

From: [City of Santa Fe](#)
To: [Governing Body Public Comment](#)
Subject: New submission from your Governing Body Public Comment form
Date: Monday, April 7, 2025 9:30:30 PM

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Submitted on: Monday, April 7, 2025 at 9:30pm

- First Name: Cheryl
- Last Name: Gardopee
- Your Email Address: cgardlange@gmail.com
- Your District: District 2
- Meeting Date: 04/09/2025
- Section of Agenda you would like to comment on: Public Comment
- Your Comment:

I am noting that an item on this week's agenda for the council meeting is a significant one, disguised as a formality. It is being referred to as "a line adjustment on Zia Rd.", which fails completely to note that this is an attempt to correct an illegal incursion by the city (no permit) of Candelero Park. This matter was the topic of a meeting recently held (2/18/25) with city officials, the mayor as well as the two councilors for our district, Carol Romero-Wirth and Michael Garcia.

In the course of this meeting, the city officials acknowledged having allowed the illegal penetration and annexing of Candelero park, a formally dedicated "in perpetuity" city park, by the Brown/Bertram Zia station development project. No permit was issued for this action, correct legal procedures were not followed, and the city during this meeting vowed to halt work until a "completely transparent" process was arrived at that would comply with the laws applying to this matter.

This has not happened. We were given no notice by any city officials that this attempt at an end run around legal process was to be on the agenda.

For your information, NM State Law 3-20-12 Vacation or Partial Vacation of a dedicated Plat applies exactly to this situation and requires that a variety of procedures be followed in order to use ANY dedicated park land for "public safety" uses, which is how this is being billed.

This law was upheld by the NM Supreme Court Decision 101NM-1851 Sprague Decision, a similar situation in Las Vegas NM that held for the citizens objecting to the usurping of dedicated land for public safety use.

Santa Fe Ordinance 23-1.2 further stipulates procedures to be followed in such

instances.

None of these correct, carefully outlined legal procedures are being followed with this attempted minimizing of illegal theft of park land by the city for use by the developer for a project that already required vacation of 5 ordinances to be approved.

It further sets an extremely dangerous precedent to suggest that park land dedicated in perpetuity and formally set aside for use by Santa Fe residents can be eliminated by a simple "line adjustment". I am trusting that you share an interest in correcting errors made by the city, and that you stand with the law, in these increasingly lawless times. Please protect the interests of residents and please do not create another situation forcing residents to take legal action against their own governing bodies. This is a simple outrage and illustrates the sad, dreadful fact that the meeting on 2/18/25 failed to lead to the promised transparent, legally compliant outcome. An audible recording of that meeting is available should you wish to hear it.