



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
JULY 28, 2021
5:00 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/94939062218?pwd=YzdXR2xKdmx5TzZQZclJ3OVI0SEcwUT09>. **Passcode: 547739**

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



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Phone: To join the Zoom meeting using a phone, use the following phone numbers and Webinar ID: **US: 1 (346) 248-7799 – 1 (669) 900-6833 – 1 (253) 215-8782 – 1 (312) 626-6799 – 1 (929) 205-6099 – 1 (301) 715-8592 – Webinar ID: 949 3906 2218 - Passcode: 547739**

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

AFTERNOON SESSION - 5:00 P.M.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**

Councilor Vigil Coppler

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

Councilwoman Villarreal

4. **INVOCATION**

Councilor Garcia

5. **ROLL CALL**
6. **APPROVAL OF AGENDA**
7. **APPROVAL OF CONSENT CALENDAR**
8. **APPROVAL OF MINUTES**

- a. Regular Governing Body Meeting – July 14, 2021

9. **PRESENTATIONS**

- a. City of Santa Fe Water Status Update and Outlook. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309)



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10. CONSENT CALENDAR

- a. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from MingMing Yang, 309 Sanchez Street, Santa Fe, for a Restaurant Liquor License (Beer and Wine), with On-Premise Consumption Only, to be Located at Sushi 8, 66 E San Francisco Street, #21, Santa Fe. (Geraldyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)

Committee Review:

Liquor Hearing: 07/12/21

Governing Body: 07/28/21

- b. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Fun Noodle Santa Fe, LLC, for a Restaurant (Beer and Wine) Liquor License with On-Premise Consumption Only, to be Located at Fun Noodle Bar, 514 W. Cordova, Santa Fe. (Geraldyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)

Committee Review:

Liquor Hearing: 07/12/21

Governing Body: 07/28/21

- c. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Travel Bug of Santa Fe, Inc., for a Small Brewer Liquor License with On-Premise Consumption and Patio Service, to be Located at Travel Bug, 839 Paseo de Peralta, Santa Fe. (Geraldyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)

Committee Review:

Liquor Hearing: 07/12/21

Governing Body: 07/28/21

- d. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Food Art, LLC, 2279 Calle Cacique, Santa Fe for a Transfer of Location Only of Inter-local Dispenser Liquor License No. 2593 with On-Premise Consumption Only and Patio Service from 540 Montezuma



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Ave., to Pranzo Italian Grill, 321 Johnson Street, Santa Fe. (Geralyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6521)

Committee Review:

Liquor Hearing: 07/12/21

Governing Body: 07/28/21

- e. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Altar Spirits, LLC. 1715A W. Alameda Street, Santa Fe, for the Following: (Geralyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)
1. Pursuant to §60-6B-10 NMSA 1978, Consideration of a Waiver of the 300 Foot Location Restriction to Allow the Sale of Alcohol at Altar Spirits, 545 Camino de la Familia, Santa Fe, which is within 300 Feet of the Camino de Paz Montessori Secondary School & Farm, 1607 Paseo de Peralta, Suite B, Santa Fe.
 2. If the Waiver of the 300 Foot Location Restriction is Granted, Consideration of a Request for a Craft Distiller Liquor License, with Package Sales, On-Premise Consumption and Patio Service to be Located at Altar Spirits, 545 Camino de la Familia, Santa Fe.

Committee Review:

Liquor Hearing: 07/12/21

Governing Body: 07/28/21

- f. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Altar Spirits, LLC. 1715A W. Alameda Street, Santa Fe, for the Following: (Geralyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)
1. Pursuant to §60-6B-10 NMSA 1978, Consideration of a Waiver of the 300 Foot Location Restriction to Allow the Sale of Alcohol at Altar Spirits, 545 Camino de la Familia, Santa Fe, which is within 300 Feet of the Camino de Paz Montessori Secondary School & Farm, 1607 Paseo de Peralta, Suite B, Santa Fe.
 2. If the Waiver of the 300 Foot Location Restriction is Granted, Consideration of a Request for a Wholesaler Liquor License to be Located at Altar Spirits, 545 Camino de la Familia, Santa Fe.

Committee Review:

Liquor Hearing: 07/12/21



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- g. CONSIDERATION OF RESOLUTION NO. 2021-____. (Councilwoman Villarreal)
A Resolution Authorizing the Sale and Consumption of Beer and Wine at the Montezuma Pocket Park for the Sky Railway Grand Opening on September 3 and 4, 2021, Pursuant to Section 23.6.2(A) SFCC 1987. (Geraldyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov, 955-6519)

Committee Review:

Introduced: 07/14/21
Finance Committee: 07/19/21
Quality of Life Committee: 07/21/21
Governing Body: 07/28/21

- h. CONSIDERATION OF RESOLUTION NO. 2021-___. (Councilor Lindell)
A Resolution Authorizing the Consumption of Alcohol During a Wine Tasting Event Produced by the Santa Fe Wine and Chile Fiesta, a Non-Profit Organization, on City Property During a Friday in September, for the Years 2021-2024, Pursuant to Subsection 23-6.2(C) SFCC 1987. (Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov, 955-6518)

Committee Review:

Finance Committee: 07/19/21
Quality of Life Committee: 07/21/21
Governing Body: 07/28/21

- i. Request for Approval of Acceptance of FAA Grant SAF 3-35-0037-054-2021 in the Amount of \$607,296 for the Runway 2 Safety Area Grading Improvement Project. (Mark Baca, Airport Manager, mdbaca@santafenm.gov, 955-2901)
1. Request for Approval of BAR to Budget Grant Funding of \$607,296.

Committee Review:

Finance Committee: 07/19/21
Public Works and Utilities Committee: 07/26/21
Governing Body: 07/28/21

- j. Request for Approval for Award of Bid '21/37/B for the City Wide Water Utility Construction & Repair Price Agreement CIP # 3057 with Sub Surface



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Contracting, Inc. and A.A.C Construction, LLC for \$250,000 Exclusive of NMGR to Each Contractor, Per Fiscal Year. (Bill Huey, Engineer, bchuey@santafenmgov, 955-4273) 1. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$542,188 from the Water Enterprise Fund Cash Balance to the Water CIP Fund for FY 2022.

Committee Review:

Public Works and Utilities Committee: 07/12/2021

Finance Committee: 07/19/2021

Governing Body: 07/28/2021

- k. Request for Approval of Service Agreement in the Total Amount of \$1,444,526.87 to Replace Ft. Marcy Roof and Skylights; First Mesa Construction, Inc. (Caryn Grosse, Project Administrator, clgrosse@santafenm.gov, 955-5938)

Committee Review:

Public Works and Utilities Committee: 07/12/21

Finance Committee: 07/19/21

Governing Body: 07/28/21

- l. Request for Approval of Fiscal Year 2022 Grant Contract in the Total Amount of \$81,902 for the Foster Grandparent and Retired Senior Volunteer Programs; Corporation for National and Community Service. (Anya Alarid, Volunteer Program Manager; aalarid@santafenm.gov, 955-4744)

Committee Review:

Finance Committee: 07/19/2021

Quality of Life: 07/21/2021

Governing Body: 07/28/2021

- m. CONSIDERATION OF RESOLUTION NO. 2021-___. (Mayor Webber)
A Resolution Requesting Approval of Fourth Quarter Budget Amendments and Associated New Mexico Department of Finance and Administration/Local Government Division (DFA/GD) Schedule for Fiscal Year 2020/2021. (Andy Hopkins, Acting Budget Officer, ajhopkins@santafenm.gov, 955-6177)

Committee Review

Introduced: 07/14/21

Finance Committee: 07/19/21

Public Works Committee: 07/26/21



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- n. Request for Approval of Amendment No. 1 to the Santa Fe Civic Housing Authority's Country Club Apartments Rehabilitation Project to Extend the Term of Performance through June 30, 2022. (Alexandra Ladd, Director of Office of Affordable Housing; agladd@santafenm.gov, 505-303-9868).

Committee Review:

Finance Committee: 07/19/2021

Quality of Life Committee: 07/21/2021

Public Works and Utilities Committee: 07/26/2021

Governing Body: 07/28/2021

- o. Request for Approval of Contract Amendment No. 1 to the New Mexico Coalition to End Homelessness – Early Intervention Project Contract to Extend the Term of Performance through June 30, 2022 and Increase the Amount of Compensation by \$250,000 for a Total Contract Amount of \$430,000. (Alexandra Ladd, Director of Office of Affordable Housing; agladd@santafenm, 505-303-9868). **Committee Review:**

Finance Committee: 07/19/2021

Quality of Life Committee: 07/21/2021

Public Works and Utilities Committee: 07/26/2021

Governing Body: 07/28/2021

- p. Request for Approval of Emergency Procurement of Consuelo's Place/NMCEH Midtown Shelter in the Amount of \$965,000 to Cover 12 Months of Operations through June 30, 2022. (Alexandra Ladd, Director of Office Of Affordable Housing; agladd@santafenm.gov, 505-303-9868)

Committee Review:

Finance Committee: 07/19/2021

Quality of Life Committee: 07/21/2021

Public Works and Utilities Committee: 07/26/2021

Governing Body: 07/28/2021

11. DISCUSSION/ACTION ITEMS

- a. Request for the Approval of an On-Call Service Contract with National Roofing, with Total Compensation in the Amount of \$1,000,000 Plus NMGR that will Expire on June 30, 2023 for Miscellaneous Roofing Services



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throughout City Facilities, National Roofing, Inc. (Sam Burnett, Facilities Division Director, jsburnett@santafenm.gov, 505-955-5933)

Committee Review:

Public Works and Utilities Committee: 07/26/21

Governing Body: 07/28/21

- b. Request for Approval of Amendment No. 2 to On-Call Service Contract with Davenport Construction Management, Increasing Compensation in the Amount of \$1,000,000 to a New Total of \$1,250,000 Plus NMGRT that will Expire on June 30, 2023 for Fire Safety, Monitoring and Improvement Services throughout City Facilities, Davenport Construction Management, Inc. (Sam Burnett, Facilities Division Director, jsburnett@santafenm.gov, 955-5933)

Committee Review:

Public Works and Utilities Committee: 07/26/21

Governing Body: 07/28/21

- c. Request for the Approval of Amendment No. 2 to On-Call Service Contract with American Fire Protection Group, Increasing Compensation in the Amount of \$1,000,000 to a New Total of \$1,418,742.81 Plus NMGRT that will Expire on June 30, 2025 for Fire Safety, Monitoring and Improvement Services throughout City Facilities, American Fire Protection Group, Inc. (Sam Burnett, Facilities Division Director, jsburnett@santafenm.gov, 955-5933)

Committee Review:

Public Works and Utilities Committee: 07/26/21

Governing Body: 07/28/21

- d. Request for Approval of Amendment No. 1 to the Global Management Performance Contract (Munis Contract No. 3202498) with Dalkia Energy Solutions LLC, for the City of Santa Fe Streetlight Conversion and Maintenance to Incorporate the Specifications of the Community Guided Lighting Design. (Regina Wheeler, Public Works Department Director, rawheeler@santafenm.gov, 955-6622)

Committee Review:

Public Works & Utility Committee: 07/26/21

Governing Body: 07/28/21



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- e. Decision to Accept or Reject the City Attorney Office's Recommendation Concerning Case Number #2021-3812; Concurring with the Land Use Director's Determination that an Appeal Filed by Julia Hosford Barnes of a Short-Term Rental Permit Denial for 322 Otero Street Does Not Conform with the Requirements of the Santa Fe City Code and Should be Denied Without a Board of Adjustment Hearing. (Michael Prinz, Assistant City Attorney, mnprinz@santafenm.gov, 955-6554)

Committee Review:

Governing Body: 07/28/21

- f. Request for Approval of Contract Amendment to the Housing Trust Mortgage Reduction Assistance Contract (19/24/P) to Extend the Term of Performance Through June 30, 2022 and Increase the Amount of Compensation by \$200,000 for a Total Contract Amount of \$357,500. (Alexandra Ladd, Director of Office of Affordable Housing; agladd@santafenm.gov, 505-303-9868).

Committee Review:

Governing Body: 07/28/21

- g. Request for Approval of Contract Amendment to the Homewise Homeownership Services Contract (RFP 18/54/P) to Extend the Term of Performance through June 30, 2022 and Increase the Amount of Compensation by \$190,000 for a Total Contract Amount of \$380,000. (Alexandra Ladd, Director of Office of Affordable Housing; agladd@santafenm.gov, 505-303-9868).

Committee Review:

Governing Body: 07/28/2021

- h. Request for Approval of Contract Amendment to the Housing Trust Homeownership Services Contract (RFP 18/54/P) to Extend the Term of Performance through June 30, 2022 and Increase the Amount of Compensation by \$110,000 for a Total Contract Amount of \$220,000. (Alexandra Ladd, Director of Office of Affordable Housing; agladd@santafenm.gov, 505-303-9868)

Committee Review:

Governing Body: 07/28/2021



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- i. **Request to Publish Notice of Public Hearing on August 11, 2021.**
Public Comment and Approval of Amendment No. 2 to the 2019 Annual Action Plan. (Alexandra Ladd, Director of Office of Affordable Housing; agladd@santafenm.gov, 505-303-9868).

Committee Review:

Governing Body: 07/28/2021

- j. **Request to Publish Notice of Public Hearing on August 25, 2021.**
Consideration of Bill No. 2021-16. An Ordinance Relating to the Campaign Code; Amending Section 9-2.3 SFCC 1987 to Amend the Definition of a “Political Committee” to Include a Threshold Amount for Reporting Contributions; Amending Section 9-2.6 to Increase the Aggregate Expenditure Amount Requiring Reporting to Five Hundred Dollars and to Exempt Aggregate Contribution Amounts of Less Than Twenty-Five Dollars From Separate Reporting Requirements; Amending Section 9-2.7 to Make Necessary Changes Regarding References to a “Political Committee”; and Amending Section 9-2.11 to Exempt Aggregate Contribution Amounts of Less Than Twenty-Five Dollars From Separate Reporting Requirements. (Councilor Romero-Wirth and Councilor Garcia) (Marcos Martinez, Senior Assistant City Attorney: mdmartinez@santafenm.gov, 955-6502)

Committee Review:

Introduced: 06/30/21

Governing Body (Request to Publish): 07/28/21

Finance Committee: 08/02/21

Quality of Life Committee: 08/4/21

Governing Body (Public Hearing): 08/25/21

12. **MIDTOWN OVERVIEW**

- a. Midtown Planning & Development Bi-Weekly Report, by Office of Economic Development Department. (Rich Brown, Director, Community & Economic Development Department, rdbrown@santafenm.gov, 955-6625) **INFORMATION ONLY**

Progress Report: Update

Presenter: Daniel Hernandez, Proyecto, Midtown Redevelopment Project Manager



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13. **MATTERS FROM THE CITY MANAGER**

14. **MATTERS FROM THE CITY ATTORNEY**

EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Parts (H)(7) and (H)(8), Attorney-Client Privileged Quarterly Discussion of Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Party, Including but Not Limited to *AFSCME v. City of Santa Fe*, PELRB Case #106-20 and *Union Protectiva de Santa Fe v. City, et al.*, D-101-CV-2021-01373; and Discussion of the Disposal of Water Rights by the City to the County as Part of a Cost-Sharing Agreement for the County's Use of the City's Intended San Juan Chama Pipeline Project. (Erin K. McSherry, City Attorney; ekmchsherry@santafenm.gov, 955-6512)

15. **EXECUTIVE SESSION ACTION ITEMS**

- a. Request for Approval of County Partnership in the San Juan Chama Return Flow Project. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309 and Marcos Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)

Committee Review:

Public Works and Utilities Committee: 06/07/2021

Finance Committee: 06/21/2021

Governing Body: 06/30/2021

Governing Body: 07/28/2021

16. **MATTERS FROM THE CITY CLERK**

17. **COMMUNICATIONS FROM THE GOVERNING BODY**

- a. Introduction of Legislation – July 28, 2021

EVENING SESSION - 7:00 P.M.

18. **ROLL CALL**

19. **PETITIONS FROM THE FLOOR**



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- a. Petitions From the Floor Regarding Reasonable Limitations on the Operations of Cannabis Establishments, such as Density and Operating Hours; the Permitting of Recreational Cannabis Consumption Areas; the Use of Cannabis Tax Revenues; and Any other Matters Relevant to the City's Ability to Regulate or Benefit from Recreational Cannabis.
- b. All Other Petitions from the Floor.

20. APPOINTMENTS

- a. City Historian (Pauline Kamiyama, Arts Commission Division Director, pkkamiyama@santafenm.gov, 955-6653)
 - Valerie Rangel – Appointment – Term Ending 6/2022
- b. City's Poet Laureate (Pauline Kamiyama, Arts Commission Division Director, pkkamiyama@santafenm.gov, 955-6653)
 - Daryl Wellington – Appointment – Term Ending 6/2022
- c. Airport Advisory Board (Mark Baca, Airport Manager, mdbaca@santafenm.gov, 955-2901)
 - Kevin Egan – Reappointment – Term Ending 02/2024
 - Randal Limbacher – Appointment – Term Ending 02/2024

21. PUBLIC HEARINGS

- a. CONSIDERATION OF BILL NO. 2021-14. (Councilor Lindell and Mayor Webber)
An Ordinance Amending Section 23-6.2 SFCC 1987 to Remove the Six-Month Minimum Lease Duration for the Sale and Consumption of Alcohol on City Property. (Randy Randall, TOURISM Santa Fe Executive Director: rrandall@santafenm.gov, 955-6209; Rich Brown, Community and Economic Development Department Director: rdbrown@santafenm.gov, 955-6625; Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov, 955-6518)

Committee Review:

Introduced: 5/12/21



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Quality of Life Committee: 6/16/21
Public Works and Utilities Committee: 06/28/21
Governing Body (Request to Publish): 06/30/21
Economic Development Advisory Committee: 7/14/21
Governing Body (Public Hearing): 07/28/21

22. **ADJOURN**

23. **UPCOMING PUBLIC HEARINGS**

- a. **CONSIDERATION OF BILL NO 2021-15. (Mayor Webber)**
An Ordinance Authorizing the Issuance and Sale of the City of Santa Fe, New Mexico Subordinate Lien Gross Receipts Tax Refunding Revenue Bonds, Series 2021 in an Aggregate Principal Amount not to Exceed \$14,745,000 for the Purpose of (1) Refunding, Discharging and Paying the City of Santa Fe, New Mexico Subordinate Lien Gross Receipts Tax Refunding Revenue Bonds, Series 2010B and Maturing On and After June 1, 2022; (2) Refunding, Discharging and Paying the City of Santa Fe, New Mexico Gross Receipts Tax Improvement and Refunding Revenue Bonds, Series 2012A and Maturing On and After June 1, 2022; and (3) Paying Costs of Issuance of the Series 2021 Bonds; Calling for the Redemption of the Outstanding Series 2010B Bonds and Series 2012A Bonds; Providing that the Bonds Will be Payable and Collectible from Certain Gross Receipts Tax Revenues Distributed to the City; Approving the Selection of an Underwriter and Forms of a Preliminary Official Statement and a Paying Agent Registrar and Depositary Agent Agreement; Delegating Authority to the Mayor or, in the Mayor's Absence, the City Manager or Finance Director, to Approve the Final Principal Amount, Interest Rates and Other Details of the Bonds Within the Parameters Set Forth in this Authorizing Ordinance, and to Execute and Deliver a Bond Purchase Agreement for the Sale of the Bonds to the Underwriter; Proving for the Collection of Certain Gross Receipts Tax Revenues; Approving Certain Other Agreements and Documents in Connection with the Bonds; Ratifying Action Previously Taken in Connection with the Bonds; Repealing all Ordinances in Conflict Herewith; and Related Matters. (Mayor Webber) (Brad Fluetsch, Planning and Investment Officer: bjfluetsch@santafenm.gov, 955-6885)

Committee Review:

Introduced: 06/30/21
Governing Body (request to publish): 07/14/21
Finance Committee: 07/19/21
Public Works and Utilities Committee: 07/26/21
Governing Body (public hearing): 08/11/21

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been considered prior to 11:30 p.m. and the Governing Body does not vote to extend the meeting, such



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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.