



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
SEPTEMBER 08, 2021  
5:00 PM  
ATTEND VIRTUALLY

---

## SPECIAL PROCEDURES FOR GOVERNING BODY MEETING

**Attendance:** In response to the State's declaration of a Public Health Emergency and the Mayor's Proclamation of Emergency, the Governing Body meeting will be conducted virtually.

**Viewing:** Members of the public may view the meeting through the Government Channel on Comcast Channel 28 and Comcast HD928 or may stream the meeting live on the City of Santa Fe's YouTube channel at <https://www.youtube.com/user/cityofsantafe>. The YouTube live stream can be accessed at this address from most smartphones, tablets, or computers.

The video recording of this and all past meetings of the Governing Body will also remain available for viewing at any time on the City's YouTube channel at <https://www.youtube.com/user/cityofsantafe>. Staff is available to help members of the public access pre-recorded Governing Body meetings on-line at any time during normal business hours. Please call 955-6521 for assistance.

**Radio Broadcast:** The meeting can be heard on radio station KSFR 101.1.

**Agenda:** The agenda for the meeting will be posted at <https://www.santafenm.gov>.

**Written Comments:** The public may submit written comments on any of the legislative items to be considered on the *Consent Agenda*, *Discussion Agenda*, *Public Hearings* or *Petitions From the Floor* through 1:00 p.m. the day of the meeting, via the virtual comment "button" at <https://santafe.primegov.com/public/portal>.

**Public Comment:** To provide live public comment during *Petitions from the Floor* or *Public Hearings*, you must join the Zoom meeting by internet or phone, as follows:

Internet: To join the Zoom meeting on the internet using a computer, laptop, smartphone, or tablet, use the following link: <https://santafenm-gov.zoom.us/j/84891515420?pwd=Y3FNcFYxWktRYUxOeVRneUU1Z0RBZz09>. **Passcode: 714647**

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



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
SEPTEMBER 08, 2021  
5:00 PM  
ATTEND VIRTUALLY

---

Phone: To join the Zoom meeting using a phone, use the following phone numbers and Webinar ID: **US: 1 (346) 248-7799 - Webinar ID: 848 9151 5420 - Passcode: 714647**  
Phone attendees should press \*9 to use the “Raise Hand” function to be recognized by the Mayor to speak at the appropriate time.

## **AFTERNOON SESSION - 5:00 P.M.**

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

Councilwoman Villarreal

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

Councilor Garcia

4. **INVOCATION**

Councilor Rivera

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT CALENDAR**

8. **APPROVAL OF MINUTES**

- a. Regular Governing Body Meeting – August 25, 2021

9. **PRESENTATIONS**

- a. Informational Briefing by the U.S. Forest Service on the Santa Fe Mountains Landscape Resiliency Project- Sandy Hurlocker, Santa Fe National Forest Ranger. (Alan Hook, Water Resources Coordinator Asst.: [aghook@santafenm.gov](mailto:aghook@santafenm.gov); 955-4205) **INFORMATION ONLY**



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
SEPTEMBER 08, 2021  
5:00 PM  
ATTEND VIRTUALLY

- b. City of Santa Fe Monthly Water Supply and Demand Update. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309)  
**INFORMATION ONLY**

## 10. CONSENT CALENDAR

- a. Request for Approval of FY22 Supplemental Police Vehicle Purchase Request in the Total Amount of \$228,332.55 for the Vehicles, Equipment, and Labor Cost Associated with Each Vehicle. (Ben Valdez, Deputy Chief of Police: bpvaldez@santafenm.gov, 955-5040)

**Committee Review:**

Finance Committee: 08/30/21

Quality of Life Committee: 09/01/21

Governing Body Committee: 09/08/21

- b. Request for Approval of the Agreement between the City of Santa Fe and Axon Enterprise, Inc., in the Total Amount of \$5,481,937.15 for 5 Years for Providing Body Worn Cameras, In-Car Cameras, Interview Room Cameras, Less Lethal Taser Devices, Empathy Training Devices, and all Associated Equipment and Software to Manage the Provided Devices. In Addition to the Equipment, Digital Media Evidence Management Cloud Services will be Provided. The Equipment and Services are to Increase Quality and Reliability of Digital Evidence, Efficiency, Accountability, and Officer and Public Safety. (Ben Valdez, Deputy Chief of Police, bpvaldez@santafenm.gov, 955-5040)

1) Request for Approval of Budget Amendment Resolution in the Amount of \$902,076

**Committee Review:**

Finance Committee: 08/30/21

Quality of Life Committee: 09/01/21

Governing Body: 09/08/21

- c. Request for Approval to Use Cooperative Agreement #042016-WEX, (Sourcewell, Formerly National Joint Powers Alliance (NJPA) with WEX Bank for the Purchase of Fuel for the Police Department Fleet, in the Total



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
SEPTEMBER 08, 2021  
5:00 PM  
ATTEND VIRTUALLY

Estimated Amount of \$2,100,000. (Benjamin Valdez, Deputy Chief of Police, bpvaldez@santafenm.gov, 955-5040)

**Committee Review:**

Finance Committee: 08/30/21  
Quality of Life Committee: 09/01/21  
Governing Body Committee: 09/08/21

- d. Request for Approval of North Central New Mexico Economic Development District, Non-Metro Area Agency on Aging (AAA) State Funding in the Total Amount of \$109,484 for the Nutrition Services Incentive Program (NSIP), Term Ending June 30, 2022. (Gino Rinaldi, Senior Services Division Director, earinaldi@santafenm.gov, 955-4710)

**Committee Review:**

Finance Committee: 08/30/2021  
Quality of Life Committee: 09/01/2021  
Governing Body: 09/08/2021

- e. Request Approval for Award of Bid Number '21/43/B for the FY 2022 Priority Line Replacement Price Agreement, CIP # 3058 to Sub Surface Contracting, Inc. and A.A.C Construction, LLC. (Bill Huey, Water Division Engineer, bchuey@santafenm.gov, 955-4273)

1) Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$3,500,000.

**Committee Review:**

Finance Committee: 08/30/2021  
Public Works and Utilities Committee: 09/07/2021  
Governing Body: 09/08/2021

- f. Request for Approval of North Central New Mexico Economic Development District, Non-Metro Area Agency on Aging (AAA) Federal and State Sub-Award Contract in the Total Amount of \$866,912.20 for the Title III Federal and State Sub-Award Contract, Term Ending June 30, 2022. (Gino Rinaldi, Senior Services Division Director, earinaldi@santafenm.gov, 955-4710)

**Committee Review:**

Finance Committee: 08/30/2021  
Quality of Life Committee: 09/01/2021



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
SEPTEMBER 08, 2021  
5:00 PM  
ATTEND VIRTUALLY

Governing Body: 09/08/2021

- g. Request for Approval of Budget Amendment Resolution (BAR) Amendment to Allocate \$4,000,000 for Use of General Fund GRT Revenues Earned in the Prior Year (FY21) Above Budgeted Revenue to Fund the Southside Teen Center Project. (Sam Burnett, Facilities Division Director, jsburnett@santafenm.gov, 505-795-2491)

**Committee Review:**

Finance Committee: 08/30/2021

Public Works and Utilities Committee: 09/07/2021

Governing Body: 09/08/2021

- h. Request for Approval to Award ITB #21/38/B to Low Bidder EMCO of Santa Fe, LLC, for Runway 2 Runway Safety Area (RSA) Grading, in a Total Amount of \$396,886.41, Inclusive of New Mexico Gross Receipts Tax. (Mark Baca, Airport Manager: mdcaca@santafenm.gov, 955-2901)

**Committee Review:**

Finance Committee: 08/30/21

PW/U Committee: 09/07/21

Governing Body: 09/08/21

## 11. DISCUSSION/ACTION ITEMS

- a. **Request to Publish Notice of Public Hearing on September 29, 2021.**  
An Ordinance Amending the Land Development Code, Chapter 14 FCC 1987, to Address Zoning Issues Related to Cannabis; Amending Table 14-6.1-1, Table of Permitted Uses, to Clarify Zoning Districts for Various Types of Cannabis Establishments, and to Adopt Operating Times, Density Limitations, and a Minimum Distance Between Cannabis Retail Establishments and Schools or Daycare Centers; Amending Subsection 14-6.2(H), Agricultural Uses, to Address Cannabis Production; Adding a New Subsection 14-6.2(I) to Adopt Use-Specific Standards for Cannabis Establishments, Including Operating Times, Density Limitations, and a Minimum Distance Between Cannabis Retail Establishments and Schools or Daycare Centers; Amending Subsection 14-6.3(B)(2) to Prohibit Commercial Cannabis Establishments as Accessory Uses or Structures on Residentially Zoned Property; Amending Subsection 14-6.3(D)(2) to



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
SEPTEMBER 08, 2021  
5:00 PM  
ATTEND VIRTUALLY

Prohibit the Conduct of a Cannabis Establishment as a Home Occupation; Amending Section 14-12.1 to Add Definitions for Various Types of Cannabis Establishments; Establishing an Effective Date; and Making Such Other Changes as are Necessary to Carry Out the Purpose of this Ordinance. (Andrea Salazar, Assistant City Attorney: [asalazar@santafenm.gov](mailto:asalazar@santafenm.gov), 955-6303 and Noah Berke, Current Planning Manager: [nlberke@santafenm.gov](mailto:nlberke@santafenm.gov), 955-6647)

**Committee Review:**

Planning Commission: 08/19/21

Planning Commission: 09/02/21

Public Works and Utilities Committee: 09/07/21

Economic Development Advisory Committee: 09/08/21

Governing Body (Request to Publish): 09/08/21

Quality of Life Committee: 09/15/21

Finance Committee: 09/20/21

Governing Body (Public Hearing): 09/29/21

- b. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from SF Wine & Spirits, Inc. for a Transfer of Location Only of Dispenser Liquor License No. 0156 from 1005 S. St. Francis Drive, Suite 101, Santa Fe, to Susan's Fine Wine and Spirits, 632 Agua Fria, Santa Fe. (Geraldyn Cardenas, Assistant City Clerk, [gfcardenas@santafenm.gov](mailto:gfcardenas@santafenm.gov), 955-6519)

**Committee Review:**

Liquor Hearing: 08/16/2021

Governing Body: 08/25/2021

Governing Body: 09/08/2021

- c. **Ratification of the City Manager's Approval of Airport Coronavirus Response Grant Program (ACRGP) Concessions Relief Addendum Award No. 3-35-0037-056-2021 in the Amount of \$30,578 and Approval of the BAR to Budget Grant Funds into the Airport FY22 Operating Budget Federal Grant Revenue Org and Object 5456050.490550.** (Mark Baca, Airport Manager: [mdbaca@santafenm.gov](mailto:mdbaca@santafenm.gov), 955-2901)

**Committee Review:**

Public Works and Utilities Committee: 09/07/21

Governing Body: 09/08/21



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
SEPTEMBER 08, 2021  
5:00 PM  
ATTEND VIRTUALLY

- d. **Ratification of the City Manager's Approval of** Airport Rescue Grant Award No. 3-35-0037-057-2021 in the Amount of \$2,226,110 and Approval of the BAR to Budget Grant Funds Into the Airport FY22 Operating Budget Federal Grant Revenue Org and Object 5456050.490550. (Mark Baca, Airport Manager: [mdbaca@santafenm.gov](mailto:mdbaca@santafenm.gov), 955-2901)

**Committee Review:**

Public Works and Utilities Committee: 09/07/21

Governing Body: 09/08/2021

- e. Request for Approval of an Agreement with Jayne's Corporation for the Construction of the South Side Teen Center in the Total Amount of \$9,267,014.53 Including New Mexico Gross Receipts Tax. (Sam Burnett, Facilities Division Director: [jsburnett@santafenm.gov](mailto:jsburnett@santafenm.gov), 505-795-2491)

**Committee Review:**

Governing Body: 09/08/2021

- f. Review and Approval of a Memorandum of Agreement between the City of Santa Fe and Santa Fe County for Placement and Maintenance of Election Ballot Drop-Boxes on City of Santa Fe Property. (Marcos Martinez, Assistant City Attorney, [mdmartinez@santafenm.gov](mailto:mdmartinez@santafenm.gov), 955-6512 and Kristine Mihelcic, City Clerk and Community Engagement Director, [kmmihelcic@santafenm.gov](mailto:kmmihelcic@santafenm.gov), 955-6846)

**Committee Review:**

Governing Body: 09/08/2021

- g. Approval of a Settlement Agreement with AFSCME in PELRB Case #106-20 for an Amount of Seven Hundred Thousand Dollars (\$700,000) and Reimbursement of Leave Accruals. (Christopher Ryan, Senior Assistant City Attorney; [cwryan@santafenm.gov](mailto:cwryan@santafenm.gov), 955-6843 and Erin K. McSherry, City Attorney; [ekmcsberry@santafenm.gov](mailto:ekmcsberry@santafenm.gov), 955-6512)

**Committee Review:**

Governing Body: 09/08/2021

- h. Approval of a Mediation Settlement Agreement and Release of Claims with the New Mexico Taxation and Revenue Department in *City of Albuquerque*,



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
SEPTEMBER 08, 2021  
5:00 PM  
ATTEND VIRTUALLY

*et al. v. New Mexico Taxation & Revenue Dept.*, D-202-CV-2018-08036 for a Gross Recovery of Two Million, Six-Hundred-Ninety-Five Thousand, Eight Hundred Ninety-One Dollars and Ninety-Three Cents (\$2,695,000.93). (Erin K. McSherry, City Attorney; ekmcsherry@santafenmgov, 955-6512)

**Committee Review:**

Governing Body: 09/08/2021

12. **MATTERS FROM THE CITY MANAGER**
13. **MATTERS FROM THE CITY ATTORNEY**
14. **MATTERS FROM THE CITY CLERK**
15. **COMMUNICATIONS FROM THE GOVERNING BODY**
  - a. Introduction of Legislation

**EVENING SESSION - 7:00 P.M.**

16. **ROLL CALL**
17. **PETITIONS FROM THE FLOOR**
18. **APPOINTMENTS**
19. **PUBLIC HEARINGS**
  - a. **CONSIDERATION OF BILL NO. 2021-17. ADOPTION OF ORDINANCE 2021-\_\_\_\_.** (Mayor Webber)  
An Ordinance Authorizing the City of Santa Fe (“Borrower”) to Enter into a Loan Agreement with the New Mexico Environment Department (“NMED”) for the Purpose of Obtaining Project Loan Funds up to the Amount of \$4,000,000 Plus Accrued Interest and Loan Subsidy Grant Funds in the Amount of \$180,000 for Total Funded Amount not to Exceed \$4,180,000; Designating the Use of the Funds for the Purpose Defined in the Most Current Project Description Form as Approved by NMED; Declaring the Necessity for the Loan; Providing that the Loan Will be Payable and Collectible Solely from the Borrower’s Pledged Revenues Defined Below;



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
SEPTEMBER 08, 2021  
5:00 PM  
ATTEND VIRTUALLY

and Prescribing Other Details Concerning the Loan and the Security Therefore. (Melissa McDonald, Acting Parks Division Director: mdmcdonald@santafenm.gov, 955-6840)

**Committee Review:**

Introduced: 07/14/21

Finance Committee: 08/02/21

Public Works and Utilities Committee: 08/09/21

Governing Body (request to publish): 08/11/21

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

- b. CONSIDERATION OF BILL NO. 2021-18. ADOPTION OF ORDINANCE NO. 2021-\_\_\_\_. (Mayor Webber)

An Ordinance Removing Section 20-6 Relating to Marijuana and Marijuana Paraphernalia Possession. (Kyle Hibner, City Prosecutor: kjhibner@santafenm.gov, 955-5195)

**Committee Review:**

Introduced: 07/28/21

Governing Body (Request to Publish): 08/11/21

Finance Committee: 08/16/21

Public Safety Committee: 08/17/21

Quality of Life Committee: 08/18/21

Governing Body (Public Hearing): 09/08/21

- c. Review and Recommend Approval of Consolidated Annual Performance Evaluation Review (CAPER) on Uses of CDBG Funds for the 2020 - 2021 Program Year, as Required by HUD. (Alexandra Ladd, Director, Office of Affordable Housing: agladd@santafenm.gov, 505-303-9868)

**Committee Review:**

Finance Committee: 08/30/2021

Community Development Commission: 09/01/2021

Quality of Life Committee: 09/01/2021

Public Works and Utilities Committee: 09/07/2021

Governing Body (Public Hearing): 09/08/2021

20. **ADJOURN**

21. **UPCOMING PUBLIC HEARINGS**



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
SEPTEMBER 08, 2021  
5:00 PM  
ATTEND VIRTUALLY

a. **UPCOMING PUBLIC HEARINGS**

**Meeting Date – September 29, 2021**

**Publication Date – September 10, 2021**

CONSIDERATION OF BILL NO. 2021-20. ADOPTION OF ORDINANCE NO. 2021-\_\_\_\_. (Councilor Garcia, Councilor Romero-Wirth, and Councilwoman Villarreal)  
An Ordinance Amending Section 9-3.6 SFCC 1987 to Expressly Recognize that Electronic Signatures are Permitted Under the Uniform Electronic Transactions Act for Seed Money Contributions on the Required Forms; Amending Section 9-3.7 SFCC 1987 to Expressly Recognize that Electronic Signatures are Permitted Under the Uniform Electronic Transactions Act for Qualifying Contributions on the Required Forms; and Amending Section 9-3.12 SFCC 1987 to Expressly Recognize that Electronic Signatures are Permitted Under the Uniform Electronic Transactions Act for Qualified Small Contributions. (Marcos Martinez, Assistant City Attorney: mdmartinez@santafenm.gov, 955-6502)

**Committee Review:**

Introduced: 08/02/21

Quality of Life Committee: 08/18/21

Governing Body (Request to Publish): 08/25/21

Finance Committee: 08/30/21

Governing Body (Public Hearing): 09/29/21

CONSIDERATION OF BILL NO. 2021-21. ADOPTION OF ORDINANCE 2021-\_\_\_\_. (Councilwoman Renee Villarreal, Councilor Cassutt, and Councilor Garcia)  
An Ordinance Relating to Closed Captions; Creating a New Section 7.5 SFCC 1987 to Require Places of Public Accommodation to Activate Closed Captioning on Television Receivers. (Jesse Guillen, Legislative Liaison: jbguillen@santafenm.gov, 955-6518; Jennifer Faubion, Council Liaison: jrfaubion@santafenm.gov, 955-6033)

**Committee Review:**

Introduced: 07/14/21

Quality of Life Committee: 08/18/21

Mayor's Committee on Disability: 08/19/21

Governing Body (Request to Publish): 08/25/21

Finance Committee: 08/30/21

Governing Body (Public Hearing): 09/29/21

Closed captions are provided for this meeting. Persons with disabilities in need for additional accommodations, contact the City Clerk's office at 505-955-6521, five (5) working days prior to meeting date.