



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 10, 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/86262407162?pwd=VXJnVXpjR0xpVGIFSEtZbVJNWDdPdDZ09>.

Passcode: 282752

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



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Phone: To join the Zoom meeting using a phone, use the following phone numbers and Webinar ID: **US: 1 (346) 248-7799 - Webinar ID: 862 6240 7162 - Passcode: 282752**
Phone attendees should press *9 to use the “Raise Hand” function to be recognized by the Mayor to speak at the appropriate time.

AFTERNOON SESSION - 5:00 P.M.

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

Councilor Lindell

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

Councilor Romero-Wirth

4. **INVOCATION**

Councilwoman Villarreal

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

- a. Regular Governing Body Meeting – October 27, 2021

9. **PRESENTATIONS**

- a. Municipal Court Update (Judge Virginia Vigil, Municipal Court Judge: vmvigil@santafenm.gov; 955-5110)



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- b. Community Health and Safety Task Force Update (Councilwoman Villarreal, rdvillarreal@santafenm.gov, 955-2345 and Councilor Rivera, cmrivera@santafenm.gov, 955-6818)
- c. Culture, History, Art, Reconciliation, and Truth (CHART) Quarterly Update as Required by Resolution 2021-6 and 2021-56.

Presenters

Valerie Martinez, Artful Life Co-Director

Jenice Gharib, Artful Life Co-Director Quarterly Presentation Dates:

- November 10, 2021
- February 9, 2022
- May 11, 2022
- August 10, 2022
- November 9, 2022

10. CONSENT CALENDAR

- a. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Uncle DT's Smokehouse, LLC for a Restaurant Beer and Wine License with On-Premises Consumption, to be Located at Uncle DT's Smokehouse, 3134 Rufina Street, Santa Fe. (Geraldyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov, 955-6519)

Committee Review:

Liquor Hearing: 10/25/2021

Governing Body: 11/10/2021

- b. Request for Approval of Budget Adjustment Resolution (BAR) in the Amount \$663,224.72 for the Santa Fe Community Convention Center Air-Handler (IntelliPak) Replacement Project for a Twelve (12) Month Term; Trane U.S. Inc. dba Trane 47QSWA20D0021 / SPA 00-00000-20-00099. (Randy Randall, TOURISM Director, rrandall@santafenm.gov, 955-6209)

Committee Review

Finance Committee – 11/01/2021

Public Works and Utilities Committee: 11/08/2021

Governing Body – 11/10/2021



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- c. Santa Fe Community Convention Center Air-Handler (IntelliPak) Replacement Project; Request for Approval of a Professional Goods and Services Agreement in Total Amount of \$663,224.72 for a Twelve (12) Month Term; Trane U.S. Inc. dba Trane 47QSWA20D0021 / SPA 00-00000-20-00099. (Randy Randall, TOURISM Director, rrandall@santafenm.gov, 955-6209)

Committee Review

Public Works and Utilities Committee: 10/25/2021
Finance Committee: 11/01/2021
Governing Body: 11/10/2021

- d. Request for Approval of the New Mexico Department of Transportation Agreement for the Funding of Projects: End Driving While Impaired (ENDWI), Buckle Up (BKLUP)/ Click it or Ticket (CIOT), and Selective Traffic Enforcement Program (STEP) in the Total Project Amount of \$89,303. (Paul Joye, Deputy Chief of Police, pmjoye@santafenm.gov, 955-5355 and Anthony Tapia, Santa Fe Police Captain, matapia@santafenm.gov, 955-5286)

Committee Review:

Finance Committee: 11/01/2021
Quality of Life Committee: 11/03/2021
Governing Body Committee: 11/10/2021

- e. Request for Approval of a Memorandum Of Understanding (MOU) – Region III Drug Task Force Agreement between the Department of Public Safety and City of Santa Fe Police Department as a Sub-Recipient of the Region III High Intensity Drug Trafficking Areas Funding in the Amount of \$18,649. (Paul Joye, Deputy Chief of Police, pmjoye@santafenm.gov, 955-5355 and David Webb, Lt. Police Department, dwebb@santafenm.gov, 955-5257)

Committee Review:

Finance Committee: 11/01/2021
Quality of Life Committee: 11/03/2021
Governing Board Committee: 11/10/2021

- f. CONSIDERATION OF RESOLUTION NO 2021-___. (Mayor Webber)
A Resolution Approving First Quarter Budget Amendments for Fiscal Year 2021-2022. (Andy Hopkins, Acting Budget Officer: ajhopkins@santafenm.gov, 955-6177)



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Committee Review:

Introduced: 10/27/21

Finance Committee: 11/01/21

Public Works and Utilities Committee: 11/08/21

Governing Body: 11/10/21

- g. Request for Approval for a Lease Agreement for Telecommunications Facilities at Buckman Booster Station No. 4 for Verizon Communications. (Terry Lease, Asset Development Manager: tlease@santafenm.gov; Marcos Martinez, Senior Assistant City Attorney: mdmartinez@santafenm.gov, 955-6502 and Rich Brown, Community and Economic Development Director: rdbrown@santafenm.gov, 955-6625)

Committee Review:

Public Works and Utilities Committee: 09/27/21

Finance Committee: 11/01/21

Governing Body: 11/10/21

- h. Request for Approval for Lease Amendment No. 1 to Sandoval Parking Garage Antenna Site Lease for Verizon Communications. (Terry Lease, Asset Development Manager: tlease@santafenm.gov; Marcos Martinez, Senior Assistant City Attorney: mdmartinez@santafenm.gov, 955-6502 and Rich Brown, Community and Economic Development: rdbrown@santafenm.gov, 955-6625)

Committee Review:

Public Works and Utilities Committee: 09/27/21

Finance Committee: 11/01/21

Governing Body: 11/10/21

- i. Request the Approval of NMDOT Funding Agreements as Per Ordinance #2020-33, Section 2-4.6.B and Budget Amendment Resolution Funding. (Romella Glorioso-Moss, PW Project Administrator Sr. rglorioso-moss@santafenm.gov; 955-6623)
1. Ratify Contract Amendments to NMDOT Contract No. D15509, Project No. S100460 Guadalupe St. Reconstruction Project Extending Termination Date from 09/15/2021 to 03/15/2022; Approved by the City Manager on 09/13/2021.



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2. Ratify Contract Amendments to NMDOT Contract No. D18446, Project No. S100470 St. Michael's Drive/Rail Trail Underpass Increasing Design Funding from \$284,999 to \$1,069,437; and Extending Termination Date from 03/31/2022 to 01/25/2024; Approved by the City Manager on 09/17/2021.
3. Approve Budget Adjustment Resolution (BAR) of \$784,438 to Project ID# ENG18330E; Org./Obj. 3309980.572960.

Committee Review:

Finance Committee: 11/01/2021

Public Works & Utilities Committee: 11/08/2021

Governing Body: 11/10/2021

- j. Request for Approval of a Professional Services Contract for Workers Comp & General Liability Third Party Administrative Services in the Amount of \$768,434.23; Cannon Cochran Management Services. (Bradley Fluetsch, CFA, Planning and Investment Officer: bjfluetsch@santafenm.gov, 955-6885)

Committee Review

Finance Committee: 11/01/2021

Public Works and Utilities Committee: 11/08/2021

Governing Body: 11/10/2021

- k. Request for Approval of a Professional Service Contract for Comprehensive Insurance Claims Administrative Broker Services in the Amount of \$271,936.00; Arthur J. Gallagher. (Bradley Fluetsch, CFA, Planning and Investment Officer: bjfluetsch@santafenm.gov, 955-6885)

Committee Review

Finance Committee: 11/01/2021

Public Works and Utilities Committee: 11/08/2021

Governing Body: 11/10/2021

- l. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$131,698 to Fund the Reclassification of Two Positions. (Jonathan Montoya, Source of Supply Operations Manager: jmmontoya@santafenm.gov, 955-4373)
 1. Reclassify a Source of Supply Water Operator Entry position to a Water Operator Advanced Position, an Increase Amount of \$42,788;



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2. Reclassify and Transfer Utility Customer Service Meter Reader Position to the Water Division SOS Water Operator Advanced Position, an Increase of \$88,910.

Committee Review:

Public Works and Utilities Committee: 10/25/2021

Finance Committee: 11/01/2021

Governing Body: 11/10/2021

- m. Request for Approval of a Budget Amendment Resolution (BAR) in the Amount of Two Hundred Ninety-Two Thousand, Three Hundred Thirty-Six Dollars (\$292,336) to Pay for the Legal Services Provided by Gallagher & Kennedy, P.A., Pursuant to Settlement Agreement between the City of Santa Fe and the New Mexico Department of Taxation and Revenue Department in 2021. (Erin McSherry, City Attorney, ekmcsberry@santafenm.gov, 955-6961)

Committee Review:

Finance Committee: 11/01/2021

Quality of Life Committee: 11/03/2021

Governing Body: 11/10/2021

- n. Request for Approval of the Assignment of Santa Fe Regional Airport Lease Agreement (Item #18-0188) from "Gate 13, LLC," to "Gate 13 Hangar Condominium Association. (Mark Baca, Airport Manager: mdbaca@santafenm.gov, 955-2901)

Committee Review:

Finance Committee: 11/1/21

Public Works and Utilities: 11/8/21

Governing Body: 11/10/2021

- o. Request for the Approval of a Software Contract in the Total Amount of Three Hundred Fifty-Four Thousand Seven Hundred Fifty-Five Dollars and Ninety-Eight Cents (\$354,755.98) for a Comprehensive and Integrated Software Platform for Santa Fe Fire Department in Fiscal Years '22, '23, '24 and '25; ImageTrend, Inc. (Andres J. Mercado, Firefighter: ajmercado@santafenm.gov, 955-3604)

Committee Review:

Finance Committee: 11/01/2021



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Quality of Life Committee: 11/03/2021
Governing Body Committee: 11/10/2021

11. DISCUSSION/ACTION ITEMS

- a. CONSIDERATION OF RESOLUTION NO. 2021-___. (Mayor Webber)
A Resolution Extending the Duration of the Mayor's Emergency Proclamation Issued on November 8, 2021, by Twenty-Six Days, Expiring at Noon on December 6, 2021, Pursuant to Section 20-1.3(C) SFCC 1987. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov, 955-6961)
- b. CONSIDERATION OF RESOLUTION NO. 2021-___. (Mayor Webber and Councilor Lindell)
A Resolution Extending the Time Permitted for the Temporary Use of City Sidewalks, Streets, Rights-of-Way, or Other Specified Property for the Sale and Consumption of Alcohol, Pursuant to Section 23-6.1(E)(5), SFCC 1987. (Randy Randall, TOURISM Santa Fe Director: rrandall@santafenm.gov, 955-6209)
Committee Review:
Introduced: 10/27/21
Governing Body: 11/10/21
- c. Approval of Transportation Project Fund Grant Agreement in the Total Amount of \$1,700,000 for the Construction of Agua Fria/South Meadows Intersection Improvements Project; New Mexico Department of Transportation. (Romella Glorioso-Moss, Projects Administrator: rsglorioso-moss@santafenm.gov, 955-6623)
 1. Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of \$1,615,000 to Put the Funds from the TPF Grant into Budget for the Construction of Agua Fria/South Meadows Intersection Improvements.
Committee Review:
Public Works and Utilities Committee: 11/08/2021
Governing Body: 11/10/2021
- d. CONSIDERATION OF RESOLUTION NO 2021-___. (Councilor Rivera and Councilor Abeyta)



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A Resolution Approving the City of Santa Fe's Participation in a Transportation Fund Program Administered by the New Mexico Department of Transportation for Improvements to the Agua Fria/South Meadows Intersection. (Romella Glorioso-Moss, Projects Administrator: rglorioso-moss@santafenm.gov, 955-6623)

Committee Review:

Introduced: 10/27/21

Public Works and Utilities Committee: 11/08/21

Governing Body: 11/10/21

- e. Approval of Transportation Project Fund Grant in the Total Amount of \$800,000 for the Engineering Design of Bishop's Lodge Reconstruction Project; New Mexico Department of Transportation. (Romella Glorioso-Moss, Projects Administrator: rsglorioso-moss@santafenm.gov, 955-6623)
 - 1. Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of \$760,000 to Put the Funds from the TPF Grant into Budget for the Engineering Design of Bishop's Lodge Reconstruction Project.

Committee Review:

Public Works and Utilities Committee: 11/08/2021

Governing Body: 11/10/2021

- f. CONSIDERATION OF RESOLUTION NO. 2021-___. (Councilors Lindell and Villarreal)
A Resolution Approving the City of Santa Fe's Participation in a Transportation Fund Program Administered by the New Mexico Department of Transportation for the Reconstruction of Bishop's Lodge Road. (Romella Glorioso-Moss, Projects Administrator: rglorioso-moss@santafenm.gov, 955-6623)

Committee Review:

Introduced: 10/27/21

Public Works and Utilities Committee: 11/08/21

Governing Body: 11/10/21

- g. Approval of Transportation Project Fund Grant Agreement in the Amount of \$800,000 for the Engineering Design of Paseo del Sol Extension Project as per Tierra Contenta Master Development Plan; New Mexico Department of



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Transportation. (Romella Glorioso-Moss, Projects Administrator: rsglorioso-moss@santafenm.gov, 955-6623)

1. Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of \$760,000 to Put the Funds from the TPF Grant into Budget for the Engineering Design of Paseo del Sol Extension Project.

Committee Review:

Public Works and Utilities Committee: 11/08/2021

Governing Body: 11/10/2021

- h. CONSIDERATION OF RESOLUTION NO. 2021-___. (Councilor Rivera and Councilor Abeyta)

A Resolution Approving the City of Santa Fe's Participation in a Transportation Fund Program Administered by the New Mexico Department of Transportation for the Extension of Paseo Del Sol. (Romella Glorioso-Moss, Projects Administrator: rsglorioso-moss@santafenm.gov, 955-6623)

Committee Review:

Introduced: 10/27/21

Public Works and Utilities Committee: 11/08/21

Governing Body: 11/10/21

- i. Approval of Transportation Project Fund Grant Agreement in the Total Amount of \$450,000 for Engineering Design of Henry Lynch Road Reconstruction Project; New Mexico Department of Transportation. (Romella Glorioso-Moss, Projects Administrator: rsglorioso-moss@santafenm.gov, 955-6623)

1. Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of \$427,500 for Engineering Design of Henry Lynch Road Reconstruction Project.

Committee Review:

Public Works and Utilities Committee: 11/08/2021

Governing Body: 11/10/2021

- j. CONSIDERATION OF RESOLUTION NO. 2021-___. (Councilor Vigil Coppler and Councilor Cassutt)

A Resolution Approving the City of Santa Fe's Participation in a Transportation Fund Program Administered by the New Mexico Department of Transportation for the Reconstruction of Henry Lynch Road. (Romella Glorioso-Moss, Projects Administrator: rsglorioso-moss@santafenm.gov, 955-6623)



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Committee Review:

Introduced: 10/27/21

Public Works and Utilities Committee: 11/08/21

Governing Body: 11/10/21

- k. CONSIDERATION OF RESOLUTION NO. 2021-_____. (Councilor Rivera and Councilor Villarreal)

A Resolution Updating the Terms of Resolution No. 2021-17 to Extend the Community Health and Safety Task Force's Term Through the End of Calendar Year 2022. (Jesse Guillen, Legislative Liaison: jbguillen@santafenm.gov, 955-6518)

Committee Review:

Introduced: 10/27/21

Finance Committee: 11/01/21

Quality of Life Committee: 11/03/21

Governing Body: 11/10/21

- l. Recommendation To Deny Appeal # 2021-004271-APPL by Stephen Durkovich, Andrew Eiseman, Steve Flance, Joe Schepps, Nancy Zeckendorf, Upper Camino de Cruz Blanca Road Association and Los Miradores Unit Owners Association of the Historic Districts Review Board's Decision in Case # 2021-003844-HDRB, to Permit a Telecommunications Facility Near the St. John's College Campus, 72 Feet south of 1160 Camino de Cruz Blanca. (Frank Ruybalid, Assistant City Attorney, feruybalid@santafenm.gov)

12. **MIDTOWN OVERVIEW**

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

Information Presentation Topic: Land Use & Development Plan

Presenters: Daniel Hernandez, Proyecto, Midtown Redevelopment Project Manager

Stefan Pelegrini, Opticos,
Office of Land Use
Office of Economic Development



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13. **MATTERS FROM THE CITY MANAGER**
14. **MATTERS FROM THE CITY ATTORNEY**
15. **MATTERS FROM THE CITY CLERK**
16. **COMMUNICATIONS FROM THE GOVERNING BODY**
 - a. Introduction of Legislation for November 10, 2021.

EVENING SESSION - 7:00 P.M.

17. **PUBLIC INPUT**
 - a. Public Input on Priorities for Use of American Rescue Plan Act (ARPA) Funds.
18. **PETITIONS FROM THE FLOOR**
19. **APPOINTMENTS**
 - a. Community Development Commission (Alexandra Ladd, Director, Office of Affordable Housing: agladd@santafenm.gov, 505-303-9868)
 - Rachel Thompson – Appointment (Filling Vacant Term) – Term Ending 3/2023
 - Gabriela Marquez Villegas – Appointment (Filling Vacant Term) – Term Ending 3/2024
 - Ken Hughes – Reappointment – Term Ending 3/2022
 - Carla Lopez – Reappointment – Term Ending 3/2023
 - John Padilla – Reappointment – Term Ending 3/2023
 - Rosario Torres – Reappointment – Term Ending 3/2024
20. **PUBLIC HEARINGS**
 - a. CONSIDERATION OF RESOLUTION NO. 2021-_____.
A Resolution Amending the General Plan Future Land Use Map Designation from Low Density Residential (1 Dwelling Per Acre and 1-3 Dwelling Units Per Acre) to Moderate Density Residential (3-7 Dwelling Units Per Acre) for Approximately 8.38 Acres of Land Located on the East Side of Kates Way,



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North of South Meadows Road (Aleksander Estates Subdivision General Plan Amendment, Case No. 2021-3805).

Case #2021-3805. Aleksander Estates Subdivision General Plan Amendment. Montoya Land Use Consulting, Agent, for Next Generation Contracting, Inc., Owner, Requests Approval of a General Plan Future Land Use Amendment to Change the Designation from Low Density Residential (1 Dwelling Unit Per Acre and 1-3 Dwelling Units Per Acre) to Moderate Density Residential (3-7 Dwelling Units Per Acre) for Approximately 8.38 Acres of Land Located on the East Side of Kates Way, North of South Meadows Road.

(Donna Wynant, Case Manager, djwynant@santafenm.gov, 955-6325)

POSTPONED FROM THE OCTOBER 27, 2021 GOVERNING BODY MEETING

- b. CONSIDERATION OF BILL NO. 2021-22. ADOPTION OF OF ORDINANCE NO. 2021-_____.

An Ordinance Amending the Official Zoning Map of the City of Santa Fe and Changing the Classification from R-1 (Residential One Dwelling Unit Per Acre) to R-7 (Residential Seven Dwelling Units Per Acre) with Respect to a Certain Parcel of Land Comprising Approximately 8.38 Acres Located on the East Side of Kates Way, North of South Meadows Road. (Aleksander Estates Subdivision Rezoning, Case No. 2021-3806).

Case #2021-3806. Aleksander Estates Subdivision Rezoning. Montoya Land Use Consulting, Agent, Next Generation Contracting, Inc., Owner, Requests Approval of Rezoning from R-1 (1 Dwelling Unit Per Acre) to R-7 (7 Dwelling Units Per Acre) for Approximately 8.38 Acres of Land Located on the East Side of Kates Way, North of South Meadows Road. (Donna Wynant, Case Manager: djwynant@santafenm.gov, 955-6325) POSTPONED FROM THE OCTOBER 27, 2021 GOVERNING BODY MEETING

- c. **Case #2021-3807. Aleksander Estates Subdivision Preliminary Development Plan.** Montoya Land Use Consulting, Agent, Next Generation Contracting, Inc., Owner, Requests Preliminary Development Plan Approval of a Preliminary Subdivision for 59 Single-Family Residential Lots on Approximately 8.38 Acres. The Property is Zoned R-1 Residential and is Located on the East Side of Kates Way, North of South Meadows Road. (Donna Wynant, Case Manager: djwynant@santafenm.gov, 955-6325) POSTPONED FROM THE OCTOBER 27, 2021 GOVERNING BODY MEETING



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- d. **Appeal #2021-4161 of Case #2021-3804.** Appeal by Sommer Karnes & Associates for Villa Sendero, LLC & CSM Properties, Ltd., of the Planning Commission's Denial of Villa Sendero's Request for an Amendment to Phase II of its Development Plan for a Development Located at 5132 Beckner Road. (Patricia Feghali, Assistant City Attorney, pfeghali@santafenm.gov, 955- 6501)

- e. **Appeal #2021-4078 -APPL of Case #2021-3828-HDRB.** Appeal by Steven Brown of the Historic Districts Review Board's Denial of a Request for Retroactive Approval of a 198 Sq. Ft. Portal on a Non-Contributing Residential Structure at 701 E. Alameda #3, in the Downtown and Eastside Historic District. (Frank Ruybalid, Assistant City Attorney: feruybalid@santafenm.gov)

21. **ADJOURN**

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.

**Governing Body
SUMMARY INDEX
November 10, 2021**

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|--|--------------------------|-------|
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| 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 Cassutt | 1 |
| 5. Roll Call | Quorum Present | 1 |
| 6. Approval of Agenda | Approved as presented | 2 |
| 7. Approval of Consent Calendar | Approved as presented | 3 |
| 8. Approval of Minutes | | |
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| 9. Presentations | | |
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| b) Comm. Health & Safety Update | Informational | 4-10 |
| c) CHART Update | Informational | 10-16 |
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| 11. Discussion/Action Items | | |
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| b) Extended sidewalk Use | Approved | 26-27 |
| c) Agua Fria/South Meadows Project | Approved | 27 |
| d) Agua Fria/South Meadows Funds | Approved | 27-28 |
| e) Bishops Lodge Rd Reconstruction | Approved | 28-29 |
| f) Bishops Lodge Road Funds | Approved | 29 |
| g) Paseo del Sol Extension Grant | Approved | 29-30 |
| h) Paseo del Sol Extension Funds | Approved | 30-31 |
| i) Henry Lynch Road Reconstruction | Approved | 31 |
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| k) Community Health/Safety TF Ext | Approved | 32-34 |
| l) Camino de Cruz Blanca Appeal | Approved denial | 34-37 |
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| 14. Matters from the City Attorney | Informational | 39 |
| 15. Matters from the City Clerk | None | 39 |
| 16. Communications from Governing Body | Communicated | 39-40 |
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| 17. Public Input on ARPA | Input given | 17-20 |
| 18. Petitions from the Floor | Petitions made | 20-21 |
| 19. Appointments | | |
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| 20. Public Hearings | | |
| a) Aleksander Subdivision GPA | Approved | 42-44 |
| b) Aleksander Rezoning | Approved | 44-46 |
| c) Aleksander Estates Preliminary Plan | Approved | 46 |
| d) Appeal on Villa Sendero Request | Approved | 46-52 |
| e) Appeal of HDRB denial on 2021-3828 | Denied | 52-59 |
| 21. Adjournment | Adjourned at 1:20 a. m. | 59-60 |

**Minutes of the
Regular Meeting of the Governing Body
Wednesday, November 10, 2021
Virtual Meeting**

1. CALL TO ORDER

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Alan Webber, on Wednesday, November 10, 2021, at approximately 5:08 p.m., at the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico as a virtual meeting.

Having trouble with Youtube activation.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilor Lindell.

3. SALUTE TO THE NEW MEXICO FLAG

The Salute to the New Mexico Flag was led by Councilor Romero-Wirth.

4. INVOCATION

The Invocation was led by Councilor Villarreal. In honor of Native American Heritage Month, she shared a poem by Joey Harjo, entitled Eagle Poem.

Mayor Webber remembered Mr. Bill Carson, a champion of Communities in Schools that he and his wife started here in Santa Fe. He was a native of St. Louis and a St Louis Cardinals fan but made a huge difference here as a Living Treasure and as one who made a difference.

Councilor Romero-Wirth thanked Mayor Webber for that tribute and added condolences to his family. He was an author and a student at the Boys School in Los Alamos. He contributed greatly to northern New Mexico.

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

Mayor Alan Webber
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

Roman "Tiger" Abeyta

Other Participants Attending Remotely

Jarel LaPan Hill, City Manager
Erin McSherry, City Attorney
Kristine Bustos-Mihelcic, City Clerk
Regina Wheeler, Public Works Department Director
Rich Brown, Community & Economic Development Department Director
Patricia Feghali, Assistant City Attorney
Frank Ruybalid, Assistant City Attorney
Carly Piccarello, Land Use Planner
Jesse Guillen, Legislative Liaison
Jason Kluck, Acting Land Use Director
Noah Berke, Case Manager Supervisor
Nicole Thomas, HDRB Staff Liaison
Members of the Community Health and Safety Task Force
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

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

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

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

Against: None

7. APPROVAL OF CONSENT CALENDAR

MOTION: Councilor Lindell moved, seconded by Councilor Cassutt, to approve the Consent Calendar as presented.

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

For: Mayor Webber, Councilor Cassutt, 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 Meeting – October 27, 2021

MOTION: Councilor Lindell moved, seconded by Councilor Cassutt, to approve the Minutes of the Regular Governing Body meeting on October 27, 2021, as presented.

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

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

Against: None.

9. PRESENTATIONS

- a. Municipal Court Update (Judge Virginia Vigil, Municipal Court Judge: vmvigil@santafenm.gov; 955-5110)

Judge Vigil presented and first apologized for not being present at the last meeting. Her report was unchanged from the one she submitted for the last meeting, and it included the printed statistics from the Municipal Court. The court numbers are not as they were before COVID. She has added hearings for people who are failing to pay their fines, to come explain why, whether they need extension, or a different payment plan.

The Administrator of the Court requires a plan and a follow-up. She shared the letter from a Court Administrator who made a spot visit and said she got good feedback.

We are getting money for capital projects within the Municipal Court and the roof, and the air conditioning system are now being worked on. We secured funding for bullet-proof glass which is all installed.

Judge Vigil ended her report and stood for questions.

Councilor Romero-Wirth thanked Judge Vigil for being here and her presentation. She asked how the Judge could characterize those having trouble paying. She asked if there was a particular offense on it or if the delays were across the board.

Judge Vigil said it was across the board. People detach themselves from appearing and paying their fines because of the pandemic. It is across the board, but the homeless people are behind, and their fines can be converted to community service. Most have lost their jobs from COVID and are now getting re-employed and we are getting them back on track.

There were no other questions or comments.

Mayor Webber thanked Judge Vigil for the report.

- b. Community Health and Safety Task Force Update (Councilwoman Villarreal, rdvillarreal@santafenm.gov, 955-2345 and Councilor Rivera, cmrivera@santafenm.gov, 955-6818)

The Task Force members were introduced to the Governing Body by Councilor Rivera: Bruce Finger, Gabriel Sanchez, Mary Louise Romero, Monica Ault, Emily Kaltenbach, Valeria Alarcón, Annie Rasquin, Judge Michael Vigil, and Marcela Diaz. He and Councilor Villarreal are co-chairs. Councilor Rivera said Valeria Alarcón is the consultant and facilitator, Ms. Alarcón shared her screen for the report.

Councilor Rivera said the Task Force can do more than we have done but we are here to hear from the community and that will be evident in the report.

Ms. Alarcón said she is an advocate of this work. She shared a quote from Lilla Watson. She read the resolution purpose: to examine ways in which the City's community health and safety services can work together as complementary parts. The Task Force duties were to assess internal policies, procedures and practiced and provide data-informed recommendations for community engagement of diverse and affected voices.

She read the Guiding Principles for the Task Force and pointed out the difference between equality and equity. She briefly commented on them in the work of the Task Force.

Councilor Villarreal described the background of the Task Force and commented that the members feel like a family now and are still building trust with each other. All meetings have been virtual, and they have gotten over the barriers for building trust.

She said the Task Force had presentations from Police Chief and Fire Chief about their missions and budgets. And Director Ochoa gave them an overview on her department's work and goals, and a presentation on the Alternative Response Unit.

Members of the Municipal Judge's Task Force informed them on several things they wanted to move forward on.

Some members participated in a national webinar on policy and police reform and other task forces across the county, including Austin and Oakland. And they had a recent debrief by Staff to the Policies and Practices Working Groups on internal affairs policies.

Councilor Villarreal said the Task Force has formed working groups. Research was conducted by members and Jennifer Faubion that was helpful. They also talked about next steps.

She described the working groups next. The first was Policies and Practices Working Group, shared by Bruce Finger. This working group was formed to work on evaluation of current Police and Fire policies and practices and to work on ways to promote better transparency, fairness, and community confidence. They brainstormed on policies they would like to work on and narrowed that down to specific details, which he listed for the Governing Body.

The next presenter was Marcela Diaz, who presented the Alternative Approaches & Community Engagement Working Group. She identified the members of that Working Group and turned to Monica Ault to share the work they have undertaken.

Monica Ault said their primary focus has been to make policy and direct services recommendations to promote health and safety in the City by reviewing existing community resources from previous City projects where there was a rigorous community engagement such as the Municipal Drug Task Force that was initiated in 2018 by Mayor Webber. Their final report highlighted their findings and recommendations to inform Santa Fe drug and alcohol policies. They looked at local policies and practices and

national policies that included the work of other similar Task Forces and other data and investigating effective community methodologies, some of which she shared with the Governing Body.

Ms. Diaz said they reviewed what other municipal task forces have done and compares them with Santa Fe community needs. The Working Group surveyed engagement policies and practices in cities of different sizes to get a sense of what could work here and sifted through the data to inform our recommendations.

Many of us figured out what would work here and worked with Gabriel Sanchez from UNM and shared data with him and he was already working with Denver on those policies and in Albuquerque. So he was able to put together a good proposal for those not always heard. We've worked with Dr. Sanchez on various work he has done on workforce development and were impressed with his high-level research and focus groups, interviews with Spanish speakers, people of color, etc.

Dr. Sanchez reported from his car beside the Interstate on his way back from Albuquerque. Dr. Sanchez is the Executive Director of the UNM Center for Social Policy. He said the next step in their work is the community outreach and engagement plan. He was asked to put together an engagement plan.

He said he does rigorous research and focuses on using the research for making policy decisions. He is now doing criminal justice research with engaged public safety interventions and evaluating those interventions. His focus was on engaging the most affected voices to ensure they inform public safety and segments that are often overlooked in research. Racial/ethnic minorities, low-income residents, young adults and teenagers, immigrants and formerly and currently incarcerated are difficult to reach. But his team has expertise in reaching them. The most difficult are incarcerated and previously incarcerated people.

He looked at non-traditional outreach methods. The first step was a citywide survey like a random sample but also an open-access link to community partners. The survey in Albuquerque put it on public library computers for provision of public access. He pointed out that surveys don't always capture all voices, so he like to follow up with community forums and opportunities for public forums at which the team co-facilitates those discussions. And, for young adults up to 25 years of age they are supporting community members to interview each other using a tablet provided.

The Task Force brainstorms on which organizations they can reach and work through them to reach those that are more difficult.

He commented briefly on budget and timeline. The project needs about 4-6 months to execute the outreach to the community. He suggested more time to get all voices included. There was no discussion on cost. But he said they will work out a plan for the budget given. He was sure it was definitely feasible.

Councilor Villarreal thanked him. She thanked her colleagues and Task Force members who committed their time and energy to do this work. She also thanked the former consultant and stood for questions.

Councilor Rivera thanked Dr. Sanchez and all volunteer members who are making it successful. They were asked to do several nontraditional things and were willing to help with them. It will work out fine. He thanked his co-leader, Councilor Villarreal.

Councilor Romero-Wirth thanked the Task Force. She agreed it has very important people with experience and knowledge. Thanks for your time. This is very important work, and this is the first opportunity to thank you for your work. We appreciate it.

She asked about plans to replace lost members or if they were confident with the group they have now.

Councilor Rivera thought they were comfortable with this group and had not thought about bringing in more members. Bringing them in mid-stream would not work well. 70-80 people applied originally, and there were some just outside that group and that could be asked if they decided to add some more.

Councilor Villarreal agreed.

Councilor Romero-Wirth remembered they lost two members, so the Governing Body changed the resolution to allow for replacements.

Councilor Villarreal knew the resolution allows for replacements, but they have not discussed that while they are moving into community engagement now.

Councilor Romero-Wirth asked if there were more than the two working groups.

Councilor Villarreal said there were three, but the Task Force combined two of them.

Councilor Romero-Wirth asked if there were any memos about the research now.

Councilor Villarreal said research was gathered but was more on internal documents – datapoints and information from Fire and Police. Jennifer Faubion was very helpful with that. Each Working Group is doing its own research.

Ms. Diaz added that the research has information on other groups across the country and we are putting it together to help with the recommendations we will make. It is much like the way we did with the Municipal Drug Task Force.

Councilor Romero-Wirth said it is hard for the Governing Body since the working groups are closed. We have to be able to learn along with you - who are you looking at, what are you learning. This is very important work, but she was concerned the Governing Body is not coming along with the Task Force on it. This is a great group with great credentials.

Councilor Cassutt echoed those words. She was grateful for them to come together on such a complex issue. She saw nine members in a resolution that had 11-15 members.

She understood why they might not want to add members at this time.

She asked if they could announce the groups they planned to work with.

Councilor Rivera was not sure they were at a point to answer that, but they will utilize all with whom they can network.

Councilor Villarreal added that Dr. Sanchez focused on the anonymity involved. We have time to talk about that in the Task Force.

Councilor Lindell thanked the Task Force and noted it was nice to see some of them at this Governing Body report.

Councilor Villarreal said the goal is quarterly reports moving forward. The Task Force is meeting twice, but some are working group meetings.

Councilor Lindell thought one group that seemed natural would be a victims of crime group and she hoped they would include them. She asked Dr. Sanchez if that would be part of the research.

Dr. Sanchez thanked her for that suggestion. We could do that here and our team has done it before. He suggested the survey limit it to victims

within a certain period. He noted that victims and non-victims seemed to have the same attitudes toward law enforcement.

Councilor Lindell said that gives validity to the work. That is an excellent point.

Monica Ault said she was a public defender for many years. At times the offenders and the victims are the same people. We are trying to reach all of those groups. She is interested in those represented by a public defender too.

Mayor Webber agreed this work is incredibly important, and it is a remarkable and committed membership of the Task Force. It is timely and evolving. He recalled the failed vote to change the Minneapolis police force to something else. Councilor Lindell raised a good point on victims of crime. We do have special programs for support for them and healing from the crime.

He too was interested in best practices while moving upstream, not only among fire and police members. Chief Padilla went to a conference in New York, led by David Kennedy. We need to be assessing our own policies and practices. One Mayor's conference focused on the initiative on law enforcement. It is not static but more fully established. Finding a way to be engaged with different voices is essential.

Councilor Villarreal thanked her colleagues for the questions. With research, we are compiling the data and need a staff person to help us to compile it in a cohesive way. Valeria is amazing but has a limited contract. Adding members could be helpful but support of Staff is essential, whether on contract or a City Staff person. The Task Force is also looking to partner with Community Foundations. We are working hard on this, among our other responsibilities. Thanks to our members for being present tonight.

Mayor Webber noted at the engagement plan and top of his focus on incarcerated was a speech from Father Greg with former gang members in Los Angeles. He was a nationally known speaker for them. A focus for him was the challenge of young people making bad choices and finding the best way to help them make the right choices.

He asked what the best way was to positively engage with police and fire. It is one of the hardest jobs in America. They are under scrutiny at all times. He went to the graduation at the Police Academy where three of the four graduates went to the SFPD. He asked how the Task Force can engage constructively with them.

Councilor Villarreal agreed they are a group we are considering how to structure, as well as with those who left and why.

Ms. Diaz said there is opportunity in the City for those who aren't heard. She pointed out for the health part that when we talk about health, it is in conjunction with a survey of all the best practices around the country and determine where Santa Fe is positioned in that regard.

It is not just on interactions and attitudes, and we will get to that in our engagement work. That is definitely what Dr. Sanchez is doing. And the Community Health part of this is just as important in our work.

The Task Force ended the presentation at 6:35.

- c. Culture, History, Art, Reconciliation, and Truth (CHART) Quarterly Update as Required by Resolution 2021-6 and 2021-56.
Presenters: Valerie Martinez, Artful Life Co-Director. And Jenice Gharib, Artful Life Co-Director Quarterly Presentation Dates:
- November 10, 2021
 - February 9, 2022
 - May 11, 2022
 - August 10, 2022
 - November 9, 2022

Ms. Bustos-Mihelcic read the caption for this item and noted this is the first presentation.

Ms. Martinez and Ms. Gharib, plus Alexis Kaminsky, and Pauline Kamiyama were present.

Ms. Martinez shared her power point presentation on the report and noted this project began on August 12 with an amended contract. They have been at work for 90 days now. She didn't read all text on the slides but read the first one about CHART which was also on the website.

Since August 12, they have been very busy, and she summarized the work in the next slide. The foundation was administration infrastructure, evaluation tools, outreach, staffing, teambuilding/training, public events planning and community-building.

Ms. Gharib spoke to the accomplishments in the first quarter. She listed 318 people who receive the newsletters. They have met with over 125 people in a list she showed. Not all the groups they have met with were on the slide.

Meeting spaces were provided by Acequia Madre House and the Boys and Girls Club of Santa Fe.

She said most visitors were from Santa Fe but also around New Mexico, the US, Europe and as far away as the Philippines. She showed the upcoming events, and the bios of all team members. She was pleased with the contacts to the web activities.

The next slide showed the Social Media Statistics. Facebook was by far the most popular. They have done 18 posts, and reached 12,142 people, with 1,009 engagements, 856 links and 49 followers.

They have been featured on KRQE, the Richard Eeds Show, Santa Fe Reporter, Albuquerque Journal and Santa Fe New Mexican.

She showed the Project Team members and the unidentified four high school interns. 155 people applied and were vetted and interviewed. They received diverse candidates and selected a diverse team. Six are lifelong residents. There are 12 women and 8 men with ages from 16 to 80 and they are residents from five zip codes. Their professions were listed. He said they were all very talented with a wide diversity of skills.

Ms. Alexis Kaminsky was introduced to talk on the first CHART survey.

Ms. Kaminsky has been doing program evaluation since the late 1990's. The first CHART survey opened on September 8 and would close on December 31, 2021. The survey has three open-ended questions – one on history, one on relationships and one on becoming good ancestors to our children and generations to come. She said many in the community were very vocal and we want also to reach the others.

At end of October, the Team had received 250 surveys and 243 were usable. The majority came online, and a majority answered all three questions. The size of responses was from 44 to over 10,000. There were 186 pages of responses.

The largest decade of responders was those who were 70-79. Most of them lived in the 87501, 87505, and 87507 zip codes.

Ms. Martinez showed the targets from now to December 31 for the survey with drop boxes and their locations. They are trying to reach into classrooms. She described the survey kit. The kit engages attendees in dialogues and solicits survey responses at the end. Social studies lesson plans were available. Educators were part of the project team and available to whomever was interested.

Ms. Gharib announced two upcoming events on Sunday November 14 at 2 pm at Frenchy's Field and on Thursday, November 18 at 6 pm on Zoom with City Historian Valerie Rangel and State Historian Martinez in dialogue to address how can we come to a fuller understanding of the history of Santa Fe.

The report was concluded, and they stood for questions at 7:03 pm.

Councilor Garcia thanked them for the overview. A lot has been going on in past 90 days and he looked forward to seeing them on Sunday. He asked if the Thursday Zoom presentation will be recorded.

Ms. Gharib agreed. Everything will be recorded and will be available on the public channel afterwards.

Councilor Garcia mentioned the 100th anniversary of the Santa Fe Trail and autograph rock on the trail. His great, great, great, great grandfather died of cholera on the Trail, and they had to leave his body behind. They went back and retrieved the body and buried him at the San Miguel Chapel.

Councilor Garcia saw a gap in the team makeup with no historian to retell the stories. We need such a historian on the team or in that demographic to advocate for the history. His ancestor who retrieved the body was later in the Civil War. We should not forget what happened in between and we can't miss that when going through this process. And without a historian on the team, he felt a little excluded but knew that was not the intention. We need to silence those critical voices. We need to be able to bring everyone to the table "Why aren't we touching those people with those concerns. We need to do everything to silence those who say no one represents them."

Ms. Martinez asked those people to read the bios of the team members. She thought she understood the background he was referring to. The responses are very broad, and those points of view are probably represented in those views. She clarified the team members were facilitators and not advocates. Their role is to listen and take in the stories of the residents, to document, and to record them. They have worked hard to emphasize that team members are not advocating any opinion but to listen to what people are telling them.

She didn't remember a person who specifically said they were historians but the applicants with degrees in history were among them. This team has very diverse backgrounds. And she referred people to their bios. They are not advocating for any particular point of view. The body of information

at the end of the process is collected from the residents and this gets their perspective through various means and the Team will have a great body of information that hopefully has reached deeply into the community. They are important to this process.

Councilor Garcia understood but the Team doesn't have a historian.

Ms. Martinez agreed. The budget provided for membership on the team was set and she didn't know how they would develop the criteria for adding a historian.

Ms. Gharib added that the dialogue included responses on history and culture and different perspectives. The Team will engage with others including culture bearers and historians.

Councilor Garcia wondered if there could be false narratives conveyed in the meetings. The Team would need to discern and eliminate the false truths. A historian would help when those might arise. A historian would help to eliminate those.

He said he had been told by some candidates not selected who had a historian background. He wanted everyone to be confident in the process but there were people who were not comfortable on what will happen at the end of the year with recommendations. He agreed it is bigger than monuments and statues and the process will take years to accomplish. But will the Team have a recommendation on monuments and statues at the year end?

Ms. Martinez couldn't say that would happen in the survey responses. There are responses regarding monuments and statues, but she could not predict what the recommendations will be. She showed a slide that reflected the language from the City that informed their contract. "We are just 3 months in with 9 months to go and cannot presuppose what the recommendations will be."

Councilor Garcia pointed out the Governing Body has handed the keys to the Team to drive us through the process and meeting certain benchmarks. One of the benchmarks is on monuments and statues. It will be nearly two years since the obelisk came down when this process is completed. If we don't have a recommendation at the end of two years, it will mean our community will be in a worse place than right now. There are lots of conversations needed and the trauma of this destructions is in people's face. The monument was dedicated to our country. If we continue down this path, we won't get the reconciliation we seek. He hoped the team would prioritize a recommendation on the monuments and statues. He was very disappointed that was not a priority. So he was interested in

seeing who had applied but not selected to be part of the team. He wanted to see those resumes and hoped the great choices were not skipped over. He didn't know who would answer those questions.

Ms. Martinez was very confident in this team to do their job well and have all perspectives incorporated into the recommendations. This team will be ready to listen and record the recommendations to the Governing Body.

Councilor Garcia said he didn't get an answer. He wanted to know if he could see those resumes of all who submitted their resumes.

Ms. Martinez did not know the answer.

Director Kamiyama didn't either but said she would get back to him.

Councilor Garcia thanked her. He just saw some gaps on the team. And wondered if no one met those criteria. What he heard from the community didn't fit with that. We need to do everything we can to get invested in the process. We already have a faction of people who don't support the process. And we need to respond how untrue it is because of x, y, and z.

Ms. Martinez heard him, but the overwhelming response we have had and the surveys coming in have overwhelming support for this process with honest feedback on many, many issues. 155 people applied and 139 were not chosen. They took lots of time looking for the right facilitators. She felt confident in the team and their training to listen to the community and encourage all points of view. She also heard back from many of those not chosen who were very gracious with the outcome.

Councilor Garcia said the demographics should include what they brought to the process. A clean and clear process to prevent people from complaining against it. He didn't see that in this briefing.

He had no other questions and offered to help if there was anything he could do to support the process.

Councilor Vigil Coppler said there were people who talked with her also who did not get invited to be facilitators. We have a trust that needs repair and many who grew up here who don't identify or even know anyone on the team. In the end, it will be what results in and has some semblance of the rich history of Santa Fe. That is not to say none of the team has that rich history or that those who did didn't compete well enough to qualify. She emphasized that communicating out there what she just said as facilitators was important. She didn't think everyone understood that. And they wanted more people they could identify with. So maybe there was a level of mistrust. There is still a large group out there who are apparently

not happy with what is happening here. She was not sure how that will be dealt with. She will be watching it closely since she grew up here and participated as princesa in Las Fiestas. So she was very interested in it and especially with statues and monuments being destroyed. Her son is the little boy with the hat at Museum Hill. His semblance is commemorated in that statue - the horse and wagons and Native American woman when the statue was done. There are not many older people on the facilitation team, and they know the history. It is our elders who have the history. But the statue is important to her and her family. It was important to the State and Governor and people of New Mexico. They are not just pieces of metal but have a heart and soul behind them and the destruction tears out the soul. Many people here have had enough but were not given credence to serve on the team. It doesn't support reunification and keeps the sword in our heart. She was not sure how CHART was going to turn out. But she will be observing and contributing and will pay attention to the things that are important to her and the people who grew up here. Thanks for your work.

Councilor Romero-Wirth asked, knowing we have a very long agenda ahead of us, if Ms. Martinez could give a synopsis of the process. She said she has also gotten emails that CHART is a Task Force to figure out what will happen on the bringing out of all the stories for the healing we want.

Ms. Martinez, in response, said the team reflected people who were born and raised here and their ancestors. She asked the Governing Body to please read the bios on the website. They have expressed their deep devotion to the history of Santa Fe. This is a Santa Fe-based team with a real commitment to Santa Fe and its history. She was also born and raised in Santa Fe on both sides of her family. Many of the team are from here. It includes artists and others, but our job is not to advocate for any particular view. The team members were chosen for good facilitation to help people tell their stories and engage in dialogue and we encourage civil dialogue and to have all voices heard. The project team has wide connections in the community. Our job is not to advocate for a particular opinion or view but to gather and document the information with recordings, video, surveys – a very large body of information to enable us to create recommendations representing a deep process.

Councilor Rivera noted while he was looking at the bios, that the leaders specified the number of years they have lived here except for Ms. Higgins.

Ms. Martinez explained that she is outside of the process as the event coordinator.

Councilor Rivera saw six life-long members and others who have lived in Santa Fe over 20 years. But he wondered if one of the lifelong residents is now 16 years old.

Ms. Martinez offered to calculate the average residency but asked him to remember they are a facilitation team. It was confusing to her that a job was other than facilitation. We have worked hard to have a diverse team but not representing a particular population or point of view.

Councilor Rivera understood but the team has to deal with people who have been here for 60 years.

Ms. Martinez thought she could help the team dialogue with older residents.

Councilor Garcia felt Councilor Rivera brought up a good question. As a facilitator in his own past, he knew that facilitators have to make a space that feels comfortable, for if they are not comfortable, it would be a failure. The original resolution, as part of the goals, said– that community dialogue will >>>> inform the decision for statues and monuments. It is part of the resolution the Governing Body passed unanimously and that was the understanding back in January, to be completed by December 31, 2021, and even in the amended resolution, which was still part of the process for monuments and statues. It is to make those hard decisions.

Mayor Webber thanked the team and the Governing Body members. This is the first presentation, and he appreciated the thoroughness which they explained well their role. We opted for the facilitation and everyone on the Governing Body wishes you success in the events and your efforts.

Councilor Villarreal wanted to give these facilitators a chance to facilitate. It is a hard job. Let them have a chance at this point. She wanted to see the bigger picture with perspectives of our history that don't get talked about. People must be open to other perspectives and she wanted to give them a chance to do their job. She trusted the process so ancianos and others have a space to tell their story.

AGENDA AMENDMENT

Mayor Webber noted it was almost 8:00 and people were waiting to give public input on ARPA and petitions from the floor. He asked if the Governing Body would be willing to change the agenda for those two agenda items on the evening agenda and then return to where we are now.

MOTION: Councilor Villarreal moved, seconded by Councilor Romero-Wirth, to amend the agenda by going next to the Evening Session to consider the first two agenda items and then return to the remaining afternoon session.

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

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

Against: None

EVENING SESSION – 7:57 P.M.

17. PUBLIC INPUT

- a. Public Input on Priorities for Use of American Rescue Plan Act (ARPA) Funds.

Fernando Gomez Chavez, speaking on behalf of the Santa Fe Turees? Team. I have worked with them last year and am no longer part of the team. The reason I wanted to speak is because I am not able to afford to live here in Santa Fe. And I want to speak on behalf of those funds being used for affordable housing. There are a lot of private apartments being built around town that are not accessible or affordable for people like me. I have lived here all of my life and am living with my parents because I can't afford to live here. \$15 million, considering how expensive it is to live here, is not a lot. We work with a lot of individuals here on the southside to get support to assist with rent payments. Those funds should go to who were struggling to pay rent for affordable housing and first-time home buyers to help people live here and continue to live here. I do work here in the community. \$6 million is what you had allocated for affordable housing. That is maybe four houses in Las Campanas. I work in construction and thankfully, now am making a decent living on my own business, but I still cannot afford to live here. We need affordable housing for la gente here. I was working with Homewise and all I could find at \$250,000 was 30-40 miles from Santa Fe's center. We need truly affordable units here.

Alice Roye. CEO of Creative Startups based here in Santa Fe. We have hosted about 400 entrepreneurs over the past decade and want to host more to help them with their business to have incomes that match the cost of living here. We work entirely with creative businesses and currently run a food program with City of Santa Fe support. We have helped launch 26 food businesses here in Santa Fe over the past two years despite the pandemic. We are requesting support for three initiatives, all of which will

serve creative businesses. We really want to do Spanish language training on the southside of Santa Fe. I speak Spanish fluently. One faculty member was raised in Mexico and did his PhD here in the US. We have our materials ready to go in Spanish. We have mentors. But we need support for outreach. We also work closely with Future Presentations, Meow Wolf and other creative programs to build an internship program to keep our young people here doing exciting work in the creative industries to gain professional development and technical skills. We would also like to do programming around the digital divide. Half of the businesses in Santa Fe are not capable of marketing online.

Fernanda Gutierrez with Santa Fe Mutual Aid Network, a project of EarthCare, which reaches messaging on mutual support. We have distributed a half million dollars into the hands of community residents in need. We have helped neighbors in need get connected for rental assistance. We are concentrating on work in the Spanish speaking community with translations and help them meet the application requirements of the AM program with those unable to get documentation. WE applaud the city for partnership with the Family Independence Initiative in the Mutual Aid Program we only required a simple online application in Spanish and English. We are looking for community support in distributing these funds and want to help, with no barriers, to share funds as needed. We use a neighbor-to-neighbor approach.

Mike May – Future Focus Education out of Albuquerque, said we create paid internships for youth and have done over 500 placements in Albuquerque and placed 15 in Santa Fe over the height of the pandemic. We propose to scale that program in Santa Fe for pathways out of High School into training and education in the workforce - multiple sectors. We now have a full-time person here, working with Communities in Schools, Lucia Duncan, and building placements in health care, creative arts, restaurants, culinary work, outdoor recreation and other sectors. We are excited to have brought this proposal to put in place in Santa Fe.

Sheryl Anthro – Co-Chair of Santa Fe SCORE, which mentors small businesses from startup to full operation. We give workshops and started in 1975. We propose a series of webinars customized for the needs in each District in lockstep with Economic Development Department and partners like Chamber of Commerce, Hispanic Chamber of Commerce and Green Chamber of Commerce to ensure our ideas are relevant. So first, a series of webinars, and second, to have hands-on workshops, and third, engage clients in regular conversation about the mentorship process. And use money to translate it all into Spanish and work with the City Economic Department for the small business community.

Pablo?? - member of EarthCare, who said families are in need of financial aid for medical, etc. and they also should automatically qualify for SNAP, Medicaid, and other support programs for undocumented persons in our community. I urge you to consider having these funds available and flexible for their particular needs.

Eleanor Stevens, Member of Santa Fe Mutual Aid Network, part of EarthCare. We have spent time connecting residents with resources and services and noticed those hardest hit by the pandemic, like restaurant workers and home cleaning don't have the skills to deal with applications, like how to upload pdf applications or how to list dependent children in a complex online form. One rental aid application asked for the SSN and in a very tiny box mentioned without one they could just put zeros. She has encouraged people how they could apply and otherwise would not get any rental aid. We have done tutorials and held workshops to help complete applications. That level of support is really needed for those who can't otherwise apply.

Lucia Duncan, CIS Alumni Director said she was just back from her first in-person gathering of CIS alumnae network where she heard youth needs for training and mentorship. Youth especially need help through financial hardships. It could be transformative to have internships that lead to a career to support their family. Future Focus and CIS does this. Thanks.

Miguel Acosta - You have heard many suggestions for how to spend ARPA funds and heard from EarthCare. I highlight Youth and Family Leaders for projects they are involved in. Continued success depends on training and capacity building. We now have twenty individuals trained so far who are ready to help with community development and some were trained in transportation analysis and updating their own teams on traffic, etc. They registered with Mutual Aid and now have developed their own consulting team with resources that create employment opportunity. Please consider investment in this program which will help our community very much.

Miriam Arellano spoke in Spanish in support of Santa Fe Mutual Aid Network where she was a member and how it has helped the community. She appreciated what she has learned and the lessons they have taught to help people. She hoped the City would continue to help the Mutual Aid services in Santa Fe.

Marcella Diaz said Somos un Pueblo is an immigrant-based organization that helps convene the statewide economic effort that directs cash assistance and has advocated for about \$25 million for low-income families that were left out of cash support and still are struggling with predatory debt and the pandemic forcing them to miss work. There is a large gap between indirect and direct cash aid to those families and we

need to help them catch up. The City of Santa Fe leads the way by collaborating with Somos and Chainbreaker, and the Family Initiative now known as Act Together and we ask for ARPA funds to help them catch up for those who were left out of the recovery.

Bianca, with EarthCare and Mutual Aid Network was trying to wrap up our recommendations as much as possible should be for direct cash assistance with limited application requirements to make it as much accessible for families in need. It should all be available in Spanish for language justice in the communication. Navigation services need to be provided to help them and help to get others to the help. Not just rental assistance but also investment in expanding public housing and some rent control. Finally, we hope you would consider capacity and democracy building in a community-wide mutual aid fund for budgeting. We are part of a cohort for democracy beyond elections.

Stefanie Beninato urged some funding for mediation programs for water bills, prevention of evictions and other programs. We need to direct more to those efforts.

There were no other public speakers making comments for ARPA and the Public Input session was closed.

18. PETITIONS FROM THE FLOOR

Stefanie Beninato City Staff has undertaken another study for what was 34th on the priority list. She thought they could save a lot of money without it. She noted a lot of talk on the Plaza around the former obelisk on what would happen. She understood there were going to be surveys about recommendations. Now she understood that was not true. Who would make the recommendations? she appreciated that the facilitators were neutral but there is a misunderstanding on what they were to do. It was a resolution and voted on, and seemingly quite different.

Rick Martinez asked the Governing Body to please postpone the upcoming meeting on the ordinance. It should have had more public hearings. We are not getting answers from the City and what will happen with future administrations. He asked if we will be seeing more six story buildings around Santa Fe. When you change an ordinance, you must have public hearings and there are a lot of questions out there. By postponing the hearing on November 18, you can provide more time. Noah Berke doesn't have all the answers. He hoped the Council will postpone that Planning Commission meeting. It is very important for Santa Fe, and he was sure Councilors are getting letters about it.

Richard Ryan, Nava Ade, noted that Las Soleras was annexed in 2003. He was concerned about the cost of the bill which provides major changes that would change the landscape for Santa Fe without essential guidance on a revised GP and >>> No data on specifics are provided for this. The public was not included in the process to evaluate this very impactful bill. So the city seems to be uninformed and I ask that the meeting be postponed until that happens

Miguel Gabaldon – on the presentation for CHART today -he observed it is unbiased on the history. After last week, he observed a reference to city of Santa Fe and town of (TEWA name as attempt to the indigenous group. He didn't understand that as unbiased >>> He hoped it was going into a direction not recognize various groups that make up Santa Fe. Thanks for your time.

There were no other petitions.

Went back to the order of business.

10. **CONSENT CALENDAR**

- a. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Uncle DT's Smokehouse, LLC for a Restaurant Beer and Wine License with On-Premises Consumption, to be Located at Uncle DT's Smokehouse, 3134 Rufina Street, Santa Fe. (Geraldyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov, 955-6519)

Committee Review:

Liquor Hearing: 10/25/2021

Governing Body: 11/10/2021

- b. Request for Approval of Budget Adjustment Resolution (BAR) in the Amount \$663,224.72 for the Santa Fe Community Convention Center Air-Handler (IntelliPak) Replacement Project for a Twelve (12) Month Term; Trane U.S. Inc. dba Trane 47QSWA20D0021 / SPA 00-00000-20-00099. (Randy Randall, TOURISM Director, rrandall@santafenm.gov, 955-6209)

Committee Review

Finance Committee – 11/01/2021

Public Works and Utilities Committee: 11/08/2021

Governing Body – 11/10/2021

- c. Santa Fe Community Convention Center Air-Handler (IntelliPak) Replacement Project; Request for Approval of a Professional Goods and Services Agreement in Total Amount of \$663,224.72 for a Twelve (12) Month Term; Trane U.S. Inc. dba Trane 47QSWA20D0021 / SPA 00-00000-20-00099. (Randy Randall, TOURISM Director, rrandall@santafenm.gov, 955-6209)

Committee Review

Public Works and Utilities Committee: 10/25/2021
Finance Committee: 11/01/2021
Governing Body: 11/10/2021

- d. Request for Approval of the New Mexico Department of Transportation Agreement for the Funding of Projects: End Driving While Impaired (ENDWI), Buckle Up (BKLUP)/ Click it or Ticket (CIOT), and Selective Traffic Enforcement Program (STEP) in the Total Project Amount of \$89,303. (Paul Joye, Deputy Chief of Police, pmjoye@santafenm.gov, 955-5355 and Anthony Tapia, Santa Fe Police Captain, matapia@santafenm.gov, 955-5286)

Committee Review:

Finance Committee: 11/01/2021
Quality of Life Committee: 11/03/2021
Governing Body Committee: 11/10/2021

- e. Request for Approval of a Memorandum of Understanding (MOU) – Region III Drug Task Force Agreement between the Department of Public Safety and City of Santa Fe Police Department as a Sub-Recipient of the Region III High Intensity Drug Trafficking Areas Funding in the Amount of \$18,649. (Paul Joye, Deputy Chief of Police, pmjoye@santafenm.gov, 955-5355 and David Webb, Lt. Police Department, dwebb@santafenm.gov, 955-5257)

Committee Review:

Finance Committee: 11/01/2021
Quality of Life Committee: 11/03/2021
Governing Board Committee: 11/10/2021

- f. CONSIDERATION OF RESOLUTION NO 2021-62. (Mayor Webber)
A Resolution Approving First Quarter Budget Amendments for Fiscal Year 2021-2022. (Andy Hopkins, Acting Budget Officer: ajhopkins@santafenm.gov, 955-6177)

Committee Review:

Introduced: 10/27/21
Finance Committee: 11/01/21
Public Works and Utilities Committee: 11/08/21
Governing Body: 11/10/21

- g. Request for Approval for a Lease Agreement for Telecommunications Facilities at Buckman Booster Station No. 4 for Verizon Communications. (Terry Lease, Asset Development Manager: tlease@santafenm.gov; Marcos Martinez, Senior Assistant City Attorney: mdmartinez@santafenm.gov, 955-6502 and Rich Brown, Community and Economic Development Director: rdbrown@santafenm.gov, 955-6625)

Committee Review:

Public Works and Utilities Committee: 09/27/21

Finance Committee: 11/01/21
Governing Body: 11/10/21

- h. Request for Approval for Lease Amendment No. 1 to Sandoval Parking Garage Antenna Site Lease for Verizon Communications. (Terry Lease, Asset Development Manager: tlease@santafenm.gov; Marcos Martinez, Senior Assistant City Attorney: mdmartinez@santafenm.gov, 955-6502 and Rich Brown, Community and Economic Development: rdbrown@santafenm.gov, 955-6625)

Committee Review:

Public Works and Utilities Committee: 09/27/21

Finance Committee: 11/01/21

Governing Body: 11/10/21

- i. Request the Approval of NMDOT Funding Agreements as Per Ordinance #2020-33, Section 2-4.6. B and Budget Amendment Resolution Funding. (Romella Gloriosso-Moss, PW Project Administrator Sr. rgloriossomoss@santafenm.gov; 955-6623)

1. Ratify Contract Amendments to NMDOT Contract No. D15509, Project No. S100460 Guadalupe St. Reconstruction Project Extending Termination Date from 09/15/2021 to 03/15/2022; Approved by the City Manager on 09/13/2021.

2. Ratify Contract Amendments to NMDOT Contract No. D18446, Project No. S100470 St. Michael's Drive/Rail Trail Underpass Increasing Design Funding from \$284,999 to \$1,069,437; and Extending Termination Date from 03/31/2022 to 01/25/2024; Approved by the City Manager on 09/17/2021.

3. Approve Budget Adjustment Resolution (BAR) of \$784,438 to Project ID# ENG18330E; Org./Obj. 3309980.572960.

Committee Review:

Finance Committee: 11/01/2021

Public Works & Utilities Committee: 11/08/2021

Governing Body: 11/10/2021

- j. Request for Approval of a Professional Services Contract for Workers Comp & General Liability Third Party Administrative Services in the Amount of \$768,434.23; Cannon Cochran Management Services. (Bradley Fluetsch, CFA, Planning and Investment Officer: bjfluetsch@santafenm.gov, 955-6885)

Committee Review

Finance Committee: 11/01/2021

Public Works and Utilities Committee: 11/08/2021

Governing Body: 11/10/2021

- k. Request for Approval of a Professional Service Contract for Comprehensive Insurance Claims Administrative Broker Services in the Amount of \$271,936.00; Arthur J. Gallagher. (Bradley Fluetsch, CFA, Planning and Investment Officer: bjfluetsch@santafenm.gov, 955-6885)

Committee Review

Finance Committee: 11/01/2021

Public Works and Utilities Committee: 11/08/2021

Governing Body: 11/10/2021

- l. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$131,698 to Fund the Reclassification of Two Positions. (Jonathan Montoya, Source of Supply Operations Manager: jmmontoya@santafenm.gov, 955-4373)

1. Reclassify a Source of Supply Water Operator Entry position to a Water Operator Advanced Position, an Increase Amount of \$42,788.
2. Reclassify and Transfer Utility Customer Service Meter Reader Position to the Water Division SOS Water Operator Advanced Position, an Increase of \$88,910.

Committee Review:

Public Works and Utilities Committee: 10/25/2021

Finance Committee: 11/01/2021

Governing Body: 11/10/2021

- m. Request for Approval of a Budget Amendment Resolution (BAR) in the Amount of Two Hundred Ninety-Two Thousand, Three Hundred Thirty-Six Dollars (\$292,336) to Pay for the Legal Services Provided by Gallagher & Kennedy, P.A., Pursuant to Settlement Agreement between the City of Santa Fe and the New Mexico Department of Taxation and Revenue Department in 2021. (Erin McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6961)

Committee Review:

Finance Committee: 11/01/2021

Quality of Life Committee: 11/03/2021

Governing Body: 11/10/2021

- n. Request for Approval of the Assignment of Santa Fe Regional Airport Lease Agreement (Item #18-0188) from "Gate 13, LLC," to "Gate 13 Hangar Condominium Association. (Mark Baca, Airport Manager: mdbaca@santafenm.gov, 955-2901)

Committee Review:

Finance Committee: 11/1/21

Public Works and Utilities: 11/8/21
Governing Body: 11/10/2021

- o. Request for the Approval of a Software Contract in the Total Amount of Three Hundred Fifty-Four Thousand Seven Hundred Fifty-Five Dollars and Ninety-Eight Cents (\$354,755.98) for a Comprehensive and Integrated Software Platform for Santa Fe Fire Department in Fiscal Years '22, '23, '24 and '25.
ImageTrend, Inc. (Andres J. Mercado, Firefighter: ajmercado@santafenm.gov, 955-3604)
Committee Review:
Finance Committee: 11/01/2021
Quality of Life Committee: 11/03/2021
Governing Body Committee: 11/10/2021

Mayor Webber declared a 15-minute break until 8:52.

At 8:54 all had arrived, and the meeting was reconvened.

11. **DISCUSSION/ACTION ITEMS**

- a. **CONSIDERATION OF RESOLUTION NO. 2021-63. (Mayor Webber)**
A Resolution Extending the Duration of the Mayor's Emergency Proclamation Issued on November 8, 2021, by Twenty-Six Days, Expiring at Noon on December 6, 2021, Pursuant to Section 20-1.3(C) SFCC 1987. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov, 955-6961)

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

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

Councilor Lindell supported the extension that takes us to December 6, but she spent two days this week in arroyos where people camp and would like to move forward to not include the camping areas for another emergency declaration. We will have \$100,00 for arroyo cleanup. We have to do something different for these encampments.

Councilor Rivera asked if the Governing Body should extend it further since we only have one meeting left on December 8.

Ms. McSherry agreed this one is shorter but an extension to January would be more than 60 days. But it could be approved further on December 8.

Mayor Webber pointed out that he could extend it on December 6.

Ms. McSherry agreed.

Mayor Webber understood the Council could approve an extension 3 days later.

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

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

Against: None

b. CONSIDERATION OF RESOLUTION NO. 2021-64. (Mayor Webber and Councilor Lindell)

A Resolution Extending the Time Permitted for the Temporary Use of City Sidewalks, Streets, Rights-of-Way, or Other Specified Property for the Sale and Consumption of Alcohol, Pursuant to Section 23-6.1(E)(5), SFCC 1987. (Randy Randall, TOURISM Santa Fe Director: rrandall@santafenm.gov, 955-6209)

Committee Review:

Introduced: 10/27/21

Governing Body: 11/10/21

Ms. Bustos-Mihelcic read the caption for this item for alcohol sales on sidewalks. Randy Randall was not available on this item.

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to approve the Resolution as presented.

Ms. McSherry explained this just extends the time for permitting alcohol sales which was approved soon after the beginning of the pandemic. We followed suit with the State originally to October 2020 and again during the last few weeks. The State was going to extend it again. So the Governing Body is able to do it by resolution revision.

Councilor Villarreal felt this is an important step because we are not out of the pandemic, and she asked Staff to keep her informed about it as we move forward in the future.

Mayor Webber agreed. It is part of the COVID world we are adapting to in a variety of ways all over the City.

Councilor Villarreal wanted to cosponsor.

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

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

Against: None

c. Approval of Transportation Project Fund Grant Agreement in the Total Amount of \$1,700,000 for the Construction of Agua Fria/South Meadows Intersection Improvements Project; New Mexico Department of Transportation. (Romella Glorioso-Moss, Projects Administrator: rsglorioso-moss@santafenm.gov, 955-6623)

1. Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of \$1,615,000 to Put the Funds from the TPF Grant into Budget for the Construction of Agua Fria/South Meadows Intersection Improvements.

Committee Review:

Public Works and Utilities Committee: 11/08/2021

Governing Body: 11/10/2021

Ms. Bustos-Mihelcic read the caption for this item and noted that Ms. Glorioso-Moss was present. Director Wheeler was also here.

MOTION: **Councilor Lindell moved, seconded by Councilor Rivera, to approve the Project Fund Grant Agreement and the Budget Adjustment Resolution as presented.**

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

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

Against: None

d. CONSIDERATION OF RESOLUTION NO 2021-65. (Councilor Rivera and Councilor Abeyta)

A Resolution Approving the City of Santa Fe's Participation in a Transportation Fund Program Administered by the New Mexico Department of Transportation for Improvements to the Agua Fria/South Meadows Intersection. (Romella Glorioso-Moss, Projects Administrator: rglorioso-moss@santafenm.gov, 955-6623)

Committee Review:

Introduced: 10/27/21

Public Works and Utilities Committee: 11/08/21

Governing Body: 11/10/21

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

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Cassutt, to approve the City's participation with DOT for improvements to the Agua Fria/South Meadows Intersection as presented.

Councilor Villarreal asked to be a cosponsor.

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

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

Against: None

- e. Approval of Transportation Project Fund Grant in the Total Amount of \$800,000 for the Engineering Design of Bishop's Lodge Reconstruction Project; New Mexico Department of Transportation. (Romella Glorioso-Moss, Projects Administrator: rsglorioso-moss@santafenm.gov, 955-6623)

- 1. Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of \$760,000 to Put the Funds from the TPF Grant into Budget for the Engineering Design of Bishop's Lodge Reconstruction Project.

Committee Review:

Public Works and Utilities Committee: 11/08/2021

Governing Body: 11/10/2021

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

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Villarreal, to approve the Fund Grant and the Budget Adjustment Resolution as presented.

Discussion on the Motion:

Councilor Villarreal thanked the MPO for bringing this to our meeting. They were able to find the funding and to Ms. Glorioso-Moss for helping us to move forward on it.

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

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

Against: None

- f. CONSIDERATION OF RESOLUTION NO. 2021-66. (Councilors Lindell and Villarreal)

A Resolution Approving the City of Santa Fe's Participation in a Transportation Fund Program Administered by the New Mexico Department of Transportation for the Reconstruction of Bishop's Lodge Road. (Romella Glorioso-Moss, Projects Administrator: rgloriosomoss@santafenm.gov, 955-6623)

Committee Review:

Introduced: 10/27/21

Public Works and Utilities Committee: 11/08/21

Governing Body: 11/10/21

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

MOTION: **Councilor Romero-Wirth moved, seconded by Councilor Villarreal, to approve the City's participation in the Bishop's Lodge Road reconstruction as presented.**

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

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

Against: None

- g. Approval of Transportation Project Fund Grant Agreement in the Amount of \$800,000 for the Engineering Design of Paseo del Sol Extension Project as per Tierra Contenta Master Development Plan; New Mexico

Department of Transportation. (Romella Glorioso-Moss, Projects Administrator: rsgloriosomoss@santafenm.gov, 955-6623)

1. Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of \$760,000 to Put the Funds from the TPF Grant into Budget for the Engineering Design of Paseo del Sol Extension Project.

Committee Review:

Public Works and Utilities Committee: 11/08/2021

Governing Body: 11/10/2021

Ms. Bustos-Mihelcic read the caption for this item

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Cassutt, to approve the Grant Agreement and the Budget Adjustment Resolution as presented.

Discussion on the Motion:

Councilor Vigil Coppler noted a correction in the caption. The project is for the Paseo del Sol West extension.

Director Wheeler agreed.

Councilor Vigil Coppler said it is only clear on the map.

Ms. Glorioso-Moss apologized that she didn't have time to change it in PrimeGov, but it is extending Paseo del Sol West.

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

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

Against: None

- h. CONSIDERATION OF RESOLUTION NO. 2021-67. (Councilor Rivera and Councilor Abeyta)

A Resolution Approving the City of Santa Fe's Participation in a Transportation Fund Program Administered by the New Mexico Department of Transportation for the Extension of Paseo Del Sol West (Romella Glorioso-Moss, Projects Administrator: rsgloriosomoss@santafenm.gov, 955-6623)

Committee Review:

Introduced: 10/27/21

Public Works and Utilities Committee: 11/08/21
Governing Body: 11/10/21

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, to approve the City's participation in the extension of Paseo Del Sol West as presented.

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

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

Against: None

- i. Approval of Transportation Project Fund Grant Agreement in the Total Amount of \$450,000 for Engineering Design of Henry Lynch Road Reconstruction Project; New Mexico Department of Transportation. (Romella Glorioso-Moss, Projects Administrator: rsglorioso-moss@santafenm.gov, 955-6623)
 1. Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of \$427,500 for Engineering Design of Henry Lynch Road Reconstruction Project.

Committee Review:

Public Works and Utilities Committee: 11/08/2021
Governing Body: 11/10/2021

Ms. Bustos-Mihelcic read the caption for I and i-1.

MOTION: Councilor Cassutt moved, seconded by Councilor Lindell, to approve the Agreement for design of Henry Lynch Road and the Budget Adjustment Resolution as presented.

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

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

Against: None

- j. CONSIDERATION OF RESOLUTION NO. 2021-68. (Councilor Vigil Coppler and Councilor Cassutt)

A Resolution Approving the City of Santa Fe's Participation in a Transportation Fund Program Administered by the New Mexico Department of Transportation for the Reconstruction of Henry Lynch Road. (Romella Glorioso-Moss, Projects Administrator: rglorioso-moss@santafenm.gov, 955-6623)

Committee Review:

Introduced: 10/27/21

Public Works and Utilities Committee: 11/08/21

Governing Body: 11/10/21

Ms. Bustos-Mihelcic read caption for this item.

MOTION: Councilor Cassutt moved, seconded by Councilor Lindell, to approve the City's participation in the reconstruction of Henry Lynch Road as presented.

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

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

Against: None

k. CONSIDERATION OF RESOLUTION NO. 2021-69. (Councilor Rivera and Councilor Villarreal)

A Resolution Updating the Terms of Resolution No. 2021-17 to Extend the Community Health and Safety Task Force's Term Through the End of Calendar Year 2022. (Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov, 955-6518)

Committee Review:

Introduced: 10/27/21

Finance Committee: 11/01/21

Quality of Life Committee: 11/03/21

Governing Body: 11/10/21

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

MOTION: Councilor Villarreal moved, seconded by Councilor Rivera, to approve the extension of the Community Health and Safety Task Force's term through the end of 2022 as presented.

Discussion on the Motion:

Councilor Romero-Wirth asked for a subsidiary [substitute?] motion to refer this to the Finance and Quality of Life Committees and postpone to a date certain, December 8.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to refer this matter to the Finance and Quality of Life Committees and postpone to a date certain, December 8, 2021.

Discussion on the Motion:

Councilor Romero-Wirth explained that we are trying to do the work of Governing Body in committees but did not have the presentation we heard tonight, and it would be good to have the fuller discussion at the committees. She didn't think it will delay the Task Force's work. They could discuss the two amendments and might need a third amendment on number of members on the Task Force.

Councilor Villarreal asked which committees. She read the amendment and it was not specific to Finance.

Councilor Romero-Wirth agreed. QOL is where it rightfully belongs but to talk about the funding now that we have the Community Engagement Proposal. Finance has not had that conversation.

Councilor Villarreal said it was music to her ears. "That makes sense. As long as we meet the mark for the Resolution expiring."

Councilor Romero-Wirth said her motion would postpone to December 8 – our final meeting for this year.

Councilor Rivera observed we don't know the total cost. Who will answer that?

Councilor Romero-Wirth said there is much discussion, and they need to have the resources.

Councilor Rivera asked for Public Works as well, so Councilor Vigil Coppler would see it before December 8.

Councilor Romero-Wirth and Councilor Lindell withdrew the motion and second.

Councilor Romero-Wirth moved, seconded by Councilor Lindell, to refer the resolution to QOL, Finance and PWC and postpone to December 8.

Director Wheeler pointed out that there would not be a Public Works Committee meeting before December 8.

So Councilor Romero-Wirth and Councilor Lindell withdrew it and went back to the original motion.

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

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

Against: None

- I. Recommendation To Deny Appeal # 2021-004271-APPL by Stephen Durkovich, Andrew Eiseman, Steve Flance, Joe Schepps, Nancy Zeckendorf, Upper Camino de Cruz Blanca Road Association and Los Miradores Unit Owners Association of the Historic Districts Review Board's Decision in Case # 2021-003844-HDRB, to Permit a Telecommunications Facility Near the St. John's College Campus, 72 Feet south of 1160 Camino de Cruz Blanca. (Frank Ruybalid, Assistant City Attorney, feruybalid@santafenm.gov)

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

Councilor Romero-Wirth recused herself and said her family owns property adjacent to St. John's College and she was not a neutral party. She left the virtual room.

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to approve the denial of the appeal.

Ms. McSherry welcomed Mr. Ruybalid to the Governing Body as our new Assistant City Attorney.

Mr. Ruybalid walked the Governing Body through the item. The HDRB, after its review and by Planning Commission, approved a cell tower off the campus at St. John's College. It has been pending in one form or another for over a year. It was first denied and the HDRB had two hearings on August 24, and approved construction. An appeal by a neighborhood association was filed on September 24, 2021. The deadline had already lapsed because the FF/CLs were approved on August 24 and the time was enforceable. The appeal was on the 31st day after the denial. The Governing Body loses its authority on the merits of the appeal to have a

hearing with sworn testimony, whether there was adequate evidence. So he recommended the appeal be rejected.

There are also FCC guidelines from the FCC Act with the intent of promoting the public interest for 5G connectivity and broadband services. Local government has 150 days to make a decision and that expired on August 15, 2021. So we have a violation on FCC rules. For these reasons, the denial is done without a public hearing. Santa Fe was a respondent in a previous such hearing for FCC violation. We don't want to be opening ourselves to that liability. So he recommended the motion to either deny or reject the appeal.

Ms. McSherry thought both were sufficient.

Mr. Ruybalid stood for questions.

Councilor Lindell said she took no pleasure in denying the appeal but there were all kinds of information received today. The appeal is late and beyond the federal shot clock permitted by federal regulations. We received the information today, but those things do not appear to be germane to what we are asked to determine. Hopefully, we can move through it quickly. It is unfortunate but those are the facts.

Councilor Garcia asked Ms. McSherry why the appellants could not be here to testify

Mr. Ruybalid explained that would make it essentially a hearing on the merits. If we were miscalculating the 25 days after the 150 days, it would be okay. He would have to be sworn and present testimony, and etc. To consider their evidence and we would end up having a hearing on the appeal and our recommendation to reject the appeal. The Governing Body does not have jurisdiction to entertain that because it does not comply with City Code and violates federal regulations.

Councilor Garcia recalled another that did not meet the time deadline. He thought we needed to change it, but it did not happen. We need to afford due process to the appellant. This is becoming too common. Where does that lie, Ms. McSherry?

Ms. McSherry said the hearing was held so due process was afforded. There was already an opportunity to be heard with the HDRB. So it is a decision about a procedural matter. It was 16 days late.

Mr. Ruybalid agreed. It was 31 days after the decision that the appeal was filed.

Ms. McSherry clarified that it violated the rules. There is the whole process as viewed by Land Use Director in Section A, Part 4 – which described the process. And the Land Use Director finds it did not comply.

Mr. Ruybalid agreed with Councilor Garcia about due process being important all the way around, not just for the landowners, not just from St. John's College, and as alluded earlier, the applicants had pursued this since 2019 with at least 4 hearings before the HDRB. The landowners had the opportunity to due process and all of the evidence was considered by the HDRB.

Councilor Garcia thanked him for the clarification. He was under the impression the appeal was filed on the 16th day.

Councilor Cassutt wanted that clarification as well and it was answered.

Mayor Webber appreciated the Federal shot clock. There are different clarifications. The federal overlay complicates matters.

Mr. Ruybalid agreed. The US Code does for the Federal Communications Act, as it creates deadlines for applicants trying to approve better reception. When local authorities throw a wrench into approving new cell towers, etc. the Act of Congress is abstract but local boards can't sit on it forever and deny cell phone services by stalling. That is an act of Congress. They didn't specify the shot clock which was done by FCC who came up with a guideline that says a reasonable period of time is 150 days for a large wireless facility starting on the day of application until the local board acts. The HDRB and Planning Commission granted the application within the federal shot clock. The delay in filing the appeal was unreasonable and delays allow the appellants to go the court for an injunction to stop the appeal denial.

Councilor Garcia understood that if we hold it up longer, the applicant could take us to court and found to be negligent. We could argue we are trying to work with both parties to remedy the situation to mitigate any challenges that might arise in the future.

Ms. McSherry clarified that the Governing Body would be in a quasi-judicial position and not as a mediator. With the HDRB decision, we are no longer a mediator.

Mr. Ruybalid said the State SHPO Officer does work with FCC to reduce the impact on a historic district and takes a while but does not take away the process. It is a negotiation that takes place between SHPO –

Nicole Thomas – Section 106 process does not take into HDRB but does take into consideration St. John’s College and is >>>> to know the determination. That is completely outside the city process.

Councilor Garcia thanked her, Mr. Ruybalid and Ms. McSherry and had no other questions.

Mayor Webber agreed with Councilor Lindell – it gives me no pleasure. It is a collision of processes and federal regulations and he shared with Councilor Garcia the need for other solutions further out.

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

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

Against: Councilor Garcia and Councilor Vigil Coppler. Councilor Romero-Wirth was not present, having recused.

Councilor Romero-Wirth returned to the virtual room after the vote.

12. **MIDTOWN OVERVIEW**

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

Information Presentation Topic: Land Use & Development Plan

Presenters:

Daniel Hernandez, Proyecto, Midtown Redevelopment Project Manager
Stefan Pelegrini, Opticos, Office of Land Use Office of Economic Development

Director Brown introduced the report and deferred to Mr. Hernandez. He said the overview was also presented to the Advisory Committee.

Mr. Hernandez reviewed quickly the Nine-step Action plan and clarified that they were now in the Planning Phase that sets the stage for the rest of the planning to the Implementation Phase.

He reported lots of planning happened during this summer, especially on land development and public engagement. Once we are at 2022, we will present actual plans in as many forms as we can and ask for approvals through a public hearing at the Planning Commission with various forums

outside of the Planning Commission to around August for approval of land zoning to implement the vision.

The two major plans were: Land Development Framework Plan and Community Development Plan. Both are in process now.

Goal Areas continue to be the driving goals. He said they had many post-it notes on concepts and designs as different pieces of the puzzle for what people wanted in that development that captures the spirit of Santa Fe. They were also looking at building capacity as we move forward.

Housing choices for all Incomes will include AH and mixed-income housing and they will issue an RFP in the first quarter of 2022 for creative and viable development proposals to meet the needs.

Reuse existing buildings - low hanging fruit. The longer we keep them vacant, the faster they will deteriorate.

Redefine the library and program the Government Services Building with community uses.

Education and career development – a place of learning continues to be a priority with other career development and training programs

Connect Midtown to the neighborhood and city and not be an island. So new streets, sidewalks, bike paths, etc connecting to and from Midtown site. Also to make sure all is safe, friendly for bikers, children and seniors.

Open Space for recreation, festivals, and gatherings large, small and medium. Large sidewalks for COVID gatherings safely.

They are moving forward on the Land Development Plan and Community Development Plan. RFPs are being written and now are in draft form for Visual Arts Center and Garson studios Lot. Reuse of Fogelson Library and Government/Community Services Center Studies.

Finally, Land Economics – they are now doing La Familia Medical Center mapping. He showed a list of others. His presentation ended at 10:21.

Councilor Vigil Coppler mentioned this presentation was made to EDAC today and one thing brought up was reports to track the spending. She had asked for it before. It is important to continue to track what it costs and good information to add to the report. EDAC won't forget that any time soon.

Councilor Lindell said we need conversation about the Government and Community Services Building. It was not high in the 2018 preferred uses. We need the conversation in the future.

13. **MATTERS FROM THE CITY MANAGER**

Manager LaPan Hill made comments around ARPA – the survey closes tomorrow and is still on our website. She acknowledged that City got AA+ Bond rating yesterday – very important and good news.

14. **MATTERS FROM THE CITY ATTORNEY**

Ms. McSherry introduced Ms. Patricia Feghali, our other new City Attorney.

15. **MATTERS FROM THE CITY CLERK**

Ms. Bustos-Mihelcic announced car show on Plaza for Veteran’s Day. We will be giving out flags. We will celebrate Plaza lighting on November 26 with Santa and Ms. Claus arriving by fire truck. With music after the lighting ceremony.

16. **COMMUNICATIONS FROM THE GOVERNING BODY**

a. Introduction of Legislation for November 10, 2021.

A copy of the Bills and Introductions is attached herewith to these minutes as Exhibit 1.

Councilor Lindell introduced a resolution allocating an additional 4.7 acre feet of available water from the City’s existing water supply to Siler Yard, located at 1218 Siler Road.

Councilor Villarreal recognized the birthday of her dad and celebrating after surgery. And happy Vet’s Day to her family. She has to work tomorrow but hoped everyone can celebrate the day.

Councilor Vigil Coppler recognized all veterans and thank them for their service.

Councilor Rivera also thanked all vets for their service and sacrifice and their families - men and women fighting for their country. He introduced a resolution requesting a time extension for a municipal arterial program cooperative grant from the New Mexico Department of Transportation identified as Control Number L500306 for the planning, design, and construction of Agua Fria Street and South Meadows Road intersection improvements.

Councilor Garcia had an opportunity to visit a little library at Salvador Perez. It is very cool. Also Happy Birthday to Marine Corp and my grandfather Joe who served in World War II and was a POW. My father was in the Navy at the end of the Viet Nam War. Happy Vet's Day to all of our vets who served. Be safe, COVID numbers are going up.

Councilor Cassutt wished Happy Vets Day and thanks for your service. And the families of all veterans as well. Happy birthday to my grandmother I don't know how old she is. We have not seen her in person. And tomorrow is my nephew's first birthday. Congrats to SFHS soccer team who are State champions. And Coach Edy who was my psych teacher.

Councilor Romero-Wirth wished Happy Vets Day for the service of all veterans. She gave a shout out to the boys' soccer team. And congrats to her son who announced his engagement and will make 2022 a little hectic. She introduced a resolution readopting procedural rules. Councilor Abeyta is principal sponsor.

Mayor Webber introduced a resolution approving the design and installation plan for banners located along San Francisco Street, Old Santa Fe Trail, and Cathedral Place, commemorating the 100th anniversary of the historic La Fonda on the Plaza.

In addition to recognizing veterans and their amazing contribution to our country. It is Navy week. The rear admiral here was posted at Okinawa. He recognized our soccer champions, four new police officers, 4 awards to cadets graduating and Santa Fe Police Department won three of the four awards. He applauded a great event at Meow Wolf for lodgers and SFCC and hospitality industry to create new tracks for HS seniors and the world of tourism. He was pleased with how we are rebounding from COVID.

Communications were completed at 10:39 pm.

EVENING SESSION – 7:00 P.M.

This was opened earlier in the meeting agenda.

17. PUBLIC INPUT

- a. Public Input on Priorities for Use of American Rescue Plan Act (ARPA) Funds.

This item was heard earlier in the meeting.

18. PETITIONS FROM THE FLOOR

Petitions were heard earlier in the meeting.

19. **APPOINTMENTS**

a. Community Development Commission (Alexandra Ladd, Director, Office of Affordable Housing: agladd@santafenm.gov, 505-303-9868)

- Rachel Thompson – Appointment (Filling Vacant Term) – Term Ending 3/2023
- Gabriela Marquez Villegas – Appointment (Filling Vacant Term) – Term Ending 3/2024
- Ken Hughes – Reappointment – Term Ending 3/2022
- Carla Lopez – Reappointment – Term Ending 3/2023
- John Padilla – Reappointment – Term Ending 3/2023
- Rosario Torres – Reappointment – Term Ending 3/2024

Ms. Bustos-Mihelcic read the caption and identified the candidates for appointment to the Community Development Commission.

MOTION: Councilor Villarreal moved, seconded by Councilor Romero-Wirth, to approve the Appointments to the CDC as presented.

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

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

Against: None

20. **PUBLIC HEARINGS**

Mayor Webber asked if the Governing Body wanted to postpone one of the appeals.

Councilor Garcia asked if we are going to stay up to the wee hours at the December meeting.

Mayor Webber noted the December meeting has a long agenda too.

Councilor Villarreal asked if the Governing Body has public hearings in December and also appeals.

Mayor Webber said he just had word of mouth. He asked if Mr. Berke had more detail.

Mr. Berke said there would be at least one land use case but not an appeal.

Councilor Cassutt suggested, at this point, we have kept people on this long and might just go ahead.

Director Kluck said the Aleksander case may be short.

Ms. Bustos-Mihelcic echoed Director Kluck and added that we don't have as many presentations for December as we had tonight - just a water presentation on the December agenda.

Mayor Webber judged the sentiment seems to be to go forward.

a. **CONSIDERATION OF RESOLUTION NO. 2021-60.**

A Resolution Amending the General Plan Future Land Use Map Designation from Low Density Residential (1 Dwelling Per Acre and 1-3 Dwelling Units Per Acre) to Moderate Density Residential (3-7 Dwelling Units Per Acre) for Approximately 8.38 Acres of Land Located on the East Side of Kates Way, North of South Meadows Road (Aleksander Estates Subdivision General Plan Amendment, Case No. 2021-3805).

Case #2021-3805. Aleksander Estates Subdivision General Plan Amendment. Montoya Land Use Consulting, Agent, for Next Generation Contracting, Inc., Owner, Requests Approval of a General Plan Future Land Use Amendment to Change the Designation from Low Density Residential (1 Dwelling Unit Per Acre and 1-3 Dwelling Units Per Acre) to Moderate Density Residential (3-7 Dwelling Units Per Acre) for Approximately 8.38 Acres of Land Located on the East Side of Kates Way, North of South Meadows Road. (Donna Wynant, Case Manager, djwynant@santafenm.gov, 955-6325)
POSTPONED FROM THE OCTOBER 27, 2021, GOVERNING BODY MEETING

Mayor Webber recalled we took public testimony at the October 27th meeting and were at questions from staff and public hearing was still open. We did not have a traffic person with us at that time. Councilor Rivera had the floor.

Ms. McSherry agreed.

Councilor Rivera didn't know who was here on behalf of the City.

Mr. Mario Infante was here from Wilson and Company. He had reviewed the designs.

Councilor Rivera asked for his assessment of traffic impact.

Mr. Infante summarized the findings. He went back in anticipation to review the video from the last meeting. The concerns were on the roundabout and the relationship of this subdivision. The question was with respect of full buildout whether Agua Fria would handle that traffic load. The answer is yes.

Councilor Rivera pointed out that intersection is not a roundabout but signalized.

Mayor Webber asked Ms. Bustos-Mihelcic to read the caption into the record. And then resume.

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

Councilor Rivera said the intersection is signalized and currently is a failing intersection, but it won't become a roundabout.

Mr. Infante agreed. At South Meadows it is signalized intersection. The baseline traffic was analyzed and future horizon buildout with 29 units. The analysis is 1% over horizon and the TIA included the surrounding area and comparison of intersections over a 20-year horizon. One percent growth at buildout is considerable. The current average is 0.6% population growth. The findings of TIA is that the LOS for this development is not impacted. The comparison of existing and proposed – at buildout year 2023 before and after the project is LOS A-. The only intersection modified is at South Meadows, which is not a failing intersection. And it has no adverse impacts before and after.

Councilor Rivera asked if they took into consideration the improvements at the intersection.

Mr. Infante agreed. The numbers for baseline year and for buildout year used the same model with growth rate of 1% for apples to apples.

Councilor Rivera noted that during the day at 3:00, traffic will be much different.

Mr. Infante said they did AM and PM peak hours before and after construction for that LOS.

Councilor Rivera asked if it took into account the number of vehicles owned by a specific person.

Mr. Infante explained they don't have that information but calculate the number of trips from and to. And then grow the traffic. It only looks at number of trips. We distribute what come in and out of the subdivision.

That is trip generations which is about ten trips per dwelling unit because most have two cars. ten trips are the assigned trip generation. So those are the trips we assign to the network.

Councilor Rivera pointed out they are planning to build a road along the Memorial Highway.

Mr. Infante said that was correct.

Mr. Infante deferred that to Bert Thomas with Bohannon-Huston to respond to that.

Mr. Thomas said the road is being constructed to the roundabout and the majority coming out of the development would use that road.

Councilor Rivera asked if Kate's Way could be a right turn only exit.

Mr. Thomas said right now is a full access intersection because some would come from the south to access the development which is why we leave it as a full use intersection.

Mr. Infante said on the horizontal curve, the site distance is not quite twice what is required for left turns. It is important for the Governing Body to consider driver behavior on the design. If we restrict to right turn only, we would encourage dangerous driving. They will find a way to make a U turn. The site distance is almost twice what is needed and don't want dangerous driver behavior.

Councilor Rivera said we heard from another engineer that U-turns were actually safer.

His concern was on close proximity to the school intersection to the parking lot. So lot of traffic when school is on. It is very busy at morning and afternoon drop off, pick up. Lots of traffic crossing. He hoped people use the new road than south Meadows.

Ms. Bustos-Mihelcic swore in Mr. Infante after his testimony.

Mayor Webber asked for any other questions.

There were no others.

Mayor Webber closed public hearing and entertained a motion.

MOTION: Councilor Lindell moved, seconded by Councilor Romero-Wirth, to approve the Aleksander Estates Subdivision General Plan Amendment as presented.

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

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

Against: Councilor Rivera

Ms. Bustos-Mihelcic noted the time was 11:12 pm.

TIME LIMIT WAIVER

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to waive the rule for time limits and continue the meeting.

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

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

Against: None

b. **CONSIDERATION OF BILL NO. 2021-22. ADOPTION OF ORDINANCE NO. 2021-22.**

An Ordinance Amending the Official Zoning Map of the City of Santa Fe and Changing the Classification from R-1 (Residential One Dwelling Unit Per Acre) to R-7 (Residential Seven Dwelling Units Per Acre) with Respect to a Certain Parcel of Land Comprising Approximately 8.38 Acres Located on the East Side of Kates Way, North of South Meadows Road. (Aleksander Estates Subdivision Rezoning, Case No. 2021-3806).

Case #2021-3806. Aleksander Estates Subdivision Rezoning. Montoya Land Use Consulting, Agent, Next Generation Contracting, Inc., Owner, Requests Approval of Rezoning from R-1 (1 Dwelling Unit Per Acre) to R-7 (7 Dwelling Units Per Acre) for Approximately 8.38 Acres of Land Located on the East Side of Kates Way, North of South Meadows

Road. (Donna Wynant, Case Manager: djwynant@santafenm.gov, 955-6325)

POSTPONED FROM THE OCTOBER 27, 2021, GOVERNING BODY MEETING

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

MOTION: Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve Bill 2021-22, the Aleksander Estates Subdivision Rezoning on 8.38 acres from R-1 to R-7 as presented.

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

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

Against: Councilor Rivera.

c. **Case #2021-3807. Aleksander Estates Subdivision Preliminary Development Plan.** Montoya Land Use Consulting, Agent, Next Generation Contracting, Inc., Owner, Requests Preliminary Development Plan Approval of a Preliminary Subdivision for 59 Single-Family Residential Lots on Approximately 8.38 Acres. The Property is Zoned R-1 Residential and is Located on the East Side of Kates Way, North of South Meadows Road. (Donna Wynant, Case Manager: djwynant@santafenm.gov, 955-6325)

POSTPONED FROM THE OCTOBER 27, 2021, GOVERNING BODY MEETING

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

MOTION: Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve the Aleksander Estates Subdivision Preliminary Development Plan as outlined on page 4-C.

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

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

Against: Councilor Rivera.

- d. **Appeal #2021-4161 of Case #2021-3804.** Appeal by Sommer Karnes & Associates for Villa Sendero, LLC & CSM Properties, Ltd., of the Planning Commission's Denial of Villa Sendero's Request for an Amendment to Phase II of its Development Plan for a Development Located at 5132 Beckner Road. (Patricia Feghali, Assistant City Attorney, pfeghali@santafenm.gov, 955- 6501)

Ms. Bustos-Mihelcic read the caption for this item. Karl Sommer was present for the appeal and Ms. Feghali was available.

Mayor Webber reviewed the process starting with disclosures, Staff Report, applicant Presentation, then to public comment, Governing Body questions. Close public hearing, motion, debate, and vote.

Councilor Romero-Wirth asked Ms. McSherry to remind the public how quasi-judicial works.

Ms. McSherry explained the process.

Disclosures

There were no disclosures.

Staff Report

Ms. Feghali shared her screen and provided the case history for this appeal. She pointed out this is a de novo appeal. The Governing Body is not bound by the Planning Commission's previous decision but on the evidence provided now.

The Staff recommended approval of the Development Plan but the Planning Commission denied and now, it is appealed. Phase 1 of two is next to the Santa Fe Outlet Mall. Fitness Building that replaced an apartment building. Phase 2 was a 24-unit building on one acre, after replacement and fitness building from where it was originally. She showed a map of the area.

Planning Commission denied it based on D 1 – b and c as too tall that close to the highway. Not compatible for uses abutting the property. There is a case in district court that says the city cannot regulate view corridors. It is zoned C-2 and height allowed is 45' and proposed building at 39'. The basis for appeal is that Planning Commission misapplied chapter 14 and their decision did not have sufficient evidence to support it.

She showed a decision tree. And the two motion options. She ended the Staff Presentation at 11:26 pm.

Appellant's Presentation.

Mr. Sommer said Mark Tekin was his witness. He thanked the Governing Body for extending the time period.

Ms. Bustos-Mihelcic swore him in.

On behalf of Villa Sendero, Mark Tekin was president and principal in a company with significant investment in New Mexico and a longtime builder. The company acquires, titles, builds, and holds their properties. Because this company has the commitment to this project, they are doing an analysis on quality and what gives rise to this amendment. They determined changes could be beneficial to residents. He said it would enhance the quality of life to the residents. The amendment was just to improve it and they were able to acquire the adjacent property to make these changes. He said Ms. Feghali is a great addition to the team and serves you well. Her report was very thorough and puts the appeal to you very succinctly. She presented what is allowed by Code and it meets every technical point of code and criteria related to public interest and a comparison with buildings nearby.

The Planning Commission on that evening had five members out of seven on the Commission. And this decision was made by three members. The rest were absent, and no basis was given for the finding that this was averse to the public interest. This is defined by the impact. It is a housing project desperately needed. This is a high-quality project and high-quality development, so a small part of Planning Commission determined it was too high but is below the allowed height there. He believed they just didn't like it. This is not speculative, and the project is underway to get it into circulation and use. "I submit to you the record is devoid of any basis for denial. This case is straightforward and does not signal any big change. The Staff recommended approval because it meets every part of the code."

Mark Tekin is here to answer any questions.

Public Comment

Ms. Bustos-Mihelcic asked for anyone who wanted to comment to raise their hand. She saw none.

Mayor Webber concluded no one was here to testify.

Governing Body Questions

Councilor Villarreal thanked Mr. Sommer for the presentation. On the map, it showed where the space was located and asked how it was integrated. It looked like an island.

Mark Tekin was sworn

Mayor Webber explained she was looking for the connection of the two parcels – the integration of them.

Mr. Tekin said in the site plan the small parcel is adjoining and part of the two parcels. They are touching with no separation. It might not appear that way in the pdf.

Councilor Villarreal saw it was essentially a driveway.

Mr. Tekin agreed. At the southwest, you could drive seamlessly from one to the other. There is no separation.

Councilor Villarreal agreed the visual was not great.

Mr. Sommer said it is a continuous road network with pedestrian pathways and adjoining to the west is a piece owned by DOT that Mr. Tekin is looking into and may be a subject of acquisition, so it is part of a larger whole. We are working with DOT on it now.

Councilor Villarreal said Mr. Tekin did not confirm the trail connectivity

Mr. Tekin explained it is difficult because it is a 6.5-8% grade there and we have ADA requirements. That makes it difficult. It might become more viable. But we don't think we can connect them.

Councilor Villarreal understood. It is important, but based on your description, you don't think it would work.

Mr. Tekin agreed. Without more land to make the slopes work, it is not viable. We would like to acquire the DOT property and think it can happen but is not done yet. We are trying to design as it happens. But today, there is not a viable way to connect.

Councilor Villarreal asked Staff about stormwater management. It is close to a major highway turnoff. Why didn't the plan get based on a hundred-year event basis?

Mr. Berke said it was based on a hundred-year event.

Councilor Villarreal recalled we had thousand-year event in 2018 so she was trying to understand how the drainage would get approved. It made sense to use a longer-range basis. It is a very small piece right at the edge of the highway turnoff. Why wouldn't we consider that?

Mr. Berke deferred to Mr. Tekin.

Mr. Tekin asked if she meant why not design to a thousand-year flood event.

Councilor Villarreal said at least more than a one-hundred-year event, given climate change, etc.

Mr. Tekin said they usually design around the FEMA likelihood and design accordingly. We develop sometimes near lakes or rivers which might not be in a flood zone but close to one. It is uncommon when not next to a body of water. Santa Fe Engineering is dependable and local and understand the conditions. There is more flexibility than the guidelines. He didn't think it would change the work for 500-year or 1000 year event.

Councilor Villarreal agreed that makes sense. But we have had adjustments. You are not near a body of water, but the drainage might be affected.

She asked about water engineering.

Mr. Berke didn't have our engineers here.

Councilor Villarreal said her other question was that there is no AH unit. It is all fee in lieu. So for 150 units, she asked about the fee size.

Mr. Tekin said they proposed 252 units but were short on parking. Because we plan to operate this for the next ten years, we want to make sure there is adequate parking. Residents are frustrated when they come home for work without finding a parking spot. We paid fees for 252 units and now are providing amenities, so we are not building 18 of those units. It is now a 234-unit project. We won't ask for fees back but to build the rest – 24 units on the second parcel.

Councilor Villarreal appreciated that. Fee in lieu is needed. Most multi-family developments use fee in lieu. And we are not balancing out that with actual AH units. She asked Mr. Berke how many of them were under construction and how many had AH units.

Mr. Berke said there are affordable units in a few. There are just over 2000 multi-family units under construction with 328 affordable units.

Councilor Villarreal - so that is just those under construction?

Mr. Berke said that is correct. It doesn't include those in the pipeline.

Councilor Villarreal wanted their ability to see cars coming off the highway. This is not a view corridor, but drivers need the ability to get off safely. What would be the actual visible piece for that?

Councilor Garcia added that he wanted to ask help to understand in the FF/CL on page 22 – that the proposed use was not compatible with adjacent or abutting property. The abutting property is Santa Fe Place Mall. Is that correct?

Ms. Feghali agreed. One side is the Mall and the other is Villa Sendero and then I-25.

Councilor Garcia asked if there was anything nearby that is three stories. Is the motel three-stories?

Mr. Sommer agreed and the Santa Fe Inn is also three-stories.

Councilor Garcia asked why the Planning Commission would say there is nothing in the area. Presbyterian is four stories and just down the road.

Ms. Feghali acknowledged there was not much discussion on that point.

Councilor Garcia went to #23 – that said it is not set back adequately from I-25. What is the setback requirement from I-25?

Ms. Feghali said there is no specific setback minimum from I-25. She didn't know where they got that.

Councilor Garcia asked Mr. Berke or Director Kluck if the 15-foot setback was sufficient.

Mr. Berke agreed. There is no delineated setback from the I-25 right-of-way. We have talked about a new setback standard, but as of now, there is not any setback standard.

Councilor Garcia understood and had no other questions.

Councilor Lindell asked Mr. Berke or Director Kluck if this project met our Code.

Mr. Berke said it does meet our code and that is why we recommended approval in the Staff report.

Councilor Lindell agreed there is no view corridor involved and they could not create one on the fly. So this project meets our code, and she was ready to make a motion.

Mayor Webber noted the offer and asked for any other questions or comments.

There were no others. He closed the public hearing and entertained a motion.

Councilor Lindell moved to grant the appeal subject to conditions and corrections on the ground =s >>> and direct staff to /Councilor Romero-Wirth –

MOTION: Councilor Lindell moved, seconded by Councilor Romero-Wirth, to grant the appeal and approve the development plan subject to the recommended Staff conditions of approval and the technical corrections, that there is not sufficient evidence to deny the development plan, and to direct Staff to prepare Findings of Fact and Conclusions of Law consistent with this motion.

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

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

Against: Councilor Villarreal.

- e. **Appeal #2021-4078 -APPL of Case #2021-3828-HDRB.** Appeal by Steven Brown of the Historic Districts Review Board's Denial of a Request for Retroactive Approval of a 198 Sq. Ft. Portal on a Non-Contributing Residential Structure at 701 E. Alameda #3, in the Downtown and Eastside Historic District. (Frank Ruybalid, Assistant City Attorney: feruybalid@santafenm.gov)

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

Mayor Webber reviewed the process.

Disclosures:

There were no disclosures.

Mr. Ruybalid presented this item. He has been in touch with Mr. Brown, the appellant. Mr. Brown signed off, because it is now after midnight. So he asked, if the Governing Body wishes, to proceed or not. He said he couldn't stay awake any more.

Ms. McSherry said the Governing Body could proceed if they wish. He is aware of that and was already asked. So the Governing Body can proceed without him.

Mayor Webber reasoned that the appellant is not going to appear and has no representative to make his case.

Councilor Romero-Wirth asked at what time he decided that.

Mr. Ruybalid said it was at 11:30.

Councilor Romero-Wirth observed that was after we extended the time.

Mr. Ruybalid agreed and he advised Mr. Brown that the Governing Body could proceed without him, and he said, "I will take it up in court."

Councilor Romero-Wirth reasoned it was clear to him that we would finish our agenda.

Mr. Ruybalid continued with what he said.

Mayor Webber asked if we should proceed without Mr. Brown.

Councilor Garcia didn't feel he could make a good decision without him here to provide input. If we have questions for the appellant, how would we get answers?

Ms. McSherry said the Governing Body could postpone it or continue until we get a different motion

MOTION: Councilor Villarreal moved, seconded by Councilor Vigil Coppler, to postpone this case to the next meeting.

Discussion on the motion to postpone:

Councilor Romero-Wirth wondered if we shouldn't try to begin this and if we came to a point where Mr. Brown was needed, we could make the

decision to postpone. She did not want to be held hostage. She was sorry the process is what it is, and he knew we were going forward.

Councilor Vigil Coppler thought it was reasonable to postpone. It is an absurd time to be making important decisions and to make people hang around is rude. When we are dealing with people's livelihood, it is not courteous and not professional. We do have a motion on the floor.

Councilor Cassutt was frustrated that he decided to jump off but would hate to get to a point where we cannot make a decision so she would favor to postpone it, given the possibility we would need information from Mr. Brown. If it happens again, we should just deal with it. She was not in favor of considering it at the December meeting.

Councilor Romero-Wirth posed that we could be in the exact same position in December. She wished it was different, but we plow through an incredible amount of work. We have been at it for 7 hours now. This is not fun. She wished there was a different way to do it.

Councilor Rivera asked Staff, if we decide to postpone tonight, would we still be within the time frames on this appeal?

Ms. McSherry said with this appeal, there are no time frames to abide by.

Councilor Vigil Coppler pointed out that we are elected to serve the public and we work for them, not them for us. It is important to recognize we have to stay up and we do make allowances for public comment.

She saw people waiting for us to make decisions, but we don't make allowances for them like we do for Petitions from the Floor. She noted that her dog is going to surgery very early in the morning. >>

Councilor Lindell also pointed out that we could put this off until January or February if we chose to. We have a busy schedule in December so we could put it off as much as needed.

Mr. Ruybalid said the appellant is not in a hurry to get it done. He doesn't want to get rid of his portal and the longer it is put off, the more he gets to enjoy his portal. He is in no hurry.

Councilor Lindell asked to what date it would be postponed.

Councilor Villarreal stated the motion was to the next meeting, in December, but she was willing to set another date.

Mayor Webber agreed.

Councilor Villarreal thought Mr. Brown made a good decision to go to bed.

Councilor Villarreal withdrew her motion Councilor Vigil Coppler withdrew her second.

MOTION: Councilor Villarreal moved, seconded by Councilor Garcia, to postpone this matter to the meeting on January 12, 2022.

VOTE: The motion failed on the following Roll Call vote:

For: Mayor Webber, Councilor Garcia, Councilor Vigil Coppler, and Councilor Villarreal.

Against: Councilor Cassutt, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth.

With the tie (4-4) vote, it failed for lack of a majority.

MOTION: Councilor Cassutt moved, seconded by Councilor Vigil Coppler, to postpone this appeal to the December 8, 2021 meeting.

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

For: Mayor Webber, Councilor Cassutt, Councilor Vigil Coppler, and Councilor Villarreal.

Against: Councilor Garcia, Councilor Lindell, Councilor Garcia, and Councilor Rivera.

Ms. Bustos-Mihelcic read the caption for this item. Ms. Carly Piccarello was also present.

Disclosures:

There were no disclosures.

Staff Report

Councilor Vigil Coppler asked to be excused and left the meeting.

Councilor Romero-Wirth lost her packet online and asked for help retrieving it again.

Ms. McSherry helped her get it back.

Mr. Ruybalid shared his screen and presented the denial of a retroactive approval request to retain his portal. No building permit was secured for the constructing the portal on a non-contributing residential structure.

He said the condos were in the Downtown and Eastside Historic District on the north side of East Alameda and he showed a view of the condos at 701 E. Alameda.

There were four units there. Mr. Brown's was Unit 3, farthest setback and only accessible through a breezeway. The units were characterized by stucco with wooden pedimented windows and canales draining from the roof wall and a fire wall set down 18" from the parapet to conceal the A/C unit and other appurtenances. The portal was on the back side, made of wood. The roof was an imperfect rectangle and flat.

He showed from the code Section 14-5.2C-e-(b). The Board said if he revised the exterior appearance the public visibility could be at issue, but developments shall comply with all general standards and specific standards for Downtown/Eastside.

Mr. Brown never applied for an exception. The only relevant requirement is that portals shall be open and this one is.

Not all of the code requirements in that section applied, which he listed.

He showed a decision tree.

Appellant's presentation:

There was no appellant presentation.

Public Comments

There were no public comments.

Governing Body Questions of Staff.

Nicole Thomas was no longer present at the meeting for a question from Councilor Cassutt.

Councilor Cassutt, on the question of old or recent Santa Fe Style, felt a review of design features would be helpful

Ms. Piccarello noted there are Territorial features although no brick coping. The style can be slightly mixed. In the photo you saw. The building does emulate an old style. She had photos of other Territorial styles. In looking at the walls, it has an old adobe look. The window features are Territorial, and the parapet is Territorial from the portal. She showed examples from a 1979 published book.

Mr. Ruybalid pointed out that Ms. Piccarello was offering information not in evidence at HDRB and should be sworn.

Ms. Bustos-Mihelcic swore her in.

Ms. Piccarello pointed out details for Territorial in other examples.

Councilor Cassutt had no other questions.

Councilor Romero-Wirth agreed with Councilor Cassutt. This is fairly new construction and new construction can be old style construction

Ms. Piccarello agreed.

Councilor Villarreal asked Mr. Ruybalid to show the condos again. He did.

Councilor Villarreal said the style emulates Territorial. there are similarities but it was not Territorial in her opinion. She had a hard time deciding on the style. It is non-contributing. The examples of portals were not that functional. That was subjective for her. She didn't feel there was clarity on styles and was conflicted on it.

Ms. Piccarello saw it as an old style on the portal. Two of her photos were John Gaw Meem houses. Not all structures will look like that nor reach the height of significant structures. There is a distinction. Recent has less consistency throughout. The rest of the building can have more flexibility than on the primary façade. The window detail is still Territorial, so it is more indicative of old Santa Fe Style and treats the building the same.

Councilor Villarreal wanted examples of recent Santa Fe Style.

Ms. Piccarello had some examples of Recent Santa Fe Style but could not show them quickly.

Councilor Rivera asked about free-standing vs attached to the building.

Ms. Piccarello did not think it made a difference. Mr. Ruybalid has the definitions.

Councilor Rivera thought it looked like a free-standing porch connected by flashing.

Mr. Ruybalid read the portal definition.

Ms. Piccarello said if is connected at all, it is a portal.

Councilor Rivera asked Mr. Ruybalid if the Applicant had applied for a permit.

Mr. Ruybalid said he only applied for an H Board review. The HDRB told him they would consider it with a revision on the design. By the time he got to the HDRB he had already constructed the portal.

Councilor Villarreal asked Director Kluck to clarify that.

Director Kluck understood there was a request for enforcement action and the officer red tagged it for no building permit and instructed him to go to the HDRB. The applicant verified it was up to code but without a permit and he appealed.

Mr. Ruybalid clarified in the definition of portal, the Code doesn't indicate it has to be attached to a wall.

Mayor Webber said we can sometimes get lost in the translation. The fundamental issue is which category the main building falls into – old or recent.

Mayor Webber concluded the building is old Santa Fe Style, He felt it was difficult to come to any other conclusion. So the residence meets Old Santa Fe Style.

He also decided the portal doesn't meet the District design standards for old Santa Fe Style.

Councilor Villarreal asked to go back to the comparison of old vs recent.

Mr. Ruybalid pointed out the public visibility was the issue.

Councilor Villarreal wanted to understand how it came about. He got red tagged to get proper approvals.

Mr. Bobby Padilla, the City Building Inspector, was present. Ms. Bustos-Mihelcic swore him in.

He testified that the complaint was called in anonymously and he went out and issued a stop work order and told the owner had to go to the HDRB.

Mayor Webber asked for any other questions.

Councilor Rivera asked Mr. Padilla if he issued the stop work order notice.

Mr. Padilla agreed. It is just to notify the constituent that no further work can be done.

Councilor Rivera asked if the work was already completed.

Mr. Padilla said it appeared to be complete.

Mayor Webber closed the public hearing and entertained a motion.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Cassutt, to deny the appeal on the grounds that b701 East Alameda is the old Santa Fe style building and the project does not meet the applicable Historic Design Standards, affirm the Board's decision, and direct Staff to prepare Findings of Fact and Conclusions of Law consistent with this motion.

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

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

Against: Councilor Villarreal

21. **ADJOURN**

Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at 1:20 a.m.

Approved by:

Mayor Alan Webber

ATTESTED TO:

Kristine Bustos Mihelcic, City Clerk

Respectfully submitted by:



Carl G. Boaz, Council Stenographer



GOVERNING BODY MEETING OF
November 11, 2021
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

EXHIBIT ONE
 GB Nov. 10, 2021

Mayor Alan Webber

| Co-Sponsors | Title* | Tentative Committee Schedule* |
|-------------|--|-------------------------------|
| | A RESOLUTION APPROVING THE DESIGN AND INSTALLATION PLAN FOR BANNERS LOCATED ALONG SAN FRANCISCO STREET, OLD SANTA FE TRAIL, AND CATHEDRAL PLACE COMMEMORATING THE 100 TH ANNIVERSARY OF THE HISTORIC LA FONDA ON THE PLAZA. | |

Councilor Roman "Tiger" Abeyta

| Co-Sponsors | Title* | Tentative Committee Schedule* |
|-------------------------|---|---|
| Romero-Wirth Cassutt | A RESOLUTION RE-ADOPTING THE GOVERNING BODY PROCEDURAL RULES. | Finance Committee – 11/29/21 Quality of Life Committee – 12/1/21 Public Works and Utilities Committee – 12/6/21 Governing Body – 12/8/21 |

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* |
|-------------|---|---|
| | A RESOLUTION ALLOCATING AN ADDITIONAL 4.7 ACRE FEET OF AVAILABLE WATER FROM THE CITY'S EXISTING WATER SUPPLY TO SILER YARD, LOCATED AT 1218 SILER ROAD. | Quality of Life Committee – 12/1/21 Public Works and Utilities Committee – 12/6/21 Governing Body – 12/8/21 |

Councilor Chris Rivera

| Co-Sponsors | Title* | Tentative Committee Schedule* |
|-------------|---|---------------------------------|
| | A RESOLUTION REQUESTING A TIME EXTENSION FOR A MUNICIPAL ARTERIAL PROGRAM COOPERATIVE GRANT FROM THE NEW MEXICO DEPARTMENT OF | Finance Committee – 11/29/21 |

TRANSPORTATION IDENTIFIED AS CONTROL NUMBER L500306 FOR THE PLANNING, DESIGN, AND CONSTRUCTION OF AGUA FRIA STREET AND SOUTH MEADOWS ROAD INTERSECTION IMPROVEMENTS.

Public Works and Utilities
Committee – 12/6/21
Governing Body – 12/8/21

Councilor Carol Romero-Wirth

Co-Sponsors

Title*

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, ibguillen@santafenm.gov or Jeff Norris, 505-955-6692, jtnorris@santafenm.gov.