



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
OCTOBER 28, 2020 4:00 PM  
ATTEND VIRTUALLY

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## SPECIAL PROCEDURES FOR GOVERNING BODY 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 Governing Body meeting will be conducted virtually.

**Viewing:** Members of the public may view the meeting through the Government Channel on Comcast Channel 28 and Comcast HD928 or 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 and all past meetings of the Governing Body 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 Governing Body meetings on-line at any time during normal business hours. Please call 955-6521 for assistance.

**Radio Broadcast:** The meeting can be heard on radio station KSFR 101.1.

**Agenda:** The agenda for the meeting will be posted at <https://www.santafenm.gov>.

**Written Comments:** The public may submit written comments on any of the legislative items to be considered on the *Consent Agenda*, *Discussion Agenda*, *Public Hearings* or *Petitions From the Floor* through 1:00 p.m. the day of the meeting, via the virtual comment "button" at <https://santafe.primegov.com/public/portal>.

**Public Comment:** To provide live public comment during *Petitions from the Floor* or *Public Hearings*, you must join the Zoom meeting by internet or phone, as follows:

**Internet:** To join the Zoom meeting on the internet using a computer, laptop, smartphone, or tablet, use the following link: <https://santafenm-gov.zoom.us/j/92734943017?pwd=ZEITMUtrM0liazhkRGhDMFRaNkpVQT09>

Passcode: **634126**

Attendees should use the "Raise Hand" function to be recognized by the Mayor to speak at the appropriate time.



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**Phone:** To join the Zoom meeting using a phone, use the following phone numbers and Webinar ID: **US: +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 or +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 - Webinar ID: 927 3494 3017 - Passcode: 634126.** Phone attendees should press \*9 to use the “Raise Hand” function to be recognized by the Mayor to speak at the appropriate time.

## **AFTERNOON SESSION - 4:00 P.M.**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **SALUTE TO THE NEW MEXICO FLAG**
4. **INVOCATION**
5. **ROLL CALL**
6. **APPROVAL OF AGENDA**
7. **APPROVAL OF CONSENT CALENDAR**
8. **APPROVAL OF MINUTES**
  - a) Emergency Governing Body Meeting – October 12, 2020
  - b) Regular Governing Body Meeting – October 14, 2020
9. **PRESENTATIONS**
10. **CONSENT CALENDAR**
  - a. 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, 955-4710)



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- b. 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](mailto:earinaldi@santafenm.gov), 955-4710)
  - c. Request for Approval of Budget Adjustment Resolution (BAR) in the Amount of \$398,751 to Pay Back Taxes to the IRS for the 2016 and 2017 Tax Years. (Jarel LaPan Hill, City Manager, [jlapanhill@santafenm.gov](mailto:jlapanhill@santafenm.gov), 955-6848, Bernadette Salazar, HR Director, [bjsalazar@santafenm.gov](mailto:bjsalazar@santafenm.gov), 955-6591, Erin McSherry, City Attorney, [ekmcsherry@santafenm.gov](mailto:ekmcsherry@santafenm.gov), 955-6512 and Mary McCoy, Finance Director, [mtmccoy@santafenm.gov](mailto:mtmccoy@santafenm.gov), 955-6171)
  - d. Request for Approval of a Budget Adjustment Resolution/Budget Increase to the Public Utilities, Utility Billing Division for Several Line Items for a Total Amount of \$454,919. (Nancy Jimenez, Utility Billing Division Director, [nljimenez@santafenm.gov](mailto:nljimenez@santafenm.gov), 955-4364)
  - e. Request for Approval of Multiple Sub-Contracted Agreements in the Total Amount of \$69,560 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 for the Following: Partner in Education (\$27,720) and YouthWorks (\$26,440) and for a Continuum Coordinator (\$15,400). (Julie Sanchez, Children and Youth Program Manager, [jjsanchez@santafenm.gov](mailto:jjsanchez@santafenm.gov), 955-6678)
  - f. 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 for the Following: Big Brothers Big Sisters Mountain Region (\$50,000), Communities in Schools of New Mexico (\$50,000), Cooking with Kids (\$20,000), Esperanza Shelter (\$37,000), Georgia O'Keefe – Community Educators Network (\$37,000), Gerard's House (\$80,000), Girl's Inc. (\$40,000), New Mexico Suicide Intervention Project (\$75,000), New Vistas (\$20,000), PIE – Fathers New Mexico (\$30,000), PIE – Parent Involvement Program (\$10,000), Santa Fe Recovery Center



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(\$40,000), SFCC – Kids Campus (\$70,000), SFPS – Breakthrough Santa Fe (\$27,000), SFPS – Adelante Program (\$74,000), SFPS – Restorative Justice Program (\$50,000), SDPS – Teen Parent Program (\$96,328), SITE Santa Fe (\$35,000), United Way of Santa Fe County (\$80,000), Youth Shelters and Family Services (\$100,000) and YouthWorks (\$48,556). (Julie Sanchez, Children and Youth Program Manager, [jjsanchez@santafenm.gov](mailto:jjsanchez@santafenm.gov), 955-6678)

- g. CONSIDERATION OF RESOLUTION NO. 2020-\_\_\_\_. (Councilor Rivera, Councilor Romero-Wirth and Councilor Villarreal)  
A Resolution Authorizing and Supporting the City Manager to Work with Public Utilities Staff to Identify and Apply for Federal and State Funding Sources for Water, Wastewater, and Other Water Related Projects, Including Submission of an Application to the Water Trust Board, Among Other Opportunities. (Alan Hook, Water Resources Coordinator Assistant, [aghook@santafenm.gov](mailto:aghook@santafenm.gov), 955-4205)
- h. Request for Approval Utilizing State of NM State Pricing Agreement in the Total Amount of \$1,095,001.10 for the Purchase of Digital Portable Radios from Motorola Solutions. (Chief Paul Babcock, Fire Department, [prbabcock@santafenm.gov](mailto:prbabcock@santafenm.gov), 955-3112)
- i. Request for Approval of the Governing Body's Findings of Fact and Conclusions of Law Adopting the City Attorney's Office Recommendation to Dismiss Appeal #2020-002644-APPL, Filed by Stefanie Beninato and John Eddy (Appellants) of the Historic Districts Review Board's Decision in Case #2020-002357-HDRB, without a Public Hearing Because Appellants Failed to Timely Serve Notice of the Appeal on the Property Owners, as Required by the Santa Fe City Code, Section 14-3.17(D)(2). (Erin K. McSherry, City Attorney, [ekmcsberry@santafenm.gov](mailto:ekmcsberry@santafenm.gov), 955-6512)
- j. Request to Publish Notice of Public Hearing on December 9, 2020.  
**BILL NO. 2020-32.** 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



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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](mailto:esiasaacson@santafenm.gov), 955-6730; Sally Paez, Assistant City Attorney, [sapaez@santafenm.gov](mailto:sapaez@santafenm.gov), 955-6501)

## 11. DISCUSSION/ACTION ITEMS

- a. Request to Publish Notice of Public Hearing on November 10, 2020: Solicit Public Comment on the 2019 – 2020 CAPER to be Submitted to HUD. (Alexandra Ladd, Director, Office of Affordable Housing, [agladd@santafenm.gov](mailto:agladd@santafenm.gov), 955-6346)
- b. Request for Approval of Amendment #10 to Service Contract 18-0552, Increasing Compensation in the Amount of \$78,692.40 Plus NMGR, for Security Services to Cover Pete's Place Shelter, the Salvation Army Shelter and a Number of City Parks; Allied Universal Security. (Sam Burnett, Public Works Property Maintenance Manager, [jsburnett@santafenm.gov](mailto:jsburnett@santafenm.gov), 955-5933)
- c. Request for Approval of Amendment #11 to Service Contract 18-0552, Increasing Compensation in the Amount of \$174,854.08 Plus NMGR, for Security Services on the Santa Fe Plaza; Allied Universal Security. (Sam Burnett, Public Works Property Maintenance Manager, [jsburnett@santafenm.gov](mailto:jsburnett@santafenm.gov), 955-5933)

## 12. MATTERS FROM THE CITY MANAGER

## 13. MATTERS FROM THE CITY ATTORNEY

## EXECUTIVE SESSION

- a) In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(7), Discussion of Pending or Threatened Litigation, Specifically a Quarterly Litigation Update to Include City of Santa Fe v. Purdue Pharma, et al., DNM



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No. 1:19-CV-01105; City of Albuquerque, et al. v. New Mexico Taxation & Revenue Dept., D-202-CV-2018-08036; and City v. Tyron Martin, et al., D-101-CV-2020-01298; and  
b) In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(8), Discussion of the Sale of the Recently Acquired Santa Fe Estates Property, the Santa Fe Clay Building Located at the Santa Fe Railyard, and the B & G Club Building Located at 730 Alto Street. (Erin K. McSherry, City Attorney; [ekmcsberry@santafenm.gov](mailto:ekmcsberry@santafenm.gov), 955-6512)

14. **MATTERS FROM THE CITY CLERK**

15. **COMMUNICATIONS FROM THE GOVERNING BODY**

**EVENING SESSION - 6:00 P.M.**

16. **ROLL CALL**

17. **PETITIONS FROM THE FLOOR**

18. **APPOINTMENTS**

- Water Conservation Committee

19. **PUBLIC HEARINGS**

- a. **CONSIDERATION OF BILL NO. 2020-25. ADOPTION OF ORDINANCE 2020-\_\_\_\_\_.** (Mayor Webber and Councilor Cassutt-Sanchez)  
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. (Paul Joye, Deputy Police Chief, [pmjoye@santafenm.gov](mailto:pmjoye@santafenm.gov), 955-5355)

20. **ADJOURN**

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been considered prior to 11:30 p.m. and the Governing Body does not vote to extend the meeting, such items shall be postponed to a subsequent meeting, provided that the date, time and place of such meeting is specified at the time of postponement.



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NOTE: New Mexico law requires the following administrative procedures be followed when conducting “quasi-judicial” hearings. In a “quasi-judicial” hearing all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross-examination. Witnesses have the right to have an attorney present at the hearing.

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