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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2019-__

INTRODUCED BY:

Councilor Peter N. Ives

A RESOLUTION

**APPROVING THE DESIGN AND INSTALLATION PLAN FOR BANNERS ALONG
GUADALUPE STREET BETWEEN PASEO DE PERALTA (SOUTH) AND WEST
ALAMEDA.**

WHEREAS, Santa Fe City Code Section 14-8.10 allows for the installation of banners erected by the City of Santa Fe (“City”) or its designee if approved by the Governing Body via Resolution; and

WHEREAS, the Resolution regarding installation of banners must specify dates of display, location, number, design approval process, installation, maintenance, and cost allocation; and

WHEREAS, merchants along Guadalupe Street seek ways to increase visibility and to attract people to the area; and

WHEREAS, the City recently implemented a pilot project to permit free parking in the area beginning at 5:00 pm; and

WHEREAS, merchants along Guadalupe Street seek to create a unique identity and

1 in the following section.

2 Maintenance: The merchants participating in the banner program shall
3 be responsible for maintenance of the banners. The City
4 reserves the right to order the participating merchants to
5 remove any banners the City deem in disrepair prior to
6 their scheduled removal date.

7 Cost Allocation: The merchants participating in the banner program shall
8 be responsible for all costs associated with the banner
9 program including production of the banners,
10 installation, maintenance, and removal.

11 **BE IT FURTHER RESOLVED** that as a condition of approval, the merchants along
12 Guadalupe Street who are participating in the banner program provide the following to the City:

- 13 1. Approval from the Public Works Department to install on the light poles;
- 14 2. Permit for Obstruction of Streets issued by the Public Works Department;
- 15 3. A surety to the City in a form acceptable to the City Attorney in the event that the
16 banners are not removed; and
- 17 4. Certificates of Insurance evidencing the insurance required. Participating
18 merchants, and all vendors and/or their contractors hired to install, maintain, or repair the
19 banners, shall maintain the following insurance policies:

20 a. Commercial General Liability for bodily injury and property damage
21 with limits of not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate.
22 The policy shall be endorsed to name City of Santa Fe, its officials, employees, and
23 agents as additional insured.

24 b. Workers' Compensation insurance as required by the State of New
25 Mexico and Employer's Liability with limits of not less than \$1,000,000 per accident or

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disease. The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the City of Santa Fe, its officials, employees, and agents.

5. A release and assumption of liability from the vendor in a form acceptable to the City Attorney.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2019.

ALAN M. WEBBER, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

ERIN K. McSHERRY, CITY ATTORNEY