



AGENDA

REGULAR MEETING OF
THE QUALITY OF LIFE
COMMITTEE
OCTOBER 21, 2020
5:00 PM
ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR QUALITY OF LIFE COMMITTEE MEETING

Attendance: In response to the State's declaration of a Public Health Emergency, the Mayor's Proclamation of Emergency, and the ban on public gatherings of more than five (5) people, the Quality of Life Committee meeting will be conducted virtually.

Viewing: Members of the public may stream the meeting live on the City of Santa Fe's YouTube channel at <https://www.youtube.com/user/cityofsantafe>. The YouTube live stream can be accessed at this address from most smartphones, tablets, or computers.

The video recording of this meeting will also remain available for viewing at any time on the City's YouTube channel at <https://www.youtube.com/user/cityofsantafe>. Staff is available to help members of the public access pre-recorded meetings on-line at any time during normal business hours. Please call 955-6521 for assistance.

Agenda: The agenda for the meeting will be posted at <https://santafe.primegov.com/public/portal>.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF CONSENT AGENDA**
5. **APPROVAL OF MINUTES**
 - a. Approval of October 7, 2020 Quality of Life Committee Meeting Minutes
6. **ACTION ITEMS: CONSENT**
 - a. Request for Approval of Multiple Sub-Contracted Agreements in the Total Amount of (\$69,560) for (Alternative to Detention Services for the Youth of



AGENDA

Santa Fe for Four (4) years) from State of New Mexico CYFD Agreement No. 21-20846; (Multiple Vendors). (Julie Sanchez, Children and Youth Program Manager, jjsanchez@santafenm.gov, 955-6678)

- b. Request for Approval of Contract Amendment No.1 to Professional Service Contract – Change of Scope of Work as Requested by Contractor St. Elizabeth Shelter. (Julie Sanchez, Children and Youth Program Manager, jjsanchez@santafenm.gov, 955-6678)
- c. Request for Approval of Multiple Service Agreements in the Total Amount of (\$3,749,652) for Prevention and Intervention Services for the Youth of Santa Fe for Three (3) Years; (Multiple Vendors). (Julie Sanchez, Children and Youth Program Manager, jjsanchez@santafenm.gov, 955-6678)
- d. Consideration of Bill No. 2020-__ : An Ordinance Amending Section 14-6.2 SFCC 1987 to Adopt by Ordinance a Maximum of One Thousand (1000) Short-Term Rental Permits in the City, to Prospectively Limit the Number of Short-Term Rental Permits to One Per Natural Person, to Prospectively Limit the Proximity of Short-Term Rental Units, to Require a Local Operator for Short-Term Rental Units, to Adopt Record-Keeping and Reporting Requirements for Short-Term Rental Unit Owners and Host Platforms, and to Clarify Other Provisions of the Short-Term Rental Ordinance; Amending the Land Use Code Definitions in Section 14-12.1 SFCC 1987 as They Relate to Short-Term Rental Units; and Amending Section 12-2.3 SFCC 1987 to Clarify That a Short-Term Rental Unit is not a Group R-1 Occupancy for Purposes of Fire Inspections. (Mayor Webber and Councilors Lindell, Romero-Wirth, and Villarreal) (Elias Isaacson, Planning and Land Use Director, esiasaacson@santafenm.gov, 955-6730; Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

COMMITTEE REVIEW:

Planning Commission: 10/15/20

Quality of Life Committee: 10/21/20

Public Works and Utilities Committee: 10/26/20

Governing Body (request to publish): 10/28/20

Finance Committee: 11/2/20

Governing Body (public hearing): 12/9/20



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- e. Request for approval to join a Steering Committee for Santa Fe River Planning from Nichols Reservoir to Cerro Gordo Road. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309)

COMMITTEE REVIEW:

Quality of Life Committee: 10/21/2020

Governing Body: 10/14/2020

- f. Request for Approval to Procure Food Products Utilizing the CES Price Agreement up to \$75,000 Per Year for a Four Year Term Equaling \$300,000 for the Division of Senior Services Nutrition Program; Labatt New Mexico. (Gino Rinaldi, Senior Services Division Director, earinaldi@santafenm.gov, 505-955-4710)
- g. Request for Approval of Purchase of Food Products Utilizing the State Price Agreement which will Exceed \$200,000 Per Year for a Four Year Term. We Anticipate that the Division of Senior Services Nutrition Program will Spend an Average of \$1,000,000 between FY21 and FY24. The Three Vendors Utilized are Listed as Follows: Sysco, Shamrock Foods, and Ben E. Keith Foods. (Gino Rinaldi, Senior Services Division Director, earinaldi@santafenm.gov, 505-955-4710)
- h. Request for Approval of the 2021 Quality of Life Committee Meeting Schedule. (Jennifer Faubion, Council Liaison: jrfaubion@santafenm.gov, 505-955-6033)

7. **MATTERS FROM STAFF**
8. **MATTERS FROM THE COMMITTEE**
9. **MATTERS FROM THE CHAIR**
10. **NEXT MEETING: November 4, 2020**
11. **ADJOURN**

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.



MINUTES

REGULAR MEETING OF
THE QUALITY OF LIFE
COMMITTEE
OCTOBER 07, 2020
5:00 PM
VIRTUAL MEETING

1. **CALL TO ORDER**

Start: 5:01 PM

2. **ROLL CALL**

Members Present:

Councilor Carol Romero-Wirth
Councilor Renee Villarreal
Councilor Michael Garcia
Councilor Chris Rivera

Members Excused:

Councilor Jamie Cassutt-Sanchez

Others Attending:

Jennifer Faubion, Council Liaison
Kyra Ochoa, Community Services Department Director
Paul Babcock, Fire Chief
Andrew Padilla, Chief of Police
Neal Denton, Attendee
Alan Webber, Attendee
Andrea Salazar, Attendee
Rich Brown, Attendee
Shirlene Sitton, Attendee
Carlos Gemora, Attendee

3. **APPROVAL OF AGENDA**

MOTION: Councilor Rivera moved, seconded by Councilor Villarreal, to approve the agenda as presented.

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



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For: Councilor Romero-Wirth, Councilor Villarreal, Councilor Garcia, Councilor Rivera

Against: None

Abstain: None

4. APPROVAL OF CONSENT AGENDA

MOTION: Councilor Villarreal moved, seconded by Councilor Rivera, to approve the consent agenda as amended.

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

For: Councilor Romero-Wirth, Councilor Villarreal, Councilor Garcia, Councilor Rivera

Against: None

Abstain: None

Councilor Garcia removed items 6A and 6D from the consent agenda for discussion.

5. APPROVAL OF MINUTES

- a. Approval of September 16, 2020 Quality of Life Committee Meeting Minutes

MOTION: Councilor Rivera moved, seconded by Councilor Villarreal, to approve the Minutes as presented.

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

For: Councilor Romero-Wirth, Councilor Villarreal, Councilor Garcia, Councilor Rivera



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Against: None

Abstain: None

6. ACTION ITEMS: CONSENT

- a. Consideration of Bill No. 2020-__: An Ordinance Creating a New Section 20-7 SFCC 1987 to Prohibit Certain Police Activities Including No-Knock Warrants and Requiring the Use of Body-Worn Cameras During the Execution of Any Search Warrant. (Mayor Webber and Councilor Cassutt-Sanchez) (Paul Joye, Deputy Police Chief, pmjoye@santafenm.gov, 955-5355)

COMMITTEE REVIEW:

Governing Body (request to publish): 9/30/20

Quality of Life: 10/7/20

Governing Body (public hearing): 10/28/20

MOTION: Councilor Garcia moved, seconded by Councilor Villarreal, to approve the Bill as presented.

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

For: Councilor Romero-Wirth, Councilor Villarreal, Councilor Garcia, Councilor Rivera

Against: None

Abstain: None

Councilor Garcia requests to add himself as a co-sponsor.

Councilor Villarreal requests to add herself as a co-sponsor.

- b. Request for the Approval of the Inmate Confinement Agreement with Santa Fe County for the Incarceration, Care and Maintenance of Persons Charged with or Arrested for a Crime. Term of Agreement is Four (4) Years. Total



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Estimated Budgeted for Four. (4) Years is \$2,000,000 (Santa Fe County); (Ben Valdez, Deputy Chief of Police, bpvaldez@santafenm.gov, 955-5040)

COMMITTEE REVIEW:

Public Works and Utilities (approved)	09/29/2020
Finance Committee (Scheduled)	10/05/2020
Quality of Life (Scheduled)	10/07/2020
Governing Body (Scheduled)	10/14/2020

- c. Request for the Approval of FY21 Police Vehicle Purchase Request. Total Amount is \$539,662.35 for the Vehicles, Equipment and Labor Costs Associated with Each Vehicle. (Ben Valdez, Deputy Chief of Police, bpvaldez@santafenm.gov, 955-5040)

COMMITTEE REVIEW:

Public Works and Utilities (Approved)	09/29/2020
Finance Committee (Scheduled)	10/05/2020
Quality of Life Committee (scheduled)	10/07/2020
Governing Body (Scheduled)	10/14/2020

- d. Request for Approval of a Lease Agreement between the City of Santa Fe and the Interfaith Community Shelter Group ("Pete's Place") Located at 2801 Cerrillos Road, for a Four (4) Year Term. (Rich Brown, Economic Development Director, rdbrown@santafenm.gov, 955-6625 and Andrea Salazar, Assistant City Attorney, asalazar@santafenm.gov, 955-6303)

MOTION: Councilor Garcia moved, seconded by Councilor Romero-Wirth, to approve the Lease as presented.

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

For: Councilor Romero-Wirth, Councilor Villarreal, Councilor Garcia

Against: None

Abstain: Councilor Rivera

7. ACTION ITEMS: DISCUSSION



City of Santa Fe

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8. **PRESENTATION**

- a. Environmental Services Division Update on Sustainability Initiatives Related to Social Equity. (Neal Denton, Sustainability Planner, nhdenton@santafenm.gov, 505-955-2229)
(INFORMATIONAL ONLY)

9. **MATTERS FROM STAFF**

10. **MATTERS FROM THE COMMITTEE**

11. **MATTERS FROM THE CHAIR**

12. **NEXT MEETING:**

13. **ADJOURN**

End: 7:33 PM

Liaison

Chair



City of Santa Fe, New Mexico

Memorandum



DATE: September 29, 2020

TO: Alan Webber, Mayor and City Council

VIA: Mary McCoy, Finance Department Director
Fran Dunaway, Chief Procurement Officer
Kyra Ochoa, Community Services Department Director *Kyra Ochoa*
Kyra Ochoa (Sep 30, 2020 11:49 MDT)

FROM: Julie Sanchez, Youth and Family Services Division Director *jjs*

ITEM AND ISSUE:

Request for the Approval of Multiple Sub-Contracted Agreements in the Total Amount of \$ (69,560.00) for (Alternative to Detention Services for the Youth of Santa Fe for four (4) years) from State of New Mexico CYFD agreement no. 21-20846; (Multiple Vendors); (Julie Sanchez, jjsanchez@santafenm.gov and 505-570-7355)

BACKGROUND AND SUMMARY:

The Children and Youth Commission is one of the City of Santa Fe's oldest standing committees, which was formed by Resolution and then Ordinance to serve in an advisory capacity to the City Council concerning policy recommendations related to child development and youth issues. The Commission which was recently merged with the Regional Juvenile Justice Board administers its CYFD funding to agencies looking to impact and prevent youth crime with the Santa Fe region. This year and beyond, we also intend to more directly support the people in agencies who help Santa Feans navigate a complex, sometimes challenging system of care, and to strengthen that system by supporting agencies in tracking and collecting data to show the scope of our community need and our collective impact on that need.

The Commission works cooperatively with the Community Services Department and Youth and Family Services Division staff throughout the year and advises on how to effectively plan, coordinate or support health and human issues in our community. The Commission has completed the process to review and recommend funding for contracting with nonprofit organizations.

PROCUREMENT METHOD:

On March 6, 2020, RFP#20/21/P was issued through the Purchasing Office with an amended receipt date of April 10, 2020.

The Juvenile Justice Subcommittee of the Commission reviewed each request individually based on the following variables: complete proposal packet, program summary; data collection; collaboration, fiscal and organizational stability.

On April 29, 2020 the Commission, split into subcommittees made their final funding recommendation, which will be presented to the Quality of Life Committee, Finance Committee and Governing Body for FY 2021-24 **(Please reference Appendix A and B for recommendations and descriptions of programs being recommended for funding)**. All contracts will expire on June 30, 2024.

CONTRACT NUMBER:

Multiple award recommendations were made by the Children and Youth Commission **(Please reference Appendix A for the Munis contract numbers)**

FUNDING SOURCE:

The funding source is:

Fund Name/Number: Juvenile Justice Fund/Fund 223

Munis Org Name/Number: Juvenile Justice/2230123

Munis Object Name/Number: Other Consulting/510340

ACTION REQUESTED:

The Community Services Department and the Youth and Family Services Division respectfully requests your review and approval.






Final-CYFD Memo template to Governing Body

Final Audit Report

2020-09-30

Created:	2020-09-30
By:	Julie Sanchez (jjsanchez@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAUTzm-m9vqBmtArjT8c8p_CwomssCNO5

"Final-CYFD Memo template to Governing Body" History

-  Document created by Julie Sanchez (jjsanchez@ci.santa-fe.nm.us)
2020-09-30 - 5:44:51 PM GMT- IP address: 63.232.20.2
-  Document emailed to Kyra Ochoa (krochoa@santafenm.gov) for signature
2020-09-30 - 5:45:19 PM GMT
-  Email viewed by Kyra Ochoa (krochoa@santafenm.gov)
2020-09-30 - 5:49:03 PM GMT- IP address: 104.47.64.254
-  Document e-signed by Kyra Ochoa (krochoa@santafenm.gov)
Signature Date: 2020-09-30 - 5:49:19 PM GMT - Time Source: server- IP address: 63.232.20.2
-  Agreement completed.
2020-09-30 - 5:49:19 PM GMT

APPENDIX A: Children and Youth Commission CYFD Recommended Funding and Programs for FY21-24

Name of Nonprofit Organization	Name of CYFD Funded Program	Applicant Status	Recommended Yearly Funding	MUNIS
1 SFPS PIP Program	Strengthening Families	Previous Applicant	\$ 27,720.00	3202276
2 YouthWorks	Intensive Community Monitoring	Previous Applicant	\$ 26,440.00	3202277
1 Continuum Coordinator			\$ 15,400.00	
Total:			\$ 69,560.00	

Parent Involvement Program (PIP)

Strengthening Families Program:

The Parent Involvement Program (PIP) is a program for teenage youth and their families. Youth are referred by Teen Court of Santa Fe County, SFPS Counselors, and school based therapists after involvement in alcohol or other drug related offenses. This program consists of seven two-hour evening sessions (14 classes per person) that utilizes the evidence-based Strengthening Families Program curriculum. Facilitators work with the students and guardians both separately and all together. The classes will build family relationships and teach communication skills, effective discipline, impulse control, and other substance use prevention skills.

YouthWorks

Intensive Community Monitoring Program:

The Intensive Community Monitoring Program is designed to provide home and community-based monitoring and supervision of delinquent youth ages 11-18 that are at-risk to commit additional juvenile offenses. Through the provision of services that are consistent with the standards of the Juvenile Court Judges Commission for intensive probation services, the Intensive Community Monitoring Program seeks to prevent youth from further and more serious involvement with the juvenile justice system. The goal of this program is to prevent youth from experiencing an out of home placement and remain with their family while receiving the necessary supports and services available. Highly trained staff often meets youth in the community and facilitate the participation in various activities like community service and volunteerism.

CITY OF SANTA FE

PROFESSIONAL SERVICES CONTRACT

THIS AGREEMENT is made and entered into by and between the City of Santa Fe, New Mexico, hereinafter referred to as the “City,” and **Partner in Education (PIE) – Parent Involvement Program (PIP)**, hereinafter referred to as the “Contractor,” and is effective as of the date set forth below upon which it is executed by the Parties.

IT IS AGREED BETWEEN THE PARTIES:

1. Scope of Work.

Program Categories	CYFD Priority Area
<input checked="" type="checkbox"/> Strengthening Families	Delinquency Prevention
<input type="checkbox"/> Intensive Community Monitoring	Alternatives to Detention
<input type="checkbox"/> Gender Specific <input type="checkbox"/> Girls <input type="checkbox"/> Boys	Gender Specific Services

A. The Contractor shall perform the following work:

1) Provide CYFD outlined services in Strengthening Families:

- a. Serve 50 youth
- b. Provide 84 youth group sessions x \$165.00 per session
- c. Provide 60 adult group sessions x \$165.00 per session

2) Possible bi-monthly presentation to the Regional Juvenile Justice Board on the progress of the program.

3) Ensure as appropriate, that providers serving underserved communities e.g. American Indian/Alaska Native, Hispanic, and African American including serving low to very low-income households are trained on racial equity, inclusion and responsiveness.

B. Performance Measures.

1) Contractor shall substantially perform the following based on Strengthening

Families:

- i. Parent competence and engagement in school;
- ii. Student substance abuse related risk;
- iii. Increased attendance measured by five percent (5%) increase in attendance, five percent (5%) increase in grades and five percent (5%) promotion to next grade;
- iv. Academic success; and
- v. Targeted negative behavior reduction.

C. Deliverables:

- 1) Monthly program invoices due by the 10th of each month
- 2) Completed CYFD Data Collection Log which includes:
 - a. Individualized Client ID
 - b. Activity Log
 - c. Youth Registry
 - d. Other Program Specific Measurements as outlined by CYFD
- 3) The receipt of the deliverables contemplated under this Agreement shall assist the City and Santa Fe Regional Juvenile Justice Board in obtaining its goal(s) as set forth in its Strategic Plan and program outputs.

2. **Compensation.**

A. The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work in FY21, up to a total of twenty seven thousand seven hundred and twenty dollars (\$27,720.00).

B. The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work in FY22, up to a total of twenty seven thousand seven hundred and twenty dollars (\$27,720.00).

C. The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work in FY23, up to a total of twenty seven thousand seven hundred and twenty dollars (\$27,720.00).

D. The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work in FY24, up to a total of twenty seven thousand seven hundred and twenty dollars (\$27,720.00).

E. The total amount payable to the Contractor under this Agreement, including gross receipts tax and expenses, shall not exceed (\$110,880.00).

F. Contractor must submit a detailed statement accounting for all services performed and expenses incurred. If the City finds that the services are not acceptable, within thirty days after the date of receipt of written notice from the Contractor that payment is requested, it shall provide the Contractor a letter of exception explaining the defect or objection to the services, and outlining steps the Contractor may take to provide remedial action. Upon certification by the City that the services 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, 2024** unless terminated pursuant to paragraph 4 (Termination), or paragraph 5 (Appropriations). 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 City 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 and authorization are not made by the City Council, this Agreement shall terminate immediately upon written notice being given by the City to the Contractor. The City's decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final. If the City proposes an amendment to the Agreement to unilaterally reduce funding, the Contractor shall have the option to terminate the Agreement or to agree to the reduced funding, within thirty (30) days of receipt of the proposed amendment.

6. Status of Contractor.

The Contractor and its agents and employees are independent contractors performing professional services for the City and are not employees of the City. The Contractor and its agents and employees shall not accrue leave, retirement, insurance, bonding, use of City vehicles, or any other benefits afforded to employees of the City as a result of this Agreement. The Contractor acknowledges that all sums received hereunder are reportable by the Contractor for tax purposes, including without limitation, self-employment and business income tax. The Contractor agrees not to purport to bind the City unless the Contractor has express written authority to do so, and then only within the strict limits of that authority.

7. Assignment.

The Contractor shall not assign or transfer any interest in this Agreement or assign any claims for money due or to become due under this Agreement without the prior written approval of the City.

8. Subcontracting.

The Contractor shall not subcontract any portion of the services to be performed under this Agreement without the prior written approval of the City. No such subcontract shall relieve the primary Contractor from its obligations and liabilities under this Agreement, nor shall any subcontract obligate direct payment from the City.

9. Non-Collusion.

In signing this Agreement, the Vendor/Contractor certifies the Vendor/Contractor has not, either directly or indirectly, entered into action in restraint of free competitive bidding in connection with this offer submitted to the City.

10. Release.

Final payment of the amounts due under this Agreement shall operate as a release of the City, its officers and employees from all liabilities, claims and obligations whatsoever arising from or under this Agreement.

11. Confidentiality.

Any confidential information provided to or developed by the Contractor in the performance of this Agreement shall be kept confidential and shall not be made available to any individual or organization by the Contractor without the prior written approval of the City.

12. Product of Service -- Copyright.

All materials developed or acquired by the Contractor under this Agreement shall become the property of the City and shall be delivered to the City no later than the termination date of this Agreement. Nothing developed or produced, in whole or in part, by the Contractor under this Agreement shall be the subject of an application for copyright or other claim of ownership by or on behalf of the Contractor.

13. Conflict of Interest: Governmental Conduct Act.

A. The Contractor represents and warrants that it presently has no interest and, during the term of this Agreement, shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance or services required under the Agreement.

B. The Contractor further represents and warrants that it has complied with, and, during the term of this Agreement, will continue to comply with, and that this Agreement complies with all applicable provisions of the Governmental Conduct Act, Chapter 10, Article 16 NMSA 1978.

C. Contractor's representations and warranties in Paragraphs A and B of this Article 12 are material representations of fact upon which the City relied when this Agreement was entered into by the parties. Contractor shall provide immediate written notice to the City if, at any time during the term of this Agreement, Contractor learns that Contractor's representations and warranties in Paragraphs A and B of this Article 12 were erroneous on the effective date of this Agreement or have become erroneous by reason of new or changed circumstances. If it is later determined that Contractor's representations and warranties in Paragraphs A and B of this Article 12 were erroneous on the effective date of this Agreement or have become erroneous by reason of new or changed circumstances, in addition to other remedies available to the City and notwithstanding anything in the Agreement to the contrary, the City may immediately terminate the Agreement.

D. All terms defined in the Governmental Conduct Act have the same meaning in this section.

14. Amendment.

A. This Agreement shall not be altered, changed or amended except by instrument in writing executed by the parties hereto and all other required signatories.

B. If the City proposes an amendment to the Agreement to unilaterally reduce funding due to budget or other considerations, the Contractor shall, within thirty (30) days of receipt of the proposed Amendment, have the option to terminate the Agreement, pursuant to the termination provisions as set forth in Article 4 herein, or to agree to the reduced funding.

15. Merger.

This Agreement incorporates all the Agreements, covenants and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, Agreements and understandings have been merged into this written Agreement. No prior Agreement or

understanding, oral or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.

16. Penalties for violation of law.

The Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

17. Equal Opportunity Compliance.

The Contractor agrees to abide by all federal and state laws and rules and regulations, and Santa Fe City Code, pertaining to equal employment opportunity. In accordance with all such laws of the State of New Mexico, the Contractor assures that no person in the United States shall, on the grounds of race, religion, color, national origin, ancestry, sex, age, physical or mental handicap, or serious medical condition, spousal affiliation, sexual orientation or gender identity, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under this Agreement. If Contractor is found not to be in compliance with these requirements during the life of this Agreement, Contractor agrees to take appropriate steps to correct these deficiencies.

18. Applicable Law.

The laws of the State of New Mexico shall govern this Agreement, without giving effect to its choice of law provisions. Venue shall be proper only in a New Mexico court of competent jurisdiction in accordance with Section 38-3-1 (G) NMSA 1978. By execution of this Agreement, Contractor acknowledges and agrees to the jurisdiction of the courts of the State of New Mexico over any and all lawsuits arising under or out of any term of this Agreement.

19. Workers Compensation.

The Contractor agrees to comply with state laws and rules applicable to workers compensation benefits for its employees. If the Contractor fails to comply with the Workers Compensation Act and applicable rules when required to do so, this Agreement may be terminated by the City.

20. Professional Liability Insurance. Contractor shall maintain professional liability insurance throughout the term of this Agreement providing a minimum coverage in the amount required under the New Mexico Tort Claims Act. The Contractor shall furnish the City with proof of insurance of Contractor's compliance with the provisions of this section as a condition prior to performing services under this Agreement.

21. Other Insurance

If the services contemplated under this Agreement will be performed on or in City facilities or property, Contractor shall maintain in force during the entire term of this Agreement, the following insurance coverage(s), naming the City as additional insured.

A. **Commercial General Liability** insurance shall be written on an occurrence basis and be as broad as ISO Form CG 00 01 with limits not less than \$2,000,000 per occurrence and \$2,000,000 in the aggregate for claims against bodily injury, personal and advertising injury, and property damage. Said policy shall include broad form Contractual Liability coverage and be

endorsed to name the City of Santa Fe their officials, officers, employees, and agents as additional insureds.

B. **Business Automobile Liability** insurance for all owned, non-owned automobiles, with a combined single limit not less than \$1,000,000 per accident.

C. **Broader Coverage and Limits.** The insurance requirements under this Agreement shall be the greater of (1) the minimum coverage and limits specified in this Agreement, or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the Named Insured. It is agreed that these insurance requirements shall not in any way act to reduce coverage that is broader or that includes higher limits than the minimums required herein. No representation is made that the minimum insurance requirements of this Agreement are sufficient to cover the obligations of Contractor hereunder.

D. Contractor shall maintain the above insurance for the term of this Agreement and name the City as an additional insured and provide for 30 days cancellation notice on any Certificate of Insurance form furnished by Contractor. Such certificate shall also specifically state the coverage provided under the policy is primary over any other valid and collectible insurance and provide a waiver of subrogation.

22. Records and Financial Audit.

The City or city contractor shall have the right, at reasonable times and at a site designated by the City, to audit financial expenditures of City grant funding, documents, files and records of the Contractor to the extent that the finances, documents, files and records related to costs or accuracy of reimbursement for outcome or deliverable. The Contractor shall give full and free access to all records to the City and/or their authorized representative. The Contractor shall maintain detailed records that indicate the date, nature and cost of services rendered during the Agreement's term and effect and retain them for a period of three (3) years from the date of final payment under this Agreement. If offering Navigation Services, records must indicate that the City is the sole payor per client billed for. The records shall be subject to inspection by the City. The City shall have the right to audit billings both before and after payment. Payment under this Agreement shall not foreclose the right of the City to recover excessive or illegal payments.

23. Indemnification.

The Contractor shall defend, indemnify and hold harmless the City from all actions, proceeding, claims, demands, costs, damages, attorneys' fees and all other liabilities and expenses of any kind from any source which may arise out of the performance of this Agreement, caused by the negligent act or failure to act of the Contractor, its officers, employees, servants, subcontractors or agents, or if caused by the actions of any client of the Contractor resulting in injury or damage to persons or property during the time when the Contractor or any officer, agent, employee, servant or subcontractor thereof has or is performing services pursuant to this Agreement. In the event that any action, suit or proceeding related to the services performed by the Contractor or any officer, agent, employee, servant or subcontractor under this Agreement is brought against the Contractor, the Contractor shall, as soon as practicable but no later than two (2) days after it receives notice thereof, notify the legal counsel of the City.

24. New Mexico Tort Claims Act

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

25. Invalid Term or Condition.

If any term or condition of this Agreement shall be held invalid or unenforceable, the remainder of this Agreement shall not be affected and shall be valid and enforceable.

26. Enforcement of Agreement.

A party's failure to require strict performance of any provision of this Agreement shall not waive or diminish that party's right thereafter to demand strict compliance with that or any other provision. No waiver by a party of any of its rights under this Agreement shall be effective unless express and in writing, and no effective waiver by a party of any of its rights shall be effective to waive any other rights.

27. Notices.

Any notice required to be given to either party by this Agreement shall be in writing and shall be delivered in person, by courier service or by U.S. mail, either first class or certified, return receipt requested, postage prepaid, as follows:

To the City: [Julie Sanchez, Program Manager, 500 Market Station Suite 200, jjsanchez@santafenm.gov].

To the Contractor: [Jenn Jeverson, 1300 Camino Sierra Vista Santa Fe, NM 87505, jjjevertson@sfps.k12.nm.us, 505-660-3288].

28. Authority.

If Contractor is other than a natural person, the individual(s) signing this Agreement on behalf of Contractor represents and warrants that he or she has the power and authority to bind Contractor, and that no further action, resolution, or approval from Contractor is necessary to enter into a binding contract.

29. Site Visits.

At any time during the contract period the director or designee of the COMMUNITY SERVICES DEPARTMENT may perform a site visit to contracted sites to review programming and meet with participants. Members of the oversight body will be informed and invited to participate, this may include community partners and program co-funders.

30. Reporting.

Grantees shall submit reports on the programmatic accomplishments made toward the goals of the grant agreement. Quarterly reports are due to the YOUTH AND FAMILY SERVICES

DIVISION or COMMUNITY SERVICES DEPARTMENT Program Manager no later than the 10th of the month. Reports shall include the following:

- A. Total Amount of funds received via the program invoice, amount of funds received that were expended for program via the program invoice; CYFD required activity log, youth registry and program specific measures; a weekly update report to Santa Fe Probation and Parole may also be required. Although not mandatory agencies or representatives may be required to attend the bi-monthly, RJJ meetings to report on program progress. Other reporting may be required as requested by DIVISION, DEPARTMENT or the BOARD.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date of the signature by the required approval authorities below.

CITY OF SANTA FE:

ALAN M. WEBBER
MAYOR

DATE: _____

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

CITY ATTORNEY'S OFFICE:

Marcos Martinez

Marcos Martinez (Sep 16, 2020 15:09 MDT)

SENIOR ASSISTANT CITY ATTORNEY

APPROVED FOR FINANCES:

MARY T. MCCOY
FINANCE DIRECTOR

2230123.510340

Business Unit Line Item

CONTRACTOR:
PIE

Ruthanne Greeley
NAME: RUTHANNE GREELEY
TITLE: EXECUTIVE DIRECTOR

DATE: 9/29/20

CRS# 02 172902006
REGISTRATION# 22613





2020 09 14 Office of Student Wellness SFPS CYFD Strengthening Families Contract

Final Audit Report

2020-09-16

Created:	2020-09-16
By:	Irene Romero (ikromero@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAALf8FZjsuEJwgD2mMlJBoosEwB91hSOg

"2020 09 14 Office of Student Wellness SFPS CYFD Strengthening Families Contract" History

-  Document created by Irene Romero (ikromero@ci.santa-fe.nm.us)
2020-09-16 - 9:05:19 PM GMT- IP address: 63.232.20.2
-  Document emailed to Marcos Martinez (mdmartinez@santafenm.gov) for signature
2020-09-16 - 9:05:44 PM GMT
-  Email viewed by Marcos Martinez (mdmartinez@santafenm.gov)
2020-09-16 - 9:09:37 PM GMT- IP address: 174.56.49.116
-  Document e-signed by Marcos Martinez (mdmartinez@santafenm.gov)
Signature Date: 2020-09-16 - 9:09:48 PM GMT - Time Source: server- IP address: 174.56.49.116
-  Agreement completed.
2020-09-16 - 9:09:48 PM GMT



City of Santa Fe

Treasury Department
200 Lincoln Ave.
Santa Fe, New Mexico 87504-0909
505-955-6551

BUSINESS REGISTRATION

Business Name: PARTNERS IN EDUCATION
FOUNDATION FOR THE THE SANTA
FE PUBLIC SCHOOLS
DBA: PARTNERS IN EDUCATION
FOUNDATION FOR THE SANTA FE
PUBLIC SCHOOLS

Business Location: 1328 FERGUSON LN
SANTA FE, NM 87507

Owner: RUMANNE GREELEY

License Number: 226133

Issued Date: March 06, 2020

Expiration Date: December 31, 2020

CRS Number: 02172902006

License Type: Business License - Renewable

Classification: Business Registration - Standard

Fees Paid: \$35.00

PARTNERS IN EDUCATION FOUNDATION FOR THE
PO BOX 23374
SANTA FE, NM 87502

THIS IS NOT A CONSTRUCTION PERMIT OR SIGN PERMIT.
APPROPRIATE PERMITS MUST BE OBTAINED FROM THE CITY
OF SANTA FE BUILDING PERMIT DIVISION PRIOR TO
COMMENCEMENT OF ANY CONSTRUCTION OR THE
INSTALLATION OF ANY EXTERIOR SIGN.

THIS REGISTRATION/LICENSE IS NOT TRANSFERRABLE TO
OTHER BUSINESSES OR PREMISES.

TO BE POSTED IN A CONSPICUOUS PLACE



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/23/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Daniels Insurance, Inc.-Santa Fe 805 St. Michaels Drive Santa Fe NM 87505	CONTACT NAME: Santa Fe CL - House PHONE (A/C No. Ext): (505) 982-4302 E-MAIL ADDRESS: mlattin@danielsinsuranceinc.com	FAX (A/C No): (505) 989-9186
	INSURER(S) AFFORDING COVERAGE	
INSURED (505) 474-0240 Partners in Education Foundation for the Santa Fe Public P.O. Box 23374 Santa Fe NM 87502-3374	INSURER A: Donegal Mutual Insurance Compa 13692	
	INSURER B: Mountain States Indemnity Comp 10177	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES

CERTIFICATE NUMBER: Cert ID 27903

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC <input type="checkbox"/> OTHER:			CPT9023968	01/01/2020	01/01/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ Excluded
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WCO 9023968	01/01/2020	01/01/2021	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

All operation of the insured per policy conditions. Liability: Continental United States; Workers Compensation, New Mexico.-- Certificate Holder is an Additional Insured on General Liability policy, but only to the extent provided in the Additional Insured endorsement.

CERTIFICATE HOLDER

City of Santa Fe

200 Lincoln Ave
Po Box 909
Santa Fe NM 87504

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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City of Santa Fe

Real Estate Summary of Contracts, Agreements, Amendments & Leases

Section to be completed by department

1. Munis Contract # 3202276

Contractor: Santa Fe Public Schools - Office of Student Wellness

Description: Youth and family intervention services

Contract Agreement Lease / Rent Amendment

Term Start Date: July 1, 2020 Term End Date: June 30, 2024

Approved by Council Date: _____

Contract / Lease: CYFD grant funded Strengthening Families program

Amendment # _____ to the Original Contract / Lease # _____

Increase/(Decrease) Amount \$ _____

Extend Termination Date to: _____

Approved by Council Date: _____

Amendment is for:

2. **HISTORY of Contract, Amendments & Lease / Rent - Please Elaborate** (option: attach spreadsheet if multiple amendments)

3. Procurement History: RFP 20/21/P

Shirley Coyle
Shirley Coyle (Oct 1, 2020 12:39 MDT)

Purchasing Officer Review:

Oct 1, 2020

Date:

Comment & Exceptions: award from RFP 20/21/P grant funds/CYP closed 4/7/2020

4. Funding Source: Juvenile Justice Fund

Alexis Lotero
Alexis Lotero (Oct 1, 2020 08:58 MDT)

Budget Officer Approval:

Org / Object: 2230123.510340

Oct 1, 2020

Date:

Comment & Exceptions: _____

Staff Contact who completed this form: Julie Sanchez Phone # 955-6678

Email: jjsanchez@santafenm.gov

To be recorded by City Clerk:

Clerk # _____

Date of Execution: _____



CITY OF SANTA FE PROCUREMENT CHECKLIST

Contractor Name: PIE SFPS PIP Program

Procurement Title: RFP20/21/P

Procurement Method: State Price Agreement Cooperative Sole Source Other

Exempt Request For Proposal (RFP) Invitation To Bid (ITB) Contract under 60K Contract over 60K

Department Requesting Community Services Staff Name Michelle Gurule

Procurement Requirements:

A procurement file shall be maintained for all contracts, regardless of the method of procurement. The procurement file shall contain the basis on which the award is made, all submitted bids, all evaluation materials, score sheets, quotations and all other documentation related to or prepared in conjunction with evaluation, negotiation, and the award process. The procurement shall contain a written determination from the Requesting Department, signed by the purchasing officer, setting forth the reasoning for the contract award decision before submitting to the Committees. .

REQUIRED DOCUMENTS FOR APPROVAL BY PURCHASING*

YES	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Approved Procurement Checklist (by Purchasing)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Memo addressed to City Manager (under 60K) Committees/City Council (over 60K)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	State Price Agreement
<input checked="" type="checkbox"/>	<input type="checkbox"/>	RFP
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Evaluation Committee Report
<input type="checkbox"/>	<input checked="" type="checkbox"/>	ITB
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Bib Tab
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Quotes (3 valid current quotes)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cooperative Agreement
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sole Source Request and Determination Form
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contractors Exempt Letter
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Purchasing Officers approval for exempt procurement
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAR
<input type="checkbox"/>	<input checked="" type="checkbox"/>	FIR
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Executed Contract, Agreement or Amendment
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Current Business Registration and CRS numbers on contract or agreement
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Summary of Contracts and Agreements form
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Certificate of Insurance
<input checked="" type="checkbox"/>	<input type="checkbox"/>	All documentation presented to Committees
<input type="checkbox"/>	<input type="checkbox"/>	Other: _____

Julie Sanchez Youth and Family Services Division Director 09/29/20
 Department Rep Printed Name (attesting that all information included) Title Date

Fran Dunaway, COO 10/1/20
 Purchasing Officer (attesting that all information is reviewed) Title Date
Fran Dunaway (Oct 1, 2020 12:39 MDT)

Include all other substantive documents and records of communication that pertain to the procurement and any resulting contract.

*

CITY OF SANTA FE

PROFESSIONAL SERVICES CONTRACT

THIS AGREEMENT is made and entered into by and between the City of Santa Fe, New Mexico, hereinafter referred to as the "City," and **YOUTHWORKS**, hereinafter referred to as the "Contractor," and is effective as of the date set forth below upon which it is executed by the Parties.

IT IS AGREED BETWEEN THE PARTIES:

1. Scope of Work.

Program Categories	CYFD Priority Area
<input type="checkbox"/> Strengthening Families	Delinquency Prevention
<input checked="" type="checkbox"/> Intensive Community Monitoring	Alternatives to Detention
<input type="checkbox"/> Gender Specific <input type="checkbox"/> Girls <input type="checkbox"/> Boys	Gender Specific Services

A. The Contractor shall perform the following work:

1) Provide CYFD outlined services in Intensive Community Monitoring:

- a. Serve 40 youth clients
- b. Provide 40 youth clients with Intake/Assessment x \$55.25 per youth
- c. Provide 306 hours of Case Management x \$40.00 per hour
- d. Provide 136 hours of Family Support x \$40.00 per hour
- e. Provide 100 visits of Home Visit x \$40.00 per hour
- f. Provide 40 Discharge Plans x \$63.75 per youth

2) Possible bi-monthly presentation to the Regional Juvenile Justice Board on the progress of the program.

3) Ensure as appropriate, that providers serving underserved communities e.g. American Indian/Alaska Native, Hispanic, and African American including

serving low to very low-income households are trained on racial equity, inclusion and responsiveness.

B. Performance Measures.

1) Contractor shall substantially perform the following based on Intensive Community Monitoring:

- a. Decrease of five percent (5%) in negative criminal behavior;
- b. Increase of five percent (5%) in grades, attendance and overall behavior in school
- c. or educational setting;
- d. Decreased number of contacts made with each client;
- e. Number of clients who successfully complete the program requirements; and
- f. Reduced recidivism six (6) months after exiting the program

C. Deliverables:

1) Monthly program invoices due by the 10th of each month

2) Completed CYFD Data Collection Log which includes:

- a. Individualized Client ID
- b. Activity Log
- c. Youth Registry
- d. Other Program Specific Measurements as outlined by CYFD

3) The receipt of the deliverables contemplated under this Agreement shall assist the City and Santa Fe Regional Juvenile Justice Board in obtaining its goal(s) as set forth in its Strategic Plan and program outputs.

2. Compensation.

A. The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work in FY21, up to a total of twenty-six thousand four hundred forty four dollars (\$26,440.00).

B. The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work in FY22, up to a total of twenty six thousand four hundred forty four dollars (\$26,440).

C. The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work in FY23, up to a total of twenty six thousand four hundred forty four dollars (\$26,440).

D. The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work in FY24, up to a total of twenty six thousand four

hundred forty four dollars (\$26,440).

E. The total amount payable to the Contractor under this Agreement, including gross receipts tax and expenses, shall not exceed (\$105,760.00).

F. Contractor must submit a detailed statement accounting for all services performed and expenses incurred. If the City finds that the services are not acceptable, within thirty days after the date of receipt of written notice from the Contractor that payment is requested, it shall provide the Contractor a letter of exception explaining the defect or objection to the services, and outlining steps the Contractor may take to provide remedial action. Upon certification by the City that the services 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, 2024** unless terminated pursuant to paragraph 4 (Termination), or paragraph 5 (Appropriations). 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 City 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 and authorization are not made by the City Council, this Agreement shall terminate immediately upon written notice being given by the City to the Contractor. The City's decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final. If the City proposes an amendment to the Agreement to unilaterally reduce funding, the Contractor shall have the option to terminate the Agreement or to agree to the reduced funding, within thirty (30) days of receipt of the proposed amendment.

6. **Status of Contractor.**

The Contractor and its agents and employees are independent contractors performing professional services for the City and are not employees of the City. The Contractor and its agents and employees shall not accrue leave, retirement, insurance, bonding, use of City vehicles, or any other benefits afforded to employees of the City as a result of this Agreement. The Contractor acknowledges that all sums received hereunder are reportable by the Contractor for tax purposes, including without limitation, self-employment and business income tax. The Contractor agrees not to purport to bind the City unless the Contractor has express written authority to do so, and then only within the strict limits of that authority.

7. **Assignment.**

The Contractor shall not assign or transfer any interest in this Agreement or assign any claims for money due or to become due under this Agreement without the prior written approval of the City.

8. **Subcontracting.**

The Contractor shall not subcontract any portion of the services to be performed under this Agreement without the prior written approval of the City. No such subcontract shall relieve the primary Contractor from its obligations and liabilities under this Agreement, nor shall any subcontract obligate direct payment from the City.

9. **Non-Collusion.**

In signing this Agreement, the Vendor/Contractor certifies the Vendor/Contractor has not, either directly or indirectly, entered into action in restraint of free competitive bidding in connection with this offer submitted to the City.

10. **Release.**

Final payment of the amounts due under this Agreement shall operate as a release of the City, its officers and employees from all liabilities, claims and obligations whatsoever arising from or under this Agreement.

11. Confidentiality.

Any confidential information provided to or developed by the Contractor in the performance of this Agreement shall be kept confidential and shall not be made available to any individual or organization by the Contractor without the prior written approval of the City.

12. Product of Service -- Copyright.

All materials developed or acquired by the Contractor under this Agreement shall become the property of the City and shall be delivered to the City no later than the termination date of this Agreement. Nothing developed or produced, in whole or in part, by the Contractor under this Agreement shall be the subject of an application for copyright or other claim of ownership by or on behalf of the Contractor.

13. Conflict of Interest; Governmental Conduct Act.

A. The Contractor represents and warrants that it presently has no interest and, during the term of this Agreement, shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance or services required under the Agreement.

B. The Contractor further represents and warrants that it has complied with, and, during the term of this Agreement, will continue to comply with, and that this Agreement complies with all applicable provisions of the Governmental Conduct Act, Chapter 10, Article 16 NMSA 1978.

C. Contractor's representations and warranties in Paragraphs A and B of this Article 12 are material representations of fact upon which the City relied when this Agreement was entered into by the parties. Contractor shall provide immediate written notice to the City if, at any time during the term of this Agreement, Contractor learns that Contractor's representations and warranties in Paragraphs A and B of this Article 12 were erroneous on the effective date of this Agreement or have become erroneous by reason of new or changed circumstances. If it is later determined that Contractor's representations and warranties in Paragraphs A and B of this Article 12 were erroneous on the effective date of this Agreement or have become erroneous by reason of new or changed circumstances, in addition to other remedies available to the City and notwithstanding anything in the Agreement to the contrary, the City may immediately terminate the Agreement.

D. All terms defined in the Governmental Conduct Act have the same meaning in this section.

14. Amendment.

A. This Agreement shall not be altered, changed or amended except by instrument in writing executed by the parties hereto and all other required signatories.

B. If the City proposes an amendment to the Agreement to unilaterally reduce funding due to budget or other considerations, the Contractor shall, within thirty (30) days of receipt of the proposed Amendment, have the option to terminate the Agreement, pursuant to the termination provisions as set forth in Article 4 herein, or to agree to the reduced funding.

15. Merger.

This Agreement incorporates all the Agreements, covenants and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, Agreements and understandings have been merged into this written Agreement. No prior Agreement or understanding, oral or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.

16. Penalties for violation of law.

The Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

17. Equal Opportunity Compliance.

The Contractor agrees to abide by all federal and state laws and rules and regulations, and Santa Fe City Code, pertaining to equal employment opportunity. In accordance with all such laws of the State of New Mexico, the Contractor assures that no person in the United States shall, on the grounds of race, religion, color, national origin, ancestry, sex, age, physical or mental handicap, or serious medical condition, spousal affiliation, sexual orientation or gender identity, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under this Agreement. If Contractor is found not to be in compliance with these requirements during the life of this Agreement, Contractor agrees to take appropriate steps to correct these deficiencies.

18. Applicable Law.

The laws of the State of New Mexico shall govern this Agreement, without giving effect to its choice of law provisions. Venue shall be proper only in a New Mexico court of competent jurisdiction in accordance with Section 38-3-1 (G) NMSA 1978. By execution of this Agreement, Contractor acknowledges and agrees to the jurisdiction of the courts of the State of New Mexico over any and all lawsuits arising under or out of any term of this Agreement.

19. Workers Compensation.

The Contractor agrees to comply with state laws and rules applicable to workers compensation benefits for its employees. If the Contractor fails to comply with the Workers Compensation Act and applicable rules when required to do so, this Agreement may be terminated by the City.

20. Professional Liability Insurance. Contractor shall maintain professional liability insurance throughout the term of this Agreement providing a minimum coverage in the amount required under the New Mexico Tort Claims Act. The Contractor shall furnish the City with proof of insurance of Contractor's compliance with the provisions of this section as a condition prior to performing services under this Agreement.

21. Other Insurance

If the services contemplated under this Agreement will be performed on or in City facilities or property, Contractor shall maintain in force during the entire term of this Agreement, the following insurance coverage(s), naming the City as additional insured.

A. Commercial General Liability insurance shall be written on an occurrence basis and be as broad as ISO Form CG 00 01 with limits not less than \$2,000,000 per occurrence and \$2,000,000 in the aggregate for claims against bodily injury, personal and advertising injury, and property damage. Said policy shall include broad form Contractual Liability coverage and be endorsed to name the City of Santa Fe their officials, officers, employees, and agents as additional insureds.

B. Business Automobile Liability insurance for all owned, non-owned automobiles, with a combined single limit not less than \$1,000,000 per accident.

C. Broader Coverage and Limits. The insurance requirements under this Agreement shall be the greater of (1) the minimum coverage and limits specified in this Agreement, or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the Named Insured. It is agreed that these insurance requirements shall not in any way act to reduce coverage that is broader or that includes higher limits than the minimums required herein. No representation is made that the minimum insurance requirements of this Agreement are sufficient to cover the obligations of Contractor hereunder.

D. Contractor shall maintain the above insurance for the term of this Agreement and name the City as an additional insured and provide for 30 days cancellation notice on any Certificate of Insurance form furnished by Contractor. Such certificate shall also specifically state the coverage provided under the policy is primary over any other valid and collectible insurance and provide a waiver of subrogation.

22. Records and Financial Audit.

The City or city contractor shall have the right, at reasonable times and at a site designated by the City, to audit financial expenditures of City grant funding, documents, files and records of the Contractor to the extent that the finances, documents, files and records related to costs or accuracy of reimbursement for outcome or deliverable. The Contractor shall give full and free access to all records to the City and/or their authorized representative. The Contractor shall maintain detailed records that indicate the date, nature and cost of services rendered during the Agreement's term and effect and retain them for a period of three (3) years from the date of final payment under this Agreement. If offering Navigation Services, records must indicate that the City is the sole payor per client billed for. The records shall be subject to inspection by the City. The City shall have the right to audit billings both before and after payment. Payment under this Agreement shall not foreclose the right of the City to recover excessive or illegal payments.

23. Indemnification.

The Contractor shall defend, indemnify and hold harmless the City from all actions, proceeding, claims, demands, costs, damages, attorneys' fees and all other liabilities and expenses of any kind from any source which may arise out of the performance of this Agreement, caused by the negligent act or failure to act of the Contractor, its officers, employees, servants, subcontractors or agents, or if caused by the actions of any client of the Contractor resulting in injury or damage to persons or property during the time when the Contractor or any officer, agent, employee, servant or subcontractor thereof has or is performing services pursuant to this Agreement. In the event

that any action, suit or proceeding related to the services performed by the Contractor or any officer, agent, employee, servant or subcontractor under this Agreement is brought against the Contractor, the Contractor shall, as soon as practicable but no later than two (2) days after it receives notice thereof, notify the legal counsel of the City.

24. New Mexico Tort Claims Act

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

25. Invalid Term or Condition.

If any term or condition of this Agreement shall be held invalid or unenforceable, the remainder of this Agreement shall not be affected and shall be valid and enforceable.

26. Enforcement of Agreement.

A party's failure to require strict performance of any provision of this Agreement shall not waive or diminish that party's right thereafter to demand strict compliance with that or any other provision. No waiver by a party of any of its rights under this Agreement shall be effective unless express and in writing, and no effective waiver by a party of any of its rights shall be effective to waive any other rights.

27. Notices.

Any notice required to be given to either party by this Agreement shall be in writing and shall be delivered in person, by courier service or by U.S. mail, either first class or certified, return receipt requested, postage prepaid, as follows:

To the City: [Julie Sanchez, Program Manager, 500 Market Station Suite 200, jjsanchez@santafenm.gov].

To the Contractor: [Melynn Schuyler, 1000 Cordova Pl., #415, Santa Fe, NM 87505, 505-989-1855, melynn@santafeyouthworks.org].

28. Authority.

If Contractor is other than a natural person, the individual(s) signing this Agreement on behalf of Contractor represents and warrants that he or she has the power and authority to bind Contractor, and that no further action, resolution, or approval from Contractor is necessary to enter into a binding contract.

29. Site Visits.

At any time during the contract period the director or designee of the COMMUNITY SERVICES DEPARTMENT may perform a site visit to contracted sites to review programming and meet with participants. Members of the oversight body will be informed and invited to participate, this may include community partners and program co-funders.

30. Reporting.

Grantees shall submit reports on the programmatic accomplishments made toward the goals of the grant agreement. Quarterly reports are due to the YOUTH AND FAMILY SERVICES DIVISION or COMMUNITY SERVICES DEPARTMENT Program Manager no later than the 10th of the month. Reports shall include the following:

- A. Total Amount of funds received via the program invoice, amount of funds received that were expended for program via the program invoice; CYFD required activity log, youth registry and program specific measures; a weekly update report to Santa Fe Probation and Parole may also be required. Although not mandatory agencies or representatives may be required to attend the bi-monthly, RJJB meetings to report on program progress. Other reporting may be required as requested by DIVISION, DEPARTMENT or the BOARD.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date of the signature by the required approval authorities below.

CITY OF SANTA FE:

ALAN M. WEBBER
MAYOR

DATE: _____

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

CITY ATTORNEY'S OFFICE:

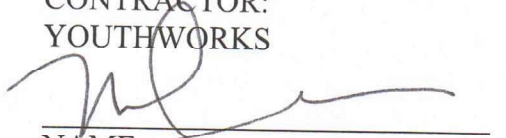
Marcos Martinez
Marcos Martinez (Sep 16, 2020 15:09 MDT)

SENIOR ASSISTANT CITY ATTORNEY

APPROVED FOR FINANCES:

MARY T. MCCOY, FINANCE DIRECTOR
2230123.510340
Business Unit Line Item

CONTRACTOR:
YOUTHWORKS



NAME: _____
TITLE: Executive Director

DATE: 09/18/2020

CRS# 02-471161-00-6
REGISTRATION# city lic.#
222597






2020 09 14 YouthWorks CYFD ICM Contract

Final Audit Report

2020-09-16

Created:	2020-09-16
By:	Irene Romero (ikromero@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAzo_AFJrmsUoL-XxebW7Ww9XWIEewI7G0

"2020 09 14 YouthWorks CYFD ICM Contract" History

-  Document created by Irene Romero (ikromero@ci.santa-fe.nm.us)
2020-09-16 - 9:00:31 PM GMT - IP address: 63.232.20.2
-  Document emailed to Marcos Martinez (mdmartinez@santafenm.gov) for signature
2020-09-16 - 9:03:00 PM GMT
-  Email viewed by Marcos Martinez (mdmartinez@santafenm.gov)
2020-09-16 - 9:09:16 PM GMT - IP address: 174.56.49.116
-  Document e-signed by Marcos Martinez (mdmartinez@santafenm.gov)
Signature Date: 2020-09-16 - 9:09:29 PM GMT - Time Source: server- IP address: 174.56.49.116
-  Agreement completed.
2020-09-16 - 9:09:29 PM GMT



City of Santa Fe

Treasury Department
200 Lincoln Ave.
Santa Fe, New Mexico 87504-0909
505-955-6551

BUSINESS REGISTRATION

Business Name: YOUTH WORKS
DBA: YOUTH WORKS

Business Location: 1504 CERRILLOS RD
SANTA FE, NM 87501

Owner: GORDON BETANCOURT

License Number: 222597

Issued Date: December 30, 2019

Expiration Date: December 31, 2020

License Type: Business License - Renewable

Classification: Business Registration - Standard

Fees Paid: \$35.00



YOUTH WORKS
1000 CORDOVA PL
SANTA FE, NM 87505

THIS IS NOT A CONSTRUCTION PERMIT OR SIGN PERMIT.
APPROPRIATE PERMITS MUST BE OBTAINED FROM THE CITY
OF SANTA FE BUILDING PERMIT DIVISION PRIOR TO
COMMENCEMENT OF ANY CONSTRUCTION OR THE
INSTALLATION OF ANY EXTERIOR SIGN.

THIS REGISTRATION/LICENSE IS NOT TRANSFERABLE TO
OTHER BUSINESSES OR PREMISES.

TO BE POSTED IN A CONSPICUOUS PLACE



City of Santa Fe

Real Estate Summary of Contracts, Agreements, Amendments & Leases

Section to be completed by department

1. Munis Contract # 3202277

Contractor: YouthWorks

Description: **Intensive community monitoring for youth who are at risk of juvenile offenses.**

Contract Agreement Lease / Rent Amendment

Term Start Date: July 1, 2020 Term End Date: June 30, 2024

Approved by Council Date: _____

Contract / Lease: CYFD grant funded Intensive Community Monitoring program

Amendment # _____ to the Original Contract / Lease # _____

Increase/(Decrease) Amount \$ _____

Extend Termination Date to: _____

Approved by Council Date: _____

Amendment is for:

2. **HISTORY of Contract, Amendments & Lease / Rent - Please Elaborate** (option: attach spreadsheet if multiple amendments)

3. Procurement History: RFP 20/21/P

Purchasing Officer Review: _____ Date: _____

Comment & Exceptions: _____

4. Funding Source: Juvenile Justice Fund Org / Object: 2230123.510340

Budget Officer Approval: _____ Date: _____

Comment & Exceptions: _____

Staff Contact who completed this form: Julie Sanchez Phone # 955-6678

Email: jjsanchez@santafenm.gov

To be recorded by City Clerk:

Clerk # _____

Date of Execution: _____










GB COMM SVS MULTIPLE VENDORS 21-20846

Final Audit Report

2020-10-01

Created:	2020-10-01
By:	YODEL CATANACH (yocatanach@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAADuJ0HbpneFX-v5avdrYRh2r_adSq_uO3

"GB COMM SVS MULTIPLE VENDORS 21-20846" History

-  Document created by YODEL CATANACH (yocatanach@ci.santa-fe.nm.us)
2020-10-01 - 1:01:07 AM GMT- IP address: 63.232.20.2
-  Document emailed to Alexis Lotero (aclotero@santafenm.gov) for signature
2020-10-01 - 1:03:03 AM GMT
-  Email sent to jjsanchez@santafe.nm.gov bounced and could not be delivered
2020-10-01 - 1:03:21 AM GMT
-  Email viewed by Alexis Lotero (aclotero@santafenm.gov)
2020-10-01 - 2:56:45 PM GMT- IP address: 104.47.65.254
-  Document e-signed by Alexis Lotero (aclotero@santafenm.gov)
Signature Date: 2020-10-01 - 2:58:34 PM GMT - Time Source: server- IP address: 63.232.20.2
-  Document emailed to Fran Dunaway (fadunaway@santafenm.gov) for signature
2020-10-01 - 2:58:38 PM GMT
-  Email viewed by Fran Dunaway (fadunaway@santafenm.gov)
2020-10-01 - 6:36:47 PM GMT- IP address: 104.47.64.254
-  Document e-signed by Fran Dunaway (fadunaway@santafenm.gov)
Signature Date: 2020-10-01 - 6:39:46 PM GMT - Time Source: server- IP address: 63.232.20.2
-  Agreement completed.
2020-10-01 - 6:39:46 PM GMT

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 10/19/20
FOR CITY COUNCIL MEETING OF 10/28/20

d) Request for the Approval of Multiple Sub-Contracted Agreements in the Total Amount of (\$69,560.00) for (Alternative to Detention Services for the Youth of Santa Fe for four (4) years) from State of New Mexico CYFD Agreement No. 21-20846; (Multiple Vendors). (Julie Sanchez, jjsanchez@santafenm.gov and [505-570-7355](tel:505-570-7355))

COMMITTEE REVIEW:

Finance Committee: 10/19/20
 Quality of Life Committee: 10/21/20
 Governing Body: 10/28/20

FINANCE COMMITTEE ACTION:

Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	FOR	AGAINST	ABSTAIN
COUNCILOR ROMERO-WIRTH	x		
COUNCILOR CASSUTT-SANCHEZ	x		
COUNCILOR LINDELL	x		
COUNCILOR VILLARREAL	x		
CHAIRPERSON ABEYTA	x		



City of Santa Fe, New Mexico

Memorandum



DATE: September 25, 2020

TO: ~~Josell LaPan Hill, City Manager~~
Governing Body and Commissions

VIA: Mary McCoy, Finance Department Director
Fran Dunaway, Chief Procurement Officer
Kyra Ochoa, Community Services Department

FROM: George Carrasco, Project Administrator Youth & Family Services Division *GC*

ITEM AND ISSUE:

Request for the Approval of Contract Amendment for Professional Service Contract – Change of Scope of Work as requested by contractor St. Elizabeth Shelter; George Carrasco, gccarrasco@santafenm.gov, 505-490-6330.

BACKGROUND AND SUMMARY:

The contractor (St. Elizabeth Shelter) requested a change in the Scope of Work reduction from 600 to 100 unduplicated adult individuals and/or families due to the effects of the COVID-19 public health order and the number of clients St Elizabeth's has been able to serve during the pandemic.

PROCUREMENT METHOD:

The procurement method was an RFP bid number: 19/31/P, closed on 4/4/19.

CONTRACT NUMBER:

The FY20 Munis contract number is 3200597.

FUNDING SOURCE:

The funding source is:

Fund Name/Number: Community Development/Fund 240

Munis Org Name/Number: Human Services/2400122

Munis Object Name/Number: Grants and Services/510400

ACTION REQUESTED:

Community Services Department respectfully requests your review and approval.



City of Santa Fe

Real Estate Summary of Contracts, Agreements, Amendments & Leases

Section to be completed by department

1. Munis Contract # 3200597

Contractor: St. Elizabeth Shelter

Description: Amendment #1 for Professional Service Contract

Contract Agreement Lease / Rent Amendment

Term Start Date: 7/12/19 Term End Date: 6/30/21

Approved by Council Date: 7/10/19

Contract / Lease:

Amendment # 1 to the Original Contract / Lease # _____

Increase/(Decrease) Amount \$ _____

Extend Termination Date to: _____

Approved by Council Date: _____

Amendment is for: Scope of Work change

2. **HISTORY of Contract, Amendments & Lease / Rent - Please Elaborate** (option: attach spreadsheet if multiple amendments)
Contract amendment #1 for Professional Services Contract between the City and St Elizabeth Shelter for change in Scope of Work due to the COVID-19 pandemic.

3. Procurement History: _____

Shirley Dunaway (PO) 10/5/20
Shirley Dunaway (Oct 5, 2020 10:15 MDT)

Purchasing Officer Review: _____ Date: Oct 5, 2020

Comment & Exceptions: existing contract-amendment to change SOW?

4. Funding Source: _____ Org / Object: 22763.510400

Alexis Lotero
Alexis Lotero (Oct 5, 2020 09:46 MDT)

Budget Officer Approval: _____ Date: Oct 5, 2020

Comment & Exceptions: _____

Staff Contact who completed this form: George Carrasco Phone # 505-490-6330

Email: gccarrasco@santafenm.gov

To be recorded by City Clerk:

Clerk # _____

Date of Execution: _____

**CITY OF SANTA FE
AMENDMENT No. 1 TO
PROFESSIONAL SERVICES AGREEMENT
Item#19-05884**

AMENDMENT No. 1 (the "Amendment") to the CITY OF SANTA FE PROFESSIONAL SERVICES AGREEMENT, dated May 29, 2019 (the "Agreement"), between the City of Santa Fe (the "City") and St. Elizabeth Shelter (the "Contractor"). The date of this Amendment shall be the date when it is executed by the City and the Contractor whichever occurs last.

RECITALS:

A. Under the terms of the Agreement, Contractor has agreed to provide the following: Navigation services to a minimum of 600 unduplicated adult individuals and/or families x \$166.67 per individual adult/family.

B. Pursuant to Article 14 of the Agreement, and for good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the City and the Contractor agree as follows:

1. SCOPE OF WORK

Article 2, Subparagraph A. 1) of the Agreement is amended to reflect a change in deliverables, so that Section 2, Subparagraph A. 1) reads in it's entirely as follows:

- 1) Navigation services to a minimum of 100 unduplicated adult individuals and/or families x \$1,000 per individual/adult family.

2. COMPENSATION

Article 3, Subparagraph A, paragraphs 1-2 of the Agreement is amended to

reflect the changes in clients navigation services to 100 unduplicated adult individuals and/or families x \$1,000 per individual/adult family. Article 3, Subparagraph A, paragraphs 1-2 reads in it's entirely as follows:

1) The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work at the rate of one thousand dollars (\$1,000) per unduplicated person served for Tier II services in FY20 for up to a total of one hundred thousand dollars (\$100,000.00), including gross receipts tax.

2) The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work at the rate of one thousand dollars (\$1,000) per unduplicated person served for Tier II services in FY21 for up to a total of one hundred thousand dollars (\$100,000.00), including gross receipts tax.

3. AGREEMENT IN FULL FORCE.

Except as specifically provided in this Amendment, the agreement remains and shall remain in full force and effect, in accordance with its terms.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 1 to the City of Santa Fe Professional Services Agreement as of the dates set forth below.

CITY OF SANTA FE:

ALAN M. WEBBER, MAYOR

Date: _____

CONTRACTOR:
St. Elizabeth's Shelter

Eswal Arora Exec. Director
NAME & TITLE

Date: 9/23/2020

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

CITY ATTORNEY'S OFFICE:

Marcos Martinez
Marcos Martinez (Sep 24, 2020 13:23 MDT)

SENIOR ASSISTANT CITY ATTORNEY

APPROVED FOR FINANCES:

MARY T. MCCOY, FINANCE DIRECTOR

22763.510400
Business Unit/Line Item






2020 09 22 Amendment#1 St. Elizabeths

Final Audit Report

2020-09-24

Created:	2020-09-22
By:	Irene Romero (ikromero@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAhnLFTdq5VLgE34OSG4uaGGEvjGwjaVpg

"2020 09 22 Amendment#1 St. Elizabeths" History

-  Document created by Irene Romero (ikromero@ci.santa-fe.nm.us)
2020-09-22 - 6:37:10 PM GMT- IP address: 63.232.20.2
-  Document emailed to Marcos Martinez (mdmartinez@santafenm.gov) for signature
2020-09-22 - 6:39:30 PM GMT
-  Email viewed by Marcos Martinez (mdmartinez@santafenm.gov)
2020-09-24 - 7:20:42 PM GMT- IP address: 174.56.49.116
-  Document e-signed by Marcos Martinez (mdmartinez@santafenm.gov)
Signature Date: 2020-09-24 - 7:23:27 PM GMT - Time Source: server- IP address: 174.56.49.116
-  Agreement completed.
2020-09-24 - 7:23:27 PM GMT

CITY OF SANTA FE

PROFESSIONAL SERVICES CONTRACT
Tier II Navigation Services

THIS AGREEMENT is made and entered into by and between the City of Santa Fe, New Mexico, hereinafter referred to as the "City," and **ST. ELIZABETH SHELTER** hereinafter referred to as the "Contractor," and is effective as of the date set forth below upon which it is executed by the Parties.

IT IS AGREED BETWEEN THE PARTIES:

1. Definitions.

- a. **Safety Net Services:** Social welfare services provided by state and local government and non-profit agencies intended to eliminate or reduce potentially dangerous or life-threatening conditions of poverty.
- b. **Navigation:** the function of linking clients with essential health and community services, performed by a navigator who coordinates care and services across siloed mental, behavioral, and physical health care delivery systems, leading to greater holistic and person-centered care. Navigation assists individuals in overcoming barriers to care and increases their engagement and active participation in care.
- c. **Food Insecure:** lacking reliable access to a sufficient quantity of affordable, nutritious food.
- d. **Binge Drinking:** the consumption of an excessive amount of alcohol in a short period of time. <https://www.cdc.gov/alcohol/fact-sheets/binge-drinking.htm>
- e. **Homelessness:** the circumstance of being without a permanent dwelling, such as a house or apartment.
- f. **Unemployment:** the circumstance of being without a paid job while available to work.
- g. **Openness and Acceptance:** a condition where inclusion into a larger social group and access to needed resources are available to all, regardless of ethnicity, sexual orientation, country of origin, age, or gender.
- h. **Warm hand off:** A warm hand off is a referral conducted in person, between two members of a navigation team, in front of the client (and family if present).
- i. **Health Insurance Portability and Accountability Act (HIPAA):** HIPAA (Health Insurance Portability and Accountability Act of 1996) is United States legislation that provides data privacy and security provisions for safeguarding medical information. The HIPAA Privacy Rule applies to organizations that are considered

HIPAA-covered entities, including health plans, healthcare clearinghouses and healthcare providers. In addition, the HIPAA Privacy Rule requires covered entities that work with a HIPAA business associate to produce a contract that imposes specific safeguards on the protected health information (PHI) that the business associate uses or discloses.

- j.* Protected Health Information (PHI): The HIPAA Privacy Rule protects all individually identifiable health information that is held or transmitted by a covered entity or a business associate. This information can be held in any form, including digital, paper or oral. This individually identifiable health information is also known as PHI under the Privacy Rule. PHI includes:
 - i. a patient's name, address, birth date and Social Security number;
 - ii. an individual's physical or mental health condition;
 - iii. any care provided to an individual; or
 - iv. information concerning the payment for the care provided to the individual that identifies the patient, or information for which there is a reasonable basis to believe could be used to identify the patient.
 - v. The HIPAA Privacy Rule does not consider employment records -- including information about education, as well as other records subject to or defined in the Family Educational Rights and Privacy Act -- as PHI. For de-identified data, however, there are no restrictions to its use or disclosure. De-identified data does not identify or provide information that could identify an individual.

- k.* HIPAA Business Associate Agreement (BAA): Under HIPAA, a HIPAA business associate agreement (BAA) is a contract between a HIPAA-covered entity and a HIPAA business associate (BA). The contract protects PHI in accordance with HIPAA guidelines.

- l.* Memorandum of Understanding (MOU): A non-binding agreement between two or more parties outlining the terms and details of an understanding including each parties' requirements and responsibilities.

This Space Intentionally Left Blank

2. Scope of Work.

Tier II: Safety Net Services Delivery and Navigation Services (ages 18+)

Funding Category/Goal Area	Indicators
<input type="checkbox"/> Adult Health	<input type="checkbox"/> Chronic disease rates (Heart disease, diabetes, cancer, and obesity) <input type="checkbox"/> Rate of adults consuming 5+ fruits and veggies daily <input type="checkbox"/> Rate of adults meeting recommended physical activity levels (150 minutes of aerobic physical activity per week) <input type="checkbox"/> % Women receiving prenatal care in 1 st trimester
<input type="checkbox"/> Behavioral Health	<input type="checkbox"/> % Current depression (past 2 weeks) <input type="checkbox"/> Suicide death rates <input type="checkbox"/> % Binge drinking (past 30 days) <input type="checkbox"/> Alcohol-related deaths <input type="checkbox"/> Drug-overdose deaths <input type="checkbox"/> Untreated adults with mental illness
<input checked="" type="checkbox"/> Community Safety	<input type="checkbox"/> Fall-related deaths <input checked="" type="checkbox"/> Homelessness rate <input type="checkbox"/> Domestic Violence rate
<input type="checkbox"/> Equitable Society	<input type="checkbox"/> % Unemployment <input type="checkbox"/> % Food insecure households <input type="checkbox"/> % Adults Age 25+ with Post-Secondary education <input type="checkbox"/> Openness and acceptance of community toward people of diverse backgrounds

A. The Contractor shall perform the following work:

- 1) Navigation and/or safety net services in the above-selected funding category/goal area to impact the selected indicator(s).
 - a. Navigation services to a minimum of 600 unduplicated adult individuals and/or families x \$166.67 per individual adult/family.
- 2) Navigation and/or safety net services to City of Santa Fe resident's ages 18+.
- 3) Ensure navigator is experienced and qualified and engages in continued educational opportunities on an annual basis to increase professional qualifications.
- 4) Assess clients' social needs, including safe and secure housing, nutritious food, reliable utilities and transportation, and access to health insurance, employment and education. Collect client demographic data, Emergency

Room (ER) and jail use data if relevant, and data on those indicators pertinent for the population served, i.e. chronic disease, suicide, alcohol, drug abuse, and access to healthy food.

- 5) Deliver navigation services tailored to the individual's priorities that are culturally relevant and based on a team approach of service delivery that reflects cross-agency collaboration. This includes:
 - a. Development of a navigation plan with the individual that sets appropriate goals, such as addressing safe and secure housing, food, utilities and transportation, health system enrollment, access and navigation, education and literacy, preventive care and treatment, chronic disease management, and effective social and community referrals.
 - b. Identification of community and social resources tailored to the individual's needs and interaction with a network/team to address priorities of the navigation plan, develop sustainable relationships with community resources, and provide and document a "warm hand-off." Referrals will be considered complete if a sustained relationship has been verified by the individual and service provider and documented by the navigator.
- 6) Use an agreed-upon IT system to be determined by the City of Santa Fe's Community Services Department and the Human Services Committee. This includes participation in data sharing with other community and social organizations on activities related to navigation plans with consent of the clients served and requires MOUs/BAA's with community partners, to be negotiated with the assistance of the City of Santa Fe. Share aggregate and non-medical client data with other City of Santa Fe and Santa Fe County-funded partners.
- 7) Provide Program Manager or other appointed City staff with quarterly data on performance measures, outcomes of navigation, demographics, and number of clients served.
- 8) Survey individuals-served annually to assess their continued engagement with needed resources and satisfaction with service delivery and/or Tier II navigation services.
- 9) Ensure navigators receive training on HIPAA standards and adhere to all HIPAA policies and requirements.
- 10) Ensure as appropriate that clients served are from underserved communities e.g. American Indian/Alaska Native, Hispanic, and African American/Black

with a priority serving low to very low-income households.

B. Performance Measures:

Contractor shall substantially perform the following:

- 1) # Clients helped by navigator, # Clients screened using the social needs screening tool; and
- 2) # or % referred to housing or received housing-related assistance; # or % who accomplished specific goals related to housing; # or % clients obtaining house; # of clients staying in housing after 30 days; and
- 3) # or % of clients served by the Navigator reporting an improvement in circumstances or positive change in social determinants of health.

C. Deliverables:

- 1) Annual report and three quarterly reports documenting outcomes of navigation, including a year-end summary of City grant related expenses plus additional material as requested by the Human Service Committee or City of Santa Fe Community Services Department/Youth and Family Services Division.
- 2) The receipt of the deliverables contemplated under this Agreement shall assist the City and Human Services Committee in obtaining its goal(s) as set forth in its Strategic Plan on page(s) 1-4.

2. Compensation.

A. The total amount payable to the Contractor under this Agreement, including gross receipts tax and expenses, shall not exceed [\$200,000.00].

1) The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work at the rate of one hundred and sixty-six dollars and sixty-seven cents (\$166.67) per unduplicated person served for Tier II services in FY20 for up to a total of one hundred thousand dollars (\$100,000.00), including gross receipts tax.

2) The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work at the rate of one hundred and sixty-six dollars and sixty-seven cents (\$166.67) per unduplicated person served for Tier II services in FY21 for up to a total of one hundred thousand dollars (\$100,000.00), including gross receipts tax.

B. Payment in FY21 is subject to availability of funds pursuant to the Appropriations Paragraph set forth below and to any negotiations between the parties from year to year pursuant

to Paragraph 1, Scope of Work, and to approval by the City. All invoices MUST BE received by the City no later than fifteen (15) days after the termination of the Fiscal Year in which the services were delivered. Invoices received after such date WILL NOT BE PAID.)

C. Contractor must submit a detailed statement accounting for all services performed and expenses incurred. If the City finds that the services are not acceptable, within thirty days after the date of receipt of written notice from the Contractor that payment is requested, it shall provide the Contractor a letter of exception explaining the defect or objection to the services, and outlining steps the Contractor may take to provide remedial action. Upon certification by the City that the services 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 30th 2021** unless terminated pursuant to paragraph 4 (Termination), or paragraph 5 (Appropriations). 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 City 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 and authorization are not made by the City Council, this Agreement shall terminate immediately upon written notice being given by the City to the Contractor. The City's decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final. If the City proposes an amendment to the Agreement to unilaterally reduce funding, the Contractor shall have the option to terminate the Agreement or to agree to the reduced funding, within thirty (30) days of receipt of the proposed amendment.

6. Status of Contractor.

The Contractor and its agents and employees are independent contractors performing professional services for the City and are not employees of the City. The Contractor and its agents and employees shall not accrue leave, retirement, insurance, bonding, use of City vehicles, or any other benefits afforded to employees of the City as a result of this Agreement. The Contractor acknowledges that all sums received hereunder are reportable by the Contractor for tax purposes, including without limitation, self-employment and business income tax. The Contractor agrees not to purport to bind the City unless the Contractor has express written authority to do so, and then only within the strict limits of that authority.

7. Assignment.

The Contractor shall not assign or transfer any interest in this Agreement or assign any claims for money due or to become due under this Agreement without the prior written approval of the City.

8. Subcontracting.

The Contractor shall not subcontract any portion of the services to be performed under this Agreement without the prior written approval of the City. No such subcontract shall relieve the primary Contractor from its obligations and liabilities under this Agreement, nor shall any subcontract obligate direct payment from the City.

9. Non-Collusion.

In signing this Agreement, the Vendor/Contractor certifies the Vendor/Contractor has not, either directly or indirectly, entered into action in restraint of free competitive bidding in connection with this offer submitted to the City.

10. Release.

Final payment of the amounts due under this Agreement shall operate as a release of the City, its officers and employees from all liabilities, claims and obligations whatsoever arising from or under this Agreement.

11. Confidentiality.

Any confidential information provided to or developed by the Contractor in the performance of this Agreement shall be kept confidential and shall not be made available to any individual or organization by the Contractor without the prior written approval of the City.

12. Product of Service -- Copyright.

All materials developed or acquired by the Contractor under this Agreement shall become the property of the City and shall be delivered to the City no later than the termination date of this Agreement. Nothing developed or produced, in whole or in part, by the Contractor under this Agreement shall be the subject of an application for copyright or other claim of ownership by or on behalf of the Contractor.

13. Conflict of Interest; Governmental Conduct Act.

A. The Contractor represents and warrants that it presently has no interest and, during the term of this Agreement, shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance or services required under the Agreement.

B. The Contractor further represents and warrants that it has complied with, and, during the term of this Agreement, will continue to comply with, and that this Agreement complies with all applicable provisions of the Governmental Conduct Act, Chapter 10, Article 16 NMSA 1978.

C. Contractor's representations and warranties in Paragraphs A and B of this Article 12 are material representations of fact upon which the City relied when this Agreement was entered into by the parties. Contractor shall provide immediate written notice to the City if, at any time during the term of this Agreement, Contractor learns that Contractor's representations and warranties in Paragraphs A and B of this Article 12 were erroneous on the effective date of this Agreement or have become erroneous by reason of new or changed circumstances. If it is later determined that Contractor's representations and warranties in Paragraphs A and B of this Article 12 were erroneous on the effective date of this Agreement or have become erroneous by reason of new or changed circumstances, in addition to other remedies available to the City and notwithstanding anything in the Agreement to the contrary, the City may immediately terminate the Agreement.

D. All terms defined in the Governmental Conduct Act have the same meaning in this section.

14. Amendment.

A. This Agreement shall not be altered, changed or amended except by instrument in writing executed by the parties hereto and all other required signatories.

B. If the City proposes an amendment to the Agreement to unilaterally reduce funding due to budget or other considerations, the Contractor shall, within thirty (30) days of receipt of the proposed Amendment, have the option to terminate the Agreement, pursuant to the termination provisions as set forth in Article 4 herein, or to agree to the reduced funding.

15. Merger.

This Agreement incorporates all the Agreements, covenants and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, Agreements and understandings have been merged into this written Agreement. No prior Agreement or understanding, oral or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.

16. Penalties for violation of law.

The Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

17. Equal Opportunity Compliance.

The Contractor agrees to abide by all federal and state laws and rules and regulations, and Santa Fe City Code, pertaining to equal employment opportunity. In accordance with all such laws of the State of New Mexico, the Contractor assures that no person in the United States shall, on the grounds of race, religion, color, national origin, ancestry, sex, age, physical or mental handicap, or serious medical condition, spousal affiliation, sexual orientation or gender identity, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under this Agreement. If Contractor is found not to be in compliance with these requirements during the life of this Agreement, Contractor agrees to take appropriate steps to correct these deficiencies.

18. Applicable Law.

The laws of the State of New Mexico shall govern this Agreement, without giving effect to its choice of law provisions. Venue shall be proper only in a New Mexico court of competent jurisdiction in accordance with Section 38-3-1 (G) NMSA 1978. By execution of this Agreement, Contractor acknowledges and agrees to the jurisdiction of the courts of the State of New Mexico over any and all lawsuits arising under or out of any term of this Agreement.

19. Workers Compensation.

The Contractor agrees to comply with state laws and rules applicable to workers compensation benefits for its employees. If the Contractor fails to comply with the Workers Compensation Act and applicable rules when required to do so, this Agreement may be terminated by the City.

20. Professional Liability Insurance. Contractor shall maintain professional liability insurance throughout the term of this Agreement providing a minimum coverage in the amount required under the New Mexico Tort Claims Act. The Contractor shall furnish the City with proof of insurance of Contractor's compliance with the provisions of this section as a condition prior to performing services under this Agreement.

21. Other Insurance

If the services contemplated under this Agreement will be performed on or in City facilities or property, Contractor shall maintain in force during the entire term of this Agreement, the following insurance coverage(s), naming the City as additional insured.

A. Workers Compensation (including accident and disease coverage) at the statutory limit. Employers liability: \$100,000.

B. Comprehensive general liability (including endorsements providing broad form property damage, personal injury coverage and contractual assumption of liability for all liability the Contractor has assumed under this contract). Limits shall not be less than the following:

- a. Bodily injury: \$1,000,000 per person /\$1,000,000 per occurrence.
- b. Property damage or combined single limit coverage: \$1,000,000.
- c. Automobile liability (including non-owned automobile coverage): \$1,000,000.
- d. Umbrella: \$1,000,000.

C. Contractor shall maintain the above insurance for the term of this Agreement and name the City as an additional insured and provide for 30 days cancellation notice on any Certificate of Insurance form furnished by Contractor. Such certificate shall also specifically state the coverage provided under the policy is primary over any other valid and collectible insurance and provide a waiver of subrogation.

22. Records and Financial Audit.

The City or city contractor shall have the right, at reasonable times and at a site designated by the City, to audit financial expenditures of City grant funding, documents, files and records of the Contractor to the extent that the finances, documents, files and records related to costs or accuracy of reimbursement for outcome or deliverable. The Contractor shall give full and free access to all records to the City and/or their authorized representative. The Contractor shall maintain detailed records that indicate the date, nature and cost of services rendered during the Agreement's term and effect and retain them for a period of three (3) years from the date of final payment under this Agreement. If offering Navigation Services, records must indicate that the City is the sole payor per client billed for. The records shall be subject to inspection by the City. The City shall have the right to audit billings both before and after payment. Payment under this Agreement shall not foreclose the right of the City to recover excessive or illegal payments.

23. Indemnification.

The Contractor shall defend, indemnify and hold harmless the City from all actions, proceeding, claims, demands, costs, damages, attorneys' fees and all other liabilities and expenses of any kind from any source which may arise out of the performance of this Agreement, caused by the negligent act or failure to act of the Contractor, its officers, employees, servants, subcontractors or agents, or if caused by the actions of any client of the Contractor resulting in injury or damage to persons or property during the time when the Contractor or any officer, agent, employee, servant or subcontractor thereof has or is performing services pursuant to this Agreement. In the event that any action, suit or proceeding related to the services performed by the Contractor or any officer, agent, employee, servant or subcontractor under this Agreement is brought against the Contractor, the Contractor shall, as soon as practicable but no later than two (2) days after it receives notice thereof, notify the legal counsel of the City.

24. New Mexico Tort Claims Act

Any liability incurred by the City of Santa Fe in connection with this Agreement is subject

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

25. Invalid Term or Condition.

If any term or condition of this Agreement shall be held invalid or unenforceable, the remainder of this Agreement shall not be affected and shall be valid and enforceable.

26. Enforcement of Agreement.

A party's failure to require strict performance of any provision of this Agreement shall not waive or diminish that party's right thereafter to demand strict compliance with that or any other provision. No waiver by a party of any of its rights under this Agreement shall be effective unless express and in writing, and no effective waiver by a party of any of its rights shall be effective to waive any other rights.

27. Notices.

Any notice required to be given to either party by this Agreement shall be in writing and shall be delivered in person, by courier service or by U.S. mail, either first class or certified, return receipt requested, postage prepaid, as follows:

To the City: [Julie Sanchez, Program Manager, 500 Market Station Suite 200, jjisanchez@ci.santa-fe.nm.us].

To the Contractor: [St. Elizabeth Shelter, 804 Alarid Street, director@steshelter.org].

28. Authority.

If Contractor is other than a natural person, the individual(s) signing this Agreement on behalf of Contractor represents and warrants that he or she has the power and authority to bind Contractor, and that no further action, resolution, or approval from Contractor is necessary to enter into a binding contract.

29. Site Visits.

At any time during the contract period the director or designee of the COMMUNITY SERVICES DEPARTMENT may perform a site visit to contracted sites to review programming and meet with participants. Members of the oversight body will be informed and invited to participate, this may include community partners and program co-funders.

30. Reporting.

Grantees shall submit Quarterly Reports on the programmatic accomplishments made toward the goals of the grant agreement. Quarterly reports are due to the YOUTH AND FAMILY SERVICES DIVISION or COMMUNITY SERVICES DEPARTMENT Program Manager no later than the 15th of the month subsequent to the Quarter end date with the exception of the 4th quarter which is due July 5th. If the 15th falls on a weekend reports will be due the following Monday by close of business. Quarterly Reports shall include the following:

A. Total Amount of funds received, Amount of funds received that were expended for programs; Number of adults served in the current quarter (if not already included in reporting template); reporting template with attachments or reporting as requested by DIVISION, DEPARTMENT or the COMMISSION.

B. Fiscal Year Quarters:

Quarter 1: July-September
Quarter 2: October-December
Quarter 3: January-March
Quarter 4: April-June

Reports Due:


October 15th
January 15th
April 15th
July 5th

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date of the signature by the required approval authorities below.

CITY OF SANTA FE:

CONTRACTOR:
St. Elizabeth Shelter


ALAN M. WEBBER, MAYOR

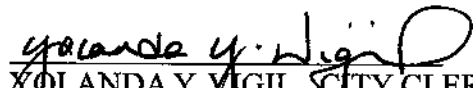

NAME:
TITLE: *Executive Director*

DATE: 7/12/19

DATE: 7/11/19

CRS# EXEMPT
REGISTRATION# 19-00029484

ATTEST:


YOLANDA Y. VIGIL, CITY CLERK
2e mtg. 5.29.2019

APPROVED AS TO FORM:


for ERIN K. MCSHERRY, CITY ATTORNEY

APPROVED:


MARY T. MCCOY, FINANCE DIRECTOR 

22763.510400
Business Unit Line Item

City of Santa Fe
Treasury Department
200 Levee Blvd
Santa Fe, New Mexico 87504-1000
505-833-8000



Business Hours: 8:00 AM to 5:00 PM
M-F, 10:00 AM to 4:00 PM, SAT
Business Location: 200 Levee Blvd,
Santa Fe, NM 87504
Customer Support: 505-833-8000
Website: www.santafe.org
Payment Info: Accepting All Major
Credit Cards

City of Santa Fe
Treasury Department
200 Levee Blvd
Santa Fe, NM 87504

City of Santa Fe is a proud member of the
National AIAA (Association of International
Airports and Airports) and is committed to
providing the highest quality of service to
our customers.

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/19/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Zia Insurance Agency, Inc. 810 Calle Mejia Suite 106 Santa Fe NM 87501		CONTACT NAME: CONRAD SCHOTT PHONE (A/C, No, Ext): (505) 983-7329 E-MAIL ADDRESS: conrad@ziainsurancesf.com FAX (A/C, No): (505) 986-6116	
INSURED ST. ELIZABETH SHELTER 804 ALARID ST SANTA FE NM 87505		INSURER(S) AFFORDING COVERAGE INSURER A: PHILADELPHIA INDEMNITY INS CO INSURER B: NEW MEXICO MUTUAL CASUALTY CO. INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES **CERTIFICATE NUMBER: 006** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		PHPK2069410	12/14/2019	12/14/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			PHPK2069410	12/14/2019	12/14/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 500,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	11253.126	1/5/2020	1/5/2021	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	EMPLOYEE DISHONESTY			PHPK2069410	12/14/2019	12/14/2020	LIMIT \$35,000 DEDUCTIBLE \$2,500


DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

LOCATION: 804 ALARID STREET SANTA FE, NM 87505

THE CERTIFICATE HOLDER IS AN ADDITIONAL INSURED

CERTIFICATE HOLDER

CANCELLATION

CITY OF SANTA FE PO BOX 909 SANTA FE, NM 87504	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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GB COMM SVS ST ELIZABETH SHELTER AMENDMENT 1 PACKET

Final Audit Report

2020-10-05

Created:	2020-09-29
By:	YODEL CATANACH (yocatanach@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAA7wSrDfRaUHsVKJyy1KlaMlrTmFM-ywnf

"GB COMM SVS ST ELIZABETH SHELTER AMENDMENT 1 P ACKET" History

-  Document created by YODEL CATANACH (yocatanach@ci.santa-fe.nm.us)
2020-09-29 - 11:45:23 PM GMT- IP address: 63.232.20.2
-  Document emailed to Alexis Lotero (aclotero@santafenm.gov) for signature
2020-09-29 - 11:54:01 PM GMT
-  Email viewed by Alexis Lotero (aclotero@santafenm.gov)
2020-10-05 - 3:45:24 PM GMT- IP address: 104.47.64.254
-  Document e-signed by Alexis Lotero (aclotero@santafenm.gov)
Signature Date: 2020-10-05 - 3:46:34 PM GMT - Time Source: server- IP address: 63.232.20.2
-  Document emailed to Fran Dunaway (fadunaway@santafenm.gov) for signature
2020-10-05 - 3:46:36 PM GMT
-  Email viewed by Fran Dunaway (fadunaway@santafenm.gov)
2020-10-05 - 4:11:17 PM GMT- IP address: 104.47.65.254
-  Document e-signed by Fran Dunaway (fadunaway@santafenm.gov)
Signature Date: 2020-10-05 - 4:15:53 PM GMT - Time Source: server- IP address: 63.232.20.2
-  Agreement completed.
2020-10-05 - 4:15:53 PM GMT



September 15, 2020

Board of Directors

Sam Baca

President

Rick Carboni

Vice President

Emily Smith

Secretary

Grant C. Davis

Treasurer

Members

Tonja Abeyta

Marcel Legendre

Dan Nickelson

Sunil Sakhalkar

Kathryn Ugoretz

Ex-Officio

Edward Archuleta

Executive Director

Julie Sanchez

Interim Division Director/Program Manager

Youth & Family Services Division

City of Santa Fe

PO Box 909

Santa Fe, NM 87504-0909

Dear Julie:

I am writing to amend our Professional Services Contract for the 2021 fiscal year (July 2020- June 2021).

Because of the impact of COVID-19, we have significantly reduced occupancy at both our emergency shelters – Men's and Casa Familia – to 10 individuals at each facility.

To date, these new guidelines have enabled us to avoid having any of our residential clients of staff contract the virus. But these precautions have caused a reduction in the total number of homeless individuals that we can provide navigation services.

Therefore we request changing Section 2. Scope of Work, Part A of the contract to:

The Contractor shall perform the following work:

- 1) A. Navigation services to a minimum of 100 unduplicated adult individuals and/or families x \$1,000 per individual/adult family.

Similarly, Section 3. Compensation, Part A, Numbers 1-2 should be changed to reflect these new rates

All other aspects of the contract will remain the same.

Thank you,

Edward Archuleta

Executive Director

804 Alarid Street
Santa Fe, NM 87505
(505) 982-6611
Fax (505) 982-5347
info@steshelter.org
www.steshelter.org

Funding Area	Agency	Program
Early Childhood & Supplemental Education AND Youth Wellness	Adelante (SFPS fiscal)	Support Services for Homeless Students
Early Childhood & Supplemental Education	Big Brothers Big Sisters	BBBS One-to-One Mentoring
Early Childhood & Supplemental Education	Breakthrough Santa Fe (SFPS fiscal)	Academic Enrichment School and Summer Program
Early Childhood & Supplemental Education	Communities in Schools	Communities in Schools
Early Childhood & Supplemental Education	Community Educators Network (SFCF fiscal)	CEN Out of School Time Programming
Early Childhood & Supplemental Education	Cooking with Kids	Cooking with Kids
Youth Wellness	Esperanza Shelter	UNSURE
Early Childhood & Supplemental Education	Fathers New Mexico	Young Fathers

Youth Wellness	Gerard's House	Nuestra Jornada (Our Journey)
Early Childcare & Supplemental Education AND Youth Wellness	Girls Inc. of Santa Fe	Stay Connected Initiative
Early Childhood & Supplemental Education	New Vistas	Early Childhood Intervention
Youth Wellness	Parent Involvement Program (SFPS fiscal)	Strengthening Families
Early Childhood & Supplemental Education AND Youth Wellness	Restorative Justice Program (SFPS fiscal)	Restorative Justice
Early Childhood & Supplemental Education	Santa Fe Recovery Center	Women and Children's Treatment Program

Youth Wellness	Sky Center	NM Suicide Intervention Project
Early Childhood & Supplemental Education	SFCC: Kids Campus	City of Santa Fe PreK Class
Early Childhood & Supplemental Education	SITE Santa Fe	Teen Education Program
Early Childhood & Supplemental Education AND Youth Wellness	Teen Parent Center (SFPS fiscal)	Teen Parent Program
Early Childhood & Supplemental Education	United Way	Bilingual Early Literacy Support
Youth Wellness	Youth Shelters and Family Services	Homeless Youth Project
Early Childhood & Supplemental Education AND Youth Wellness	YouthWorks!	YouthWorks!

Population Level Indicator(s)

Level 1 - Performance Measures

High school graduation rate; Housing instability # of clients served with safety net services; # of clients helped by navigator; # of youth service meetings

At my school, a teacher or other adult believes I will be a success # children served by one-on-one mentoring services, # families helped by navigator

High school graduation rate; at my school there is a teacher or other adult who believes I will be a success; outside of school I am involved in art, music, literature, sports or other hobbies # of participants; # of contact hours with students

At my school, a teacher or other adult believes I will be a success; High School Graduation rate; Habitual Truancy # clients helped by navigator

Outside of school I am involved in arts, music, literature, sports or a hobby # of children participating in afterschool programming; # of children participating in summer programming

At my school, a teacher or other adult believes I will be a success # of schools receiving nutrition education program; # of classrooms receiving nutrition education program; # of students receiving nutrition education program

Youth depression # of clients helped by navigator

% of youth not in school and not working # of clients helped by navigator

Youth depression; Youth attempted suicide # of clients served by GH programming; # of clients helped by navigator

High school graduation rate; youth depression; youth attempted suicide; youth alcohol use; # of girls served in Girls Inc programming; # helped by navigator

Increase in seven pre-K domains and KOT assessment total # children served; # children served by service type

juvenile arrest rates; current alcohol use; current binge drinking; current painkiller use to get high; current meth use; tried marijuana before age 13 # of unduplicated youth participants; # of family units participating; 3 of youth who complete a majority of the session

At my school a teacher or other adult believes I will be a success; skilled school because of safety concerns # of students served; # of teachers/administrators/parents trained in restorative justice; # of participants with suspensions; # of participants with detentions

% 3-5 year olds enrolled in Pre-K # of women with children age 0-17 receiving treatment services; # of direct services/activities provided to women with children

Youth depression; Youth attempted suicide	# youth assessed; # youth/families receiving counseling and hours provided; # life skills group participants and hours provided; # of Natural Helpers trained; meeting and school project implementation hours for Natural Helpers; # helped by navigator
-------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

% 3-5 year olds enrolled in Pre-K; % Increase in seven pre-K domains and KOT assessment	# of enrolled students
-----------------------------------------------------------------------------------------	------------------------

at my school there is a teacher or other adult who believes I will be a success	# of individual youth/students served; # of youth served considered to be "at risk" or "underserved"
---------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------

% pregnant teens receiving prenatal care in 1st trimester; high school graduation rate; at my school a teacher or other adults believes I will be a success	# unduplicated program participants; # of pregnant moms served; # of pregnant teens receiving prenatal care; # of youth helped by navigator
-------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------

% 3-5 year olds enrolled in Pre-K; % Increase in seven pre-K domains and KOT assessment	# of children served; # of families served; # of families helped by navigator
-----------------------------------------------------------------------------------------	-------------------------------------------------------------------------------

Housing instability	# of clients receiving housing services; # of clients helped by navigator; # of case management hours provided; # of life skills hours provided
---------------------	-------------------------------------------------------------------------------------------------------------------------------------------------

% of youth age 19-21 not in school or working; juvenile arrest rates (ages 10-17); youth depression	# unduplicated program participants; # of youth helped by navigator; total number served
-----------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------

Population Level Indicator(s)	Level 1 - Performance Measures
--------------------------------------	---------------------------------------

Level 2 - Performance Measures

Level 3 - Performance Measures

of eviction preventions; # of utility connections; # of homelessness preventions

of Adelante seniors who graduate; # of students with 94% or better attendance; # of students with 84% or better attendance; # of participants reporting improved circumstances

of youth demonstrating positive outcomes via the Youth Outcomes Survey; # of matched mentors lasting 6 months or longer

of youth reporting having a very important adult in their life

% of students retained from previous year

of students with improved reading and math scores; # of seniors who graduate; # of students with a C grade accessing tutoring services

of families referred to services; #/% meeting short-term and long-term goals

served reporting improvement in circumstances or positive changes in SDOH

% of youth who think they will do better in school this year

of youth who build friendships; # of youth who plan to go to college after high school

% of CWK classes using common core-aligned curriculum; average students:adult ratio in CWK classes; % of teachers wanting to participate in CWK

of family members participating in CWK volunteer program; # of teachers who believe CWK will provide hands-on engaging programming; # of teachers who believe CWK will increase students' awareness of healthy eating

/ % of families referred to services; # / % of families meeting short-term and long-term goals

of youth with decreased depression scores; # served reporting improvement in circumstances or positive change in SDOH

/ % of families referred to services; # / % of families meeting short-term and long-term goals

of clients reporting an increase in the time spent with their children; # served reporting improvement in circumstances or positive change in SDOH

of clients connected to services by navigator # who report increases in understanding how grief affects them and # with increased knowledge of how to take care of themselves when grieving; # served reporting improvement in circumstances or positive change in SDOH

of clients connected to services by navigator # of surveys administered and % with improved skills, knowledge, attitudes; # of participants promoted on time to the next grade level; # of navigation clients reporting improvement in circumstances or positive change in SDOH

of contact hours provided by service type # who increased their rate of growth by program exit; # of children who entered below their age expectations were functioning within their age functioning at exit

% of youth who complete a majority of the sessions # of youth who demonstrate an increase in protective factors (such as better communication, improved relationships, increased positive family experiences, increase in parent engagement), # of youth who report reduced substance use, # of youth with decreased arrests,

% of participants with suspensions; % of participants with detentions; # of disciplinary incidents that rise to administrative involvement level; # of students with improved communication skills; # of students with improved relationship building skills; # of youth with improved active listening skills; # of students who applied these skills in their personal life

% of staff with certification / training; average time from inquiry to first appointment (wait times); % of clients who found the program helpful # of clients off of alcohol at discharge and 6 months after discharge; # of women with children with stable housing; # of women with children working

% of youth satisfied with Sky Center services; # of youth helped by Natural Helpers	# and % of family participants with: decreased sadness, depression, decreased suicidal ideation, and increased hopefulness; # and % of Life Skills group participants with increased hopefulness and # meeting at least one of their service plan goals this quarter;
-------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

# of parent engagement hours	# of students who score 6 or 7 on ECERS
------------------------------	-----------------------------------------

% of students who report learning something new; % of students introduced to a mentor	# of students with improved SEL
---------------------------------------------------------------------------------------	---------------------------------

% of pregnant teens receiving prenatal care; total case management hours provided	# of seniors served who graduate; # of teens who report having an adult who believes they will be a success
-----------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------

# of clients connected to services by navigator; # or % of clients meeting short-term or long-term goals	# of children with growth in all seven domains; # of students/families with improved circumstances or positive change in SDOH
----------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------

% of youth meeting at least one of their service plan goals	# of young people age 17-21 provided transitional/residential housing; # of young people 18-21 provided independent housing; # of youth with improved circumstances or positive change in SDOH
-------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Average # case management hours per youth; # of youth receiving job training; # of youth connected to services by navigator	# of youth employed; # of youth with reduced depression scores; # of youth with reduced arrests
-----------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------

Level 2 - Performance Measures

Level 3 - Performance Measures

Level 4 - Performance Measures

Agency

% of Adelante seniors who graduate; % of students with 94% or better attendance; % of students with 84% or better attendance; % of participants reporting improved circumstances

SFPS: Adelante

% of youth reporting having a very important adult in their life; % of participants reporting improved circumstances

Big Brothers Big Sisters

% of students with improved reading and math scores; % of seniors who graduate; % of students with a C grade accessing tutoring services

SFPS: Breakthrough Santa Fe

% served reporting improvement in circumstances or positive change in SDOH

Communities in Schools

% of youth who build friendships; % of youth who plan to go to college

SFCF: Community Educators Network

% of teachers who believe CWK will provide hands-on engaging programming; % of teachers who believe CWK will increase students' awareness of healthy eating

Cooking with Kids

% of youth with decreased depression scores; % served reporting improvement in circumstances or positive change in SDOH

Esperanza Shelter

% of clients reporting an increase in the time spent with their children; % served reporting improvement in circumstances or positive change in SDOH

PIE: Fathers New Mexico

% who report increases in understanding how grief affects them and % with increased knowledge of how to take care of themselves when grieving; % served reporting improvement in circumstances or positive change in SDOH

Gerard's House

% of participants promoted on time to next grade level; % served reporting improvement in circumstances or positive change in SDOH

Girls Inc. of Santa Fe

% who increased their rate of growth by program exit; % of children who entered below their age expectations were functioning within their age functioning at exit

New Vistas

% of youth who demonstrate an increase in protective factors (such as better communication, improved relationships, increased positive family experiences, increase in parent engagement), % of youth who report reduced substance use, % of youth with decreased arrests.

SFPS: PIP Program

% of disciplinary incidents that rise to administrative involvement level; % of students with improved communication skills; % of students with improved relationship building skills; % of youth with improved active listening skills; % of students who applied these skills in their personal life

SFPF: Restorative Justice Program

% of clients off of alcohol at discharge and 6 months after discharge; % of women with children with stable housing; % of women with children working

Santa Fe Recovery Center

% of youth admitted to ER for self-injury who do not return to ER after receiving counseling from Sky Center; % of family participants with: decreased sadness, depression, decreased suicidal ideation, and increased hopefulness; % of Life Skills group participants with increased hopefulness and % meeting at least one of their service plan goals this quarter; % served reporting improvement in circumstances or positive change in SDOH

The Sky Center

% of students who score 6 or 7 on ECERS; Overall average ECERS score

SFCC: Kids Campus

% of students with improves SEL

SITE Santa Fe

% of seniors served who graduate; % of teens served who report having an adult who believes they will be a success

SFPS Teen Parent Center

% of children with growth in all seven domains; % of students/families with improved circumstances or positive change in SDOH

United Way

% of young people age 17-21 provided transitional/residential housing; % of young people 18-21 provided independent housing; % of youth with improved circumstances or positive change in SDOH

Youth Shelters and Family Services

% of youth employed; % of youth with reduced depression scores; % of youth with reduced arrests

YouthWorks!

Does NOT include CYFD indicators

Level 4 - Performance Measures

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 10/19/20
FOR CITY COUNCIL MEETING OF 10/28/20

h. Request for the Approval of Contract Amendment No.1 to Professional Service Contract – Change of Scope of Work as requested by contractor St. Elizabeth Shelter. (George Carrasco, gccarrasco@santafenm.gov, 505-490-6330)

COMMITTEE REVIEW:

Finance Committee: 10/19/20 Quality of Life
 Committee: 10/21/20
 Governing Body: 10/28/20

FINANCE COMMITTEE ACTION:

Approved on Discussion

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	FOR	AGAINST	ABSTAIN
COUNCILOR ROMERO-WIRTH	x		
COUNCILOR CASSUTT-SANCHEZ	x		
COUNCILOR LINDELL	x		
COUNCILOR VILLARREAL	x		
CHAIRPERSON ABEYTA	x		



City of Santa Fe

Treasury Department
200 Lincoln Ave.
Santa Fe, New Mexico 87504-0909
505-955-6551

BUSINESS REGISTRATION

Business Name: ST ELIZABETH SHELTER

DBA: ST ELIZABETH SHELTER

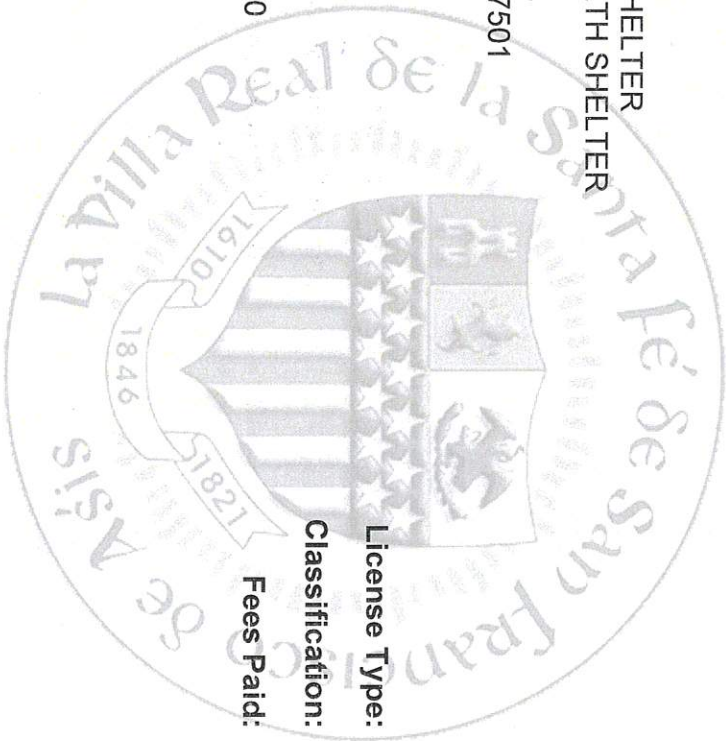
Business Location: 804 ALARID ST
SANTA FE, NM 87501

Owner: HENRY HUGHES

License Number: 225676

Issued Date: March 02, 2020

Expiration Date: December 31, 2020



License Type: Business License - Renewable

Classification: Business Registration - Standard

Fees Paid: \$35.00

ST ELIZABETH SHELTER
804 ALARID ST
SANTA FE, NM 87501

THIS IS NOT A CONSTRUCTION PERMIT OR SIGN PERMIT.
APPROPRIATE PERMITS MUST BE OBTAINED FROM THE CITY
OF SANTA FE BUILDING PERMIT DIVISION PRIOR TO
COMMENCEMENT OF ANY CONSTRUCTION OR THE
INSTALLATION OF ANY EXTERIOR SIGN.

THIS REGISTRATION/LICENSE IS NOT TRANSFERABLE TO
OTHER BUSINESSES OR PREMISES.

TO BE POSTED IN A CONSPICUOUS PLACE



City of Santa Fe, New Mexico

Memorandum



DATE: September 29, 2020

TO: Alan Webber, Mayor and City Council

VIA: Mary McCoy, Finance Department Director
Fran Dunaway, Chief Procurement Officer
Kyra Ochoa, Community Services Department Director

FROM: Julie Sanchez, Youth and Family Services Division Director

ITEM AND ISSUE:

Request for the Approval of Multiple Service Agreements in the Total Amount of \$ (3,749,652.00) for (Prevention and Intervention Services for the Youth of Santa Fe for three (3) years); (Multiple Vendors); (Julie Sanchez, jjsanchez@santafenm.gov and 505-570-7355)

BACKGROUND AND SUMMARY:

The Children and Youth Commission is one of the City of Santa Fe's oldest standing committees, which was formed by Resolution and then Ordinance to serve in an advisory capacity to the City Council concerning policy recommendations related to child development and youth issues. The founding Ordinance stipulates that the Committee shall make funding recommendations to the City Council from the Children and Youth Commission Fund to support nonprofit organizations that provide programs and/or services to children and youth throughout the City of Santa Fe. The Commission in partnership with the County wishes to ensure that essential services, which include primary health care, access to basic material goods and services like food and shelter, mental health counseling and related crisis services, are available to our residents. This year and beyond, we also intend to more directly support the people in agencies who help Santa Feans navigate a complex, sometimes challenging system of care, and to strengthen that system by supporting agencies in tracking and collecting data to show the scope of our community need and our collective impact on that need.

The Commission works cooperatively with the Community Services Department and Youth and Family Services Division staff throughout the year and advises on how to effectively plan, coordinate or support health and human issues in our community. The Commission has completed the process to review and recommend funding for contracting with nonprofit organizations.

PROCUREMENT METHOD:

On March 6, 2020, RFP#20/21/P was issued through the Purchasing Office with an amended receipt date of April 10, 2020.

The Commission reviewed each request individually based on the following variables: complete proposal packet, program summary; data collection; collaboration, fiscal and organizational stability.

On April 29, 2020 the Commission, split into subcommittees made their final funding recommendation, which will be presented to the Quality of Life Committee, Finance Committee and Governing Body for FY 2021-23 **(Please reference Appendix A and B for recommendations and descriptions of programs being recommended for funding)**. All contracts will expire on June 30, 2023.

CONTRACT NUMBER:

Multiple award recommendations were made by the Children and Youth Commission **(Please reference Appendix A for the Munis contract numbers)**

FUNDING SOURCE:

The funding source is:

Fund Name/Number: Children and Youth Fund/Fund 256

Munis Org Name/Number: Children and Youth/2560122

Munis Object Name/Number: Grants and Services/510400

ACTION REQUESTED:

The Community Services Department and the Youth and Family Services Division respectfully requests your review and approval.

APPENDIX A: Children and Youth Commission Recommended Funding for FY21-23

	Name of Nonprofit Organization	Name of Potential CYC Funded Program	Applicant Status	Tier		Recommended Yearly Funding	Funding Category/Goal Area	MUNIS
				Selected	Recommended			
1	Big Brothers Big Sisters Mountain Region	BBBS Mentoring SF	Previous Applicant	Tier II		\$ 50,000.00	Early Childcare and Supplemental Education	3202188
2	Communities in Schools of New Mexico	CIS Site Coordinator	Previous Applicant	Tier II		\$ 50,000.00	Early Childcare and Supplemental Education	3202189
3	Cooking With Kids	Cooking With Kids	Previous Applicant	Tier III		\$ 20,000.00	Early Childcare and Supplemental Education	3202191
4	Esperanza Shelter	Seeds of Hope	Previous Applicant	Tier II		\$ 37,000.00	Youth Wellness	3202192
5	Georgia O'Keefe - Community Educators Network	CEN Out of School Time	Previous Applicant	Tier III		\$ 37,000.00	Early Childcare and Supplemental Education	3202212
6	Gerard's House	Nuestra Jornada	Previous Applicant	Tier II		\$ 80,000.00	Youth Wellness	3202193
7	Girls Inc.	Girls Inc. Experience	Previous Applicant	Tier II		\$ 40,000.00	Youth Wellness	3202194
8	New Mexico Suicide Intervention Project	Youth Suicide Prevention	Previous Applicant	Tier II		\$ 75,000.00	Youth Wellness	3202195
9	New Vistas	Early Intervention	Previous Applicant	Tier I		\$ 20,000.00	Early Childcare and Supplemental Education	3202196
10	PIE - Fathers New Mexico	Fatherhood Services	Previous Applicant	Tier II		\$ 30,000.00	Early Childcare and Supplemental Education/Youth Wellness	3202197
11	PIE - Parent Involvement Program	Strengthening Families	Previous Applicant	Tier III		\$ 10,000.00	Youth Wellness	3202208
12	Santa Fe Recovery Center	Women and Children	Previous Applicant	Tier II		\$ 40,000.00	Early Childcare and Supplemental Education	3202198
13	SFCC - Kids Campus	Mixed PreK Extend Day	Previous Applicant	Tier III		\$ 70,000.00	Early Childcare and Supplemental Education	3202199
14	SFP - Breakthrough Santa Fe	Academic Enrichment	Previous Applicant	Tier III		\$ 27,000.00	Early Childcare and Supplemental Education	3212201
15	SFPS - Adelante Program	Expanded Liaison	Previous Applicant	Tier II		\$ 74,000.00	Early Childcare and Supplemental Education/Youth Wellness	3202202
16	SFPS - Restorative Justice Program	Restorative Justice	New Applicant	Tier III		\$ 50,000.00	Youth Wellness	3202209
17	SFPS - Teen Parent Program	Teen Parent Program	Previous Applicant	Tier II		\$ 96,328.00	Early Childcare and Supplemental Education/Youth Wellness	3202203
18	SITE Santa Fe	Art Education	Previous Applicant	Tier III		\$ 35,000.00	Early Childcare and Supplemental Education	3202204
19	United Way of Santa Fe County	Family and Community	Previous Applicant	Tier II		\$ 80,000.00	Early Childcare and Supplemental Education	3202205
20	Youth Shelters and Family Services	Homeless Youth Project	Previous Applicant	Tier II		\$ 100,000.00	Youth Wellness	3202206
21	YouthWorks	YouthWorks	Previous Applicant	Tier II		\$ 48,556.00	Youth Wellness	3202207
	Innovation Fund					\$ 100,000.00		
	Unite Us Licenses					\$ 20,000.00		3202210
	Data Consultant					\$ 60,000.00		
			Total:			\$ 1,249,884.00		

Tier Definition:

Tier I will focus on safety net services delivery, e.g. # of individuals served with units or items of service delivery such as food, clothes, hours of counseling, etc. and **sending and closing referral loops**.

Tier II will focus on not only on safety net services delivery and closing referral loops but also on **screening and navigation services**. Tier II respondents will screen for needs and connect individual clients to safety net services and navigate them to other priority community services.

Tier III will focus on services only. Organizations would be required to allow a city; county or partner agency navigator to be present if a need arises or participate in events for outreach and to collaborate when appropriate.



CITY OF SANTA FE PROCUREMENT CHECKLIST

Contractor Name: Various Nonprofit Providers see Appendix A

Procurement Title: RFP 20/21/P

Procurement Method: State Price Agreement Cooperative Sole Source Other

Exempt Request For Proposal (RFP) Invitation To Bid (ITB) Contract under 60K Contract over 60K

Department Requesting Community Services Staff Name Julie Sanchez

Procurement Requirements:

A procurement file shall be maintained for all contracts, regardless of the method of procurement. The procurement file shall contain the basis on which the award is made, all submitted bids, all evaluation materials, score sheets, quotations and all other documentation related to or prepared in conjunction with evaluation, negotiation, and the award process. The procurement shall contain a written determination from the Requesting Department, signed by the purchasing officer, setting forth the reasoning for the contract award decision before submitting to the Committees. .

REQUIRED DOCUMENTS FOR APPROVAL BY PURCHASING*

YES N/A

- Approved Procurement Checklist (by Purchasing)
- Memo addressed to City Manager (under 60K) Committees/City Council (over 60K)
- State Price Agreement
- RFP
- Evaluation Committee Report
- ITB
- Bib Tab
- Quotes (3 valid current quotes)
- Cooperative Agreement
- Sole Source Request and Determination Form
- Contractors Exempt Letter
- Purchasing Officers approval for exempt procurement
- BAR
- FIR
- Executed Contract, Agreement or Amendment
- Current Business Registration and CRS numbers on contract or agreement
- Summary of Contracts and Agreements form
- Certificate of Insurance
- All documentation presented to Committees
- Other: _____

Julie Sanchez Youth and Family Services Division Director 09/29/20

Department Rep Printed Name (attesting that all information included) Title Date

Fran Dunaway (Oct 5, 2020 10:02 MDT)

Purchasing Officer (attesting that all information is reviewed) Title Date

Include all other substantive documents and records of communication that pertain to the procurement and any resulting contract.

*



City of Santa Fe

Real Estate Summary of Contracts, Agreements, Amendments & Leases

Section to be completed by department

1. Munis Contract # Appendix A

Contractor: Various Non-profit Providers see Appendix A

Description: Children and Youth Commission recommended youth services for FY21-23

Contract Agreement Lease / Rent Amendment

Term Start Date: 07/01/2020 Term End Date: 06/30/2023

Approved by Council Date: _____

Contract / Lease: CYC recommended services for FY21-23

Amendment # _____ to the Original Contract / Lease # _____

Increase/(Decrease) Amount \$ _____

Extend Termination Date to: _____

Approved by Council Date: _____

Amendment is for:

2. **HISTORY of Contract, Amendments & Lease / Rent - Please Elaborate** (option: attach spreadsheet if multiple amendments)

3. Procurement History: RFP # 20/21/P

Spencer G. Hala
Spencer G. Hala (Oct 5, 2020 10:02 MDT)

Purchasing Officer Review:

Oct 5, 2020
Date:

Comment & Exceptions: awards form RFP #20/21/P CYF closed 4/7/20

4. Funding Source: Children and Youth Fund

Alexis Lotero
Alexis Lotero (Oct 5, 2020 09:02 MDT)

Budget Officer Approval:

Org / Object: 2560122.510400
Oct 5, 2020
Date:

Comment & Exceptions: _____

Staff Contact who completed this form: Julie Sanchez Phone # 505-955-6678

Email: jjsanchez@santafenm.gov

To be recorded by City Clerk:

Clerk # _____

Date of Execution: _____

APPENDIX B – FY21-23 Children and Youth Proposal Summaries

1. BIG BROTHERS BIG SISTERS MOUNTAIN REGION

Big Brothers Big Sisters Mentoring, Santa Fe: One-to-one mentoring provides children in Santa Fe facing adversity with a change to overcome challenges through strong, long-lasting, high quality, professionally supported one-to-one mentoring relationships with caring volunteer mentors.

Yearly service projections (unduplicated): Provide services to 600 participants ages 5-18

2. COMMUNITES IN SCHOOLS (CIS) OF NEW MEXICO

CIS Site Coordinator Project: CIS places full time, social-worker trained Site Coordinators in high poverty public schools to serve students in need. Site Coordinators work with school and community stakeholders to conduct a needs assessment and deliver supports that lead to improvements in attendance, academics, behavior family engagement and basic needs.

Yearly service projections (unduplicated): Provide services to 150 participants ages 3-18

3. COOKING WITH KIDS, INC

Cooking with Kids Santa Fe: Cooking with Kids educates and empowers children and families to make healthy food choices, CWK's hands-on-food and nutrition activities allow students to explore, prepare and enjoy, affordable foods from diverse cultural traditions.

Yearly service Projections (unduplicated): Provide services to 4950 participants ages 4-13

4. ESPERANZA SHELTER, INC

Seeds of Hope Children's Program: Therapists and Life Skills Coordinators work with children to access trauma and depression in children who have experienced domestic violence. The program is designed to help youth heal from trauma and build resilience.

Yearly service projections (unduplicated): Provide services to 50 participant's ages 0-18

5. Georgia O'Keeffe – COMMUNITY EDUCATORS NETWORK

Out of School Time Programs: SFCEN Partners, including museums, gardens, environmental organizations, and others, will provide high quality out of school time programs after school and in the summer to reduce the gaps in summer learning loss and provide more equitable access to community resources, to help children and youth succeed in school and graduate.

Yearly service projections (unduplicated): 25 participants ages 5-13

6. GERARDS HOUSE

Nuestra Jornada (Our Journey) & Semicolon group: Nuestra Jornada is a weekly immigrant support group for Latino immigrant students in Santa Fe schools who are grieving the death of—or separation from—a parent or family member. Semicolon group-suicide-prevention addressing youth attempted suicide and those who have contemplated suicide, this weekly peer support group is a collaboration between Gerard’s House and the Sky Center/New Mexico Suicide Intervention Project.

Yearly service projections (unduplicated): Programming to 200 participants (Nuestra) and 30 participants (Semicolon) ages 4-21

7. GIRLS INC.

Girls Inc. Experience: The program improves the mental and physical health of low-income, underserved girls in Santa Fe and provides education and career opportunities by giving girls the knowledge, skills, and confidence they need to overcome the gender, economic and social barriers they face.

Yearly service projections (unduplicated): 500 participants ages 5-18

8. NEW MEXICO SUICIDE INTERVENTION PROJECT/SKY CENTER

Youth Suicide Prevention Services: Our purpose is saving young lives from hopelessness, fear, anxiety, isolation and suicidal risk. We believe in a life affirming approach, connecting vulnerable children and young people to their family, school and community.

Yearly service projections (unduplicated): 515 participants ages 0-21

9. NEW VISTAS

Early Intervention Program: Assists children from birth to three who are at risk for developmental delays through the provision of home and community based early intervention services. These services are provided to both the child and the family as a whole and help to support strong families, positive early learning experiences and good health for infants and toddlers enrolled in the program.

Yearly service projections (unduplicated): 300 participants ages 0-3

10. PIE – FATHERS NEW MEXICO

Fatherhood Services: Fathers New Mexico provides Dad’s groups and case management for dads. Programming supports development needs of children, tools for conflict management and parenting skills. Navigation will include education options, employment, money management, child support, etc.

Yearly service projections (unduplicated): 50 participants ages 13-21

11. PIE – PARENT INVOLVEMENT PROGRAM

Parent Involvement Program (PIP): Program for teenage youth and their families. Youth are referred by Teen Court of Santa Fe County, SFPS Counselors, and school based therapists after involvement in alcohol or other drug related offenses. This program consists of youth and parent sessions that utilizes the evidence-based Strengthening Families Program curriculum. *Partially CYFD funded.*

Yearly service projections (unduplicated): 200 participants ages 10-17

12. SANTA FE RECOVERY CENTER

Women and Children’s Program: SFRC Women and Children’s Program: Navigation program to support Women and Children currently receiving inpatient recovery services.

Yearly service projections (unduplicated): 60 participants ages 0-3

13. SFCC – KIDS CAMPUS

Mixed PreK Extended Day Early Childhood Education: Kids Campus continues to build a continuum of excellence in learning and development opportunities for infants and toddlers that allows children with the highest needs to progress through a program that is proven effective and is a coordinated system that is child-centered, developmentally appropriate and based on data, research and best practice.

Yearly service projections (unduplicated): 16 participants ages 3 and 4.

14. SFP – BREAKTHROUGH SANTA FE

Academic Enrichment School Year and Summer Program: Breakthrough Santa Fe (BTSF) is a year-round, tuition free, college access program for motivated, underserved middle and high school students from SFPS. Part of a national collaborative of 25 Breakthrough sites, BTSF provides extra tutoring, intensive college and financial aid counseling and one-on-one family support to our students,.

Yearly service projections (unduplicated): 213 participants ages 12-18

15. SFPS – ADELANTE PROGRAM

Expanded Liaison Project: Adelante staff provides direct services and navigation services to students, youth and families who are experiencing homelessness in Santa Fe County. Services provided by liaisons include access to affordable housing, access to food, clothes, and school supplies, links to academic support such as

tutoring and mentoring, and links to outside agencies to ensure physical, behavioral, and mental health needs can be met.

Yearly service projections (unduplicated): 166 participants ages 0-18

16. SFPS RESTORATIVE JUSTICE PROGRAM

Restorative Justice Program: Expansion of programming into grades K-9 to improve and strengthen student-teacher relationships and create safe, compassionate elementary schools.

Yearly service projections (unduplicated): 1000 participants ages 6-13

17. SFPS TEEN PARENT CENTER

Teen Parent Program: Intensive navigation services for teen parents that assist their health and academic needs, includes referrals to appropriate agencies such as: health and nutrition services, social services, relationship support services, post-secondary institutions and job readiness services.

Yearly service projections (unduplicated): 50 participants ages 14-21

18. SITE SANTA FE

Art Education Programs for Youth: Structured, high quality and engaging art programming supporting middle school and high school students that build self-confidence, learning skills, and encourage critical thinking. Programming is targeted to local schools and communities whose youth are underserved by art education opportunities, are at-risk due to poverty and other socio economic reasons, and who are typically underrepresented in the world of contemporary art.

Yearly service projections (unduplicated): 1000 participants ages 10 to 21

19. UNITED WAY OF SANTA FE COUNTY

Family and Community Connections: Provides full-day/full-year dual language PreK and Early Learning Programming to families in Santa Fe.

Yearly service projections (unduplicated): 102 participants ages 3 and 4

20. YOUTH SHELTERS AND FAMILY SERVICES

Homeless Youth Project (HYP): HYP provides supportive services for teens and young adults residing in the Transitional Living Program (TLP) apartments and the Supportive Transitions to Adulthood through Rapid Rehousing (STAR) apartments. The goal of HYP is to offer a path to sustainable and secure independent living for homeless, runaway, and in-crisis youth in Santa Fe. Youth are provided housing for

up to two years while they gain education, workforce opportunities, and life skills so they can live independently upon exit from the programs.

Yearly service projections (unduplicated): 50 participants ages 17 – 21

21. YOUTHWORKS

Education Re-engagement Program: Provides safety net services to assist youth in-need of re-entering the education system from exiting juvenile detention or transitioning from being 'disconnected' while being provided tutoring, family services, and workforce preparedness.

Yearly service projections (unduplicated): 50 participants ages 12 - 21











GB COMM SVS MULTIPLE VENDORS RFP 20-21-P PART 1

Final Audit Report

2020-10-05

Created:	2020-10-01
By:	YODEL CATANACH (yocatanach@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAOCi0kFFdJJSjsA0g5j8lQP47FAV73c2B

"GB COMM SVS MULTIPLE VENDORS RFP 20-21-P PART 1" History

-  Document created by YODEL CATANACH (yocatanach@ci.santa-fe.nm.us)
2020-10-01 - 1:16:36 AM GMT- IP address: 63.232.20.2
-  Document emailed to Alexis Lotero (aclotero@santafenm.gov) for signature
2020-10-01 - 1:18:06 AM GMT
-  Email sent to jjsanchez@santafe.nm.gov bounced and could not be delivered
2020-10-01 - 1:18:21 AM GMT
-  Email viewed by Alexis Lotero (aclotero@santafenm.gov)
2020-10-01 - 8:13:06 PM GMT- IP address: 63.232.20.2
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-  Document e-signed by Alexis Lotero (aclotero@santafenm.gov)
Signature Date: 2020-10-05 - 3:02:45 PM GMT - Time Source: server- IP address: 63.232.20.2
-  Document emailed to Fran Dunaway (fadunaway@santafenm.gov) for signature
2020-10-05 - 3:02:46 PM GMT
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City of Santa Fe
Children and Youth Commission
Strategic Plan FY21 and Beyond

December 23, 2019



CITY OF
Santa Fe

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I. EXECUTIVE SUMMARY

The Children and Youth Commission (CYC) was formed by Resolution 1989 and is charged by the City of Santa Fe by an Ordinance in 1998 with surveying and assessing the needs of the children and youth within the city of Santa Fe, identifying and recommending to the governing body existing legislation, policies and programs that promote the healthy development of young people, determining priorities for program development, advocating in the community on behalf of children and youth, and planning short and long range improvements for young people, from birth through the age of twenty-one (21).

The Commission receives up to four percent of the gross receipts tax and administers funding to local nonprofits and Santa Fe Public Schools on a now three-year funding cycle at approximately \$1.2 million annually (funding amount varies due to GRT fluctuations). The purpose of the fund is to support community programs that promote the healthy development of children and youth, ages birth to twenty-one (21). The Commission works in partnership with the City liaison of the Youth and Family Services Division to provide advice on ways to effectively plan, coordinate and support child and youth efforts in the Santa Fe community and present a plan to the governing body for approval.

In 2019, as part of an overall strategy to create effectiveness and efficiency in the funding and community work that comes out of the Youth and Family Services Division, the Santa Fe Regional Juvenile Justice Board successfully merged with the Children and Youth Commission. The Santa Fe Regional Juvenile Justice Board brings extensive knowledge on opportunity and juvenile justice involved youth as well as \$198,000.00 in state Children, Youth and Families Department (CYFD) Juvenile Justice Prevention funding.

The newly merged Commission strives to see positive results in the lives of community members—including improved health, improved behavioral health, improved sense of safety, and more equitable access to the kinds of opportunity that allow all constituents to achieve their full potential. The Commission is working towards affecting the overall health, safety, and quality of life of all children in Santa Fe. During the FY20 Children and Youth Commission Strategic Planning Retreat, the Commission in partnership with the Data Consultants reviewed current assessments and up-to-date data within the youth services field and compared, revised and realigned their core priorities for funding. A new strategy was adopted to address some of our community's most urgent needs. This strategy is navigation services based on the Accountable Health Community model and screening for needs related to the social determinants of health. The Accountable Health Community model is a well-coordinated system of care, which is crucial for those who seek access to safety net services to allow youth and their families to thrive. The community model is made up of many youth and adult health and human service providers brought into alignment, not only by their desire to help clients and patients, but also by local funders and our alignment. The Commission and Community Services Department values people served by the system we create, having a voice in shaping and impacting the services they need.

In 2019, the newly merged Children and Youth Commission developed a strategic plan framework, referred to as the "Ends Framework" (see page 7), as well as collaboratively created Shared Values, Guiding Principles, Vision and Mission Statement as outlined below.

SHARED VALUES

Connection
Equity

Imagination
Gratitude

Compassion

GUIDING PRINCIPLES

These will lead the CYC in ANY situation that may arise. They influence performance, drive behaviors, and are ESSENTIAL in decision-making. These are front and center during every meeting, so Commissioners can refer back to them and make sure they are following them in all the work they do.

1. We believe in **connection**, therefore we will work collaboratively to make decisions to benefit our community
2. We believe in **connection**, therefore we will listen to and integrate feedback from agencies we work with and the community.
3. We believe in **equity**, therefore we will work to eliminate barriers to opportunity and value every voice at the table.
4. We believe in **equity**, therefore we will learn about disparities in our communities to promote fairness and address discrimination.
5. We believe in **imagination**, therefore we will seek creative and innovative solutions.
6. We believe in **imagination**, therefore we will think beyond what has been done previously.
7. We believe in **gratitude**, therefore we will celebrate successes.
8. We believe in **gratitude**, therefore we will be thankful for the strengths and diversity of our community.
9. We believe in **compassion**, therefore we will acknowledge hardship and meet people where they are at.
10. We believe in **compassion**, therefore we will respect differences, listen to each other, and hold the people we serve in mind.

Vision: A connected community where all children and youth have support and opportunity to thrive.

Mission: We advocate for and provide resources to organizations and community projects. Together we creatively address barriers that result in outcomes by engaging children, youth, and families in Santa Fe.

The Children and Youth Commission is pleased to present the annual Strategic Plan for 2019-2020 which reflects key decisions made in the annual strategic planning session held in the fall of 2019, as well as builds upon the planning efforts of the 2016, 2017 and 2018 Children and Youth Commission that outlined a strategic framework focused on two priority areas including:

1. Early Childcare and Supplemental Education
2. Youth Wellness

The CYC Strategic Plan also presents key goals for the commission for FY20 and beyond.

Acknowledgments

The City of Santa Fe wishes to thank the members of the Children and Youth Commission who helped to create this plan and who serve as volunteers to implement the plan throughout the year.

Children and Youth Commission Members

Joanne Lefrak, Co-Chair
Richard Lindahl, Co-Chair
Lisa Salazar, Vice Chair
Jennifer Romero, Vice Chair
Deacon Anthony Trujillo
Andrea Sandoval
Crystal Ybarra
Heather Smallwood
Judge Mary Marlow Sommer
Tommy Rodriguez
Mark Dickson
Joseph Jordan-Berenis
Gus Martinez

Children and Youth Commission Non-Voting Members

Chief Andrew Padilla
Teya Martinez

Youth and Family Services Division Staff and Consultants

Kyra Ochoa, Community Services Department Director
Julie Sanchez, Interim Youth and Family Services Division Director/Program Manager
Maria Perez, Democracy Unlimited LLC, Strategic Planning Consultant
Natalie Skogerboe and Arianna Trott, Aspen Solutions, Data Development Consultants

II. STRATEGIC FRAMEWORK

A. Overarching Issues

The Children and Youth Commission adopted the Ends Framework to provide a structure for establishing funding priorities and making funding decisions. The rationale for using this framework is that it addresses some of the overarching issues that have limited the degree of our impact in the past.

The overarching issues that the framework will help to address include the following:

- Improved structure on the rationale for establishing funding priorities;
- Setting targets for continuous improvement on shared goals with community partners and other funders;
- Focusing efforts on continuous improvement and increased impact;
- Providing a mechanism for sustaining efforts over time irrespective of changes in leadership or staffing;
- Using a common language around population and performance accountability; and
- Committing to support data collection and analysis capacity within the City and with grantees to measure and report success over time.

B. Children and Youth Commission Role/Value Proposition

At the strategic planning retreat, Committee members were asked “What does/should it look like when we are doing our best work?” The following is a compilation of ideas shared that help to define the committee’s role and their potential value to the community.

OUR CAUSE/TARGET POPULATION SERVED	OUR ACTIONS	OUR IMPACT
<ul style="list-style-type: none"> • Children and youth 0-21 including those most at need (poverty, lack of opportunities, struggling with school or mental or physical health challenges) • Children and youth throughout all parts of the city • Youth at risk for juvenile offenses 	<ul style="list-style-type: none"> • Funding that is focused on improving the quality of life for children and youth • Support youth programs throughout the City especially where there is greatest need • Have the best interest of children and youth at the forefront • Focus on accountability to results • Assist community providers with the technical support they need to collect and analyze data to improve outcomes for youth • Streamlined and more efficient funding process and administration • Adequate RFP support • Alignment with other funders on shared goals • Support of programs that help kids read and have more enrichment opportunities • Work with stakeholders, funders and partners to foster coordination and alignment as it relates to the Mission of the commission • Review of programs and services to align with outcomes • Provide leadership and technical assistance on best practice models • Work with the governing body to receive direction and guidance as brought forth by the commission through their strategic plan • Ensure the program is true to mission and serve children most in need 	<ul style="list-style-type: none"> • Leveraged resources and more effective and impactful services • Clearer focus and increased contribution to turn the curve on specific community issues • A broader and deeper impact through improved collaboration • Enhanced capacity of organizations to get funding from other resources • Quality contract management and oversight • Better outcomes for Santa Feans through collective impact where possible • Improved outcomes (both short and long-term outcomes for the populations served) • Enhanced capacity of organizations to demonstrate their contributions and continuous improvement in performance to help Santa Fe children and youth • Deeper understanding of what is happening in our community will help us better respond to those needs • Governing body is informed and prepared to discuss impact of funding allocated.

C. Ends Framework

The purpose of the Children and Youth Commission Fund is to support community programs that promote the healthy development of children and youth, ages birth to twenty-one (21). The Children and Youth Commission identified two categories based on an analysis of critical community needs as directed in the Ordinance.

The chart below is the Ends Framework adopted by the Children and Youth Commission for FY20 and beyond.

Funding Category	Priority Indicators/Desired Results
Early Childcare and Supplemental Education	<p>Indicator:</p> <ol style="list-style-type: none"> 1. % 3-5 yr. old Pre K Enrollment 2. % Increase in 7 Pre-K Domains: NM Pre-K Observation Assessment; KOT 3. High School Graduation Rate 4. Outside of school, I am involved in music, art, literature, sports, or a hobby 5. At my school, a teacher or other adult who believes I will be a success 6. Habitual Truancy <p>Outcome:</p> <ul style="list-style-type: none"> • Children 0-4 meet developmental milestone and are ready for kindergarten <p>Outcome:</p> <ul style="list-style-type: none"> • Children and youth succeed in school and graduate
Youth Wellness	<p>Indicator:</p> <ol style="list-style-type: none"> 1. % Teen Pregnant with Prenatal Care in the First Trimester 2. Rate of Babies Born to Adolescents Per 1K (ages 15-17) 3. Skipped School because of Safety Concerns 4. % of Youth 19-21 Not in School or Working 5. Juvenile Arrests per 1K (ages 10-17) 6. Housing Instability Percentage <p><u>Mental Health</u></p> <ol style="list-style-type: none"> 7. Youth Depression 8. Youth Attempted Suicide (9-12 grade) <p><u>Alcohol Use</u></p> <ol style="list-style-type: none"> 9. Current Alcohol Use 10. Reported Binge Drinking (Past 30 Days) <p><u>Other Substance Use</u></p> <ol style="list-style-type: none"> 11. Current Use of Painkillers to get High 12. Current Methamphetamine Use 13. Current Heroin Use 14. Tried Marijuana for the First Time before age 13 <p>Outcome:</p> <ul style="list-style-type: none"> • Youth are mentally and physically healthy <p>Outcome:</p> <ul style="list-style-type: none"> • Youth are re-engaged in traditional or non-traditional academic pathways

**A further data breakdown, which includes Opportunity Youth is found on page 16; appendix A

D. Community-wide Challenges

The following chart outlines the CYC’s funding priority areas with a description of the challenges that the commission seeks to address in collaboration with community partners. The first column shows the four CYC funding categories; the second column describes the community-wide challenges that have been identified as critical needs in each area.

Turning the curve on population level indicators cannot be accomplished by one organization, but will take the combined efforts of many partners and community members. The Children and Youth Commission is looking to partner with and support organizations, institutions and community members that would like to contribute toward the collective effort to improve the community outcomes and indicators, especially for the most vulnerable populations.

Community-wide Challenges (2019)

Funding Category and Outcome	Community-wide Challenge: How we are doing as community on child and youth outcomes?
<p>Early Childhood and Supplemental Education</p> <p><i>Outcome: Children 0-4 meet developmental milestones and are ready for kindergarten.</i></p> <p><i>Outcome: Children and youth succeed in school and graduate</i></p>	<ul style="list-style-type: none"> • The percent of women receiving prenatal care in the first trimester has decreased from 76.1% in 2015 to 65.9% in 2017. • Only half of all four-year olds were attending PreK or Head Start in 2014. In 2017, only 26% of need was met for PreK slots (NMECDP). • Population data are currently not available on children 0-4 meeting developmental milestones. Proxy data from the NM Kindergarten Observation Tool on the seven domains, and statewide data has yet to be released. <i>Updated data TBD from the Santa Fe Data HUB.</i> • Evidence-based early intervention/education efforts are shown to make a difference in ensuring that young children are nurtured and better prepared to learn and succeed in school. However, Santa Fe does not have access to universal 3- and 4-year old early childhood education or universal home visiting. There remains a shortage of quality full-day programs with before- and aftercare that working families need. • The four-year graduation rate in 2017 was 68.9%, down slightly from the 71.3% rate in 2016. However, the graduation rate trend has increased over time from the rates in 2009 through 2013 that ranged at or below 60%.In 2018, graduation rates for high schools in Santa Fe ranged from 38.1% to 87.6%. • The SFPS district wide truancy rate was 29.3% in the 2017-2018 school year.

<p>Youth Wellness</p> <p><i>Outcome: Youth are mentally and physically healthy</i></p> <p><i>Outcome: Youth are re-engaged in traditional or non-traditional academic pathway</i></p>	<ul style="list-style-type: none"> • A significant number of youth are struggling with mental health issues. As of 2016-2017 48.9% of youth statewide age 3-17 had an issue with accessing mental health care (National Survey of Children’s Health). Almost 40% of High School Youth in Santa Fe struggle with depression (39.8%, YRRS 2017), and 8.8% report attempting suicide in the past year (YRRS 2017). <i>2019 YRRS data was just collected and will be released in 2020.</i> • As of 2017 there has been a decrease in the rate of alcohol and some drug use among youth. For example, binge drinking decreased from 14.6% in 2015 to 10.9% in 2017. However, youth substance use continues to be a concern and it is linked with other risky behavior. Marijuana use has increased from 25.3% in 2015 to 27.3% in 2017; painkiller and heroin use has decreased; but inhalant and cocaine use increased from 4.5% to 5.1%. While reported painkiller and heroin use is down, youth at high risk for drug use continue to be those unstably housed, transgendered or gender non-conforming and youth identifying as LGBT (2017 YRRS). <i>2019 YRRS data was just collected and will be released in 2020.</i> • In 2016, 24.8% of children in Santa Fe County were living in poverty. As of 2017 that number has decreased to 18.2%. Meal gaps exist including on weekends, holidays and summer for families with high rates of food insecurity; 12.6% of Santa Fe residents report having insufficient food, 2016. • Though more students are graduating high school overall, there has been a downward trend in the number of youth pursuing college or certificate programs, as well as an equity gap in post-secondary enrollment for males and Hispanic females. • Chronic truancy is considered a predictor for adolescents dropping out of school and in the 2017-2018 school year 29.5% of students were chronically truant. • The number of disconnected youth living in Santa Fe County has increased, with 1 in 6 of teens and young adults now disconnected from school or work (Santa Fe Community Baseline Report, 2016). Engaging students to stay in school and graduate with a pathway to college or a career (through certification, alternative education or job training) continues to be a significant challenge. • In 2017 61% of disconnected youth were not enrolled in school, and not taking high-school equivalency coursework. Of this subpopulation, 26.9% were between the ages of 14-18. The largest challenges related to school for respondents were housing insecurity, inadequate transportation, other family responsibilities, poor grades, or having to work rather than going to school (Reconnecting Youth Survey). • The incidence of juvenile arrest in Santa Fe County has steadily declined since 2011 with crimes by youth ages 12-17 dropping from 1,141 to 810 in 2017.
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Data Sources: Further data and details about community-wide needs for children and youth can be found in the Santa Fe Community Baseline Reports for Early Childhood, K-12, and Re-engagement of Disconnected Youth, developed by the Opportunity Santa Fe Backbone team in 2016, as well as NM PED and SFPS data reports, the

Youth Risk and Resiliency Survey 2017, the Reconnecting Youth Survey and CHRISTUS St. Vincent Regional Medical Center Community Health Needs Assessment. 2019 YRRS data was just collected and will be released in 2020.

E. FY20 Data Development Agenda

Reliable and valid data collection has been a challenge for many of the CYC grantees to collect. The Data Development Project was initiated to support CYC grantees with collecting data to show program impact. The Results Based Accountability (RBA) framework and methodology was used to look at the quality and efficiency of these services. Three simple questions are posed to get at the most important performance measures:

- How much did we do?
- How well did we do it?
- Is anyone better off?

The CYC contracted with Aspen Solutions to complete the final phase of the CYC data project which took approximately three years, and all of the CYC grantees received consultation around RBA performance measures and data development support. Although performance measures were put in place, a data system was still lacking to track outcomes and trends. As of late 2019 the Human Services Committee contracted with a software company, Unite Us to track the navigation of clients from interaction, referral to outcomes all within a simple to use system. The CYC grantees will be using this system in FY21.

Unite Us is a system that builds and scales a coordinated care network; proactively identifies service gaps and at-risk populations; tracks outcomes in real-time and views client progress in meeting needs; and can determine what works and review the impact of community interventions.

The CYC is dedicated to continuing its data project to assist agencies with both the transition into the new software system as well as to continue building baselines and tracking performance measures. Funded agencies will continue to receive these services from the CYC Data Consultant free of cost.

III. RATIONALE FOR DISTRIBUTION OF FUNDS

The following section outlines the recommendations from the Children and Youth Commission related to the rationale for distributing CYC Funds. The Commission adopted the following starting in the FY21-24 funding cycle:

- Grant year expanded to an additional year of funding, total grant cycle would be 3 years v. 2 years in the previous funding cycle
- Alignment of funds to the current CYC outcomes and indicators as outlined in the Ends Framework
- Continued funding of an Innovation and Small Grant Fund to support special projects at lower funding level, with streamlined application and reporting requirements
- Navigation and grantees joining the navigation network as a strategy on getting youth connected to the services they need to thrive in the community; a tiered funding strategy needs to be developed to insure services are funded and delivered appropriately
- Priority given to programs or projects that address equity by serving those who are underrepresented and/or have struggled to access services and opportunities or address a service gap, and to programs or projects that collaborate with other non-profit organizations

A. Expanded Grant Cycle

Commission members adopted a three (3) year funding cycle in order to create a better opportunity to collect and analyze data over a longer period. This grant alignment allows funding to follow other funders in the community as well as annual assessments that are released on three-year cycles.

B. Innovation and Small Grant Fund

Commission members implemented a new Innovation and Small Grant Fund in 2017-2018 to support special projects that promote healthy child and youth development and resiliency but may not meet all requirements for CYC funding in priority funding categories. Funding will continue in the new grant cycle. Organizations can apply for smaller grants of either \$2,500 or \$5,000 to support innovation through a separate and streamlined RFP with fewer application and reporting requirements, allowing them to maximize the use of funds toward program innovation. The Innovation and Small Grant Fund has a priority deadline but also remains open throughout the two-year cycle to allow CYC to respond to emerging opportunities throughout the year.

C. Navigation Strategy, Results Based Accountability and Tiered Service Delivery

Over the past 2 years grantees of Children and Youth Commission funding have delivered an array of services and programs including but not limited to behavioral health interventions, food distribution, supplemental education classes, trauma intervention and employment programming. At the heart of these services is provision of safety net services and navigation to other needed services. When people get the help they need, we expect that we will see improved health outcomes. “Navigators”—or the people helping individuals through the system—are key to success. Over the last 2 years of the data project, we have seen initial results of the work of the safety net and the navigators working within it: increases in permanently housing the homeless, reduction of habitually truant children and youth, increased participation

in afterschool activities, and a reduction of symptoms associated with PTSD and depression, for example. In joining in a strong referral network system using RBA and navigation based services, we can track client outcomes and continue making progress for the people being served. A tiered service delivery system is being developed, while possibly modeled after the Human Services Committee funding the complexity of serving the youth population requires additional thought and consideration. Once completed the tiered system will be included in the strategic plan as an amended appendix.

Results Based Accountability

To ensure that funding is having a direct impact on the overall well-being of families and individuals within the community, the Children and Youth Commission uses Results-based Accountability (RBA) Framework and End/Results with Community Indicators. RBA is simple, intuitive and rooted in common sense. It is a process which communities, agencies and teams can use to focus on results/outcomes to make a positive change for communities and clients. RBA drives continuous improvement in teams, programs and agencies through a variety of means. As a strategic planning tool, it keeps us focused on always doing better than our own past performances.

Population accountability is about improving the quality of life for a whole population that is defined by geography and/or characteristics.

Other key aspects of population accountability:

- No single agency or program is responsible for population health, but the more we agree on strategies and coordinate our efforts, especially in a City the size of Santa Fe, the more we can hope to improve the condition of our population.

Performance accountability is about the client results/outcomes that are being achieved by a program, agency or service system. With performance accountability, we ask:

- How much did we do?
- How well did we do it?
- Is anyone better off?

D. Priority to Projects Addressing Disparities and Gaps

Priority is given to projects that address equity by serving those who are underrepresented and/or have struggled to access services and opportunities. For example, data show that a growing number of Santa Feans have obtained health insurance over recent years (CHRISTUS St. Vincent Community Health Needs Assessment, 2019). However, there is evidence that some sub-groups and neighborhoods continue to have a high number of uninsured children, youth and families. Organizations that seek to address this inequitable access to opportunity and services would be prioritized for funding in order to direct resources to areas of greatest need. Another example of funding prioritization might be to organizations that demonstrate quality programs and results and increase “Out of School Time (OST)” opportunities for children and youth from high-poverty neighborhoods and schools.

E. Rationale for Funding Decisions

Funding Decisions Based on Performance Results

The Children and Youth Commission members recommend that funding be awarded to grantees that demonstrate excellence on the CYC funding criteria. The criteria includes the following:

- Alignment with the City Children and Youth Commission priority outcomes and indicators as outlined in the Ends Framework and RFP
- Demonstration of a plan to address disparities, gaps and report on results
- Demonstration of performance accountability for services they provide (e.g. data on how children or youth are better off as a result of the service provided)
- Prior history on grants awarded over the past funding years including on-time reporting, progress on performance measures, appropriate and timely use of past awards
- Effectiveness of collaboration with other non-profit organizations, partners and the City Youth and Family Services Division
- Project budget rationale
- Qualifications of personnel
- Completion, timeliness of application materials

A revised RFP and scoring rubric will be used to score applicants on the criteria above and funding amounts will be awarded according to the formula below. The chart below is based on 100-point total score on criteria and is flexible per funding needs:

Final Approved Funding Matrix for FY21

Evaluation Score Range	Evaluation Score Range Level	Project/ Program Funding Ceiling
89 and above ↑	High	Award ceiling \$100,000 ↑
79 and above ↑	Medium	Award ceiling \$80,000 ↑
69 and above ↑	Low	Award ceiling \$60,000 ↑
<60	Below	No funding recommendations

- *Exception: Innovation and Small Grant fund awards would not be determined by above formula but determination is two set amounts, either \$2,500 or \$5,000.*
- *Criteria includes assessment of project budget (does budget make sense?)*
- *Assumption – City is supporting a higher level of funding for projects that align to priorities and support agencies with high potential to make an impact/contribute toward turning the curve.*

F. Analysis of Pros and Cons/Benefits and Concerns for Funding Rationale

Children and Youth Commission members identified the following potential benefits and concerns related to the new recommendations related to funding rationale.

Potential Benefits

- Structure and clearer guidance for distributing funds allows for increased consistency in funding decisions and amounts
- Improved transparency through pre-set funding amounts
- Increased impact in early childhood funding category
- Innovation and small grant funds help to decrease administrative burden on both City staff, CYC and nonprofit organizations who receive smaller grants
- Innovation and small grant fund creates a pipeline for future funding relationships

- Allows us to fund higher amounts to organizations that score higher on RFP (those who demonstrate progress on performance and outcomes, who serve underrepresented children and youth, etc.)
- Shift may result in some organizations who have been funded in the past to receive increased funding for projects that align with priorities and demonstrate results (RFP high scorers)

Potential Concerns and Ideas to Address Concerns

- Shift may result in some organizations who have been funded in the past to receive less or not receive funding in next cycle who do not align with new priorities or demonstrate results
 - Organizations may adapt future funding requests to areas where their services better align with CYC priorities
 - Some organizations may elect to apply for Innovation and Small Grant Funds
- Need to be aware of impact on areas that will experience a decrease in total amount of funding available in that area
 - Organizations may adapt future funding requests to areas where their services better align with CYC priorities
 - Some organizations may elect to apply for Innovation and Small Grant Funds
 - CYC will work with other funders to explore strategies to address gaps
 - Scores on proposals do not necessarily reflect the caliber or effectiveness of an organization's work. Therefore, smaller agencies that cannot afford to hire professional grant writers may be disproportionately penalized through this approach.

IV. CHILDREN AND YOUTH COMMISSION GOALS

A. FY21 and Beyond Goals

1. Increase our understanding of community needs and status of progress on priority indicators and our data development agenda.
2. Partner with funders to discuss and align funding priorities around shared goals.
3. Partner with non-profit organizations and partners/community members to expand the network to improve the coordination of the system of care and encourage collaboration.
4. Align the City's committees, commissions, and task force work where possible and increase communication and coordination on shared goals.
5. Develop and engage sub-committees for the Commission as needed.
6. Plan and implement professional development to prepare Commission members for policy and funding advisory roles and responsibilities.
7. Increase understanding of grantee services and shared learning from grantee performance measures/data collection by conducting site visits.
8. Present proposed CYC strategic framework, priorities, and rationale and framework for funding decisions to the Governing Body for input and refinement.
9. Work closer with community stakeholders and partners; create an inclusive Community Engagement plan to begin this work.

*Indicates agency has concerns about meeting contract deliverables/numbers/data for reporting
April 15, 2020

	Agency	Brief Update	Needs
CYC	*Adelante	<ul style="list-style-type: none"> - All staff are working from home - Directly working through e-mail and phone to serve clients with unmet needs. Continuing food distributions on Wednesdays - Challenges in reaching clients with phone or email. - Data collection and measurable outcomes may be limited or skewed during this time. 	<p>Data reporting for final report will be limited</p> <p>(Same service online, need to change contract?)</p>
CYC	Big Brothers Big Sisters	<ul style="list-style-type: none"> - Had to adjust our program processes since we heavily rely on face-to-face contact with and between program participants. We have also had a difficulty securing funds with the cancellation and postponement of multiple fundraising events. - Using virtual meetings/assessments/events. 	<p>These challenges we are experiencing should not impact our city contract.</p>
CYC	*Breakthrough SF	<ul style="list-style-type: none"> - May need to alter summer 2020 programming, i.e. Switching to Online concerned about reimbursement due to program changes. - Unable to do pre-post math and reading tests for summer 2020 (Aspen to find out more). - Limited data will impact final report. 	<p>Same service online, need to change contract?</p> <p>Aspen to offer help with online pre-post surveys?</p> <p>Final report limited data, can they bill based on numbers served.</p>
CYC	*CEN	<ul style="list-style-type: none"> - Providing materials for families to have education activities for kids at home - Funding activities (summer camps/afterschool) are cancelled 	<p>Want help measure new activities</p> <p>Need approval to relocate money for materials to families instead of in person activities</p>
CYC	CIS	<ul style="list-style-type: none"> - Site Coordinators are unable to meet with students face to face. - Created a Family Strengths Support and Needs Assessment to better support families - reaching out via phone, google hangout, zoom, etc. 	
HSC	*Coming Home Connection	<ul style="list-style-type: none"> - Lower numbers of in-home care giving and post-operation clients and no new referrals. - Our main innovation is to start a volunteer run phone service to call isolated seniors 4 or 5 times a week to check in that they are safe, and have what they need, and to have friendly conversation. 	<p>Reallocate \$5,000 from deep cleaning grant to pay for telephone services.</p>
CYC	Cooking with Kids	<ul style="list-style-type: none"> - Not able to teach final unit this year but met projected numbers in January – March. - Online and electric curriculum is available to families and schools. - Continuing to develop experiential learning activities at home. 	
CYC	*Fathers NM	<ul style="list-style-type: none"> - No access to participants with school out and little success contacting them. 	<p>Will not reach numbers</p>
HSC	Feeding Santa Fe	<ul style="list-style-type: none"> - Shifted to working with the Food Depot for the Thursday Drive thru (most volunteers are over 60/at risk). Very grateful for the collaboration. 	<p>No issues at this time.</p>

*Indicates agency has concerns about meeting contract deliverables/numbers/data for reporting
 April 15, 2020

		<ul style="list-style-type: none"> - Over the last 4 weeks an average of 2,300 people received food. - Collected and compiled mini surveys in March. 	
CYC	*First Serve	<ul style="list-style-type: none"> - Suspended in-person services, providing online tutoring in Math, English, History, and Science as-needed - Concerned about skewed data on grades due to online instruction 	<p>Aspen to support by ensuring data tracking of online tutoring</p> <p>(Same service online, need to change contract?)</p>
CYC	Gerard's House	<ul style="list-style-type: none"> - Trying to launch our groups virtually. One struggle is that they don't have parent/caregiver contact information - currently requesting this information from CIS. - Holding virtual support groups, social media art & self-care projects, mailing packages to families with activities, connecting families with basic needs 	Not concerned about meeting numbers.
CYC	*Girls Inc.	<ul style="list-style-type: none"> - Transition to online programming, with approx. 60% participating. Hoping to collect surveys online and expand services to more girls. - Planning in case summer programming needs to be virtual. If use a virtual model, will not charge a fee due to the great need for services. - Focusing programming on SEL to support girls because fear is high 	<p>Switching to Online (Same service online, need to change contract?)</p> <p>Aspen to offer help with online surveys?</p>
HSC	Kitchen Angels	<ul style="list-style-type: none"> - Challenges with personal protective equipment for volunteers including hand sanitizer and cloth masks. Additional expenses for safety of clients and volunteers, directly related to COVID. - Changed policies and procedures, hired additional staff to support admin and volunteer training. - Continued navigation, and increase demand for meals. 	
HSC	*La Familia	<ul style="list-style-type: none"> - Lost Diabetes educator, unable to provide group services including cooking, CENA activities, diabetes education - Diabetes education and nutrition consults via phone visits, Pharmacy moving to curbside pick-up 	<p>Determine if they can bill for phone visits, pharmacy pick-ups?</p> <p>Will this need SOW change?</p>
CYC	Las Cumbres	<ul style="list-style-type: none"> - Transitioning to telehealth and may see a decrease in numbers served due to access to internet or phone. - Purchased new telehealth accounts for all providers to support caseload. - Concerned about changes in data, decrease in performance measures and access to internet/phone. 	
HSC	Life Link	<ul style="list-style-type: none"> - Continuing to provide services. - Had to move out of Inter Faith into their club house and have lost other relied-upon donations like lunches for outreach. 	Could use help with a better tracking system for navigation clients.

*Indicates agency has concerns about meeting contract deliverables/numbers/data for reporting
 April 15, 2020

		<ul style="list-style-type: none"> - Using flex funds to house most vulnerable and working with Food Depot for meal delivery 	
HSC	*Literacy Volunteers	<ul style="list-style-type: none"> - Reduction in tutoring hours and individuals served. Have moved to some phone/zoom/online mtgs. Many students have limited internet/computer access. - New matches cannot take place and existing students often have trouble learning new concepts not being face-to-face. - Still able to work with 4 inmates at a time via distance session 	Most tutors and students will not be physically meeting. This will make it difficult for students to make progress toward their educational goals. Reduced numbers of tutors, students and tutoring hours.
CYC	*MathAmigos	<ul style="list-style-type: none"> - May hold their teachers' workshop online but implementation is challenging. - Online workshops will be piloted, and booklets for teachers and families in English and Spanish being provided virtually to families and teachers. 	No cost extension (?) for in person or online training at beginning of school year?
CYC	*NDI	<ul style="list-style-type: none"> - No longer providing in-person instruction. Instructors are working to post online programming to SFPS curriculum. - Post-survey data may not be collected 	Switching to online programming Data reporting for final report will be limited
HSC	*New Mexico Immigrant Law Center	<ul style="list-style-type: none"> - All client interactions are now being conducted over the phone, and documents that the clients would usually sign in person are having to be mailed back and forth, which makes legal processes take longer - Conducting more consultations, screening, and pro se assistance online; keeping website and social media updated with information about how to access services 	Will not reach the anticipated 21 new clients for Q4 since Solace is not referring clients.
CYC	New Vistas	<ul style="list-style-type: none"> - All staff are working virtually. This has disrupted some services for clients. Telehealth can be challenging due to increased demand on internet/wifi - Increased costs for supplies outlined in contract due to increases in prices or being out of stock. - Rolling out training for staff and contractors for new online case management system. 	
CYC	*NMCTR	<ul style="list-style-type: none"> - Several challenges cancelled programming on March 23rd and partners have also cancelled programming. Except volunteers who assist with horse care. - Weekly check-ins and virtual support, this week starting videos for students to continue virtual programming. - Funding concerns denied grants due to funders saving funds, unable to host annual fundraiser. Concerned they will not be able to bill out for City contract. Applied for COVID-19 Relief fund at SFCF, and SBA Payroll Protection Plan 	Can they still bill for the students they served this quarter? Videos? And/or BAR for taking care of the horses?
CYC IF?	Opportunity Santa Fe	<ul style="list-style-type: none"> - Transition to online meetings and trainings 	Update from Julie?

*Indicates agency has concerns about meeting contract deliverables/numbers/data for reporting
April 15, 2020

		<ul style="list-style-type: none"> - Difficulty obtaining up-to-date funding reports from fiscal sponsor required for quarterly invoicing 	
CYC	Planned Parenthood	<ul style="list-style-type: none"> - Shifting to create lessons online – pre-recorded webinars that any SFPS teacher can use. Numbers may be lower, but reach may be wider. - Expanded “In Case You’re Curious” text line and reduced wait times from 24 hours to 1 hour 	Numbers may be lower, but reach may be wider. Ask for flexibility in being able to count online participants.
CYC	*Reading Quest	<ul style="list-style-type: none"> - Sharing tools for online reading for tutoring and professional development. Sent via snail mail and digital links for workshop materials and recordings. - Created comprehensive online resource page for teaching reading online for NM Dept Ed and SFPS 	Workshop feedback forms but no sign-in sheets (okay for billing?) BAR – Money for snacks which they won’t be able to use would like to move to teacher stipends, had more teachers signed up than originally budgeted for.
CYC	Resolve	<ul style="list-style-type: none"> - Completed majority of CYC funded programs. Still scheduling Safe Zones programming at SFPS which will be offered virtually. - Hoping to provide programming to more than originally planned due to increased access online. Adaptations to curriculum are substantial and time consuming. 	Same service online, need to change contract?
HSC	Santa Fe Dreamers	<ul style="list-style-type: none"> - Continuing DACA application via telephone and electronically. - Offices and weekly legal clinics are closed because of the pandemic. - Very concerned about missing deadlines for application and court dates due to challenges regarding communication and contact with clients. Immigration and Customs has suspended operations – meaning delays in adjudication. 	Already surpassed numbers. May need help adjusting contract in July depending on Supreme Court decisions related to DACA.
*CYC and HSC	*Santa Fe Recovery	<ul style="list-style-type: none"> - Reduction in clients for the women and children's program, as a result of this the childcare program has been suspend. These two factors among others are going to greatly impact the numbers in our report. - Outpatient services are provided via telehealth 	Reduced numbers in women and children program.
CYC	SFSFAS – Reading is Magic	<ul style="list-style-type: none"> - In the middle of creating remote learning and virtual school for afterschool students in Reading is Magic. Might continue programming to June 30th instead of end of May. - Working to provide support and connection for students as well as engaging effective instruction that do not require screen time. - Summer curriculum completed last July and August. 	Same service online, need to change contract?
CYC	SITE Santa Fe	<ul style="list-style-type: none"> - SITE is closed and they are not able to work directly with students and had to cancel events. 	Desire to have dialogue with CYC and other

*Indicates agency has concerns about meeting contract deliverables/numbers/data for reporting
 April 15, 2020

		<ul style="list-style-type: none"> - Education staff has created distance learning workbooks that are available for download on our website, and they are in the process of executing a plan to distribute printed copies to students. A plan is also in the works for delivering programs digitally and through internet platforms. 	grantees about the innovations taking place and hopes the City can be flexible with budget allocations.
CYC	Sky Center	<ul style="list-style-type: none"> - Numbers and referrals have spiked since mid-March and they received four referrals from CSV in the last week for suicidal youth. - Most sessions are help via telehealth but families that do not have access to computers/internet are still coming to the office to receive therapy – the counselor sits behind a window. 	<p>Concerned about not being able to get the data for the final report.</p> <p>*Perhaps Aspen Could help them set up the surveys electronically? Or the Eval could do calls?</p>
HSC	St. Elizabeth	<ul style="list-style-type: none"> - Carrying out all services (and more). Moved all guests out of two shelters and into alternative housing (first a hotel not Mid Town Campus Dorms). 	Staff is spread thin.
CYC	*Sweeney	<ul style="list-style-type: none"> - No longer providing aftercare services. - Data collection and surveys will be limited or not collected for afterschool program. - Considering calling parents to collect surveys over the phone. 	<p>-Data for final report will be limited.</p> <p>-Can they submit funding based number of students served prior to school closure?</p> <p>-Need budget amount update.</p>
CYC	*United Way	<ul style="list-style-type: none"> - March 16 had limited students attending center primarily to emergency for essential workers, as of April 10 no longer providing childcare due to concerns about safety for children, families, and staff. - Moving towards long-distance learning with care packages/activity sets. Setting up google classrooms - Short virtual workshops to all adults caring for children on sensory, SEL, literacy activities, etc. 	<p>Switching to online, and adding additional service of kits to full community</p> <p>Data reporting on 7 domains will be limited.</p> <p>Need help with BAR in support of new program goals.</p>
CYC and HSC	Youth Shelters	<ul style="list-style-type: none"> - Still carrying out programs and transitional living facilities and homeless youth programs. - We are providing prepaid smart phones to clients we have no other way of contacting, we are providing more service coordination and counseling through telephone, we are limiting the number of clients allowed at any one time at our drop-in center, and we are delivering groceries or bagging groceries and putting them outside our locations for clients for pick-up 	
HSC CYC	*YouthWorks!	<ul style="list-style-type: none"> - Adapting to use of google classroom and 1:1 zoom consults, culinary program is still feeding children - Unable to provide GED testing or host individuals for community service needs 	<p>Ideas to measure other impacts.</p> <p>SOW change?</p>

Funding Area	Agency	Program
Early Childhood & Supplemental Education AND Youth Wellness	Adelante (SFPS fiscal)	Support Services for Homeless Students
Early Childhood & Supplemental Education	Big Brothers Big Sisters	BBBS One-to-One Mentoring
Early Childhood & Supplemental Education	Breakthrough Santa Fe (SFPS fiscal)	Academic Enrichment School and Summer Program
Early Childhood & Supplemental Education	Communities in Schools	Communities in Schools
Early Childhood & Supplemental Education	Community Educators Network (SFCF fiscal)	CEN Out of School Time Programming
Early Childhood & Supplemental Education	Cooking with Kids	Cooking with Kids
Youth Wellness	Esperanza Shelter	UNSURE
Early Childhood & Supplemental Education	Fathers New Mexico	Young Fathers

Youth Wellness	Gerard's House	Nuestra Jornada (Our Journey)
Early Childcare & Supplemental Education AND Youth Wellness	Girls Inc. of Santa Fe	Stay Connected Initiative
Early Childhood & Supplemental Education	New Vistas	Early Childhood Intervention
Youth Wellness	Parent Involvement Program (SFPS fiscal)	Strengthening Families
Early Childhood & Supplemental Education AND Youth Wellness	Restorative Justice Program (SFPS fiscal)	Restorative Justice
Early Childhood & Supplemental Education	Santa Fe Recovery Center	Women and Children's Treatment Program

Youth Wellness	Sky Center	NM Suicide Intervention Project
Early Childhood & Supplemental Education	SFCC: Kids Campus	City of Santa Fe PreK Class
Early Childhood & Supplemental Education	SITE Santa Fe	Teen Education Program
Early Childhood & Supplemental Education AND Youth Wellness	Teen Parent Center (SFPS fiscal)	Teen Parent Program
Early Childhood & Supplemental Education	United Way	Bilingual Early Literacy Support
Youth Wellness	Youth Shelters and Family Services	Homeless Youth Project
Early Childhood & Supplemental Education AND Youth Wellness	YouthWorks!	YouthWorks!

Population Level Indicator(s)

Level 1 - Performance Measures

High school graduation rate; Housing instability # of clients served with safety net services; # of clients helped by navigator; # of youth service meetings

At my school, a teacher or other adult believes I will be a success # children served by one-on-one mentoring services, # families helped by navigator

High school graduation rate; at my school there is a teacher or other adult who believes I will be a success; outside of school I am involved in art, music, literature, sports or other hobbies # of participants; # of contact hours with students

At my school, a teacher or other adult believes I will be a success; High School Graduation rate; Habitual Truancy # clients helped by navigator

Outside of school I am involved in arts, music, literature, sports or a hobby # of children participating in afterschool programming; # of children participating in summer programming

At my school, a teacher or other adult believes I will be a success # of schools receiving nutrition education program; # of classrooms receiving nutrition education program; # of students receiving nutrition education program

Youth depression # of clients helped by navigator

% of youth not in school and not working # of clients helped by navigator

Youth depression; Youth attempted suicide # of clients served by GH programming; # of clients helped by navigator

High school graduation rate; youth depression; youth attempted suicide; youth alcohol use; # of girls served in Girls Inc programming; # helped by navigator

Increase in seven pre-K domains and KOT assessment total # children served; # children served by service type

juvenile arrest rates; current alcohol use; current binge drinking; current painkiller use to get high; current meth use; tried marijuana before age 13 # of unduplicated youth participants; # of family units participating; 3 of youth who complete a majority of the session

At my school a teacher or other adult believes I will be a success; skilled school because of safety concerns # of students served; # of teachers/administrators/parents trained in restorative justice; # of participants with suspensions; # of participants with detentions

% 3-5 year olds enrolled in Pre-K # of women with children age 0-17 receiving treatment services; # of direct services/activities provided to women with children

Youth depression; Youth attempted suicide	# youth assessed; # youth/families receiving counseling and hours provided; # life skills group participants and hours provided; # of Natural Helpers trained; meeting and school project implementation hours for Natural Helpers; # helped by navigator
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% 3-5 year olds enrolled in Pre-K; % Increase in seven pre-K domains and KOT assessment	# of enrolled students
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at my school there is a teacher or other adult who believes I will be a success	# of individual youth/students served; # of youth served considered to be "at risk" or "underserved"
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% pregnant teens receiving prenatal care in 1st trimester; high school graduation rate; at my school a teacher or other adults believes I will be a success	# unduplicated program participants; # of pregnant moms served; # of pregnant teens receiving prenatal care; # of youth helped by navigator
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% 3-5 year olds enrolled in Pre-K; % Increase in seven pre-K domains and KOT assessment	# of children served; # of families served; # of families helped by navigator
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Housing instability	# of clients receiving housing services; # of clients helped by navigator; # of case management hours provided; # of life skills hours provided
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% of youth age 19-21 not in school or working; juvenile arrest rates (ages 10-17); youth depression	# unduplicated program participants; # of youth helped by navigator; total number served
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Population Level Indicator(s)	Level 1 - Performance Measures
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Level 2 - Performance Measures

Level 3 - Performance Measures

of eviction preventions; # of utility connections; # of homelessness preventions

of Adelante seniors who graduate; # of students with 94% or better attendance; # of students with 84% or better attendance; # of participants reporting improved circumstances

of youth demonstrating positive outcomes via the Youth Outcomes Survey; # of matched mentors lasting 6 months or longer

of youth reporting having a very important adult in their life

% of students retained from previous year

of students with improved reading and math scores; # of seniors who graduate; # of students with a C grade accessing tutoring services

of families referred to services; #/% meeting short-term and long-term goals

served reporting improvement in circumstances or positive changes in SDOH

% of youth who think they will do better in school this year

of youth who build friendships; # of youth who plan to go to college after high school

% of CWK classes using common core-aligned curriculum; average students:adult ratio in CWK classes; % of teachers wanting to participate in CWK

of family members participating in CWK volunteer program; # of teachers who believe CWK will provide hands-on engaging programming; # of teachers who believe CWK will increase students' awareness of healthy eating

/ % of families referred to services; # / % of families meeting short-term and long-term goals

of youth with decreased depression scores; # served reporting improvement in circumstances or positive change in SDOH

/ % of families referred to services; # / % of families meeting short-term and long-term goals

of clients reporting an increase in the time spent with their children; # served reporting improvement in circumstances or positive change in SDOH

of clients connected to services by navigator # who report increases in understanding how grief affects them and # with increased knowledge of how to take care of themselves when grieving; # served reporting improvement in circumstances or positive change in SDOH

of clients connected to services by navigator # of surveys administered and % with improved skills, knowledge, attitudes; # of participants promoted on time to the next grade level; # of navigation clients reporting improvement in circumstances or positive change in SDOH

of contact hours provided by service type # who increased their rate of growth by program exit; # of children who entered below their age expectations were functioning within their age functioning at exit

% of youth who complete a majority of the sessions # of youth who demonstrate an increase in protective factors (such as better communication, improved relationships, increased positive family experiences, increase in parent engagement), # of youth who report reduced substance use, # of youth with decreased arrests,

% of participants with suspensions; % of participants with detentions; # of disciplinary incidents that rise to administrative involvement level; # of students with improved communication skills; # of students with improved relationship building skills; # of youth with improved active listening skills; # of students who applied these skills in their personal life

% of staff with certification / training; average time from inquiry to first appointment (wait times); % of clients who found the program helpful # of clients off of alcohol at discharge and 6 months after discharge; # of women with children with stable housing; # of women with children working

% of youth satisfied with Sky Center services; # of youth helped by Natural Helpers	# and % of family participants with: decreased sadness, depression, decreased suicidal ideation, and increased hopefulness; # and % of Life Skills group participants with increased hopefulness and # meeting at least one of their service plan goals this quarter;
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# of parent engagement hours	# of students who score 6 or 7 on ECERS
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% of students who report learning something new; % of students introduced to a mentor	# of students with improved SEL
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% of pregnant teens receiving prenatal care; total case management hours provided	# of seniors served who graduate; # of teens who report having an adult who believes they will be a success
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# of clients connected to services by navigator; # or % of clients meeting short-term or long-term goals	# of children with growth in all seven domains; # of students/families with improved circumstances or positive change in SDOH
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% of youth meeting at least one of their service plan goals	# of young people age 17-21 provided transitional/residential housing; # of young people 18-21 provided independent housing; # of youth with improved circumstances or positive change in SDOH
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Average # case management hours per youth; # of youth receiving job training; # of youth connected to services by navigator	# of youth employed; # of youth with reduced depression scores; # of youth with reduced arrests
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Level 2 - Performance Measures

Level 3 - Performance Measures

Level 4 - Performance Measures

Agency

% of Adelante seniors who graduate; % of students with 94% or better attendance; % of students with 84% or better attendance; % of participants reporting improved circumstances

SFPS: Adelante

% of youth reporting having a very important adult in their life; % of participants reporting improved circumstances

Big Brothers Big Sisters

% of students with improved reading and math scores; % of seniors who graduate; % of students with a C grade accessing tutoring services

SFPS: Breakthrough Santa Fe

% served reporting improvement in circumstances or positive change in SDOH

Communities in Schools

% of youth who build friendships; % of youth who plan to go to college

SFCF: Community Educators Network

% of teachers who believe CWK will provide hands-on engaging programming; % of teachers who believe CWK will increase students' awareness of healthy eating

Cooking with Kids

% of youth with decreased depression scores; % served reporting improvement in circumstances or positive change in SDOH

Esperanza Shelter

% of clients reporting an increase in the time spent with their children; % served reporting improvement in circumstances or positive change in SDOH

PIE: Fathers New Mexico

% who report increases in understanding how grief affects them and % with increased knowledge of how to take care of themselves when grieving; % served reporting improvement in circumstances or positive change in SDOH

Gerard's House

% of participants promoted on time to next grade level; % served reporting improvement in circumstances or positive change in SDOH

Girls Inc. of Santa Fe

% who increased their rate of growth by program exit; % of children who entered below their age expectations were functioning within their age functioning at exit

New Vistas

% of youth who demonstrate an increase in protective factors (such as better communication, improved relationships, increased positive family experiences, increase in parent engagement), % of youth who report reduced substance use, % of youth with decreased arrests.

SFPS: PIP Program

% of disciplinary incidents that rise to administrative involvement level; % of students with improved communication skills; % of students with improved relationship building skills; % of youth with improved active listening skills; % of students who applied these skills in their personal life

SFPF: Restorative Justice Program

% of clients off of alcohol at discharge and 6 months after discharge; % of women with children with stable housing; % of women with children working

Santa Fe Recovery Center

% of youth admitted to ER for self-injury who do not return to ER after receiving counseling from Sky Center; % of family participants with: decreased sadness, depression, decreased suicidal ideation, and increased hopefulness; % of Life Skills group participants with increased hopefulness and % meeting at least one of their service plan goals this quarter; % served reporting improvement in circumstances or positive change in SDOH

The Sky Center

% of students who score 6 or 7 on ECERS; Overall average ECERS score

SFCC: Kids Campus

% of students with improves SEL

SITE Santa Fe

% of seniors served who graduate; % of teens served who report having an adult who believes they will be a success

SFPS Teen Parent Center

% of children with growth in all seven domains; % of students/families with improved circumstances or positive change in SDOH

United Way

% of young people age 17-21 provided transitional/residential housing; % of young people 18-21 provided independent housing; % of youth with improved circumstances or positive change in SDOH

Youth Shelters and Family Services

% of youth employed; % of youth with reduced depression scores; % of youth with reduced arrests

YouthWorks!

Does NOT include CYFD indicators

Level 4 - Performance Measures

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 10/19/20
FOR CITY COUNCIL MEETING OF 10/28/20

i. Request for the Approval of Multiple Service Agreements in the Total Amount of (\$3,749,652.00) for (Prevention and Intervention Services for the Youth of Santa Fe for three (3) years); (Multiple Vendors). (Julie Sanchez, jjsanchez@santafenm.gov and 505-570-7355)

COMMITTEE REVIEW:

Finance Committee: 10/19/20
 Quality of Life Committee: 10/21/20
 Governing Body: 10/28/20

FINANCE COMMITTEE ACTION:

Approved on Discussion

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

Direction to staff to present Aspen report and additional info to Councilors

VOTE	FOR	AGAINST	ABSTAIN
COUNCILOR ROMERO-WIRTH	x		
COUNCILOR CASSUTT-SANCHEZ	x		
COUNCILOR LINDELL	x		
COUNCILOR VILLARREAL	x		
CHAIRPERSON ABEYTA	x		



City of Santa Fe, New Mexico

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Alan Webber, Mayor

Councilors:

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- Renee Villarreal, District 1
- Michael J. Garcia, District 2
- Carol Romero-Wirth, District 2
- Roman "Tiger" Abeyta, District 3
- Chris Rivera, District 3
- Jamie Cassutt-Sanchez, District 4
- JoAnne Vigil Coppler, District 4

MEMORANDUM

DATE: October 15, 2020

TO: Planning Commission, Finance Committee, Public Utilities/Public Works Committee, Quality of Life Committee, Governing Body

FROM: Elias Isaacson, Planning & Land Use Director ^{ESI}
Sally Paez, Assistant City Attorney ^{SAP}

RE: Proposed Legislation - Short-Term Rental Ordinance

Executive Summary:

The proposed legislation would amend the Short-Term Rental Ordinance set forth in the Santa Fe City Code (SFCC) Subsections 14-6.2(A)(5)-(8). Specifically, the legislation would (1) adopt by ordinance a maximum of one thousand (1000) short-term rental permits on residentially zoned property, (2) prospectively limit the number of short-term rental permits to one per natural person, (3) prospectively limit the proximity of short-term rental units, (4) require a local operator for short-term rental units, (5) adopt record-keeping and reporting requirements for short-term rental unit owners and host platforms, and (6) clarify other provisions of the short-term rental ordinance. The legislation would also amend the Land Use Code definitions in SFCC Section 14-12.1 SFCC 1987, as they relate to short-term rental units; and amend SFCC Section 12-2.3 to clarify that a short-term rental unit is not a Group R-1 occupancy for purposes of fire inspections.

Background:

This proposal originally included two separate bills, one amending the Short-Term Rental (STR) Ordinance set forth in SFCC Subsections 14-6.2(A)(5)-(8), and the other amending the Land Use Code Enforcement Ordinance set forth in SFCC Section 14-11.4. The bill sponsors, who include Mayor Webber and Councilors Lindell, Romero-Wirth, and Villarreal, presented the bills as a package aimed at improving the administration and enforcement of the City's STR program.

Amendments to the Land Use Code require a public hearing and recommendation by the Planning Commission (Commission) prior to consideration by the Governing Body. On June 18, 2020, the



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Commission reviewed both bills at a public hearing but postponed the matter for further review of the proposed amendments and the high volume of public comment received. The Commission provided the Governing Body with a memorandum (attached) that included initial input on both bills.

On June 24, the bill sponsors decided to table the amendments to the STR Ordinance to consider additional revisions based on input received. Amendments to the Land Use Code Enforcement Ordinance, SFCC Section 14-11.4, continued through the committee review process and were adopted by the Governing Body on August 12, 2020 as Ordinance No. 2020-18.

New Proposal to Amend STR Ordinance:

Following the introduction of the original STR legislation, the bill sponsors received input from numerous constituents and stakeholders, as well as the Commission. The sponsors chose to introduce a new version of the bill that incorporates revisions in response to the public input received. Significant changes from the previous draft legislation include the following:

- STR units on non-residentially zoned property, including the Business Capitol District (BCD), would require a registration and would not be subject to permit limitations, including the 1000 permit limit, the one permit/natural person limit, and the limitation on permit transfers.
- STR units on non-residentially zoned property would not be subject to the limitation of one rental within a seven-day period (this existing limitation would continue to apply to STR units on residentially zoned property).
- The proposed proximity limitations have been revised for both residentially zoned property and non-residentially zoned property.
- The Commission's proposed clarifications to the "natural person" provision and the permit transfer provision have been incorporated.
- The local operator requirement has been revised to require that the operator must be accessible by telephone and able to be physically present at the STR unit within one (1) hour of being contacted.
- The provisions addressing fire and safety inspections have been revised.
- The provisions that apply to host platforms have been revised.
- The provisions that "grandfather in" existing permits and registrations have been revised.



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Analysis of Criteria for Amendments to the Land Use Code:

Under SFCC Section 14-3.3, "Amendments to Text of Chapter 14," the Land Use Director must provide the Planning Commission with a recommendation regarding proposed amendments to the Land Use Code, including an assessment of whether the amendments meet the six criteria set forth in Section 14-3.3(B). The criteria are set forth below, followed by the Land Use Director's assessment of each.

(1) compliance with law;

The proposed amendments comply with municipal, state, and federal law concerning regulation of STR.

(2) consistency with the general plan;

Although the General Plan does not speak directly to the regulation of STR, the proposed amendments will further many of the themes and policies set forth in the General Plan, including enhancing the quality of life for residents; fostering economic diversity; maintaining Santa Fe's unique personality, sense of place, and character; and preserving a community-oriented downtown.

(3) consistency with other policies adopted by the governing body;

The policy objectives behind the proposed amendments are consistent with other policies adopted by the Governing Body and are described in the "purpose and intent" section of the draft legislation.

(4) consistency with the purpose and intent of Chapter 14 and of the section being amended;

The proposed amendments are consistent with the general purposes of the Land Use Code, as set forth in SFCC Section 14-1.3, because they are intended to promote the health, safety, order, convenience, prosperity, and general welfare of the residents of Santa Fe.

(5) consideration of how the amendment relates to other provisions of the Santa Fe City Code and the avoidance of unintended consequences; and

The proposed amendments to the STR Ordinance are intended to work in concert with recent amendments to the Land Use Code Enforcement Ordinance, SFCC Section 14-11.4, and with other provisions of the SFCC, including those that govern business licenses and lodgers' tax.

(6) consistency with any approved neighborhood conservation overlay districts.

The amendments are consistent with the regulations that apply in the City's overlay districts.



City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:

Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Michael J. Garcia, District 2
Carol Romero-Wirth, District 2
Roman "Tiger" Abeyta, District 3
Chris Rivera, District 3
Jamie Cassutt-Sanchez, District 4
JoAnne Vigil Coppler, District 4

Recommendation:

Staff recommends that the Commission make a positive recommendation to the Governing Body concerning the proposed legislation and that the Governing Body adopt the proposed legislation.

Attachments:

1. Proposed Legislation (2nd Draft STR Bill)
2. FIR
3. Previous Draft Legislation (1st Draft STR Bill), Considered by Planning Commission June 18, 2020
4. Planning Commission Meeting Minutes from June 18, 2020
5. Memo from Planning Commission dated June 24, 2020
6. Summary of Public Comments Received on 1st Draft STR Bill
7. Written Comments Received on 1st Draft STR Bill

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CITY OF SANTA FE, NEW MEXICO

BILL NO. 2020-__

INTRODUCED BY:

Mayor Alan Webber

Councilor Signe I. Lindell

Councilor Carol Romero-Wirth

Councilor Renee Villarreal

AN ORDINANCE

AMENDING SECTION 14-6.2 SFCC 1987 TO ADOPT BY ORDINANCE A MAXIMUM OF ONE THOUSAND (1000) SHORT-TERM RENTAL PERMITS IN THE CITY, TO PROSPECTIVELY LIMIT THE NUMBER OF SHORT-TERM RENTAL PERMITS TO ONE PER NATURAL PERSON, TO PROSPECTIVELY LIMIT THE PROXIMITY OF SHORT-TERM RENTAL UNITS, TO REQUIRE A LOCAL OPERATOR FOR SHORT-TERM RENTAL UNITS, TO ADOPT RECORD-KEEPING AND REPORTING REQUIREMENTS FOR SHORT-TERM RENTAL UNIT OWNERS AND HOST PLATFORMS, AND TO CLARIFY OTHER PROVISIONS OF THE SHORT-TERM RENTAL ORDINANCE; AMENDING THE LAND USE CODE DEFINITIONS IN SECTION 14-12.1 SFCC 1987 AS THEY RELEATE TO SHORT-TERM RENTAL UNITS; AND AMENDING SECTION 12-2.3 SFCC 1987 TO CLARIFY THAT A SHORT-TERM RENTAL UNIT IS NOT A GROUP R-1 OCCUPANCY FOR PURPOSES OF FIRE INSPECTIONS.

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

1 Section 1. Subsection 14-6.2(A)(5) of SFCC 1987 (being Ord. No. 2011-37 § 8,
2 as amended) is amended to read:

3 **14-6.2 USE-SPECIFIC STANDARDS**

4 (A) Residential Uses

5 (1) Continuing Care Community

6 (a) Density

7 Independent *dwelling units* are subject to the *density* standards of the
8 district in which the *continuing care community* is located.

9 (b) Compliance with state and federal law

10 *Continuing care communities* must comply with all applicable *state* and
11 federal laws and regulations.

12 (2) Mobile Home, Permanent Installation

13 In any district in which permanent single-*family* occupancy of a *mobile*
14 *home* on an individual *lot* is allowed as a special use *permit* by the board of
15 adjustment, the following minimum standards apply:

16 (a) the *mobile home* shall be anchored to a concrete foundation
17 and skirted as specified by the *land use director*;

18 (b) the rental or lease of *mobile homes* used as single-
19 *family* residences on individual *lots* is prohibited; and

20 (c) minimum requirements for *lot size, front, side and rear yards,*
21 and all other standards pertaining to single-*family residential* land use set
22 forth in Chapter 14 apply.

23 (3) Mobile Home Park

24 (a) Applicability

25 New *mobile home parks* are prohibited as of December 10,

1 2012 (effective date of this Ordinance No. 2012-37). In a district in
2 which *mobile home parks* are allowed, the minimum standards set out
3 in this section apply.

4 (b) License

5 Prior to beginning operation, a *mobile home park* owner or
6 operator must obtain a business license from the *city* under the
7 provisions of Article 18-1 SFCC 1987.

8 (c) Inspection

9 The *city* may inspect a *mobile home park* for conformance with
10 the provisions of this section.

11 (d) Transfer of License

12 The *city* may issue a transfer of the license only after the
13 following:

14 (i) *application* in writing for transfer of a license and
15 payment of the transfer;

16 (ii) an inspection report by the *land use director* has been
17 submitted to the *governing body*, stating conformance or
18 nonconformance with the provisions of this section;

19 (iii) approval by the *governing body*.

20 (e) Revocation of License

21 The *governing body* may revoke a license to maintain and
22 operate a *mobile home park* , as provided in Article 18-1 SFCC 1987
23 when the *licensee* has violated any provision of this section.

24 (f) Posting

25 The license certificate shall be conspicuously posted in the

1 office of or on the *premises* of the *mobile home park* at all times.

2 (g) Standards

3 *Mobile home parks* shall comply with the standards set forth in
4 Subsection 14-7.2(1).

5 (4) Manufactured Homes

6 *Manufactured homes:*

7 (a) are permitted in any district in which site-built, *single-family*
8 *dwellings* are allowed;

9 (b) shall meet all requirements of other site-built, *single-family*
10 *dwellings* in the same district and all applicable historic or aesthetic standards
11 set forth in Chapter 14; and

12 (c) shall be constructed according to the Manufactured Home
13 Construction and Safety Standards, 24 CFR Section 3280.

14 (5) Short-Term Rental [~~of Dwelling~~] Units [~~Residentially Zoned Property~~]

15 (a) [~~Dwelling Units~~] Purpose and Intent

16 [~~Dwelling units located on residentially zoned property may not be~~
17 ~~rented for less than thirty days except as set forth in this Subsection 14-6.2(A)(5)~~
18 ~~are allowed.] This section shall be known as the *Short-Term Rental Unit*
19 Ordinance. The purposes of the *Short-Term Rental Unit* Ordinance are the
20 following:~~

21 (i) to ensure that the operation of *short-term rental units*
22 does not disrupt the character of the *city's* residential neighborhoods or affect the
23 quality of life of neighboring residents;

24 (ii) to prevent speculators from purchasing multiple homes
25 for the purpose of operating multiple *short-term rental units*, thereby reducing

1 the availability of long-term housing;

2 (iii) to allow residents who comply with the city's short-term
3 rental unit regulations the option of utilizing their homes and accessory dwelling
4 units as short-term rental units to create wealth and generate supplemental
5 income;

6 (iv) to minimize public safety risks associated with short-
7 term rental units, such as higher traffic levels, parking issues, noise, litter, and
8 other public nuisances; and

9 (v) to ensure that an owner or operator of a short-term
10 rental unit follows applicable regulations, including the payment of all applicable
11 fees and taxes.

12 (b) Short-Term Rental [Units] Permit or Registration Required

13 ~~[Short-term rental units are prohibited on residentially zoned~~
14 ~~property except as provided in this Subsection 14-6.2(A)(5)(b).~~

15 ~~(i) — Short-term rental units that are operated in compliance~~
16 ~~with Subsection 14-6.3(D)(1) (Accessory Dwelling Units) and in compliance with this Subsection~~
17 ~~14-6.2(A)(5) are allowed.~~

18 ~~(ii) — Short-term rental units located in a development~~
19 ~~containing resort facilities approved pursuant to a special use permit which are owned in common~~
20 ~~by the owners within the development, are allowed. As used in this item, "resort facility" means~~
21 ~~any combination of swimming pools, spa facilities, golf courses, restaurants and tennis facilities.~~

22 ~~(iii) — The land use director may issue rental permits in a~~
23 ~~quantity approved by the governing body through adoption, after a public hearing, of a resolution~~
24 ~~for residential units not otherwise qualifying for permits under Items (i) and (ii) above. Dwelling~~
25 ~~units on non-residentially zoned property pursuant to §14-6.2(A)(6) and §14-6.2(A)(7) are not~~

1 subject to the permit limit imposed by this subsection.

2 ~~(iv) Whenever the demand for short term rental units~~
3 ~~exceeds the number permitted in accordance with Subsection 14-6.2(A)(5)(b)(iii) above, the~~
4 ~~number of additional permits may be increased by the governing body through adoption of a~~
5 ~~resolution and issued by the land use director. New permits shall be issued in the order that~~
6 ~~eligible applications are received.]~~

7 (i) An owner of a short-term rental unit must have a city-
8 issued business license and either a short-term rental permit or a short-term rental registration, as
9 set forth in subsections 14-6.2(A)(5)(c) and (d).

10 (ii) An owner or operator shall not operate, rent, offer to
11 rent, or advertise a short-term rental unit without a valid permit or registration.

12 (iii) A city-issued permit or registration number must be
13 included in all advertising of a short-term rental unit, including listings on a host platform.

14 (c) Permit; Residentially Zoned Property.

15 (i) Permit. A short-term rental unit on residentially zoned
16 property requires a city-issued permit.

17 (ii) One thousand (1000)-Permit Limit. The land use
18 director shall issue a maximum of one thousand (1000) short-term rental permits. The land use
19 department shall process applications in the order of receipt and shall issue new permits in the
20 order that complete applications are received. If the number of permits reaches the one thousand
21 (1000)-permit limit, then the land use department shall stop processing applications and shall add
22 applicants to a waiting list until a permit becomes available. If an applicant waits on the list for a
23 year or longer, the land use director may require the applicant to indicate a continued interest in
24 remaining on the list.

25 (iii) One (1) Permit per Natural Person Limit. The land use

1 director shall issue permits to natural persons only, and each natural person may possess a
2 maximum of one (1) permit. If the subject property is owned by a legal or business entity, the
3 permit must be held in the name of a person with legal authority to act on behalf of that entity.
4 The fact that a permit must be issued to a natural person does not mean that the property cannot
5 be titled in such entities as a revocable trust, an LLC, or a corporation. The land use director
6 shall not issue permits to dwelling units that are comprised of multiple, time-divided ownership
7 interests, provided, however, that certain dwelling units may be eligible to maintain short-term
8 rental registrations, as set forth in subsection 14-6.2(A)(6)(b).

9 (iv) Permit Not Transferrable. A permit is not transferable to
10 another person or property. Upon the transfer of ownership of a short-term rental unit, the short-
11 term rental permit shall terminate and revert to the land use department. If the new owner wishes
12 to use the property as a short-term rental unit, the owner shall submit a new application to the
13 land use department. A transfer that does not result in new ownership of the property, such as a
14 transfer to the owner's revocable trust for estate planning purposes or a transfer to an LLC where
15 there is no change in the ownership interest in the property, does not constitute a transfer for
16 purposes of this subparagraph.

17 (v) Frequency of Rental. A permitted short-term rental unit
18 shall not be rented more than once within a seven (7)-day period.

19 (vi) Proximity. Subject to the exceptions listed below, the
20 land use director shall not issue a new permit for a short-term rental unit if the subject property,
21 as identified in the application, is located within a fifty (50)-foot radius of a residentially zoned
22 property that has a permitted short-term rental unit. The radius shall be measured from the
23 subject property boundary. This limitation shall not apply to the following:

24 (A) an application for a short-term rental unit that
25 complies with the requirements set forth in the accessory dwelling unit ordinance, subsection 14-

1 6.3(D)(1):

2 (B) an application for a short-term rental unit in a
3 multiple-family dwelling development that contains that contains four (4) or more dwelling units,
4 provided, however, that the land use director shall not issue short-term rental permits for more
5 than twenty-five (25%) of such dwelling units, rounded down to the nearest whole number, and
6 shall not issue more than twelve (12) short-term rental permits within a single building within a
7 multiple-family dwelling development.

8 (d) Registration; Non-Residentially Zoned Property.

9 (i) Registration. A short-term rental unit on non-residentially
10 zoned property requires a city-issued registration.

11 (ii) Proximity.

12 (A) If a multiple-family dwelling development located within
13 two-hundred (200) feet of residentially zoned property contains four (4) or more dwelling units,
14 the land use director shall not issue short-term rental registrations for more than twenty-five
15 (25%) of such dwelling units, rounded down to the nearest whole number.

16 (B) The land use director shall not issue more than twelve
17 (12) short-term rental registrations within a single building within a multiple-family dwelling
18 development.

19 ~~(e)~~(e) General Provisions

20 Unless otherwise stated, the following general provisions apply to all
21 short-term rental units.

22 ~~(i) no more than one rental is allowed within a seven~~
23 ~~consecutive day period;~~

24 ~~(ii) short term rental permits will not be issued for more~~
25 ~~than two short term rentals units directly adjoining each other on a residentially zoned street. For~~

1 the purposes of this subsection, "directly adjoining" means sharing a common boundary along a
2 public street frontage, but does not include adjoining units in a condominium, townhouse
3 development, in an apartment complex, or residential compound;]

4 (i) A short-term rental unit must have a local operator that is
5 available twenty-four (24) hours per day, seven (7) days per week, to respond to complaints
6 regarding the operation or occupancy of the short-term rental unit. The operator must be
7 accessible by telephone and able to be physically present at the short-term rental unit within one
8 (1) hour of being contacted.

9 ~~(iii)~~(ii) An owner of a short-term rental unit shall provide off-
10 street parking [shall be provided] on site as follows: [4]

11 (A) one (1) bedroom, one (1) parking space; and [2]

12 (B) two (2) or more bedrooms[;], two (2) parking spaces[;].

13 ~~(iv)~~(iii) A short-term rental unit must meet all applicable
14 building, ~~and~~ fire, ~~life~~and safety codes, ~~[shall be met]~~ and all toilets, faucets, and shower heads
15 [shall]must meet the water conservation requirements described in Section 25-2.6 SFCC 1987[;].

16 (iv) Prior to issuance of a permit or registration, a short-term rental
17 unit must have a certificate of occupancy to ensure compliance with all applicable codes.

18 (v) At or before the time of application for a permit or registration,
19 the owner of a short-term rental unit must also apply for and obtain a business license under
20 Section 18-1 SFCC 1987.

21
22 ~~(v)~~(vi) ~~[occupants]~~An owner or operator shall not allow guests
23 [shall not]to park recreational vehicles on site or on the street[;].

24 ~~(vi)~~(vii) ~~[short term]~~ Short-term rental units located on
25 residentially zoned property shall be used exclusively for residential purposes and shall not be

1 used for commercial activities or events, defined as intending to make money, offering goods or
2 services for sale, or conducting any other event or activity that is not residential in nature. An
3 activity “not residential in nature” includes gatherings in excess of [~~three (3)~~] two (2) times the
4 number of legally allowed [~~occupants~~] guests in the *short-term rental unit* [~~(including~~
5 ~~occupants)~~], unless the activity or event is otherwise permitted by the *city*[;].

6 [~~(vii)~~](viii) [~~the~~]The total number of [~~persons~~]guests that may
7 occupy [~~the~~]a *short-term rental unit* is twice the number of bedrooms[;].

8 [~~(viii)~~](ix) [~~noise~~]Noise or other disturbance [~~outside the~~]emitted
9 from a short-term rental unit is prohibited after 10:00 p.m., including noise or disturbances
10 emitted from decks, portals, porches, balconies, or patios[;].

11 [~~(ix)~~](x) [~~all occupants shall be informed~~]The *owner* or *operator*
12 of a short-term rental unit shall notify all guests in writing of relevant *city* ordinances, including
13 the *city*'s nuisance and water conservation ordinances[, ~~by the owner/operator of the short-term~~
14 ~~rental unit~~]. All [~~occupants~~]guests shall comply with all relevant *city* ordinances [~~and comply~~
15 ~~with all provisions of the lodger's tax ordinance~~];

16 [~~(x)~~](xi) [~~the~~]The *owner* [~~/operator~~] shall pay all applicable local,
17 state, and federal taxes, including lodgers' tax, gross receipts tax, and income tax[es];

18 [~~(xi)~~]—~~should the owner/operator fail to pay all applicable taxes, the~~
19 ~~owner/operator shall be subject to penalties pursuant to Subsection 14-6.2(A)(5)(f).~~

20 [~~(xii)~~]—~~the owner/operator shall make available to the city for its~~
21 ~~inspection all records relating to the operation of the short term rental unit to determine~~
22 ~~compliance with this Subsection 14-6.2(A)(5); and~~

23 [~~(xiii)~~]—~~the owner shall maintain adequate short term rental insurance~~
24 ~~coverage for the short term rental unit. Proof of insurance shall be required at the time the permit~~
25 ~~is issued and such other times as requested by the land use director.~~

1 (xiv) ~~upon the transfer of ownership of a *short term rental unit*, the~~
2 ~~short term rental *permit* shall terminate and revert to the land use department. If the new *owner*~~
3 ~~wishes to use the property as a *short term rental unit*, new *application* shall be submitted to the~~
4 ~~land use department.]~~

5 ~~(d)~~(f) Applications Application for a Short-Term Rental Permit or
6 Registration

7 ~~[Unless otherwise stated, an]~~An applicant shall submit an *application* for a short-
8 ~~term rental *permit* or registration~~[shall be submitted to the city as follows] that includes the
9 following information and documentation:

10 (i) ~~[the application shall include]~~the name and phone number of the
11 local [owner/]operator~~[- who is available twenty four hours per day, seven days per week to~~
12 ~~respond to complaints regarding the operation or occupancy of the *short term rental unit* as well~~
13 ~~as the name and phone number of city staff responsible for enforcing this section];~~

14 (ii) ~~[the application shall include]~~a statement signed by the
15 ~~[owner/operator]~~ owner and operator, affirming that they will operate the *short-term rental unit*
16 ~~[shall be operated]~~ in compliance with this subsection 14-6.2(A)(5) and all other applicable laws,
17 city codes, and private covenants; and that no private covenants prohibit the operation of the
18 *short-term rental unit*~~[is in compliance with any applicable private covenants, including those~~
19 ~~that prohibit the presence of *short term rental*]; and~~

20 (iii) additional information, documentation, and submittals as
21 required by the *land use director*.

22 ~~[(iii) — all applicants must submit proof of all required inspections with their~~
23 ~~initial application. Renewal applications for the same property may submit proof of all required~~
24 ~~inspections in the form of a statement attesting to compliance with all applicable fire, health, and~~
25 ~~safety requirements. The city shall perform random inspections to ensure compliance with this~~

1 ~~Subsection 14-6.2(A)(5).~~

2 ~~(iv) — prior to issuance of a permit, a certificate of occupancy is required to~~
3 ~~ensure compliance with this paragraph and all applicable codes;~~

4 ~~(v) — the permit is not transferable to another person or property;~~

5 ~~(vi) — within ten days of the issuance of the permit, the owner/operator shall~~
6 ~~mail notice by first class mail, with certificate of mailing, to the homeowners association (if~~
7 ~~applicable), and to the owners of properties within two hundred (200) feet of the subject property,~~
8 ~~exclusive of rights of way, as shown in the records of the county assessor, and by first class mail~~
9 ~~to the physical addresses of such properties where such address is different than the address of the~~
10 ~~owner and to the land use department. Notice shall be on a form approved by the land use~~
11 ~~director, and shall contain the name and phone number of the owner and operator who will be~~
12 ~~available twenty four hours per day, seven days per week to respond to complaints regarding the~~
13 ~~operation or occupancy of the short term rental as well as the name and phone number of city~~
14 ~~staff responsible for enforcing this paragraph. Copies of all required mailing lists and mailing~~
15 ~~certificates shall be provided to the land use director within ten days of the mailing. Failure to~~
16 ~~provide notification as described in this subsection is subject to penalties and prosecution~~
17 ~~pursuant to Subsection 14-6.2(A)(5)(f);~~

18 ~~(vii) each application shall be accompanied by a fee of one hundred dollars~~
19 ~~(\$100) to cover *application* processing and inspections. This application fee is non-refundable.~~

20 ~~(viii) — The annual permit fee schedule is as follows:~~

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23 **[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]**

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Table 14-6.1-1 Annual Permit and Registration Fees*		
Short-term Rental Type	Permit Fee per Unit	Registration Fee per Unit
§ 14-6.2A(5)(b)(i) Accessory Dwelling Units	\$325.00	
§ 14-6.2A(5)(b)(ii) Resort Units		\$100.00
§ 14-6.2A(5)(b)(iii) Residential Units	\$325.00	
§14-6.2A(6) Non-Residential Districts and § 14-6.2A(7) — Commercial Districts		\$100.00
Initial Application and Processing Fee (one-time)	\$100.00	
*The annual permit fee shall not be prorated for a portion of the year.		

~~(ix) — The annual fee includes the city's business registration fee and fees for inspections related to issuance of the short-term rental permit. Revenue from fees imposed pursuant to this paragraph shall be used only to administer, manage, and enforce this section.~~

~~(x) — If payment of a permit fee was in excess of that for which a person was liable, the person may claim a refund by directing to the city finance director a written claim for refund no later than one year from the date payment was made. Every claim for refund shall state the amount and basis for the claim. The city finance director may allow the claim in whole or in part or may deny it. If the claim is not allowed in whole, the person may appeal the decision pursuant to Section 14-3-17.~~

~~(xi) — Unless revoked as set forth in Subsection 14-6.2(A)(5)(f), a permit holder may renew the permit annually. If not renewed by March 15 of each year, the owner/operator may pay a late fee of fifty dollars (\$50) to extend the time for filing to renew to April 15. An owner of an expired permit may submit a new application for a short-term rental~~

1 ~~permit to the land use director in accordance with Subsection 14-6.2(A)(5)(b)(iv) subject to~~
2 ~~availability of permits.~~

3 ~~(xii) — A valid permit number shall be included in all advertising of the~~
4 ~~short-term rental, including listings on web-based rental sites.]~~

5 (g) Permit and Registration Renewals

6 (i) Unless revoked pursuant to section 14-11.4, an owner may
7 renew a short-term rental permit or registration annually.

8 (ii) An application for renewal of a permit or registration shall
9 include the records required by subparagraph 14-6.2(A)(5)(k) for the previous one (1) year.

10 (iii) An owner must renew a short-term rental permit or registration
11 and the associated business license by March 15 of each year. If a permit or registration is not
12 renewed by March 15, the owner may pay a late fee of fifty dollars (\$50) to extend the time for
13 filing to renew to April 15. If a permit is not renewed by its expiration date, including any thirty
14 (30) day extension, then the permit will revert to the land use department and will become
15 available to the next eligible applicant on the waiting list, if any. An owner whose permit or
16 registration has expired may submit a new application for a short-term rental permit or
17 registration to the land use director. Issuance of a new permit is subject to the availability of
18 permits.

19 (h) Fees for Short-term Rental Units

20 The following fees shall be used only to administer, manage, and enforce this
21 subsection 14-6.2(A)(5) and relevant sections of Chapter 18 SFCC 1987, which address
22 applicable licenses and taxes.

23 (i) Application fee. An application for a new short-term rental
24 permit shall be accompanied by a one-time non-refundable application, processing, and
25 inspection fee of one hundred dollars (\$100).

1 (ii) Business license fee. A short-term rental unit is subject to an
2 annual business license fee of thirty-five dollars (\$35).

3 (iii) Permit fee. A short-term rental unit on residentially zoned
4 property is subject to an annual permit fee of two hundred and ninety dollars (\$290).

5 (iv) Registration fee. A short-term rental unit on non-residentially
6 zoned property is subject to an annual registration fee of two hundred and ninety dollars (\$290).

7 (i) Inspections

8 The city shall perform an inspection prior to the issuance of an initial
9 permit or registration to ensure compliance with subsection 14-6.2(A)(5) and all applicable fire,
10 health, and safety requirements; and may, upon notice to the owner, perform additional
11 inspections as warranted. To obtain a short-term rental permit or registration, a dwelling unit must
12 meet the following requirements:

13 (i) fire evacuation plan;

14 (ii) carbon monoxide detection;

15 (iii) smoke alarms in all bedrooms;

16 (iv) fire extinguishers on each floor;

17 (v) no storage of combustible materials in mechanical, boiler, or
18 electrical rooms;

19 (vi) fireplace or wood stove must have non-combustible ash
20 receptacle outside the dwelling unit; and

21 (vii) address numerals must be at least four (4) inches tall, with one-
22 half inch stroke width, in contrasting color, visible from the street.

23 (j) Required Notice for Short-term Rental Permits

24 (i) Within ten (10) days after the issuance or renewal of a short-term
25 rental permit, the owner or operator shall mail notices by first-class mail to the homeowners

1 association within which the unit is located (if applicable); to the owners of residentially zoned
2 property within two hundred (200) feet of the subject property, exclusive of rights of way, as
3 shown in the records of the county assessor; to the physical addresses of such properties where
4 such address is different than the address of the owner; and to the land use department.

5 (ii) The notices shall be on a form approved by the land use director.

6 (iii) The notices shall contain the name and phone number of the
7 local operator. Within ten (10) days after any change in the contact information for the local
8 operator, the owner or operator shall mail a new notice to all parties entitled to notice.

9 (iv) Within ten (10) days of the mailing, the owner or operator shall
10 provide the land use director with copies of all required mailing lists and an affidavit of mailing
11 signed by the person who mailed the notices.

12 (k) Records

13 Each owner or operator shall maintain records for the owner's short-term rental
14 unit for at least the most recent three (3) years for the owner's short-term rental unit or units and
15 shall make such records available to the city for inspection upon request. The records that must be
16 maintained for each short-term rental unit include the following:

17 (i) For a short-term rental unit located on residentially zoned
18 property, the starting date of each reservation and the number of nights rented for each
19 reservation;

20 (ii) For all short-term rental units, the amount of rent guests paid by
21 month; and

22 (iii) For all short-term rental units, the amount of each type of tax
23 and fee the owner paid to the city in connection with rental of the unit by month.

24 ~~(e)~~(l) Violations and Penalties

25 (i) ~~The land use director shall document all alleged violations of this~~

1 paragraph and shall pursue enforcement through the municipal court as set forth in Article 1-3
2 SFCC 1987 or in another appropriate court of law. The city shall give the owner a written notice
3 of violation, which shall be mailed either to the owner's local or business address or agent's
4 address, informing the owner of the violation. If corrective action is not completed within fifteen
5 (15) days of the date of the letter, the city may file a criminal complaint in municipal court. Upon
6 conviction of a first violation, the land use director shall revoke the permit and operation of the
7 short term rental shall cease within thirty days.

8 (ii) — An owner who offers for rent as a short term rental a dwelling
9 unit that is not permitted for use as a short term rental is in violation of this paragraph and is
10 subject to penalties, property liens and/or prosecution pursuant to subsection 14-2(A)(5)(f). (iii) An
11 agent who knowingly assists an owner in advertising or renting a dwelling unit as a short term
12 rental unit that is not permitted under this subsection 14-6.2(A)(5) is subject to penalties and
13 prosecution, and the agent's business license is subject to revocation.]

14 If an owner or operator fails to obtain the necessary permit or
15 registration before renting, offering to rent, or advertising a short-term rental unit; fails to pay or
16 report applicable taxes; or otherwise fails to adhere to the provisions of subsection 14-6.2(A)(5),
17 the owner or operator shall be subject to the enforcement provisions set forth in Sections 1.3 and
18 14-11 SFCC 1987 and all other legal remedies and enforcement actions available under the law.
19 These may include civil or criminal penalties or revocation of a short-term rental permit or
20 registration.

21 [(f) — Penalties

22 (i) — Any owner who fails to report all applicable taxes, including
23 gross receipts tax and lodger's tax, shall be subject to any and all remedies under the short term
24 rental ordinance and any other applicable city, county, state, or federal law or statute. Such owner
25 shall also be subject to revocation of their short term rental permit pursuant to Subsection 14-

1 6.2(A)(5)(e)(i).

2 (ii) ~~— If an owner is found guilty of operating a short term rental~~
3 ~~without a valid permit, they shall be fined five hundred dollars (\$500). The city may ask the~~
4 ~~municipal court to treat each day after the initial written notice of violation as a separate violation~~
5 ~~and assess two hundred fifty dollars (\$250) for each day of such daily violations for a total~~
6 ~~cumulative fine amount. If the city is awarded money as part of a judgment following a court~~
7 ~~hearing and defendant does not make timely payments to the city, the city may bring an action in~~
8 ~~lien or equity for the collection of any amounts due.]~~

9 ~~(g)~~(m) Restrictive Covenants

10 Private restrictive covenants, enforceable by those governed by
11 the covenants, may prohibit *short-term rental units*.

12 ~~(h)~~(n) Real Estate Disclosure

13 A ~~Real~~ real estate ~~brokers~~ broker listing ~~residential~~ property
14 in Santa Fe shall provide prospective buyers with a current copy of this ordinance.

15 (o) Host Platforms.

16 (i) A host platform shall require an owner or operator of a short-
17 term rental unit to include a city-issued permit or registration number in all listings or
18 advertisements for a short-term rental unit.

19 (ii) Upon notice from the city that a permit or registration number on
20 a short-term rental unit listing is invalid, the host platform shall deactivate that listing within five
21 (5) business days.

22 (iii) A host platform shall provide a monthly report to the city that
23 includes the web address (URL) for each property listed on the host platform, together
24 with the permit or registration number associated with that URL.

25 (i) ~~— The land use director shall establish administrative procedures necessary~~

1 to implement, manage and enforce this paragraph.

2 ~~(6) — Short term Rental of Dwelling Units — Non residentially Zoned Property~~
3 Short term rental of dwelling units on non residentially zoned property is permitted as set forth
4 in Table 14-6.1-1, must be registered; are subject to a one-time one hundred dollar (\$100)
5 application, inspection and processing fee; and must comply with submission requirements and
6 report all applicable taxes.]

7 (6) Existing Short-Term Rental *Permits* and Registrations

8 (a) Short-term rental *permits* and registrations held at the time the ordinance
9 amending subsection 14-6.2(A) SFCC 1987 (Ordinance No. 2020-) is adopted remain valid and
10 are not subject to the limitations on proximity set forth in subsection 14-6.2(A)(5)(c) or (d) or the
11 limit of one *permit* per natural person set forth in subsection 14-6.2(A)(5)(c)((iii)). The *owner* does
12 not need to renew those *permits* or registrations until they expire. Upon expiration, and in
13 subsequent years, the *owner* is eligible to timely renew the *permits* or registrations pursuant to
14 subsection 14-6.2(A)(5)(i), subject to compliance with applicable requirements of subsection 14-
15 6.2(A)(5) and payment of required fees.

16 (b) A *short-term rental unit* that is validly permitted or registered at the time
17 the ordinance amending subsection 14-6.2(A) SFCC 1987 (Ordinance No. 2020-) is adopted
18 and that either is located within a *development containing resort facilities* or is comprised of
19 multiple, time-divided ownership interests may continue to operate as a *short-term rental unit* as
20 provided in this subparagraph. Such units are not subject to the limitations on proximity set forth
21 in subsection 14-6.2(A)(5)(c) or (d) or the limit of one (1) *permit* per natural person set forth in
22 subsection 14-6.2(A)(5)(c)((iii)). Upon expiration of the existing *permit* or registration and in
23 subsequent years, the *owner* is eligible to timely file a renewal *application* and to obtain a short-
24 term rental registration for the following year. Eligible units shall be issued a short-term rental
25 registration, not a *permit*, regardless of whether the unit is located on residentially or non-

1 residentially zoned property, subject to ongoing compliance with applicable requirements of
2 subsection 14-6.2(A)(5) and payment of applicable fees.

3 (7) *Dwelling Units* in Specified Commercial Districts

4 In the C-2 and SC Districts, *dwelling units* do not include mobile homes or
5 recreational vehicles and shall be ~~either~~ one of the following:

6 (a) *accessory dwelling units* for occupancy only by *owners*, employees, or
7 tenants of nonresidential uses that are operated on the same premises;

8 (b) part of a planned development; ~~[or]~~

9 (c) part of a use for which a development plan or special use *permit* is
10 required; or

11 (d) part of a qualifying residential project within the Midtown LINC Overlay
12 District.

13 ~~[(8) — Effective Date~~

14 ~~The provisions of Subsection 14-6.2(A)(5) of the Land Development Code~~
15 ~~shall go into effect immediately upon approval of the Governing Body. A ninety (90)~~
16 ~~day grace period shall be given for effected units to obtain a valid permit. Short term~~
17 ~~rental unit owners who possess a valid short term rental permit at the time this~~
18 ~~ordinance (Ordinance 2016-20) is adopted shall be considered to possess a valid permit~~
19 ~~under the new regulations and shall not need to renew their permit until the following~~
20 ~~year. Short term rental unit owners who possess a valid short term permit for a~~
21 ~~contiguous property issued prior to this ordinance (Ordinance 2016-20) being adopted~~
22 ~~shall be deemed as a "residential" permit holder upon the adoption of the ordinance and~~
23 ~~shall renew their permit as a "residential" permit in following years.]~~

24 **Section 2. Section 14-12.1 of SFCC 1987 (being Ord. No. 2011-37, § 15 as**
25 **amended) is amended to add and amend the following definitions:**

1 **14-12.1 DEFINITIONS**

2 DEVELOPMENT CONTAINING RESORT FACILITIES, SHORT-TERM RENTAL

3 A development in which the owners own two (2) or more of the following facilities in common
4 and have obtained a special use permit for operation of those facilities: swimming pools, spa
5 facilities, golf courses, restaurants, or tennis facilities.

6 GUEST, SHORT-TERM RENTAL

7 Any person who rents a short-term rental unit or occupies a short-term rental unit during a rental
8 period.

9 HOST PLATFORM, SHORT-TERM RENTAL

10 An internet website, a mobile application, or any other forum used to connect a short-term rental
11 owner or operator with guests and to facilitate the booking of a short-term rental unit.

12 NATURAL PERSON

13 An individual human being, as opposed to an organization of any form or a business entity.

14 OPERATOR, SHORT-TERM RENTAL

15 A person who, with or without a short-term rental permit or registration, rents or offers to rent a
16 short-term rental unit to guests.

17 SHORT-TERM RENTAL UNIT

18 A dwelling unit or accessory dwelling unit, or any portion of a dwelling unit or accessory
19 dwelling unit, that is offered for rent or rented for a period of less than thirty (30) days.

20 **Section 3. Section 12-2.3 of SFCC 1987 (being Ord. No. 2004-53, §§ 6, 7 as**
21 **amended) is amended as follows:**

22 **12-2.3 Annual fire inspections.**

23 The following types of occupancies, as defined by the International Building Code, shall
24 require an annual inspection by the fire department for compliance with the fire code of the city
25 of Santa Fe.

1 A. Group A-1 occupancies (assembly occupancies including, but not limited to,
2 motion picture theaters, and symphony and concert halls, theaters);

3 B. Group A-2 occupancies (assembly occupancies including, but not limited to,
4 banquet halls, night clubs, restaurants, taverns, and bars);

5 C. Group E occupancies (occupancies for educational purposes);

6 D. Group M occupancies, or greater, (mercantile occupancies including, but not
7 limited to, department stores, drug stores, markets, motor fuel-dispensing facilities, retail or
8 wholesale stores, sales rooms); and

9 E. Group R-1 occupancies (residential occupancies where the occupants are
10 primarily transient in nature including, but not limited to, [~~short-term rental units,~~] boarding
11 houses, hotels, and motels).

12 APPROVED AS TO FORM:

13
14 
15 ERIN K. McSHERRY, CITY ATTORNEY

FISCAL IMPACT REPORT

General Information:

(Check) Bill: X Resolution: _____

Short Title(s): Short-Term Rental Changes

Sponsor(s): Mayor Webber, and Councilors Lindell, Romero-Wirth, and Villarreal

Reviewing Department(s): Land Use, City Attorney's Office, Finance

Staff Completing FIR: Elias Isaacson, Land Use Director Date: 09/29/20 Phone: 505-955-6370

Reviewed by City Attorney: *Eric McCreary* Date: Oct 7, 2020

Reviewed by Finance Director: *Mary McCreary* Date: Oct 8, 2020

Summary:

The legislation would (1) adopt by ordinance a maximum of one thousand (1000) short-term rental permits in the City, (2) prospectively limit the number of short-term rental permits to one per natural person, (3) prospectively limit the proximity of short-term rental units, (4) require a local operator for short-term rental units, (5) adopt record-keeping and reporting requirements for short-term rental unit owners and host platforms, and (6) clarify other provisions of the short-term rental ordinance. The legislation would also amend the Land Use Code definitions in SFCC Section 14-12.1 SFCC 1987, as they relate to short-term rental units; and amend SFCC Section 12-2.3 to clarify that a short-term rental unit is not a Group R-1 occupancy for purposes of fire inspections.

Departments Affected:

Land Use, Tourism, Finance, and Fire Department

Consequences of Not Enacting Legislation:

Existing Ordinance remains in place, and difficulties with administration, enforcement, and revenue collection persist.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:

No conflicts or duplications exist. This ordinance will work in concert with recently adopted Ordinance amending Section 14-11.4 of the Land Development Code to implement civil penalty provisions, a civil fine schedule, and civil citation procedures for Land Use Code enforcement actions.

Performance and Administrative Implications:

The revised ordinance will make the City's STR program easier to administer and enforce, while also ensuring the proper revenues to the City are collected.

Fiscal Implications:

The impacts to revenue are moderate. Adoption of these revision to the existing Ordinance may lead to more permit fees coming into the City. Impacts to expenditures are negligible.

Fiscal Impact:

_____ Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and Benefits*	\$ _____	\$ _____	\$ _____	_____	_____	_____	
Capital Outlay	\$ _____	\$ _____	\$ _____	_____	_____	_____	
Contractual/ Professional Services	\$ _____	\$ _____	\$ _____				
Operating	\$ _____	\$ _____	\$ _____		_____	_____	\$ _____
Total:	\$ _____	\$ _____	\$ _____				\$ _____

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

Revenue Type	FYE 20	FYE 21	FYE 22	Recurring (R) or Non-recurring (NR)	Fund
General Fund	\$ _____	\$11,250	\$11,250	R	
Special Revenue	\$ _____	\$ _____	\$ _____	_____	_____
CIP	\$ _____	\$ _____	\$ _____	_____	_____
Enterprise	\$ _____	\$ _____	\$ _____	_____	_____
Internal Service	\$ _____	\$ _____	\$ _____	_____	_____
Trust and Agency	\$ _____	\$ _____	\$ _____	_____	_____
Federal	\$ _____	\$ _____	\$ _____	_____	_____
Other	\$ _____	\$ _____	\$ _____	_____	_____
Total	\$ _____	\$11,250	\$11,250		

Revenue Narrative:

The amendment includes an increase of the registration fee so that it is commensurate with the permit fee. The recurring revenue increase is based on an assumption of issuing a combined total of 50 new and renewal non-residential registrations over the next year. The difference in current vs. proposed fees for new non-residentially zoned STR registrations is \$225. The difference in renewal fees is also \$225, suggesting this will be a recurring increase in revenues in years to come.

ATTACHMENT

3

Previous Draft

Legislation

(1st Draft STR Bill)

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CITY OF SANTA FE, NEW MEXICO

BILL NO. 2020-__

INTRODUCED BY:

Mayor Alan Webber

Councilor Signe I. Lindell

Councilor Carol Romero-Wirth

Councilor Renee Villarreal

AN ORDINANCE

AMENDING SECTION 14-6.2 SFCC 1987 TO ADOPT BY ORDINANCE A MAXIMUM OF ONE THOUSAND (1000) SHORT-TERM RENTAL PERMITS IN THE CITY, TO PROSPECTIVELY LIMIT THE NUMBER OF SHORT-TERM RENTAL PERMITS TO ONE PER NATURAL PERSON, TO PROSPECTIVELY LIMIT THE PROXIMITY OF SHORT-TERM RENTAL UNITS ON RESIDENTIALLY ZONED PROPERTY, TO REQUIRE A LOCAL OPERATOR FOR SHORT-TERM RENTAL UNITS, TO ADOPT RECORD-KEEPING AND REPORTING REQUIREMENTS FOR SHORT-TERM RENTAL UNIT OWNERS AND HOST PLATFORMS, AND TO CLARIFY OTHER PROVISIONS OF THE SHORT-TERM RENTAL ORDINANCE.

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

Section 1. Subsection 14-6.2(A)(5) of SFCC 1987 (being Ord. No. 2011-37 § 8, as amended) is amended to read:

14-6.2 USE-SPECIFIC STANDARDS

(A) Residential Uses

1 (1) Continuing Care Community

2 (a) Density

3 Independent *dwelling units* are subject to the *density* standards of the
4 district in which the *continuing care community* is located.

5 (b) Compliance with state and federal law

6 *Continuing care communities* must comply with all applicable *state* and
7 federal laws and regulations.

8 (2) Mobile Home, Permanent Installation

9 In any district in which permanent *single-family* occupancy of a *mobile*
10 *home* on an individual *lot* is allowed as a special use *permit* by the board of
11 adjustment, the following minimum standards apply:

12 (a) the *mobile home* shall be anchored to a concrete foundation
13 and skirted as specified by the *land use director*;

14 (b) the rental or lease of *mobile homes* used as *single-*
15 *family* residences on individual *lots* is prohibited; and

16 (c) minimum requirements for *lot size, front, side* and *rear yards*,
17 and all other standards pertaining to *single-family residential* land use set
18 forth in Chapter 14 apply.

19 (3) Mobile Home Park

20 (a) Applicability

21 New *mobile home parks* are prohibited as of December 10,
22 2012 (effective date of this Ordinance No. 2012-37). In a district in
23 which *mobile home parks* are allowed, the minimum standards set out
24 in this section apply.

25 (b) License

1 Prior to beginning operation, a *mobile home park* owner or
2 operator must obtain a business license from the *city* under the
3 provisions of Article 18-1 SFCC 1987.

4 (c) Inspection

5 The *city* may inspect a *mobile home park* for conformance with
6 the provisions of this section.

7 (d) Transfer of License

8 The *city* may issue a transfer of the license only after the
9 following:

10 (i) *application* in writing for transfer of a license and
11 payment of the transfer;

12 (ii) an inspection report by the *land use director* has been
13 submitted to the *governing body*, stating conformance or
14 nonconformance with the provisions of this section;

15 (iii) approval by the *governing body*.

16 (e) Revocation of License

17 The *governing body* may revoke a license to maintain and
18 operate a *mobile home park*, as provided in Article 18-1 SFCC 1987
19 when the *licensee* has violated any provision of this section.

20 (f) Posting

21 The license certificate shall be conspicuously posted in the
22 office of or on the *premises* of the *mobile home park* at all times.

23 (g) Standards

24 *Mobile home parks* shall comply with the standards set forth in
25 Subsection 14-7.2(1).

1 (4) Manufactured Homes

2 *Manufactured homes:*

3 (a) are permitted in any district in which site-built, *single-family*
4 *dwelling*s are allowed;

5 (b) shall meet all requirements of other site-built, *single-family*
6 *dwelling*s in the same district and all applicable historic or aesthetic standards
7 set forth in Chapter 14; and

8 (c) shall be constructed according to the Manufactured Home
9 Construction and Safety Standards, 24 CFR Section 3280.

10 (5) Short-Term Rental [~~of Dwelling~~] Units [~~Residentially Zoned Property~~]

11 (a) [~~Dwelling Units~~] Purpose and Intent

12 [~~Dwelling units located on residentially zoned property may not be~~
13 ~~rented for less than thirty days except as set forth in this Subsection 14-~~
14 ~~6.2(A)(5).~~] The purposes of this Short-Term Rental Unit Ordinance are the
15 following:

16 (i) to ensure that the operation of short-term rental units in
17 residential areas does not disrupt the character of the city's neighborhoods or
18 affect the quality of life of neighboring residents;

19 (ii) to prevent speculators from purchasing multiple homes
20 for the purpose of operating multiple short-term rental units, thereby reducing
21 the amount of long-term housing availability;

22 (iii) to allow law abiding residents the option of utilizing
23 their homes and accessory dwelling units as short-term rental units to create
24 wealth and generate supplemental income;

25 (iv) to minimize public safety risks associated with short-

1 term rental units, such as higher traffic levels, parking issues, noise, litter, and
2 other public nuisances; and

3 (v) to ensure that an owner or operator of a short-term
4 rental unit follows applicable regulations, including the payment of all applicable
5 fees and taxes.

6 (b) Short-Term Rental [Units] Permit Required

7 ~~[Short-term rental units are prohibited on residentially zoned~~
8 ~~property except as provided in this Subsection 14-6.2(A)(5)(b).]~~

9 ~~[(i) Short-term rental units that are operated in compliance with~~
10 ~~Subsection 14-6.3(D)(1) (Accessory Dwelling Units) and in compliance with this Subsection 14-~~
11 ~~6.2(A)(5) are allowed.]~~

12 (i) An owner of a short-term rental unit must have a city-
13 issued business license and a short-term rental permit. An owner or operator shall not operate,
14 rent, offer to rent, or advertise a short-term rental unit without a valid permit from the city.

15 ~~[(ii) Short-term rental units located in a development~~
16 ~~containing resort facilities approved pursuant to a special-use permit which are owned in common~~
17 ~~by the owners within the development, are allowed. As used in this item, "resort facility" means~~
18 ~~any combination of swimming pools, spa facilities, golf courses, restaurants and tennis facilities.]~~

19 ~~[(iii)](ii) The land use director may issue a maximum of~~
20 ~~one thousand (1000) short-term rental permits[in a quantity approved by the governing body~~
21 ~~through adoption, after a public hearing, of a resolution for residential units not otherwise~~
22 ~~qualifying for permits under Items (i) and (ii) above. Dwelling units on non-residentially zoned~~
23 ~~property pursuant to §14-6.2(A)(6) and §14-6.2(A)(7) are not subject to the permit limit imposed~~
24 ~~by this subsection].~~

25 (iii) The land use director shall issue permits to natural

1 persons only, and each natural person may possess a maximum of one (1) permit.

2 (iv) ~~[Whenever the demand for short-term rental units~~
3 ~~exceeds the number permitted in accordance with Subsection 14-6.2(A)(5)(b)(iii) above, the~~
4 ~~number of additional permits may be increased by the governing body through adoption of a~~
5 ~~resolution and issued by the land use director. New permits shall be issued in the order that~~
6 ~~eligible applications are received.]~~ The land use department shall process applications in the
7 order of receipt and shall issue new permits in the order that complete applications are received.
8 If the number of permits reaches the one thousand (1000)-permit limit, then the land use
9 department shall stop processing applications and shall add applicants to a waiting list until a
10 permit becomes available. If an applicant waits on the list for a year or longer, the land use
11 department may require the applicant to indicate a continued interest in remaining on the list.

12 (v) A permit is not transferable to another person or
13 property. Upon the transfer of ownership of a short-term rental unit, the short-term rental permit
14 shall terminate and revert to the land use department. If the new owner wishes to use the property
15 as a short-term rental unit, the owner shall submit a new application to the land use department.

16 (c) General Provisions

17 ~~[Unless otherwise stated, the following general provisions apply to short-~~
18 ~~term rental units:]~~

19 (i) A short-term rental unit must have a local operator that is
20 available twenty-four (24) hours per day, seven (7) days per week, to respond to complaints
21 regarding the operation or occupancy of the short-term rental unit. For purposes of this
22 subparagraph, "local" means within the municipal boundaries of the city of Santa Fe.

23 ~~[(ii) short-term rental permits will not be issued for more than two~~
24 ~~short-term rental units directly adjoining each other on a residentially-zoned street. For the~~
25 ~~purposes of this subsection, "directly adjoining" means sharing a common boundary along a~~

1 ~~public street frontage, but does not include adjoining units in a condominium, townhouse~~
2 ~~development, apartment complex, or residential compound;~~

3 (ii) An owner or operator shall not rent a short-term dwelling unit
4 more than once [no more than one rental is allowed] within a seven (7)-
5 [consecutive] day period[;].

6 (iii) An owner of a permitted short-term rental unit shall provide off-
7 street parking [shall be provided] on site as follows: [1]

8 (A) one bedroom, one parking space; and [2]

9 (B) two or more bedrooms[;], two parking spaces[;].

10 (iv) A short-term rental unit must meet all applicable building, [and]
11 fire, [life]and safety codes, [shall be met] and all toilets, faucets, and shower heads [shall]must
12 meet the water conservation requirements described in Section 25-2.6 SFCC 1987[;].

13 (v) Prior to issuance of a permit, a short-term rental unit must have
14 a certificate of occupancy to ensure compliance with all applicable codes.

15 (vi) Prior to issuance of a permit, the owner of a short-term rental
16 unit must obtain a business license under Section 18-1 SFCC 1987.

17 (vii) A valid business license number must be included in all
18 advertising of a short-term rental unit, including listings on a host platform.

19 ~~[occupants]~~(viii) An owner or operator shall not allow guests
20 [shall not]to park recreational vehicles on site or on the street;

21 ~~[short-term]~~(ix) Short-term rental units located on
22 residentially-zoned property shall be used exclusively for residential purposes and shall not be
23 used for commercial activities or events, defined as intending to make money, offering goods or
24 services for sale, or conducting any other event or activity that is not residential in nature. An
25 activity “not residential in nature” includes gatherings in excess of [three (3)] two (2) times the

1 number of legally allowed ~~[occupants]~~ guests in the *short-term rental unit* ~~[(including~~
2 ~~occupants)]~~, unless the activity or event is otherwise permitted by the *city*[;].

3 ~~[(vii)](x)~~ ~~[the]~~The total number of ~~[persons]~~guests that may
4 occupy ~~[the]~~a short-term rental unit is twice the number of bedrooms[;].

5 ~~[(viii)](xi)~~ ~~[noise]~~Noise or other disturbance ~~[outside the]~~emitted
6 from a short-term rental unit is prohibited after 10:00 p.m., including decks, portals, porches,
7 balconies, or patios[;].

8 ~~[(ix)](xii)~~ ~~[all occupants shall be informed]~~The owner or operator
9 of a short-term rental unit shall notify all guests in writing of relevant *city* ordinances, including
10 the *city's* nuisance and water conservation ordinances[, ~~by the owner/operator of the short-term~~
11 ~~rental unit~~]. All ~~[occupants]~~guests shall comply with all relevant *city* ordinances, including ~~[and~~
12 ~~comply with all provisions of]~~ the ~~[lodger's]~~lodgers' tax ordinance[;].

13 ~~[(x)](xiii)~~ ~~[the]~~The owner~~[/operator]~~ shall pay all applicable local,
14 state, and federal taxes, including lodgers' tax, gross receipts tax, and income tax[es;].

15 ~~[(xi) — should the owner/operator fail to pay all applicable taxes, the~~
16 ~~owner/operator shall be subject to penalties pursuant to Subsection 14-6.2(A)(5)(f).~~

17 ~~(xii) — the owner/operator shall make available to the city for its~~
18 ~~inspection all records relating to the operation of the short term rental unit to determine~~
19 ~~compliance with this Subsection 14-6.2(A)(5); and~~

20 ~~(xiii) — the owner shall maintain adequate short term rental insurance~~
21 ~~coverage for the short term rental unit. Proof of insurance shall be required at the time the permit~~
22 ~~is issued and such other times as requested by the land use director.~~

23 ~~(xiv) — upon the transfer of ownership of a short term rental unit, the~~
24 ~~short term rental permit shall terminate and revert to the land use department. If the new owner~~
25 ~~wishes to use the property as a short term rental unit, new application shall be submitted to the~~

1 ~~land use department.]~~

2 (d) Applications for a Short-Term Rental Permit

3 ~~[Unless otherwise stated, an]~~ An applicant shall submit an application for a short-
4 term rental permit [shall be submitted to the city as follows] that includes the following
5 information and documentation:

6 (i) ~~[the application shall include]~~ the name and phone number of the
7 local owner~~[operator]~~ or operator who is available twenty-four (24) hours per day, seven (7)
8 days per week to respond to complaints regarding the operation or occupancy of the *short-term*
9 *rental unit* ~~[as well as the name and phone number of city staff responsible for enforcing this~~
10 ~~section];~~

11 (ii) ~~[the application shall include]~~ a statement signed by the
12 ~~[owner/operator]~~ owner and operator, affirming that they will operate the short-term rental unit
13 ~~shall be operated]~~ in compliance with this subsection 14-6.2(A)(5) and all other applicable laws,
14 city codes, and private covenants; and that no private covenants prohibit the operation of the
15 *short-term rental unit* ~~[is in compliance with any applicable private covenants, including those~~
16 ~~that prohibit the presence of short term rental]; and~~

17 (iii) additional information, documentation, and submittals as
18 required by the land use director.

19 ~~[(iii) all applicants must submit proof of all required inspections with their~~
20 ~~initial application. Renewal applications for the same property may submit proof of all required~~
21 ~~inspections in the form of a statement attesting to compliance with all applicable fire, health, and~~
22 ~~safety requirements. The city shall perform random inspections to ensure compliance with this~~
23 ~~Subsection 14-6.2(A)(5).~~

24 (iv) ~~prior to issuance of a permit, a certificate of occupancy is required to~~
25 ~~ensure compliance with this paragraph and all applicable codes;~~

1 ~~(v) the permit is not transferable to another person or property;~~
2 ~~(vi) within ten days of the issuance of the permit, the owner/operator shall~~
3 ~~mail notice by first class mail, with certificate of mailing, to the homeowners association (if~~
4 ~~applicable), and to the owners of properties within two hundred (200) feet of the subject property,~~
5 ~~exclusive of rights of way, as shown in the records of the county assessor, and by first class mail~~
6 ~~to the physical addresses of such properties where such address is different than the address of the~~
7 ~~owner and to the land use department. Notice shall be on a form approved by the land use~~
8 ~~director, and shall contain the name and phone number of the owner and operator who will be~~
9 ~~available twenty four hours per day, seven days per week to respond to complaints regarding the~~
10 ~~operation or occupancy of the short term rental as well as the name and phone number of city~~
11 ~~staff responsible for enforcing this paragraph. Copies of all required mailing lists and mailing~~
12 ~~certificates shall be provided to the land use director within ten days of the mailing. Failure to~~
13 ~~provide notification as described in this subsection is subject to penalties and prosecution~~
14 ~~pursuant to Subsection 14-6.2(A)(5)(f);]~~

15 ~~[(vii) each application shall be accompanied by a fee of one hundred dollars~~
16 ~~(\$100) to cover application processing and inspections. This application fee is non-refundable.]~~

17 ~~[(viii) The annual permit fee schedule is as follows:~~

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Table 14-6.1-1 Annual Permit and Registration Fees*		
Short-term Rental Type	Permit Fee per Unit	Registration Fee per Unit
§ 14-6.2A(5)(b)(i) — Accessory Dwelling Units	\$325.00	
§ 14-6.2A(5)(b)(ii) — Resort Units		\$100.00
§ 14-6.2A(5)(b)(iii) — Residential Units	\$325.00	
§14-6.2A(6) Non-Residential Districts and § 14- 6.2A(7) — Commercial Districts		\$100.00
Initial Application and Processing Fee (one-time)	\$100.00	
*The annual permit fee shall not be prorated for a portion of the year.		

13 ~~(ix) — The annual fee includes the city's business registration fee and fees for~~
14 ~~inspections related to issuance of the short term rental permit. Revenue from fees imposed~~
15 ~~pursuant to this paragraph shall be used only to administer, manage, and enforce this section.~~

16 ~~(x) — If payment of a permit fee was in excess of that for which a~~
17 ~~person was liable, the person may claim a refund by directing to the city finance director a written~~
18 ~~claim for refund no later than one year from the date payment was made. Every claim for refund~~
19 ~~shall state the amount and basis for the claim. The city finance director may allow the claim in~~
20 ~~whole or in part or may deny it. If the claim is not allowed in whole, the person may appeal the~~
21 ~~decision pursuant to Section 14-3.17.~~

22 ~~(xi) — Unless revoked as set forth in Subsection 14-6.2(A)(5)(f), a~~
23 ~~permit holder may renew the permit annually. If not renewed by March 15 of each year, the~~
24 ~~owner/operator may pay a late fee of fifty dollars (\$50) to extend the time for filing to renew to~~
25 ~~April 15. An owner of an expired permit may submit a new application for a short term rental~~

1 ~~permit to the land use director in accordance with Subsection 14-6.2(A)(5)(b)(iv) subject to~~
2 ~~availability of permits.~~

3 ~~(xii) — A valid permit number shall be included in all advertising of the~~
4 ~~short term rental, including listings on web-based rental sites.]~~

5 (e) Proximity of Short-Term Rental Units on Residentially Zoned Property

6 Subject to the exceptions listed below, the land use director shall not issue a new
7 permit for a short-term rental unit if the subject property, as identified in the application, is
8 located within a seventy-five (75)-foot radius of a residentially zoned property that has a
9 permitted short-term rental unit. The radius shall be measured from the subject property
10 boundary. This limitation shall not apply to the following:

11 (i) an application for a short-term rental unit located on non-
12 residentially zoned property or within a development containing resort facilities;

13 (ii) an application for a short-term rental unit that complies with the
14 requirements set forth in the accessory dwelling unit ordinance, subsection 14-6.3(D)(1); or

15 (iii) an application for a short-term rental unit in a multiple-family
16 dwelling development that contains four (4) or more dwelling units, provided, however, that the
17 land use director shall not issue short-term rental permits for more than twenty-five (25%) of the
18 dwelling units in a multiple-family dwelling development that contains four (4) or more dwelling
19 units.

20 ~~(e)(f)~~ Fees for Short-term Rental Units

21 The following fees shall be used only to administer, manage, and enforce this
22 subsection 14-6.2(A)(5) and relevant sections of Chapter 18 SFCC 1987, which address
23 applicable licenses and taxes.

24 (i) Application fee. An application for a new short-term rental
25 permit shall be accompanied by a one-time non-refundable application, processing, and

1 inspection fee of one hundred dollars (\$100).

2 (ii) Business license fee. A short-term rental unit is subject to an
3 annual business license fee of thirty-five dollars (\$35).

4 (iii) Permit fee. A short-term rental unit is subject to an annual
5 permit fee of two hundred and ninety dollars (\$290).

6 (g) Required Notice

7 (i) Within ten (10) days after the issuance or renewal of a short-term
8 rental permit, the owner or operator shall mail notices by first-class mail to the homeowners
9 association within which the unit is located (if applicable); to the owners of residentially-zoned
10 property within two hundred (200) feet of the subject property, exclusive of rights of way, as
11 shown in the records of the county assessor; to the physical addresses of such properties where
12 such address is different than the address of the owner; and to the land use department.

13 (ii) The notices shall be on a form approved by the land use director.

14 (iii) The notices shall contain the name and phone number of the
15 local operator. Within ten (10) days after any change in the contact information for the local
16 operator, the owner or operator shall mail a new notice, to all parties, in accordance with this
17 subparagraph 14-6.2(A)(5)(g).

18 (iv) Within ten (10) days of the mailing, the owner or operator shall
19 provide the land use director with copies of all required mailing lists and an affidavit of mailing
20 signed by the person who mailed the notices.

21 (h) Records

22 Each owner or operator shall maintain all records for the owner's short-term
23 rental unit for at least the most recent three years for the owner's short-term rental unit or units
24 and shall make such records available to the city for inspection upon request. If a host platform
25 collects rent for a short-term rental unit, the host platform must also maintain such records. The

1 records to be maintained for each *short-term rental unit* must include the following:

2 (i) The number of reservations and number of nights rented each
3 calendar month;

4 (ii) The amount of rent guests paid by month; and

5 (iii) The amount of each type of tax and fee the owner paid to the *city*
6 in connection with rental of the unit by month.

7 (i) Permit Renewals

8 Unless revoked pursuant to Section 14-11.4, an *owner* may renew a short-term
9 rental *permit* annually. If not renewed by the expiration date of the existing *permit*, the *owner*
10 may pay a late fee of fifty dollars (\$50) to extend the time for filing to renew by thirty (30) days.
11 After the thirty (30) days, if the *owner* has not renewed or requested an extension, the *permit* will
12 become available to the next eligible *applicant*, and the *owner* may submit a new *application* for
13 a short-term rental *permit* to the *land use director*, subject to the availability of *permits*.

14 (j) Inspections

15 The *city* shall perform random inspections to ensure compliance with
16 subsection 14-6.2(A)(5) and all applicable fire, health, and safety requirements. The *city* may
17 require an *applicant* to submit proof of inspections at the time of initial *application* and at such
18 other times as requested by the *land use director*.

19 (k) Violations and Penalties

20 ~~[(i) The *land use director* shall document all alleged violations of this~~
21 ~~paragraph and shall pursue enforcement through the municipal court as set forth in Article 1-3~~
22 ~~SFCC 1987 or in another appropriate court of law. The *city* shall give the *owner* a written notice~~
23 ~~of violation, which shall be mailed either to the *owner's* local or business address or agent's~~
24 ~~address, informing the *owner* of the violation. If corrective action is not completed within fifteen~~
25 ~~(15) days of the date of the letter, the *city* may file a criminal complaint in municipal court. Upon~~

1 ~~conviction of a first violation, the land use director shall revoke the permit and operation of the~~
2 ~~short term rental shall cease within thirty days.~~

3 ~~(ii) — An owner who offers for rent as a short term rental a dwelling~~
4 ~~unit that is not permitted for use as a short term rental is in violation of this paragraph and is~~
5 ~~subject to penalties, property liens and/or prosecution pursuant to subsection 14-2(A)(5)(f). (iii) An~~
6 ~~agent who knowingly assists an owner in advertising or renting a dwelling unit as a short term~~
7 ~~rental unit that is not permitted under this subsection 14-6.2(A)(5) is subject to penalties and~~
8 ~~prosecution, and the agent's business license is subject to revocation.]~~

9 If an owner or operator fails to obtain the necessary permit before
10 renting, offering to rent, or advertising a short-term rental unit; fails to pay or report applicable
11 taxes; or otherwise fails to adhere to the provisions of subsection 14-6.2(A)(5), the owner or
12 operator shall be subject to the enforcement provisions set forth in Sections 1.3 and 14-11 SFCC
13 1987 and all other legal remedies and enforcement actions available under the law. These may
14 include civil or criminal penalties or revocation of a short-term rental permit.

15 ~~[(f) — Penalties~~

16 ~~(i) — Any owner who fails to report all applicable taxes, including~~
17 ~~gross receipts tax and lodger's tax, shall be subject to any and all remedies under the short term~~
18 ~~rental ordinance and any other applicable city, county, state, or federal law or statute. Such owner~~
19 ~~shall also be subject to revocation of their short term rental permit pursuant to Subsection 14-~~
20 ~~6.2(A)(5)(e)(i).~~

21 ~~(ii) — If an owner is found guilty of operating a short term rental~~
22 ~~without a valid permit, they shall be fined five hundred dollars (\$500). The city may ask the~~
23 ~~municipal court to treat each day after the initial written notice of violation as a separate violation~~
24 ~~and assess two hundred fifty dollars (\$250) for each day of such daily violations for a total~~
25 ~~cumulative fine amount. If the city is awarded money as part of a judgment following a court~~

1 ~~hearing and defendant does not make timely payments to the city, the city may bring an action in~~
2 ~~lien or equity for the collection of any amounts due.]~~

3 ~~(g)~~ (l) Restrictive Covenants

4 Private restrictive covenants, enforceable by those governed by
5 the covenants, may prohibit *short-term rental units*.

6 ~~(h)~~(m) Real Estate Agent Disclosure

7 ~~[Real]~~A real estate [brokers] agent [listing] who represents a
8 prospective buyer of [residential] residentially zoned property in Santa Fe shall provide the
9 prospective ~~[buyers]~~buyer with a current copy of this ordinance.

10 (n) Host Platforms.

11 (i) A host platform shall include a valid business license number in
12 all listings or advertisements for a short-term rental unit.

13 (ii) A host platform shall provide a monthly report to the city that
14 includes the following information about the short-term rental units advertised in the city,
15 disaggregated by owner, describing the following information for that month:

16 (A) The number of short-term rental unit listings and owners
17 in the city;

18 (B) The number of reservations and number of rental nights
19 for each unit;

20 (C) The amount of revenue owners collected through the
21 host platform, including rent and each type of taxes and
22 fees.

23 ~~[(i) The land use director shall establish administrative procedures necessary~~
24 ~~to implement, manage and enforce this paragraph.]~~

25 (6) ~~[Short term Rental of Dwelling Units — Non-residentially Zoned Property]~~

1 Existing Short-Term Rental Permits and Registrations

2 ~~[Short term rental of dwelling units on non-residentially zoned property is permitted as~~
3 ~~set forth in Table 14-6.1-1, must be registered; are subject to a one-time one-hundred-dollar~~
4 ~~(\$100) application, inspection and processing fee; and must comply with submission~~
5 ~~requirements and report all applicable taxes.]~~

6 (a) Short-term rental *permits* held at the time the ordinance amending
7 subsection 14-6.2(A) SFCC 1987 (Ordinance No. 2020-) is adopted are valid, even if multiple
8 permits are held by one owner. The *owner* does not need to renew those *permits* until they expire.
9 Upon expiration, the *owner* may be eligible to timely renew the *permits* pursuant to subsection
10 14-6.2(A)(5)(i), subject to payment of the annual business license and permit fees, as long as the
11 land use department does not revoke the *permit* pursuant to Section 14-11.4.

12 (b) Short-term rental *permits* that do not comply with the proximity
13 limitations set forth in subsection 14-6.2(A)(5)(e) held at the time that the ordinance amending
14 subsection 14-6.2(5) (Ordinance No. 2020-) is adopted are valid and owners of such *permits*
15 are eligible to timely renew the *permits* pursuant to subsection 14-6.2(A)(5)(i), subject to
16 payment of the annual business license and permit fees, as long as the land use department does
17 not revoke the *permit* pursuant to Section 14-11.4.

18 (7) Dwelling Units in Specified Commercial Districts

19 In the C-2 and SC Districts, dwelling units do not include mobile homes or
20 recreational vehicles and shall be ~~[either]~~ one of the following:

21 (a) accessory dwelling units for occupancy only by owners, employees, or
22 tenants of nonresidential uses that are operated on the same premises;

23 (b) part of a planned development; ~~[or]~~

24 (c) part of a use for which a development plan or special use *permit* is
25 required; or

1 (d) part of a qualifying residential project within the Midtown LINC Overlay
2 District.

3 [(8) — Effective Date

4 The provisions of Subsection 14-6.2(A)(5) of the Land Development Code
5 shall go into effect immediately upon approval of the Governing Body. A ninety (90)
6 day grace period shall be given for effected units to obtain a valid permit. Short-term
7 rental unit owners who possess a valid short-term rental permit at the time this
8 ordinance (Ordinance 2016-20) is adopted shall be considered to possess a valid permit
9 under the new regulations and shall not need to renew their permit until the following
10 year. Short-term rental unit owners who possess a valid short-term permit for a
11 contiguous property issued prior to this ordinance (Ordinance 2016-20) being adopted
12 shall be deemed as a "residential" permit holder upon the adoption of the ordinance and
13 shall renew their permit as a "residential" permit in following years.]

14 **Section 2. Section 14-12.1 of SFCC 1987 (being Ord. No. 2011-37, § 15 as**
15 **amended) is amended to add and amend the following definitions:**

16 **14-12.1 DEFINITIONS**

17 DEVELOPMENT CONTAINING RESORT FACILITIES, SHORT-TERM RENTAL

18 A development in which the owners own two (2) or more of the following facilities in common
19 and have obtained a special use permit for operation of those facilities: swimming pools, spa
20 facilities, golf courses, restaurants, or tennis facilities.

21 GUEST, SHORT-TERM RENTAL

22 Any person who rents a short-term rental unit or occupies a short-term rental unit during a rental
23 period.

24 HOST PLATFORM, SHORT-TERM RENTAL

25 An internet website, a mobile application, or any other forum used to connect a short-term rental

1 owner or operator with guests and to facilitate the booking of a short-term rental unit.

2 NATURAL PERSON

3 An individual human being, as opposed to an organization of any form or a business entity.

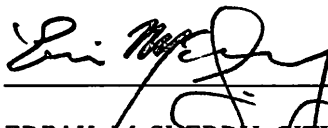
4 OPERATOR, SHORT-TERM RENTAL

5 A person who, with or without a short-term rental permit or registration, rents or offers to rent a
6 short-term rental unit to guests.

7 SHORT-TERM RENTAL UNIT

8 A dwelling unit or accessory dwelling unit, or any portion of a dwelling unit or accessory
9 dwelling unit, that is offered for rent or rented for a period of less than thirty (30) days.

10 APPROVED AS TO FORM:

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13 _____
14 ERIN K. McSHERRY, CITY ATTORNEY

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25 *Legislation/2020/Bills/Short-Term Rental Changes*

ATTACHMENT

4

Planning Commission

Meeting Minutes

June 18, 2020



Agenda

PLANNING COMMISSION
Thursday, June 18, 2020 - 6:00pm
ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR VIRTUAL ATTENDANCE AND PUBLIC COMMENT:

In response to the State's declaration of a Public Health Emergency, the Mayor's Proclamation of Emergency, and the ban on public gatherings of more than five (5) people, this meeting will be conducted virtually using Zoom.

Viewing on YouTube: Members of the public may stream the meeting live on the City of Santa Fe's YouTube channel at <https://www.youtube.com/channel/UCuW5Fb7iWuKpTdsWYNDurgA>. The YouTube live stream can be accessed at this address from most computers, mobile devices, and smartphones. A video recording of the meeting will be posted on YouTube and available for viewing after the meeting.

Attending on Zoom: Members of the public may attend the Zoom meeting on a computer, mobile device, or phone. The video conference link and teleconference number will be posted on the City of Santa Fe's Calendar of Events website at least seventy-two (72) hours before the meeting: <https://www.santafenm.gov/events>. The direct Zoom link is: <https://us02web.zoom.us/j/86975140993?pwd=R21va0g5c1NjdyttU45T1E3UVlqZz09> and use password: 419763.

Attending Zoom by Phone: Members of the public can attend the Zoom meeting by phone by dialing:
US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799
Webinar ID: 869 7514 0993

Public Comment:

- **By video:** A person attending the Zoom meeting by using a computer, mobile device, or smart phone may provide public comment during the meeting. Attendees should use the "Raise Hand" function to be recognized by the chair to speak at the appropriate time.
- **By phone:** A person attending the Zoom meeting by phone may provide public comment during the meeting but **must** provide advance notice to City staff. Please contact Noah Berke (505-490-5930, nberke@santafenm.gov) no later than Monday, June 15, 2020, and provide your **full name, address, and the phone number** you will be using to call in to the teleconference. Without your phone number, the chair will not be able to recognize you to speak at the meeting.
- **In writing:** A person may submit written public comments in advance of the meeting by email (LandUsePublicComment@santafenm.gov), by U.S. Postal Service (City of Santa Fe, ATTN: Noah Berke, PO Box 909, Santa Fe, NM 87504-0909), or by dropping off a comment at the physical drop box which will be located outside City Hall at the entrance to Land Use Lobby facing Marcy Street. Please include your full name and address, and identify the specific agenda item you are commenting on. To be included in the official record and considered at the hearing, written public comment **must** be received no later than Monday, June 15, 2020.

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS:

MINUTES: May 21, 2020

FINDINGS/CONCLUSIONS: None

OLD BUSINESS

E. NEW BUSINESS

1. **Case #2020-2115. Vista del Rio Final Subdivision Plat.** JenkinsGavin, Inc., Agent, for Moellenbeck Professional Association Retirement Trust and Twilight Homes, Owners, requests approval of a final subdivision plat for twenty-one single family lots located at 5401 Agua Fria St. The property is approximately 4.02 acres and is zoned MU (Mixed Use). (Dan Esquibel, Case Manager, daesquibel@santafenn.gov, 955-6587)
2. An Ordinance Amending Section 14-6.2 SFCC 1987 to Adopt by Ordinance a Maximum of one thousand (1000) Short-Term Rental Permits in the City; to Prospectively Limit the Number of Short-Term Rental Permits to One Per Natural Person; to Prospectively Limit the Proximity of Short-Term Rental Units on Residentially Zoned Property; to Require a Local Operator for Short-Term Rental Units; to Adopt Record-Keeping and Reporting Requirements for Short-Term Rental Unit Owners and Host Platforms; and to Clarify Other Provisions of the Short-Term Rental Ordinance. (Mayor Webber and Councilors Lindell, Romero-Wirth, and Villarreal) (Elias Isaacson, Land Use Director, esiasaacson@santafenm.gov, 955-6730) (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)
3. An Ordinance Amending Section 14-11.4 of the Land Development Code to Adopt Civil Penalty Provisions, a Civil Fine Schedule, and Civil Citation Procedures for Land Use Code Enforcement Actions; and to Permit the Land Use Director to Order a One-Year Waiting Period for Application for Short-Term Rental Permit by a Person Who Has Violated the Short-Term Rental ordinance, Section 14-6.2(A)(5) SFCC 1987. (Mayor Webber and Councilors Lindell, Romero-Wirth, and Villarreal) (Elias Isaacson, Land Use Director, esiasaacson@santafenm.gov, 955-6730) (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

F. STAFF COMMUNICATIONS

G. MATTERS FROM THE COMMISSION

H. ADJOURNMENT

NOTES:

- 1) Procedures in front of the Planning Commission are governed by the City of Santa Fe Rules & Procedures for City Committees, adopted by resolution of the Governing Body of the City of Santa Fe, as the same may be amended from time to time (Committee Rules), and by Roberts Rules of Order (Roberts Rules). In the event of a conflict between the Committee Rules and Roberts Rules, the Committee Rules control.
- 2) New Mexico law requires the following administrative procedures to be followed by zoning boards conducting "quasi-judicial" hearings. By law, any contact of Planning Commission members by applicants, interested parties or the general public concerning any development review application pending before the Commission, except by public testimony at Planning Commission meetings, is generally prohibited. In "quasi-judicial" hearings before zoning boards, 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.
- 3) The agenda is subject to change at the discretion of the Planning Commission.
***Persons with disabilities in need of special accommodations or the hearing impaired needing an interpreter please contact the City Clerk's Office (955-6520) 5 days prior to the hearing date.**

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: May 2, 2020

TIME: 11:12 AM

**SUMMARY INDEX
PLANNING COMMISSION MINUTES
JUNE 18, 2020**

ITEM	ACTION TAKEN	PAGE(S)
A. Roll Call	Quorum Present	1
B. Pledge of Allegiance	Recited	1
C. Approval of Agenda	Approved as published	2
D. Approval of Minutes May 21, 2020	Approved	2
Findings/Conclusions	None	2
E. Old Business:	None	2
F. New Business		
1) Case #2020-2115. Vista del Rio Final Subdivision Plat Findings/Conclusions	Approved with conditions Approved	2-3 3
2) An Ordinance Amending Section 14-6.2	Postponed	3-37
3) An Ordinance Amending Section 14-11.4	Postponed	3-37
G. Staff Communications	Comments	37-38
H. Matters from the Commission	Comments	38
I. Adjournment	Adjourned at 10:06 pm	38

MINUTES OF THE CITY OF SANTA FE PLANNING COMMISSION
Thursday, June 18, 2020 - 6:00pm
VIRTUAL HEARING

CALL TO ORDER

A regular meeting of the City of Santa Fe Planning Commission was called to order by Chair Hiatt on the above date at approximately 6:00 p.m. at a virtual meeting held at <https://www.youtube.com/user/cityofsantafe>.

A. ROLL CALL

Roll Call indicated the presence of a quorum for the meeting.

Members Present

Commissioner John B. (Jack) Hiatt, Chair
Commissioner Mark Hogan, Vice Chair
Commissioner Janet Clow
Commissioner Pilar Faulkner, Secretary
Commissioner Brian Patrick Gutierrez
Commissioner Jessica Lawrence
Commissioner Dominic Sategna

Members Absent

Commissioner Lee Garcia (Excused)
(One Vacancy)

Others Present:

Mr. Elias Isaacson, Land Use Director
Mr. Noah Berke, Planner Manager and Staff Liaison
Ms. Sally Paez, Assistant City Attorney
Ms. Melissa D. Byers, Stenographer

NOTE: All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Land Use Department.

B. PLEDGE OF ALLEGIANCE

Chair Hiatt led the Pledge of Allegiance.

Mr. Berke explained the process for participation by members of the public once the Chair opens the Public Hearing.

C. APPROVAL OF AGENDA

MOTION: Commissioner Faulkner moved, seconded by Commissioner Hogan, to approve the agenda, as presented.

VOTE: The motion passed by unanimous roll call vote with Commissioners Clow, Faulkner, Gutierrez, Hogan, Lawrence and Sategna voting in favor and none voting against.

D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS

MINUTES: May 21, 2020

Commissioner Clow noted on page 25, the sixth paragraph, "Commissioner Clow said the *applicant* appeared to have determined that having..." Instead of *applicant* it should say City staff.

MOTION: Commissioner Sategna moved, seconded by Commissioner Faulkner to approve the Minutes of May 21, 2020 as amended.

VOTE: The motion passed by unanimous roll call vote with Commissioners Clow, Faulkner, Gutierrez, Hogan, Lawrence and Sategna voting in favor and none voting against.

FINDINGS/CONCLUSIONS: None

E. OLD BUSINESS:

None.

F. NEW BUSINESS

1. **Case #2020-2115. Vista del Rio Final Subdivision Plat.** JenkinsGavin, Inc., Agent, for Moellenbeck Professional Association Retirement Trust and Twilight Homes, Owners, requests approval of a final subdivision plat for twenty-one single family lots located at 5401 Agua Fria St. The property is approximately 4.02 acres and is zoned MU (Mixed Use). (Dan Esquibel, Case Manager, daesquibel@santafenn.gov, 955-6587)

Staff Report

Dan Esquibel presented the staff report.

Mr. Esquibel stated the Land Use Department recommends approval for the final subdivision plat for the 21 family units, with the conditions of approval as outlined in the report and technical corrections in Exhibit A. He noted the criteria of section 14-3.7(C) is shown in Exhibit C and the applicant has agreed to the conditions.

Applicant's Presentation

Jennifer Jenkins, 130 Grant Avenue, Suite 101, was sworn. She stated the applicant agreed with all conditions of approval and technical corrections. She stood for questions.

Public Hearing

There were no public comments, therefore, Chair Hiatt closed the public hearing.

Commission Discussion

MOTION: In Case #2020-2115, Vista del Rio Final Subdivision Plat, Commissioner Hogan moved to approve with staff recommendations and technical corrections and conditions of approval. The motion was seconded by Commissioner Clow.

VOTE: The motion was approved by unanimous roll call vote with Commissioners Clow, Faulkner, Hogan, Gutierrez, Lawrence and Sategna voting in favor and none voting against.

MOTION: In Case #2020-2115, Vista del Rio Final Subdivision Plat Findings of Fact and Conclusions of Law, Commissioner Hogan moved, seconded by Commissioner Clow to approve the Findings of Fact and Conclusions of Law.

VOTE: The motion was approved by unanimous roll call vote with Commissioners Clow, Faulkner, Hogan, Gutierrez, Lawrence and Sategna voting in favor and none voting against.

2. **An Ordinance Amending Section 14-6.2 SFCC 1987 to Adopt by Ordinance a Maximum of one thousand (1000) Short-Term Rental Permits in the City; to Prospectively Limit the Number of Short-Term Rental Permits to One Per Natural Person; to Prospectively Limit the Proximity of Short-Term Rental Units on Residentially Zoned Property; to Require a Local Operator for Short-Term Rental Units; to Adopt Record-Keeping and Reporting Requirements for Short-Term Rental Unit Owners and Host Platforms; and to Clarify Other Provisions of**

the Short-Term Rental Ordinance. (Mayor Webber and Councilors Lindell, Romero-Wirth, and Villarreal) (Elias Isaacson, Land Use Director, esiasaacson@santafenm.gov, 955-6730) (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

3. **An Ordinance Amending Section 14-11.4 of the Land Development Code to Adopt Civil Penalty Provisions, a Civil Fine Schedule, and Civil Citation Procedures for Land Use Code Enforcement Actions; and to Permit the Land Use Director to Order a One-Year Waiting Period for Application for Short-Term Rental Permit by a Person Who Has Violated the Short-Term Rental ordinance, Section 14-6.2(A)(5) SFCC 1987.** (Mayor Webber and Councilors Lindell, Romero-Wirth, and Villarreal) (Elias Isaacson, Land Use Director, esiasaacson@santafenm.gov, 955-6730) (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

Chair Hiatt asked if both ordinances should be heard at the same time.

Ms. Paez explained it was up to the Commission, but the two proposals are meant to work in harmony and have one staff report. Taking them together made sense.

Seeing no objections from the Commission, Chair Hiatt ruled the two Ordinances would be heard together

Staff Report

Director Isaacson provided the staff report. The amendments improve enforcement of the City's Short-Term Rental (STR) program and create a system to impose penalties on owners operating STRs without authorization from the Land Use Department. The sponsors include Mayor Webber and Councilors Signe Lindell, Carol Romero-Wirth, and Renée Villarreal.

Per section 14-3.3, amendments to the Land Use Code require a public hearing, a review, and a recommendation from the Planning Commission before consideration by the Governing Body.

The amendments to section 14-6.2 amend and clarify the existing Short-Term Rental ordinance. The current limitation maximum is 1000 permits that may be issued by the Land Use Department as previously adopted by the City, by resolution. That amount will remain unchanged.

Additionally, the Ordinance will limit short-term rental permits to one per natural person and the proximity of STRs on residentially zoned property and require a local

operator for STR units. The Ordinance will require permit holders and host platforms to adhere to record-keeping and reporting.

Amendments to Section 14-11.4 include provisions for adopting civil penalties, a civil fine schedule, and civil citation procedures for Land Use Code enforcement. The amended ordinance would clarify the circumstances under which the Land-Use Director can invoke permits, including short-term rental permits. The Director could order for anyone that violates Code, a one year waiting period for application for a STR permit.

Director Isaacson referred to a chart in the packet showing the substantive changes to the two ordinances, the policy objectives, and the City's regulatory approach which is to ensure that operation of the STR in residential areas does not disrupt the character or quality of life of the neighborhood. The regulatory approach will be to limit the density and proximity of STRs by preventing new STRs on residentially zoned property within 75 feet of an existing STR. The resolution's 1,000 permit limit would be maintained and incorporated into the Ordinance.

Another policy objective is to prevent speculators from purchasing multiple homes for the purpose of operating multiple STR units, resulting in the reduction of long-term rental (LTR) housing. The regulatory approach is to issue only one permit to one actual person. Additionally, law-abiding residents would be allowed an option to utilize accessory dwelling units (ADU) as STR units to create wealth and generate supplemental income. The regulatory approach would exclude ADUs operating in compliance with the ADU ordinance section 14-6.3(D)(1) from the proximity/density limitations set forth in 14-6.2(E)(5)(e).

The policy objective to minimize public safety risks associated with STR units such as higher traffic levels, parking issues, noise, litter, and other public nuisances. Regulatory approaches would include who is available requiring a local operator 24/7 to respond to complaints and include their contact information. Also proposed is to limit frequency in STR guest turnover by prohibiting the rental of STR units to no more than once in 7 days. Existing limitations will be maintained on the maximum number of guests (2 x the number of bedrooms) and continued administration of the City's formal annual permitting requirements.

Last, to ensure the owner/operator of STR's follows applicable regulations, including the payment of all fees and taxes, they will adopt and enforce new enforcement options. That includes the schedule of civil fines which increases for repeat violators, the revocation of permits, and a one-year application waiting period for anyone who has violated. Permit holders will also be required to maintain books and records for a three-year minimum and record-keeping/reporting by host platforms and to collect revenues.

Director Isaacson turned the floor over to City Attorney Paez to discuss the policy making process and opportunities for public participation.

Ms. Paez said this is the first opportunity for public input on the legislation and is a matter of interest for City Councilors and the Mayor. Due to the limitations in State law for open meetings they cannot get together as a group of interested Councilors outside the context of formal public meetings. The objective of the four sponsors was to create a preliminary proposal with a lot of ideas and take that into the committee process. They would then obtain input from members of the public and stakeholders.

Staff has received a lot of input already and this is the first time a City body could weigh in on the amendments in a formal public meeting. The schedule proposed for the committees staffed by City Councilors is to go before the Quality of Life Committee on July 1; Public Works and Utilities Committee, July 6; request to publish before the City Council on July 8, go to the Finance Committee on July 13; and public hearing before City Council on August 12, 2020.

It is possible the Planning Commission could reach a final recommendation to approve, that contains possible nuances. They can recommend changes of what they like or eliminate what they don't like within their purview.

Staff has been compiling comments even those received after the deadline (Monday), due to the large volume. She hoped that Commissioners had a chance to review the first batch because three additional batches of recent public comments were sent to Commissioners.

Ms. Paez said she would like to read the names of those who sent written comments into the record. Additional comments have been received since the last batch. She will continue to gather that input and make it available to the City Councilors and other committees and the Governing Body to retain as a formal record.

Chair Hiatt asked if the draftsmen or sponsors of the Ordinance had an opportunity to involve the STR community or interested citizens.

Ms. Paez replied she is aware that sponsors individually have been speaking with stakeholders and community members ad hoc. There was no formal opportunity until tonight.

Mr. Berke provided historical context on the STR Ordinance and changes. He said that in about 2005, Santa Fe recognized the operation of vacation rentals throughout the City and they were somewhat disruptive to neighborhoods. They received a lot of neighborhood input on the issue and the City decided to look into the issue. Subsequently through a series of stakeholder meetings an STR ordinance was drafted and passed in 2007/2008. In 2015 the Governing Body passed a resolution that asked staff to analyze the current Land Development Code regarding STRs. They were asked to make recommendations in the ordinance.

There were a series of well attended public meetings with neighborhoods, different stakeholders, the Tourism/Hospitality industry. Options were presented at the meetings by City staff and the Tourism Department and considered changes and issues that would be needed through ordinance revisions. There were online platforms that could be rented through AirBNB, Craig's List, VRBO, etc. all showing short-term rentals that were not captured as having a permit.

The cap at that time was 350 STRs with a lengthy waiting list. They drafted major changes to the STR ordinances in 2015-2016 which included that:

- All rentals of less than 30 days had to register with the City with a registration permit regardless of zoning district.
- The cap for residential permits was increased from 350 to 1000 and could be adjusted if City Council thought necessary.
- They eliminated the 17 rentals per year but kept that there could only be 1 rental every 7 days.
- Two adjoining STRs on a residential street was prohibited.
- They clarified that STR permits were nontransferable and only for the owner of the property, it wouldn't transfer to a new owner.
- Applicants were allowed to submit self-compliance statements for renewal.
- A mailing requirement was added that applicants should notify the homeowners and neighborhood associations within a specific range.
- Fees were adjusted to cover the cost of staff performing fire inspection, home inspection and business permitting, and a late fee of \$50 that granted a 30-day extension for renewals.
- Fees for enforcement were added and a fine of \$500 with a required written notice to the applicant of a violation.
- Applicants had to list on the application where they advertised for verification by the City that the applicant legally advertised.
- A Short-Term Rental office was added with an increase in staffing of that office.
- The City purchased compliance software with the ability to compare the list of STRs with permits and the lists from VRBO, AirBNB, etc. and the ability to send a notification for non-compliance.
- Council instructed staff to report back and provide an update in 18 months from the adoption of the changes. That has been done.

Chair Hiatt asked Director Isaacson if there was anything else from staff. He was told there was none.

Vice Chair Hogan said he wanted to disclose two things: One, he received a large number of calls on this issue. Out of concern about ex parte, he had encouraged everyone to send their comments in writing to the City to be distributed to everyone. He added he did not believe his capacity to take action on this had been compromised.

Commissioner Hogan said secondly, he may soon be an STR operator. He had applied for a permit in January for his converted office and was given a permit. But he has never acted on that nor received any income because of COVID.

Commissioner Hogan said he felt the obligation to disclose his permit, but again did not think that compromised his ability to participate. He offered to recuse himself if the Chair or Attorney Paez felt differently.

Chair Hiatt said his understanding is that legislative matters for ex parte have a different connotation. He asked Ms. Paez to comment.

Ms. Paez agreed. A legislative matter has no ex parte communication limitation, whereas a quasi-judicial matter does have an ex parte communication limitation. In a quasi-judicial matter, the applicant has a constitutional right to impartial decision-makers who have not been swayed by information from outside the formal record. In this case, as a legislative matter it is okay to correspond. The sponsors have been trying to correspond with interested parties, which is appropriate. She saw no problem as long as a quorum of the Commission does not discuss this outside the context of a public meeting.

Chair Hiatt said on the second matter of the Vice Chair owning a STR but not having any tenants yet, based on Vice Chair Hogan's comments, he did not find an inability for him to participate. He asked if any Commissioner objected to the ruling of the Chair. There were no objections noted.

Ms. Paez provided for the record additional context in the Code of Ethics in Code, Section 1-7 requiring a public official with a conflict of interest to disclose that conflict at the public meeting. It states, "*A public official shall not perform an official act or attempt to influence another person to perform an official act in any matter in which he/she has a conflict of interest.*" In this case because changes are not being made that would increase the revenues received, voting on the legislation would not be a conflict of interest. As long as no money is a result to the Commissioner.

Public Hearing

Chair Hiatt explained the process for the public hearing and that the comments were limited to two minutes. He noted 58 people wanted to participate and he appreciated all of their comments.

Ms. Paez read the names of those submitting written comments to the Commission, noting they continue to receive comments. Those will be compiled and be of benefit to additional committee meetings. She read into the record names of those sending written comments in alphabetical order: Rebecca Anderson, Cindy Atanasoff, Irene P. Ayala, Cheryl Benard, Tai Bixby, Steve Harris, Karen Heldmeyer, Robert

Hilgendorf, Craig Lamb, Patricia Lillis, David Mansure (with petition attached), John M. Nye, Paul Plunket, Karen Kolbert Richelli, Victoria Rogers, Tim Ryan, Marvin Schrager, Ron & Myrna Simon, Sara & Dave Singleton, Michael Tankersley, Jon B. Tucker, Elizabeth West, Janet Williams and Richard A. Woodruff. The written public comments are attached hereto as Exhibits 1, 2, 3 and 4.

Ms. Paez indicated the list of names would be provided to the stenographer. She apologized for any incorrect pronunciations.

Chair Hiatt noted for the record that he had not seen at least half of those comments. He counted the names on the petitions and appears there are 700 names.

Preston Ellsworth, 1412 Cerrillos Road, was sworn. He thanked Mr. Berke for his help in navigating the administrative management of the system. He said he preferred this go to the Governing Body for better administration and oversight. Secondly, they need to get the County on board so the community could comprehend the problem. Third, the revenues, which are substantial, should be coming to the City and distributed by the Governing Body to the Convention and Visitor's Bureau, minus the fees and charges for enforcement.

Myra Canterbury, 15 Mesa Encantado, Unit 227, was sworn. She wasn't sure if she fell under the guidelines or was outside the boundaries of the 1000 people who are permitted. She asked the boundaries for the legislation.

Chair Hiatt asked Ms. Canterbury if she was registered with the City as a short-term rental owner. She told him she thought she was outside City limits.

Chair Hiatt said they were interested in her comments either way. He asked Mr. Berke to assist Ms. Canterbury.

Ms. Canterbury continued, saying how important it is to balance having affordable housing in Santa Fe because they need them to help manage their properties. She lives in a townhome community that has on-site management. She thought they could probably accommodate that. She pays her taxes through VRBO and they have started collecting taxes for the State and she presumes for Santa Fe, around December.

She asked if she has to be registered with the City of Santa Fe. She is not opposed to the changes other than that this community has a lot of short-term owners. They are back to back and attached, etc. and the 75 feet rule would be a problem for them. She wasn't sure what the 75 feet rule buys them when you have a community that is well-maintained and has a very strict HOA. She wanted to be sure she is legal and has no desire to cheat anyone out of revenues or money.

Ms. Paez encouraged Ms. Canterbury to contact the City. She noted the information is on the website for the Short-Term Rental office and they are easy to contact about the City's boundaries.

Chair Hiatt said he would go a step further and be proactive. He asked Mr. Berke to take Ms. Canterbury's address and initiate contact. He thanked her for coming.

Karen Kolbert Rokelly, 214 Griffin Street, was sworn. She didn't agree with this. She lives downtown and knows that the City needs to look for revenue, but where she lives there are no residents. It is just her and one other person. The City should look at another part, like Catron to Grant, not the Capital District area. They are different than a residential district. Her house was a business for 10 years and she now lives in it and uses it as both. She thought this absurd because the City needs the money more than ever because of the pandemic. They are cutting off their nose to spite their face by not letting a district like this, which is really business. STRs in this area should be exempt if they are not already, because it is not residential and areas like downtown should be excluded.

Andy Duettra, 25 Bluebonnet Circle, was sworn. He owns WSR Properties and manages almost 40 STRs in commercial districts, most within three blocks of the Plaza. They feel zoning rules should be consistent and reasonable. He agrees with Ms. Rokelly on separating commercial and residential areas, the BCD is a business district. He has operated a lodging business recognized by the City for 15 years. He doesn't understand why now that would change and residential rules brought into a business zone. The distinction contained in 14-6.2(A)(6) should remain and be reinserted into the Ordinance. He operates like any other hotel and B&B and the zoning should stay in place and remain sensible.

Marc Bertram, 906 Trail Cross Court, was sworn. He was thankful that Mr. Burke provided the history of the Ordinance. He echoed Andy's concerns on non-residential zoning versus residential. Every iteration of the Ordinance has taken that difference into account and the difference should remain. Another problem with the Ordinance is enforcement. The recommendations of the O'Donnell Report said additional regulation might be needed at some point. The City has to do better at enforcing laws already on the books. He asked how the Planning and Land-Use staff would grade themselves on the enforcement issue. He thought the ultimate problem was the City is trying to get those not in compliance, not registered and/or permitted, to either be in compliance, or get out of the business. Enforcement would go a long way to address the concerns of those in the residential zones. He recommends removing the "*natural person*" ownership requirement and wasn't sure that is legal. It is problematic and could be a legal problem down the road. He agreed with the previous speaker on the 75-foot rule.

David Mansure, 212 E. Berger St., was sworn. He works with Mr. Duettra and would add what he and many others have said, they need to reinsert 14-6.2(A)6. As a

BCD downtown business for 15 years they were exempt from residential rules. They are licensed as a business and operating solely in the BCD District. They should be treated like any other hotel and B&B downtown. He and Mr. Duettra initiated and sent the petition with 700 online signatures and had garnered them in one week. He also canvassed the downtown, BCD District retail businesses, galleries, restaurants, jewelers etc. and has a fair number of signatures in hand from them that he could share. The lists from which the signatures were garnered has past guests, property managers/owners, realtors, and other fellow business owners who all assert the language should be reinserted and all favor the exemption from residential rules.

Chair Hiatt stated unless the Commission objected, the Commission will permit the additional signatures to be added to the record if Mr. Mansure could turn them in to the Land Use staff by tomorrow at 5 PM, since the hearing is a virtual hearing.

Susan Orth, 2115 Calle Tecalote, was sworn. She noted she is the president of the Santa Fe Association of Realtors with over 900 realtor members and 100 affiliated industry members. She respectfully requested on their behalf that the action on the two ordinances be postponed. The ordinances represent significant changes to the City's existing short-term rental ordinance, as well as a fines and penalties structure. They believe the Association, STR owners and the public needs more time to review the proposals and the significant impact they will have on property owners and businesses in how the City will enact those regulations. The regulations were only available for public preview last week and the ordinance was extensively rewritten. Additionally, the fine and penalties section was severed from the original ordinance and changed extensively from a criminal to a civil structure. The Association was not involved nor consulted regarding the proposed changes. They believe the timing of the significant Land Use changes is particularly problematic. The community and local businesses are already seriously stressed in responding to the COVID 19 pandemic. The City should be completely invested in an open, transparent, inclusive process on any regulatory changes, particularly those that impact property rights. The City should ensure that changes are thoroughly vetted and supported to the extent possible by the community. The Association strongly urged the Planning Commission members to postpone action this evening.

Gregg Bovee, 3760 Academy Road, Unit A, was sworn. He said the regulation was brought to preserve the neighborhood's cohesiveness by eliminating traffic, noise, and complaints from neighbors. But he couldn't find a list or police reports verifying that those occurred. He asked if that was available.

Chair Hiatt asked that he address his questions to him as Chair. He has been making a note of them. He asked staff to put his question on the list of questions to be answered at the end of public comment.

Paula Moya, 625 Garcia St., was sworn. She is a registered, compliant short-term rental owner and pays STR taxes even before the platforms started collecting them. They have worked hard to contribute to the City. She grew up and went to school in Santa Fe and her parents owned a business here. She and her husband plan to retire from their jobs as professors at Stanford University to their home in Santa Fe. They purchased the home in Santa Fe not only as a home for them when visiting Santa Fe and her parents, but to be financially feasible they rent the house as an STR. She has two problems with the proposal: one is the STR should be one per natural person. They have the home in an LLC and the "natural" language could be problematic. Also, on the requirement of being a local operator. She manages the rental herself and works with many local residents in Santa Fe. She is available 24 hours a day and has never had any complaints or problems. Those two provisions make it financially unfeasible for her to own the home that they hope to retire to.

Charles Burkhardt, 13 Desert Plume Trail, was sworn. He noted he also owns 1155 Camino Delora and operates his own and several other vacation rentals throughout town. He said he is against the majority of the regulations. Someone earlier asked if the restrictions were to address current weaknesses in regulations. He didn't think so. Additional restrictions will only hurt those following the rules and does nothing to curb those who are operating illegally. The City should enforce the current regulations and look at the results. The Commission should consider the number of actual complaints filed over the last year; how many fines were issued for illegal operation of STRs. He was against all of the restrictions proposed.

Robert Zilinski, 502 Sunset, Unit B, was sworn. He currently lives in New Jersey and graduated from the University of New Mexico. In 1976 he bought property in Santa Fe and started the STR in 2008 after regulations were put in. He has always had a permit and paid all taxes and fees and has never had problems with noise or parking at the rental. He wondered who the regulation benefits because he thought it limits competition and benefits larger hotels. He saw no benefit for the City to limit competition. His renters have said they like staying in a house rather than a hotel and some of his people return again and again. This could hurt the visitors and tourism in Santa Fe and the investors who purchased property with conditions that appear to be changing. He thought this overregulation, and as one person with one property, appeared he was being pushed out of the STR market. He recommended postponing the ordinance or rejecting it.

Frances Maier, 633 Garcia Street, was sworn. She lives in both San Francisco and Santa Fe and grew up here. She has two rental properties that are loved by her guests, pays the taxes and has notified her neighbors. She has never had a complaint and her guests comply with everything. Vacation rentals bring in families who are not comfortable in hotels and like to support the local community. STRs allow her to keep her properties in the best shape. She agrees there is not enough enforcement. This change puts more burden on those who are compliant than someone who is not. She couldn't understand the benefit of the natural person rule. There are good reasons to

have an LLC to protect themselves. And the local operator rule is ridiculous. She pointed out that the Internet and phone works well both in Santa Fe and San Francisco and she can address any issues her guests might have. She said she does have a question on the part of the Ordinance that is grandfathered and isn't clear how or what that applies to. She purchased her second property based on the last ordinance and wants to be sure her property rights are not violated.

Germaine Gomez, 511 Cortez Street, was sworn. She owns and operates Fridays Off in Santa Fe, a STR property management company. She and her business partners were born and raised in Santa Fe. The proposed changes would hurt their small business, which supports 10 local families. They buy and shop in Santa Fe. Vacation rentals bring in revenue to the area and expand the economic pie. They provide jobs, support vendors and contractors regularly, and some rentals bring in traveling nurses. They provide a place for people to stay in a local vacation rental and this will limit competition. They want to see current regulations enforced. She has been in the industry almost 13 years when there were only 350 rentals. She understands a lot of changes have happened, but enforcement has not come full circle. They oppose the one rental per person, and the natural person and have several homeowners that own multiple properties. That should be allowed, and it helps to support the economy. Lastly, on the 16.3 or the one year, if there is a violation there should be a warning. Some of their owners are getting letters of violation when there is no violation. It would be unfair for the home to lose their permit without verification.

Barbara Yoffee, 209 Polaco Street, was sworn. She is the vice president of the Historic Guadalupe Neighborhood Association. She has lived in the neighborhood since 2002 and understands those with a vested interest. She said residential neighborhoods are not here as a business proposition or only for investors. As residents they have invested a lot of blood, sweat and tears and money in their neighborhoods. She has talked to many residents in the neighborhood who feel this is a good balance. Finally, there is a proposal and it should be discussed. Also, the STR rentals in historic neighborhoods have cut the long-term rental housing problem. Their neighborhood used to have long-term rentals for people who worked here, and the neighborhood was more substantial and consistent. She asked that they please talk with the neighbors, not just realtors and investors.

Karl Hans Sommer, PO Box 2678, was sworn. He said the job tonight is to look at the policy behind the amendment in light of the policies for the STR Ordinance. The proposed amendments, with the inclusion of the BCD, will be counterproductive. He noted that Mr. Bertram is just one of many local investors who revitalized buildings that were obsolete and difficult to occupy. He and others have spent tens of millions of dollars to bring properties to a new vitality in the downtown area. If the BCD is subject to the new regulations, they will limit the supply and eviscerate and discourage those investments and discourage further investment downtown. That is a serious policy to consider. Also, there is a serious question about the ownership provision. There is a

case in the New Mexico Supreme Court that may prohibit the amendment on who owns the property.

Chair Hiatt asked that Mr. Sommer to forward a copy of the Supreme Court case to Ms. Paez.

Jerry Richardson, 703 Don Felix St., was sworn. He is the president of the Historic Guadalupe Neighborhood Association but was speaking for himself. He has notified all of the members so they could make their opinions known. He is gratified to see the City looking at problems created by unlimited STR growth that has negatively impacted his neighborhood. His neighborhood is close to downtown and walkable to the Railyard, etc.

Mr. Richardson said people lose the sense of neighborhood and don't know their neighbors and there are a lot of people going in and out. They don't understand how densely populated their neighborhood is with zoning that allows 19 units per acre. It isn't that people are misbehaving or there have been significant issues. They are just not aware of other people living here. He appreciates the efforts to get the issue under control and thought it obviously needs more work. Most of the people talking tonight are not going to be affected by the amendments because they are grandfathered in. This is just trying to control it in some way.

Richard A. Woodruff, 615 Onate St., was sworn. He said for the record he co-owns Adobe Casitas Vacation Rentals. They have been renting about 18 homes for about six years and pay all their taxes and have never had a complaint. There are too many things wrong to go through each point. He doesn't believe they did due diligence on an economic impact study and what it would mean if they did not capture STR and if transfers were prohibited. They are mostly rented by tourists with families, often with pets. The 75-foot radius will decimate home transfer by about 75% of the existing vacation permits. Another point of fact is that since 2018 and the increase from 350 to 850 STR permits, they have not grown and remain flat. He recommends a proper economic impact study be done by City Council and an evaluation.

Laura Post, 832 Dunlap Street, was sworn. She lives in the Guadalupe neighborhood and this has been a concern of hers. She does not have an STR. She lives and works at St. Vincent Hospital and is a full-time resident for 45 years and raised her family here. She understands the economic impact that was expressed but is concerned more about the explosion of the AirBNB's. Specifically, downtown where she lives now. Her focus is on the availability and affordability of houses and the ability to buy affordable houses. Many of the AirBNBs are bought by people from out of State, out-of-towners who are exploiting their neighborhoods. Her son recently moved back with his family this year and couldn't find anything nearby to rent or buy. There is a long list of young people in the same situation.

Denise Ramonas, 600 A Griffin Street, was sworn. She is the president of the Griffin Park Condominium Association off Paseo de Peralta. They have 27 units and now have 8 units licensed for STR. Most of the other units are full-time residents who are very unhappy about the STRs. The Association's declaration prohibits STRs, "*No unit can be used for hotel or transient purposes*". They have written and met with the STR office over the last three years and ask them not to renew or issue STRs for Griffin Park. Yet renewals continue and new permits have been issued. Most of the Griffin Park owners, including herself, support the proposed changes to the Ordinance. They ask that the Commission also consider including in the ordinance that if a condominium document prohibits STR, the City will honor that and not issue short-term licenses.

Mr. Berke offered to look into that if Ms. Ramonas emailed him the addresses.

Marilyn Proctor, Sandia Circle, was sworn. She has owned Proctor Property Management and Adobe Destinations for over 40 years. Her most important question is addressed to the Land-Use Director or Mr. Berke: "why this is happening"? She wants to hear the complaints and where they were and what the complaint was about. This is her livelihood and she has never had a complaint in 40 years. She asked why now the City is starting random inspections and why they couldn't go back to fire inspections instead. As a small business she shouldn't be punished because of the large corporate businesses like AirBNB. She follows the rules and guidelines and as many others said, there is and never has been enforcement. There has been a huge turnover in the Land Use Department, and she has never had them return her calls. She manages 50 properties and since the pandemic has lost over \$300,000 of revenue since March. Tourism is suffering.

Stefanie Beninato, PO Box 1601, was sworn. She was happy that fines would be civil rather than criminal penalties because they will be easier to enforce. She has concerns about some of the provisions. It will not be easy to enforce a 75-foot separation of STRs. There are about the same number of unpermitted STRs as those permitted. The problem is enforcement and the City has been putting that off for at least three years. They say they are acquiring more programs and staff that is needed to enforce, but nothing changes. She favors one STR rental per owner because that does not affect the availability of affordable housing, which is a huge issue in neighborhoods like South Capital. Also, it can be disruptive in terms of feeling like they are part of the neighborhood. She sees a lot of RVs parked on the street in her neighborhood and appreciates that supposedly will not be allowed. But again, it is about enforcement. The City needs for not just the AirBNBs to pay taxes, but all of the platforms and to pursue those without a permit. She knows a person who rents apartments and uses them for AirBNBs. That is a total abuse of the system, as well as the people who own 10 units. People who have a second unit on their property are treated differently than someone with one unit. The treatment of STRs compared to hotels, now STRs have to meet hotel standards for fire. She goes to AirBNBs to avoid chemicals at the hotels. The Commission should look at consistency in terms of fire standards.

Madelyn Carey, 1674 Camino de Cruz Blanca, was sworn. She explained she is Nick's partner and is using his computer. Nick runs an STR. Her experience comes mostly from a federal level in environmental. She is heartened by the amount of diligence, care and opportunity for the public to comment. She would like the City to be regulating, managing and enforcing towards a vision, instead of in response to complaints. It is important to have a vision and know how STR rentals will exist within it. She wanted more discussion about tourism economy and how it has long been a consistent opportunity for locals to participate. To deny or limit how individuals can participate creates an equity issue. She encourages policymakers to consider how STRs can be part of a healthy, thriving Santa Fe and contribute to the locals' ability to remain in Santa Fe and participate in the economy. Ms. Carey said her partner is a full-time freelance creative and the AirBNB allows him to maintain his expenses while participating in the artistic and creative community.

Janet Williams, 1200 Don Gaspar, was sworn. She was speaking on behalf of the amendments which she believes are important. Her daughter lives on Apodaca Hill and neighbors on two sides are AirBNB. They have no neighbors, the STRs are destroying the fabric of neighborhoods. The City needs to get them under control. Owning one is fine, or a guest house rental is fine, but she doesn't want people owning 50 AirBNBs. She wants a limit and approves of the amendments.

Eric Enfield, 612 Old Santa Fe Trail, was sworn. He has lived in Santa Fe most of his life and has invested in the BCD zone and had an AirBNB. He said it is a mistake to include the BCD District in the Ordinance and is short sighted. The dynamics of a downtown area requires visitors. He has lived here for 48 years and worked with many of the City agents and including the BCD in a residential ordinance isn't right. Currently you can build a restaurant and bar next to a house in the BCD District. That is important for them to consider. The idea that a person can only own one unit makes no sense economically. When they change a district in the center of the City there is a lot to consider; it should be vibrant with people coming and going. He would rather have a family stay three days with their dog than a restaurant and bar. That would be what they are talking about if they eliminate residential use in the BCD.

Patricia Lilis, 2119 Conejo Drive, was sworn in. She appreciates the changes to the STRs and recognizes their negative effects on Santa Fe's long-term housing and the neighborhoods. The ordinance is written, "*Any natural person from anywhere can obtain one short-term rental permit.*" Primary residency is not a requirement. Denver, Boulder, Charleston, Portland and many other cities chose to have a primary resident requirement in residential neighborhoods to address STR speculation and housing challenges. She has two requests: first, that the ordinance consider allowing one short-term rental per primary residence in residential neighborhoods. One permit per household for a main house or a guest house. Secondly, page 17, "*All current rentals are grandfathered in.*" She asked how that would address the current housing issues and neighborhood

complaints. She asked that the Commission consider a grandfather clause of two years, which is generous, and more than many cities have allowed; including anonymous complaints to help identify illegal rentals and the safety of anyone making a complaint; post STR permit numbers instead of a business license; and require the owner's name(s) on the permit to match all names in the deed. STR abuse takes homes from people and families who have a primary residence in Santa Fe. STR regulations need to be reformed and a primary residence requirement is the best way to do that.

Nancy Bookbinder, 426 Abeyta Street, was sworn in. She said she seconded and concurred with everything Ms. Lilis said. Core to the conversations is to define what is meant by community. They use the word a lot and have talked about a key issue, a community that doesn't have housing.

Ms. Bookbinder said Long-term rentals are fine in a neighborhood, but short-term rentals tear up the neighborhood fabric. Not having neighbors or knowing who they are, people who come into your neighborhood and don't respect your property, or letting their dogs come onto your grounds. Someone had mentioned they live in San Francisco. San Francisco recognized what STRs were doing to the neighborhoods and changed their requirements. They allow STRs for a shorter period of time with the requirement that the owner must live on the property. She agrees with one property with a casita, etc., but when talking about what community is, means they have to support the people who want to live in Santa Fe. The hotels in Santa Fe serve people and support tourism. Neighborhoods are not established for people to come in for a night or two and disrupt the rest of the neighborhood. They preclude the opportunity for Santa Feans to live in these neighborhoods. People who are concerned about their investments should look at the market today and put their place up for sale. It will sell in the next two weeks.

Mr. Berke noted that Karen Heldmeyer, 325 E. Berger had called in and was not able to access the meeting. She asked that her following statement be read into record:

I swear. Karen Heldmeyer, 325 E. Berger.

I sent in a consensus document w/ suggestions from the Neighborhood Network board.

3 issues with STRs: affects actual neighborhoods w actual neighborhoods, decreases stock of available housing in many neighborhoods, never really been adequate enforcement especially of fiscal impact

People who actually live here also contribute to the city financially through their ownership and through their living expenses, but also contribute in many other ways to the community. that doesn't occur with transient renters.

Mr. Berke indicated he would email the comments to the stenographer for the record.

Chair Hiatt thanked Ms. Heldmeyer for her comments. He informed the Commission for those who didn't know, Councilor Heldmeyer was *the* Councilor who brought this to the Land Use Department and the various committees and to the Planning Commission when it was originally passed in the early 2,000's.

Paul Dedomenico, 1413 Paseo de Peralta, was sworn. He commented there had been a lot of focus on the BCD, but there are other commercial zonings that allow residential use. He owns properties in both BCD and C1 and thought there shouldn't be any STR limitations on property zoned commercially that allows residential use. He thought if that were to happen it was taking away his property rights.

Michael John Blackwell, 709 Don Felix, Unit D, was sworn in. He said he knows the STR's bring in a lot of revenue to the City in Gross Receipts Tax. He asked if the property tax would be increased or City workers would be laid off if STRs are decreased.

Chair Hiatt said Mr. Blackwell's question would be posed to Director Isaacson after the public hearing.

Chair Hiatt allowed a minute to ensure anyone wanting to comment had done so.

Mr. Berke noted there appeared to be no one else who wanted to comment.

Chair Hiatt closed the public hearing. He asked if there were questions from the Commissioners to staff. There were none.

He noted that he had been in the Director's chair at one time and was there when the Ordinance was passed. He had tried to create a strong enforcement team but thought he had not succeeded and hasn't been successful in enforcement since. He asked if there were statistics on enforcement activity in STR.

Mr. Isaacson replied he didn't have specific data on enforcement. The short-term rental enforcement is challenged by staff's ability to respond in a timely manner to issues. When a complaint is received of noise in the late evening, by the time staff receives the complaint they are not in a position to act. They are not able to verify that a violation occurred when they go to the site the following day.

Another challenge is that, as drafted, the Ordinance contains inherently difficult to enforce supervisions that either lacked clarity. Worse, staff doesn't have the tools to verify a violation. That motivated them in providing clarity in the ordinance where it was not clear and to simplify where necessary for easier interpretation.

He indicated when Ms. Paez started work on the amendments and presented it to the City Attorney's office, a comment was made that the Ordinance, as drafted, was very vague. That kicked off the question, before they went into public comment of, what is your opinion on areas of weakness and do the amendments address them? He thought one area of weakness is the drafting of the current ordinance. They have made significant strides with the proposals to strengthen the areas that are difficult to enforce.

Director Isaacson said they have made important strides in the department in the past 18 months and did a good job aligning their human resources to their technological resources. They now have better tools, especially with the switch to the Inter-Gov Permitting System. They no longer have to manage the STR program by spreadsheet and the licensing program allows them to accept applications online or in person. They can be entered into the system and tracked year to year. The system also communicates with another platform that allows them to monitor the permitted and unpermitted short-term rentals. By comparing a list of both they get a clear picture of who is operating outside the lines. Now they are in a position to strengthen the Ordinance in regard to enforcement. The tools through the civil penalties system will make it significantly easier for them to enforce the STRs.

Commissioner Clow asked to clarify the statement that a permit has to be issued to a natural person. She asked if that meant that the person applying for the permit has to have their name on the permit, but the house could still be deeded in an LLC.

Ms. Paez said yes, the intent of the natural person provision is to ensure the permit is held in the name of an actual human, not a legal or business entity. A real property owned by an LLC would typically have an operating agreement that specifies managing members who have authority to sign documents on behalf of the LLC. The people with that authority could obtain the permit. The intent is to have a human identity for the permit, but it doesn't restrict the underlying manner in which the real property is owned.

Commissioner Clow thought she had heard comments of concern it was legal title.

Ms. Paez said a sentence could be added to clarify that.

Chair Hiatt asked Ms. Paez to work in the meantime on an appropriate sentence.

Ms. Paez confirmed it would be okay to have a concept, so she wouldn't lose track of the substantive discussion.

Chair Hiatt addressed Mr. Isaacson on the argument on the BCD. He didn't understand why they should be treated differently than hotels.

Director Isaacson wasn't sure that had been contemplated. He explained motivation behind one of the changes was to simplify the program rather than have to

make a distinction between permits and registrations. Staff thought STRs would be easier to administer, manage and enforce by having only one license/permit application for all STR operators.

Chair Hiatt said he still didn't understand why they shouldn't be treated that way if in the District and competing with the hotels.

Director Isaacson said the number of comments received indicate the area warrants additional consideration.

Mr. Berke explained the requirements for hotels are completely different in their regulations and fire codes than an STR. At the time the Ordinance was drafted there was a difference between a bed-and-breakfast, a hotel and an STR. The Code differentiates through definitions, not just the amount of days the person stays. Amenities are also considered such as meeting rooms and recreation centers to determine what districts the hotels are allowed.

Commissioner Faulkner thought that wouldn't even be feasible in more dense neighborhoods on the requirement for 75 feet between STRs. The houses are six feet from each other and there isn't enough distance between properties.

Director Isaacson explained the 75 feet is measured with their software, not from property lines, but from the center of the property. As written, no two adjoining properties could have STRs but what is unclear is if adjoining means side to side or rear to rear. That lacks clarity and has been a challenge for staff to determine what properties are eligible for STR permits based on the existing permits. This is a clearer more precise way to quickly analyze proximity and density of the existing permits in any neighborhood.

Commissioner Faulkner asked if the 75 feet is from permits owned by the same person or between permits, period.

Director Isaacson replied 75 feet between permits. Applicants under the new system with exiting permits do not have to give up permits, even if they violate the 75 feet rule. But applicants who apply in the future may not be eligible if within 75 feet of a property holding a permit shown in the system.

Commissioner Faulkner said that would eliminate the ability for anyone in a dense neighborhood to have an STR. Her property is not 75 feet wide.

Director Isaacson agreed if her neighbor has a permit, she may not be eligible.

Commissioner Faulkner said that would exclude a massive amount of people who could have benefited from this in their retirement.

Director Isaacson said this is a way to express an existing provision in Code that is easier for staff to interpret.

Commissioner Faulkner asked if there is a way to specify restrictions of an area based on density and zoning. The 75-foot rule is very prohibitive regarding density. In Tierra Contenta or Las Solaras less than one person per 7-10 houses could have an STR.

Director Isaacson explained they ran an analysis and found applying the existing STRs to the existing permit holders affects roughly 125-140 existing permits. This is not as restrictive, but it is restrictive, intentionally. This was partly an approach to try to reduce the intensity and concentration of STRs in residential areas.

Commissioner Faulkner asked what areas of the City were facing that problem.

Director Isaacson replied that analysis confirmed their suspicions. The densest areas for short-term rentals are in the BCD and neighborhoods immediately adjacent.

Commissioner Faulkner asked why not just address those neighborhoods more stringently.

Chair Hiatt asked to interrupt. He noted that everyone on the Commission has the opportunity to amend and Commissioner Faulkner could provide specific limitations in a motion. He noted there were others that wanted to speak, and they could return to this issue.

Commissioner Sategna in trying to understand the one STR per natural person limitation, asked when married if each individual could own an STR.

Ms. Paez replied yes, one permit per human.

Commissioner Sategna clarified that a married couple could actually own two properties and be within the law.

Ms. Paez said it could be argued that way as community property.

Commissioner Sategna noted that given that; a single person doesn't have the same economic advantage as a married couple.

Ms. Paez replied that could be argued. There are a lot of benefits that tend to favor married couples, taxes and economics. This is not much different.

Commissioner Sategna asked if that was considered when this was being drafted and if staff believes it complies with the law.

Ms. Paez responded she hasn't come across anything that indicated the contrary. Other restrictions were looked at, such as restricting out-of-state owners. That type of limitation is problematic and raised potential issues with constitutional doctrines. She is unaware of a legal limitation treating one person the same as another, married or not.

Commissioner Sategna asked if they had also considered families that pass down property or in a trust where a family will benefit from the property. He asked if this Ordinance would impact that.

Ms. Paez said her understanding is a transfer of property ownership does not transfer an STR permit. She thought that was not allowed in the existing Ordinance. It is an ambiguity they want to clean up and in the current draft it is not allowed. The property has to be held by a natural person, which may have limited duration of ownership. To that point they could add language about transfers to allow the permit to be renewed and remain effective if it remains within the family. More precise limitations could be drafted, but none are in the current draft.

Commissioner Sategna said they have to consider consistency of the criteria with the General Plan. There is not a lot of detail how the changes meet that. The executive summary notes that the General Plan includes enhancing the quality of life for residents; fostering economic diversity; maintaining Santa Fe's unique personality; a sense of place and character; and preserving a community oriented downtown. Other issues raised in public comment were how this will impact small businesses.

He asked if there had been an economic impact study and details on how this met the criteria of consistency with the General Plan.

Director Isaacson said a main motivating factor in the revisions is the quality of life for residents. Several of the public comments today were on concerns for their neighborhoods, some centrally located. The sentiment is that the proliferation of STRs come at the expense of long-term rental units. The O'Donnell Report looked at issues around accessory dwelling units as well as short-term rentals. A connection was made between the proliferation of STRs and the decrease of the long-term rental units available, and the commencement increase in rents with LTR units. The report also connected the proliferation of STRs with the rising cost of housing. Ms. O'Donnell attributed roughly a 20% increase in average home prices directly caused by having more STR units.

Director Isaacson said comments were made tonight on economic diversity and that having LTR units on the market is important to the local workforce. They can see the vulnerabilities in local economy caused by relying solely on tourism for Santa Fe's economic base. More rental units on the market allows people in more diverse sectors of the economy to live, work and have families in Santa Fe. The City is more resilient to things like economic and health crises as currently experienced.

Commissioner Sategna thanked the Director for the additional information. He pointed out that an economic impact study has not been done on the changes.

Director Isaacson replied some decisions in preparation of the proposals have relied on the study by Ms. O'Donnell and informed these changes. But, he agreed, analysis on the changes themselves or the potential economic impact has not been done.

Commissioner Lawrence commented on Commissioner Faulkner's point on the 75 feet. She said she supports a radius and limitations on STRs and is often concerned about the possibility of STRs on multiple sides of her at one time. She wasn't sure 75 feet was the right number, but it is a good way to address the issue. She asked why one STR, opposed to two or three.

Director Isaacson thought that had come up in conversations and questions about primary residents. Limiting one STR to a natural person seemed a way to achieve the same outcome of limitation and move in that direction without going too far. Comments received over the last week may suggest that warrants further consideration.

Commissioner Lawrence asked if other ways were considered to limit the speculation, which clearly is the problem they need to solve.

Director Isaacson replied staff investigated the legality of restricting the permits to local residents, reducing the out-of-towners buying to use as STRs. That was decided as inappropriate. Returning to the question of why they are doing this, it is partly because the STR industry has evolved since the early 2000's and it has been a rapid evolution to now. Although this is more profound in larger cities, it is definitely happening in Santa Fe. One per natural person was a way to push back the trend and try to limit the growth. They wanted it to be more about the preservation of neighborhoods and the STR program to provide opportunities for people to supplement their income, but not as a big business. If STRs become big business, it will be at the detriment to many of their great neighborhoods.

Commissioner Lawrence thought the reasoning was sound, but was hesitant about having just one, opposed to two or three. She suggested increasing fees could obtain more funds from those renting STRs as a small business.

Director Isaacson said it is important that he declare he is not a short-term rental operator. Meetings like tonight are valuable because they receive input from people who are professional STR operators. He is happy with the level of interest, but they should keep in mind that often the operator/management companies operate STRs for private individuals. They manage the listings, do the rentals, etc., but the companies don't own the units and will not be impacted by these changes. He added there are various structures and he realizes he may have misspoken for some.

Commissioner Lawrence added that she also appreciated the public comments and has learned a lot.

Commissioner Clow referenced page 6, section D about a permit not being transferable to another person or property. She suggested clarification that a transfer to a trust for estate planning purposes is allowed. The reference specifically is when transfer is to another owner. Also, on page 12 section E, stating the 75-foot radius, "*shall be measured from the subject property boundary.*" She would think that would be the edge of the property.

Director Isaacson replied that is correct, but the statement is inaccurate on how the 75 feet is interpreted.

Commissioner Clow noted she was confused about the exception of STR units that complies with the requirements of an accessory dwelling unit. She asked to clarify whether the 75-foot requirement is excluded.

Ms. Paez explained the Accessory Dwelling Unit Ordinance allows an STR on the property only if the owner resides in one of the units. The ADU Ordinance was written such that both units could not be STRs; for consistency, the STR Ordinance allows an owner who lives on site to rent out either the principal or accessory dwelling unit and excludes that owner from the density limitation. But if they want to rent an accessory or principal dwelling as STR, the owner must reside in one of the units. The nuance is similar to a permanent residency requirement because having an owner reside on the property mitigates damage to the character of the neighborhood. An application for an ADU in that circumstance would not prohibit a permit based on the 75-foot proximity rule.

Commissioner Clow confirmed the owner would be allowed to have an STR in that instance, even if within 75 feet of a neighbor who also has an STR.

Ms. Paez agreed. The ADU was written that both units could not be STRs for consistency, but this excludes the owner from the density limitation.

Commissioner Faulkner asked to clarify that the 75-foot requirement would not affect married couples.

Ms. Paez said the density limitation and the discussion of one per person could potentially impact families with more members. But they have more opportunities to have more permits as long as the permits are spread throughout town. If she and her husband and her daughter all wanted STR permits, they would have to find locations meeting the density requirement.

Director Isaacson thought the scenario described by Commissioner Faulkner may fall under the 75-foot exception rule Commissioner Clow referenced. The additional unit may likely be an accessory dwelling unit and would therefore be exempt.

Commissioner Faulkner asked how difficult it would be to enforce a larger radius instead of the 75-foot rule for one STR to another, using the number of homes within a specific radius, like a block.

Director Isaacson said that would not be as easy to enforce. Many of the amendments proposed are to simplify and eliminate having to do case by case analysis.

Ms. Paez explained problems with the existing proximity provision include the difficulty in defining "more than two adjacent STRs on a residential street", or "what is a residential street" or "what is a Santa Fe block." The City blocks don't look anything alike and it is difficult to apply a universal metric. They also discussed census blocks and tracts and Council Districts as potential quantifiable boundaries.

Commissioner Faulkner agreed each is different and each part of the City has a different matrix. Her thinking was to have a radius, such as 500 feet, in which no more than five STRs would be allowed.

Director Isaacson said that makes more sense, but the question is how to identify the center point of the 500-foot radius. The solution to the issue in other cities may not be one that could be easily applied in Santa Fe.

Commissioner Faulkner asked about a subdivision.

Director Isaacson said again it would be a situation requiring the application of a unique rule to a specific area of town that would have to be tracked or analyzed. They want to remove those unique aspects and have one rule that could be applied as consistently as possible that could determine eligibility.

Commissioner Faulkner said given the neighborhoods are diverse and different, she wasn't sure a blanket approach is the most equitable.

Director Isaacson said staff did a rough analysis on the existing permits on distances ranging from 25 up to 200 feet to find the best spot. In most places 75 feet seemed to work and aligned with areas where sentiment was that there was a concentration of too many STRs. It spoke directly to a policy objective and wouldn't negatively impact other parts of the City.

Commissioner Faulkner noted the intent is to grandfather the existing STR permits. The 75-foot restriction is mostly to ensure additional rentals could not go into areas with high STR rentals.

Director Isaacson explained it is twofold. It will immediately impact new permit applications but have a long-term effect in those areas as well. Through attrition, owners moving etc. the 75-foot rule will balance the neighborhoods and they will find equilibrium.

Chair Hiatt noted Richard Woodruff testified that the 75-foot rule could eliminate 75% of short-term rentals. He asked if that comported with what the Director observed.

Director Isaacson said Jennifer Fabian who helped put the proposals together also worked with GIS staff to analyze the properties. That assessment did not bear out the analysis. There is roughly 800 STRs in the City and the overlapping conflict of the 75-foot radius was about 125-140 of the current permits.

Commissioner Hogan said he appreciated the outline of the policy objectives and was glad the Ordinance was separated from the enforcement. He noted the numbers between the permitted and non-permitted STRs are nearly parallel, which points to enforcement being a significant issue. It would become more complicated to ensure the quality of STR management is maintained if the City doesn't have access. He supports enforcement and likes the idea of the penalty but suggests having a short period of amnesty for those who are noncompliant to be able to get permits.

Commissioner Hogan said he had more questions when it gets to making the changes. But he wondered how many issues they would hear if there were less illegal STRs. He noted the second point from the policy objectives, in the information the Commission was given says, *"Prevent speculation for purchasing multiple homes for the purpose of operating multiple short-term units, thereby, reducing the amount of long-term housing availability."*

Commissioner Hogan thought that seems intuitive, but he wasn't sure if it was factual. He and Alexandra Ladd have discussed that his impression, given the location of the majority of STRs, is they do not have a big impact on the long-term rental market. He asked if the Director could address and substantiate that.

Director Isaacson said he did not have the numbers with him, but agreed it seems intuitive with the fixed amount of housing. It is hard to say and is a one to one correlation. With the current health crisis and the State restriction of STRs operating at full occupancy, more than a handful of STRs have converted to long-term rental. They anticipate the trend to continue if the conditions continue; or a reversal of the trend if tourism increases the demand. One does impact the other.

Commissioner Hogan said it would be good to drill down on that more. Many would find that makes sense, but the action could negatively impact a lot of people financially. Including opportunities for locals to utilize their property to increase their family income. He suggested they get more hard data on that.

Director Isaacson noted some data is available in the O'Donnell Report about STRs as a percentage of housing, and the connection to the impact of STRs on affordable housing and housing prices overall. Also, the report references impact on the overall numbers of LTRs versus STRs and how the ratio fluctuated over the years and STR rentals have increased.

Commissioner Hogan said he couldn't help but wonder how the number would change if the number of illegal STRs were reduced. On the public safety, risk and quality of life it is implied that STRs have less maintenance and care and assumed they therefore become a blight on the neighborhood. He has seen the opposite. The property not viable for renovation in the historic downtown area was renovated. The reason it could be brought back to life is because a higher income could be expected from the STR. It is not necessarily a safe assumption that an STR will degrade the quality of the neighborhood and they are more sensitive to presentation and curb appeal. They advertise in an effort to attract people online.

He said another assumption is there is increase in traffic levels. When occupied full-time the person would make numerous trips in and out. Occupancy with an STR is more restricted because occupancy is cut by 50%, which would be less traffic than the average homeowner.

Director Isaacson pointed out nothing in the proposed revisions restricts occupancy and it remains the same as the existing Ordinance. Earlier his reference was the occupancy description that was related to the public health order issued. The order placed occupancy restrictions on STRs during the health crisis.

Commissioner Hogan asked if the discussion in the packet on the limit of one rental per seven days, is a response to the virus or if it is the existing condition.

Director Isaacson replied it is the existing condition and will carry through to the new version of the Ordinance. His reference was to recent restrictions of 50% occupancy for hotels and lodging in the State.

Commissioner Hogan said he didn't hear a lot of good public testimony and examples of direct testimony of how the quality of life has diminished, other than comments about losing their neighborhoods.

Commissioner Sategna asked on public comment referencing a petition with 700 signatures that favors exempting the BCD, has that been considered and if not, why not. He asked if that action is consistent with other policies adopted by the Governing Body.

Director Isaacson replied based on feedback received, questions regarding the proposed changes in the BCD probably warrant further consideration.

Commissioner Sategna asked if correct that the 800 permits already issued would be grandfathered and 80% of the existing permits would not be impacted by the new amendments. He was told that was correct.

Commissioner Sategna noted the amendments would only apply to 200 future properties and appears applications are already in place for those.

Director Isaacson replied currently not more than a handful of applications are pending.

Commissioner Sategna thought empowering the City to address the issues and enforce the laws was great. He liked that it is separate from other amendments but asked how they really help. They only apply to 20% of the applicants, and 80% are not impacted.

Director Isaacson explained it goes back to his discussion with Commissioner Faulkner. Initially 200 more permits can be issued before reaching the cap, but over time the existing permits will expire. The new applicants will be subject to the new provisions of the Ordinance and they will see a small impact at first. Over time the landscape of STRs will become more in line with the new Ordinance.

Commissioner Sategna said back to the matter on pass-through entities, family trusts; there might be loopholes. He supports a family being able to pass their property down but is concerned about an entire family having the ability to use that opportunity in the Ordinance. He asked that staff consider that while 800 homes will not be impacted currently and some will fall off, they should consider the loopholes and the impact of that.

Commissioner Gutierrez said the Commission was bombarded with additional correspondence and this is the first time the amendments have been heard. He asked if there would be other opportunities for the public to talk with staff on the changes.

Director Isaacson said this is the first time these specific policy proposals have been shared for public comment. There is a steady stream of feedback on the direct strengths and weaknesses of the Ordinance that has informed the policy shaping. And there will be plenty of opportunity for the public to weigh in on the revisions and shape the final Ordinances.

Ms. Paez added this has been driven by the elected policy makers who all have strong thoughts about amending the Ordinance. Limitations on moving this forward were due to the inability to meet with the public without violating the Open Meetings Act and quorum issues. The decision was to get something introduced and receive targeted input such as tonight. She thanked everyone for their help. It is a work in progress and has to go through the legislative process. They will consider the amendments and the input received throughout the summer.

Commissioner Gutierrez noted that it would be up to the chairman of each committee as this goes through the process, whether there will be public comment.

Ms. Paez said that is her understanding. There is a lot of interest and she anticipates the committees will want to hear the public comments. She plans to forward all of the written public comments on the record from this hearing. There are also people emailing City Council directly.

Commissioner Gutierrez said like an ENN, some issues can be hammered out before going to committees or the Governing Body. He was confused why the STR seven-day, one stay limitation was included in the proposed regulatory approach. He asked if that had changed.

Ms. Paez explained they highlighted some things they would keep, including the limit of 1000 permits. Potentially there is some ambiguity in the existing Ordinance about whether the one stay per every seven days limitation applies to non-residentially zoned properties. She explained it is an existing provision that is not expressly limited to residential properties. As she reads it, it is general and applied Citywide, but it could be argued either way. At a minimum they want to clean up the language and be very clear on the intent and rules.

Director Isaacson pointed out prior to the new technology, that provision had been almost impossible to enforce. Though they are not in a position to be proactive, if more than one rental occurs, they can now confidently verify that and pursue enforcement.

Commissioner Gutierrez clarified that when the Director says *technology* the reference is to the host platforms that will notify them.

Director Isaacson said one is the permitting system, Inter-Government, which helps throughout Land-Use and with the STR enforcement and applications. The other is Host Compliance, a platform monitoring service that provides data on all STR activity.

Commissioner Gutierrez asked the Director to pick one of the biggest problems with the STR Ordinance and how the issue is addressed, opposed to what the Commission has before them.

Director Isaacson replied one of the toughest and most confusing is the adjacency provision language. It continues to cause problems because of the number of variations; is it a private drive, a residential street, how do you define adjoining, etc. Some would argue adjoining is across the street or back door to back door. That causes frustration and has led to inconsistent permitting.

Director Isaacson stated that per the comments, they have not done a good job

cracking down on the STR units that have no permits. That impacts quality of life as well as loss of revenue to the City and is important they get a handle on that. They have the staff and technology, but they need an ordinance that is easy to understand and enforce. Those three things will enable the City to be more effective in managing the STR program.

Commissioner Gutierrez asked what other cities comparable to Santa Fe were looked at and what was the biggest take-away.

Director Isaacson said other cities with larger short-term rental programs that were looked at and were comparable in size: Charleston, SC because they are always neck and neck in the Top Tourist Destination for Historic. Also, they looked at larger cities like Austin, Boulder, San Francisco, Denver, and Boston for trends in the industry. Some cities have canceled their STR program altogether, but two consistent approaches were a primary residence versus limiting the number of permits per person. Staff chose to limit the number of permits.

Commissioner Gutierrez asked if Director Isaacson was comfortable that the 75 feet rule would work best for Santa Fe.

Director Isaacson said he was comfortable with the recommendations. The 75 feet is a workable distance; 50 feet didn't work and over 100 feet wasn't workable either. Staff felt the 75 feet would achieve their goals without drastically impacting the existing STRs.

Chair Hiatt indicated that Alexandra Ladd had signed back on to address Commissioner Hogan's question.

Mr. Berke asked to first clarify the discussion on the adjacency issue. That was not recommended by staff, as stated. The recommendation came from Councilors who included that provision as an amendment to proposals. He recalled the intent at the time was that the streets would not be inundated with short-term rentals.

Commissioner Hogan thanked Ms. Ladd for returning to the meeting. He asked her about the idea that an increase in short term rentals results in problems because it reduces the amount of long-term housing availability. He thought that seemed intuitive and recalled they had discussed it briefly. He was surprised now to hear it was not as big an impact. He asked if she could elaborate.

Ms. Ladd said there is not years of study, but research has shown in other communities there is a tipping point where the number of STRs impact the market. Santa Fe is probably not there yet but certain neighborhoods do have a higher share of STRs. It was possibly because those neighborhoods did not offer a lot of affordability due to their location or they were higher-end homes. She thought it likely that the initial purchase of a home had created more of the impact on raising the values rather than the use of the home for STR that affected rent affordability or rental units available.

Commissioner Clow referenced page 5, *Short-term rental units located in a development containing resort facilities...* She noted the statement had been deleted. She asked to confirm that had been the exception to requiring a permit for an STR.

Ms. Paez explained the existing Ordinance has two categories: the Permit and the Registration category. The registration category is any short-term rental on a non-residentially owned property. Residentially owned property has a list of zoning districts as defined in the definitions and is mostly residential.

Pursuant to the registration category, the two categories were non-residentially zoned including BCD and Commercial Districts and developments that contain resort facilities. Two of the resort facility communities came into the City through annexation with Special Use Permits for the County. They were built on that business model and that was justification not to subject them to the permit limitations and adjacency requirements. In review, they noticed there are only 3 registered STRs in that category. The sponsors found no reason to include them.

Commissioner Clow asked going forward if those units would have to be permitted, opposed to just registered.

Ms. Paez agreed the existing requirements subject them to being like any STR unit unless they are grandfathered.

Commissioner Clow referenced page 17, *Preexisting Permits*. She asked if the units in the development have permits or if they were just registered.

Ms. Paez said the Commissioner is pointing out a definite drafting error at the top of page 17.

Commissioner Clow verified it should say *short-term rental permits and registrations held at the time of the Ordinance amendment*.

Ms. Paez said that was correct. She thought this draft had included that and the intent was to convert those.

Commissioner Clow asked if the amendment had to be addressed tonight. It is complicated and she preferred their comments be noted and come back after edits. She said it was good to explore the changes and hear the public comments, but she preferred this come back after it is fine-tuned. She wanted others to hear the changes and get additional comments before making a decision.

Chair Hiatt agreed with Commissioner Clow's point of view. He said he would come back to that after hearing all of the Commissioners comments.

Commissioner Hogan had a point on the BCD. He thought the BCD is very unique given the part of town, income, the number of tourists it attracts and the percentage of turnover. He suggested it should be treated separately.

Director Isaacson agreed that was consistent with feedback from the public and it may warrant further consideration.

Commissioner Sategna asked if Chair Hiatt would entertain a motion.

Chair Hiatt said they were getting close to wrapping up comments.

Commissioner Faulkner agreed with Commissioner Hogan but couldn't step away from the 75-foot radius as the only solution for every part of town. She wouldn't be comfortable voting without trying to amend that in some way.

Commissioner Faulkner said she was trying to be helpful and offer solutions but couldn't understand why they don't apply the 75-foot rule in the areas where there are problems. If it becomes a problem in another part of town they will have a mechanism to activate the 75-foot radius. She agreed there was a lot to consider.

Chair Hiatt confirmed with Ms. Paez recommendation could be to postpone to a date certain.

Ms. Paez said if the Commission could supply input it would be helpful. If further exploration was warranted it possibly could be amended as it goes through the committee process. Then this could be brought back to the Commission.

Chair Hiatt asked why they would go through the process if there is opportunity now to provide input, and then have revisions come back to them. He was concerned because he hadn't read all of the public comments. He heard public comments today that he knows have not been addressed and there are important comments that haven't been answered. He wasn't sure they had been through all of them. He thought this was too quick for him.

He asked if they could keep the amendments here before sending to other committees.

Ms. Paez explained the sponsors are interested in taking it to the additional committee meetings which have been scheduled. They would want to proceed. She offered to forward the request. She noted it would not preclude the Commission from postponing and making a recommendation. Per Code, this would not go to the Governing Body without the Commission's recommendation. She agreed it would be fair for them

to take more time to digest the proposal and the input received.

Ms. Paez indicated she had written a couple of sentences of clarification requested by Commissioners. On clarifying subject property: *"If the subject property is owned by an organization or a legal or business entity, the permit must be held in the name of a person with legal authority to act on behalf of that organization or entity."* That language clarifies that the property could be held by a business or legal entity.

Ms. Paez added in terms of transfer, transferring into an entity, *"This subparagraph does not preclude a permit holder from transferring ownership of the subject property into ownership by an organization or a legal or business entity, provided however, that the permit holder must have legal authority to act on behalf of the organization or entity that owns the property."* She said something could be added that specifies the property title in a person's name could be transferred into a trust, and the owner could maintain their permit as trustee.

Commissioner Clow thought it really applies to whether a legitimate transfer to a different person/entity could apply upon death, if gifted to a trust, or if a person dies and goes through an estate. That is a legitimate transfer that requires a new deed and taxes to be paid. Those are the issues that should be looked into.

She explained if transferred to an entity, 100% owned by the original owner, that is not really a transfer. A transfer is if legally transferred to a different owner, and a gift where gift tax is due, or a transfer to a different entity. She noted comments by Commissioner Sategna of whether there is an exception and if family members should be able to gift to their children and the children retain the permit, are issues to look into further. But they are two separate issues.

Commissioner Clow continued that the two issues, the kind of transfer it is and if a new owner, should be addressed. In addition to whether there should be exceptions to a transfer that allow the permit to be transferred.

Ms. Paez said she hoped Commissioner Clow could render some proposed language.

Mr. Berke thought it beneficial to look at STR permits being transferable in general. He wasn't sure they were.

Ms. Paez informed him they are not transferable but can be held by a business entity which makes them more durable. The persons involved might change and the business entity owning the permit could remain the same. Eliminating the ability to hold a permit by a legal or business entity will preclude turnover of the ownership structure.

Commissioner Clow noted that many people do irrevocable trusts because they don't want a probate. They own a house in their name but retitle it in an irrevocable trust so it passes without probate and that should be excluded. The big issue is when there is a real transfer with new owners.

Director Isaacson explained the intent is for permits to expire at that point. The process was discussed in different contexts and that is how they will slowly implement the new regulation. The permits would expire over time with the transfer of property. The new owner would have to apply and is subject to the new permitting rules. That should remain intact as a critical part of the implementation.

Commissioner Clow agreed but noted the issue raised by Commissioner Sategna whether there should be family exceptions to the transfer.

Chair Hiatt asked Ms. Paez when this would return to the Commission before going to the Governing Body.

Ms. Paez thought it would be either the second meeting in July or the first meeting in August; most likely July.

Mr. Berke also thought the second meeting in July.

Director Isaacson explained they are reviewing the Land Use Development Fee schedule and it would come before the Planning Commission for review. The timeliness of the fee schedule relates to the Land Use operational budget proposal.

Ms. Paez noted it was seen before by the Commission with Carol Johnson.

Chair Hiatt asked if it was necessary for the Governing Body to hear from the Commission at that time. He wouldn't be opposed to both on the same schedule.

Director Isaacson said the timing for the second meeting of July is important. He noted the fee schedule isn't significantly different than last year.

Chair Hiatt said if they receive the draft ordinance by the second meeting in July, and the fees were in the same meeting, he suggests they not hold a public hearing. He asked if that would be acceptable.

Ms. Paez said the motion to postpone should include whether or not the Commission would hear public comment. She thought it might be useful to continue receiving written public comments with a specific deadline before the meeting.

Commission Discussion

MOTION: Commissioner Clow moved to postpone the recommendation on the ordinances until the second meeting in July, at which time there would be no public hearing, but written comments are encouraged to be received by the deadline, a week prior to the meeting. Commissioner Faulkner seconded the motion for both ordinances.

Commissioner Sategna said he suggested exceptions be considered for family pass-through entities. He understood the current proposed amendments already have exceptions through an LLC. He asked Ms. Paez for clarification if people could own multiple properties through an LLC.

Ms. Paez explained the existing draft legislation would preclude that. Any type of ownership transfer would result in the termination of the existing permit. Commissioners could add a friendly amendment or rely on staff, but there is no loophole for that in the draft.

Commissioner Sategna said he still favors exceptions.

Chair Hiatt asked to confirm that if the motion is successful it would not preclude any of the Commissioners contacting Ms. Paez or staff to provide more feedback.

Ms. Paez replied they would be happy to receive feedback. The sponsors are also considering input and amendments before the draft is published.

Chair Hiatt confirmed that Commissioner Clow's motion referred to both item 2 and item 3 and Commissioner Faulkner was aware of that.

Commissioners Clow and Faulkner confirmed that was their understanding.

Director Isaacson asked Ms. Paez if the draft could still move forward to the Governing Body committees if postponed tonight.

Ms. Paez said she wasn't aware of any legal limitation. The Code states there must be a recommendation from the Planning Commission, but the practice is to send legislation to committees. The Commission could include a request in their recommendation to hold this back from review by other committees at this time. She noted staff recommends this stay on schedule with the other committees to keep momentum and to have discussion in other venues.

Director Isaacson thought it important to use the committee's public hearings for the public to participate and provide input. He didn't want to stop the momentum for other committees to also have this type of conversation. He hoped this could still move forward to other committees.

Chair Hiatt said that was his intent.

Commissioner Faulkner asked if they could postpone but include a recommendation requesting the chairs of the committees allow public comment.

Chair Hiatt suggested the Commission just stay in their lane. The other committees will know this is an issue that will have tremendous feedback.

Chair Hiatt said he wanted to be sure everyone has opportunity to hear feedback and that the sponsors receive that feedback. Then the Planning Commission could give the sponsors their best in regard to the recommendation and language. He was looking forward to getting this draft back from the other committees.

Director Isaacson noted the Governing Body committed to the Ordinance revision going through all three Governing Body committees. That shows their interest in getting the draft in front of as many people as possible.

Commissioner Gutierrez repeated that the motion would not have public comment except the written comments. He asked if possible since other committees could decide whether to have public comment, to ask staff to set up a meeting for public feedback. Staff could report back to the Commission on the results.

Chair Hiatt asked if Commissioner Gutierrez was concerned it would stifle public comment by the Planning Commission not having a public hearing in July.

Commissioner Gutierrez replied there are three committees where public comment depends on the chair meaning there is only public comment at the Governing Body level. And they don't know if the other committees will open their meeting to comments.

Chair Hiatt pointed out written comment is requested before the draft comes back to the Commission. That provides opportunity for the public to focus on the changes or something they may have missed.

Commissioner Gutierrez noted there is no interaction with written comment.

He wanted a meeting of some sort with Land Use staff and the public who want to comment.

Chair Hiatt stated the motion limits public comment to written comments. Commissioner Gutierrez would like to ask Land-Use staff if they would consider a meeting with the general public.

Director Isaacson said he is reluctant for several reasons, one because of workload and capacity challenges. Secondly, the circumstances they find themselves in and the challenge of holding a public meeting over Zoom and the efficacy of that. If they could make the request contingent on what happens at the committee meetings, if all three committees hold public comment, the meeting hosted by Land Use may not be necessary.

Chair Hiatt asked if Commissioner Clow would remove public comments from the motion and allow the chair to make that decision.

Ms. Paez suggested the motion specify one way or the other.

Commissioner Clow said for her, listening to someone for two minutes and then cutting them off really doesn't provide a lot. Written comments are much better if everyone reads them and they give more details. She envisions the next meeting as brainstorming and doesn't want to take time for a two-minute public comment.

VOTE: The motion was approved by unanimous roll call vote with Commissioners Clow, Faulkner, Hogan, Gutierrez, Lawrence and Sategna voting in favor and none voting in against.

G. STAFF COMMUNICATIONS

Mr. Berke thanked everyone for their participation and good comments.

Director Isaacson agreed with Mr. Berke. He too appreciated the conversation and good public input. He will keep Chair Hiatt informed on the progress through the committees. He noted that staff will receive several applications and be very busy through July and August.

Ms. Paez added she would work with Director Isaacson to communicate suggestions from the meeting on areas that warrant further consideration. She took notes and thought it important to communicate the highlights of the discussion, especially to City Council. She offered to run what she captured of the discussion by Chair Hiatt and circulate that to the full Commission. Commissioners could contact her directly with their specific comments or anything she missed.

Chair Hiatt said he definitely wanted to see those.

Director Isaacson offered to work with his team to get the numbers for the data driven questions and have them available at the next meeting.

H. MATTERS FROM THE COMMISSION

Chair Hiatt said he received a communication about the Land Use budget issue that he will pass on to staff.

He noted that Commissioner Faulkner had drafted a letter to the Governing Body, and he will postpone the discussion until the next meeting.

Commissioner Gutierrez thanked staff for their work. He asked that they pay attention to the deadline date on the emails for the written comments, and stick to the deadline to allow the Commissioners time to process the comments.

Commissioner Faulkner asked if the letter from the Commission had to be postponed or could it be circulated and sent by the Chair.

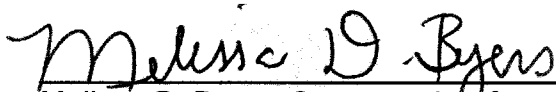
Chair Hiatt thought it had to come before the Commission in an open meeting.

Ms. Paez agreed.

I. ADJOURNMENT

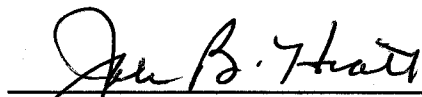
Adjourned at 10:06 pm.

Submitted by:



Melissa D. Byers, Stenographer for
Byers Organizational Support Services

Approved by:



John B. Hiatt, Chair

ATTACHMENT

5

Planning Commission

Memo Dated

June 24, 2020

City of Santa Fe, New Mexico

memo

Date: June 24, 2020

To: Members of the Quality of Life Committee, Public Works and Utilities Committee, Finance Committee, and Governing Body

From: Members of the Planning Commission

Via: Sally A. Paez, Assistant City Attorney

Subject: Proposed Amendments to Short-term Rental Ordinance and Land Use Code Enforcement Ordinance

On Thursday, June 18, 2020, the Planning Commission held a public hearing on proposed amendments to the Short-term Rental (STR) Ordinance, Santa Fe City Code (SFCC) Section 14-6.2(A)(5)-(6), (8); and the Land Use Code Enforcement Ordinance, SFCC Section 14-11.4. Under the SFCC, proposed amendments to the text of Chapter 14 must be submitted to the Commission for review and recommendation at a public hearing, and the Governing Body must review the Commission's recommendations and any public comments received prior to taking final action on the legislation. SFCC § 14-3.3(A)(4).

The Planning Commission received a large volume of public comment on these proposals. Staff distributed written public comments from twenty-four (24) people to the Commission, including many comments received after the formal deadline. Additionally, twenty-nine (29) members of the public spoke at the public hearing.

The Planning Commission discussed the draft legislation at length but ultimately postponed a decision on a recommendation due to the extent of the proposed substantive changes and the high volume of public comment received. The Commission will finalize its recommendation at its July 16, 2020 meeting and will consider additional written public comments received by July 9, 2020. The Commission does not plan to accept additional live comment at the July 16, 2020 hearing.

Meanwhile, the Planning Commission understands that other City committees will be considering the proposed legislation at upcoming meetings. The

Commission offers the following input and suggestions made by individual Commissioners at the June 18, 2020 meeting for consideration by these other committees. These suggestions refer to the page and line numbers of the draft legislation considered at the June 18, 2020 hearing.

- **Global:** The draft legislation would remove the current distinction between STR units on residentially zoned property, which are subject to the permit limits, and STR units on non-residentially zoned property (including the Business Capital District, “BCD”) and resort property, which must be registered but are not subject to the permit limits. Suggest that this aspect of the proposal warrants further consideration and should perhaps be withdrawn.
- **Page 4, lines 19-21:** This provision states that one purpose of the legislation is to prevent the reduction of long-term housing availability. Suggest further review of whether the assumptions underlying this provision are accurate, perhaps through further consultation with Alexandra Ladd.
- **Page 5, line 25, to page 6, line 1:** This provision states that the land use director shall issue permits only to “natural persons.” Suggest clarifying that although a permit must be held in the name of a natural person, the subject property can be owned by a legal or business entity, such as a trust or LLC. For example, suggest adding language as follows: “If the subject property is owned by a legal or business entity, the permit must be held in the name of any person with legal authority to act on behalf of that entity. The fact that a permit must be issued to a natural person does not mean that the property cannot be titled in such entities as a revocable trust, an LLC, or a corporation.” In addition, the limitation of one permit per natural person may warrant further consideration, especially if there is not a distinction between STRs on residentially zoned and non-residentially zoned property.
- **Page 6, lines 6-11:** This provision states that a permit is not transferrable. Suggest considering whether there should be exceptions to this rule. For example, suggest adding the following language: “A transfer that does not result in new ownership of the property, such as a transfer to the owner’s revocable trust for estate planning purposes or a transfer to an LLC where there is no change in the ownership interest in the property, does not constitute a transfer for purposes of this subparagraph.”
- **Page 7, lines 3-5:** This provision states that an STR unit cannot be rented more than once in a 7-day period. Suggest further consideration of whether this should apply to an STR unit on non-residentially zoned property.
- **Page 12, lines 5-10:** This provision states that a permit shall not be issued for a new STR unit on residentially zoned property if there is already a permitted STR unit within 75’. Suggest the following: (1) consider whether this rule is appropriate for all parts of the city, or whether there should be a different rule (perhaps no proximity limitation) in areas

or council districts where there is not a problem with STR density; (2) suggest further review of whether 75' is the appropriate radius; and (3) suggest further review of whether the 75' radius should be measured from the applicant's property boundary (as set forth in the draft) or whether it should be measured from the center of the parcel, as determined by the city's GIS program (which was used when analyzing the effect of this provision).

- **Page 17, pages 6-11:** Suggest revising the “grandfather” provision to clarify that an STR with an existing registration shall be considered to have a valid permit under the new regulations and that the permit may be timely renewed as long as it is not revoked due to non-compliance.
- **Section 14-11.4, Global:** A large amount of public comment focused on the ability to provide oversight and enforce the regulations. Suggest reviewing to ensure that these changes will be enforceable with city staff resources.

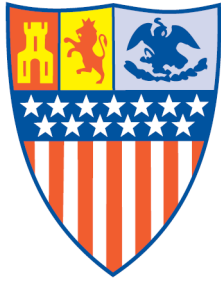
ATTACHMENT

6

Summary

Public Comments

1st Draft STR Bill



City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:

- Signe I. Lindell, Mayor Pro Tem, District 1
- Renee Villarreal, District 1
- Michael J. Garcia, District 2
- Carol Romero-Wirth, District 2
- Roman “Tiger” Abeyta, District 3
- Chris Rivera, District 3
- Jamie Cassutt-Sanchez, District 4
- JoAnne Vigil Coppler, District 4

TO: Planning Commission, Finance Committee, Public Utilities/Public Works Committee, Quality of Life Committee, Governing Body

FROM: Assistant City Attorney Sally Paez (sapaez@santafenm.gov, 955-6501)

DATE: October 15, 2020

RE: Summary of Public Comments Received on 1st Draft Short Term Rental Bill and How the City Has Responded or Proposes to Respond

*This summary provides a broad, general overview of input received (including written submissions and oral public comment at the Planning Commission). This chart does not provide details about each specific comment. Please refer to full comments submitted for an accurate statement of each commenter’s concerns.

	Public Comments & Suggestions	Commenter(s)	How the City Has Responded or Proposes to Respond
1	General concern about taxes & fees: Importance of generation, collection, and use.	Michael John Blackwell Paul DeDomenico Preston Ellsworth Two Casitas	<ul style="list-style-type: none"> • The Bill would adopt new recording keeping and reporting requirements for owners and host platforms. • The City has entered into Voluntary Tax Collection Agreements with Host Platforms. • Failure to collect and pay taxes is subject to enforcement action.
2	General concern about enforcement: Need to enforce existing rules.	Stefanie Beninato Marc Bertram Charles Burkhardt Paul DeDomenico Germaine Gomez	<ul style="list-style-type: none"> • The proposed amendments are intended to clarify existing rules, make the ordinance easier to administer, and facilitate enforcement. • Amendments (adopted August 12, 2020) to the enforcement

Summary of Public Comments

1st Draft STR Bill

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		<p>Karen Heldmeyer (Neighborhood Network) Robert Hilgendorf Frances Maier Two Casitas</p>	<p>ordinance, SFCC Section 14-11, allow civil fines, permit revocation, and/or 1-year application waiting period for violators.</p> <ul style="list-style-type: none"> • The City is under contract with Host Compliance, which assists the City in collecting data about listings. • The 2nd Draft of the Bill would include a provision that requires a host platform to remove invalid listings upon notice from the City that the listing does not comply with the City's ordinance.
3	<p>General concern about legislative process: Community members & stakeholders need additional time to review proposed amendments; public health emergency (and use of Zoom virtual meeting platform) makes this a bad time to adopt changes; City should conduct economic impact study; existing permit holders should receive notice of proposed legislation.</p>	<p>Irene P. Ayala Paul DeDomenico Susan Orth (SF Ass. of Realtors) Sara & Dave Singleton Jon B. Tucker Richard A. Woodruff</p>	<ul style="list-style-type: none"> • Introduction of 1st Draft of the Bill and preliminary public hearing before the Planning Commission generated significant public input, in addition to feedback from the Planning Commission. • The May 2019 Kelly O'Donnell report provided a basis for the need to adopt changes, which are driven by an array of policy objectives, including but not limited to economic concerns. • Bill sponsors have taken additional time to consider input on 1st Draft of Bill. • Bill sponsors met with stakeholders and constituents, and created a 2nd Draft of the Bill in response to input received. • There will be more opportunities for public engagement. The 2nd Draft of the Bill will be considered at public hearings before the Planning Commission and the Governing Body. The Bill will also be considered by three of the City's standing committees.
4	<p>General concern about stated purpose and intent: No data supporting idea that STR causes</p>	<p>Gregg Bovee Planning Commission Two Casitas</p>	<ul style="list-style-type: none"> • Other commenters support the proposal specifically because they do believe that it will protect residential neighborhoods from

Summary of Public Comments

1st Draft STR Bill

Page 3

	traffic, noise and nuisances; or decreases affordable long-term housing.		these types of concerns and advance availability of long-term housing.
5	Suggestion: Adopt a primary residency requirement (owner cannot obtain STR permit unless the unit is their primary residence)	Nancy Bookbinder Karen Heldmeyer (Neighborhood Network) Patricia Lillis Elizabeth West	<ul style="list-style-type: none"> • Bill sponsors have considered this suggestion and have concluded this requirement is not the best fit for Santa Fe at this time. • The proposal includes other means intended to address the same underlying concerns, such as permit limits and proximity limitations for STR units that are not operated in compliance with the City's ADU ordinance.
6	Suggestion: Only locals should be allowed to obtain STR permits.	Janet Williams	<ul style="list-style-type: none"> • Such a provision could be challenged as unconstitutional under the privileges and immunities clause of 14th amendment and the dormant commerce clause.
7	Suggestion: Allow anonymous complaints about STR units.	Karen Heldmeyer (Neighborhood Network) Patricia Lillis Elizabeth West	<ul style="list-style-type: none"> • Neither the current ordinance nor the proposed changes preclude anonymous complaints, but such complaints may not provide an adequate evidentiary basis for taking enforcement action and proving a code violation. The most effective way to report a problem is to use the CRM system on the Constituent Services webpage.
8	Suggestion: Keep rules as clear and simple as possible to facilitate enforcement.	Elizabeth West	<ul style="list-style-type: none"> • The proposed amendments are intended to clarify existing rules, make the ordinance easier to administer, and facilitate enforcement.
9	General Opposition: Real problem is lack of enforcement; amendments will hurt tourism, economy, tax revenues, and competition; amendments will prevent investment and the	Rebecca Anderson Cindy Atanasoff Cheryl Benard Marc Bertram Tai Bixby Amy Bobrick Charles Burkhardt Paul DeDomenico	<ul style="list-style-type: none"> • Many of the proposed amendments are intended to clarify the existing ordinance. • The City recently amended the enforcement ordinance to add new enforcement tools. • The 2nd Draft of the Bill would retain the existing distinction between residential and non-

	<p>revitalization and maintenance of properties; amendments protect hotels to detriment of local business; no evidence that adopting more restrictions on STR will increase supply of long-term housing.</p>	<p>Germaine Gomez Steve Harris Robert Hilgendorf Lodgers Association Frances Maier Paula Moya Marilyn Proctor Karen Kolbert Richelli Marvin Schragar Ron & Myrna Simon Karl Hans Sommer Jon B. Tucker Two Casitas Richard A. Woodruff Robert Zilinski</p>	<p>residential zoning, which should alleviate some concerns about impacts on tourism and the economy while furthering the goal of protecting residential neighborhoods.</p>
10	<p>General Support: Proposal will protect residential neighborhoods and advance long-term housing.</p>	<p>Stefanie Beninato Nancy Bookbinder Karen Heldmeyer (Neighborhood Network) Craig Lamb Cynthia Lamb Patricia Lillis Laura Post Jerry Richardson Mike Tankersley Janet Williams Barbara Yoffee</p>	<ul style="list-style-type: none"> • The 2nd Draft of the Bill retains provisions intended to protect residential neighborhoods, including permit and proximity limitations. • The 2nd Draft of the Bill incorporates additional limitations on density for multiple-family dwelling units.
11	<p>Opposes proximity limitation, 75’ radius: Unworkable; hard to enforce; not fair; decreases home values; will prevent existing STRs from obtaining new permit if ownership transferred; will decrease number of STRs below the 1000 permit cap; should be revisited after development of publicly-available maps; suggestion to retain existing density limitation.</p>	<p>Stefanie Beninato Myra Canterbury Karen Heldmeyer (Neighborhood Network) Susan Orth (SF Ass. of Realtors) Ron & Myrna Simon Richard A. Woodruff</p>	<ul style="list-style-type: none"> • 2nd Draft of the Bill would adopt a 50’ radius, instead of a 75’ radius, to strike a more appropriate balance. • The existing proximity limitation has been difficult for City staff to interpret and administer. • The proposed proximity limitation can be easily measured and implemented using the City’s GIS resources.

12	<p>Opposes proximity limitation, 25% for multi-family: Request to clarify types of multi-family to which this applies; request to eliminate this and retain ability to get STR permit for this type of development (as long as this is allowed by HOA or Condo rules); suggestion that allowing any STR units in multi-family housing is detrimental to long-term housing availability and allows unfair competition with hotels.</p>	<p>Paul DeDomenico Lodgers Association Susan Orth (SF Ass. of Realtors)</p>	<ul style="list-style-type: none"> • As defined in § 14-12.1, “multiple family dwelling,” means “[a] residential building containing two or more dwelling units on one lot, or two or more detached principal units on one lot.” • The 2nd Draft of the Bill would apply this limitation only to STR units on residentially zoned property and STR units within 200’ of residentially zoned property. • The 2nd Draft of the Bill would also limit the total number of STR units within a single building to 12 units.
13	<p>Non-residentially zoned property: BCD, Downtown area, other commercial areas that allow residential use (e.g. C-1) should not be subject to new limitations; provisions warrant further consideration.</p>	<p>Cindy Atanasoff Marc Bertram Charles Burkhardt Paul DeDomenico Andy Duettra Eric Enfield Germaine Gomez Robert Hilgendorf Bruce Kuehnle Lodgers Association David Mansure (petition w/ 704 names) Susan Orth (SF Ass. of Realtors) Planning Commission Karen Kolbert Richelli Victoria Rogers Tim Ryan</p>	<ul style="list-style-type: none"> • The 2nd Draft of the Bill would apply permit limits only to STR units on residentially zoned property. • The 2nd Draft of the Bill would apply proximity limits only to STR units on or within 200’ of a residentially zoned property (except the maximum of 12 STR units in a single building, which would apply City-wide). • The 2nd Draft of the Bill would apply the 1 rental per every 7 days rule only to STR units on residentially zoned property.
14	<p>Opposes “natural person” requirement: Many STRs are owned by business or legal entities;</p>	<p>Marc Bertram Charles Burkhardt Paul DeDomenico Frances Maier</p>	<ul style="list-style-type: none"> • The 2nd Draft of the Bill incorporates suggested revisions from the Planning Commission to clarify that property may be held

	limitation may be contrary to law (e.g., <i>Mecham</i> case).	Paula Moya Susan Orth (SF Ass. of Realtors) Karl Hans Sommer Mike Tankersley	<p>by a business or legal entity and that the permit must be held by person with legal authority to act on behalf of the legal or business entity that owns the property.</p> <ul style="list-style-type: none"> • <i>Mecham</i> case is distinguishable; that case dealt with a special use permit that ran with the property and required the owner to incur a large investment (tennis courts etc.). An STR permit is a license that runs with the owner, not the property.
15	Supports 1 permit/natural person limitation: Suggestion to go one step farther and allow only 1 permit/family.	Stefanie Beninato John M. Nye	<ul style="list-style-type: none"> • Difficult burden for City to define family for this purpose and to determine whether there is a permit held by a family member.
16	Opposes 1 permit/person limitation: Arbitrary; suggestions include 2-3 per owner or a limit on the number of permitted bedrooms/permittee.	Amy Bobrick Charles Burkhardt Paul DeDomenico Craig Lamb Paula Moya Paul Plunkett	<ul style="list-style-type: none"> • The Bill Sponsors propose that the 1 permit/person limitation strikes the appropriate balance for Santa Fe at this time.
17	Supports 1000 permit limit	Charles Burkhardt	<ul style="list-style-type: none"> • This limitation was adopted by Resolution and is currently in place. The legislation would adopt the existing limitation by ordinance.
18	Opposes local operator requirement: Not necessary; operators can be available and prevent problems without residing within City limits; suggestions include allow operator to reside within SF County or within 10, 20, or 25 miles (noting that a person in the county may be very close).	Charles Burkhardt Mike Henry (Campanilla Compound) Frances Maier Paula Moya Mike Tankersley	<ul style="list-style-type: none"> • The 2nd Draft of the Bill no longer requires the local operator to reside within City limits and would instead require that the operator must be able to be physically present at the STR unit within 1 hour of being contacted to address problems.
19	Opposes 1/rental per every 7/days limitation: Difficult to track and	Charles Burkhardt Paul DeDomenico	<ul style="list-style-type: none"> • Existing ordinance includes this general provision.

Summary of Public Comments

1st Draft STR Bill

	enforce; should be withdrawn or not applied in non-residential areas/districts; suggestion to change to annual cap on rental days to allow more flexibility.	Mike Henry (Campanilla Compound) Patricia Lillis Susan Orth (SF Ass. of Realtors) Planning Commission	<ul style="list-style-type: none"> The 2nd Draft of the Bill would remove this limitation for STR units on non-residentially zoned property, as suggested by the Planning Commission and others. The 2nd Draft of the Bill would require an STR owner on residentially zoned property to keep records of rental dates and to provide records of rentals within the past year when filing a renewal application.
20	Transfer of permits – change in ownership should be allowed if underlying beneficial interest does not change; suggested change to address units that are comprised of multiple time-divided interests.	Mike Henry (Campanilla Compound) Planning Commission Susan Orth (SF Ass. of Realtors) Mike Tankersley	<ul style="list-style-type: none"> The 2nd Draft of the Bill includes clarifying language proposed by the Planning Commission. The 2nd Draft of the Bill would “grandfather in” units that are comprised of multiple time-divided interests and would allow such units to remain registered in subsequent years as long as they are in compliance with applicable rules, fees, and taxes.
21	Private covenants: Restrictions should be enforced	Denise Ramonas	<ul style="list-style-type: none"> Although the City does not directly enforce covenants, the proposal requires an applicant to affirm in the application that the proposed STR unit would not violate private covenants, and the recently adopted amendments to the enforcement ordinance allow the City to revoke a permit if false information is submitted in the application.
22	Inspections: Opposes random inspections; supports fire inspections	Stefanie Beninato Marilyn Proctor	<ul style="list-style-type: none"> The 2nd Draft of the Bill was revised and clarifies fire inspection requirements.
23	Grandfather provision: Should be clarified.	Frances Maier Susan Orth (SF Ass. of Realtors) Planning Commission Mike Tankersley	<ul style="list-style-type: none"> The 2nd Draft of the Bill was revised in response to comments received.
24	Grandfather Provision: Adopt amortization period;	Nancy Bookbinder Patricia Lillis	<ul style="list-style-type: none"> The Bill Sponsors have concluded that it is fair to allow existing STR

Summary of Public Comments

1st Draft STR Bill

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	grandfather existing permits for only 2 years.		<p>permittees to continue to operate in compliance with applicable rules, fees, and taxes.</p> <ul style="list-style-type: none"> • If the City did want to make new limitations retroactive through an amortization provision, the City would need to introduce evidence into the record at public hearings demonstrating that it is reasonable to do so based on the factors set forth in New Mexico law.
25	Advertisements: Should list a permit number, not a business license number.	Nancy Bookbinder, Patricia Lillis	<ul style="list-style-type: none"> • The 2nd Draft of the Bill was revised in response to comments received and would require either a permit or registration number (instead of business license number).
26	Host Platform Requirements: Request to amend provisions to avoid undue burden; suggestion that platforms cannot evaluate validity of permit; suggestion to add a “notice and take-down” provision.	Kristina Bennard (Expedia Group) Paul DeDomenico Toral Patel (Airbnb)	<ul style="list-style-type: none"> • The 2nd Draft of the Bill was revised in response to comments received. • The proposal now includes a “notice and take-down” provision, which requires a host platform to remove a listing upon notice from the City that the listing is invalid or does not comply with City rules. • The 2nd Draft of the Bill was revised to reduce reporting requirements to lessen the burden on host platforms while still obtaining information necessary to assist with enforcement.
27	Insurance Requirement: Why remove requirement for adequate insurance?	Rebecca Anderson John M. Nye	<ul style="list-style-type: none"> • The Bill Sponsors propose to remove this requirement because insurance is a private contract between the owner and the company. Retaining this provision would require the City to regulate a private agreement and determine the type and level of insurance that is adequate and appropriate. Retaining this provision would also impose an administrative burden of reviewing insurance documents at time of application.

Summary of Public Comments

1st Draft STR Bill

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28	Notice Requirements: Should not apply to STR on commercial property.	Paul DeDomenico	<ul style="list-style-type: none">• Notice provisions are included in the existing ordinance.• The ordinance requires notice only to owners of residentially zoned property, not commercial property.
29	Real Estate Disclosure: Remove provision or retain existing provision.	Susan Orth (SF Ass. of Realtors)	<ul style="list-style-type: none">• The 2nd Draft of the Bill was revised in response to comments received.

ATTACHMENT

7

Written Comments

1st Draft STR Bill

GURULE, GERALDINE A.

Subject: FW: Opposition to the proposed revisions to the City of Santa Fe's Short-Term Rental Ordinance.

From: Becky Anderson <rebeccapanderson@gmail.com>

Sent: Tuesday, June 16, 2020 10:44 AM

To: Mayors Office <mayor@santafenm.gov>; LINDELL, SIGNE I. <silindell@santafenm.gov>; VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov>; ROMERO-WIRTH, CAROL <romero-wirth@santafenm.gov>; GARCIA, MICHAEL J. <mjgarcia@santafenm.gov>; ABEYTA, ROMAN R. <rrabeyta@santafenm.gov>; cmrivera@santafenm.gov; COPPLER, JOANNE V. <jvcoppler@santafenm.gov>; CASSUTT-SANCHEZ, JAMIE A. <jcsanchez@santafenm.gov>

Subject: Opposition to the proposed revisions to the City of Santa Fe's Short-Term Rental Ordinance.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Webber and Santa Fe City Councilors,

I am a resident of Santa Fe (born and raised) and I am writing this email to express my **opposition** to the proposed revisions to the City of Santa Fe's Short-Term Rental Ordinance.

I would also like to know more about the proposal, its rationale, and how the proposal was crafted. Local businesses are hurting - I fail to understand how this revision supports local businesses. It seems to me this revision simply protects the interests of Hilton, Charlestowne Hotels, and Heritage Hotels and Resorts, Inc. Also, why eliminate the requirement for adequate insurance or proof of insurance?

Thank you,
Rebecca Anderson

GURULE, GERALDINE A.

Subject: FW: Please: Stop the changes to the STRO within the BCD

From: Cindy Atanasoff <catanasoff@yahoo.com>

Sent: Tuesday, June 16, 2020 10:27 AM

To: Land Use Public Comment <landusepubliccomment@santafenm.gov>; Mayors Office <mayor@santafenm.gov>; VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov>; LINDELL, SIGNE I. <silindell@santafenm.gov>; GARCIA, MICHAEL J. <mjgarcia@santafenm.gov>; ROMERO-WIRTH, CAROL <romero-wirth@santafenm.gov>; RIVERA, CHRISTOPHER M. <cmrivera@santafenm.gov>; ABEYTA, ROMAN R. <rrabeyta@santafenm.gov>; CASSUTT-SANCHEZ, JAMIE A. <jcsanchez@santafenm.gov>; COPPLER, JOANNE V. <jvcoppler@santafenm.gov>

Subject: Please: Stop the changes to the STRO within the BCD

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Dear Mr. Mayor, City Council Members, Planning Commission;

I am shocked! I never imagined a city could so drastically change the ordinances in a way that defies logic. You are suddenly changing fundamental rules of commerce in a business district. Why?

Who benefits from this change? There are no 'residences' impacted by downtown Short Term Rentals. How exactly will you reconcile the 1000 limit of residential STR permits allowed versus the current STR registration required in the Business Capitol District? Are you making the Residential limitations more contentious by co-mingling the BCD rentals under the same umbrella?

We are in a lock-down during a global pandemic and you choose now to make these stealth changes to ordinances that have been in place for years? Were you even planning to provide Notification and allow Due Process to property owners impacted by your sudden 180 on basic practices of rentals?

How can you force commerce to be conducted among 'Persons' instead of business entities in today's litigious society? This is cruel to those comforted by common sense risk management. How are you justified in limiting the commerce a 'Person' chooses to do to one property, to one stay per seven days? What??

Who again benefits from this change? You are virtually eliminating a lodging option for families and friends to vacation together and enjoy each other's company in a living room or around a kitchen table with a home-cooked meal. Why??

Who did you say benefits from this change? You are decimating income of multiple entrepreneurs, investors, retirees, and individuals who made a sound business decision to invest in your previously thriving city largely dependent on tourism.

How does this benefit the city? It certainly doesn't benefit the livelihoods of all the now struggling downtown restaurants, cafes, galleries, and shops who enjoy the foot traffic of the downtown visitors.

Who did you say benefits from these changes? Please explain. I would like to know where the 'greater good' will be in exchange for the sacrifice you are forcing me and many others to make.

Sincerely,

Cindy Atanasoff

Local Address: 142 Lincoln Ave #501 Santa Fe, NM 87501

Home Address: 4005 Heron Cove Lane The Colony, TX 75056

GURULE, GERALDINE A.

From: Irene Ayala <ayalalaw@icloud.com>
Sent: Monday, June 15, 2020 12:29 PM
To: Land Use Public Comment
Subject: Short-term rental permit/notification

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Jeri Hull and I are the owners of a home in Santa Fe that has a short-term rental permit. I was just informed this weekend about amendments to the short-term rental permit ordinance. I was able to receive and review a copy of the proposed changes from another permit holder.

I would sincerely appreciate it if in the future all existing permit holders be notified of proposed changes to the permit ordinance so that we can be sure we remain in compliance with those changes. Notification can be made to the email address below.

**My property is located at 812 Calle David, Santa Fe, 87506.
Short-Term Rental No. 221793**

Thank you

Irene P. Ayala
ayalalaw@icloud.com

Subject: proposed STRO changes
Date: Saturday, June 13, 2020 at 08:26:49 Mountain Daylight Time
From: Cheryl Benard
To: mayor@santafenm.gov
Category: Adobe Casitas

Mr. Mayor,

I live on Calle Estado. For years I would drive by the abandoned building on 301 East Palace and feel sad about the deterioration of such a beautiful building right there in the core area of historic Santa Fe. Finally my husband and I decided to try to buy and rehabilitate it. It had been in the past a hair salon, an art gallery and a medical practice so our first thought was to make it available for business use once more. But we soon discovered that this would not work as there was an oversupply of business real estate and besides, we would not be able to create the required number of parking spaces. We next considered long term rental. But while our motives were in part cultural, we are not in a position to operate at a continual loss and in fact it was the municipal advisors themselves who told us that there was no way we could sustain the building, at least cover our costs and pay the utilities, with long-term rental. Therefore we turned the building into three units, spent a lot of money refurbishing and installing solar panels and updating the electric etc. and then we started to rent it out. The income is modest at best and is slowly going towards offsetting our initial costs. Corona was a blow. And now this proposed ordinance will frankly be a disaster for us and for others who are maintaining properties large and small in historic Santa Fe through short term vacation rentals. The policy besides, makes no sense. I am a researcher by profession and I tell you this with some confidence. You have been told differently - there are lobbies at work here, but their recommendations are short sighted even for their own interests. Our clients will not stay in a hotel if they can't stay with us, nor will they stay in more distant vacation rentals. They want to stay in a group, they want to fix their own breakfast, they want to be able to walk. My guests benefit the nearby hotels, where they visit the spa, the nail salon, the restaurants and the bars. If they can't stay at my place or similar places, they will go elsewhere, to other states and other cities. Please reconsider.

Respectfully,

Dr. Cheryl Benard

PAEZ, SALLY A.

From: Kristina Bennard (ELCA) <kbennard@expediagroup.com>
Sent: Monday, June 29, 2020 9:50 AM
To: PAEZ, SALLY A.; RANDALL, RANDY; ISAACSON, ELIAS S.
Cc: Ashley Hodgini (ELCA); settergroup@gmail.com; Kristina Bennard (ELCA)
Subject: Santa Fe / Vrbo
Attachments: NYC DECISION and ORDER_Preliminary Injunction 2019.01.03.pdf; Boston -- Order on Motion for Preliminary Injunction.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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Good morning,

Thank you for your time on Friday to discuss Santa Fe's draft amendments to its short-term rental law. We said we'd follow up on a few items: (1) possible language for a mandatory field with notice-and-takedown; (2) additional comments on the draft's data disclosure requirements; and (3) case law regarding data disclosure requirements. This email responds to all three:

- (1) **Mandatory field and take-downs.** Here is possible language to accomplish the two-step process we discussed:

Host platforms shall require operators of short-term rental units to include their City-issued business license number in their listings or advertisements, in a format designated by the City. Upon notice from the City that a business license number on a short-term rental unit listing is invalid, the host platform shall deactivate that listing within five business days.

If you prefer to use a short-term rental permit number instead, you can insert that term instead of "business license number."

- (2) **Data disclosure by platforms.** The current draft amendments require platforms to submit reports of the following information:
- number of short-term rental unit listings and owners in the city;
 - number of reservations and number of rental nights for each unit; and
 - amount of revenue owners collected through the host platform, including rent and each type of taxes and fees.

This information is to be reported monthly and disaggregated by owner.

As discussed, this requirement, as written, does not specify that the information has to be provided in a way that identifies a host or property location. Rather, it could be provided similar to how platforms previously reported data to New Orleans. There, each host had an anonymized number assigned to him/her that was consistent for each report. And together with the host number, platforms reported the number of nights the host's property had already been rented for that year and the number of nights it had reservations for the remainder of the year. (New Orleans wanted this information to enforce its annual 90-night cap.) If, in reviewing the reports, New Orleans identified a listing that had exceeded the limit, it could send the platform a subpoena to get the host, property, and transactional information associated with that listing.

New Orleans has since changed its law and no longer requires this kind of reporting. It is also burdensome for platforms to generate these kinds of reports. Santa Fe would be the only place we'd be doing it.

The most common kind of reports that cities have required are monthly reports of the URLs for the properties listed on a platform together with the license number associated with that URL. That's as close to a "standard" report as we've gotten. If you saw news on Friday about the MOU that [Vrbo signed with Kauai, Hawaii](#), this is the monthly report we'll be sending. It's what we do in San Francisco and Seattle, among others. Basically, it's a report that scrapes the platform's own website and provides it in a regular report to the city. The cities then use it to check the license numbers and report back to the platform if any are invalid.

Other cities require aggregate / total data, e.g., how many nights were booked on the platform this quarter, how many properties were listed this quarter, what was the total amount of rent hosts collected via the platform this quarter?

Still other cities don't require reporting at all, but rather find that a mandatory field for a license number together with the notice-and-takedown step is sufficient for their enforcement needs. When only licensed properties are on a host platform, that tends to drive compliance with all other aspects of a city's regulatory requirements.

Another way for Santa Fe to ensure its one-transaction-per-seven-days requirement is being followed is to require *operators*, as part of renewing their license, to submit a record of bookings they had the previous year. The city might also consider whether instead to limit each operator to 52 transactions per year (the equivalent of one transaction per week), which would allow an operator to book more travelers during a busy season. Palm Springs, California, does something similar to that.

Finally, note that if a city does require platforms to provide data, there must be protections for that information and guidelines for how it can be used, shared, and stored by the city because it is often competitively sensitive.

- (3) **Case law.** Citing the Fourth Amendment of the U.S. Constitution, two federal courts last year stopped enforcement of laws that required hosting platforms to provide reports of user information to government officials without any legal process. Both New York City and Boston enacted laws that required short-term rental hosting platforms to submit monthly reports that included owner information, property addresses, and transactional information, like number of days booked. Two different federal courts stopped enforcement of those laws, ruling that requiring hosting platforms to disclose their business records without *any* legal process – like a subpoena, warrant, or court order – violated the Fourth Amendment, which guards against unreasonable searches and seizures by government officials. *Airbnb, Inc. v. City of Boston*, Case No. 18-cv-12358-LTS (D. Mass. May 3, 2019); *HomeAway.com, Inc. v. City of New York*, 373 F. Supp. 3d 467 (S.D.N.Y. 2019). Copies of both decisions are attached.

In addition to the Fourth Amendment, the Stored Communications Act, 18 U.S.C. §§ 2702, 2703, is a federal law that mandates specified forms of legal process—like a subpoena or court order—that the government must follow before obtaining personal information from internet providers. A federal court in Oregon halted enforcement of a provision in the Portland City Code that would have required hosting platforms to disclose to city tax officials “all physical addresses of transient lodging occupancy locations within Portland city limits and the related contact information, including the name and mailing address of the general manager, agent, owner, host or other responsible person for the location.” *HomeAway.com, Inc. v. City of Portland*, 2017 WL 2213154, at *4 (D. Or. May 11, 2017).

In recognition of these rulings, the City and County of Honolulu acknowledged in a stipulated court filing that a provision in its law that required hosting platforms to provide reports of owner name, property address, tax identification number, length of stay, and price paid was unenforceable given the state of the law. *Kokua Coalition v. Department of Planning and Permitting*, No. 19-cv-00414-DKW, Dkt. 37 at ¶¶ 10-11 (D. Hawai'i Oct.

4, 2019). Similarly, last fall, Palm Beach County, Florida, amended its law to remove a provision that required hosting platforms to provide monthly reports with owner name, property address, tax account number, and parcel number.

I know this is a ton of information. If, after digesting it, you'd like to discuss further, we'd welcome that opportunity.
Best, Kristina

Kristina Silja Bennard

Senior Corporate Counsel (Regulatory / Litigation)

expedia group

Cell +1 206 227 9583

Email: kbennard@expedia.com

expediagroup.com

GURULE, GERALDINE A.

Subject: FW: Voting No On The Ordinance Amending Section 14-6.2 Short Term Rental Ordinance

From: Tai Bixby <tai@gotspaceusa.com>

Sent: Wednesday, June 17, 2020 3:10 PM

To: Land Use Public Comment <landusepubliccomment@santafenm.gov>; esiasaacson@santafenm.gov; PAEZ, SALLY A. <sapaez@santafenm.gov>

Subject: Voting No On The Ordinance Amending Section 14-6.2 Short Term Rental Ordinance

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Dear Santa Fe Land Use Department,

This item is on the Planning Commission Agenda for Thursday June 17, 2020. I am writing as a citizen of the City of Santa Fe and as a real estate professional with direct knowledge of the real estate market. I'm writing to manifest my opinion **against** the proposed amendment Section 14-6.2 the Short Term Rental Ordinance. The proposed changes will decrease tourism by increasing costs and shrinking inventory. The proposed changes will hurt property values and will indirectly reduce tax income to the county and City. The proposed fines are regressive and, rather than increasing city income, will have a chilling effect on the tourist economy. The proposed amendment will cause Santa Fe to lag behind in recovering from the effects of the recession, the depths of which we have yet to arrive at. Please do not change the Short Term Rental Ordinance.

Please VOTE NO on the proposed amendment to the Short Term Rental Ordinance.

Tai Bixby, CCIM

Director

tai@gotspaceusa.com

Transaction Coordinator

Sarah Raboff

sarar@gotspaceusa.com

NAI Maestas & Ward

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Santa Fe NM 87501

gotspaceusa.com

Direct +1 505 577 3524

Main +1 505 878 0001

Santa Fe +1 505 988 8081

NAI Maestas & Ward

PAEZ, SALLY A.

From: BERKE, NOAH L.
Sent: Thursday, June 18, 2020 12:21 PM
To: PAEZ, SALLY A.; ISAACSON, ELIAS S.
Subject: Fwd: 628 1/2 Camino De La luz

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From: Amy Bobrick <amy.bobrick@kw.com>
Sent: Thursday, June 18, 2020 8:39:58 AM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Subject: Fwd: 628 1/2 Camino De La luz

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Attention Land-Use.

Please see below. I am opposed to your new rules. I started this project and was given guidelines by the City of Santa Fe Short Term Rental Dept. I have all of the e-mails.

>

> Hello Carol,

>

> I see the proposed changes to the short term rental ordinance. I am definitely against them. I have been working for over a year with Christopher Purvis, James Martinez at the City and Mary Ann Seiderer when she was working for the city in short term rentals and MTA Construction.

>

> I have e-mails stating that I could add another rental to my existing rental that is licensed with the city. I live on the premises. I am in the process of adding another auxiliary unit and I do have a building permit. My contractor has been very slow and this should have already been completed but there were snags and especially with the pandemic. I had to divide my 2 legal lots of record which I would not have done if this was not a possibility. It was very expensive to have it surveyed, architectural plans that would be approved by the historic board, and of course the actual project. This is my livelihood and I also was the owner of The Bobcat inn for 15 years. This has been my career. I am asking you to re-think this new stipulation of one short term rental per natural citizen. I would not have done this project if this had been the case. I have e-mails from Maryann stating what would be allowed and I followed all of these guidelines. This would totally not be fair since I would never have done this if this had been brought up. I am spending around 150K on this addition. The new addition is over 75 feet from the front door of the current short term rental. I sincerely hope that you will take property owner's rights into consideration. Again, I am a resident and I live on the property but both units are separate from my house but connected.

>

> Thank you, Amy

>

>

> Amy Bobrick
> 505 920 8941
> amy.bobrick@kw.com

>

> Keller Williams
> 130 lincoln Ave

> Santa Fe, NM 87501

> 505 983 5151

>

>

>

>

Dear Sir/Madam,

I am writing to you today in regards to the proposed changes to the short term rental regulations. I would like to start by introducing myself. I am a resident of Santa Fe, the father of a 3 year old girl, the owner of Santa Fe Property Solutions, as well as an owner of the property located at 1155 Camino Delora that is primarily used for short term and vacation rentals. My company's main focus is management of vacation rentals and second homes. We currently manage 14 properties and employ 4 housekeepers, 1 landscaper, 1 maintenance person, an assistant manager, myself, as well as several others on an as needed basis. The changes, if passed, would ultimately lead to my company going out of business, and my staff losing their jobs.

I have several issues with the proposed legislation. The first is the fact that additional restrictions will only hurt those of us that are following the current rules, but will do nothing to curb those operating illegally. In fact, by having less of us able to be permitted and operate within the boundaries of the law, those operating illegally would see an increase in business and likely the city would see an increase in the number of illegal STRs. I understand that the cap would remain the same, but the changes would essentially reduce the number of properties that are eligible for a permit in the first place.

I do understand and support maintaining the cap of 1000 permits, I do support requiring the owner or operator to live in Santa Fe. However, I do not fully understand why the city council is proposing the changes that will eventually force my business to close. I haven't been given a concrete answer, only that 'there aren't enough affordable long term rentals', or that 'they are hurting the character of our neighborhoods'. Additionally, the Land Use Director stated that he 'didn't believe these changes would affect property managers' in a negative way but that they hadn't actually done an economic impact study. I would like to address these items individually.

'There aren't enough affordable long term rentals'

Many of the properties that I manage are second homes. This means that these homes weren't going to be on the long term market to begin with. The owners come to visit Santa Fe frequently and do not wish to enter into a long term agreement that would prohibit them from visiting when they would like. If they lost their ability to do vacation rentals while they are not in Santa Fe, the home would just sit empty, not creating jobs for me and my staff or taxes for the city and state.

Of the homes that aren't second homes and could potentially be converted to long term, none of them would ever be considered 'affordable'. If these homes were somehow made affordable, it is likely that the same people complaining about STR's would complain about the affordable rental next to them. If the city is truly interested in providing affordable housing, one place that it could start is by eliminating the 'fee in lieu' that allows these new apartment complexes to pay a fee in lieu of providing a portion of their units as affordable.

The city could also begin to enforce the current code and eliminate the illegal vacation rentals which currently outnumber permitted vacation rentals.

'They are hurting the character of our neighborhoods'

Approximately half of the properties we currently manage were purchased in a state of disrepair. Some were downright in shambles. The owners of these homes bought them with the idea that they could spend more money returning them to their original glory and improving the neighborhood aesthetic because they would be able to offer them as vacation rentals. Whenever there is a maintenance issue, it is corrected immediately. The landscapes and gardens are always in top shape, and concerns from neighbors are addressed immediately. Those of us that have permitted vacation rentals are concerned with these things, as well as parking, noise, etc because our business depends on it all.

'This won't affect property managers in a negative way'

This belief is flat out wrong. According to the Land Use Director, he and his staff believe that initially these changes would reduce currently permitted STRs by about 18% when it comes time to renew. Over time, the changes would continue to decrease the number of eligible properties, some estimates are saying down to 250. Further, keeping the 1 check-in per 7 days rule will continue to drive down profits even further, essentially eliminating property management as a viable business. I would like to remind you that the only people this legislation will affect are those of us that have been following the rules, and the effect will be incredibly negative.

The truth is that Santa Fe is largely a tourist town, vacation rentals drive revenue for the city and small businesses, unemployment has increased by almost 9% since last year, and this would cause increased economic strain on the entire community. During these strange and trying times, to purposefully make it harder/impossible to keep a business open is unthinkable.

To summarize, I would respectfully request the following changes be made to the proposed legislation:

1. Eliminate 1 check in per 7 days rule
2. Eliminate type of ownership requirement
3. Eliminate number of permits each person is eligible to hold
4. Maintain cap of 1000 permits
5. Require owner or operator to reside in Santa Fe County
6. Adopt civil penalties provisions
7. Exempt commercially zoned permits from residential rules

If there is anything I can help with or clarify, I would be more than happy to assist.

Thank you for your time and consideration,
Charles Burkhardt

info@santafepropertyolutions.com

1155 Camino Delora

COMMENTS ON SHORT TERM RENTAL ORDINANCE & PROPOSED AMENDMENTS

DATE: June 29, 2020

TO: Mayor Alan Webber, Councilor Signe Lindell, Councilor Carol Romero Wirth, Councilor Renee Villarreal, Councilor Michael Garcia, Councilor Chris Rivera, Councilor Roman Abeyta, Councilor Jamie Cassutt-Sanchez, Councilor JoAnne Vigil Coppler, Commissioner John Hiatt, Commissioner Mark Hogan, Commissioner Pilar Faulkner, Commissioner Lee Garcia, Commissioner Brian Gutierrez, Commissioner Janet Clow, Commissioner Jessica Eaton Lawrence, Commissioner Dominic Sategna, City Attorney Erin McSherry, Assistant City Attorney Sally A Paez, Constituent Service Director Kristine Mehelic,

FROM: Paul DeDomenico, 1413 Paseo De Peralta, Santa Fe, NM 87501.
Email: paul.dedomenico@gmail.com. Cell: 505-660-8215.

I was present at the June 18th Planning Commission Zoom meeting regarding the proposed changes to the short term rental ordinance. Here are my takeaways:

It was evident from staff responses that a couple of things are taking place;

1. **This is “stealth” legislation.** When Commissioner Hiatt asked if there had been any public input from the public or business community previous to the drafting of the amendment the answer from City Attorney Paez was “no”. Myself, and people I know in the business community who deal in STRs did not find out about the proposed legislation until a very short time before the PC meeting.
2. **City staff is under pressure** to impose a strategy to push the legislation through on a short timeline with limited public input.

Whether intentional or not, it certainly gives the impression is that there is an intent to minimize public input and potential pushback, take advantage of the COVID-19 shutdown and quietly push this through legislation. The result is that the amendment is unclear, confusing, **and not well thought out.** I assume this is due to pressure from the sponsors (and perhaps other business interests?) to rush the legislation.

While I am most concerned about how this legislation applies to short term rentals under commercial zoning where residential use is allowed (e.g. BCD, C1, etc..), I must address first address the most glaring issue:

ENFORCEMENT: When Land Use Director Issacson was asked by the PC why the current code has not been enforced he stated that the City did not have the proper enforcement infrastructure. One of the staff or commissioners stated that the number of illegal rentals roughly equaled the amount of legal rentals. **If this is accurate, then enforcement should reduce short term rentals in residential neighborhoods by a whopping 50% with no impact on lodgers or gross receipts tax revenue.!** Enforcement of the current STRO should be mandatory and city staff should receive the proper support.

Limitations intended for residential neighborhoods should be placed on commercially zoned STRs where residential use is allowed. A lot of problems are created by applying an ordinance intended to address issues in residential areas to commercial properties. Mr Isaacson commented during the PC meeting that the intention of creating a blanket legislation was to simplify the process and management of ST rental by the city. This is not reasonable because **residential and commercial are two very different animals.**

I include myself as one of a number of vital investors and entrepreneurs who choose to invest in downtown Santa Fe because it is a unique city which offers tremendous opportunities to locals and visitors! We are creative and dedicated citizens and above all we are committed to the pledge of our City Different. Let's not limit the opportunities to our visitors, that come here from all over the globe, to strictly large hotels as option for their stay. Santa Fe has so much to offer these visitors in terms of diverse culture, historic architecture, adaptive reuse and proximity to all of the wonders of the Plaza. It is a rare thing to have such options in a historic, walkable downtown. Don't limit this!

- 1) **LIMITING THE NUMBER OF SHORT TO RENTALS TO ONE PER NATURAL PERSON:** There was across the board befuddlement at the PC meeting on this point. In my situation, I have two different single member LLCs that hold or manage commercial property. The single member for both LLCs is a NM Sub-Chapter S Corporation. I can't even fathom how the "One Natural Person" clause could apply to my situation. And you can be sure that my situation is not unique with other commercial landlords also having complicated entity structures.
- 2) **ONE RENTAL PER SEVEN DAYS:** Converting office or retail to residential use is actually a reduction in occupancy of the converted space. In addition, retail and office are occupied potentially 100% of the year whereas STRs are occupied

60-70% of the year. **There should be no limit on the number of days a commercial short term rental can be occupied.** The city doesn't ordain that small hotels, B&Bs, retail stores or offices can only operate a certain amount of days per week because they cause too many people on commercial streets. I think this limitation was intended for STRs in residential areas but it makes absolutely no sense to apply it to commercial property.

- 3) **PERMIT TRANSFER** : Commercial property entrepreneurs spend significant money and time on their investments. They spend significant funds to purchase, improve, restore, add value and create income which in turn creates jobs and generates taxes. **Commercial differs from residential in that the value of commercial property is based on the property's net income.** Many commercial landlords use STRs to increase cash flow and spend large sums of money to convert a property to residential use. If STR permits cannot be transferred to a buyer it will **DESTROY THE VALUE commercial property** where the permit(s) reside. **Commercial STR permits must be allowed to convey with the property.**
- 4) **DENSITY:** For the same reasons stated above, **there should be no limitation on the number of STRs at any commercial property where residential use is allowed under zoning.** The 1000 STR licenses limit should not be applied to commercial property.
- 5) **200 FOOT NOTICE:** Again it is unclear whether the requirement to notify properties within 200 feet would apply to commercial properties. I assume a new STR applicant would unfairly meet resistance from a hotel or competing STR within 200 feet. Again it makes no sense for commercial properties.
- 6) **MULTI-FAMILY LIMITATION:** Would the multi-family limit of STRs to 25% of the dwelling units apply only to specific multi-family zoned properties? What defines multi-family under the proposed ordinance?
- 7) **HOST PLATFORMS:** STR permit holders have no control over the record-keeping of hosting platforms (AirBnB, VRBO, Booking.com, etc...). If for some reason hosting platforms were unable to meet the record-keeping requirements of the city ordinance, does this mean STR permit holders would be excluded from utilizing them?

In case you weren't aware, travel sites such as Airbnb have moved into traditional hospitality and have implemented a hotel program that provides a

platform for smaller boutique hotels and Bed and Breakfasts. It's important to understand that even prior to COVID-19, the hospitality industry's age old models were being challenged by both creative platforms (Airbnb) and a new wave of travelers. This will continue to shift as travelers either become wary of larger hotels where large numbers of people congregate, and/or search out more unique stay opportunities. Let's be at the forefront of change and provide these traveler opportunities.

I love Santa Fe! I have lived here for 31 years and my three children were all born and raised here. I have been an honest and responsible landlord. My tenants, especially my retail tenants, are struggling through the COVID-19 crisis and I am doing my best to ease their burden. I pay a lot of money each year in property taxes. I only want what is best for Santa Fe.

Commercial landlords pay gross receipts taxes and lodgers taxes on their short term rentals. I understand that **15% of the annual lodgers tax collected by the state comes from STRs** which is a significant amount. Why would the city want to reduce that revenue by limiting stay or STRs in commercial districts when, again, ENFORCEMENT would reduce the number of STRs by as much as 50% with **NO NEGATIVE IMPACT ON LODGERS OR GROSS RECEIPTS TAX.**

Commercial landlords have the legal right to maximize income even if that means converting some commercial space to STR where allowed to by zoning. The majority of my income comes from commercial income property and I view the ordinance as a potential threat to my livelihood and the stability of my family's future. I believe that the application of STR residential limitations on commercial property in both the current ordinance and proposed amendment constitute a taking of property rights.

It is evident that the current ordinance and proposed amendments are intended for residential neighborhoods and should not apply to commercial districts.

Please let me know how I can be of assistance in creating an appropriate STR rental ordinance.

Sincerrely,

Paul DeDomenico

PAEZ, SALLY A.

From: ROMERO-WIRTH , CAROL
Sent: Wednesday, June 24, 2020 2:17 PM
To: LINDELL, SIGNE I.; VILLARREAL, RENEE D.; WEBBER, ALAN M.
Cc: PAEZ, SALLY A.; FAUBION, JENNIFER R.; ISAACSON, ELIAS S.
Subject: Fwd: STRO Zoom call
Attachments: AWD markup of STRO 6-24-20.pdf

FYI

Carol Romero-Wirth
City Councilor, District 2
Office: 505 955-6815
Cell: 505 470-2855

Facebook & Twitter @romerowirth

From: Andy Duettra <aduettra@gmail.com>
Sent: Wednesday, June 24, 2020 11:32 AM
To: ROMERO-WIRTH , CAROL
Cc: Marc Bertram
Subject: Re: STRO Zoom call

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Carol:

Hi! Just to follow up here: you know the real issue we have with the proposed STRO is its effect of inserting rules designed for residentially-zoned STRs into commercial zones such as the BCD. The Planning Commission also noted this significant issue, among others.

This raises serious practical and legal concerns for the city, such as depriving certain property owners of normal use rights granted by commercial zoning and intended by the Land Use Code, and the right to CHANGE that use over time as needs and conditions change.

One insight you might consider is that, if the number of short-term rentals INCREASE in areas like the BCD, that should actually help diminish STRs in close-in residential areas by providing appealing/superior options for tourists. We should encourage that as a needed option to residential-zoned short-term rentals.

I think the "cleanest" option for the City Council might be to change the title of the ordinance to "**Short-Term Rental Units - Residentially-Zoned Property**." In addition, a change in the definitions section to make STRs, as that term is used in Section 14.6-2 (A) (5), be ONLY those located on residentially-zoned property would also clarify that distinction.

The effect would be to allow short-term rentals in ALL commercial areas, putting them on the precise same footing as every other bar, restaurant, jewelry store, gallery, hotel and B&B in our commercial districts, not treated as some especially abhorrent business needing extra and distinctive regulation. Simple and effective, cleans up the mess.

The changes above, detailed in the attachments to this email, along with some "cleanup" and clarification items, will solve the issues we have with the proposed STRO, and allow everyone to focus upon proper regulation in residential areas.

I hope this may prove helpful in your discussions. Please let me know if you can't pull up the attachment.

As always, we are available to discuss any of this and appreciate your time and effort in listening to our concerns!

Sincerely yours,

Andy

Andy Duettra
AdobeStar Properties, LLC
154 West Marcy St, Suite 104
Santa Fe, NM 87501
505 603 7644 (c)

On Mon, Jun 22, 2020 at 4:58 PM ROMERO-WIRTH , CAROL <cromero-wirth@santafenm.gov> wrote:
Marc,

I have a meeting with the sponsors this week to discuss how to move forward. As of now the bill is scheduled for:

Quality of Life on July 1
Public Works and Utilities on July 6
Finance on July 13
City Council on August 12

It can be amended or substituted at any of these stops.

There is also talk that it may go back to the Planning Commission before it goes to City Council on August 12th. It cannot be amended at the Planning Commission.

I will know more in a couple of days.

-Carol

Carol Romero-Wirth
City Councilor, District 2
Office: 505 955-6815
Cell: 505 470-2855

Facebook & Twitter @romerowirth

From: Marc Bertram <marcbert@aol.com>
Sent: Monday, June 22, 2020 3:49:08 PM

To: ROMERO-WIRTH , CAROL <cromero-wirth@santafenm.gov>

Cc: aduettra@gmail.com <aduettra@gmail.com>

Subject: Re: STRO Zoom call

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Now that we have had the Planning Commission meeting, we would like to circle back with you and make sure we understand the process going forward .Please let us know when we could have another Zoom meeting with you. Let me know what day or time may work.

Marc Bertram
SF Brown Real Estate
PO Box 5735
Santa Fe NM 87505
direct 1-505-473-7740 x 13
mobile 1-505-930-0720
email marcbert@aol.com

Visit Santa Fe's Finest Vacation Rentals www.adobestarpromerties.com
Visit Albuquerque's Newest AAA Four Diamond Hotel www.hotelparqcentral.com

In a message dated 6/16/2020 4:08:15 PM Mountain Standard Time, cromero-wirth@santafenm.gov writes:

Zoom

Carol Romero-Wirth
City Councilor, District 2
cromero-wirth@santafenm.gov
(505)955-6815 Office
(505)470-2855 Mobile
Facebook & Twitter @romerowirth

From: Marcbert <marcbert@aol.com>

Sent: Tuesday, June 16, 2020 4:07:18 PM

To: ROMERO-WIRTH , CAROL <cromero-wirth@santafenm.gov>

Cc: Andy Duettra <aduettra@gmail.com>; FAUBION, JENNIFER R. <jrfaubion@santafenm.gov>

Subject: Re: STRO Zoom call

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Do we know yet whether these meetings will be in person or Zoom meetings ?

Marc Bertram

SF Brown Real Estate

PO Box 5735

Santa Fe NM 87505

direct 1-505-473-7740 x 13

mobile 1-505-930-0720

email marcbert@aol.com

Visit Santa Fe's Finest Vacation Rentals www.thelincolnsf.com

Visit Albuquerque's Newest AAA Four Diamond Hotel www.hotelparqcentral.com

On Jun 16, 2020, at 1:38 PM, ROMERO-WIRTH, CAROL <cromero-wirth@santafenm.gov> wrote:

Andy,

The bill is currently scheduled to be at:

Planning Commission on 6/18

Quality of Life on 7/1

Public Works and Utilities on 7/6

Finance on 7/13

City Council for Public Hearing and final passage on 8/12

It can be amended at any of the three Council Committees and at City Council on 8/12

Carol Romero-Wirth

City Councilor, District 2

cromero-wirth@santafenm.gov

(505)955-6815 Office

(505)470-2855 Mobile

Facebook & Twitter @romerowirth

From: Andy Duettra <aduettra@gmail.com>

Sent: Tuesday, June 16, 2020 11:54 AM

To: ROMERO-WIRTH , CAROL

Cc: FAUBION, JENNIFER R.; Marc Bertram

Subject: STRO Zoom call

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Carol and Jennifer-Thanks for your time today! Good to be able to discuss our concerns with you regarding keeping the status of STRs in the BCD distinct from those in residential zones.

We did have a few follow up questions: do you know the date of the Quality of Life Committee meeting at which the STRO will be taken up, and will that meeting be a public one? Also, will that be the first opportunity to revise the draft, or might that occur earlier?

Thanks again!

Best regards-Andy and Marc

Andy Duettra
AdobeStar Properties, LLC
154 West Marcy St, Suite 104
Santa Fe, NM 87501
505 603 7644 (c)

Insertions for STRO Revisions

1. Preserve the language in the title of Section 14-6.2 (A) 5 to read "Short-Term Rental Units - Residentially-Zoned Property."
2. Revise Section 14-6.2 (A) 6 to read "Short-Term Rental Units - Non-Residentially Zoned Property Short-term rental of dwelling units on non-residentially zoned property is permitted as per Chapter 14 of the Municipal Charter and Code of Uses City of Santa Fe, New Mexico."

Andy Duethra
6-24-20

CITY OF SANTA FE, NEW MEXICO
BILL NO. 2020-__
INTRODUCED BY:

AN ORDINANCE

AMENDING SECTION 14-6.2 SFCC 1987 TO ADOPT BY ORDINANCE A MAXIMUM OF ONE THOUSAND (1000) SHORT-TERM RENTAL PERMITS IN THE CITY, TO PROSPECTIVELY LIMIT THE NUMBER OF SHORT-TERM RENTAL PERMITS TO ONE PER NATURAL PERSON, TO PROSPECTIVELY LIMIT THE PROXIMITY OF SHORT-TERM RENTAL UNITS ON RESIDENTIALLY ZONED PROPERTY, TO REQUIRE A LOCAL OPERATOR FOR SHORT-TERM RENTAL UNITS, TO ADOPT RECORD-KEEPING AND REPORTING REQUIREMENTS FOR SHORT-TERM RENTAL UNIT OWNERS AND HOST PLATFORMS, AND TO CLARIFY OTHER PROVISIONS OF THE SHORT-TERM RENTAL ORDINANCE.

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

Section 1. Section 14-6.2 of SFCC 1987 (being Ord. No. 2011-37 § 8, as amended) is amended to read:

14-6.2 - USE-SPECIFIC STANDARDS

(A) Residential Uses

(5) Short-Term Rental [~~of Dwelling~~] Units [~~Residentially Zoned Property~~]
(Ord. No. 2016-33)

#1 on insertion doc

(a) [~~Dwelling Units~~] Purpose and Intent

~~[Dwelling units located on residentially zoned property may not be rented for less than thirty days except as set forth in this Subsection 14-6.2(A)(5).]~~ The purposes of this Short-Term Rental Unit ordinance are the following:

(i) to ensure that the operation of short-term rental units in residential areas does not disrupt the character of the city's neighborhoods or affect the quality of life of neighboring residents;

(ii) to prevent speculators from purchasing multiple homes for the purpose of operating multiple short-term rental units, thereby reducing the amount of long-term housing availability;

(iii) to allow law abiding residents the option of utilizing their homes and accessory dwelling units as short-term rental units to create wealth and generate supplemental income;

(iv) to minimize public safety risks associated with short-term rental units, such as higher traffic levels, parking issues, noise, litter, and other public nuisances; and

(v) to ensure that an owner or operator of a short-term rental unit follows applicable regulations, including the payment of all applicable fees and taxes.

(b) Short-Term Rental [Units] Permit Required

~~[Short-term rental units are prohibited on residentially zoned property except as provided in this Subsection 14-6.2(A)(5)(b).]~~

One permit
per property

Any legal
entity

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6-24-20

~~[(i) Short term rental units that are operated in compliance with Subsection 14-6.3(D)(1) (Accessory Dwelling Units) and in compliance with this Subsection 14-6.2(A)(5) are allowed:]~~

~~(i) An owner of a short-term rental unit must have a city-issued business license and a short-term rental permit. An owner or operator shall not rent, offer to rent, or advertise a short-term rental unit without a valid permit or registration from the city.~~

~~(iii) A short-term dwelling unit shall not be operated without a permit. The land use director may issue a maximum of one thousand (1000) short-term rental permits in a quantity approved by the governing body through adoption, after a public hearing, of a resolution for residential units not otherwise qualifying for permits under Items (i) and (ii) above. Dwelling units on non-residentially zoned property pursuant to §14-6.2(A)(6) and §14-6.2(A)(7) are not subject to the permit limit imposed by this subsection. The land use director shall issue permits to natural persons only, and each natural person may possess a maximum of one (1) permit.~~

~~(iv) [Whenever the demand for short-term rental units exceeds the number permitted in accordance with Subsection 14-6.2(A)(5)(b)(iii) above, the number of additional permits may be increased by the governing body through adoption of a resolution and issued by the land use director. New permits shall be issued in the order that eligible applications are received.] The land use department shall process applications in the order of receipt and shall issue new permits in the order that complete applications are received. If the number of permits reaches the one thousand (1000)-permit limit, then the land use department shall stop processing applications and shall add applicants to a waiting list until a permit becomes available. If an applicant waits on the list for a year or longer, the land use department may require the applicant to indicate a continued interest in remaining on the list.~~

~~(v) A permit is not transferable to another person or property. Upon the transfer of ownership of a short-term rental unit, the short-term rental permit shall terminate and revert to the land use department. If the new owner wishes to use the property as a short-term rental unit, the owner shall submit a new application to the land use department.~~

~~(c) General Provisions~~

~~[Unless otherwise stated, the following general provisions apply to short-term rental units:]~~

~~(i) A short-term rental unit must have a local operator that is available twenty-four (24) hours per day, seven (7) days per week, to respond to complaints regarding the operation or occupancy of the short-term rental unit. For purposes of this subparagraph, "local" means within city limits.~~

~~(ii) An owner or operator shall not rent a short-term dwelling unit more than once [no more than one rental is allowed] within a seven (7)-[consecutive]-day period[;].~~

~~[(ii) short-term rental permits will not be issued for more than two short-term rental units directly adjoining each other on a residentially zoned street. For the purposes of this subsection, "directly adjoining" means sharing a common boundary along a public street frontage, but does not include adjoining units in a condominium, townhouse development, apartment complex, or residential compound;]~~

~~(iii) An owner of a permitted short-term rental unit shall provide off-street parking [shall be provided] on site as follows: [1+]~~

~~(A) one bedroom, one parking space; and [2]~~

~~(B) two or more bedrooms[;], two parking spaces[;].~~

~~(iv) A short-term rental unit must meet all applicable building, [and] fire, [life]and safety codes, [shall be met] and all toilets, faucets, and shower heads [shall]must~~

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6-24-20

meet the water conservation requirements described in Section 25-2.6 SFCC 1987[§].

(v) Prior to issuance of a permit, a short-term rental unit must have a certificate of occupancy to ensure compliance with all applicable codes.

(vi) Prior to issuance of a permit, the owner of a short-term rental unit must obtain a business license under Section 18-1 SFCC 1987.

(vii) A valid business license number shall be included in all advertising of a short-term rental unit, including listings on a host platform.

~~(viii)~~ (viii) ~~[occupants]~~ An owner or operator shall not allow guests [shall not] to park recreational vehicles on site or on the street;

~~(ix)~~ (ix) ~~[short-term]~~ Short-term rental units located on residentially-zoned property shall be used exclusively for residential purposes and shall not be used for commercial activities or events, defined as intending to make money, offering goods or services for sale, or conducting any other event or activity that is not residential in nature. An activity "not residential in nature" includes gatherings in excess of two (2) times the number of legally allowed [occupants] guests in the short-term rental unit ~~(including occupants)~~, unless the activity or event is otherwise permitted by the city[§].

~~(x)~~ (x) ~~[the]~~ The total number of [persons] guests that may occupy [the] a short-term rental unit is twice the number of bedrooms[§].

~~(xi)~~ (xi) ~~[noise]~~ Noise or other disturbance outside [the] a short-term rental unit is prohibited after 10:00 p.m., including decks, portals, porches, balconies, or patios[§].

~~(xii)~~ (xii) ~~[all occupants shall be informed]~~ The owner or operator of a short-term rental unit shall notify all guests in writing of relevant city ordinances, including the city's nuisance and water conservation ordinances, ~~by the owner/operator of the short-term rental unit~~. All [occupants] guests shall comply with all relevant city ordinances, including ~~and comply with all provisions of~~ the [lodger's] lodgers' tax ordinance[§].

~~(xiii)~~ (xiii) ~~[the]~~ The owner/operator shall pay all applicable local, state, and federal taxes, including lodgers' tax, gross receipts tax, and income tax[es].

~~(xiv)~~ (xiv) ~~[should the owner/operator fail to pay all applicable taxes, the owner/operator shall be subject to penalties pursuant to Subsection 14-6.2(A)(5)(f).~~

~~(xv)~~ (xv) ~~[the owner/operator shall make available to the city for its inspection all records relating to the operation of the short term rental unit to determine compliance with this Subsection 14-6.2(A)(5); and~~

~~(xvi)~~ (xvi) ~~[the owner shall maintain adequate short term rental insurance coverage for the short term rental unit. Proof of insurance shall be required at the time the permit is issued and such other times as requested by the land use director.~~

~~(xvii)~~ (xvii) ~~[upon the transfer of ownership of a short term rental unit, the short term rental permit shall terminate and revert to the land use department. If the new owner wishes to use the property as a short term rental unit, new application shall be submitted to the land use department.]~~

(d) Applications for Short-Term Rental Permit (S)

~~[Unless otherwise stated, an]~~ An applicant shall submit an application for a short-term rental permit [for a short-term rental shall be submitted to the city as follows] that includes the following information and documentation:

(i) ~~[the application shall include]~~ the name and phone number of the local owner/operator or operator who is available twenty-four (24) hours per day, seven (7) days per week to respond to complaints regarding the operation or occupancy of the short-term rental unit [as well as the name and phone number of city staff responsible for enforcing this section];

(ii) ~~[the application shall include]~~ a statement signed by the

operator

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6-22-20

~~[owner/operator] owner and operator, affirming that they will operate the short-term rental unit[
shall be operated]~~ in compliance with this subsection 14-6.2(A)(5) and all other applicable laws,
city codes, and private covenants; and that no private covenants prohibit the operation of the
short-term rental units; and

(iii) additional information, documentation, and submittals as
required by the land use director.

~~[(iii) all applicants must submit proof of all required inspections with their
initial application. Renewal applications for the same property may submit proof of all required
inspections in the form of a statement attesting to compliance with all applicable fire, health, and
safety requirements. The city shall perform random inspections to ensure compliance with this
Subsection 14-6.2(A)(5).~~

~~(iv) prior to issuance of a permit, a certificate of occupancy is required to
ensure compliance with this paragraph and all applicable codes;~~

~~(v) the permit is not transferable to another person or property;~~

~~(vi) within ten days of the issuance of the permit, the owner/operator shall
mail notice by first class mail, with certificate of mailing, to the homeowners association (if
applicable), and to the owners of properties within two hundred (200) feet of the subject property,
exclusive of rights of way, as shown in the records of the county assessor, and by first class mail
to the physical addresses of such properties where such address is different than the address of the
owner and to the land use department. Notice shall be on a form approved by the land use
director, and shall contain the name and phone number of the owner and operator who will be
available twenty four hours per day, seven days per week to respond to complaints regarding the
operation or occupancy of the short term rental as well as the name and phone number of city
staff responsible for enforcing this paragraph. Copies of all required mailing lists and mailing
certificates shall be provided to the land use director within ten days of the mailing. Failure to
provide notification as described in this subsection is subject to penalties and prosecution
pursuant to Subsection 14-6.2(A)(5)(f);~~

~~[(vii) each application shall be accompanied by a fee of one hundred dollars
(\$100) to cover application processing and inspections. This application fee is non-refundable.]~~

~~[(viii) The annual permit fee schedule is as follows:~~

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

**Table 14-6.1-1
Annual Permit and Registration Fees***

Short-term Rental Type	Permit Fee per Unit	Registration Fee per Unit
§ 14-6.2A(5)(b)(i) — Accessory Dwelling Units	\$325.00	
§ 14-6.2A(5)(b)(ii) — Resort Units		\$100.00
§ 14-6.2A(5)(b)(iii) — Residential Units	\$325.00	
§ 14-6.2A(6) Non-Residential Districts and § 14-6.2A(7) — Commercial Districts		\$100.00
Initial Application and Processing Fee (one-time)		\$100.00
*The annual permit fee shall not be prorated for a portion of the year.		

(ix)
The annual fee includes the city's business

~~registration fee and fees for inspections related to issuance of the short-term rental permit. Revenue from fees imposed pursuant to this paragraph shall be used only to administer, manage, and enforce this section.~~

~~(x) — If payment of a permit fee was in excess of that for which a person was liable, the person may claim a refund by directing to the city finance director a written claim for refund no later than one year from the date payment was made. Every claim for refund shall state the amount and basis for the claim. The city finance director may allow the claim in whole or in part or may deny it. If the claim is not allowed in whole, the person may appeal the decision pursuant to Section 14-3-17.~~

~~(xi) — Unless revoked as set forth in Subsection 14-6.2(A)(5)(f), a permit holder may renew the permit annually. If not renewed by March 15 of each year, the owner/operator may pay a late fee of fifty dollars (\$50) to extend the time for filing to renew to April 15. An owner of an expired permit may submit a new application for a short-term rental permit to the land use director in accordance with Subsection 14-6.2(A)(5)(b)(iv) subject to availability of permits.~~

~~(xii) — A valid permit number shall be included in all advertising of the short-term rental, including listings on web-based rental sites.]~~

(e) Proximity of Short-Term Rental Units

Probably remove as redundant or not Needed!

Subject to the exceptions listed below, the *land use director* shall not issue a new *permit* for a *short-term rental unit* if the subject property, as identified in the application, is located within a seventy-five (75)-foot radius of a *residentially zoned property* that has a permitted *short-term rental unit*. The radius shall be measured from the subject property boundary. This limitation shall not apply to the following:

- (i) an application for a *short-term rental unit* located on non-residentially zoned property or within a development containing resort facilities;
- (ii) an application for a *short-term rental unit* that complies with the requirements set forth in the *Accessory Dwelling Unit* ordinance, subsection 14-6.3(D)(1); or
- (iii) an application for a *short-term rental unit* in a *multiple-family dwelling* development that contains four (4) or more *dwelling units*, provided, however, that the *land use director* shall not issue short-term rental permits for more than twenty-five (25%) of the *dwelling units* in a *multiple-family dwelling* development that contains four (4) or more *dwelling units*.

[(e)](f) Fees for Short-term Rental Permit

The following fees shall be used only to administer, manage, and enforce this subsection 14-6.2(A)(5) and relevant sections of Chapter 18 SFCC 1987, addressing applicable licenses and taxes.

- (i) *Application fee.* An application for a short-term rental permit shall be accompanied by a one-time non-refundable application, processing, and inspection fee of one hundred dollars (\$100).
- (ii) *Business license fee.* A short-term rental unit is subject to an annual business license fee of thirty-five dollars (\$35).
- (iv) *Permit fee.* A short-term rental unit is subject to an annual permit fee of two hundred and ninety dollars (\$290).

(g) Required Notice

- (i) Within ten (10) days after the issuance or renewal of a short-term rental permit, the owner or operator shall mail notices by first-class mail to the homeowners association within which the unit is located (if applicable); to the owners of residentially-zoned property within two hundred (200) feet of the subject property, exclusive of rights of way, as shown in the records of the county assessor; to the physical addresses of such properties where such address is different than the address of the owner; and to the land use department.
- (ii) The notices shall be on a form approved by the *land use director*.
- (iii) The notices shall contain the name and phone number of the local operator. Within ten (10) days after any change in the contact information for the local operator, the owner or operator shall mail a new notice, to all parties, in accordance with this subparagraph 14-6.2(A)(5)(e).
- (iv) Within ten (10) days of the mailing, the owner or operator shall provide the *land use director* with copies of all required mailing lists and an affidavit of mailing signed by the person who mailed the notices.

(h) Records

For the current calendar year and the three (3) immediately preceding calendar years, each short-term rental owner must maintain records for each short-term rental unit and shall make such records available to the city for inspection upon request. If a host platform collects rent for a short-term rental unit, the host platform must also maintain such records. The records to be maintained for each short-term rental unit must include the following:

- (i) The total number of times and number of nights that the unit was rented to guests each calendar month;
- (ii) The total amount of rent paid by guests by month; and

unit

Short-term rental!

AD
6-24-20

(iii) The total amount of each type of tax and fee paid to the city in connection with rental of the unit by month.

(i) Permit Renewals

Unless revoked pursuant to Section 14-11.4, an owner may renew a short-term rental permit annually. If not renewed by the expiration date of the existing permit, the owner may pay a late fee of fifty dollars (\$50) to extend the time for filing to renew by thirty (30) days. After the thirty (30) days, if the owner has not renewed or requested an extension, the permit will become available to the next eligible applicant, and the owner may submit a new application for a short-term rental permit to the land use director, subject to the availability of permits.

(j) Inspections

The city shall perform random inspections to ensure compliance with subsection 14-6.2(A)(5) and all applicable fire, health, and safety requirements. The city may require an applicant to submit proof of inspections at the time of initial application and at such other times as requested by the land use director.

(k) Violations and Penalties

~~[(i) — The land use director shall document all alleged violations of this paragraph and shall pursue enforcement through the municipal court as set forth in Article 13 SFCC 1987 or in another appropriate court of law. The city shall give the owner a written notice of violation, which shall be mailed either to the owner's local or business address or agent's address, informing the owner of the violation. If corrective action is not completed within fifteen (15) days of the date of the letter, the city may file a criminal complaint in municipal court. Upon conviction of a first violation, the land use director shall revoke the permit and operation of the short-term rental shall cease within thirty days.~~

~~[(ii) — An owner who offers for rent as a short-term rental a dwelling unit that is not permitted for use as a short-term rental is in violation of this paragraph and is subject to penalties, property liens and/or prosecution pursuant to subsection 14-2(A)(5)(f). (iii) An agent who knowingly assists an owner in advertising or renting a dwelling unit as a short-term rental unit that is not permitted under this subsection 14-6.2(A)(5) is subject to penalties and prosecution, and the agent's business license is subject to revocation.]~~

If an owner or operator fails to obtain the necessary permit before renting, offering to rent, or advertising a short-term rental unit; fails to pay or report applicable taxes; or otherwise fails to adhere to the provisions of subsection 14-6.2(A)(5), the owner or operator shall be subject to the enforcement provisions set forth in Sections 1.3 and 14-11 SFCC 1987 and all other legal remedies and enforcement actions available under the law. These may include civil or criminal penalties or revocation of a short-term rental permit.

~~[(f) — Penalties~~

~~(i) — Any owner who fails to report all applicable taxes, including gross receipts tax and lodger's tax, shall be subject to any and all remedies under the short-term rental ordinance and any other applicable city, county, state, or federal law or statute. Such owner shall also be subject to revocation of their short-term rental permit pursuant to Subsection 14-6.2(A)(5)(e)(i).~~

~~(ii) — If an owner is found guilty of operating a short-term rental without a valid permit, they shall be fined five hundred dollars (\$500). The city may ask the municipal court to treat each day after the initial written notice of violation as a separate violation and assess two hundred fifty dollars (\$250) for each day of such daily violations for a total cumulative fine amount. If the city is awarded money as part of a judgment following a court hearing and defendant does not make timely payments to the city, the city may bring an action in lien or equity for the collection of any amounts due.]~~

~~[(g) (l)~~

Restrictive Covenants

Private restrictive covenants, enforceable by those governed by

Insert # 2 from Insertions
revisions

AD
6-24-20

the covenants, may prohibit *short-term rental units*.

~~[(4)](m)~~ Real Estate Agent Disclosure

[Real] A real estate [brokers] agent [listing] who represents a prospective buyer of [residential] residentially zoned property in Santa Fe shall provide the prospective [buyers] buyer with a current copy of this ordinance.

(n) Host Platforms.

(i) A host platform shall include a valid business license number in any listing or advertisement for a short-term rental unit.

(ii) A host platform shall provide a monthly report to the city that includes the following information, disaggregated by owner:

- (A) The total number of short-term rental unit listings and owners in the city;
- (B) The total number of times and nights each unit was rented to guests each calendar month;
- (C) The total amount of revenue collected from all rentals through the host platform in the city, including rent and each type of taxes and fees.

~~[(i) The land use director shall establish administrative procedures necessary to implement, manage and enforce this paragraph.]~~

~~[(6) Short-term Rental of Dwelling Units - Non-residentially Zoned Property~~

~~Short-term rental of dwelling units on non-residentially zoned property is permitted as set forth in Table 14-6.1-1, must be registered; are subject to a one-time one hundred dollar (\$100) application, inspection and processing fee; and must comply with submission requirements and report all applicable taxes.]~~

~~(6) Existing Short-Term Rental Permits~~

(a) An owner of a short-term rental unit who possesses a valid short-term rental permit at the time that the ordinance amending subsection 14-6.2(A)(5) (Ordinance No. 2020-) is adopted is considered to possess a valid permit under the new regulations and does not need to renew the permit until it expires.

(b) An owner of a short-term rental unit who possesses more than one (1) valid short-term rental permit at the time that the ordinance amending subsection 14-6.2(A)(5) (Ordinance No. 2020-) is adopted may timely renew those permits as long as the permits are not revoked under Section 14-11.4.

(c) An owner who possesses a valid short-term rental permit for a short-term rental unit that does not comply with the proximity limitations set forth in subsection 14-6.2(A)(5)(e) at the time that the ordinance amending subsection 14-6.2(5) (Ordinance No. 2020-) is adopted is considered to possess a valid permit under the new regulations and may timely renew that permit as long as the permit is not revoked under Section 14-11.4.

(7) Dwelling Units in Specified Commercial Districts (Ord. No. 2016-39 § 4)

In the C-2 and SC Districts, dwelling units do not include mobile homes or recreational vehicles and shall be [either] one of the following:

- (a) accessory dwelling units for occupancy only by owners, employees, or tenants of nonresidential uses that are operated on the same premises;
- (b) part of a planned development; [or]
- (c) part of a use for which a development plan or special use permit is required; or
- (d) part of a qualifying residential project within the Midtown LINC Overlay District.

~~[(8) Effective Date~~

~~The provisions of Subsection 14-6.2(A)(5) of the Land Development Code shall go into~~

~~effect immediately upon approval of the Governing Body. A ninety (90) day grace period shall be given for effected units to obtain a valid permit. Short-term rental unit owners who possess a valid short-term rental permit at the time this ordinance (Ordinance 2016-20) is adopted shall be considered to possess a valid permit under the new regulations and shall not need to renew their permit until the following year. Short-term rental unit owners who possess a valid short-term permit for a contiguous property issued prior to this ordinance (Ordinance 2016-20) being adopted shall be deemed as a "residential" permit holder upon the adoption of the ordinance and shall renew their permit as a "residential" permit in following years.~~

Section 2. Section 14-12.1 of SFCC 1987 (being Ord. No. 2011-37, § 15 as amended) is amended to add the following definitions:

14-12.1 - DEFINITIONS

DEVELOPMENT CONTAINING RESORT FACILITIES, SHORT-TERM RENTAL

A development in which the owners own two (2) or more of the following facilities in common and have obtained a special use permit for operation of those facilities: swimming pools, spa facilities, golf courses, restaurants, or tennis facilities.

GUEST, SHORT-TERM RENTAL

Any person who rents a short-term rental unit or occupies a short-term rental unit during a rental period.

HOST PLATFORM, SHORT-TERM RENTAL

An internet website, a mobile application, or any other forum used to connect a short-term rental owner or operator with guests and to facilitate the booking of a short-term rental unit.

NATURAL PERSON

An individual human being, as opposed to an organization of any form or a business entity.

OPERATOR, SHORT-TERM RENTAL

A person who, with or without a short-term rental permit or registration, rents or offers to rent a short-term rental unit to guests.

SHORT-TERM RENTAL UNIT

A dwelling unit or accessory dwelling unit, or any portion of a dwelling unit or accessory dwelling unit, that is offered for rent or rented for a period of less than thirty (30) days.

located on residentially-zoned property

APPROVED AS TO FORM:

ERIN K. McSHERRY, CITY ATTORNEY

For purposes of Section 14.6-2(CA)(5), a

Dear Mayor Webber and members of the Santa Fe city council:

As residents of Santa Fe for over 40 years, we have lived in both RC-8 districts on the Eastside and Don Gaspar as well as currently downtown in the BCD.

We are writing to ask you to please exclude the BCD from your current ordinance changes in the hope this was just an error in drafting.

The BCD is representative of downtown living in cities throughout the country. It does not conform to normal residential zoning and should not be grouped with it.

“Neighbors” in the BCD are restaurants, offices, bars, art galleries, museums, hotels, and properties that have short term renters. In the daytime, people walk back and forth asking for directions and the best places to eat. At night, the area is unusually quiet. This is downtown living that we were accustomed to when we lived years ago in New York City. Building on the growing mixture of business and residence is one way to revitalize our downtown. While we don’t rent our residence, no short term renters living nearby have negatively affected us.

When we lived in the RC-8 districts, we understood the concern about short term rentals disturbing the fabric of neighborhoods. We are supportive of the changes that might improve the quality of life for full-time residents. Listening to the recent planning commission hearing, we recognized that some people spoke passionately in support of the proposed changes, but may not realize that some of us live among offices in the BCD, or even where the BCD boundaries lie. It is important to point out the difference, for example, between the BCD and the “historical Guadalupe neighborhood.”

We felt relieved to hear that the planning commission and staff saw the possibility of excluding the BCD, as well as many in attendance and that over 800 residents wrote letters wishing the BCD ordinance to continue to be unaffected by a new STRO.

As leaders of our community, we know you see the importance of a vital downtown and hope that you will remove the BCD from any further ordinance changes.

Sincerely,

Pat and Michael French
128 Grant Avenue
Santa Fe, New Mexico

GURULE, GERALDINE A.

From: Stephen Harris <stillwater_flyfisher@hotmail.com>
Sent: Monday, June 15, 2020 8:58 AM
To: Mayors Office
Cc: Kathy Komoll; Teya Vitu; Paco Arguello; Donna Reynolds; gholcomb@vrma.org; aduettra@gmail.com; LINDELL, SIGNE I.; VILLARREAL, RENEE D.; GARCIA, MICHAEL J.; ROMERO-WIRTH, CAROL; RIVERA, CHRISTOPHER M.; ABEYTA, ROMAN R.; CASSUTT-SANCHEZ, JAMIE A.; COPPLER, JOANNE V.; Land Use Public Comment
Subject: Short-Term Rental (STR) Ordinance

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To the Honorable Mayor Alan Weber

My wife and I live in Montana and travel south in the winter months. Santa Fe is a destination we enjoy and it continues to be a reoccurring destination.

We use rental systems such as Home Away and Air B&B for much of our travel. These type systems have allowed us to be in walking distance to Santa Fe's downtown/plaza area and the properties provided are a "home away from home atmosphere" that is not provided from other options, such as the Hotel system.

It has come to my attention that changes, from a pending Short-Term Rental (STR) Ordinance, could limit our options and or availability in the future.

Reducing the availability would impair our choices; as even now getting the properties we have used and will continue to use fill up quickly and many times are unavailable.

Potential restrictions will make this more difficult and would limit our returns back to Santa Fe. From a short term rental user point of view, Santa Fe needs to keep what currently exists and even expand the type of rental system we use and not limit it.

Thank you in advance for considering this as you deliberate the pending STR

Steve Harris
Montana Retiree

PAEZ, SALLY A.

From: Melissa Byers <melbye.boss@gmail.com>
Sent: Thursday, June 18, 2020 8:32 PM
To: BERKE, NOAH L.
Cc: ISAACSON, ELIAS S.; PAEZ, SALLY A.
Subject: Re: FW: sorry for the technical glitch

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Got it, thanks!

On Thu, Jun 18, 2020 at 7:50 PM BERKE, NOAH L. <nlberke@santafenm.gov> wrote:

Noah Berke, CFM
Planner Manager
City of Santa Fe Land Use Department
Office: (505) 955-6647
Cell or Text: (505) 490-5930
Email: nlberke@santafenm.gov

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[Click here for Property Information](#)

<https://www.alltogethersantafe.org/>

-----Original Message-----

From: Karen Heldmeyer <kheld@earthlink.net>
Sent: Thursday, June 18, 2020 7:38 PM
To: BERKE, NOAH L. <nlberke@santafenm.gov>
Subject: sorry for the technical glitch

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I swear. Karen Heldmeyer, 325 E. Berger

I sent in a consensus document w/ suggestions from the Neighborhood Network board.

3 issues with STRs: affects actual neighborhoods w actual neighborhoods, decreases stock of available housing in many neighborhoods, never really been adequate enforcement especially of fiscal impact

People who actually live here also contribute to the city financially through their ownership and through their living expenses, but also contribute in many other ways to the community. that doesn't occur with transient renters.

GURULE, GERALDINE A.

From: Karen Heldmeyer <kheld@earthlink.net>
Sent: Monday, June 15, 2020 4:01 PM
To: BERKE, NOAH L.; ISAACSON, ELIAS S.
Cc: Mayors Office; ROMERO-WIRTH, CAROL; LINDELL, SIGNE I.; VILLARREAL, RENEE D.
Subject: Neighborhood Network submission on STRs for the 6/18/20 Planning Commission meeting

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The Neighborhood Network appreciates the attempt to amend the Short Term Rental ordinance so that it more carefully reflects the negative effects that the current ordinance and policy have had on existing neighborhoods and on the availability of housing in Santa Fe and tries to correct those problems.

We would also like to thank Pat Lillis for her hard work on researching what other similarly-situated cities have done to deal with STRs.

The NN Board endorses the following amendments to the ordinance:

We endorse the idea that STR permits should only be given to addresses with a local primary resident.

We like the idea of only one permit per "natural person" but think this should be implemented more quickly as some individuals and businesses have amassed large numbers of STRs under the current system and those multiple holdings are particularly deleterious to both neighborhoods and the availability of actual housing.

We agree that there should be no transfers of STR permits when property is transferred or sold unless such a sale or transfer occurs within the immediate family..

All STRs should be permitted, licensed, and in compliance with both GRT and Lodgers' Tax and should feature the permit # in any advertising.

Additionally, all STRs should be in compliance with all other city ordinances and codes.

City staff must monitor all STRs, permitted and otherwise, to insure compliance. If a given unit is not ipermitted, the owner or operator of that unit shall be barred from applying for an STR permit for one year. For all other violations, the city can assess a \$100 fine for each day each violation occurs.

The city should revisit the issue of the proposed proximity of STR's to one another after develpoing a publicly-available map showing how the question of proximity has been handled by the city in the past.

The language on what constitutes a "nonresidential" use should be clarified and tightened to prevent "party houses" and similar uses.

City staff shall also promptly investigate all complaints of violations. Complaints can be made anonymously.

With tighter monitoring of the requirements for STRs, the city needs to revisit the actual cost of permitting and monitoring those units and increase the permit fee accordingly.

Thank you for considering these amendments.

Karen Heldmeyer

Acting President, Neighborhood Network

699-7145

Feature permit # in any advertising

Require business license and tax compliance

Monitor compliance with all codes with strict penalties (1 year?) if not followed

Should we advocate for the primary resident rule?

PAEZ, SALLY A.

From: SALAZAR, ANDREA
Sent: Tuesday, August 25, 2020 9:44 AM
To: PAEZ, SALLY A.
Subject: FW: Short Term Rental Changes

See Mr. Henry's response...

Andréa Salazar
Assistant City Attorney, City of Santa Fe
(505) 955-6303
asalazar@santafenm.gov

WE ARE

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<http://www.alltogethersantafe.org>

#TodosJuntosSantaFe

<http://www.todosjuntossantafe.org>

This message may be subject to the attorney client privilege. 11-503 NMRA. If you have received this message in error, please delete it and alert the sender. 16-404(B) NMRA.

From: Mike Henry <henry80108@gmail.com>
Sent: Tuesday, August 25, 2020 9:33 AM
To: WEBBER, ALAN M. <amwebber@santafenm.gov>
Cc: ISAACSON, ELIAS S. <esisaacson@santafenm.gov>; SALAZAR, ANDREA <asalazar@santafenm.gov>; FAUBION, JENNIFER R. <jrfaubion@santafenm.gov>; Signe Lindell <s.lindell@comcast.net>; ROMERO-WIRTH, CAROL <romero-wirth@santafenm.gov>; VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov>; eliccondos@gmail.com
Subject: Re: Short Term Rental Changes

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Mayor,

Thank you so much for your quick response. I appreciate you sending this to the team responsible for working the draft. As I mentioned in my original e-mail, I would like to invite the team over to Campanilla to see our community and learn more about our business model - particularly the dimensions and quirks of quarter ownership.

Our community is unique, and we believe our maintained homes enhance Otero Street.

I've copied Eli O'Dowd on this message as she is our on site Property Manager. I'm hoping Eli can work with you or your assistants on arranging a tour.

Thank you again for your consideration.

Mike Henry
President of the Board
Campanilla Compound
334 Otero Street
Santa Fe, NM

On Mon, Aug 24, 2020 at 12:17 PM WEBBER, ALAN M. <amwebber@santafenm.gov> wrote:

Thanks for your very thorough and thoughtful letter.

I'm copying this email to the staff team that has been working on the draft revisions and also to the City Councilors who have taken the lead in developing the policy approach. We'll all want to take a careful look at the concerns you have to see what can be done.

Thanks again.

Alan

On Aug 24, 2020, at 11:44 AM, Mike Henry <henry80108@gmail.com> wrote:

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August 23, 2020

Mayor Allen Webber
City of Santa Fe, New Mexico
200 Lincoln Avenue
Santa Fe, NM 87504

Dear Mr. Mayor,

I understand that the city of Santa Fe is reviewing and possibly changing some of the regulations of the City's STR program. While I understand and respect the need for review and updating of the policies, I want to ensure that you are aware that all STR properties are not the same and changing regulations could have a dramatic impact on revenues for the City of Santa Fe and our investment.

I am President of the Board of Directors of Campanilla Compound, a community of 15 residences in the historic Santa Fe style, including both newer construction and renovated historic structures. This high-quality community was approved by the City, and first permitted and developed in 1984. Campanilla is a small neighborhood, with a single access to Otero Street; all management functions, trash removal, outdoor amenities and parking is contained on private property within the community.

From its inception, Campanilla has been occupied by a mix of owners and renters, with on-site management. The Association owns and maintains all common elements and the interiors, exteriors, and furnishings of all residences. Each home is 'quarter owned' and we have several owners that own

multiple quarters. We have approximately fifty (50) owners in total. Campanilla was one of the first communities of this type to be permitted by the City's original Short-Term Rental (STR) program.

We employ two long-standing Santa Fe residents and over 25 local vendors in the running of our business. We do not receive complaints from our neighbors and have been a business in 'Good Standing' and our BBB rating is A+

The regulations as currently drafted, including requirements that permits revert to the City upon a sale, would make it impossible to maintain the current rental business. Moreover, it is not clear how the sale of a single quarter-ownership interest would affect the existing permit and the rights of the remaining majority owners.

Pursuant to the deed restrictions, each quarter owner is entitled to occupy their unit for 13 weeks, spaced throughout the year. Our owners can place some, all, or none of their weeks in the rental pool. We do have carefully thought out use restrictions and active, on-site management, which results in the impact to our community, and by extension the neighboring properties, being the same whether an owner or a tenant occupies any particular week. Our owners demand nothing less.

We request that you address this unique situation in the ordinance, in much the same way as Quail Run was exempted for sound reasons. We request language such as the following:

Revise Section 13-6.2(A)(5)(c)(xiv) to read "upon the transfer of ownership of a short-term rental unit, except the transfer of an interest in a unit that is comprised of multiple, time-divided ownership interests, the short term rental permit shall terminate..." and revise Section 13-6.2(A)(5)(d)(v) to read "the permit is not transferable to another person, except purchasers of partial, time divided interests, or property" so that the permit will not revert if only one quarter interest is sold, but rather the new partial owner would take the place of the old owner.

We have other concerns about additional changes the City is proposing. For example, the loss of a permit for 'technical violations' would mean it is lost forever because the rules would prohibit re-issuing it in these circumstances. This 'one strike and you're out' policy is a bit rigid and unrealistic. What are your and the committee's thoughts on what to suggest as a safe harbor or second chance procedure?

There is also the requirement that the operator live within the city limits which seems arbitrary and possibility unconstitutional. I suggest a dimensional radius (i.e. 25 miles from Santa Fe) or within Santa Fe County as examples.

In addition, the draft does not address how insurance policies work for quarter-owned properties. The COA should be allowed to provide the policies vs. all 50+ of our homeowners.

Finally, the draft suggests capping the number of nights for rental use. Since we are a community of homes and not your typical STR, it would allow more flexibility for guests and hosts if there were an annual cap on rental days, which would serve the same purpose of reducing impacts on the neighborhood.

With that said, I would like to invite you and the other City officials over to Campanilla for a tour of our compound. I want you to meet our employees and see our homes and most importantly learn our business model.

Thank you for your consideration.

Sincerely,

Mike Henry
Campanilla Compound
President, Board of Directors

From: [BERKE, NOAH L.](#)
To: [ISAACSON, ELIAS S.](#); [PAEZ, SALLY A.](#)
Subject: Fwd: Amendments to STRO ordinance
Date: Thursday, June 18, 2020 2:34:48 PM

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From: I <rnhilgendorf@aol.com>
Sent: Thursday, June 18, 2020 1:38:48 PM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Subject: Amendments to STRO ordinance

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Dear All"

I own two short term rentals at 310 McKenzie St. behind my law office in the BCD. The proposed changes in the STRO ordinance do not seem necessary or justified. The problems in residential neighborhoods should not be use to make changes in the status of our rentals in the BCD. If in fact there are more short term rentals in the city than the authorized 1,000 units then enforcement of the existing ordinance would seem the appropriate solution. I am requesting that before this change is made a full study of the number of unlicensed units outside the BCD be made and a strategy be developed for controlling the unlicensed units. I have not had any complaints from any source in the BCD concerning my units and even though I might be grandfathered in, an apt term since I am 78 years old, obviously ownership will change for my units and these onerous requirements would have to be met by my heirs. Thank you for your consideration. Sincerely, Robert Hilgendorf

GURULE, GERALDINE A.

Subject: FW: Planning Commission meeting 6/18 to consider changes to the Short Term Rental regulations

-----Original Message-----

From: Craig Lamb <clambnm@gmail.com>

Sent: Wednesday, June 17, 2020 5:16 PM

To: PAEZ, SALLY A. <sapaez@santafenm.gov>

Subject: Planning Commission meeting 6/18 to consider changes to the Short Term Rental regulations

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I understand you are the person to submit comments to on the proposed changes to the city of Santa Fe's Short Term Rental policy being considered at a Planning Commission meeting on June 18. If you are not the appropriate person, please forward this to the appropriate person(s) or let me know who to contact.

The comment I would like those considering these changes to see is as follows:

I applaud most of the changes being recommended in the granting and the managing of Short Term Rental permits in the city of Santa Fe. Particularly in requiring permit holders to be city residents and to manage their enterprises themselves, report use and pay appropriate taxes, etc.

I have one problem with the newly proposed changes. Your proposed regulation that a resident can hold only one permit (I assume that means for only one rental unit, though this isn't clear) seems arbitrary. It seems you are, in general, trying to prevent people who are buying up multiple units in an area or around town for the express purpose of turning these into Short Term Rental units, and I agree that is a good policy. But, some local homeowners have more than one auxiliary structure on their property that they can offer as Short Term Rentals, in the pursuit of a livelihood here. I suggest this section could be liberalized some, to at least "two" units or "no more than two or three contiguous units". Or, base this on the number of bedrooms on offer or guests who allowed. Otherwise, it is discriminatory. A permit holder could have a three or four (or more) bedroom house they are renting and another two small one or two bedroom units. How is this different in their impact on the neighborhood or surrounding community?

I urge you to rethink this section of the proposed regulation changes and alter it to better address the perceived problem you are trying to address in this section.

Thank you for your consideration.

Craig Lamb

117 1/2 Martinez Street

PAEZ, SALLY A.

From: BERKE, NOAH L.
Sent: Thursday, August 13, 2020 9:30 PM
To: PAEZ, SALLY A.
Subject: FW: Letter

Noah Berke, AICP, CFM
Planner Manager
City of Santa Fe Land Use Department
Office: (505) 955-6647
Cell or Text: (505) 490-5930
Email: nlberke@santafenm.gov

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<https://www.alltogethersantafe.org/>

From: Janet Clow <jclow1949@gmail.com>
Sent: Thursday, August 13, 2020 3:31 PM
To: BERKE, NOAH L. <nlberke@santafenm.gov>
Subject: Letter

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Noah: I received the attached letter last week in the mail. Janet Clow

August 3, 2

Janet Clow
Santa Fe Pl
Long Range
3101 Old Pe
Unit 625
Santa Fe, N

Sent from my iPhone

Dear Planning Commissioners,

My name is Patricia Lillis. I live at 2119 Conejo Drive, Santa Fe, NM 87505. Attached, and below, are my submitted, written comments on the Short-Term Rental Changes. Thank you for your consideration.

ATTACHMENTS

Attachment "A" contains my comments and suggestions written directly onto the "Short-Term Rental Changes" pdf file. It is an easy way to get to the highlights of this Ordinance rewrite.

Attachment "B" supports my comments with recommendations, statistics, background and the need of a Primary Resident requirement after more than two years of following what other cities have done to mitigate the negative effects Short-term Rentals have had on communities.

Attachment "C" is a partial list, with summary and links, of what 15 cities have accomplished. They include **Portland, OR, Boulder, Charleston, Santa Monica, Denver, Miami Beach, Miami, Richmond, Boston, Washington, DC, San Francisco, Los Angeles, New York City, New Orleans, Sunnyvale, CA**

Attachment "D" contains the body of this email.

COMMENTS

The two major elements missing in the STR ordinance draft are:

- 1) This ordinance needs a Primary Residency requirement of 6 months or more.** (This ordinance says that any "natural person" from anywhere can have one speculative STR that is not a primary resident); **and**
- 2) This ordinance needs to phase out within a year or two current STRs that are not primary residences.**

NOTE: Pretty much all cities with housing challenges have gone with a **Primary Resident Requirement**.

There are many levels that include a Primary Resident requirement. For example:

- Primary Residency requirement of 6 months can include renters, with homeowner's approval.
- Primary Residency requirement of 6 months can range from requiring the Host to reside on site during the stay to allowing an "operator" to manage the STR for a maximum of 60, 90 or 120 days a year.

In short, the City's ordinance proposes that:

- All current rentals remain the same with no time limit.
- Primary Residency is not a requirement.
- Any "natural person" person from anywhere can have one STR rental — doesn't prevent speculation.

On page 4 of the ordinance draft, Santa Fe has stated its intent and has acknowledged the STR problem but these amendments do nothing to address that intent and acknowledgment.

I would like the City of Santa Fe to do what most cities with housing challenges have accomplished and submit an ordinance with real reform. This current draft falls well short of that.

With so much talk about Santa Fe's housing shortage and housing challenges, we must take the step in the right direction and do something substantive. This ordinance does not do that. Compared to other cities, we are so far behind in reforming our STR ordinance. **Primary Residency requirement is the key.** Primary Residency can include a variety of options and this one requirement, other cities say, makes enforcement and fee collection easier while removing competition with speculators.

Housing is important. It is a home. Santa Fe should honor that by including a Primary Residency requirement and phasing out all current STRs that do not meet that criteria. STRs take housing off the market and disrupt neighborhoods on so many levels.

Anything other than primary residency encourages speculation, takes away long-term rentals and reduces home ownership opportunities for our residents.

After reading these changes carefully and researching Short-term Rental regulation changes made by other cities due to housing challenges and neighborhood impact, I submit my comments. — Pat Lillis, Santa Fe

NOTE: Pretty much all cities like Santa Fe that have housing challenges have gone with a **Primary Resident Requirement**

There are many levels that include a Primary Resident requirement. For example:

1. Primary Residency requirement of 6 months can include renters, with homeowner's approval
2. Primary Residency requirement of 6 months can range from:
 - * requiring the Host to reside on site during the stay
 - * allowing an "operator" to manage or host a STR for a maximum of 60, 90 or 120 days a year..

Santa Fe should consider a Primary Residency requirement.

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CITY OF SANTA FE, NEW MEXICO

BILL NO. 2020-__

INTRODUCED BY:

Mayor Alan Webber

Councilor Signe I. Lindell

Councilor Carol Romero- Wirth

Councilor Renee Villarreal

AN ORDINANCE

AMENDING SECTION 14-6.2 SFCC 1987 TO ADOPT BY ORDINANCE A MAXIMUM OF ONE THOUSAND (1000) SHORT-TERM RENTAL PERMITS IN THE CITY, TO PROSPECTIVELY LIMIT THE NUMBER OF SHORT-TERM RENTAL PERMITS TO ONE PER NATURAL PERSON, TO PROSPECTIVELY LIMIT THE PROXIMITY OF SHORT-TERM RENTAL UNITS ON RESIDENTIALLY ZONED PROPERTY, TO REQUIRE A LOCAL OPERATOR FOR SHORT-TERM RENTAL UNITS, TO ADOPT RECORD-KEEPING AND REPORTING REQUIREMENTS FOR SHORT-TERM RENTAL UNIT OWNERS AND HOST PLATFORMS, AND TO CLARIFY OTHER PROVISIONS OF THE SHORT-TERM RENTAL ORDINANCE.

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

Section 1. Subsection 14-6.2(A)(5) of SFCC 1987 (being Ord. No. 2011-37 § 8, as amended) is amended to read:

14-6.2 USE-SPECIFIC STANDARDS

(A) Residential Uses

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(1) Continuing Care Community

(a) Density

Independent *dwelling units* are subject to the *density* standards of the district in which the *continuing care community* is located.

(b) Compliance with state and federal law

Continuing care communities must comply with all applicable *state* and federal laws and regulations.

(2) Mobile Home, Permanent Installation

In any district in which permanent *single-family* occupancy of a *mobile home* on an individual *lot* is allowed as a special use *permit* by the board of adjustment, the following minimum standards apply:

(a) the *mobile home* shall be anchored to a concrete foundation and skirted as specified by the *land use director*;

(b) the rental or lease of *mobile homes* used as *single-family* residences on individual *lots* is prohibited; and

(c) minimum requirements for *lot size, front, side and rear yards*, and all other standards pertaining to *single-family residential* land use set forth in Chapter 14 apply.

(3) Mobile Home Park

(a) Applicability

New *mobile home parks* are prohibited as of December 10, 2012 (effective date of this Ordinance No. 2012- 37). In a district in which *mobile home parks* are allowed, the minimum standards set out in this section apply.

(b) License

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Prior to beginning operation, a *mobile home park* owner or operator must obtain a business license from the *city* under the provisions of Article 18 -1 SFCC 1987.

(c) Inspection

The *city* may inspect a *mobile home park* for conformance with the provisions of this section.

(d) Transfer of License

The *city* may issue a transfer of the license only after the following:

(i) *application* in writing for transfer of a license and payment of the transfer;

(ii) an inspection report by the *land use director* has been submitted to the *governing body*, stating conformance or nonconformance with the provisions of this section;

(iii) approval by the *governing body*.

(e) Revocation of License

The *governing body* may revoke a license to maintain and operate a *mobile home park* , as provided in Article 18-1 SFCC 1987 when the *licensee* has violated any provision of this section.

(f) Posting

The license certificate shall be conspicuously posted in the office of or on the *premises* of the *mobile home park* at all times.

(g) Standards

Mobile home parks shall comply with the standards set forth in Subsection 14 -7.2(1).

1 (4) Manufactured Homes

2 *Manufactured homes:*

3 (a) are permitted in any district in which site-built, *single-family*
4 *dwellings* are allowed;

5 (b) shall meet all requirements of other site- built, *single-family*
6 *dwellings* in the same district and all applicable historic or aesthetic standards
7 set forth in Chapter 14; and

8 (c) shall be constructed according to the Manufactured Home
9 Construction and Safety Standards, 24 CFR Section 3280.

10 (5) Short-Term Rental [of Dwelling] Units [- Residentially Zoned Property]

11 (a) [Dwelling Units] Purpose and Intent

12 ~~[Dwelling units located on residentially zoned property may not be~~
13 ~~rented for less than thirty days except as set forth in this Subsection 14~~
14 6.2(A)(5).] The purposes of this Short-Term Rental Unit Ordinance are the
15 following:

16 (i) to ensure that the operation of short-term rental units in
17 residential areas does not disrupt the character of the city's neighborhoods or
18 affect the quality of life of neighboring residents;

19 (ii) to prevent speculators from purchasing multiple homes
20 for the purpose of operating multiple short-term rental units, thereby reducing
21 the amount of long-term housing availability;

22 (iii) to allow law abiding residents the option of utilizing
23 their homes and accessory dwelling units as short-term rental units to create
24 wealth and generate supplemental income;

25 (iv) to minimize public safety risks associated with short-

← INTENT listed here. However, Page 17 says all current STRs are forever grand-fathered in. And, Page 6 states that anyone on the planet can have a short term rental in Santa Fe.

← Why say multiple?

← Add "primary" to precede the word resident. To make it a primary resident requirement

1 term rental units, such as higher traffic levels, parking issues, noise, litter, and
2 other public nuisances; and

3 (v) to ensure that an owner or operator of a short-term
4 rental unit follows applicable regulations, including the payment of all applicable
5 fees and taxes.

6 (b) Short-Term Rental [Units] Permit Required

7 ~~[Short term rental units are prohibited on residentially zoned~~
8 ~~property except as provided in this Subsection 14-6.2(A)(5)(b).]~~

9 ~~[(i) Short term rental units that are operated in compliance with~~
10 ~~Subsection 14-6.3(D)(1) (Accessory Dwelling Units) and in compliance with this Subsection 14-~~
11 ~~6.2(A)(5) are allowed.]~~

12 (i) An owner of a short-term rental unit must have a city-
13 issued business license and a short-term rental permit. An owner or operator shall not operate,
14 rent, offer to rent, or advertise a short-term rental unit without a valid permit from the city.

15 ~~[(ii) Short term rental units located in a development~~
16 ~~containing resort facilities approved pursuant to a special use permit which are owned in common~~
17 ~~by the owners within the development, are allowed. As used in this item, "resort facility" means~~
18 ~~any combination of swimming pools, spa facilities, golf courses, restaurants and tennis facilities.]~~

19 ~~[(iii)](ii) The land use director may issue a maximum of~~
20 ~~one thousand (1000) short-term rental permits [in a quantity approved by the governing body~~
21 ~~through adoption, after a public hearing, of a resolution for residential units not otherwise~~
22 ~~qualifying for permits under Items (i) and (ii) above. Dwelling units on non-residentially zoned~~
23 ~~property pursuant to §14-6.2(A)(6) and §14-6.2(A)(7) are not subject to the permit limit imposed~~
24 ~~by this subsection].~~

25 (iii) The land use director shall issue permits to natural

← See
next page

1 persons only, and each natural person may possess a maximum of one (1) permit.

2 (iv) ~~[Whenever the demand for short-term rental units~~
3 ~~exceeds the number permitted in accordance with Subsection 14-6.2(A)(5)(b)(iii) above, the~~
4 ~~number of additional permits may be increased by the governing body through adoption of a~~
5 ~~resolution and issued by the land use director. New permits shall be issued in the order that~~
6 ~~eligible applications are received.]~~ The land use department shall process applications in the
7 order of receipt and shall issue new permits in the order that complete applications are received.
8 If the number of permits reaches the one thousand (1000)-permit limit, then the land use
9 department shall stop processing applications and shall add applicants to a waiting list until a
10 permit becomes available. If an applicant waits on the list for a year or longer, the land use
11 department may require the applicant to indicate a continued interest in remaining on the list.

12 (v) A permit is not transferable to another person or
13 property. Upon the transfer of ownership of a short-term rental unit, the short-term rental permit
14 shall terminate and revert to the land use department. If the new owner wishes to use the property
15 as a short-term rental unit, the owner shall submit a new application to the land use department.

16 (c) General Provisions

17 ~~[Unless otherwise stated, the following general provisions apply to short-~~
18 ~~term rental units:]~~

19 (i) A short-term rental unit must have a local operator that is
20 available twenty-four (24) hours per day, seven (7) days per week, to respond to complaints
21 regarding the operation or occupancy of the short-term rental unit. For purposes of this
22 subparagraph, "local" means within the municipal boundaries of the city of Santa Fe.

23 [(ii) ~~short-term rental permits will not be issued for more than two~~
24 ~~short-term rentals units directly adjoining each other on a residentially zoned street. For the~~
25 ~~purposes of this subsection, "directly adjoining" means sharing a common boundary along a~~

Each natural person listed on the deed should be included in the STR permit to prevent co-owners from obtaining multiple short-term rental permits

Best solution. Add Primary Residency requirement to support intent from page 4.

Most cities with housing challenges include a primary resident requirement.

Why aren't we?

← Complaints or information concerning enforcement of non-compliance shall be treated anonymously.

1 ~~public street frontage, but does not include adjoining units in a condominium, townhouse~~
2 development, apartment complex, or residential compound;]

3 (ii) An owner or operator shall not rent a short-term dwelling unit
4 more than once [no more than one rental is allowed] within a seven (7)-
5 [consecutive] day period[;].

← How will this 7-day period be enforced? Seems very difficult to track and enforce.

6 (iii) An owner of a permitted short-term rental unit shall provide off-
7 street parking [shall be provided] on site as follows: [4]]

8 (A) one bedroom, one parking space; and [2)]

9 (B) two or more bedrooms[;], two parking spaces[;].

10 (iv) A short-term rental unit must meet all applicable building, [and]
11 fire, [life] and safety codes, [shall be met] and all toilets, faucets, and shower heads [shall] must
12 meet the water conservation requirements described in Section 25-2.6 SFCC 1987[;].

13 (v) Prior to issuance of a permit, a short-term rental unit must have
14 a certificate of occupancy to ensure compliance with all applicable codes.

15 (vi) Prior to issuance of a permit, the owner of a short-term rental
16 unit must obtain a business license under Section 18 -1 SFCC 1987.

17 (vii) A valid business license number must be included in all
18 advertising of a short-term rental unit, including listings on a host platform.

← STR Permit # should be posted. Not Business License. Each STR has a permit # for tracking unit unlike business license used for multiple purposes.

19 [(v)](viii) [occupants]An owner or operator shall not allow guests
20 [shall not]to park recreational vehicles on site or on the street;

21 [(vi)](ix) [short-term] Short-term rental units located on
22 residentially-zoned property shall be used exclusively for residential purposes and shall not be
23 used for commercial activities or events, defined as intending to make money, offering goods or
24 services for sale, or conducting any other event or activity that is not residential in nature. An
25 activity "not residential in nature" includes gatherings in excess of [three (3)] two (2) times the

1 number of legally allowed [occupants] *guests* in the *short-term rental unit* [(including
2 occupants)], unless the activity or event is otherwise permitted by the *city*[;].

3 [(vii)](x) [the]The total number of [persons] *guests* that may
4 occupy [the]a *short-term rental unit* is twice the number of bedrooms[;].

5 [(viii)](xi) [noise]Noise or other disturbance outside [the]a *short-*
6 *term rental unit* is prohibited after 10:00 p.m., including decks, portals, porches, balconies, or
7 patios[;].

8 [(ix)](xii) [~~all occupants shall be informed~~]The *owner or operator*
9 of a *short-term rental unit* shall notify all *guests* in writing of relevant *city* ordinances, including
10 the *city's* nuisance and water conservation ordinances[~~, by the owner/operator of the short-term~~
11 ~~rental unit~~]. All [occupants]*guests* shall comply with all relevant *city* ordinances, including [and
12 comply with all provisions of] the [lodger's] *lodgers' tax ordinance*[;].

13 [(x)](xiii) [the]The *owner*[/operator] shall pay all applicable local,
14 state, and federal taxes, including lodgers' tax, gross receipts tax, and income tax[es;].

15 [(xi) ~~should the owner/operator fail to pay all applicable taxes, the~~
16 ~~owner/operator shall be subject to penalties pursuant to Subsection 14-6.2(A)(5)(f).~~

17 [(xii) ~~the owner/operator shall make available to the city for its~~
18 ~~inspection all records relating to the operation of the short-term rental unit to determine~~
19 ~~compliance with this Subsection 14-6.2(A)(5); and~~

20 [(xiii) ~~the owner shall maintain adequate short-term rental insurance~~
21 ~~coverage for the short-term rental unit. Proof of insurance shall be required at the time the permit~~
22 ~~is issued and such other times as requested by the land use director.~~

23 [(xiv) ~~upon the transfer of ownership of a short-term rental unit, the~~
24 ~~short-term rental permit shall terminate and revert to the land use department. If the new owner~~
25 ~~wishes to use the property as a short-term rental unit, new application shall be submitted to the~~

1 land use department.]

2 (d) Applications for Short-Term Rental Permit

3 [Unless otherwise stated, an] An applicant shall submit an application for a short-
4 term rental permit [shall be submitted to the city as follows] that includes the following
5 information and documentation:

6 (i) [the application shall include]the name and phone number of the
7 local owner[/operator] or operator who is available twenty-four (24) hours per day, seven (7)
8 days per week to respond to complaints regarding the operation or occupancy of the short-term
9 rental unit [as well as the name and phone number of city staff responsible for enforcing this
10 section];

11 (ii) [~~the application shall include]~~a statement signed by the
12 [~~owner/operator] owner and operator, affirming that they will operate the short-term rental unit[~~
13 ~~shall be operated]~~ in compliance with this subsection 14-6.2(A)(5) and all other applicable laws,
14 city codes, and private covenants; and that no private covenants prohibit the operation of the
15 short-term rental unit[is in compliance with any applicable private covenants, including those
16 that prohibit the presence of short-term rental]; and

17 (iii) additional information, documentation, and submittals as
18 required by the land use director.

19 [(iii) — all applicants must submit proof of all required inspections with their
20 initial application. Renewal applications for the same property may submit proof of all required
21 inspections in the form of a statement attesting to compliance with all applicable fire, health, and
22 safety requirements. The city shall perform random inspections to ensure compliance with this
23 Subsection 14-6.2(A)(5).

24 (iv) — prior to issuance of a permit, a certificate of occupancy is required to
25 ensure compliance with this paragraph and all applicable codes;

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~~(v) the permit is not transferable to another person or property;~~

~~(vi) within ten days of the issuance of the permit, the owner/operator shall mail notice by first class mail, with certificate of mailing, to the homeowners association (if applicable), and to the owners of properties within two hundred (200) feet of the subject property, exclusive of rights of way, as shown in the records of the county assessor, and by first class mail to the physical addresses of such properties where such address is different than the address of the owner and to the land use department. Notice shall be on a form approved by the land use director, and shall contain the name and phone number of the owner and operator who will be available twenty four hours per day, seven days per week to respond to complaints regarding the operation or occupancy of the short term rental as well as the name and phone number of city staff responsible for enforcing this paragraph. Copies of all required mailing lists and mailing certificates shall be provided to the land use director within ten days of the mailing. Failure to provide notification as described in this subsection is subject to penalties and prosecution pursuant to Subsection 14-6.2(A)(5)(f);~~

~~[(vii) each application shall be accompanied by a fee of one hundred dollars (\$100) to cover application processing and inspections. This application fee is non-refundable.]~~

~~[(viii) The annual permit fee schedule is as follows:~~

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

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Table 14-6.1-1 Annual Permit and Registration Fees*		
Short-term Rental Type	Permit Fee per Unit	Registration Fee per Unit
§ 14-6.2A(5)(b)(i) Accessory Dwelling Units	\$325.00	

~~(ix) — The annual fee includes the city's business registration fee and fees for inspections related to issuance of the short-term rental permit. Revenue from fees imposed pursuant to this paragraph shall be used only to administer, manage, and enforce this section.~~

~~(x) — If payment of a permit fee was in excess of that for which a person was liable, the person may claim a refund by directing to the city finance director a written claim for refund no later than one year from the date payment was made. Every claim for refund shall state the amount and basis for the claim. The city finance director may allow the claim in whole or in part or may deny it. If the claim is not allowed in whole, the person may appeal the decision pursuant to Section 14-3.17.~~

~~(xi) — Unless revoked as set forth in Subsection 14-6.2(A)(5)(f), a permit holder may renew the permit annually. If not renewed by March 15 of each year, the owner/operator may pay a late fee of fifty dollars (\$50) to extend the time for filing to renew to April 15. An owner of an expired permit may submit a new application for a short-term rental~~

1 ~~permit to the land use director in accordance with Subsection 14-6.2(A)(5)(b)(iv) subject to~~
2 availability of permits.

3 ~~(xii) A valid permit number shall be included in all advertising of the~~
4 ~~short-term rental, including listings on web-based rental sites.]~~

5 (e) Proximity of Short-Term Rental Units on Residentially Zoned Property

6 Subject to the exceptions listed below, the land use director shall not issue a new
7 permit for a short-term rental unit if the subject property, as identified in the application, is
8 located within a seventy-five (75)-foot radius of a residentially zoned property that has a
9 permitted short-term rental unit. The radius shall be measured from the subject property
10 boundary. This limitation shall not apply to the following:

11 (i) an application for a short-term rental unit located on non-
12 residentially zoned property or within a development containing resort facilities;

13 (ii) an application for a short-term rental unit that complies with the
14 requirements set forth in the accessory dwelling unit ordinance, subsection 14-6.3(D)(1); or

15 (iii) an application for a short-term rental unit in a multiple-family
16 dwelling development that contains four (4) or more dwelling units, provided, however, that the
17 land use director shall not issue short-term rental permits for more than twenty-five (25%) of the
18 dwelling units in a multiple-family dwelling development that contains four (4) or more dwelling
19 units.

← Lots of long-term rental housing removed from the market?
Make primary residence requirement.

20 [(e)(f) Fees for Short-term Rental Units

21 The following fees shall be used only to administer, manage, and enforce this
22 subsection 14-6.2(A)(5) and relevant sections of Chapter 18 SFCC 1987, which address
23 applicable licenses and taxes.

24 (i) Application fee. An application for a new short-term rental
25 permit shall be accompanied by a one-time non-refundable application, processing, and

1 inspection fee of one hundred dollars (\$100).

2 (ii) Business license fee. A short-term rental unit is subject to an
3 annual business license fee of thirty -five dollars (\$35).

4 (iii) Permit fee. A short-term rental unit is subject to an annual
5 permit fee of two hundred and ninety dollars (\$290).

6 (g) Required Notice

7 (i) Within ten (10) days after the issuance or renewal of a short-term
8 rental permit, the owner or operator shall mail notices by first-class mail to the homeowners
9 association within which the unit is located (if applicable); to the owners of residentially-zoned
10 property within two hundred (200) feet of the subject property, exclusive of rights of way, as
11 shown in the records of the county assessor; to the physical addresses of such properties where
12 such address is different than the address of the owner; and to the land use department.

13 (ii) The notices shall be on a form approved by the land use director.

14 (iii) The notices shall contain the name and phone number of the
15 local operator. Within ten (10) days after any change in the contact information for the local
16 operator, the owner or operator shall mail a new notice, to all parties, in accordance with this
17 subparagraph 14-6.2(A)(5)(e).

18 (iv) Within ten (10) days of the mailing, the owner or operator shall
19 provide the land use director with copies of all required mailing lists and an affidavit of mailing
20 signed by the person who mailed the notices.

21 (h) Records

22 Each owner or operator shall maintain all records for the owner's short-term
23 rental unit for at least the most recent three years for the owner's short-term rental unit or units
24 and shall make such records available to the city for inspection upon request. If a host platform
25 collects rent for a short-term rental unit, the host platform must also maintain such records. The

1 records to be maintained for each *short-term rental unit* must include the following:

2 (i) The number of reservations and number of nights rented each
3 calendar month;

4 (ii) The amount of rent guests by month; and

5 (iii) The amount of each type of tax and fee the owner paid to the city
6 in connection with rental of the unit by month.

7 (i) Permit Renewals

8 Unless revoked pursuant to Section 14-11.4, an owner may renew a short-term
9 rental permit annually. If not renewed by the expiration date of the existing permit, the owner
10 may pay a late fee of fifty dollars (\$50) to extend the time for filing to renew by thirty (30) days.
11 After the thirty (30) days, if the owner has not renewed or requested an extension, the permit will
12 become available to the next eligible applicant, and the owner may submit a new application for
13 a short-term rental permit to the land use director, subject to the availability of permits.

14 (j) Inspections

15 The city shall perform random inspections to ensure compliance with
16 subsection 14-6.2(A)(5) and all applicable fire, health, and safety requirements. The city may
17 require an applicant to submit proof of inspections at the time of initial application and at such
18 other times as requested by the land use director.

19 (k) Violations and Penalties

20 ~~[(i) The land use director shall document all alleged violations of this~~
21 ~~paragraph and shall pursue enforcement through the municipal court as set forth in Article 1-3~~
22 ~~SFCC 1987 or in another appropriate court of law. The city shall give the owner a written notice~~
23 ~~of violation, which shall be mailed either to the owner's local or business address or agent's~~
24 ~~address, informing the owner of the violation. If corrective action is not completed within fifteen~~
25 (15) days of the date of the letter, the city may file a criminal complaint in municipal court. Upon

← How will you track the one rental per 7-day period with this information?
What is "rent guests"?

← One time? No time limit to pay?

Add something like "the owner may, within 30 days of expiration, pay a one time late fee"

1 conviction of a first violation, the land use director shall revoke the permit and operation of the
2 short term rental shall cease within thirty days.

3 (ii) — ~~An owner who offers for rent as a short term rental a dwelling~~
4 ~~unit that is not permitted for use as a short term rental is in violation of this paragraph and is~~
5 ~~subject to penalties, property liens and/or prosecution pursuant to subsection 14-2(A)(5)(f).(iii)An~~
6 ~~agent who knowingly assists an owner in advertising or renting a dwelling unit as a short term~~
7 ~~rental unit that is not permitted under this subsection 14-6.2(A)(5) is subject to penalties and~~
8 ~~prosecution, and the agent's business license is subject to revocation.]~~

9 If an owner or operator fails to obtain the necessary permit before
10 renting, offering to rent, or advertising a short-term rental unit; fails to pay or report applicable
11 taxes; or otherwise fails to adhere to the provisions of subsection 14-6.2(A)(5), the owner or
12 operator shall be subject to the enforcement provisions set forth in Sections 1.3 and 14-11 SFCC
13 1987 and all other legal remedies and enforcement actions available under the law. These may
14 include civil or criminal penalties or revocation of a short-term rental permit.

← Shouldn't the penalties be listed within this ordinance so all will know what the fines are?

15 (f) — Penalties

16 (i) — ~~Any owner who fails to report all applicable taxes, including~~
17 ~~gross receipts tax and lodger's tax, shall be subject to any and all remedies under the short term~~
18 ~~rental ordinance and any other applicable city, county, state, or federal law or statute. Such owner~~
19 ~~shall also be subject to revocation of their short term rental permit pursuant to Subsection 14-~~
20 ~~6.2(A)(5)(e)(i).~~

21 (ii) — ~~If an owner is found guilty of operating a short term rental~~
22 ~~without a valid permit, they shall be fined five hundred dollars (\$500). The city may ask the~~
23 ~~municipal court to treat each day after the initial written notice of violation as a separate violation~~
24 ~~and assess two hundred fifty dollars (\$250) for each day of such daily violations for a total~~
25 ~~emulative fine amount. If the city is awarded money as part of a judgment following a court~~

1 ~~hearing and defendant does not make timely payments to the city, the city may bring an action in~~
2 ~~lien or equity for the collection of any amounts due.]~~

3 [(g)](l) Restrictive Covenants

4 Private restrictive covenants, enforceable by those governed by
5 the covenants, may prohibit *short-term rental units*.

6 [(h)](m) Real Estate Agent Disclosure

7 [Real]A real estate [brokers] agent [listing] who represents a
8 prospective buyer of [residential] *residentially zoned property* in Santa Fe shall provide the
9 prospective ~~[buyers]~~buyer with a current copy of this ordinance.

10 (n) Host Platforms.

11 (i) A host platform shall include a valid business license number in
12 all listings or advertisements for a short-term rental unit.

13 (ii) A host platform shall provide a monthly report to the city that
14 includes the following information about the short-term rental units advertised in the city,
15 disaggregated by owner, describing the following information for that month :

- 16 (A) The number of short-term rental unit listings and owners
17 in the city;
- 18 (B) The number of reservations and number of rental nights
19 for each unit;
- 20 (C) The amount of revenue owners collected through the
21 host platform, including rent and each type of taxes and
22 fees.

23 ~~[(i)] The land use director shall establish administrative procedures necessary~~
24 ~~to implement, manage and enforce this paragraph.]~~

25 (6) ~~[Short term Rental of Dwelling Units Non residentially Zoned Property]~~

← STR
Permit #
customarily
used in
advertising.
Not Business
License. Each
STR has a
permit # for
tracking
each unit
unlike one
business
license could
be used for
multiple
purposes, or
multiple
units.

1 Existing Short-Term Rental Permits and Registrations

2 ~~[Short-term rental of dwelling units on non-residentially zoned property is permitted as~~
3 ~~set forth in Table 14-6.1-1, must be registered; are subject to a one-time one-hundred-dollar~~
4 ~~(\$100) application, inspection and processing fee; and must comply with submission~~
5 requirements and report all applicable taxes.]

6 (a) Valid short-term rental permits held at the time the ordinance amending
7 subsection 14-6.2(A) SFCC 1987 (Ordinance No. 2020-) is adopted are valid, even if multiple
8 permits are held by one owner. The owner does not need to renew those permits until they expire.
9 Upon expiration, the owner may be eligible to timely renew the permits pursuant to subsection
10 14-6.2(A)(5)(i), subject to payment of the annual business license and permit fees, as long as the
11 permits are not revoked under Section 14-11.4.

12 (b) Valid short-term rental permits that do not comply with the proximity
13 limitations set forth in subsection 14-6.2(A)(5)(e) held at the time that the ordinance amending
14 subsection 14-6.2(5) (Ordinance No. 2020-) is adopted are valid and owners of such permits
15 are eligible to timely renew the permit pursuant to subsection 14-6.2(A)(5)(i), subject to payment
16 of the annual business license and permit fees, as long as the land use department does not revoke
17 the permit under Section 14-11.4.

18 (7) Dwelling Units in Specified Commercial Districts

19 In the C-2 and SC Districts, dwelling units do not include mobile homes or
20 recreational vehicles and shall be [either] one of the following:

21 (a) accessory dwelling units for occupancy only by owners, employees, or
22 tenants of nonresidential uses that are operated on the same premises;

23 (b) part of a planned development; ~~or~~

24 (c) part of a use for which a development plan or special use permit is
25 required; or

← This page says all current Short-term Rentals can continue forever with NO time limit.

Unlike most cities that reform their STR rules, it appears here that ALL current multiple permits held by speculators (as stated on page 4) have a free pass. There should be a time limit of one or two years to phase out STR units that don't meet primary residency into long-term rentals or available residential housing.

Are corporations and other entities that currently have STR permits deemed natural persons for yearly permit renewal — forever?

1 (d) part of a qualifying residential project within the Midtown LINC Overlay
2 District.

3 ~~[(8) — Effective Date~~

4 ~~The provisions of Subsection 14.6.2(A)(5) of the Land Development Code~~
5 shall go into effect immediately upon approval of the Governing Body. A ninety (90)
6 day grace period shall be given for effected units to obtain a valid permit. Short-term
7 rental unit owners who possess a valid short-term rental permit at the time this
8 ordinance (Ordinance 2016-20) is adopted shall be considered to possess a valid permit
9 under the new regulations and shall not need to renew their permit until the following
10 year. Short-term rental unit owners who possess a valid short-term permit for a
11 ~~contiguous property issued prior to this ordinance (Ordinance 2016-20) being adopted~~
12 shall be deemed as a "residential" permit holder upon the adoption of the ordinance and
13 shall renew their permit as a "residential" permit in following years.]

14 **Section 2. Section 14-12.1 of SFCC 1987 (being Ord. No. 2011-37, § 15 as**
15 **amended) is amended to add and amend the following definitions :**

16 **14-12.1 DEFINITIONS**

17 DEVELOPMENT CONTAINING RESORT FACILITIES, SHORT -TERM RENTAL

18 A development in which the owners own two (2) or more of the following facilities in common
19 and have obtained a special use permit for operation of those facilities: swimming pools, spa
20 facilities, golf courses, restaurants, or tennis facilities.

21 GUEST, SHORT-TERM RENTAL

22 Any person who rents a short-term rental unit or occupies a short-term rental unit during a rental
23 period.

24 HOST PLATFORM, SHORT-TERM RENTAL

25 An internet website, a mobile application, or any other forum used to connect a short-term rental

1 owner or operator with guests and to facilitate the booking of a short-term rental unit.

2 NATURAL PERSON

3 An individual human being, as opposed to an organization of any form or a business entity.

4 OPERATOR, SHORT-TERM RENTAL

5 A person who, with or without a short-term rental permit or registration, rents or offers to rent a
6 short-term rental unit to guests.

7 SHORT-TERM RENTAL UNIT

8 A dwelling unit or accessory dwelling unit, or any portion of a dwelling unit or accessory
9 dwelling unit, that is offered for rent or rented for a period of less than thirty (30) days.

10 APPROVED AS TO FORM:

11

12

13 ERIN K. McSHERRY, CITY ATTORNEY

14

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25 *Legislation/2020/Bills/Short-Term Rental Changes*

SHORT-TERM RENTAL REFORM NEEDS TO INCLUDE A PRIMARY RESIDENCE REQUIREMENT IN ORDER TO MEET HOUSING CHALLENGES

Pretty much any major city that is experiencing affordable housing challenges have a primary residency requirement at this time. Below are 15 (with details attached.)

MIAMI BEACH, FL (pop 87,000)	BOSTON, MA (pop 685,000)
SANTA MONICA, CA (pop 88,000)	WASHINGTON, DC (pop 712,000)
BOULDER, CO (pop 107,000)	CHARLESTON, SC (pop 788,000)
SUNNYVALE, CA (pop 153,000)	SAN FRANCISCO (pop 889,000)
RICHMOND, VA (pop 229,000)	DENVER (pop 2,800,000)
NEW ORLEANS, LA (pop 391,000)	LOS ANGELES (pop 4,000,000)
MIAMI, FL (pop 471,000)	NEW YORK CITY (pop 8,500,000)
PORTLAND, OR (pop 657,000)	(Summaries and links are available for these 15 cities.)

A Primary Residence requirement has been successful in reducing the negative effect Short-term Rentals have on neighborhoods and communities.

>>>

For City Council consideration, below is a list of recommendations.

1. Initiate STR code changes that are simple, clear and easily enforced.
2. Allow one STR permit per primary residence, with proof of ownership or owner approved rental agreement. That resident, commonly called the Host, must occupy the home for at least 6 months. One permit per household can be for a main house or guesthouse. Consider a rental limit of 90 days per year.
3. Owner must annually renew a STR permit and must list the assigned permit number on all advertised listings, Internet and otherwise.
4. Owner must have a business license, required code inspections and a GRT number.
5. At the sale of a residential or commercial property, the seller cannot transfer a STR permit. The new owner must re-apply for approval.
6. Require, monitor and strictly enforce Lodgers' and GRT tax collections.
7. Complaints or information concerning enforcement of non-compliance shall be treated anonymously.
8. Provide tracking of unlicensed STRs and licensed permit compliance with strong and effective enforcement of all STR rules and regulations, including limits of the number of guests per stay.

PUTTING NEIGHBORS BACK INTO NEIGHBORHOODS

When the original Short-Term Rental (STR) ordinance was adopted into the City Code, Santa Fe, like all US cities, had little or no experience with this new concept of renting. Short-Term Rentals (STRs) were originally envisioned as an opportunity for local residents to rent out their homes or portions thereof for either profit or the necessity to cover living expenses. None of the original ordinance framers could have foreseen that these permits would become commercial business enterprises, or that one person would have multiple individual permits, or that STRs would have such a negative impact on neighborhoods, long-term rental housing availability and housing prices.

The suggestions for changes to Santa Fe's STR ordinance are briefly described below and are taken from the many different communities who have successfully modified their STR ordinances. These municipalities include Boulder, Charleston, Richmond, Santa Monica and Portland, OR. Input from various constituent groups were solicited, including neighborhood associations, the hospitality sectors, individual impacted neighborhood residents and affordable housing advocates concerned about both the spiraling price of housing and the community impact of the removal of long-term rentals from the market. Established neighborhoods lose many of their neighbors and therefore their traditional cohesiveness is impacted by STR strangers. These shifting dynamics raise property values driven by valuation based on the capitalization rate of potential STR income cash flow. Instead of purchasing a residential home as your primary residence to live in, prices are driven higher by housing valued as STR income — a capitalization method formerly reserved for traditional commercial property.

The Thornburg Foundation and Homewise recently funded a June 2019 report by Kelly O'Donnell PhD, of O'Donnell Economics and Strategy titled *Short Term Rentals and Access to Housing in Santa Fe*. This detailed work outlines the impact STRs have on housing under Santa Fe's existing ordinance. This study is a must read for anyone interested in understanding the mechanics of how STRs impact housing. The report can be downloaded from the City of Santa Fe AND Homewise websites. Drop these links into your browser:

https://www.santafenm.gov/document_center/document/10452 OR

<https://www.homewise.org/reports-audits/> (Under Research Reports)

Key numbers, dollar amounts and percentages

From the June 2019 *Short Term Rentals and Access to Housing in Santa Fe* report by Kelly O'Donnell PhD:

- Santa Fe's **646 STR hosts earned \$54 million** from their Santa Fe properties in 2018, an **average** of over \$80,000 per host per year.
- Although 80 percent of hosts list only one STR property, over 100 Santa Fe hosts list two or more entire homes.
- The City's **top 15 hosts account for 381 active STRs, over one-quarter of the Santa Fe market.**
- The **top 15 hosts earn a total of \$12,500,000** per year (25% of \$54,000,000). (Divide that total evenly by the top 15 hosts and you get an **average of \$833,333 per host a year.**)

Main reasons why our Short-term Rental ordinance needs reform

- Santa Fe "has the 12th-highest number of Airbnb units per capita among U.S. cities"
<https://www.abqjournal.com/1390750/santa-fe-has-12th-most-airbnb-units-per-capita-among-u-s-cities.html>
- Santa Fe housing challenges require Long-term Rentals.
- Simplify code to make changes that will aid in enforcement and collections of fees and taxes.
- Return Neighbors to Neighborhoods by requiring Primary Residency.

Three diverse groups want Short-Term Rental reform

- 1. Neighborhoods** — Established neighborhoods are losing neighbors, resulting in unpleasant consequences. STRs have become an industry, profitable for multiple homeowners and non-resident speculation that favors transients over residents — far from couch-surfing beginnings.
- 2. Community Advocates interested in the adverse effects of Short-term Rentals on Housing**
 - Short-Term Rentals Exacerbate Santa Fe's Housing Shortage
 - Short-Term Rentals remove Long-term Rentals from the housing market.
 - STRs impact cost of housing and cost of living.
 - Santa Fe has few places for young adults, our workforce and those financially challenged. If Santa Fe wants to keep our young Santa Feans, attract a more diverse age group and provide workforce housing, STR reform is a key player.
- 3. Hotel/B&B** — Local Hospitality commercial business

How Charleston is addressing housing challenges and affected neighborhoods

Primary Residence requirement: For example, the STR ordinance in Charleston for a Residential STR requires that only **one permit** is to be issued **per homeowner** and that homeowner must show proof that the home is their **Primary Residence**.

Owner generally needs to be available during the stay: Charleston requires the homeowner to spend the night on the property (house or guesthouse) during the rental.

Addresses Housing and Neighborhood Challenges: Ordinance change opens up long-term rentals so desperately needed among the young, the workforce and everyone.

Easier to Enforce New Regulations: Charleston believes the above requirements provide the best solution for effective enforcement and tax collection. The combination of a clear and simple regulation and Host Compliance STR tracking makes it easy to locate illegal rentals, eliminate the loopholes, and prevent wiggle room for excuses while helping a homeowner earn extra cash instead of encouraging speculation and multiple homeownership. Watch this video of Charleston STR enforcement team:

<https://abcnews4.com/news/local/city-cracks-down-on-short-term-rental-with-a-crack-team>

Many US cities experiencing affordable housing challenges have a Short-term Rental PRIMARY RESIDENCE requirement.

The following 15 cities (ordered by approximate population) require that a Short-term Rental must be the host's Primary Residence.

MIAMI BEACH, FL (pop 87,000)

Pursuant to the Miami Beach City Code (Sec 142-1111) and City Code (Sec 142-905 (b)), vacation/short-term rentals are prohibited in all single-family homes and in many multi-family housing buildings in certain zoning districts of Miami Beach.

For properties in designated Estate or Low Density Residential areas, the responsible party or host must reside in the short-term rental property for more than six months per calendar year.

<https://www.miamibeachfl.gov/business/vacation-short-term-rentals/>

<https://blog.keycafe.com/understanding-miami-and-miami-beach-short-term-rental-regulations/>

SANTA MONICA, CA (pop 88,000)

From ordinance: *f) HOME-SHARE means an activity whereby the resident(s) host visitors in their homes, for compensation, for periods of 30 consecutive days or less, while at least one of the dwelling unit's **primary residents** lives on-site, in the dwelling unit, throughout the visitors' stay*

<https://www.smgov.net/uploadedFiles/Departments/PCD/Permits/Santa%20Monica%20HomeSharing%20Rules%20%20FINAL%20EFFECTIVE%20JUNE%2012%202015.pdf>

BOULDER, CO (pop 107,000)

The City of Boulder permits short-term rentals (less than 30 days per stay) of **primary residences** and legal accessory dwelling units (ADUs) only. Short-term renting of a second home or investment property is not permissible. Primary residences are those occupied by the owner for a minimum of 6 months of the year. ADUs can be rented on a short-term basis for a maximum of 120 days per year.

<https://sharingmyhome.com/airbnb-investors-colorado-short-term-rental-laws-city/boulder/>

SUNNYVALE, CA (pop 153,000)

A short-term rental (or vacation rental) is the renting out of your residence, rooms in your residence or an accessory unit (granny flat). Short-term rentals are for a period of 30 consecutive calendar days or less. You are also legally required to:

- Reside on-site throughout your guests' (lodgers') stay
- Limit guests to a maximum of four adult guests per night
- Register as a host with the City

The host shall reside on-site throughout the lodgers' stay. To reside on-site means that the property being used for short-term rentals is the host's **primary residence** and the host uses the property for purposes of eating, sleeping and other activities of daily living during the time periods that lodgers are present.

<https://sunnyvale.ca.gov/business/doingbusiness/shortterm.htm>

http://losaltoshills.granicus.com/MetaViewer.php?view_id=2&clip_id=361&meta_id=56230

RICHMOND, VA (pop 229,000)

Who can operate a short-term rental: The short-term rental operator shall be the property owner. The short-term rental shall be on the lot of the operator's **primary residence** with the operator occupying the lot at least 185 days each year.

<http://www.richmondgov.com/PlanningAndDevelopmentReview/ShortTermRentals.aspx>

NEW ORLEANS, LA (pop 391,000)

The link listed below is from an article. It was easier to understand than reading their ordinance. The new ordinance requires vacation rental owners in residential neighborhoods to have a "homestead exemption," meaning that they live there and claim the property as their **primary residence**.

<https://www.avalara.com/mylodgetax/en/blog/2019/08/new-orleans-finalizes-restrictive-new-short-term-rental-law.html>

MIAMI, FL (pop 471,000)

The Responsible Party **must reside for more than six months per calendar year in the property being offered as a vacation rental**. The rental of the property may occur at the same time that the Responsible Party is residing there. This applies to properties designated as Estate or Low Density Residential on the **CDMP Land Use Plan Map** only. There are no residency restrictions in the other land use categories.

<https://www.miamidade.gov/building/standards/residential-short-term-vacation-rentals.asp#0>

<http://www.miamidade.gov/cob/library/Registry/Ordinances/Board-of-County-Commissioners/2017/17-78.pdf>

<https://www.miamidade.gov/building/standards/residential-short-term-vacation-rentals.asp>

PORTLAND, OR (pop 657,000)

On July 30, 2014, the Portland City Council passed Ordinance No. 186736. This ordinance permits short-term rentals in residential zones when the rental is also the proprietor's primary residence.

Portland has since 2014 set rules for the short-term rental market, requiring hosts to acquire a permit, be the primary resident of the rental, live there at least nine months a year and keep guest stays to a maximum of 30 days. The regulations are intended to make sure homes are just that – where people live rather than hotel-style businesses within residential neighborhoods.

<https://www.portlandoregon.gov/revenue/article/415180>

<https://www.oregonlive.com/portland/2018/08/80-percent-of-portland-airbnb.html>

BOSTON, MA (pop 685,000)

To be considered a **primary residence**, an owner needs to live in the property for at least nine months out of a 12-month **period**. When requested, you must be able to demonstrate: that you **lived** at the property for nine of the past 12 months, or that you plan to live in the property for nine of the next 12 months. —NOTE: Interesting update on Boston. 08/29/2019: Airbnb also agreed to share data about listings with the city, including the listing's URL, registration number, host ID, information, and zip code.

<https://www.boston.gov/departments/inspectional-services/short-term-rentals>

WASHINGTON, DC (pop 712,000)

... The Council had considered the potential impact of short-term rentals on housing supply and affordability in settling on a final balance that allowed short-term rentals only in the host's primary residence and not permitting investor-owned short-term rentals.

The Commission credits the Council's assertion that the STR Law limits the impact on the availability and affordability of housing by barring investor-owner short-term rentals, while also allowing property owners to operate short-term rentals in their primary residence, providing income that some property owners need to stay in their homes thereby supporting housing affordability and home ownership.

https://search.usa.gov/search?utf8=%E2%9C%93&affiliate=dc_dcgov&query=short-term+rental+primary+residence

CHARLESTON, SC (pop 788,000)

What do the new regulations say? These regulations legalize short-term renting throughout the City in a very limited form that protects existing neighborhoods. Most importantly, to qualify for legal short term renting, the property must be the owner's full time **primary residence**, as verified by receiving the County's 4% tax exemption for owner-occupied property. This means that **investment properties are not eligible for short term renting.** However, portions of existing dwellings or accessory dwellings on a property are eligible.

<https://www.charleston-sc.gov/DocumentCenter/View/18317/FAQs-for-STR?bidId=>
<https://abcnews4.com/news/local/city-cracks-down-on-short-term-rental-with-a-crack-team>

SAN FRANCISCO (pop 889,000)

Permanent San Francisco Residents Only.

Absentee owners who live in **San Francisco** less than 275 days per year are not eligible to engage in **short-term rentals**. Permanent residents are allowed to **rent out their primary residences**, but not locations in which they don't live, or second or **vacation homes**.

You must be the permanent resident of the unit you wish to rent.

To be considered the permanent resident, you must spend at least 275 nights a year in the unit where you host short-term rentals. If you own/rent a multi-unit building, you may only register the specific residential unit in which you reside.

<https://www.nolo.com/legal-encyclopedia/overview-airbnb-law-san-francisco.html>
<https://shorttermrentals.sfgov.org/>

DENVER (pop 2,800,000)

Primary Residence required for a STR license.

"If the property is not your **primary residence**, it is not eligible to be licensed as a short-term rental."

<https://www.denvergov.org/content/denvergov/en/denver-business-licensing-center/business-licenses/short-term-rentals/short-term-rental-faq.html>

LOS ANGELES (pop 4,000,000)

WHEREAS, short-term rentals in property other than a primary residence create unfavorable consequences, including negative impacts on the residential character of surrounding neighborhoods and increased nuisance activity;

WHEREAS, this ordinance will protect the City's affordable housing stock by allowing only an authorized host to share his or her registered **primary residence with transient users**;

http://clikrep.lacity.org/online/docs/2014/14-1635-S2_ORD_185931_07-01-19.pdf

NEW YORK CITY (pop 8,500,000)

You cannot rent out an entire apartment or home to visitors for less than 30 days, even if you own or live in the building. You must be present during your guests' stay if it is for less than 30 days.

<https://www1.nyc.gov/site/specia/enforcement/stay-in-the-know/information-for-hosts.page>

>>> From Mashvisor: <https://www.mashvisor.com/blog/5-cities-where-airbnb-is-illegal-2019/>

Examples of Short-term Rental regulations that increase housing availability, affordability and Long-term Rentals.

Los Angeles

- City Council passed a law in December 2018.
- Restricts hosts to 120 days of STR.
- Must register with the city for \$89 every year.
- Hosts can also only rent out one home—their primary residence where they spend at least six months a year.
- Nontraditional Airbnbs like RVs, trailers, and tents will no longer be permitted.

New York City

- Ban on short-term rentals on home-sharing sites
- Renting out an entire apartment for a stay of less than 30 days is illegal. Advertising such a rental is illegal, with fines up to \$7,500
- Hosts can also only list one home, their home, at a time
- New York City is working to get hosts' data from Airbnb so that they'll know automatically who isn't playing by the rules
- One type of stay that's A-OK is a private room

Las Vegas

- Banned permits for those that are not owner-occupied, only allowed for primary residents.
- Las Vegas real estate investors are not allowed to rent out investment properties for less than 31 days
- Owners of short-term rentals in Las Vegas have to be present during the stay
- Must obtain a business license
- Must have liability insurance of \$500,000
- Must renew their rental permit every 6 months to avoid fines.
- Short-term rentals can't have more than three bedrooms (those with more pay a whopping \$1,000 registration fee)
- No new STR can be within 660 feet from any other existing listing
- The city limits overnight guests to 12 or fewer per home or apartment
- Hosts must register with tax authorities, collect taxes from guests, and remit them to the city and county

San Francisco, California

- Hosts have to register for both a Business Registration Certificate and a Short-Term Residential Rental Certificate from city government
- A seven-digit registration number that starts with STR must be listed in rental listing.
- You can rent out your entire apartment or home for up to 90 nights a year.
- Unlimited number of days if you're renting a private room but host must be present during the stay.
- Pay 14% tourist tax, equal to the city's hotel tax.



5 CITIES WHERE AIRBNB IS ILLEGAL IN 2019

Los Angeles, CA



Starting July 2019, hosts will only be allowed to rent out their primary residences, defined as the place where they live for more than 6 months of the year. Laws also limit hosts to 120 days a year.

New York City, NY



Only permanent residents are allowed to rent out for less than 30 days, and only while they're actually in the house. Airbnb hosts are also not allowed to list more than one home at a time.

Santa Monica, CA



Only allows Home-Sharing which entails that only primary residents can host short-term stays of less than 31 days, and only if they're present during the stay. Un-hosted Airbnb rentals are illegal.

Las Vegas, NV



Permits will only be issued for primary residents and they have to be present during the short-term stay. Real estate investors can't rent out property for less than 31 days.

San Francisco, CA



Airbnb hosts must be permanent residents, live in the unit for at least 275 nights a year, and be present during the stay. Hosts can't have more than one listing or rent out for more than 90 nights.

More info at: www.mashvisor.com

**ABOVE CITIES REQUIRE:
A Short-term Rental must be the host's
PRIMARY RESIDENCE (house or guesthouse).**

GURULE, GERALDINE A.

Subject: FW: Stop the proposed changes to the STRO within the BCD
Attachments: PDF-Petition Results_1.0.pdf

From: David Mansure <dmansure@adobestarpromoties.com>
Sent: Wednesday, June 17, 2020 5:13:46 PM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Cc: Mayors Office <mayor@santafenm.gov>; VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov>; LINDELL, SIGNE I. <silindell@santafenm.gov>; migarcia@santafenm.gov <migarcia@santafenm.gov>; ROMERO-WIRTH, CAROL <cromero-wirth@santafenm.gov>; RIVERA, CHRISTOPHER M. <cmrivera@santafenm.gov>; ABEYTA, ROMAN R. <rrabeyta@santafenm.gov>; CASSUTT-SANCHEZ, JAMIE A. <jcsanchez@santafenm.gov>; COPPLER, JOANNE V. <jvcoppler@santafenm.gov>; Marcbert <marcbert@aol.com>; Andy Duettra <aduettra@gmail.com>
Subject: Stop the proposed changes to the STRO within the BCD

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Mayor, City Council Members, Planning Commission;

We request this message and the names attached to be added to the public record.

As a group of legal property owners, past guests that have stayed in downtown STRs, other BCD business owners and concerned citizens, we are opposed to the initiative being proposed by the City of Santa Fe to again revise the Short-Term Rental Ordinance "STRO" in a way that specifically and very negatively impacts the STRs located in the Business Capitol District "BCD."

Acting in everyone's best interest and as an attempt to make you aware of the far-reaching, negative impact your proposal is creating, we have put together an online petition stating the facts of the proposal. In less than one (1) weeks' time, we have garnered support from both in state and out of state visitors, businesses and property managers, many of which have stated that they would not return to Santa Fe if this proposed ordinance is passed, as-is, and goes into effect.

For your perusal, the online petition is here:

<https://mailchi.mp/adobestarpromoties/santa-fe-vacation-rental-stro-regulation-changes>

Furthermore, attached as a pdf are the electronic signatures, IP addresses, and geographic locations of 704 individuals.

As a long time property manager, we keep statistics on average length of stay, repeat visits, average stay in dollar amounts and more. By our calculations, if these past guests do not return because of the ordinance, as many have stated, the economic impact will be harmful to us all.

Please consider the economic impact of all property managers, staff, owners and the ancillary BCD businesses that would be negatively impacted if this ordinance passes.

Sincerely,

David Mansure

AdobeStar Properties

505-469-9021

dmansure@gmail.com

Email	Name	City	Check box to agree	CONFIRM_IP	LAST_CHANGED	LEID
briggsdr0@yahoo.com	Brenda Riggs	Nacogdoches, Texas	Support Downtown Santa Fe Vacation Rentals	47.222.176.242	6/17/20 11:06	380034598
azizhankouli@hotmail.com	Aziz Hankaoui	Flower Mound, Texas	Support Downtown Santa Fe Vacation Rentals	76.85.92.109	6/17/20 10:14	380033862
stillwater_flyfisher@hotmail.com	Stephen D Harris	NYE	Support Downtown Santa Fe Vacation Rentals	76.75.25.141	6/17/20 10:09	380033846
Brendan.kelley510@gmail.com	Brendan Kelley	Santa Fe	Support Downtown Santa Fe Vacation Rentals	96.92.72.201	6/17/20 9:51	380033778
Cbsantafe@aol.com	Catherine Bodelson Vargas	Santa Fe	Support Downtown Santa Fe Vacation Rentals	68.84.154.67	6/17/20 8:21	380030282
spenceterrell@hotmail.com	Spencer Terrell	Santa Fe	Support Downtown Santa Fe Vacation Rentals	12.48.83.126	6/16/20 21:59	380025930
storyleonard@gmail.com	Story Reed Leonard	Santa Fe	Support Downtown Santa Fe Vacation Rentals	174.28.12.127	6/16/20 21:12	380025618
little_jackie2012@hotmail.com	David McCoy	El Paso	Support Downtown Santa Fe Vacation Rentals	172.58.59.76	6/16/20 19:07	380025162
ryan.atanasoff@gmail.com	Ryan Richard Atanasoff	Madison	Support Downtown Santa Fe Vacation Rentals	75.9.163.103	6/16/20 19:06	380025154
Kirsten.koschnick@gmail.com	Kirsten Koschnick	Oconomowoc, WI	Support Downtown Santa Fe Vacation Rentals	75.9.163.103	6/16/20 19:06	380025150
wardle1225@gmail.com	William G. Wardle	Charlottesville	Support Downtown Santa Fe Vacation Rentals	73.12.49.157	6/16/20 17:18	380024786
knorskog21@gmail.com	Kate Norskog	Santa Fe	Support Downtown Santa Fe Vacation Rentals	174.195.1.87	6/16/20 16:53	380024646
PGQuinn1072@comcast.net	Patrick Quinn	Santa Fe	Support Downtown Santa Fe Vacation Rentals	174.56.50.84	6/16/20 15:09	380023974
lisasheridan3@aol.com	Lisa Sheridan	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.0.227.144	6/16/20 15:08	380023962
marcowhitesfm@gmail.com	Marco J White	SANTA FE	Support Downtown Santa Fe Vacation Rentals	68.84.147.58	6/16/20 13:49	380023494
PBKOMIS@AOL.COM	PETER B KOMIS	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.18.79.139	6/16/20 13:41	380023434
cyndi@manitougalleries.com	Cyndi Hall	Santa Fe	Support Downtown Santa Fe Vacation Rentals	50.193.238.238	6/16/20 13:26	380023354
JJohnston346@me.com	James Johnston	Santa Fe	Support Downtown Santa Fe Vacation Rentals	75.161.234.64	6/16/20 12:54	380023194
Beau@ccranch.net	Robert theriot	Santa fe	Support Downtown Santa Fe Vacation Rentals	75.161.234.64	6/16/20 12:52	380023182
ansleyangel@gmail.com	Ansley	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.164.142.241	6/16/20 12:34	380023090
ryanklinkrodt@secunm.org	Ryan Klinkrodt	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.131.75.29	6/16/20 12:28	380023034
renee.edwards23@gmail.com	Renee Edwards	Santa Fe	Support Downtown Santa Fe Vacation Rentals	104.255.16.252	6/16/20 12:07	380022894
tgardner@tgardner.com	Tommy L Gardner	Santa Fe	Support Downtown Santa Fe Vacation Rentals	73.98.72.179	6/16/20 11:54	380022270
fshmiiker@gmail.com	Mike Fisher	Denver	Support Downtown Santa Fe Vacation Rentals	24.9.16.218	6/16/20 11:10	380022030
r@rhicksconsult.com	Randall Hicks	Albuquerque	Support Downtown Santa Fe Vacation Rentals	67.0.216.90	6/16/20 11:04	380022002
stewew_2@hotmail.com	Steve Wulchin	Boulder	Support Downtown Santa Fe Vacation Rentals	24.8.103.198	6/16/20 10:53	380021934
kgs@Kingsgalleries.com	Charles King	Santa Fe	Support Downtown Santa Fe Vacation Rentals	69.247.79.232	6/16/20 10:51	380021926
darchorse@msn.com	Ron Simon	Polson, MT. 59160	Support Downtown Santa Fe Vacation Rentals	174.208.18.237	6/16/20 10:42	380021842
ahasted@rabyco.com	Angela Hasted	Santa fe	Support Downtown Santa Fe Vacation Rentals	50.0.174.142	6/16/20 10:29	380021774
info@virgiltortiz.com	Tish Agoyo	Albuquerque	Support Downtown Santa Fe Vacation Rentals	172.251.167.76	6/16/20 10:28	380021770
will@willesq.com	Will Halm	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.18.79.4	6/16/20 10:28	380021762
aestrada@hotelparccentral.com	Ann Estrada	Albuquerque	Support Downtown Santa Fe Vacation Rentals	63.230.102.218	6/16/20 10:15	380021698
willg@dpsdesign.org	Will Gleason	Albuquerque	Support Downtown Santa Fe Vacation Rentals	98.249.88.144	6/16/20 9:52	380021546
mroyb57@gmail.com	Michael Anthony Roybal	santa fe	Support Downtown Santa Fe Vacation Rentals	76.127.9.143	6/16/20 9:51	380021542
emily.1850@hotmail.com	Emily Mascarenas	Santa Fe	Support Downtown Santa Fe Vacation Rentals	165.225.57.38	6/16/20 9:25	380021422
Scottsmonmt@outlook.com	Scott Simon	LaurelMT	Support Downtown Santa Fe Vacation Rentals	174.208.24.112	6/16/20 8:58	380021194
cpa@feankwharton.com	Frank Wharton	SANTA FE, NM 87501	Support Downtown Santa Fe Vacation Rentals	174.28.32.111	6/16/20 8:48	380021126
chuckhiggins@live.com	Chuck Higgins	santa fe	Support Downtown Santa Fe Vacation Rentals	67.164.151.195	6/16/20 8:46	380021110
guy.mcelvain@mcelvain.com	guy mcelvain	santa fe	Support Downtown Santa Fe Vacation Rentals	204.134.54.52	6/16/20 8:36	380021034
hunter@archallinc.com	Hunter Redman	Santa Fe	Support Downtown Santa Fe Vacation Rentals	97.123.173.196	6/16/20 8:12	380020886
Christopher-wallace@live.com	Christopher Wallace	Albuquerque	Support Downtown Santa Fe Vacation Rentals	172.58.56.13	6/16/20 8:03	380020830
Noelle.wallace@live.com	Noelle Wallace	Albuquerque	Support Downtown Santa Fe Vacation Rentals	172.58.56.13	6/16/20 8:02	380020829
delectric_1@yahoo.com	Delvin Serrano	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.0.174.142	6/16/20 7:30	380013005
tclarke@nmapartment.com	Todd Clarke	Albuquerque	Support Downtown Santa Fe Vacation Rentals	98.249.79.161	6/16/20 6:48	380012745
Fossil@geologist.com	Scott Taylor	Amarillo, TX	Support Downtown Santa Fe Vacation Rentals	156.146.38.143	6/16/20 6:33	380012669
jhmacc59@gmail.com	Jennifer MacDonald	Cape Elizabeth	Support Downtown Santa Fe Vacation Rentals	12.15.146.254	6/16/20 6:30	380012649
lakepeak@gmail.com	Robert Corroon	Taos	Support Downtown Santa Fe Vacation Rentals	174.209.2.250	6/16/20 6:14	380012585
Panamalynda@outlook.com	Lynda Morrison	The Colony	Support Downtown Santa Fe Vacation Rentals	75.57.31.32	6/15/20 20:57	380008337
Betsybaltzer@gmail.com	Betsy Baltzer	Thomasville, GA	Support Downtown Santa Fe Vacation Rentals	216.212.254.114	6/15/20 19:01	380007165
bunnyterry@kw.com	Buneesa Terry	Santa Fe	Support Downtown Santa Fe Vacation Rentals	174.28.130.243	6/15/20 18:41	380007081
saliyannkuhn@gmail.com	Sally Kuhn	Santa Fe	Support Downtown Santa Fe Vacation Rentals	73.98.122.79	6/15/20 18:22	380006981
dstreit@dstreit.com	Darlene Streit	Santa Fe	Support Downtown Santa Fe Vacation Rentals	174.237.135.78	6/15/20 18:16	380006955
patti.webster@sothebyshomes.com	Patti Webster	Santa Fe	Support Downtown Santa Fe Vacation Rentals	24.25.243.201	6/15/20 18:15	380006953
christopher@webster-enterprises.com	Christopher Webster III	Santa Fe	Support Downtown Santa Fe Vacation Rentals	24.25.243.201	6/15/20 18:14	380006945
chris@webster-enterprises.com	Chris Webster	Santa Fe	Support Downtown Santa Fe Vacation Rentals	24.25.243.201	6/15/20 18:13	380006933
pauldedomenico@gmail.com	PAUL P DEDOMENICO	Santa Fe	Support Downtown Santa Fe Vacation Rentals	73.26.162.246	6/15/20 17:43	380006737
palgeb@stitleco.com	Paige Bradley	Santa Fe	Support Downtown Santa Fe Vacation Rentals	96.88.4.105	6/15/20 17:41	380006717
taibixby@gmail.com	Tai Bixby	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.127.40.132	6/15/20 17:37	380006689
chris.anderson@dvm.com	Chris Anderson	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.18.76.110	6/15/20 17:24	380006569
rebeccapanderson@gmail.com	Rebecca Pitts Anderson	SANTA FE	Support Downtown Santa Fe Vacation Rentals	76.18.76.110	6/15/20 17:24	380006561
Shatcher@hatcherlawgroupnm.com	Scott Hatcher	Santa Fe NM	Support Downtown Santa Fe Vacation Rentals	50.202.114.158	6/15/20 17:12	380006481
Nancville@gmail.com	Nancy Wardle	Charlottesville	Support Downtown Santa Fe Vacation Rentals	73.12.49.157	6/15/20 17:11	380006473
jimleonard505@gmail.com	Jim Leonard	santa fe	Support Downtown Santa Fe Vacation Rentals	40.134.253.170	6/15/20 17:09	380006461
Rich@richduranplumbing.com	Richard Duran	Santa Fe	Support Downtown Santa Fe Vacation Rentals	173.18.83.69	6/15/20 17:06	380006453
darren@branchrealty.com	Darren	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.18.77.85	6/15/20 17:01	380006417
Jodelleclarkes4@gmail.com	Jody Clarke	Dallas	Support Downtown Santa Fe Vacation Rentals	70.122.172.72	6/15/20 16:16	380006073
hometotexas@att.net	Ruth Adams	Austin	Support Downtown Santa Fe Vacation Rentals	104.7.217.52	6/15/20 15:44	380005753
jnephross@gmail.com	Joel Ephross	Bellaire, texas	Support Downtown Santa Fe Vacation Rentals	12.144.20.254	6/15/20 15:08	380005157
Elmfush@msn.com	Anne fisher	Denver	Support Downtown Santa Fe Vacation Rentals	24.9.16.218	6/15/20 14:25	380004833
yvonne.boyer@vanderbilt.edu	Yvonne Boyer	Nashville	Support Downtown Santa Fe Vacation Rentals	107.133.81.57	6/15/20 14:06	380004717
bburch100@gmail.com	Robert Burchfield	Denver	Support Downtown Santa Fe Vacation Rentals	67.176.107.15	6/15/20 12:57	380004229
lan.atanasoff@gmail.com	Ian Atanasoff	Philadelphia	Support Downtown Santa Fe Vacation Rentals	100.19.76.232	6/15/20 12:53	380004201
Ann@backattheranch.com	Ann Gremano	Santa Fe	Support Downtown Santa Fe Vacation Rentals	174.28.152.84	6/15/20 12:41	380004113
Wendy@backattheranch.com	Wendy Henry	Santa Fe	Support Downtown Santa Fe Vacation Rentals	174.28.152.84	6/15/20 12:39	380004081
Ladyvobbb@cloud.com	Becky Jackson	Knoxville	Support Downtown Santa Fe Vacation Rentals	73.19.233.232	6/15/20 12:22	380003917
art@rcgdfw.com	Arthur M. Atanasoff	The Colony	Support Downtown Santa Fe Vacation Rentals	97.77.97.106	6/15/20 12:05	380003845
deniseapatla@gmail.com	Denise Patla	Austin, TX	Support Downtown Santa Fe Vacation Rentals	72.179.0.3	6/15/20 11:46	380003749
Crgnana@yahoo.com	Carol Grove	Moore	Support Downtown Santa Fe Vacation Rentals	104.63.223.4	6/15/20 11:40	380003689
olapjphnson@aol.com	Paulette Johnson	El Cerrito	Support Downtown Santa Fe Vacation Rentals	99.145.196.184	6/15/20 11:34	380003657
mindyg76@gmail.com	Mindy Geschwind	Moore	Support Downtown Santa Fe Vacation Rentals	172.56.7.54	6/15/20 11:25	380003605
kemlerconnie@yahoo.com	Connie Kemler	Manalapan NJ	Support Downtown Santa Fe Vacation Rentals	74.88.132.151	6/15/20 10:49	380003365
Annapuckett@yahoo.com	Anna Puckett	Columbus	Support Downtown Santa Fe Vacation Rentals	50.86.59.2	6/15/20 10:40	380003313
jesscakern78@gmail.com	Jessica Kern	Laramie	Support Downtown Santa Fe Vacation Rentals	47.5.73.104	6/15/20 9:50	380003005
nryugby@mac.com	Chris	Dallas	Support Downtown Santa Fe Vacation Rentals	23.127.220.219	6/15/20 9:50	380002993

bbyrne@wspbg.com	Dan Byrne	Aurora	Support Downtown Santa Fe Vacation Rentals	174.250.241.28	6/15/20 9:42	380002953
danlipford@gmail.com	Dan Lipford	Coconut Creek	Support Downtown Santa Fe Vacation Rentals	73.244.203.115	6/15/20 9:35	380002913
Asherma@aol.com	Asher Richelli	Brooklyn	Support Downtown Santa Fe Vacation Rentals	24.193.116.57	6/15/20 9:18	380001225
lawrencemaldwin@outlook.com	Lawrence M Baldwin	Sherborn, MA	Support Downtown Santa Fe Vacation Rentals	173.48.208.133	6/15/20 9:11	380001169
ngtorschwind@cox.net	Nina Grschwind	Oklahoma City	Support Downtown Santa Fe Vacation Rentals	174.66.235.149	6/15/20 9:11	380001157
scott.schafer@comcast.net	Scott Schafer	El Dorado Hills	Support Downtown Santa Fe Vacation Rentals	73.48.242.250	6/15/20 9:11	380001153
blackledgesd@hotmail.com	Steve Blackledge	Sarasota, FL	Support Downtown Santa Fe Vacation Rentals	73.91.49.138	6/15/20 9:09	380001141
lynnlbk@hotmail.com	Lynn Blackledge	Sarasota, FL	Support Downtown Santa Fe Vacation Rentals	73.91.49.138	6/15/20 9:09	380001137
steve@hireses.com	Steve Freeman	Albuquerque	Support Downtown Santa Fe Vacation Rentals	73.26.254.177	6/15/20 9:07	380001125
PriddyNancy@gmail.com	Nancy Priddy	Alto, NM	Support Downtown Santa Fe Vacation Rentals	67.141.74.31	6/15/20 9:04	380001105
danielecrowe@hotmail.com	Daniel Crowe	Support Downtown Santa Fe Vacation Rentals	162.129.250.15	6/15/20 9:04	380001089	
Kkolbert5@hotmail.com	Karen Kolbert.	Santa Fe	Support Downtown Santa Fe Vacation Rentals	97.123.6.149	6/15/20 9:03	380001085
annadamson@sabinepipe.com	Ann	Longview	Support Downtown Santa Fe Vacation Rentals	107.77.198.111	6/15/20 8:56	380000637
andiesimmons77@gmail.com	Andie Simmons	Santa Fe	Support Downtown Santa Fe Vacation Rentals	73.229.86.195	6/15/20 8:54	380000597
MaryKling50@gmail.com	Mary Kling	Skokie	Support Downtown Santa Fe Vacation Rentals	98.193.56.23	6/15/20 8:52	380000593
rs171@icloud.com	Robert	Shrum	Support Downtown Santa Fe Vacation Rentals	74.213.224.26	6/15/20 8:48	380000577
beverlywhite505@gmail.com	Beverly White	Alexandria	Support Downtown Santa Fe Vacation Rentals	69.250.9.222	6/15/20 8:47	380000569
jillklynn@gmail.com	Jill Snelson	Midland	Support Downtown Santa Fe Vacation Rentals	24.155.173.193	6/15/20 8:27	380000425
scarletblossom268@gmail.com	Scarlett	Santa Fe	Support Downtown Santa Fe Vacation Rentals	72.199.242.137	6/15/20 8:22	380000393
Mikecrivello@gmail.com	Michael Crivello	Ramona, CA	Support Downtown Santa Fe Vacation Rentals	72.199.242.137	6/14/20 22:57	379738733
lisella@hotmail.com	Guy Lisella	Santa Fe	Support Downtown Santa Fe Vacation Rentals	136.22.79.29	6/14/20 17:45	379737225
S.macleod@att.net	Susan MacLeod	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.143.161.56	6/14/20 17:23	379737109
moezamora@gmail.com	Moe Zamora	Santa Fe	Support Downtown Santa Fe Vacation Rentals	63.231.113.101	6/14/20 17:23	379737105
John@1tennessee.net	John warmth	Santa Fe	Support Downtown Santa Fe Vacation Rentals	68.52.53.25	6/14/20 17:02	379736957
Bighands59@aol.com	Mitchell Matsey	Los Angeles	Support Downtown Santa Fe Vacation Rentals	23.243.216.124	6/14/20 16:09	379736665
Robertwalden@mac.com	Robert Walden	Austin, TX	Support Downtown Santa Fe Vacation Rentals	72.177.94.22	6/14/20 14:23	379735801
Lenorealarid@gmail.com	Lenore alarid	Santa Fe	Support Downtown Santa Fe Vacation Rentals	73.26.159.93	6/14/20 13:32	379735421
cmwolfus@aol.com	Chris Wolfus	Oxnard	Support Downtown Santa Fe Vacation Rentals	104.33.232.197	6/14/20 13:05	379735257
GJKilpatrick@Comcast.net	Lynne Kilpatrick	Waco	Support Downtown Santa Fe Vacation Rentals	67.143.192.162	6/14/20 11:24	379734549
mduettra@me.com	Michael Duettra	Bend, OR	Support Downtown Santa Fe Vacation Rentals	174.209.21.34	6/14/20 11:05	379734433
flexa_ffield@yahoo.com	Alexa Ffield	West Memphis	Support Downtown Santa Fe Vacation Rentals	98.239.61.73	6/14/20 9:25	379733269
betafish60@hotmail.com	Jody Dulberg	Frisco	Support Downtown Santa Fe Vacation Rentals	76.187.67.150	6/14/20 8:34	379732957
marcia.lenihan@comcast.net	Marcia	Santa Fe	Support Downtown Santa Fe Vacation Rentals	107.77.198.84	6/14/20 8:29	379732929
teciasouthwood@gmail.com	TECIA G SOUTHWOOD	CRYSTAL LAKE	Support Downtown Santa Fe Vacation Rentals	73.111.129.27	6/14/20 7:35	379732497
msouthwood147@gmail.com	Michael Southwood	Crystal Lake	Support Downtown Santa Fe Vacation Rentals	73.111.129.27	6/14/20 7:34	379732493
becomealightnow@gmail.com	david wiles	Santa Fe	Support Downtown Santa Fe Vacation Rentals	208.85.32.249	6/14/20 7:17	379732177
Jdsnelson@sbcglobal.net	James D Snelson	Midland, Tx	Support Downtown Santa Fe Vacation Rentals	216.82.205.49	6/14/20 7:01	379731989
cwhobrock@gmail.com	Chance Hobrock	Santa Fe	Support Downtown Santa Fe Vacation Rentals	209.42.67.244	6/14/20 4:26	379730885
Gbduettra@gmail.com	Bonnie Duettra	Santa Fe	Support Downtown Santa Fe Vacation Rentals	71.11.217.249	6/13/20 22:54	379726809
cviscione@gmail.com	Claire Viscione	Burlington MA	Support Downtown Santa Fe Vacation Rentals	72.66.7.246	6/13/20 22:05	379726641
j.faubion@tcu.edu	Jason faubion	Fort Worth	Support Downtown Santa Fe Vacation Rentals	107.77.196.130	6/13/20 21:30	379726537
kevin.c.porter@tcu.edu	Kevin Porter	Seymour	Support Downtown Santa Fe Vacation Rentals	174.244.16.27	6/13/20 21:12	379726449
Kend.hill@yahoo.com	Kendra	Austin	Support Downtown Santa Fe Vacation Rentals	68.203.96.110	6/13/20 21:09	379726437
ChristaRimmer@msn.com	Mary Christa Rimmer	Mesa	Support Downtown Santa Fe Vacation Rentals	70.174.211.183	6/13/20 20:21	379726197
russigb09@hotmail.com	Russ Gibson	Waycross, Ga	Support Downtown Santa Fe Vacation Rentals	174.227.142.137	6/13/20 20:05	379726049
AlvinLutz@yahoo.com	Alvin Lutz	Pittsburgh PA	Support Downtown Santa Fe Vacation Rentals	71.60.215.66	6/13/20 19:23	379725733
stamperrhonda2@gmail.com	Rhonda Merritt	Aurora	Support Downtown Santa Fe Vacation Rentals	184.96.165.122	6/13/20 16:33	379724925
sassyatll@gmail.com	Aly Jay	Dallas	Support Downtown Santa Fe Vacation Rentals	76.85.82.9	6/13/20 15:21	379723137
J.gelder@tcu.edu	Jeff Gelder	FL Worth	Support Downtown Santa Fe Vacation Rentals	76.85.28.167	6/13/20 14:55	379722973
michele1196@yahoo.com	michele barrow brookover	fort worth tx	Support Downtown Santa Fe Vacation Rentals	174.82.81.235	6/13/20 14:48	379722941
maryjdavila@gmail.com	Mary Janelle Davila	Fort Worth	Support Downtown Santa Fe Vacation Rentals	172.5.170.198	6/13/20 14:47	379722929
jenniferthomas0196@gmail.com	Gary W. or Jennifer K. Thomas	Pryor	Support Downtown Santa Fe Vacation Rentals	107.77.199.224	6/13/20 14:36	379722865
walterguy@gmail.com	Tom Jones	Santa Fe	Support Downtown Santa Fe Vacation Rentals	73.98.123.118	6/13/20 14:13	379722729
laurencof15@gmail.com	Lauren	Santa Fe	Support Downtown Santa Fe Vacation Rentals	72.206.45.239	6/13/20 14:12	379722725
Lizy63.smead@gmail.com	Liz Moore	Texas	Support Downtown Santa Fe Vacation Rentals	174.197.5.9	6/13/20 13:51	379722545
kristy7345@att.net	Mark Shaw	Dallas	Support Downtown Santa Fe Vacation Rentals	71.128.240.197	6/13/20 13:23	379722281
Andrew.W.Stahl@gmail.com	Andrew	Santa Fe	Support Downtown Santa Fe Vacation Rentals	97.122.180.25	6/13/20 13:15	379722241
lauraburandt@gmail.com	Laura Burandt	Perryton	Support Downtown Santa Fe Vacation Rentals	107.77.198.153	6/13/20 13:11	379722205
douq493@gmail.com	Douglas Anderson	Ann Arbor	Support Downtown Santa Fe Vacation Rentals	68.48.244.116	6/13/20 13:08	379722185
Sagfwag86@gmail.com	Sally Gavras	Fort Worth	Support Downtown Santa Fe Vacation Rentals	74.113.245.100	6/13/20 13:07	379722173
sagfwag@gmail.com	Sally Gavras	Fort Worth	Support Downtown Santa Fe Vacation Rentals	74.113.245.100	6/13/20 13:05	379722161
therooster44@live.com	Jon Cluck	Ozona, TX	Support Downtown Santa Fe Vacation Rentals	174.197.10.5	6/13/20 12:35	379721933
garrettmartinez94@yahoo.com	Garrett Martinez	Chilton	Support Downtown Santa Fe Vacation Rentals	107.77.199.136	6/13/20 12:31	379721901
Kailamenard@gmail.com	Kaila Menard	Support Downtown Santa Fe Vacation Rentals	98.170.207.245	6/13/20 12:30	379721893	
careywindler@sbcglobal.net	Carey Windler	Austin, Texas	Support Downtown Santa Fe Vacation Rentals	208.191.157.151	6/13/20 12:30	379721885
Boc1927@yahoo.com	Jennifer Boc	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.127.8.131	6/13/20 12:29	379721881
jwindler@sbcglobal.net	Joan Windler	Austin, Texas	Support Downtown Santa Fe Vacation Rentals	208.191.157.151	6/13/20 12:27	379721861
FerrellMiriam@gmail.com	Miriam ferrell	Pittsburgh	Support Downtown Santa Fe Vacation Rentals	100.6.167.187	6/13/20 12:25	379721833
frburchett5@gmail.com	Foster Burchett	Refugio	Support Downtown Santa Fe Vacation Rentals	107.77.219.172	6/13/20 12:15	379721769
PamShults@rtconnect.net	Pam Shults	Pine Bluffs	Support Downtown Santa Fe Vacation Rentals	67.218.64.141	6/13/20 12:13	379721761
Hilde.wiebe@gmail.com	Hilde Wiebe	Fort Worth	Support Downtown Santa Fe Vacation Rentals	209.115.233.37	6/13/20 12:08	379721741
Jm_blew@yahoo.com	Juliane Blevins	Dallas, TX	Support Downtown Santa Fe Vacation Rentals	67.164.87.186	6/13/20 12:05	379721721
amp_1999@yahoo.com	Anna	The Woodlands TX	Support Downtown Santa Fe Vacation Rentals	76.219.144.229	6/13/20 12:05	379721717
Sage1858@gmail.com	JD Shults	Pine Bluffs, WY	Support Downtown Santa Fe Vacation Rentals	67.218.64.141	6/13/20 12:03	379721701
andrewpolk93@gmail.com	Andrew C. Polk	Fort Worth	Support Downtown Santa Fe Vacation Rentals	107.77.220.19	6/13/20 12:02	379721693
smithmcl@poka.com	Smith	Austin	Support Downtown Santa Fe Vacation Rentals	174.197.8.113	6/13/20 12:01	379721689
Christian@lorettochapel.com	Christian Andersson	Santa Fe	Support Downtown Santa Fe Vacation Rentals	97.123.9.182	6/13/20 11:57	379721649
Maggie@lorettochapel.com	Maggie Andersson	Santa Fe	Support Downtown Santa Fe Vacation Rentals	97.123.9.182	6/13/20 11:56	379721645
custombychristy1@gmail.com	Christy	Dallas	Support Downtown Santa Fe Vacation Rentals	69.225.56.139	6/13/20 11:53	379721621
landersson@unm.edu	Ian Andersson	Santa Fe	Support Downtown Santa Fe Vacation Rentals	97.123.9.182	6/13/20 11:51	379721613
Maggiecorrigan22@yahoo.com	Maggie Corrigan	Dallas Texas	Support Downtown Santa Fe Vacation Rentals	166.230.101.34	6/13/20 11:51	379721609
Kristentiniel@gmail.com	Kristen	Santa Fe	Support Downtown Santa Fe Vacation Rentals	75.161.234.64	6/13/20 11:48	379721597
giobenitez@hotmail.com	Giovana Benitez	Edinburg	Support Downtown Santa Fe Vacation Rentals	174.197.10.143	6/13/20 11:48	379721593
Jackson.wesley1996@gmail.com	Wesley Jackson	Channing Texas	Support Downtown Santa Fe Vacation Rentals	107.77.197.149	6/13/20 11:44	379721569
cbrice5@gmail.com	Carrie Sethi	Dallas	Support Downtown Santa Fe Vacation Rentals	107.77.200.212	6/13/20 11:40	379721557

michelecouch@hotmail.com	Michele Couch	Santa Fe	Support Downtown Santa Fe Vacation Rentals	174.237.136.34	6/13/20 11:39	379721549
Beccawolcott.ralphlauren@yahoo.com	Rebecca Alvarez	Dallas	Support Downtown Santa Fe Vacation Rentals	107.77.196.141	6/13/20 11:39	379721545
Cobleighp@msn.com	Patricia Cobleigh	Santa Fe, NM	Support Downtown Santa Fe Vacation Rentals	75.83.53.170	6/13/20 11:38	379721529
alanjamesmorse@gmail.com	Alan	Santa Fe	Support Downtown Santa Fe Vacation Rentals	107.77.197.125	6/13/20 11:38	379721521
Marthaasantos@outlook.com	Martha Santos	Laredo, TX	Support Downtown Santa Fe Vacation Rentals	72.179.115.40	6/13/20 11:35	379721509
rvzancan@gmail.com	Vicki Zancanella	Santa Fe	Support Downtown Santa Fe Vacation Rentals	96.92.67.102	6/13/20 11:34	379721501
Danielle.deffebach@gmail.com	Danielle	Dallas TX	Support Downtown Santa Fe Vacation Rentals	107.77.197.145	6/13/20 11:34	379721497
Nomad.lisa4148@gmail.com	Lisa Kohl	Santa Fe	Support Downtown Santa Fe Vacation Rentals	96.92.67.102	6/13/20 11:29	379721445
Pdduettra@gmail.com	Patrucla Duettra	Chandler	Support Downtown Santa Fe Vacation Rentals	174.74.147.61	6/13/20 11:27	379721429
tferris420@gmail.com	Tonya	Baytown	Support Downtown Santa Fe Vacation Rentals	174.235.132.202	6/13/20 11:27	379721429
Dickcrane@sbcglobal.net	Richard Crane	San Diego	Support Downtown Santa Fe Vacation Rentals	104.188.18.127	6/13/20 11:21	379721393
onefiftyfour@hotmail.com	Eric Lancaster	Santa Fe	Support Downtown Santa Fe Vacation Rentals	72.194.13.154	6/13/20 11:10	379721321
katerwit@gmail.com	Katie	Austin, TX	Support Downtown Santa Fe Vacation Rentals	99.129.128.137	6/13/20 11:05	379721285
ljbax@nitmail.com	Linda Bax	Libertyville	Support Downtown Santa Fe Vacation Rentals	76.16.66.45	6/13/20 11:03	379721265
lopezsanchezj@gmail.com	Jose Luis Lopez	MESQUITE	Support Downtown Santa Fe Vacation Rentals	76.187.114.82	6/13/20 11:01	379721237
benjaminlx21@comcast.net	Benjamin Adalr	Albany, New York	Support Downtown Santa Fe Vacation Rentals	68.62.216.201	6/13/20 10:53	379721185
Hay_ronald@hotmail.com	Ron Hay	Colorado Springs	Support Downtown Santa Fe Vacation Rentals	73.181.126.107	6/13/20 10:52	379721181
hikeandboat@gmail.com	John G Slater	Little Rock	Support Downtown Santa Fe Vacation Rentals	71.238.195.212	6/13/20 10:44	379721129
mayareality7@gmail.com	Janet Urian	Santa Fe	Support Downtown Santa Fe Vacation Rentals	65.100.26.242	6/13/20 10:15	379720929
kristin@drblakeburn.com	Kristin Blakeburn	Clinton, Oklahoma	Support Downtown Santa Fe Vacation Rentals	67.61.16.55	6/13/20 10:11	379720889
Saladonana@aol.com	Linda	Belton	Support Downtown Santa Fe Vacation Rentals	76.237.180.126	6/13/20 10:08	379720869
reid.consult@gmail.com	Robert Reid	Palm Springs, CA	Support Downtown Santa Fe Vacation Rentals	72.132.28.138	6/13/20 10:05	379720837
Tfratt32@aol.com	Tracey Frattaroli	Dallas, TX	Support Downtown Santa Fe Vacation Rentals	45.29.43.62	6/13/20 10:03	379720821
Sbctxfencer@yahoo.com	Amyr Finnegan	Pearland, Texas	Support Downtown Santa Fe Vacation Rentals	70.138.67.160	6/13/20 9:33	379720609
gwyneth.oikawa@gmail.com	Gwynth Oikawa	Washington, DC	Support Downtown Santa Fe Vacation Rentals	141.156.148.30	6/13/20 9:27	379720565
kblo011@gmail.com	Katie	DC	Support Downtown Santa Fe Vacation Rentals	174.192.197.227	6/13/20 9:27	379720561
tfess24@gmail.com	Tori	Washington DC	Support Downtown Santa Fe Vacation Rentals	141.156.148.30	6/13/20 9:26	379720557
Mackenzie.duffner@gmail.com	Mackenzie Duffner	Redwood City, CA	Support Downtown Santa Fe Vacation Rentals	107.77.202.72	6/13/20 9:26	379720549
apnthebit@gmail.com	Alyson Powers	Dallas	Support Downtown Santa Fe Vacation Rentals	107.77.196.183	6/13/20 9:24	379720537
manette.barlow@comcast.net	Manette Barlow	Pleasanton	Support Downtown Santa Fe Vacation Rentals	67.174.219.102	6/13/20 9:18	379720477
Santonson@charter.net	Sara Antonson	Chippewa Falls	Support Downtown Santa Fe Vacation Rentals	174.192.78.14	6/13/20 9:12	379720441
Suz.ramsey@gmail.com	Suzanne Ramsey	Aliso Viejo	Support Downtown Santa Fe Vacation Rentals	68.109.77.123	6/13/20 9:04	379720397
Jaycocksatx@gmail.com	James	Aycock	Support Downtown Santa Fe Vacation Rentals	173.173.99.220	6/13/20 9:00	379720373
cablouie@hotmail.com	Ray	Kansas City	Support Downtown Santa Fe Vacation Rentals	65.26.53.93	6/13/20 8:56	379720317
emoryniv@aol.com	Cynthia Oâ€™Neal	Woodstock, GA	Support Downtown Santa Fe Vacation Rentals	108.83.209.255	6/13/20 8:43	379720229
d2anderson@att.net	Dana Anderson	Dallas	Support Downtown Santa Fe Vacation Rentals	75.117.240.53	6/13/20 8:33	379720165
bprewitt@mac.com	Bruckner Prewitt	Dallas, TX	Support Downtown Santa Fe Vacation Rentals	172.58.111.212	6/13/20 8:29	379720129
devonmacleod16@gmail.com	Devon MacLeod	Denver	Support Downtown Santa Fe Vacation Rentals	73.243.210.71	6/13/20 8:22	379720073
cheryl.benard@gmail.com	Dr. Cheryl Benard	Santa Fe	Support Downtown Santa Fe Vacation Rentals	108.28.125.88	6/13/20 8:17	379720045
rankinhobbs1@gmail.com	Rankin Hobbs	Dallas TX	Support Downtown Santa Fe Vacation Rentals	107.128.225.98	6/13/20 8:04	379719961
c_angell58@yahoo.com	Carolyn Angell	St Petersburg	Support Downtown Santa Fe Vacation Rentals	35.139.93.35	6/13/20 8:02	379719941
Konradkkuchi@yahoo.com	Konrad Kikuchi	Dallas, TX	Support Downtown Santa Fe Vacation Rentals	76.187.138.238	6/13/20 7:59	379719909
peggyccracken@gmail.com	Peggy McCracken	Ann Arbor, MI	Support Downtown Santa Fe Vacation Rentals	68.48.244.116	6/13/20 7:58	379719893
dpayne@dpaynelaw.com	Dustin L Payne	Fort Worth	Support Downtown Santa Fe Vacation Rentals	162.202.111.24	6/13/20 7:29	379719685
kwcoaches@hotmail.com	Deborah Lippi	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.143.161.119	6/13/20 7:26	379719657
canosabecker@gmail.com	Theresa Becker	Denver	Support Downtown Santa Fe Vacation Rentals	75.70.138.140	6/13/20 7:25	379719641
Kimberlypayne56@gmail.com	Kimberly Payne	Fort Worth	Support Downtown Santa Fe Vacation Rentals	162.202.111.24	6/13/20 7:25	379719637
Salliepg@gmail.com	Sallie page-goertz	Overland park	Support Downtown Santa Fe Vacation Rentals	174.234.15.144	6/13/20 7:13	379719593
ausconeva@gmail.com	Austin Evans	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.26.100.196	6/13/20 7:05	379719537
linseythomas@yahoo.com	Linsey Thomas	TULSA	Support Downtown Santa Fe Vacation Rentals	166.137.115.56	6/13/20 6:46	379719377
Lindas@drumcpa.com	Linda duggs	Blanco	Support Downtown Santa Fe Vacation Rentals	174.246.192.69	6/13/20 6:44	379719373
echart_9@msn.com	John Echart	San Marcos, Texas	Support Downtown Santa Fe Vacation Rentals	71.221.189.93	6/13/20 6:22	379719253
w_robble@sbcglobal.net	ROBBIE ROBIBSON	Oklahoma City	Support Downtown Santa Fe Vacation Rentals	107.202.171.17	6/13/20 5:57	379719121
ejozzle@msn.com	Evelynn	Azle	Support Downtown Santa Fe Vacation Rentals	74.113.245.133	6/13/20 5:32	379718997
sskalovsky@gmail.com	Stephen Skalovsky	Oklahoma City, OK	Support Downtown Santa Fe Vacation Rentals	104.177.195.14	6/13/20 5:06	379718845
KOKIHAMM@GMAIL.COM	Jennie Hamm	BLACKSBURG	Support Downtown Santa Fe Vacation Rentals	73.152.126.220	6/13/20 4:59	379718797
cindy@pclnapa.com	Cynthia Anderson	Artesia, NM	Support Downtown Santa Fe Vacation Rentals	216.255.214.101	6/13/20 3:40	379718541
dudyn17@gmail.com	Diane Duran	Santa Fe	Support Downtown Santa Fe Vacation Rentals	75.161.101.83	6/13/20 1:06	379709837
claudinerehn@gmail.com	Claudine Rehn	Nehalem	Support Downtown Santa Fe Vacation Rentals	137.118.192.114	6/12/20 23:36	379709481
Georgiesilver@yahoo.com	George	Silver City	Support Downtown Santa Fe Vacation Rentals	75.166.66.32	6/12/20 22:30	379709029
Karhy@donzls.com	Kathy Donzis	San Antonio	Support Downtown Santa Fe Vacation Rentals	70.120.21.102	6/12/20 22:11	379708881
sarasing@charter.net	Sara Singleton	Hollister, CA	Support Downtown Santa Fe Vacation Rentals	76.113.79.56	6/12/20 22:04	379708841
josh@justsqueezedjuice.com	Josh Lange	Los Ranchos	Support Downtown Santa Fe Vacation Rentals	73.228.4.25	6/12/20 22:04	379708837
Bethberg05@gmail.com	Elizabeth Bergandine	Pena Blanca	Support Downtown Santa Fe Vacation Rentals	97.73.244.58	6/12/20 21:58	379708805
Epreston@advmediation.com	Sissy Preston	New Braunfels	Support Downtown Santa Fe Vacation Rentals	75.1.39.218	6/13/20 11:41	379708577
Tom@intuitivewebsites.com	Tom Young	Colorado Springs	Support Downtown Santa Fe Vacation Rentals	107.2.230.66	6/12/20 21:22	379708557
wpmartin60@comcast.net	Bill Martin	Tigard	Support Downtown Santa Fe Vacation Rentals	73.164.244.75	6/12/20 21:16	379708521
Angelaeva@aol.com	Angela hasted	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.0.75.37	6/12/20 21:07	379708481
rust.schrader1@gmail.com	Russell Schrader	San Francisco	Support Downtown Santa Fe Vacation Rentals	76.103.178.54	6/12/20 21:04	379708461
stacie.hornell@xonixus.com	Stacie Hornell	Pittsburgh	Support Downtown Santa Fe Vacation Rentals	71.199.105.66	6/12/20 21:00	379708433
Petesfm@aol.com	Peter White	Santa Fe	Support Downtown Santa Fe Vacation Rentals	68.84.147.58	6/12/20 20:53	379708333
jbtuckermd@comcast.net	Jon B Tucker MD	Santa Fe	Support Downtown Santa Fe Vacation Rentals	71.199.123.184	6/12/20 20:53	379708229
anallarenner@gmail.com	Analia	Renner	Support Downtown Santa Fe Vacation Rentals	107.72.178.203	6/12/20 20:51	379708221
Santosa_m@yahoo.com	Margo	LOUISVILLE	Support Downtown Santa Fe Vacation Rentals	76.25.180.47	6/12/20 20:47	379708201
amberyoshida@me.com	Amber Yoshida	Basehor, KS	Support Downtown Santa Fe Vacation Rentals	24.111.226.237	6/12/20 20:42	379708151
schragr.marvin@gmail.com	marvin schragr	Santa Fe	Support Downtown Santa Fe Vacation Rentals	75.13.93.233	6/12/20 20:41	379708151
Maryhopeburns@gmail.com	Mary Hope Burns	Dallas	Support Downtown Santa Fe Vacation Rentals	107.77.196.113	6/12/20 20:39	379708151
Pattyndeasy@gmail.com	Patty Deasy	Napa	Support Downtown Santa Fe Vacation Rentals	76.231.28.56	6/12/20 20:31	379708151
derryburns03@gmail.com	Derry Burns	Dallas	Support Downtown Santa Fe Vacation Rentals	107.77.196.113	6/12/20 20:30	379708151
marinafratt@aol.com	Marina	Dallas	Support Downtown Santa Fe Vacation Rentals	172.58.109.88	6/12/20 20:28	379708151
nakedornithologist@yahoo.com	Kurt Miller	Santa Fe	Support Downtown Santa Fe Vacation Rentals	98.19.20.209	6/12/20 20:27	379708151
featheredfriends@cnsf.com	Darlene	Santa Fe	Support Downtown Santa Fe Vacation Rentals	98.19.20.209	6/12/20 20:26	379708151
susiegoin@gmail.com	Susan Goin	Carrollton, TX	Support Downtown Santa Fe Vacation Rentals	70.119.163.183	6/12/20 20:26	379708151
Tinaasfm@aol.com	Tina Alarid	Santa Fe	Support Downtown Santa Fe Vacation Rentals	73.98.21.44	6/12/20 20:25	379708151
chrahr@gmail.com	Carson Rahrig	Plano	Support Downtown Santa Fe Vacation Rentals	107.77.200.142	6/12/20 20:21	379708151

Samantha4642@gmail.com	Samantha	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.127.48.242	6/12/20 20:17	379707537
rhunt@barra.com	richard hunt	portland oregon	Support Downtown Santa Fe Vacation Rentals	72.35.146.32	6/12/20 20:17	379707533
Leighannburdett@gmail.com	Leigh Ann Burdett	Arlington, VA	Support Downtown Santa Fe Vacation Rentals	71.191.184.159	6/12/20 20:13	379707493
wncorskog@gmail.com	William Norskog	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.113.117.96	6/12/20 20:10	379707473
Sullivl@hotmail.com	Terry Sullivan	Eau Claire, WI	Support Downtown Santa Fe Vacation Rentals	71.82.154.245	6/12/20 20:08	379707457
darrell_ley@yahoo.com	Darrell Ley	Decatur, TX	Support Downtown Santa Fe Vacation Rentals	71.221.127.125	6/12/20 20:07	379707453
twa511@yahoo.com	Tiffany Ley	Decatur, TX	Support Downtown Santa Fe Vacation Rentals	71.221.127.125	6/12/20 20:07	379707437
Elenafratt@gmail.com	Elena Frattaroli	Dallas	Support Downtown Santa Fe Vacation Rentals	172.58.107.238	6/12/20 20:03	379707417
Cfratt2@gmail.com	Christopher Frattaroli	Dallas	Support Downtown Santa Fe Vacation Rentals	172.58.107.211	6/12/20 20:02	379707409
Rchappel@nlmcapital.com	Randy Chappel	Southlake, TX	Support Downtown Santa Fe Vacation Rentals	47.184.203.83	6/12/20 19:56	379707361
kwcoyote@gmail.com	Keith D. Wiley	Fort Dodge	Support Downtown Santa Fe Vacation Rentals	173.23.129.83	6/12/20 19:53	379707329
Nolefan77@comcast.net	Eric Faulkner	The Villages	Support Downtown Santa Fe Vacation Rentals	73.67.65.144	6/12/20 19:44	379707249
Joe@joemikos.com	Joe Mikos	Oak Bluffs	Support Downtown Santa Fe Vacation Rentals	76.24.199.114	6/12/20 19:44	379707245
cebodelson@gmail.com	Keith D. Wiley	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.0.67.59	6/12/20 19:39	379707197
lynn@phasepharma.com	Lynn Howard	Dallas	Support Downtown Santa Fe Vacation Rentals	107.77.199.64	6/12/20 19:37	379707173
btiffany@avixaero.com	Bill Tiffany	Dallas	Support Downtown Santa Fe Vacation Rentals	107.77.197.200	6/12/20 19:30	379707113
mmosty@me.com	Mark Mosty	Kerrville	Support Downtown Santa Fe Vacation Rentals	70.122.50.230	6/12/20 19:27	379707093
Baxtersmith1975@gmail.com	Baxter Smith	Los Angeles	Support Downtown Santa Fe Vacation Rentals	76.90.227.46	6/12/20 19:20	379707029
Hilarymosty@me.com	Hilary Mosty	Kerrville	Support Downtown Santa Fe Vacation Rentals	70.122.50.230	6/12/20 19:20	379707009
carolinefratt@aol.com	Caroline	Washington	Support Downtown Santa Fe Vacation Rentals	172.58.188.72	6/12/20 19:18	379706989
mikelandolt@aol.com	Michael Landolt	Kemah, Texas	Support Downtown Santa Fe Vacation Rentals	98.195.159.32	6/12/20 19:13	379706941
Brogan505@gmail.com	Brogan Andersson	Santa Fe	Support Downtown Santa Fe Vacation Rentals	97.123.9.182	6/12/20 19:13	379706937
abodel1426@gmail.com	Ansel Bodelson	Santa Fe	Support Downtown Santa Fe Vacation Rentals	68.84.152.220	6/12/20 19:06	379706873
rdean@ucsd.edu	Melanie Dean	Eau Claire	Support Downtown Santa Fe Vacation Rentals	24.183.143.145	6/12/20 19:06	379706869
lyntab@gmail.com	Lynita Brown	Groom, Texas	Support Downtown Santa Fe Vacation Rentals	72.172.34.14	6/12/20 19:00	379706837
Leeshepka@yahoo.com	Lee Shepka	Windham, New Hampshire	Support Downtown Santa Fe Vacation Rentals	71.234.76.156	6/12/20 18:56	379706797
librettist@aol.com	Sally M Gail	La Jolla, CA	Support Downtown Santa Fe Vacation Rentals	66.75.59.21	6/12/20 18:54	379706777
Susan.spencer2305@yahoo.com	Susan Spencer	Plano	Support Downtown Santa Fe Vacation Rentals	72.180.85.92	6/12/20 18:54	379706773
lesliedrobbin@gmail.com	Leslie Drobbin	Santa Fe NM	Support Downtown Santa Fe Vacation Rentals	174.56.48.251	6/12/20 18:52	379706765
rsg34@austin.rr.com	Richard Golombek	Austin, Texas and Cuchara, Colorado	Support Downtown Santa Fe Vacation Rentals	98.197.173.236	6/12/20 18:47	379706725
Tripodog@gmail.com	Tony Tripodo	Houston	Support Downtown Santa Fe Vacation Rentals	73.232.92.248	6/12/20 18:44	379706693
babster1950@icloud.com	Barbara	Whitney	Support Downtown Santa Fe Vacation Rentals	72.172.61.110	6/12/20 18:44	379706689
polixenep@hotmail.com	Polixene Petrakopoulos	Fairfield	Support Downtown Santa Fe Vacation Rentals	68.192.81.185	6/12/20 18:43	379706681
charling1974@yahoo.com	Charlene Stehling	Santa Fe, NM	Support Downtown Santa Fe Vacation Rentals	172.58.63.188	6/12/20 18:40	379706649
Margaret.c.stone@gmail.com	Margaret Stone	Seattle	Support Downtown Santa Fe Vacation Rentals	97.126.70.96	6/12/20 18:40	379706645
Allimack@gmail.com	All Mackenzie	Santa Fe	Support Downtown Santa Fe Vacation Rentals	99.203.92.198	6/12/20 18:36	379706581
corrieten@gmail.com	Corrie	Shapiro	Support Downtown Santa Fe Vacation Rentals	67.164.154.89	6/12/20 18:34	379706549
Dvalentine99@hotmail.com	David Valentine	Huntington Beach	Support Downtown Santa Fe Vacation Rentals	107.77.228.22	6/12/20 18:31	379706533
adobecasitas@gmail.com	Richard Woodruff	Santa Fe	Support Downtown Santa Fe Vacation Rentals	23.81.234.21	6/12/20 18:31	379706529
Er1@atlanticbb.net	Ernesto Roederer	Lamy, NM	Support Downtown Santa Fe Vacation Rentals	73.175.148.220	6/12/20 18:29	379706493
nannotor@yahoo.com	Nan Notor	San Jose, CA	Support Downtown Santa Fe Vacation Rentals	24.130.193.196	6/12/20 18:27	379706481
nrhughes55@gmail.com	Neil Hughes	Athens, GA	Support Downtown Santa Fe Vacation Rentals	108.204.242.54	6/12/20 18:26	379706473
JuliaBertram3@gmail.com	Julia Bertram	Santa Fe	Support Downtown Santa Fe Vacation Rentals	97.122.180.25	6/12/20 18:25	379706457
wgnbush@msn.com	Gail Bush	Santa Fe	Support Downtown Santa Fe Vacation Rentals	98.249.97.156	6/12/20 18:21	379706429
chris.quinn.sa@gmail.com	Chris Quinn	San Antonio, TX	Support Downtown Santa Fe Vacation Rentals	23.127.174.30	6/12/20 18:15	379706389
dc_davidson@msn.com	Douglas Davidson	Woodside	Support Downtown Santa Fe Vacation Rentals	174.194.129.36	6/12/20 18:14	379706369
Julwhite@q.com	Julia White-Hester	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.1.30.168	6/12/20 18:10	379706321
Amallab23@gmail.com	Amalia Bertram	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.113.71.37	6/12/20 17:46	379706041
Catmbert@aol.com	Cathryn Bertram	Santa Fe	Support Downtown Santa Fe Vacation Rentals	73.26.159.93	6/12/20 17:45	379706033
bertram664@gmail.com	Alicia	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.113.71.37	6/12/20 17:44	379706025
Torty13@gmail.com	Victoria Duran	Santa Fe	Support Downtown Santa Fe Vacation Rentals	99.36.110.71	6/12/20 17:43	379706013
hduetra@gmail.com	Hannah Duetra	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.18.69.28	6/12/20 17:42	379705989
Ugigolf@aol.com	Andrew Ugor	Dallas	Support Downtown Santa Fe Vacation Rentals	75.20.165.35	6/12/20 17:27	379705841
Lindaugor@aol.com	Linda Ugor	Dallas	Support Downtown Santa Fe Vacation Rentals	75.20.165.35	6/12/20 17:25	379705825
word3.dean@gmail.com	Dean Word	New Braunfels	Support Downtown Santa Fe Vacation Rentals	71.41.140.162	6/12/20 17:12	379704609
susan3835@icloud.com	Susan D Arnold	Wichita, KS	Support Downtown Santa Fe Vacation Rentals		6/15/20 10:21	4675807
lori@intuitivewebsites.com	Lori Mohr	Colorado Springs	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:21	354446733
lrtheory@aol.com	Crista Wood	Elgin Illinois	Support Downtown Santa Fe Vacation Rentals		6/13/20 9:08	354446697
awisner2337@aol.com	Ann Wismer	Kemah, Texas	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:58	354446677
WILLIS@INJURYOFFICES.COM	David Willis	Houston, Texas	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:33	354446661
ceweberjr@gmail.com	charles e weber Jr	Branford Ct 06405	Support Downtown Santa Fe Vacation Rentals		6/14/20 7:09	354446569
ksweeneyhammond@maret.org	Kathleen Hammond	Silver Spring,MD	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:59	354446401
reuben@cabodan.com	Reuben Sutter	Corrales	Support Downtown Santa Fe Vacation Rentals		6/13/20 7:44	354446393
timjstark@yahoo.com	Timothy Stark	Milwaukee	Support Downtown Santa Fe Vacation Rentals		6/13/20 6:52	354446341
beckystahl@cox.net	Becky	Scottsdale	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:58	354446337
alibsmith@gmail.com	All Smith	Dallas, TX	Support Downtown Santa Fe Vacation Rentals		6/15/20 21:27	354446301
smith0930@gmail.com	Monta Smith	Winston-Salem	Support Downtown Santa Fe Vacation Rentals		6/15/20 8:39	354446293
suzannecoughlinsmith@gmail.com	Suzanne CoughlinSmith	Fort Collins	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:34	354446289
lesliesmith014@gmail.com	Leslie	Houston	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:30	354446281
Zskattums@gmail.com	Mark & Laura Skattum	Colorado Springs	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:40	354446269
don.slerakowski@gmail.com	Don slerakowski	Vernon&™s	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:10	354446225
jschultz@humnet.ucla.edu	James A. Schultz	West Hollywood CA	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:16	354446157
jschneiderdc@yahoo.com	Johanna Schneider	Washington D.C.	Support Downtown Santa Fe Vacation Rentals		6/13/20 12:30	354446145
caronscanlan12@gmail.com	Caron Scanlan	Englewood	Support Downtown Santa Fe Vacation Rentals		6/12/20 20:17	354446129
dinarryan@gmail.com	Dina Ryan	Salida	Support Downtown Santa Fe Vacation Rentals		6/13/20 15:19	354446069
chrissilandcharlierogers@gmail.com	Christine Sill-Rogers	Kansas City, Missouri	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:15	354446049
roesch.rebecca@gmail.com	Becky Roesch	Dallas Texas	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:42	354446045
lesrobison9@gmail.com	Leslie Robison	Stillwater	Support Downtown Santa Fe Vacation Rentals		6/13/20 5:56	354446033
pdrfsu@cox.net	Pat Roberts	Baton Rouge	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:26	354446021
catherineukestadridde@gmail.com	Catherine Riddle	Richardson	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:10	354445997
mfraffer@gmail.com	Megan	Chicago	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:33	354445877
sheridpruitt@yahoo.com	Sheri Pruitt	Ada, OK	Support Downtown Santa Fe Vacation Rentals		6/13/20 11:23	354445849
nbpland@gmail.com	Nancy Pohl	Midland texas	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:09	354445821
desertsun105@gmail.com	Brian Pace	Surprise, Arizona	Support Downtown Santa Fe Vacation Rentals		6/13/20 8:31	354445757
mao101mao@gmail.com	MARK A OLGUIN	Burbank	Support Downtown Santa Fe Vacation Rentals		6/12/20 20:01	354445721

david.olesky@yahoo.com	David Olesky	Dallas	Support Downtown Santa Fe Vacation Rentals	6/17/20 9:50	354445717
maoneal1@msn.com	Michael Arthur O'Neal	Azle, TX	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:14	354445693
dustynel@gmail.com	Dusty Nelson	Denver	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:25	354445661
wcnanney@att.net	Edward W Nanney	San Antonio, TX	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:04	354445645
myersr@austin.rr.com	Ronnie T Myers	Austin	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:29	354445629
drsmurphy@yahoo.com	Dr. Sharon Murphy	Hinsdale III and Santa Fe NM	Support Downtown Santa Fe Vacation Rentals	6/12/20 23:45	354445609
mes3105@gmail.com	Jay Mesl	Springfield	Support Downtown Santa Fe Vacation Rentals	6/15/20 12:55	354445493
bemex2050@gmail.com	Bruce Merritt	AURORA	Support Downtown Santa Fe Vacation Rentals	6/13/20 15:35	354445489
tcmeador@gvec.net	Tanya Meador	Cost, Texas	Support Downtown Santa Fe Vacation Rentals	6/15/20 8:36	354445477
jjmcm@aol.com	Mary McKoskey	Woodbury, MN	Support Downtown Santa Fe Vacation Rentals	6/13/20 16:24	354445449
marciaborchersmc@hotmail.com	Marcia McGlothlin	New Braunfels, Texas	Support Downtown Santa Fe Vacation Rentals	6/12/20 17:21	354445445
szlip@sbcglobal.net	Sheila Lipkin	Houston	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:53	354445301
Megeteon@gmail.com	Megan	Austin	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:12	354445269
sleedds@gmail.com	Charles Lee	Savannah, TN	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:11	354445257
markkaiser@cox.net	Marc Kaiser	Rancho Palos Verdes, CA	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:12	354445117
jimenez.lildefonso@gmail.com	lildefonso Jimenez	Dallas	Support Downtown Santa Fe Vacation Rentals	6/13/20 6:49	354445053
gaillp@att.net	Gail Jennings-Peterson	Moab, Utah	Support Downtown Santa Fe Vacation Rentals	6/15/20 11:59	354445049
fahunold@gmail.com	Frank Hunold	Odessa, Texas	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:41	354444989
bahuil@earthlink.net	Bill & Amy Hull	Blanchard, OK	Support Downtown Santa Fe Vacation Rentals	6/13/20 21:34	354444985
kkhfarms@gmail.com	Kendall	Scottsdale	Support Downtown Santa Fe Vacation Rentals	6/16/20 18:05	354444965
ahoard88@msn.com	Anna Hoard	Corrales	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:10	354444925
jhills1969@gmail.com	Jennifer	Seattle	Support Downtown Santa Fe Vacation Rentals	6/15/20 21:42	354444913
marshallhickey11@gmail.com	Marshall Hickey	Fort Worth	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:28	354444889
kherrera25@comcast.net	Pamela Kim Herrera	Albuquerque	Support Downtown Santa Fe Vacation Rentals	6/13/20 9:19	354444881
deborahheaton@icloud.com	Deborah Heaton	Parkville	Support Downtown Santa Fe Vacation Rentals	6/13/20 15:49	354444841
brynn.gutknecht@gmail.com	Brynn Gutknecht	Denver	Support Downtown Santa Fe Vacation Rentals	6/13/20 10:21	354444765
opgreen@att.net	Paula	San Antonio, TX	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:17	354444721
susangoodman2000@yahoo.com	Susan Goodman	Dallas	Support Downtown Santa Fe Vacation Rentals	6/16/20 6:42	354444701
jgood2@icloud.com	John Goad	Fairview, Texas	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:06	354444677
lisageom@gmail.com	Lisa George	Overland Park, Kansas	Support Downtown Santa Fe Vacation Rentals	6/13/20 13:56	354444657
tgawtia@aol.com	amanda george	amarillo tx	Support Downtown Santa Fe Vacation Rentals	6/15/20 13:10	354444653
kfowler291@gmail.com	Katrina	Dallas	Support Downtown Santa Fe Vacation Rentals	6/13/20 13:56	354444581
jama1@kw.com	Jama Fontaine	Albuquerque	Support Downtown Santa Fe Vacation Rentals	6/13/20 8:36	354444577
kathy_flammer@yahoo.com	Kathy J Flammer	Southlake, Texas	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:05	354444573
susanfillmore@me.com	Susa Fillmore	Ft Worth	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:36	354444553
marionfalk@gmail.com	Marion Falk	Oakland	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:38	354444505
repstein@plsmaterials.com	Richard Epstein	Solon, OH	Support Downtown Santa Fe Vacation Rentals	6/15/20 7:53	354444485
nmelam@gmail.com	Nicole Elam	Texarkana, TX	Support Downtown Santa Fe Vacation Rentals	6/14/20 6:23	354444449
vegbert@aol.com	Vivian Egbert	Tucson Arizona	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:44	354444441
patrick@edingerarchitects.com	Patrick Edinger	Solana Beach	Support Downtown Santa Fe Vacation Rentals	6/13/20 9:24	354444429
pamela.echart@gmail.com	Pamela Echart	San Marcos, Texas	Support Downtown Santa Fe Vacation Rentals	6/13/20 6:21	354444421
MDEMING1@AOL.COM	Marilyn Deming	Escondido	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:31	354444353
djjdean@charter.net	DavidDean	Chesterfield, MO	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:10	354444341
kulsbury@gmail.com	Laura Densbury	SAN MATEO	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:20	354444325
cullifercarol@gmail.com	Carol Cullifer	Wiley	Support Downtown Santa Fe Vacation Rentals	6/13/20 6:41	354444309
kelly.a.cromwell@gmail.com	Kelly Cromwell	Hoboken	Support Downtown Santa Fe Vacation Rentals	6/15/20 11:27	354444289
drcraig1025@gmail.com	Dana Craig	Lubbock TX	Support Downtown Santa Fe Vacation Rentals	6/13/20 9:37	354444277
craigconstruction@live.com	stanley D. Craig	Mena	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:37	354444273
msovhin@gmail.com	Steve Colvin	Houston	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:36	354444239
jcolins44@yahoo.com	Julie Collins	Cedaredge CO	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:38	354444223
heatherclement21@gmail.com	Heather	Lawton	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:37	354444205
carterclawson@gmail.com	Carter	Charleston	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:37	354444201
jchappellreid@hopewestco.org	Jacque Chappell-Reid	Grand Junction	Support Downtown Santa Fe Vacation Rentals	6/12/20 10:26	354444169
mg3687@aol.com	Mary Cardenas	Dallas	Support Downtown Santa Fe Vacation Rentals	6/13/20 5:49	354444113
marlnc@aol.com	Marilyn	Austin, Texas	Support Downtown Santa Fe Vacation Rentals	6/13/20 6:49	354444093
scoslicer@gmail.com	Cheryl Bunnell	The Woodlands, TX	Support Downtown Santa Fe Vacation Rentals	6/13/20 6:29	354444061
golf308@aol.com	Scott Bristol	Denver, Colorado	Support Downtown Santa Fe Vacation Rentals	6/13/20 3:56	354444021
cyndeblock@gmail.com	C Block	Sarasota, FL	Support Downtown Santa Fe Vacation Rentals	6/13/20 13:34	354443953
LeRoy.Blanks@TexasBingo.com	Charles LeRoy Blanks	Coppell	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:45	354443949
donnablakemore@sbcglobal.net	Donna Blakemore	San Francisco	Support Downtown Santa Fe Vacation Rentals	6/15/20 10:22	354443941
bertram@santafe.edu	Bruce Bertram	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:07	354443909
almabernal310@gmail.com	ALMA BERNAL	EL PASO	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:27	354443905
hebecker433@gmail.com	Helen E. Becker	Moab, Ut	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:02	354443869
jalex1821@msn.com	Candy	Farmington NM 87401	Support Downtown Santa Fe Vacation Rentals	6/15/20 21:36	354443733
samantha4642@aol.com	Samantha Drysdale	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/12/20 16:58	156288419
sduetra@gmail.com	Sydney Duettra	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/12/20 17:02	156287631
ruby.l.chaney@gmail.com	Ruby L Chaney	Edmond	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:02	151581203
jameswcaudle@yahoo.com	James W. Caudle	Plano, Texas 75093	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:04	354444145
robert@drblakeburn.com	Robert Blakeburn	Clinton, OKLAHOMA	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:43	354443933
monihamer@sbcglobal.net	Monica Hamer	Dallas	Support Downtown Santa Fe Vacation Rentals	6/14/20 3:13	379728033
andrea.jones99@gmail.com	Andrea Jones	Davis	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:43	354445045
dsscott4@msn.com	Diana Scott	Pueblo	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:10	132872191
wongadilla@gmail.com	Amy Doyle	Austin, Texas	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:36	4699143
plasticproud@yahoo.com	Gary Homdeski	League city	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:14	4699135
brh2907@inet.net.au	Reg Holloway	Potts Point, NSW Australia	Support Downtown Santa Fe Vacation Rentals	6/12/20 22:05	4699091
perry@junetaylorjams.com	Perry Small	Oakland, CA	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:39	4698963
sjk49@comcast.net	Peggy Kelly	Denver, CO	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:36	4698775
davef509@aol.com	David	Spokane	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:39	4698751
willadamson@sabinepipe.com	Will Adamson	Longview	Support Downtown Santa Fe Vacation Rentals	6/15/20 8:54	4698723
waltparke@gmail.com	Walt P Jones	Fort Worth	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:28	4698711
tgeorge@westtexasinsuranceagency.com	tommy george	amarillo tx	Support Downtown Santa Fe Vacation Rentals	6/15/20 13:09	4698623
judburch60@gmail.com	Judi Burchfield	Denver	Support Downtown Santa Fe Vacation Rentals	6/15/20 12:52	4698615
rustyhinds@aol.com	Hinds Rusty	Houston	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:20	4698411
rarephotold@gmail.com	ND MacDonald	Toronto, Canada	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:03	4698319
becky@travelpair.com	Rebecca Blase	Lamy	Support Downtown Santa Fe Vacation Rentals	6/13/20 9:50	4698095

maestrasoy@yahoo.com	Rose	Austin	Support Downtown Santa Fe Vacation Rentals	6/15/20 11:16	4697975
lynn.blakeley@gmail.com	Lynn Blakeley	Lynn Antonio	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:07	4697947
ljkuenning@aol.com	Lynne Curtis	Owasso	Support Downtown Santa Fe Vacation Rentals	6/15/20 14:47	4697879
aloha.duffis@me.com	Lynn and Ron	Paradise Valley	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:44	4697823
dalockwood1@comcast.net	Don	Seattle	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:00	4697819
pattimorrison@hotmail.com	Patricia A Morrison	St Clair Shores	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:09	4697751
mjb10001@aol.com	Monica Robinson	Albuquerque	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:24	4697587
jrae.je@gmail.com	Janet Edwards	Amarillo	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:22	4697579
shepp04@msn.com	Cynthia Sheppard	Cuero tax	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:18	4697539
jdbrazzeal@gmail.com	Jeff Brazzeal	Bentonville	Support Downtown Santa Fe Vacation Rentals	6/15/20 11:54	4697527
ponetale@yahoo.com	Farley kemler	Manalapan NJ	Support Downtown Santa Fe Vacation Rentals	6/16/20 3:02	4697515
hilharms@hotmail.com	Hilary	Prairie Village	Support Downtown Santa Fe Vacation Rentals	6/15/20 10:52	4697447
htripodo@hotmail.com	H. Tripodo	Houston	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:21	4697443
hilcountryhousegirl@gmail.com	Ann Williams	Fort Worth	Support Downtown Santa Fe Vacation Rentals	6/15/20 8:50	4697427
greygoose222@hotmail.com	Lisa	Kansas City	Support Downtown Santa Fe Vacation Rentals	6/13/20 8:43	4697411
poboy_51@yahoo.com	Gary Thomas	Pryor	Support Downtown Santa Fe Vacation Rentals	6/13/20 5:53	4697339
dillydallydibbles@yahoo.com	Amanda Winstead	Austin	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:29	4697231
mbrambtga@yahoo.com	Mary Beth Gramlich	Little Rock	Support Downtown Santa Fe Vacation Rentals	6/12/20 22:05	4697187
tesshb@gmail.com	Tess Hand-Bender	Denver, Co	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:21	4696995
sah4sah@aol.com	Shirley Heiman	St Louis	Support Downtown Santa Fe Vacation Rentals	6/14/20 11:15	4696895
bobbymacek@gmail.com	Bobby	Houston	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:11	4696839
gymom10@aol.com	LaNae Taylor	Dallas, TX	Support Downtown Santa Fe Vacation Rentals	6/13/20 6:49	4696471
riekerpie@gmail.com	Sunny and Tom Rieker	Arcadia, CA	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:14	4696379
marynewman2@btinternet.com	Mary Newman	London	Support Downtown Santa Fe Vacation Rentals	6/15/20 10:17	4696315
genecohen@cox.net	Eugene D Cohen	Phoenix	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:47	4696279
darschilling@yahoo.com	Darlene Schilling	Corrales	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:38	4696247
kmg0228@gmail.com	Kevin Goins	Carrollton, TX	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:25	4696191
tracyherson@yahoo.com	Tracy Herson	Dallas, Texas	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:30	4696179
rec3@mac.com	Rob Clements	Dallas	Support Downtown Santa Fe Vacation Rentals	6/15/20 12:45	4695691
michaelhester@q.com	Michael Hester	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:10	4695659
diamson24@yahoo.com	Dawna Lamson	Gorham	Support Downtown Santa Fe Vacation Rentals	6/12/20 22:52	4695643
ldadely@neb.rr.com	Danny Ladely	Lincoln	Support Downtown Santa Fe Vacation Rentals	6/13/20 10:01	4695535
tfebus2000@yahoo.com	Trida Lorfe	Honolulu	Support Downtown Santa Fe Vacation Rentals	6/16/20 17:58	4695491
suzanneclements@usa.net	Suzanne Clements	St. Petersburg	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:37	4695471
sandyclark01@hotmail.com	Sandy Clark	Spicewood	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:56	4695459
michael.mrochek@att.net	Michael Mrochek	El Paso, TX	Support Downtown Santa Fe Vacation Rentals	6/15/20 18:32	4695451
cacaloeb@gmail.com	SuAnne	Pittsburgh	Support Downtown Santa Fe Vacation Rentals	6/13/20 12:08	4695195
gailcolwick@gmail.com	Gail Colwick	Richardson (Dallas) TX. 75082	Support Downtown Santa Fe Vacation Rentals	6/13/20 16:00	4695151
reyalutz@yahoo.com	Leslie Lutz	Pittsburgh	Support Downtown Santa Fe Vacation Rentals	6/13/20 8:48	4694987
sandjar3@sbcglobal.net	Sandy	Carmel, IN	Support Downtown Santa Fe Vacation Rentals	6/15/20 20:57	4694983
deug.kopp@att.net	Douglas Kopp MD	Lubbock, TX	Support Downtown Santa Fe Vacation Rentals	6/15/20 13:14	4694835
meconrad@mac.com	Mary Conrad	Albuquerque NM	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:24	4694671
khutch43@gmail.com	Kay Hutchison	Madison WI	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:43	4694555
mark.swearingen55@gmail.com	Mark Swearingen	Concord, CA	Support Downtown Santa Fe Vacation Rentals	6/13/20 11:52	4694411
jwc51@aol.com	James Carroil	Belton, Texas	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:33	4694375
dmann8006@yahoo.com	Dave Mann	Tucson	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:27	4694275
ghospam@comcast.net	Glenn Horton	Seattle, WA	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:19	4694125
bmables@consolidated.net	Carol Maples	Lufkin	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:21	4694051
melissalarry@cox.net	Melissa Larry	Tulsa	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:12	4694015
suzannewalsh@hotmail.com	Suzanne Walsh	Allen, TX	Support Downtown Santa Fe Vacation Rentals	6/15/20 11:37	4693939
robtut@yahoo.com	Robin Tuttle	Hillsboro, NMFS	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:56	4693735
sagraug@gmail.com	S G	New Orleans	Support Downtown Santa Fe Vacation Rentals	6/13/20 11:01	4693671
js2saints@sbcglobal.net	Sharlene St.Clair	Sacramento	Support Downtown Santa Fe Vacation Rentals	6/15/20 17:24	4693487
galsittt@ymail.com	Gail K Stitt	Salida, Colorado	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:51	4693355
mdeynoodt@gmail.com	Mary Deynoodt	New Orleans	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:36	4693203
gregory.a.kelinske@rrd.com	Gregory	Texas	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:33	4693167
marandolphlaw@aol.com	Mary Ann Randolph	Marlomet	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:07	4692795
suobert@nmsu.edu	Susan K Roberts	Las Cruces	Support Downtown Santa Fe Vacation Rentals	6/15/20 14:16	4692739
joyblum1@aol.com	Joy Blum	Tabernash, CO	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:34	4692731
jdubowe@aol.com	Jeff	Las Vegas	Support Downtown Santa Fe Vacation Rentals	6/13/20 10:19	4692671
peter.roessler@gmail.com	Peter Roessler	San Francisco, CA	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:41	4692619
mazuuetra@gmail.com	Amity Duettra	Bend, Oregon	Support Downtown Santa Fe Vacation Rentals	6/14/20 11:14	4692307
lkg1105@verizon.net	Lori Goldberg	Plano	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:51	4692207
bgardner@planetcrossing.com	Barbara Gardner	Atascadero	Support Downtown Santa Fe Vacation Rentals	6/13/20 15:37	4692123
wilhardwick@verizon.net	WILLIS C HARDWICK	ALEXANDRIA	Support Downtown Santa Fe Vacation Rentals	6/13/20 10:17	4692111
becky@rebeccarice.net	Rebecca Rice	Little Rock	Support Downtown Santa Fe Vacation Rentals	6/12/20 23:33	4692099
bfarrell.faps@yahoo.com	Barbara	Arlington	Support Downtown Santa Fe Vacation Rentals	6/14/20 11:17	4692015
puettra@yahoo.com	Peter Duettra	Chandler Arizona	Support Downtown Santa Fe Vacation Rentals	6/12/20 17:41	4691971
ljarbella@aol.com	Joyce Malone	Denver	Support Downtown Santa Fe Vacation Rentals	6/14/20 15:04	4691903
amyret@comcast.net	Amy Retherford	Commerce City	Support Downtown Santa Fe Vacation Rentals	6/14/20 16:54	4691895
fair.april2@gmail.com	April	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/13/20 21:32	4691887
fowler1219@gmail.com	Alee	Oklahoma City	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:27	4691483
elparsons@sbcglobal.net	Eric Parsons	Appleton, WI	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:39	4691479
kathydevor@gmail.com	Kathleen Devor	Montrose	Support Downtown Santa Fe Vacation Rentals	6/13/20 6:02	4691387
jtphoenix@jtpheoenix.com	Tim Phoenix	TULSA	Support Downtown Santa Fe Vacation Rentals	6/13/20 9:06	4691195
b_murphy@comcast.net	Bob Murphy	Louisville	Support Downtown Santa Fe Vacation Rentals	6/15/20 19:36	4691183
eheimholz@comcast.net	Edith Helmholz	Tiburon	Support Downtown Santa Fe Vacation Rentals	6/12/20 22:19	4691171
b73drvrv@gmail.com	Judy Holly	Houston	Support Downtown Santa Fe Vacation Rentals	6/15/20 13:37	4691079
pmccabe@sflaw.com	Patrick McCabe	San Francisco, CA	Support Downtown Santa Fe Vacation Rentals	6/14/20 17:00	4690843
cnease1493@cox.net	Carole Nease	mulvane ks	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:18	4690743
dennis.sass@cox.net	V Dennis Sass	San Diego	Support Downtown Santa Fe Vacation Rentals	6/16/20 11:45	4690699
garyhornsby@msn.com	Gary Hornsby	Denver	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:11	4690503
econlan@msn.com	Erica Conlan	Seattle	Support Downtown Santa Fe Vacation Rentals	6/15/20 0:13	4690303
mina1339@hotmail.com	Wilhemina DeShazo	Washington DC	Support Downtown Santa Fe Vacation Rentals	6/15/20 10:35	4690203
nancy2544@cox.net	Nancy Moore	Tulsa, Ok	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:20	4690195
			Support Downtown Santa Fe Vacation Rentals	174.245.194.46	

wtschmuck@gmail.com	Wallace Schmuck	Benbrook	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:08	4690171
lemrts@gmail.com	Robert Skinnet	San Francisco	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:39	4690139
david.martinez1966@gmail.com	David R Martinez	Dracut, MA 01826	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:15	4690035
kbs.owen@gmail.com	Katie Owen	Austin, TX	Support Downtown Santa Fe Vacation Rentals	6/15/20 16:05	4689995
scottcarson1@me.com	Scott	Frisco	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:06	4689851
bgshanker@msn.com	Beth Shanker	Denver	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:13	4689747
debwax@aol.com	Deborah Wax	Houston, Texas	Support Downtown Santa Fe Vacation Rentals	6/16/20 17:01	4689503
schoepfel@hotmail.com	Pamela Schoepfel	Jacksonville FL	Support Downtown Santa Fe Vacation Rentals	6/13/20 8:52	4689475
baxsmith@aol.com	Ken Smith	Fort Collins	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:31	4689431
sramsey14@cox.net	Suzanne Ramsey	Aliso Viejo	Support Downtown Santa Fe Vacation Rentals	6/13/20 9:06	4689423
horsefyaa@yahoo.com	Temple	Illinois	Support Downtown Santa Fe Vacation Rentals	6/13/20 6:35	4689371
claybeveridge@verizon.net	Clay Beveridge	Richmond	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:16	4689227
jenmanley@verizon.net	Jennifer manley	Baytown TX	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:16	4689083
deb@citadeltech.com	Deb Mich	Santa Cruz	Support Downtown Santa Fe Vacation Rentals	6/15/20 14:26	4689003
sandi.brakebush@gmail.com	Sandra Brakebush	Mission Viejo CA 92691	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:01	4688959
lymdalawrence56@yahoo.com	Lynda Lawrence	Forney TX. 75126	Support Downtown Santa Fe Vacation Rentals	6/13/20 13:13	4688835
rbecht1@gmail.com	Robert Becht, Jr	Summerset	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:29	4688751
amwamke@suddenlink.net	Andrea Margaret Warnke	Andrews	Support Downtown Santa Fe Vacation Rentals	6/13/20 9:19	4688691
barbarastrand5@btinternet.com	Barbara	Gallisteo	Support Downtown Santa Fe Vacation Rentals	6/13/20 1:33	4688555
emg2288@icloud.com	Edward m. Green	Monticello, florida	Support Downtown Santa Fe Vacation Rentals	6/13/20 5:55	4688511
june@northofpalms.com	June Allin Sewell	Marina del Rey, CA	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:08	4688467
christycarpenter@me.com	Christy Carpenter	Austin	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:30	4688327
bander4125@aol.com	Beth Anderson	Longmont	Support Downtown Santa Fe Vacation Rentals	6/14/20 19:23	4688239
jdworak@gmail.com	John L Dworak	Monument	Support Downtown Santa Fe Vacation Rentals	6/13/20 9:49	4688171
bbannatyne@aol.com	Elaine Veyna Bannatyne	Fillmore CA	Support Downtown Santa Fe Vacation Rentals	6/13/20 9:05	4688115
jslilly@me.com	Joyce Lilly	Washington, TX	Support Downtown Santa Fe Vacation Rentals	6/15/20 8:54	4687935
alibeern@yahoo.com	Allison Northern	Amarillo	Support Downtown Santa Fe Vacation Rentals	6/13/20 10:14	4687883
bacbc@aol.com	Barton Alexander	Denver	Support Downtown Santa Fe Vacation Rentals	6/13/20 5:50	4687751
krenfro2000@gmail.com	Kathy Renfro	Albuquerque	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:43	4687743
cshain@heschandshain.com	Constance Shain	Kirkland	Support Downtown Santa Fe Vacation Rentals	6/14/20 13:00	4687691
nancyleonard@mac.com	Nancy J. Leonard	Dana Point	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:22	4687651
raj.stma@gmail.com	Theresa Rajendran	Colorado Springs	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:28	4687327
edgardm1@msn.com	Therie Edgar	Denver	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:00	4687203
raindancedesign@comcast.net	Jann	Littleton	Support Downtown Santa Fe Vacation Rentals	6/15/20 10:01	4687155
dwbyme@outlook.com	David	Byrne	Support Downtown Santa Fe Vacation Rentals	6/13/20 4:42	4687115
ladym_56@hotmail.com	Marilyn	Maryetta	Support Downtown Santa Fe Vacation Rentals	6/15/20 15:37	4687111
kannsage@gmail.com	Kathleen Sayers	Durango, CO	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:06	4687027
reiter@wvtr.net	ANNE REITER	Hereford	Support Downtown Santa Fe Vacation Rentals	6/13/20 10:26	4686847
mstrefler@sbcglobal.net	Maria Streifer	Benicia, CA	Support Downtown Santa Fe Vacation Rentals	6/13/20 0:10	4686767
qwqgwq@mail.com	Michael Diamond	Mullica Hill, NJ	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:14	4686671
ae04mtnear@optonline.net	Elyse Bauer	Bethpage, NY	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:19	4686491
query10@juno.com	S. Yee	Gilbert	Support Downtown Santa Fe Vacation Rentals	6/12/20 23:14	4686439
brldgetecondon@gmail.com	Bridget Condon	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/14/20 17:13	4686399
droeca@detrocalaw.com	Douglas Roeca	Placerville	Support Downtown Santa Fe Vacation Rentals	6/15/20 8:51	4686347
pope@sandiego.edu	Jack Pope	San Diego	Support Downtown Santa Fe Vacation Rentals	6/12/20 23:20	4686339
mcs@first-interstate.com	Mitchell Schneider	Cleveland ohio	Support Downtown Santa Fe Vacation Rentals	6/15/20 12:12	4686083
pammcafee@gmail.com	Pam McAfee	Driftwood	Support Downtown Santa Fe Vacation Rentals	6/13/20 5:10	4686003
lilly@curiouslybright.com	Lilly Bright	Los Angeles	Support Downtown Santa Fe Vacation Rentals	6/13/20 21:29	4685983
paint4real@comcast.net	Steven J Sweeney	STILLWATER, MN	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:41	4685547
tpjs1@verizon.net	Thomas Stoner	Catonsville MD 21228	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:57	4685535
rixonla@gmail.com	Randy Koschnick	Oconomowoc	Support Downtown Santa Fe Vacation Rentals	6/15/20 13:51	4685311
kprado@aol.com	Kathleen Prado	La Quinta	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:04	4685199
apriestman@comcast.net	Ann priestman	Littleton	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:48	4685183
parrott.d@gmail.com	Dan Parrott	Saint Augustine	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:23	4684995
vickrye@yahoo.com	Vicki Rye	Houston TX	Support Downtown Santa Fe Vacation Rentals	6/12/20 22:47	4684903
maxvillejan@yahoo.com	Jan Thomas	Rathdrum, ID	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:36	4684863
diannekalb@gmail.com	Dianne Kalb	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:58	4684803
rufus@flywild.net	Sherry Kandle	Boise	Support Downtown Santa Fe Vacation Rentals	6/14/20 22:38	4684751
mc@richduranplumbing.com	mark Couch	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:15	4684687
andl_mcdowell@yahoo.com	Andi	Ellicott City	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:19	4684647
mchavatel@aol.com	Marta Chavatel	Fenwick island de	Support Downtown Santa Fe Vacation Rentals	6/13/20 4:06	4684367
annalabenz@mac.com	Anna LaBenz	Flagstaff	Support Downtown Santa Fe Vacation Rentals	6/12/20 22:36	4684343
klmitch2004@yahoo.com	Kyle Mitchell	Centerville, Ohio	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:04	4684299
amylevin01@gmail.com	Amy Levin	Tucson	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:26	4684287
maryvm96@aol.com	Mary Vandermast	Surprise, AZ	Support Downtown Santa Fe Vacation Rentals	6/13/20 5:13	4684139
clakin@infowest.com	Carol Lakin	St. George, UT	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:51	4684123
nwd47@aol.com	Neil Dorsman	Green Valley, AZ	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:28	4683983
billramsey53@gmail.com	William Ramsey, AICP	Aliso Viejo	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:07	4683571
terrymcm@comcast.net	Terrence McMahon	Monte Sereno	Support Downtown Santa Fe Vacation Rentals	6/12/20 23:21	4683411
triod@hotmail.com	Tri Vuong	Dallas	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:33	4683407
hdilly@yahoo.com	Hal Dillemback	Corrales	Support Downtown Santa Fe Vacation Rentals	6/15/20 10:05	4683267
noble@usa.com	Judy Noble	Dallas	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:15	4683259
denise@jecmiller.com	Denise Miller	Minneapolis	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:56	4683159
kimcallait@gmail.com	Kim	Frisco	Support Downtown Santa Fe Vacation Rentals	6/14/20 13:38	4683135
joannegustafson@msn.com	Joanne Gustafson	Wheat Ridge, CO	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:15	4683087
yj@taosnet.com	Wendy E Young	El Prado	Support Downtown Santa Fe Vacation Rentals	6/15/20 10:22	4683083
amyschofield@hotmail.com	Amy Lemyre	Santa Rosa	Support Downtown Santa Fe Vacation Rentals	6/14/20 14:16	4682943
salinas.anna.c@gmail.com	Anna	Kerrville	Support Downtown Santa Fe Vacation Rentals	6/13/20 10:10	4682907
pdlainson@charter.net	Pamela Lainson	Hastings	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:43	4682779
amy@dynamicpotential.com	Amy	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:27	4682767
nrflordon@cox.net	Nancy F Rlordon	Green Valley, AZ	Support Downtown Santa Fe Vacation Rentals	6/13/20 18:18	4682671
adoris@sbcglobal.net	AL K. DORIS	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:47	4682539
joelynhiggins@cox.net	JOELYN DINNELLA HIGGINS	Sun City	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:36	4682523
cwilson@zianet.com	Cheryl Wilson	Las Cruces NM	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:48	4682511
mdague1@gmail.com	michael dague	MARANA	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:17	4682263

kferguson@austin.rr.com	Elaine	Austin	Support Downtown Santa Fe Vacation Rentals	6/13/20 9:21	4682199
s.lindsey85@gmail.com	Sera Knudson	Tampa, FL	Support Downtown Santa Fe Vacation Rentals	6/15/20 8:59	4682183
deb_kahrs@msn.com	Deborah Kahrs	OTIS	Support Downtown Santa Fe Vacation Rentals	6/16/20 4:33	4682155
betbooks@aol.com	Britton E Trice	New Orleans	Support Downtown Santa Fe Vacation Rentals	6/12/20 22:14	4682123
marshawilliams@islandnet.com	Marsha Williams	Victoria British Columbia	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:32	4682103
rjones4314@gmail.com	Roger Jones	Lakewood, CO	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:16	4681807
mchslater@gmail.com	Cathryn	Little Rock	Support Downtown Santa Fe Vacation Rentals	6/13/20 8:51	4681799
marshallgile@mac.com	Marshall Gile	Denver	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:05	4681763
jburndred@btinternet.com	John BURNDRED	Lincoln, UK	Support Downtown Santa Fe Vacation Rentals	6/13/20 1:13	4681747
mchatelle@gvtc.com	Mike Chatelle	Fair Oaks Ranch	Support Downtown Santa Fe Vacation Rentals	6/13/20 8:57	4681595
allinante@gmail.com	Allison Emge	Littleton	Support Downtown Santa Fe Vacation Rentals	6/13/20 5:45	4681547
btbagshaw@hotmail.com	Mary Teresa Bagshaw	FORT COLLINS, CO	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:27	4681483
cneastwood1@gmail.com	Clair Eastwood	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:14	4681311
marisadiazarenas@gmail.com	Marisa Diaz	Bogota	Support Downtown Santa Fe Vacation Rentals	6/13/20 15:04	4681307
ruth@ruthmikos.com	Ruth Mikos	Rochester	Support Downtown Santa Fe Vacation Rentals	6/13/20 6:21	4681043
ellsagnitz@hotmail.com	Elsa Gonzalez	League city	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:06	4680971
bonjifiber@gmail.com	Bonnie Black	Camdenton, Missouri	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:06	4680827
stellarafalo@gmail.com	Anne Rafalo	Durango	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:10	4680727
maggieparr1@hotmail.com	Maggie Parr	SHEFFIELD	Support Downtown Santa Fe Vacation Rentals	6/12/20 23:27	4680339
efremjr@yahoo.com	Efrem Chavez	Albuquerque	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:55	4680315
mauraselk@yahoo.com	Lisa Deeds	Sedalia, CO	Support Downtown Santa Fe Vacation Rentals	6/15/20 16:23	4680283
catanasoff@yahoo.com	Cynthia Atanasoff	The Colony	Support Downtown Santa Fe Vacation Rentals	6/15/20 11:46	4680099
janekennaugh@gmail.com	Jan Kennaugh	Denver	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:38	4680095
kmigl82@gmail.com	Karen Migl	San Antonio	Support Downtown Santa Fe Vacation Rentals	6/13/20 14:44	4679959
srajmd@gmail.com	Sundar Rajendran	Colorado Springs	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:28	4679939
djohnson6531@yahoo.com	Donna Johnson	Gallup	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:52	4679843
knj44ws@gmail.com	Kate Johnston	Stuart, FL	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:40	4679763
mydogutah@aol.com	Lance Feray	Spring Texas	Support Downtown Santa Fe Vacation Rentals	6/13/20 4:53	4679459
robertcavin1@att.net	Dr. Robert Cavin	Rockwall, Texas	Support Downtown Santa Fe Vacation Rentals	6/12/20 22:18	4679327
kevinthomasflutes@hotmail.com	kevin thomas	bacchus marsh australia	Support Downtown Santa Fe Vacation Rentals	6/15/20 16:44	4679159
kerrymartin123@yahoo.com	Kerry Martin	Sahaurita	Support Downtown Santa Fe Vacation Rentals	6/15/20 8:58	4679051
ray@freemaninc.com	Raymond C. Freeman, Jr.	Santa Barbara, CA	Support Downtown Santa Fe Vacation Rentals	6/12/20 23:32	4678727
nlsterling@aol.com	Nancy	Houston	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:41	4678199
chaille.hawkins@yahoo.com	Chaille Hawkins	Ingram	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:37	4678159
dovfd569@hotmail.com	David	Flower Mound	Support Downtown Santa Fe Vacation Rentals	6/13/20 5:48	4678127
nteske@som.umaryland.edu	Mark Teske	Baltimore	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:15	4678075
dreehln@aol.com	D Reehling	Indianapolis	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:25	4678055
richardwoodruff@yahoo.com	Richard Woodruff	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/16/20 9:10	4677971
rleecock@gmail.com	Ryan Daniel Leecock	Dallas	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:50	4677943
rivese@castleman.net	Rives Castleman	Dallas	Support Downtown Santa Fe Vacation Rentals	6/15/20 12:27	4677915
jay.levinsohn@gmail.com	Jay Levinsohn	Chapel Hill	Support Downtown Santa Fe Vacation Rentals	6/15/20 11:41	4677791
annalamis@gmail.com	Anna Amis	Overland Park	Support Downtown Santa Fe Vacation Rentals	6/13/20 8:40	4677727
gshappell4@me.com	George Chappell	Santa fe	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:26	4677703
erickja@sonic.net	Judy Erickson	Santa rosa	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:27	4677615
rkiker@hotmail.com	Reita Kiker	Hondo NM	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:52	4677583
loudena@aol.com	Andrew F Louden	Indianapolis	Support Downtown Santa Fe Vacation Rentals	6/13/20 4:10	4677527
rich@richduranplumbing.com	Richard Duran	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/17/20 8:35	4677479
dougbtx@gmail.com	Doug Beck	Bedford, Tx	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:21	4677275
mleeser@gmail.com	Michael J. Leeser	Tallahassee, FL	Support Downtown Santa Fe Vacation Rentals	6/15/20 14:47	4676643
vnarnold@att.net	Vicki Arnold	Tucson, AZ	Support Downtown Santa Fe Vacation Rentals	6/15/20 10:08	4676631
suzdrum@cox.net	Suzanne Tractenberg	San Diego, CA 92103	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:54	4676595
jtuma@charter.net	John Tuma	Northfield, MN	Support Downtown Santa Fe Vacation Rentals	6/13/20 21:59	4676563
rhondajohns@pld.net	Rhonda Johns	Tuttle	Support Downtown Santa Fe Vacation Rentals	6/15/20 13:11	4676543
bjdnwillis@gmail.com	Betsy J Willis	Dallas	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:21	4676203
lillich.dallas@gmail.com	Dallas Lillich	Oshkosh	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:14	4676195
hughesbuilding1@gmail.com	Charles Hughes	Westland	Support Downtown Santa Fe Vacation Rentals	6/15/20 4:54	4676147
dmiller.invest@att.net	Darrell Miller	St Simons Island, GA	Support Downtown Santa Fe Vacation Rentals	6/15/20 10:31	4676051
susan@sckart.com	Susan crouse	Longmont	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:04	4675979
andrewshapiro@gmail.com	Andrew Shapiro	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/15/20 11:49	4675927
kashep1@comcast.net	Karen	Castle Rock	Support Downtown Santa Fe Vacation Rentals	6/12/20 23:37	4675887
kawen407@gmail.com	Katie Wendel	Kansas City, MO	Support Downtown Santa Fe Vacation Rentals	6/13/20 5:47	4675855
bakeel7521@gmail.com	Beth Keel	Knoxville	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:54	4675763
bilh2121@att.net	Bill Humes	Edmond, OK	Support Downtown Santa Fe Vacation Rentals	6/16/20 5:50	4675727
reganlenehan@hotmail.com	Regan Lenehan	Austin	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:08	4675699
karnish@ymail.com	Janice Karnish	Ponca City	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:47	4675651
dianneh46@att.net	Dianne Hughes	San Antonio, Texas	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:42	4675503
redcloud1@tampabay.rr.com	Steve Rambeaux	St Petersburg	Support Downtown Santa Fe Vacation Rentals	6/13/20 6:34	4675403
cardenas711@aol.com	David Cardenas	Dallas Texas	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:31	4675315
srsavage@gmail.com	seneca savage	albuquerque	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:26	4675311
lj1966j@yahoo.com	Chris Davies	Lake Jackson	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:32	4675307
jameshardin13@sbcglobal.net	James Hardin	Lubbock	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:11	4675171
eric@wolffam.com	ERIC WOLF	Austin	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:03	4675147
alice.lusk@tx.rr.com	Alice Lusk	Frisco, Texas	Support Downtown Santa Fe Vacation Rentals	6/13/20 8:10	4675131
andehargrove@gmail.com	Ann Hargrove	Evergreen, CO	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:09	4675095
carsonwomack9@gmail.com	Carson	San Angelo	Support Downtown Santa Fe Vacation Rentals	6/13/20 21:09	4675071
mkmmeier@gmail.com	Mary Ann Kinsella Meier	Highland	Support Downtown Santa Fe Vacation Rentals	6/15/20 11:26	4674939
jeanfletcher@live.com	Jean Fletcher	Omaha	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:05	4674787
spheniscus@aol.com	Einar Gall	San Diego, CA	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:33	4674775
snagit@hughes.net	Sherrie Davis	Georgetown	Support Downtown Santa Fe Vacation Rentals	6/15/20 17:14	4674759
dyou@frontier.com	Don Young	Sammamish, WA	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:02	4674675
lindsay.speyrer777@gmail.com	Lindsay Speyrer	Tomball, TX	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:46	4674667
ray@thelupos.com	Raphael Lupu	McLean VA	Support Downtown Santa Fe Vacation Rentals	6/13/20 9:21	4674579
lindaugor@gmail.com	Linda Gray	Dallas	Support Downtown Santa Fe Vacation Rentals	6/12/20 17:26	4674507
tvsportsman@gmail.com	Mike Garner	Tulsa	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:54	4674411
j.psychandrus@gmail.com	John Andrus	Oklahoma City	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:19	4674399

tongmilma@yahoo.com	Tony	St Charles	Support Downtown Santa Fe Vacation Rentals	6/15/20 19:28	4674367
bheimann13@gmail.com	Brenda Heimann	Kerrville	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:37	4674335
emfort@gmail.com	Emily Fort	Reston	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:09	4674299
dwzuehlke@sbcglobal.net	Debby & Dennis Zuehlke	Lubbock	Support Downtown Santa Fe Vacation Rentals	6/15/20 10:25	4674143
raquell.f7@icloud.com	Raquel Fernandez	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/14/20 18:17	4673955
adugas@ipc.com	Abbey Dugas	Frisco, TX	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:30	4673935
rabaker1946@att.net	Robert Baker	Austin Tx	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:55	4673575
jaym_scott@yahoo.com	Jay Scott	Santa Fe, NM	Support Downtown Santa Fe Vacation Rentals	6/14/20 17:50	4673467
bumpas@tarleton.edu	Jerilyn White Bumpas	Glen Rose	Support Downtown Santa Fe Vacation Rentals	6/15/20 8:48	4673415
michelleincolorado@gmail.com	Michelle Suckling	Colorado Sorings	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:18	4673175
simonhin@comcast.net	Roberta Hindert	Parker, CO	Support Downtown Santa Fe Vacation Rentals	6/13/20 10:14	4673163
johnyochem@aol.com	John Yochem	Gollad	Support Downtown Santa Fe Vacation Rentals	6/15/20 10:45	4673075
gregduncan1961@yahoo.com	Gregory Duncan	Greenville	Support Downtown Santa Fe Vacation Rentals	6/12/20 22:36	4672979
alantucker290@hotmail.com	Alan	Havana il	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:58	4672883
snussdesigns@yahoo.com	Steve Nuss	Prairie Village Ks	Support Downtown Santa Fe Vacation Rentals	6/15/20 20:33	4672619
bryant@bcoffmancpa.com	Bryant J. Coffman, CPA	Tulsa, OK	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:44	4672611
sigsaz@msn.com	Frank Sigmund	Scottsdale	Support Downtown Santa Fe Vacation Rentals	6/13/20 21:16	4672555
vlonghi@hotmail.com	Vince Longhi	Laguna Niguel, CA	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:30	4672539
hollycoats@kwcommercial.com	Holly Coats	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/13/20 8:05	4672499
travel@graham-graphics.com	Sarah Graham	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:44	4672495
mgsnelson@aol.com	Monalee Snelson	Midland	Support Downtown Santa Fe Vacation Rentals	6/14/20 6:56	4672351
dmansure@gmail.com	Santa Fe	NM	Support Downtown Santa Fe Vacation Rentals 73.98.15.131	6/12/20 15:50	17040271
marcbert@aol.com	Marc Bertram	Santa Fe	Support Downtown Santa Fe Vacation Rentals 50.201.167.243	6/12/20 17:37	5024463
aduetra@gmail.com	ANDREW	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:47	4679315
dmansure@adobestarpromoties.com	Dave Mansure	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:12	4675423

June 18, 2020

Dear Mayor Alan Webber, Councilor Signe I. Lindell, Councilor Carol Romero- Wirth, Councilor Renee Villarreal, and other Members of the City Council, Planning Commission Chair Jack Hiatt, Planning Manager Noah Berke, Land Use Department Director Isaacson, Vice Manager Mark Hogan, Secretary Pilar Faulkner, Commissioner Jesse Lawrence, Commissioner Dominic Sategna, Assistant City Attorney Paez,

I am a law-abiding, tax-paying property owner of a single family residential home located at 625 Garcia St. in Santa Fe, New Mexico. Part of my family has been in New Mexico since time immemorial, another part arrived over 500 years ago with the Spanish colonizers. I grew up in Santa Fe—attending elementary school, junior high and high school there. University and work took me away from the city after my high school graduation, but I plan to retire in Santa Fe with my husband Ramon Saldivar when we finish our careers as professors at Stanford University.

To facilitate our return, we purchased an older but refurbished home in the Garcia-Alire complex just off Garcia Street. We purchased at that location to be close to my high school friend who owns a couple of homes in that complex. Like me, she plans to retire in Santa Fe, and is keeping both homes to facilitate her children's ability to live nearby.

To make our home purchase financially feasible, my husband and I rent it as a short-term rental when we are not occupying it ourselves. My parents both live in Albuquerque, and before the COVID shut-down, we visited the state of New Mexico and the cities of Albuquerque and Santa Fe as often as every couple of months. We meet and socialize with our permanent-resident neighbors and we purchase goods and services from local Santa Fe businesses. Our short-term rental guests are good visitors to Santa Fe and help support the local economy. We keep our home in top condition both for ourselves and for the people who come in to rent from us; the revenue from the rentals allow us to do this.

Some of the changes you are considering with the proposed revisions could seriously negatively impact our ability to retain ownership of our home and might damage the short-term rental business generally. We take exception, in particular, to the requirement that all short-term rentals are required to have a local operator/manager who resides within the city limits. My husband and I work closely with many local Santa Fe residents to manage the house, including a local housecleaner, a local gardener, several local handypersons, and a local attorney. We have complied with all licensing requirements and are careful to pay all relevant property and short-term rental taxes. We are meticulous about informing our guests

about Santa Fe ordinances, and we have had no complaints or problems. We are able to do this without any difficulties even though we live in the San Francisco Bay Area.

Other proposed changes are unnecessarily punitive and seem designed to hurt the short-term rental business generally—in particular the requirement that short-term rental permits will be limited to “one per natural person.” For financial reasons, my husband and I have our home in an LLC. I truly do understand the desire to keep out operators who own many units. But 1 per natural person is excessively limiting and would unnecessarily punish my friend who owns just two homes.

Killing the short-term rental business would not be good for the City of Santa Fe and would be punitive to current and compliant short-term rental operators. Much more important would adequately enforcing the rules in the current ordinance. Short-term rentals are an important part of the tourist ecology of Santa Fe. Visitors enjoy being able to stay in a home and walk out to the plaza where they can shop and dine in local restaurants. I realize that these enjoyable activities are on hiatus right now, but they will eventually return. Making large-scale changes to the short-term rental ordinance during the COVID pandemic is a terrible idea.

We ask you to be thoughtful about any changes you make so that you do not adversely affect owners like us who have a long and deep commitment to the City of Santa Fe. We are not a large business operation whose interest is purely profit. Instead, we work actively to help develop the vibrant community and economy of our beautiful City.

Thank you very much for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Paula M. L. Moya". The signature is written in a cursive, flowing style.

Paula M. L. Moya

PAEZ, SALLY A.

From: BERKE, NOAH L.
Sent: Thursday, June 18, 2020 11:47 AM
To: PAEZ, SALLY A.; ISAACSON, ELIAS S.
Subject: FW: Short Term Rental

Noah Berke, CFM
Planner Manager
City of Santa Fe Land Use Department
Office: (505) 955-6647
Cell or Text: (505) 490-5930
Email: nlberke@santafenm.gov

[Click here for Zoning Code Information](#)

[Click here for Property Information](#)

<https://www.alltogethersantafe.org/>

From: John M Nye <johnmnye@yahoo.com.au>
Sent: Thursday, June 18, 2020 11:43 AM
To: BERKE, NOAH L. <nlberke@santafenm.gov>; Land Use Public Comment <landusepubliccomment@santafenm.gov>
Cc: CASSUTT-SANCHEZ, JAMIE A. <jcsanchez@santafenm.gov>; Alan Webber <alanwebber@me.com>; Elias Isaacson <esiasaacson@santafenm.gov>
Subject: Short Term Rental

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RE: 14-6.2 SFCC 1987 & 14-11.4

I realize this is late but am traveling and just received notification and if not acceptable will understand.

Comments & questions; 1) Are short term rentals considered a commercial business in a residential zone ?

- 2) Do they have a City Business License ?
- 3) Do they pay a lodgers tax ?
- 4) Do they pay GRT ?
- 5) Do they have a Federal Tax ID # ?
- 6) Limit one per family not per person.
- 7) Insurance - if claim I just take tort action against City ?
- 8) Costs of STR administration are a profit source or deficit ?

Thank you.

John M. Nye

P O Box 446
Tesuque, N M 87574

Cell (505) 699-3492
johnmnye@yahoo.com.au



July 17, 2020

Dear City of Santa Fe Planning Commissioners:

The Santa Fe Association of REALTORS® appreciates the City of Santa Fe Planning Commission's work to thoughtfully debate and improve the proposed Short Term Rental ordinance. The association is in alliance with many of the recommendations recorded by City Assistant Attorney, Sally A. Paez, at the commission's meeting in June. It is our understanding that the city is working on another iteration of the ordinance that will incorporate these recommendations. In light of this work, the association has taken a position on various changes in the proposal, most of which, align closely with the commission.

Please find attached a copy of the association's position on the Short Term Rental proposal. In reviewing the position, please note that commissioners did not make any recommendations regarding proposed changes to multi-family units in the proposal and; therefore, encourage commissioners to consider adopting the association's recommendation.

Additionally, the commission's discussion regarding the added 75-foot radius requirement for new permits was important and valuable as the association believes this further restriction on density is unworkable. For many homeowners, it would be difficult to make a such determination without significant support from the land use department. The association suggests the commission consider retaining the existing density requirement *"short-term rental permits will not be issued for more than two short-term rentals directly adjoining each other on a residentially zoned street. For the purposes of this subsection, "directly adjoining" means sharing a common boundary along a public street frontage, but does not include adjoining units in a condominium, townhouse development, in an apartment complex, or residential compound"*. Furthermore, a companion ordinance requiring new oversight by the city's land use director along with civil fees and penalties is advancing through city committees; and if adopted, will give significant discretion to the city's land use director to make such determinations along with a hearing appeal process to address any property owner's challenge to a decision.

The Santa Fe Association of REALTORS® appreciates efforts by city leaders to ensure this valuable, local green industry generating wealth for its citizens is supported and encouraged while significantly enhancing the city's tourism and coffers, through needed tax collections.

Sincerely yours,

A handwritten signature in black ink that reads "Susan Orth". The signature is fluid and cursive.

Susan Orth

President 2020

510 N Guadalupe, Santa Fe, NM 87501

CC: Mayor Alan Webber, Councilor Signe Lindell, Councilor Renee Villarreal, Councilor Carol Romero-Wirth, Councilor Michael Garcia, Councilor Roman Abeyta, Councilor Chris Rivera, Councilor JoAnne Vigil Coppler, Councilor Jamie Cassutt-Sanchez, Eli Isaacson – City Land Use Director, and Sally A. Paez – City Assistant Attorney



July 2020

The Santa Fe Association of REALTORS® respectfully requests the following amendments to the City of Santa Fe's proposed Short Term Rental ordinance:

- Eliminate the real estate notice requirement Chapter 14-6.2A(6)(g)(m) or retain the existing Short Term Rental ordinance language which uses the correct real estate industry terminology; and
- Eliminate the 25% limit on multi-family units and/or retain the ability to acquire a permit for Short Term Rentals in multi-family units where HOA and/or Condominium rules permit such rentals.

In alliance with the City of Santa Fe's Planning Commission members, the association concurs with the following recommended changes:

- Retain the Business Commercial District (BCD) and Resort Community exemptions and registration as provided in existing law;
- Clarify that a permit must be held in the name of a natural person; however, the subject property can be owned by a legal or business entity (i.e., revocable trust, LLC, or a corporation);
- Expand the non-transferability of a permit by adding "A transfer that does not result in new ownership of the property such as a transfer to owner's revocable trust for estate planning purposes or a transfer to an LLC or other transfer where there is *no change in the ownership interest in the property*, is not considered a transfer for the purposes of this subparagraph."
- Clarify that the 7-day rental period restriction does not apply in non-residential districts or areas;
- Eliminate the new 75-foot radius density restriction from the property line as unworkable and consider retaining the existing density requirements to advance the proposal; and
- Ensure that the grandfather provision removes existing language that allows the land use director to revoke the permit upon expiration.



July 10, 2020

Honorable Mayor and Members of the City Council
Santa Fe City Hall
200 Lincoln Avenue
Santa Fe, New Mexico 87504

Dear Mayor Webber and Honorable Councilmembers,

On behalf of Airbnb, thank you for allowing us to provide feedback on the draft short-term rental (STR) ordinance. We appreciate your willingness to hear our perspective and inputs, and look forward to supporting the City of Santa Fe's efforts to regulate STRs.

Airbnb is proud to partner with local governments across the world in support of fair and reasonable short-term rental regulations. Founded in 2008, our people-to-people platform benefits the communities in which we operate -- from generating additional tax revenue for cities and supporting local businesses, to helping families gain supplemental income. Since August 2016, we have collected and remitted approximately \$3.2M of Lodgers' taxes to Santa Fe on behalf of our host community. In the past 12 months, Airbnb hosts in Santa Fe earned approximately \$20.6 million and welcomed 115,000 visitors to support the local economy.

Enacting balanced regulations that protect neighborhoods while preserving the key benefits that STRs provide to the community is crucial. That is why we are writing to express concerns about the City of Santa Fe's proposed STR ordinance and to suggest revisions that we believe would improve the City's ability to implement fair and reasonable regulations.

STR Restrictions in Commercially Zoned Areas

The draft ordinance would remove the current code's distinction between STR units on residentially zoned property (which are subject to the permit limits) and those on non-residentially zoned property (which must be registered but are not subject to the permit limits). The operation of STRs is a legitimate business activity in commercially zoned districts, and should not be subject to either the proposed citywide permit caps or the one permit per person limit. Moreover, it makes sense to encourage visitors to stay in a city's commercial district, and setting caps on the amount of visitors runs counter to that goal. We urge you to maintain the current distinction between zones, and focus regulations on addressing impacts of STRs to residential neighborhoods.

Citywide Permit Cap

We understand the city wishes to protect neighborhood character and affordable housing supply, but are concerned that a citywide cap on STR permits would not achieve these policy goals and may have unintended consequences. First, limiting the number of permits creates a dynamic where one person who may only rent out their home for a couple weeks during the summer gets a permit, while someone who rents a portion of their house more frequently and is more dependent on the income may be locked out. Second, STRs provide flexible supply that is essential for accommodating demand during the city's seasonal peak periods and special events. Third, capping permits would decrease the potential for revenues from the city's Lodgers tax, a funding source that is essential to the City's plan to monitor and enforce regulatory code compliance. Finally, as the city's Affordable Housing Director noted at the June 18th Planning Commission hearing, STRs do not directly impact the long-term housing availability in Santa Fe. Our data reinforces this analysis: an overwhelming majority, or 88%, of entire home listings in the city were rented for fewer than 180 days through our platform.

In addition to the 825 operators currently registered with the city, we know that there are many more in operation -- whether they are occasional, part-time or full-time short-term rentals. We ask that you give these operators an opportunity to come into compliance, and then set the permit cap accordingly at the number of all existing rentals. This would be consistent with the intent of the ordinance's grandfathering provision, make the supply more sustainable over time, and ensure the ability of Santa Fe residents to maintain an important economic lifeline.

Permit Requirements

The draft ordinance states that permits can only be issued to natural persons. We echo the many concerns voiced at the June 18th Planning Commission meeting, and ask that this language be clarified to ensure that property that is held by a legal or business entity (i.e., revocable trusts and LLCs) can be used as STRs, as long as the STR permit is held by a natural person.

In addition, the draft ordinance states that new permits shall not be issued for an STR unit within a 75-foot radius of any existing permitted STR unit in residential areas. Given the significant differences in form and density across Santa Fe neighborhoods, we are concerned that the proposed proximity limit would unfairly disadvantage residents of multifamily buildings in denser neighborhoods, limiting income generating opportunities to single family neighborhoods. We ask that the city conduct further economic and social impact analysis of the proposed regulations in order to ensure equal opportunities for its residents. If that is not possible, we ask that the city lift this restriction in commercially zoned districts.

Hosting Platform Responsibilities

The City's proposed regulatory scheme for hosting platforms raises serious legal concerns with respect to the federal Communications Decency Act (CDA) by requiring that a hosting platform "include a valid business license number in all listings or advertisements for a short-term rental unit." The CDA provides broad publisher immunity for online hosting platforms based on the activities of third parties on its platform and federal courts have routinely invalidated laws that directly regulate a website's protected publisher function by forcing it to "alter," "edit," or "withdraw" third-party content.

As a result, hosting platforms cannot be held responsible for including a valid business license in third party short-term rental listings but we can provide a field for STR operators to input their City-issued permit number in a format designated by the City prior to publication of their short-term rental listing advertisement and deactivate noncompliant listings for short-term rental use upon City notice.

Data Sharing Requirements

We are also concerned that the draft ordinance's hosting platform data sharing provisions conflict with federal laws, impose significant administrative burdens, and require disclosure of information already subject to our Voluntary Collection Agreement with the City.

Federal courts have consistently opposed data sharing provisions that compromise business records and personal information by disregarding appropriate legal processes. In 2019, two different federal courts stopped enforcement of home sharing laws in Boston and New York City, with similar data sharing provisions to Santa Fe, finding that the Fourth Amendment of the U.S. Constitution, which protects against unreasonable searches and seizures by government officials, shields online platforms from disclosing business records, which includes listing specific transactional information, without a legal process. The Stored Communications Act, 18 U.S.C. §§ 2702, 2703, in addition, requires governments to follow a specified legal process, like a subpoena or court order, before requesting the disclosure of personal information from internet providers.

To resolve these concerns, Airbnb is open to providing anonymized and aggregated listing data in the form of total guest arrivals, average trip length, average nightly price and typical host income to help facilitate Santa Fe's understanding of Airbnb activity within its jurisdiction in a manner that is consistent with applicable privacy and data sharing laws. We propose that this data be provided on a quarterly basis in order to reduce the administrative burden on our platform. Finally, our Voluntary Collection Agreement with the City of Santa Fe, signed 2016, also includes audit provisions for handling any tax-related concerns.

Thank you for the opportunity to submit comments on the proposed STR ordinance. We look forward to continuing to work with the City of Santa Fe to foster economic opportunity for your residents through healthy and sustainable tourism.

Sincerely,



Matt Middlebrook
Head of Policy, US West

Cc: Sally Paez, Assistant City Attorney
Eli Isaacson, Land Use Director

GURULE, GERALDINE A.

Subject: FW: Short Term Rental Ordinance Amendments
Attachments: Proposed Amendment A-6_16_2020.pdf

From: Paul Plunket <pwplunket@gmail.com>
Sent: Monday, June 15, 2020 2:09 PM
To: esiasaacson@santafenm.gov; PAEZ, SALLY A. <sapaez@santafenm.gov>
Subject: Short Term Rental Ordinance Amendments

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon.

My wife and I have owned a second home in Santa Fe since 2008. On advice of our estate planners and tax preparers, we own a New Mexico LLC that has title to the property. We live there 60 to 90 days a year and rent it 60 to 90 days a year. We have always had a short-term rental permit and believe that we have complied with the spirit and letter of the short-term rental ordinance. We have paid all necessary fees and taxes.

I have reviewed the draft ordinance to be considered at the planning session tomorrow.

I am attaching to this email a couple of proposed amendments along with a brief explanation of the reasons for the amendments. We have some other concerns about the ordinance but want to see what the public meeting shows.

I hope I will be able to participate in the zoom portion of the meeting tomorrow.

We value our time in Santa Fe and want to make sure that the ordinance helps and does no harm to the City.

Warm regards,

Paul Plunket
214.796.1733

Page 2--Amend the last sentence of (5)(b)(iii) to read as follows:

The land use director shall issue ~~permits to natural persons only, and each natural person may possess a maximum of one (1) permit~~ a maximum of two (2) permits per owner. An owner shall provide the land use director with a sworn affidavit that such person or entity holds or will hold a maximum of two (2) permits. The sworn affidavit shall be executed by an authorized representative of such legal entity.

So that it reads as follows:

The land use director shall issue a maximum of two (2) permits per owner. An owner shall provide the land use director with a sworn affidavit that such person or entity will hold a maximum of two (2) permits. The sworn affidavit shall be executed by an authorized representative of such legal entity.

Page 9—Amend Section 2 at 14-12.1 by adding a definition of owner, as follows:

OWNER

Either (A) a natural person, or (B) a legal entity, such as a partnership, corporation, or limited liability corporation, who owns a short-term rental unit or units.

Explanation of the Amendments.

These amendments do a couple of things.

First, they strike a balance between limiting permit holders to only one property and the concerns about speculators with multiple short term-rental units as expressed in (A)(5)(a)(ii) of the proposed Ordinance. In addition, the amendments would permit a property owner to add an accessory dwelling unit and be able to lawfully rent both units. Finally, it is likely currently that very few owners of short-term rental units own more than two properties, so this limits the adverse effects on most current owners, while generally protecting the other residents in the neighborhoods.

Second, the definition recognizes that property owners may want to structure their ownership to accommodate estate planning and tax planning requirements rather than owning the property directly. At the same time, if the land use director determines that the sworn affidavit is incorrect, the director can take that into account in connection with continuation of the short-term rental permit.

PAEZ, SALLY A.

From: GURULE, GERALDINE A.
Sent: Thursday, June 18, 2020 9:17 AM
To: ISAACSON, ELIAS S.; PAEZ, SALLY A.
Subject: Fw: Comment on Short Term Rental Ordinance Proposed Changes

Should I include this one in my email to the Commissioners as well?

From: Denise Ramonas <deniseramonas@comcast.net>
Sent: Thursday, June 18, 2020 7:11 AM
To: GURULE, GERALDINE A. <gagurule@santafenm.gov>
Subject: Comment on Short Term Rental Ordinance Proposed Changes

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I am President of the Griffin Park Condominium Association and short-term rentals have changed our little 27 unit compound community and the change has not been for the better.

- >
- >
- > Since 2018, we have written the City's short-term rental office asking the city not to issue short-term rental licenses for Griffin Park units. We have had numerous meetings with the staff. We do not have the parking as required by the existing ordinance.
- >
- > In addition, our Declaration of Condominium prohibits short-term rentals. We would like to recommend that the new ordinance provide that no licenses will be issued or renewed in any condominium compound where the governing documents prohibit short-term rentals, hotel or transient uses.
- >
- > Your proposed changes are a step in the right direction.
- >
- > Thank you for your service to our city and your work on this issue.

Regards,
Denise Greenlaw Ramonas, President
Griffin Park Condominium Association

Sent from my iPad

GURULE, GERALDINE A.

Subject: FW: Proposed New Short Term Rental Guidelines

From: Karen Kolbert <Kkolbert5@hotmail.com>
Sent: Tuesday, June 16, 2020 12:42 PM
To: LINDELL, SIGNE I. <silindell@santafenm.gov>
Subject: Proposed New Short Term Rental Guidelines

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Signe

I am an owner of a property that is zoned BCD downtown opposite the new Santa Fe County Administrative Complex, i.e. Griffin Street. On my street there are only myself and another person who rents her home; otherwise all other downtown properties on Griffin and Staab are businesses. On Staab there are rental properties but it is not a residential area per se like South Capitol.

I am also a realtor and find that including changes to the short term rental Downtown quite absurd and economically unsound for the city.

Thank you so much for your time.

Sincerely,
Karen Kolbert Richelli

Karen Kolbert
KKolbert Jewelry Designs.com

Karen Richelli-Kolbert
Qualifying Broker,
Santa Fe Seaside Realty
505-577-8392

June 15, 2020

To Those Concerned with the Proposed Amendment to the Short-Term Rental Ordinance:

I have read the proposed new Short-Term Rental Ordinance and am submitting detailed and much-considered suggestions. I appreciate your time reading input from a knowledgeable, professional citizen well-versed and actively involved in the initial drafting of the City of Santa Fe's Short-Term Rental Ordinance(s) and the vacation rental business for more than a decade.

As the proposed STRO draft reads, there is a critical lack of distinction between regulations appropriate to a short-term rental business in a Residentially zoned area and a rental business in a Commercially-zoned district.

"Non-Residential" *is* and is best identified in the Ordinance as "Commercial" to be clear. City of Santa Fe Zoning of Permitted Uses (published Table 14-6.1 - attached) clearly distinguishes that Commercial zoning (such as C1, C2, C4 and BCD) PERMITS (allows) short-term rental usage.. That has been the guidance historically and was built into the initial and less-so into the currently operative STRO.

While changes are being proposed to improve regulations for Residentially-zoned short-term, please maintain and address more specifically and appropriately the current distinction separating regulations governing Residential and Commercial short-term rentals.

For RESIDENTIAL short-term rentals:

These rentals impact neighbors/neighborhoods and the quality/lifestyle/values of Residential areas. The new STRO reflects that understanding. Points:

- In strictly Residential zoning, what number of properties (ratio to non-short-term rental usage) is desirable?
- Is the fulfillment of 1,000 Permits workable for the goals (including effective oversight by the City), or is that too many (or too few) when spread out within the City Limits by the density required by the Ordinance?
- Also, since for legal purposes some properties are deeded to a Trust or Partnership or choose the protection of an LLC, a requirement could be made and satisfied with one individual Owner identified as the contact person and name in which the Permit is held.
- An Owner or reliable local contact or manager must be available 24-7 since this is a 24-7 business. Notification at the time of permit/renewal (if changed) to neighbors would provide that contact information.
- Application paperwork/online forms for Residential Short-Term Rentals should reflect the special requirements that pertain to Residential.

For COMMERCIAL short-term rentals:

Short-term rentals in business districts (C1,C2,C4,BCD, etc.) should enjoy the same privileges that other businesses and lodging accommodations purchased/operated/sold in this zoning receive, contributing to their success, in the following ways:

- Numbers of Commercial STR Permits issued should not be included in any total cap (only Residential Permits are counted) as limits are not placed on other businesses in business districts, generating healthy competition and offering a generous variety to consumers. (What would be the reason to limit a business in a business district that contributes numerous benefits to the Santa Fe economy in a basically "green" way?)
- A Commercial property Owner could own more than one property used as a vacation rental business. Density is determined by bedroom/off-street parking space availability, not by number of adjacent buildings - that should not apply to commercial property where the overriding concept is to promote free commerce.
- Commercial short-term rentals may operate without regard to number of stays/per time period the same as for other lodging in business districts (B&Bs, Inns, Hotels, Motels, Boarding facilities, etc.). As with any business, documentation can be made available to governing bodies when needed, but monthly reports other than for Lodger's and Gross Receipts Tax purposes would not apply.
- While Permits are non-transferable, new Owners of Commercial property used (or not previously used) as short-term rentals are guaranteed to be able to register in compliance with application requirements as regulated in the current STRO and allowable by zoning. Again, the same rules as any established business that is sold or purchased by zoning for optional commercial usage.
- Application paperwork/online forms for Commercial Short-Term Rentals should reflect the special requirements that pertain to Commercial.
- The name of one person from an Ownership entity, partnership, LLC, will be provided on the application as the Owner/Contact for the Commercial Short-Term Rental Permit (Registration and Permit).

(continued ... p2/3)

Some Important BENEFITS of short-term rentals:

- Commercially-zoned (as well as complying Residential) properties operating as vacation rentals generate a significant and presently much-needed contribution to the tax base through Lodger's and Gross Receipts taxes to the City and State.
- Variety of lodging options attracts a variety of clientele - not everyone wants to stay in a hotel or B&B or vacation rental. Each provides something special and enriches ways people can visit and experience Santa Fe and enjoy themselves. As a result, some then choose to relocate here and become valuable members of the community.
- Santa Fe is a city of hospitality, tourism is our life-blood to appreciate our many cultural offerings, contributing to and cultivating the local economy by bringing in tourist dollars that support restaurants, retail, State Parks, cultural events, and so on - all of which our community depends upon to grow and thrive.

Now is an ideal time to set a standard that is fair and create a sustainable, sound, manageable Short-Term Rental Ordinance that works for everyone - the City, State, locals and investors alike - in Santa Fe. A Short-Term Rental Ordinance that serves us long-term!

We need to think carefully about moderations to short-term rental policies in residential neighborhoods that are enforceable and protect quality-of-life for Santa Feans, while continuing to facilitate the availability of short-term rentals in the Commercial districts for those visitors who seek home-like accommodations for their stay in the midst of our dynamic city.

Thank you for the opportunity to participate in the conversation. I am available by phone for more dialogue anytime at your convenience, and anticipate a public community forum will provide valuable constructive input in creating, when timely and approved, the next version of the Short-Term Rental Ordinance.

Victoria Rogers, MA, retired RN, LMT and NM Real Estate Broker
Owner/Manager - Casita Ristra Vacation Rental, Santa Fe, NM
505.989.1088 cell/text

Table 14-6.1-1

CATEGORY Specific Use	RR	R-1 - R-6	R-7 - R-9	R-7 - I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I -1	I -2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
RESIDENTIAL																						
Group Living																						
Continuing care community	S	S	S	S	S	S		S		P	S	P	P	P			S				P	(A)(1)
Group Residential Care Facility	S	S	S	S	S	S		S		P	S	P	P	P			S				P	
Group Residential Care Facility, Limited	P	P	P	P	P	P		P		P	S	P	P	P			S				P	
Group Residential Care Facility, Correctional			S		S	S		S		P*	P*	P*	P*	S			S				S	
Boarding, dormitory, monastery	S	S	S	S	S	P		P		P	S	P	S	P			S				S	
Household Living																						
Dwelling, multiple-family	p1	P	P		P	P	P	P		P	p6	P	P	P				p6	p6	p6	P	(A)(5), (A)(6)
Dwelling, single-family	P	P	P	P	P	P	P	P		P	p6	P	P	P							P	(A)(5)
Manufactured homes	P	P	P	P	P	P	P	P		P	p6	P	P	P							P	(A)(4)
Mobile home, permanent installation	S	S	S	S	S	S		S		S		S	S									(A)(2)
Mobile home park							p9															(A)(3); See 14-6.4(B)

CATEGORY Specific Use	RR	R-1 - R-6	R-7 - R-9	R-7 - I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I -1	I -2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2	
Short Term Rental Unit	Prohibited except as set forth in Section 14-6.2(A)(5)(a)										P	P	P	P	P						P	P	(A)(5), (A)(6)
PUBLIC, INSTITUTIONAL AND CIVIC (Ord. No. 2014-31 § 11)																							
Emergency Services																							
Police and fire stations	S	S	S	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P	P	
Police substations (6 or fewer staff)	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	
Preschool, Daycare for Infants or Children																							
Small (6 or fewer)	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	
Large (More than 6)	S	S	S	S	S	S	S	S		P	P	P	P	P	P	S		P	P	P	P	S	
Electrical Facilities (See 14-6.2(F) for Planning Commission Review Requirements)																							
Distribution facilities	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	(F), (G)
Substation	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	(F)
Switching station	P	P								P	P	P		P	P	P	P	P	P	P	P	P	(F)
Transmission lines	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	(F)
Educational																							
Elementary and secondary schools, public and private	S	S	S		S	S		S		P*	P*	P*	S	P*	S		P*	S	S	S	S	P*	
Colleges and universities, residential	S	S	S		S	S		S		S	S	S	S	P			S				S	(B)(2)	
Colleges and universities, nonresidential										P	P	P	P	P	P		P	P	P	P	P	P	
Museums		S	S		S	S		p10		P	P	P		P	P		P	P	P	P	P		
Vocational or trade schools, nonindustrial								p10		P	P	P		P	P		P	P	P	P	P		
Vocational or trade schools, light industrial														P*	P	P	P*						

CATEGORY Specific Use	RR	R-1 - R-6	R-7 - R-9	R-7 - I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I -1	I -2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
Community Centers and Institutions																						
Neighborhood and community centers,	S	S	S		S	S		S		P	P	P	P	P			P	P	P	P	P	

CATEGORY Specific Use	RR	R-1 - R-6	R-7 - R-9	R-7 - I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I -1	I -2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2	
including youth and senior centers																							
Religious, educational and charitable institutions (does not include schools or assembly uses)						S		S	S	p*	p*	p*	p*	p*	p*			p*	p*	p*	p*	p*	
Hospitals and Extended Care Facilities																							
Extended care, convalescent, nursing, recovery care facilities	S	S	S	S	S	S		S		P	P	P	P	P				P				P	
Hospitals										S	S			p/s ⁶	P			P					(B)(3)
Hospital heliport														P									(B)(3)(b)
Human Services																							
Adult day care	S	S	S	S	S	S		S		P	P	P	P	P				P	P	P	P	P	
Foster homes licensed by the appropriate state agencies		P	P	P				P		P		P	P	P									P
Human service establishments															p*	p*			p*	p*	p*	p*	(B)(4)
Sheltered care facilities	S	S	S		S	S		S		S	S	S	S	P								S	(B)(5)

CATEGORY Specific Use	RR	R-1 - R-6	R-7 - R-9	R-7 - I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I -1	I -2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2	
Parks and Open Space																							
Cemeteries, mausoleums and columbariums	S	S	S							S	S		S	P									(B)(1)
Public parks, playgrounds, playfields	P	P	P		P	P		P		P	P	P	P	P	P	P		P	P	P	P	P	
Religious Assembly																							
All	S	S	S		S	S		S		P	P	P	P	P	P			P	P	P	P	P	
Utilities																							
All (includes natural gas regulator station, telephone exchange, water or sewage pumping station or water storage facility)	S	S	S		S	S		S		S	P	S	S	P	P	P						S	(B)(6)
COMMERCIAL (Ord. No. 2014-31 § 11)																							
Animal Sales and Service																							
Veterinary establishments, pet grooming	S									p*	p*	p*		P	P	P		p*		p*	p*	p*2	
Kennel	S									p*	p*	p*		P	P	P		p*					
Arts Activities																							
Arts and crafts studios, galleries and shops; gift shops for the sale of arts and crafts								p ¹⁰	P	P	P	P		P	P				P	P	P	p ²	

CATEGORY Specific Use	RR	R-1 - R-6	R-7 - R-9	R-7 - I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I -1	I -2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2	
Arts and crafts schools								p ¹⁰	P	P	P	P		P	P			P	P	P	P	p ²	
Dance studios								p ¹⁰	P	P	P			P	P			P	P	P	P	p ²	
Photographers' studios								p ¹⁰	P	P	P			P	P			P	P	P	P	p ²	
Assembly																							
Private clubs and lodges	S	S	S		S	S		S	S	p*	p*	p*	p*	p*	p*			p*	p*	p*	p*	p*2	
Financial Services																							
Banks, credit unions (without drive-through)										P	P			P	P			P	P	P	P	p ²	
Banks, credit unions (with drive-through)										p*	p*			P	P*			p*	p*	p*	p*	p ²	

CATEGORY Specific Use	RR	R-1 - R-6	R-7 - R-9	R-7 - R-1	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I -1	I -2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
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Florist shops								p ¹⁰	P	P	P		P	P	P			P	P	P	p ²		
Funeral homes or mortuaries										P	P			P	P								
Furniture stores											P			P	P	P				P	P	p ²	
Neighborhood grocery stores and laundromats	S	S	S		S	S		S		S	P	S	S									p ²	(C)(4)
Office equipment sales and service; retail sale of office supplies											P				P	P	P				P	P	p ²
Retail establishments not listed elsewhere											P				P	P	P				P	P	p ²
Retail and service uses that are intended to serve the primary uses and that do not exceed 5,000 square feet															P	P	P	P					p ²

Retail sales accessory to any permitted use, provided that such commercial uses shall not occupy more than ten percent of the total floor area of all buildings occupied by the principal use																							S ²
Sign shops											P	P		P	P	P							p ²
Service Establishments																							
Barber shops and beauty salons										P	P	P		P	P				P	P	P	p ²	
Personal care facilities for the elderly						S		S		P	P	P	P	P	P				P	P	P	p ²	(C)(7)
Personal service establishments including cleaning and laundry, appliance repair and similar services											P				P	P					P	P	p ²
Tailoring and dressmaking shops								P	P	P	P	P		P	P				P	P	P	p ²	
Sexually Oriented Businesses																							
All															P	P							(C)(1)

Storage																							
Individual storage areas within a completely enclosed building											S				P	P	P	P	P	P	P		(D)(2)
Mini-storage units											S				P	P	P		P	P	P		(D)(3)
Telecommunication																							
Telecommunications Facilities	Permitted as set forth in Section 14-6.2(E) (for facilities in public rights of way see Article 27-2 SFCC 1987)																						
Vehicles and equipment																							
Commercial parking lots and garages												P		P	P	P	P	A	P	P	P		See 14-8.6(B)(6)

CATEGORY Specific Use	RR	R-1 - R-6	R-7 - R-9	R-7 - I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I -1	I -2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
Service and repair establishments including filling stations and repair garages										P				P	P	P			S	S		
Tire recapping and retreading										P				P	P	P						

CATEGORY Specific Use	RR	R-1 - R-6	R-7 - R-9	R-7 - I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I -1	I -2	BIP	SC-1	SC-2	SC-3	
Industrial																					
Automobile salvage and wrecking yards, junkyards or yards used in whole or in part for scrap or salvage operations or for processing, storage, display or sales of any scrap, salvage or secondhand building materials, junk automobiles or second hand automobile parts																					P
Research, experimental and testing laboratories													P					P	P	P	P
Manufacturing and Production																					
Light assembly and manufacturing													P					P	P	P	P

CATEGORY Specific Use	RR	R-1 - R-6	R-7 - R-9	R-7 - I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I -1	I -2	BIP	SC-1	SC-2	SC-3	MU ***		
Outdoor Storage																							
Outdoor storage lots and yards, except wrecking yards, junkyards or yards used in whole or in part for scrap or salvage operations or for processing, storage, display, or sales of any scrap, salvage or second-hand building materials, junk automobiles or second-hand automobile parts																					P	P	A
Warehouse and Freight Movement																							
Wholesaling and distribution operations - 3,000 square feet or less of storage														P				P	P	P			
Wholesaling and distribution operations - over 3,000 square feet of storage																			P	P			

CATEGORY Specific Use	RR	R-1 - R-6	R-7 - R-9	R-7 - I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I -1	I -2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
AGRICULTURAL USES (Ord. No. 2016-41 § 3)																						
Animal production																						(H)
Commercial stable	S																					(H)
Urban Farm Ground Level, less than 10,000 sq ft.	A	A	A	A	A	A				P	P	P			P	P		P	P	P		(I)
Urban Farm Ground Level, 10,000 sq ft. - 1 acre	S	S	S	S	S	S				P	P	P			P	P		P	P	P		(I)

CATEGORY	RR	R-1-6	R-7-9	R-7-1	RC-5-8	RC-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU***	Use-Specific Regs 14-6.2
Special Use																						
<p>* Special use permit required if located within 200 feet of residentially-zoned property unless a qualifying project located within the Midtown LINC Overlay District, otherwise permitted. (Ord. No. 2013-16 § 29, Ord. No. 2016-39 § 3)</p> <p>**Uses listed are in addition to those permitted in the underlying district. No more than 3,000 square feet of gross floor area may be devoted to nonresidential uses</p> <p>***See Section 14-7.3(B)(1) for additional MU district regulations including minimum percentage of residential use. (Ord. No. 2013-16 § 22)</p> <p>1. In the RR district, multiple-family dwellings are limited to four per lot.</p> <p>2. Hours of operation limited to 7 a.m. to 10 p.m.</p> <p>3. Amplified live entertainment or amplified music for dancing prohibited after 10 p.m.</p> <p>4. Not to exceed 1,000 square feet gross floor area, sales of alcohol prohibited</p> <p>5. Hospital is a permitted use in the Las Soleras Hospital District, requires special use permit in the Christus St. Vincent Hospital District</p> <p>6. See Section 14-6.2(A)(7) for additional regulations for principal dwelling units in the C-2, BIP and SC districts.</p> <p>7. See Section 14-6.3 for additional accessory use regulations; see Section 14-6.4 (Temporary Uses or Structures)</p> <p>8. In the Las Soleras Hospital District a heliport serving a hospital is a permitted use.</p> <p>9. See Section 14-7.2(I) for standards for pre-existing mobile home parks and Section 14-6.2(A)(3)(a) for prohibition of new mobile home parks in MHP districts.</p> <p>10. See Section 14-7.2(H) 3,000 square foot limit applies to specified uses in RAC district. (Ord. No. 2014-31 § 11)</p>																						

GURULE, GERALDINE A.

From: ISAACSON, ELIAS S.
Sent: Tuesday, June 16, 2020 8:23 AM
To: GURULE, GERALDINE A.
Subject: FW: Proposed Amendment to Short-Term Rental Ordinance
Attachments: Table 14-6.1-1 Zoning Permitted Uses Santa Fe NM.htm

From: LINDELL, SIGNE I. <silindell@santafenm.gov>
Sent: Tuesday, June 16, 2020 7:38 AM
To: ISAACSON, ELIAS S. <esisacson@santafenm.gov>; PAEZ, SALLY A. <sapaez@santafenm.gov>; ROMERO-WIRTH, CAROL <cromero-wirth@santafenm.gov>; VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov>
Subject: Fwd: Proposed Amendment to Short-Term Rental Ordinance

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From: Victoria Rogers <victoria.rogers8@comcast.net>
Sent: Tuesday, June 16, 2020 7:22:10 AM
To: LINDELL, SIGNE I. <silindell@santafenm.gov>
Subject: Proposed Amendment to Short-Term Rental Ordinance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Signe,

You and I have communicated in the past on this subject. I have read the proposed new Short-Term Rental Ordinance and am submitting detailed and much-considered suggestions. I appreciate your time reading input from a knowledgeable, professional citizen well-versed and actively involved in the initial drafting of the City of Santa Fe's Short-Term Rental Ordinance(s) and the vacation rental business for more than a decade.

As the proposed STRO draft reads, there is a critical lack of distinction between regulations appropriate to a short-term rental business in a Residentially zoned area and a rental business in a Commercially-zoned district.

"Non-Residential" *is* and is best identified in the Ordinance as "Commercial" to be clear. City of Santa Fe Zoning of Permitted Uses (published Table 14-6.1 - attached) clearly distinguishes that Commercial zoning (such as C1, C2, C4 and BCD) PERMITS (allows) short-term rental usage.. That has been the guidance historically and was built into the initial and less-so into the currently operative STRO.

While changes are being proposed to improve regulations for Residentially-zoned short-term rentals, please maintain and address more specifically and appropriately the current distinction separating regulations governing Residential and Commercial short-term rentals.

For RESIDENTIAL short-term rentals:

These rentals impact neighbors/neighborhoods and the quality/lifestyle/values of Residential areas. The new STRO reflects that understanding. Points:

- In strictly Residential zoning, what number of properties (ratio to non-short-term rental usage) is desirable?
- Is the fulfillment of 1,000 Permits workable for the goals (including effective oversight by the City), or is that too many (or too few) when spread out within the City Limits by the density required by the Ordinance?
- Also, since for legal purposes some properties are deeded to a Trust or Partnership or choose the protection of an LLC, a requirement could be made and satisfied with one individual Owner identified as the contact person and name in which the Permit is held.
- An Owner or reliable local contact or manager must be available 24-7.
- Application paperwork/online forms for Residential Short-Term Rentals should reflect the special requirements that pertain to Residential.

For COMMERCIAL short-term rentals:

Short-term rentals in business districts (C1,C2,C4,BCD, etc.) should enjoy the same privileges that other businesses and lodging accommodation purchased/operated/sold in this zoning receive, contributing to their success, in the following ways:

- Numbers of Commercial STR Permits issued should not be included in any total cap (only Residential Permits are counted) as limits are not placed on other businesses in business districts, generating healthy competition and offering a generous variety to consumers. (What would be the reason to limit a business in a business district that contributes numerous benefits to the Santa Fe economy in a basically "green" way?)
- A Commercial property Owner could own more than one property used as a vacation rental business. Density is determined by bedroom/off-street parking space availability, not by number of adjacent buildings - that should not apply to commercial property where the overriding concept is to promote free commerce.
- Commercial short-term rentals may operate without regard to number of stays/per time period the same as for other lodging in business districts (B&Bs, Inns, Hotels, Motels, Boarding facilities, etc.). As with any business, documentation can be made available to governing bodies when needed, but monthly reports other than for Lodger's and Gross Receipts Tax purposes would not apply.
- While Permits are non-transferable, new Owners of Commercial property used (or not previously used) as short-term rentals are guaranteed to be able to register in compliance with application requirements as regulated in the current STRO and allowable by zoning. Again, the same rules as any established business that is sold or purchased by zoning for optional commercial usage.
- Application paperwork/online forms for Commercial Short-Term Rentals should reflect the special requirements that pertain to Commercial.
- An Owner or reliable local contact or manager must be available 24-7, since this is a 24-7 business. Notification at the time of permit/renewal (if changed) to neighbors would provide that contact information.
- The name of one person from an Ownership entity, partnership, LLC, will be provided on the application as the Owner/Contact for the Commercial Short-Term Rental Permit (Registration and Permit).

Some Important BENEFITS of short-term rentals:

- Commercially-zoned (as well as complying Residential) properties operating as vacation rentals generate a significant and presently much-needed contribution to the tax base through Lodger's and Gross Receipts taxes to the City and State.
- Variety of lodging options attracts a variety of clientele - not everyone wants to stay in a hotel or B&B or vacation rental. Each provides something special and enriches ways people can visit and experience Santa Fe and enjoy themselves. As a result, some then choose to relocate here and become valuable members of the community.
- Santa Fe is a city of hospitality, tourism is our life-blood to appreciate our many cultural offerings, contributing to and cultivating the local economy by bringing in tourist dollars that support restaurants, retail, State Parks, cultural events, and so on - all of which our community depends upon to grow and thrive.

Now is an ideal time to set a standard that is fair and create a sustainable, sound, manageable Short-Term Rental Ordinance that works for everyone - the City, State, locals and investors alike - in Santa Fe. A Short-Term Rental Ordinance that serves us long-term!

We need to think carefully about moderations to short-term rental policies in residential neighborhoods that are enforceable and protect quality-of-life for Santa Feans, while continuing to facilitate the availability of short-term rentals in the Commercial districts for those visitors who seek home-like accommodations for their stay in the midst of our dynamic city.

Thank you for the opportunity to participate in the conversation. I am available by phone for more dialogue anytime at your convenience, and anticipate a public community forum will provide valuable constructive input in creating, when timely and approved, the next version of the Short-Term Rental Ordinance.

Victoria Rogers, MA, retired RN, LMT and NM Real Estate Broker

Owner/Manager - Casita Ristra Vacation Rental, Santa Fe, NM

505.989.1088 cell/text

A printable Word document copy of this emailed letter is attached.

PAEZ, SALLY A.

From: BERKE, NOAH L.
Sent: Wednesday, August 19, 2020 12:20 PM
To: PAEZ, SALLY A.
Subject: Fwd: Important Detail for New STR Ordinance - Local Laws
Attachments: Vrbo Local Laws 1.jpg; Vrbo Local Laws 2.jpg

Thanks!

Noah Berke
Planner Manager
Land Use Department
(505) 955-6647
(505) 490-5930

From: Victoria Rogers <victoria.rogers8@comcast.net>
Sent: Wednesday, August 19, 2020 11:02:37 AM
To: Mayors Office <mayor@santafenm.gov>; BERKE, NOAH L. <nlberke@santafenm.gov>
Subject: Important Detail for New STR Ordinance - Local Laws

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Webber,

As we refine the STR Ordinance and the City of Santa Fe works closely with such marketing engines as Vrbo, I wanted to call your attention to an important detail.

All are aware that a distinction in Ordinance requirements between Residential and Commercial zoned STRs should be addressed effectively, however, another detail exists that is critical for successful translation of new laws into the marketing arena.

Please create a separate numbering or lettering system that will indicate whether a registered STR property is licensed as Residential or Commercial. (Example: R367890 vs C367890)

The reason this is critical is because on the Owner Vrbo site Dashboard (you need to be an Owner to sign in, so you would not see this - see attached screen shots), there is an index called "Local Laws".

In this section, Vrbo has blanks that are designed to uphold those laws.

One blank is: minimum night stay

In the Residential areas, the new Ordinance is possibly going to pass with a 7-night minimum.

The Commercial areas would not have that minimum, same as other lodging in Commercial areas, all of which have non-restricted minimum night for rental.

If a distinction can not be easily identified and communicated with the Vrbo system, then the limitation of 7 nights indicated for Residential STRs would be placed on Commercial STRs, too.

That would defeat one of the important distinctions between the two zoning areas, which reflect very different needs and neighborhoods, as well as income potential (certainly from the Commercial STRs not just for the Owner who is running a legitimate and zoning-approved business, but for City Lodger's Tax and State GRTs).

Commercial STRs are in areas meant for flourishing business and tourist traffic and turn-over, per zoning. It is right that there is no minimum night stay and the Vrbo site, and others coordinating with local and state laws, must be able to identify that, both for those wishing to visit and stay in a vacation rental and for the owners in this hospitality industry.

Thank you for acknowledging and addressing this issue along with new STR Ordinance legislation that is passed.

Feel free to contact me with any questions. I am copying Noah Berke; please circulate to other concerned decision-makers.

Victoria Rogers
STR Owner

2 attachments

PAEZ, SALLY A.

From: BERKE, NOAH L.
Sent: Thursday, June 18, 2020 2:36 PM
To: PAEZ, SALLY A.; ISAACSON, ELIAS S.
Subject: Fwd: Please vote NO on the proposed changes to the short term rental ordinance

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From: Tim Ryan <timaryan7@gmail.com>
Sent: Thursday, June 18, 2020 1:24:24 PM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Subject: Please vote NO on the proposed changes to the short term rental ordinance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As a tax paying, licensed homeowner/operator of a short term rental (STR) in the BCD, I am writing to express my absolute and complete opposition to the new regulations being considered regarding STR's in BCD districts in Santa Fe. The following are the reasons that the city of Santa Fe should NOT adopt these new regulations.

1. The clear distinction, in Section 14-6.2 (A) 6 of the STRO between BCD-zoned STRs and residentially zoned STRs must be preserved, or the city's zoning structure becomes non-sensical by essentially treating STRs as fundamentally different from other lodging options, such as inns and hotels.
2. The new STRO restrictions upon BCD-zoned properties include a limit of one reservation per seven-day period, which would lead to a significant reduction in revenue. Logically, hotels, inns and B&Bs should face the same requirement, as all are simply varying, legitimate lodging options in a business district. This action is potentially a taking of property without compensation.
3. The new STRO allows STR permits only for natural persons, not to legal entities, like LLCs, partnerships, trusts, etc. Property ownership by a legally formed entity has been a staple of our legal system.
4. Other revisions would make it impossible to start any new STR in the BCD, which is odd, since we could easily open a new gallery, restaurant or hotel (e. new 70 room Lensic development) tomorrow with no limitation on how many of these types of businesses can operate in the BCD.
5. The regulations would create new, onerous paperwork requirements that are arbitrary and unfair when compared to other lodging businesses in the same BCD commercial zone.
6. It is unwise to assume that STR guests will choose a hotel if no STRs are available. It is not the same experience and many visitors will simply go elsewhere and Santa Fe will lose revenue at a time when the City can scarcely afford to.

We purchased our home specifically in the BCD. Within a block of our home are three restaurants, a UPS store, a doggy day care, a strip mall, a gas station, a hat shop and numerous other commercial

businesses. We are NOT in a purely residential neighborhood and should not be treated as such. Short term rentals in commercial zoning should have the same privileges as other commercial businesses and lodging establishments. The bottom line is that no significant changes should be made at this time and the city should retain the BCD/residential distinction and enforce the existing STRO regulations instead of creating new ones and punishing those of us that follow the rules.

I respectfully ask you to vote NO on the proposed changes.

Thank you for your consideration,

Tim Ryan
[303 Staab Street](#)
[Santa Fe, NM](#)
87501

PAEZ, SALLY A.

From: LAPAN HILL, JAREL
Sent: Wednesday, January 29, 2020 7:42 PM
To: MCSHERRY, ERIN K.; ISAACSON, ELIAS S.; PAEZ, SALLY A.
Cc: Mayors Office
Subject: FW: Santa Fe Lodgers Association Follow Up on Short Term Rentals
Attachments: addendum STRs.pdf

Sharing this correspondence for awareness

From: dph.sfe.162.gm.Keith.Kirk <Keith.Kirk@druryhotels.com>
Sent: Wednesday, January 29, 2020 10:46 AM
To: Mayors Office <mayor@santafenm.gov>
Subject: Santa Fe Lodgers Association Follow Up on Short Term Rentals

Dear Mayor Webber,

I wanted to reach out on behalf of the Santa Fe Lodgers Association and see if we can help in any way to move the Short-Term Rental ordinances and regulations forward? As you know we submitted a letter to you and all the Council Members back on October 17th with the hopes that action might be taken by January 1st. I know that you and the Councilors are working on many items which include the fine and penalty steps which is important to avoid actually court cases. In addition, Carol Johnson left her position creating a vacancy that oversaw this area. However, we want this issue to remain a focus and we are willing to help and support in any way we can to move this process along. It is vital to the lodging industry in Santa Fe as well as the impact it has on affordable housing to have the regulations that are in place enforced. From our conversations, I know you are in agreement with most all the items listed below and we are more than willing to help and support this process.

Can you give any kind of update I can share at my next Lodgers Meeting which is February 12th?

Thank you for your time and consideration and look forward to a response.

Sincerely,

Keith Kirk
President of the Santa Fe Lodgers Association

Below is our original letter and attached information:

Santa Fe Lodgers Association
PO Box
Santa Fe, NM 87501

October 17, 2019

Dear Mayor Webber, and Councilors:

Santa Fe Lodgers Association (SFLA) requests that the city council work to develop enforceable policy and regulation to ensure that Short Term Rentals (STRS) do not erode the intent of residential zoning and do not disrupt the equity of fair competition in the lodging industry.

The SFLA is not opposed to STRS. We are concerned regarding the lack of enforcement and lack of progressive changes to policy and regulation that protect housing for workers, the integrity of community, and fair competition in the marketplace.

As council works towards this end, we ask that the following be considered.

- Establish a firm date for the enforcement of the current STR Ordinances and enforce current laws. We suggest January 1, 2020 as the start date.
- Increase current fee structure to provide the dollars for the needed enforcement arm and allocate those funds directly to the Land Use department for this purpose.
- Retain current cap of 1000 STR permits in residential areas with a commitment to not increase this amount without the implementation of enforcement and further study of the issues related to the growth of STRS.
- Establish guidelines for STR in the Business Districts treating them the same as existing hotels, inns and bed and breakfast operations.
- One permit – one resident or homeowner – multiple permits now allowed.
- A lottery system could be used when all 1000 permits are taken. There is no guarantee you will get a permit each year.
- Permit preference given to local Santa Fe residents and owner occupied STR units over out of state owners.
- Take immediate action to bring the over 800 illegal STR that the Host Compliance software has already identified.
- Enact regulation to prevent STR's in multifamily units, unless occupied by a host resident.
- Immediately enforce the current regulation that no permits be issued to more than 2 contiguous units.
- Form a task force to provide advisory assistance to Land Use in its efforts to implement the desired level of enforcement.
- Require that STR permits be used as demonstrated by the collection and remittance of Lodger's Tax. Any permit not used for a period of 12 months would not be renewed and would be made available to others.

We support the original intent of STRS, as an opportunity for homeowners to augment their income, and the intent of one home one permit. We are opposed to investors creating non-conforming hotels in multi-family units as well as eroding the residential quality of neighborhoods, and the disregard of hotel licensing in commercial zoning. We wish to be of assistance in developing policy that is consistent with those values and request that the following be considered as you re-write policy.

Addendum attached: Q&A between us and Carol Johnson, Land Use director, from meeting with the board of the SF Lodgers Association, on September 11, 2019.

Respectfully,

Keith Kirk- President

Drury Plaza Hotel

Christina Genuario-Gill – Secretary/Treasurer

Inn on the Alameda

Sam Gerberding – Board Member

Inn of the Governors

Corey Fidler – Board Member

Hotel Santa Fe

Tom McCann – Vice President

Heritage Hotels

Rik Blyth – Board Member

La Fonda on the Plaza

John Rickey – Board Member

Historic Hilton

Rob Ettenson – Board Member

Inside Santa Fe Magazine

Bruce Adams – Board Member
Santa Fean, Now and Su Casa Magazine
Charlie Gray – Executive Director

Jeff Mahan – Board Member
Truhostpiltality

Keith Kirk
General Manager
Drury Plaza Hotel *in* Santa Fe
828 Paseo de Peralta
Santa Fe, NM 87501

P 505.424.2175 (ext: 7070)
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TRAVEL happy

PAEZ, SALLY A.

From: LAPAN HILL, JAREL
Sent: Wednesday, January 29, 2020 8:23 PM
To: ISAACSON, ELIAS S.; PAEZ, SALLY A.; MCSHERRY, ERIN K.
Cc: Mayors Office
Subject: FW: THIS ONE!!!
Attachments: Short Term Rental Recommendations.docx

More resident input on short term rentals

From: Joe Schepps <yoder560@gmail.com>
Sent: Wednesday, January 29, 2020 1:05 PM
To: Mayors Office <mayor@santafenm.gov>; FREITAS, MARY M. <mmfreitas@santafenm.gov>
Subject: THIS ONE!!!

PUTTING NEIGHBORS BACK INTO NEIGHBORHOODS

Overview:

When the original Short-Term Rental (STR) ordinance was adopted into the City Code, Santa Fe, like all US cities, had little or no experience with this new concept of renting. Short-Term Rentals (STRs) were originally envisioned as an opportunity for local residents to rent out their homes or portions thereof for either profit or the necessity to cover living expenses. None of the original ordinance framers could have foreseen that these permits would become commercial business enterprises, or that one person would have multiple individual permits, or that STRs would have such a negative impact on neighborhoods, long-term rental housing availability and housing prices.

The suggestions for changes to Santa Fe's STR ordinance are briefly described below and are taken from the many different communities who have successfully modified their STR ordinances. These municipalities include Charleston, SC, Santa Monica, CA and Pacific Grove, CA. Input from various constituent groups were solicited, including the hospitality sectors, neighborhood associations, individual impacted neighborhood residents and affordable housing advocates concerned about both the spiraling price of housing and the community impact of the removal of long-term rentals from the market. Established neighborhoods lose many of their neighbors and therefore their traditional cohesiveness is impacted by STR strangers. These shifting dynamics raise property values driven by valuation based on the capitalization rate of potential STR income cash flow. Instead of purchasing a residential home as your primary residence to live in, prices are driven higher by housing valued as STR income — a capitalization method formerly reserved for traditional commercial property.

The Thornburg Foundation and Homewise recently funded a June 2019 report by Kelly O'Donnell PhD, of O'Donnell Economics and Strategy titled *Short Term Rentals and Access to Housing in Santa Fe*. This detailed work outlines the impact STRs have on housing under Santa Fe's existing ordinance. This study is a must read for anyone interested in understanding the mechanics of how STRs impact housing. The report can be downloaded from the City of Santa Fe AND Homewise websites. Drop these links into your browser: https://www.santafenm.gov/document_center/document/10452 OR <https://www.homewise.org/reports-audits/>

For City Council consideration, below is a list of recommended actions to take and amendments to be included in an amended Short-Term Rental ordinance.

1. Initiate an immediate Moratorium on STR permit applicants from investors or homeowners, commercial and residential, unless the property is the primary residence of that applicant.
2. Initiate STR code changes that are simple, clear and easily enforced.
3. Allow one STR permit per primary resident, with proof of ownership. That resident, or host, must occupy the home for at least 6 months a year and must reside on property during STR stays.
4. Owner must annually renew a STR permit and must list the assigned permit number on all advertised listings, Internet and otherwise.
5. Owner must have a business license, required code inspections and a GRT number.
6. At the sale of a residential or commercial property, the seller cannot transfer a STR permit. The new owner must re-apply for approval.
7. Require, monitor and strictly enforce Lodgers and GRT tax collections.
8. Complaints or information concerning enforcement of non-compliance are treated anonymously.
9. Provide tracking of unlicensed STRs and licensed permit compliance with strong and effective enforcement of all STR rules and regulations, including limits of the number of guests per stay.

Subject: STR
Date: Saturday, June 13, 2020 at 13:34:08 Mountain Daylight Time
From: marvin schrager
To: mayor@santafenm.gov
CC: Richard Woodruff
Category: Adobe Casitas

Dear Mr. Mayor: I have received your response to which I vigorously disagree.

People like myself have made significant investments in your community. We spend considerable amounts of time visiting and supporting SF industry. We also provide opportunity for others to visit SF and support SF industry. If you read all of the reviews for mine and other's properties, you will find the preponderance of extremely favorable reviews. The fact is, STR are a favored way to travel, especially for families.

If there is a problem, consider not issuing any new permits and capping it at the present limit.

However, to arbitrarily cut the number of permits is to severely damage the investment of many people.

Such action will most likely cause at least a 25% drop in the value of STR properties. I have 2 for sale due to health reasons and most of the potential buyers are "investors" What am I to do if you won't give them my permit? I invested in SF with the understanding I could rent my property. Now you want to change the agreement. Where is the "fairness" in that?

We bought a 2nd home w/in the last 1.5 years. There was no mention of your intent and we received a permit. Why were we not warned of your thoughts to change? Seems to me a bit of deception on the part of the city.

To take away my permits if I sell seems to me to be a form of eminent domain without paying fair market value.

I hope you will reconsider your position.

Thank you
Marvin Schrager 512 944 7059

GURULE, GERALDINE A.

From: Ron and Myrna Simon <darchorse@msn.com>
Sent: Sunday, June 14, 2020 11:42 PM
To: COPPLER, JOANNE V.; Land Use Public Comment
Cc: kkomoll@newmexicohospitality.org;; gholcomb@vrma.org; aduettra@gmail.com
Subject: Short Term Rental Ordinance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Having just learned of Santa Fe City Council's impending action regarding Short Term Rentals, we feel you are unfairly penalizing the owners of these STRs, are seriously impacting the investment they have made in their properties and limiting their future revenues. And to what avail?

What precipitated this action? You are only jeopardizing the visitors and tourists who would be coming to your beautiful community. We love the STRs! We can do our own cooking or walk to a number of restaurants, stay together as a family (instead of in separate rooms), have no need for a car since we are walking distance to The Plaza and found a whole new world of pleasure in Santa Fe, like being in our own home.

Your Council should be encouraging the use of such favorable accommodations, not discouraging them.

And what is the purpose of the 75' restriction between properties? That only adds to the expense and cost that the property owner has to assume. These STR's are tributes to the history and economy of Santa Fe. The owners have worked hard and gone to a good deal of expense to preserve their charm and quaintness.

Please reconsider such a severe change in policy of these very desirable STRs. For our sake and for Santa Fe's tourism.

Thank you,
Ron and Myrna Simon
Advocates for STRs in Santa Fe

Sent from my iPad

To the Honorable Mayor Alan Weber:

I appreciate your concern to make sure all parties are heard on this very important Short-Term Rental (STR) Ordinance. I am a property owner in the City of Santa Fe, and I have worked in public administration for over 20 years. I have the following observations and suggestions:

1. **The stakeholder outreach on this issue has been insufficient to date.** Better solutions come when all the stakeholders have input into the process. A draft ordinance is premature before having a public workshop where all of the problems and objectives can be identified. What are the problems we are trying to solve? What problems has the City of Santa Fe experienced under the current ordinance? What are all the possible solutions? The City of Santa Fe has the name and address of every STR property owner and local property manager through the licensing process, and yet they were not notified of this meeting, or any prior meeting in which their input might help form revisions to the ordinance that might best serves all the stakeholders. Before you proceed further with your process, please back up a step and make sure your stakeholder outreach is comprehensive. **Hold a public workshop where all stakeholders have been notified and had an opportunity to review the material.** This makes for good governance and greater acceptance of the final outcome.
2. The revenues for cities and counties nationwide are hard hit by COVID-19. The City of Santa Fe will be no exception. **Is it responsible to be considering these changes without a thorough review of the economic impact?** It will be very difficult for the City Council to make informed decisions if all the potential financial impacts and ripple effects have not been considered.
3. Currently it is very difficult for a robust public process to take place. Many of your constituents are not able to participate in virtual meetings. Is this ordinance such an urgent item that it cannot wait until some face-to-face public workshops and hearings can take place? Please use the time for more outreach to understand the issues for all parties and to understand the economic impact of any proposed solutions.

Santa Fe is a beautiful city and all who live or visit here want to maintain its specialness. I think a more robust public process will produce an outcome that better serves the community.

Sara and Dave Singleton

Michael W. Tankersley
1130 Camino Delora
Santa Fe NM 87505

June 17, 2020

Mr. Elias Isaacson
Planning and Land Use Director
City of Santa Fe
200 Lincoln Ave.
Santa Fe NM 87504

Re: Proposed Amendments to Sections 14-6.2(A)(5)-(8) SFCC 1987 and 14-11.4 SFCC 1987 of the Land Use Code intended to improve administration and enforcement of the Santa Fe Short-Term Rental (STR) program (the "STR Amendments")

Dear Mr. Isaacson,

I am writing to communicate my general support for the proposed STR Amendments, but also to point out several provisions that will, if included in the finally adopted version, create adverse consequences that appear to be unintended and unnecessary to the policy objectives and practical application of the STR Amendments.

My wife and I own a two bedroom residential property located at 1130 Camino Delora that we have used as our second home since 2010. In 2013 we purchased the attached two bedroom guest house at 1130A Camino Delora. 1130A is located on the street; 1130 is located up a private driveway just south of 1130A. The two houses are attached and are part of a two unit condominium arrangement created by a prior owner in 1986 in which the land and structures are owned by R&J Condominium Owners Association, Inc., a New Mexico not-for-profit corporation. The condominium units are owned by New Mexico limited liability companies that are owned jointly (50/50) by my wife and I.

1130 Camino Delora has been operated as an appropriately registered and permitted short-term rental managed by Two Casitas Santa Fe Vacations since 2011 and 1130A Camino Delora has been similarly operated since 2013. We, our family and friends stay in the houses 50-60 nights per year. We have adequate off-street parking and are not aware of any other aspects of the property and its STR activity that will conflict with the STR Amendments except as noted below. Without the financial support from STR activity we could not have afforded to purchase, make improvements to and keep up this property.

As I understand the policy objectives of the STR Amendments, the ownership and usage arrangements for 1130 and 1130A Camino Delora described above do not present any of the problems that the STR Amendments are seeking to address. At the same time, I am concerned that the portions of the STR Amendments discussed below could result in the potential loss of our STR permits if enacted as written.

A. The STR Amendments Requirement That STR Permits Must Be Issued Only to "Natural Persons" Needs to be Revised to Allow Use of Legal Entities by Owners Who Are Natural Persons

The relevant portions of the STR Amendments include the following provisions [page numbers in brackets refer to the pages of the marked-up draft ordinance]:

[P.5.] (b) Short-Term Rental [~~Units~~] Permit Required

....

(iii) The land use director shall issue permits to natural [P.6.] persons only, and each natural person may possess a maximum of one (1) permit.

....

[p.18.] 14-12.1 DEFINITIONS

[P.19] NATURAL PERSON - An individual human being, as opposed to an organization of any form or a business entity.

The STR Amendments are seeking to limit the possibility that larger scale, professional property investors and management companies, referred to as "speculators," will end up owning a significant number of Santa Fe residential properties. This policy objective is to be accomplished by limiting STR permit issuance to (a) only natural persons and (b) one permit per natural person.

My wife and I own two Santa Fe properties, with two STR permits. So the basic facts of our situation do not conflict with the policy objectives of the STR Amendments. However, I am concerned that applying the language of the STR Amendments set forth above to our legal ownership arrangement as described above could result in the land use director declining to reissue our STR permits in the future because our properties are owned by legal entities that we own, not by us directly. The STR Amendments grandfather some aspects of current STR permit holders not allowed after adoption of the STR Amendments, such as owning multiple permits or violations of the proximity limitations (see provisions quoted below). The STR Amendments do not grandfather STR permits held by legal entities that are not "natural persons." Section D of this letter proposes that the STR Amendments include a provision providing such grandfathering rights to current holders of STR permits that are not natural persons.

The problem presented by the STR Amendment language above is that natural persons frequently have good reasons to use legal entities to own real estate, without any connection to speculators or the desire to own a lot of residential properties operating as STRs. A quick informal online survey of the owners of homes near our properties on Camino Delora showed a number of trusts and limited liability companies, most of whom I do not believe are currently operating STR units. A broader look would likely turn up some partnerships and corporations as well. More broadly, anyone owning a condominium or a unit in another form of multi-family property who seeks a STR permit will inevitably include a legal entity as part of the "ownership" of the property and, to that extent, risks running afoul of the natural person requirement.

The STR Amendment language copied above may also produce unintended consequences to the extent that it does not consider the possibility that a residential property may be owned jointly by two or more otherwise qualifying natural persons. My informal online survey of the owners of residential properties near Camino Delora mentioned above indicated that a majority of them were held in the name of two natural persons, many appearing to be husband and wife. The policy objective of the STR Amendments would appear to be consistent with allowing a husband and wife (or really any two people) to jointly own two properties subject to STR permits, but the language used in the STR Amendments quoted above is not clear on that point and could be read to produce a contrary result.

I ask that the STR Amendments be revised to address the issues outlined above. One approach to consider is to base the operation of the ordinance on the identities of the natural persons who are the ultimate beneficial owner(s) of a property, not on the legal entity that they may use, and to recognize

joint ownership of a STR unit as effectively resulting in possession of a fraction of an STR permit, as follows:

[P.5.] (b) Short-Term Rental Permit Required

....

(iii) The land use director shall issue permits to or for the benefit of natural [P.6.] persons only, and each such natural person may possess, directly or indirectly, in the aggregate, a maximum of one (1) permit. A permit is issued "for the benefit" of a natural person if that natural person is the direct or indirect owner of at least 50 percent of the ultimate beneficial economic interest in an organization or a legal or business entity that owns a short-term rental unit subject to the permit and the existence and nature of the relevant legal and beneficial ownership is disclosed to the land use director. For the avoidance of doubt, the determination of whether a natural person possesses a maximum of one (1) permit will include fractional ownership of permits issued for the benefit of that natural person as provided herein.

....

[p.18.] 14-12.1 DEFINITIONS

[P.19] NATURAL PERSON - An individual human being, as opposed to an organization of any form or a legal or business entity.

The suggested language looks through the use of a legal entity to the underlying economic ownership by specific natural persons, recognizing the high frequency with which married couples and domestic partners purchase residential real estate, in their own names or using a trust or limited liability company. The revised language allows individuals in those circumstances, who in the vast majority of cases will own real property on a 50/50 basis, to own two properties that will qualify for STR permits, directly or through a legal entity. The large-scale professional property investment or management operations disfavored by the policy of the STR Amendments would not be able to qualify for a STR permit under the suggested wording.

B. Changes in the Form of Ownership of a Property Benefiting From a STR Permit That Do Not Impact Ultimate Beneficial Ownership Should Not Terminate the STR Permit.

The STR Amendments seek to limit the transferability of a STR Permit:

[P.5.] (b) Short-Term Rental ~~[Units]~~ Permit Required

....

(v) A permit is not transferable to another person or property. Upon the transfer of ownership of a short-term rental unit, the short-term rental permit shall terminate and revert to the land use department. If the new owner wishes to use the property as a short-term rental unit, the owner shall submit a new application to the land use department.

Under this rule, if my wife and I decided to get rid of our very complex two unit condominium structure at 1130 Camino Delora by transferring title from the three New Mexico legal entities that own the properties to our names directly, we would lose our STR permits. There is nothing in the policy objectives of the STR Amendments that requires this result, suggesting that this is another unintended consequence. That result is also inconsistent with the change to the STR Amendments proposed above at A., which reflects a policy perspective that the use of legal entities by individuals to manage their

ownership of an otherwise qualifying STR unit should not trigger unintended negative results, such as loss of their STR permit. To address this issue, it is suggested that the above provision be modified to read as follows:

(v) A permit is not transferable to another person or property. Upon the transfer of ownership of a short-term rental unit, the short-term rental permit shall terminate and revert to the land use department. If the new owner wishes to use the property as a short-term rental unit, the owner shall submit a new application to the land use department. A transfer of ownership of a property subject to a short-term rental permit to an organization or a legal or business entity having the same ultimate beneficial ownership as disclosed to the land use director pursuant to Section 14-6.2(A)(5)(b)(iii), or which results in one or more of such disclosed beneficial owners owning, directly or indirectly, 100 percent of the ultimate beneficial economic interest in the property, will not be effective to terminate the short-term rental permit, which shall be transferred to the successor owner or owners upon application to the land use director.

Transfers of title to a STR unit by gift or inheritance from one generation to the next should also be considered for exclusion from the “no transfers” rule.

C. The Language Used to Grandfather Holders of Multiple STR Permits Should Be Revised To Be Consistent With Other Grandfathering Language

Subparagraphs (a) and (b) of Section 6 the STR Amendments address the impact of the prohibition of multiple STR permits and the STR proximity limitations on holders of existing STR permits with the apparent intention of grandfathering STR permits in place at the time of adoption of the STR Amendments:

[P.16] (6) [Short-term Rental of Dwelling Units – Non-residentially Zoned Property]
Existing Short-Term Rental Permits and Registrations

....

[P.17] (a) Short-term rental permits held at the time the ordinance amending subsection 14-6.2(A) SFCC 1987 (Ordinance No. 2020-) is adopted are valid, even if multiple permits are held by one owner. The owner does not need to renew those permits until they expire. Upon expiration, the owner may be eligible to timely renew the permits pursuant to subsection 14-6.2(A)(5)(i), subject to payment of the annual business license and permit fees, as long as the land use department does not revoke the permit pursuant to Section 14-11.4.

(b) Short-term rental permits that do not comply with the proximity limitations set forth in subsection 14-6.2(A)(5)(e) held at the time that the ordinance amending subsection 14-6.2(5) (Ordinance No. 2020-) is adopted are valid and owners of such permits are eligible to timely renew the permits pursuant to subsection 14-6.2(A)(5)(i), subject to payment of the annual business license and permit fees, as long as the land use department does not revoke the permit pursuant to Section 14-11.4.

Despite the apparent intention to provide similar grandfathering rights in each provision, subparagraphs (a) and (b) use differing language to achieve that effect, which raises a question as to whether they are in fact intended to have the same effect. Subparagraph (a) states as to a holder of multiple STR permits, “Upon expiration, the owner may be eligible to timely renew the permits pursuant to subsection 14-

6.2(A)(5)(i) . . .” Subparagraph (b) states as to a holder of a STR permit that might violate the proximity limitations in the STR Amendments “owners of such permits are eligible to timely renew the permits pursuant to subsection 14-6.2(A)(5)(i), . . .”

It is not clear why in the first instance, the owner “may” be eligible to timely renew (suggesting that it is possible that, for instance, by action of the land use director, the owner may not be eligible to renew), and in the second instance, the owners of such permits “are” eligible to timely renew, indicating no possibility that they are not eligible to renew except for the existence of an issue under Section 14-11.4. The language of subparagraph (a) also raises a question as to whether the right of a grandfathered holder of multiple permits is entitled to renew only one time, in the first year after the STR Amendments are adopted, or the right is perpetual.

It is suggested that subparagraph (a) be revised to address these issues as follows:

(a) Multiple short-term rental permits held by one owner at the time the ordinance amending subsection 14-6.2(A) SFCC 1987 (Ordinance No. 2020-) is adopted are valid, even if multiple permits are held by one owner. The owner does not need to renew those permits until they expire. Upon expiration, and in subsequent years, the owner [may be] is eligible to timely renew the permits pursuant to subsection 14-6.2(A)(5)(i), subject to payment of the annual business license and permit fees, as long as the land use department does not revoke the permit pursuant to Section 14-11.4.

D. To The Extent That the STR Amendments Are Not Revised To Allow STR Permits To Be Issued To Legal Entities As Recommended At A. Above, Permits Currently Issued To Legal Entities Should Be Grandfathered

Section A of this letter points out that the STR Amendments as drafted effectively prohibit the issuance of a STR permit to a legal entity that currently holds a STR permit. Even if the STR Amendments are revised as suggested in Section A, it is possible that some currently compliant STR permits issued to legal entities will be denied renewal, and if something like the proposed revisions are not made, all existing STR permits issued to legal entities are likely to be denied renewal. The STR Amendments in Section 6 (a) and (b) discussed in Section C above recognize the unfairness of a sudden, across the board denial of STR permits to currently compliant Santa Fe property owners by providing that current STR permit holders will be grandfathered if they currently hold multiple permits or if their properties otherwise violate new proximity limitations.

The STR Amendments should be revised to grandfather STR permits held by legal entities at this time and their renewal in future periods. To accomplish this it is requested that the STR Amendments be revised to include the following new Section 6 subparagraph (c):

(c) Short-term rental permits held by a property owner that is not a natural person at the time the ordinance amending subsection 14-6.2(A) SFCC 1987 (Ordinance No. 2020-) is adopted are valid. The owner does not need to renew those permits until they expire. Upon expiration, and in subsequent years, the owner is eligible to timely renew the permits pursuant to subsection 14-6.2(A)(5)(i), subject to payment of the annual business license and permit fees, as long as the land use department does not revoke the permit pursuant to Section 14-11.4.

Mr. Elias Isaacson
City of Santa Fe
June 17, 2020
Page 6

One last minor point to note is that Section 5(c)(i) requires that a qualifying local operator of a STR unit must have offices within the Santa Fe city limits. It is not clear why a property manager in one of the cities or unincorporated areas surrounding Santa Fe, who might be closer to a STR unit than a property manager within the city limits at the other end of town, is disqualified under the STR Amendments. It is suggested that the STR Amendments require that qualifying property managers be located within something like a 10 or 20 mile radius of the city limits.

Thank you for your consideration of these points. Communications regarding the above matters are best directed to me as follows:

By email: mtankersley1614@gmail.com

By mail: 6246 Northwood Rd, Dallas TX 75225

By telephone: 214-679-2369

Very truly yours,



Mike Tankersley

Two Casitas, Santa Fe Vacation Rentals has been operating vacation homes in Santa Fe since 1998 and has grown to manage sixty-seven independently owned properties, employ eight people, and provide consistent work for many local contractors. Before the Pandemic, we were actively expanding our inventory and our workforce, and we intend to continue that expansion as our business recovers. Two Casitas contributed over \$300,000 in Lodger's Tax to the City of Santa Fe in 2019. The thousands of guests that we host provide an incalculable economic and fiscal benefit to our city and its government. As a locally owned and operated small business, we have strong personal and financial interests in maintaining the character and charm of our city, and the neighborhoods in which our homes are located. The proposed legislation will not immediately threaten our business, but it is designed to slowly decrease the profitability, and thus the significant economic benefit, that Two Casitas and companies like it bring to our city. While that is our primary concern with this legislation, we would also like to address some of the topics that came up in the City Council meeting, and the general spirit behind all short-term rental legislation adopted by the City. We believe that the negative externalities associated with our industry are largely exaggerated by its detractors, and that many of them can be solved with the tax revenue that the City brings in from permitted rentals.

It appears that the ultimate goal of the legislation is to gradually reduce the number of permissible rentals in the city. Short-term rental management companies operate with significant turnover in our inventory. Many of our homeowners end up selling their homes, and a significant portion of them end up retiring in them. The rental income that we provide to them before this occurs makes this financially feasible, and ultimately provides further economic benefit to the neighborhoods in which these homes are located. The long-term reduction of permissible rentals could result in us not being able to replace homes that we no longer manage, as management companies depend on a consistent flow of new inventory for their growth and profitability.

We would like to stress that while many, but not all, of our owners currently reside out-of-state, their investments in short-term rentals bring significant benefit to our city. The homes that they purchase are often renovated, restored, and improved in order to become rentals. This raises property values in the neighborhood and employs local contractors. This benefit is sustained while the homes exist as short-term rentals, as property managers take extra care to maintain and improve their inventory on the owners' behalfs. As we mentioned earlier, many of our owners eventually move into their rental homes and become members of our local community. They have no interest in destroying the fabric of our neighborhoods or reducing the quality of life for their future neighbors. They invest in Santa Fe in the first place because they love and respect our city's culture and unique heritage. Their investments are meant to improve and preserve that—not destroy it.

During the city council meeting, residents expressed concern regarding some of the externalities associated with our industry. Several people expressed their

belief that vacation rentals create additional traffic in Downtown Santa Fe compared to long-term renters or permanent residents. In fact, short-term renters make fewer and shorter trips per day, and have fewer vehicles per person than residents. They also do not contribute to traffic while the homes are not being rented.

Concerns regarding affordable housing in Santa Fe are often unfairly blamed upon the short-term rental industry. Housing affordability has been an issue in Santa Fe for much longer than the short-term rental industry has existed, and the neighborhoods in which our rentals exist have little chance of becoming affordable even if all short-term rentals are eliminated. However, we do believe that the income that the city makes from rental activity could be allocated towards building affordable housing in other parts of the city.

Several residents mentioned that noise complaints were a concern. Complaints of this kind are exceedingly rare and are not eliminated by replacing short-term renters with permanent residents. Permanent residents can result in chronic disturbances that require the involvement of law enforcement. The occasional guests who do cause a disturbance are swiftly dealt with by management companies without the need to involve law enforcement. Furthermore, troublesome guests are inevitably followed by benign guests or the home being silently unoccupied.

Two Casitas is concerned about the prevalence of unpermitted rentals as well, as it creates an uneven playing field that disadvantages the business that provide the city with tax revenue, abide by local regulations, and care about the integrity of our communities. The proposed legislation is solely focused upon further restricting the good actors in our industry, while diverting enforcement resources away from people who have no regard for working within the system. We strongly recommend that the city focus its limited resources on getting permits for unpermitted rentals rather than making permitted rentals more difficult to operate.

We appreciate your time, and hope that you will consider our perspective in your legislative agenda.

Sincerely,

Wendy Kapp, Will Risbourg, Rachel Zell, and Brittany Bruaw

Two Casitas, Santa Fe Vacation Rentals

GURULE, GERALDINE A.

From: Jon Tucker <jtucker@tuckerime.com>
Sent: Sunday, June 14, 2020 1:37 PM
To: Richard A Woodruff; LINDELL, SIGNE I.; Mayors Office; VILLARREAL, RENEE D.; GARCIA, MICHAEL J.; ROMERO-WIRTH, CAROL; RIVERA, CHRISTOPHER M.; ABEYTA, ROMAN R.; CASSUTT-SANCHEZ, JAMIE A.; COPPLER, JOANNE V.; Land Use Public Comment
Cc: Kathy Komoll; Teya Vitu; Paco Arguello; Donna Reynolds; gholcomb@vrma.org; aduettra@gmail.com
Subject: Re: Proposed Changes to STR Ordinance - Impact of 75' Radius on Future STR Permits

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The proposed ordinance is simply a pretext to kill the STR business as it exists in Santa Fe without regard to any rational analysis of its fallout or long term repercussions. A 2018 study done with poor design is simply stale and as Richard mentions, fails to factor important future looking elements.

Variations of draconian limits on STR's have been tried in other locations with legal challenges brought in most cases resulting in rollbacks. However, the negative impact upon the real estate markets and property values remained.

The rental market will migrate outside the city limits and irreparable damage will have been done if this measure is enacted.

Especially now, when people are searching for some economic security both at the personal and governmental levels, I'm flabbergasted that such an economically injurious measure finds traction.

Every one of the property owners who factor their ability to get some rental income will appeal their property tax valuation if this passes, as they should. And a decline of at least 25% in value would be expected! Not to mention the loss of tax revenue and economic activity from renters.

Just some additional thoughts on the matter. Thanks for reading!

Jon B. Tucker, MD

Chief Medical Officer
Interim CEO
MedicoLegal, Inc.

5990 University Blvd.
Suite #12, Box 248
Moon Township, PA 15108
Phone: 412-276-6241
Cell: 412-310-6177
Fax: 412-265-6530
www.medicolegalgroup.com
jtucker@medicolegalgroup.com

www.medicolegalgroup.com

Subject: Re: Santa Fe, NM - Short Term Rental Ordinance Changes: Due Process & Business Impact
Date: Saturday, June 13, 2020 at 10:57:04 Mountain Daylight Time
From: Jon Tucker
To: Richard A Woodruff, LINDELL, SIGNE I., aduettra@gmail.com, Mayors Office, VILLARREAL, RENEE D., GARCIA, MICHAEL J., ROMERO-WIRTH, CAROL, RIVERA, CHRISTOPHER M., ABEYTA, ROMAN R., CASSUTT-SANCHEZ, JAMIE A., COPPLER, JOANNE V.
CC: Kathy Komoll, Teya Vitu, Paco Arguello, Donna Reynolds, gholcomb@vrma.org
Category: Adobe Casitas

All,

A couple weeks ago I received a solicitation from Marriott to convert my home on Palace Ave into a weekly timeshare unit managed by them as a subsidiary of their vacation club.

Oddly and maybe not coincidentally, that corporate structure would comply with the new ordinance.

One should ask and share for all to know if that is the kind of manager and the kind of place we want Santa Fe to become. Hotel operators would invade this space and subsequently mold the ordinances to their liking, while distressed hotel properties, freed of competition from better and less expensive short term rental homes, and managed by these same entities, would convert debt laden distressed properties into timeshares. And trust me just about all the hotels are laden with non recourse CMBS paper that is being taken over by the vultures who will liquidate the assets any way they can.

In my humble opinion, that is where the focus of City Council ought to be!!!

How about the spectre of timeshare salespeople hawking interval ownership on the Plaza? That's what's coming if competition is not preserved. Guaranteed.

This proposed ordinance will ruin Santa Fe.

In order to preserve the unique nature of Santa Fe the government needs to embrace and nurture the small businesses that constitute the short term rental market. We are the people who have personally invested in and care about preserving Santa Fe. Don't wreck it by regulating us out of business and opening the door for the timeshare creatures.

Jon B. Tucker, MD

Chief Medical Officer
Interim CEO
MedicoLegal, Inc.

5990 University Blvd.
Suite #12, Box 248
Moon Township, PA 15108
Phone: 412-276-6241
Cell: 412-310-6177
Fax: 412-265-6530

GURULE, GERALDINE A.

From: Elizabeth West <ewest@cybermesa.com>
Sent: Sunday, June 14, 2020 11:21 PM
To: esiasaacson@santafenm.gov; Land Use Public Comment
Cc: WEBBER, ALAN M.; Signe Lindell; VILLARREAL, RENEE D.; ROMERO-WIRTH, CAROL
Subject: attention Planning Commission, regular Committee Thursday, June 18, 2020: Amending Section 14.6.3 SFCC 1987 / Short Term Rental Ordinance / amending the Amendment
Attachments: Short_Term_Rentals_fillable3_14.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please forward or deliver this email to the entire Planning Commission for me — thank you! (The deadline is tomorrow (Monday), June 15 at noon. This is being emailed Sunday evening at about 11:30 p.m.)

From the Agenda for the Planning Commission, Thursday, June 18, 2020:

7.B. An Ordinance Amending Section 14-6.2 SFCC 1987 to Adopt by Ordinance a Maximum of one thousand (1000) Short-Term Rental Permits in the City; to Prospectively Limit the Number of Short-Term Rental Permits to One Per Natural Person; to Prospectively Limit the Proximity of Short-Term Rental Units on Residentially Zoned Property; to Require a Local Operator for Short-Term Rental Units; to Adopt Record-Keeping and Reporting Requirements for Short-Term Rental Unit Owners and Host Platforms; and to Clarify Other Provisions of the Short-Term Rental Ordinance. (Mayor Webber and Councilors Lindell, Romero-Wirth, and Villarreal) (Elias Isaacson, Land Use Director, esiasaacson@santafenm.gov, 955-6730) (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

I think there are two most important items that need to be addressed before moving forward with this: a Primary Residence requirement, and understandable regulations which better facilitate enforcement.

1) Primary Residency requirement needs to be part of this amendment. This requirement would help solve a lot of problems. (The Charleston, SC model is probably the most congruent with Santa Fe's needs.) Compliance from the existing businesses should be required, but perhaps generously give the businesses a year to adjust?

2) It is important to keep the regulations, guidelines and requirements as clear and simple as possible in order to facilitate reasonably easy accountability and enforcement. This will help the City as well as help the STR businesses. The enforcement penalties and policies need to be easily understood and readily available. The City of Santa Fe should be able to receive the money that is owed to it, as part of the arrangement for what the City provides the people who are in the business of short term rentals. Santa Fe is not primarily aiming to provide a place for the STR industry — that is not our job.

Note:

Section (5) (ii) page 4 — this seems a bit pie in the sky (which is not a good place for any kind of pie), and if one of the aims of this ordinance is to try to control speculation that ultimately gets in the way of long-term housing, the Primary Residency requirement would be a better deterrent. If you add the Primary Residency requirement, then delete this (5) (ii).

Curious about the Charleston, SC, short term rental application? They had to act decisively in order to help support long-term housing. Here is a link: [https://www.charleston-sc.gov/DocumentCenter/View/18611/Residential-STR-Application?bidId=>](https://www.charleston-sc.gov/DocumentCenter/View/18611/Residential-STR-Application?bidId=)

Compare with Santa Fe:

I hope my comments help, and thank you for your attention — and for helping me to get my comments to the entire Planning Commission on time — *¡muchas gracias!*

Elizabeth West
318 Sena Street
Santa Fe, NM 87505
984-1047

GURULE, GERALDINE A.

From: Janet Williams <janetwilliamspottery@gmail.com>
Sent: Friday, June 12, 2020 1:23 PM
To: BERKE, NOAH L.
Subject: STRs

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To Whom It May Concern

I believe all short term rentals should be owned by locals. This would prevent speculation which drives up the market for locals.

We also need to limit the number of STRs, as they are destroying neighborhoods, limiting the number of long term rentals and driving up the prices for first time home buyers.

STRs are out of control and must be limited.

Sincerely,
Janet Williams
1200 Don Gaspar Ave
Santa Fe, NM 87505

Sent from my iPhone

GURULE, GERALDINE A.

From: Richard A Woodruff <richardwoodruff@yahoo.com>
Sent: Sunday, June 14, 2020 1:19 PM
To: LINDELL, SIGNE I.; Mayors Office; VILLARREAL, RENEE D.; GARCIA, MICHAEL J.; ROMERO-WIRTH, CAROL; RIVERA, CHRISTOPHER M.; ABEYTA, ROMAN R.; CASSUTT-SANCHEZ, JAMIE A.; COPPLER, JOANNE V.; Land Use Public Comment
Cc: Kathy Komoll; Teya Vitu; Paco Arguello; Donna Reynolds; gholcomb@vrma.org; aduettra@gmail.com
Subject: Proposed Changes to STR Ordinance - Impact of 75' Radius on Future STR Permits
Attachments: Impact of 75' Radius on Future STR Permits.pdf; Impact of 75' Radius on Future STRs.pdf; STRO Changes - Cheryl Bernard Letter to Mayor.pdf; STRO Changes - Jon Tucker Response to Mayor and Council.pdf; STRO Changes - Marvin Schragger Letter to Mayor.pdf; STRO Changes - Singleton Letter to Mayor.pdf; STRO Changes - Woodruff Response to Councilwoman Lindell.pdf; STRO Changes - Woodruff Response to Councilwoman Villarreal.pdf

Importance: High

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Hi All,

As you have seen from my initial writings on STRs, I have been calling for a **forward-looking economic study** regarding the impact of the 75' Radius on Future STRs **as well as** the other changes being proposed. I am attaching just one example. As requested, the Land Use office is also in copy to log these opinions.

In this example (Guadalupe District), there are currently four STRs located at:

- 114 Quintana Street
- 117 Quintana Street
- 124 Elena Street
- 126 Candelario Street

The slide below delineates the 75' radius impact on the future potential of a **new** buyer obtaining an STR permit. As can be seen, if **any** of the homes above were to sell, the new buyer would NOT be able to obtain a STR permit under the new ordinance. This will have a dramatic impact on the **selling price** for any of the homes above as the new buyer will **not** have the flexibility in the rental use of the home. Actually, in this particular case, all of the homes would not be eligible for a permit. **Therefore, an existing owner, whether grandfathered or not, will lose future value in their home.**

Also, having a **cap** on STR permits really is **immaterial**. Over time, the number of potential **STR permits will decrease** as homes sold with existing STR permits are no longer eligible for a permit. The new owner **cannot** obtain one due to the new restrictions. In my rough analysis, derived from my knowledge and management of short-term rentals in the City of Santa Fe, it is likely that STR permits will fall by a minimum of 50% over a ten-year period as homes change ownership. To validate this, one must examine the average turnover of homes in the City of Santa Fe. This analysis should be paramount in the economic impact study. Another fact, the number of STR permits has not risen since 2018 remaining quite consistent at approximately 850 permits under the current ordinance.

The City of Santa Fe will experience an ever-decreasing source of revenue from Lodger's Tax, due to less STRs, and from property taxes due to the decrease in real home market values. Real home values will decrease as the homes will no longer retain the option to be rented short term for any new buyer. Thus, depriving the new buyer of a significant revenue source which will be taken into account when assessing the purchase value of a home. This is further highlighted in the attached documents from a few concerned owners. I am always asked the question, 'Can I obtain a short-term rental permit if I'd like one?' How will this question be answered by any Realtor going forward?

As a point of fact, Lodger's Tax and GRT are both collected and directly remitted (bypassing property managers and owners) to the City and State by Airbnb, HomeAway, VRBO and Expedia. The delinquency rate on tax collection has dropped significantly (in 2020) as these listing engines represent approximately 90% of all bookings. This can be confirmed by AirDNA. The O'Donnell study was based on 2018 data which is not longer germane.

In the slide below, I have assumed the center of each property as the radius start point. Should the radius start point be at the property boundaries, the impact would even be more onerous basically removing the ability for most of the homes in the neighborhood to obtain a permit.

Impact of 75' Restriction on Future STR Permit



75 Feet

I look forward to hearing the rationale for such an ordinance in addition to the rationales for all the other recommended changes. I have also attached the current writing of a few constituents.

All the best,
Richard

Adobe Casitas Vacation Rentals, Inc.
Real Estate Qualifying Broker

From: Richard A Woodruff <adobecasitas@gmail.com>

Date: Saturday, June 13, 2020 at 10:32

Subject: Re: Santa Fe, NM - Short Term Rental Ordinance Changes: Due Process & Business Impact

Dear Signe and all,

Thanks, so much for your response but I'm sorry to say your stipulations are not true. The regulations will affect guest occupancy for all rentals. Also, should an existing permit holder want to sell their property, it cannot be stated, by the realtor or seller, that the same home will be granted a permit for the new owner. Thus, reducing property values and potential buyers. Not finally, but one more point, there has been no economic impact study reflecting the results of the changes over the years forward. I suggest you take a look. The changes are dramatic and far reaching that will ultimately cut the number of vacation rentals in half due to the 75' radius requirements and decrease tourism for Santa Fe. Just take a stab at modelling what a 75' radius does to existing short term rentals. On East Palace Avenue alone, it will have the effect of eliminating more than half of the vacation rentals over time. Given the proximity of the houses to one another and the 5' setbacks of property lines. This is also true in the Guadalupe District. With change of ownership, the number of vacation rentals will dwindle, the choices of rentals for consumers will be less, rental rates may increase due to more demand for a shrinking supply and the whole business for property managers will become unprofitable or marginally profitable. Also, requiring an owner of a property to use a property manager, is inappropriate as it changes the profit dynamics for the owner - forcing them to pay a commission. Is that fair?

The proposed changes create an uneven playing field that will be even more difficult to regulate, and I am certain that the reporting requirements will apply to all properties. They are onerous at best. Regarding the O'Donnell study, it was based on old data and the situation has actually improved. Airbnb, HomeAway, VRBO and Expedia (the vast majority of bookings are through these engines) all pay the GRT and Santa Fe Lodger's Tax directly to the appropriate government bodies. So, the regulation and enforcement of tax collection has been largely automated.

I am at a loss to understand why a proper impact study would not be commissioned evaluating all the effects of the changes going into the future (10 years out). I have been at executive level in major corporations for 40 years, we would not be so cavalier with our P & L as to make significant decisions in a vacuum. I can only surmise that we don't want to expose the results. It is so much easier to say, all is fine, and nothing will change for the existing permit holders. We should at the very least consider getting advice from VRMA.

It is remarkable that we promote Santa Fe as 'the' place to visit, along with significant marketing efforts, while at the same time we attempt to restrict choice that ultimately hurts consumers by limiting choice in lodging and thus raising pricing. Less people will come to Santa Fe and there will be less business for our auxiliary businesses. Tourism is the largest industry we have in Santa Fe, let's not go backward!

Ask yourself, why are we doing this?

All the best,
Richard

From: "LINDELL, SIGNE I." <silindell@santafenm.gov>

Date: Saturday, June 13, 2020 at 09:50

Subject: Re: Santa Fe, NM - Short Term Rental Ordinance Changes: Due Process & Business Impact

Thank you. Current license holders are grandfathered and if they renew properly and stay in compliance. Nothing changes.

We have worked hard on this to strike a balance for all.

Signe

Get [Outlook for iOS](#)

Richard,

It appears that I'd be grandfathered even though Hagajo is the owner.

After reading the proposed ordinance I totally agree that it should be opposed with regard to the economic limitations. There are some givebacks that would hopefully satisfy the proponents most notably the noise, occupancy, parking, record-keeping, and auditing.

Jon

Jon B. Tucker, MD

Chief Medical Officer

Interim CEO

MedicoLegal, Inc.

From: Richard A Woodruff <adobecasitas@gmail.com>

Sent: Friday, June 12, 2020 2:01 PM

Subject: Santa Fe, NM - Short Term Rental Ordinance Changes: Due Process & Business Impact

Dear All,

It has only recently come to my attention (actually June 10th) that there is a proposal being considered to change/amend the current short-term rental ordinance for the City of Santa Fe. Are you all aware of the ramifications of the proposed changes for the short-term rental industry of our City; including the impact on our tourist industry, the impact on existing and future City of Santa Fe property owners and the impact to the revenue to our City and the businesses that operate in our City?

To my knowledge, there has not been an Economic Impact Study performed to understand the financial impacts to the City of Santa Fe regarding the proposed changes to the Short-Term Rental Ordinance encompassing the points I mentioned above. Also, I did not see, nor am I aware, of any budget allocated for such a study in the 2020 Santa Fe City budget. An Economic Impact Study will have an important relevance to any changes proposed. When the current ordinance was adopted, there was an independent economic impact study performed, and it is only prudent to require another study to understand the financial impacts of any decision. I remain surprised that the mayor is not taking ownership of such an important change to the tourist industry for the City of Santa Fe. **I am also seeking clarification as to why this significant change is proceeding under the radar of concerned parties.**

Secondly, I do not believe that due process has not been followed as all constituents, including current short-term rental permit holders, have not been properly notified regarding the changes under consideration to provide them with ample time to respond to the proposal. Actually, the City of Santa Fe has not even notified existing rental permit holders. That being said, I have been directly in touch with a few of my owners and I am waiting their response with suggestions on actions to take as a collective. There are clearly going to be legal remedies sought should the current proposal proceed in its current form and process. I am also attaching a short, non-exhaustive, list of concerns.

Finally, holding a meeting via Zoom is not inclusive enough to gather a quorum of concern. Some constituents to this ordinance, may not even be technically inclined to use Zoom.

These suggested short-term rental ordinance changes will impact the entire nature of our tourist industry in the City of Santa Fe, as well as dramatically and negatively impact businesses and property owners. Unjustified over-regulation will have a detrimental impact on consumers and local and state economies.

It is my suggestion that the City of Santa Fe should also consider consulting with the Vacation Rental Management Association (VRMA), in copy. VRMA assists communities in developing professional and traditional vacation rentals as a safe and reliable option for consumers. They are committed to working with policymakers to develop fair and balanced regulations that benefit both communities and the vacation rental market. <https://www.vrmaadvocacy.org>

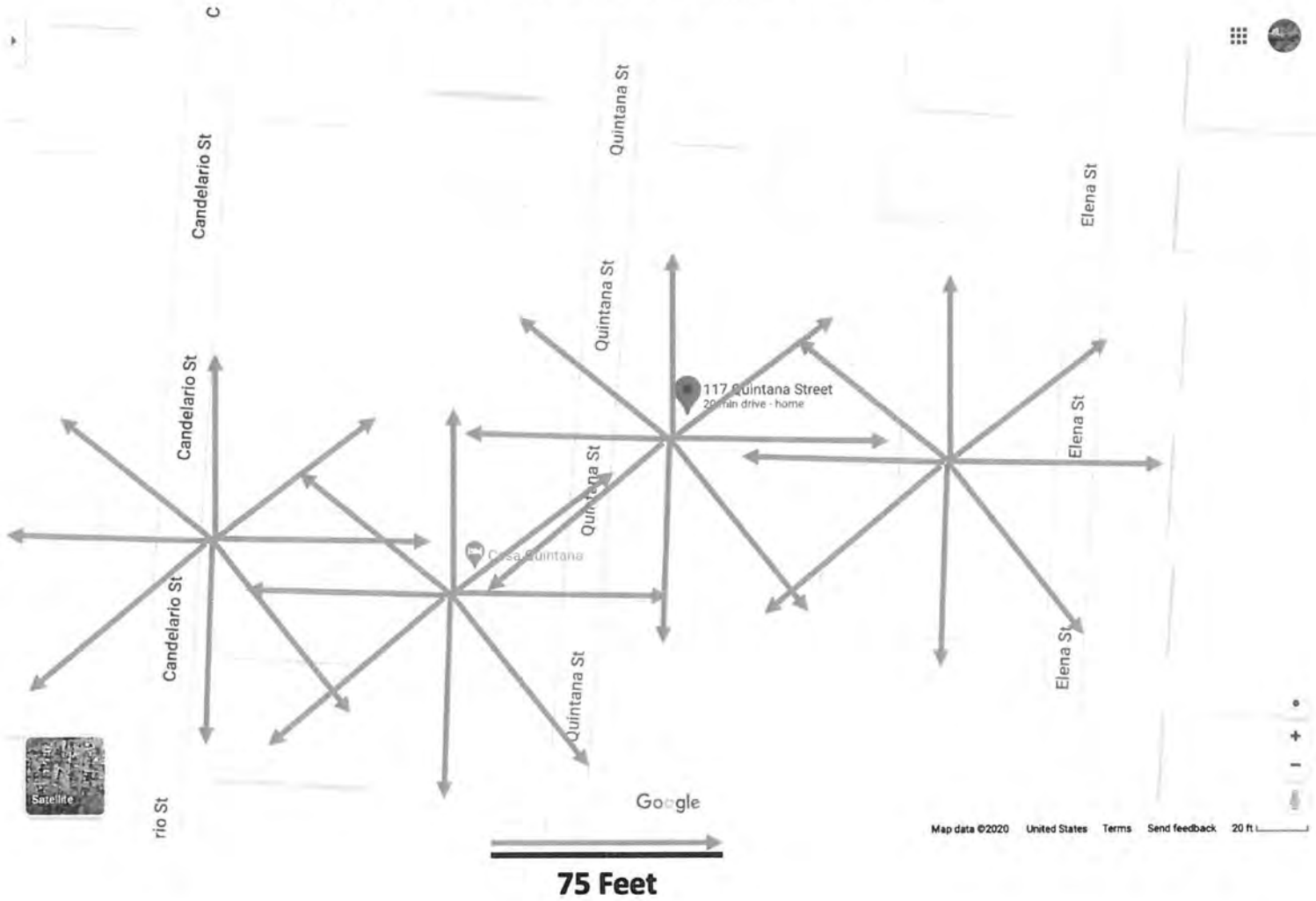
I look forward to hearing from you soonest!
All the best and stay well,
Richard

Impact of 75' Restriction on Future STR Permits



75 Feet

Impact of 75' Restriction on Future STR Permits



Dear Signe and all,

Thanks, so much for your response but I'm sorry to say your stipulations are not true. The regulations will affect guest occupancy for all rentals. Also, should an existing permit holder want to sell their property, it cannot be stated, by the realtor or seller, that the same home will be granted a permit for the new owner. Thus, reducing property values and potential buyers. Not finally, but one more point, there has been no economic impact study reflecting the results of the changes over the years forward. I suggest you take a look. The changes are dramatic and far reaching that will ultimately cut the number of vacation rentals in half due to the 75' radius requirements and decrease tourism for Santa Fe. Just take a stab at modelling what a 75' radius does to existing short term rentals. On East Palace Avenue alone, it will have the effect of eliminating more than half of the vacation rentals over time. Given the proximity of the houses to one another and the 5' setbacks of property lines. This is also true in the Guadalupe District. With change of ownership, the number of vacation rentals will dwindle, the choices of rentals for consumers will be less, rental rates may increase due to more demand for a shrinking supply and the whole business for property managers will become unprofitable or marginally profitable. Also, requiring an owner of a property to use a property manager, is inappropriate as it changes the profit dynamics for the owner – forcing them to pay a commission. Is that fair?

The proposed changes create an uneven playing field that will be even more difficult to regulate, and I am certain that the reporting requirements will apply to all properties. They are onerous at best. Regarding the O'Donnell study, it was based on old data and the situation has actually improved. Airbnb, HomeAway, VRBO and Expedia (the vast majority of bookings are through these engines) all pay the GRT and Santa Fe Lodger's Tax directly to the appropriate government bodies. So, the regulation and enforcement of tax collection has been largely automated.

I am at a loss to understand why a proper impact study would not be commissioned evaluating all the effects of the changes going into the future (10 years out). I have been at executive level in major corporations for 40 years, we would not be so cavalier with our P & L as to make significant decisions in a vacuum. I can only surmise that we don't want to expose the results. It is so much easier to say, all is fine, and nothing will change for the existing permit holders. We should at the very least consider getting advice from VRMA.

It is remarkable that we promote Santa Fe as 'the' place to visit, along with significant marketing efforts, while at the same time we attempt to restrict choice that ultimately hurts consumers by limiting choice in lodging and thus raising pricing. Less people will come to Santa Fe and there will be less business for our auxiliary businesses. Tourism is the largest industry we have in Santa Fe, let's not go backward!

Ask yourself, why are we doing this?

All the best,
Richard

I have also attached another letter for an existing property owner. Perhaps take the time to read it!

From: "LINDELL, SIGNE I." <silindell@santafenm.gov>

Date: Saturday, June 13, 2020 at 09:50

To: Jon Tucker <jtucker@tuckerime.com>, Richard A Woodruff <adobecasitas@gmail.com>, Andy Duettra <aduettra@gmail.com>, Mayors Office <mayor@santafenm.gov>, "VILLARREAL, RENEE D." <rdvillarreal@santafenm.gov>, "GARCIA, MICHAEL J." <mjgarcia@santafenm.gov>, "ROMERO-WIRTH, CAROL" <cromero-wirth@santafenm.gov>, "RIVERA, CHRISTOPHER M." <cmrivera@santafenm.gov>, "ABEYTA, ROMAN R." <rrabeyta@santafenm.gov>, "CASSUTT-SANCHEZ, JAMIE A." <jcsanchez@santafenm.gov>, "COPPLER, JOANNE V." <jvcoppler@santafenm.gov>

Cc: Kathy Komoll <kkomoll@newmexicohospitality.org>, Teya Vitu <tvitu@sfnewmexican.com>, Governor Lujan Grisham <nmiggovima@state.nm.us>, Paco Arguello <paco@sfar.com>, Donna Reynolds <donna@sfar.com>, "gholcomb@vrma.org" <gholcomb@vrma.org>

Subject: Re: Santa Fe, NM - Short Term Rental Ordinance Changes: Due Process & Business Impact

Thank you. Current license holders are grandfathered and if they renew properly and stay in compliance. Nothing changes.

We have worked hard on this to strike a balance for all.

Signe

Hi Renee,

Thanks so much for your response but I'm sorry to say your stipulations are not true. The regulations will affect guest occupancy for all rentals. Also, should an existing permit holder want to sell their property, it cannot be stated that the same home will be granted a permit for the new owner. Thus, reducing property values and potential buyers. Not finally, but one more point, there has been no economic impact study reflecting the results of the changes over the years forward. I suggest you take a look. The changes are dramatic and far reaching that will ultimately cut the number of vacation rentals in half due to the 75' radius requirements and decrease tourism for Santa Fe.

All the best,
Richard

PS: I read the proposed changes completely as well as Karen's study. Perhaps you should take another look with the future impact delineated in an impact study.

On Fri, Jun 12, 2020 at 20:04 VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov> wrote:

Hold your horses folks!

Before you get ahead of yourself, you must know that all the existing short term rental properties that are currently in compliance, have their permits, and are following the rules, will not be affected by these proposed new rules and regs. The proposed ordinance will only apply to future applicants for short term rentals.

I hope that clears up the misconceptions. And there will be plenty of time to have community members weigh in as we have many future committee meetings and opportunities to take the time and read and learn about the proposed changes.

Be well,

Renee

Renee Villarreal

Councilwoman, District 1

City of Santa Fe

(505) 629-2388

rdvillarreal@santafenm.gov

Planning Commission Meeting

October 15, 2020

Short-Term Rental Bill

Written Comments

The following written comments were submitted on time and were considered by the Planning Commission on October 15, 2020:

- Susan Orth, Santa Fe Association of REALTORS

The following written comments were submitted late and were **not** a part of the record considered by the Planning Commission on October 15, 2020 (but are provided for consideration at subsequent committee meetings):

- Natalie Bovis
- Marc Choyt
- Teri Hackler
- Kitty Moss
- Elise Noble
- Sandra Noe
- Leroy Pacheco
- Toral Patel, Airbnb
- Amy Rose
- Kim Schilling
- Bonnie Smith
- Richard Woodruff



October 12, 2020

Dear City of Santa Fe Planning Commissioners:

The Santa Fe Association of REALTORS® appreciates the City of Santa Fe Planning Commission and city leaders ongoing work to improve the proposed short-term rental ordinance. In response to public input and commissioners' concerns, a revision has been introduced for the planning commission's consideration at its upcoming October 15, 2020 meeting.

The association is pleased with a number of key changes proposed by the planning commission that have been adopted in the revision. Specifically, the association supports the changes related to retaining exemptions and registrations for non-residential properties; clarifying the role of a natural person in the permitting process; expand the non-transferability of a permit in certain circumstances; and clarifying the "grandfather" clauses that would have allowed the land use director to revoke a permit upon expiration.

There remain several issues that the association would encourage planning commission members to review and consider taking action.

The revision has amended the originally proposed 75-foot radius density requirement for new permits to a 50-foot radius from the boundary of the property. The planning commission had a thoughtful discussion regarding any new density requirement which our members believed was important and valuable given the highly dense nature of the downtown area. The new density requirement will likely result in preventing any new short-term rental permits to be issued in these areas while grandfathering in existing operators-some with several units. Due to this concern, the association believes this restriction on density remains unworkable, may invite litigation, and will negatively impact property rights. For many homeowners, it would be difficult to make such a determination without significant support from the land use department as property owners will not know the proximity of permitted units. The association strongly suggests the commission consider retaining the existing density requirement *"short-term rental permits will not be issued for more than two short-term rentals directly adjoining each other on a residentially zoned street. For the purposes of this subsection, "directly adjoining" means sharing a common boundary along a public street frontage, but does not include adjoining units in a condominium, townhouse development, in an apartment complex, or residential compound"*.

The revision continues to place a permit limit of 25% of units on a multi-family complex even when the owners, home owner association or condominium rules permit short-term rentals. The association would encourage the planning commission to consider eliminating this restriction, if short-term rentals are permitted by multi-family complexes.

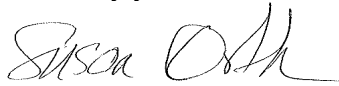
The revision adds two new requirements to non-residential properties:

- A permit limit of 25% of units on a multi-family complex located within 200-feet of a residential district, and
- A limit of 12 permits per building in a multi-family development.

The association looks forward to the discussions regarding these new restrictions on non-residential properties and is encouraging its members along with commercial property owners to provide their keen insights as the public legislative process moves forward.

The Santa Fe Association of REALTORS® appreciates efforts by city leaders to ensure this valuable, local green industry generating wealth for its citizens continues to be supported and encouraged while significantly enhancing the city's tourism and coffers, through much-needed tax collections.

Sincerely yours,



Susan Orth

President 2020

510 N Guadalupe, Santa Fe, NM 87501

CC: Mayor Alan Webber, Councilor Signe Lindell, Councilor Renee Villarreal, Councilor Carol Romero-Wirth, Councilor Michael Garcia, Councilor Roman Abeyta, Councilor Chris Rivera, Councilor JoAnne Vigil Coppler, Councilor Jamie Cassutt-Sanchez, Eli Isaacson – City Land Use Director, and Sally A. Paez – City Assistant Attorney

From: [BERKE, NOAH L.](#)
To: [ISAACSON, ELIAS S.](#); [PAEZ, SALLY A.](#)
Subject: Fwd: Air BnB
Date: Wednesday, October 14, 2020 3:38:28 PM

Thanks!

Noah Berke, AICP, CFM
Planner Manager
Land Use Department
(505) 955-6647
(505) 490-5930

From: Natalie Bovis <natalie@theliquidmuse.com>
Sent: Wednesday, October 14, 2020 3:03:39 PM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Cc: getinvolved@airbnb.com <getinvolved@airbnb.com>
Subject: Air BnB

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Santa Fe governance,

I grew up in this town, and I'm a local business owner. I also make extra money (pre pandemic) renting out my guest room to tourists via Air bnB.

I have a SuperHost rating, which means that visitors to Santa Fe have a wonderful experience "living like a local" in my home. I am a great ambassador for Santa Fe because I have lots of recommendations for activities, restaurants, etc. I help to build Santa Fe's tourism economy by providing an affordable option for people who otherwise might not be able to afford a hotel, and would take their tourism dollars elsewhere.

I am sharing my desire to maintain the ability to host people in my own home, as should be my right. I do not think there should be limits as to how many times per 7 days it is rented. Some people only stay a day or two, and during the summer I have multiple visitors who are passing through town.

Santa Fe already is not terribly business-friendly... to the point that I have considered moving my small business to Albuquerque. It is really important that Santa Fe considers small business owners - including side cash from Air BnB - in its planning... or you will lose more homegrown locals, like myself, to more progressive cities which flow with the times... and having the option of home stays through Air BnB, or similar platforms, is the way of the future.

Respectfully,

Natalie Bovis
Founder, The Liquid Muse LLC
Co-Founder, OM Liqueurs
Founder, TACO WARS / NM Cocktail & Culinary Festival

Sent from my device, please excuse random typos and bizarre autocorrect

October 14, 2020

Dear Planning Commission:

Let me outline my concerns globally and then in detail, about this whole process.

1. Stakeholder engagement: There has been extremely poor citizen engagement related to this initiative. I am a stakeholder as a 34 year resident deeply committed to our neighborhoods and culture. I am also a small business owner and an owner of 3 Airbnb's in a commercial building which I put in in order to pay off my debt and hopefully have a retirement one day. I was NEVER notified by the City that the code that affects me and the long term value of my Airbnb business was being changed. Why?

2. Enforcement and revenue: Instead of focusing on a new regulation, why hasn't the City focused on enforcement and closing the loop on the illegal short term rentals? Allowing illegal Airbnbs has cost the City over ten millions dollars, as well as leaving potential safety and neighborhood equity issues. I believe that the City had engaged a contractor to assess this problem and then did nothing to address it. Why is that?

THIS ISSUE IS FAR MORE IMMEDIATE AND URGENT then all the man hours spent on a new code, especially given the fact the Airbnb has been greatly depressed during this pandemic. This is a major betrayal of public trust and fiduciary responsibility. Why is there such a profound disconnection between economy and policy priorities? How could the governing body have let the above happened? Why take all the effort to create new regulations that the huge number of illegal short-term rentals will just ignore? Literally millions of dollars have been lost and continue to be lost because of a lack of follow up.

3. What is the goal of the changes to the short-term rental code and where is the data to show that these changes could result in the desired outcomes? Can anyone assure the public that, given that the code has no economic analysis based upon actual Airbnbs, that illegal short-term rentals have skewed the formation of the current code?

In order to ensure that policy results in desired outcomes, we need to state the goals, understand the data and assumptions and have clear forecasts. It seems that there are incorrect assumptions being made and then policy developed around these incorrect assumptions. This is a waste of valuable City resources and poor governing. For example, at a previous planning meeting, **the Land Use Director, in addition to admitting that there has been no economic analysis, said at a previous planning meeting that Airbnb's were impacting affordable long-term rentals. At that meeting, the Director of Affordable Housing, Alexandra Ladd said that the impact of Airbnbs on affordable rentals is negligible.** So, Land Use is driving policy based upon no false assumptions and no economic data.

Shouldn't City staff have clear understanding of our current zeitgeist and on that basis make presentations of goals, assumptions and presentation of data to support changes to the City code?

Data that seems critical to appropriately design and support code changes include: How many Airbnb's are owned by property management companies? How many are individual citizens are using Airbnb to pay for their homes vs or possibly save for retirement? What is the economic impact of Airbnb small businesses on the grassroots of our local economy, verses downtown hotels which exports all their profits outside of our community? Where are Airbnb's located in the city? Wouldn't a visual map of illegal and legal Airbnb's be helpful to the Counsel when considering policy?

Given that Airbnb numbers have not climbed much in the last two years, it's valid to ask that, if there were no short-term illegal rentals, would the current code even need to be modified?

I think we need to have a map to understand where Airbnbs are impacting neighborhoods and then we should show the map with an estimate of the impact of the new regulations. We should drill down and see where in these neighborhoods the complaints have been. Are there just a few people making a lot of noise or is there a systemic problem. We don't know. No. Economic. Data. We must understand the goals and have data to evaluate the likely outcomes.

4. Other questions: The new plan calls for a 75-foot space between locations. Commissioner Faulkner raised this issue particularly and it was skirted by the Land Use Director. He said it would be too difficult. Why should down town, where the vast majority of Airbnb's are rented, be treated the same as Tierra Contenta where someone is obviously trying to make a bit more money to survive our high housing market? Why can't land use have different rules for different zones that might help a few people make a bit of extra money and have the tax advantages of running a small business?

Also, the 7-day rule is completely anti-small business. It seems to be written by our hotel lobby, which has tens of thousands of rooms, vs Airbnb which currently has about 800 permits. Why does the permit favor these hotels and large corps instead of the small grass roots businesses?

It is poor governance for the City to add regulations when they are not enforcing existing regulations, to change City code without engaging stakeholders and without clearly stated goals and data to support the projection that the code changes will meet code. I implore the City to first tackle the problem of illegal short term rentals, gather and publish data and make sound decisions about policy that would meet City goals.

Sincerely,

Marc Choyt

From: [BERKE, NOAH L.](#)
To: [Teri Hackler](#); [PAEZ, SALLY A.](#)
Subject: RE: Vacation Rentals
Date: Thursday, October 15, 2020 12:25:58 PM

The public comment had closed on Monday. You can speak at tonight's Zoom meeting by looking at the City of Santa Fe's website and clicking on the link to Weekly Meetings then Planning Commission.

Noah Berke, AICP, CFM
Planner Manager
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<https://www.alltogethersantafe.org/>

From: Teri Hackler <terihackler@gmail.com>
Sent: Thursday, October 15, 2020 10:30 AM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Subject: Vacation Rentals

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing to say that if you limit vacation rentals to 1 per week that would greatly affect my income. Most of the people who stay with me stay 3 days, so I often have more than 1 in a week.

I appreciate your considering this.
Thank you very much,
Teri Hackler

From: [BERKE, NOAH L.](#)
To: [PAEZ, SALLY A.](#); [ISAACSON, ELIAS S.](#)
Subject: FW: Short term rentals
Date: Wednesday, October 14, 2020 11:01:26 AM

Noah Berke, AICP, CFM
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From: kitty moss <moss.kitty@gmail.com>
Sent: Wednesday, October 14, 2020 10:59 AM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Subject: Short term rentals

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I am writing to you as an Airbnb host who rents 8 miles from the Plaza in a rural area. If Hosts are limited to one rental in a seven day period it will effectively destroy the market for short term rentals. This is because short term renters rely on seasonal rentals which are typically 1-3 days at a time. Airbnb has gone to great lengths to assure that properties are sanitized properly between rentals. This is not a time to discourage what are essentially small business owners in favor of large institutional hotel owners. Thank you for your consideration. Katherine Moss

From: [BERKE, NOAH L.](#)
To: [PAEZ, SALLY A.](#); [ISAACSON, ELIAS S.](#)
Subject: FW: October 15 Planning Commission Meeting
Date: Tuesday, October 13, 2020 2:38:07 PM

Noah Berke, AICP, CFM
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From: elisenoble@post.harvard.edu <elisenoble@post.harvard.edu>
Sent: Tuesday, October 13, 2020 2:35 PM
To: Mayors Office <mayor@santafenm.gov>; VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov>; LINDELL, SIGNE I. <silindell@santafenm.gov>; ROMERO-WIRTH, CAROL <romero-wirth@santafenm.gov>; Land Use Public Comment <landusepubliccomment@santafenm.gov>
Cc: GARCIA, MICHAEL J. <mjgarcia@santafenm.gov>; RIVERA, CHRISTOPHER M. <cmrivera@santafenm.gov>; ABEYTA, ROMAN R. <rrabeyta@santafenm.gov>; CASSUTT-SANCHEZ, JAMIE A. <jcsanchez@santafenm.gov>; COPPLER, JOANNE V. <jvcoppler@santafenm.gov>
Subject: October 15 Planning Commission Meeting

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Webber and City Councilors:

Below are my comments for the upcoming meeting about short-term rentals. I wanted you to have a chance to consider them before the meeting and unfortunately missed the deadline for submission via Noah Berke. Please let me know if you have any questions.

Thank you.

Sincerely,
Elise Noble
2255 Old Arroyo Chamisa Road
505-699-7801

~~~~~

The draft **Short-term Rental Ordinance** raises some concerns.

In our 42 plus years in our home, we have experienced a marked decrease in the water we can draw from our well. Despite taking great care not to use too much at any one time, we have often run out of water. (We are not connected to City or to any other water supply source, and have added water storage tanks to help our supply problems.)

The Ordinance's **Purpose and Intent** makes clear that it intends (page 5)

**to ensure that the operation of *short-term rental units* does not disrupt the character of the *city's residential neighborhoods* or affect the quality of life of neighboring residents.**

However, nothing in the Ordinance addresses the issue of water quantity or water quality.

**1. Water Quantity:** Short term rentals add to use of water from our common water table, not only increasing showers and toilet flushes, but also adding loads of laundry for guests' sheets and towels. A neighbor's short-term rental significantly adversely affects our quality of life by decreasing our already diminished water supply.

**2. Water Quality:** A rise in water use increases the volume of toilet, shower, and laundry water that goes into a septic field. A septic installer next door to us began installing a leach field too close to our well. The installer grudgingly moved the leach field a few feet, barely outside the 100 foot legally required setback from our well.

**The Ordinance needs to address issues of water quantity and water quality in areas served by wells and septics, issues that greatly affect quality of life.**

**3. Occupancy:** Another matter of concern is on page 10 of the proposed Ordinance:

**The total number of [persons] *guests* that may occupy [the]a *short-term rental unit* is twice the number of bedrooms[;].**

If an owner with four bedrooms lives in the house with a significant other, eight guests are allowed, bringing the occupancy to ten. With three children also at home, the permitted occupancy rises to thirteen.

**Restoring the word persons where *guests* is now proposed would correct this problem.**

**4. Notice.** Last, the **Required Notice for Short-term**

**Rental *Permits*** (page 15) includes no provision for those who receive Notice to raise concerns or objections.

**I hope this omission will be corrected.**

**From:** [BERKE, NOAH L.](#)  
**To:** [ISAACSON, ELIAS S.](#); [PAEZ, SALLY A.](#)  
**Subject:** FW: Short-Term Rental Restrictions  
**Date:** Wednesday, October 14, 2020 11:06:57 AM

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Noah Berke, AICP, CFM  
Planner Manager  
City of Santa Fe Land Use Department  
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**From:** Sandra Noe <sandmnoe@gmail.com>  
**Sent:** Wednesday, October 14, 2020 10:42 AM  
**To:** Land Use Public Comment <landusepubliccomment@santafenm.gov>  
**Subject:** Short-Term Rental Restrictions

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Submitted for consideration at the Thursday, October 15, 2020 Santa Fe Planning Commission meeting regarding regulations on short-term rentals.**

Dear Commissioners,

Though I understand the desire to reduce traffic and unforeseen problems by limiting short-term rentals to one rental per 7-day period, I think it would behoove the Commission to consider that stipulation dependent on the location of the short-term rental.

My husband and I own a condominium at Fort Marcy condominiums, otherwise known as Fort Marcy Hotel Suites. The property is run as a hotel, renting individual condominiums short-term. There are a number of large parking lots on the property which reduce street parking.

We could have Fort Marcy Hotel Suites manage our property and have it booked as much as possible; however, it is not cost-effective for us to do so—Fort Marcy takes a 50% cut of proceeds. We pay our State taxes and Lodgers' Tax, contributing to a healthy local economy as do hotels and motels, so why restrict our ability to have a viable business?

Related to the desire to have a viable business, why can hotels have multiple properties but not

individual short-term owners? The guests hosted in short-term rentals just as readily spend money locally, visiting restaurants, shops, museums, etc., and contribute to the welfare of our economy. Restricting short-term rental ownership shows a limited understanding of the benefits of these properties in Santa Fe.

From our experience and communication with our guests, we know that our short-term rental will not reduce hotel and motel business. We have had guests who travel with family or friends. Many of their travel companions prefer hotels to short-term rentals, so I believe the thought that hotels will suffer is not accurate.

To summarize, please reconsider rental restrictions in a 7-day period based on location. And, please do not limit the number of short-term rentals an individual can operate.

Sincerely,  
Sandra Noe  
24 Timberwick Rd  
Santa Fe, NM 87508  
505-920-3055

**From:** [Leroy Pacheco](#)  
**To:** [PAEZ, SALLY A.](#)  
**Subject:** Fwd: Consideration of Bill No. 2020-\_\_: An Ordinance Amending Section 14-6.2 SFCC 1987  
**Date:** Thursday, October 15, 2020 9:39:46 AM

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Hi Sally,

I meant to copy you on this email.

Thank you,

Leroy N. Pacheco

Sent from my iPad

Begin forwarded message:

**From:** Leroy Pacheco <leroypacheco@me.com>  
**Date:** October 15, 2020 at 9:36:48 AM MDT  
**To:** "BERKE, NOAH L." <nlberke@santafenm.gov>  
**Subject:** Re: Consideration of Bill No. 2020-\_\_: An Ordinance Amending Section 14-6.2 SFCC 1987

Hi Noah,

Thanks for your email. Unfortunately I am unable to attend tonight's meeting. Will there be a public hearing component at tonight's meeting? If so, I noticed that on page 8 of the June 18, 2020 Planning Commission meeting, the city attorney (copied here) submitted written comments she had received after that meeting's deadline, into the public record. Is that a possibility with respect to my email below?

Thank you,  
Leroy

Sent from my iPad

On Oct 15, 2020, at 6:55 AM, BERKE, NOAH L.  
<nlberke@santafenm.gov> wrote:

Hi Leroy,

Public comment closed on Monday so we cannot forward this to commissioners. I would encourage you to attend the public meeting tonight (the link is on the City's website) and speak. Thanks

Noah Berke, AICP, CFM  
Planner Manager  
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**From:** Leroy Pacheco <leroypacheco@me.com>  
**Sent:** Wednesday, October 14, 2020 10:20 PM  
**To:** Land Use Public Comment <landusepubliccomment@santafenm.gov>  
**Subject:** Consideration of Bill No. 2020-\_\_: An Ordinance Amending Section 14-6.2 SFCC 1987

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Dear Commissioners:

I recently became aware of the city's consideration of this proposed ordinance amendment regarding short term rentals. I understand and support the city's desire to protect the quality of its residential neighborhoods, which I believe is a shared value by those who visit our beautiful city and choose to stay in a private residence rather than a hotel. I am rather new to hosting visitors and do enjoy providing a more unique experience to those who prefer to visit Santa Fe in this way. As a licensed host, I have had about 6 months experience as a host pre-pandemic, and about as much time acting as a host through the current pandemic.

In this short time, the natural market forces have dramatically changed the character of who currently visits Santa Fe. It is unclear what a post pandemic world will look like with respect to tourism. The rich touristic opportunities (Folk Art, Spanish and Indian Markets, Santa Fe Opera, Balloon Fiesta) of the past, were dramatically halted in 2020 by the pandemic and disrupted the state and city's tourist economies. The current political division and

recent vandalism of the historic Civil War Monument on the plaza have added to a climate of angst in the city and further raised uncertainty for the future.

I question whether some elements of this proposed ordinance will further impinge on our city and state's ability to economically recover. Specifically the intrusion of the ordinance on the length of stay per 7 day period, and the proximity rule of no new permits within 50-feet of existing permits should be more fully and perhaps separately vetted with a thorough analysis of its compliance with federal private property law. I suggest these articles be excised from the current language in the interest of prudence as that analysis is done and the other more perfunctory articles move forward.

I also call into question the number of new permits being limited to 1,000. I have not seen the market data that would support this number, which in my uninformed opinion seems high and something that would better be left to market forces. The same goes for length of stay limitations previously cited, and which the current market forces are moving toward anyway, with rentals now going in the direction of longer stays for remote workers.

I also highlight that the Financial Impact Report (FIR) indicates negligible economic impact to the city, which suggests to me that observation for compliance and enforcement by city forces will not exceed the city's current efforts. It would be interesting to understand this proposed law in light of the most recently available short term tax collections, so that the council and others may better understand what market forces have done to the STR market in the short term and comparing results for both pre-pandemic, and in the current situation.

Thank you for consideration of these thoughts.

Leroy N. Pacheco

Sent from my iPad



October 14, 2020

Santa Fe Planning Commission  
200 Lincoln Avenue  
Santa Fe, New Mexico 87504

Dear Members of the Planning Commission,

On behalf of Airbnb, thank you for the opportunity to provide input on the City of Santa Fe's draft amendments to its Short-Term Rental (STR) Ordinance. We know that enacting balanced regulations that protect neighborhoods while preserving the benefits that STRs provide to the city and community is crucial.

We appreciate the city's recent changes to its draft amendments which clarify permit eligibility and host platform requirements. However, we remain concerned by a few provisions that would introduce new obstacles to hosting, with adverse impacts on the local tourism economy. We write to suggest revisions that we believe would improve the City's ability to implement balanced and effective STR regulations.

### **One Rental Per Seven-Day Period**

We appreciate that the City allows STRs in a range of building types across residential and non-residential zones to help maximize their economic benefits. However, we are concerned that the intention of the "one rental per seven-day period" limitation is unclear, and may have negative consequences. Not only would this limit the overall amount of Lodgers' tax revenues generated for the city, but it would also harm local residents. The COVID-19 pandemic has had a disproportionate impact on the travel industry, including STR hosts and small businesses who rely on economic activity generated by tourism in their communities. Restricting rentals to one-per-week would reduce their flexibility to host during peak seasons. It particularly hurts more intermittent hosts who travel for one month, for example; this restriction will severely limit their ability to have multiple guests while they are out of town, limiting their ability to generate extra revenue for themselves. Moreover, the one day rental per seven day period is also incredibly complex to enforce given the likelihood that hosts may just jump back and forth between platforms and creates a system inherently designed to fail. We urge the City to remove this provision from the draft amendments, thereby allowing significant more flexibility to operators and creating less administrative burden for compliance staff.

### **One Permit Per Person**

We encourage the City against limiting the number of permits per person. Taken alongside other provisions in the draft amendments - including the 1000 citywide permit cap, 50-foot separation requirement, and one rental per seven day period - this cap is overly restrictive and redundant. Santa Fe's economy relies on tourism, and vacation rentals have long been part of the lodging landscape. We ask the City to consider removing this provision, which could have negative future impacts on the hospitality industry, particularly as permits expire and operators retire. This would be consistent with the intent of the ordinance's grandfathering provision, make the supply more sustainable over time, and ensure the ability of Santa Fe residents to maintain an important economic lifeline.

\* \* \*

Thank you for the consideration of all of the issues that we have raised regarding the proposed amendments. We would like to reiterate our willingness to collaborate with the City in developing a fair, balanced STR regulatory framework, and our comments here are offered in that spirit. We are happy to address any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Patel', written in a cursive style.

Toral Patel  
Public Policy, Airbnb

**From:** [BERKE, NOAH L.](#)  
**To:** [PAEZ, SALLY A.](#); [ISAACSON, ELIAS S.](#)  
**Subject:** Fwd:  
**Date:** Tuesday, October 13, 2020 8:43:47 PM

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Thanks!

Noah Berke, AICP, CFM  
Planner Manager  
Land Use Department  
(505) 955-6647  
(505) 490-5930

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**From:** Amy Rose <amybeerose@gmail.com>  
**Sent:** Tuesday, October 13, 2020 8:26:09 PM  
**To:** Land Use Public Comment <landusepubliccomment@santafenm.gov>  
**Subject:**

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Limiting one rental per 7 day period, is basically cutting my business income by 2 thirds.  
What is the logic of this proposed ordinance?

Limiting 1 permit per person, destroys the basic business of vacation rentals.  
Are these ordinances aimed at Gutting individuals/property owners using short term rental platforms?

I am totally bewildered.

**From:** [BERKE, NOAH L.](#)  
**To:** [ISAACSON, ELIAS S.](#); [PAEZ, SALLY A.](#)  
**Subject:** Fwd: short term rental permit  
**Date:** Tuesday, October 13, 2020 5:44:57 PM

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Thanks!

Noah Berke, AICP, CFM  
Planner Manager  
Land Use Department  
(505) 955-6647  
(505) 490-5930

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**From:** kim schilling <tthferry@yahoo.com>  
**Sent:** Tuesday, October 13, 2020 5:12:39 PM  
**To:** Land Use Public Comment <landusepubliccomment@santafenm.gov>  
**Subject:** short term rental permit

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A couple of pointers:

Many of us do this in order to maintain, improve and afford our house.

I assume the reason you are doing this is because you have accepted too many permits.

One a week? What would the purpose of that be. Many people prefer shorter rentals... Airbnb is good for Santa Fe... most of the people that I get are looking for a place that they are able to be out in the garden, perhaps make their own breakfast in a quiet area cleaned by conscientious cleaners. If they could not stay in an affordable house they would not come, they would chose another area. Not everyone wants to stay in a hotel especially during covid times.

**From:** [BERKE, NOAH L.](#)  
**To:** [PAEZ, SALLY A.](#); [ISAACSON, ELIAS S.](#)  
**Subject:** FW: Changes to City Short Term Rental Ordinance  
**Date:** Thursday, October 15, 2020 8:09:30 AM

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Noah Berke, AICP, CFM  
Planner Manager  
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**From:** BONNIE SMITH <[bonnie.b.smith@comcast.net](mailto:bonnie.b.smith@comcast.net)>  
**Sent:** Wednesday, October 14, 2020 7:19 PM  
**To:** Land Use Public Comment <[landusepubliccomment@santafenm.gov](mailto:landusepubliccomment@santafenm.gov)>  
**Subject:** Changes to City Short Term Rental Ordinance

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To: Santa Fe City Planning Commission

Date:10/14/20

Subject: City Short Term Rental Ordinance

We are concerned that proposed changes to short term rental ordinances seek to eliminate or severely cripple short term rentals.

My wife and I own one house in the city currently licensed by the city as a short term rental under my wife's name. We bought the house 28 years ago anticipated occupying it as our retirement home. We rented it as a long term rental (greater than one year lease) for 26 years. We changed our retirement plans and eventually retired in Colorado and retained the house as an investment (under an LLC) and occasionally as a second home.

At the outset, we wish to inform you that our families have been legal New Mexico residents for three and four generations. In one case, prior to New Mexico becoming a state.

Our experience has been that our property has occasionally been significantly damaged by long term renters. Our short term renters have been much more considerate of us and our neighbors. We think this is generally the case.

We have the following comments regarding your current considerations:

A seven day minimum rental will significantly eliminate a segment of our market when normal travel resumes. Perhaps as much as 30% to 60% less.

The current pandemic has significantly distorted the market toward longer term rentals as some people escape high density cities. When travel increases the market will naturally move to shorter term.

We wish to operate with 3 day minimum (we like longer rentals but believe a significant part of the market is 3 day). From a practical standpoint, a motel or hotel can operate with a 2 to 4 hour room turn around. A short term house rental can operate with a 4 to 8 hour turn around due to its complexity and size.

Two short rentals on one property (house and casita) is practical and workable in our opinion. Although not our situation, we can foresee problems with restrictions on developments with condos where owners wish to occasionally use the property and short term rent otherwise.

We think the current city ordinances regarding short term rentals are appropriate. Few if any changes are needed.

HOA and neighborhood associations will take care of regulations beyond city ordinance for short term rentals.

We have found that Airbnb management strategy is very effective at helping to manage use of short term rentals.

Thank you for your attention.

Another Issue: Repair of damage done by violence, intimidation and lawless actions by recent violent groups in plaza area.

How is the Planning Commission going to address the damage done to the plaza and Indian restaurant by the violence in the recent weeks? We demand **restoration**, not replacement of historical monuments and structures.

**What legislation did not accomplish, violence and lawlessness accomplished while city government, city management and law enforcement willfully looked away!**

Bonieta Smith and Marvin Smith

**From:** [BERKE, NOAH L.](#)  
**To:** [PAEZ, SALLY A.](#); [ISAACSON, ELIAS S.](#)  
**Subject:** FW: Comment on Consideration of Bill No. 2020-\_\_ re: Short-Term Rental Permits  
**Date:** Thursday, October 15, 2020 5:34:12 PM

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Noah Berke, AICP, CFM  
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**From:** Israel Sushman <[isushman@isushman.com](mailto:isushman@isushman.com)>  
**Sent:** Thursday, October 15, 2020 3:21 PM  
**To:** Land Use Public Comment <[landusepubliccomment@santafenm.gov](mailto:landusepubliccomment@santafenm.gov)>  
**Subject:** Comment on Consideration of Bill No. 2020-\_\_ re: Short-Term Rental Permits

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Using city ordinances to throttle a powerful and natural market shift to integrating short term stays into the travel industry and offered by individual families is akin to supporting the horse-shoeing industry by banning auto repair shops! The market has already moved on and organizations such as Booking.com offer a blended approach, offering a choice of kinds of experience: individual homes, hotels, or other experiences. What should and could happen is that the housing markets should be protected by not allowing wholesale conversion of real estate to Airbnb and VRBO properties. In Los Angeles, Airbnb has been limited to units that are the primary residence of the owners. This reflects the true original vision of Airbnb. Limiting the number of stays a week a host can offer seems unenforceable to me.

Additionally, in an era in which retired people no longer benefit from pensions, AirBnB is a solution for seniors who have never been able to save enough for retirement due to market crashes, the volatility of the job market, real estate losses, and the COVID-19 pandemic. In my case, I was diagnosed with Parkinsons ten years ago and had to leave a lucrative corporate job early. Income from Airbnb for us is under \$2,000, and is essential income for my husband and me, without which we would need to turn to state resources to help us survive. Since we live on the property and monitor all activity of our guests, we don't believe having people stay in our home is a detriment

to our Santa Fe community. It is also something we really enjoy, meeting all sorts of interesting people. We believe what we offer is a service that is valuable to the community.

Israel Sushman

Nancy J. Murray

Santa Fe, NM

505.780.8839

[isushman@gmail.com](mailto:isushman@gmail.com)

[nancyjanemurray@gmail.com](mailto:nancyjanemurray@gmail.com)

**From:** [BERKE, NOAH L.](#)  
**To:** [ISAACSON, ELIAS S.](#); [PAEZ, SALLY A.](#)  
**Subject:** Fwd: Proposed Changes to STR Ordinance - Public Comment for Meeting of October 15th  
**Date:** Wednesday, October 14, 2020 8:37:21 AM

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Thanks!

Noah Berke, AICP, CFM  
Planner Manager  
Land Use Department  
(505) 955-6647  
(505) 490-5930

---

**From:** Richard A Woodruff <richardwoodruff@yahoo.com>  
**Sent:** Wednesday, October 14, 2020 8:31:09 AM  
**To:** LINDELL, SIGNE I. <silindell@santafenm.gov>; VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov>; GARCIA, MICHAEL J. <mjgarcia@santafenm.gov>; ROMERO-WIRTH, CAROL <romero-wirth@santafenm.gov>; RIVERA, CHRISTOPHER M. <cmrivera@santafenm.gov>; ABEYTA, ROMAN R. <rabeayta@santafenm.gov>; CASSUTT-SANCHEZ, JAMIE A. <jcsanchez@santafenm.gov>; COPPLER, JOANNE V. <jvcoppler@santafenm.gov>; Land Use Public Comment <landusepubliccomment@santafenm.gov>  
**Cc:** Kathy Komoll <kkomoll@newmexicohospitality.org>; Paco Arguello <paco@sfar.com>; Fran Maier <franvacationrental@gmail.com>; Dana Lubner <dana@rentresponsibly.org>; David Krauss <david@rentresponsibly.org>; Alexa Nota <alexa@rentresponsibly.org>  
**Subject:** Proposed Changes to STR Ordinance - Public Comment for Meeting of October 15th

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning All,

I am taking this opportunity to provide further comment to the Land Use Office regarding the proposed changes to the STR Ordinance to be discussed at the meeting of October 15<sup>th</sup>.

To Follow:

It is assumed by the council (reference article below) that the 1600 (a few less as I believe it is around 1450) rentals listed on Airbnb and VRBO demonstrate that there are scofflaws to the existing ordinance. Although that is likely true to a limited extent, the council fails to take the following into consideration:

1. Not all rentals listed on Airbnb and VRBO require a permit; for two reasons:
  - a. Some are longer term rentals exclusively (more than 30 days), and therefore do not require permits
  - b. Some of the listing are not within the City limits, rather in Santa Fe County, and therefore do not require a City permit
2. Taxes, for all listings, are automatically collected and remitted to the State and

the City directly by VRBO. Taxes do not pass through the listing. This has been the case since mid-2019. Also, taxes are withheld for the longer-term rentals although taxes should not be applied. VRBO and Airbnb does not give a listing permission to exclude the taxes.

3. Some listings are duplicates both on the various listing engines as well as on each listing engine. Some have listed homes twice for marketing purposes.

Our conclusion should be: An impact study should be performed of the listings on VRBO/Airbnb to determine the actual compliance taking into account the points above. I am certain they will determine that the size of the problem is rather small. Once the problem is isolated, the City can pursue the violators.

All the best,  
Richard

## [Santa Fe city councilor says many short-term rentals operating illegally](#)

by: [Stephanie Chavez](#)

Posted: Oct 12, 2020 / 05:41 AM MDT / Updated: Oct 12, 2020 / 05:43 AM MDT

[SANTA FE, N.M.](#) (KRQE) – The City of Santa Fe is cracking down on short-term rentals, saying hundreds of them are not permitted and could face fines. There are also still a couple hundred permits up for grabs.

[Santa Fe is losing \\$3.8 million annually to short term rentals](#), according to a survey done in 2019. “They’re just not paying it when people come and rent, they’re just not paying it,” says City Councilor Carol Romero-Wirth.

Romero-Wirth says that’s why the city recently capped the number of short-term rental permits at 1,000. Still, she says, there are about 1,600 of these rentals, through websites like Airbnb, operating across the city.

She says about half of them are not following the city’s ordinance, requiring them to register the rental and get a permit. “There’s something like 800 that are permitted,” she says.

Romero-Wirth is supportive of these rentals but wants them to come into compliance, saying the lost revenue isn’t the only problem they’re causing.

“That’s had a negative impact on the neighborhoods, the neighbors are feeling like the character of the neighborhood doesn’t feel the same,”

Romero-Wirth says.

The city planning commission this week will hear a proposed amendment to the current ordinance that would have code enforcement officers cracking down on people who aren’t permitted and inform them about the remaining 200 permits that are available.

“And then once we hit that 1,000 level cap, those houses that can’t get

permits maybe will become longterm rentals [that] help with our housing shortage,” Romero-Wirth says. According to the councilor, because of the budget deficit, they will not be hiring any more enforcement officers for this extra enforcement, if this amendment passes.



# City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909  
www.santafenm.gov

*Alan Webber, Mayor*

Councilors:

Signe I. Lindell, Mayor Pro Tem, District 1  
Renee Villarreal, District 1  
Michael J. Garcia, District 2  
Carol Romero-Wirth, District 2  
Roman "Tiger" Abeyta, District 3  
Chris Rivera, District 3  
Jamie Cassutt-Sanchez, District 4  
JoAnne Vigil Coppler, District 4

## MEMO


**Date:** September 16, 2020

**To:** Public Works and Public Utilities Committee – September 29, 2020

Quality of Life Committee – October 7, 2020

City Council – October 14, 2020

**Via:** Shannon Jones, Public Utilities Department Director 

**From:** Jesse Roach, Director, City of Santa Fe Water 

### ITEM

Request to Join a Steering Committee for Santa Fe River Planning from Nichols Reservoir to Cerro Gordo Road

### BACKGROUND

City of Santa Fe Water (CSFW) allows water to move through Nichols Reservoir into the Santa Fe River for "Living River" flows and downstream diversions by Cerro Gordo Acequia and Acequia Madre. CSFW is currently installing a new pipeline from Nichols Reservoir to the Canyon Road Water Treatment Plant. Once complete and connected to an updated outlet conduit from Nichols (scheduled completion spring 2022), this pipeline may create additional Acequia delivery management options for CSFW. This new pipeline will also allow an existing gravity pipeline along the Santa Fe River to be abandoned. This abandonment has implications for habitat restoration and recreational development in the area.

As a result of these impending changes, the time is right to develop a long range vision for management of water resources, ecological habitat, and recreational resources along this reach of the Santa Fe River. CSFW would like to join with other owners of riparian lands along the Santa Fe River between Nichols Dam and Cerro Gordo Road to form a steering committee to guide a planning process with stakeholders to land and water management along this reach of the Santa Fe River. The other land owners in this reach are the National Audubon Society, The Nature Conservancy, and the United States Forest Service.

The goals of this effort are (1) an understanding of stakeholder preferences and (2) a resulting vision for management of water resources, ecological habitat, and recreational opportunities along the Santa Fe River from Nichols Dam to Cerro Gordo Road.

**REQUEST**

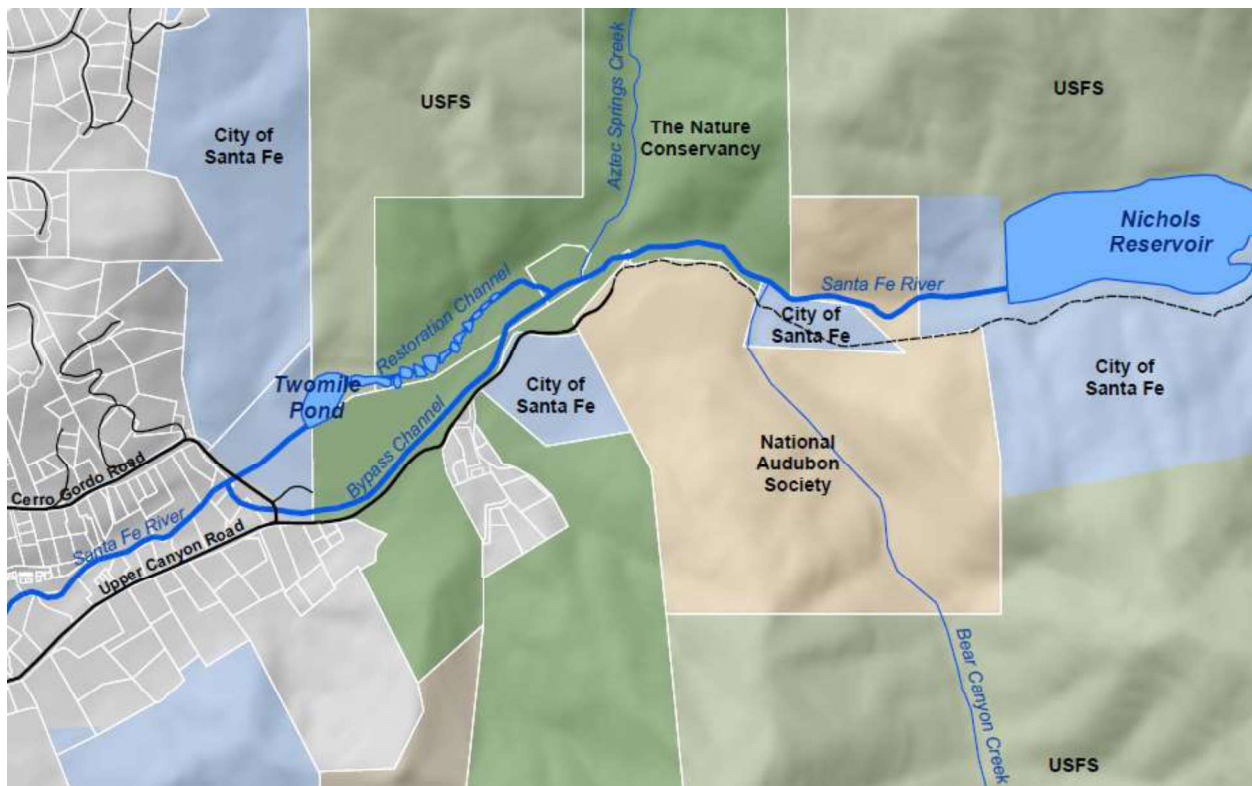
Approval for the City of Santa Fe to join a Steering Committee to guide planning along the Santa Fe River from Nichols to Cerro Gordo. The Charter defining this Steering Committee which would need to be signed by Mayor Webber is attached here for reference, and has been approved as to form by the City Attorney's Office.



September 17, 2020

**Charter of a Steering Committee for Santa Fe River Planning Nichols to Cerro Gordo**

As owners of riparian lands along the Santa Fe River between Nichols Dam and Cerro Gordo Road, we the City of Santa Fe, the National Audubon Society, The Nature Conservancy, and the United States Forest Service desire to work together as a steering committee to guide a planning process with stakeholders to land and water management in this section of the Santa Fe River. The goals of this effort are (1) an understanding of stakeholder preferences and (2) a resulting vision for management of water resources, ecological habitat, and recreational opportunities along the Santa Fe River from Nichols Dam to Cerro Gordo Road. Land ownership along this stretch of the Santa Fe River is shown below.



Any party may choose to cease its participation in this steering committee at any time by notifying the other parties in writing of such cessation. Each party acknowledges that it will be responsible for its own actions that result from recommendations coming from this joint planning effort, and will not be responsible for the acts of any other party. The steering committee serves a coordination role only and does not imply any funding obligations. Any endeavor involving reimbursement or contribution of funds between or among the parties must be memorialized in a separate, mutual, written agreement. This planning effort is not intended to create any legal or financial obligations between or among the parties. This planning effort is not intended to create a legal partnership or a joint venture between or among the parties.

**Charter of a Steering Committee for Santa Fe River Planning Nichols to Cerro Gordo: Signatures**  
Alan Webber, Mayor, City of Santa Fe

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Attested by Yolanda Vigil, City Clerk, City of Santa Fe

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

City Attorney's Office, Senior Assistant City Attorney, City of Santa Fe

*Marcos Martinez*

[Marcos Martinez \(Sep 17, 2020 09:42 MDT\)](#)

\_\_\_\_\_  
Signature

Sep 17, 2020

\_\_\_\_\_  
Date

---

Carl Beal, Center Manager

Randall Davey Audubon Center & Sanctuary, Audubon New Mexico

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

---

Robert Findling, Director of Land Protection & Stewardship  
The Nature Conservancy, New Mexico Field Office

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

---

Sanford "Sandy" Hurlocker, District Ranger  
Española Ranger District, Santa Fe National Forest

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date






# 20200917\_Charter\_Steering Committee SF River Planning Nichols to CG

Final Audit Report

2020-09-17

|                 |                                              |
|-----------------|----------------------------------------------|
| Created:        | 2020-09-17                                   |
| By:             | Irene Romero (ikromero@ci.santa-fe.nm.us)    |
| Status:         | Signed                                       |
| Transaction ID: | CBJCHBCAABAARXVpjKyh_XnKMa3GsXonwpZZNDWFwvdK |

## "20200917\_Charter\_Steering Committee SF River Planning Nichols to CG" History

-  Document created by Irene Romero (ikromero@ci.santa-fe.nm.us)  
2020-09-17 - 3:41:37 PM GMT- IP address: 63.232.20.2
-  Document emailed to Marcos Martinez (mdmartinez@santafenm.gov) for signature  
2020-09-17 - 3:42:12 PM GMT
-  Email viewed by Marcos Martinez (mdmartinez@santafenm.gov)  
2020-09-17 - 3:42:33 PM GMT- IP address: 174.56.49.116
-  Document e-signed by Marcos Martinez (mdmartinez@santafenm.gov)  
Signature Date: 2020-09-17 - 3:42:46 PM GMT - Time Source: server- IP address: 174.56.49.116
-  Agreement completed.  
2020-09-17 - 3:42:46 PM GMT

**Signature:**   
Shannon Jones (Sep 18, 2020 12:15 MDT)

**Email:** [swjones@santafenm.gov](mailto:swjones@santafenm.gov)






# 16Sep2020 CommitteeRequestApprovalSteering CommitteeNicholsToCGMemoAndCharter

Final Audit Report

2020-09-18

|                 |                                              |
|-----------------|----------------------------------------------|
| Created:        | 2020-09-18                                   |
| By:             | Jesse Roach (jdroach@santafenm.gov)          |
| Status:         | Signed                                       |
| Transaction ID: | CBJCHBCAABAAeaqIqPLcKOWJZMeoQxDUvYi5hkP7W660 |

## "16Sep2020 CommitteeRequestApprovalSteeringCommitteeNicholsToCGMemoAndCharter" History

-  Document created by Jesse Roach (jdroach@santafenm.gov)  
2020-09-18 - 3:26:40 PM GMT- IP address: 63.232.20.2
-  Document emailed to Shannon Jones (swjones@santafenm.gov) for signature  
2020-09-18 - 3:27:43 PM GMT
-  Email viewed by Shannon Jones (swjones@santafenm.gov)  
2020-09-18 - 6:15:39 PM GMT- IP address: 174.237.138.54
-  Document e-signed by Shannon Jones (swjones@santafenm.gov)  
Signature Date: 2020-09-18 - 6:15:57 PM GMT - Time Source: server- IP address: 174.237.138.54
-  Agreement completed.  
2020-09-18 - 6:15:57 PM GMT

**ACTION SHEET**  
**PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 09/29/2020**

**ISSUE NO. 8F**

Request for approval to join a Steering Committee for Santa Fe River Planning from Nichols Reservoir to Cerro Gordo Road. (Jesse Roach, Water Division Director, [jdroach@santafenm.gov](mailto:jdroach@santafenm.gov), 955-4309)

**Committee Review**  
 Quality of Life Committee (Scheduled) 10/07/2020  
 Governing Body (Scheduled) 10/14/2020

**PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Approved to forward to 10/07/2020 Quality of Life Committee.**

**SPECIAL CONDITIONS OR AMENDMENTS:**

**STAFF FOLLOW UP:**


| <b>VOTE:</b>            | <b>FOR</b> | <b>AGAINST</b> | <b>ABSTAIN</b> |
|-------------------------|------------|----------------|----------------|
| COUNCILOR RIVERA, CHAIR | X          |                |                |
| COUNCILOR GARCIA        | X          |                |                |
| COUNCILOR ABEYTA        | X          |                |                |
| COUNCILOR LINDELL       | X          |                |                |
| COUNCILOR VIGIL COPPLER | X          |                |                |


# City of Santa Fe, New Mexico

## **MEMO**

**DATE:** September 18, 2020

**TO:** Public Works/Finance Committee/City Council

**FROM:** Gino Rinaldi, Director   
Division of Senior Services

**VIA:** Kyra Ochoa, Director   
Community Services  
Kyra Ochoa (Sep 18, 2020 12:50:40)

Mary McCoy, Director  
Finance Department

Fran Dunaway, Chief Procurement Officer  
Purchasing Department

**RE:** Purchase of Food Products. Services and Equipment:  
Procurement Source: Cooperative CES# RFP 2020-30 "Coop. Food  
Program for Food & Non-Food Items." Expires 7/26/2030.  
Vendor: Labatt

### **Background and Summary**

The City of Santa Fe Division of Senior Services (DSS) is requesting to procure food products, from the aforementioned vendor, for year ending 6/30/2024. The procurement method as "Cooperative Educational Services (CES)". The CES agreement is listed below along with the purchasing history for the vendor. As per procurement policies DSS is required to compare pricing by commodity, to obtain the best possible value.

**Vendor: Labatt Food Services: City Vendor #7252**  
Cooperative Contract: Solicitation: 2020-30:  
CES: Expiration Date: July 26, 2030

History:  
Year Ending 06/30/2020 \$71,605.25  
Year Ending 6/30/2019 \$ 66,746.25 (New Vendor)

Funding for the procurement of food related products has been budgeted and available on July 1, 2020 in the FY2020 Nutrition Budget Org/Object 2410114.530400

By City policy, the City can use Cooperative, State or Federal Price Agreements without having to bid the items on its own. By City Policy, procurement from Cooperatives, State or Federal Price Agreements over \$60,000, require City Council approval (City Purchasing Manual Section 11.1). Any single transaction which will exceed \$60,000 will be forwarded to the City Council for review and consideration.

**Recommended Action**

It is requested that this procurement award to Labatt from the aforementioned Cooperative CES for City wide food related purchases, for year ending 6/30/2024, be reviewed, approved and submitted to the City Council for consideration.



# CITY OF SANTA FE PROCUREMENT CHECKLIST

Contractor Name: Labatt New Mexico

Procurement Title: CES, RFP 20-30 Term: July 26, 2020- July 26, 2030

Procurement Method: State Price Agreement  Cooperative  Sole Source  Other   
Exempt  Request For Proposal (RFP)  Invitation To Bid (ITB)  Contract under 60K  Contract over 60K

Department Requesting Community/Senior Services Staff Name Anya Alarid

**Procurement Requirements:**  
A procurement file shall be maintained for all contracts, regardless of the method of procurement. The procurement file shall contain the basis on which the award is made, all submitted bids, all evaluation materials, score sheets, quotations and all other documentation related to or prepared in conjunction with evaluation, negotiation, and the award process. The procurement shall contain a written determination from the Requesting Department, signed by the purchasing officer, setting forth the reasoning for the contract award decision before submitting to the Committees.

### REQUIRED DOCUMENTS FOR APPROVAL BY PURCHASING\*

YES N/A

- |                                     |                                     |                                                                               |
|-------------------------------------|-------------------------------------|-------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Approved Procurement Checklist (by Purchasing)                                |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Memo addressed to City Manager (under 60K) Committees/City Council (over 60K) |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | State Price Agreement                                                         |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RFP                                                                           |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Evaluation Committee Report                                                   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ITB                                                                           |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Bib Tab                                                                       |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Quotes (3 valid current quotes)                                               |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Cooperative Agreement                                                         |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Sole Source Request and Determination Form                                    |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Contractors Exempt Letter                                                     |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Purchasing Officers approval for exempt procurement                           |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | BAR                                                                           |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | FIR                                                                           |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Executed Contract, Agreement or Amendment                                     |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Current Business Registration and CRS numbers on contract or agreement        |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Summary of Contracts and Agreements form                                      |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Certificate of Insurance                                                      |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | All documentation presented to Committees                                     |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Other:                                                                        |

Anya Alarid Department Rep Printed Name (attesting that all information included) Project Administrator Title 09/21/20 Date

Print Name: Anya Alarid Date: 09/21/2020 09:50:00 MDT

Purchasing Officer (attesting that all information is reviewed) Title Date

Include all other substantive documents and records of communication that pertain to the procurement and contract.



**Cooperative Educational Services  
FINAL AWARD NOTICE  
RFP 2020-30 – Student & Senior Nutrition  
Program - Food and Non-Food Items**

April 30, 2020

Please find below the Final Award recommendations, subject to final contract negotiations, for CES' RFP 2020-30 – Student & Senior Nutrition Program - Food and Non-Food Items. Pursuant to New Mexico Statutes Annotated 1978, 13-1-172, any Offeror has until Friday, May 15, 2020 by 4:00 p.m. to submit a written protest.

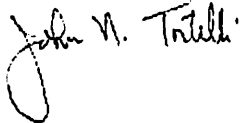
| <b>RFP 2020-30 – Student &amp; Senior Nutrition Program - Food and Non-Food Items</b> |                                                |                        |
|---------------------------------------------------------------------------------------|------------------------------------------------|------------------------|
| <b>Vendor</b>                                                                         | <b>Total Points Receive Without Preference</b> | <b>Regions Awarded</b> |
| Labatt New Mexico                                                                     | 864                                            | Award Regions 1 to 8   |
| Sysco USA I, Inc.                                                                     | 514                                            | No Award               |

"Note: One of the requirements for bidding a substitute was for the bidder to provide specifications for the substitute item as per the Mandatory Excel file, 2020-30 Pricing Submittal and Cost Evaluation Mandatory Form Revision 1. Sysco USA I, Inc. submitted 832 substitutions without providing Item Specifications; or either a combination of Vendor UPC; Brand/Label; Product Description; Units In Carton or Pack; Individual Unit Size; Substitute – Is It The Same As Units In Carton Or Pack/Individual Unit Size, Yes or No. CES made the decision to evaluate only the items that matched the specifications and the No Bids listed on the Mandatory Excel file,

2020-30 Pricing Submittal and Cost Evaluation Mandatory Form Revision 1 submitted by Labatt's and Sysco."

Attached is the Evaluation Reports. If you have any questions or need additional information, please contact our office at 505-344-5470 or by email at [bids@ces.org](mailto:bids@ces.org).

COOPERATIVE EDUCATIONAL SERVICES



John N. Tortelli, Procurement & Contract Specialist  
Cooperative Educational Services  
4216 Balloon Park Road NE  
Albuquerque, NM 87109  
[johnt@ces.org](mailto:johnt@ces.org)






# CM SENIORS OVER 60K VENDORS packet 1

Final Audit Report

2020-09-30

|                 |                                               |
|-----------------|-----------------------------------------------|
| Created:        | 2020-09-30                                    |
| By:             | YODEL CATANACH (yocatanach@ci.santa-fe.nm.us) |
| Status:         | Signed                                        |
| Transaction ID: | CBJCHBCAABAAJH3rk1nwXZjYZpcqYnRLm-tsJnV9WpDE  |

## "CM SENIORS OVER 60K VENDORS packet 1" History

-  Document created by YODEL CATANACH (yocatanach@ci.santa-fe.nm.us)  
2020-09-30 - 0:01:08 AM GMT- IP address: 63.232.20.2
-  Document emailed to Fran Dunaway (fadunaway@santafenm.gov) for signature  
2020-09-30 - 0:02:05 AM GMT
-  Email viewed by Fran Dunaway (fadunaway@santafenm.gov)  
2020-09-30 - 3:49:53 PM GMT- IP address: 104.47.64.254
-  Document e-signed by Fran Dunaway (fadunaway@santafenm.gov)  
Signature Date: 2020-09-30 - 3:50:03 PM GMT - Time Source: server- IP address: 63.232.20.2
-  Agreement completed.  
2020-09-30 - 3:50:03 PM GMT

**ACTION SHEET**  
**ITEM FROM FINANCE COMMITTEE MEETING OF 10/19/20**  
**FOR CITY COUNCIL MEETING OF 10/28/20**

b) Request for the Approval to procure food products utilizing the CES Price Agreement up to \$75,000 per year for a four year term equaling \$300,000 for the Division of Senior Services Nutrition Program; Labatt New Mexico. (Gino Rinaldi, Senior Services Division Director, earinaldi@santafenm.gov, 505-955-4710)

**COMMITTEE REVIEW:**

Finance Committee: 10/19/20

Quality of Life: 10/21/20

Governing Body: 10/28/20

**FINANCE COMMITTEE ACTION:**

Approved on Consent

**FUNDING SOURCE:**

**SPECIAL CONDITIONS OR AMENDMENTS**

| <b>VOTE</b>               | <b>FOR</b> | <b>AGAINST</b> | <b>ABSTAIN</b> |
|---------------------------|------------|----------------|----------------|
| COUNCILOR ROMERO-WIRTH    | X          |                |                |
| COUNCILOR CASSUTT-SANCHEZ | X          |                |                |
| COUNCILOR LINDELL         | X          |                |                |
| COUNCILOR VILLARREAL      | X          |                |                |
| CHAIRPERSON ABEYTA        | X          |                |                |

# City of Santa Fe, New Mexico

# memo

**DATE:** September 18, 2020

**TO:** Public Works/Finance Committee/City Council

**FROM:** Gino Rinaldi, Director   
Division of Senior Services

**VIA:** Kyra Ochoa, Director   
Community Services  
Kyra Ochoa (Sep 21, 2020 07:35 MDT)

Mary McCoy, Director  
Finance Department

Fran Dunaway, Chief Procurement Officer  
Purchasing Department

**RE:** Purchase of Food Products. Services and Equipment:  
Procurement Source: State Wide Price Agreement #80-000-18-00061  
"State Wide Food Items." Expires 4/12/2021.  
Vendors: Sysco, Shamrock Foods and Ben E Keith Foods

## Background and Summary

The City of Santa Fe Division of Senior Services is requesting to procure food products from the aforementioned vendors, for a four year term ending 6/30/2024. The procurement method is the utilization of "State Wide Price Agreements". The agreements are listed below along with the purchasing history for the vendors. As per procurement policies we are required to compare pricing by commodity, to obtain the best possible value.

**80-000-18-00061** Category: Dairy, Eggs, Frozen Food, Meat, Poultry, Fresh Produce  
and Staple Food Expiration Date: April 12, 2021

### **Vendor: Shamrock Foods: City Vendor # 1291**

|                                 |               |
|---------------------------------|---------------|
| History: Year Ending 06/30/2020 | \$81,258.68   |
| Year Ending 6/30/2019           | \$ 89,899.78  |
| Year Ending 6/30/2018           | \$ 107,884.98 |

**Vendor: Sysco: City Vendor # 1449**

|                                |              |
|--------------------------------|--------------|
| History: Year Ending 6/30/2020 | \$ 54,036.35 |
| Year Ending 6/30/2019          | \$ 89,381.89 |
| Year Ending 6/30/2018          | \$ 88,702.23 |

**Vendor: Ben E. Keith City Vendor # 1417**

|                                |               |
|--------------------------------|---------------|
| History: Year Ending 6/30/2020 | \$ 97,510.85  |
| Year Ending 6/30/2019          | \$ 138,583.89 |
| Year Ending 6/30/2018          | \$ 109,061.32 |

Funding for the procurement of food related products has been budgeted and available July 1, 2020 in the Nutrition Program Budget Org/Object 2410111.530400

By City policy, the City can use Cooperative, State or Federal Price Agreements without having to bid the items on its own. By City Policy, procurement from Cooperatives, State or Federal Price Agreements over \$60,000, require City Council approval (City Purchasing Manual Section 11.1). Any single transaction which will exceed \$60,000 will be forwarded to the City Council for review and consideration.

**Recommended Action**

It is requested that this procurement award to Sysco, Shamrock Foods and Ben E. Keith Foods from the aforementioned State Wide Price Agreements, for City wide food related purchases, for year ending 6/30/2024, be reviewed, approved and submitted to the City Council for consideration.



# CITY OF SANTA FE PROCUREMENT CHECKLIST

Contractor Name: Shamrock, Foods, Sysco, and Ben E. Keith

Procurement Title: State Price Agreement #80-000-18-0061, Term: April 13, 2018-April 12, 2021

Procurement Method: State Price Agreement  Cooperative  Sole Source  Other

Exempt  Request For Proposal (RFP)  Invitation To Bid (ITB)  Contract under 60K  Contract over 60K

Department Requesting Community/Senior Services Staff Name Anya Alarid

### Procurement Requirements:

A procurement file shall be maintained for all contracts, regardless of the method of procurement. The procurement file shall contain the basis on which the award is made, all submitted bids, all evaluation materials, score sheets, quotations and all other documentation related to or prepared in conjunction with evaluation, negotiation, and the award process. The procurement shall contain a written determination from the Requesting Department, signed by the purchasing officer, setting forth the reasoning for the contract award decision before submitting to the Committees.

### REQUIRED DOCUMENTS FOR APPROVAL BY PURCHASING\*

YES N/A

- Approved Procurement Checklist (by Purchasing)
- Memo addressed to City Manager (under 60K) Committees/City Council (over 60K)
- State Price Agreement
- RFP
- Evaluation Committee Report
- ITB
- Bib Tab
- Quotes (3 valid current quotes)
- Cooperative Agreement
- Sole Source Request and Determination Form
- Contractors Exempt Letter
- Purchasing Officers approval for exempt procurement
- BAR
- FIR
- Executed Contract, Agreement or Amendment
- Current Business Registration and CRS numbers on contract or agreement
- Summary of Contracts and Agreements form
- Certificate of Insurance
- All documentation presented to Committees
- Other:

Anya Alarid Project Administrator 09/21/20

Department Rep Printed Name (attesting that all information included) Title Date

*Anya Alarid*  
Printed on 09/21/2020 09:50 MDT

Purchasing Officer (attesting that all information is reviewed) Title Date

Include all other substantive documents and records of communication that pertain to the procurement and contract.



State of New Mexico  
General Services Department  
Purchasing Division

Statewide Price Agreement Amendment

**Awarded Vendor:**  
3 Vendors

**Email:**  
**Telephone No.:** \_\_\_\_\_

Price Agreement Number: 80-000-18-00061

Price Agreement Amendment No.: Two

Term: April 13, 2018 – April 12, 2021

**Ship To:**  
All State of New Mexico agencies, commissions,  
institutions, political subdivisions and local public  
bodies allowed by law.

Procurement Specialist: Brandy Jones

Telephone No.: (505) 827-0507

Email: Brandy.Jones@state.nm.us

**Invoice:**  
As Requested

**Title: Statewide Food (Dairy, Eggs, Frozen Food, Meat, Poultry, Fresh Produce, and Staple Food)**

**This Price Agreement Amendment is to be attached to the respective Price Agreement and become a part thereof.**

**In accordance with Price Agreement provisions, and by mutual agreement of all parties, this Price Agreement is extended from April 13, 2020 to April 12, 2021 at the same price, terms and conditions.**

**Except as modified by this amendment, the provisions of the Price Agreement shall remain in full force and effect.**

Accepted for the State of New Mexico

Mark Hayden, New Mexico State Purchasing Agent

Date: 02/12/2020

yw yjs



State of New Mexico  
General Services Department  
Purchasing Division

Statewide Price Agreement Amendment

**Awarded Vendor**  
3 Vendors

Price Agreement Number: 80-000-18-00061

Price Agreement Amendment No.: One

Term: April 13, 2018 – April 12, 2020

**Ship To:**  
All State of New Mexico agencies, commissions,  
institutions, political subdivisions and local public bodies  
allowed by law.

Procurement Specialist: Amber Sanchez *AMS*

Telephone No.: (505) 827-0554

Email: Amber.Sanchez2@state.nm.us

**Invoice:**  
As Requested at time of order

**Title: Statewide Food (Dairy, Eggs, Frozen Food, Meat, Poultry, and Staple Food)**

**This Price Agreement Amendment is to be attached to the respective Price Agreement and become a part thereof.**

**In accordance with Price Agreement provisions, and by mutual agreement of all parties, this Price Agreement is extended from April 13, 2019 to April 12, 2020 at the same price, terms and conditions.**

**Except as modified by this amendment, the provisions of the Price Agreement shall remain in full force and effect.**

**Accepted for the State of New Mexico**

*Richard H. Keegan*  
\_\_\_\_\_  
Acting Director, State Purchasing Division

Date: 3/21/19

*AS*



**State of New Mexico  
General Services Department**

**Statewide Price Agreement**

|                                                                             |
|-----------------------------------------------------------------------------|
| <b>Awarded Vendor</b><br><b>3 Vendors</b><br><br><b>Telephone No. _____</b> |
|-----------------------------------------------------------------------------|

**Price Agreement Number: 80-000-18-00061**

**Payment Terms: Net 30**

**F.O.B.: Destination**

**Delivery: As Requested**

|                                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Ship To:</b><br><b>All State of New Mexico agencies, commissions, institutions, political subdivisions and local public bodies allowed by law.</b> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|

**Procurement Specialist: Savannah Quintana** 

**Telephone No.: (505) 827-0483**


|                                        |
|----------------------------------------|
| <b>Invoice:</b><br><b>As Requested</b> |
|----------------------------------------|

**Title: Statewide Food (Dairy, Eggs, Frozen Food, Meat, Poultry, Fresh Produce, and Staple Food)**

**Term: April 13, 2018 – April 12, 2019**

**This Price Agreement is made subject to the “terms and conditions” shown on the reverse side of this page, and as indicated in this Price Agreement.**

**Accepted for the State of New Mexico**

  
 \_\_\_\_\_  
 New Mexico State Purchasing Agent

**Date: 4/12/2018**

State of New Mexico  
 General Services Department  
 Purchasing Division  
 Price Agreement #: 80-000-18-00061

**Awarded Vendors:**

(AA) 0000044061  
 BEN E KEITH  
 3205 BROADWAY SE  
 Albuquerque, NM 87105  
 505-843-7766  
 csaguilar@benekeith.com

(AB)0000054645  
 SHAMROCK FOODS CO.  
 2 Shamrock Way NW  
 Albuquerque NM 87120  
 505-331-0730  
 Kelly\_Musselman@shamrockfoods.com

(AC) 0000114400  
 Sysco USA, Inc.  
 601 Comanche Rd NE  
 Albuquerque, NM 87107  
 505-761-1686  
 baca.sheri@nm.sysco.com

| Item | Unit  | Article and Description                                                                                 | Unit Price            |                                                                            |                |
|------|-------|---------------------------------------------------------------------------------------------------------|-----------------------|----------------------------------------------------------------------------|----------------|
|      |       |                                                                                                         | (AA)                  | (AB)                                                                       | (AC)           |
| 1    | Disc. | Dairy Products - Prices are to be those listed on vendor's most current established price list.         | 5%                    | 3.5%                                                                       | 23%            |
| 2    | Disc. | Fresh Eggs - Prices are to be those listed on vendor's most current established price list.             | 5%                    | 3.5%                                                                       | 20%            |
| 3    | Disc. | Frozen Food - Prices are to be those listed on vendor's most current established price list.            | 5%                    | 3.5%                                                                       | 28%            |
| 4    | Disc. | Meet & Poultry - Prices are to be those listed on vendor's most current established price list.         | 5%                    | 3.5%                                                                       | 23%            |
| 5    | Disc. | Fresh Produce - Prices are to be those listed on vendor's most current established price list.          | 5%                    | 3.5%                                                                       | 24%            |
| 6    | Disc. | Staple Foods - Prices are to be those listed on vendor's most current established price list.           | 5%                    | 3.5%                                                                       | 26%            |
| 7    | Fee   | Indicate delivery fee per order:<br><br>Standard delivery: \$ _____<br><br>Expedited delivery: \$ _____ | \$5.99<br><br>\$75.00 | N/A<br>*Delivery is included in the cost of goods for orders over \$300.00 | \$0<br><br>\$0 |

# GB SENIORS OVER 60K VENDORS PACKET






## 2

Final Audit Report

2020-09-30

|                 |                                               |
|-----------------|-----------------------------------------------|
| Created:        | 2020-09-30                                    |
| By:             | YODEL CATANACH (yocatanach@ci.santa-fe.nm.us) |
| Status:         | Signed                                        |
| Transaction ID: | CBJCHBCAABAARuI9O2tF2ffQrX160EMFNHa5enwSRw06  |

## "GB SENIORS OVER 60K VENDORS PACKET 2" History

-  Document created by YODEL CATANACH (yocatanach@ci.santa-fe.nm.us)  
2020-09-30 - 0:04:02 AM GMT- IP address: 63.232.20.2
-  Document emailed to Fran Dunaway (fadunaway@santafenm.gov) for signature  
2020-09-30 - 0:05:26 AM GMT
-  Email viewed by Fran Dunaway (fadunaway@santafenm.gov)  
2020-09-30 - 3:50:21 PM GMT- IP address: 104.47.64.254
-  Document e-signed by Fran Dunaway (fadunaway@santafenm.gov)  
Signature Date: 2020-09-30 - 3:50:38 PM GMT - Time Source: server- IP address: 63.232.20.2
-  Agreement completed.  
2020-09-30 - 3:50:38 PM GMT

**ACTION SHEET**  
**ITEM FROM FINANCE COMMITTEE MEETING OF 10/19/20**  
**FOR CITY COUNCIL MEETING OF 10/28/20**

c) Request for the Approval of purchase of Food Products utilizing the State Price Agreement which will exceed \$200,000 per year for a four year term. We anticipate that the Division of Senior Services Nutrition Program will spend an average of \$1,000,000 between FY21 and FY24. The three vendors utilized are listed as follows: Sysco, Shamrock Foods, and Ben E. Keith Foods; (Gino Rinaldi, Senior Services Division Director, earinaldi@santafenm.gov, 505-955-4710)

**COMMITTEE REVIEW:**

Finance Committee: 10/19/20

Quality of Life: 10/21/20

Governing Body: 10/28/20

**FINANCE COMMITTEE ACTION:**

Approved on Consent

**FUNDING SOURCE:**

**SPECIAL CONDITIONS OR AMENDMENTS**

| <b>VOTE</b>               | <b>FOR</b> | <b>AGAINST</b> | <b>ABSTAIN</b> |
|---------------------------|------------|----------------|----------------|
| COUNCILOR ROMERO-WIRTH    | X          |                |                |
| COUNCILOR CASSUTT-SANCHEZ | X          |                |                |
| COUNCILOR LINDELL         | X          |                |                |
| COUNCILOR VILLARREAL      | X          |                |                |
| CHAIRPERSON ABEYTA        | X          |                |                |

# Quality of Life 2021 Meeting Schedule (proposed)

## JANUARY

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    |    | 1  | 2  |
| 3  | 4  | 5  | 6  | 7  | 8  | 9  |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 31 |    |    |    |    |    |    |

## FEBRUARY

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    | 1  | 2  | 3  | 4  | 5  | 6  |
| 7  | 8  | 9  | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 |    |    |    |    |    |    |

## MARCH

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    | 1  | 2  | 3  | 4  | 5  | 6  |
| 7  | 8  | 9  | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 | 31 |    |    |    |

## APRIL

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    | 1  | 2  | 3  |
| 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 |    |

## MAY

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    |    |    | 1  |
| 2  | 3  | 4  | 5  | 6  | 7  | 8  |
| 9  | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | 31 |    |    |    |    |    |

## JUNE

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    | 1  | 2  | 3  | 4  | 5  |
| 6  | 7  | 8  | 9  | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 |    |    |    |

## JULY

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    | 1  | 2  | 3  |
| 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 |

## AUGUST

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
| 1  | 2  | 3  | 4  | 5  | 6  | 7  |
| 8  | 9  | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 |    |    |    |    |

## SEPTEMBER

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    | 1  | 2  | 3  | 4  |
| 5  | 6  | 7  | 8  | 9  | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 |    |    |

## OCTOBER

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    |    | 1  | 2  |
| 3  | 4  | 5  | 6  | 7  | 8  | 9  |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 31 |    |    |    |    |    |    |

## NOVEMBER

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    | 1  | 2  | 3  | 4  | 5  | 6  |
| 7  | 8  | 9  | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 |    |    |    |    |

## DECEMBER

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    | 1  | 2  | 3  | 4  |
| 5  | 6  | 7  | 8  | 9  | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 |    |

## Proposed Quality of Life Committee 2021 Meeting Schedule

1<sup>st</sup> and 3<sup>rd</sup> Wednesday of each month at 5:00pm

|             |              |
|-------------|--------------|
| January 20  | July 7       |
| February 3  | July 21      |
| February 17 | August 4     |
| March 3     | August 18    |
| March 17    | September 1  |
| April 7     | September 15 |
| April 21    | October 6    |
| May 5       | October 20   |
| May 19      | November 3   |
| June 2      | December 1   |
| June 16     |              |

Governing Body Meetings are 2<sup>nd</sup> and last Wednesday of each month

## Federal US Holidays 2021

|        |                        |
|--------|------------------------|
| Jan 1  | New Year's Day         |
| Jan 18 | Martin Luther King Jr. |
| Feb 15 | Presidents Day         |
| May 31 | Memorial Day           |
| Jul 4  | Indep. Day             |
| Sep 6  | Labor Day              |
| Oct 11 | Indigenous Peoples Day |
| Nov 11 | Veterans Day           |
| Nov 25 | Thanksgiving Day       |
| Dec 25 | Christmas              |