



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
FEBRUARY 23, 2022
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 Comment*, *Final Action on Legislation*, *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*, *Public Comment*, *Final Action on Legislation*, 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/81934722489?pwd=V3ZpR0VGckYrRjM2ZDJSR3NHs3ZwQT09>. **Passcode: 378043**

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: 819 3472 2489 - Passcode: 378043**
Phone attendees should press *9 to use the “Raise Hand” function to be recognized by the Mayor to speak at the appropriate time.

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

Councilor M. Garcia

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

Councilor Rivera

4. **INVOCATION AND REMEMBRANCES**

Councilor Cassutt

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

- a. FY21 Audit Status Update. (John Blair, City Manager: jwblair@santafenm.gov, 505-603-1267 and Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 505-955-6171)

9. **ACTION ITEMS: CONSENT AGENDA**

- a. Request for Approval of Regular Governing Body Meeting Minutes for February 9, 2022. (Geraldyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov, 505-955-6519)

Committee Review:



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Governing Body: 02/23/2022

- b. Request for Approval of the Amended and Restated Lease Agreement between the City of Santa Fe and the Boys & Girls Club, Inc. (Terry Lease, Asset Development Manager: tjlease@santafenm.gov, 505-955-6344)

Committee Review:

Public Works and Utilities Committee: 02/07/2022

Economic Development Advisory Committee: 02/09/2022

Finance Committee: 02/14/2022

Quality of Life: 02/16/2022

Governing Body: 02/23/2022

- c. Request for Approval of the Allocation of the 2022 Affordable Housing Trust Fund (AHTF) and the Attached Contracts Awarded in Response to RFA 22/01/R for Homewise Los Canales Housing Development Affordability Project in the Amount of \$700,000. (Alexandra Ladd, Director, Office of Affordable Housing: agladd@santafenm.gov, 505-955-6346) **Committee**

Review:

Finance Committee: 02/14/2022

Quality of Life Committee: 02/16/2022

Governing Body: 02/23/2022

- d. Request for Approval of the Allocation for the 2022 Affordable Housing Trust Fund (AHTF) and the Attached Contracts Awarded in Response to RFA 22/01/R for Santa Fe Civic Housing Authority's Paseo Del Sol Apartments Project in the Amount of \$500,000. (Alexandra Ladd, Director, Office of Affordable Housing: agladd@santafenm.gov, 505-955-6346) **Committee**

Review:

Finance Committee: 02/14/2022

Quality of Life Committee: 02/16/2022

Governing Body: 02/23/2022

- e. Request for Approval of the Allocation for the 2022 Affordable Housing Trust Fund (AHTF) and the Attached Contracts Awarded in Response to RFA 22/01/R for Community Solutions Santa Fe Suites Project in the Amount of \$910,000. (Alexandra Ladd, Director, Office of Affordable Housing: agladd@santafenm.gov, 505-955-6346) **Committee Review:**

Finance Committee: 02/14/2022



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Quality of Life Committee: 02/16/2022
Governing Body: 02/23/2022

- f. Request for Approval of the Allocation for the 2022 Affordable Housing Trust Fund (AHTF) and the Attached Contracts Awarded in Response to RFA 22/01/R for Youth Works Housing First Rental Voucher Program in the Amount of \$90,000. (Alexandra Ladd, Director, Office of Affordable Housing: agladd@santafenm.gov, 505-955-6346) **Committee Review:**
Finance Committee: 02/14/2022
Quality of Life Committee: 02/16/2022
Governing Body: 02/23/2022

- g. Request for Approval of CES Contract No. 2020-31B-C105-ALL, Medium and Heavy Duty Trucks, Truck Bodies, Accessories, Parts, and Service in the Amount of \$707,950 for the Purchase of a Heavy Rescue Apparatus Truck from 411 Equipment, LLC. (Brian Moya, Fire Chief: bjmoya@santafenm.gov, 505-955-3111 and Daniel Garcia, Fire Fleet Manager: dagarcia@santafenm.gov, 505-231-8561)

Committee Review:
Finance Committee: 02/14/2022
Public Works Committee: 02/21/2022
Governing Body: 02/23/2022

- h. Request for Approval of a Budget Amendment Resolution (BAR) in the Amount of \$750,000 from the New Mexico Department of Finance and Administration for Severance Tax Bond Appropriation to the Electric Vehicles Project No. 20-E2735, to Fund the Purchase of Electric Vehicles and Charging Stations. (Neal Denton, Sustainability Officer: nhdenton@santafenm.gov, 505-955-2229)

Committee Review:
Public Works and Utilities Committee: 02/07/2022
Finance Committee: 02/14/2022
Governing Body: 02/23/2022

- i. Request for Approval of Purchase for a Komptech X63 Windrow Turner for the Wastewater Management Compost Section through the Source Well



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Cooperative Procurement in the Total Amount of \$631,942. (Julian Gonzales, WWMD Plant Operator: jrgonzales@santafenm.gov, 505-470-0291)

1. Request for Approval of a BAR (Budget Adjustment Resolution) in the Amount of \$631,942 for the Windrow Turner.

Committee Review:

Public Works and Utilities Committee: 02/07/2022

Finance Committee: 02/14/2022

Governing Body: 02/23/2022

- j. Request for Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of \$160,478 from FY22 Public Works Admin Engineering Service Budget to Capital Improvement Projects Henry Lynch Reconstruction and Bishops Lodge Road Reconstruction. (Romella Glorioso-Moss, Senior Project Administrator: rsglorioso-moss@santafenm.gov , 505-955-6623)

Committee Review:

Finance Committee: 02/14/2022

Public Works & Utilities Committee: 02/21/2022

Governing Body: 02/23/2022

- k. Request for Approval of a State of New Mexico Children, Youth and Families Department (CYFD) Amendment No. 2 to CYFD Professional Services Agreement No. 21-690-3200-20846 (City Contract No. 21-20846) to the Scope of Work to Reflect an Update in Language and Increase in Compensation of \$64,749, for a New Contract Total of \$410,073 and the Addition of a Community Restorative Justice Program for Juvenile Justice Alternative to Detention Programs in the City of Santa Fe: (CYFD Alternatives to Detention Grant). (Julie Sanchez, jjsanchez@santafenm.gov, 505-955-6678)

Committee Review:

Finance Committee: 02/14/2022

Quality of Life Committee: 02/16/2022

Governing Body: 02/23/2022

- l. Approval of Findings of Fact and Conclusions of Law in Case #2021-4375, in which the Governing Body Approved a General Plan Amendment for 2868 Rufina Street to Change the Future Land Use Classification from Industrial to



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Community Commercial for Approximately 2.39 Acres of Land. (Dan Esquibel, Case Manager: daesquibel@santafenm.gov, 505-955-6587)

Committee Review:

Governing Body: 02/23/2022

- m. Approval of Findings of Fact and Conclusions of Law in Case #2021-4376, in which the Governing Body Approved a Rezoning for 2868 Rufina Street from I-1 (Light Industrial) to C-2 (Commercial) for Approximately 2.39 Acres of Land. (Dan Esquibel, Case Manager: daesquibel@santafenm.gov, 505-955-6587)

Committee Review:

Governing Body: 02/23/2022

- n. CONSIDERATION OF RESOLUTION NO. 2022-___. (Mayor Webber, Councilor Cassutt, and Councilor Chavez)

A Resolution Adopting Next Steps for the Reuse and Redevelopment of the Midtown Property Including Applying for Land Use Rezoning, General Plan Amendment, and a Master Plan; Adopting a Community Development Plan; Issuing Certain Requests for Proposals; Conducting Certain Studies and Assessments; and Seeking the Acquisition of Land Located Within or Adjacent to the Midtown Site. (Rich Brown, Community and Economic Development Director: rdbrown@santafenm.gov, 505-955-6625)

Committee Review:

Introduced: 01/26/2022

Quality of Life Committee: 02/02/2022

Public Works and Utilities Committee: 02/07/2022

Economic Development Advisory Committee: 02/09/2022

Finance Committee: 02/14/2022

Governing Body: 02/23/2022

10. **ACTION ITEMS: DISCUSSION AGENDA**

- a. Request for Approval of an Agreement with the State of New Mexico, Department of Information Technology, for Subscription Services to the Statewide Trunked Radio System (DTRS) at the Cost of Twenty Dollars (\$20) Per Radio, for an Estimated Annual Cost of up to \$150,000. (Manuel



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Gonzales, ITT Director: mmgonzales@santafenm.gov; 505-231-1749 and Joseph Abeyta, jmabeyta@santafenm.gov, 505-955-5518)

Committee Review:

Governing Body: 02/23/2022

11. **MATTERS FROM THE CITY MANAGER**

12. **MATTERS FROM THE CITY ATTORNEY**

EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, NMSA 1978, Section 10-15-1, Part (H)(7), Attorney-Client Privileged Discussion of Litigation, Specifically *City of Santa Fe v. Purdue Pharma, et al.*, DNM No. 1:19-CV-01105. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov, 505-955-6512)

13. **EXECUTIVE SESSION ACTION ITEMS**

- a. Approval of the City of Santa Fe's Participation in the New Mexico Master Settlement Agreement and Settlement Term Sheet as a "Participating Subdivision" to Settle the City's Legal Disputes with Janssen and Noramco, Inc., as Raised in *City of Santa Fe v. Purdue Pharma, et al.* DNM No. 1:19-CV-01105. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov, 505-955-6512)

14. **MATTERS FROM THE CITY CLERK**

a. **UPCOMING PUBLIC HEARINGS:**

CONSIDERATION OF BILL NO. 2022-___. (Mayor Webber)

An Ordinance Granting NTS Communications, LLC, DBA Vexus Fiber, a Non-Exclusive Franchise, to Operate a Telecommunications Network Within the City of Santa Fe; the Right to Use City Public Rights-of-Way to Provide Telecommunications Services Within the City; and Fixing the Terms and Conditions Thereof. (Terry Lease, Asset Development Manager: tjlease@santafenm.gov)

Committee Review:

Introduced: 12/08/21

Public Works and Utilities Committee: 01/10/2022 (Postponed)

Finance Committee: 01/31/22 (Item Pulled from Agenda)

Public Works and Utilities Committee: 02/07/2022

Economic Development Advisory Committee: 02/09/2022

Governing Body (Public Comment): 02/09/2022

Finance Committee: 02/14/2022



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Governing Body (Public Hearing and Final Approval): 03/09/2022

Publication Date: February 17, 2022

15. **COMMUNICATIONS FROM THE GOVERNING BODY**

16. **INTRODUCTION OF LEGISLATION**

- a. Introduction of a Resolution Proclaiming Severe or Extreme Drought Conditions Exist in the City of Santa Fe; Imposing Fire Restrictions From March 10, 2022, to April 10, 2022; Restricting the Sale or Use of Fireworks Within the City of Santa Fe; and Prohibiting Other Fire Hazard Activities. (Councilor Rivera) (Geronimo Griego, Fire Marshal: gggriego@santafenm.gov, 955-3317)

Committee Review:

Quality of Life Committee: 03/02/2022

Governing Body: 03/09/2022

- b. Introduction of an Ordinance Amending Table 14-6.1-1 of the Land Development Code, the Table of Permitted Uses, to Permit Small and Large Preschool and Daycare Facilities in all Zoning Districts Except Industrial Districts. (Councilor Cassutt) (Daniel Alvarado, Planner Senior: djalvarado@santafenm.gov, 955-6670; Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov, 955-6518)

Committee Review:

Governing Body Public Comment: 03/09/22

Planning Commission: 03/17/22

Economic Development Advisory Committee: 04/13/22

Quality of Life Committee: 04/20/22

Public Works and Utilities Committee: 04/25/22

Governing Body Public Hearing: 05/11/22

17. **PETITIONS FROM THE FLOOR (7:00 P.M.)**

18. **FINAL ACTION ON LEGISLATION**

19. **PUBLIC HEARINGS**



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- a. Fiscal Year 2023 City Budget Public Input (Mary McCoy, Finance Director: mtmccoy@santafenm.gov, 505-955-6171)

20. **APPOINTMENTS**

21. **ADJOURN**

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been considered prior to 11:30 p.m. and the Governing Body does not vote to extend the meeting, such items shall be postponed to a subsequent meeting, provided that the date, time and place of such meeting is specified at the time of postponement.

NOTE: New Mexico law requires the following administrative procedures be followed when conducting “quasi-judicial” hearings. In a “quasi-judicial” hearing all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross-examination. Witnesses have the right to have an attorney present at the hearing.

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.