



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
AUGUST 11, 2021
5:00 PM
ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR GOVERNING BODY MEETING

Attendance: In response to the risks identified in the State's declaration of a Public Health Emergency and the Mayor's Proclamation of Emergency and the emergency orders issued to reduce those health risks, 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/91736936822?pwd=YjZ6Ukc2TkUwVjJiN21PaGI0MWN5Zz09>. **Passcode: 533669**



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
AUGUST 11, 2021
5:00 PM
ATTEND VIRTUALLY

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: 917 3693 6822 - Passcode: 533669**

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 Rivera

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

Councilor Cassutt

4. **INVOCATION**

Councilor Lindell

5. **ROLL CALL**
6. **APPROVAL OF AGENDA**
7. **APPROVAL OF CONSENT CALENDAR**
8. **APPROVAL OF MINUTES**
 - a. Regular Governing Body Meeting – July 28, 2021

9. **PRESENTATIONS**



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
AUGUST 11, 2021
5:00 PM
ATTEND VIRTUALLY

- a. COVID-19 Update. (Jarel LaPan Hill, City Manager, japanhill@santafenm.gov, 955-6848 and Kyra Ochoa, Community Health and Safety Director, krochoa@santafenm.gov, 955-6603) **INFORMATION ONLY**

10. CONSENT CALENDAR

- a. Request for the Approval of Budget Amendment Resolution and Memorandum of Understanding (MOU)- Agreement between Santa Fe County and the City of Santa Fe for the Local DWI Grant Fund in the Total Amount of \$40,000; Santa Fe County. (Thomas Grundler, Lieutenant; tjgrundler@santafenm.gov, 955-5359)

Committee Review:

Finance Committee: 08/02/2021

Quality of Life Committee: 08/04/2021

Governing Body Committee: 08/11/2021

- b. CONSIDERATION OF RESOLUTION NO.2021-___. (Mayor Webber)
A Resolution Authorizing the Assignment of Authorized Officer(s) and Agent(s) for Project Number CWSRF 088. (Melissa McDonald, Acting Parks Division Director: mdmcdonald@santafenm.gov, 955-6840)

Committee Review:

Introduced: 07/14/21

Finance Committee: 08/02/21

Public Works and Utilities Committee: 08/09/21

Governing Body: 08/11/21

- c. Request for Approval of Memorandum of Agreement between Santa Fe Public Schools and the City of Santa Fe in the Amount of \$195,000 for School Cross Guard Program for Four (4) School Years; Santa Fe Public Schools. (Regina Wheeler, Public Works Director, rawheeler@santafenm.gov, 955-6622)

Committee Review:

Finance Committee: 08/02/2021

Public Works & Utilities Committee: 08/09/2021



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
AUGUST 11, 2021
5:00 PM
ATTEND VIRTUALLY

Governing Body: 08/11/2021

- d. Request for Approval of a Professional Services Agreement for a Total Amount of \$252,478 for a Four (4) Year Sole Source Contract to United Way of Central New Mexico to Operate a 2-1-1 Call Center in Santa Fe City and County. (Julie Sanchez, Youth and Family Service Division Director, jjsanchez@santafenm.gov; 955-6678)

Committee Review:

Finance Committee: 08/02/2021

Quality of Life Committee: 08/04/2021

Governing Body: 08/11/2021

- e. Request for Approval of Resolution, Cooperative Agreements, and Budget Adjustment Request (BAR) for CIP 853C Agua Fria / South Meadows Intersection Improvements Project Funding. (Thomas Graham, ADA Coordinator, tmgraham@santafenm.gov, 955-6654)
 1. CONSIDERATION OF RESOLUTION NO. 2021-___. (Councilor Rivera and Councilor Abeyta)

A Resolution Accepting A Municipal Arterial Program (“MAP”) Cooperative Agreement Identified as Control Number L500473; and Accepting a Local Government Road Fund (“LGRF”) Cooperative Agreement Identified as Control Number L500444 from the New Mexico Department of Transportation (“NMDOT”) for the Planning, Design, Construction, Reconstruction, Pavement Rehabilitation, Construction Management, Drainage, Traffic Signal Improvements, and Miscellaneous Improvements of CIP 853C – Agua Fria and South Meadows Road Intersection Improvements Project.
 2. Request for Approval of a Municipal Arterial Program Cooperative Agreement (Munis Contract # 3202845) with the NMDOT in the Amount of \$124,444 for Planning, Design, Construction, Reconstruction, Pavement Rehabilitation, Construction Management, Drainage and Miscellaneous Improvements of CIP 853C – Agua Fria and South Meadows Road Intersection Improvements Project.
 3. Request for Approval of a Local Government Road Fund Cooperative Agreement (Munis Contract #3202844) with the NMDOT in the Amount of \$75,833 for the Reconstruction, Pavement Rehabilitation/Improvements, Traffic Signal Improvements



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
AUGUST 11, 2021
5:00 PM
ATTEND VIRTUALLY

and Miscellaneous Improvements of CIP 853C – Agua Fria and South Meadows Road Intersection Improvements Project.

4. Request for Approval of Budget Adjustment Request (BAR) to Budget NMDOT Grant Funding Into WIP Construction (ORG / OBJ - 3309980.572970) in the Amount of \$150,208.

Committee Review:

Finance Committee: 08/02/2021

Public Works and Utilities Committee: 08/09/2021

Governing Body: 08/11/2021

- f. Request for Approval of FY22 Police Vehicle Purchase Request in the Total Amount of \$1,155,371.32 for the Vehicles, Equipment, and Labor Costs Associated with Each Vehicle. (Ben Valdez, Deputy Chief of Police, bpvaldez@santafenm.gov, 955-5040)

Committee Review:

Finance Committee: 8/02/2021

Quality of Life Committee: 8/04/2021

Governing Body Committee: 8/11/2021

- g. Request for Approval of Amendment No. 2 to Professional Services Agreement in the Amount of \$150,000 to Provide Services to Examine Internal Controls; REDW LLC. (Alexis Lotero, Assistant Finance Director, aclotero@santafenm.gov, 955-6137)

Committee Review:

Finance Committee: 8/02/2021

Quality of Life Committee: 8/04/2021

Governing Body: 8/11/2021

- h. CONSIDERATION OF RESOLUTION NO. 2021-___. (Councilor Cassutt and Councilor Lindell)
A Resolution Approving the Design and Installation Plan for Banners Supporting the Food Depot's Tenth Annual "Neighbor to Neighbor Fund Drive". (Jesse Guillen, Legislative Liaison; jbguillen@santafenm.gov, 955-6518)

Committee Review:

Introduced: 07/28/21



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
AUGUST 11, 2021
5:00 PM
ATTEND VIRTUALLY

Quality of Life Committee: 08/04/21
Public Works and Utilities Committee: 08/09/21
Governing Body: 08/11/21

- i. Request Approval of Amendment No. 2 to the 2019 Annual Action Plan, Required by the U.S. Department of HUD that Describes Proposed Uses of CARES Act Funding in the Amount of \$581,333. (Alexandra Ladd, Director, Office of Affordable Housing, agladd@santafenm.gov, 505-303-9868) **Committee Review:**
Finance Committee: 08/02/2021
Quality of Life Committee: 08/04/2021
Public Works Committee: 08/09/2021
Governing Body: 08/11/2021

- j. **Request to Publish Notice of Public Hearing on September 8, 2021.**
Consideration of Bill No. 2021-17. An Ordinance Authorizing the City of Santa Fe (“Borrower”) to Enter into a Loan Agreement with the New Mexico Environment Department (“NMED”) for the Purpose of Obtaining Project Loan Funds up to the Amount of \$4,000,000 Plus Accrued Interest and Loan Subsidy Grant Funds in the Amount of \$180,000 for Total Funded Amount not to Exceed \$4,180,000; Designating the Use of the Funds for the Purpose Defined in the Most Current Project Description Form as Approved by NMED; Declaring the Necessity for the Loan; Providing that the Loan Will be Payable and Collectible Solely from the Borrower’s Pledged Revenues Defined Below; and Prescribing Other Details Concerning the Loan and the Security Therefore. (Mayor Webber) (Melissa McDonald, Acting Parks Division Director: mdmcdonald@santafenm.gov, 955-6840)

Committee Review:
Introduced: 07/14/21
Finance Committee: 08/02/21
Public Works and Utilities Committee: 08/09/21
Governing Body (Request to Publish): 08/11/21
Governing Body (Public Hearing): 09/08/21

11. DISCUSSION/ACTION ITEMS

- a. CONSIDERATION OF RESOLUTION NO. 2021-___. (Councilor Villarreal)



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
AUGUST 11, 2021
5:00 PM
ATTEND VIRTUALLY

A Resolution Authorizing the Sale and Consumption of Beer and Wine at the Montezuma Pocket Park for a Celebration of George R.R. Martin's Birthday on September 18 and 19, 2021, Pursuant to Section 23-6.2(C) SFCC 1987.

(Geraldyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov, 955-6519)

Committee Review:

Introduced: 08/02/21

Governing Body: 08/11/21

- b. Approval of Two (2) Easement Agreements Between Santa Fe County and the City of Santa Fe; for Permanent Trail, Open Space and Flood Control Within a Portion of the Richards Avenue Extension Right-of-Way and for Photovoltaic Facilities for Buckman Booster Station #4. (Zoe Isaacson, Project Administrator, zrisaacson@santafenm.gov, 955-6853 and Caryn Grosse, Project Administrator, clgrosse@santafenm.gov, 955-5938)

Committee Review:

Public Works & Utilities Committee: 08/09/2021

Governing Body: 08/11/2021

- c. Request for Approval of a Budget Amendment Request in the Amount of \$2,990,000 to Address Critical Road Rehabilitation Needs Throughout the City of Santa Fe. (Mark Brooks, Streets Public Works Administrator, mebrooks@santafenm.gov, 955-0000)

Committee Review:

Public Works and Utilities Committee: 07/26/2021

Governing Body: 08/11/2021

- d. Request Approval of Budget Adjustment Request (BAR) in the Amount of \$750,000 to Purchase a Plow and Sweeper to Maintain Cerrillos Road and St. Michael's Drive for which the City Assumed Maintenance Responsibilities in August 2021. (Thomas Martinez, Acting Streets Division Director, tamartinez@santafenm.gov, 955- 2006)

Committee Review:

Governing Body: 08/11/2021

- e. Request for Approval of County Partnership in the San Juan Chama Return Flow Project. (Jesse Roach, Water Division Director,



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
AUGUST 11, 2021
5:00 PM
ATTEND VIRTUALLY

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 (Postponed)

Governing Body: 08/11/2021

- f. Request for Approval of Budget Adjustment Request (BAR) in the Amount of \$136,059 for the Dawson Park Project. (Melissa McDonald, Interim Parks Division Director, mamcdonald@santafenm.gov, 303-9502)

Committee Review:

Public Works & Utilities: 08/09/2021

Governing Body: 08/11/2021

- g. CONSIDERATION OF RESOLUTION NO. 2021-___. (Mayor Webber)
A Resolution Extending the Emergency Proclamation Declared by the Mayor on August 9, 2021, by Forty-Seven Days, Expiring at Noon on September 27, 2021, Pursuant to Section 20-1.3(C) SFCC 1987. (Erin K. McSherry, City Attorney: ekmcsberry@santafenm.gov, 955-6961)

- h. **Request to Publish Notice of Public Hearing on September 9, 2021.**
Consideration of Bill No. 2021-18. An Ordinance Removing Section 20-6 Relating to Marijuana and Marijuana Paraphernalia Possession. (Mayor Webber) (Kyle Hibner, City Prosecutor: kjhibner@santafenm.gov, 955-5195)

Committee Review:

Introduced: 07/28/21

Governing Body (request to publish): 8/11/21

Finance Committee: 08/16/21

Public Safety Committee: 09/17/21

Quality of Life Committee: 08/18/21

Governing Body (public hearing): 09/08/21

12. **MIDTOWN OVERVIEW**



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
AUGUST 11, 2021
5:00 PM
ATTEND VIRTUALLY

- 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**

Information Presentation Topic: July Planning Session Debrief Report
Presenters: Daniel Hernandez, Midtown Redevelopment Project Manager

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, Part (H)(7), Attorney-Client Privileged Discussion of *City of Santa Fe v. Purdue Pharma, et al.*, DNM No. 1:19-CV-01105. (Erin K. McSherry, City Attorney; ekmcsherry@santafenm.gov, 955-6512)

15. **EXECUTIVE SESSION ACTION ITEMS**

16. **MATTERS FROM THE CITY CLERK**

17. **COMMUNICATIONS FROM THE GOVERNING BODY**

EVENING SESSION - 7:00 P.M.

18. **ROLL CALL**

19. **PETITIONS FROM THE FLOOR**

20. **APPOINTMENTS**

21. **PUBLIC HEARINGS**

- a. CONSIDERATION OF RESOLUTION NO. 2021-___. (Councilor Rivera, Councilor Vigil Coppler, Councilor Romero-Wirth)
A Resolution Proclaiming Severe or Extreme Drought Conditions Exist in the City of Santa Fe; Imposing Fire Restrictions From August 11, 2021 to



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
AUGUST 11, 2021
5:00 PM
ATTEND VIRTUALLY

September 9, 2021; Restricting the Sale or Use of Fireworks Within the City of Santa Fe and Prohibiting Other Fire Hazard Activities. (Geronimo Griego, AIC Fire Marshal; ggriego@santafenm.gov, 955-3317)

Committee Review:

Introduced: 07/28/21

Quality of Life Committee: 08/04/21

Governing Body: 08/11/21

- b. CONSIDERATION OF BILL NO. 2021-14. ADOPTION OF ORDINANCE NO. 2021-____. (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

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

Governing Body (Public Hearing): 08/11/21

- c. CONSIDERATION OF BILL NO 2021-15. ADOPTION OF ORDINANCE NO. 2021-____. (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



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
AUGUST 11, 2021
5:00 PM
ATTEND VIRTUALLY

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. (Brad Fluetsch, Planning and Investment Officer: bjfleutsch@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

- d. 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

22. **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.



AGENDA

**REGULAR MEETING OF
THE GOVERNING BODY
AUGUST 11, 2021
5:00 PM
ATTEND VIRTUALLY**

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.