



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
FEBRUARY 09, 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 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/88318453736?pwd=ZUxEbVdUa2hCSWFrSU85OWV1SGw3dz09>. **Passcode: 773571**

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



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
FEBRUARY 09, 2022  
5:00 PM  
ATTEND VIRTUALLY

---

Phone: To join the Zoom meeting using a phone, use the following phone numbers and Webinar ID: **US: 1 (346) 248-7799 - Webinar ID: 883 1845 3736 - Passcode: 773571**

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 Lee Garcia

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

Councilor Chavez

4. **INVOCATION AND REMEMBRANCES**

Councilwoman Villarreal

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

- a. City of Santa Fe Water 2021 Supply and Demand Summary. Presentation available at [www.santafenm.gov/water](http://www.santafenm.gov/water) (Jesse Roach, Water Division Director, [jdroach@santafenm.gov](mailto:jdroach@santafenm.gov), 505-955-4309)
- b. FY21 Audit Status Update. (John Blair, City Manager: [jwblair@santafenm.gov](mailto:jwblair@santafenm.gov), 505-603-1267 and Mary McCoy, Finance Director, [mtmccoy@santafenm.gov](mailto:mtmccoy@santafenm.gov), 505-955-6171)
- c. Culture, History, Art, Reconciliation, and Truth (CHART) Quarterly Update as Required by Resolution 2021-6 and 2021-56.

Presenters:



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
FEBRUARY 09, 2022  
5:00 PM  
ATTEND VIRTUALLY

---

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

## 9. ACTION ITEMS: CONSENT AGENDA

- a. Request for Approval of Legislative Breakfast Meeting Minutes for January 6, 2022. (Geralyn Cardenas, Assistant City Clerk: [gfcardenas@santafenm.gov](mailto:gfcardenas@santafenm.gov), 505-955-6519)

Committee Review:

Governing Body: 02/09/2022

- b. Request for Approval of 2022 Councilor Orientation Minutes for January 25, 2022. (Geralyn Cardenas, Assistant City Clerk: [gfcardenas@santafenm.gov](mailto:gfcardenas@santafenm.gov), 505-955-6519)

**Committee Review:**

Governing Body: 02/09/2022

- c. Request for Approval of Regular Governing Body Meeting Minutes for January 26, 2022. (Geralyn Cardenas, Assistant City Clerk: [gfcardenas@santafenm.gov](mailto:gfcardenas@santafenm.gov), 505-955-6519)

**Committee Review:**

Governing Body: 02/09/2022

- d. Request for Approval of Interfaith Community Meeting Minutes for February 1, 2022. (Geralyn Cardenas, Assistant City Clerk: [gfcardenas@santafenm.gov](mailto:gfcardenas@santafenm.gov), 505-955-6521)

**Committee Review:**

Governing Body: 02/09/2022



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
FEBRUARY 09, 2022  
5:00 PM  
ATTEND VIRTUALLY

- e. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Rudy's New Mexico Bar-B-Q, LLC for a Restaurant A Beer and Wine Liquor License with On-Premises Consumption Only with Patio Service, to be Located at Rudy's Country Store & Bar-B-Q, 6581 Cerrillos Road, Santa Fe. (Geraldyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)

**Committee Review:**

Liquor Hearing: 01/31/2022  
Governing Body: 02/09/2022

- f. Request for Approval of Memorandum of Agreement with No Funding Attached to Establish a Formal Relationship between the City of Santa Fe Veterans Advisory Board (VAB) and the Santa Fe Veterans Alliance (SFVA). (Julie Sanchez, jjsanchez@santafenm.gov and 505-955-6678).

**Committee Review:**

Finance Committee: 01/31/2022  
Quality of Life Committee: 02/02/2022  
Governing Body: 02/09/2022

- g. Request for Approval of Amendment No. 1 Santa Fe Public Schools Adelante CDBG Contract to Add Compensation in the Amount of \$17,000 for a Total Compensation of \$37,106 so that the \$20,000 Originally Allocated to Coming Home Connection's Casa Cielo Project is Redistributed to Other Public Services Activities for the 2021-2022 Program Year. (Alexandra Ladd, Director, Office of Affordable Housing, agladd@santafenm.gov , 505-303-9868)

**Committee Review:**

Quality of Life: 01/19/2022  
Finance Committee: 01/31/2022  
Governing Body: 02/09/2022

- h. Request for Approval of Amendment No. 1 to the Interfaith Community Shelter CDBG Contract to Add Compensation in the Amount of \$3,000 for a Total Compensation of \$35,000 so that the \$20,000 Originally Allocated to Coming Home Connection's Casa Cielo Project is Redistributed to Other Public Services Activities for the 2021-2022 Program Year. (Alexandra Ladd, Director, Office of Affordable Housing, agladd@santafenm.gov, 505-303-9868) **Committee Review:**



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
FEBRUARY 09, 2022  
5:00 PM  
ATTEND VIRTUALLY

Quality of Life Committee: 01/19/2022  
Finance Committee: 01/31/2022  
Governing Body: 02/09/2022

- i. Request for Approval of Amendment No. 6 for the Wastewater Digester Project Construction Contract with Bradbury Stamm for an Extension of Time to Complete the Digester Project Co-Generation Connection. (Michael Dozier, Wastewater Division Director, mldozier@santafenm.gov)

**Committee Review:**

Public Works and Utilities Committee: 01/24/2022  
Finance Committee: 01/31/2022  
Governing Body: 02/09/2022

- j. CONSIDERATION OF RESOLUTION NO. 2022-\_\_\_. (Councilor Garcia, Councilwoman Villarreal, Councilor Cassutt, Councilor Romero-Wirth, and Councilor Rivera)  
A Resolution Amending Resolution No. 2020-14 to Change the Location of the Banners Commemorating "Hometown Heroes" Along The Cerrillos Road Corridor Between I-25 and Rodeo Road to Between I-25 and the Intersection of St. Michaels Drive and Osage Avenue. (Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov)

**Committee Review:**

Introduced: 01/12/2022  
Public Works and Utilities Committee: 01/24/2022  
Finance Committee: 01/31/2022  
Quality of Life Committee: 02/02/2022  
Governing Body: 02/09/2022

- k. CONSIDERATION OF RESOLUTION 2022-\_\_\_ (Mayor Webber)  
A Resolution to Request Approval of Second Quarter Budget Amendments for Fiscal Year 2021/2022. (Andy Hopkins, Budget Analyst: ajhopkins@santafenm.gov, 505-955-6177)

**Committee Review:**

Introduced: 01/31/2022 (Finance Committee)  
Finance Committee: 01/31/2022  
Quality of Life Committee: 02/02/2022  
Public Works and Utilities Committee: 02/07/2022



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
FEBRUARY 09, 2022  
5:00 PM  
ATTEND VIRTUALLY

Governing Body: 02/09/2022

- I. CONSIDERATION OF RESOLUTION NO. 2022-\_\_\_\_. (Mayor Webber)  
A Resolution Establishing Additional Legislative Funding Priorities Based on the Potential Availability of Additional Funding During the 2022 Legislative Session. (Rich Brown, Community Development Director, rdbrown@santafenm.gov, 505-955-6625)

**Committee Review:**

Introduced at Governing Body: 01/26/2022

Finance Committee: 01/31/2022

Quality of Life Committee: 02/02/2022

Public Works and Utilities Committee: 02/07/2022

Governing Body: 02/09/2022

10. **ACTION ITEMS: DISCUSSION AGENDA**

- a. CONSIDERATION OF RESOLUTION NO. 2022-\_\_\_\_. (Councilor Cassutt and Councilwoman Villarreal)  
Resolution Supporting House Memorial 3 that Requests the Workforce Solutions Department Convene a Task Force to Recommend Legislation for Paid Family and Medical Leave. (Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov, 955-6518)

**Committee Review:**

Introduced: 02/07/22 (Public Works and Utilities Committee)

Governing Body: 02/09/22

11. **MATTERS FROM THE CITY MANAGER**

12. **MATTERS FROM THE CITY ATTORNEY**

13. **MATTERS FROM THE CITY CLERK**

14. **COMMUNICATIONS FROM THE GOVERNING BODY**

15. **INTRODUCTION OF LEGISLATION (Resolutions and Bills)**

16. **PETITIONS FROM THE FLOOR (Approx. 7 pm)**



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
FEBRUARY 09, 2022  
5:00 PM  
ATTEND VIRTUALLY

## 17. PUBLIC COMMENT ON BILLS

- a. 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

Governing Body (Public Hearing and Final Approval): 02/23/2022

## 18. FINAL ACTION ON LEGISLATION (Public Hearings)

- a. CONSIDERATION OF BILL NO. 2022-3. ADOPTION OF ORDINANCE 2022-\_\_\_\_\_. (Councilor Romero-Wirth and Councilor Cassutt)  
An Ordinance Amending Section 2-1.13 SFCC 1987 to Establish that the Mayor Pro Tempore Shall Serve on One City Council Standing Committee, Which Shall be the Finance Committee. (Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov, 955-6518)

**Committee Review:**

Introduced: 12/08/21

Finance Committee: 01/03/22

Public Works and Utilities Committee: 01/10/22

Governing Body (request to publish): 01/12/22

Quality of Life Committee: 01/17/22

Governing Body (public hearing and final action): 02/09/22



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
FEBRUARY 09, 2022  
5:00 PM  
ATTEND VIRTUALLY

- b. CONSIDERATION OF BILL NO. 2022-4. ADOPTION OF ORDINANCE 2022-\_\_\_\_\_. (Councilor Rivera)  
An Ordinance Amending Exhibit B of Section 21-7 to Increase Residential and Commercial Rates for Services Provided by the Environmental Services Division. (Shirlene Sittton, Environmental Services Division Director: sesitton@santafenm.gov, 955-2209)

**Committee Review:**

Introduced: 12/08/21

Public Works and Utilities Committee: 01/10/22

Governing Body (request to publish): 01/12/22

Finance Committee: 01/18/22

Governing Body (public hearing and final approval): 02/09/22

19. **PUBLIC HEARINGS (Land Use Cases, appeals, etc.)**

- a. **Case #2021-4375. 2868 Rufina Street General Plan Amendment.** Jennifer Jenkins of JenkinsGavin, Inc., Agent, for Homewise, Inc., Applicant, requests approval of a General Plan Future Land Use Map Amendment to change the Future Land Use Classification from Industrial to Community Commercial. The property is approximately 2.39 acres of land and is located at 2868 Rufina Street. (Donna Wynant, Case Manager, djwynant@santafenm.gov, 955-6325)

1. CONSIDERATION OF RESOLUTION NO. 2022\_\_\_\_\_.

A Resolution Amending the General Plan Future Land Use Map Designation from Industrial to Community Commercial for Approximately 2.39 Acres of Land Located at 2868 Rufina Street. (2868 Rufina General Plan Amendment, Case No. 2021-4375).

2. Request for Approval of Written Findings of Fact and Conclusions of Law Regarding Case #2021-4375 in the Matter of the Property Located at 2868 Rufina General Plan Amendment.

- b. **Case #2021-4376. 2868 Rufina Street Rezoning.** Jennifer Jenkins of JenkinsGavin, Inc., Agent, for Homewise, Inc., Applicant, requests approval of a rezoning from I-1 (Light Industrial) to C-2 (Commercial) for future development of a mixed-use site development, including 12,237 square feet of commercial space and 68 dwelling units. The property is approximately 2.39 acres of land and is located at 2868 Rufina Street. (Donna Wynant, Case Manager, djwynant@santafenm.gov, 955-6325)



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
FEBRUARY 09, 2022  
5:00 PM  
ATTEND VIRTUALLY

1. CONSIDERATION OF BILL NO. 2022-2. ADOPTION OF ORDINANCE NO. 2022-\_\_\_\_.  
An Ordinance Amending the Official Zoning Map of the City of Santa Fe and Changing the Classification from I-1 (Light Industrial) to C-2 (Commercial) with Respect to a Certain Parcel of Land Comprising Approximately 2.39 Acres Located at 2868 Rufina Street (2868 Rufina Street Rezoning, Case No. 2021-4376).
2. Request for Approval of Written Findings of Fact and Conclusions of Law Regarding Case #2021-4376 in the Matter of the Property Located at 2868 Rufina Street Rezoning.

## 20. APPOINTMENTS

- a. Community Health and Safety Task Force (Jeff Norris, Assistant to Legislative Liaison, jtnorris@santafenm.gov, 505-955-6692)
  - Geno Zamora, Esq. – Appointment – Shall Serve Until the Task Force Completes their Duties and Responsibilities.

## 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 fo additional accommodations, contact the City Clerk’s office at 505-955-6521, five (5) working days prior to meeting date.

**Governing Body  
SUMMARY INDEX  
February 9, 2022**

ITEM	ACTION	PAGE
1. Call to Order	Convened at 5:03 p.m.	1
2. Pledge of Allegiance	Led by Councilor L Garcia	1
3. Salute to the State Flag	Led by Councilor Chavez	1
4. Invocation & Remembrances	Led by Councilor Villarreal	1-3
5. Roll Call	Quorum Present	3-4
6. Approval of Agenda	Approved as amended	4
7. Approval of Consent Agenda	Approved as amended	4-5
8. Presentations		
a) 2021 Water Summary	Informational	5-6
b) Audit Status Update	Informational	6
c) CHART Quarterly Update	Informational	6-11
9. Action Items: Consent Agenda Listing		
g) Schools Contract Amendment	Approved	12-13
j) Banner Location	Approved	17-18
10. Action Items: Discussion Agenda		
a) Paid Family/Medical Leave Support	Removed	19-20
11. Matters from the City Manager	Informational	20-21
12. Matters from the City Attorney	Informational	21
13. Matters from the City Clerk	Informational	21
14. Communications from Governing Body	Communicated	21-22
15. Introduction of Legislation		
16. Petitions from the Floor	Petitions heard	14
17. Public Comment on Bills		
a) NTS Communications Franchise	No Comments	22
18. Final Action on Legislation		
a) Mayor Pro Tem on Finance Committee	Approved	22-25
b) Rate Increase for trash pickup	Approved	25-27
19. Public Hearings		
a) 2021-4375 2868 Rufina GPA	Approved	28-33
b) 2021-4376 2868 Rufina Rezoning	Approved	28-34
20. Appointments		
a) Community Health/Safety Task Force	Appointed	34-35
21. Adjournment	Adjourned at 10:04 pm	35

**Minutes of the  
Regular Meeting of the Governing Body  
Wednesday, February 9, 2022  
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, February 9, 2022, at approximately 5:00 p.m., at the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico as a virtual meeting.

**2. PLEDGE OF ALLEGIANCE**

Councilor Lee Garcia led the Pledge of Allegiance.

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

Councilor Chavez led the Salute to the New Mexico Flag.

**4. INVOCATION**

Councilor Villarreal gave the Invocation, offering a prayer from today's devastating news of the death of former Mayor, Javier Gonzales.

She first remembered Sevastian Gurule, who gave his life to the City for 28 years, was a lover of life, and had compassion for others and emitted joy for what he did.

Javier Gonzales was an inspiration for many people here and beyond. She admired him and learned from him. She sent her love and strength to his daughters and his mother, his brothers and extended family.

She also remembered a high school friend's father, Francisco, who came to all their sporting events, a lover of golf and his life was cut short too soon. She shared a quote from him, "To live for today and to love for tomorrow, is the wisdom of a fool, because tomorrow is promised to no one." May he rest in peace." She sent to his daughter and his wife Sofia her greatest condolences.

Councilor Rivera echoed condolences for Sevastian Gurule and his wife, Alva, his children. It is sad that he just found out he was going to be a grandfather. "He passed way too young. He grew up with my wife and he, his dad and his brother

played mariachi music at our wedding. I will always remember him. When you think about Santa Fe and gente, he lived that daily and he will be tremendously missed.”

He was also sad at the passing of Javier, whom he knew in high school. He was a great Mayor, a great family man. Condolences to his mother and brothers. They will be missed, and their legacy will go on forever.

Councilor Lindell thanked Councilor Villarreal and Councilor Rivera for their kind words. It was a shock to hear Sevastian had passed. He was one who wanted to help you and that’s what he did. Condolences to Sev’s family.

Javier Gonzales was a great mentor. He talked her into running for Council. He was a person whom everyone thought were his best friend. That was his magic. He was a selfless public servant for years and years. Most of all, he was a family guy. And you knew his daughters were his greatest joy. He was a skilled negotiator, a skilled navigator. He was very generous of spirit. He and his family nurtured a very strong spiritual life. She loved serving with him. She loved him. Santa Fe has lost a real treasure. Great condolences to the Gonzales family. And thanks for sharing him with us.

Councilor Cassutt had not had a chance to work with him but knew him over the years. What an inspiration he was as a public servant and family man. He has incredible daughters. She worked with his youngest daughter, and she is amazing. And she had her guiding light. “We talked about everything. She impressed me with the incredible knowledge she had and was a reflection on her father and how he raised her. Condolences to his family. We were fortunate to have him.” And she gave condolences for the other losses to the City family over the past week.

Councilor Romero-Wirth also sent condolences to Sevastian and his family and for his family who introduced her to the City family. She was grateful for his generosity. He jumped in to help here help a couple constituents.

She was also very saddened and gave her condolences to the Gonzales family. He was an incredible leader, a forward thinker, a progressive and taken away too soon. Condolences to his daughters. They will go on and do great things carrying out his legacy. She sent them on behalf of her family.

Councilor L Garcia didn’t know Sevastian long but after his election we chatted more. He gave condolences with Sev’s family and to the Gonzales family. He knew George for over 20 years. He wished them comfort and peace. He will be missed.

Councilor Chavez echoed what was said already. She had admired the former mayor from afar but has worked alongside his daughter. The love and kindness of those who were lost – we must be in unity with love for them and the losses we are enduring right now. She sent love to those left behind. As a public official, we

are available for people to come to us and reassure them they are not alone. As a community, you are loved and supported.

Councilor M Garcia echoed the sentiments mentioned. “Santa Fe will go to sleep tonight with a broken heart. Javier was a great man. I knew him before he was in office. He worked with my son. He is a treasure that will live on. Everybody was his best friend – his part of family. Those are bonds never to be broken and moments we all had with Javier. Those are the treasured moments we must carry on for the Gonzales family and the Gurule family.”

Mayor Webber appreciate all the words. Sevastian was a joy. His heart was full of love, and He welcomed me despite just having a heart attack. He labored in so many ways. The way he handled difficult situations and he loved music and people and Santa Fe. So sorry we lost him.

It is hard to find words that fit such a large individual as Javier. He was a home-grown hero, a visionary leader. Son of a former mayor and father to two remarkable beautiful daughters. He and his family has done so much for Santa Fe. Tonight, we embrace him and give thanks for his leadership even as we mourn his passing. He left us too soon, but his legacy will be with us. I’ve lost an advisor and a strong presence in my life and work. He will long be celebrated and appreciated. May his life be a blessing.

The Governing Body observed a moment of silence for these two, and those struggling with COVID and 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 Amanda Chavez  
Councilor Lee Garcia  
Councilor Michael J. Garcia  
Councilor Signe Lindell  
Councilor Christopher M. Rivera  
Councilor Carol Romero-Wirth  
Councilor Renee D. Villarreal

### Members Excused

Other Participants Attending Remotely

Erin McSherry, City Attorney  
Kristine Bustos-Mihelcic, City Clerk  
John Blair, City Manager  
Rich Brown, Economic Development Director  
Kyra Ochoa, Community Health & Safety Department Director  
Geraldyn Cardenas, Assistant City Clerk  
Jesse Roach, Water Division Director  
Manuel Gonzales, ITT Director  
Jesse Guillen, Legislative Liaison  
Bernadette Salazar, Human Resources Director  
Stephanie Woodruff, Audit Consultant  
Mary McCoy, Finance Director  
Rich Brown, Economic Development Director  
Shirlene Sitton, Environmental Services Division Director  
Carl Boaz, Council Stenographer

**6. APPROVAL OF AGENDA**

**MOTION:** Councilor Cassutt moved, seconded by Councilor Villarreal, to approve the agenda as presented.

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

**For:** Mayor Webber, Councilor Cassutt, Councilor Chavez, Councilor L. Garcia, Councilor M. Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

**Against:** None

**7. APPROVAL OF CONSENT CALENDAR**

Mayor Webber removed item 10 - I from the Consent Calendar permanently.

**MOTION:** Councilor Romero-Wirth moved, seconded by Councilor Lindell, to removed item 10 – I from the agenda permanently.

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

**For:** Mayor Webber, Councilor Cassutt, Councilor Chavez, Councilor L. Garcia, Councilor M. Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

**Against:** None

Councilor Chavez requested item g be pulled so she could recuse herself.

Councilor M Garcia pulled item j for discussion.

**MOTION:** Councilor Chavez moved, seconded by Councilor Romero-Wirth, to approve the Consent Calendar as amended, with items g and j removed for discussion.

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

**For:** Mayor Webber, Councilor Cassutt, Councilor Chavez, Councilor L. Garcia, Councilor M. Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

**Against:** None

## 8. PRESENTATIONS

- a. City of Santa Fe Water 2021 Supply and Demand Summary. Presentation available at [www.santafenm.gov/water](http://www.santafenm.gov/water) (Jesse Roach, Water Division Director, [jdroach@santafenm.gov](mailto:jdroach@santafenm.gov) 505-955-4309)

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

Director Roach shared his screen and showed where the water report exists on the City website.

He said the City has four water sources and we try to use surface water as our “checking account” and well water as our “savings account.” He showed production in 2021 by source. About 80% came from river water and remaining from ground water. 94% was sold to consumers.

He showed total reservoir storage and pointed out that although Santa Fe went through a very dry year, and ended the year below where we have been, it was not a not dramatic reduction.

He noted that customers paid less than \$105 per month on average.

Director Roach explained the City has 12,000 ac/ft available each year and used less than 9,000 ac/ft, of which 4,500 ac/ft is from well fields and that

does not impact well production every year. When we don't use that, it is available for the future in storage.

Councilor Cassutt asked for explanation of the term "non-revenue water."

Director Roach said the City actually produces more water than goes through meters. A main break is an example of non-revenue water. Flushing hydrants is another. In the past, about 15% of the water did not go through a meter, but now is about 6%.

Mayor Webber asked when he would report again.

Director Roach said he will report in March and in April, present the outlook, based on snowpack.

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

Ms. Bustos-Mihelcic read the caption.

Manager Blair said he was "keeping our foot on the metal." Director McCoy was giving updates as well. He was grateful for her and her team to meet the tremendous pressure and getting the audit done.

Director McCoy reported on Assets 56% was complete this week. Reconciliations for cash accounts were underway and will continue next week. 30% of Capital assets was complete and on track to complete by February 25. Audit Prep for Liabilities was 29 % complete and on track to complete by February 25. SEFA was 26% complete and on track to complete by mid-March. The Fund Balance part was 100% complete. She reported that the Auditors would start on March 16.

There were no questions.

- 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

Ms. Bustos-Mihelcic read the caption for this presentation

Director Kamiyama introduced the two presenters for the second quarterly presentation.

Ms. Gharib reviewed the history/creation of CHART reconciliation, particularly for the benefit of the new Councilors. Their work was to reach into the community as much as possible to hear its diverse voices and recommendations. She showed a pyramid illustrating the foundation and how they have built upon it with the tasks shown. During the past quarter, they were on the second level of the pyramid, with activities of outreach and information gathering. They made a presentation with City and State Historians that is on the City Youtube Channel, and their first survey among the community members. In January, was the first public dialogue on the theme of monuments. Eighty people signed up and sixty attended.

Ms. Valerie Martinez talked about the engagement strategies and connections made from the strategy. She said they were gathering crucial and important information through phone calls and online activities with surveys, one-on-one interviews, and public dialogue. Overall, it was diverse engagement outreach with the community. They reached out by newsletter and emails and her report included the statistics they kept. She considered the rate of return “pretty good.” Their in-person engagements were kept safe according to COVID protocols. She gave thanks to the Santa Fe Community Gallery, and Santa Fe Place Mall, for providing locations for those in-person engagements.

Ms. Gharib invited people to use the website for the project and quoted statistics on use of their social media and website. She also reported on their exposure in public media.

Ms. Alexis Kaminsky, the evaluator, discussed the participation in the survey. She said the response rate on the first survey was 274 at the last report time and closed out with 497 responses with a good cross section. Most were submitted online. She showed the demographics which were in the Councilors’ packets, by age and zip codes and briefly compared them with demographics of Santa Fe County. The best responses were from ages 70-79. She attributed the low response from those 20-29 years old to employment.

Ms. Martinez said the questions that would be used in future surveys would all come from responses already received. She shared some questions used in January that concerned monuments and explained how they would

provide small group breakouts for the dialogues. The results in January were “very thoughtful and very interesting.” Everyone who attended was sent a brief evaluation form to use and they have had over 66% response rate so far. She added that the website also contains tools that local groups can use to involve CHART activities in their meetings.

Ms. Gharib concluded the presentation and said they are using Instagram in English and Spanish to collect special stories and registrations for February dialogues are open until February 17.

The presentation ended at 6:09 and stood for questions.

Councilor M Garcia thanked the presenters and what has gone on the last couple of months. He noted in his concerns as without recommendations. He noted a recent article in the Santa Fe Reporter where Ms. Martinez was quoted as saying, “that is not part of the process.” He emphasized that recommendations must a priority in facilitating community discussions to lead down a path to recommendations at the end of the one-year process. He was concerned about straying from that priority in the resolution.

Director Kamiyama encouraged Councilor M Garcia to participate and reviewed the participation procedure

Ms. Martinez added that they are getting much information about what people are saying about monuments, etc. They will have no trouble making recommendations to the Governing Body. There are not just three dialogue sessions and people can continue to participate in them. The Committee members will conduct two more surveys. All notes and comments and those based on all the voices contributing to the CHART process.

Councilor M Garcia didn't want people being discouraged from participation. And just because they didn't get in on the first dialogues would not prevent their further participation.

Ms. Martinez agreed. Ms. Gharib also responded on recommendations.

Councilor M Garcia asked if demographics on the 61 who attended were collected.

Ms. Martinez said they have it.

Councilor M Garcia attended the November meeting (with the State and City Historian). He was concerned about the way questions were handled there. Only facilitators were allowed to ask a question. He said Mr. Martinez saw lots of the questions flying and did address one of them. So, there was

no dialogue with the community there. A great opportunity was lost. Were the questions recorded in some way? Why didn't you allow questions from the public to Mr. Martinez or Ms. Rangel? There were probably many good questions that people wanted to ask. He would discourage that prohibition in the future.

Ms. Gharib gave some reasons for it and said they were now much better prepared and have opened all social media for comments with a policy on making comments. They are negotiating with the next speaker on their comfort level with questions from the public. they want it to be open to all questions.

Councilor M Garcia wished them much energy in continuing the work and offered his help.

Councilor Cassutt thanked them for presenting and their work amid the pandemic. Following up on demographics, she noted a common Santa Fe problem that we tend to hear more from older people and more from 87501. She would like to hear how their plan will bring in other voices here. How will you bring in those other voices?

Ms. Martinez said they are watching the results. She thought they were doing well except with 20–29-year-olds. They are hampered by COVID and are reaching out through local businesses to reach out to them. And people with young children are very busy and don't tend to come even to online events. She also invited the Governing Body's ideas with them.

Councilor Cassutt understood and would think of some ways. She hoped for more opportunities during the coming summer. There were other City events trying to reach out for participants. The team might work with some of those. She agreed with Councilor M Garcia it is important to adjust before the end to accommodate voices left out of the process and appreciated their efforts and willingness to make adjustments as it goes along. She also would reach out to her network groups.

Councilor Chavez thanked them for the presentation. What stood out for her was utilization of media. But she saw no use of community partners. She has lots of experience with community partners. They are deeply connected and can bring people in. The Governing Body saw that in Midtown. One of them is the schools. The hubs in the district are engaging their population. She asked how the team is using them in reaching out and who the community partners are.

Ms. Martinez described some of their work with the schools. She said they also have high school interns who took the survey into the schools. We

reach out to them consistently. We have met with many, many organizations involved in art and with social services organizations. We put the invitation out there and are doing our best to collaborate with them. We hope we are nimble in reaching out. She will include that in the slides next time.

Councilor Chavez added that our schools are community hubs, and the team needs to figure out how to engage with them, so they are delivering the message. It is beyond an invitation. It is what she has seen work well. She asked to see their list and suggested she could meet with the team separately to brainstorm it further.

Councilor Villarreal participated in the November event and found it fascinating and engaging. she heard positive feedback from others. She suggested copying the questions on the website, if possible. Some responses might be personal or disagreements. But it would be helpful to have those questions on chat collected and share them on the website and at the next meeting.

She looked for the next public dialogue session and asked if they are capped at a maximum number. She asked if it was random selection.

Ms. Martinez said anyone can sign up and they try to accommodate all so they can attend. They are then assigned to small groups and thanked for signing up. It also depends on who shows up that night. Some do; some don't. If in-person, we might have 80 people and then split into small groups. We also had a notetaker for each small group.

We heard repeatedly – “listen.” It comes up so many times. People need to listen to each other in equal space to share in the dialogue. In a group of 100, it is impossible to do that, and we structure the dialogue so that all can be heard. Anybody can register.

Councilor Villarreal asked if they are not recorded for public feedback.

Ms. Martinez said the team agreed to never share comments attached to an individual's name. They wanted to make sure every single word was recorded but confidential. The recordings are used internally and for training purposes.

Councilor Villarreal also encouraged a definition of equity because not everyone uses the term in the same way.

Councilor Villarreal asked about any introspection on what Little Globe was putting together and whether there was any connection with them.

Ms. Martinez said they met with them and had a wonderful meeting. She was formerly part of Little Globe before doing this work. Several their staff attended. We are in conversation with them.

Councilor Villarreal was excited to hear that.

Lastly, she understood the opportunity was not just for the Governing Body but the entire Staff to have the bias training. She asked when that will happen.

Director Kamiyama said she is working with Ms. Bustos-Mihelcic and Ms. McSherry to find a date for a special study session. If we must do it in smaller work groups, probably in April. She would provide more information by the end of February.

Councilor Villarreal thought it might not be good in April as the Governing Body has hefty budget meetings at that time.

Mayor Webber thanked them for the presentation and answers to questions.

## 1. ACTION ITEMS: CONSENT AGENDA

- a. Request for Approval of Legislative Breakfast Meeting Minutes for January 6, 2022. (Geralyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov, 505-955-6519)  
Committee Review:  
Governing Body: 02/09/2022
- b. Request for Approval of 2022 Councilor Orientation Minutes for January 25, 2022. (Geralyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov, 505-955-6519)  
**Committee Review:**  
Governing Body: 02/09/2022
- c. Request for Approval of Regular Governing Body Meeting Minutes for January 26, 2022. (Geralyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov, 505-955-6519)  
**Committee Review:**  
Governing Body: 02/09/2022
- d. Request for Approval of Interfaith Community Meeting Minutes for February 1, 2022. (Geralyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov, 505-955-6521)  
**Committee Review:**

Governing Body: 02/09/2022

- e. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Rudy's New Mexico Bar-B-Q, LLC for a Restaurant A Beer and Wine Liquor License with On-Premises Consumption Only with Patio Service, to be Located at Rudy's Country Store & Bar-B-Q, 6581 Cerrillos Road, Santa Fe. (Geraldyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)

**Committee Review:**

Liquor Hearing: 01/31/2022

Governing Body: 02/09/2022

- f. Request for Approval of Memorandum of Agreement with No Funding Attached to Establish a Formal Relationship between the City of Santa Fe Veterans Advisory Board (VAB) and the Santa Fe Veterans Alliance (SFVA). (Julie Sanchez, jjsanchez@santafenm.gov and 505-955-6678).

**Committee Review:**

Finance Committee: 01/31/2022

Quality of Life Committee: 02/02/2022

Governing Body: 02/09/2022

**This item was pulled for discussion by Councilor Chavez.**

- g. Request for Approval of Amendment No. 1 Santa Fe Public Schools Adelante CDBG Contract to Add Compensation in the Amount of \$17,000 for a Total Compensation of \$37,106 so that the \$20,000 Originally Allocated to Coming Home Connection's Casa Cielo Project is Redistributed to Other Public Services Activities for the 2021-2022 Program Year. (Alexandra Ladd, Director, Office of Affordable Housing, agladd@santafenm.gov, 505-303-9868)

**Committee Review:**

Quality of Life: 01/19/2022

Finance Committee: 01/31/2022

Governing Body: 02/09/2022

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

Councilor Chavez recused herself as an employee of the public schools and left the meeting.

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

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

**For:** Mayor Webber, Councilor Cassutt, Councilor L. Garcia, Councilor M. Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

**Against:** None Councilor Chavez was not present for the vote.

Councilor Chavez returned to the bench after the vote was taken.

- h. Request for Approval of Amendment No. 1 to the Interfaith Community Shelter CDBG Contract to Add Compensation in the Amount of \$3,000 for a Total Compensation of \$35,000 so that the \$20,000 Originally Allocated to Coming Home Connection's Casa Cielo Project is Redistributed to Other Public Services Activities for the 2021-2022 Program Year. (Alexandra Ladd, Director, Office of Affordable Housing, agladd@santafenm.gov, 505-303-9868)

**Committee Review:**

Quality of Life Committee: 01/19/2022

Finance Committee: 01/31/2022

Governing Body: 02/09/2022

- i. Request for Approval of Amendment No. 6 for the Wastewater Digester Project Construction Contract with Bradbury Stamm for an Extension of Time to Complete the Digester Project Co-Generation Connection. (Michael Dozier, Wastewater Division Director, mldozier@santafenm.gov)

**Committee Review:**

Public Works and Utilities Committee: 01/24/2022

Finance Committee: 01/31/2022

Governing Body: 02/09/2022

**Amendment to the Agenda**

Councilor Cassutt suggested a break until 7:05 p.m.

Mayor Webber agreed to the break.

**MOTION:** Councilor Cassutt moved, seconded by Councilor Lindell, to amend the agenda to hear Petitions from the Floor immediately after the break.

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

**For:** Mayor Webber, Councilor Cassutt, Councilor Chavez, Councilor L. Garcia, Councilor M. Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

**Against:** None

The Governing Body recessed at 6:54 p.m. and reconvened at 7:12 p.m.

### **PETITIONS FROM THE FLOOR:**

Stephanie Beninato said she wanted to speak on two items. She noticed that Gino Zamora was once again being appointed to work for the City and wondered if they could not find someone else to do the work.

She said she had applied for the historian position, a position for which she was eminently qualified, and the appointment was postponed two times. She felt disrespected by that. "It was a slap in the face."

Regarding her request to the Land Use Department, she said the staff will not respond to her regarding a property. She observed them responding to others but not to her. She hoped the new Land Use Director will be more responsive to her questions.

There were no other petitions and the opportunity for petitions was closed at 7:15 p.m.

The Governing Body went back to Item 10- J.

### **This item was pulled for discussion by Councilor M Garcia.**

j. CONSIDERATION OF RESOLUTION NO. 2022-08. (Councilor Garcia, Councilwoman Villarreal, Councilor Cassutt, Councilor Romero-Wirth, and Councilor Rivera)

A Resolution Amending Resolution No. 2020-14 to Change the Location of the Banners Commemorating "Hometown Heroes" Along The Cerrillos Road Corridor Between I-25 and Rodeo Road to Between I-25 and the Intersection of St. Michaels Drive and Osage Avenue. (Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov)

#### **Committee Review:**

Introduced: 01/12/2022

Public Works and Utilities Committee: 01/24/2022

Finance Committee: 01/31/2022

Quality of Life Committee: 02/02/2022 Governing Body: 02/09/2022

Ms. Bustos-Mihelcic read the caption for this item and said Jesse Guillen was available.

**MOTION: Councilor M Garcia moved, seconded by Councilor Villarreal, to approve the Resolution as presented.**

**Discussion on the Motion:**

Councilor M Garcia gave thanks to all veterans in the country. Don Christy has helped, along with co-sponsors, and other Staff with this expansion of the programs. We've been involved since 2019. Santa Fe was the first city in the state and other cities across the country have reached out to us on how to honor veterans in their city. We want to honor all who served our country.

We ran into challenges where interpretation comes into play. The Ordinance was recently updated to allow the City to install banners throughout the City and that ordinance guides us. One part in the ordinance has had difference of opinion on interpretation. He referred 14-8.10 "Signs" ordinance. Section A-2-b-4. He read from it,

*A resolution adopting a [banner's](#) use shall express the governing body's discretion in specifying the appropriate date(s), location(s), number, installation, maintenance, and cost allocation, if applicable. The city shall not be responsible for any costs associated with third-party to erect banners requests beginning January 1, 2020.*

He interpreted "third-party" in this case, to be party one would be the City, party two would be the American Legion, and third party would be any other entity that would come into play, whether an institution providing the banners, or someone else. That was his thought process. The "no city cost" section was the confusing part. But this ordinance actually prevents the City from installing the banners. The City installed the banners in 2019, 2020, and 2021. And this ordinance actually prohibits the City from installing the banners. Third party is the big confusion. "Third party is us." He was now learning that was not the case. The American Legion anticipated the City hanging the banners. And that was the intention. He asked Ms. McSherry to clarify the ordinance. He asked her what is meant by "third party."

Ms. McSherry noted the ordinance was adopted in 2019 for veterans and then it was opened. During the discussion was the no cost part with third party groups. She explained they have no right, but they do benefit from the program.

Mayor Webber thought it meant the City was the third party.

Councilor M Garcia added that it puts the American Legion out because they don't have the resources to hang the banners. He asked if it would need an amendment to the ordinance to get it done. He knew there was also a question

of anti-donation. He asked if that was a factor that might prohibit the City from hanging the banners.

Ms. McSherry agreed it could be a problem. If it is a fund-raising donation, it would be a problem. Ms. McSherry felt the conjecture would go down a rabbit hole.

Councilor M Garcia pointed out the City has pretty much taken ownership of this project. We put together a video which is shown as a City project. So how can we continue to support this project that worldwide, people have come to love? How do we move forward with it? He asked for ideas from his colleagues.

His interpretation of 3<sup>rd</sup> party was different. He agreed that 3<sup>rd</sup> party resources shouldn't be the burden of the City.

Councilor Villarreal believed they don't fund-raise. We just approved the official MOA with Veteran's Alliance which is a nonprofit and can raise funds. That entity could figure out how to raise funds for the installation of the banners.

Ms. McSherry would want to look at that.

Councilor Villarreal also pointed out the banners have a City logo on them.

Ms. McSherry explained that is required as a celebration of the City for Memorial Day and Veteran's Day.

Councilor Villarreal said the Resolution in front of us is a continuation of support for veterans. It is so widespread, that there would be a way to get them installed.

Councilor Lindell concluded that we need to raise the money to do this. She started working on it today. At the beginning of the meeting, she received assurance from PNM CEO Pat Collawn that they would install the banners for us. It started to fund raise and then thought it is going on light poles and she went to PNM. So, we are taken care of for installation. She got that assurance from her.

Councilor Romero-Wirth said that is incredible news Councilor and thanks to PNM. The resolution requires several things, and that American Legion Post is responsible for all costs. Hanging of banners is not just for veterans but all hanging of banners. We can't afford to pay for all banners, and this is a popular program and I support it and cosponsored it. Members of my family are buried at the Santa Fe National Cemetery. Groups need to work out the costs of banner hanging. She recalled others that were requested. It is like sidewalks. We cannot afford to maintain and repair all sidewalks. She was delighted a solution

was found and she believed other solutions can be found with help for these things.

The first year, the City did put up the banners. And there was misunderstanding at the next year. Santa Fe does have a law that prevents the City from doing it.

Councilor Cassutt was also very glad PNM will help with it and thanks to Councilor Lindell. We are moving into many hypotheticals. So, in the resolution on location is separate from costs of hanging the banners.

Ms. McSherry nodded on the extension of the location of banners and not on expenditures.

Councilor M Garcia thanked Councilor Lindell for that update. And wanted to have assurance from City Attorney that PNM's contribution had come up and City Attorney told Councilor Vigil Coppler that the City could not touch those light poles.

Ms. McSherry said it was not a conversation from here. She didn't know why they wouldn't be able to. They get construction permits regularly.

Councilor M Garcia was glad for that. He wanted to be sure there was not any impediment in it.

Councilor M Garcia said we must have these conversations but not violate a rolling quorum. We need to figure it out together. Much of the information he was hearing is now changing in a good way.

Councilor L Garcia expressed his 100% support for the project and giving respect to our veterans. Many of our families have gone off to war. My name is on this too and I am 100% behind it. Anything i can do to help, please let me know.

Councilor Rivera – I am wholeheartedly in support of the banner program. Our vets deserve to be honored this way. Many of our visitors have given him compliments for the banners when they come to visit Santa Fe. Thanks to Councilor Lindell for the help, she got. He would sit with Councilor M Garcia to find a way to do this annually. He hoped we can find a sustainable way to do it.

Councilor Lindell pointed out that everyone on this Council supported this program. She didn't know how it got started that someone on the Council didn't support this program. There are procedures to follow. The victory tonight is terrific – to have a community partner that supports it. Her family was touched by WWII, Korean, etc. Every person here supports veterans, and she was thrilled we can move it forward.

Councilor M Garcia wanted to make sure PNM has the authority to touch City poles as well as PNM poles and install banners on both.

Ms. McSherry was not aware of any prohibitions other than permits and safe practice.

Mayor Webber said he spoke to Mr. Christy when taking up the expansion. He assured him there was unanimous support and we'd figure out how to get them hung. And there are all sorts of orgs who would come to the rescue. My thanks to Councilor Lindell for finding a quick and efficient way and does us all a good deal of good that it is not just elected officials to answer the call-in support of veterans. Thank you, Councilor Lindell, for finding the way. And we can routinize not just the expansion but the mechanism to get them safely hung.

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

**For:**           Mayor Webber, Councilor Cassutt, Councilor Chavez, Councilor L. Garcia, Councilor M. Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

**Against:**      None

- k.    **CONSIDERATION OF RESOLUTION 2022-09 (Mayor Webber)**  
A Resolution to Request Approval of Second Quarter Budget Amendments for Fiscal Year 2021/2022. (Andy Hopkins, Budget Analyst: ajhopkins@santafenm.gov, 505-955-6177)  
**Committee Review:**  
Introduced: 01/31/2022 (Finance Committee)  
Finance Committee: 01/31/2022  
Quality of Life Committee: 02/02/2022  
Public Works and Utilities Committee: 02/07/2022  
Governing Body: 02/09/2022
- l.    **CONSIDERATION OF RESOLUTION NO. 2022-\_\_\_. (Mayor Webber)**  
A Resolution Establishing Additional Legislative Funding Priorities Based on the Potential Availability of Additional Funding During the 2022 Legislative Session. (Rich Brown, Community Development Director, rdbrown@santafenm.gov, 505-955-6625)  
**Committee Review:**  
Introduced at Governing Body: 01/26/2022  
Finance Committee: 01/31/2022  
Quality of Life Committee: 02/02/2022  
Public Works and Utilities Committee: 02/07/2022  
Governing Body: 02/09/2022

This was removed from the agenda under Approval of the Agenda.

10. **ACTION ITEMS: DISCUSSION AGENDA**

- a. CONSIDERATION OF RESOLUTION NO. 2022-10. (Councilor Cassutt and Councilwoman Villarreal)  
Resolution Supporting House Memorial 3 that Requests the Workforce Solutions Department Convene a Task Force to Recommend Legislation for Paid Family and Medical Leave. (Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov, 955-6518)  
**Committee Review:**  
Introduced: 02/07/22 (Public Works and Utilities Committee)  
Governing Body: 02/09/22

Ms. Bustos-Mihelcic read the caption for this item in support of HM 3.

**MOTION: Councilor Villarreal moved, seconded by Councilor M Garcia, to approve the Resolution as presented.**

**Discussion on the Motion:**

Councilor Cassutt said this resolution supports the legislation for a Task Force to look at Paid Family and Medical Leave. She has seen incredible impacts on the birth of a new baby into a household during this challenging time and they need medical leave. We usually talk about how good it for the baby. But the physical challenge on mothers is often overlooked. And the mother must return to work two weeks later. She was pleased with the lead of legislators for that support for New Mexico families and looking at the equity involved for those without resources to deal with it. She was in full support.

Councilor Villarreal added that this is the kind of legislation that is long overdue in this country. Many other countries are much better. And with COVID, the need is laid bare for medical leave. It is also very aligned with her job.

Mayor Webber wholeheartedly supported it.

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

**For:** Mayor Webber, Councilor Cassutt, Councilor Chavez, Councilor L. Garcia, Councilor M. Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

**Against:** None

## 11. **MATTERS FROM THE CITY MANAGER**

Manager Blair short laundry list – working with Director Ochoa on the search for Chief of Police. Next week will have dialogue with the candidates in two panel sessions. Director Ochoa is close to finishing that list and getting feedback from the candidates. The short list will be brought to Governing Body members for meeting. And then he will make a final decision. He forwarded a link this weekend to fill out our community survey. Today, we were able to upload the survey into pdf so groups can download it and share it with their group. We want to be as inclusive as possible.

He is working on a resolution to deal with closing of pools in the afternoon to get additional lifeguards and supervisors to keep them open. The Bicentennial pool will also open before long.

Notice went out that the LaFarge Library is opening on February 17, 2022.

He is also working on an ordinance the Governing Body passed to honor those lost to COVID and those working to help them. On March 7, he will get more information to the Governing Body.

He is preparing for an anniversary recognition for those employees with 5 years of service and when the Governing Body meetings become in-person to bring them before you.

There are improvements to internal operations with the COVID app which is used for reporting on COVID infections to DOH and quarantines. The app is easy to use.

He is “modernizing” communications with Staff when a snow day is anticipated. He will decide on possible delay at 4:05 am with notifications to everyone.

The position for Deputy City Manager closes tomorrow. He sent it far and wide and has already gotten good applicants.

As a point of personal privilege, Manager Blair also honored Javier Gonzales. He could not stress enough that we have gay people like Javier, Councilor Lindell,

Senator Stefanics and Sevastian Gurule, who are great leaders. He was so grateful for Javier's leadership.

**12. MATTERS FROM THE CITY ATTORNEY**

Ms. McSherry announced the Deputy City Manager position is posted and will be open for the next few weeks.

Secondly, she would be sending out the decision on the General Plan. The City got a good opinion on what the City did to protect the due process rights.

Mayor Webber thanked her for flagging that.

**13. MATTERS FROM THE CITY CLERK**

Ms. Bustos-Mihelcic noted it is very emotional evening. Her heart was filled with love and sympathy.

We extended the deadline for recruitment of candidates in District 3 and District 4 for committee positions. She invited people to invite those who were interest to fill out a nominating form.

Thank you for our community services team. Got almost 600 CRMs since the last time redistricting was reported and the numbers continue to grow. She thanked those who were processing and analyzing those details.

**14. COMMUNICATIONS FROM THE GOVERNING BODY**

Councilor Villarreal thanked the constituent services team. There were so many requests from so many people and the team was very responsive. She gave a shout out to Alejandro's for his help on Friday night on her computer problems and taking time from his own home to help her.

Councilor Rivera thanked Daniel Diaz for being so responsive every time he called for Isabella Sharpe - for help from both of them. And he thanked Manny Gonzales and E. J. Duran for the tour of IT at Midtown. They now have more space and great new atmosphere there. He was glad they took time with him.

Councilor Romero-Wirth commented that it is such a day.

Councilor L Garcia thanked his colleagues for assistance in his first month here. And for the hospitality of all City Staff. He appreciated all they have offered.

Councilor M Garcia passed along feedback from a constituent thanking the permit office, especially Rich Trujillo, Nick Ruiz, Jan Rodriguez, and Taylor Mente for providing such excellent service to our constituents.

Councilor Lindell gave a shout out to the folks that plow the roads and Parks people who did the shoveling. She shared that she lives on Gonzales Hill and that Thursday morning, after the big snow, they had a medical appointment that required leaving the house at 5:30 in the morning. When they pulled out, she was thrilled when she saw the magnificent job the City Staff did in clearing Gonzales Road. Then coming back, she saw Parks folks shoveling sidewalks. They take a lot of stress off people in doing that job. She also thanked Director Wheeler for getting it done quickly.

Councilor Cassutt asked Councilor Rivera if the ITT Staff were replaying City Council meetings when he went there.

Councilor Rivera agreed they were replaying a meeting but not a Council meeting.

Councilor Chavez expressed her gratitude for the City Team. It has been exciting when talking with constituents and able to deliver good news because of our City Team. She was very grateful to be part of this team.

Mayor Webber agreed it is an evening of great emotions and to take time to celebrate the lives of these great people and recognize how important gratitude is of people who deserve our praise

He knew 600 meals were delivered on those snowy days. Santa Fe was not stalled on that day. Staff did their work on that morning. And that kind of work has been going on for a long time. We are very grateful for all of that.

**15. INTRODUCTION OF LEGISLATION (Resolutions and Bills)**

No legislation was introduced.

**16. PETITIONS FROM THE FLOOR (Approx. 7 pm)**

Petitions were heard earlier in the meeting at 7:10 p.m.

**17. PUBLIC COMMENT ON BILLS**

- a. 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  
Governing Body (Public Hearing and Final Approval): 02/23/2022

Ms. Bustos-Mihelcic read the caption for this item and noted Terry Lease was present.

Mayor Webber explained this was not a discussion by the Governing Body or a Staff presentation, but a chance for public members to make comment.

Ms. McSherry added that a Staff presentation of up to 5 minutes is allowed.

Manager Lease said this would provide 100% fiber optic broadband to Santa Fe for residences and businesses. Their fiber to premises would be a 10 Gb network with packages that begin at 1 and 2 Gb. The total investment in Santa Fe was estimated at \$35 million, including about 50 construction jobs and 20-25 full-time positions. If approved by the Governing Body, Vexus would hope to begin construction in May 2022 and could connect to all homes and businesses in about 24 to 36 months.

Mayor Webber asked for comments.

William Bruno said he understood this proposal already went through Committees in the last couple of weeks and the contract gives the company the right to put wireless antennas everywhere in the City ROW. He supported more fiber optic use. But there is concern about the wireless part. There was an article in the New Mexican on Saturday about the environmental danger from microwave radiation. If it is just fiber optic cable, then the contract should specify only fiber optic and no wireless equipment.

Stefanie Beninato said her concern was that a few years ago the Governing Body gave Comcast a similar contract to put fiber optic cable into the ROW

of streets that were 50' wide or more. But they put the fiberoptic cable in the alleys, which are not ROWs, the way the City defines them. They are public property but not part of the right-of-way. We now have Comcast cable in an alley that is ten-feet wide, and it looks like there are antennae on them. They are in our backyards when they should have been on the street. It is very important to note. She asked Staff to investigate Comcast's violation of their contract and give better oversight on this one.

There were no other public comments on this bill.

Ms. McSherry clarified that this bill was introduced prior to the change in Governing Body procedures and was why the review in committees occurred prior to the Public Comment. The rest of them would be presented for public comment before committee reviews.

## 18. FINAL ACTION ON LEGISLATION (Public Hearings)

- a. CONSIDERATION OF BILL NO. 2022-3. ADOPTION OF ORDINANCE 2022-02. (Councilor Romero-Wirth and Councilor Cassutt)  
An Ordinance Amending Section 2-1.13 SFCC 1987 to Establish that the Mayor Pro Tempore Shall Serve on One City Council Standing Committee, Which Shall be the Finance Committee. (Jesse Guillen, Legislative Liaison: [jbg Guillen@santafenm.gov](mailto:jbg Guillen@santafenm.gov), 955-6518)  
**Committee Review:**  
Introduced: 12/08/21  
Finance Committee: 01/03/22  
Public Works and Utilities Committee: 01/10/22  
Governing Body (request to publish): 01/12/22  
Quality of Life Committee: 01/17/22  
Governing Body (public hearing and final action): 02/09/22

Ms. Bustos-Mihelcic read the caption for his item to establish Mayor Pro Tempore to serve on the Finance Committee. Mr. Guillen was available.

Councilor Romero-Wirth said this ordinance change came because of the work around procedural rules the Governing Body recently adopted. This one had to be done separately, rather than through the procedural rules. It fixes a problem experienced in last few years. If you have five in all ten one would be left with only one committee. That caused hard feelings from the Council who served on only one committee. This is an effort to correct that by saying the Mayor Pro Tem would serve on Finance only. If the Mayor is not available, the Mayor Pro Tem serves in the Mayor's place. Finance is an important Committee and is the appropriate place for the Mayor Pro Tem to deal with the structural issues. This is a way to institutionalize it. Councilor

Cassutt worked with her on this change. And Mr. Guillen or Ms. McSherry could add what she might have missed.

Councilor Cassutt agreed. She covered it well.

Mayor Webber asked for any public comments.

Ms. Bustos-Mihelcic said there were no public comments.

**MOTION: Councilor Romero-Wirth moved, seconded by Councilor Cassutt, to approve the Ordinance as presented.**

**Discussion on the Motion:**

Councilor Villarreal asked if this would preclude Mayor Pro Tem serving on another committee.

Mayor Webber agreed.

Councilor L Garcia asked if the Mayor Pro Tem did not want to serve on Finance, could they serve on another.

Ms. McSherry said this ordinance would preclude that. They are required to serve on Finance.

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

**For:** Mayor Webber, Councilor Cassutt, Councilor Chavez, Councilor L. Garcia, Councilor M. Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

**Against:** None

b. CONSIDERATION OF BILL NO. 2022-4. ADOPTION OF ORDINANCE 2022-03. (Councilor Rivera)

An Ordinance Amending Exhibit B of Section 21-7 to Increase Residential and Commercial Rates for Services Provided by the Environmental Services Division. (Shirlene Sitton, Environmental Services Division Director: sesitton@santafenm.gov, 955-2209)

**Committee Review:**

Introduced: 12/08/21

Public Works and Utilities Committee: 01/10/22

Governing Body (request to publish): 01/12/22

Finance Committee: 01/18/22

Governing Body (public hearing and final approval): 02/09/22

Ms. Bustos-Mihelcic read the caption and said Director Sitton was available.

Director Sitton stated this would be their first increase of rates in six years. The increase is based on actual costs with growth and inflations factored in. This is a large fleet, and part of the increase is for purchase and maintenance of vehicles. The increase is also based on what we are to be charged over the next few years by SWAMA. That included going from \$2.5 million in 2021 for land filling, recycling, and handling other solid waste to about \$4.7 million over the next few years. Many costs have skyrocketed. This is essential to be able to continue picking up from residential and commercial customers.

Public Comment:

Stefanie Beninato was happy for the explanation for the increase. We pay quite a bit for water and sewer fees. She was disappointed the City no longer collects glass items. Some of the drivers should be more conscious of knocking over other containers and leaving trash on the street.

There were no other public comments on this matter.

**MOTION: Councilor Rivera moved, seconded by Councilor Chavez, to approve the Ordinance as presented.**

**Discussion on the Motion:**

Councilor Villarreal thanked Director Sitton for presenting this and asked for her comments on the need for new maintenance facility.

Director Sitton explained that they have about 45 large vehicles and have only one bay for one large truck to be worked on at a time. She explained how inadequate the shop was. With only one bay, most maintenance must be done outside the City. She was planning to bring a new facility proposal to the Governing Body when the pandemic hit. We do have many third-party maintenance contracts in Santa Fe and Albuquerque. We could do it better, faster, and cheaper and do more preventive maintenance with a better facility. In 2019 began working on it and brought an estimate to the June 2021 Governing Body meeting. We did include a portion in rates to pay back bonds to build a new shop and she now will bring a new request soon.

Councilor Villarreal was also curious if they considered using any department reserves while families are challenged to make ends meet during COVID to help fund the increase.

Director Sitton explained that they are already using reserves and must have 90 days' worth in reserve by law. We have been under-recovering for some time and need to increase rates now.

Councilor Villarreal asked about offering payments plans for those unable to make full payments because of the pandemic.

Director Sitton said people can access those options through the Public Utilities Office and a link on the home page to take you there.

Mayor Webber asked her to tell us about technology on our trucks now. Not much is known about that.

Director Sitton thanked him for that. We do have smart trucks. We have a technology partner – Rubicon with cloud-based service - through smart phones used only for that purpose. Drivers log in with their route and can have directions at every turn and speed and vibration of the truck is monitored and each stop is tracked. If a truck breaks down, the supervisor can bring in parts of other routes to make sure they get finished. And if they are blocked in any way (exceptions), a picture is taken and a resident when they complain can see the picture and be directed what should be removed to get it collected next week. All kinds of efficiencies are afforded us. They are working on a route optimization now that will reduce trips to the land fill, saving fuel and time.

Mayor Webber said this story doesn't get fully appreciated for its efficiency and customer service benefits.

Councilor L Garcia knew the cost of living and added costs for water. It is an impact. And understand where we are compared with other cities. He hoped the new shop will be city property and the Department has the Staff to keep the trucks going.

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

**For:**             Mayor Webber, Councilor Cassutt, Councilor Chavez, Councilor L. Garcia, Councilor M. Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

**Against:**       None

## 19.   **PUBLIC HEARINGS (Land Use Cases, appeals, etc.)**

- a. **Case #2021-4375. 2868 Rufina Street General Plan Amendment.** Jennifer Jenkins of JenkinsGavin, Inc., Agent, for Homewise, Inc., Applicant, requests approval of a General Plan Future Land Use Map Amendment to change the Future Land Use Classification from Industrial to Community Commercial. The property is approximately 2.39 acres of land and is located at 2868 Rufina Street. (Donna Wynant, Case Manager, djwynant@santafenm.gov, 955-6325)
1. **CONSIDERATION OF RESOLUTION NO. 2022-12.**  
A Resolution Amending the General Plan Future Land Use Map Designation from Industrial to Community Commercial for Approximately 2.39 Acres of Land Located at 2868 Rufina Street. (2868 Rufina General Plan Amendment, Case No. 2021-4375).
  2. Request for Approval of Written Findings of Fact and Conclusions of Law Regarding Case #2021-4375 in the Matter of the Property Located at 2868 Rufina General Plan Amendment.

Ms. Bustos-Mihelcic read the citation for this case and the next one together.

Jennifer Jenkins was present and Daniel Slavin, from Homewise was also present.

Ms. Pat Feghali explained the quasi-judicial role of the Governing Body members.

**Disclosures:**

There were no disclosures.

**Staff Report:**

Mr. Dan Esquibel presented the Staff Report due to the resignation of Donna Wynant a few days ago.

Mr. Esquibel gave a brief presentation, making minor adjustments and clarifications. He noted where it indicated mixed use development, it is not for tonight's action and the only vote tonight is on the GPA and rezoning application. Anything associated with the Development Plan will be brought later.

On December 2, 2021, the Planning Commission recommended approval of the case 2021-4375 2868 Rufina Street General Plan Amendment and case 2021-4376. He pointed out the sample motion options. He will bring the Findings of Fact & Conclusions of Law (FF/CL) at a later date.

The second case was to approve requested rezoning from I-1 to C-2 and request staff to develop the FF/CL or to deny with FF/CL.

This is a General Plan Amendment and a rezoning that would take the property from Industrial to C-2 Commercial. The application meets AH and compact urban form with compatible infill development, etc.

### **Applicant Presentation**

Ms. Jennifer Jenkins, JenkinsGavin, was sworn in.

Ms. Jenkins presented, sharing her screen. She showed the property owned by Homewise and this property is next to their offices. Mr. Daniel Slavin from Homewise, was also present. She identified the members of the development team.

She described it at just under 2.4 acres, having frontage on Rufina and on Clark Road. It is a neighborhood that has evolved in recent years, quite dynamic and she was excited on what this project will provide in this part of town, She showed the future land use map currently zoned I-1. Siler Road project is C-2 and there is much C-2 property on Cerrillos Road.

The C- 2 zone is to support a multi-use project. It will contain three buildings – one for mixed use and two for residential use. It has two access points – one on Cerrillos and one on Clark Road. It has commercial uses on the ground floor and two stories of residential above. She pointed out the on-street parking and reconstruction of Clark Road and pointed out other parts in the plan. She described the Siler-Rufina Nexus as a federally designated Opportunity Zone. She showed the full area of the Opportunity Zone. Their vision was an urban mix for sale of housing options, an internal courtyard and commercial space.

Homewise reached out to the neighbors for feedback and will do a door-to-door survey of those spaces. The minimum of AH is 20% but Homewise will achieve closer to 40-50% AH and present that at the development plan process.

### **Public Comment:**

Stefanie Beninato, P.O. Box 1601, was sworn. Her concern was that the City keeps “kicking the can down the road” with a full rewrite of the General Plan for Santa Fe. In this proposal, there are only a very few little bits of green space, lots of parking, and the businesses are hard without much

customer base. So, everything must be micro and that is unrealistic. And it brings more residential traffic along Siler Road, making backups even worse. She had many questions about its size, lack of open space, etc.

There were no other comments from the public.

Mayor Webber thought the item tonight has not included that information on the plan.

Ms. Feghali agreed. This is just a change in the General Plan and rezoning. That comment would be relevant at consideration of the Development Plan.

Mr. Esquibel agreed that was correct. That will be presented to the Governing Body in a future application when traffic, utilities, terrain management, etc will be looked at in cooperation with the review team. All of it will all be looked at in detail.

### **Questions from Governing Body**

Councilor Villarreal was curious. She thought Homewise was going to expand their offices.

Ms. Jenkins said Jennifer said that was the original purpose, but they were able to add on to their building without using this property.

Councilor Villarreal was glad to see these improvements. She participated in a clean-up there last year and it was pretty bad. She was happy to see people living on Clark Road and working there in this project. It is interesting to see how the Opportunity Zone will be used.

Ms. Jenkins suspected they might be eligible for a federal tax incentive. It would require a ten-year hold and be more focused on rentals. But Homewise is more of home ownership.

Councilor Villarreal said in her experience, Opportunity Zones don't benefit investors or homeowners. She asked if the Governing Body is not going to see any of the development plan.

Ms. Jenkins agreed. The development plan goes to the Planning Commission.

Mr. Esquibel said the Governing Body can still pull any development plan to see it at the Governing Body. Normally the approvals end with Planning Commission approval. But the Governing Body always has the authority to

pull it up to be considered at the Governing Body. It has been done a couple of times in the past.

Councilor Villarreal wanted them to be cognizant, if the plan prevents units from becoming STRs, the Governing Body has been able to create those prohibitions. That was important to her. Also, in the last project that Homewise did, it was clear that HOA fees were clear about the rates and how long they last at that rate. She wanted to make sure the commercial was affordable too.

Mr. Esquibel referenced Section 14-2.2 C, which he read and said he had seen two instances of it.

Councilor Cassutt liked this project in the Siler-Rufina Nexus and consideration of the GPA, given the focus on this area. It is really needed in the area. It is a dual opportunity. She asked how this Nexus is integrating how we look at the GPA and the Future Land Use Map - if we look at it now or later.

Mr. Kluck said he did not see Rich Brown present, but he would be better able to address that.

Rich Brown joined the meeting at that moment.

Councilor Cassutt wanted to know how this fits into the broader picture for placemaking in the corridor.

Director Brown said there were 5 opportunity zones in Santa Fe, and we are competing nationwide for investment in these areas. How can we shape some of the zoning to fit into housing development? It brings money into the City, and we are now doing Main Street on top of it. It relates to growth and like some others, this is a great way to start.

Councilor Cassutt thought this was a great start. The Rufina corridor is a great place for redevelopment.

Mr. Esquibel said when Staff looks at an application, he explains that the impact is greatest at the point of impact, but the waves move out from that locus. We can ensure everything is being looked at. We take all the area into consideration, not just for rezoning but other projects.

Councilor L Garcia asked about the C-2 zoning. He asked what could go on that property under the rules of C-2 without coming back to the Governing Body.

Mr. Esquibel said the C-2 District is a general commercial district and has a variety of uses allowed. Residential is not typically a use in and of itself but it is looked at with a development plan in mind. It can have both residential and commercial uses, subject to the development plan. The only way it would come to the Governing Body would be if it triggered further rezoning, if it was appealed, or if the Governing Body, on its own, pulled it for review.

Councilor L Garcia understood his answer.

Obviously, they want the best opportunity to grow. He went back to changing the zoning map and comments from Ms. Beninato about changing the Zoning Map and rewriting the overall General Plan. Does it fit? The Siler Road area is no longer the end of the City. He appreciated the information.

Councilor Romero-Wirth observed this is a fascinating conversation and thinking about the big picture, but our task is narrower than that. We are to match up the project with the criteria. If it matches, we should approve it. Our task here is not the vision of what we want the City to be.

Mayor Webber asked what is in front of us and the criteria we are to use.

Mr. Esquibel said for the General Plan, the criteria are in Section 14-3.2 E, subparts a through g. Criteria for zonings and GP amendments are discretionary and you consider how it matches with the General Plan for consistency with the General Plan which was developed in 1999. The first is consistency with growth projections in the comprehensive Economic Development plan and existing Land Use conditions such as access and availability of infrastructure. This property does have access and availability of infrastructure.

The amendment does not allow some uses that are very different than current use. This is greater than 2 acres. So, it qualifies for the GPA. This use benefits the general public with their concept of what is to come. It definitely makes better the entire area. Those are the criteria. The Planning Commission found it met the criteria and voted approval of the general plan.

Councilor Romero-Wirth surmised, if it meets the criteria, we don't get to rewrite it the way we would want it.

Mayor Webber added that once the questions are over, the public hearing portion is closed.

Ms. Feghali reminded the Governing Body that the FF/CL are done but not in the packet and those are to be adopted at the next meeting.

**Action of the Governing Body:**

**MOTION:** Councilor Cassutt moved, seconded by Councilor Lindell, to approve the request to amend the General Plan Future Land Use classification from Industrial to Community Commercial for approximate 4.23 acres of land located at 2868 Rufina Street, and at the next meeting, to adopt new Findings of Fact as provided at that meeting.

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

**For:** Mayor Webber, Councilor Cassutt, Councilor Chavez, Councilor L. Garcia, Councilor M. Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

**Against:** None

- b. **Case #2021-4376. 2868 Rufina Street Rezoning.** Jennifer Jenkins of JenkinsGavin, Inc., Agent, for Homewise, Inc., Applicant, requests approval of a rezoning from I-1 (Light Industrial) to C-2 (Commercial) for future development of a mixed-use site development, including 12,237 square feet of commercial space and 68 dwelling units. The property is approximately 2.39 acres of land and is located at 2868 Rufina Street. (Donna Wynant, Case Manager, djwynant@santafenm.gov, 955-6325)

1. CONSIDERATION OF BILL NO. 2022-2. ADOPTION OF ORDINANCE NO.2022-04.

An Ordinance Amending the Official Zoning Map of the City of Santa Fe and Changing the Classification from I-1 (Light Industrial) to C-2 (Commercial) with Respect to a Certain Parcel of Land Comprising Approximately 2.39 Acres Located at 2868 Rufina Street (2868 Rufina Street Rezoning, Case No. 2021-4376).

2. Request for Approval of Written Findings of Fact and Conclusions of Law Regarding Case #2021-4376 in the Matter of the Property Located at 2868 Rufina Street Rezoning.

**MOTION:** Councilor Cassutt moved, seconded by Councilor Lindell, to approve the rezoning of approximately 2.39 acres of land from I-1, Light Industrial, to C-2 General Commercial, at 2868 Rufina Street and our next meeting, to adopt the Findings of Fact and Conclusions of Law that will be provided to us.

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

**For:**            Mayor Webber, Councilor Cassutt, Councilor Chavez, Councilor L. Garcia, Councilor M. Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

**Against:**      None

Ms. Feghali alerted the Governing Body that there is still the ordinance to be approved.

**MOTION:**    **Councilor Cassutt moved, seconded by Councilor Lindell, to approve the Resolution amending the General Plan Future Land Use Map from designation of industrial to Community Commercial for approximately 2.39 acres of land located at 2868 Rufina Street, 2868 Rufina Street General Plan Case 2021-4375.**

Councilor Villarreal thought it was the ordinance that needed the motion.

Mr. Esquibel explained that the ordinance changes are based on the General Plan. So, the Resolution must be considered first to rezone from Light Industrial to General Commercial.

Ms. Bustos-Mihelcic was confused because she had already read into the record. She felt Councilor Cassutt had stated both motions correctly.

Councilor Cassutt said she would take direction.

Ms. McSherry believed the motions were done correctly. But she recommended the Governing Body vote on this motion to be sure.

Ms. Feghali agreed.

Mr. Esquibel agreed with Ms. McSherry.

The Governing Body skipped voting on the last motion on the basis of the discussion and review.

20. **APPOINTMENTS**

- a. Community Health and Safety Task Force (Jeff Norris, Assistant to Legislative Liaison, jtnorris@santafenm.gov, 505-955-6692)
- Geno Zamora, Esq. – Appointment – Shall Serve Until the Task Force Completes their Duties and Responsibilities.

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

**MOTION:** Councilor Rivera moved, seconded by Councilor Lindell, to approve the appointment as presented.

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

**For:** Mayor Webber, Councilor Cassutt, Councilor Chavez, Councilor L. Garcia, Councilor M. Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

**Against:** None

21. **ADJOURN**

Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at 10:04 p.m.

Approved by:



\_\_\_\_\_  
Mayor Alan Webber

ATTESTED TO:



\_\_\_\_\_  
Kristine Bustos Mihelcic, City Clerk

Respectfully submitted by:



\_\_\_\_\_  
Carl G. Boaz, Council Stenographer