



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
NOVEMBER 10, 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 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 [santafe.primegov.com/portal/search](https://santafe.primegov.com/portal/search).

**Public Comment (Live):** 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/99756437932?pwd=bGV3Z2pudENCQmVpMkR1dEN0ZEY4dz09>.

Passcode: 844411



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

Phone: To join the Zoom meeting using a phone, use the following phone numbers and Webinar ID: US: 1 (346) 248-7799 - Webinar ID: 997 5643 7932 - Passcode: 844411

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) Special Governing Body Meeting – October 22, 2020
  - b) Regular Governing Body – October 28, 2020
9. **PRESENTATIONS**
10. **CONSENT CALENDAR**
  - a. Approval of Maintenance Agreement for Roadway Lighting at NM599- US 84/285 Interchange with the New Mexico Department of Transportation (NMDOT). (Regina Wheeler, Public Works Division Director, rawheeler@santafenm.gov, 955-6622)



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- b. Request Approval of Capital Reallocation of 2018 GRT Bond for Parks Equipment & Machinery and Circle Drive Paving. (Melissa McDonald, Acting Parks Division Director, mamcdonald@santafenm.gov, 955-6840 and Mark Brooks, Streets & Drainage Project Administrator, mebrooks@santafenm.gov, 955-2404)
  - c. Request for Approval of a Memorandum of Agreement with Santa Fe County for Coordinating Health and Human Service Provider Navigation Services Through the CONNECT Network. (Kyra Ochoa, Community Services Department Director, krochoa@santafenm.gov, 955-6603)
  - d. Request for Approval of a Sole Source Vendor for a 4 Year Term in the Total Amount of \$224,424.96 for Oliver Food Products Food Trays and Seal Lidding; Oliver Food Products. (Gino Rinaldi, Senior Services Division Director, earinaldi@santafenm.gov, 955-4710)
  - e. Request for Approval of Amendment No.1 to Professional Services Agreement (PSA) with Carollo Engineers Inc. for a Term Extension of Two (2) Years. (John Del Mar, Public Utilities Engineer, jpdelmar@santafenm.gov, 955-4231)
  - f. CONSIDERATION OF RESOLUTION NO. 2020-\_\_\_\_. (Finance Committee)  
A Resolution Relating to a Request for Approval of First Quarter Budget Amendments for Fiscal Year 2020/2021. (Andy Hopkins, Principal Budget Analyst, ajhopkins@santafenm.gov, 955-6177)
  - g. Request for Approval of License Agreement in Exchange for Obligations of Licensee for an Indefinite Term Between the City of Santa Fe and New Mexico Department of Cultural Affairs. (Sam Burnett, Public Works Project Administrator, jsburnett@santafenm.gov, 955-9533 and Andrea Salazar, Assistant City Attorney, asalazar@santafenm.gov, 995-6303)
  - h. CONSIDERATION OF RESOLUTION NO. 2020-\_\_\_\_. (Councilor Romero-Wirth and Councilor Cassutt-Sanchez)  
A Resolution Urging the Legislature of the State of New Mexico to Repeal the Statutory Provisions Preempting Stricter County and Municipal Regulation of the Sale of Cigarettes, Tobacco Products, and Electronic Smoking Devices. (Rich Brown, Economic Development Director, rdbrown@santafenm.gov, 955-6625)



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- i. Request for Approval of the Governing Body's Findings of Fact and Conclusions of Law in the Request by Celia and Alvino Castillo, Owners, in Case #2020-2267 to Amend the Conditions Attached to Rezoning Ordinance No. 1998-4 for Properties Located at 719, 721, 723, 723½ Don Diego. (Erin K. McSherry, City Attorney, [ekmcsberry@santafenm.gov](mailto:ekmcsberry@santafenm.gov), 955-6512)
- j. Request for Approval of the Finding of Facts and Conclusions of Law in the Following Requests by Aguafina Development, LLC, Owner, for Properties Located at 4262 Agua Fria Street and 4701 & 4702 Rufina Street: (Erin K. McSherry, City Attorney, [ekmcsberry@santafenm.gov](mailto:ekmcsberry@santafenm.gov), 955-6512)
- (a) Request in Case #2020-2273 to Amend Conditions of Approval that the Governing Body Imposed in the Findings of Fact and Conclusions of Law for Case #2012-104, which Approved Rezoning Ordinance 2013-12, by Adopting New Findings of Fact and Conclusions of Law;
- (b) Request in Case #2020-2274 to Rezone the Property at 4701 Rufina Street from R-3 (Residential- One Dwelling Unit Per Acre) to R-5 (Residential-Five Dwelling Units Per Acre); and
- (c) Request in Case # 2020-2287 to Rezone the Property at 4702 Rufina Street from R-3 (Residential-One Dwelling Unit Per Acre) to R-6 (Residential-Six Dwelling Units Per Acre).
- k. Request to Publish Notice of Public Hearing on December 9, 2020:  
**BILL NO. 2020-34.** An Ordinance Amending Section 2-4.6 SFCC1987 to Allow the City Manager to Enter Agreements Accepting Funds that Are Offered to the City Without Time to Place the Agreements on the Next Scheduled Governing Body Meeting, with Ratification by the Governing Body at the Next Scheduled Meeting for which the Deadline to Include the Matter on an Agenda Has Not Yet Passed; and Amending Section 11-4 to Allow the City Manager to Approve Grant Applications, Grant Awards, Grant Match Requirements, and Grant Agreements in Any Amount if the Deadline to Approve Such Documents Occurs Before the Deadline to Include the Application or Award on the Agenda for the Governing Body's Next Regularly Scheduled Meeting, with Ratification by the Governing Body at the Next Scheduled Meeting for Which an Agenda Has Not Yet Been Posted. (Councilor Rivera and Councilor Cassutt-Sanchez) (Marcos Martinez, Senior Assistant City Attorney, [mdmartinez@santafenm.gov](mailto:mdmartinez@santafenm.gov), 955-6502)



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- l. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Arias Espinoza, LLC for a Restaurant Liquor License (Beer and Wine), with On-Premise Consumption Only, to be Located at Cafe Grazie, 3530 Zafarano Drive, Suite C3. (Yolanda Y. Vigil, City Clerk, [yyvigil@santafenm.gov](mailto:yvigil@santafenm.gov), 955-6521)
- m. Request for Approval of 2021 Employee Calendar. (Bernadette Salazar, HR Director, [bjsalazar@santafenm.gov](mailto:bjsalazar@santafenm.gov), 955-6591)
- n. Request for Approval of City of Santa Fe Schedule for 2020 Governing Body and Council Committee Meetings. (Yolanda Y. Vigil, City Clerk, [yyvigil@santafenm.gov](mailto:yvigil@santafenm.gov), 955-6521)

## 11. DISCUSSION/ACTION ITEMS

- a. Request for Approval of Amendment #1 to Professional Service Agreement for On Call Design Services to Increase Compensation in an Amount Not to Exceed \$500,000, Exclusive of NMGRT; Wilson & Company. (Regina Wheeler, Public Works Department Director, [rawheeler@santafenm.gov](mailto:rawheeler@santafenm.gov), 955-6622)
- b. Request to Publish Notice of Public Hearing on December 9, 2020:  
**BILL NO. 2020-33.** An Ordinance Regarding Impact Fees, Amending Subsection 14-8.14(E) SFCC 1987 to Adopt a New Impact Fee Schedule and to Clarify Appropriate Land Use Categories as they Relate to Impact Fee Collection; and Establish an Effective Date. (Mayor Webber) (Carlos Gemora, Planner Senior, [cegemora@santafenm.gov](mailto:cegemora@santafenm.gov), 955-6670)
- c. Discussion and Action on a Request from the City of Santa Fe to Cooperating Federal Agencies for the Bureau of Reclamation to be the Lead Agency for National Environmental Policy Act (NEPA) Coverage on the San Juan Chama Return Flow Pipeline Project. (Jesse Roach, Water Division Director, [jdroach@santafenm.gov](mailto:jdroach@santafenm.gov), 955-4309 and Marcos Martinez, Sr. Asst. City Attorney, [mdmartinez@santafenm.gov](mailto:mdmartinez@santafenm.gov), 955-6502)

## 12. MATTERS FROM THE CITY MANAGER

## 13. MATTERS FROM THE CITY ATTORNEY



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## EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(8), Discussion of the Acquisition and/or Disposition of Property, Specifically, Property Located at 730 Alto Street and the Midtown Property, Formerly the College of Santa Fe and Santa Fe University of Art and Design. (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**
  - a. Santa Fe Women's Commission
19. **PUBLIC HEARINGS**
  - a. Public Hearing 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. CONSIDERATION OF BILL 2020-11. ADOPTION OF ORDINANCE NO.2020-\_\_\_\_. (Mayor Webber, Councilor Cassutt-Sanchez, Councilor Abeyta, Councilor Lindell and Councilor Vigil Coppler)  
An Ordinance Relating to the City of Santa Fe Economic Development Plan Ordinance, Article 11-11 SFCC 1987; Approving and Adopting an Amended Local Economic Development Project Participation Agreement between the City of Santa Fe and Descartes Labs, Inc. for Design, Development and Construction of Tenant Improvements; and Lease Payments for Expansion of a New World Headquarters Facility, a Local Economic Development Project. (Fabian Trujillo, Office for Business Growth Manager, [ftujillo@santafenm.gov](mailto:ftujillo@santafenm.gov), 955-6912) (Postponed July 8, 2020, July 29, 2020, August 12, 2020 and October 14, 2020)  
**(WITHDRAWN)**



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- c. CONSIDERATION OF BILL 2020-12. ADOPTION OF ORDINANCE NO. 2020-\_\_\_\_. (Mayor Webber, Councilor Cassutt-Sanchez, Councilor Abeyta, Councilor Lindell, and Councilor Vigil Coppler)  
An Ordinance Relating to the City of Santa Fe Economic Development Plan Ordinance, Article 11-11 SFCC 1987; Approving and Adopting a Local Economic Development Project Participation Agreement Between the City of Santa Fe and Descartes Labs, Inc. for an Economic Development Loan Project for Lease Payments to Provide Assistance for the Negative Financial Impacts of COVID-19. (Fabian Trujillo, Office for Business Growth Manager, ftrujillo@santafenm.gov, 955-6912) (Postponed July 8, 2020, July 29, 2020, August 12, 2020 and October 14, 2020) **(WITHDRAWN)**

## 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.

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.