quickly to address the problem. He had heard concerns from people that the Governing Body was not going to address it rapidly, effectively and with resources - the response demonstrates that is not the case. He took the time to make phone calls - one to the gentleman who conducted the audit on behalf of the Police Department, who lives in Washington and gave some more candid remarks that he did not write in the report. He believes this department has not only the capacity to fix the problem, but also the commitment to fix the problem.

This is clear when our software goes back to 1980 and is not designed for evidence accounting. He also called former Chief Gallagher two days ago for his input. He takes this seriously down in Las Cruces, where they constantly deal with issues needing added resources and personnel. The four staff for the evidence room would be trained as technicians and a supervisor who would deal not with police matters in general but with the evidence room specifically. He was clear that the response he has seen, and he still monitors Santa Fe closely because of his affection for this City and echoed the sentiment of the gentleman from Camus, saying that our department has the ability and commitment to take care of the evidence room remission.

He also said that all of the Councilors who did ride-along with the Police Department reported the same reaction that we have an outstanding group of officers who are well trained and constantly concerned with safety of Santa Fe people. That all demonstrates excellent leadership and recognition of the need for change. To Councilor Vigil Coppler's point on recruiting and training officers, he is looking at allocating \$250,000 for incentives to recruit officers; a \$15,000 incentive to attract officers to come into vacant positions, and a \$5,000 bonus for existing officers who bring in an officer. If we offer an incentive, which the Police Foundation suggested, to existing officers, then we can make an impact on the vacancies.

There is a seriousness of purpose here and a determination to use our resources wisely and well. We already have an excellent department and we need to give them the resources needed to do a job that is very challenging job that they do exceptionally well for our community.

15. MATTERS FROM THE CITY ATTORNEY

Ms. McSherry announced finding out today that the Rio Grande Foundation case was ruled in our favor today. It was a case pending before she arrived and added that it could have an appeal. She congratulated Marcos Martinez on that.

She introduced Christopher Ryan as the City's newest Assistant City Attorney in one of our Senior Assistant Attorney positions. He is working on employment,

union, and risk management cases. He is a former JAG in the US Army with over 25 years of experience.

Ms. McSherry recommended the Governing Body go into executive session under the New Mexico Open Meetings Act, specifically NMSA Section 10-15-1, Part (H)(2), (H)(5), and (H)(7) on limited personnel matters, appointment of Jarel LaPan Hill as City Manager, and strategy preliminary to collective bargaining negotiation with the Police Officers Association and pending and threatened litigation in which the City may or is a participant, including an amicus brief supporting challenges to the federal safer, affordable, efficient vehicles (SAFE).

EXECUTIVE SESSION ONE

- a) In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(2), Discussion of Limited Personnel Matters, In Particular the Appointment of Jarel LaPan Hill as City Manager.
- b) In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(5), Discussion of Strategy Preliminary to Collective Bargaining Negotiations with the Police Officers Association; and,
- c) In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(7), Attorney-Client Privileged Discussion Regarding Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Participant; Including, But Not Limited to, Participation in an Amicus Brief Supporting Challenges to the Federal Safer Affordable Efficient Vehicles (SAFE) rule in New York, et al. v. Environmental Protection Agency in the Court of Appeals for the D.C. Circuit.

(Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

MOTION: Councilor Rivera moved, seconded by Councilor Abeyta, that the Governing Body go into executive session with the items recommended by the City Attorney just made.

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

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

Against: None.

The Governing Body went into closed executive session at 5:59 pm.

The executive session ended at 7:28 pm and the Governing Body returned to chambers.

MOTION: Councilor Rivera moved, seconded by Councilor Vigil Coppler, pursuant to the Open Meetings Act, Section 10-15-1J that the Governing Body return to open session, stating for the record that the matters discussed in closed session were limited to those specified in the motion for closure with the exception of discussion on the City Manager.

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

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

Against: None.

MOTION TO AMEND THE AGENDA

Mayor Webber requested agenda be revised to skip to the evening session and to move the remaining afternoon items to the end of the agenda.

MOTION: Councilor Abeyta moved, seconded by Councilor Rivera, to amend the agenda by moving the remaining afternoon agenda items to the end of the agenda.

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

EVENING SESSION -- 7:00 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, evening session was begun by Mayor Alan Webber, Chair, Wednesday, January 29,

2020, at approximately 7:00 p.m. in Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

Present at the evening session were:

Members Present

Mayor Alan Webber
Councilor Roman "Tiger" Abeyta
Councilor Jamie Cassutt-Sanchez
Councilor Michael J. Garcia
Councilor Signe Lindell
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

Others Attending

Jarel LaPan Hill, Interim City Manager
Erin McSherry, City Attorney
Yolanda Y. Vigil, City Clerk
Carl Boaz, Council Stenographer

F. PETITIONS FROM THE FLOOR

Rick Martinez, 725 Mesilla Road, said he sent an email to all Councilors on January 6, 2020, and only got one small response. He was trying to figure out why no one else responded. He read the letter that he sent. He wanted to get their support for the Gilberto Guzman mural at the Haupman Building and create a smaller version of the same wall. The mural needs to be saved in some manner. "We all know that the original mural needs to be saved." He and Gilberto met with Secretary Garcia-Griego at the Department of Cultural Affairs on April 2, 2018 and brought up the idea of a smaller version on one of the walls. At that time, she said it wouldn't be the original so there was no need to do the mural in any form. People are concerned about the ongoing losses of our historic murals and there are many around town. The murals are a benefit to the locals and the tourists alike. Projecting the image of the mural onto a blank wall would not work except at night. This was why he was looking at other ideas. The New Mexican wrote a very good editorial which he attached to his email. He noted the beautiful murals all around town. The mural on the back of the Jean Cocteau Building and others were mentioned. We can have a conversation with the community about our culture and what we stand for. He would be happy to work with the Councilors on a resolution to save the mural. It would be a big win for the community. He looked forward to responses from the Councilors.

Former Councilor, Frank Montaña, 1609 Paseo de la Conquistadora. He thanked the Governing Body for the opportunity to speak and for their public service. He was also here to speak to the mural issue. There could be a greater effort to somehow pay tribute to the mural that is there. He believed it could be saved and attested to the fact that it is a wonderful site of the City. He passes by it on a daily basis and people love it. The visitors love that mural and many take pictures right in front of it. It is more than just that one mural though. It seems like Chicano art is being destroyed over time. One Chicano mural on St. Francis Drive mysteriously disappeared one night. One on Canyon Road was vandalized, and the owner redid it. He was very disturbed when a fresco was destroyed on the north side of City Hall that was created by a native Chicana. It begins to feel that Chicano culture is being picked on. He wondered if the City would favor destroying petroglyphs. There should be some conversation.

Stefanie Beninato said it is sad when people feel they are not being heard. Community input is important. Regarding the Midtown Committee on their judging on amenities. She wondered how many members are Santa Fe residents. Sidewalks are in very poor condition and many are blocked by sandwich signs. And she reminded the Council about their responsibility for businesses to clear their sidewalks. She tried to bring to Council's attention those who are removing sidewalks instead of replacing them. It is also sad for Mayor Webber to give employees a half-day off because of voter suppression. The Clerks bend over backward to help voters get to vote.

Also the Mayor said no more consultants, but she read he has one for the police evidence room.

There were no other petitions.

G. APPOINTMENTS

There were no appointments.

H. PUBLIC HEARINGS:

- 1) **CONSIDERATION OF BILL NO. 2019-19: ADOPTION OF ORDINANCE NO. 2020-01. (Councilor Villarreal)**
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. (Dee Bangert, Green Building Code Specialist, dkbangert@santafenm.gov, 955-6618)

A copy of a "mockup" of the Bill by Councilor Villarreal is incorporated herewith to these minutes as Exhibit 3. A copy of proposed amendments by Councilor Romero-Wirth is incorporated herewith to these minutes as Exhibit 4

Ms. Vigil read the caption on the agenda aloud.

Ms. Dee Bangert presented the issue. This updates what the State has adopted and references to Chapter 18 for the plumbing code.

Mayor Webber asked her to give some sense of all amendments just handed to them.

Ms. Bangert said the original version said we would be adopting a current version of the state codes but, under further review, they decided there are other parts of our code that indicated that we should have the title and the date adopted.

Councilor Romero-Wirth added that was after finding in the State Statute that it specifically said when municipalities adopt these codes, they should reference the year that they were adopting them.

Ms. McSherry agreed. There is also such a provision in our code, so we put them back in. Her recommendation was to put them back in.

Councilor Lindell said she had asked to be a cosponsor and asked the Clerk to please add her. She also pointed out that this is not a mockup but a final version.

She commented again as she has many, many times before, that "I cannot go through a 24-item amendment when I sit down at this desk. It is not possible for me to do that at the meeting and still pay attention to what is being said here. We should have received it before the meeting. I will support it but don't know what I am supporting here. And it is impossible for me to read this right now." It is not directed at Ms. Bangert but probably for the City Attorney and City Manager to take note that this is not possible to continue doing.

Councilor Villarreal agreed with that. She understood we have it happen. We need to see them earlier. It is mostly just dates. She asked if there was anything besides dates.

Ms. McSherry said they are all non-substantive changes, and some are hard to read in the original ordinance, and this is a conservative approach. There is some argument about having the date, but it was decided within the last 24 hours to recommend this version of the language and it was impossible to get it out before the meeting.

Public Testimony:

Mary Schruben had no question about content but commented about what happens now. She understood the City is in a massive code rewrite. This just adds to it and there are hard connections when something is changed. She would like Council to request an update from the Land Use Department on where the rewrite is now. She knew from last year, that we were supposed to have an integration of all the rewrites that have been made, repealed, made again, moved around, renamed, etc. We were told that update was to be the first phase. In the Municipal Tree Board, we are having trouble finding all the references we need to update.

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

Council Discussion:

Councilor Rivera asked if there is any reference to the International Fire Code.

Ms. Bangert explained that the Fire Code is adopted by the Fire Department, not the Governing Body and it is not part of the Building Code, Chapter 7.

Councilor Rivera noted on page 3, item 8 talked about the International Building Code and asked her to explain it.

Ms. Bangert clarified that is for existing buildings and specifies how to treat remodels of existing buildings. It was adopted by the State and, therefore, by the City.

Councilor Vigil Coppler agreed with Councilor Lindell that the Council gets things way too late and she was not sure about this update. It is like a web because one change affects something else and get a mish mash of things that don't jibe. We have seen that some of the appeals are made because we cannot tie them together. So she wondered where else this affects the existing code. She was not sure we have done our investigation that might impact other parts if we adopt this tonight.

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to adopt Ordinance 2020-01 as amended.

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

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

Against: None.

- 2) **CONSIDERATION OF BILL NO. 2019-34: ADOPTION OF ORDINANCE NO. 2020-02. (Councilor Lindell and Councilor Rivera)**
An Ordinance Relating to the STOP Program Amending Section 24-4.3 to Provide that the City Appoint 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. (Ben Valdez, Deputy Chief, bpvaldez@santafenm.gov, 955-5040)

A copy of a proposed amendment to Bill No. 2019-34 by Councilor Lindell is incorporated herewith to these minutes as Exhibit 5.

Ms. Vigil read the caption for this hearing.

Mr. Guillen said the Councilors got an email from Ms. McSherry about the first part of the bill and, as it noted, the State Law requires that what is now in the Code, so one of the amendments he distributed strikes the proposed change to Section 1 in its entirety. So the only portion to be considered here is the reduction of fines for subsequent violations.

Ms. McSherry clarified that State Law provides for that type of situation, and at least contemplates that.

Councilor Lindell thought that was self-evident.

Public Hearing

There were no speakers from the public regarding Bill No. 2019-34 and the public hearing portion was closed.

Discussion:

Councilor Vigil Coppler recalled the discussion last time and thought the caption was changed, stating that this is about putting cameras on our streets. She asked if that was correct.

Mr. Guillen clarified that this bill does not deal with the cameras. That part was approved a couple of years ago and this deals only with the fines.

Councilor Vigil Coppler remembered that when we had the meeting at the SFPS Administration Building, we received an attachment where the cameras would be placed, etc. She didn't think the implementation of this will address where we have the real problems - running red lights; speeding on state-owned streets like St. Michael's Drive, Cerrillos Road and St. Francis Drive. This is more of a feel-good measure rather than addressing those who don't obey the traffic code. She has never been in favor of the program because she did not think it addresses where we have the issues. It is a

lack of community policing by having cameras do the policing that our police officers could be doing. It is not what this caption says but she wanted to bring it out. She had concerns overall with it. She understood the sentiment of the previous Council was, but it does not mean she must be so supportive of what they did in the past.

Councilor Villarreal shared those sentiments. Today, she is willing to have those amendments for a more equitable fee structure. Even though she did not support the program, she wanted it to have a fairer fee structure as it moves forward.

Councilor Romero-Wirth pointed out that this is not reinstating the STOP program, which is a separate contract.

Ms. McSherry agreed. This just puts the fines in the ordinance.

Councilor Romero-Wirth added that the STOP program is not in effect.

Ms. McSherry clarified that the ordinance is in effect.

Mayor Webber added that we are not yet doing it.

Deputy Chief Ben Valdez said the STOP program is on the books. We don't have a contractor yet but will bring one to the Governing Body and then it will be operational.

MOTION: Councilor Lindell moved, seconded by Councilor Rivera, to approve Bill No. 2019-34, as amended in Sections A, B, and E.

Mr. Guillen clarified that there are four amendments in the packet and one that was handed out. The one from Councilor Vigil Coppler will not be adopted since we are striking the proposed change to Section 1. They are labeled as A, B and E.

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

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

Against: None.

3. **CONSIDERATION OF BILL NO. 2019-37: ADOPTION OF ORDINANCE NO. 2020-03. (Mayor Webber)**
An Ordinance Creating a New Section 2-23 to Establish the Arts and Culture Department; and Repealing Section 6-1.3 Regarding the Director of the Arts Commission. (Pauline Kamiyama, Arts Commission Director, pkkamiyama@santafenm.gov, 955-6653)

Ms. Vigil read the caption for this hearing.

Director Kamiyama was present with her team. She said she was pleased to bring this. It comes through Culture Connect which talks about inclusion equity and access and now we are becoming a Department, so we can fund art for arts sake. We will still be funded under Lodger's Tax and will make sure everyone gets a copy.

Public Hearing -

Stefanie Beninato said she understood how really important art is but becoming burgeoning bureaucracy at the City. She knew the Department will do what the Commission did. She asked where we get this money that goes for more and more bureaucracy. We should include the community but that was what we were doing already. She was just concerned about overlap and duplication of work. It is expanding and people probably will be paid more. The Council should be asking where the public is in it.

There were no other speakers from the public and the public portion was closed.

Discussion

Councilor Lindell pointed out that in the packet was an FIR and she appreciated having that put in and that it netted out at zero.

Councilor Villarreal said she had supported as cosponsor and asked to be added again. She thought this makes sense and is not duplicating. She saw this more as connection with local community rather than tourists. So she would like to see a community engagement piece. We just heard about the murals which we don't have control over on a state building. We should work on preservation of our cultural assets and especially of our murals. Most are not even our responsibility.

Councilor Vigil Coppler was glad Director Kamiyama was here to hear the public comments. Former Councilor Frank Montaña mentioned a deep cultural divide when we don't respect one culture over something else. We might not have control over all murals, but we have a voice and hope there is a big antenna that reminds us of it with more public input. I'd like a presentation on the murals before we might destroy murals on our property.

She recalled that there was a mural on this building (City Hall) and it was covered up and someone suggested that the paint could be removed from over the mural. When our facilities get repainted, the painters should get approval before painting over something that exists there. Nobody supervised it and that mural got painted over. Those things that have happened will make us pay more attention to represent all cultures.

Councilor Romero-Wirth said she added her name as cosponsor because she

thought Arts and Culture are an economic development driver for the City.

MOTION: Councilor Villarreal moved, seconded by Councilor Romero-Wirth, to adopt the amended ordinance establishing a new Department of Arts and Culture as presented.

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

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

Against: None.

4. CONSIDERATION OF BILL NO. 2020-1: ADOPTION OF ORDINANCE NO. 2020-04. (Mayor Webber)

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 Lease 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. (Rich Brown, Director-Office of Economic Development, rdbrown@santafenm.gov, 505-955-6625; Andréa Salazar, Assistant City Attorney, asalazar@santafenm.gov, 955-6303)

Ms. Vigil read the caption.

Director Brown thanked the Governing Body for having this conversation. He emphasized that this is a unique public sale and the SFRCC is lead on it. The buyer is very viable and hopefully, has answered the Governing Body's questions. He invited Richard Czoski and the buyer here to address it further. He added that the buyer has come back to us with a new offering price.

Councilor Romero-Wirth asked him to go over the salient points why this is good for the City.

Director Brown said he sees this as a viable sale because there are new jobs and additional GRT revenue that will accrue to the City and with your vote today, the owner can start on improvements so operations can begin this summer. It is to bring 61 full-time and part-time jobs and the revenue is estimated at \$35.5 million and \$1 million in GRT tax revenue. The improvements to the building will provide about \$2.8 million in costs.

Councilor Romero-Wirth asked what would happen to the building in 90 years.

Ms. Salazar, from the City Attorney's Office, said after 90 years, it will revert to

the City.

Councilor Romero-Wirth saw that as unusual. We are not selling a building and lose control forever. This is unique where we own the building and sell it, and the buyer puts almost \$3 million into it and uses it but 90 years from now, the building and ground comes back to the City.

Ms. Salazar clarified the City owns the land and the 70-year-old building which was leased to Santa Fe Clay for quite a few years.

Councilor Romero-Wirth asked who gets the ground lease payments.

Ms. Salazar explained that SFRCC gets that money and gives an amount to the City on a set schedule. There are some carveouts in it.

Councilor Romero-Wirth heard a criticism that the opportunity was not made available to other bidders enough. She saw in a memo that they have been seeking a user for quite some time.

Ms. Salazar agreed. The SFRCC showed it to about five interested parties. They do a due diligence on it to make sure the proposed user is financially solvent, able to make the payments and that use is an appropriate use. Under this scenario, Central Capital was interested but it was not financially viable without purchasing the building.

Councilor Romero-Wirth understood the SFRCC knows who is coming into the facility and who will do the upgrade and have vetted the company.

Ms. Salazar agreed. They have made sure.

Councilor Romero-Wirth further understood that if it fell through, a prior Council had already approved its demolition.

Ms. Salazar said yes and that was included in a 2010 amendment to the Master Plan.

Councilor Romero-Wirth asked if the City would have to pay for that demolition.

Ms. Salazar said that a potential cost to the City, but it could be by another entity interested in using the property. And if leased out, the building would need to be brought up to code at an estimated cost of \$300,000.

Councilor Garcia asked if we could ask questions now.

Mayor Webber said questions could be asked after the public hearing first.

Councilor Garcia thought that was a little unfair but okay.

Public Hearing:

Josh Zapata, advocate for open government, read his statement against the purchase. He noted that selling the building below market value and giving preference to this buyer, is a violation of the State Constitution. He quoted from the Constitution.

Frank Montaña said back when he was a City Councilor, he worked with Catellus to negotiate the deal which included that at some point, there would be a return on the investment. He thought the City invested about \$20 million. And since then, it has been improved upon. At the time, he was against allowing turning over the property for some of the same reasons as this speaker and we have lost control of it since then and hope we can resume the authority. We don't know what increase had been provided so we could better understand what went on in the interim. But the City definitely needs to get the asset back.

Stefanie Beninato echoed the same thing. Is the City getting a high enough value for what was offered? We don't know what the most recent offer is. The City should not sell itself short. It has not been that long since it was vacant. The arrangement with SFRCC did remove the operation from politics. There were Quonset and adobe and pentile buildings there and today, the architecture has become an industrial style, very generic looking. Somehow that was okay, but it lost the history of the property that was there before. Many of the structures were very appealing as opposed to aluminum straight up buildings.

There were no other speakers from the public and the public hearing was closed.

Councilor Garcia asked what the proposed use for that property was before this sale came up.

Richard Czoski clarified that the Master Plan and district zoning allow for a broad variety of uses. So when we search for leases, we pick the best one and move deals forward. Or on a limited use, we search for such a user. The Cinema was one. But in most cases, it says mixed use. So it is what is out there. and works within the Master Plan on the use of the property.

Councilor Garcia understood they were seeking to lease the property. If it did not get sold, he thought they were going to demolish the building, but it looks now like the SFRCC will lease it.

Mr. Czoski said the preference was demolishing the building and we looked at all prospective uses. And the City had already approved demolition.

Councilor Garcia asked then, why they were trying to lease it out.

Mr. Czoski said they thought it would be used by the cinema.

Councilor Garcia observed that the space had interest whether with Santa Fe Clay or other investors.

Mr. Czoski agreed others were interested but most lost interest when they found out to renovate and bring it up to current standards. They did their due diligence and then decided whether to continue pursuing it.

Councilor Garcia asked if the initial assessment used for the proposed offer which is now increased to \$175,000 does not include the value of the land and does not take into consideration, the location. He would still like to see a second appraisal. It is a critical component to take location into account. we need to relook at this. Has the Railyard sold City property in the past, and if so, how did we go about it?

Ms. Salazar said the only other one was SITE Santa Fe and that was done in 2004. The City doesn't own many buildings in the Railyard.

Councilor Garcia reasoned that we are setting precedent that someone could come in and make an offer with no opportunity for any investor to also make an offer on it at all. That is a dangerous precedent in not allowing the general public, whether they wanted to invest in it. Those are things we don't know until we go through the process. Selling assets must be a transparent process and He did not believe we have that here. It could end up with the same result, but this process does not promote a solid trust in government. We need to ensure we are moving forward in transparent with the public interest in mind.

Ms. Salazar said the overall lease agreement was in 2002 to take it out of any political process. The agreement with SFRCC was to allow them to do due diligence to make it viable.

Councilor Garcia agreed with that separation and was not against selling City assets but against the process which was not open or fair.

Councilor Abeyta asked how many other places the City owns the ground but not the building.

Ms. Salazar said there are numerous places, more are downtown.

Councilor Abeyta pointed out that the assessor allows the owner to protest and can bring an appraisal that says less.

Councilor Vigil Coppler agreed; the assessor would do another appraisal.

Ms. Salazar noted the difference is that the County Assessor is not looking at costs of bringing it up to code and did not include the costs to bring it up to code.

Councilor Garcia said the record we got said the appraisal includes only the improvements.

Ms. McSherry clarified that an improvement is speaking to the existing building but not what the proposed improvement is.

Councilor Abeyta said it all comes back to the City in 90 years so the City will eventually own it. And the entire management comes back to us in ten years.

Ms. Salazar agreed.

Councilor Vigil Coppler was concerned if we did enough in the RFP that makes leasing a moot point. How widely was it distributed to come before us with a proposal? Selling and leasing are different things. Maybe no one applied because they did not want to lease it.

Mayor Webber asked who "we" is? City staff is not doing the RFP. We get into trouble when we say "we."

Mr. Czoski explained that the SFRCC doesn't have the authority to sell anything; only authority to enter into leases. There was no RFP to sell the building, and the Railyard Corporation doesn't sell things. But the offer to purchase by Luna was a separate stand-alone deal the City can choose to approve or not. The ground lease for that property will stay in place with the City.

Councilor Abeyta asked if anyone could sell their building.

Mr. Czoski agreed and said the City does not normally have a role in it. But the City owns this building.

Councilor Vigil Coppler asked then, what we did that said we were selling this building. Were we just waiting for an offer? She thought there was discussion last time about an RFP.

Ms. Salazar clarified there was not any RFP. The potential leaser was making an offer. The City has authority to sell and for any private sale, as long as an appraisal and a publication, a public hearing is held.

Councilor Vigil Coppler wanted to hear about publication.

Ms. Salazar said the City Clerk published it twice with buyer, price, etc. in the newspaper and 14 days later, can have a public hearing. The amendment is published and after 45 days, the public can request it be put on the ballot. There were numerous articles in the newspapers also.

Councilor Vigil Coppler asked when the interested person brings an appraisal.

Ms. Salazar said the SFRCC has control of leases and that is why their staff showed the building. It is included in the lease agreement.

Councilor Vigil Coppler thought it is convoluted and understood why the public feels left out. She asked who pays the taxes on the assessed value.

Ms. Salazar explained that it is a city-owned building, so there are no assessed taxes.

Councilor Vigil Coppler reasoned that the assessor only appraised the improvements and not the land. She had had big disagreements with the appraisal but understood there is a lot of work to be done, as well. When the buyer was at Public Works, he seemed amenable to raise the offer. She wanted to make sure he was going back to his partners and come back offering more and he did that. To her, the \$337,000 appraisal was high. We need to make best use of this property and bring in more tax revenue and bring enjoyment to the community. it is becoming more viable as community space. So in good faith, the City would be able to decide if we want to start it all over again. She would support the sale to the next level.

Councilor Rivera asked if at any time the City has entered into a lease without an RFP.

Ms. Salazar said yes. There were several in Mid-Town just based on an appraised value.

Councilor Rivera thought it did not make sense to put out an RFP in that circumstance.

Councilor Rivera asked Mr. Czoski, if this was not approved, whether the next step would be demolition.

Mr. Czoski said if it is not approved, he would go back to the other interested parties.

Councilor Rivera added that, if demolished, you could lease without coming back here.

Mr. Czoski agreed.

Councilor Rivera suggested making it all ball fields. He was in support.

Councilor Cassutt-Sanchez recalled a few things came up in other meetings. In Finance, they were talking about a different process between appraiser and assessors.

Mr. Fluetsch reported meeting with the assessor, and they reviewed it relative to the appraiser, who got back to him today. The theory is that for both, the goal is to find

fair market value. Replacement cost is another method to determine value. In this case, the assessor is to appraise every property and they do sort of a blanket assessment. And if someone protests; they would go to the property for a more detailed appraisal. The discount rate is used in finance to reflect value and risk. The riskier, the lower the value because of the higher risk. Santa Fe Clay is riskier than the Railyard as a whole. and could be more or less risky than Santa Fe. That was how they stood by their assessment. Assessing fair market value is not an easy task.

Councilor Cassutt-Sanchez understood the City has used this appraiser (Hippauf) in the past.

Ms. Salazar agreed. They have been here for over 50 years. So the City uses them for their knowledge of Santa Fe.

Councilor Cassutt-Sanchez said she went over this a lot and looking not just from the viewpoint of just the highest bidder but also what value it would bring to the City. There are some larger issues to look at. Does it change our relationship with SFRCC? Although we have new information but very little is known about the business plan. We don't have a right to see it. Why is it being kept secret?

Mr. Extell (the buyer), said they could not announce it until the deal is completed. It would be a big deal to move here from their present location. He explained the business to them and shared their expectation for here. The jobs will mostly be \$14-20/hour plus a 401k, and a full gamut of benefits.

Councilor Cassutt-Sanchez said regarding the cost/benefit analysis, the SFRCC would receive the \$175,000 from the sale and remit a portion to the City.

Mr. Fluetsch clarified that in Section 7.07, the SFRCC has a right to seek relief if an asset is removed from their lease ability. They would seek an amendment to address because if we sell it, the SFRCC would not be able to lease it. So they would seek relief.

Ms. McSherry added that the amendment is subject to negotiation with the Governing Body.

Councilor Cassutt-Sanchez considered the price of the building as almost not an economic benefit.

Mr. Fluetsch noted that if the buyer spent all \$2.8 million within Santa Fe, it would be roughly \$85,000 to the City and \$200,000 for GRT from their operations. So that far outweighs the purchase price.

Councilor Cassutt-Sanchez said the only other scenario she would have liked is if we put money into renovation. It did not sound like that would be an option for us. She was not against selling it at this price. It sounds beneficial for us, but she was trying to pull information from many sources and would like to have wrapped her head around it

before today.

Mr. Fluetsch agreed with that. And because of this relationship with SFRCC, it is not a process we would engage in with other real assets. But it is because of this very unique situation we are in. With an RFP, every bidder would have to be vetted by SFRCC and wait until fully vetted. It would be a nightmare and take 18 months to 2 years to complete.

Councilor Cassutt-Sanchez suggested discussing that for the future and maybe have a conversation of what it should look like in the future.

Councilor Villarreal thanked them for helping us through this complex process.

Ms. Salazar said SFRCC has the right to enter into leases and they enter into the letter of intent and this company said they wanted to invest in the rehabilitation of this building and agreed to buy the building.

Councilor Villarreal thought- we might have had other potential buyers.

Ms. Salazar said probably not with the required ground lease.

Mayor Webber told Mr. Czoski that any one of those 15 could have come with an offer. We did not market it as a building for sale. If a party wants to buy a building, they would come to the City just as Luna did. The sale offer was incidental to the leasing effort.

Mr. Brown summarized the process. SFRCC has full autonomy here. The City owns five of them and other owners own other buildings there. With Luna, they could not get financing for just a lease, so they asked about buying it. So they were directed to the City.

Councilor Villarreal reasoned that Luna appears to have an advantage. How can we change that?

Ms. Salazar said if we desire to sell a building in the Railyard, we could ask SFRCC to advertise as a lease and that is not an RFP process.

Councilor Villarreal said it sounds like we cannot use the RFP process.

Mayor Webber agreed. There is a relationship with them to create economic relationships. For the most part, they don't come to the Governing Body at all but here it was finances that were structured in a different way. We are not in the business of bringing the deal together or even advertising the opportunity. What is the net value to the City if this deal goes through?

Councilor Villarreal said it just doesn't look good because we don't have

complete control over it. She repeated that we found out the condition at the last committee meeting how it was not up to code and was grandfathered in. She asked if there were other details that we needed to know their status.

Mr. Extell clarified that Hart Construction looked at the project and \$770,000 is what they saw for bringing it up to code. There were no fire walls and no fire protection. We just have a slab with partial structural support. We do have significant improvements to do.

Councilor Villarreal replied that helps her feel a little bit better.

Mr. Extell said they would be willing to demolish if needed but that would delay the project up to two years. It might be better to demolish it, but they would lose two years for getting a tenant.

Councilor Garcia asked who owns the rights to build a new structure.

Mr. Extell said they would hold that right.

Mr. Czoski explained how it would work - If Mr. Extell were to demolish the building, the ground lease would permit him to build a new building. The Planning Commission would approve the architecture plans. Every ground lease is set up that way. Violet Crown would own their building after building it, for 90 years. That is the standard deal in the Railyard. It provides the leaser to build and own their building and pay for the ground lease.

Councilor Garcia understood they have the development right of anything that falls within the Railyard Master Plan. It was confirmed to us in Public Works that if they demolished the building, they would have no rights for development.

Ms. Salazar clarified that either the City or SFRCC could demolish the building. or the leaser could do it.

Councilor Garcia said that was not what we were told at Public Works.

Mayor Webber said the proposed amendment would insert \$175,000 instead of \$150,000.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Lindell, to amend the agreement to \$175,000 offered.

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

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

Against: None.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to approve the Bill as amended.

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

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

Against: Councilor Garcia.

16. REQUEST FOR THE CITY TO JOIN WITH OTHER LOCAL GOVERNMENTS in an Amicus Brief Challenging the Federal Safer Affordable Efficient Vehicles (SAFE) Rule. (Erin K. McSherry, City Attorney; 955-6512, ekmcsherry@santafenm.gov)

MOTION: Councilor Rivera moved, seconded by Councilor Romero-Wirth, to approve the request for the City to join in the Amicus Brief as presented.

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

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

Against: None.

Executive Session II

MOTION: Councilor Rivera moved, seconded by Councilor Abeyta, to go into executive session pursuant to NMSA 1978 §10-15-1(H)(2) to discuss limited personnel matters.

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

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

Against: None.

The Governing Body went into closed executive session at 9:54 p.m. and returned from the executive session at 10:23 p.m.

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, pursuant to the Open Meetings Act, Section 10-15-1(J), to return to open session, stating for the record that the matters discussed in the closed session were limited to those specified in the motion for closure.

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

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

Against: None.

EXTENSION OF TIME FOR THE MEETING

MOTION: Councilor Abeyta moved, seconded by Councilor Villarreal, to extend the meeting time past 11:30 p.m.

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

17. REQUEST FOR APPROVAL OF APPOINTMENT OF, AND CONTRACT WITH Jarel LaPan Hill as the City Manager. (Mayor Webber)

Councilor Abeyta moved, seconded by Councilor Vigil Coppler, with the following amendments: Under 1, Scope of Work, "The Mayor, subject to Governing Body consent, desires to employ the employee in the exempt status as City Manager in exempt status; on the next page of the contract, for C, if the employee is dismissed for misconduct cause; and in Section 6-C "in preparation for the review, the Mayor shall seek input from all City Councilors and Department Directors."

Councilor Vigil Coppler asked if we are continuing with any further amendments.

Ms. McSherry said the Governing Body could choose to discuss this main motion Councilor Abeyta just made, or to amend the main motion further. Either would be appropriate at this time.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Lindell, to further amend the main motion, Item 2-D to say, "The City Manager shall provide evidence of completion of the International Council of City-County Management Association Credential Designation to the City Human Resources Director within one year of employment and delete the rest of the sentence.

Councilor Cassutt-Sanchez, to clarify, said there was discussion on what was in that requirement to receive that credential. Do we know that it would be reasonable to expect the employee to achieve that credential within a one-year time? Based on that conversation, she did not believe they had enough information saying she would qualify within a year.

Councilor Vigil Coppler suggested it say, "within a reasonable time" instead of "within one year of employment."

Ms. McSherry said the Governing Body would have to dispose of the first amendment motion before this subsequent change. She suggested voting that motion down and making a new motion to include those terms. She explained that any of these changes would require Ms. LaPan Hill to agree to these revised terms.

Councilor Abeyta asked if Councilor Vigil Coppler's motion included striking 5% or \$5,000. Councilor Vigil Coppler said yes [although that was not stated in her amendment motion].

Mayor Webber asked if we could invite her to comment.

Ms. McSherry said it would be entirely appropriate if the Interim City Manager wishes to make a comment on it, if it would affect her ability to sign the contract, herself, or if any Councilors wanted to ask ...

Councilor Villarreal asked if Ms. LaPan Hill would have to sign it after the Council approves whatever adjustments we make.

Ms. McSherry said she could choose to sign it or not, however she chooses. It would be good to know if she is willing to adopt the terms you approve.

Mayor Webber noted the current proposal says it should be done within a year but with no compensation in exchange for that credential.

Ms. LaPan Hill said there are a few guidelines that could be met. There is an application process and then it is determined by a Board. She would go through an assessment process and application process which essentially puts in her years of service. Then, it goes through a Board review which averages 2-3 months and look every quarter. So it is doable to apply for the process but could not speak to an end date. She would not an end date put into the contract because that is out of our hands. It is based on years of experience. When I asked about my resume, I was told it would go through

the Board.

Councilor Vigil Coppler asked if she was saying it would not be within a year.

Ms. LaPan Hill thought the determination could be done within a year. But if it not credentialed by then, it would not nullify her contract.

Ms. McSherry said it could not be further amended now.

Councilor Vigil Coppler withdrew her first motion.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Lindell to amend the main motion to say, "The City Manager shall provide evidence of completion of the ICMA credential designation to the City Human Resources Director when awarded by ICMA and strike the remaining language after that (the salary change).

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

For: Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Vigil Coppler and Councilor Villarreal.

Against: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, and Councilor Romero-Wirth.

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

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

Against: Councilor Cassutt-Sanchez.

Mayor Webber said it remains to be seen if Ms. LaPan Hill will sign the amended contract.

18. MATTERS FROM THE CITY CLERK

Ms. Vigil announced the next Council Meeting on February 26 will be at the Southside Library.

19. COMMUNICATIONS FROM THE GOVERNING BODY EXHIBIT

Councilor Garcia publicly thanked Councilor Romero-Wirth for her great start in

the new year with their first committee meeting. He asked Councilors to wish him luck as his daughter turns 13.

Councilor Vigil Coppler noted regarding the work sessions, her experience has been calling them with particular topics. The Railyard would have been a good topic for a work session as evidenced at this meeting. But she was not inclined to have them without an identified topic. She wanted to know her time would be well spent. If no preparation is needed, we should not call for a work session. She wished happy birthday to her son whose 28th birthday is February 1st. He is a First Responder.

Councilor Abeyta introduced an ordinance amending the Land Development Code to add a definition for apothecary and to amend the definition of clinic. He announced an application pending in front of Santa Fe County to move an asphalt plant. A lot of residents in District 3 are very concerned about it and reached out to him and to Councilor Rivera. There is a public meeting on February 7 at 6 pm with the Environment Department. at the Nancy Rodriguez Center.

Councilor Villarreal asked to be shown as a co-sponsor for the two ordinances Councilor Lindell is introducing.

Councilor Lindell congratulated Ms. LaPan Hill as the new City Manager and hoped she will sign the contract. Secondly, Councilor Vigil Coppler's idea for the Railyard as a study session topic would be valuable. It was briefly discussed at Finance and would be helpful to understand how complex it is. Tierra Contenta would too. They are unique relationships the Council has and would be valuable time for us.

She is introducing and thanks to Councilor Romero-Wirth for helping her on the animal ordinance. and to Councilor Vigil Coppler, Abeyta and Villarreal for being cosponsors. It is an ordinance amending Section 5-2 to amend the definition of domestic animal, adds a second definition for shelter, deletes the definition for trolley system, amends a Section to reduce the length of leashes and to ban the use of trolley systems, amends a section to specify where pet licenses can be obtained, creates a new section to establish minimum requirements for the outdoor shelter of dogs in extreme weather, creates a new section to prohibit the keeping of dogs outside and unattended in extreme weather, amends a section to allow animal services officers to enter private property to take up and impound an animal that is in imminent danger of harm, amends a section to have complaints of animals disturbing the peace heard before a hearing officer instead of at Municipal Court, amends a section to refer to the fees and fines table, and amends a section to establish fees, fines related to animal services in the code.

Councilor Rivera thanked those who attended the LifeLink fund raiser. He thanked Councilor Lindell for sponsoring the Superbowl Saturday.

Councilor Lindell said the event will be at noon at the Convention Center to - 20,000 meals at Food Depot. The soup is good.

Councilor Rivera wished everyone a safe Superbowl Sunday. Please don't drive and drink. He said his Medina's birthday is on February 1 and she is also his godmother. He said he is looking forward to future work with Ms. LaPan Hill.

Councilor Romero-Wirth thanked Councilor Garcia for heavy lifting on the community conversation last Saturday.

Councilor Cassutt-Sanchez gave a belated happy birthday to Councilor Rivera. And congratulations to Ms. LaPan Hill. This was long with lots of discussion and thanks to all for moving things forward.

Mayor Webber introduced an ordinance amending Article 4.04 of the Municipal Charter to reference the Local Election Act rather than the Municipal Election Code, pursuant to NMSA 1978, Section 1-22-3.2(C) which cleans up that language.

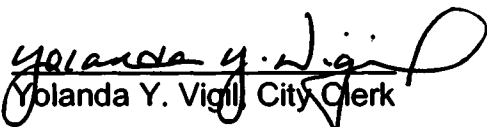
I. ADJOURN

Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at 11:55 p.m.

Approved by:


Mayor Alan Webber

ATTESTED TO:


Yolanda Y. Vigil, City Clerk

Respectfully submitted by:


Carl G. Boaz, Council Stenographer

**ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, JANUARY 27, 2020**

ITEM 6f

Request for the Approval of the 2019 State Homeland Security Grant Program (SHSGP) in the Total Amount of \$382,666 for EOD Robot, Controller, Rigging and Tools, EOD Canine and Patrol Canine, DHS Type II SWAT Operator Course, FBI Hazardous Device School; Federal Emergency Management Agency (FEMA); (Kyle Mason, kamason@santafenm.gov, 955-6704) (Ben Valdez, Deputy Chief of Police, bpvaldez@santafenm.gov, 955-5040)

COMMITTEE REVIEW

Finance Committee (Approved)
Governing Body (Scheduled)

01/21/2020

01/29/2020

PUBLIC WORKS COMMITTEE ACTION:

Unanimously Approved

FUNDING SOURCE:

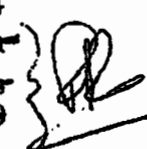
2212850.490610.OEM2022102

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON RIVERA	X		
COUNCILOR ABEYTA	X		
COUNCILOR VIGIL COPPLER	X		
COUNCILOR GARCIA	X		
COUNCILOR VILLARREAL	X		

have been received and accepted, payment shall be tendered to the Contractor within thirty days after the date of acceptance. If payment is made by mail, the payment shall be deemed tendered on the date it is postmarked. However, the City shall not incur late charges, interest, or penalties for failure to make payment within the time specified herein.

3. Term.

THIS AGREEMENT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE CITY. This Agreement shall terminate on June 30, 2020 unless terminated pursuant to paragraph 4 (Termination), or paragraph 5 (Appropriations), ~~with the option to renew three additional years. In accordance with Section 13-1-150 NMSA 1978, no contract term for a professional services contract, including extensions and renewals, shall exceed four years, except as set forth in Section 13-1-150 NMSA 1978.~~ 

4. Termination.

A. Termination. This Agreement may be terminated by either of the parties hereto upon written notice delivered to the other party at least thirty (30) days prior to the intended date of termination. Except as otherwise allowed or provided under this Agreement, the City's sole liability upon such termination shall be to pay for acceptable work performed prior to the Contractor's receipt of the notice of termination, if the City is the terminating party, or the Contractor's sending of the notice of termination, if the Contractor is the terminating party; provided, however, that a notice of termination shall not nullify or otherwise affect either party's liability for pre-termination defaults under or breaches of this Agreement. The Contractor shall submit an invoice for such work within thirty (30) days of receiving or sending the notice of termination. Notwithstanding the foregoing, this Agreement may be terminated immediately upon written notice to the Contractor if the Contractor becomes unable to perform the services contracted for, as determined by the City or if, during the term of this Agreement, the Contractor or any of its officers, employees or agents is indicted for fraud, embezzlement or other crime due to misuse of state funds or due to the Appropriations paragraph herein. THIS PROVISION IS NOT EXCLUSIVE AND DOES NOT WAIVE THE City's OTHER LEGAL RIGHTS AND REMEDIES CAUSED BY THE CONTRACTOR'S DEFAULT/BREACH OF THIS AGREEMENT.

B Termination Management. Immediately upon receipt by either the City or the Contractor of notice of termination of this Agreement, the Contractor shall: 1) not incur any further obligations for salaries, services or any other expenditure of funds under this Agreement without written approval of the City; 2) comply with all directives issued by the City in the notice of termination as to the performance of work under this Agreement; and 3) take such action as the City shall direct for the protection, preservation, retention or transfer of all property titled to the City and records generated under this Agreement. Any non-expendable personal property or equipment provided to or purchased by the Contractor with contract funds shall become property of the City upon termination and shall be submitted to the City as soon as practicable.

5. Appropriations.

The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the City Council for the performance of this Agreement. If sufficient appropriations

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2019-19
Building Code Update

Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2019-19:

1. On page 2, line 10 *remove* the brackets and the line through "2015" and *strike* "The current version of"
2. On page 2, line 13 after the comma *insert* "as may be amended from time to time,"
3. On page 2, line 15 *remove* the brackets and the line through "2015" and *strike* "The current version of"
4. On page 2, line 18 after the comma *insert* "as may be amended from time to time,"
5. On page 2, line 20 *remove* the brackets and the line through "2015" and *strike* "The current version of"
6. On page 2, line 22 after the closed parentheses *insert* ", as may be amended from time to time"
7. On page 2, line 25 *remove* the brackets and the line through "2009" and *strike* "The current version of"
8. On page 3, line 2 after the comma *insert* "as may be amended from time to time,"
9. On page 3, line 3 *remove* the brackets and the line through "2015" and *strike* "The current version of"
10. On page 3, line 6 after the comma *insert* "as may be amended from time to time,"
11. On page 3, line 8 *remove* the brackets and the line through "2015" and *strike* "The current version of"
12. On page 3, line 10 after the closed parentheses *insert* ", as may be amended from time to time"
13. On page 3, line 11 *strike* "The current version of" and *insert* in lieu thereof "2015"
14. On page 3, line 14 after the comma *insert* "as may be amended from time to time,"
15. On page 3, line 16 *remove* the brackets and the line through "2012" and *strike* "The current version of"
16. On page 3, line 19 after the comma *insert* "as may be amended from time to time,"
17. On page 3, line 21 *strike* "The current version of" and *insert* in lieu thereof "2015"
18. On page 3, line 23 after the comma *insert* "as may be amended from time to time,"
19. On page 3, line 25 *remove* the brackets and the line through "2012" and *strike* "The current version of"
20. On page 4, line 3 after the comma *insert* "as may be amended from time to time,"
21. On page 4, line 4 *strike* "The current version of" and *insert* in lieu thereof "2017"
22. On page 4, line 7 after the comma *insert* "as may be amended from time to time,"
23. On page 3, line 8 *remove* the brackets and the line through "2012" and *strike* "The current version of"
24. On page 4, line 11 after the comma *insert* "as may be amended from time to time,"

Respectfully submitted,

Carol Romero-Wirth, Councilor

Approved as to Form:

Erin K. McSherry, City Attorney

ADOPTED: _____

NOT ADOPTED: _____

DATE: _____

Yolanda Y. Vigil, City Clerk

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2019-19

INTRODUCED BY:

Councilor Renee D. Villarreal

Mock-up

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.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. Section 7-1.1 of SFCC 1987 (being Ord. #2008-1 § 3, as amended) is amended to read:

7-1 BUILDING CODES; GENERAL PROVISIONS.

7-1.1 Adoption of codes.

A. For the purpose of regulating the erection, construction, enlargement,

1 alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height,
2 area, unobstructed maintenance of required yards, and maintenance buildings or structures
3 within the planning and platting jurisdiction of the city, the following provisions and codes are
4 adopted by reference and incorporated as fully as if set out herein unless otherwise amended by
5 the city:

6 (1) Section 14.5.1 New Mexico Administrative Code (NMAC) General
7 Provisions;

8 (2) Section 14.5.2 New Mexico Administrative Code (NMAC) Permits;

9 (3) Section 14.5.3 New Mexico Administrative Code (NMAC) Inspections;

10 (4) 2015 ~~[International Building Code (IBC) as amended]~~ New Mexico
11 Commercial Building Code adopted by the state of New Mexico construction industries
12 division [referred to as the 2015 New Mexico Commercial Building Code] (NMAC
13 14.7.2), as may be amended from time to time, which adopts and amends the
14 International Building Code (IBC);

15 (5) 2015 ~~[International Residential Code (IRC) as amended]~~ New Mexico
16 Residential Building Code adopted by the state of New Mexico construction industries
17 division [referred to as the 2015 New Mexico Residential Building Code] (NMAC
18 14.7.3), as may be amended from time to time, which adopts and amends the
19 International Residential Code (IRC);

20 (6) 2015 New Mexico Earthen Building Materials Code adopted by the
21 state of New Mexico construction industries division (NMAC 14.7.4), as may be
22 amended from time to time;

23 ~~[(7) 2015 New Mexico Non Load Bearing Baled Straw Construction~~
24 ~~Building Standards (NMAC 14.7.5);]~~

25 ~~[(8)]~~ 2009 New Mexico Energy Conservation Code adopted by the state of

1 New Mexico construction industries division (NMAC 14.7.6), as may be amended from
2 time to time, which adopts and amends the International Energy Conservation Code
3 (IECC);

4 ([9]8) 2015 [~~International Existing Building Code as amended~~] New Mexico
5 Existing Building Code adopted by the state of New Mexico construction industries
6 division [referred to as the 2015 New Mexico Existing Building Code] (NMAC 14.7.7),
7 as may be amended from time to time, which adopts and amends the International
8 Existing Building Code (IEBC);

9 ([10]9) 2015 New Mexico Historic Earthen Buildings code adopted by the state
10 of New Mexico construction industries division (NMAC 14.7.8), as may be amended
11 from time to time;

12 ([11]10) [2012] 2015 [~~Uniform Plumbing Code as amended~~] New
13 Mexico Plumbing Code adopted by the state of New Mexico construction industries
14 division [referred to as the 2012 New Mexico Plumbing Code] (NMAC 14.8.2), as may
15 be amended from time to time, which adopts and amends the Uniform Plumbing Code
16 (UPC), and as further amended in Section 7-1.8 and 7-1.9 SFCC 1987;

17 ([12]11) 2012 [~~Uniform~~] New Mexico Swimming Pool, Spa, and Hot
18 Tub Code [Phase III as amended] adopted by the state of New Mexico construction
19 industries division [referred to as the 2012 New Mexico Swimming Pool, Spa, and Hot
20 Tub Code] (NMAC 14.8.3), as may be amended from time to time, which adopts and
21 amends the Uniform Swimming Pool, Spa, and Hot Tub Code (USPSHTC);

22 ([13]12) [2012] 2015 [~~Uniform~~] New Mexico Mechanical Code [as
23 amended] adopted by the state of New Mexico construction industries division
24 [referred to as the 2012 New Mexico Mechanical Code] (NMAC 14.9.2), as may be
25 amended from time to time, which adopts and amends the Uniform Mechanical Code

1 (UMC);

2 ~~((14)13)~~ 2012 ~~[Uniform]~~ New Mexico Solar Energy Code ~~[as amended]~~
3 adopted by the state of New Mexico construction industries division ~~[referred to as the~~
4 ~~2012 New Mexico Solar Energy Code]~~ (NMAC 14.9.6), as may be amended from time
5 to time, which adopts and amends the Uniform Solar Energy Code (USEC);

6 ~~((15)14)~~ [2014] 2017 [National] New Mexico Electrical Code ~~[as~~
7 ~~amended]~~ adopted by the state of New Mexico construction industries division ~~[and~~
8 ~~referred to as the 2014 New Mexico Electrical Code]~~ (NMAC 14.10.4), as may be
9 amended from time to time, which adopts and amends the National Electrical Code
10 (NEC); and

11 ~~((16)15)~~ 2012 ~~[National]~~ New Mexico Electrical Safety Code ~~[as~~
12 ~~amended]~~ adopted by the state of New Mexico construction industries division ~~[as~~
13 ~~amended by the state of New Mexico and referred to as the 2012 New Mexico~~
14 ~~Electrical Safety Code]~~ (NMAC 14.10.5), as may be amended from time to time, which
15 adopts and amends the National Electrical Safety Code (NESC);

16 B. Any person violating or failing, neglecting, or refusing to comply with the
17 provisions of the codes set forth in paragraph (A) above or the other requirements of this
18 chapter shall be ~~[punished as provided for]~~ subject to the enforcement provisions set forth
19 in Sections 1-3 and 14-11 SFCC 1987.

20 C. A copy of the codes set forth in paragraph A. and this chapter shall be kept on
21 file in the office of building inspections[;] and shall be ~~[at all reasonable times]~~ available ~~[and~~
22 ~~subject to]~~ for public inspection at all reasonable times.

23 ~~[D. The codes set forth in paragraph A. shall be effective ten (10) days from the~~
24 ~~date of adoption of this ordinance. Upon request of the applicant, applications for permits~~
25 ~~submitted before six (6) months prior to the effective date may be issued in compliance with~~

the prior codes.]

Section 2. Section 7-1.9 of SFCC 1987 (being Ord. #2016-8 § 3, as amended) is amended to read:

7-1.9 Amendment to Section ~~[1702.9]~~ 1602 of the Uniform Plumbing Code; Non-Potable Rainwater Catchment Systems~~[-Design and Installation]~~.

A. Section ~~[1702.1]~~ 1602.1 of the Uniform Plumbing Code shall be deleted and the following substituted:

~~[1702.1]~~ 1602.1 General. The installation, construction, alteration, and repair of rainwater catchments systems intended to supply uses such as water closets, urinals, clothes washers, trap primers for floor drains and floor sinks, irrigation, ~~[and]~~ industrial processes, water features, cooling tower makeup, and other uses shall be approved by the Authority Having Jurisdiction. Additional design information can be found in ARCSA/ASPE 63.

B. Section ~~[1702.9.1]~~ 1602.9.1 of the Uniform Plumbing Code shall be deleted and the following substituted:

~~[1702.9.1]~~ 1602.9.1 Outside Hose Bibbs. Outside hose bibbs shall be allowed on rainwater piping systems. Hose bibbs supplying rainwater shall be marked with the words: "CAUTION: NON-POTABLE WATER, DO NOT DRINK" and Figure ~~[1709.9]~~ 1602.9 and shall be fitted with a lock.

APPROVED AS TO FORM:

ERIN K. McSHERRY, CITY ATTORNEY

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2019-34
STOP Amendment

Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2019-34:

1. On page 1, lines 11-13 *delete* "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"
2. On pages 1-4, *delete* Section 1 in its entirety

Respectfully submitted,

Signe I. Lindell, Councilor

Approved as to Form:


Erin K. McSherry, City Attorney

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

Yolanda Y. Vigil, City Clerk

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2020-1
Sale of City Property – Santa Fe Clay

Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2020-1:

1. On page 2, line 15 *strike* "\$150,000.00, same as the appraised value" and *insert* in lieu thereof "One Hundred and Seventy-Five Thousand Dollars (\$175,000.00)"

Respectfully submitted,

JoAnne Vigil Coppler, Councilor

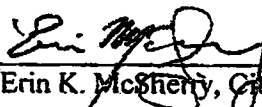
Alan Webber, Mayor

Signe I. Lindell, Councilor

Roman "Tiger" Abeyta, Councilor

Carol Romero-Wirth, Councilor

Approved as to Form:



Erin K. McSherry, City Attorney

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

Yolanda Y. Vigil, City Clerk



EXHIBIT 7
Council January 29, 2020

GOVERNING BODY MEETING OF
January 29, 2020
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

Mayor Alan Webber		
Co-Sponsors	Title	Tentative Committee Schedule
	AN ORDINANCE AMENDING ARTICLE 4.04 OF THE SANTA FE MUNICIPAL CHARTER TO REFERENCE THE LOCAL ELECTION ACT RATHER THAN THE MUNICIPAL ELECTION CODE, PURSUANT TO NMSA 1978, SECTION 1-22-3.2(C).	Public Works Committee – 2/10/20 City Council (request to publish) – 2/12/20 Finance Committee – 3/2/20 City Council (public hearing) – 3/11/20
Councilor Roman “Tiger” Abeyta		
Co-Sponsors	Title	Tentative Committee Schedule
Lindell	AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE TO ADD A DEFINITION FOR “APOTHECARY”; AND AMEND THE DEFINITION OF “CLINIC”.	Planning Commission – 2/6/20 Public Works Committee – 2/10/20 City Council (request to publish) – 2/12/20 City Council (public hearing) – 3/11/20
Councilor Jamie Cassutt-Sanchez		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Michael J. Garcia		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Signe I. Lindell		
Co-Sponsors	Title	Tentative Committee Schedule
Vigil Coppler Abeyta Villarreal	AN ORDINANCE AMENDING SECTION 5-2 SFCC 1987 TO AMEND THE DEFINITION OF “DOMESTIC ANIMAL”, ADD A SECOND DEFINITION FOR “SHELTER”, AND DELETE THE DEFINITION FOR “TROLLEY SYSTEM”; AMENDING SECTION 5-5.4 TO REDUCE THE LENGTH OF LEASHES AND TO BAN THE USE OF TROLLEY SYSTEMS; AMENDING SECTION 5-5.6 TO SPECIFY WHERE PET LICENSES CAN BE OBTAINED; CREATING A NEW SECTION 5-5.7 TO ESTABLISH MINIMUM REQUIREMENTS FOR THE OUTDOOR SHELTER OF DOGS IN EXTREME WEATHER; CREATING A NEW	Public Works Committee – 2/24/20 City Council (request to publish) – 2/12/20 Public Safety Committee – 2/18/20 Finance Committee – 3/2/20 City Council (public hearing) – 3/11/20

	SECTION 5-5.8 TO PROHIBIT THE KEEPING OF DOGS OUTSIDE AND UNATTENDED IN EXTREME WEATHER; AMENDING SECTION 5-7.1 TO ALLOW ANIMAL SERVICES OFFICERS TO ENTER PRIVATE PROPERTY TO TAKE-UP AND IMPOUND AN ANIMAL THAT IS IN IMMINENT DANGER OF HARM; AMENDING SECTION 5-7.5 TO HAVE COMPLAINTS OF ANIMALS DISTURBING THE PEACE BE HEARD BEFORE A HEARING OFFICER INSTEAD OF AT MUNICIPAL COURT; AMENDING SECTION 5-7.6 TO REFER TO THE FEES AND FINES TABLE; AND AMENDING SECTION 5-12 TO ESTABLISH FEES AND FINES RELATED TO ANIMAL SERVICES IN CODE.	
Vigil Coppler	A RESOLUTION REPEALING RESOLUTION NO. 2004-43 AND ANY SUBSEQUENT RESOLUTIONS THAT ESTABLISHED OR AMENDED LICENSING AND PERMIT FEES, FINES, AND PENALTIES FOR VIOLATIONS AND OTHER CHARGES RELATING TO ANIMAL SERVICES.	Public Works Committee – 2/24/20 Public Safety Committee – 2/18/20 Finance Committee – 3/2/20 City Council – 3/11/20
Councilor Chris Rivera		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Carol Romero-Wirth		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor JoAnne Vigil Coppler		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Renee Villarreal		
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.