



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
JULY 13, 2022  
5:00 PM  
COUNCIL CHAMBERS  
CITY HALL  
200 LINCOLN AVENUE

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## 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.

**Live Public Comment:** Members of the public may provide public comment in person during *Petitions from the Floor*, *Public Comment*, *Final Action on Legislation*, or *Public Hearings*.

**Virtual 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://santafem-gov.zoom.us/j/85373520368>.

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 (253) 215-8782 - Webinar ID: 853 7352 0368**

Phone attendees should press \*9 to use the "Raise Hand" function to be recognized by the Mayor to speak at the appropriate time.

The agenda and packet for the meeting will be posted at <https://santafe.primegov.com/public/portal>.



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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 Lee Garcia

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT AGENDA**

8. **PRESENTATIONS**

- a. FY21 Audit Status Update; (Ricky Bejarano, Interim Assistant Finance Director)
- b. Presentation of the Independent Citizen's Redistricting Commission's Final Action of the Redistricting Map Concepts. (Brian Sanderoff, President, Research and Polling, Inc.; Lilliemae Ortiz, Chair of the Independent Citizen's Redistricting Commission, Kristine Bustos Mihelcic, Community Engagement Director/City Clerk: [kmmihelcic@santafenm.gov](mailto:kmmihelcic@santafenm.gov), 505-955-6520 and Geralyn Cardenas, Assistant City Clerk; [gfcardenas@santafenm.gov](mailto:gfcardenas@santafenm.gov), 505-955-6519)
- c. City of Santa Fe Water Supply and Demand Update January – June 2022. (Jesse Roach, Division Director, [jdroach@santafenm.gov](mailto:jdroach@santafenm.gov); 505-955-4309)



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- d. Midtown Moving Forward: Progress Report. Midtown Land Development Plans: Overview of Early Neighborhood Notification (ENN) meeting scheduled for July 14, Thursday, 5:30-7 pm. (Progress Report by Richard Brown, Director of Economic Development; Daniel Hernandez, Proyecto, Redevelopment Project Manager; Lee Logston, Office of Economic Development).

## 9. ACTION ITEMS: CONSENT AGENDA

- a. Request for Approval of the June 29, 2022 Regular Governing Body Meeting Minutes. (Geraldyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov, 505-955-6519)

**Committee Review:**

Governing Body: 07/13/2022

- b. Request for Approval of Amendment No. 1 to Service Contract 20-0366 Increasing Compensation in the Amount of \$250,000 to a Total Amount of \$850,000 Plus NMGRT for On-Call Vegetation Management Services with Steamer, Inc., dba Proscapes Landscape Management. (Scott A. Overlie, Parks Division Project Administrator, saoverlie@santafenm.gov, 505-955-2114)

**Committee Review:**

Finance Committee: 07/05/2022

Public Works & Utilities Committee: 07/11/2022

Governing Body: 07/13/2022

- c. Request for Approval of Amendment No. 1 to Construction Agreement 22-0031 with A.A.C Construction, LLC (AAC) for ITB 22/15/B Richards Avenue East and Campo Conejo Master Meter Vaults CIP # 960 for an Extension of Time Only, from June 30, 2022 through June 30, 2023, Due to Supply Chain Disruptions and Ongoing Negotiations with the Santa Fe County. (Bill Huey, Engineer, bchuey@santafenm.gov, 505-955-4273)

**Committee Review:**

Public Works and Utilities Committee: 06/06/2022

Finance Committee: 06/20/2022

Governing Body: 07/13/2022



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- d. Request for Approval of Amendment No. 1 to Service Agreement 21-0379 to Extending Term to June 30, 2023 to Replace Ft Marcy Roof and Skylights; with First Mesa Construction, Inc. (Josh Bohlman, jbohlman@santafenm.gov, 505-955-5932)

**Committee Schedule:**

Finance Committee: 07/05/2022

Public Works and Utilities Committee: 07/11/2022

Governing Body: 07/13/2022

- e. Request for Approval of Sole Source Procurement for Services Contract with James, Cooke and Hobson, Inc. (JCH) for a Total Amount of \$798,602 for Netzsch and Flygt Pumps Replacement and Other Repairs. (Mike Dozier, Wastewater Management Division Director, mldozier@santafenm.gov)

1. Request for Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of \$798,602.

**Committee Review:**

Public Works and Utilities Committee: 06/27/2022

Finance Committee: 07/05/2022

Governing Body: 07/13/2022

- f. Request for Approval of a Professional Services Agreement (PSA) with Aecom Technical Services, Inc. to Provide On-Call Engineering Services for Capital Improvements In The Total Amount of \$542,188 Inclusive of NMGRT. (John Del Mar, Engineering Supervisor, jpdelmar@santafenm.gov, 505-955-4231)

1. Request for Approval of a Budget Adjustment Resolution (BAR) In The Total Amount of \$542,188.

**Committee Review:**

Public Works and Utilities Committee: 06/27/2022

Finance Committee: 07/05/2022

Governing Body: 07/13/2022

- g. Request for Approval of Three-Year Memorandum of Understanding (MOU) between the City of Santa Fe and Santa Fe County to Purchase Parking



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Permits from the City for Parking at the Santa Fe Community Convention Center Municipal Parking Garage Located at 119 S. Federal Place. (Noel Correia, Parking Division Director, 505-955-6611, npcorreia@santafenm.gov)

**Committee Review:**

Finance Committee: 07/05/2022

Public Works & Utilities Committee: 07/11/2022

Governing Body: 07/13/2022

- h. Request for Approval of Amendment No. 6 to the PSA with Vladimir Jones (PRACO) in the Total Amount of \$1,850,000 for Advertising Agency Services for TOURISM Santa Fe for FY23. (Randy Randall, Tourism Santa Fe Director: rrandall@santafenm.gov, 505-955-6209)

**Committee Review:**

Finance Committee: 06/20/2022

Quality of Life Committee: 07/06/2022

Governing Body: 07/13/2022

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

## EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(7), Attorney-Client Privileged Discussion Regarding Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Participant, Including a Potential Foreclosure to Recover on a City Lien, and the Opportunity to Join Other Local Governments in Amici Briefs in Two Cases: *Merrill v. Milligan*, a Voting Rights Act Case Pending Before the U.S. Supreme Court, Encouraging the Court to Retain its Existing Section 2 Standards Regarding Considering Race in Drawing Electoral Districts; and *303 Creative v. Elenis*, a First Amendment, Free Speech Case, Pending Before the U.S. Supreme Court, Supporting Upholding State of Colorado's Anti-Discrimination Laws for Places of Public Accommodation. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov, 505-955-6512)



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## 13. EXECUTIVE SESSION ACTION ITEMS

- a. Approval to Join Other Local Governments in an Amicus Brief in Support of the Plaintiffs in *Merrill v. Milligan*, a Voting Rights Act Case Pending Before the U.S. Supreme Court, Encouraging the Court to Retain its Existing Section 2 Standards Regarding Considering Race in Drawing Electoral Districts. (Erin K. McSherry, City Attorney: [ekmcsberry@santafenm.gov](mailto:ekmcsberry@santafenm.gov); 505-955-6512)
- b. Approval to Join Local Governments in Support of the State of Colorado in *303 Creative v. Elenis*, a First Amendment, Free Speech Case, Pending Before the U.S. Supreme Court, Supporting Upholding State of Colorado's Anti-Discrimination Laws for Places of Public Accommodation. (Erin K. McSherry, City Attorney: [ekmcsberry@santafenm.gov](mailto:ekmcsberry@santafenm.gov); 505-955-6512)

## 14. MATTERS FROM THE CITY CLERK

## 15. COMMUNICATIONS FROM THE GOVERNING BODY

## 16. INTRODUCTION OF LEGISLATION (NO ACTION)

- a. CONSIDERATION OF RESOLUTION NO. 2022-\_\_\_. (Councilor Romero-Wirth and Councilor Cassutt)  
A Resolution Adopting New Procedural Rules for City Council Standing Committees. (Jesse Guillen, Legislation and Policy Innovation Manager: [jbg Guillen@santafenm.gov](mailto:jbg Guillen@santafenm.gov), 955-6518)

### **Committee Review:**

Governing Body (Introduced): 07/13/2022

Quality of Life Committee: 07/20/2022

Public Works and Utilities Committee: 07/25/2022

Finance Committee: 08/1/2022

Governing Body: 08/10/2022

- b. CONSIDERATION OF BILL NO. 2022-\_\_\_. (Councilor Romero-Wirth, Mayor Webber, and Councilor Chavez)  
An Ordinance Repealing Section 10-11 of SFCC 1987; Creating a New Section 10-11 to Establish an Ordinance Relating to Shopping Carts; Incentivizing Retail Establishments to Ensure Their Shopping Carts Remain



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on Their Property; Imposing a Fee for Shopping Cart Return; and Establishing an Effective Date. (Kristine Mihelcic, City Clerk: [kmmihelcic@santafenm.gov](mailto:kmmihelcic@santafenm.gov), 955-6327; Jesse Guillen, Legislation and Policy Innovation Manager: [jbguillen@santafenm.gov](mailto:jbguillen@santafenm.gov), 955-6518)

**Committee Review:**

Governing Body (Introduced): 07/13/2022  
Governing Body (Public Comment): 07/27/2022  
Quality of Life Committee: 08/03/2022  
Finance Committee: 08/15/2022  
Governing Body (Public Hearing): 08/31/2022

- c. CONSIDERATION OF BILL NO. 2022-\_\_\_. (Councilwoman Villarreal and Councilor Rivera)  
An Ordinance Amending SFCC 1987 Section 23-5.1 to Add Definitions for “Cultural Event” and “Small Commercial Event”; and Amending SFCC 1987 Section 23-5.2 to Allow up to Eight (8) Small Commercial Permits for Cultural Events on the Plaza Including Juneteenth, Indigenous People’s Day, and Six Additional Events Selected by Lottery. (Melissa McDonald, Parks Division Director: [mamcdonald@santafenm.gov](mailto:mamcdonald@santafenm.gov), 955-6840)

**Committee Review:**

Governing Body (Introduced): 07/13/2022  
Governing Body (Public Comment): 07/27/2022  
Quality of Life Committee: 08/03/2022  
Public Works and Utilities Committee: 08/08/2022  
Economic Development Advisory Committee: 8/10/2022  
Finance Committee: 08/15/2022  
Governing Body (Public Hearing): 08/31/2022

- d. CONSIDERATION OF RESOLUTION NO. 2022-\_\_\_. (Councilor Rivera, Councilor Romero-Wirth, Councilwoman Villarreal, Councilor Cassutt, and Councilor Chavez)  
A Resolution Proclaiming Severe or Extreme Drought Conditions Exist in the City of Santa Fe; Imposing Fire Restrictions August 10, 2022, to September 10, 2022; Banning the Sale or Use of Fireworks Within the City of Santa Fe; Encouraging Residents to Prepare a Personal Wildfire Action Plan; and Encouraging Residents to Follow the Fire Department’s Fire



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Readiness Guidelines. (Geronimo Griego, Fire Marshal;  
gggriego@santafenm.gov, 955-3310)

**Committee Review:**

Governing Body (Introduced): 07/13/2022

Quality of Life Committee: 07/20/2022

Governing Body: 07/27/2022

- e. CONSIDERATION OF RESOLUTION NO. 2022-\_\_\_. (Councilor Lindell, Mayor Webber, Councilor Villarreal, Councilor L. Garcia, Councilor M. Garcia, Councilor Chavez)

A Resolution Authorizing the Sale and Consumption of Alcohol During the Annual Burning of Zozobra Community Event Produced by the Kiwanis Club of Santa Fe, Inc., a Non-Profit Organization at Fort Marcy, During the Friday of Labor Day for the Years 2022-2025, Pursuant to SFCC 1987 Subsection 23-6.2. (Kristine Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 955-6327)

**Committee Review:**

Governing Body (Introduced): 07/13/2022

Finance Committee: 07/18/2022

Quality of Life Committee: 07/20/2022

Governing Body: 07/27/2022

- f. CONSIDERATION OF RESOLUTION NO. 2022-\_\_\_. (Councilor M. Garcia, Councilor Rivera, Mayor Webber, Councilor Romero-Wirth, Councilor Chavez, Councilwoman Villarreal, Councilor Cassutt, Councilor L. Garcia)

A Resolution Updating the Terms of Approval Included in Resolution Nos. 2020-24 and 2022-9 to Change the Permitted Location of Banners Commemorating "Hometown Heroes" From the Cerrillos Road Corridor to the Railyard, Guadalupe Street, and the Greater Downtown Area. (John Blair, City Manager: jwblair@santafenm.gov)

**Committee Review:**

Introduced: 07/13/22

Quality of Life Committee: 07/20/22

Public Works and Utilities Committee: 7/25/22

Governing Body: 7/27/22

17. **PETITIONS FROM THE FLOOR**



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18. **PUBLIC COMMENT ON BILLS (NO ACTION)**

19. **FINAL ACTION ON LEGISLATION**

- a. **CONSIDERATION OF BILL 2022-12. ADOPTION OF ORDINANCE NO. 2022-\_\_\_\_\_.** (Mayor Webber, Councilor Romero-Wirth, Councilor M. Garcia, Councilor Lindell, Councilor Chavez)

An Ordinance Amending Section 10-5.2 SFCC 1987 To Add An Enforcement Reference; Amending Section 10-5.3 To Add And Amend Definitions; Repealing Section 10-5.4 Regarding Notice; Amending Section 10-5.6 To Clarify To What Types Of Vehicles The Junk Vehicle Ordinance Applies; Amending Section 10-5.8 To Update The Effective Date Of The Ordinance And Allow A Two-Year Assessment; And Amending Subsection 14-6.3(B) To Specify Vehicle Parking And Storage Requirements. (Patricia Feghali, Assistant City Attorney: pfeghali@santafenm.gov, 505-955-6501).

**Committee Review:**

Governing Body (Introduced): 04/13/2022

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

Planning Commission: 06/02/2022

Public Works and Utilities Committee: 06/06/2022

Quality of Life Committee: 06/15/2022

Governing Body (Public Hearing): 07/13/2022

- b. **CONSIDERATION OF BILL NO. 2022-13. ADOPTION OF ORDINANCE NO. 2022-\_\_\_\_\_.** (Mayor Webber, Councilwoman Villarreal, Councilor Lindell, and Councilor Cassutt)

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; Jesse Guillen, Legislation and Policy Innovation Manager: jbg Guillen@santafenm.gov, 955-6518)

**Committee Review:**

Governing Body (Introduced): 05/25/2022

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



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Quality of Life Committee: 06/15/2022 (Adopted Amendment)  
Public Works and Utilities Committee: 06/27/2022  
Governing Body (Public Hearing): 07/13/2022

- c. CONSIDERATION OF BILL NO. 2022-14. ADOPTION OF ORDINANCE 2022-\_\_\_\_. (Councilor Romero-Wirth, Councilor Cassutt, Councilwoman Villarreal)

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](mailto:kjhibner@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): 07/13/2022

20. **PUBLIC HEARINGS**

21. **APPOINTMENTS**

- a. Women’s Commission (Julie Sanchez; Division Director Youth and Families Services Division: [jssanchez@santafenm.gov](mailto:jssanchez@santafenm.gov), 505-955-6678)
- Wendy Pomeroy – Appointment – Term Ending 11/2022
  - Sheila Vaughn – Appointment – Term Ending 11/2022
  - Gloria Martinez-Friestad – Appointment – Term Ending 11/2022
  - Olivia Sloan – Reappointment – Term Ending 11/2022
  - Candice Flint – Reappointment – Term Ending 11/2022
  - Araseli Varela – Reappointment – Term Ending 11/2022
- b. Planning Commission (Jason Kluck, Director, Planning and Land Use: [jmkluck@santafenm.gov](mailto:jmkluck@santafenm.gov), 505-955-6729)
- Peter Smith – Reappointment – Term Ending 7/2024

22. **ADJOURN**



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