



# AGENDA

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

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## 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/83739313592?pwd=SnI0alo0VGhGMVEyREI2ZW1ucm1KUT09>. **Passcode: 301440**



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

Phone: To join the Zoom meeting using a phone, use the following phone numbers and Webinar ID: **US: 1 (346) 248-7799 - Webinar ID: 837 3931 3592 - Passcode: 301440**

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 Lindell

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

Councilor Romero-Wirth

4. **INVOCATION AND REMEMBRANCES**

Councilor L. Garcia

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

- a. Legislation Outcomes (Mark Duran and Associates)
  
- 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. Midtown Progress Report: Community Development Department Presentation (Rich Brown, Director of Community Development Department; [rdbrown@santafenm.gov](mailto:rdbrown@santafenm.gov), 505-955-6625 and Daniel Hernandez, Midtown Project Manager)



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Presentation: Public Engagement Report - Key Findings by the UNM Design & Planning Assistance Center and Midtown Engagement Partners.

8. **APPROVAL OF CONSENT AGENDA**

9. **ACTION ITEMS: CONSENT AGENDA**

- a. Request for Approval of Regular Governing Body Meeting Minutes for February 23, 2022. (Geraldyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov, 505-955-6519)

**Committee Review:**

Governing Body: 03/09/2022

- b. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Palacio Restaurant, LLC, 209 East Palace Avenue, Santa Fe, New Mexico 87501, for the Following: (Geraldyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)
1. Pursuant to §60-6B-10 NMSA 1978, Consideration of a Waiver of the 300 Foot Location Restriction to Allow the Sale of Alcohol at Palacio Restaurant, LLC, 209 East Palace Avenue, Santa Fe, which is within 300 Feet of Saint Francis Cathedral's Closest Property Line, Located at 213 Cathedral Place, Santa Fe.
  2. If the Waiver of the 300 Foot Location Restriction is Granted, Consideration of a Request for a Restaurant B (Beer, Wine & Spirits) Liquor License with Patio Service, to be located at Palacio Café, 209 East Palace Avenue, Santa Fe.

**Committee Review:**

Liquor Hearing: 02/17/2022

Governing Body: 03/09/2022

- c. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Bumblebee's Baja Grills, Inc., 301 Jefferson Street, Santa Fe, New Mexico 87501, for the Following: (Geraldyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)
1. Pursuant to §60-6B-10 NMSA 1978, Consideration of a Waiver of the 300 Foot Location Restriction to Allow the Sale of Alcohol at



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Bumblebee's Baja Grills, Inc., 301 Jefferson Street, Santa Fe, which is within 300 Feet of Carlos Gilbert Elementary School, Located at 300 Griffin Street, Santa Fe.

2. If the Waiver of the 300 Foot Location Restriction is Granted, Consideration of a Request for a Restaurant A Liquor License with Patio Service, to be Located at Bumblebee's Baja Grills, Inc., 301 Jefferson Street, Santa Fe.

**Committee Review:**

Liquor Hearing: 02/28/2022

Governing Body: 03/09/2022

- d. Request for Approval of Amendment No.1 to Contract #21-0335 with Homewise to Amend the Scope of Work and Increase the Amount of Mortgage Principal Reduction Assistance Per Household from \$30,000 to \$80,000. (Alexandra Ladd, Director, Office of Affordable Housing: agladd@santafenm.gov, 505-955-6346) **Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Governing Body: 03/09/2022

- e. Request for Approval of Budget Adjustment Resolution (BAR) in the Total Amount of \$100,000 from a Legislative Appropriation to FY22 Budget for Diaper Changing Stations. (James Garduno, PW Projects Administrator: jdgarduno@santafenm.gov, 505-955-6623)

**Committee Review:**

Public Works and Utilities Committee: 02/21/2022

Finance Committee: 02/28/2022

Governing Body: 03/09/2022

- f. Request for Approval of a Memorandum of Agreement between the City of Santa Fe and Santa Fe County Transferring \$65,000 of City of Santa Fe Office of Economic Development Funds to Santa Fe County for the Santa Fe Film Office (SFFO) to Hire an Additional Full Time Employee to Assist the Director in the Business Development and Management of the Ever-Growing Local Film Production Sector in the City and County. (Rich Brown, Community and Economic Development Director: rdbrown@santafenm.gov, 505-955-6625).

**Committee Review:**



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Finance Committee: 02/28/2022  
Quality of Life Committee: 03/02/2022  
Public Works/Utilities Committee: 03/07/2022  
Economic Development Advisory Committee: 03/09/2022  
Governing Body Meeting: 03/09/2022

- g. Request for Approval of a Budget Amendment Resolution to Transfer \$1,000,000 from Capital Impact Fees, Roads Fund to Parks, WIP Construction for the Design and Construction of Connector Road through Swan Park (PK18355AE). (Melissa A. McDonald, Parks and Open Space Division Director: mamcdonald@santafenm.gov, 505-955-6840)

**Committee Review:**

Finance Committee: 02/28/2022  
Public Works and Utilities Committee: 03/07/2022  
Governing Body: 03/09/2022

- h. Request Approval of a Budget Amendment Resolution for a Mid-Year Budget Increase to Environmental Services Division (ESD) Fund 510, in the Total Amount of \$763,560 for Landfill Tipping Fees, Inventory Exempt and Tires. (Lawrence Garcia, lmgarcia@santafenm.gov, 505-955-2241)

**Committee Review:**

Public Works and Utilities Committee: 02/21/2022  
Finance Committee: 02/28/2022  
Governing Body: 03/09/2022

- i. Request for Approval of Amendment No. 1 to Contract #20-0377 with Bosque Natural Company for Additional Work in the Total Amount of \$180,000 Plus NMGRT. (Jonathan Montoya, Source of Supply Operations Manager, jmmontoya@santafenm.gov, 505-955-4373)
1. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$65,063 for Contract Amendment No. 1.

**Committee Review:**

Public Works and Utilities Committee: 02/21/2022  
Finance Committee: 02/28/2022  
Governing Body: 03/09/2022



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- j. Request for Approval of Amendment No.1 to Contract Item #21-0325 to Decrease \$9,396 from the Original Contract Amount of \$304,000 for the Senior Volunteer Programs. Amended Contract Amount Will Equal \$294,604; State of New Mexico Aging and Long Term Services Department.  
(Gino Rinaldi, Division of Senior Services Director: earinaldi@santafenm.gov, 505-955-4710)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Governing Body: 03/09/2022

- k. Request for Approval of Amendment No. 4 to the PSA with Vladimir Jones (PRACO) in the Total Amount of \$52,700 for Advertising Agency Services for TOURISM Santa Fe for FY22. (Randy Randall, Executive Director, rrandall@santafenm.gov, 505-955-6209)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Governing Body: 03/09/2022

- l. Request for Approval of a Budget Adjustment Resolution (BAR) in the Tourism Department in the Amount of \$300,000 to Fund Advertising. (Randy Randall, Tourism Department Director: rrandall@santafenm.gov; 505-955-6209)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Public Works & Utilities Committee: 03/07/2022

Governing Body: 03/09/2022

- m. Request for Approval of Amendment No. 1 to Professional Service Agreement 21-0395 between the City of Santa Fe and Artful Life, LLC for an Extension of Time Pursuant to Resolution 2021-56. (Pauline Kamiyama, Director, Santa Fe Arts and Culture Department: pkkamiyama@santafenm.gov, 505-955-6653)

**Committee Review:**



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Quality of Life Committee: 03/02/2022  
Governing Body: 03/09/2022

- n. Request for Approval of a Budget Adjustment Resolution (BAR) in the Community Services Department in the Amount of \$1,000,000 to Fund Eviction Prevention. (Julie Sanchez, Youth and Family Services Division Director: [jjsanchez@santafenm.gov](mailto:jjsanchez@santafenm.gov), 505-955-6678 and Kyra Ochoa, Community Health and Safety Department Director: [krochoa@santafenm.gov](mailto:krochoa@santafenm.gov), 505-955-6603)

**Committee Review:**

Finance Committee: 02/28/2022  
Quality of Life Committee: 03/02/2022  
Governing Body: 03/09/2022

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

**Committee Review:**

Governing Body: 02/23/2022  
Finance Committee: 02/28/2022  
Quality of Life Committee: 03/02/2022  
Governing Body: 03/09/2022

- p. Request for Approval of a Budget Adjustment Resolution (BAR) in the Facilities Division of the Public Works Department in the Amount of \$1,440,000 to Fund Repairs at Various City Facilities. (Regina Wheeler, Public Works Department Director: [rawheeler@santafenm.gov](mailto:rawheeler@santafenm.gov), 505-955-6622) **Committee Review:**

Finance Committee: 02/28/2022  
Quality of Life Committee: 03/02/2022  
Public Works & Utilities Committee: 03/07/2022  
Governing Body: 03/09/2022



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- q. Request for Approval of a Budget Adjustment Resolution (BAR) in the Police Department in the Amount of \$2,979,997 to Fund Vehicles, Equipment and Labor Costs Associated with Each Vehicle. (Ben Valdez, Deputy Chief of Police: [bpvaldez@santafenm.gov](mailto:bpvaldez@santafenm.gov), 505-955-5040.)

**Committee Review:**

Finance Committee: 02/28/2022  
Quality of Life Committee: 03/02/2022  
Public Works & Utilities Committee: 03/07/2022  
Governing Body: 03/09/2022

- r. Request for Approval of a Budget Adjustment Resolution (BAR) in the Arts and Culture Department in the Amount of \$300,000 to Fund Community Gallery Citywide Exhibition and Programming, Arts Education, Cultural Investment Funding Program (CIFP) and Culture Connects Focused Projects and Programming. (Pauline Kamiyama, Arts and Culture Department Director: [pkkamiyama@santafenm.gov](mailto:pkkamiyama@santafenm.gov); 505-955-6653)

**Committee Review:**

Finance Committee: 02/28/2022  
Quality of Life Committee: 03/02/2022  
Public Works & Utilities Committee: 03/07/2022  
Governing Body: 03/09/2022

- s. Request for Approval of a Budget Adjustment Resolution (BAR) in the Railyard Division of the Public Works Department in the Amount of \$350,000 to Fund Rail Corridor Safety and Railyard Platform #2 Design. (Sam Burnett, Facilities Division Director: [jsburnett@santafenm.gov](mailto:jsburnett@santafenm.gov), 505-955-5933 and James Garduno, Project Administrator: [jdgarduno@santafenm.gov](mailto:jdgarduno@santafenm.gov), 505-795-2439)

**Committee Review:**

Finance Committee: 02/28/2022  
Quality of Life Committee: 03/02/2022  
Public Works & Utilities Committee: 03/07/2022  
Governing Body: 03/09/2022

- t. Request for Approval of a Budget Adjustment Resolution (BAR) in the Parks Division of the Parks Department in the Amount of \$1,040,000 to Fund



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Improvements in Various City Parks. (Melissa McDonald, Parks and Open Space Division Director: mamcdonald@santafenm.gov, 505-955-6840)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Public Works & Utilities Committee: 03/07/2022

Governing Body: 03/09/2022

- u. Request for Approval of a Budget Adjustment Resolution (BAR) in the Engineering Division of the Public Works Department in the Amount of \$1,500,000 to Fund Paint Striping Truck Replacement and Road markings, Signal Heads and Signage. (Jose Lerma, Signal and Sign Shop Manager: jnlerma@santafenm.gov, 505-955-2341)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Public Works & Utilities Committee: 03/07/2022

Governing Body: 03/09/2022

- v. Request for Approval of a Budget Adjustment Resolution (BAR) for the Streets Division in the Public Works Department in the Amount of \$1,000,000 to Fund Pavement Rehabilitation and Maintenance and \$500,000 to Fund Traffic Signal Control Cabinet Replacement. (Mark Brooks, Streets Project Administrator: mebrooks@santafenm.gov, 505-955-6622 and Jose Lerma, Signal and Sign Shop Manager: jnlerma@santafenm.gov, 505-955-2341)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Public Works/Public Utilities Committee: 03/07/2022

Governing Body: 03/09/2022

- w. Request for Approval of a Budget Adjustment Resolution (BAR) in the Economic Development Department in the Amount of \$250,000 to Fund Feasibility Study and Architectural Plans for El Lucero Crossing LEDA Manufacturing Expansion. (Rich Brown, Community Development Department Director: rdbrown@santafenm.gov; 505-955-6625)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022



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Public Works & Utilities Committee: 03/07/2022  
Governing Body: 03/09/2022

- x. Request for Approval of a Budget Adjustment Resolution (BAR) from Water Enterprise to Support Upcoming Project Expenditures in the Amount of \$105,000. (Christine Chavez, Water Conservation Manager, cychavez@santafenm.gov, 955-4219)

**Committee Review:**

Public Works and Utilities Committee: 02/21/2022  
Finance Committee: 02/28/2022  
Governing Body: 03/09/2022

- y. Request for Approval of Construction Contract with Accent Landscape Contractors Inc., for the Rehabilitation of Soccer Field Irrigation, Grading, and Pathways Improvements at the Municipal Recreation Complex in the Total Amount of \$329,206.96 Including New Mexico Gross Receipts Tax. (Scott Overlie, Project Administrator, saoverlie@santafenm.gov, 505-231-6194)

**Committee Review:**

Finance Committee: 02/28/2022  
Public Works & Utilities Committee: 03/07/2022  
Governing Body: 03/09/2022

- z. Request for Approval of a Budget Adjustment Resolution (BAR) in the Accounting Division of the Finance Department in the Amount of \$582,000 to Fund Audit Preparation Support for On Time FY22 Audit. (Ricky Bejarano, Accounting Officer: rabejarano@santafenm.gov)

**Committee Review:**

Finance Committee: 02/28/2022  
Quality of Life Committee: 03/02/2022  
Public Works & Utilities Committee: 03/07/2022  
Governing Body: 03/09/2022

- aa. CONSIDERATION OF RESOLUTION NO. 2202-\_\_\_\_. (Councilor Rivera, Councilor Cassutt, Councilwoman Villarreal, Councilor Romero-Wirth and Councilor Lindell)

A Resolution Proclaiming Severe or Extreme Drought Conditions Exist in the City Of Santa Fe; Imposing Fire Restrictions From March 10, 2022, to



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April 10, 2022; Restricting the Sale or Use of Fireworks within the City of Santa Fe and Prohibiting Other Fire Hazard Activities. (Geronimo Griego, Fire Marshal, [gggriego@santafenm.gov](mailto:gggriego@santafenm.gov), 505-955-3317 and Brian Moya, Fire Chief: [bjmoya@santafenm.gov](mailto:bjmoya@santafenm.gov), 505-955-3111)

**Committee Review:**

Introduced: 02/23/2022

Quality of Life: 03/02/2022

Public Works and Utilities: 03/07/2022

Governing Body: 03/09/2022

10. **ACTION ITEMS: DISCUSSION AGENDA**

- a. CONSIDERATION OF RESOLUTION 2022-\_\_\_\_\_. (Mayor Webber)  
A Resolution Extending the State of Emergency as Proclaimed by the Mayor on January 25, 2022, by Forty-Nine Days, Expiring at Noon on April 25, 2022, Pursuant to Section 20-1.3 SFCC 1987. (Erin K. McSherry, City Attorney: [ekmcsberry@santafenm.gov](mailto:ekmcsberry@santafenm.gov), 505-955-6512)

**Committee Review:**

Governing Body: 03/09/2022

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**

- a. Introduction of a Resolution Authorizing the Sale and Consumption of Alcohol During the Off the Rails: SITE Santa Fe Annual Benefit and Concert on City Property on Thursday, June 23, 2022, Pursuant to Subsection 23-6.2(C) SFCC 1987. (Councilor Lindell and Councilwoman Villarreal) (Kristine Mihelcic, Community Engagement Director and City Clerk: [kmmihelcic@santafenm.gov](mailto:kmmihelcic@santafenm.gov), 505-955-6846)

**Committee Review:**



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Quality of Life Committee: 03/16/2022  
Finance Committee: 03/21/2022  
Governing Body: 03/30/2022

- b. Introduction of a Resolution to Approve Amending Impact Fees Capital Improvement Plan FY2021-2027 and Replace Tables 80 and 81 Listing Planned Road Improvements and Parks and Trails Improvements as Recommended by the Capital Improvements Advisory Committee. (Councilor Christopher Rivera) (Romella Glorioso-Moss, Projects Administrator: [rsglorioso-moss@santafenm.gov](mailto:rsglorioso-moss@santafenm.gov), 505-955-6623; and Melissa McDonald, Parks Director: [mamcdonald@santafenm.gov](mailto:mamcdonald@santafenm.gov), 505-955-6840)

**Committee Review:**

Quality of Life Committee: 03/16/2022  
Finance Committee: 03/22/2022  
Public Works and Utilities Committee: 03/28/2022  
Governing Body: 03/30/2022

- c. Introduction of a Resolution Allocating 123.68 Acre-Feet of Available Water Rights to Eliminate the Affordable Housing Account Deficit and Provide Enough Water Rights for Three Consecutive Future Years. (Councilor Romero-Wirth) (Alan Hook, Water Resources Coordinator Assistant: [aghook@santafenm.gov](mailto:aghook@santafenm.gov), 505-955-4205)

**Committee Review:**

Introduced: 03/09/2022  
Quality of Life Committee: 03/16/2022  
Finance Committee: 03/21/2022  
Public Works and Utilities Committee: 03/28/2022  
Governing Body: 03/30/2022

- d. Introduction of Legislation Directing the City Manager to Send a Letter of Intent to the New Mexico Game and Fish Department Informing it of the City's Intent to Purchase Property Owned by the Department Located at 3520 Calle Princesa Juana. (Councilor Cassutt) (Terry Lease, Asset Development Manager, [tjlease@santafenm.gov](mailto:tjlease@santafenm.gov))

**Committee Review:**

Introduced: 03/09/2022



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Finance Committee: 03/21/2022  
Public Works and Utilities Committee: 03/28/2022  
Governing Body: 03/30/2022

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

17. **PUBLIC COMMENT ON BILLS**

- a. CONSIDERATION OF BILL NO. 2022-\_\_\_\_. (Councilor Cassutt)  
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. (Daniel Alvarado, Planner Senior: [djalvarado@santafenm.gov](mailto:djalvarado@santafenm.gov), 955-6670; Jesse Guillen, Legislative Liaison: [jbguillen@santafenm.gov](mailto:jbguillen@santafenm.gov), 955-6518)

**Committee Review:**

Governing Body Public Comment: 03/09/2022  
Planning Commission: 03/17/2022  
Economic Development Advisory Committee: 04/13/2022  
Quality of Life Committee: 04/20/2022  
Public Works and Utilities Committee: 04/25/2022  
Governing Body Public Hearing: 05/11/2022

18. **FINAL ACTION ON LEGISLATION**

- a. CONSIDERATION OF BILL NO. 2022-5. ADOPTION OF ORDINANCE 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](mailto: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



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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): 03/09/2022

19. **PUBLIC HEARINGS**
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.

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

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4. Invocation	Led by Councilor L Garcia	1
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6. Approval of Agenda	Approved as presented	2-3
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b) FY 21 Audit Status Update	Presentation	4
c) Midtown Progress Report	Presentation	5-6
8. Approval of Consent Calendar	Approved as amended	6
9. Consent Agenda Listing	Listed	6-21
d) Homewise Contract	Approved	7-8
j) Sr. Vol. Programs Amended Contract	Approved	10
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r) Community Gallery BAR	Approved	14-17
t) Parks Improvement BAR	Approved	18-19
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a) State Emergency Extension	Approved	21-24
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13. Matters from the City Clerk	Reported	25
14. Communications From the Governing Body	Communicated	25-28
15. Introduction of Legislation		
a) SITE Santa Fe Alcohol Resolution	Introduced	28-29
b) Impact Fees Amended Resolution	Introduced	29
c) AH Water Rights Reallocation	Introduced	29-30
d) Land Purchase/Game & Fish Dept	Introduced	30
16. Petitions from the Floor	Petitions Heard	17-18
17. Public Comments on Bills		
a) Daycare Zoning Use Table	Public comments	30-31
18. Final Action of Legislation		
a) Vexus Fiber Franchise	Approved	31-33
19. Public Hearings	None	33
20. Appointments	None	33
21. Adjourn	Adjourned at 9:12 pm	33

**Minutes of the  
Regular Meeting of the Governing Body  
Wednesday, March 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, March 9, 2022, at approximately 5:03 p.m., at the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico as a virtual meeting.

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Councilor Lindell.

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

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

**4. INVOCATION**

The Invocation was led by Councilor Lee Garcia. Recited the Prayer of St. Francis of Assisi. He remembered Officer Robert Duran, retired firefighter Frank Lovato, Chris Abeyta and people who have passed from COVID 19. He offered a prayer of remembrance in Spanish.

Councilor Villarreal recognized the passing of his childhood neighbor, Gary Whitamore and offered condolences to his wife, Carol, and their children, Pam, and Greg. And she gave loving condolences to the Abeyta family at the passing of Chris. He touched so many people in this community, especially youth, the way he mentored people and accepted where they were. He was such a star for us. Condolence of the families of Chris Vigil and Kyle Rougemont. She extended her love to Officer Robert Duran and's and Frank Lovato's families.

Mayor Webber asked that we keep those people in our hearts and those who have suffered for two years. As Councilor Lee Garcia said, let's bring peace to our community and our world.

The Governing Body observed a moment of silence for those struggling with COVID those in need of recovery, 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  
Alexandra Ladd, Affordable Housing Director  
Rich Brown, Community and Economic Development Director  
Manuel Gonzales, ITT Director  
Bernadette Salazar, Human Resources Director  
Mary McCoy, Finance Director  
Ben Valdez, Deputy Chief, Police Department  
Gino Rinaldi, Senior Services Division Director  
Randy Randall, Santa Fe Tourism Executive Director  
Melissa McDonald, Parks and Open Space Division Director  
Pauline Kamiyama, Arts and Culture Director  
Kyra Ochoa, Community Services Director  
Sam Burnett, Facilities Division Director  
Mark Duran, Mark Duran and Associates  
Terry Lease, Asset Development Manager  
Carl Boaz, Council Stenographer

## 6. APPROVAL OF AGENDA

**MOTION:** Councilor Lindell 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. PRESENTATIONS

a. Legislation Outcomes (Mark Duran and Associates)

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

Mr. Mark Duran presented the legislation outcomes to the Governing Body. He had a very detailed report (in the packet). He presented an overview of the session and outcome for Santa Fe. This one was unique in that the Governor is running for re-election, trying to keep the State safe and catch-up policy with platform issues. She was mostly successful regarding crime and opportunity scholarships, but not on the hydrogen hub and a few others. The session was unique because of the over one billion dollars and windfall \$600 million of ARPA funds. Of the \$1.1 billion, the Legislature spent \$500 million during the December session. They spent all the money, and one way was to create more funds than he'd ever seen before. They funded a lot of capital outlay with the excess funds.

He listed some of them. Some were as high as \$70 million. There is still more money available. Santa Fe can apply for grants from the Housing Trust Fund, Airport Fund, and others. It is hard to keep up with it all. He suggested Staff go to certain sections of HB 2 to find those funds and apply for them. Some are not obvious. He added that \$3 billion of infrastructure monies are coming for broadband and people are putting together plans for those funds. We have some for the Midtown campus and water treatment and water projects, totaling \$25 million.

While we got our fair share of funding, \$3.5 million in the resolution – we can still win big in acquiring more money for Santa Fe.

It is always interesting to see what percolates to the top. Over \$1 million for the Midtown campus went to the top. Everyone was in favor of beautifying our medians. There was also much statutory legislation. Most important was the food tax issue. We have tried to stop hold harmless payments where they were. Finally, this year, SB 26 was not the ultimate solution, but it was for the eight communities that did not pass the increment. The hold harmless payments are declining 7% per year and

would stop at the 30% threshold. We will receive more than that until we drop to that 30% and that will be the floor. It wasn't perfect but it is a benefit.

The Governor signed SB 212 today. He was fairly sure all City projects were safe. He appreciated the Governing Body support along the way and two City Managers and Mary McCoy in the interim. Peter Wirth was instrumental in getting that passed.

He thanked all the Santa Fe delegation members and named them. He ended at 5:26 pm. And was available for questions.

Mayor Webber thanked him for his efforts, and for keeping Santa Fe up to speed on all of it. "It is a privilege to work with you and how respected you are at the Legislature."

Councilor Lindell thanked Mr. Duran, noting that she has never contacted him without him getting back to her, and his explanations were thorough in terms she could understand. His insight is terrific, and we are fortunate we have him on our team. It makes a huge difference to the City.

Councilor Rivera echoed that comment. He thought Mr. Duran had worked with Santa Fe for over ten years.

Mr. Duran said it is for 25 years now.

Councilor Rivera thanked him for all he does for Santa Fe.

- 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 for this presentation.

Director McCoy reported the City is still on track to finish next week for the auditors. The Trial Balance and Interfunds are 100% complete. Deferred Inflows will be finished by next week and all liabilities accounts. SEFA is now 71% finished and will be complete next week. She noted this has significantly increased the Finance Department work but are on track. She stood for questions and there were none.

Mayor Webber thanked her for the report.

- c. Midtown Progress Report: Community Development Department Presentation (Rich Brown, Director of Community Development Department; rdbrown@santafenm.gov, 505-955-6625 and Daniel Hernandez, Midtown Project Manager)  
Presentation: Public Engagement Report - Key Findings by the UNM Design & Planning Assistance Center and Midtown Engagement Partners.

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

Director Brown said this final analysis on public engagement will be presented by Director Ladd.

Director Ladd noted the process has gone on for a long time. It is a continuation on public engagement for Midtown and the St Mike's corridor.

The team wanted to do public engagement in a different way. They partnered with UNM under contract with the City to bring voices to the table that were usually not included so those voices can be highlights for engagement.

Tonight, is the culmination of the Activation Partners and Center Teamwork, looking at qualitative data and quantifying it.

Ms. Michaele Pride (UNM) shared her screen. She identified the full team members and Engagement Partners, eight local organizations to directly engage residents and business owners in two rounds. They helped us meet the goal the Governing Body set to have the people of Santa Fe included in this project. The two events in which all collaborated on-site to deal with challenges and the block party which many Councilors attended, reached 1,000. Over five hundred were attracted in December, and in between, held door-to-door interviews and conversations. Two thousand surveys were collected. She shared a few statistics from the survey.

The background and process were already shared with the Governing Body and now we focus on Findings and Guidance in the community goals. She commented on the slides in her presentation to present the approach, vision and support for Local Community and Life at Midtown. She explained that the contract ends on March 31, and they will provide one more iteration on March 22 that will also be livestreamed on Facebook.

Mayor Webber thanked all the partners and their leadership.

Councilor Villarreal appreciated the team effort and partnerships. It takes more time but when we take the time, we have a better end-product. It is nice to have diverse perspectives. She will look forward to how we operationalize things and next steps.

Councilor Cassutt said the presentation shows a lot of work and hours for the process. She called out one piece – conversation on affordability and not just affordable housing. That was an important component. She discussed that with Erik Aune as an important thing to consider as we develop Midtown.

## 8. APPROVAL OF CONSENT AGENDA

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

She read those requested earlier to pull from consent: d) by Councilor Rivera, j) by Councilor M Garcia, n) by Councilor Lindell, r) and t) by Councilor Lindell and Councilor Cassutt.

**MOTION:** Councilor Lindell moved, seconded by Councilor Cassutt, to approve the consent agenda as amended.

**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

## 9. ACTION ITEMS: CONSENT AGENDA

- a. Request for Approval of Regular Governing Body Meeting Minutes for February 23, 2022. (Geraldyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov, 505-955-6519)

**Committee Review:**

Governing Body: 03/09/2022

- b. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Palacio Restaurant, LLC, 209 East Palace Avenue, Santa Fe, New Mexico 87501, for the Following: (Geraldyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)

1. Pursuant to §60-6B-10 NMSA 1978, Consideration of a Waiver of the 300 Foot Location Restriction to Allow the Sale of Alcohol at Palacio Restaurant, LLC, 209 East Palace Avenue, Santa Fe, which is within 300 Feet of Saint Francis Cathedral's Closest Property Line, Located at 213 Cathedral Place, Santa Fe.
2. If the Waiver of the 300 Foot Location Restriction is Granted, Consideration of a Request for a Restaurant B (Beer, Wine & Spirits) Liquor License with Patio Service, to be located at Palacio Café, 209 East Palace Avenue, Santa Fe.

**Committee Review:**

Liquor Hearing: 02/17/2022

Governing Body: 03/09/2022

- c. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Bumblebee's Baja Grills, Inc., 301 Jefferson Street, Santa Fe, New Mexico 87501, for the Following: (Geraldyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)
1. Pursuant to §60-6B-10 NMSA 1978, Consideration of a Waiver of the 300 Foot Location Restriction to Allow the Sale of Alcohol at Bumblebee's Baja Grills, Inc., 301 Jefferson Street, Santa Fe, which is within 300 Feet of Carlos Gilbert Elementary School, Located at 300 Griffin Street, Santa Fe.
  2. If the Waiver of the 300 Foot Location Restriction is Granted, Consideration of a Request for a Restaurant A Liquor License with Patio Service, to be Located at Bumblebee's Baja Grills, Inc., 301 Jefferson Street, Santa Fe.

**Committee Review:**

Liquor Hearing: 02/28/2022

Governing Body: 03/09/2022

This item was pulled by Councilor Rivera:

- d. Request for Approval of Amendment No.1 to Contract #21-0335 with Homewise to Amend the Scope of Work and Increase the Amount of Mortgage Principal Reduction Assistance Per Household from \$30,000 to \$80,000. (Alexandra Ladd, Director, Office of Affordable Housing: agladd@santafenm.gov, 505-955-6346)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Governing Body: 03/09/2022

Ms. Bustos-Mihelcic read the caption for this item. Director Ladd was available.

**MOTION:** Councilor Cassutt moved, seconded by Councilor Villarreal, to approve the contract amendment #1 as presented.

**Discussion on the Motion:**

Councilor Rivera wholeheartedly supported this. He asked Director Ladd to explain how it works and how changes will affect those looking for homes.

Director Ladd explained that mortgage reducing lowers the principal the homebuyer has to take on, so monthly payments are according to their ability to pay, and the reduction is not paid back until they sell it. Mike Loftin was quoted in the paper that he'd never seen a market like this. If shopping on the market, they can't make the deal work, this helps. Thousands in the pipeline have paid down their debt, but Homewise cannot help them with the mortgage reduction, and they cannot find anything in the market. So, mortgage reduction will help them find a home they can afford. The CDBG principal reduction program also includes lien paid back to help another household buy a home. HUD requires the income generated is used before grant funds.

Homewise finds themselves harder to provide help because they cannot draw down on the grant funds quickly enough. The underwriting is very rigorous. Some will get \$80,000 and others perhaps \$35,000. It is not just \$80,000 for everyone.

Councilor Rivera wanted to make sure teachers, nurses, fire fighters were eligible.

Director Ladd said they would qualify if their income were less than 80% of area median income. She believed they would see more homes being closed to achieve home ownership.

**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

- e. Request for Approval of Budget Adjustment Resolution (BAR) in the Total Amount of \$100,000 from a Legislative Appropriation to FY22 Budget for Diaper Changing Stations. (James Garduño, PW Projects

Administrator: jdgarduno@santafenm.gov, 505-955-6623) **Committee Review:**

Public Works and Utilities Committee: 02/21/2022

Finance Committee: 02/28/2022

Governing Body: 03/09/2022

- f. Request for Approval of a Memorandum of Agreement between the City of Santa Fe and Santa Fe County Transferring \$65,000 of City of Santa Fe Office of Economic Development Funds to Santa Fe County for the Santa Fe Film Office (SFFO) to Hire an Additional Full Time Employee to Assist the Director in the Business Development and Management of the Ever-Growing Local Film Production Sector in the City and County. (Rich Brown, Community and Economic Development Director: rdbrown@santafenm.gov, 505-955-6625).

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Public Works/Utilities Committee: 03/07/2022

Economic Development Advisory Committee: 03/09/2022

Governing Body Meeting: 03/09/2022

- g. Request for Approval of a Budget Amendment Resolution to Transfer \$1,000,000 from Capital Impact Fees, Roads Fund to Parks, WIP Construction for the Design and Construction of Connector Road through Swan Park (PK18355AE). (Melissa A. McDonald, Parks and Open Space Division Director: mamcdonald@santafenm.gov, 505-955-6840)

**Committee Review:**

Finance Committee: 02/28/2022

Public Works and Utilities Committee: 03/07/2022

Governing Body: 03/09/2022

- h. Request Approval of a Budget Amendment Resolution for a Mid-Year Budget Increase to Environmental Services Division (ESD) Fund 510, in the Total Amount of \$763,560 for Landfill Tipping Fees, Inventory Exempt and Tires. (Lawrence Garcia, lmgarcia@santafenm.gov, 505-955-2241)

**Committee Review:**

Public Works and Utilities Committee: 02/21/2022

Finance Committee: 02/28/2022

Governing Body: 03/09/2022

- i. Request for Approval of Amendment No. 1 to Contract #20-0377 with Bosque Natural Company for Additional Work in the Total Amount of \$180,000 Plus NMGR. (Jonathan Montoya, Source of Supply Operations Manager, jmmontoya@santafenm.gov, 505-955-4373)  
1. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$65,063 for Contract Amendment No. 1.

**Committee Review:**

Public Works and Utilities Committee: 02/21/2022

Finance Committee: 02/28/2022

Governing Body: 03/09/2022

This was pulled by Councilor Michael Garcia for recusal. He left the room.

- j. Request for Approval of Amendment No.1 to Contract Item #21-0325 to Decrease \$9,396 from the Original Contract Amount of \$304,000 for the Senior Volunteer Programs. Amended Contract Amount Will Equal \$294,604, State of New Mexico Aging and Long-Term Services Department. (Gino Rinaldi, Division of Senior Services Director: earinaldi@santafenm.gov, 505-955-4710)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Governing Body: 03/09/2022

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

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

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

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

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

Councilor Michael Garcia returned to the bench after the vote.

- k. Request for Approval of Amendment No. 4 to the PSA with Vladimir Jones (PRACO) in the Total Amount of \$52,700 for Advertising Agency Services for TOURISM Santa Fe for FY22. (Randy Randall, Executive Director, rrandall@santafenm.gov, 505-955-6209)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Governing Body: 03/09/2022

- l. Request for Approval of a Budget Adjustment Resolution (BAR) in the Tourism Department in the Amount of \$300,000 to Fund Advertising. (Randy Randall, Tourism Department Director: rrandall@santafenm.gov; 505-955-6209)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Public Works & Utilities Committee: 03/07/2022

Governing Body: 03/09/2022

- m. Request for Approval of Amendment No. 1 to Professional Service Agreement 21-0395 between the City of Santa Fe and Artful Life, LLC for an Extension of Time Pursuant to Resolution 2021-56. (Pauline Kamiyama, Director, Santa Fe Arts and Culture Department: pkpkkamiyama@santafenm.gov, 505-955-6653)

**Committee Review:**

Quality of Life Committee: 03/02/2022

Governing Body: 03/09/2022

Item n was pulled by Councilor Lindell.

- n. Request for Approval of a Budget Adjustment Resolution (BAR) in the Community Services Department in the Amount of \$1,000,000 to Fund Eviction Prevention. (Julie Sanchez, Youth and Family Services Division Director: jjsanchez@santafenm.gov, 505-955-6678 and Kyra Ochoa, Community Health and Safety Department Director: krochoa@santafenm.gov, 505-955-6603)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Governing Body: 03/09/2022

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

**MOTION: Councilor Cassutt moved, seconded by Councilor M Garcia, to approve the Eviction Prevention BAR as presented.**

**Discussion on the Motion:**

Councilor Lindell appreciated this as it came to Finance, the packet has been expanded with clarity on the criteria. It is a million dollars, and we need to be clear about eligibility and criteria for it. She asked if Director Ochoa could provide a report after 90 days, and then six months from now with updates on the status of evictions. Santa Fe has had 5,700 evictions but don't know how that data was gathered or presented. Is that reasonable for reports on the status, and distribution of the monies?

Director Ochoa said she could provide data on distribution of funds. As for the report on number of evictions, it is difficult to track. We track housing insecurity for those feeling they were in danger of eviction. She deferred to Ms. McSherry for legal assistance and whether her office could provide such information.

Ms. McSherry said she was trying to get data that from the courts. She thought the courts have some data and she will find out what we can access. The court doesn't limit it to the City, but she would find out what information is available. She explained it was difficult to discuss during the moratorium. "We just don't have a perfect model."

Councilor Lindell understood and was just looking for some information which could be within certain deviations.

Councilor Cassutt asked, for anyone listening who might want to see if they are eligible, how they can access this help.

Director Ochoa said in about 30 to 45 days, she would recommend people call 211 and tell the City they need the funds, or they could go to our connect portal.

Councilor Cassutt thought they could also go to any Connect Partners.

Director Ochoa agreed.

Councilor Villarreal noted this is an important amount of funding. She asked what the time frame is to spend the million dollars.

Director Ochoa said it is a year-long contract. We will probably expend them before that year is up.

Councilor Villarreal asked if the report schedule was appropriate.

Director Ochoa thought three months was realistic.

Mayor Webber asked what other funds could help with the end of the eviction moratorium. He thought state funds were available.

Director Ochoa agreed. There are about \$75 million for people facing evictions and they can access it via Connect. Our County has already mobilized ARPA funds into Connect. Access is by calling 211.

Mayor Webber asked Ms. McSherry to report on the legal fair she helped create at GCCC. It is all part of the larger effort reaching a new point in evolution of COVID.

Ms. McSherry said the event was very enjoyable. Many city employees co- led it with her. There were gift bags for volunteers and participants and library resources were there for the children. The Community Room is an excellent space for such an event. We got malpractice insurance to cover the attorneys who helped. She identified some of them who came to help. There were other organizations also present like Chainbreaker, Somos un Pueblo, and others. LifeLink helped in doing applications for state funding. They helped 37 applicants, some of whom were families. They were also able to serve all Spanish speakers at the event. Promotion was good and we had enough attorneys helping so no one had to wait long.

Mayor Webber referred to a report on the web, "America's Housing Rental 2022" prepared by Harvard University. The data in the report are quite compelling and affirm our use of these funds for hard-pressed renters. He quoted some portions of it. He also congratulated Director Ochoa and her team on this effort.

**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

- o.     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 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

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Governing Body: 03/09/2022

- p. Request for Approval of a Budget Adjustment Resolution (BAR) in the Facilities Division of the Public Works Department in the Amount of \$1,440,000 to Fund Repairs at Various City Facilities. (Regina Wheeler, Public Works Department Director: rawheeler@santafenm.gov, 505-955-6622)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Public Works & Utilities Committee: 03/07/2022

Governing Body: 03/09/2022

- q. Request for Approval of a Budget Adjustment Resolution (BAR) in the Police Department in the Amount of \$2,979,997 to Fund Vehicles, Equipment and Labor Costs Associated with Each Vehicle. (Ben Valdez, Deputy Chief of Police: bpvaldez@santafenm.gov, 505-955-5040.)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Public Works & Utilities Committee: 03/07/2022

Governing Body: 03/09/2022

Item r was pulled by Councilor Lindell:

- r. Request for Approval of a Budget Adjustment Resolution (BAR) in the Arts and Culture Department in the Amount of \$300,000 to Fund Community Gallery Citywide Exhibition and Programming, Arts Education, Cultural Investment Funding Program (CIFP) and Culture Connects Focused Projects and Programming. (Pauline Kamiyama, Arts and Culture Department Director: pkkamiyama@santafenm.gov; 505-955-6653)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Public Works & Utilities Committee: 03/07/2022

Governing Body: 03/09/2022

Ms. Bustos-Mihelcic read the caption for this item and noted Director Kamiyama was present to respond.

**MOTION: Councilor Cassutt moved, seconded by Councilor M Garcia, to approve the Arts and Culture BAR as presented.**

### **Discussion on the Motion:**

Councilor Lindell asked, in looking at the \$120,000 funding for the Cultural Investment Program, she was curious why everyone had 24 previous recipients, and why everyone was getting the same amount with this. She also asked if there were any criteria for distribution, or if it was just “across the board.”

Director Kamiyama said awardees went through an online process for all three categories, which she identified. They are all existing funded organizations for this Fiscal Year. It is to help our nonprofits in recovery from the pandemic. She acknowledged that smaller organizations need more, while larger organizations have more diverse funding streams.

Councilor Lindell concluded there was not any criteria involved in the allocations and observed that any group that had received prior funding got a \$5,000 award.

Director Kamiyama agreed. There was not sufficient time to go back through the process. She explained this was due to reductions from the pandemic. Instead of filling a position, they added the new funding to what was available for distributions.

Councilor Lindell went next to the FE-MOUS campaign at \$50,000 for a comprehensive digital market program. She asked if this digital market plan was for the individual artist.

Director Kamiyama said they were looking at cultural tourism and local celebrities for places where people go who come to Santa Fe. It is a comprehensive package. They were working on a digital campaign as most effective and working into recovery with more in-person activity.

Councilor Lindell asked if the \$50,000 covered the phase II with additional profiles.

Director Kamiyama agreed as well as programming and media buys.

Councilor Lindell was curious how it got promoted. She was not sure how it was done. She never saw any of it.

Director Kamiyama said they used social media – Facebook, Instagram and worked with Sunny 505 as well as a micro-site on the NM Tourism website. She was hearing they needed to do a better job and she said they will.

Councilor Lindell next asked about the \$50,000 for “Celebrating our Cultural History Virtual Reality Tour.” She asked if that was an app.

Director Kamiyama said they hoped it would be an App. City Historian, Valerie Rangel is creating a story map app for it. It is a great way to expand the story map and add an educational component.

Councilor Lindell asked how that would be promoted.

Director Kamiyama said it would be through social media, through our gallery and certain media buys. And inserting it into Director Randall’s promotions.

Councilor Lindell commented that promoting Arts and Culture is central to our City. There are many great ideas but some that we are never able to promote. Getting them promoted is paramount. If we are unable to get it to the public was what concerned her. She asked if Ms. Rangel was the one who will put it together and whether the \$300,000 was all from Lodgers’ Tax revenues.

Director Kamiyama thought so.

Councilor Lindell said all Lodgers’ Tax monies must be used to promote tourism and a couple of these projects were of concern to her.

Director McCoy confirmed the funding source for the initiative were from additional Lodgers’ Tax revenues through the first half of 2022.

Councilor Lindell asked if the Department would get reports from those 24 groups on how they utilized the \$124,000 or if they can use the money however they please.

Director Kamiyama said the application specifies how they will spend the money and then they will submit final reports on how they spent it. There are three types of media they can use.

Councilor Lindell asked about a deadline

Director Kamiyama said it was June 30, 2022.

Councilor Lindell asked Director Kamiyama to get back to her once the funds are allocated so she could see a detailed report.

Director Kamiyama agreed.

Mayor Webber agreed we are a City of Arts and Culture – deeply rooted in Santa Fe and COVID toll of investing in small grassroots efforts has been a season of struggle and in all of our interests to add more support for them and to know how the money is spent and see the fruits of that investment. It is important to everybody.

**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

#### **Agenda Amendment for Petitions.**

**MOTION:**    **Councilor Romero-Wirth moved, seconded by Councilor Cassutt, to amend the agenda and proceed next to Petitions from the Floor and then return to the regular agenda.**

**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

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

Adrienne said she lives near Midtown. She was thrilled with the attention at Midtown and to Director Kamiyama for attn to arts and culture as well as education and the use of social media. From a mother and supported all she is trying to do. She also supported Councilor Villarreal for speed mitigation around Midtown and Agua Fria from the new developments. Agua Fria is kind of a speedway. It is a dangerous road and needs to be more pedestrian-friendly. She thanked the Governing Body for the traffic control.

Stefanie Beninato pointed out there was no public comment button for this meeting to make comments from the floor. This is the first one where no comments were allowed on any item. She was also frustrated by the locked offices at City Hall. She noted the Salvador Perez water heater

died. And, in the renovation, no one thought about replacing it. It is now closed indefinitely. She asked what that meant.

Ms. Beninato said Art for Life has a proposal for art pieces and art pieces for community values. Only two meetings have been held so far. She questioned how someone could incorporate community values without any session on it. She also questioned why Councilors get diversity training, but not through Art for Life.

There were no other petitions from the floor.

**Short Recess:**

At 7:09, Mayor Webber proposed a 15-minute recess before returning to the pulled consent items.

The Governing Body recessed at 7:10 and reconvened at 7:25 p.m.

- s. Request for Approval of a Budget Adjustment Resolution (BAR) in the Railyard Division of the Public Works Department in the Amount of \$350,000 to Fund Rail Corridor Safety and Railyard Platform #2 Design. (Sam Burnett, Facilities Division Director: [jsburnett@santafenm.gov](mailto:jsburnett@santafenm.gov), 505-955-5933 and James Garduño, Project Administrator: [jdgarduno@santafenm.gov](mailto:jdgarduno@santafenm.gov), 505-795-2439)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Public Works & Utilities Committee: 03/07/2022

Governing Body: 03/09/2022

Item T was pulled by Councilor Cassutt

- t. Request for Approval of a Budget Adjustment Resolution (BAR) in the Parks Division of the Parks Department in the Amount of \$1,040,000 to Fund Improvements in Various City Parks. (Melissa McDonald, Parks and Open Space Division Director: [mamcdonald@santafenm.gov](mailto:mamcdonald@santafenm.gov), 505-955-6840)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Public Works & Utilities Committee: 03/07/2022

Governing Body: 03/09/2022

Councilor Cassutt/Councilor Romero-Wirth to approve.

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

**Discussion on the Motion:**

Councilor Cassutt said she pulled item t for the resurfacing of tennis courts. She asked Director McDonald to provide the order for tennis resurfacing

Director McDonald said they prioritized the courts from critical to good. Highest needs were Herb Martinez, Atalaya, and Larragoite courts. They will be completely redone as new tennis courts. Some are dangerous and we were about to decommission Herb Martinez. With this budget, The City will replace with concrete and then the start on maintenance of those other courts which are in fair shape – Ron Shirley, Alto, and Salvador Perez. The work at Herb Martinez will begin immediately and come to Larragoite and Atalaya. We want to space the work from spring into summer to always leave some open for playing.

Councilor Cassutt thanked her for this attention and for staying on it. The tennis community will be out there, “but I am a hazard on the court.”

The other to thank you was for median mowers for the weed season. Thanks for taking care of the weeds. We deal with it every season. And do need that equipment.

**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

- u. Request for Approval of a Budget Adjustment Resolution (BAR) in the Engineering Division of the Public Works Department in the Amount of \$1,500,000 to Fund Paint Striping Truck Replacement and Road markings, Signal Heads and Signage. (Jose Lerma, Signal and Sign Shop Manager: jnlerma@santafenm.gov, 505-955-2341)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Public Works & Utilities Committee: 03/07/2022

Governing Body: 03/09/2022

- v. Request for Approval of a Budget Adjustment Resolution (BAR) for the Streets Division in the Public Works Department in the Amount of \$1,000,000 to Fund Pavement Rehabilitation and Maintenance and \$500,000 to Fund Traffic Signal Control Cabinet Replacement. (Mark Brooks, Streets Project Administrator: mebrooks@santafenm.gov, 505-955-6622 and Jose Lerma, Signal and Sign Shop Manager: jnlerma@santafenm.gov, 505-955-2341)  
**Committee Review:**  
 Finance Committee: 02/28/2022  
 Quality of Life Committee: 03/02/2022  
 Public Works/Public Utilities Committee: 03/07/2022  
 Governing Body: 03/09/2022
  
- w. Request for Approval of a Budget Adjustment Resolution (BAR) in the Economic Development Department in the Amount of \$250,000 to Fund Feasibility Study and Architectural Plans for El Lucero Crossing LEDA Manufacturing Expansion. (Rich Brown, Community Development Department Director: rdbrown@santafenm.gov; 505-955-6625)  
**Committee Review:**  
 Finance Committee: 02/28/2022  
 Quality of Life Committee: 03/02/2022  
 Public Works & Utilities Committee: 03/07/2022  
 Governing Body: 03/09/2022
  
- x. Request for Approval of a Budget Adjustment Resolution (BAR) from Water Enterprise to Support Upcoming Project Expenditures in the Amount of \$105,000. (Christine Chavez, Water Conservation Manager, cychavez@santafenm.gov, 955-4219)  
**Committee Review:**  
 Public Works and Utilities Committee: 02/21/2022  
 Finance Committee: 02/28/2022  
 Governing Body: 03/09/2022
  
- y. Request for Approval of Construction Contract with Accent Landscape Contractors Inc., for the Rehabilitation of Soccer Field Irrigation, Grading, and Pathways Improvements at the Municipal Recreation Complex in the Total Amount of \$329,206.96 Including New Mexico Gross Receipts Tax. (Scott Overlie, Project Administrator, saoverlie@santafenm.gov, 505-231-6194)  
**Committee Review:**  
 Finance Committee: 02/28/2022

Public Works & Utilities Committee: 03/07/2022  
Governing Body: 03/09/2022

- z. Request for Approval of a Budget Adjustment Resolution (BAR) in the Accounting Division of the Finance Department in the Amount of \$582,000 to Fund Audit Preparation Support for On Time FY22 Audit. (Ricky Bejarano, Accounting Officer: rabejarano@santafenm.gov)

**Committee Review:**

Finance Committee: 02/28/2022

Quality of Life Committee: 03/02/2022

Public Works & Utilities Committee: 03/07/2022

Governing Body: 03/09/2022

- aa. CONSIDERATION OF RESOLUTION NO. 2202-13. (Councilor Rivera, Councilor Cassutt, Councilwoman Villarreal, Councilor Romero-Wirth, and Councilor Lindell)

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. (Geronimo Griego, Fire Marshal, ggriego@santafenm.gov, 505-955-3317 and Brian Moya, Fire Chief: bjmoya@santafenm.gov, 505-955-3111)

**Committee Review:**

Introduced: 02/23/2022

Quality of Life: 03/02/2022

Public Works and Utilities: 03/07/2022

Governing Body: 03/09/2022

## 10. ACTION ITEMS: DISCUSSION AGENDA

- a. CONSIDERATION OF RESOLUTION 2022-14. (Mayor Webber)  
A Resolution Extending the State of Emergency as Proclaimed by the Mayor on January 25, 2022, by Forty-Nine Days, Expiring at Noon on April 25, 2022, Pursuant to Section 20-1.3 SFCC 1987. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov, 505-955-6512)

**Committee Review:**

Governing Body: 03/09/2022

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

Ms. McSherry said the state of emergency should end on a Monday.

**MOTION: Councilor Rivera moved, seconded by Councilor Cassutt, to approve the Resolution as presented**

**Discussion on the Motion:**

Councilor Lindell said we've talked about this before. We talked about camping, and she asked Mayor Webber to address it.

Mayor Webber turned to Manager Blair on it.

Manager Blair said he and Director Ochoa have worked on moving to a new policy. There is not an appetite to continue what we have been doing. What the City did before that was very expensive and they are working on sharing a PPT with every Councilor for safe zones in each district. There, people would have greater access to city services. The Park Commission or Ms. McSherry would provide a resolution. We are going to change to a better plan in the future.

Councilor Lindell appreciated that we are working on it and acknowledging it and, as an emergency proclamation, it has been uncomfortable for her and lots of other people.

Mayor Webber recalled the City policy before COVID, was to wait for complaints and then send in staff to tear down encampments. The cost was about \$3.4 million and were advised by CDC that letting them stay in place was a health matter. As long as they did not represent a health hazard, leaving them would help prevent the spread of COVID. Chief Babcock set a remarkable example with delivery of food, etc. Now we should look at our policy on encampments. Some of us visited the one in Las Cruces that provided safe oversight with security and hygiene. It seems to be the next evolution of policy and better than tearing down encampments.

Councilor Cassutt apologized that she did not flag it sooner but there is no attachment with the proclamation. She asked if there were any changes from the last one.

Ms. McSherry gave the bullet points in this version She apologized for not having it in the packet. The main changes were on infection rates, and numbers infected. We updated on a few levels for in-person services according to OMA rules with wellbeing and safety for the homeless and access to emergency funds when needed. It added an order to discourage housing instability and work with landlords for stability. And it is extending more for veterans when the emergency order expires.

Councilor Cassutt asked where the public can access this on the website.

Ms. McSherry said it is at the home page. Scroll down to the COVID link. The prior ones are all part of the packet.

Ms. Bustos-Mihelcic added that it is in multiple locations beside the home page - under announcements and on the COVID page.

Councilor Rivera wondered about changing the mask wearing policy.

Ms. McSherry said they took out the mask requirement in a previous order. We encourage masks but it is not mandated.

Councilor Rivera asked Manager Blair if he reopened the Convention Center.

Manager Blair said they will be reopening to pre-pandemic levels and have not done that yet.

Councilor Rivera mentioned a large event two Saturdays ago in the large ballroom.

Ms. McSherry clarified that maximum number of people was in a previous order. It did have the mask order. The number limits have been removed for a while.

Councilor Rivera recommended all individuals comply with CDC advice.

Ms. McSherry agreed. Santa Fe is still considered a high-risk location so masks are recommended by CDC.

Councilor M Garcia asked, when the State decided to lift the mask mandate, how that impacted our City mask ordinance. He asked if Manager Blair could help us understand the mask ordinance.

Manager Blair deferred to Ms. McSherry.

Ms. McSherry said the recommendation is from the effective date Public Health Protection Ordinance and is there until CDC withdraws theirs. Last Summer, the CDC did lift that order. There was a big chart on the details. The overwhelming majority in Santa Fe are vaccinated now, so the mask ordinance was lifted. Later, the CDC again recommended masks. So, the City recommended masks again and the State reimposed the mask mandate.

Councilor M Garcia asked if the Governing Body needs to act on that ordinance or if it is part of this proclamation.

Ms. McSherry said no other action was necessary.

Councilor M Garcia noticed a couple of typos in the proclamation and wondered how to address that. With our new rules, all amendments/corrections must be in writing. He thought the Governing Body should correct it. He briefly listed them.

Mayor Webber thought the typos would be corrected.

**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 said he failed to send the contract for \$60,000. He will send it to the Governing Body later tonight that he signed. He echoed what Mayor Webber said for Ms. McSherry's contribution to the evictions prevention event and thanked her for getting it done.

The recruitment event at the Boys & Girls Santa Fe Place event had many young people come to help recruit as many locals as possible He thanked HR Director Salazar for it.

He is working with Director McCoy on the FY 23 Budget proposals and will start meeting next month on budget details.

He is wrapping up interviews for the Deputy City Manager and commented they have some great candidates.

He was very excited about the announcement of the new Land Use Director selection.

He thanked our City Clerk for the COVID Memorial on Monday. It was a great event. She did extraordinary job. And he enjoyed the rendition of "We are the World" from the Santo Nino Choir.

Thanks for your participation in interviews for Police chief. The PR went out this afternoon for the Youtube meeting tomorrow for questions on the dialogue panels. Director Ochoa is working to get a link to everyone on it.

He commented on the State of the City now. It has been a hard week, with the passing of Javier to the tragic collision, losing Officer Duran and Mr. Lovato and earlier the shooting that had loose reporting on how it was portrayed.

People are tired – tired of COVID, and the events in Ukraine. And the way people talk about City employees that bring tears. We are putting as much support for them as possible. And encouraging employees to use the EAP program. “How else can we hope to support our employee’s mental health and relieve the sadness, and anxiety within?”

He was grateful all people working for the City under difficult circumstances and couldn’t be prouder of our team working for the City. “We need to take care of our people.”

#### 12. **MATTERS FROM THE CITY ATTORNEY**

Ms. McSherry thanked a few more people who helped out with the eviction prevention event. She announced an opening for Assistant City Attorney and will keep it open a little while longer.

#### 13. **MATTERS FROM THE CITY CLERK**

Ms. Bustos-Mihelcic thanked Ericka Flores and Barbara Lopez for coordinating the COVID event. These events are an effort for our small team. So, we all jump in to help. We look forward to making it an annual event.

There were items over last week that were pushed back. One was a drawing for members of the Redistricting Commission, now scheduled for Friday at 1:00 pm. The Drawing for the positions is already posted. And tomorrow night will be a Q&A on Youtube at 6:00 p.m. with the two finalists for Police Chief.

She announced the City’s annual easter egg hunt on Saturday, April 9 at 10:00 a.m. with a “touch the truck” event at Ragle Park. It is a really cool event with Santa Fe Little League and A Youth and Community Day.

#### 14. **COMMUNICATIONS FROM THE GOVERNING BODY**

Ms. Bustos-Mihelcic read the caption for this item and mentioned the new section on introductions.

Councilor Chavez gave a shout out to Maria Sanchez Tucker, the new Community Service Director. She met with her last week. She has good energy. It is so refreshing, and she was excited to work with her. She gave a shout out to Manager Blair for the communications. He has kept us on top of all events. She knew many people are exhausted and have heart aches. Let's focus on wellness and come together. She quoted from Eric Ericson. "I have taken time to tell people I love them, and I am here for people who want to talk. I will do my part to do better. I am here to help in anyway. Please reach out. It will make a difference in our recovery from COVID." She said she was available to help.

Councilor Cassutt thanked Ms. Bustos-Mihelcic for the COVID memorial event. The choir being there was very special. Things have been challenging. The City has had a really rough month, many losses, and the world is a crazy place. So as Councilor Chavez said, we need to reach out to each other and recognize the wonderful things people do. Thanks to Ms. McSherry for the eviction legal aid event. She stopped at it, and it was inspiring, especially knowing how quickly it was set up.

Shout out to Jeremy Perea and his work to expand school hours and things from pre-pandemic. Returning to them was great. She gave a belated happy birthday to Councilor Chavez for her birthday last week.

Councilor M Garcia also wished a belated happy birthday to Councilor Chavez. He mentioned the update on Ragle Park cleanup, rescheduled on this Sunday 10-12 and encouraged people to show up.

Councilor Lindell had nothing more to communicate.

Councilor Rivera also thanked everyone for the COVID Memorial. It was a special time. Also thanked Director Kamiyama for the recent art works sculptures placed at MRC and the Southside Library. They really stand out when approaching those locations.

He also thanked Jeremy Perea, who reached out to one of his constituents who wanted to plan a graduation party. When his daughter graduated two years ago, they had a drive-by party. It is great to see people are getting back to normal and graduating season coming up.

Lastly, he appreciated the good job remembering those directly affected by tragedy among the City family. Director Jones, Director Ochoa, and Manager Blair especially who, though not responsible for what happened but it weighed heavily on their hearts.

Councilor L Garcia echoed Councilor Rivera regarding the public art at MRC and Southside Library. He also gave a shout out to the Sheriff's Department for

stepping out and helping the City with our department grieving. It is heartfelt to see that helping of each other.

He gave a shout out to the City Fire Department for using their trucks to help remember Firefighter Lovato.

Councilor Villarreal appreciated the COVID memorial and those who put it together. The choir definitely warmed her heart.

She thanked to Ms. McSherry and her helpers for the eviction prevention event. It means a lot to people.

She felt like Councilor Rivera regarding the tragic collision and loss. Our Staff is taking on the stress and pain that is occurring. She appreciated that Manager Blair keeps us informed and if we have questions, we can get back to our constituents - and all the quick response of our city team. It means a lot to be there.

Our Staff is hurting. There is a lot of burnout and overwork. But she would not go to Cigna for help. Those doctors would not help her. If there was a trained counselor to provide, people need it. She would not go online to get help.

Manager Blair said Director Salazar did have a counselor on site today. We will figure out if we need a grief counselor in all city buildings. We are trying to ensure we have humans on the ground.

Councilor Villarreal said she and Councilor Rivera were fortunate to attend Cities and Counties Bootcamp in Phoenix. If you want to know more, reach out to her or Councilor Rivera. It was very enlightening on the court system, etc. with a solid group of people to learn from. She hoped she could bring it to the Council sometime.

Councilor Romero-Wirth said a lot of what she was thinking had already been said. It has been an extraordinary thing to live through. She really wanted to appreciate what has been said about where people are because of the pandemic and world events, especially the events locally and the work of the City leadership.

She thanked Ms. McSherry for the legal clinic. It was a brilliant idea and amazing to do it so quickly. There has been a lot of amazing work among City leadership. She loved the touch the Big Truck event. She was excited that Councilor Villarreal and Councilor Rivera were able to attend the Phoenix workshop. It sounds like we can do something and was excited about that work.

She and Councilor Cassutt have been working on a resolution for Legislature and ways to be more compassionate and how we conduct ourselves in the City.

Mayor Webber had two buckets to bring. The first was the theme Manager Blair introduced. He can't wait for all of us to be back in the same big room. There are two ways to deal with challenging times. And we've seen both of those ways over the last month – One is to curse the darkness and point the blame and cast aspersions on others. That is a common response to stress and frustration. The other is to light a candle and we are fortunate community here with people who are lighting candles all across the City. The event on the Plaza was to mourn those we lost to COVID, and the other was to celebrate those who have helped us get through the pandemic.

Councilor L Garcia is right. The State Police were outstanding. Our own County Sheriff. They all stepped up to support our City. And if you were in the procession down to Albuquerque it was a ribbon of light down I-25 as far as the eye could see. People all together without regard to jurisdiction for support, mourning and celebration. I got so many nice letters including the archbishop – SFCC President, Cathy Etre at the Plaza talked to him about the amazing community support. People are reaching out to make our lives better. Some are going into the war zone. We will see Ukrainian colors on all our buildings tomorrow. Tomorrow is also Tibet Freedom Day, reminding us that country is also under assault. We've made it together through two years and will make it through this next chapter too.

Tonight, the Governing Body approved investments of over \$11 million for critical operations in the City. That is a function of improving overall financial picture for the City. He mentioned some of them that were not pulled from Consent. We can now build back better and all who are on the Governing Body should take a victory lap.

15. **INTRODUCTION OF LEGISLATION**

- a. Introduction of a Resolution Authorizing the Sale and Consumption of Alcohol During the Off the Rails: SITE Santa Fe Annual Benefit and Concert on City Property on Thursday, June 23, 2022, Pursuant to Subsection 23-6.2(C) SFCC 1987. (Councilor Lindell and Councilwoman Villarreal) (Kristine Mihelcic, Community Engagement Director, and City Clerk: [kmmihelcic@santafenm.gov](mailto:kmmihelcic@santafenm.gov), 505-955-6846)

**Committee Review:**

Quality of Life Committee: 03/16/2022

Finance Committee: 03/21/2022

Governing Body: 03/30/2022

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

Councilor Lindell spoke to it. This is an annual benefit and every year they come get a permit to serve alcohol at this benefit. It is in District 1, so she and Councilor Villarreal decided to support it.

Councilor Villarreal noted it is required any time there is such an event. The event is crucial to their fund raising and reimagined it as a gala and being more inclusive and will be on the green at the Railyard Park. She hoped everyone will support it.

- b. Introduction of a Resolution to Approve Amending Impact Fees Capital Improvement Plan FY2021-2027 and Replace Tables 80 and 81 Listing Planned Road Improvements and Parks and Trails Improvements as Recommended by the Capital Improvements Advisory Committee. (Councilor Christopher Rivera) (Romella Glorioso-Moss, Projects Administrator: [rsglorioso-moss@santafenm.gov](mailto:rsglorioso-moss@santafenm.gov), 505-955-6623; and Melissa McDonald, Parks Director: [mamcdonald@santafenm.gov](mailto:mamcdonald@santafenm.gov), 505-955-6840)

**Committee Review:**

Quality of Life Committee: 03/16/2022

Finance Committee: 03/22/2022

Public Works and Utilities Committee: 03/28/2022

Governing Body: 03/30/2022

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

Councilor Rivera said Councilor Cassutt has signed on to this legislation as well. It just updates the tables and lists possible road improvements and other CIAC recommendations.

- c. Introduction of a Resolution Allocating 123.68 Acre-Feet of Available Water Rights to Eliminate the Affordable Housing Account Deficit and Provide Enough Water Rights for Three Consecutive Future Years. (Councilor Romero-Wirth) (Alan Hook, Water Resources Coordinator Assistant: [aghook@santafenm.gov](mailto:aghook@santafenm.gov), 505-955-4205)

**Committee Review:**

Introduced: 03/09/2022

Quality of Life Committee: 03/16/2022

Finance Committee: 03/21/2022

Public Works and Utilities Committee: 03/28/2022

Governing Body: 03/30/2022

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

Councilor Romero-Wirth said the resolution speaks for itself. We are fixing a deficit in our water bank and with allocation 23 ac/ft for each of next three years that gets us to the 123 ac/ft. We will learn more about the water bank and how it helps the City. For Affordable Housing, the City provides those

water rights that have not been utilized and will make the allocation for that purpose for more Affordable Housing in the City. Alan Hook will shepherd it through the committees for how it supports our development.

- d. Introduction of Legislation Directing the City Manager to Send a Letter of Intent to the New Mexico Game and Fish Department Informing it of the City's Intent to Purchase Property Owned by the Department Located at 3520 Calle Princesa Juana. (Councilor Cassutt) (Terry Lease, Asset Development Manager, tjlease@santafenm.gov)

**Committee Review:**

Introduced: 03/09/2022

Finance Committee: 03/21/2022

Public Works and Utilities Committee: 03/28/2022

Governing Body: 03/30/2022

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

Councilor Cassutt said this resolution has the City Manager send a letter to State Game and Fish, indicating the City would need a portion of the property, but they are interested in selling it all to the City and that could be used for Affordable Housing, recreation, and other uses if we have the funding.

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

Petitions from the Floor were heard earlier in the meeting.

**17. PUBLIC COMMENT ON BILLS**

- a. CONSIDERATION OF BILL NO. 2022-\_\_\_\_. (Councilor Cassutt)  
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. (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: 03/09/2022

Planning Commission: 03/17/2022

Economic Development Advisory Committee: 04/13/2022

Quality of Life Committee: 04/20/2022

Public Works and Utilities Committee: 04/25/2022

Governing Body Public Hearing: 05/11/2022

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

Councilor Cassutt pointed out that Daniel Alvarado was giving the staff presentation. She introduced him as a new senior planner who joined the City in October 2021, and it has been a pleasure to work with him. This is the first time he has presented to the Governing Body.

Mr. Alvarado had a short presentation and shared his screen.

Ms. Bustos-Mihelcic said this is an opportunity for individuals to comment before going through the process.

Mr. Alvarado said the change allows a new use - large childcare facilities in all zones except Industrial without a special use permit and would remove all childcare facilities from Industrial zones. He went through the movement to change. He shared the four types of licenses for childcare and shared the zoning standards for childcare in residential zones. It included safety requirements such as background checks, training education buildings and grounds safety, and others.

The Land Use Department recommended approval.

#### Public Comment

Kathleen Tunney, community health manager and steering committee member, said this will have meaningful impact for those living in Santa Fe. There is a shortage of childcare now in the City and prevents children from being in a healthy environment. Santa Fe needs this now more than ever. It also makes our City more of a family place. She hoped the Governing Body will approve it.

Stefanie Beninato was happy that childcare was being removed from industrial areas. She was concerned about having 12 or more children in a residential area for them to have adequate parking. It seems an underestimate for parking, but she supported more childcare facilities.

#### 18. **FINAL ACTION ON LEGISLATION**

- a. **CONSIDERATION OF BILL NO. 2022-5. ADOPTION OF ORDINANCE 2022-05. (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](mailto: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): 03/09/2022

Ms. Bustos-Mihelcic read the caption for this item and said Terry Lease was available to respond.

Mayor Webber said they would hear the Staff Report as an overview of the ordinance, open the floor for public comment, then a motion and debate and a vote.

Manager Lease clarified this would allow 100% broadband access to the City of Santa Fe. It has a total investment of about \$35 million and about 50 construction jobs and 35 permanent jobs. They hope to begin construction later this year and get it to all residences within 2-3 years.

Director Brown added that in talks with SFCC, a technician workforce development program would be provided. They have done one 20-slot section with 120 applications. This is a fiber underground to bring better broadband to everyone.

### **Public Hearing:**

Ms. Stefanie Beninato, P. O. Box 1601, was sworn. Sheto pointed out that the ROW is not in public alleys. It keeps it further away from people's homes. She added that these telecommunications networks have lots of equipment that are noisy and cannot be kept quiet. They should not be put in alleys where it can affect people's ability to sleep.

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

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

### **Governing Body Questions**

There were no questions from the Governing Body.

### **Action of the Governing Body**

**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**

There were no public hearings on this agenda.

20. **APPOINTMENTS**

There were no appointments on this agenda.

21. **ADJOURN**

Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at 9:12 p.m.

Approved by:



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

ATTESTED TO:



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

Respectfully submitted by:



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