



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
APRIL 14, 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/92203821759?pwd=cEFSVTVsWGJlc2lvUG9ZNmdTYUVDdz09>.

Passcode: 577437

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: 922 0382 1759 - Passcode: 577437**

Phone attendees should press *9 to use the “Raise Hand” function to be recognized by the Mayor to speak at the appropriate time.



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AFTERNOON SESSION - 4:00 P.M.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

Councilor Rivera

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

Councilor Cassutt-Sanchez

4. **INVOCATION**

Councilor Lindell

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT CALENDAR**

8. **APPROVAL OF MINUTES**

- a. Regular Governing Body Minutes – March 31, 2021

9. **PRESENTATIONS**

- a. COVID-19 Update Pursuant to Resolution 2020-51. (Jarel LaPan Hill, City Manager, jlapanhill@santafenm.gov, 955-6848 and Brian Williams, Interim Emergency Management Director, bgwilliams@santafenm.gov, 955-6537)
INFORMATION ONLY

10. **CONSENT CALENDAR**



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- a. Request Approval of Amendment No. 1 to State of New Mexico Aging and Long Term Services Department Contract #20-0396 to Decrease the Total Amount by \$57,579 for the Senior Volunteer Programs. (Gino Rinaldi, Senior Services Division Director, earinaldi@santafenm.gov, 955-4710)

COMMITTEE REVIEW:

Finance Committee Meeting: 03/22/2021
Quality of Life: 04/07/2021
Governing Body: 04/14/2021

- b. Request for the Approval of Contract Amendment No.1 for Professional Service Contract 20-0556 to reflect the awarded Children Youth Family Development (CYFD) Grant Agreement 21-690-3200-20846 for YouthWorks (Julie Sanchez, Youth & Family Services Division Director, jsanchez@santafenm.gov, 955-6678)

COMMITTEE REVIEW:

Finance Committee: 03/22/21
Quality of Life: 04/7/21
Governing Body: 04/14/21

- c. Request Approval of the Streetlight Conversion Contract with Public Service Company of New Mexico (PNM) to Convert PNM Owned Street Lights in City Limits to LEDs Not to Exceed \$421,185 Inclusive of New Mexico Gross Receipt Tax (NMGRT). (Regina Wheeler, Public Works Director, rawheeler@santafenm.gov, 955-6622)

COMMITTEE REVIEW:

Public Works & Utilities Committee: 03/8/21
Finance Committee: 03/22/21
Governing Body: 03/31/21

- d. Request Approval of Budget Amendment Resolution (BAR) for Allocation of Impact Fees for Construction of CIP #868A – Montezuma Avenue and Sandoval Street Intersection Improvements in the Amount of \$750,000. (Thomas Graham, PW Project Administrator, tmgraham@santafenm.gov, 955-6654)

COMMITTEE REVIEW:

Finance Committee: 04/05/2021



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Public Works & Utilities Committee: 04/12/2021
Governing Body: 04/14/2021

- e. Request for Approval of Contract Amendment No. 1 for Groundwater Monitoring, Soil Vapor Monitoring, and Other Environmental and Engineering Services for Landfill Sites for a Four Year Period with Intera, Inc. in the Total Amount of \$156,875 (exclusive of NMGRT). (Shirlene Sitton, ESD Division Director, sesitton@santafenm.gov, 955-2209)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/29/2021
Finance Committee: 04/05/2021
Governing Body: 04/14/2021

- f. Request for Approval of Amendment No. 5 with John Shoemaker & Associates, Inc. (JSAI) for Two (2) Capital Improvement Projects: Installation of an Inclinometer Sensor (SENSOR) and Development of a Conceptual Work Plan in the Total Amount of 88,536.57 (Exclusive of NMGRT). (William Schneider, Water Resources Manager, whschneider@santafenm.gov, 955-4203)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/29/21
Finance Committee: 04/05/21
Governing Body: 04/14/21

- g. Request for Approval of a Budget Adjustment Resolution (BAR) to Fund Amendment No. 5 with John Shoemaker & Associates, Inc. in the Total Amount of \$93,683. (William Schneider, Water Resources Manager, whschneider@santafenm.gov, 955-4203)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/29/2021
Finance Committee: 04/05/2021
Governing Body: 04/14/2021

- h. Request for Approval of Change Order No. 5 with Bradbury Stamm Construction, Inc. to Increase the Duration by Adding 653 Days without an Increase in Funding. (Michael Dozier, Wastewater Division Director, mldozier@santafenm.gov)



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COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/29/2021

Finance Committee: 04/05/2021

Governing Body: 04/14/2021

- i. Request for Approval of Three (3) State Capital Outlay Grant Agreements. (David Chapman, Grants Administrator, dachapman@santafenm.gov, 955-6824)
 - 1. Project # 20-E2735 for Electric Vehicles & Charging Stations
 - 2. Project # 20-E2740 for Municipal Court HVAC & Roof Repairs
 - 3. Project # 20-E2744 for Construction of Southside Teen & Resource Center

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/29/2021

Finance Committee: 04/05/2021

Governing Body: 04/14/2021

- j. Request for Approval of a Budget Adjustment Resolution (BAR) for Electric Vehicles in the Amount of \$750,000. (David A. Chapman, Grants Administrator, dachapman@santafenm.gov, 955-6824)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/29/2021

Finance Committee: 04/05/2021

Governing Body: 04/14/2021

- k. Request for Approval of a Budget Adjustment Resolution (BAR) for Municipal Court in the Amount of \$360,063. (David A. Chapman, Grants Administrator, dachapman@santafenm.gov, 955-6824)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/29/2021

Finance Committee: 04/05/2021

Governing Body: 04/14/2021

- l. Request for the Approval of a Budget Adjustment Resolution (BAR) for the Construction of the Southside Teen & Resource Center in the Amount of



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\$3,870,900. (David A. Chapman, Grants Administrator,
dachapman@santafenm.gov, 955-6824)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/29/2021

Finance Committee: 04/05/2021

Governing Body: 04/14/2021

- m. Request for the Approval of Amendment No.10 to the Santa Fe Railyard Community Corporation’s Amended and Restated Lease and Management Agreement, to Increase the Existing Rent Deferral for FY21 from \$100,000 to \$500,000, with Deferred Amounts to be Repaid from FY22 to FY24. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 955-5933)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/29/2021

Finance Committee: 04/05/2021

Governing Body: 04/14/2021

- n. Request for Approval of Amendment No.1 for Santa Fe Recovery Center Contract #20-0569 to Expand Navigation Services to Sixty (60) Additional Male and Female Children, Ages 0-21, and their Parents. (Elizabeth Peterson, Children and Youth Program manager, empeterson@santafenm.gov, 470-3186)

COMMITTEE REVIEW:

Finance Committee: 04/5/21

Quality of Life: 04/7/21

Governing Body: 04/14/21

- o. Request for Approval of Amendment No. 1 to St. Elizabeth Shelter Contract #19-0584 to Extend the Term for One Year from 6/30/21 to 6/30/22, Decrease the Number of Individuals Receiving Navigation Services, and Increase Number of Individuals Receiving Safety Net Services. (Elizabeth Peterson, Children and Youth Program Manager, empeterson@santafenm.gov, 470-3186)

COMMITTEE REVIEW:

Finance Committee: 04/5/21



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Quality of Life: 04/7/21
Governing Body: 04/14/21

- p. Request Approval of Amendment No. 1 to Food Depot Contract #19-0586 to Extend the Term from 6/30/21 to 6/30/22 and Decrease the Number of Individuals Receiving Navigation and Increase Number of Individuals Receiving Safety Net Services. (Elizabeth Peterson, Children and Youth Program Manager, empeterson@santafenm.gov, 470-3186)

COMMITTEE REVIEW:

Finance Committee: 04/5/21
Quality of Life: 04/7/21
Governing Body: 04/14/21

11. DISCUSSION/ACTION ITEMS

- a. Request for the Approval of the National Cooperative Purchasing Alliance Also Known As NCPA Cooperative Master Agreement which would Allow the City to Utilize Contracts Procured through NCPA as an Additional Procurement Method Citywide. (Yodel Catanach, Contracts Supervisor, yocatanach@santafenm.gov, 955-6435)

COMMITTEE REVIEW:

Finance Committee: 04/05/21
Governing Body: 04/14/21

- b. Request for Approval of Amendment No. 1 for Contract 20-0231 to Amend the Joint Funding Agreement (JFA) 20RBC0LL0000002 with the US Geological Survey (USGS), United States Department of Interior (DOI) Commencement/Expiration Dates to be March 1, 2021 to June 30, 2021. (Alan Hook, Water Resources Coordinator Assistant, aghook@santafenm.gov, 955-4205)

Committee Review:

Governing Body: 04/14/21

- c. Request for Approval of Request to Publish Notice of Public Hearing on May 12, 2021 to Solicit Public Comment on the 2021 – 2022 Annual Action Plan to



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be Submitted to HUD. (Alexandra Ladd, Director, Office of Affordable Housing, aqladd@santafenm.gov, 505-303-9868)

COMMITTEE REVIEW:

Governing Body: 04/14/21

12. MIDTOWN OVERVIEW

- a. Economic Development Department Overview of the Midtown Bi-Weekly Development Update Report. Presentation Topic: Land Use Planning. (Elias Isaacson, Director, Planning and Land Use esisaacson@santafenm.gov; Stefan Pellegrini, RA, AICP, Principal, Opticos Design, Inc.; Daniel Hernandez, Project Director at Proyecto LLC; and Rich Brown, Director, Community & Economic Development Department, rbrown@santafenm.gov); **INFORMATION ONLY**

13. MATTERS FROM THE CITY MANAGER

14. MATTERS FROM THE CITY ATTORNEY

15. MATTERS FROM THE CITY CLERK

16. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION - 6:00 P.M.

17. ROLL CALL

18. PETITIONS FROM THE FLOOR

19. APPOINTMENTS

20. PUBLIC HEARINGS

- a. **Appeal #2021-3256-APPL of Case #2020-3006-HDRB.** Appeal by Laura Chock of the Historic District Review Board's Denial of a Request to Replace a Pedestrian Front Gate at 542 Camino del Monte Sol, in the Downtown and



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Eastside Historic District. (Sally A. Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

COMMITTEE REVIEW:

Governing Body: 04/14/21

- b. CONSIDERATION OF RESOLUTION NO. 2021-____. (Councilor Rivera, Councilor Vigil Coppler, and Councilor Romero-Wirth)
A Resolution Proclaiming Severe or Extreme Drought Conditions Exist in the City of Santa Fe; Imposing Fire Restrictions; Restricting the Sale or Use of Fireworks Within the City of Santa Fe and Prohibiting Other Fire Hazard Activities. (Geronimo Griego, Acting Fire Marshal, ggriego@santafenm.gov, 955-3310)

COMMITTEE REVIEW:

Introduced: 03/10/21

Quality of Life Committee: 04/7/21

Governing Body (Public Hearing): 04/14/21

21. 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.

22. UPCOMING PUBLIC HEARINGS

Meeting Date – April 28, 2021

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

GOVERNING BODY MEETING

Wednesday, April 14, 2021

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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, ekmcsberry@santafenm.gov, 955-6512)

COMMITTEE REVIEW:

Public Works & Utilities Committee: 03/29/21
Governing Body (Request to Publish): 03/31/2021
Finance Committee: 04/5/21
Governing Body (Public Hearing): 4/28/21

Publication Date – April 12, 2021

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, aqladd@santafenm.gov, 955-6346 and Rich Brown, Community Development Director, rbrown@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

Publication Date – April 12, 2021

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

Publication Date – April 12, 2021

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Governing Body
April 14, 2021

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**Minutes of the
Regular Meeting of the Governing Body
Wednesday, April 14, 2021
Virtual Meeting**

1. CALL TO ORDER

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Alan Webber, on Wednesday, April 14, 2021, at approximately 4:06 p.m., at the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico as a virtual meeting.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilor Rivera.

3. SALUTE TO THE NEW MEXICO FLAG

The Salute to the New Mexico Flag was led by Councilor Cassutt-Sanchez.

4. INVOCATION

The Invocation was led by Councilor Lindell.

The Governing Body observed a moment of silence for those who have recently died and their grieving families.

5. ROLL CALL

Roll call indicated the presence of a quorum remotely, as follows:

Members Present Remotely
Mayor Alan Webber
Councilor Roman "Tiger" Abeyta
Councilor Jamie Cassutt-Sanchez
Councilor Michael J. Garcia
Councilor Signe Lindell

Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

None

Other Participants Attending Remotely

Jarel LaPan Hill, City Manager
Erin McSherry, City Attorney
Kristine Bustos-Mihelcic, City Clerk
Kyra Ochoa, Community Services Director
Brian Williams, Acting Emergency Management Director
Regina Wheeler, Public Works Director
Yodel Catanach, Purchasing Supervisor
Alexandra Ladd, Affordable Housing Director
Sally Paez, Assistant City Attorney
Elias Isaacson, Land Use Director
Nicole Ramirez-Thomas, HDRB Staff Liaison
Noah Berke, Planning Supervisor
Rich Brown, Economic Development Director
Geronimo Griego, Interim Fire Marshal
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Lindell, to approve the agenda as presented.

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

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

7. APPROVAL OF CONSENT CALENDAR

Councilor Cassutt-Sanchez asked for item 10c to be removed for discussion.

Councilor Garcia asked for item 10a to be removed for his recusal.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Lindell, to approve the Consent Calendar as amended with items 10(c) and 10 (a) removed for discussion.

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

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

8. APPROVAL OF MINUTES

- a. Regular Governing Body Minutes – March 31, 2021

MOTION: Councilor Garcia moved, seconded by Councilor Lindell, to approve the minutes from March 31, 2021 as presented.

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

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

9. PRESENTATIONS

- a. COVID-19 Update Pursuant to Resolution 2020-51. (Jarel LaPan Hill, City Manager, jlapanhill@santafenm.gov, 955-6848 and Brian Williams, Interim Emergency Management Director, bgwilliams@santafenm.gov, 955-6537) **INFORMATION ONLY**

Manager LaPan Hill presented the report with Director Ochoa and Director Williams participating.

Director Ochoa reported vaccinations are way up nationally, but she is keeping her eye on hospitalizations that are increasing in younger age ranges. By 643% and 800% for 40-49 years of age.

New Mexico is very positive now. We are number one on vaccinations and public health outcomes in the US. More than 55% have one dose and 35% are fully vaccinated. Santa Fe County is turquoise, and hospitalizations are coming down and doing well. The County has 61.8% with one shot and 32.5% fully vaccinated and 68% of all residents are registered with DOH.

Director Williams said vaccination sites are up and running. There are two as of tomorrow sites and 11 more will be open in May. They are vaccinating 2,000 - 2,500 per day. There are no shortages of PPE. 23,000 masks are available at various points in the City. He appreciated Christus staff making vaccinations a big success and they asked that people over 40 having trouble registering can call the hospital or his phone number for help in registering.

Director Ochoa thanked him and said she will continue with monthly reports.

Councilor Cassutt-Sanchez sked if the vaccination events are happening at Midtown.

Director Ochoa said the vaccinations done in cooperation with Christus are at Midtown and they are open for all people and all sites are done through the DOH website. They continue through DOH at the Desert Sage Academy primarily for 16-17 year-olds and at pharmacies and clinics. We will expect a big shipment of vaccine shortly.

Councilor Cassutt-Sanchez had a concern for vaccine equity, with 87507 notifications. She wondered about access for vaccines on the south side without a pharmacy close by.

Director Ochoa said DOH does not give data by zip code. We have been conversing with Santa Fe Trails transit to make extra runs to Midtown for those having barriers. We did have an event at Santa Fe Place Mall. It was not logistically viable. We are interested in southside locations. Midtown is best right now. We are looking at County Fairgrounds also. We have no reason to believe vaccinations are low on the south side.

Councilor Cassutt-Sanchez asked if there are advocacy groups getting other information. The City should reach out to them also.

Director Ochoa said he can do that, and the Mayor's Task Force has advocacy group representatives in those meetings.

Councilor Villarreal thanked them for update and asked where people can have the list of clinics for vaccinations.

Director Ochoa said no because DOH says everyone needs to register at their website. So it is not a shop around process like it is in other states and part of the reason why we are #1.

Councilor Villarreal saw long lines at Midtown and assumed they all were registered and directed there.

Director Ochoa agreed. DOH is controlling the process. There is not much choice involved in where people go. She thanked those involved and gave a shout out to Councilor Cassutt-Sanchez who is making sure vaccinations are happening.

Councilor Vigil Coppler asked if the resolution specified a report at every Council meeting or every month.

Manager LaPan Hill said the resolution was for a report every two weeks. She expanded the reports to include vaccinations. We might need a new resolution on timing of the reports.

Ms. McSherry asked if that would be for more frequent or less frequent reporting.

Manager LaPan Hill let the Councilors speak for themselves on moving to monthly reports.

Ms. McSherry said to decrease requirements, a resolution would be needed.

Councilor Vigil Coppler wondered what force resolutions have. We vote on a resolution as the will of the Councilors. Does that mean they can be changed without coming back to Council? Can any member of the Governing Body change it without coming back to the Governing Body? Are the resolutions just promises? She was getting the sense they don't mean anything.

Ms. McSherry said there are a variety of resolution types and we must look at each resolution to the scope for how to amend them. There is also a desire to include duration of the resolution going forward.

Councilor Vigil Coppler clarified she was trying to understand if after voted on, the resolutions have to be adhered to until changed by the Governing Body.

Councilor Vigil Coppler said on the resolution before us now, she understood that the Governing Body was to have a COVID-19 report every two weeks and thought it was to be in writing. There was no written report tonight, so she asked if that following the resolution or not. She also asked if someone was able to not follow it without an amendment.

Ms. McSherry said we try to follow them.

Manager LaPan Hill asked, if we recommended a verbal change, whether it would need an amendment for modification. This one has an end date.

Councilor Vigil Coppler understood it might be cumbersome and a verbal might be just as satisfactory. But she asked how anyone can go against a resolution without the Governing Body approving an amendment. Ms. McSherry had said it must be amended. But she saw this happening a little more often. She hoped we all pay attention to those we have passed.

The intent here is that she believed the City should not let up on COVID enforcement. She did like to see what has happened with Police and Fire Departments. She asked Chief Padilla could share how well enforcement is going.

Chief Padilla said from his recollection and without the resolution in front of him, he thought this [verbal report] suffices to meet the resolution but with a written report on a monthly basis. The Department has issued twenty-two citations since we went into the pandemic and have an officer downtown to hand out masks and enforce the resolution there. Officers do their best to alert people to wear their face coverings.

Councilor Vigil Coppler thanked him.

Director Ochoa clarified that Staff does keep track of data for the monthly reports and will continue to compile it weekly.

Mayor Webber said he was at the first community clinic. It was an extraordinary event with strong support from Christus. He suggested the Council would benefit with those present, the music, the mood and how many people Christus were able to vaccinate in that one event.

Director Williams said the total number was 1,888 vaccinations and there were no wasted vaccines. They had 12 doses left over at 4:30 and rustled up enough people to use it all. The Police provided patrols for traffic and

the Fire Department was ready for any emergencies. The National Guard helped and from other facilities, Director Wheeler's Staff helped with spur of the moment calls. It made a big difference as the wind began to pick up. Over 50 Christus people were there. He offered to provide more data next time.

Mayor Webber added that behind the scenes work was done by the City Attorney's office.

Director Williams was glad to see how many people got vaccinated. He recommended people come about 12:00 pm.

Mayor Webber reminded everyone that although we are focused on vaccinations, we are not out of the woods yet and masks are still the protocol. He asked Director Williams to weigh in on the mask issue. Masks are such a simple protocol to prevent the spread.

Director Ochoa agreed masks are an effective tool. We put out 23,000 masks so far at libraries, community centers, police stations, etc. Everyone should continue to wear masks and wash hands, etc. children are back in schools and are not vaccinated so masks are important.

Councilor Garcia gave a shout out for Director Williams and hope his gas tank is not exhausted. It is an uphill battle so thanks for all you do.

10. CONSENT CALENDAR

- a. Request Approval of Amendment No. 1 to State of New Mexico Aging and Long Term Services Department Contract #20-0396 to Decrease the Total Amount by \$57,579 for the Senior Volunteer Programs. (Gino Rinaldi, Senior Services Division Director, earinaldi@santafenm.gov, 955-4710)

COMMITTEE REVIEW:

Finance Committee Meeting: 03/22/2021

Quality of Life: 04/07/2021

Governing Body: 04/14/2021

This item was removed from Consent by Councilor Garcia.

Ms. Bustos-Mihelcic read the caption for this item.

Councilor Garcia recused himself and left the meeting for this item.

MOTION: Councilor Abeyta moved, seconded by Councilor Vigil Coppler, to approve the contract amendment as presented.

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

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None. Councilor Garcia was not present for the vote.

Councilor Garcia rejoined the bench virtually after the vote.

- b. Request for the Approval of Contract Amendment No.1 for Professional Service Contract 20-0556 to reflect the awarded Children Youth Family Development (CYFD) Grant Agreement 21-690-3200-20846 for YouthWorks (Julie Sanchez, Youth & Family Services Division Director, jsanchez@santafenm.gov, 955-6678)

COMMITTEE REVIEW:

Finance Committee: 03/22/21

Quality of Life: 04/7/21

Governing Body: 04/14/21

- c. Request Approval of the Streetlight Conversion Contract with Public Service Company of New Mexico (PNM) to Convert PNM Owned Street Lights in City Limits to LEDs Not to Exceed \$421,185 Inclusive of New Mexico Gross Receipt Tax (NMGRT). (Regina Wheeler, Public Works Director, rawheeler@santafenm.gov, 955-6622)

COMMITTEE REVIEW:

Public Works & Utilities Committee: 03/8/21

Finance Committee: 03/22/21

Governing Body: 03/31/21

Ms. Bustos-Mihelcic read the caption for this item.

This item was removed for discussion by Councilor Cassutt-Sanchez.

MOTION: Councilor Cassutt-Sanchez moved, seconded by Councilor Romero-Wirth, to approve the Streetlight Conversion Contract as presented.

Discussion on the motion:

Ms. Jamie Aranda from PNM thanked Director Wheeler for cooperatively working with us. PNM is committed to this project and making it a smooth transition. Our Director of Operations wrote the letter of commitment and will be part of the final design team and Governing Body approval. Rate 20 is the revised rate which essentially allows PNM to add to the operational substitute as we move forward. And, as a regulated entity PNM is checking all the boxes to add to the substitute list.

Councilor Cassutt-Sanchez thanked her and asked for an update on the community involvement process.

Director Wheeler said it is a fortuitous turn of events that occurred when it was before the Governing Body at the February 24 meeting. Many community members reached out to say what were not best practices in the plan. She asked for the community input process for explaining all the things involved in the outdoor lighting Code of the City to gather input from community experts and understand all the goals and responsibilities in the streetlight process.

She launched a website a few days ago for update on PNM progress and details on the design. The committee met last night with a valuable exchange of priorities that we will definitely share. Five demo sites are listed on the website. The Grand Opening is on April 23 but will be functioning before that. So thanks to the Community, we are now pursuing Dark Skies certification and working with the International Dark Skies Commission on it. The design now will comply with every regulation for keeping Dark Skies and will save money for the City, as well.

Councilor Cassutt-Sanchez thanked her for all of that information. She received some emails that there are some LED lights installed already. She asked if those installed were the demonstration sites.

Director Wheeler replied there are about 200 LED lights installed from over a ten-year period and are not demonstration sites. Some are 5000 Kelvin which were common several years ago. Those are what the community cautioned us on. Many of them around intersections are using newer technology. Those that have been there about ten years will be uninstalled and converted to the appropriate Kelvin level.

Councilor Cassutt-Sanchez was grateful for that. And anxious to see the comparison. She asked if there will be opportunities for people in the Advisory Committee to be present for the meeting.

Director Wheeler agreed. She explained she reached out to the Dark Skies Association to have some representatives available. As a Dark

Skies Community, it is not just streetlights outside but also convenience lights in filling stations and other convenience centers.

Councilor Cassutt-Sanchez thanked the local members of the public for their responses and input.

Councilor Garcia thanked Ms. Aranda for being present. The language was going to allow for adoption of certain lighting and now a confirmation. For the public, there was nothing in the contract that would prevent us from adopting 3000 Kelvin or lower.

Ms. Aranda said that is correct and it will be added to the contract.

Councilor Garcia pointed out that there are 26 cities that adopted 3,000 K or lower and we could be the 27th city adopting that.

We touched a little on the Steering Committee and he thanked Director Wheeler for addressing that clarification. The Governing Body did not appoint any of those members and he had not provided any recommended names for it.

He asked if there was a reason why the Governing Body could not have adopted a lighting plan and then signed the contract, knowing the total value. He wondered why we are going backwards on this contract.

Director Wheeler said it was not going backward but we wanted to have an integrated plan with PNM at the same time, since they own half of the lights. They need to procure some contractors for the installation and then have time for ordering all of the lighting. It will be equal treatment across the community. So right now they would not be ready for the installation. Every single light pole is in the contract and it helps with equity to have PNM at the table for the whole project.

Councilor Garcia understood the inequities in changing a few and not all. And we won't have a huge team installing it all in one day but over several months. He understood this would come back to the Governing Body in the summer. He understood that inequity. Because we have 5000K already in the City, we are not utilizing those locations that have 5000K as a site. He asked if that was true.

Director Wheeler said Frenchy's Field is a demonstration site with 5000 K lights across the street. Those can be compared easily. She was not sure any other locations would have the opportunity for that comparison.

Councilor Garcia said his concern was that could skew the opinions. He felt that should not have been a demonstration site, because 5000K is not an option to consider.

He noted the website is collecting comments and after that closes, he asked for the Governing Body to have a copy of those comments. In determining what the lighting plan is they would be able to digest the comments and concerns of the community. He hoped the contract process would be an open process. The review of the former contract did not appear to be transparent and this one needs to be.

Councilor Vigil Coppler thanked Councilor Cassutt-Sanchez for getting Ms. Aranda here. She mentioned to Director Wheeler that she was taken aback that some Councilors were invited to make recommendations to the Steering Committee.

Director Wheeler said Councilor Garcia made a comment in the PWUA Committee when he looked at the newsletter that announced the Steering Committee had been formed. She said they had asked BTAC for a representative and Councilor Garcia chairs that advisory committee. She approached the Public Safety Advisory Committee which Councilor Rivera chairs. She also approached the Mayor's Committee on Disability, but they do not have a Councilor on their committee, so it was not really the way the Steering Committee was formed.

Councilor Vigil Coppler pointed out that the Dahlkia announcement said Councilors recommended members that would be on the Steering Committee. She asked that to be corrected and did not know if that was done. But it was not correct. And if it was the case, she wanted to know which Councilors had made the appointments.

Director Wheeler thanked her. She said she thought she had replied to Councilor Vigil Coppler. She did let Councilor Garcia know that it was corrected on the website. It only said the Steering Committee was composed of Councilors, Advisory Groups, and community-based groups.

Councilor Vigil Coppler asked if there was a reason why we don't know who those members are. She didn't know who they were.

Director Wheeler said that was discussed at the Steering committee meeting last night. She explained that because of the volume of emails coming to people involved in this project, she wanted to ask the Steering Committee if they wanted their contact information made available. And they declined. We did ask them to identify what groups they represented.

Councilor Vigil Coppler asked if she meant their groups or their names.

Director Wheeler said it was to identify their groups.

Councilor Vigil Coppler asked who appointed the Steering committee.

Director Wheeler said the Staff did.

Councilor Vigil Coppler questioned, if they are a publicly-appointed body, if that information can be kept under wraps. Its it possible to keep that under wraps.

Ms. McSherry replied that this is an informal group. So if there is an IPRA filed, those names would be disclosed. She didn't know the concerns of this group.

Councilor Vigil Coppler was only asking because she wanted to know if there was any reason the City would say these names must be redacted.

Ms. McSherry did not think there would be any redaction.

Councilor Vigil Coppler reasoned that she could get a list of them tomorrow.

Director Wheeler said she did meet them last night, but the list was not shared with her. It is not a big deal, but she felt those members of the public could be either warned or allowed to not have all of that. She wanted to share the representation and said they are using third party facilitators.

She listed the groups included American Institute of Architects, Public Safety Advisory Committee, Railyard business and homeowner, Tierra Contenta resident, Mayor's Committee on Disabilities, Sierra Club, Audubon Society, a Neighborhood Association, Southwest Santa Fe Advocates, self-proclaimed reasonable lighting advocate, another resident from the Rail Yard.

Councilor Vigil Coppler said she would follow up on her comments after the meeting.

She asked Ms. Aranda if the potential PNM merger would affect the contract.

Ms. Aranda said no; the merger will not have any impact on the contract.

Councilor Garcia stated that BTAC was not consulted on this. They had requested input but will need advance notice before it is presented.

Director Wheeler said she worked with the BTAC Staff Liaison on it.

Councilor Garcia didn't want that to be represented as coming from BTAC.

Councilor Lindell commented that in 2014, when she first ran for Council, she thought LED conversion was a great idea and had no idea how controversial it would be. She got lots of emails on it. Now we are pursuing Dark Skies designation which is terrific. It has been far from simple and emotions ran high on it. And not always did people present their best selves on it. It is not easy. If it was easy, we would have done it seven years ago. She was very grateful to Director Wheeler for continuing to persevere.

Mayor Webber agreed with Councilor Lindell. It is a tremendous progress report tonight on the willingness of PNM, Public Works Dept and Dahlkia work. We got an education on Kelvin and lumens. It is a community education and an opportunity to pursue something quite essential to our City. He thought the project has been beneficial to all of us on many dimensions. It highlights the way Santa Fe people believe; not a sacrifice for technology and how important it is to consult the community when change is happening. Every change affects how the City looks and feels. There was a plan to proceed and Director Wheeler and PNM and Dahlkia opened up for a community process that has led to a Dark Skies City Designation – another achievement for Santa Fe. He didn't want the hard work and responsiveness and also the economic and environmental challenges to hamper getting into a leadership position and worth celebrating instead of criticizing. We all feel we are producing a tremendous offering for the City and Region. The tone should be celebration for the demonstration sites.

He asked Director Wheeler, if he drove to all five beta sites, where he would put the feedback on it. Could I leave a voice mail? What process is to be used? How do you collect the feedback?

Director Wheeler said there is a form on the website or people could meet in person to verbally give feedback. The Grand Opening on April 23 will have Staff at all five sites. We are still developing more on getting feedback. We have a dedicated phone line now where people can call for feedback and asking questions. We will update it on the website and email posts.

Mayor Webber added that if you schedule a meeting, make it as robust and inclusive as possible to make the City look and feel like we want. When we do this, we don't want to do it wrong.

Mayor Webber thanked Ms. Aranda for her presence here tonight and last night at the Committee meeting.

Ms. Aranda thanked him.

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

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

- d. Request Approval of Budget Amendment Resolution (BAR) for Allocation of Impact Fees for Construction of CIP #868A – Montezuma Avenue and Sandoval Street Intersection Improvements in the Amount of \$750,000. (Thomas Graham, PW Project Administrator, tmgraham@santafenm.gov, 955-6654)

COMMITTEE REVIEW:

Finance Committee: 04/05/2021

Public Works & Utilities Committee: 04/12/2021

Governing Body: 04/14/2021

- e. Request for Approval of Contract Amendment No. 1 for Groundwater Monitoring, Soil Vapor Monitoring, and Other Environmental and Engineering Services for Landfill Sites for a Four Year Period with Intera, Inc. in the Total Amount of \$156,875 (exclusive of NMGRT). (Shirlene Sitton, ESD Division Director, sesitton@santafenm.gov, 955-2209)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/29/2021

Finance Committee: 04/05/2021

Governing Body: 04/14/2021

- f. Request for Approval of Amendment No. 5 with John Shoemaker & Associates, Inc. (JSAI) for Two (2) Capital Improvement Projects: Installation of an Inclinometer Sensor (SENSOR) and Development of a Conceptual Work Plan in the Total Amount of 88,536.57 (Exclusive of NMGRT). (William Schneider, Water Resources Manager, whschneider@santafenm.gov, 955-4203)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/29/21

Finance Committee: 04/05/21
Governing Body: 04/14/21

- g. Request for Approval of a Budget Adjustment Resolution (BAR) to Fund Amendment No. 5 with John Shoemaker & Associates, Inc. in the Total Amount of \$93,683. (William Schneider, Water Resources Manager, whschneider@santafenm.gov, 955-4203)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/29/2021

Finance Committee: 04/05/2021

Governing Body: 04/14/2021

- h. Request for Approval of Change Order No. 5 with Bradbury Stamm Construction, Inc. to Increase the Duration by Adding 653 Days without an Increase in Funding. (Michael Dozier, Wastewater Division Director, mldozier@santafenm.gov)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/29/2021

Finance Committee: 04/05/2021

Governing Body: 04/14/2021

- i. Request for Approval of Three (3) State Capital Outlay Grant Agreements. (David Chapman, Grants Administrator, dachapman@santafenm.gov, 955-6824)
1. Project # 20-E2735 for Electric Vehicles & Charging Stations
 2. Project # 20-E2740 for Municipal Court HVAC & Roof Repairs
 3. Project # 20-E2744 for Construction of Southside Teen & Resource Center

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/29/2021

Finance Committee: 04/05/2021

Governing Body: 04/14/2021

- j. Request for Approval of a Budget Adjustment Resolution (BAR) for Electric Vehicles in the Amount of \$750,000. (David A. Chapman, Grants Administrator, dachapman@santafenm.gov, 955-6824)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/29/2021

Finance Committee: 04/05/2021

Governing Body: 04/14/2021

- k. Request for Approval of a Budget Adjustment Resolution (BAR) for Municipal Court in the Amount of \$360,063. (David A. Chapman, Grants Administrator, dachapman@santafenm.gov, 955-6824)
COMMITTEE REVIEW:
 Public Works and Utilities Committee: 03/29/2021
 Finance Committee: 04/05/2021
 Governing Body: 04/14/2021
- l. Request for the Approval of a Budget Adjustment Resolution (BAR) for the Construction of the Southside Teen & Resource Center in the Amount of \$3,870,900. (David A. Chapman, Grants Administrator, dachapman@santafenm.gov, 955-6824)
COMMITTEE REVIEW:
 Public Works and Utilities Committee: 03/29/2021
 Finance Committee: 04/05/2021
 Governing Body: 04/14/2021
- m. Request for the Approval of Amendment No.10 to the Santa Fe Railyard Community Corporation's Amended and Restated Lease and Management Agreement, to Increase the Existing Rent Deferral for FY21 from \$100,000 to \$500,000, with Deferred Amounts to be Repaid from FY22 to FY24. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 955-5933)
COMMITTEE REVIEW:
 Public Works and Utilities Committee: 03/29/2021
 Finance Committee: 04/05/2021
 Governing Body: 04/14/2021
- n. Request for Approval of Amendment No.1 for Santa Fe Recovery Center Contract #20-0569 to Expand Navigation Services to Sixty (60) Additional Male and Female Children, Ages 0-21, and their Parents. (Elizabeth Peterson, Children and Youth Program manager, empeterson@santafenm.gov, 470-3186)
COMMITTEE REVIEW:
 Finance Committee: 04/5/21
 Quality of Life: 04/7/21
 Governing Body: 04/14/21
- o. Request for Approval of Amendment No. 1 to St. Elizabeth Shelter Contract #19-0584 to Extend the Term for One Year from 6/30/21 to 6/30/22, Decrease the Number of Individuals Receiving Navigation Services, and Increase Number of Individuals Receiving Safety Net

Services. (Elizabeth Peterson, Children and Youth Program Manager, empeterson@santafenm.gov, 470-3186)

COMMITTEE REVIEW:

Finance Committee: 04/5/21

Quality of Life: 04/7/21

Governing Body: 04/14/21

- p. Request Approval of Amendment No. 1 to Food Depot Contract #19-0586 to Extend the Term from 6/30/21 to 6/30/22 and Decrease the Number of Individuals Receiving Navigation and Increase Number of Individuals Receiving Safety Net Services. (Elizabeth Peterson, Children and Youth Program Manager, empeterson@santafenm.gov, 470-3186)

COMMITTEE REVIEW:

Finance Committee: 04/5/21

Quality of Life: 04/7/21

Governing Body: 04/14/21

11. DISCUSSION/ACTION ITEMS

- a. Request for the Approval of the National Cooperative Purchasing Alliance Also Known as NCPA Cooperative Master Agreement which would Allow the City to Utilize Contracts Procured through NCPA as an Additional Procurement Method Citywide. (Yodel Catanach, Contracts Supervisor, yocatanach@santafenm.gov, 955-6435)

COMMITTEE REVIEW:

Finance Committee: 04/05/21

Governing Body: 04/14/21

Ms. Bustos-Mihelcic read the caption on this item.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to approve the Cooperative Master Agreement as presented.

Discussion on the Motion:

Ms. Catanach presented this item which was another cooperative agreement for approval. There are a few the City has approved, and she listed them. This NCPA agreement allows the City to use a procurement method with over 300 contracts and advertise on USA Today. There are a number of entities who use it now. She hoped the City will approve is so our City Departments can look at coop agreements to reduce the time for RFPs.

Councilor Rivera asked if NCPA does the RFP for her and reduces Staff time.

Ms. Catanach agreed. And it is issued nationwide and sometimes internationally. It gets Santa Fe more access to what is out there when we specialize. If you go through the list, you will see many companies we already use and can verify if their price is better than the statewide purchasing agreements.

Councilor Rivera understood they do a bid process with the whole nation and typically have the best prices available when New Mexico only attracts a small number of bidders.

Ms. Catanach agreed and said sometimes it is really good pricing. It depends on the item and the response. This just gives departments more avenues to utilize. It also helps Staff know what other prices were available.

Councilor Rivera asked if we wanted something from Company X and if NCPA has already made an agreement with Company X, we would not be able to ask for a better price.

Ms. Catanach said we can always ask for the best and final offer.

Councilor Rivera asked if there is a cost associated if we use one of their vendors.

Ms. Catanach said no. It just needs proper authorization internally.

Councilor Vigil Coppler wondered if it is possible for local companies to get on their list.

Ms. Catanach agreed. And they could see the RFP that is out there. They should definitely look at theirs and the other cooperative agreements we have. She encourages local companies to do that. They get their name out there better.

Councilor Vigil Coppler wondered how local companies could find out about it.

Ms. Catanach said she always suggests to our local companies to see how they could respond to one of NCPA's RFPs. The more they are able to respond, the more they have the chance for people to consider them.

Councilor Vigil Coppler thought maybe that will help us keep our business here in Santa Fe.

Ms. Catanach will share that with her supervisor.

Councilor Abeyta thought this is actually good for the local businesses so when they learn about it and people from other places can contact them. So it is more than one benefit. It is a good thing, and they would be wise to participate to attract more businesses to use Santa Fe businesses.

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

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

- b. Request for Approval of Amendment No. 1 for Contract 20-0231 to Amend the Joint Funding Agreement (JFA) 20RBC0LL0000002 with the US Geological Survey (USGS), United States Department of Interior (DOI) Commencement/Expiration Dates to be March 1, 2021 to June 30, 2021. (Alan Hook, Water Resources Coordinator Assistant, aghook@santafenm.gov, 955-4205)

COMMITTEE REVIEW:
Governing Body: 04/14/21

Ms. Bustos-Mihelcic read the caption for this item.

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

Discussion on the Motion:

Mr. Hook presented this request to the Governing Body and public. This is an existing IGA for pre-fire mitigation and protection of our watershed. COVID hit us and protocols changed. October 1 is the beginning of new federal year, so he wanted to change the dates with an amended agreement which just changes the expiration date on the first page. He stood for questions.

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

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

- c. Request for Approval of Request to Publish Notice of Public Hearing on May 12, 2021 to Solicit 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

Ms. Bustos-Mihelcic read the caption for this item. Director Ladd is present.

Councilor Villarreal/Councilor Garcia to approve.

MOTION: Councilor Villarreal moved, seconded by Councilor Garcia, to approve publication of the Public Hearing as presented.

Director Ladd presented this request. The annual action plan is what is submitted to HUD 45 days before the program year starts to describe how HUD funds will be used this year, and that means the CDBG grant. We have a survey on the website and plan available for public review. No paper copies will be distributed but we will work with anyone who must have a paper copy. The review period lasts until May 12.

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

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

Amendment to the Agenda

Mayor Webber noted it is 5:48 and the Midtown often takes a lot of time. And wondered if we should go to the evening agenda now and come back to the afternoon items.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Lindell, to approve an amendment to the agenda to put Item 12 to the end of the evening agenda.

Councilor Vigil Coppler asked if Midtown would be heard at the very end of the agenda. She pointed out that many people present were interested in that matter, as well.

Mayor Webber noted the Midtown report is informational only. He leaned toward putting informational items at the end.

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

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

12. MIDTOWN OVERVIEW (This item was considered later, at the agenda end.)

- a. Economic Development Department Overview of the Midtown Bi-Weekly Development Update Report. Presentation Topic: Land Use Planning. (Elias Isaacson, Director, Planning and Land Use esisaacson@santafenm.gov; Stefan Pellegrini, RA, AICP, Principal, Opticos Design, Inc.; Daniel Hernandez, Project Director at Proyecto LLC; and Rich Brown, Director, Community & Economic Development Department, rbrown@santafenm.gov); **INFORMATION ONLY**

Ms. Bustos-Mihelcic read the caption for this matter.

13. MATTERS FROM THE CITY MANAGER

Manager LaPan Hill gave a couple of shout outs to Staff. Particularly to the IPRA team. We have had a huge number of requests and that takes much work by the Team to respond.

She also thanked the Finance Team for their work on the budget hearings. The material and amount of work they must do on every dollar of the budget over the winter to the final details and calculations and then the presentations for the

public, takes a great amount of work. She acknowledged the whole team for their effort. Much appreciated.

14. **MATTERS FROM THE CITY ATTORNEY**

Ms. McSherry said at the next Governing Body meeting she will give an update on litigated cases. She appreciated the shout out for the IPRA team. They have innovated a way to get all documents out to requestors.

15. **MATTERS FROM THE CITY CLERK**

Ms. Bustos-Mihelcic thanked the Governing Body for the shout out for constituent services.

16. **COMMUNICATIONS FROM THE GOVERNING BODY**

A copy of the introduction of Bills and Resolutions is incorporated herewith to these minutes as Exhibit 1.

Councilor Vigil Coppler announced that Friday is free trash day. She reminded everyone that Great American Cleanup Day is open for registration now. She asked Manager LaPan Hill to put her report on her things to do.

Councilor Rivera had no birthdays until the next meeting.

Councilor Villarreal was reminded that Santa Fe Beautiful is piggy-backing on Councilor Vigil Coppler's free trash pickup for materials is tomorrow from 10 – 2. And if anyone doesn't have a team, they can volunteer for another team. Also, this Saturday is the Community Art Project having artists and emerging artists who cannot afford supplies. They will be at Vital Spaces on the Midtown campus on Saturday with a popup art show and a DJ from 11-3 pm.

Councilor Cassutt-Sanchez thanked Staff who have been busy during the last couple of weeks with budget and all the work of our Staff who are working very hard behind the scenes and thank you to Land Use Team. She recognized all the hard work of Finance Staff. Thanks to all of them.

Councilor Romero-Wirth had nothing to add.

Councilor Garcia introduced with Councilor Lindell an ordinance on the Independent Salary Community to assign the authority to appoint members to the Ethics and Campaign Review Board and to reassign the authority to appoint the Commission's Chairperson to the Committee's members; and to amending 6-

16.2 to assign the duties of the Independent Salary Commission members to the Ethics and Campaign Review Board's powers and duties.

He also announced for District Two residents that next Saturday, he will have a Town Hall and asked those who were interest to contact him at mjgarcia@santafenm.gov for all information needed to participate.

He mentioned that he usually gets emails for all that is bad, but he got a nice one about a trash truck driver who does daily routes. Henry is 8 months old whose favorite time is when the truck comes by and learned the universal sign for honk the horn. Henry lives only about two weeks from his own house to Henry's house and promised he will go out next time to give the driver the sign. He gave a shout out to this waste truck driver for making Henry's day.

Councilor Rivera introduced a Resolution requesting amendment #1 to the Municipal Arterial Program Cooperative Grant from NMDOT granting a time extension for design and construction of Agua Frida Street South Meadows intersection improvements.

Councilor Cassutt-Sanchez introduced a Resolution modifying the frequency with which the City Manager provides written reports and updates at every other regular Governing Body meeting with information regarding the COVID-19 response with Police Department, Fire Department and Office of Emergency Management.

Councilor Lindell commented on how beautiful it is driving around town seeing all the trees in bloom. She is diligently looking at her peach tree – May 15 is our last freeze date. So don't get overanxious but cover them when the temperature goes below 25 degrees. It is gorgeous.

Councilor Abeyta signed on as a co-sponsor on Councilor Rivera's introduction. He gave a shout out to Anna Hansen on the PSA for the Great American Cleanup Day.

He noted that SFPS Board is in final interviews for Superintendent. They asked for feedback and he sent one in. He encouraged Governing Body and public to give input to the School Board about the new superintendent.

As Executive Director of the Boys and Girls' Club, he announced the Youth of the Year Award that his Club won at State and Matthew Chavez will represent the Santa Fe Boys' and Girls' Club regionally. He will receive a \$6,000 college scholarship and will represent New Mexico at the regionals.

Mayor Webber agreed he is an outstanding young man.

Mayor Webber introduced a Resolution to join the Mayor's Monarch Club to save the Monarch Butterfly and its habitat, cosponsored with Councilor Lindell and

Councilor Romero-Wirth. It is a serious endeavor just as bees and trees are a monumental problem. Follow their migration patterns that have been interrupted.

He also commented that we cannot let our guard down on COVID. With the Variant from India, Michigan is spiking as is California. We have done enormous amounts of work to be vigilant, but still need to be on our guard. Get vaccinated and wear a mask for a good example to guests coming to town. We want to be safe for the fun out outdoors.

Mayor Webber. as a baseball fan, noted the baseball season is upon us. He talked with the Fuego Manager and found out they need help with sponsorships. They are looking for places to stay for visiting players (who come 25 at a time). Our players don't get paid big bucks so please support Fuego and baseball and welcome them back.

Finally he gave a challenge on the Great American Cleanup. He and Councilor Abeyta will be on Airport Road and challenge other colleagues to out pickup them.

EVENING SESSION – 6:11 P.M.

17. ROLL CALL

Roll call indicated the presence of a quorum remotely, as follows:

Members Present Remotely

Mayor Alan Webber
Councilor Roman "Tiger" Abeyta
Councilor Jamie Cassutt-Sanchez
Councilor Michael J. Garcia
Councilor Signe Lindell
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

18. PETITIONS FROM THE FLOOR

Stefanie Beninato thanked the Governing Body for hearing her. She thanked Councilor Romero-Wirth for voting on her constitutional duties on the Zia Station project to follow the law. She pointed out the City did not require the Applicant to show financials, since that was the reasoning behind making all those changes. They said they "feel", and feel is not fact-based. It is not objective.

She mentioned a person on the Plaza who comes every day without a mask and amplifies his music. If amplifying his music, he could certainly wear a mask. She said the annual rec center pass should apply to all three rec centers – Salvador Perez, Fort Marcy and GCCC.

There were no other petitions from the floor.

19. **APPOINTMENTS**

There were no appointments at this meeting.

20. **PUBLIC HEARINGS**

- a. **Appeal #2021-3256-APPL of Case #2020-3006-HDRB.** Appeal by Laura Chock of the Historic District Review Board's Denial of a Request to Replace a Pedestrian Front Gate at 542 Camino del Monte Sol, in the Downtown and Eastside Historic District. (Sally A. Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

COMMITTEE REVIEW:

Governing Body: 04/14/21

Ms. Bustos-Mihelcic read the caption for this item, which was an Appeal of the HDRB denial of a pedestrian front gate at 542 Camino del Monte Sol. Ms. Paez was present and also Director Elias Isaacson.

Mayor Webber went through the process of Disclosures, Staff Report, Appellant's opening sworn statement, Governing Body questions of Staff and the Appellant, Public sworn testimony, Responses to testimony and Applicant's closing statement. Then a motion, second, discussion and vote.

DISCLOSURES

Councilor Vigil Coppler disclosed that on page 9 of the appellant document, as former Clerk of the Court, her name was on the endorsement at the top right corner, but she said that would not affect her ability to remain unbiased.

There were no other disclosures.

STAFF REPORT

Ms. Paez presented the Staff Report for this quasi-judicial hearing. The goal is to apply law to the case in this hearing and to decide whether to affirm the Board's decision or not. It is considered as de novo, so it is as an original decision in applying the Code to the facts in evidence.

She shared her screen and oriented the applicant's location on a map in the Downtown and Eastside Historic District. It has a Contributing structure with a yard wall. The gate is not historic so not part of the contributing wall structure. The Applicant proposes replacement of the gate with a new gate and with an arch overhead. They are proposing to add the arch over the top with a wooden header. The dotted line shows existing height of the wall.

The Historic Board denied the application to change the yard wall for three reasons as shown in the Findings of Facts and Conclusions of Law:

- 1 - that it would alter the architecture features and spaces that embody the status of the contributing wall structure.
- 2 – that it would render the wall other low street walls located along Camino Del Monte Sol streetscape, and
- 3 - that the proposal would block the view of the chimney, which has an important sculpture on it.

She went through each reason, showing the code citations on her screen that described a contributing status. The Board relied on 14-5.2(D)(1)(a) in the City Code. It boiled down to the difference between a contributing structure and a significant structure. She said the Board was focused on the prohibition of removing historic material in a contributing structure. They viewed it as an alteration of the architectural features that embody the contributing status of the yard wall.

HCPI (Historical Cultural Properties Inventory) was done by a historic structure and is in the packet. She reviewed the description of the wall from the HCPI.

The first major Issue was: Would the project cause the yard wall to lose its contributing status or alter architectural features and spaces that embody the status of the contributing wall structure?

Reason 2 was the wall's harmony with the streetscape - She quoted the definition of streetscape and the issue is if it is out of harmony. She showed pictures of the streetscape on Camino Del Monte Sol and indicated the extent of the applicable streetscape went 600' each way on the street. On her screen, she showed views up and down that extent of streetscape.

Reason 3 was to preserve the view of the contributing chimney as a significant structure (which she briefly described). She shared a picture of

the sculpture's character. This was associated with William Shuster who designed the first Zozobra and designed this house.

She reviewed other similar cases that went to District Court and mentioned that one was a 3-story 43' high building adjacent to Loretto Chapel on the premise that it would impair the view of the Loretto Chapel from Old Santa Fe Trail. The Governing Body upheld the Board's decision, but the District Court overturned it on the basis that there was nothing in the Code giving the Governing Body authority overview corridors. And that nothing in the record showed that the status of the Loretto Chapel would be altered.

The appeal on Palacio Azul was denied by the Governing Board. In it, the Governing Body reversed the Historic Board's decision because the City Code did not authorize the Governing Body to preserve the view corridors and no evidence to support it affecting the historic status of the Ashley Pond House.

Reason 3 – was also decided because the Governing Body lacked authority to preserve a view corridor.

She explained how the Governing Board should consider upholding or denying the appeal for any of the three reasons or any other reason from the Code. She requested if denied the Board's decision, to carefully detail the reasons why.

She noted that Nicole Ramirez Thomas, Director Eli Isaacson were staff members present and Frank Herdman, who is representing the Appellant.

Mr. Herdman introduced himself and said he represented the owner who proposed a new arch gate with wooden doors. He apologized that portions of his statement were redundant.

He showed the existing condition with a slatted nonhistoric gate. Next, he showed the proposed design with an arched gateway stuccoed to match the existing wall with a height at 8' 4" and include a wooden lintel.

The doors to be used were 100 years old from Mexico. The Appellant wants to replace the gate because of its poor condition. The taller doors can be locked. The house includes a sculpture at the base of the chimney and the identity of the sculptor is unknown whether Will Shuster or someone else. The proposal does not require any exception or variance. The HPD Staff gets to decide if that is required and if so, the Applicant would be required to justify an exception. Staff said no exception was needed because the historic wall remains intact (not altered). So if the Board says it does need an exception, it will lose its contributing status. But in this case, the HDRB did not rule that an exception would be required. The Staff

rules that the proposed gate meets the requirements of regulations in this historic district in which it is located.

Mr. Herdman said the HDRB disagreed with Staff and denied it on the grounds that Ms. Paez mentioned. He wanted to address those.

First, that it affects the view. The Board held the new front gate would be in front of the chimney which is significant. They affirmed it was the sole reason for denial. They said the proposed gate was lovely and in an approved style but that it would block the view of the chimney.

Ms. Paez had reported that the Board could not deny it because it blocked view of a significant structure. In the case of the Ashley Pond House, the Governing Body reversed the denial and the District Court said, "Neither the Board nor the Governing Body has the authority under the Santa Fe City Code, as adopted, to preserve historic view corridors." After the Teme case was decided, the HDRB, in a different case, denied approval or proposed modifications to a residential structure located on East Alameda because the project would block the view of the historically Ashley Pond House that was designed by John Gaw Meem. And in that case, the Appellant appealed to the Governing Body and the Governing Body reversed. At that hearing, the Assistant City Attorney, handling the case, stated unambiguously for the Governing Body, "There is no express language in the Historic Code that give the Board the guarantee a citizen has the right to view certain properties." The Governing Body, he thought, with that advice, reversed the Board denial on the grounds that the City cannot deny a project because it blocks a view of another structure, including a significant structure either on the property or not. There is nothing in the Code to support that decision of the Board. So, the bottom line – it is unlawful. So it is a reversible error and should be reversed.

Reason 2 was broken into two parts. Part A was that it would alter the architectural features and spaces, but the only space in the existing wall is where the gate is, and that space will be preserved so it is unclear what the Board meant. The alteration of features and spaces might lose the wall's status, but the existing wall will remain 100% intact. Staff said no exception is required. The application met the compatibility standards of the Code with no exception. This is a very important point - No loss of contributing status.

Second part was that the new gate is "incompatible with other low street walls." They contradict the quintessential character along Camino Monte Del Sol under a Staff Report, provided in the packet, which includes a description of the street. And quoted "Along several stretches, there is strong comparability of form in the high walls that pave the edge, creating a single, undulating pane. Buildings behind are partially visible or blocked

from view.” The report also states, describing the streetscape, the walls are, “Strongly dominant, are high sculptural walls with wooden gates, briefly paneled, or heavily tarred.” He said that is precisely what the Applicant proposes in this case.

He shared the streetscape with photos of the subject street at Acequia Madre to Camino Santander. The camera was mounted on a vehicle much higher than the driver would be. High undulating walls on the street was what it showed. He showed a similar pedestrian gates at various locations on Camino del Monte Sol. He showed a total of 16 similar arched gates – one every 60-70 feet. And the gate at the Applicant’s property is out of harmony with the rest. So the proposed gate will make it compatible with the streetscape.

Mr. Herdman went back to Code (p 9 of packet). The height of the proposed gate cannot be a reason for denial. The design standards for Old Santa Fe Style includes nonfunctional gateways over openings. That is precisely what the Applicant is proposing in this case.

The standards used are found in Chapter 14-5.2, which he read. Here the design is unquestionably consistent with the streetscape, so it meets the design standards. No one said an exception would be required.

“So we ask for the decision of the Board to be reversed and the application approved.”

QUESTIONS OF STAFF

Mr. Herdman had no questions of Staff.

PUBLIC COMMENTS

Stefanie Beninato, P. O. 1601, was sworn and gave her testimony. She said the drawing in Exhibit C was not accurate. She pointed out lines that were not visible. And said the archway is twelve feet high.

She said the project will change the appearance of that wall. At the time the Code was done, in the public testimony at that time, people came to look at this fireplace that was said to be by Will Shuster. The decision whether an exception was needed was up to the HDRB to determine. The Applicant relied heavily on and if you look at the photo she had submitted, there is a wire fence behind the wall that has vegetation and raised the wall to at least six feet. And the only real opening there is the gate. She was quite willing to have a six-foot high iron gate there that one could see through. The other arched gate in the photo was much more modest and

could be replicated, therefore allowing the security, even though she has a dog to be protected, instead of walling off.

She saw many low walls on Camino del Monte Sol and hoped the Governing Body would be less biased, more open, and give the Board its due and grant the denial of the Board. She read from the preamble of the Historic Code about harmonious outward appearance. She also noted the fireplace is locally known to be by Will Shuster.

There were no other public comments.

GOVERNING BODY QUESTIONS TO STAFF

Councilor Romero-Wirth addressed Ms. Paez about her decision tree, included Exhibit I or 1 in the packet, and asked her to walk the Governing Body through that.

Ms. Paez showed it on her screen and noted it had steps.

Councilor Romero-Wirth understood only one reason was needed to deny it.

Ms. Paez agreed. One defensible reason is a good reason. They could be done in any order. She had three steps in the decision tree. Streetscape harmony would be a reason or blocking the chimney. She thought that could be distinguished in this case with legal provisions. Any one of the three would be adequate to affirm the Board.

Councilor Romero-Wirth thought the Governing Body could affirm the Board without getting into any of the cases in the court.

Ms. Paez agreed.

Councilor Romero-Wirth noted in the public comment, we heard we were shown a streetscape that extended further than is in the definition in the Code.

Ms. Paez said the City uses 600 feet in either direction, or perhaps Ms. Ramirez Thomas might be a better person to respond.

Councilor Romero-Wirth asked if there were any such gates to the east.

Ms. Paez said the east is characterized more with open space.

Councilor Romero-Wirth thought Ms. Paez's pictures were the only ones that showed the low fence to the east. The other pictures were more to the west.

Ms. Paez said Councilors could request more pictures.

Councilor Romero-Wirth thought the Governing Body got really good looks at only one side of the street. Also, Ms. Paez said we should consider this de novo. The reason the Board decided was that they could not see the chimney, but we make our own decision on any of the three reasons.

Ms. Paez said yes, and you can reference the Code fresh.

Councilor Garcia said this goes down the path he wanted to explore - the streetscape. If we only consider Ms. Paez's pictures, how counted three that looked to be in compliance with what is proposed. The next door neighbor has a coyote fence and asked to see that again. The streetscape tour she gave was kind of jumpy. Google is more continuous. The earlier pictures on slide 11, appears that the height of that coyote fence is not exceeding height restrictions. He saw another two arches in that streetscape, so it is consistent. How many houses are in that streetscape? The big primary challenge is also the chimney. He wondered if a Google view was shown, if we would still see the chimney. Would the right side still provide that view of the chimney? It appears that it would.

He added that the designer of the chimney was not confirmed. It could be community legend that Will constructed it. The owner testified she had done research and it was unconfirmed who constructed that sculpture.

Ms. Ramirez Thomas said it is attributed to Shuster because it was his house, and it is also consistent with elements he used on other fireplaces. There are good literary references indicating it was a Will Shuster handmade sculpture.

Councilor Garcia asked if we can confirm that Will Shuster built this house.

Ms. Ramirez Thomas agreed. He built three houses on Camino Del Monte Sol, and this was the first of them.

Councilor Garcia said this is challenging. Are we able to have the view of the chimney or would it be obstructed with the new wall?

Ms. Paez said this photo was from a camera on top of a car, so it is higher than walking. We could look with Google if you would like.

Councilor Garcia said he would like to see it at end of the presentation just to see what it is like. Google might give us a better view.

Director Isaacson had it pulled up and shared his screen.

Ms. Ramirez Thomas differentiated an arched gateway as part of the house structure. And one other was part of a structure and described them going down the street. She noted the next door neighbor has an arched gateway.

Ms. Ramirez Thomas thought the Board was not opposed to that character. Monte Del Sol was unique. Los Cincos Pintores helped develop this area. The 20th Century Artist Group wanted to take art to the people and many offered art on the streetscape, although not well articulated.

Ms. McSherry said it is great to get factual information and the statements by Ms. Ramirez Thomas need to be sworn statements.

Ms. Ramirez Thomas was sworn for her testimony on Will Shuster.

Councilor Garcia asked if the height of the wall now on the right side would not be raised at all.

Ms. Ramirez Thomas said there was just a small slope for the little arch and after the meeting, we met with the Applicant to move it to the left a little.

Councilor Garcia thought that would open it to view even more. He didn't see a challenge there and had no further questions now.

Councilor Lindell said Mr. Herdman had stated the main reason for denial was the chimney visibility and she asked if that visibility was confirmed.

Ms. Paez said it might not be the entire residence that was visible. But several reasons coalesced in their decision. They felt it was a significant alteration and no longer a contributing historic structure. They had recently decided it was contributing and should be protected. The desire to maintain the low wall was certainly an important concern as was the view of the chimney. All three concerns were raised at the meeting.

Councilor Lindell referred to the little tour from Ms. Ramirez Thomas provided and asked what 600 feet would fit into the decision.

Ms. Ramirez Thomas explained how the streetscape is defined in 14-5.2 of the code. She shared the section on her screen on how it is to be measured. It is straight so it is 600' in both directions.

Councilor Lindell saw that the streetscape in this section and area is not what she saw in the Appellants exhibit 3 which was gate upon gate and not what she was seeing in the streetscape Staff showed. She also heard the art to the people, the walls kept everything from the people. Tall walls were keeping the public from even viewing houses and is far from bringing art to the people. Typically with these appeals, she reminded herself that people who serve on the HDRB have given hundreds if not thousands of hours of volunteer time. She would have to see over the top reasons to overturn their decision. She asked how long the Applicant has lived here.

Mr. Herdman did not have the answer.

Ms. Laura Chock, the homeowner, was sworn and said she has owned this house since September 15 but was originally from Santa Fe.

Councilor Vigil Coppler asked Ms. Paez about the Will Shuster not being on the record and heard Ms. Ramirez Thomas say it was.

Ms. Paez said all she had to go on and she was not an expert, were the documents presented at the HDRB meeting. Ms. Ramirez Thomas may have more knowledge on it.

Councilor Vigil Coppler thought it was legend.

Ms. Ramirez Thomas said there was documentation not included in the Staff Report. One was HCPI form that the City has on file and another source is the Camino Del Monte Sol survey in 1984. There is also a book on Will Shuster by Turner, and all made reference to this property and having been at Shuster houses, that is typical of this sculpture. And paintings that look remarkably similar to how this sculpture undulates at the fireplace.

Councilor Vigil Coppler asked why that wasn't introduced.

Ms. Ramirez Thomas clarified she didn't have them until today and the focus was on the wall and garage and the HCPI was created on whether those two structures contributed to the District. Only the main house had previously been considered as Contributing.

Councilor Vigil Coppler asked if that document could be considered in this hearing.

Ms. Paez said that could be determined by the City Attorney and Ms. Ramirez Thomas is an expert witness so you could consider it. We do not

strictly consider the rules of evidence and we can evaluate the evidence as you will.

Councilor Vigil Coppler reasoned that apparently there are things on paper readily available. Wouldn't the information Ms. Ramirez Thomas had need to be given to Mr. Herdman?

Ms. Paez said at this hearing, the City was a little looser on the requirement. We would also allow homeowners to give testimony in the same manner. She could respond to the testimony but there was no requirement for all of it to be introduced.

Councilor Vigil Coppler asked Mr. Herdman to respond on the chimney.

Mr. Herdman the record is clear that there is nothing clear that attributes that chimney to Mr. Shuster or anyone else. There were comments in passing at the HDRB hearing. The most reliable sources are HCPI, and he looked at it. It does not attribute the chimney to Mr. Shuster. But it is not relevant. And the law is clear that you cannot use that as a reason for denial. If it blocks the view of anything, it is unlawful for the City to deny the project because it blocks the view of another structure.

Ms. Ramirez Thomas read from the document and said it was not part of Staff report but is available in the survey from 1984 that does attribute that chimney to Mr. Shuster. She offered to read it, but it was on page 31.

Ms. Chock said the prior owners told her the sculpture was a structure done by Applegate and Shuster was never mentioned.

Councilor Vigil Coppler believed we don't have to rely on the district court case.

Ms. Paez explained that was one of several reasons for the Board to deny the approval of this proposal. And if the Governing Body finds another reason was such that it would change the contributing structure, that would be an independent reason to affirm the Historic Board. If the Governing Body doesn't want to distinguish it from that case, it also would be appropriate.

Councilor Vigil Coppler had read that case and believed we don't have a legal basis of blocking a chimney and ruling it out also because one can see the right side of the chimney anyway. She didn't hear if a specific view has to be considered as blocking. It appeared to her that it can be viewed on the right side - with that and with the District court case, that reason becomes moot.

Clearly the coyote fence is that height and gate design noted by HPD. So the proposal doesn't seem much different than what is there now.

She added that she could appreciate the work of HDRB, and their decision was not unanimous anyway.

Councilor Villarreal thanked Staff for the detailed information. It is very thorough. Even from photos, the existing vegetation also blocks the view. She kept thinking, what if the owner wanted to plant a rose bush that kept growing? It too, would block the bottom of the chimney. What an owner might want to do could also block the view. So that reason didn't sit well with her/ We should not deny it based on a blocked view of another structure. She appreciated the time the HDRB members spend on these cases. There is a lot of detail to consider. But she agreed with Mr. Guida's perspective, I agreed with how things have been done historically to make a gate more visually appealing. So given the decision tree, she didn't agree with any of those. That holds weight that she would want to agree with their denial.

Councilor Villarreal asked if vegetation would be allowed and would block the view.

Ms. Paez said vegetation is not regulated by the Code so it would be fine. We tend to make a determination between things that are temporary, or things not affected by the Code. Demolishing part of the wall would be regulated. So it depends how visibility is considered. Vegetation is considered a temporary blocking.

Ms. Ramirez Thomas agreed.

Councilor Cassutt-Sanchez said it was not a valid argument we could consider. In the PrimeGov packet is the discussion about the wall contributing status but she was hoping to get more information either from Ms. Paez or Mr. Herdman.

Mr. Herdman emphasized that the HDRB found there would be no loss of contributing status of the wall. He read the statement the Board made, and they made no statement that the wall would lose contributing status.

Ms. Paez again shared the Findings of Fact and Conclusions of Law. She reiterated that the house had been designated Significant and that came in January when the Board also made the wall contributing. We have the entire record of that case. And the HCPI was presented with a lot of the same information. They found the wall met the definition of contributing structure (Finding 10) and the house and garage also met the definition. The Board really appreciated the character of the wall – simple in form and

harkened back to a time when walls were low. Not everyone was on the Board for consideration of that previous case.

Councilor Cassutt-Sanchez had no other questions.

Councilor Rivera- asked how we know the age is not over 50 years old.

Mr. Herdman said the materials in the historic reviews that were presented by Staff indicated that. We could defer to that determination.

Ms. Paez added that information came from the HCPI included in the Staff report. A new HCPI was created for the wall. Ms. Ramirez Thomas might have more information.

Ms. Ramirez Thomas agreed. A new HCPI was created, and from those details, the history of the wall and the garage talked about historic materials and historic integrity. Its construction is of milled lumber, for instance. What is unique to these houses on Camino del Monte Sol is that all used roughhewn lumber instead of milled lumber and is distinctly nonhistoric for those reasons.

Councilor Rivera asked if the wall was considered the primary façade.

Ms. Paez said we normally don't consider the wall as having a primary façade.

The Board did not rely on any specific considerations for the wall. A primary façade cannot be changed without an exception and in this case none of those provisions were applied to the wall.

Mayor Webber asked of Ms. Paez about the first criterion, last sentence, that says removal of historic material shall be prohibited that embody the status. He asked what embodies the status.

Ms. Paez thought for a structure that is Significant, the Board looks primarily at architectural features and how they contribute to the District. So she provided the bullets of the HCPI form that the Board thought were necessary to preserve the status. What we have in the record is the description of the HCPI. The wall is a simple structure not six to seven feet high. It is adobe stuccoed. It has all features put together that related to its environment. Those were the things taken into account. Those are the things to look at that contribute to the District. The architectural features are pretty simple and an esoteric feature.

Mayor Webber asked for Mr. Herdman's interpretation of that clause.

Mr. Herdman said, in his 30 years of doing this, that his understanding of how HDRB and Staff approach that portion was if an Applicant wants to alter a contributing structure, Staff can decide if an exception is required and if the proposal would run afoul of that criterion, and in this case, Staff said no exception was required. So this application did not implicate that provision. The Applicant was not told she needed to apply for an exception so the understanding on how it has been applied would be patently unfair to then rely on this provision purportedly without finding a loss of contributing status. That troubled Mr. Herdman and his client – like a bait and switch – gotcha.

Ms. Ramirez Thomas said Staff did not make a mistake on that decision that no exception was required. The streetscape is inherent in this provision – All districts embody distinct characteristics and on Camino del Monte Sol, even more so.

Mayor Webber was interested in the streetscape question. The Governing Body had different views of the roadway – different sides of street and what the language talks about as the visual character of the street. He asked Ms. Paez if there would be 100% uniformity on the street or similar and if a higher wall would be dismissed with a preponderance of lower walls. What do we do with the character?

Ms. Paez replied that it is a bit of a math problem with the mixture of all these things going on and you highlighted some of them. The survey is an interesting document. She read a statement from the report that used the word, “humble elegance and simplicity of scale.”

The project should harmonize with the streetscape and since it is a historic wall – over 50 years old – we want to carry it forward in its present state. With a contributing structure, it doesn’t necessarily have to blend.

Councilor Garcia asked Staff to clarify – There was a suggestion for the Applicant to move the opening of the archway and asked if that was correct.

Ms. Ramirez Thomas agreed.

Councilor Garcia asked to pull up slide 10 again. That total contradicts the justification for denying the request.

Ms. Ramirez Thomas said the view shed has gone on and in considering streetscape, Staff looked at the wall and this does not constitute removal of historic materials.

Councilor Garcia understood, in the presentation, the reason for denial was alteration of historic features. He did not see any ground for denying the appeal. The Governing Body doesn't have authority to preserve historic view, based on previous cases. So he saw no reason for denying the appeal.

Councilor Romero-Wirth noted the passage Ms. Paez read about describing the whole of Camino del Monte Sol, but we are focused on 600 feet in either direction.

Ms. Paez agreed. That was the definition of streetscape.

Councilor Romero-Wirth recalled that section talked about spaces. She thought of it as literal spaces – open air. Is that one way to think about it?

Ms. Paez said yes.

Councilor Romero-Wirth said we could think of it in many different ways.

There were no other questions.

CLOSING STATEMENTS

Ms. Paez had just one final statement on Staff recommendation. We made the recommendation to HDRB who is the final decision on the code. But it is up to Staff if an exception is required. And we would have included that request in the agenda. It sets a course for the case, but those are just recommendations. The Governing Body is the decision-making body. Everything else has been addressed.

Mr. Herdman was offered a closing statement for five minutes.

Mr. Herdman shared his screen and said, "There has been a lot of discussion on possible impacts on the wall." In the streetscape view, he emphasized that the yard wall is 75 feet long and arbor structures already at the gateways and can be on the overall wall. He showed a different screen of the design- it only shows a small portion of the wall, but it is really 75 feet long. And this small portion with the opening – the opening is unchanged and how this can possibly affect the status of the wall is unfounded. The gate replacement would not, and Staff found no loss of contributing status with the new gate.

For the information of the streetscape, he measured 600' to both sides – going one way to the intersection at Caminito is 594 feet and the other way to Camino Santander is 613 feet. He counted 13 such gates over the 1200 feet. It is a wall dominated environment.

Mr. Herdman swore in himself as he spoke. He showed the intersection at 543' from the subject property that section had a predominantly high wall environment with 123 pedestrian gates similar to the proposed gate. He started a video from Caminito to Santander. For the 1200 feet, a total of 13 similar pedestrian gates were shown. It is a tall wall dominated environment. Low walls are clearly the exception. So he submitted this is completely consistent with the streetscape high walls, at pavement edge and buildings behind the walls are blocked total or partially from view. By adding the arched gate being considered contrary to the streetscape is not the case.

The sculpture is still visible. So the idea an arched gate here would controvert Shuster's art for all is unfounded and the City is prohibited from denying on that blocking of another structure. Nothing in Code allows HDRB or Governing Body to deny on the basis of something on the property.

The applicant's motive is additional security of her home. Others on the street have the ability to lock their property. Fundamentally, it comports with streetscape and the Code. For those reasons, he asked the Governing Body to reverse the decision of the HDRB.

ACTION OF THE GOVERNING BODY

Mayor Webber said the public hearing was closed and he entertained a motion for discussion.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to deny the appeal and confirm the decision of the Historic Districts Review Board for two reasons: because the proposal would alter the architectural features and spaces that embody the yard wall structure, and the proposal would render the wall incompatible with the other low street walls located along the Camino del Monte Sol streetscape.

Discussion on the Motion:

Councilor Garcia asked Councilor Romero-Wirth to provide justification in the evidence that supports her motion. He found it completely opposite, especially after reviewing the six hundred feet in both directions, that it does not alter the landscape. The walls on both sides of the street tend to be higher walls and he found all facts in evidence to be completely the opposite of what the motion maker presented. So he would request that evidence.

Councilor Romero-Wirth said her motion just did provide justification.

Councilor Garcia moved to postpone for further justification on the matter for 30 days. However, no second was provided and the motion to postpone failed for lack of second.

Councilor Garcia said, given the lack of evidence, he urged his colleagues to vote no because there is obvious evidence to the contrary. If we deny, it will end up in court, costing us money and the City will lose the case.

Councilor Romero-Wirth said her motion was based on the facts of the case and the law interpreted as we see fit. She saw in 600' either direction, that the streetscape that the wall would be incompatible with the other low walls. We need to look at both sides of the street and the fence on the other side is low. If it was just a small door, the high door would change the streetscape, depending on which way you go. Going north to Canyon Road, she would agree the further down has higher walls. As you move south to Old Santa Fe Trail, there is some openness particularly on that east side of the street that we are looking at. The motion says it would alter the features and spaces that embody the status of the contributing yard wall. To put in that gate, she believed would alter the architectural features of that low wall in a way that would affect the fact that it is a contributing low wall structure.

Councilor Vigil Coppler asked Councilor Romero-Wirth, while Mr. Herdman was under oath, he said it was 600' in both directions and that was what she saw if she was disputing that view. Or are you saying you do not believe... "I don't understand."

Councilor Romero-Wirth said, "I don't think I'm the one on trial here, everybody. You saw what I saw. I'm telling you how I saw it. If you saw it differently, then vote the way you saw it. When I look at low walls that were there, close to that structure, they were low, and the area was low. and the things that were high were actual structure of the houses that were built right up against the thing. So it was a mixed sense. But, if you look at the walls, many of them are low. And it is just a small little segment. I agree. If you go toward Canyon Road their walls are high, and it is a gauntlet."

Councilor Vigil Coppler said, "I do know you are not on trial, but we were presented with two versions of 600'. What I saw... and I know I said earlier are in the eyes of the beholder. But I saw was similar gates, similar sizes, up and down at different heights, and the streetscape looked very similar to me. I know when we were presented in the beginning, the first 600' didn't go 600'. Or maybe it did. So there are two versions of six hundred feet. We didn't see a little scale on the screen of the metrics of six hundred feet.

I know Mr. Herdman was under oath so I trust that he is telling the truth. So I saw something very different. And I am just wondering what Councilor Romero-Wirth saw that I didn't see. I don't think you want to answer that question because, obviously, things are getting a little tense. So, I guess I'll just say I saw a different streetscape of six hundred feet, presented by someone under oath. And that the proposal matches the streetscape. I will say that I have every right to ask the question. I don't need to be barraged or anything. I am just asking the question. I appreciate what you had to say. I will give you the same respect that you gave me."

Councilor Romero-Wirth said she was sorry to interrupt. She thought Councilor Vigil Coppler was finished. She agreed there are lots of gates with arches but what this one does to the little wall does alter the wall structure. But the streetscape there is low.

Councilor Vigil Coppler said, and the coyote fence next door is high. Does that enter the equation? She had no more questions.

Councilor Garcia thought we must remember how in the past we consistently said we must rely on Staff experts and the decision of Staff was that the arch should be moved and constructed in a different manner and that would alter the streetscape a little. But now we are saying we don't support the Staff decision, which was superseded by the HDRB, and we have to go with that. "I don't believe that. I strongly believe we have to move forward with Staff's recommendation which would allow the Applicant to alter the wall." Their recommendation was to move the arch a little to the left. And to touch on the points that Councilor Vigil Coppler just brought up in regard to the coyote fence, "as I pointed out in my earlier questioning, if you look at that reference, that coyote fence is even a little higher than the existing highest point on the wall. And to say that the walls around the adjoining property are low, that is completely baseless, because even the next door has a wall that is higher than the existing homeowner's wall." Our decision is clear in that sense. We should move forward with Staff's recommendation. The right choice would be to grant the appeal, not deny it. Otherwise, it will end up in court.

Mayor Webber said it is very complex case on a number of dimensions and what we saw.

There was no other discussion.

VOTE: **The motion was approved on the following 5-4 Roll Call vote:**

For: Mayor Webber, Councilor Abeyta, Councilor Lindell, Councilor Rivera, and Councilor Romero-Wirth.

Against: Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Vigil Coppler, and Councilor Villarreal.

Mayor Webber explained his vote was based on a whole set of issues regarding the character of Santa Fe. He respected the arguments on both sides. It is a textured case and not on an absolute and voting on keeping the texture and space not just on that case but for surrounding places. It is a very hard case, and he appreciated the points of view.

Councilor Vigil Coppler asked on procedure if we aren't supposed to ask for explaining our vote prior to voting.

Mayor Webber apologized if he violated process.

Ms. McSherry said she would get back on that point.

- b. CONSIDERATION OF RESOLUTION NO. 2021-21. (Councilor Rivera, Councilor Vigil Coppler, and Councilor Romero-Wirth)

A Resolution Proclaiming Severe or Extreme Drought Conditions Exist in the City of Santa Fe; Imposing Fire Restrictions; Restricting the Sale or Use of Fireworks Within the City of Santa Fe and Prohibiting Other Fire Hazard Activities. (Geronimo Griego, Acting Fire Marshal, gggriego@santafenm.gov, 955-3310)

COMMITTEE REVIEW:

Introduced: 03/10/21

Quality of Life Committee: 04/7/21

Governing Body (public hearing): 04/14/21

Ms. Bustos-Mihelcic read the caption on this item.

Marshal Griego is here as well as other fire dept members.

Marshal Griego presented. He said Santa Fe is in drought conditions and severe today. So he identified restrictions being imposed currently and stood for questions.

Public comment

Stefanie Beninato was sworn again. She was in support of this and because of the lack of water, was very concerned about fires happening. This resolution should get passed and she hoped there was a way to monitor fireworks all over town without a need for people to keep calling in to complain.

There was no other public testimony.

Questions

Councilor Garcia, on enforcement, noted the resolution says certain types of fireworks would not be allowed and as we get closer to July 4th, lots of places will be selling fireworks. What is the City plan to work with retailers to tell them it is not allowed this year?

Marshal Griego said this resolution would allow us to discuss it with retailers ahead of time and impose those restrictions on sales.

There were no other questions.

Action of the Governing Body

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

Discussion on the Motion:

Councilor Rivera said the Governing Body typically does this when conditions are ripe for forest fire with high winds and dry conditions so we will inform retailers what they could or could not sell. Most sales are from outside City limits. It is difficult to catch people using illegal fireworks but there will be the attempt with teeth. As long as conditions stay the same by State law it must be approved on a monthly basis. If we get much rain, we could let up on the restriction. It depends on the weather. He didn't think a little rain would take us out of the drought. It needs to be long sustained rains to do that. It is important for their water shed.

Mayor Webber offered support to what Councilor Rivera said. If we could have spot inspections but mostly the message to our community that in this very dry period – any fireworks that would endanger our community must be discouraged and people to self-enforce and with neighbors in the heightened fire season.

Mayor Webber explained that anyone can ask to explain their vote and it does not have to be before the vote but must be limited to one minute.

Councilor Romero-Wirth had a point of order. She didn't think you can explain your vote until after the vote is taken. To be clear. You can't explain your vote before all votes are taken.

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

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

Councilor Villarreal asked to be listed as a cosponsor.

12. **MIDTOWN OVERVIEW**

- a. Economic Development Department Overview of the Midtown Bi-Weekly Development Update Report. Presentation Topic: Land Use Planning. (Elias Isaacson, Director, Planning and Land Use esisaacson@santafenm.gov; Stefan Pellegrini, RA, AICP, Principal, Opticos Design, Inc.; Daniel Hernandez, Project Director at Proyecto LLC; and Rich Brown, Director, Community & Economic Development Department, rbrown@santafenm.gov); **INFORMATION ONLY**

Ms. Bustos-Mihelcic did not read the caption for this matter.

Director Brown reported on the Midtown planning procedure as defined in the plan guidelines.

Councilor Vigil Coppler noted there were no attachments for this agenda item and asked if there was something Councilors could get. She found it difficult to plan for questions with nothing to review beforehand. That means the public doesn't either. She understood they can review it later, but they have no attachments either. Invariably, she has to ask if we have the presentation available. This project is so important but nothing to do but just listen without any prepared questions. This is not good for the Governing Body with such an important project. She didn't know if she needed to propose a resolution to get the documents. But she was not feeling good about that. She asked if someone could email the presentation to Governing Body members now. The slide is often removed from display before we have a chance to do analysis and research.

Mayor Webber asked if there is a PPT or something that could be sent as an attachment right now or how Staff could help her have something in front of her.

Director Brown asked Mr. Pellegrini or Mr. Hernandez to send them out.

Councilor Vigil Coppler asked that those documents be loaded in Prime Gov ahead of the meeting from now on. It is the professional thing to do and is transparent.

Mayor Webber agreed and will try to get it out and have a chance to go over it during the presentation.

Mr. Pellegrini said he sent a link to Director Brown to share with the Governing Body of about 15 slides and would entertain questions. He talked a little about the approach to the Master Planning Process Approach and the next steps involved and what to expect over the next several months.

He felt it is important to get the necessary elements together to facilitate sale of the campus or move forward with its development. It is important to balance flexibility for future developers and predictability of the City as steward of the property and engaging the community outreach over several months. He used a kind of Gant Chart by quarter and beyond.

He knew Councilors were receiving regular updates with lots more content to discuss. He went through the slides and made comments about the steps remaining in the process.

Director Isaacson spoke about Staff recommendations. He thought this is similar to what the development partners on board had. They projected much longer timelines. Staff now has a much better feeling for time needs estimates and their relation to one another on the development plan.

Councilor Romero-Wirth said the presentation included having a framework. We know this property needs to have Affordable Housing built and a lot of it. How do we determine the amount of housing we want and need from this site?

Mr. Pellegrini briefly described what the capacity of the stie really is. We knew some of it from the RFEI process and under the Midtown Link with certain incentives to define Affordable Housing on the site. We need also to look at the vacant site, so the Midtown campus is the starting point. Another piece has to do with the market and the absorption rate for multi-family projects over the years and strategies to bring Affordable Housing to this site. They are all important that will alter the development and form.

Councilor Romero-Wirth asked if they will be using community engagement to understand the Affordable Housing piece and what it requires.

Director Isaacson absolutely agreed. That is needed to allow flexibility. As the Governing Body heard for Zia Station, it is a 60/40 or 70/30 split on housing. That still ensures the public benefit on what we need at the stie.

Mayor Webber agreed with Councilor Vigil Coppler that this is one of the most important parts on land use planning, site planning and rezoning. He

asked the participants to introduce themselves and share opportunities like this one. He said it would be nice for people watching/listening to hear that. And he would love them to juxtapose a typical urban planning process we may have seen in other communities. He had seen others. They would have a Master Developer propose a site plan with streets, open spaces, etc. But what he saw in this presentation was a different mental model – more flexible but also clear in creating boundaries and guidelines to break out the site into smaller blocks instead of one single investment. The community wants more local builders and firms to have a chance to have a good crack at this remarkable opportunity. With bite-sized blocks, they fit together for the whole. He liked the photo of the Legos – maybe a short biographical sketch and professional but layman’s view of the plan in 2021. It seems more like a laptop than a mainframe.

Mr. Pellegrini said they are an urban planning a design firm in California in business for 20 year and he had 25 year as an architect and urban planner for public and private clients. He has tried to find solution that can work for both private and public clients.

He mentioned their achievements – 21 Century zoning -form-based zoning – a regulatory tool that emphasizes form over use. That has been in use for 35 years in 700 communities that have adopted them. And overhauled ordinances. What he is proposing for form-based strategies takes some of those elements – in the 1970 version on urban planning - some great plans came out but ran into trouble and didn’t transfer very well. Some would be partially implemented, and things happened that were substantially different, so we want to think about zoning first to help development occur as it always occurs, over many generations. He had a distinct opportunity for involvement in long-range projects and the people who make initial decisions are not always there for subsequent phases, so they need to be able to address changing market cycles.

Working on one now with 100 acres of property, predominantly non-residential projects on which came back with only 25 R&D and the rest residential. The emerging blocks still follow the plan. But must alter as cycles change. Councilor Vigil Coppler thought the Governing Body should continue to be involved and would like to receive timeline decision points come to the Governing Body for approval. We are rightly the ones to decide the direction of the project. She agreed with Councilor Romero-Wirth that Affordable Housing should be a large component. That kind of use needs to come to the Governing Body to decide how the project will evolve. It can take a great many avenues, including the rezoning which we will be

involved in. It might not go the direction we want and that bothers me. It is our resp along the way whether we are sitting in this chair or not and should shape it for now and for future Councilors. There was a part we should have been involved and voted on. She didn't want to see that again. Constituents come to us and want to express their views. She didn't want our role to be watered down for forgotten. We are the decision makers. We received timelines in the past and there were months when we knew well in advance of a decision we needed to make with time to hear from constituents and be involved in shaping the destiny of what would happen here. She was still a little bruised from the last discussion on that. She wanted to feel satisfied she had done what she needed to do.

There were other questions or comments.

Mayor Webber said the slides are now in our boxes. We look forward to future reports. Thank you.

21. **ADJOURN**

Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at 9:50 p.m.

Approved by:



Mayor Alan Webber

ATTESTED TO:



Kristine Mihelcic (May 4, 2021 09:04 MDT)

Kristine M. Mihelcic, City Clerk

Respectfully submitted by:



Carl G. Boaz, Council Stenographer



GOVERNING BODY MEETING OF
April 14, 2021
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

AMENDED
EXHIBIT ONE
 GB April 14, 2021

Mayor Alan Webber		
Co-Sponsors	Title*	Tentative Committee Schedule*
Lindell Romero-Wirth	A RESOLUTION SUPPORTING THE CITY OF SANTA FE JOINING THE MAYORS' MONARCH PLEDGE TO PRESERVE THE MONARCH BUTTERFLY AND THE HABITAT UPON WHICH IT RELIES.	Quality of Life Committee – 4/21/21 Public Works and Utilities Committee – 4/26/21 Governing Body – 4/28/21
Councilor Roman "Tiger" Abeyta		
Co-Sponsors	Title*	Tentative Committee Schedule*
Councilor Jamie Cassutt-Sanchez		
Co-Sponsors	Title*	Tentative Committee Schedule*
	A RESOLUTION MODIFYING THE FREQUENCY WITH WHICH THE CITY MANAGER TO PROVIDE WRITTEN UPDATES AND PRESENTATIONS AT EVERY OTHER REGULAR GOVERNING BODY MEETING WITH INFORMATION REGARDING THE COVID-19 RESPONSE FROM THE POLICE DEPARTMENT, FIRE DEPARTMENT, HUMAN RESOURCES DEPARTMENT, AND OFFICE OF EMERGENCY MANAGEMENT AND SAFETY.	Finance Committee – TBD Quality of Life Committee – TBD Governing Body – TBD
Councilor Michael J. Garcia		
Co-Sponsors	Title*	Tentative Committee Schedule*
Lindell	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.	Quality of Life Committee – 4/21/21 Public Works and Utilities Committee – 4/26/21 Governing Body (request to publish) – 4/28/21 Finance Committee – 5/3/21 Governing Body (public hearing) – 5/12/21
Councilor Signe I. Lindell		
Co-Sponsors	Title*	Tentative Committee Schedule*

Councilor Chris Rivera		
Co-Sponsors	Title*	Tentative Committee Schedule*
	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 L5003831 GRANTING A TIME EXTENSION FOR THE PLANNING, DESIGN, AND CONSTRUCTION OF AGUA FRIA STREET AND SOUTH MEADOWS ROAD INTERSECTION IMPROVEMENTS.	Public Works and Utilities Committee – 4/26/21 Governing Body (request to publish) 4/28/21 Finance Committee – 5/3/21 Governing Body (public hearing) – 5/12/21
Councilor Carol Romero-Wirth		
Co-Sponsors	Title*	Tentative Committee Schedule*
Councilor JoAnne Vigil Coppler		
Co-Sponsors	Title*	Tentative Committee Schedule*
Councilor Renee Villarreal		
Co-Sponsors	Title*	Tentative Committee Schedule*

* Subject to change

Introduced legislation will be posted on the City Attorney's website, under legislative services. If you would like to review the legislation prior to that time or you would like to be a co-sponsor, please contact Jesse Guillen, 505-955-6518, jbg Guillen@santafenm.gov or Jeff Norris, 505-955-6692, jtnorris@santafenm.gov.