



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
SEPTEMBER 28, 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.

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 public comment during *Petitions from the Floor*, *Public Comment*, *Final Action on Legislation*, or *Public Hearings* virtually, 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/84466417177>.

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: 844 6641 7177**

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>.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

Councilor Cassutt

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

Councilor Lindell

4. **INVOCATION AND REMEMBRANCES**

Councilor Romero-Wirth

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT AGENDA**

8. **PRESENTATIONS**

- a. FY21 Audit Update (Emily Oster, Finance Director, 505-629-3411, ekoster@santafenm.gov and Ricky Bejarano, Chief Accounting Officer, rabejarano@santafenm.gov; 505-629-6988)

9. **ACTION ITEMS: CONSENT AGENDA**

- a. Request for Approval of the September 14, 2022 Regular Governing Body Meeting Minutes. (Gerald Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov, 505-955-6519)

Committee Review:

Governing Body: 09/28/2022

- b. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Chapin and Mex Restaurant, LLC, for a Restaurant A (Beer and Wine) Liquor License with On-Premises Consumption, to be Located at Chapin and Mex Restaurant, 6417 Airport Road, Suite 100, Santa Fe. (Alexandria Mares, Marketing & Special Events Coordinator: armares@santafenm.gov, 505-955-6520)

Committee Review:

Liquor Hearing: 09/19/2022

Governing Body: 09/28/2022

- c. Request for Approval of Purchase for Two (2) Automated Side Load (ASL) Collection Vehicles for Residential Recycling, and Residential Waste Collection Services with Bruckner's Truck Sales, Inc. Via Cooperative Education Services in the Total Amount of \$814,406. (Lawrence Garcia, ESD Maintenance Manager, lmgarcia@santafenm.gov, 505-955-2241)

Committee Review:

Public Work and Utilities Committee: 09/12/2022

Finance Committee: 09/19/2022

Governing Body: 09/28/2022

- d. Request for Approval of Professional Services Agreement with the New Mexico Office of Archeological Studies for Archeological Services to the Water Division Construction Projects in the Total Amount of \$100,000 Excluding NMGRT. (Bill Huey, Water Division Engineer: bchuey@santafenm.gov)

Committee Review:

Public Works and Utilities Committee: 09/12/2022

Finance Committee: 09/19/2022

Governing Body: 09/28/2022

- e. Request for Approval of Amendment No. 1 to Item #21-0544 with John Shoemaker and Associates (JSAI) to Provide Water Rights and Hydrogeologic Technical Services for the City of Santa Fe Water Division for FY2023 in the Total Amount of \$197,560 Exclusive of NMGRT. (William Schneider, Water Resources & Conservation Manager: whcschneider@santafenm.gov)

Committee Review:

Public Works and Utilities Committee: 09/12/2022

Finance Committee: 09/19/2022

Governing Body: 09/28/2022

- f. Request for Approval of Amendment No.1 to the Service Agreement, Contract # 22-0205, with B&D Industries for the Complete Replacement of the Ft. Marcy Pool Deck and Unforeseen Structural Issues, Increasing the Compensation in the Amount of \$257,622.08. (Sam Burnett, Facilities Division Director: jsburnett@santafenm.gov; 505-955-5933 and Joshua Bohlman, Project Administrator: jbohlman@santafenm.gov; 505-469-2807)

1. Request for Approval of Budget Adjustment Resolution (BAR) in the Amount of \$250,000 From the Recreation Department Fund.

Committee Review:

Finance Committee: 09/19/2022
Public Works and Utilities Committee: 09/26/2022
Governing Body: 09/28/2022

- g. Request for Approval of Amendment No. 1 to Item #19-0716 with Southwest Landscaping, LLC to Increase the Unit Amount Charged, with No Increase to the Total Contract Amount. (Randy Lopez, Transmission & Distribution Supervisor: rjlopez@santafenm.gov, 505-699-2845)

Committee Review:

Public Works and Utilities Committee: 09/12/2022
Finance Committee: 09/19/2022
Governing Body: 09/28/2022

- h. Request for Approval of Amendment No. 3 to Children, Youth and Families Department (CYFD) Contract Agreement #21-690-3200-20846-3 to Amend ARTICLE III Limitation of Cost to Reflect an Update in Language and a FY23 and FY24 Decrease of Program Growth by \$13,361 for FY23 and FY24 for a Total of \$94,553, for a New Contract Total of \$383,351; Amend to Add Item Y - Trauma Response and Services Training Mandated by KEVIN S., et al. v. BLALOCK, et al., No. 1:18-cv-00896 Settlement Agreement; and Amend Budget Consistent with Amendments to the Cost. (CYFD Alternatives to Detention Grant) (Julie Sanchez, Youth and Family Services Division Director: jjsanchez@santafenm.gov, 505-955-6678).

Committee Review:

Finance Committee: 09/19/2022
Quality of Life Committee: 09/21/2022
Governing Body: 09/28/2022

- i. Request for Approval of American Rescue Plan Act (ARPA) Recovery Funds Subrecipient Contract in the Total Amount of \$900,000 for Early Childcare Job Development Services with the Santa Fe Community College Early Childhood Education Center of Excellence (SFCC-ECCOE) Under the First Statutory Category; to Respond to the COVID-19 Public Health Emergency or its Negative Economic Impacts. (Julie Sanchez, Youth and Family Services Division Director: jjsanchez@santafenm.gov; 505-955-6678)

Committee Review:

Finance Committee: 09/19/2022

Quality of Life Committee: 09/19/2022

Governing Body: 09/28/2022

- j. Request for Approval of General Services Contract with Santa Fe Community College for the Water Conservation Pilot Program in the Total Amount of \$240,000 Including NMGRT, Expiring on June 30, 2026. (Christine Chavez, Water Conservation Manager: cychavez@santafenm.gov, 505-955-4219)

Committee Review:

Public Works and Utilities Committee: 09/12/2022

Finance Committee: 09/19/2022

Governing Body: 09/28/2022

- k. Request for Approval of Amendment No. 2 to Item #20-0306 between the City and Immix/UKG Contract for Support Upgrading Current Kronos Environment to Workforce Dimensions Environment. (Manuel Gonzales, ITT Director: mmgonzales@santafenm.gov, 505-231-1749 and Jaclyn Henley, ITT Project Manager: jlhenley@santafenm.gov; 505- 629-5914)

Committee Review:

Finance Committee: 09/19/2022

Quality of Life Committee: 09/21/2022

Governing Body: 09/28/2022

- l. Request for the Approval of North Central New Mexico Economic Development District, Non-Metro Area Agency on Aging (AAA) State Funding in the Total Amount of \$109,484 for the Nutrition Services Incentive Program (NSIP), Term Ending June 30, 2023; North Central New Mexico Economic Development District, Non-Metro Area Agency on Aging (AAA). (Gino Rinaldi, Senior Services Division Director: earinaldi@santafenm.gov, 505-955-4710)

Committee Review:

Finance Committee: 09/19/2022

Quality of Life Committee: 09/21/2022

Governing Body: 09/28/2022

- m. Request for Ratification of the City Manager's Approval of U.S. Department of Transportation Federal Aviation Administration (FAA) Grant Award No. 3-35-0037-060-2022 in the Amount of \$266,822. (James Garduno, Project Administrator: jdgarduno@santafenm.gov; 505-670-3232)

- 1. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$266,822.

Committee Review:

Public Works and Utilities Committee: 09/26/2022

Governing Body: 09/28/2022

- n. Request for Ratification of the City Manager's Approval of New Mexico Department of Transportation Aviation Division (NMDOTAD) Grant Award No. SAF-23-01 in the Amount of \$86,500. (James Garduno, Project Administrator: jdgarduno@santafenm.gov; 505-670-3232)

- 1. Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$77,850 to Budget Grant Funds Into the Airport Operating Budget State Grant Revenue.

Committee Review:

Public Works and Utilities Committee: 09/26/2022

Governing Body: 09/28/2022

- o. Request for Ratification of the City Manager's Approval of New Mexico Department of Transportation Aviation Division (NMDOTAD) Grant Award No. SAF-23-02 in the Amount of \$450,000. (James Garduno, Project Administrator: jdgarduno@santafenm.gov; 505-670-3232)

- 1. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$450,000.

Committee Review:

Public Works and Utilities Committee: 09/26/2022

Governing Body: 09/28/2022

- p. Request for Ratification of the City Manager's Approval of New Mexico Department of Transportation Aviation Division (NMDOTAD) Grant Award No. SAF-23-03 in the Amount of \$1,100,000. (James Garduno, Project Administrator: jdgarduno@santafenm.gov; 505-670-3232)
1. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$1,100,000 to Budget Grant Funds into the Airport Operating Budget State Grant Revenue.

Committee Review:

Public Works and Utilities Committee: 09/26/2022

Governing Body: 09/28/2022

- q. CONSIDERATION OF RESOLUTION NO. 2022-___. (Councilor Michael Garcia)
- A Resolution Accepting a Local Government Road Fund Grant Administered by the New Mexico Department of Transportation for the Planning, Design, Construction, Pavement Rehabilitation, and Improvements to Buckman Road, Identified as Control #L500489. (Romella Glorioso-Moss, Projects Administrator: rsglorioso-moss@santafenm.gov, 955-6623)

Committee Review:

Governing Body (Introduced): 08/31/2022

Quality of Life Committee: 09/07/2022

Public Works and Utilities Committee: 09/12/2022

Finance Committee: 09/19/2022

Governing Body: 09/28/2022

- r. CONSIDERATION OF RESOLUTION NO. 2022-___. (Mayor Webber, Councilor Cassutt, Councilor Chavez)
- A Resolution Affirming the Partnership of Santa Fe County and the City

of Santa Fe to Develop Strategies and Actions to End Homelessness.
(Kyra Ochoa, Community Health and Safety Director:
krochoa@santafenm.gov, 955-6603)

Committee Review:

Governing Body (Introduced): 08/31/2022

Quality of Life Committee: 09/07/2022

Finance Committee: 09/19/2022

Governing Body: 09/28/2022

- s. CONSIDERATION OF RESOLUTION NO. 2022-___. (Councilor Rivera)
A Resolution Assigning Authorized Officer(s) and Agents for Project
SAP21-F2382-STB (Vereda de Valencia). (David Chapman, Technical
and Grant Writer: dachapman@santafenm.gov, 505-955-6824 and Stan
Holland, Engineer: tsholland@santafenm.gov, 505-955-4637)

Committee Review:

Governing Body (Introduced): 08/31/2022

Public Works and Utilities Committee: 09/12/2022

Finance Committee: 09/19/2022

Governing Body: 09/28/2022

10. **ACTION ITEMS: DISCUSSION AGENDA**

- a. Approval of a Settlement Agreement Between Enterprise Bank and Trust,
the City of Santa Fe, and Santa Fe County to Resolve the Disputes
Alleged in *Enterprise Bank & Trust v. the Board of County
Commissioners of Santa Fe County and the City of Santa Fe*, Case No.
D-101-CV-2021-02309. (Marcos Martinez, Senior Assistant City
Attorney: mdmartinez@santafenm.gov; 505-955-6512)

Committee Review:

Governing Body: 09/28/2022

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 *Mark Edwards, et al. v. Interfaith Community Shelter at Pete's Place and the City of Santa Fe*, D-101-CV-2020-02201. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov; 955-6512)

13. **MATTERS FROM THE CITY CLERK**

14. **COMMUNICATIONS FROM THE GOVERNING BODY**

15. **INTRODUCTION OF LEGISLATION**

- a. **CONSIDERATION OF RESOLUTION NO. 2022-__.** (Councilor Cassutt, Councilor Chavez)

A Resolution Approving the City of Santa Fe's Participation in a Transportation Project Fund Program Administered by New Mexico Department of Transportation for the Arroyo de los Chamisos Crossing Project. (Romella Glorioso-Moss, Senior Project Administrator: rsglorioso-moss@santafenm.gov, 955-6623)

Committee Review:

Governing Body (Introduced): 09/28/2022

Public Works and Utilities Committee: 10/11/2022

Finance Committee: 10/17/2022

Governing Body: 10/26/2022

16. **PETITIONS FROM THE FLOOR**

17. **PUBLIC COMMENT ON BILLS (FIRST PUBLIC COMMENT, NO ACTION)**

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

An Ordinance Amending Section 12-10-1.10 of the Uniform Traffic Ordinance Governing Mufflers and Emission Control Devices; and Amending Schedule A of the Uniform Traffic Ordinance to Increase Penalties for Muffler Noise Violations. (Matthew Champlin, Deputy Chief

of Police: mrchamplin@santafenm.gov, 955-5201)

Committee Review:

Governing Body (Introduced): 09/14/2022

Governing Body (Public Comment): 09/28/2022

Quality of Life Committee: 10/05/22

Public Works and Utilities Committee: 10/11/2022

Finance Committee: 10/17/2022

Governing Body (Public Hearing): 10/26/2022

18. **FINAL ACTION ON LEGISLATION (PUBLIC HEARING)**

19. **PUBLIC HEARINGS**

a. **CONSIDERATION OF RESOLUTION NO. 2022-__.**

Case #2021-4377. Caja del Oro Subdivision General Plan Amendment.

James Siebert, of James W. Siebert and Associates, Inc., Agent, for the Pulte Group of New Mexico, Applicant, Requests Approval of a General Plan Future Land Use Map Amendment to Change the Future Land Use Classification for 16.21 Acres of Land located at 1905, 1950, 0, 0 and 1941 Caja del Oro Grant Road and 4, 5 & 7 Hernandez Lane from Very Low Density Residential (1 to 3 Dwelling Units Per Acre) to Medium Density Residential (7 to 12 Dwelling Units Per Acre) and Community Commercial to Medium Density Residential (7 to 12 Dwelling Units Per Acre). (Heather Lamboy, Assistant Director, Land Use Department: hllamboy@santafenm.gov, 955-6598) **POSTPONED FROM THE AUGUST 10, 2022 REGULAR GOVERNING BODY MEETING.**

b. **CONSIDERATION OF BILL NO. 2022-21. ADOPTION OF ORDINANCE 2022-__.**

Case #2021-4378. Caja del Oro Subdivision Rezoning.

James Siebert, of James W. Siebert and Associates, Inc., Agent, for the Pulte Group of New Mexico, Applicant, Requests Rezoning on 16.21 Acres of Land, Located at 1905, 1950, 0, 0 and 1941 Caja del Oro Grant Road and 4, 5 and 7 Hernandez Lane from R-1 (Residential – 1 Dwelling Unit Per Acre) to R-10 (Residential – 10 Dwelling Units Per Acre) and C-2 (General Commercial) to R-10 (Residential-10 Dwelling Units

Per Acre). (Heather Lamboy, Assistant Director, Land Use Department: hllamboy@santafenm.gov, 955-6598) **POSTPONED FROM THE AUGUST 10, 2022 REGULAR GOVERNING BODY MEETING.**

- c. CONSIDERATION OF RESOLUTION NO. 2022-___.
Case #2021-3814. Villas de Las Soleras Tract 13 General Plan Amendment.
James W. Siebert and Associates, Inc., Agent, for Ross's Peak Holding, Ltd., Co., Owner, Requests a General Plan Amendment to Amend the Existing General Plan Future Land Use Classification for Approximately 6.8 Acres within the Las Soleras Master Plan Area from Low Density Residential (3 to 7 Dwelling Units Per Acre) to Medium Density Residential (7 to 12 Dwelling Units Per Acre) at 4601 Rail Runner Road. (Heather Lamboy, Assistant Director, Land Use Department: hllamboy@santafenm.gov, 955-6598). **POSTPONED FROM THE AUGUST 10, 2022 REGULAR GOVERNING BODY MEETING.**
- d. CONSIDERATION OF BILL NO. 2022-20. ADOPTION OF ORDINANCE 2022-___.
Case #2021-3815. Villas de Las Soleras Tract 13 Rezoning.
James W. Siebert and Associates, Inc., Agent, for Ross's Peak Holding, Ltd., Co., Owner, Requests a Rezoning of a 6.8-Acre Property within the Las Soleras Master Plan Area from R-6 (Residential- Six Dwelling Unit Per Acre) to R-10 (Residential 10 Dwelling Unit Per Acre) for a Property Located at 4601 Rail Runner Road. (Heather Lamboy, Assistant Director, Land Use Department: hllamboy@santafenm.gov, 955-6598) **POSTPONED FROM THE AUGUST 10, 2022 REGULAR GOVERNING BODY MEETING.**
- e. CONSIDERATION OF RESOLUTION NO. 2022-___.
Case #2021-3811. Villas de Las Soleras Tract 13 Master Plan Amendment.
James W. Siebert and Associates, Inc., Agent, for Ross's Peak Holding, Ltd., Co., Owner, Requests Approval of an Amendment to the Las Soleras Master Plan to Reflect an Increased Density from 6 Units Per Acre to 10 Units Per Acre for Approximately 6.8 Acres at 4601 Rail Runner Road. (Heather Lamboy, Assistant Director, Planning and Land Use Department: hllamboy@santafenm.gov, 955-6598)

20. **APPOINTMENTS**

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.