



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
JUNE 30, 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, the ban on public gatherings in excess of those permitted in the current Public Health Order, and the evolving technology supports available, the Governing Body meeting will be conducted in a hybrid manner, with members of the public and staff attending virtually and members of the Governing Body attending in City Hall, to the extent that their physical presence is not difficult or impossible.

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:



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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/91525298827?pwd=eHJZOEFEU21mZHQzZTdoa0RYZUxMQT09>. **Passcode: 719356**

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: 915 2529 8827 - Passcode: 719356**

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

AFTERNOON SESSION - 4:00 P.M.

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

Councilor Garcia

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

Councilor Rivera

4. **INVOCATION**

Councilor Cassutt

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

- a. Regular Governing Body Meeting – May 26, 2021
- b. Regular Governing Body Minutes – June 6, 2021



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9. PRESENTATIONS

- a. COVID-19 Update Pursuant to Resolution 2020-51. (Jarel LaPan Hill, City Manager, jlapanhill@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 Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Vivac Winerly, L.P. for the Following: (Gerald 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 Vivac Winery, 625 Canyon Road, Santa Fe, which is within 300 Feet of the Quaker Meeting House, SF Religious Society of Friends, 630 Canyon Road, Santa Fe.
 2. If the Waiver of the 300 Foot Location Restriction is Granted, Consideration of a Request for a Winegrower 3^d Offsite Location to be Located at Vivac Winery, 625 Canyon Road, Santa Fe.
- b. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from El Maria Bonita Restaurant, LLC for a Restaurant Liquor License (Beer and Wine), with On-Premise Consumption Only to be Located at El Maria Bonita, 3565 Cerrillos Road, Santa Fe. (Gerald Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)
- c. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from 4250 Group, LLC for a Restaurant Liquor License (Beer and Wine), with On-Premise Consumption Only to be Located at Flying Tortilla, 4250 Cerrillos Road, Santa Fe. (Gerald Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)
- d. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Markham Blankstein & Bottle, LLC, 1722 St.



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Michaels Dr., Suite F, 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 Liu Liu Liu, 1722 St. Michaels Dr., Suite F, Santa Fe, which is within 300 Feet of Milagro Middle School, 1720 Llano Street, Santa Fe.
 2. If the Waiver of the 300 Foot Location Restriction is Granted, Consideration of a Request for a Restaurant Beer and Wine Liquor License, with on Premise Consumption Only, to be Located at Liu Liu Liu, 1722 St. Michaels Dr., Suite F, Santa Fe.
- e. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Horno Restaurant LLC, for a Restaurant Liquor License (Beer and Wine), with On-Premise Consumption Only, to be Located at Horno Restaurant LLC, 85 & 95 W Marcy Street, Santa Fe. (Geralyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)
- f. Request for Approval of Volunteer Station Agreement with the Boys and Girls Club of Santa Fe, No Financial Responsibility, for the Foster Grandparent Program; Boys and Girls Club of Santa Fe. (Anya Alarid, Volunteer Program Manager: aalarid@santafenm.gov, 955-4744)

Committee Review:

Quality of Life Committee: 06/02/2021

Finance Committee: 06/21/2021

Governing Body: 06/30/2021

- g. Request Approval of Amendment No. 1 to Service Contract 20-0233 with American Fire Protection Group, Inc.; Increasing the Existing Contract in the Amount of \$63,274.06 Including NMGRT from \$271,093.75 to \$334,367.81 for Fire Monitoring, Inspections, Repair and Maintenance Services throughout City Facilities. (Caryn Grosse, Facilities Project Administrator, clgrosse@santafenm.gov, 955-5938)

Committee Review:

Finance Committee: 06/21/2021

Public Works and Utilities Committee: 06/28/2021

Governing Body: 06/30/2021



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- h. Request for Approval of a State of New Mexico Children, Youth and Families Department (CYFD) Amendment No. 1 to CYFD Agreement No. 21-690-3200-20846, City Contract #21-20846, to Update the Scope of Work to Reflect Updated Language, Update the Budget to Reflect Funding Information for Juvenile Justice Alternative to Detention Programs. (Julie Sanchez, Youth and Family Services Division Director, jjsanchez@santafenm.gov, 505-955-6678)

Committee Review:

Quality of Life Committee: 06/16/2021

Finance Committee: 06/21/2021

Governing Body: 06/30/2021

- i. CONSIDERATION OF RESOLUTION NO. 2021-___. (Mayor Webber, Councilor Romero-Wirth, Councilor Cassutt)
A Resolution Relating to Income Disparity and Inequity; Authorizing the Execution of a Memorandum of Understanding with Mayors for a Guaranteed Income and the Santa Fe Community College to Assist with Launching a Pilot Project to Support Young Parents Enrolled at the Santa Fe Community College, and to Build Support for a Guaranteed Income in the City of Santa Fe. (Julie Sanchez, Youth and Family Services Division Director: jjsanchez@santafenm.gov, 955-6678)

Committee Review:

Introduced: 06/09/21

Quality of Life Committee: 06/16/21 (discussed)

Finance Committee: 06/21/21

Public Works and Utilities Committee: 06/28/21

Governing Body: 06/30/21

- j. Request for the Approval of the Amendment No. 1 to Contract 19-0822 to Increase Amount by \$17,500.00 in the Total Amount of \$147,465.65 and Extend the Term from June 30, 2021 to June 30, 2022. (Porfirio Chavarria; pnychavarria@santafenm.gov; 505-955-3119)

Committee Review:

Quality of Life Committee: 06/16/2021

Finance Committee: 06/21/2021

Governing Body: 06/30/2021



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- k. Request for Approval of RFP #21/32/P the Total Amount of \$1,140,308 for Utility Bill Prints, Postage and Insert Information, for 4 years; Valli Information Systems Inc., DBA Postal Pros Southwest; (Nancy L Jimenez, Utility Billing Division Director, nljimenez@santafenm.gov, 505-955-4364)
Committee Review:
Public Works and Utilities Committee: 06/07/2021
Finance Committee: 06/21/2021
Governing Body: 06/30/2021
- l. Request for Approval of Sole Source Procurement for Project Management, Application Support and Technical Support for 4 years with Mountain River Consulting Inc. in the Total Amount of \$1,422,000. (Nancy L Jimenez, Utility Billing Division Director: nljimenez@santafenm.gov, 505-955-4364)
Committee Review:
Public Works and Utilities Committee: 06/07/2021
Finance Committee: 06/21/2021
Governing Body: 06/30/2021
- m. Request for Approval of Amendment #3 to PSA #19-0234 with Carollo Engineers, Inc. to Extend the Term for One More Year Through June 30, 2022.(William Schneider, Water Resources Manager: whschneider@santafenm.gov, 955-4203)
Committee Review:
Public Works and Utilities Committee: 06/07/2021
Finance Committee: 06/21/2021
Governing Body: 06/30/2021
- n. Request for Approval of County Partnership in the San Juan Chama Return Flow Project. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309; 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



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- o. Request for the Approval of Amendment No. 3 to the PSA with Vladimir Jones in the Total Amount of \$1,450,000 for Advertising Agency Services for Tourism Santa Fe for FY22. (Randy Randall, Tourism SF Director: rrandall@santafenm.gov, 505-966-6209)

Committee Review:

Public Works and Utilities Committee: 06/07/2021

Finance Committee: 06/21/2021

Governing Body: 06/30/2021

- p. CONSIDERATION OF RESOLUTION NO. 2021-___. (Councilor Vigil Coppler, Councilor Cassutt, Councilor Garcia, and Councilor Villarreal)
A Resolution Supporting the Tenth Annual Neighbor to Neighbor Fund Drive. (Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov, 955-6518)

Committee Review:

Introduced: 6/9/21

Quality of Life Committee: 06/16/21

Finance Committee: 06/21/21

Governing Body: 06/30/21

- q. CONSIDERATION OF RESOLUTION NO. 2021-___. (Mayor Webber, Councilor Vigil Coppler, Councilor Romero-Wirth)
A Resolution Donating Property Identified as 635 Alto Street and Resources to a Developer Qualified as a "Grantee" Under the New Mexico Affordable Housing Act for Development of at Least Five (5) Low-Priced Dwelling Units. (Alexandra Ladd, Office of Affordable Housing Director: agladd@santafenm.gov, 955-6346)

Committee Review:

Introduction: 06/09/21

Community Development Commission: 06/16/21

Quality of Life Committee: 06/16/21

Finance Committee: 06/21/21

Public Works and Utilities Committee: 06/28/21

Governing Body: 06/30/21

- r. Request for the Approval of Fiscal Year 2022 Grant Contract in the Total Amount of \$304,000 for the Foster Grandparent, Senior Companion, and



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Retired Senior Companion Volunteer Programs; State of New Mexico Aging and Long Term Services Department. (Anya Alarid, Volunteer Program Manager aalarid@santafenm.gov, 505-955-4744)

Committee Review:

Quality of Life Committee: 06/16/2021

Finance Committee: 06/21/2021

Governing Body: 06/30/2021

- s. Request Approval of Contract with the National Fitness Council, LP. in the Amount of \$195,560.94 Including NMGRT to Purchase Equipment Exclusive Keith Haring Artwork Fitness Equipment and Request Approval of BAR in the Amount of \$250,000.00 from Neighborhood Parks Impact Fees to Parks Construction for the Purchase and Installation of Fitness Equipment for SWAN Park. (Melissa McDonald, Acting Parks Division Director: mamcdonald@santafenm.gov, 955-6840)

Committee Review:

Finance Committee: 06/21/2021

Public Works and Utilities Committee: 06/28/2021

Governing Body: 06/30/2021

- t. Request for Approval of the Allocation for the 2021-2022 Affordable Housing Trust Fund (AHTF) and the Attached Contracts Awarded in Response to RFP #21/25/P Totaling \$1,225,000. (Alexandra Ladd, Director of Office of Affordable Housing: agladd@santafenm.gov 505-303-9868)

Committee Review:

Quality of Life Committee: 06/16/2021

Finance Committee: 06/21/2021

Governing Body: 06/30/2021

- u. Request Approval of 2021-2022 Community Development Block Grant (CDBG) Contracts Awarded in Response to RFP #21/24/P in the Amount of \$556,067, Plus Program Administration \$124,619. (Alexandra Ladd, Director of Office of Affordable Housing: agladd@santafenm.gov, 505-303-9868)

Committee Review:

Quality of Life Committee: 06/16/2021



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Finance Committee: 06/21/2021
Governing Body: 06/30/2021

- v. Request for the Approval of the Agreement for Animal Confinement, Care and Disposal Between the Santa Fe Animal Shelter and Human Society, Inc. and the City of Santa Fe in the Total Amount of \$529,231.80 for the Confinement, Care, Maintenance and Disposal of Stray and Impounded Animals for a Period of Three (3) Years from the Time of Approval by Both the City of Santa Fe and the Santa Fe Animal Shelter and Humane Society, Inc. (Ben Valdez, Deputy Chief of Police: bpvaldez@santafenm.gov, 955-5040).

Committee Review:

Public Safety Committee: 06/15/21
Quality of Life Committee: 06/16/21
Finance Committee: 06/21/21
Governing Body: 06/30/21

- w. Request for Approval to Submit for Review to the US Department of Justice, Office of Justice Programs, Certifications and Assurances by the Chief Executive of the Applicant Government. (Andrew Padilla, Chief of Police, Police Department, aapadilla@santafenm.gov, 955-5102)

Committee Review:

Public Safety Committee: 06/15/2021
Quality of Life Committee: 06/16/2021
Finance Committee: 06/21/2021
Governing Body: 06/30/2021

- x. Request for Approval of a Memorandum of Understanding (MOU) Munis Contract #3202749 Between the City, NMDOT, NCRTD and Santa Fe MPO Detailing the Responsibilities of Each Agency to Satisfy the Federal Transit Authorities Funding Process. (Erick Aune, MPO Officer, ejaune@santafenm.gov 505-330-8483)

Committee Review:

Finance Committee: 06/21/2021
Public Works and Public Utilities Committee: 06/28/2021
Governing Body: 06/30/21



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- y. Request for Approval of Amendment No. 4 to the Professional Service Agreement (PSA) with Certified Folder in the Amount of \$50,000 for Distribution of the Official Santa Fe Visitor's Guide for FY22. (Randy Randall, TOURISM Director, rrandall@santafenm.gov, 505-955-6209).

Committee Review

Finance Committee: 06/21/2021
Public Works and Utilities: 06/28/2021
Governing Body: 06/30/2021

- z. Request for Approval of Amendment #3 to PSA with Lou Hammond in the amount of \$125,000 for Public Relations Services for Tourism Santa Fe for FY22 (Randy Randall, TOURISM SF Director, rrandall@santafenm.gov, 955-6209)

Committee Review

Finance Committee: 06/21/2021
Public Works and Utilities: 06/28/2021
Governing Body: 06/30/2021

- aa. Request for Approval of Collective Bargaining Agreement Between the City of Santa Fe and Santa Fe Firefighter Association Local 2059 for July 2021 Through July 2024. (Paul Babcock, Fire Chief; prbabcock@santafenm.gov, 955-3110 and Brian Moya, Assistant Fire Chief; bjmoya@santafenm.gov, 955-3111) **Committee Review:**
Finance Committee: 06/21/2021
Public Works Committee: 06/28/2021
Governing Body: 06/30/2021

- ab. Request for Approval of the Collective Bargaining Agreement Between the City of Santa Fe and the Santa Fe Police Officers Association for FY22. Contract Includes Salary Increases in the Amount of \$423,039 for Sworn and Civilian Bargaining Unit Employees. (Ben Valdez, Deputy Chief of Police, bpvaldez@santafenm.gov, 955-5040)

Committee Review:

Public Safety Committee: 06/15/21
Quality of Life Committee: 06/16/21
Finance Committee: 06/21/21
Governing Body: 06/30/21



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- ac. Request for Approval of Amendment No. 3 to the Collective Bargaining Agreement Between the City of Santa Fe and Local 3999 City of Santa Fe Employees of the American Federation of State, County and Municipal Employees, Council 18, AFL-CIO. (Bernadette Salazar, Human Resources Director, bjsalazar@santafenm.gov, 505.955.6591)

Committee Review

Finance Committee: 06/21/2021
Public Works: 06/28/2021
Governing Body: 06/30/2021

- ad. **Request to Publish Notice of Public Hearing on July 28, 2021.**
Consideration of Bill No. 2021-14. 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. (Councilor Lindell and Mayor Webber) (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 and Jesse Guillen, Legislative Liaison: jbguillen@santafenm.gov, 955-6518)

Committee Review:

Introduced: 05/12/21
Quality of Life Committee: 06/16/21
Public Works and Utilities Committee: 06/28/21
Governing Body (request to publish): 06/30/21
Economic Development Advisory Committee: 07/14/21
Governing Body (public hearing): 07/28/21

- ae. Request for Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of \$1,000,000.00 from the 2018 Bond Premiums to be Used for the Santa Fe Train Depot Exterior Rehabilitation Project. (Sam Burnett, Interim Facilities Division Director, jsburnett@santafenm.gov, 505-795-2491)

Committee Review:

Finance Committee: 06/21/21
Public Works and Utilities Committee: 06/28/21
Governing Body: 06/30/21



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11. DISCUSSION/ACTION ITEMS

- a. Request for Approval of Budget Adjustment Resolution (BAR) in the Amount of \$725,000.00 from the 2018 Bond Premiums to be Used for the Genoveva Chavez Leisure Pool, the Main Library Elevators and Tennis Court and Pickle Ball Improvements at Select City Parks. (Sam Burnett, Interim Facilities Division Director, jsburnett@santafenm.gov, 505-795-2491)

Committee Review:

Public Works Committee: 06/28/2021

Governing Body: 06/30/2021

- b. Request for Approval of Budget Adjustment Request (BAR) to Move Funds for the Solar and Streetlighting Contracts into Budget Fund 315 (CIP Resources). (Javier Rosado, Engineering Division Director: jhrosado@santafenm.gov, 955-6631 and Caryn Grosse, Facilities Project Administrator: clgrosse@santafenm.gov, 955-5938)

Committee Review:

Public Works & Utilities – 06/28/2021

Governing Body – 06/30/2021

- c. List of Housing Proposals and Recommendations to be Considered in the Months Ahead, and their Respective Proposed Assignments to City Council Standing Committees, Pursuant to Resolution 2021-23, Which Established a Work Plan for Improving Access to Affordable Housing Opportunities for Residents of the City of Santa Fe. (Jarel LaPan Hill, City Manager, jlapanhill@santafenm.gov, 955-6848)

12. MIDTOWN OVERVIEW

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

Progress Report: Update

Presenter: Daniel Hernandez, Proyecto, Midtown Redevelopment Project Manager

13. MATTERS FROM THE CITY MANAGER



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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 Regarding Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Party, Including, But Not Limited to, Discussion Regarding City of Albuquerque et al v. Taxation and Revenue Department; and Union Protectoría de Santa Fé v. Mayor Alan Webber, in his Official Capacity, and the City of Santa Fe. (Erin K. McSherry, City Attorney; ekmcsherry@santafenm.gov, 955-6512)

15. MATTERS FROM THE CITY CLERK

16. COMMUNICATIONS FROM THE GOVERNING BODY

- a. Introduction of Legislation

EVENING SESSION - 6:00 P.M.

17. ROLL CALL

18. PETITIONS FROM THE FLOOR

19. APPOINTMENTS

- a. Veterans' Advisory Board
 - Brian Wempen – Appointment – Term 05/2023
 - Sylvia Gullingsrud – Appointment – Term 05/2023
 - Anna Vigil – Reappointment – Term Ending 05/2023
 - John Palamino – Reappointment – Term Ending 05/2023
 - Colonel James Williams – Reappointment – Term Ending 05/2023
 - Sigrid Hannah Mabel – Reappointment – Term Ending 05/2023
- b. Community Health and Safety Task Force
 - Annie Rasquin – Appointment – Term will Expire Upon Completion of Duties and Responsibilities



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PUBLIC HEARINGS

- a. Appeal #2021-3450-APPL of Case #2021-3185-HDRB. Appeal by Julia Burt of the Historic Districts Review Board's Decision to Impose Conditions of Approval on an Application to Install Two Gates Constructed of Oxidized Steel, Including a Pedestrian Gate and a Vehicular Gate, at 1299 Upper Canyon Road, in the Downtown and Eastside Historic District. (Sally A. Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

21.

ADJOURN

**Governing Body
SUMMARY INDEX
June 30, 2021**

ITEM	ACTION	PAGE
1. Call to Order	Convened at 4:06 p.m.	1
2. Pledge of Allegiance	Led by Councilor Garcia	1
3. Salute to the State Flag	Led by Councilor Rivera	1
4. Invocation	Led by Councilor Lindell	1
5. Roll Call	Quorum Present	1-2
6. Approval of Agenda	Approved as amended	2-3
7. Approval of Consent Calendar	Approved as amended	3
8. Approval of Minutes		
a) Regular Meeting on May 26, 2021	Approved	3
b) Regular Meeting on June 3, 2021	Approved	3
9. Presentations		
a) COVID-19 Update	Informational	3-5
10. Consent Calendar	Listed	6-25
e) Horno Restaurant License	Approved	7-8
f) Volunteer Station @ B/G Club	Approved	8
i) Guaranteed Income Project	Approved as amended	9-15
q) 1635 Alto Street	Approved	17-21
r) RSVP Program	Approved	21-22
s) SWAN Park Equipment	Approved	22-23
11. Discussion/Action Items		
a) 2018 Bond Premiums BAR	Approved	26-27
b) Funds for Solar & Streetlighting	Approved	27-29
c) Housing Projects Assignments	Informational	29-32
12. Midtown Overview	Presentation	44-48
13. Matters from the City Manager	Recommended closed session	48
14. Matters from the City Attorney	Recommendation	51
Executive Session	10:05 – 10:30	51-52
15. Matters from the City Clerk	Comments	49
16. Communications from Governing Body	Communicated	49-51
Evening Session	Began at 7:35	33
17. Roll Call	Quorum Present	33
18. Petitions from the Floor	Petitions made	33-34
19. Appointments		
a) Veterans' Advisory Board	Appointed as presented	34
b) Comm. Health/Safety Task Force	Appointed as presented	34-35
20. Public Hearings		
a) Appeal of HDRB Decision	Denied	35-44
21. Adjournment	Adjourned at 10:32 p. m.	53

**Minutes of the
Regular Meeting of the Governing Body
Wednesday, June 30, 2021
Hybrid 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, June 30, 2021, at approximately 4:06 p.m., at the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico as a hybrid meeting.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilor Garcia.

3. SALUTE TO THE NEW MEXICO FLAG

The Salute to the New Mexico Flag was led by Councilor Rivera.

4. INVOCATION

The Invocation was led by Councilor Lindell.

Councilor Villarreal remembered Irene Trujillo, grandmother of Tommy Trujillo. She lived in District 1. "She held out having her house when Harrison Road was getting developed and wanted to commend her for taking care of her children and being active in the community." She also remembered the life of Bennie "Benzo" Martinez III, who died too young, and his family would like him to be remembered for his youth mentoring and as teacher and wrestling coach. He was a mentor in many ways. He went to Warehouse 21 to mentor students and helped youth realize the supports around him. She sent condolences to his family.

Councilor Rivera remembered Eliseo, former Fire Chief and paramedic in the Santa Fe Fire Department. He made a significant change to emergency medical service. He was an EMT and moved up during his career to be Fire Chief and for a while, was City Manager.

Councilor Lindell remembered Ms. Pike. She was always at the register at Tortilla Flats and invited you to be friends. She made everyone feel they were a part of the City family. She was a very lovely person.

Councilor Vigil Coppler also gave condolences to the family of Melinda Pike. She was a court monitor at the City Court. She was a fancy dresser and had lots of class and very kind. She also expressed condolences to the Martinez family who were related as in-laws to her family. He was her nephew.

Mayor Webber offered prayers for a dear friend, Charles Padilla, who was a financial advisor, a unity-engaged individual. He took Mayor Webber in his pickup truck around Mora and northern New Mexico and shared Mora history. He was always concerned about our community, helping people, and reaching out between Santa Fe and northern New Mexico communities.

He remembered Dick Stolly who was editor at People Magazine and was a legend in the world of magazines.

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 Michael J. Garcia
Councilor Signe Lindell
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

Councilor Jamie Cassutt

Other Participants Attending Remotely

Jarel LaPan Hill, City Manager
Erin McSherry, City Attorney
Kristine Bustos-Mihelcic, City Clerk
Kyra Ochoa, Acting Community Health and Safety Director
Regina Wheeler, Public Works Department Director
Alexandra Ladd, Affordable Housing Director
Brian Williams, Emergency Management and Safety Director
Julie Sanchez, Youth and Family Services Division Director
Melissa McDonald, Acting Parks Division Director
Jesse Guillen, Legislative Liaison

Nicole Ramirez Thomas, HDRB Liaison
Rich Brown, Economic Development Director
Daniel Hernandez, Project Director at Proyecto LLC
Sally Paez, Assistant City Attorney
Andrew Padilla, Police Chief
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

Item 10(m) was removed from the agenda.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to approve the agenda as amended with item 10(m) removed.

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

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

Against: None.

7. APPROVAL OF CONSENT CALENDAR

Councilor Abeyta asked for Items f) and s) to be removed for discussion.

Councilor Garcia asked for Items i), q) and r) to be removed for discussion.

Councilor Lindell asked for Item e) to be removed for discussion.

Councilor Romero-Wirth asked for Item i) to be removed for an amendment.

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, to approve the Consent Calendar as amended with items (e), (f), (i), (q), (r), and (s) removed for discussion.

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

For: Mayor Webber, Councilor Abeyta, 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 – May 26, 2021

Councilor Villarreal/Councilor Lindell as is – unanimous.

MOTION: Councilor Villarreal moved, seconded by Councilor Lindell, to approve the minutes of May 26, 2021, as presented.

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

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

Against: None.

- b. Regular Governing Body Minutes – June 9, 2021

MOTION: Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve the minutes from June 9, 2021, as presented.

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

For: Mayor Webber, Councilor Abeyta, 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 Kyra Ochoa, Acting Community Health and Safety Director, krochoa@santafenm.gov, 955-6603)

INFORMATION ONLY

Manager LaPan Hill turned to Director Ochoa.

Director Ochoa said this is the last formal COVID report, but Staff will keep the Governing Body updated. We have reports from Police, Fire, HR and overall from the Department of Health. She acknowledged the incredible

teamwork that brought us to this point. We moved to remote quickly and managed the Midtown shelter and responded to Federal and State, mandates, provided direct services in Public Utilities, Public Works, Seniors, Fire and Police Departments. She thanked all Councilors for their support and thanked hospital partners and nonprofits and businesses for their sacrifices. Her biggest thanks were to the people of Santa Fe for all of their sacrifices, for taking the pandemic seriously, for wearing masks and getting vaccinated with 69% fully vaccinated. “We found we can work together to keep each other safe.”

Councilor Lindell wondered how the team got as much done as they did. It was amazing how the City came together; how people worked from home; how they kept up communications and thanks to everyone who had a fingerprint on it. And her colleagues all did their part. 87.3% are vaccinated. It was hard and we came through it.

Councilor Rivera thanked Staff, City Manager, and Director Ochoa for all their hard work on it. Councilor Cassutt deserves credit for getting information out to everyone. It is great to see these numbers and he was glad we are at a place when we can stop doing it.

Councilor Villarreal thanked Staff for taking it seriously and for State guidance also. She thanked Councilor Rivera and Councilor Cassutt for being persistent. She appreciated it all and was excited to see where we are now. It is nice to be able to see people in public. She asked on page 6 what the FEMA projects submitted for reimbursement are.

Director Williams said they put that detail in the report. FEMA projects included the shelter, city-wide DPT, Fire Dept 2, and for computers which FEMA denied but we were successful in having them reconsidered and we can still submit for more reimbursement. He explained that the funding is obligated but the City has not consummated the subgrant amendment. When the Biden administration came in, the federal share was raised from 75% to 100%. He is waiting for that change in the agreement and didn't want to keep coming back to the Governing Body with each amendment. So we are waiting until it is final to come back for approval.

Councilor Villarreal asked for further clarification on the administrative costs.

Director Williams explained the City is eligible for reimbursement of costs for managing the project worksheet process. However, his time was included in the CARES Act reimbursement so we cannot double dip.

Councilor Vigil Coppler thanked Staff for all of their work and the employees who came to work and who tried to stay home and make it work and to Veronica Garcia and her work in the schools. And our business community

to keep businesses open while complying with all emergency management rules. She regretted their loss of income, but they have endured and there is light at the end of tunnel now.

Councilor Garcia thanked the broader public for the actions they took. Even though there are variants out there, Santa Fe is not a high risk community. If we see a rise in cases, he asked if there are plans to cope with that. We know the pandemic is not completely over. He asked if the City Staff have plans, should a variant hit Santa Fe.

Director Ochoa agreed. We do have structures in place and CDC and the State are ready to address it. Ms. McSherry gives us guidance on all federal help and direction.

Mayor Webber added his appreciation for the reports and agreed we are not completely out of the woods, and we are seeing reports from hospitals, etc. Director Ochoa is part of the larger group keeping track of it and resultant behaviors on people long-term. He hoped someone would write up the tremendous work of this community. He also mentioned Manager LaPan Hill specifically who organized for coordination across departments and distribution of materials. Having served in Obama's administration, she is probably better prepared than any other City Manager in the US. He tipped his hat to her for making it possible for everyone else to do a remarkable job.

10. CONSENT CALENDAR

- a. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Vivac Winery, L.P. for the Following: (Geraldyn 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 Vivac Winery, 625 Canyon Road, Santa Fe, which is within 300 Feet of the Quaker Meeting House, SF Religious Society of Friends, 630 Canyon Road, Santa Fe.
 2. If the Waiver of the 300 Foot Location Restriction is Granted, Consideration of a Request for a Winegrower 3rd Offsite Location to be Located at Vivac Winery, 625 Canyon Road, Santa Fe.
- b. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from El Maria Bonita Restaurant, LLC for a Restaurant Liquor License (Beer and Wine), with On-Premises Consumption Only to be Located at El Maria Bonita, 3565 Cerrillos Road, Santa Fe. (Geraldyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)

- c. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from 4250 Group, LLC for a Restaurant Liquor License (Beer and Wine), with On-Premises Consumption Only to be Located at Flying Tortilla, 4250 Cerrillos Road, Santa Fe. (Geralyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)
- d. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Markham Blankstein & Bottle, LLC, 1722 St. Michaels Dr., Suite F, 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 Liu Liu Liu, 1722 St. Michaels Dr., Suite F, Santa Fe, which is within 300 Feet of Milagro Middle School, 1720 Llano Street, Santa Fe.
 - 2. If the Waiver of the 300 Foot Location Restriction is Granted, Consideration of a Request for a Restaurant Beer and Wine Liquor License, with on Premise Consumption Only, to be Located at Liu Liu Liu, 1722 St. Michaels Dr., Suite F, Santa Fe.
- e. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Horno Restaurant LLC, for a Restaurant Liquor License (Beer and Wine), with On-Premises Consumption Only, to be Located at Horno Restaurant LLC, 85 & 95 W Marcy Street, Santa Fe. (Geralyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)

Ms. Bustos-Mihelcic read the caption for this case which Councilor Lindell pulled for discussion.

Councilor Lindell commented a little about this license. It is just down the street and probably you know the owners, David and Heather Sellers. David has worked with youth through SFCC and Heather with Communities in Schools. It is a brave and commendable thing to open a restaurant at this time. He encouraged everyone to support people like this doing an enterprise in this City and doing a lot to get a location, licenses, etc. she offered to meet anyone who wants to meet there for a meal.

Councilor Rivera asked if she was treating, and Councilor Lindell said yes.

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to approve the license as requested.

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

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

Against: None.

- f. Request for Approval of Volunteer Station Agreement with the Boys and Girls Club of Santa Fe, No Financial Responsibility, for the Foster Grandparent Program; Boys and Girls Club of Santa Fe. (Anya Alarid, Volunteer Program Manager: aalarid@santafenm.gov, 955-4744)

Committee Review:

Quality of Life Committee: 06/02/2021

Finance Committee: 06/21/2021

Governing Body: 06/30/2021

Councilor Abeyta pulled this item in order to recuse himself. He left the chambers, having recused himself. Councilor Garcia also left the chambers, having recused himself.

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

MOTION: Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve the agreement with the Boys and Girls Club of Santa Fe, as presented.

Discussion on the Motion:

Councilor Vigil Coppler couldn't understand the connection with the Boys and Girls Club.

Ms. Anya Alarid explained that the extension of RSVP Grandparents mentor the students at the Boys and Girls Club.

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

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

Against: None. Councilor Abeyta and Councilor Garcia were not present for the vote.

Councilor Abeyta and Councilor Garcia returned to the bench after the vote.

- g. Request Approval of Amendment No. 1 to Service Contract 20-0233 with American Fire Protection Group, Inc.; Increasing the Existing Contract in the Amount of \$63,274.06 Including NMGRT from \$271,093.75 to \$334,367.81 for Fire Monitoring, Inspections, Repair and Maintenance Services throughout City Facilities. (Caryn Grosse, Facilities Project Administrator, clgrosse@santafenm.gov, 955-5938)
Committee Review:
 Finance Committee: 06/21/2021
 Public Works and Utilities Committee: 06/28/2021
 Governing Body: 06/30/2021
- h. Request for Approval of a State of New Mexico Children, Youth and Families Department (CYFD) Amendment No. 1 to CYFD Agreement No. 21-690-3200-20846, City Contract #21-20846, to Update the Scope of Work to Reflect Updated Language, Update the Budget to Reflect Funding Information for Juvenile Justice Alternative to Detention Programs. (Julie Sanchez, Youth and Family Services Division Director, jjsanchez@santafenm.gov, 505-955-6678)
Committee Review:
 Quality of Life Committee: 06/16/2021
 Finance Committee: 06/21/2021
 Governing Body: 06/30/2021
- i. CONSIDERATION OF RESOLUTION NO. 2021-34. (Mayor Webber, Councilor Romero-Wirth, Councilor Cassutt)
 A Resolution Relating to Income Disparity and Inequity; Authorizing the Execution of a Memorandum of Understanding with Mayors for a Guaranteed Income and the Santa Fe Community College to Assist with Launching a Pilot Project to Support Young Parents Enrolled at the Santa Fe Community College, and to Build Support for a Guaranteed Income in the City of Santa Fe. (Julie Sanchez, Youth and Family Services Division Director: jjsanchez@santafenm.gov, 955-6678)
Committee Review:
 Introduced: 06/09/21
 Quality of Life Committee: 06/16/21 (discussed)
 Finance Committee: 06/21/21
 Public Works and Utilities Committee: 06/28/21
 Governing Body: 06/30/21

This item was pulled for discussion by Councilor Lindell and Councilor Garcia.

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

MOTION: Councilor Garcia moved, seconded by Councilor Romero-Wirth, to approve the Resolution.

Discussion on the Motion:

Councilor Garcia said at the Public Works/Utilities Committee meeting we saw what 200% looked like. \$34,000 per year for a family of two is not astonishing but here in Santa Fe the cost of living is getting out of control. We need to set up systems to help people get out of poverty. He wanted to make sure we are not putting barriers in place and how it might impact those who are qualified for any benefit they currently receive, like Social Security. He asked if, when they register, they must report that additional income that might make them disqualified.

Director Ochoa said the answer is yes. That was the original thinking.

Director Sanchez said they thought about that from the beginning, and we looking at how other cities have put waivers in place, to not have this funding impacted. So we are attempting to put the waiver in place here. There is benefit counseling available to participants.

Councilor Garcia was glad to hear that. Regarding poverty guidelines, he asked if that was pretax or after tax, gross income or net income. Those are details we need to have clarified.

Director Ochoa replied that, in general, the poverty guidelines are for gross income, and Santa Fe will follow that guidance.

Councilor Garcia suggested it is good to include that in the workplan guiding this project, so we don't mislead anyone. The taxes taken out can be a great amount.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to amend the Resolution on page seven, line 14 and 15, to strike, "The City Lobbyist will promote a guaranteed income."

Discussion on the Motion:

Councilor Romero-Wirth pointed out that it was discussed at the Finance Committee meeting. Her concern was that we have a separate resolution that provides guidance to our City Lobbyist about the things we want him to be doing, which is completely focused on lobbying with the state legislature. She was not sure it was contemplating the lobbyist would go to Washington DC. Those things should be considered separately. We need to determine if our current lobbyist would be the most appropriate

person to do that. So she reasoned that using the City Lobbyist should be taken off the table for now and consider it later.

Mayor Webber explained that language was provided by the Conference of Mayors and that some cities do have a full-time federal lobbyist. So that cleans up something we don't intend to have.

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

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

Against: None.

MOTION: Councilor Garcia moved, seconded by Councilor Villarreal, to amend the Resolution on page 6, line 9, to strike "Mayor Webber and City" and insert "Governing Body."

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

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

Against: None.

MOTION: Councilor Garcia moved, seconded by Councilor Vigil Coppler, to amend the Resolution on page 7, striking lines 11-13.

Discussion on the Amendment:

Mayor Webber said if you study the history of the guaranteed income project, we have data and history on our side. He referenced President Nixon in the early 1970's. We have data on poverty and generational poverty and some of the country's leading advocates including the Rev. Martin Luther King and Robert F. Kennedy, who supported it.

Both Republicans and Democrats have advocated for a guaranteed income floor of those struggling to make ends meet and get them out of poverty. This project will provide further data. He is urging this as a federal policy, and he felt we will eventually be doing this. More than a dozen cities support it, and we are fortunate to be in a position to be one of them that are joined in this effort and advancing it as a national agenda

to people to get through the pandemic. Now is the time to put Santa Fe on record supporting this concept.

Councilor Romero-Wirth noted this pilot project was first done in California and it was quite successful.

Director Sanchez agreed. It started in Stockton, California with about 25 folks in the community and eventually expanded to 200 people. The outcomes were incredible in giving them a sense of hope, getting jobs and a meaningful career pathway. The outcomes were so great, they wanted to expand it to be a national policy. Giving hope with this kind of funding has improved the outcomes of all participants. She offered to give further data.

Councilor Romero-Wirth asked if there were about 30-40 communities.

Director Sanchez said currently there are twenty-four.

Councilor Romero-Wirth reasoned that they would validate this data and build more momentum in different communities across the country that suggests we should do it nationally.

Councilor Romero-Wirth agreed we know enough now to urge a national program and this pilot projects will continue to reinforce that. She was not sure we wanted to strike that right now.

Councilor Lindell did some research on the Stockton project. The disparities of income in this country are horrifying. She didn't know why she wouldn't want to see people who are constantly struggling to have just a little opportunity here. That is what we want. She was particularly happy it is attached to the SFCC. She talked with President Rowley over the weekend. She explained that she was the first person in her family to get an education and she was not about to disappoint them on that. She felt strongly about this. It is important to encourage everyone to support this program to better themselves.

Councilor Villarreal asked Councilor Garcia to elaborate on his decision to delete that because she wanted a guaranteed income for poor people to be permanent and not rely on just private funds.

Councilor Garcia thought there were some deep misinterpretations of this proposed amendment. He assured her he was in support of guaranteed income type program. When we advocate for something, we need to back it up our advocacy the status. This project is unique in working with a college. Stockton was not associated with a college. What happens if this program falls flat and ends with egg on our face?

This amendment doesn't oppose success of government sponsored guaranteed income programs throughout the country. He thought the Governing Body was in agreement on that. His concern was where it stops and legalizing without knowing the impact on our city. We should be advocating on the strongest foundation. Otherwise, it is not good government.

We need to take the steps before urging the President to take them. We should not urge anyone unless we have the data from Santa Fe, not Stockton and not 30-40 years ago. It by no means disregards this program. He wanted to cosponsor the program but felt we need the data to support our advocacy and to use our own local data. This is basically a template provided from the organization and we need this to make it work for us. He wanted to make sure we have the data to support the urge.

Councilor Villarreal noted this language (in the "Be it Further Resolved") is a general statement that is a little out of context. It should really be about this project.

Mayor Webber replied that there are two threads intertwined in the resolution and our participation in the pilot project. As a City that is participating in the guaranteed income effort around the country, Santa Fe is both supporting at the national level to provide guaranteed income as support for people in need. Just like years ago that was done in Social Security for Seniors.

It is not universal income that some people have confused it with, but a specific base of support to deal with poverty and racial injustice. It is supported by our pilot and other pilots around the community. Each one has a different model to make guaranteed income an uplifting opportunity for people trapped in poverty.

He said the aspiration at the national level is something to believe in. All are efforts by progressive people in our country on the disparity that keeps some people down. It is a request to add this to the national agenda of trying to lift people out of poverty and give them opportunity. He supports that as national public policy and our own pilot project to demonstrate the link between a guaranteed income and the targeted population that would benefit in this community specifically. They are intertwined but slightly different aspirations.

Councilor Abeyta said, for the record, that he supports federally guaranteed income for those who need it the most. As a Councilor who represents an area of City who could benefit from this, he supports the resolution as written.

VOTE: The motion on the Second amendment was defeated on the following Roll Call vote:

For: Councilor Garcia.

Against: Councilor Abeyta, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, Councilor Villarreal, Mayor Webber.

MOTION: Councilor Garcia moved, seconded by Councilor Romero-Wirth, to amend the Resolution on page 7, line 18, to insert “and” and “the City Lobbyist.”

Discussion on the Amendment:

Councilor Garcia pointed out that the city does not have a lobbyist advocating for this at the federal level. However, we could bring in a lobbyist, if needed.

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

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

Against: None.

Discussion on the Resolution as amended:

Councilor Romero-Wirth noted there are some ripple effects of supporting the people identified here. We should point out that a guaranteed income could support attaining their educational goals to get a job. It probably also helps the other people in their lives – their kids, for instance, for a better home life, less worried and perform better at school. It should have ripple effects to the broader family and the community.

Councilor Villarreal said, as a cosponsor, she supports a guaranteed income to fight generational poverty. This is a small step to curb the generational wealth gap in our country and our City. She acknowledged that there are racial and economic disparities and is why we have a generational wealth gap. So she supports income for those families that they can depend on.

Mayor Webber thanked all Staff who helped make this resolution happen. It is a brilliant proposal. Director Sanchez and Director Ochoa did an enormous amount of work and SFCC who all deserve a big thank you for their tireless efforts. Regarding the policy itself, we are all tired of seeing New Mexico as 49th or 50th in the nation for childhood wellbeing. We need a transformational change. There is great disparity in the country and in Santa Fe that won't change without being addressed.

In Stockton, the people involved not only got better jobs but there was better mental health in their family and the ability to take control of their lives and futures. We want independent families not hindered by poverty's roadblocks.

This pilot and guaranteed income as national policy takes that on. It is comparable to many such efforts in the past. It speaks to parents who for too long have had to make a choice between their own education or taking care of their families. It is a tradeoff nobody should have to make. As they get their education, their diploma, or certificate, they will be better off, and their children will be better off. And the ripple effects will be substantial across all parts of the community. It is a bold and progressive step for our community. Mayor Webber said he was excited to stand behind it and promote and grow it as the time for this kind of direct action. And to put us on the map as first City in New Mexico to take on such a pilot project.

Councilor Garcia and Councilor Vigil Coppler asked to be added as cosponsors.

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

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

Against: None.

- j. Request for the Approval of the Amendment No. 1 to Contract 19-0822 to Increase Amount by \$17,500.00 in the Total Amount of \$147,465.65 and Extend the Term from June 30, 2021, to June 30, 2022. (Porfirio Chavarria; pnchavarria@santafenm.gov; 505-955-3119)

Committee Review:

Quality of Life Committee: 06/16/2021

Finance Committee: 06/21/2021

Governing Body: 06/30/2021

- k. Request for Approval of RFP #21/32/P the Total Amount of \$1,140,308 for Utility Bill Prints, Postage and Insert Information, for 4 years; Valli Information Systems Inc., DBA Postal Pros Southwest; (Nancy L Jimenez, Utility Billing Division Director, nljimenez@santafenm.gov, 505-955-4364)
Committee Review:
 Public Works and Utilities Committee: 06/07/2021
 Finance Committee: 06/21/2021
 Governing Body: 06/30/2021
- l. Request for Approval of Sole Source Procurement for Project Management, Application Support and Technical Support for 4 years with Mountain River Consulting Inc. in the Total Amount of \$1,422,000. (Nancy L Jimenez, Utility Billing Division Director: nljimenez@santafenm.gov, 505-955-4364)
Committee Review:
 Public Works and Utilities Committee: 06/07/2021
 Finance Committee: 06/21/2021
 Governing Body: 06/30/2021
- m. Request for Approval of Amendment #3 to PSA #19-0234 with Carollo Engineers, Inc. to Extend the Term for One More Year Through June 30, 2022. (William Schneider, Water Resources Manager: whschneider@santafenm.gov, 955-4203)
Committee Review:
 Public Works and Utilities Committee: 06/07/2021
 Finance Committee: 06/21/2021
 Governing Body: 06/30/2021
- n. Request for Approval of County Partnership in the San Juan Chama Return Flow Project. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309; 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
- o. Request for the Approval of Amendment No. 3 to the PSA with Vladimir Jones in the Total Amount of \$1,450,000 for Advertising Agency Services for Tourism Santa Fe for FY22. (Randy Randall, Tourism SF Director: rrandall@santafenm.gov, 505-966-6209)
Committee Review:
 Public Works and Utilities Committee: 06/07/2021
 Finance Committee: 06/21/2021
 Governing Body: 06/30/2021
- p. CONSIDERATION OF RESOLUTION NO. 2021-35. (Councilor Vigil

Coppler, Councilor Cassutt, Councilor Garcia, and Councilor Villarreal)
A Resolution Supporting the Tenth Annual Neighbor to Neighbor Fund Drive. (Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov, 955-6518)

Committee Review:

Introduced: 6/9/21

Quality of Life Committee: 06/16/21

Finance Committee: 06/21/21

Governing Body: 06/30/21

- q. CONSIDERATION OF RESOLUTION NO. 2021-36. (Mayor Webber, Councilor Vigil Coppler, Councilor Romero-Wirth)
A Resolution Donating Property Identified as 635 Alto Street and Resources to a Developer Qualified as a “Grantee” Under the New Mexico Affordable Housing Act for Development of at Least Five (5) Low-Priced Dwelling Units. (Alexandra Ladd, Office of Affordable Housing Director: agladd@santafenm.gov, 955-6346)

Committee Review:

Introduction: 06/09/21

Community Development Commission: 06/16/21

Quality of Life Committee: 06/16/21

Finance Committee: 06/21/21

Public Works and Utilities Committee: 06/28/21

Governing Body: 06/30/21

Councilor Garcia pulled this item for discussion.

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

No motion or second was made prior to this discussion.

Councilor Garcia said at the Public Works Committee meeting on Monday, it was explained to the Committee that the cost of construction per square foot at \$300 now. We want to be able to provide opportunities to help people enter home ownership at the lowest cost possible. The real estate market is “fire hot” right now as well as the construction market and construction materials market right now. So housing is the most expensive in has ever been. If we were to hold off but have it on the shelf to allow prices to cool down and become more affordable, that would help our community. So he had asked Director Ladd if that would be preferable. His answer was that it was a question for the sponsors to answer.

So his question was to either Mayor Webber, Councilor Vigil Coppler or Councilor Romero-Wirth.

He asked why the Governing Body would want to rush this at a time when housing costs are the highest and these five units could go to five families at a lower cost if the city waits for the market to cool down. These homes definitely need to go to those most in need and provide an entryway to home ownership in one of the most desirable parts of our community. He asked that to the sponsors.

Director Ladd clarified that the request for qualifications would not dictate what kind of housing to have the market drive it. Secondly, the cost of the housing will not change based on the cost of producing the housing but on the area median income. It has nothing to do with cost of construction.

Councilor Garcia that does make sense. That was different from his recollection. He recalled Director Ladd said it would not be affordable housing but low cost housing because of the high cost of construction.

Director Ladd clarified that was correct to the extent that this construction would allow the market to respond. If we followed affordable housing guidelines, we would have one very affordable house and four at market price. But as low cost homes, all five would be a low cost. The response of marketplace with one very affordable would be to raise the price further of the unrestricted homes. While it is great to have the home on the market, we don't want to raise the value of the unrestricted homes. So, waiting a year would just mean five families would not have housing until the year had passed.

Councilor Garcia wanted to make sure we are getting the best investment we can out of this property, and an opportunity for people to live in a very desirable place in our City. We don't see affordable options downtown in Santa Fe. He asked if the low-priced houses will be sold by the developer.

Director Ladd explained the process of the RFQ outlined in the resolution described how it would work. We make this lot available to a qualified developer who, in turn, will sell or rent homes to income-qualified individuals who meet the standards set out in City Code 26-2.

Councilor Garcia asked what agreements for rent are in place. Would the rent be at market rate, lower than market rate, or something else?

Director Ladd said that is all spelled out in the same City Code Chapter 26-2. The rent is set at 100% of median income for rent in that neighborhood. The qualified renter could not make more than 120% of area median income. The qualification criteria are the same and in how the cost of the home is determined.

Councilor Garcia asked how long that rate would remain.

Director Ladd said it would follow the guidelines in Chapter 26-3. She believed it was for a period of 25 years, but the City can negotiate whatever term we would want.

Councilor Garcia asked when the negotiating would take place.

Director Ladd said it would be done during the entitlement period.

Councilor Garcia requested that as we enter these agreements, should the developer go the long-term rental route, that the restrictions are in place. As long as they are sound and livable places, we should do everything we can to keep them low cost.

He had no further questions.

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

Discussion on the Motion:

Councilor Vigil Coppler asked Director Ladd about the documentation related to five homes and then goes either to rental or home ownership and changes to multi-unit structure on page 3, line 12, and she automatically thought of rental. If not single family homes, she asked how multi-unit was defined.

Director Ladd pointed out that if you went to Alto Street at that location, there are multi-unit compounds on both sides of the property. Larger properties had them with home ownership. This lot is only a quarter-acre in size. The units can be “condo-ized.” Those are all over downtown.

Councilor Vigil Coppler asked how it will be publicized.

Director Ladd said the City is asking a potential builder to respond to the competition down in 2005 showing a multi-unit structure. Anyone building this type homes will recognize it can be either a rental or a condo.

Councilor Vigil Coppler thought keeping them between \$275 and \$300 per month, it would involve an HOA. She asked if the HOA costs would be included or separate.

Director Ladd said with an HOA, the price is adjusted so the total monthly payment is still within the 120% guideline affordability for the home buyer.

Councilor Vigil Coppler noted the prices in this market are enormously high and indications are they will be around for a year or so and then maybe it will stabilize. So if the builder pays higher prices for materials, if built now but later probably would cost less. Every builder does a financial calculation on their costs and profit they can make. And a price of \$270,000 to \$300,000 would take quality out of the house, to make their costs back. It might be great to say they will donate the land. but we have an opportunity to decide when it might be best bang for the buck. Too often – as we know, you can point your finger to every house that was affordable – dumbed down, not attractive, etc. Some just have porches with 2x4's holding them up. She thought it riskier to build now. The costs are astronomical. She didn't want to end up with a multi-unit structure where we could have had a better opportunity later.

Right now is probably not the best time. She did not. We have substantial building going on right now and would have an opportunity to put people in real homes. There is just a lot of benefit to home ownership. Many things have been written about that. As a cosponsor, we wanted to offer real homes and make an impact on it rather than rental units.

The other question was on the term of help in this resolution. It takes about 45 years, but Director Ladd talked about 25 years. She asked Director Ladd to explain the difference.

Director Ladd thanked her for pointing that out. She was just quoting the Code and the bare minimum for affordability terms. It will be 45 years. She explained we need to have affordable rental options in our marketplace as ownership options.

Councilor Vigil Coppler thought 45 years was better.

Councilor Lindell talked about a person who got a house under these guidelines and how home ownership had changed their lives. She felt that waiting to do this doesn't help. She pointed out the City has had this property for over ten years. She recalled the affordable homes were well built. If it does not work for builders now, we won't get proposals. She couldn't wait to see what gets proposed. The designs shown at the Post Office had creative uses of space. It is crucial to have rentals and she thanked Director Ladd for enlightening her.

Mayor Webber talked about how his parents who had been renting an apartment and how they coped with not having sufficient financial resources but succeeded. He said, "In several respects, to wait is unimaginable to me." This is a pilot project just like guaranteed income and he could not support hurrying up and waiting.

Councilor Garcia said his intention was to ensure we get best use of our resources. He stood up for Councilor Vigil Coppler's opinions on it.

Councilor Vigil Coppler observed that everyone in the US dream of home ownership. It is a dream for everyone. Our residents are not crying for more rentals but home ownership. The goal should be permanent home ownership here and she would like to see that. And if it can't be done now, we should not dismiss the fact that we could create five homes here. That should be the number one goal if we can make it work. That was the goal on Siler Road. If it possible, we can do it. She asked if the RFQ would have any vetting before coming to Governing Body.

Director Ladd said this will follow the procurement process which does not require the RFQ to come to Governing Body.

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

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

Against: None.

Councilor Romero-Wirth said she was a cosponsor.

- r. Request for the Approval of Fiscal Year 2022 Grant Contract in the Total Amount of \$304,000 for the Foster Grandparent, Senior Companion, and Retired Senior Companion Volunteer Programs; State of New Mexico Aging and Long Term Services Department. (Anya Alarid, Volunteer Program Manager aalarid@santafenm.gov, 505-955-4744)

Committee Review:

Quality of Life Committee: 06/16/2021

Finance Committee: 06/21/2021

Governing Body: 06/30/2021

Councilor Abeyta pulled this item for discussion. He and Councilor Garcia were recused from consideration of this item and left the chambers.

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

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Vigil Coppler, to approve the Contract as presented.

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

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

Against: None. Councilor Abeyta and Councilor Garcia were not present for the vote.

After the vote, Councilor Abeyta and Councilor Garcia returned to the bench.

- s. Request Approval of Contract with the National Fitness Council, LP. in the Amount of \$195,560.94 Including NMGRT to Purchase Equipment Exclusive Keith Haring Artwork Fitness Equipment and Request Approval of BAR in the Amount of \$250,000.00 from Neighborhood Parks Impact Fees to Parks Construction for the Purchase and Installation of Fitness Equipment for SWAN Park. (Melissa McDonald, Acting Parks Division Director: mamcdonald@santafenm.gov, 955-6840)

Committee Review:

Finance Committee: 06/21/2021

Public Works and Utilities Committee: 06/28/2021

Governing Body: 06/30/2021

Councilor Abeyta pulled this item for discussion.

Pauline Kamiyama and Melissa McDonald were present.

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

Councilor Abeyta thanked Staff for this project. He noted that in the history of SWAN Park, it was originally supposed to be much larger than it is now, and this equipment was requested by the residents there. He asked when installation is likely to take place.

Director McDonald said it would be late July or early August.

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

Discussion on the Motion:

Councilor Garcia asked Director Kamiyama about the award letter that had a stipulation that the resolution must be introduced within sixty days to be awarded the resources. He asked if the City has not been disqualified from those resources.

Director Kamiyama said that was correct. They have been much more flexible on that and when we are ready for the second one, we will work with the National Fitness Campaign again.

Councilor Garcia thanked her and Director McDonald for this. He believed it is great equipment and will be wonderful for the south side. He hoped the City can replicate that equipment in other locations.

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

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

Against: None.

- t. Request for Approval of the Allocation for the 2021-2022 Affordable Housing Trust Fund (AHTF) and the Attached Contracts Awarded in Response to RFP #21/25/P Totaling \$1,225,000. (Alexandra Ladd, Director of Office of Affordable Housing: agladd@santafenm.gov 505-303-9868)

Committee Review:

Quality of Life Committee: 06/16/2021

Finance Committee: 06/21/2021

Governing Body: 06/30/2021

- u. Request Approval of 2021-2022 Community Development Block Grant (CDBG) Contracts Awarded in Response to RFP #21/24/P in the Amount of \$556,067, Plus Program Administration \$124,619. (Alexandra Ladd, Director of Office of Affordable Housing: agladd@santafenm.gov, 505-303-9868)

Committee Review:

Quality of Life Committee: 06/16/2021

Finance Committee: 06/21/2021

Governing Body: 06/30/2021

- v. Request for the Approval of the Agreement for Animal Confinement, Care and Disposal Between the Santa Fe Animal Shelter and Human Society, Inc. and the City of Santa Fe in the Total Amount of \$529,231.80 for the Confinement, Care, Maintenance and Disposal of Stray and Impounded Animals for a Period of Three (3) Years from the Time of Approval by Both the City of Santa Fe and the Santa Fe Animal Shelter and Humane Society, Inc. (Ben Valdez, Deputy Chief of Police: bpvaldez@santafenm.gov, 955-5040).

Committee Review:

Public Safety Committee: 06/15/21

Quality of Life Committee: 06/16/21
Finance Committee: 06/21/21
Governing Body: 06/30/21

- w. Request for Approval to Submit for Review to the US Department of Justice, Office of Justice Programs, Certifications and Assurances by the Chief Executive of the Applicant Government. (Andrew Padilla, Chief of Police, Police Department, aapadilla@santafenm.gov, 955-5102)
Committee Review:
Public Safety Committee: 06/15/2021
Quality of Life Committee: 06/16/2021
Finance Committee: 06/21/2021
Governing Body: 06/30/2021
- x. Request for Approval of a Memorandum of Understanding (MOU) Munis Contract #3202749 Between the City, NMDOT, NCRTD and Santa Fe MPO Detailing the Responsibilities of Each Agency to Satisfy the Federal Transit Authorities Funding Process. (Erick Aune, MPO Officer, ejaune@santafenm.gov 505-330-8483)
Committee Review:
Finance Committee: 06/21/2021
Public Works and Public Utilities Committee: 06/28/2021
Governing Body: 06/30/21
- y. Request for Approval of Amendment No. 4 to the Professional Service Agreement (PSA) with Certified Folder in the Amount of \$50,000 for Distribution of the Official Santa Fe Visitor's Guide for FY22. (Randy Randall, TOURISM Director, rrandall@santafenm.gov, 505-955-6209).
Committee Review
Finance Committee: 06/21/2021
Public Works and Utilities: 06/28/2021 Governing Body: 06/30/2021
- z. Request for Approval of Amendment #3 to PSA with Lou Hammond in the amount of \$125,000 for Public Relations Services for Tourism Santa Fe for FY22 (Randy Randall, TOURISM SF Director, rrandall@santafenm.gov, 955-6209)
Committee Review
Finance Committee: 06/21/2021
Public Works and Utilities: 06/28/2021 Governing Body: 06/30/2021
- aa. Request for Approval of Collective Bargaining Agreement Between the City of Santa Fe and Santa Fe Firefighter Association Local 2059 for July 2021 Through July 2024. (Paul Babcock, Fire Chief; prbabcock@santafenm.gov,

955-3110 and Brian Moya, Assistant Fire Chief; bjmoya@santafenm.gov, 955-3111)

Committee Review:

Finance Committee: 06/21/2021

Public Works Committee: 06/28/2021

Governing Body: 06/30/2021

- ab. Request for Approval of the Collective Bargaining Agreement Between the City of Santa Fe and the Santa Fe Police Officers Association for FY22. Contract Includes Salary Increases in the Amount of \$423,039 for Sworn and Civilian Bargaining Unit Employees. (Ben Valdez, Deputy Chief of Police, bpvaldez@santafenm.gov, 955-5040)

Committee Review:

Public Safety Committee: 06/15/21

Quality of Life Committee: 06/16/21

Finance Committee: 06/21/21

Governing Body: 06/30/21

- ac. Request for Approval of Amendment No. 3 to the Collective Bargaining Agreement Between the City of Santa Fe and Local 3999 City of Santa Fe Employees of the American Federation of State, County and Municipal Employees, Council 18, AFL-CIO. (Bernadette Salazar, Human Resources Director, bjsalazar@santafenm.gov, 505.955.6591)

Committee Review

Finance Committee: 06/21/2021

Public Works: 06/28/2021

Governing Body: 06/30/2021

- ad. **Request to Publish Notice of Public Hearing on July 28, 2021.**

Consideration of Bill No. 2021-14. 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. (Councilor Lindell and Mayor Webber) (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 and Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov, 955-6518)

Committee Review:

Introduced: 05/12/21

Quality of Life Committee: 06/16/21

Public Works and Utilities Committee: 06/28/21

Governing Body (request to publish): 06/30/21

Economic Development Advisory Committee: 07/14/21

Governing Body (public hearing): 07/28/21

- ae. Request for Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of \$1,000,000.00 from the 2018 Bond Premiums to be Used for the Santa Fe Train Depot Exterior Rehabilitation Project. (Sam Burnett, Interim Facilities Division Director, jsburnett@santafenm.gov, 505-795-2491)

Committee Review:

Finance Committee: 06/21/21

Public Works and Utilities Committee: 06/28/21

Governing Body: 06/30/21

11. DISCUSSION/ACTION ITEMS

- a. Request for Approval of Budget Adjustment Resolution (BAR) in the Amount of \$725,000.00 from the 2018 Bond Premiums to be Used for the Genoveva Chavez Leisure Pool, the Main Library Elevators and Tennis Court and Pickle Ball Improvements at Select City Parks. (Sam Burnett, Interim Facilities Division Director, jsburnett@santafenm.gov, 505-795-2491)

Committee Review:

Public Works Committee: 06/28/2021

Governing Body: 06/30/2021

Ms. Bustos-Mihelcic read the caption for this item. She noted that Directors Burnett and Wheeler were present to answer any questions.

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

Discussion on the Motion:

Councilor Villarreal supported this effort and asked Director Burnett which tennis courts will be resurfaced.

Director Burnett believed they were the courts at the Ft. Marcy facility but might be corrected.

Director Wheeler said the Department's goal is to use the capital appropriations from the Legislature to include all City tennis courts. Martinez and Larragoite need a complete reconstruction. She didn't have the list with her.

Director McDonald said they will begin with Ft. Marcy and then work through the list of needed courts. They want to do all 19 tennis courts –

all except Martinez and Larragoite. All of them need resurfacing and will proceed from the most necessary ones first.

Councilor Villarreal understood Larragoite, and Martinez courts were anticipated in the fall.

Director McDonald agreed.

Councilor Vigil Coppler recalled that for Martinez, the Governing Body talked many times about its condition. There were pictures submitted by a tennis coach about that court. It is full of giant sized potholes. If residents continue to use it, we could have liability. She asked if there was consideration to close those courts.

Director McDonald said they did consider it and could do so again. Right now she felt it was okay to keep them open and actively consider concrete instead of asphalt.

Councilor Vigil Coppler support that choice. Perhaps our Safety Officer needs to comment on it. It is a fast sport and people concentrate on the ball and not their footing and with that many holes, a person could break an ankle, fall, etc. Children use those a lot. We need another opinion on it. It worried her.

Mayor Webber wondered how long it had been since the City did that. We've heard for years that pickleball is the fastest growing sport in America. Tennis has often been a neglected investment. He asked how long it has been for Santa Fe. He asked for it to be researched and to let him know what it is. He commented that the City is finally taking care of overdue business. He thanked the Staff for finding the money to do it.

Councilor Romero-Wirth thanked Staff for noticing the pickleball community and making space for them in our facilities.

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

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

Against: None.

- b. Request for Approval of Budget Adjustment Request (BAR) to Move Funds for the Solar and Streetlighting Contracts into Budget Fund 315 (CIP

Resources). (Javier Rosado, Engineering Division Director: jhrosado@santafenm.gov, 955-6631 and Caryn Grosse, Facilities Project Administrator: clgrosse@santafenm.gov, 955-5938)

Committee Review:

Public Works & Utilities – 06/28/2021

Governing Body – 06/30/2021

Ms. Bustos-Mihelcic read the caption for this item. She said Director Rosado and Ms. Grosse were available for questions.

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

Discussion on the Motion:

Councilor Garcia asked to clarify if this was what included retrofitting in phases.

Director Wheeler explained the Department developed a methodology for community communication on screening or dimming to deal with over or under lighting on the street and the result would be brought to the Governing Body on July 14.

Councilor Garcia was concerned about having it in phases and noted Councilor Villarreal had made a motion to implement it in phases.

Director Wheeler said the City will appropriately light each street. The design is a progressive design with lowest Kelvin and comfort lenses to reduce glare, so every segment of every street is categorized properly. She used Agua Fria as an example with differentiated levels per segment. The motion was to get community feedback in the process and that is what will be presented on July 14.

Councilor Garcia restated the motion in May was to implement this in phases and after phase 1 to have an assessment done and that is opposite of what Director Wheeler just said. The Governing Body gave direction and what she said doesn't reflect that. He will research those minutes further.

Councilor Villarreal did not think the word "phase" was used but that each section would be evaluated before and after to understand what changes look like. That does slow down how the retrofit appears in that section before moving on to next section. It would actually be a phase.

Director Wheeler agreed. And that is what the contractor has been instructed to do for each section. There will be opportunity for feedback. Dahlkia will be here to receive the feedback for the duration.

Mayor Webber pointed out that this is a BAR request and not related to how the project will be implemented. This is not a management oversight but just a financial transaction.

Director Wheeler agreed. It just moves the money to use to pay what we owe. We are just doing what the Governing Body has already approved with the contract.

Councilor Garcia asked when the appropriate time would be to ask his question and if it would be on July 14.

Director Wheeler clarified that on July 14, she will bring the amendment to incorporate the community guide for approval and what community engagement process will be. The design was approved, and she offered to meet with Councilor Garcia ahead of that Governing Body meeting.

Councilor Garcia thanked her for that.

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

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

Against: None.

- c. List of Housing Proposals and Recommendations to be Considered in the Months Ahead, and their Respective Proposed Assignments to City Council Standing Committees, Pursuant to Resolution 2021-23, Which Established a Work Plan for Improving Access to Affordable Housing Opportunities for Residents of the City of Santa Fe. (Jarel LaPan Hill, City Manager, jlpanhill@santafenm.gov, 955-6848)

Ms. Bustos-Mihelcic read the caption for this item. **Information Only.**

Manager LaPan Hill presented the list of Council assignment to Council Standing Committees for housing projects to the Governing Body.

Councilor Vigil Coppler said she didn't get a chance to read the email that was sent today and was not prepared to comment if the Governing Body is to review it now.

Manager LaPan Hill said the assignments were sent on June 8. She offered to read them.

Councilor Vigil Coppler asked why they were not loaded onto PrimeGov for the public to see.

Mayor Webber agreed with screen sharing and the list could be read aloud.

Manager LaPan Hill read the assignments aloud.

Mayor Webber noted there was also material provided in the past that identified the sources for those referrals. It would use this committee structure for dialog in a study session where the Governing Body can assess the opportunities, prioritize them, etc.

Councilor Garcia recommended regarding the GO bond that, given the timing of this and if we wanted to implement something in the fall, that should be first on the list. There were a number on STRs. He recalled a proposal made by Councilor Vigil Coppler last December. We are clear where the finances are now and should bring back that proposal. We need to add it on here somewhere. The social impact should be first at the Quality of Life Committee. Those were his recommendations.

Councilor Romero-Wirth didn't think the number indicated the order in which they would have been listed. The Finance Committee, at the last meeting, had a lengthy discussion on bonds, GO bonds, and what it would take and concluded there is a lot of work that has to be done and not positioned to do that in the fall. The Mayor had said these are the different proposals that came from the task force when he became mayor and had ideas for funding and a memo from Mike Loftin and all of that was in the June 8 email.

The Social Impact Bond, heard at QOL, would require legislative action. They are at QOL for getting folks outside the City Help us understand the potential and why the tax exemption or cap was put on second homes was not getting action legislatively. The matters at QOL all require legislative action. The three Committee Chairs will weave this list into their agendas. QOL agendas are organized far in advance. These take time and we have time for them.

She observed the fiscal year is ending today, and the Governing Body put \$3 million into the AHTF. So the floor/ceiling for that fund is set and there is time to properly vet all of these ideas.

Councilor Garcia said that demonstrated his concern. These are silos and he didn't attend that meeting where it was considered. If Councilors all know the agenda items in advance, we can all participate. He had to go back and look at the video and had no chance to ask questions. We do need to prioritize the list. He was glad to hear the funding for AHTF but when he had advocated for it, there was pushback. The broader public should have opportunity to fully understand the roadmap.

On Monday, the Public Works/Utilities Committee had a public hearing for which the public was not properly notified. This is where we need to develop that roadmap. If this is not prioritized, we need to do that now. This is where we should have had a work/study session to prioritize them. Now to hear it is at the will of the Chairs, doesn't allow for others to have input into the process. He wanted the STR revenues to be put in the AHTF.

Councilor Vigil Coppler found this list to be very exclusionary. Everyone but her had a chance to vote on all of it, but she only had a chance to vote on one and two. So once again, she was being excluded from a majority of these topics. It is unbelievable for this to happen at the Governing Body and if anyone else was in the same position, it would affect them. So once again, she was only able to vote on just two little items. This needs to be changed. She did bring forth an ordinance change on affordable housing. Here it is again, and she fully supported it. But this list is very exclusionary, and she was the one excluded.

Councilor Romero-Wirth said she was starting where Councilor Vigil Coppler left off. The Governing Body approved Resolution 2021-3, creating a work plan and it passed unanimously. This is the work plan, and it was not trying to exclude anyone. It brings the possible sources for funding the \$3 million to the AHTF. It is really important to move the needle. According to the Resolution, we would use the standing committees and there would be staff memos and PPTs at each of them and we can watch them on Youtube or participate in them.

She invited Councilor Vigil Coppler to look back at the resolution which she read aloud. It also said a study session would be held to review and consider short, medium and long-term goals. The resolution also addressed the silo issue. She mentioned revenue from cannabis and what the City needs to do with that. We should take the time to analyze all of them and she hoped her statement clarified the matter.

She noted that things can be added at this meeting for the possible revenue sources.

Councilor Vigil Coppler thanked Councilor Romero-Wirth for her review. She recalled it would be a fair process and at that meeting she reminded

the Governing Body that she was on only one of the standing committees. She trusted and did not propose any amendment.

Councilor Romero-Wirth said the Governing Body doesn't vote on them.

Councilor Vigil Coppler pointed out that, whether an action item or a discussion item, by design, Public Works only had two little items. She noted that watching videos didn't allow her to participate and even if she watched on Zoom, she still didn't get to vote.

Mayor Webber agreed these are just discussion items until the study session and then a full group undertaken. They are purely a matter of evaluating pros and cons. The assignments are the most appropriate assignments. Everyone is invited to all committee meetings, and they were not action items. They were all discussion items.

Councilor Vigil Coppler said whether voting or discussing, it was still exclusionary. She welcomed Manager LaPan Hill to have an open mind and reconsider the list.

Councilor Abeyta asked if now was the time for a recommendation.

Manager LaPan Hill agreed, and we will amend it.

Councilor Abeyta asked for Cannabis at Finance listed.

Councilor Villarreal determined it will require all of us to do more work. She will attend Public Works Committee to learn more about those topics. We have hefty agendas and topics in depth. For any further items on AH, it would be helpful for every committee to hear.

Councilor Romero-Wirth requested what was heard at Finance be captured in a Staff memo so all Councilors would have the knowledge and understanding in order to approve the finance sources, and all have a vote on them. Each committee and staff presentation are a lot of work. We cannot have Director Ladd doing bond memos, but the bond counsel can.

Councilor Villarreal was worried about Staff capacity, and some are beyond our Staff's expertise. We must be realistic about that. We haven't been told the information about cannabis. No one has spoken on it. We are way off track and behind. There are no land use regulations related to cannabis.

Councilor Romero-Wirth said this does not need action tonight.

Mayor Webber agreed and it will be brought back.

At about 7:30 p.m. Councilor Rivera said it was time to consider Petitions from the Floor.

Amendment to the Agenda

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, to amend the agenda by suspending the remaining afternoon agenda and move to the Evening Agenda at this time, and return to the Afternoon Session afterward.

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

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

Against: None.

The Governing Body went to evening session at this point.

EVENING SESSION - 7:35 P.M.

17. ROLL CALL

Members Present Remotely

Mayor Alan Webber
Councilor Roman "Tiger" Abeyta
Councilor Jamie Cassutt
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

18. PETITIONS FROM THE FLOOR

Stefanie Beninato, P.O. Box 1601, observed that a month ago [May 12, 2021], the Governing Body had an appeal hearing on the 314 Guadalupe Street property, and it was a case on how the front lot would impact the front view of the house. The appellants talked about being productive citizens and integrating into the community. The Governing Body granted their appeal. A few days ago, that

property went on the market for \$925,000. If we really value our history, we should value the historic preservation ordinance and the actual streetscape harmony.

She also mentioned an incident where several people showed up for the 8:00 session and were turned away.

There were no other petitions from the floor.

19. APPOINTMENTS

a. Veterans' Advisory Board

- i. Brian Wempen – Appointment – Term 05/2023
- ii. Sylvia Gullingsrud – Appointment – Term 05/2023
- iii. Anna Vigil – Reappointment – Term Ending 05/2023
- iv. John Palamino – Reappointment – Term Ending 05/2023
- v. Colonel James Williams – Reappointment – Term Ending 05/2023
- vi. Sigrid Hannah Mabel – Reappointment – Term Ending 05/2023

Ms. Bustos-Mihelcic read the nominees for the Veterans' Advisory Board.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Villarreal, to approve the nominations for the Veterans' Advisory Board as presented.

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

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

Against: None.

b. Community Health and Safety Task Force

- i. Annie Rasquin – Appointment – Term will Expire Upon Completion of Duties and Responsibilities

Ms. Bustos-Mihelcic read the appointment for Community Health and Safety Task Force.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Villarreal, to approve the appointment to the Community Health and Safety Task Force as presented.

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

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

Against: None.

20. **PUBLIC HEARINGS**

- a. Appeal #2021-3450-APPL of Case #2021-3185-HDRB. Appeal by Julia Burt of the Historic Districts Review Board’s Decision to Impose Conditions of Approval on an Application to Install Two Gates Constructed of Oxidized Steel, Including a Pedestrian Gate and a Vehicular Gate, at 1299 Upper Canyon Road, in the Downtown and Eastside Historic District. (Sally A. Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

Mayor Webber recused himself and left the chambers.

There were no other disclosures.

Mayor Pro Tem Lindell chaired the meeting for this item.

Ms. Bustos-Mihelcic read the caption for the public hearing.

Staff Report

Ms. Paez presented the Staff Report. She asked Zoom host to admit the agent for the Appellant, Ms. Sandra Donner, the property owner, Ms. Julia Burt and Ms. Nicole Ramirez Thomas, Division Manager.

Ms. Burt was with Ms. Donner.

Ms. Paez explained this appeal of a decision made by the Historic Design Review Board and a quasi-judicial procedure where Governing Body members act as judges in a court of law and applying the Santa Fe City Code to the facts and evidence presented. The Governing Body reviews the decision made by the H Board, de novo, and might hear additional information, materials and further instructions for the decision.

Members of the Governing Body are required to have a majority of five voting in favor to accomplish a decision.

Ms. Paez used a PPT, pointing out the location of the property on a city map with several views of the property. She focused on the two items being appealed, a pedestrian gate of oxidized steel and a new vehicular gate of oxidized steel about 35' back from property line. A drawing showed the location of the pedestrian gate which is to be moved a little bit to the west. The tree shown was no longer there. A simulated photo showed new gates. The pedestrian gate will replace the latilla gate with oxidized steel and the stuccoed wall was already approved.

A sample of the material was submitted to the H Board. The Board approved the application with two conditions of approval: That the owners were required to have wood for the pedestrian gate and to incorporate latillas on the vehicular gate. The Appellants' claim was that there was no legal basis for the condition and the H Board did not have authority to make the conditions.

The H Board found the design was not harmonious with Santa Fe Style in the Downtown and Eastside Historic District. The H Board relied on the Wall and Fence Guidelines on fence design that encourages fenestration with open gates as opposed to solid gates.

She shared pictures of nine other gates in the Appellant's supplemental materials.

She suggested the Governing Body consider the design of the gate and noted some other gates be considered for similarity of design and materials and then recapped the two issues on appeal.

Her decision tree showed two motion options – to grant the appeal or to deny the appeal.

Mayor Pro Tem Lindell noted the options are on page 6 of page 66 and asked for the page number for the decision tree was page 66.

Ms. Donner was given twenty minutes for her presentation. Both Ms. Sandra Donner and Ms. Julia Burt were sworn in.

Appellant's Opening Statement

Ms. Burt presented her appeal. She said she and her husband, Randall Burt, are the owners of the property that is the subject of this appeal. As noted by the City Attorney, City Ordinances do not provide specific design standards for gates. When they made their original proposal to the Historic Design Review Board, the Staff recommended approval because the proposal complied with all applicable design standards for the historic

district, generally, and the Downtown and Eastside Historic District specifically. At the Historic Design Review Board, there were questions regarding the materials of the gates. They did not bring specific examples of gates that already existed in that historic district because they did not expect to have any issues with the H Board. So now, she would provide to the Governing Body the specific examples that exist throughout that area that are already solid metal gates and are certainly harmonious with that area, in general.

There were two people that objected at the public hearing last time. Ms. Beninato you heard from earlier in the meeting, and John Eddy. Those were the only two objections at the former hearing.

She asked for the gates to be shown to the Governing Body that were in this historic area.

Ms. Paez clarified that she didn't have them as a presentation but could open the materials that were submitted. She asked Ms. Donner if she could show them.

Ms. Donner showed the other examples and commented on them and mentioned their approvals by the Board in the very recent past and had the same basic configuration as this proposed gate.

Ms. Burt added that they have a shared driveway and showed a photoshop of the proposed gate in place. She explained the vehicle gate is not on Canyon Road but on a driveway that comes off from Canyon Road. She said the gate was not really visible from Canyon Road.

Ms. Donner explained that the existing gates are both held up by steel members placed inside them. She commented that the condition imposed is very poor and not sustainable.

Questions to Staff

Ms. Burt said that because the Staff approved this project, she had no questions for Staff.

Public Comments

Stefanie Beninato, P.O. Box 1601, Santa Fe, New Mexico 87506, was sworn in. She pointed out that the examples of gates in the area were not within the 600' of property that are considered the streetscape. As she understood, the H Board did not object to steel members on the inside of the wood gates. The Board did approve everything else.

There were no other speakers from the public, and the public hearing was closed.

Questions from the Governing Body

Councilor Villarreal observed that page 62 talked about the Historic Board Walls and Fences Guidelines that said the gates should be set back and modulated. She thought the vehicular gate looked set back but from the minutes, thought the Board believed it was not set back far enough. She asked Ms. Paez about that.

Ms. Paez said that discussion was in reference to the new stucco wall, which was approved as having the modulation required, and that discussion was not in reference to the gate.

Councilor Villarreal saw in the Guidelines that it refers to set back of walls.

Ms. Paez explained that refers to a statement that fenestration is encouraged for some openings in the gate and latillas or some kind of cut out would meet that requirement.

Councilor Villarreal understood the other part was about fenestration. So fenestration is about visibility.

Ms. Paez said fenestration provides openness.

Councilor Villarreal reasoned that here there is no fenestration. Some of the examples shown also had no fenestration. So why did they recommend that style for the gate?

Ms. Ramirez Thomas clarified what the Code calls for does not specifically exclude metal gates but does call for traditional and harmonious materials like adobe, wood elements and harmonious material. So the traditional material is there for harmonious treatment.

Councilor Villarreal wondered why oxidized steel was approved at other locations. She did not understand when it is considered harmonious and when is it not.

Ms. Ramirez Thomas shared her screen and reviewed the examples again. The first has great fenestration and there was a second submittal given approval by Staff instead of the Board. This gate is right on the streetscape and has several panels. There was a challenge on case materials and same as for Ms. Donner. Another one came back for an exception where the

applicant took the denial on appeal. So it was approved by exception. Fenestration was discussed here but narrow panels did not give enough room for fenestration. The next was not in the Downtown and Eastside District. 1634 Canyon Road is down a private drive from Canyon Road. The next one has a great deal of fenestration.

Ms. Ramirez Thomas could not find an approval of the next one.

The next example was a solid gate about five feet tall and had a wood appearance design the Board considered acceptable.

The next one, at 795 Camino Del Mote Sol, was outside the district.

She added that Staff may not see any challenge with what is presented but the Board can disagree and here, the Board did disagree.

Councilor Villarreal asked why the owners did not seek an exception.

Ms. Donner replied that an exception could be a possibility but was never brought up. The problem with requesting an exception is that nothing in the code prevents this gate. So we were technically allowed to do it. Looking at Ms. Ramirez Thomas's comments – 1634 Canyon Road is down the road and on a private drive and that one is visible from Canyon Road. You can see the gate from Canon Road. The exception idea never came up and she was not sure how to present it as an exception because nothing is excluded in the Code.

Ms. Burt added that the FF/CL stated, we were obligated to file an appeal within 15 days. Once the findings were made, she was bound to make the appeal within the 15-day period, and she did.

Councilor Villarreal asked if neither Staff nor Board brought up the possible exception.

Ms. Donner agreed.

Councilor Villarreal asked Ms. Ramirez Thomas about it.

Ms. Ramirez Thomas agreed the appeal does have to be filed within 15 days but can be withdrawn before coming to the Governing Body. There was discussion on fenestration, but they did not bring up a reason. That would be an exception to Santa Fe style. Staff would have recommended more discussion on that option. There was much discussion on redesign of the gate and of fenestration in the gate. The applicant did make a move to present a redesign by the Board and would have been heard at the June 22 meeting. But the application was withdrawn in advance.

Ms. Burt said what was discussed at the Board meeting was metal with wood fenestration. The appeal hearing was postponed because of publication deadlines. Solid metal gates were approved in six of the 9 examples, but she would have to go with plan b, if not approved.

Ms. Donner said there was a specific move into June, so we were pushed back and needed to get it done so we submitted a redesign.

Councilor Villarreal asked about a compromise of oxidized gate with fenestration.

Ms. Burt stated that the H Board is charged with following the Code. This gate is off the street and not visible from Canyon Road and she should have the right to build it within the Code. The Board's guidelines are not consistently applied.

Councilor Villarreal asked staff about fenestration.

Ms. Paez said fenestration is in the guidelines and not in the Code. The Board was concerned the material was not harmonious with nearby homes.

Fenestration is in guidelines and not an ordinance. What is harmonious with recent Santa Fe style as a supplement to the Code.

Councilor Vigil Coppler asked Ms. Paez if the City Ordinances provide for specific design standards for gates.

Ms. Paez said no, other than height and general harmony.

Councilor Vigil Coppler said it says here the City ordinance does not provide specific design standards for gates. On the discussion surrounding exceptions. In this case, whether approved or not, there is still precedent. The final result is what matters and when you approve a design standard of some sort, through a Board vote, that has an effect; it sets precedent. The Canyon Road gate seems to set precedent. It was approved and is in proximity and has no fenestration. However it got approved, it is still there, and she did not hear it was under contention for further review. She thought precedent matters. Like you already let the horse out of the corral, and it creates a standard. And with no other option, the courts say you rely on what has already been done. Precedent is used in many cases. Is the Canyon Road gate made of metal?

Ms. Paez thought so but was not sure of documentation of that. And she invited correction. She suggested the Google Street view. She had a hard time finding it. It appears to be steel.

Councilor Vigil Coppler understood it was presented as metal and part of the examples of metal gates. It was probably approved because of a wood design but no fenestration. This appeal is before us de novo, so the standards are a little higher. If it is important, it should be in the ordinance. Guidelines are not ordinance. Even fenestration is not in our ordinance.

She asked again if Staff recommend approval to the Board.

Ms. Paez agreed. Staff did recommend approval.

Councilor Romero-Wirth understood the Downtown and Eastside District standard was stricter.

Ms. Ramirez Thomas agreed. It is the most historic district. The Transition District and Historic Review District are not as strict. They look to emulate Santa Fe style and are more lenient. All things must go through the Board with the Downtown & Eastside District.

Councilor Romero-Wirth asked if the Wall and Fence Guidelines have been relied on for twenty years.

Ms. Ramirez Thomas said that was correct. She agreed that some examples shown were not in the district; some have fenestration and others do not. The distance from the road was a consideration for the Board. This one is 45 feet back from Upper Canyon Road but is visible from the street. Some of the other give sort of nod to the vernacular Santa Fe style.

Councilor Rivera saw in the memo, page 3, the H Board put the gate conditions on, and the second condition didn't say it could not be a metal gate but should have coyote latillas incorporated in the design.

Ms. Paez agreed.

Councilor Rivera wondered if that same condition could apply to the pedestrian gate also. He thought it would make sense to have matching style gates. But the Board specifically said no steel on the pedestrian gate which he needed to understand why.

Ms. Paez didn't know why they imposed that.

Ms. Ramirez Thomas understood that restriction was because the pedestrian gate was right on the streetscape. However, nothing fleshed out that decision by the Board.

Councilor Rivera added that the restriction on the vehicle gate doesn't say the metal on the gate would be a frame. He could envision a steel gate with a foot or two of latillas on the top, for instance. It was left pretty wide open in his opinion.

Ms. Paez mentioned that often, the Board does delegate final design authority to Staff but, in this case, it would have come back to Staff for incorporation of wooden design elements. And, unless Staff was uncomfortable, it could have been approved administratively.

Councilor Rivera said that was what happened with one example as the appellant said.

Ms. Paez agreed it was her understanding of the record.

Councilor Rivera asked if there is still opportunity for the appellant to request an exception.

Ms. Paez said yes. They could propose a design now that they understand what the Board wanted for design. They could propose an alternate gate design for an exception and follow the requirements for that request.

Mayor Pro Tem Lindell asked Ms. Paez to show the Governing Body the Google of all the gate designs.

Ms. Paez showed all of them and made comments on each.

Mayor Pro Tem Lindell said what bothered her the most about this and will ask the appellant, was that it didn't seem that putting some fenestration on the gate would ruin this project.

Ms. Burt said she would like to be allowed to respond to the questions at some point.

Appellant's Closing Statement

Mayor Pro Tem Lindell agreed. She closed this section of the hearing and give the appellant an opportunity for a closing statement of five minutes.

Ms. Donner said Councilor Villarreal asked about the fenestration. The guidelines say fenestrated gates should be encouraged. So that is encouraged but not required. Most of the gates shown were in the Downtown and Eastside District – six of them. One was fenestrated and the rest were solid. One gate on Acequia Madre was not completely administratively approved. It had been at the Board.

On the views, one was on an alley, but the gate was more visible.

The reason Ms. Burt wanted a solid gate was the property was near a condo where lots of dirt and other debris gets kicked up, and lots of noise.

Ms. Burt said the gate at 1364 Canyon Road is at the Dale Ball trail. That gate is far more visible than her gate which doesn't even face Canyon Road. Her gate is not any larger than other proposed gates in the area – it is not oversized or inconsistent with other approved gates. There is a lot of dirt that comes off Canyon Road. On page 54, there was a misconception that it is just one piece of steel. There are undulations and design elements that makes it more in keeping with the stucco wall and more beautiful than many that were approved. The Governing Body also needs to be consistent in applying the Code. And if not approved, would not be consistent with the standards. So in the decision tree, you have the ability to look at the gate and see our gates are not inconsistent with the standards. "Thanks for your time today."

Action of the Governing Body

Mayor Pro Tem Lindell asked for the pleasure of the Governing Body on this appeal.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Garcia, to reverse the Board's decision and grant the appeal.

VOTE: The motion failed on the following 3-4 Roll Call vote.

For: Councilor Abeyta, Councilor Garcia, and Councilor Vigil Coppler,.

Against: Councilor Rivera, Councilor Romero-Wirth, Mayor Pro Tem Lindell, and Councilor Villarreal. Mayor Webber was not present for the vote.

Ms. Paez said the motion failed and a motion that passes is needed under State law. In addition, the Governing Body needs five votes to reverse the outcome. She asked for another motion.

Councilor Romero-Wirth saw it failed by a 3-4 vote. So she asked why that wasn't sufficient.

Ms. McSherry explained that an alternative motion (to support the H Board) does not require a majority of five but could be approved with four. She could see the motion failed to overturn the Board's decision.

MOTION: Councilor Rivera moved, seconded by Councilor Villarreal, to deny the appeal and uphold the Board's decision and request Staff to prepare Findings of Fact and Conclusions of Law consistent with this motion.

Discussion on the motion:

Councilor Villarreal asked if there was an ability to follow that with a condition that they could find a compromise.

Ms. Paez explained that the motion to deny the appeal would be to remain with the H Board's decision but the applicant could come back with another proposal as applied to the original application.

Councilor Villarreal understood.

Councilor Garcia added that the Applicant does still have ability to apply for an exception.

Ms. Paez agreed.

The motion was approved on the following Roll Call vote:

For: Councilor Abeyta, Mayor Pro Tem Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

Against: Councilor Garcia and Councilor Vigil Coppler.

The Governing Body went back to finish the afternoon agenda.

12. MIDTOWN OVERVIEW

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

Progress Report: Update

Presenter: Daniel Hernandez, Proyecto, Midtown Redevelopment Project Manager

Mr. Hernandez spoke about Public Engagement for Development Planning with two major events over the next two months. UNM is working with us for other simultaneous events. The first event was called Listening Session

on July 20-22 with the first part during daytime at the Convention Center and second in the evening. Mr. Hernandez described the goals for the site and a walk around the site listening to ideas. Then, they would go back to work and in September, have workshop sessions on how to apply the ideas to Midtown on September 23-25 with a major presentation on Saturday.

The Listening Session is for ideation, exploration without judgment and to generate interest and open conversations as well as aspirations for the future. They would then synthesize results in September to apply what we heard with real time applications and interact planners with public to design and create and achieve a shared public vision.

The wrap up would be in September and then present a resolution to the Governing Body on September 29 and ask in the resolution to direct Staff for approvals. They will propose presentations at Public Works, EDAC, and Quality of Life Committees, and come back to the Governing Body at the end of October for a final vote on the resolution.

Mr. Hernandez added they are proposing more public forums in the fall at Mayor Webber's City Forum in September and a District Forum by each Councilor.

Mr. Hernandez shared the core outcomes for the events: to create a Land Use Plan for what can be built at Midtown, leading to a zoning application and amendments. The Development Framework will be used for those approvals.

Finally, a Community Development Plan for the people who are interested in an equitable and sustainable plan. It would then be presented to the Governing Body by the end of the year.

He shared the timeline (which was unreadable on the screen). He agreed to send it to the Governing Body members which was the timeline he described.

Director Brown said the timeline was devised with the partners for the work being done and each time, he could walk through what was accomplished in the timeline by looking in the packet.

Mr. Hernandez said they were advancing the website and will post things that are being finalized this week for the July listening session.

Councilor Rivera asked re about accommodations for Spanish speakers.

Director Brown said interpreters with headsets would be available.

Councilor Rivera understood the daytime session were walking sessions.

Mr. Hernandez agreed and they would try to make it as interactive as possible with people coming in and out.

Councilor Rivera asked about advertising.

Mr. Hernandez said they are meeting weekly and have email, a mailing list and distribution at various places including libraries. They will send out a flyer through email tomorrow or Friday.

Councilor Rivera asked them to keep youth in mind. They won't be in school yet. That might be their only opportunity.

Councilor Villarreal thanked Mr. Hernandez for this presentation and getting it to us ahead of time. She was curious about the theme.

Mr. Hernandez explained those were pieces of the puzzles the Design Center was working on with topics of interest, e.g. affordability of housing and different appropriate strategies.

On opportunities, they are looking at other cities for ideas on how to access jobs, outreach for various skill levels and how SFCC helps with career paths. They will put together a marketing strategy for Garson Studios. Community Arts is a priority. How do we sustain and stabilize community arts to continue in Santa Fe? He mentioned memories of the history of the site. That plays out in different ways, whether a physical plaque or the way it was designed, We will listen to those stories about the site.

Councilor Villarreal thought that should be earlier than in September. She encouraged them to change the order of events.

Councilor Villarreal asked about housing opportunity and affordability on the campus.

Mr. Hernandez was looking at production, preservation and polices at Midtown that would impact affordable housing. And protection is about issues affecting housing that makes them vulnerable and security issues.

Councilor Villarreal asked what criteria on affordability they have developed for affordable mixed housing that could be on the campus.

Mr. Hernandez said it is clear that affordable housing is a huge need in Santa Fe right now. Part of the criteria would be what sites are ready to go through the process and finding the right residential placement.

Councilor Villarreal asked why they want district events so late in the timeline.

Mr. Hernandez said it was mostly because of the events already in July and September. He felt that would allow follow up in the districts. He could talk about rescheduling those in August or early September.

Councilor Villarreal favored August. She pointed out it is getting closer to the election and what happens during that time are candidate forums. It would be best not to conflict with them.

Mr. Hernandez agreed.

Councilor Garcia thanked Director Brown and Mr. Hernandez for the presentation. The public forums need to happen earlier. The only opportunity to fully digest the recommendations would be to attend the committee meetings.

Regarding the Listening and Workshop sessions, he asked why there was no Saturday listening session. He recommended another sidewalk session on a Saturday. It is harder for working parents to attend during the week. He reminded the Chainbreaker was an all-day forum.

He was surprised to them introduce the resolution on the 29th when the last workshop was on the 25th. For just four days, he was not comfortable. It should not be rushed to synthesize that data. Why only four days for that process?

Mr. Hernandez said once people walk away from those session, they want to see almost immediate feedback. He liked the August forum idea. They are working with highly effective planners and should synthesize it quickly. They will go back to the office and put it all together. It will be conceptual and not as detailed. It should be a very simple resolution. The full approval process is 6-8 months.

Councilor Garcia agreed the community wants to see action but four days for action is surprising. To fully incorporate three months of data collection – and the four days includes the weekend. We need to ensure all of it is included and something we can accomplish.

Councilor Garcia was willing to set up meetings in October.

Councilor Vigil Coppler agreed with Councilor Garcia. Pay attention to public input. Where in Midtown will the session be held?

Mr. Hernandez said they will specify exact buildings in Midtown. They were looking at the gym right now.

Councilor Vigil Coppler asked how the interpreters at listening session would be set up. She thought sign language interpreters also should be considered.

Mr. Hernandez said they would circulate around the room and call for interpreters as needed. It is a fluid process, but we do it all the time.

Councilor Vigil Coppler said that should be visible on the flyer too. If they don't see it, they might not attend.

Mayor Webber thanked them. The plan makes good sense, and we will all be supporting it.

13. **MATTERS FROM THE CITY MANAGER**

Manager LaPan Hill thanked the Governing Body for all the kudos to the team and we can be reminded that we have all been through this and are coming back to the offices and interacting with others.

She wished everyone a happy Fourth of July to make sure the events are on pace and fun for everyone. Staff will be out in full force with teams everywhere.

Amendment to the Agenda:

MOTION: Councilor Garcia moved, seconded by Councilor Romero-Wirth, to move the Executive Session to the very end of the agenda.

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

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

Against: None.

14. **MATTERS FROM THE CITY ATTORNEY**

This item was moved to the end of the agenda.

15. **MATTERS FROM THE CITY CLERK**

Ms. Bustos-Mihelcic listed three events on July 4. The first was vintage car show on the Plaza and then Fire Dept handling out flyers, coloring books and helmets, and then the fireworks show.

She also noted the Clerk is now posting contracts online that have been approved in 2021. She was also looking at posting previous years.

16. **COMMUNICATIONS FROM THE GOVERNING BODY**

a. Introduction of Legislation

Councilor Vigil Coppler gave congratulations to Harold Dixon who was retiring today as CEO after 24 years with the State Employees Credit Union with assets growing greatly. He was born here and educated here and has been very active in SECU. Many members of the business community and nonprofits have spoken very highly of him. At one point, during the lockdown with COVID, he hired tutors and allowed parents to bring their kids there for tutoring. He figured out things. We will really miss him.

Councilor Abeyta passed.

Councilor Garcia called attention to what happened at the public hearing at Public Works/Utilities Committee on Monday. The Committee approved a motion to move the public hearing during the Governing Body meeting and there were concerns about doing it. One was to make sure the public had an opportunity to participate in the process. We were informed on Monday during the meeting that the one sole mechanism to inform the public was publishing the agenda. We all sat through the proposal for the Zia Road development and advertising the public hearing in that manner was a disservice. So he hoped the Governing Body could have that public hearing at the July 14 meeting and have a yellow sign posted at the site.

He asked for an update on CHART. Folks are very eager, with recent events, to be able to participate in the process of healing and closure. And an update would help.

He gave a shout out to the Parks Team. He agreed to meet with a concerned constituent on the Plaza. He was concerned with what was going on there. He said the Parks Team had been working in the rain, cleaning up the Plaza. He acknowledged their dedicated efforts.

Lastly, he gave a shout out to Councilor Villarreal at her 21st birthday and the big fireworks display to celebrate her birthday.

Councilor Villarreal thanked Councilor Garcia for acknowledging her birthday. She would really like it to be 21.

She wanted an update on Strategic Plan for using the American Rescue Fund and to be more thoughtful about how to let folks know about the funding and potential uses. There are outreach efforts in various places in the country on the most pressing concerns, especially with nonprofits involved on the ground. Either City Manager or other Staff should let us know the plan and date for cannabis regulations. We need to be ahead of that. What is our strategy for regulation?

She thanked the MPO Staff for organizing the southside green audit (field trip) walk to understand possibilities for the southside greenway. Councilor Abeyta, Council Cassutt and Councilor Garcia were also there. Councilor Cassutt serves on the MPO with her. It was helpful to hear from neighbors and it was informative for her.

She introduced 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.

Councilor Romero-Wirth provided a clarification about a piece in the New Mexican in the context of the cannabis articles. She did not say she thought we should be drug testing City employees as some commentators thought. We need to revisit the policies we have and look at how other communities are dealing with cannabis, now that it is legal. Our lifeguards are drug tested and that was off putting to them. So we need to revisit our policies.

She added her voice to the thanks to community, city employees, leadership team on how they responded and led us through the pandemic. We have been through an incredible journey, and she gave a shout out also to the Governor for what she has done to keep New Mexico safe and us all to do the right thing. It was not always easy.

She introduced an ordinance with Councilor Garcia on campaign code with amendments for the definition of a political Committee to establish a threshold amount for reporting contributions, an amendment to 9-2.6 to increase the aggregate expenditure amount requiring reporting to \$500 and to exempt aggregate contribution amounts of less than \$25 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 \$25 from separate reporting requirements.

Councilor Rivera wished his wife happy 28th anniversary on June 26. His daughter, Emily, will be 22 on Monday and he also wished Councilor Villarreal a good birthday.

Councilor Lindell thanked her partner Maria for 25 years together. She noted that Maria hasn't said anything about another year together, but she was grateful to her and her support for the work Councilor Lindell loves.

She gave a sincere thank you to the fire fighters and EMT crew from Ft. Marcy – a week ago when we made a 911 call. They came immediately. They were impressive and so kind. She was deeply grateful to them. The whole system worked. She got a bill within five days so the whole system is working. She was really impressed and grateful to them for showing up and being astoundingly kind. She will bake something and take it over to them.

Mayor Webber wished Councilor Villarreal an extremely happy birthday celebration. We all will be singing your praise.

He and Councilor Abeyta are introducing an ordinance that was too long to read regarding sale of bonds.

He gave a big shout out for all who participated in and planned the PRIDE Parade. It was great celebration with energy and joy. People having a good time and celebrating diversity and unity at the same time. He announced the 12 and under All Star boys won their game 18-0 and advance to the state tournament on July 18-23 at Alto Park.

“Let's make July 4 a safe and sane holiday. Show up at Santa Fe Place Mall for safe fireworks.”

Councilor Vigil Coppler said she has never seen Councilor Garcia shy, but he also had a wedding anniversary. She wished him and his wife a very happy anniversary.

Councilor Garcia thanked her and said they are aiming for double digits.

The Governing Body went next back to the Matters from the City Attorney.

14. MATTERS FROM CITY ATTORNEY

Ms. McSherry recommended an executive session and read the details in the agenda.

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 Regarding Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Party, Including, But Not Limited to, Discussion Regarding City of Albuquerque et al v. Taxation and Revenue Department; and Union Protectiva de Santa Fé v. Mayor Alan Webber, in his Official Capacity, and the City of Santa Fe. (Erin K. McSherry, City Attorney. ekmcsherry@santafenm.gov, 955-6512)

MOTION: Councilor Rivera moved, seconded by Councilor Vigil Coppler, to enter executive session, pursuant to the Open Meetings Act, Section 10-15-1 (H) (7) for discussion of threatened or pending litigation in which the Governing Body is or may become a participant.

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

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

Against: None.

The Governing Body went into executive session at 10:05 p.m.

The Governing Body returned at 10:30 pm. Mayor Webber said Councilor Lindell was excused for this vote.

MOTION: Councilor Rivera moved, seconded by Councilor Romero-Wirth, to come out of executive session, stating for the record that the only matters discussed in executive session were those listed on the agenda.

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

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

Against: None. Councilor Lindell was excused for this vote.

ADJOURN

Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at approximately 10:32 p.m.

Approved by:



Mayor Alan Webber

ATTESTED TO:



Kristine Mihelcic (Jul 22, 2021 18:05 MDT)

Kristine Bustos Mihelcic, City Clerk

Respectfully submitted by:



Carl G. Boaz, Council Stenographer

**GOVERNING BODY MEETING
EXECUTIVE SESSION
June 9, 2021**

The Governing Body of the City of Santa Fe met in an executive session duly called on June 30, 2021 beginning at 10:10 p.m.

The following was discussed:

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(7) Attorney-Client Privileged Discussion Regarding Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Party, Including, But Not Limited to, Discussion Regarding City of Albuquerque et al v. Taxation and Revenue Department; and Union Protectoría de Santa Fé v. Mayor Alan Webber, in his Official Capacity, and the City of Santa Fe. (Erin K. McSherry, City Attorney; ekmcsberry@santafenm.gov, 955-6512)

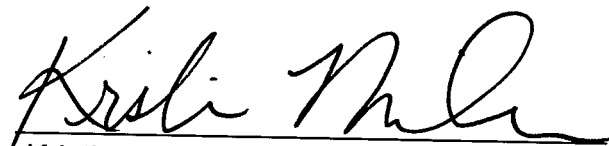
PRESENT

Mayor Webber
Councilor Abeyta
Councilor Cassutt (Excused)
Councilor Garcia
Councilor Lindell
Councilor Rivera
Councilor Romero-Wirth
Councilor Vigil Coppler
Councilor Villarreal

STAFF PRESENT

Jarel LaPan Hill, City Manager (Attended Virtually)
Erin K. McSherry, City Attorney (Attended Virtually)
Kristine M. Mihelcic, City Clerk (Attended Virtually)
Marcos Martinez, Assistant City Attorney (Attended Virtually) (Left at 10:22 p.m.)
Shannon Jones, Utilities Director (Attended Virtually) (Left at 10:22 p.m.)

There being no further business to discuss, the executive session adjourned at 10:29 p.m.



Kristine M. Mihelcic, City Clerk



**GOVERNING BODY MEETING OF
June 30, 2021
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY**

EXHIBIT ONE
GB June 30, 2021

Mayor Alan Webber		
Co-Sponsors	Title*	Tentative Committee Schedule*
	<p>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; PROVIDING 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.</p>	<p>Governing Body (request to publish) – 7/14/21 Finance Committee – 7/19/21 Public Works and Utilities Committee – 7/26/21 Governing Body (public hearing) – 8/11/21</p>
Councilor Roman "Tiger" Abeyta		
Co-Sponsors	Title*	Tentative Committee Schedule*

Councilor Jamie Cassutt		
Co-Sponsors	Title*	Tentative Committee Schedule*
Councilor Michael J. Garcia		
Co-Sponsors	Title*	Tentative Committee Schedule*
Councilor Signe I. Lindell		
Co-Sponsors	Title*	Tentative Committee Schedule*
Councilor Chris Rivera		
Co-Sponsors	Title*	Tentative Committee Schedule*
Councilor Carol Romero-Wirth		
Co-Sponsors	Title*	Tentative Committee Schedule*
Garcia	AN ORDINANCE RELATING TO THE CAMPAIGN CODE; AMENDING SECTION 9-2.3 SFCC 1987 TO AMEND THE DEFINITION OF A “POLITICAL COMMITTEE” TO ESTABLISH A THRESHOLD AMOUNT FOR REPORTING CONTRIBUTIONS; AMENDING SECTION 9-2.6 TO INCREASE THE AGGREGATE EXPNDITURE 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.	Quality of Life Committee – 7/7/21 Governing Body (request to publish) – 7/14/21 Finance Committee – 7/19/21 Governing Body (public hearing) – 8/11/21
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.