



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
MAY 25, 2022
5:00 PM
COUNCIL CHAMBERS
CITY HALL
200 LINCOLN AVENUE

PROCEDURES FOR GOVERNING BODY MEETING

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.

Written Public Comment: Members of the public may submit written comments on legislation by clicking on the comment bubble to the right of the meeting on the public portal at <https://santafe.primegov.com/public/portal> three hours prior to the start of the meeting. The agenda and packet for the meeting will be posted at <https://santafe.primegov.com/public/portal>.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
Councilor Cassutt
3. **SALUTE TO THE NEW MEXICO FLAG**
Councilor Lindell
4. **INVOCATION AND REMEMBRANCES**



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
MAY 25, 2022
5:00 PM
COUNCIL CHAMBERS
CITY HALL
200 LINCOLN AVENUE

Councilor Romero-Wirth

5. **ROLL CALL**
6. **APPROVAL OF AGENDA**
7. **APPROVAL OF CONSENT AGENDA**
8. **PRESENTATIONS**
 - a. Congratulations for Regional Solid Waste Road-e-o winners from Environmental Services Division. (Shirlene Sitton, Environmental Services Division Director: sesitton@santafenm.gov; 505-955-2209).
 - b. Wildland and Firefighters Who Were Deployed to Assist with the Suppression of the Calf Canyon / Hermits Peak Fire in Las Vegas, New Mexico from May 2, 2022 – May 15, 2022. (Chief Brian Moya; Fire Cheif: bjmoya@santafenm.gov, 505-467-9803)
 - c. Release of 2022 Area Median Income (AMI) Data and Updates to the Santa Fe Homes Program (SFHP) Pricing Schedule for 2022. (Alexandra Ladd, Director, Office of Affordable Housing: agladd@santafenm.gov).
 - d. Presentation of Potential Benefits and Limitations of Establishing a Metropolitan Redevelopment Area at the Midtown Property. (Erin K. McSherry, City Attorney: ekmcsberry@santafenm.gov, 505-955-6961; Marcos Martinez, Senior Assistant City Attorney: mdmartinez@santafenm.gov, 505-955-6502; and Andrea Salazar, Assistant City Attorney: asalazar@santafenm.gov, 505-995-6303)

Presentation Schedule:

Economic Development Advisory Committee: 05/11/2022

Finance Committee: 05/16.2022

Community Development Commission: 05/18/2022

Governing Body: 05/25/2022



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
MAY 25, 2022
5:00 PM
COUNCIL CHAMBERS
CITY HALL
200 LINCOLN AVENUE

- e. FY21 Audit Status Update (Ricky Bejarano, Interim Assistant Finance Director)

9. ACTION ITEMS: CONSENT AGENDA

- a. Request for Approval of the Regular Governing Body Meeting Minutes for May 11, 2022. (Geraldyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov, 505-955-6519)

Committee Review:

Governing Body: 05/25/2022

- b. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Enchanted Brew, LLC, for a Transfer of Location of Inter-Local Dispenser Liquor License No. 2787 with On Premises Consumption and Patio Service Only from 2408 Sudderth Drive, Ruidoso, to Rad Retrocade, 4250 Cerrillos Road, Space 1296, Santa Fe. (Geraldyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)

Committee Review:

Liquor Hearing: 05/16/2022

Governing Body: 05/25/2022

- c. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Fleur de Lys, LLC, 451 W. Alameda 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 Mille, 451 W. Alameda Street, Santa Fe, Which is Within 300 Feet of The Shrine of Our Lady of Guadalupe, Located at 417 Agua Fria 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 Mille, 451 W. Alameda Street, Santa Fe.

Committee Review:

Liquor Hearing: 05/16/2022

Governing Body: 05/25/2022



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
MAY 25, 2022
5:00 PM
COUNCIL CHAMBERS
CITY HALL
200 LINCOLN AVENUE

- d. Request for Approval of a Budget Amendment Resolution (BAR) in the Amount of \$289,205 to Cover Lease Payments Due for the LED Streetlights and Solarization Project. (Brad Fluetsch, Planning & Investment Officer: bjfluetsch@santafenm.gov, 505-955- 6885)

Committee Review:

Finance Committee: 05/16/2022

Public Works and Utilities Committee: 05/23/2022

Governing Body: 05/25/2022

- e. Request for Approval of an Agreement with the United States Department of Agriculture (USDA), Forest Service, Santa Fe National Forest (US Forest Service – USFS) for Increased Capacity of Services Provided to USFS for Forest Service Burns. (Nathan Miller, Wildland Superintendent: nfmiller@santafenm.gov; 505-955-3501)

Committee Review:

Finance Committee: 05/16/2022

Public Works Committee: 05/23/2022

Governing Body: 05/25/2022

- f. Request for Approval of a Contract in the Total Amount of \$358,111.80 for a Three Year Term for Adobe Licensing Via CDW-G. (Manuel Gonzales, ITT Director: mmgonzales@santafenm.gov, 505-955-5531)

Committee Review:

Finance Committee: 05/16/2022

Public Works Committee: 05/23/2022

Governing Body: 05/25/2022

- g. Request for Approval of General Services Contract with Econolite Control Products in the Total Amount of \$499,699.80 excluding NMGRT to Furnish and Install New Traffic Signal Controllers using Funds Allocated by Governing Body on March 9, 2022. (Jose Lerma, Traffic Operations Manager, jnlerma@santafenm.gov, 505-955-2431)

Committee Review:

Finance Committee: 05/16/2022

Public Works & Utilities Committee: 05/23/2022

Governing Body: 05/25/2022



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
MAY 25, 2022
5:00 PM
COUNCIL CHAMBERS
CITY HALL
200 LINCOLN AVENUE

- h. Request for Approval of a Five Year Agreement to Waive Parking Fees between the City of Santa Fe and Bienvenidos for Volunteers that Work at the Tourist Information Booth on the Plaza. (Noel Correia, Parking Division Director, npcorreia@santafenm.gov, 505-955-6611)

Committee Review:

Finance Committee: 05/16/2022

Public Works & Utilities Committee: 05/23/2022

Governing Body: 05/25/2022

- i. CONSIDERATION OF RESOLUTION NO. 2022-___. (Councilor Rivera and Councilor L. Garcia)

A Resolution Approving Amendment No. 1 to a Municipal Arterial Program Cooperative Grant from the New Mexico Department of Transportation, Identified as Control Number L500429, Granting a Time Extension for the Planning, Design, and Construction of Agua Fria Street and South Meadows Road Intersection Improvements. (Regina Wheeler, Public Works Director, rawheeler@santafenm.gov)

1. Request for Approval of Amendment No. 1 to a Municipal Arterial Program Cooperative Agreement with the New Mexico Department of Transportation for the Planning, Design, and Construction of CIP 853C - Agua Fria and South Meadows Road Intersection Improvements Project. Amendment is for Extension of Agreement Term Only and No Additional Funding. (Regina Wheeler, Public Works Director, rawheeler@santafenm.gov)

Committee Review:

Governing Body (Introduced): 04/27/2022

Public Works and Utilities Committee: 05/09/2022

Finance Committee: 05/16/2022

Governing Body: 05/25/2022

- j. CONSIDERATION OF RESOLUTION NO. 2022-___. (Councilor Rivera, Councilor Chavez, Councilor M. Garcia, Councilor Lindell, Councilor Cassutt, and Councilor Romero-Wirth)

A Resolution Allocating Three and a Quarter Acre Feet of Available Water from the City's Existing Water Supply to the Southside Teen Center. (Therese Martinez, Project Administrator: tmartinez@santafenm.gov,



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
MAY 25, 2022
5:00 PM
COUNCIL CHAMBERS
CITY HALL
200 LINCOLN AVENUE

955-5937; John Dillon, Project Administrator: jcdillon@santafenm.gov, 955-5936)

Committee Review:

Governing Body (Introduced): 04/27/2022
Public Works and Utilities Committee: 05/09/2022
Finance Committee: 05/16/2022
Quality of Life Committee: 05/18/2022
Governing Body: 05/25/2022

- k. CONSIDERATION OF RESOLUTION NO. 2022-___. (Councilor Rivera and Councilor L. Garcia)

A Resolution Approving Amendment No. 2 to a Municipal Arterial Program Cooperative Grant From the New Mexico Department of Transportation Identified as Control Number L500383 Granting a Time Extension for the Planning, Design, and Construction of Agua Fria Street and South Meadows Road Intersection Improvements. (Regina Wheeler, Public Works Director, rawheeler@santafenm.gov)

1. Request for Approval of Amendment No. 2 to a Municipal Arterial Program Cooperative Agreement with the New Mexico Department of Transportation for the Planning, Design, and Construction Of CIP 853C - Agua Fria and South Meadows Road Intersection Improvements Project. Amendment is for Extension of Agreement Term Only and No Additional Funding. (Regina Wheeler, Public Works Director, rawheeler@santafenm.gov)

Committee Review:

Governing Body (Introduced): 04/27/2022
Public Works and Utilities Committee: 05/09/2022
Finance Committee: 05/16/2022
Governing Body: 05/25/2022

10. **ACTION ITEMS: DISCUSSION AGENDA**
11. **MATTERS FROM THE CITY MANAGER**
12. **MATTERS FROM THE CITY ATTORNEY**

EXECUTIVE SESSION



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
MAY 25, 2022
5:00 PM
COUNCIL CHAMBERS
CITY HALL
200 LINCOLN AVENUE

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(5), Discussion of Bargaining Strategy Preliminary to Certain Collective Bargaining Negotiations. (Erin K. McSherry, City Attorney: ekmcsberry@santafenm.gov; 505-955-6512)

13. **MATTERS FROM THE CITY CLERK**

14. **COMMUNICATIONS FROM THE GOVERNING BODY**

15. **INTRODUCTION OF LEGISLATION**

- a. **CONSIDERATION OF BILL NO. 2022-__.** (Mayor Webber, Councilwoman Villarreal, and Councilor Lindell)

An Ordinance Amending Section 23-6.3 to Align the Designated Drinking Area Buffer Requirements with State Requirements, to Require the Use of Recyclable or Compostable Alcoholic Beverage Containers for Events on City Property, and to Permit Tasting of Mixed Beverages Containing Liquor on City Property. (Kristine Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 955-6327)

Committee Review:

Governing Body (Introduced): 05/25/2022
Governing Body (Public Comment): 06/08/2022
Quality of Life Committee: 06/15/2022
Public Works and Utilities Committee: 06/27/2022
Governing Body (Public Hearing): 06/29/2022

- b. **CONSIDERATION OF RESOLUTION NO. 2022-__.** (Councilor M. Garcia and Councilor L. Garcia)

A Resolution Specifying that the Down Payment Assistance Program Included in the FYE 23 Budget Be Available to All Full-Time City Employees. (Bernadette Salazar, Human Resources Department Director: bjsalazar@santafenm.gov, 955-6591)

Committee Review:

Governing Body (Introduced): 05/25/2022
Quality of Life Committee: 06/01/2022
Governing Body: 06/08/2022



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
MAY 25, 2022
5:00 PM
COUNCIL CHAMBERS
CITY HALL
200 LINCOLN AVENUE

- c. CONSIDERATION OF RESOLUTION NO. 2022-___. (Councilor Rivera, Councilor Romero-Wirth, Councilwoman Villarreal)
A Resolution Proclaiming Severe or Extreme Drought Conditions Exist in the City of Santa Fe; Imposing Fire Restrictions From June 11, 2022, to July 10, 2022; Banning 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, 505-955-3317)

Committee Review:

Governing Body (Introduced): 05/25/2022
Quality of Life Committee: 06/01/2022
Governing Body (Public Hearing): 06/08/2022

- d. CONSIDERATION OF BILL NO. 2022-___. (Mayor Webber)
An Ordinance Amending Section 23-5.2 SFCC 1987 to Specify that Major Commercial Events are Not Entitled to Use City Property that is Otherwise Leased by the City. (Terry Lease, Asset Development Manager: tjlease@santafenm.gov, 629-2206)

Committee Review:

Governing Body (Introduced): 05/25/2022
Governing Body (Public Comment): 06/08/2022
Quality of Life Committee: 06/15/2022
Public Works and Utilities Committee: 06/27/2022
Finance Committee: 07/04/22
Governing Body (Public Hearing): 07/13/22

16. **PETITIONS FROM THE FLOOR**

17. **PUBLIC COMMENT (First Public Comment, No Action)**

- a. CONSIDERATION OF BILL NO. 2022-___. (Councilor Romero-Wirth and Councilor Cassutt)
An Ordinance Relating to the City of Santa Fe Uniform Traffic Ordinance (“UTO”); Amending Section 7 of Schedule A to Prohibit the Municipal Court From Notifying the Motor Vehicle Division of the State of New Mexico When a Person Fails to Pay a Penalty Assessment Within the Required Period of Time. (Kyle Hibner, City Prosecutor: kjhibner@santafenm.gov, 955-5195)



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
MAY 25, 2022
5:00 PM
COUNCIL CHAMBERS
CITY HALL
200 LINCOLN AVENUE

Committee Review:

Governing Body (Introduced): 05/11/2022
Governing Body (Public Comment): 05/25/2022
Quality of Life Committee: 06/01/2022
Governing Body (Public Hearing): 06/29/2022

18. **FINAL ACTION ON LEGISLATION (Public Hearing)**

- a. CONSIDERATION OF BILL 2022- 9. ADOPTION OF ORDINANCE 2022-_____. (Councilor Romero-Wirth, Councilor Cassutt, Councilor Chavez, and Councilwoman Villarreal)

An Ordinance Amending Section 20-4.1 to Remove Reference to Remote Participation in Governing Body or City Council Standing Committee Meetings; and Creating a New Section 1-9 SFCC 1987 to Allow Governing Body Members to Attend Governing Body and City Council Standing Committee Meetings Remotely. (Erin McSherry, City Attorney, ekmcsberry@santafenm.gov, 505-955-6961)

Committee Review:

Governing Body (Introduced): 04/13/2022
Governing Body (Public Comment): 04/27/2022
Quality of Life Committee: 5/4/2022
Public Works and Utilities Committee: 05/09/2022
Governing Body (Public Hearing): 05/25/2022

- b. CONSIDERATION OF BILL NO. 2022-10. ADOPTION OF ORDINANCE 2022-_____. (Councilor Romero-Wirth, Councilor Cassutt, Councilor Chavez)

An Ordinance Relating to the City Of Santa Fe Uniform Traffic Ordinance (“UTO”); Creating a New Section 5 of Schedule B of the UTO to Create the Low-Income Financial Equity (“Life”) Parking Program. (Noel Correia, Parking Division Director: npcorreia@santafenm.gov, 505-955-6611)

Committee Review:

Governing Body (Introduced): 04/13/2022
Governing Body (Public Comment): 04/27/2022
Quality of Life Committee: 05/04/2022
Public Works and Utilities Committee: 05/09/2022
Finance Committee: 05/16/2022



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
MAY 25, 2022
5:00 PM
COUNCIL CHAMBERS
CITY HALL
200 LINCOLN AVENUE

Governing Body (Public Hearing): 05/25/2022

19. **PUBLIC HEARINGS**

20. **APPOINTMENTS**

- a. Appointment of the City of Santa Fe's Emergency Management Director Brian Williams to the City's "Local Coordinator of Emergency Management".
(Kyra Ochoa, Community Health and Safety Department Director: krochoa@santafenm.gov, 505-955-6603)

21. **ADJOURN**

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

Governing Body INDEX SUMMARY INDEX May 25, 2022

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
1. Call to Order	Convened at 5:03 p.m.	1
2. Pledge of Allegiance	Led by Councilor Cassutt	1
3. Salute to the State Flag	Led by Councilor Lindell	1
4. Invocation	Led by Councilor Romero-Wirth	1-2
5. Roll Call	Quorum Present	2
6. Approval of Agenda	Approved as presented	2
7. Approval of Consent Agenda	Approved as presented	2-3
8. Presentations		
a) Solid Waste Road-e-o Winners	Presentation	3-4
b) Firefighters Recognition	Presentation	4-5
c) Santa Fe Homes Data Update	Presentation	5-6
d) Midtown Redevelopment Area	Presentation	6-9
e) FY21 Audit Update	Presentation	9-10
9. Consent Agenda Listing	Listed	10-13
10. Discussion Agenda	None	13
11. Matters from the City Manager	Reported	13-14
12. Matters from the City Attorney	Reported	14
Executive Session	6:39 – 7:12	14
13. Matters from the City Clerk	Reported	16
14. Communications From the Governing Body	Communicated	16-18
15. Introduction of Legislation		
a) Designated Drinking Area Ordinance	Introduced	18-19
b) Down Payment Assistance Resolution	Referred to Finance	19-20
c) Severe Drought Resolution	Introduced	20-21
d) Commercial Events on City Property	Introduced	21-22
16. Petitions from the Floor	Presented	15
17. Public Comments on Bills		
a) Municipal Court Fine Payments	No Comments	22-23
18. Final Action of Legislation		
a) Remote Participation Ordinance	Approved	23-25
b) LIFE Parking Program Ordinance	Approved	25
19. Public Hearings	None	25
20. Appointments	None	25-26
a) Emergency Management Director		
21. Adjourn	Adjourned at 8:26 pm	26

**Minutes of the
Regular Meeting of the Governing Body
Wednesday, May 25, 2022
City Hall
Santa Fe, New Mexico
Hybrid 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, May 25, 2022, at approximately 5:03 p.m., at the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico as a hybrid meeting.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilor Cassutt.

3. SALUTE TO THE NEW MEXICO FLAG

The Salute to the New Mexico Flag was led by Councilor Lindell.

4. INVOCATION

The Invocation was led by Councilor Romero-Wirth, who shared concerns at the loss of children's lives and loss of property by fire, climate change and ongoing drought, and how we find our strength in each other, She closed with the Prayer of St. Francis of Assisi.

Mayor Webber – take time to think about the families in Texas and New York who have lost loved ones.

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 Signe Lindell
Councilor Carol Romero-Wirth
Councilor Renee D. Villarreal

Members Excused

Councilor Christopher M. Rivera
Councilor Michael Garcia

Other Participants Attending

Marcos Martinez, Assistant City Attorney
Geralyn Cardenas, Assistant City Clerk
John Blair, City Manager
Jesse Guillen, Legislative Liaison
Kyra Ochoa, Community Health, and Safety Department Director
Alex Lotero, Interim Finance Director
Ricky Bejarano, Interim Assistant Finance Director
Nathan Miller, Santa Fe Fire Department
Alexandra Ladd, Affordable Housing Department Director
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

Councilor Cassutt/Councilor Romero-Wirth – unanimous voice vote.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Cassutt, 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 Lindell, Councilor Romero-Wirth, and Councilor Villarreal.

Against: None.

7. APPROVAL OF CONSENT AGENDA

Councilor Villarreal/Councilor Cassutt (or Councilor Romero-Wirth) unanimous by voice vote.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Cassutt, 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 Lindell, Councilor Romero-Wirth, and Councilor Villarreal.

Against: None.

8. PRESENTATIONS

- a. Congratulations for Regional Solid Waste Road-e-o winners from Environmental Services Division. (Shirlene Sitton, Environmental Services Division Director: sesitton@santafenm.gov; 505-955-2209).

Ms. Cardenas read the caption. Director Sitton will present.

Director Sitton comments about The Regional Road-e-o in Texas where she was recently. She was proud to be here to tell everyone about our terrific solid waste operators. Everyone was terrific. They are members of Solid Waste Workers of North America Association. The Association provided professional training and safety tips and other things that affect us (SWAMA) and sanctions and sponsors Road-e-o's. We have put on a few for the State. We were thrilled to accept an invitation from Texas to participate with them and sent four members to participate in the competition and two of them placed second in the competition: Mr. Patricio Lopez in automated side loader competition and Mr. Albert Lopez placed second in front loader competition. All four operators did incredibly well against other competitors. They rank in National, and Patricio Lopez was a federal first place awardee. They received belt buckles for their awards. She gave a plaque to him in honor of his win and a certificate of appreciation. Mr. Hector Enriquez also got a certificate of appreciation.

She said she was the President of Roadrunner Chapter of SWAMA and presented another certificate to Lopez. Ryan Muller won first place in mechanics division. The winner for state gets to go to the national competition in October in El Paso this year.

The Governing Body applauded their achievements.

Mayor Webber, Councilor Lindell, Councilor Villarreal, and Councilor Lee Garcia congratulated them for their achievements.

- b. Wildland and Firefighters Who Were Deployed to Assist with the Suppression of the Calf Canyon / Hermits Peak Fire in Las Vegas, New Mexico from May 2, 2022 – May 15, 2022. (Chief Brian Moya; Fire Chief: bjmoya@santafenm.gov, 505-467-9803)

Ms. Cardenas read caption and said Chief Moya was present.

Chief Moya was muted for the first statements he made. He turned to the Coordinator of the assigned firefighters who shared the work in the wildland fire fighting efforts. He said there were over 75 fire departments personnel from 20 different resources at Las Vegas and shared the data on the screen. He described the work they were performing, including the work in the Pecos Canyon with planes, helicopters, and resources on the ground.

He gave the current Fire Conditions at the Hermits Peak fire with 311,148 acres in size and 2,987 personnel fighting and had achieved 42% containment. The Cerro Pelado fire was at 45,605 acres, 575 personnel and 92% contained.

Councilor Cassutt thanked both of them for their continued leadership there. People ask how they can be helping.

Chief Moya said they were happy to receive donations and shares who else was taking donations for those who had lost their possessions by the fire. He identified what was most needed by them.

Mayor Webber asked him to make sure all firefighters know of our support and commitment to them in their courage, heroism, and hard work. He asked Chief Moya to explain the difference between containment and other terms used in controlling the fire.

He explained how they calculate the amount of containment which was holding the perimeter. 100% means we are sure it won't escape the perimeter.

- c. Release of 2022 Area Median Income (AMI) Data and Updates to the Santa Fe Homes Program (SFHP) Pricing Schedule for 2022. (Alexandra Ladd, Director, Office of Affordable Housing: agladd@santafenm.gov).

Ms. Cardenas read the caption and said Director Ladd was present.

Director Ladd noted the memo distributed had the numbers and wouldn't repeat that.

In the big picture, they use what is the AH cost and AH price limited to no more than 1/3 of monthly income including utilities and other housing costs. The income ranges establish that, and they divide by 3 for mortgage amount.

This year, incomes went up here and a year preceding of very low interest rates allowing more buying power. So, the rents and payments went up and this year will be a big correction. The higher sales pricing is not necessarily a disadvantage and qualify for lower priced homes.

She listed the workers considered essential who were able to buy in 80-100% of federal average income range, even if they earn over that.

On the rental side, there was not much silver lining, leaving lots of low-income people affected. The gap got smaller and was slightly less this year. Per our ordinance, it increases 20% on July 1.

Councilor Villarreal thanked her for the information. LMI is always a tricky and Director Ladd explained some things and gave example in the report, and she was confused. She quoted from the report. What are the advantages of being in that higher tier?

Director Ladd said \$50,000 put them in the 90% tier last year. So, they didn't qualify. This year with new data, the same household was now at 80% so they would be able to buy the home as eligible for CDBG assistance. That pricing meant these homes must sell at this price regardless of the market. So, the homebuyer can buy a home in that income range. Every time a subdivision is approved, those price restrictions are a requirement.

Mayor Webber thanked her for the report.

- d. Presentation of Potential Benefits and Limitations of Establishing a Metropolitan Redevelopment Area at the Midtown Property. (Erin K. McSherry, City Attorney: ekmcsberry@santafenm.gov, 505-955-6961; Marcos Martinez, Senior Assistant City Attorney: mdmartinez@santafenm.gov, 505-955-6502; and Andrea Salazar, Assistant City Attorney: asalazar@santafenm.gov, 505-995-6303)

Presentation Schedule:

Economic Development Advisory Committee: 05/11/2022

Finance Committee: 05/16.2022

Community Development Commission: 05/18/2022
Governing Body: 05/25/2022

Ms. Cardenas read the caption for this presentation. Ms. McSherry and Mr. Martinez and Ms. Salazar were available.

Mr. Martinez said Resolution 2022-12 provided access to certain redevelopment tools in an area designated as a blighted area and listed what the MRA would provide for Santa Fe and Governing Body. The Midtown and surrounding area have the characteristics that qualified it as a blighted area.

He explained the State law requirements for designation as a blighted area and declaring redevelopment was in the best interest of the public. The resolution adopting the MRA plan with notice and public hearing. He read the requirements for designation including that it must align with General Plan of the City.

He shared the potential city ordinance changes that would be needed.

Ms. Salazar spoke to the City's Historic Use. The only MRA now was the Railyard. She described the Community Plan and MRA Plan which became the Development Plan for the Railyard. The City selected a nonprofit to manage it.

She listed the pros and cons for the MRA. She noted that Santa Fe looked at Las Cruces and Albuquerque to compare use of MRA's. She also shared the benefits and limitations of MRA Designation.

She showed three maps – the first of which was an opportunity zones 1103 and another opportunity zone abutting it. The second was the Midtown Linc Area. The third was the proposed designated area expanded the area to the southwest including Franklin Miles Park.

She clarified the next steps were to declare the blighted area, identify the area to designate as Redevelopment MRA area, amend the ordinance for the redevelopment area to align it with State law, create a commission for the MRA, and determine the qualifications for the commission.

Councilor Villarreal knew this was the third iteration, and most questions were answered. She asked how the MRA works with a Land Trust to work together.

Ms. Salazar said she reviewed the agreement. There was in the agreement a certain price point. The entity holds the ground and houses can be built and owned by individuals. The land remains with the City.

Councilor Villarreal said the Albuquerque Community Land Trust has been able to create such an area and it has grown. The Sawmill Land Trust has grown and been successful.

Ms. McSherry pointed out that a Community Land Trust doesn't require an MRA. It seems an MRA would give the City more options for improvements like improved sidewalks, etc.

Councilor Romero-Wirth heard this at Finance and had the opportunity to ask questions. The designation of blight was of concern at Finance. She understood blight is a legal term required in an MRA.

Mr. Martinez explained blight is a statutory term and required to be found for an MRA to be formed.

Ms. McSherry added that the eight criteria were in the attached presentation and any of the eight could qualify the area as blighted. It is a broad range of characteristics for being eligible.

Mr. Martinez shared them.

Councilor Romero-Wirth asked if the Governing Body's determination guaranteed the City was going to fix those things that needed fixing.

Mr. Martinez said the designation did not affect property values in the development under MRA. The MRA does require what the City commits to be done to remedy the problems in the factors making it a blight.

Councilor Romero-Wirth referred to the first limitation that required an additional layer of approvals. She asked what the first layer was.

Mr. Martinez replied we don't have an active commission for the MRA yet. The Commission makes recommendations to the Governing Body that the developer must go through.

Councilor Romero-Wirth hoped the Governing Body wouldn't delegate decisions like we did for the Railyard. This would be totally different.

Mr. Martinez agreed.

Councilor Romero-Wirth had visited Sawmill to see the recent Van Gogh exhibit. She found it was a fascinating area – very vibrant, mixed use, and an incredible success. It came piecemeal over about ten years. She wondered if they were still in process with more in the develop plan.

Ms. Salazar said it was designated in 1996 and they were still moving forward with various parcels to be developed.

Councilor Lindell asked what other choices other than MRA the Governing Body has. It seems the only choice was an MRA.

Mr. Martinez pointed out that the Governing Body already considered another one and the developers identified many of the characteristics of blight as impediments to their work. A Master Developer was another. The Railyard could represent another option.

Ms. Salazar said they could parcel out land or sell it to one developer with both private and public or a complete public project. The MRA allows the City to put in infrastructure and make various projects and doesn't preclude any financing structure. It gives a diversity of options not otherwise available.

Councilor Lindell asked how the MRA addressed the \$30 million estimate for infrastructure.

Ms. Salazar didn't know where the \$30 million came from, but it could put in the in-ground infrastructure to allow housing to be built.

Ms. McSherry clarified the MRA doesn't give us the funding source but allows us to prioritize sources with more flexibility.

Councilor Lindell observed we don't know the real infrastructure cost and we are being asked to commit significant finances to the project. This looks terrific but we will be asked to put sizable money into it.

She asked why the Commission leasing authority was limited to 365 days and whether that was the case at Sawmill.

Mr. Martinez didn't know but it was in the statute. Leases would have to be approved by the Governing Body.

Councilor Lindell said it is very hard to offer a one-year lease and to find a business that would see that as acceptable. We have much work to do regarding financing before she can support this.

Ms. McSherry clarified that the City could still improve infrastructure on its own land without an MRA. The plan required does not also require City financing.

Councilor Lindell wanted more specific answers and asked if there are other options to compare with MRA.

Ms. McSherry agreed the City could do it without an MRA but that would have less flexibility.

Councilor Lee Garcia pointed out the City has already invested in Midtown with outreach, etc. So, we are already in this, and we need to know the best avenue in community outreach and what to go with. He asked what was best for the City needs to be determined - best avenue to take.

Ms. Salazar said the MRA is one specific thing. There are a lot of plans already and that was confusing. The Governing Body also must change the proposed use in the General Plan. The MRA allows development once the plans have been created. We are using our consultants and bond counsel in evaluating this option and determining how it could be beneficial for us.

Councilor Lee Garcia noted the City was far down the road now and it didn't happen overnight. We don't want, in five more years, to be back at square one.

- e. FY21 Audit Status Update (Ricky Bejarano, Interim Assistant Finance Director)

Ms. Cardenas read the caption and Assistant Director Bejarano was present.

Dir. Bejarano reported having had a good meeting and wanted to start with the initial plan with auditors might encourage them to return to the audit if

we completed the list they gave. We would regroup and potentially CLA would return to the audit.

He believed July 15 was a realistic date for completing those items. They have completed some of them now and were continuing to make progress in the audit requirements. They were able to extricate SWAMA and BDD from the City's books. In his opinion, BDD and SWAMA should not have been incorporated in the City's audit to begin with. Now, their audits can proceed and not be slowed down. We are meeting tomorrow with Councilor Romero-Wirth and Nancy Long (GC for SWAMA and BDD).

They have advertised for a new Controller. The Grants Manager position should be filled in a couple of weeks. They were preparing the job description for the Compliance Officer position.

The RFP for the 2022 Audit will be selected by July 21.

9. ACTION ITEMS: CONSENT AGENDA

- a. Request for Approval of the Regular Governing Body Meeting Minutes for May 11, 2022. (Geraldyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov, 505-955-6519)
Committee Review:
Governing Body: 05/25/2022

- b. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Enchanted Brew, LLC, for a Transfer of Location of Inter-Local Dispenser Liquor License No. 2787 with On Premises Consumption and Patio Service Only from 2408 Sudderth Drive, Ruidoso, to Rad Retrocade, 4250 Cerrillos Road, Space 1296, Santa Fe. (Geraldyn Cardenas, Assistant City Clerk, gfcardenas@santafenm.gov, 955-6519)
Committee Review:
Liquor Hearing: 05/16/2022
Governing Body: 05/25/2022

- c. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Fleur de Lys, LLC, 451 W. Alameda 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 Mille, 451 W. Alameda Street, Santa Fe, Which is Within 300 Feet of The Shrine

of Our Lady of Guadalupe, Located at 417 Agua Fria 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 Mille, 451 W. Alameda Street, Santa Fe.

Committee Review:

Liquor Hearing: 05/16/2022

Governing Body: 05/25/2022

- d. Request for Approval of a Budget Amendment Resolution (BAR) in the Amount of \$289,205 to Cover Lease Payments Due for the LED Streetlights and Solarization Project. (Brad Fluetsch, Planning & Investment Officer: bjfluetsch@santafenm.gov, 505-955- 6885)

Committee Review:

Finance Committee: 05/16/2022

Public Works and Utilities Committee: 05/23/2022

Governing Body: 05/25/2022

- e. Request for Approval of an Agreement with the United States Department of Agriculture (USDA), Forest Service, Santa Fe National Forest (US Forest Service – USFS) for Increased Capacity of Services Provided to USFS for Forest Service Burns. (Nathan Miller, Wildland Superintendent: nfmiller@santafenm.gov; 505-955-3501)

Committee Review:

Finance Committee: 05/16/2022

Public Works Committee: 05/23/2022

Governing Body: 05/25/2022

- f. Request for Approval of a Contract in the Total Amount of \$358,111.80 for a Three-Year Term for Adobe Licensing Via CDW-G. (Manuel Gonzales, ITT Director: mmgonzales@santafenm.gov, 505-955-5531)

Committee Review:

Finance Committee: 05/16/2022

Public Works Committee: 05/23/2022

Governing Body: 05/25/2022

- g. Request for Approval of General Services Contract with Econolite Control Products in the Total Amount of \$499,699.80 excluding NMGRT to Furnish and Install New Traffic Signal Controllers using Funds Allocated by Governing Body on March 9, 2022. (Jose Lerma, Traffic Operations Manager, jnlerma@santafenm.gov, 505-955-2431)

Committee Review:

Finance Committee: 05/16/2022

Public Works & Utilities Committee: 05/23/2022

Governing Body: 05/25/2022

- h. Request for Approval of a Five-Year Agreement to Waive Parking Fees between the City of Santa Fe and Bienvenidos for Volunteers that Work at the Tourist Information Booth on the Plaza. (Noel Correia, Parking Division Director, npcorreia@santafenm.gov, 505-955-6611)

Committee Review:

Finance Committee: 05/16/2022

Public Works & Utilities Committee: 05/23/2022

Governing Body: 05/25/2022

- i. CONSIDERATION OF RESOLUTION NO. 2022-24. (Councilor Rivera and Councilor L. Garcia)

A Resolution Approving Amendment No. 1 to a Municipal Arterial Program Cooperative Grant from the New Mexico Department of Transportation, Identified as Control Number L500429, Granting a Time Extension for the Planning, Design, and Construction of Agua Fria Street and South Meadows Road Intersection Improvements. (Regina Wheeler, Public Works Director, rawheeler@santafenm.gov)

1. Request for Approval of Amendment No. 1 to a Municipal Arterial Program Cooperative Agreement with the New Mexico Department of Transportation for the Planning, Design, and Construction of CIP 853C - Agua Fria and South Meadows Road Intersection Improvements Project. Amendment is for Extension of Agreement Term Only and No Additional Funding. (Regina Wheeler, Public Works Director, rawheeler@santafenm.gov)

Committee Review:

Governing Body (Introduced): 04/27/2022

Public Works and Utilities Committee: 05/09/2022

Finance Committee: 05/16/2022

Governing Body: 05/25/2022

- j. CONSIDERATION OF RESOLUTION NO. 2022-25. (Councilor Rivera, Councilor Chavez, Councilor M. Garcia, Councilor Lindell, Councilor Cassutt, and Councilor Romero-Wirth)

A Resolution Allocating Three and a Quarter Acre Feet of Available Water from the City's Existing Water Supply to the Southside Teen Center.

(Therese Martinez, Project Administrator: tmartinez@santafenm.gov, 955-5937; John Dillon, Project Administrator: jcdillon@santafenm.gov, 955-5936)

Committee Review:

Governing Body (Introduced): 04/27/2022

Public Works and Utilities Committee: 05/09/2022

Finance Committee: 05/16/2022

Quality of Life Committee: 05/18/2022

Governing Body: 05/25/2022

- k. CONSIDERATION OF RESOLUTION NO. 2022-26. (Councilor Rivera and Councilor L. Garcia)

A Resolution Approving Amendment No. 2 to a Municipal Arterial Program Cooperative Grant From the New Mexico Department of Transportation Identified as Control Number L500383 Granting a Time Extension for the Planning, Design, and Construction of Agua Fria Street and South Meadows Road Intersection Improvements. (Regina Wheeler, Public Works Director, rawheeler@santafenm.gov)

1. Request for Approval of Amendment No. 2 to a Municipal Arterial Program Cooperative Agreement with the New Mexico Department of Transportation for the Planning, Design, and Construction Of CIP 853C Agua Fria and South Meadows Road Intersection Improvements Project. Amendment is for Extension of Agreement Term Only and No Additional Funding. (Regina Wheeler, Public Works Director, rawheeler@santafenm.gov)

Committee Review:

Governing Body (Introduced): 04/27/2022

Public Works and Utilities Committee: 05/09/2022

Finance Committee: 05/16/2022

Governing Body: 05/25/2022

10. ACTION ITEMS: DISCUSSION AGENDA

There were no action items on this agenda.

11. MATTERS FROM THE CITY MANAGER

Manager Blair reported to the Governing Body regarding a conference he attended on the IT upgrades and saw that it will provide greater efficiency for the City. Many other cities are going through that same upgrade, and some had anxiety about it. The estimated log-in would be in January 2023 to the new system. He added there will be an option for training Staff and to test a scenario on the system to see what can be done and alleviate fears about the transition.

He updated the Governing Body on employees with an uptick in positive COVID testing and ensuring compliance with the DOH protocols and how to navigate the

scenario from pandemic to endemic. The City is working on employing a new remote work policy.

He was proud of the Literary Festival last weekend which had a significantly large number of people downtown in restaurants and hotels. He thanked all Staff who helped them feel comfortable. Our communications team is working hard on summer activities to ensure all people understand all they can do here.

June is Pride Month Parade on June 25 and will try to have an all-clear for employees to march. Meeting time at 11 at PERA Building for the parade.

Mayor Blair wondered about going into executive session at 6:36 since Petitions were usually heard around 7:00.

12. **MATTERS FROM THE CITY ATTORNEY**

Ms. McSherry estimated the executive session would be fairly short.

Ms. McSherry recommended going into executive session pursuant to OMA 10-15-1 (H) (5), discussion of strategies in collective bargaining negotiations.

EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(5), Discussion of Bargaining Strategy Preliminary to Certain Collective Bargaining Negotiations. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov; 505-955-6512)

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Cassutt, to enter closed executive session, pursuant to the Open Meetings Act, Section 10-15-1 (H)(5) for discussion of bargaining strategy preliminary to certain collective bargaining negotiations.

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

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

Against: None.

The Governing Body went into executive session at 6:39 p.m.

The Governing Body ended the executive session at 7:12 p.m.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, pursuant to the Open Meetings Act, Section 10-15-1 (J), that the Governing Body reconvene in open session, stating for the record that the matters discussed in closed session were limited to those specified in the motion for closure.

VOTE: The motion was approved on a unanimous voice vote.

AMENDMENT TO THE AGENDA

MOTION: Councilor Chavez moved, seconded by Councilor Romero-Wirth, to immediately hear petitions from the floor next and then resume the regular agenda.

VOTE: The motion was approved on a unanimous voice vote.

PETITIONS FROM THE FLOOR

Alice Bedard Gorgey heard from Councilor Cassutt that due diligence was underway with issues at the dog park. She asked if that process has been completed and where the information will be given to the public regarding the due diligence.

Mayor Webber said, "We will take your comments now and try to get back to you at a later date."

Karla Harvey lives in District 1. She told the Governing Body that the Zoom credentials published for this meeting tonight were not functional. She was a pretty tech-savvy person but could not get it to work. She gave the notice because she knew many dog advocates were planning to make their petitions via Zoom but were unable to do that. She appreciated what the City said on due diligence on the Garcia land donation, and the public needed to know how it came out and have those reports available eventually.

The Dog Park is a heavily used facility with 40-50 cars she has counted there. And then a whole new batch of cars use the parking lot later. She also provided written comments for the Governing Body.

There were no other petitions from the floor.

Mayor Webber apologized for the misunderstand regarding zoom and said it will be available in June.

The Governing Body resumed the regular order of business at 7:19 p.m.

13. MATTERS FROM THE CITY CLERK

Ms. Cardenas reported the redistricting public hearings were still going on. Two more in person will be noticed in the newspaper in June. Announcements will be coming for Summer Days events.

14. COMMUNICATIONS FROM THE GOVERNING BODY

Councilor Lee Garcia gave his thoughts and prayers for families in Texas and those affected by COVID and by fires in Las Vegas, Mora, Cleveland, Holman, Pecos, etc.

Councilor Cassutt said on the shooting in Texas, she has been trying to find words at her frustration and anger, being a parent of a small child when dropping them off to school. "Will this be the day the unthinkable will happen?" What we have seen through many, many years, she now could not even name every single school where children have been murdered where they were supposed to be getting an education." She didn't think condolences given were enough anymore. "There is nothing we can do except with our strong voices to people who can do more. One thing we will do this weekend on Saturday at 10 a.m. at Martin Luther King Park is a community meeting on how we can protect our kids in Santa Fe and gathering resources for people." Many of her friends are teachers including her mother who for 28 years was a kindergarten teacher. It hits us in a real fear and possibility. We got used to it not happening while in lockdown with COVID and now is happening again. "My heart goes out to those parents and urge us to find ways to keep our kids safe so they can get educated and be with their friends and grow up and live a full life."

Councilor Romero-Wirth had no communications.

Councilor Lindell had no communications.

Councilor Chavez said she has two kids in elementary school. It is unfortunately not the first time she has felt this way. Her other job is dedicated to making sure pupils are safe and questioned if she had any control over that. She felt guilty in the past 48 hours for not being more vocal. We are the ones who can speak to protect them and realized she had not done enough. Those who can do more can be more vocal. Our local government can do more in action, coping, hoping for better. She was full of emotion. Some of the students killed were her son's age. She was choosing to be loud for things that matter. Mental health is a huge problem and for so long. She didn't know the answers but was busy finding out. She hoped others in the community would join me in doing what we can to decrease the possibility of this happening. We need to do something. She hoped

others will join us on Saturday and bring sadness, anger, etc. to motivate us to be brave enough to take the steps needed. Together, we can get somewhere about the world we are bringing our kids up in.

Councilor Villarreal said It has been a hard week in general and the shootings in Uvalde TX were unfathomable with children being murdered. It is very hard, and Santa Fe is a bubble and there is more we can do.

On the fires in Mora, she has friends who have lost property and animals. Hopefully, it won't come here but if we must use the Midtown campus to support displaced people, that we would step up to support and get direction from FEMA or from Director Williams. Talking to her friends in Mora and Las Vegas, she knew water was very important.

Lastly, on a positive note, she wished her partner a happy birthday. "It is good to have him in my life."

Mayor Webber recalled the mass shooting in Buffalo less than 10 days ago. For every 100 Americans there are 120 guns in the nation. Over 230 mass shootings in 2022 and most have taken place in our schools. Here in New Mexico is a state constitutional law that says the local governments can't have a stricter gun law than the State has. We are preempted by things our Councilors want to do but prevented from doing them. We will do everything we can do to keep us safe.

On the weekend of June 5, part of the national movement is to say we've had enough of gun violence and will speak out on what our nation and state needs to take to be responsible.

There are other issues – fires, COVID (which are spiking) We all need to take the steps to protect people in our community.

During the next couple of days, he pledged to sign an order for prohibiting access to trails leading to forests, outdoor grilling, camping sites and trails closed to the public. It is an extraordinary situation, not just from existing fires but from activity that could spark a fire in the City. We need to take extra precautions. There will be an emergency meeting on Tuesday at 10:30 to extend the order.

He mentioned the speech of Ambassador Ivanovich at the Literary Festival. She was inspiring. She is brilliant and transformed Foreign Service, decorated, and had her reputation besmirched. We should all admire her. The literary event was a tremendous success and there is already talk about next year of the Literary Festival.

Santa Fe Century kicked off Sunday morning with bicyclists everywhere. We are well on to the fun season in our town. Please enjoy the experiences you want to remember, family oriented. Let's fight against darkness but celebrate the light.

Councilor Chavez gave a shout out to Noel Correa in Parking. She wanted to highlight his work with her and delighted with the brilliance of all City Staff.

She gave a Happy Birthday to her mom who turned 40 again. Her mother was her inspiration and felt she would be nothing without her. "She pushes me every day to do more. Thank you for all you do and for being my hero."

15. INTRODUCTION OF LEGISLATION

- a. CONSIDERATION OF BILL NO. 2022-___. (Mayor Webber, Councilwoman Villarreal, and Councilor Lindell)

An Ordinance Amending Section 23-6.3 to Align the Designated Drinking Area Buffer Requirements with State Requirements, to Require the Use of Recyclable or Compostable Alcoholic Beverage Containers for Events on City Property, and to Permit Tasting of Mixed Beverages Containing Liquor on City Property. (Kristine Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 955-6327)

Committee Review:

Governing Body (Introduced): 05/25/2022

Governing Body (Public Comment): 06/08/2022

Quality of Life Committee: 06/15/2022

Public Works and Utilities Committee: 06/27/2022

Governing Body (Public Hearing): 06/29/2022

Ms. Cardenas read the caption for this item.

Councilor Villarreal explained what this proposed bill does. The focus for her was the buffer piece and consistent with the designated drinking area – to have the barrier at least six feet high (a State requirement). She thought about how much waste occurs in wine tasting so she added the containers must be of recyclable or compostable material.

- b. CONSIDERATION OF RESOLUTION NO. 2022-27. (Councilor M. Garcia and Councilor L. Garcia)

A Resolution Specifying that the Down Payment Assistance Program Included in the FY23 Budget Be Available to All Full-Time City Employees. (Bernadette Salazar, Human Resources Department Director: bjsalazar@santafenm.gov, 955-6591)

Committee Review:

Governing Body (Introduced): 05/25/2022

Quality of Life Committee: 06/01/2022

Governing Body: 06/08/2022

Ms. Cardenas read caption for this item.

Councilor Lee Garcia said this program includes all full-time City employees with a program equitable to all – giving parity, inclusive, a pilot program to give all a chance to have access to this program. We will be working on it throughout.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Cassutt, to refer this legislation to the Finance Committee.

Discussion on the Motion:

Councilor Romero-Wirth quoted from new procedural rules in IV-A-4 and pointed out that this bill was referred only to the Quality of Life Committee but involves a financial matter.

Councilor Lee Garcia pointed out it did not need an FIR and only enlarged the groups who would benefit so he asked why it would have to go to Finance.

Councilor Romero-Wirth replied that while we have budgeted for it, she disagreed about the fiscal impact. It does have an impact and that is the purview of the Finance Committee to recommend how budget money is allocated. So, there are financial implications, and she didn't know why we would not refer to Finance. Past bills without finances have been referred to Finance, too. It should come to Finance.

Councilor Lee Garcia referred to the City Attorney and a discussion with Mr. Guillen on which committees were offered. She thought Finance was offered but not required.

Ms. McSherry was not sure about the conversation with Mr. Guillen. She read from the Code on the definition of Finance Committee. It doesn't have to go to this committee but may be referred there.

Councilor Lee Garcia didn't want to exclude anybody in discussing the process.

Councilor Lindell appreciated that. But if it doesn't go to Finance, it excluded her.

Councilor Villarreal opined that the way it was written now had no fiscal impact, but it would be okay since we've talked about \$750,000 not being enough and the need to increase the allocation. So, because of that reason, she would like to see it go to Finance.

Councilor Chavez agreed it needs to go to Finance. She agreed it would create other line items and she would like to see that Committee weigh in.

Ms. McSherry clarified there was no budget adjustment related to this. There is no request for a budget adjustment. So, an increase in the budget would need introducing in a different way.

Councilor Villarreal thought it could still be amended for a budget increase.

Ms. McSherry thought that should be a different resolution – to change the budget because increasing one thing requires a decrease in another place since the budget must be balanced. The only way to get a BAR would be for staff to submit one.

Mayor Webber summarized the two factors. First was relevance which it passes. We adopted a courtesy here when a committee wants to hear it. It is more opportunity for transparency and more discussion and more voices to be heard. So, it passes both factors.

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

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

Against: None.

- c. CONSIDERATION OF RESOLUTION NO. 2022-___. (Councilor Rivera, Councilor Romero-Wirth, Councilwoman Villarreal)
A Resolution Proclaiming Severe or Extreme Drought Conditions Exist in the City of Santa Fe; Imposing Fire Restrictions From June 11, 2022, to July 10, 2022; Banning 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)
Committee Review:
Governing Body (Introduced): 05/25/2022
Quality of Life Committee: 06/01/2022
Governing Body (Public Hearing): 06/08/2022

Ms. Cardenas read the caption.

Councilor Romero-Wirth noted under state law, we must do this every month. She thanked Councilor Rivera for getting this in place ahead of the

curve and keeping the community safe. She was proud to cosponsor and follow his leadership.

Councilor Villarreal supported this and felt it was extremely important with the drought we have. There should also be a fire readiness added to it. She was trying to figure out how to do that. She listed the recommendations from SFFD with wildfire assessment and wanted to see how it would fare in the committees and run it past legal.

- d. **CONSIDERATION OF BILL NO. 2022-__.** (Mayor Webber)
An Ordinance Amending Section 23-5.2 SFCC 1987 to Specify that Major Commercial Events are Not Entitled to Use City Property that is Otherwise Leased by the City. (Terry Lease, Asset Development Manager: tjlease@santafenm.gov, 629-2206)
Committee Review:
Governing Body (Introduced): 05/25/2022
Governing Body (Public Comment): 06/08/2022
Quality of Life Committee: 06/15/2022
Public Works and Utilities Committee: 06/27/2022
Finance Committee: 07/04/22
Governing Body (Public Hearing): 07/13/22

Ms. Cardenas read the caption

Mayor Webber explained this comes as a result of COVID for restaurant seating and social distancing, to use sidewalks or other right-of-way for dining areas. It became a popular feature and now we want to provide it for our outdoor diners and enter leases with dining establishments. And commercial events and prevents leases in areas to be used for commercial events.

16. **PETITIONS FROM THE FLOOR**

Petitions were considered earlier in the meeting.

17. **PUBLIC COMMENT (First Public Comment, No Action)**

- a. **CONSIDERATION OF BILL NO. 2022-__.** (Councilor Romero-Wirth and Councilor Cassutt)
An Ordinance Relating to the City of Santa Fe Uniform Traffic Ordinance (“UTO”); Amending Section 7 of Schedule A to Prohibit the Municipal Court From Notifying the Motor Vehicle Division of the State of New Mexico When a Person Fails to Pay a Penalty Assessment Within the

Required Period of Time. (Kyle Hibner, City Prosecutor: khibner@santafenm.gov, 955-5195)

Committee Review:

Governing Body (Introduced): 05/11/2022

Governing Body (Public Comment): 05/25/2022

Quality of Life Committee: 06/01/2022

Governing Body (Public Hearing): 06/29/2022

Ms. Cardenas read the caption and said Kyle Hibner, the City Prosecutor, was present.

Mr. Hibner shared an overview of this legislation and used a power point to present it. He explained this would prohibit the Municipal Court from sending notice to the State because MVD can suspend a person's license for not paying fines on time. He showed a red line version of the change in Schedule A, Section 7 (C)

Mayor Webber explained this is not for action – just public comment – and he invited public comment.

Monica Ault, an attorney, and Director of the Judicial Center, speaking in support of this legislation. She said the purpose of the ordinance is to get dangerous drivers off the road, but, as written, can also be used to punish people who miss court appointments and those who cannot afford to pay fines. The ordinance forces them to make an impossible choice. She explained the collateral consequences that could happen without a license. Over 40% who lose their license, also lose their job as verified in a study by the University of Arizona on its economic impact. The bottom line is that this change will improve Santa Fe's work force. People need a car to get to work and employers need employees who can drive. She appreciated the time here and she will follow the bill through the process. Please approve this bill.

Amber Carol, with the New Mexico Advisory Board on Fines and Fees, read a statement to the Governing Body.

There were no others.

18. FINAL ACTION ON LEGISLATION (Public Hearing)

- a. CONSIDERATION OF BILL 2022- 9. ADOPTION OF ORDINANCE 2022-08. (Councilor Romero-Wirth, Councilor Cassutt, Councilor Chavez, and Councilwoman Villarreal)

An Ordinance Amending Section 20-4.1 to Remove Reference to Remote Participation in Governing Body or City Council Standing Committee

Meetings; and Creating a New Section 1-9 SFCC 1987 to Allow Governing Body Members to Attend Governing Body and City Council Standing Committee Meetings Remotely. (Erin McSherry, City Attorney, ekmcsberry@santafenm.gov, 505-955-6961)

Committee Review:

Governing Body (Introduced): 04/13/2022

Governing Body (Public Comment): 04/27/2022

Quality of Life Committee: 5/4/2022

Public Works and Utilities Committee: 05/09/2022

Governing Body (Public Hearing): 05/25/2022

Ms. Cardenas read the caption for this item.

Ms. McSherry explained the City didn't have a local rule on remote participation, so we adopted one before the pandemic and were glad we had it then. It was adopted in 2019 and early in the pandemic added it for Committee members and this would take it out of the emergency ordinance and put it in our code as a permanent code item.

Councilor Villarreal pointed out that if we had it now, Councilor Michael Garcia would be with us remotely.

Ms. McSherry clarified that we do have the emergency ordinance currently but not the technology for hybrid meetings. We will try to enable the hybrid use in June. The emergency approval expires on June 6.

Councilor Lee Garcia asked when the technology would be available.

Manager Blair did not know but pointed out there would be three meetings in June with large public participation. With the technology in place, we will be able to take people in person and remotely.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Cassutt, to approve the ordinance 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 Romero-Wirth, and Councilor Villarreal.

Against: None.

- b. CONSIDERATION OF BILL NO. 2022-10. ADOPTION OF ORDINANCE 2022-09. (Councilor Romero-Wirth, Councilor Cassutt, Councilor Chavez) An Ordinance Relating to the City Of Santa Fe Uniform Traffic Ordinance (“UTO”); Creating a New Section 5 of Schedule B of the UTO to Create the Low-Income Financial Equity (“Life”) Parking Program. (Noel Correia, Parking Division Director: npcorreia@santafenm.gov, 505-955-6611)

Committee Review:

Governing Body (Introduced): 04/13/2022

Governing Body (Public Comment): 04/27/2022

Quality of Life Committee: 05/04/2022

Public Works and Utilities Committee: 05/09/2022

Finance Committee: 05/16/2022

Governing Body (Public Hearing): 05/25/2022

Ms. Cardenas read the caption for this item.

Director Correia was not present.

Councilor Romero-Wirth explained this bill creates the LIFE parking program to provide qualified people to pay a reduced parking penalty with a 60% reduction of total parking debts for the first time and 25% for the second time. They can only participate twice within a rolling 5-year term.

Councilor Chavez said some constituents had voiced concerns to her that it would reduce the income the City would receive. She clarified it would actually increase the revenue by giving a more manageable program for low-income folks. It would be a plan for them to get out of debt from penalties and fines.

Public Hearing:

There were no public comments on this item.

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

Discussion on the Motion:

Councilor Villarreal said it was unclear how Staff could track it. We need to protect the right people with it. She hoped the process could be clear and was sorry Director Correia wasn't present to address that. She had asked him for more information on it and guessed she would hear after the fact. She would like a progress report on the outcome. People could benefit if they knew it was there. She said she did support it.

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

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

Against: None.

19. PUBLIC HEARINGS

There were no public hearings scheduled at this meeting.

20. APPOINTMENTS

- a. Appointment of the City of Santa Fe's Emergency Management Director Brian Williams to the City's "Local Coordinator of Emergency Management." (Kyra Ochoa, Community Health, and Safety Department Director: krochoa@santafenm.gov, 505-955-6603)

Ms. Cardenas read the caption for this appointment.

Director Ochoa presented the appointment. The Governing Body appoints the local coordinator. The City has never needed an emergency manager to the extent we have in the last three years. Brian Williams was interim, and he is very experienced with a professional relationship in the State. Our definition of emergency was time-bound but with the pandemic, Mr. Brian Williams has led us through the worst with all scenarios including active shooter. He is even finding funding for compensation from the 2015 flood we experienced. She hoped the Governing Body will join her in applauding Brian Williams for his fine work.

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

Discussion on the Motion:

Director Williams appreciated the support of Director Ochoa, Manager Blair, and all Governing Body members. Santa Fe has room to grow and thank you for supporting this to make Santa Fe a safer and more resilient place.

Mayor Webber noted he keeps astounding hours and is always present for incidents that are considered an emergency and makes a big difference.

Councilor Lindell agreed. She said when you call him, he answers and when you text him, he replies instantly. Whenever she calls, she has a reason and was very glad for his responses.

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

For: Mayor Webber, Councilor Cassutt, Councilor Chavez, Councilor L. Garcia, Councilor Lindell, 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 8:26 p.m.

Approved by:



Mayor Alan Webber

ATTESTED TO:



Kristine Bustos Mihelcic, City Clerk

Respectfully submitted by:



Carl G. Boaz, Council Stenographer

**GOVERNING BODY MEETING
EXECUTIVE SESSION
May 25, 2022**

The Governing Body of the City of Santa Fe met in an executive session duly called on May 25, 2022, beginning at 6:43 p.m.

The following was discussed:

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(5), Discussion of Bargaining Strategy Preliminary to Certain Collective Bargaining Negotiations. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov; 505-955-6512)

PRESENT

Mayor Webber
Councilor Cassutt
Councilor Chavez
Councilor L. Garcia
Councilor Lindell
Councilor Romero-Wirth
Councilwoman Villarreal

STAFF PRESENT

John Blair, City Manager
Erin McSherry, City Attorney
Geraldyn Cardenas, Assistant City Clerk
Bernadette Salazar, HR Director
Chris Ryan, Assistant City Attorney

There being no further business to discuss, the executive session adjourned at 7:06 p.m.



Geraldyn F. Cardenas, Assistant City Clerk