



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
APRIL 28, 2021
4:00 PM
ATTEND VIRTUALLY

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 in excess of those permitted in the current Public Health Order, 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/94497090315?pwd=VzE2UUR1WDIxUndLcklTZDJKRzd2Zz09>. **Passcode: 943334**

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 - Webinar ID: 944 9709 0315 - Passcode: 943334**
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**

Councilor Romero-Wirth

3. **SALUTE TO THE NEW MEXICO FLAG**

Councilor Abeyta

4. **INVOCATION**

Councilor Vigil Coppler

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT CALENDAR**

8. **APPROVAL OF MINUTES**

- a. Special Governing Body Meeting – April 6, 2021
- b. Special Governing Body Meeting – April 8, 2021
- c. Regular Governing Body Meeting – April 14, 2021

9. **PRESENTATIONS**



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- a) COVID-19 Update Pursuant to Resolution 2020-51. (Jarel LaPan Hill, City Manager, jlapanhill@santafenm.gov, 955-6848 and Kyra Ochoa, Acting Community Health and Safety Director, krochoa@santafenm.gov, 955-6603) **INFORMATION ONLY**
 1. COVID 19 Outreach and Education Efforts.
- b) 2021 Legislative Session Update. (Presentation by Mark Duran) **INFORMATION ONLY**
- c) Annual Review of the City's Code of Ethics. (Marcos Martinez, Senior Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502) **INFORMATION ONLY**

10. CONSENT CALENDAR

- a. Request for Approval of Memorandum of Agreement (MOA): A Partnership between the Santa Fe Public Schools and the Economic Development Department to Provide Temporary Staff. (Janice Krish, Economic Development Specialist, jakrish@santafenm.gov, 955-6915 and Richard Brown, Director, Community & Economic Development, rdbrown@santafenm.gov, 955-6625)
COMMITTEE REVIEW:
Public Works and Utilities Committee: 03/29/2021
Finance Committee: 04/19/2021
Governing Body: 04/28//2021
- b. Request for Approval of NMDOT Cooperative Project Agreement S100660 to Construct "Canada Rincon Trail from Calle Mejia to Camino Francisca/ Avenida Rincon" Project in the Amount of \$900.000, Terminating on October 30, 2022. (Romella Glorioso-Moss, PW Project Administrator, rsglorioso-moss@santafenm.gov, 955-6632)
 1. Request for Approval of a Budget Adjustment Resolution (BAR) to Budget NMDOT Grant Funding of \$768,960.
COMMITTEE REVIEW:
Finance Committee: 04/19/2021
Public Works & Utilities Committee: 04/26/2021
Governing Body: 04/28/2021



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- c. Request for Approval of Amendment No. 1 to an Information Technology Agreement to Extend the Term to August 31, 2022 and to Proportionally Increase the Compensation from Six Hundred Fifty-Four Thousand Dollars (\$654,000) for Three (3) Years to One Million Ninety Thousand Dollars (\$1,090,000) for Five (5) Years for Parking's Citation Administration and Revenue Reconciliation System; Conduent State and Local Services, Inc. (Conduent). (Noel Correia, Parking Division Director, npcorreia@santafenm.gov, 955-6611)

COMMITTEE REVIEW:

Finance Committee: 04/19/2021

Public Works and Utilities Committee: 04/26/2021

Governing Body: 04/28/2021

- d. Request for Approval of a Professional Services Contract for PK Public Relations for the Water Conservation Public Relations and Public Outreach through FY 2024 in a Total Amount of \$254,791.27. (Andrew Erdmann, Water Conservation Specialist, paerdmann@santafenm.gov, 955-4223)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 04/12/2021

Water Conservation Committee: 04/13/2021

Finance Committee: 04/19/2021

Governing Body: 04/28/2021

- e. Request for Approval of Amendment No. 5 to HDR Engineering, Inc. for the Wastewater Digester Project Engineering Construction and Design Contract for an Extension of Time and Funding to Complete the Digester Project for a Period of Time Not to Exceed the Requisite Time for the Project Completion and Subsequent Period in the Total Amount of \$190,579. (Mike Dozier, Wastewater Division Director, mldozier@santafenm.gov)

1. Request for Approval of a Budget Amendment Resolution (BAR) in the Total Amount of \$190,579 from Cash Balance to Fund the HDR Contract Amendment No. 5.

COMMITTEE REVIEW:

Public Works and Utilities Committee: 04/12/2021

Finance Committee: 04/19/2021

Governing Body: 04/28/2021



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- f. CONSIDERATION OF RESOLUTION NO. 2021-____. (Mayor Webber, Councilor Romero-Wirth, Councilor Abeyta, Councilor Garcia, Councilor Vigil Coppler, Councilor Lindell, and Councilor Cassutt-Sanchez)
A Resolution Establishing a Work Plan for Improving Access to Affordable Housing Opportunities for Residents of the City of Santa Fe. (Alexandra Ladd, Office of Affordable Housing Director, agladd@santafenm.gov, 955-6346)

COMMITTEE REVIEW:

Introduced: 03/31/21
Public Works and Utilities Committee: 03/29/21
Governing Body: 03/31/21
Finance Committee: 04/5/21
Quality of Life Committee: 04/7/21
Public Works and Utilities Committee: 04/12/21
Quality of Life Committee: 04/21/21
Governing Body: 04/28/21

- g. Request for Approval of Kitchen Angels Contract #19-0590 Amendment No. 1, Term Extension of One Year from 06/30/21 to 06/30/22. (Elizabeth Peterson, Children and Youth Program manager, empeterson@santafenm.gov, 470-3186)

COMMITTEE REVIEW:

Quality of Life: 04/7/21
Public Works and Utilities Committee: 04/26/2021
Governing Body: 04/28/21

- h. Request for Approval of Esperanza Shelter Contract #19-0589 Amendment No. 1, Term Extension of One Year from 06/30/21 to 06/30/22. (Elizabeth Peterson, Children and Youth Program Manager, empeterson@santafenm.gov, 470-3186)

COMMITTEE REVIEW:

Quality of Life: 04/7/21
Public Works and Utilities Committee: 04/26/2021
Governing Body: 04/28/21

- i. Request for Approval of Youthworks Contract #19-0582 Amendment No. 1, Term Extension of One Year from 06/30/21 to 06/30/22. (Elizabeth Peterson,



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Children and Youth Program Manager, empeterson@santafenm.gov, 470-3186)

COMMITTEE REVIEW:

Quality of Life: 04/7/21

Public Works and Utilities Committee: 04/26/2021

Governing Body: 04/28/21

- j. Request for Approval of Literacy Volunteers Contract #19-0588 Amendment #1, Term Extension of One Year from 06/30/21 to 06/30/22. (Elizabeth Peterson, Children and Youth Program Manager, empeterson@santafenm.gov, 470-3186)

COMMITTEE REVIEW:

Quality of Life: 04/7/21

Public Works and Utilities Committee: 04/26/2021

Governing Body: 04/28/21

- k. Request for Approval of The Life Link Contract # 19-0592 Amendment #1, Term Extension of One Year from 06/30/21 to 06/30/22. (Elizabeth Peterson, Children and Youth Program Manager, empeterson@santafenm.gov, 470-3186)

COMMITTEE REVIEW:

Quality of Life: 04/7/21

Public Works and Utilities Committee: 04/26/2021

Governing Body: 04/28/21

- l. Request for Approval of Coming Home Connection Contract #19-0591 Amendment No. 1, Term Extension of One Year from 06/30/21 to 06/30/22. (Elizabeth Peterson, Children and Youth Program Manager, empeterson@santafenm.gov, 470-3186)

COMMITTEE REVIEW:

Quality of Life: 04/7/21

Public Works and Utilities Committee: 04/26/2021

Governing Body: 04/28/21

- m. Request for Approval of Written Findings of Fact and Conclusions of Law Reflecting the Governing Body's Decisions in the Following Land Use Cases



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and Land Use Appeal. (Erin K. McSherry, City Attorney, ekmcsberry@santafenm.gov, 955-6512)

1. Unanimous Decision in Case #2020-2898 to Grant the Request by Zia Station, LLC, to Approve a General Plan Amendment for Approximately 13.3 Acres at the Northwest Corner of St. Francis Drive and Zia Road;
2. Unanimous Decision in Case #2020-2914 to Grant the Request by Zia Station, LLC, to Approve a General Plan Amendment for Approximately 1.9 Acres at the Southwest Corner of St. Francis Drive and Galisteo Road;
3. Decision by a Majority of the Governing Body in Case #2020-2900 to Approve a Rezoning to Amend the Boundaries of the South Central Highway Corridor to Exclude Two Properties at the Northwest and Southwest Corners of St. Francis Drive and Zia Road;
4. Decision by a Majority of the Governing Body in Case #2020-2899 to Approve a Rezoning from R-1 (Residential – One Dwelling Unit Per Acre) to C-2 PUD (General Commercial – Planned Unit Development) for Properties at the Northwest and Southwest Corners of St. Francis Drive and Zia Road, Subject to a Condition that No Short-Term Rental Uses Shall be Permitted;
5. Decision by a Majority of the Governing Body in Case #2020-2901 to Approve a Preliminary Development Plan for a Mixed-Use Planned Unit Development to be Developed in Two Phases at the Northwest and Southwest Corners of St. Francis Drive and Zia Road, Subject to Conditions of Approval; and
6. Decision by a Majority of Members of the Governing Body to Deny Appeal #2021-3256-APPL and Affirm the Historic District Review Board's Denial of a Request by Laura Chock in Case #2020-3006-HDRB to Replace a Pedestrian Front Gate and Add a Stuccoed Arch Feature to a Contributing Yard Wall Structure at 542 Camino del Monte Sol, in the Downtown and Eastside Historic District.

COMMITTEE REVIEW:

Special Governing Body: 04/06/2021

Special Governing Body: 04/08/2021

Regular Governing Body: 04/28/2021

- n. Request for Partners in Education Contract #20-0568 Amendment 1, to Amend the Scope of Services for Engagement Coaches to Provide Outreach and Navigation Services to Improve Student Engagement. (Elizabeth Peterson,



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Children and Youth Program Manager, empeterson@santafenm.gov, 470-3186)

COMMITTEE REVIEW:

Finance Committee: 04/19/21

Public Works/ Utilities: 04/26/21

Governing Body: 04/28/21

- o. Request for La Familia Contract Amendment #1, Term Extension of One Year from 06/30/21 to 06/30/22. (Elizabeth Peterson, Children and Youth Program Manager, empeterson@santafenm.gov, 470-3186)

COMMITTEE REVIEW:

Quality of Life: 04/07/2021

Public Works: 04/26/21

Governing Body: 04/28/21

- p. Request for Santa Fe Dreamers Contract Amendment #1, Term Extension of One Year from 06/30/21 to 06/30/22. (Elizabeth Peterson, Children and Youth Program Manager, empeterson@santafenm.gov, 470-3186)

COMMITTEE REVIEW:

Quality of Life Committee: 04/07/2021

Public Works: 04/26/21

Governing Body: 04/28/21

- q. **Request to Publish Notice of Public Hearing on May 12, 2021.**

Consideration of Bill No. 2021-11. An Ordinance Regarding the Independent Salary Commission; Amending Section 6-19.3 SFCC 1987 To Reassign the Authority to Appoint the, Members of the Commission to the Ethics and Campaign Review Board and to Reassign the Authority to Appoint the Commission's Chairperson to the Commission's Members; and Amending Section 6-16.2 SFCC to Add the Duty of Appointing the Independent Salary Commission Members to the Ethics And Campaign Review Board's Powers and Duties. (Councilor Garcia, Councilor Lindell, and Councilor Vigil Coppler) (Jesse Guillen, Legislative Liaison, jbg Guillen@santafenm.gov, 955-6518)

COMMITTEE REVIEW:

Governing Body (Introduced): 04/14/21

Quality of Life Committee: 04/21/21

Public Works and Utilities Committee: 04/26/21

Governing Body (Request to Publish): 04/28/21



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Finance Committee: 05/3/21
Governing Body (Public Hearing): 05/26/21

11. DISCUSSION/ACTION ITEMS

- a. CONSIDERATION OF RESOLUTION No. 2021-____. (Councilor Rivera and Councilor Abeyta)
A Resolution Requesting Approval of Amendment No. 1 to a Municipal Arterial Program Cooperative Grant From the New Mexico Department of Transportation Identified as Control Number L500383 Granting a Time Extension for the Planning, Design, and Construction of Agua Fria Street and South Meadows Road Intersection Improvements. (Regina Wheeler, Public Works Director, rawwheeler@santafenm.gov, 955-6622 and Tom Graham, ADA Coordinator, tmgraham@santafenm.gov, 955-6654)

COMMITTEE REVIEW:

Public Works and Utilities: 04/26/21
Governing Body: 04/28/21

12. MIDTOWN OVERVIEW

Economic Development Department Overview of the Midtown Bi-Weekly Development Update Report. Report: Incremental Development Next Steps. (Daniel Hernandez, Project Director at Proyecto LLC; and Rich Brown, Director, Community & Economic Development Department, rdbrown@santafenm.gov) **INFORMATION ONLY**

13. MATTERS FROM THE CITY MANAGER

14. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Parts (H)(5), (H)(7), and (H)(8), Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations, Attorney-Client Privileged Quarterly Update Regarding Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Party, and Discussion of Property Disposition, Specifically Property Located at 730 Alto Street. (Erin K. McSherry, City Attorney, ekmcsberry@santafenm.gov, 955-6512)

15. MATTERS FROM THE CITY CLERK



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16. **COMMUNICATIONS FROM THE GOVERNING BODY**

- a. Legislative Introductions

EVENING SESSION - 6:00 P.M.

17. **ROLL CALL**

18. **PETITIONS FROM THE FLOOR**

19. **APPOINTMENTS**

20. **PUBLIC HEARINGS**

- a. **CONSIDERATION OF RESOLUTION 2021-_____.** (Mayor Webber, Councilor Abeyta and Finance Committee)
A Resolution Adopting the City of Santa Fe's Fiscal Year 2021/2022 Operating Budget and Organizational Chart. (Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 955-6171)

COMMITTEE REVIEW:

Special Finance Meetings: April 13, 14 & 15, 2021

Special Finance Meetings: April 20, 21, & 22, 2021

Governing Body (Public Hearing): April 28, 2021

- b. **CONSIDERATION OF BILL NO. 2021-8. ADOPTION OF ORDINANCE 2021-_____.** (Councilor Rivera, Councilor Romero-Wirth, and Councilor Lindell)
An Ordinance Regarding the Independent Salary Commission; Amending Section 6-19.1 SFCC 1987 to Make Clarifications; Amending Section 6-19.2 SFCC 1987 to Change the Effective Date of the Salary to Align with the Term for Mayor Set Forth in the Santa Fe Election Code, Section 9-1 SFCC 1987; Amending Section 6-19.3 SFCC 1987 to Establish an Application Process and Modify Length of the Commissioners' Terms; and Amending Section 6-19.4 SFCC 1987 to Set the Future Schedule for the Independent Salary Commission. (Erin McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

COMMITTEE REVIEW:

Public Works & Utilities Committee: 03/29/21



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Governing Body (Request to Publish): 03/31/2021
Finance Committee: 04/5/21
Governing Body (Public Hearing): 4/28/21

- c. CONSIDERATION OF BILL NO. 2021-9. ADOPTION OF ORDINANCE NO. 2021-____. (Councilor Lindell, Mayor Webber, and Councilors Abeyta, Romero-Wirth, and Cassutt-Sanchez)
An Ordinance Amending Section 11-14.5 SFCC 1987 to Dedicate Half the Sales From Any Sale or Lease of City-Owned Land and Buildings to the Affordable Housing Trust Fund; and Amending Section 26-3.6 to Add the Dedication to the Affordable Housing Trust Fund. (Alexandra Ladd, Office of Affordable Housing Director, agladd@santafenm.gov, 955-6346 and Rich Brown, Community Development Director, rdbrown@santafenm.gov, 955-6625)

COMMITTEE REVIEW:

Public Works & Utilities Committee: 03/29/21
Governing Body (Request to Publish): 03/31/21
Finance Committee: 04/5/21
Quality of Life Committee: 04/7/21
Governing Body (Public Hearing): 04/28/21

- d. CONSIDERATION OF BILL NO. 2021-10. ADOPTION OF ORDINANCE NO. 2021-____. (Mayor Webber)
An Ordinance Amending Section 18-11.3 SFCC 1987 to Define “Taxable Premises” Consistently with State Statute and to Add a Definition for “Permanent Resident”; Amending Section 18-11.8 to Make it Consistent with State Statute; Amending Section 18-11.17 to Differentiate Between the Occupancy Tax and the Convention Center Fee, and to Dedicate the Occupancy Tax Collected on the Thirty-First Day and Subsequent Days to the Affordable Housing Trust Fund; Amending Section 26-3.6 to Add the Dedication to the Existing List of Dedications to the Affordable Housing Trust Fund; and Making Such Other Changes as are Necessary. (Randy Randall, TOURISM Santa Fe Director: rrandall@santafenm.gov, 955-6209 and Brad Fluetsch, Planning and Investment Officer: bjfleutsch@santafenm.gov, 955-6885)

COMMITTEE REVIEW:

Public Works & Utilities Committee: 03/29/21
Governing Body (Request to Publish): 03/31/21



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Finance Committee: 04/5/21
Quality of Life Committee: 04/7/21
Governing Body (Public Hearing): 04/28/21

21. **ADJOURN**

22. **UPCOMING PUBLIC HEARINGS**

a. **Meeting Date – May 12, 2021**

Public Comment on the 2021 – 2022 Annual Action Plan to be Submitted to HUD. (Alexandra Ladd, Director, Office of Affordable Housing, agladd@santafenm.gov, 505-303-9868)

COMMITTEE REVIEW:

Governing Body: 04/14/21

Governing Body: 05/12/21

Appeal #2021-3393-APPL of Case #2020-3111-HDRB. Appeal by James and Jay Heneghan of the Historic Districts Review Board's Denial of an Application to Construct a New Single-Story Residence at 314 North Guadalupe, in the Westside-Guadalupe Historic District (Sally A. Paez, Assistant City Attorney, 955-6501)

COMMITTEE REVIEW:

Governing Body: 05/12/21

Appeal #2021-3393-APPL. of Case #2020-3111-HDRB. Appeal, owners James and Jay Heneghan Seek Reversal of the Historic Districts Review Board's March 9, 2021 Decision to Deny an Application to Construct a New Single-Story Residential Structure at 314 North Guadalupe, Located within the Westside-Guadalupe Historic District. (Sally A. Paez, Assistant City Attorney, 955-6501)

COMMITTEE REVIEW:

Governing Body: 05/12/21

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.



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