



City of Santa Fe

AGENDA

**SPECIAL MEETING OF
THE GOVERNING BODY
NOVEMBER 30, 2022 5:00 PM
City Council Chambers, City Hall,
200 Lincoln Avenue**

SPECIAL 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/85090485067>.

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: 850 9048 5067**

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 Chavez

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT AGENDA**

8. **PRESENTATIONS**

- a. “So Proudly She Served Portrait Series” presented by New Mexico Veterans Legacy Grant Program (Presenter Ken Dettelback, NMVLGP, Community Engagement Coordinator).

9. **ACTION ITEMS: CONSENT AGENDA**

- a. Request for Approval of Budget Adjustment Resolution (BAR) to Utilize FY22 GRT Earned in Excess of Budgeted Estimates in the Amount of \$180,000 to Cover the Costs of Three Traffic Calming/Safety Projects. (Regina Wheeler, Public Works Department Director, rawheeler@santafenm.gov, 505-955-6622)

Committee Review:

Public Works & Utilities Committee: 11/07/2022

Finance Committee: 11/28/2022

Governing Body: 11/30/2022

- b. Request for Approval of a Budget Amendment Resolution (BAR) to Fund Park Ranger Salaries and to Create Three Positions to Oversee Park Security in the Amount of \$232,692 from FY23 Service Contracts and Move to General Salaries and Various Benefits. (Melissa McDonald, Parks and Open Space Division Director: mamcdonald@santafenm.gov, 505-303-9502)

Committee Review:

Public Works & Utility Committee: 11/07/2022

Finance Committee: 11/28/2022

Governing Body: 11/30/2022

- c. Request for Approval of Amendment No. 2 with Valli DBA Postal Pros to Original Contract # 21-0320 to Eliminate the Monthly Paymentus Payment Charged through Postal Pros for the Remainder of FY23 and FY24-25. (Nancy Jimenez; Utility Billing Division

Director: nljimenez@santafenm.gov; 505-955-4364)

Committee Review:

Public Works and Utilities Committee: 11/07/2022

Finance Committee: 11/28/2022

Governing Body: 11/30/2022

- d. Request for Approval of Amendment No. 3 to Master Services Agreement Item #18-0758 with Paymentus to Eliminate the Monthly Subscription Fees of \$7,000 Per Month for the Remainder of FY23 in Addition to FY24-25. (Nancy Jimenez; Utility Billing Division Director: nljimenez@santafenm.gov; 505-955-4364)

Committee Review:

Public Works and Utilities Committee: 11/07/2022

Finance Committee: 11/28/2022

Governing Body: 11/30/2022

- e. Request for the Approval of the Revised 2023 Governing Body and Council Committee Meeting Calendar. (Kristine Bustos Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 505-955-6521)

Committee Review:

Governing Body: 11/09/2022

Special Governing Body: 11/30/2022

- f. Request for Approval of Water Rights Agreement between the City of Santa Fe and Apodaca Family Trust for 27.762 Acre-Feet Per Year in the Total Amount of \$400,000.17 Dependent Upon Approval of the New Mexico Office of the State Engineer. (Alan Hook, Water Resources Coordinator: aghook@santafnm.gov)

1. Request for Approval of a Budget Adjustment Resolution in the Total Amount of \$400,000 from the Water Enterprise Cash Balance.

Committee Review:

Public Works and Utilities Committee: 11/07/2022

Finance Committee: 11/28/2022

Governing Body: 11/30/2022

- g. CONSIDERATION OF RESOLUTION NO. 2022-___. (Mayor Webber)
A Resolution Approving First Quarter Budget Amendments for Fiscal Year 2022/2023. (Andy Hopkins, Budget Officer: ajhopkins@santafenm.gov, 505-955-6177).

Committee Review:

Governing Body (Introduced): 11/09/2022

Finance Committee: 11/28/2022

Governing Body: 11/30/2022

10. **ACTION ITEMS: DISCUSSION AGENDA**

11. **MATTERS FROM THE CITY MANAGER**

12. **MATTERS FROM THE CITY ATTORNEY**

13. **MATTERS FROM THE CITY CLERK**

14. **COMMUNICATIONS FROM THE GOVERNING BODY**

15. **INTRODUCTION OF LEGISLATION**

- a. CONSIDERATION OF RESOLUTION NO. 2022-___. (Mayor Webber)
A Resolution Adopting the Midtown Community Development Plan for the Midtown Redevelopment Project. (Lee Logston, Midtown Asset Development Manager: llogston@santafenm.gov, 599-6914)

Committee Review:

Governing Body (Introduced): 11/09/2022 (Postponed)

Governing Body (Introduced): 11/30/2022

Community Development Commission: 12/07/2022

Quality of Life Committee: 12/07/2022

Public Works and Utilities Committee: 12/12/2022

Economic Development Advisory Committee: 12/14/2022

Governing Body: 12/14/2022

- b. CONSIDERATION OF RESOLUTION NO. 2022-___. (Councilor M.

Garcia, Councilwoman Villarreal and Mayor Webber)

A Resolution Adopting a Strategy for Donating or Selling, at Below-Market Value, a Property Identified as “Las Estrellas Tract 6A” to a Developer Certified as a “Qualifying Grantee” Under the New Mexico Affordable Housing Act to Develop Santa Fe Homes Program Homes, Low-Priced Dwelling Units, or Units Price-Restricted Through Another Affordable Housing Subsidy; and Approving an Announcement to Sell the Remaining Seven Las Estrellas Lots with a Local Preference. (Terry Lease, Asset Development Manager: tjlease@santafenm.gov)

Committee Review:

Governing Body (Introduced): 11/30/2022

Community Development Commission: 12/07/2022

Quality of Life Committee: 01/04/2023

Public Works and Utilities Committee: 01/09/2023

Finance Committee: 01/16/2023

Governing Body: 01/25/2023

- c. CONSIDERATION OF RESOLUTION NO. 2023-___. (Mayor Webber)
A Resolution Relating to Firearms; Recognizing That Certain City Properties are Used for School-Related Activities, Which Makes the Carrying of a Deadly WEapon on Such Properties a Fourth-Degree Felony Pursuant to NMSA 1978, Section 30-7-2.1; and Directing the City Manager to Work with Staff to Post Notice on Such Facilities. (Kyra Ochoa, Community Health and Safety Department Director: krochoa@santafenm.gov)

Committee Review:

Introduced: 11/30/22

Quality of Life Committee: 12/7/22

Public Works and Utilities Committee: 12/12/22

Finance Committee: 01/03/23

Governing Body: 01/11/23

16. **PETITIONS FROM THE FLOOR**
17. **PUBLIC COMMENT ON BILLS (FIRST PUBLIC COMMENT, NO ACTION)**
18. **FINAL ACTION ON LEGISLATION (PUBLIC HEARING)**

19. **PUBLIC HEARINGS**

- a. CONSIDERATION OF RESOLUTION 2022-____.
Case #2022-5763. Midtown General Plan Amendment. The City of Santa Fe, Agent/Owner, Requests that the Governing Body Approve a Resolution to Amend the Existing General Plan Future Land Use Classification from Public/Institutional to Transitional Mixed-Use for the ±64-Acre Midtown Property at 1600 St. Michaels Drive. (Heather Lamboy, Case Manager: hllamboy@santafenm.gov, 505-955-6598)

- b. CONSIDERATION OF BILL NO. 2022-24. ADOPTION OF ORDINANCE 2022-____.
Case #2022-5765. Midtown Rezoning. The City of Santa Fe, Agent/Owner, Requests that the Governing Body Approve an Ordinance to Rezone the ±64-Acre Midtown Property at 1600 St. Michaels Drive from R-5 (5 Residential Dwelling Units Per Acre) to C-2 PUD (General Commercial -Planned Unit Development). The property is within the Midtown LINC Overlay District. (Heather Lamboy, Case Manager, hllamboy@santafenm.gov, 505-955-6598)

- c. CONSIDERATION OF RESOLUTION NO. 2022-____.
Case #2022-5764. Midtown Master Plan. The City of Santa Fe, Agent/Owner, Requests that the Governing Body Approve a Resolution to Adopt the Midtown Land Development Plan, a Master Plan for the ±64-Acre Property Located at 1600 St. Michaels Drive with “Innovative Street Design Standards” Per SFCC 1987, Section 14-9.2(B)(3). The Property is Currently Zoned R-5 and within the Midtown LINC Overlay District with a Proposed Zoning of C-2 PUD (See Case #2022-5765). (Heather Lamboy, Case Manager, hllamboy@santafenm.gov, 505-955-6598)

- d. CONSIDERATION OF BILL NO. 2022-25. ADOPTION OF ORDINANCE

NO. 2022-_____.

Case #2022-5766. Midtown LINC Text Amendment. The City of Santa Fe, Agent/Owner, Requests that the Governing Body Approve a Text Amendment to the Midtown Local Innovation Corridor (Midtown LINC) Overlay District, SFCC 1987, Section 14-5.5(D), to Expand the Permitted Uses in the Midtown LINC Overlay District to Include all Qualifying Projects, Update the Name of the Area Formerly known as the Santa Fe University of Art and Design, Format the Use Chart Consistently with the Rest of Chapter 14's Charts, Allow Alternative Open Space Compliance for Institutional Buildings, and Reduce Landscape Area Minimum Requirements Around the Base of Qualifying Residential Projects within the Midtown Planned Unit Development, and Removing an Expired Provision Regarding Review of the Ordinance. (Heather Lamboy, Case Manager, hllamboy@santafenm.gov, 505-955-6598)

e. CONSIDERATION OF RESOLUTION NO. 2022-_____.

Case #2022-5767. Midtown Adjacent Parcels General Plan Amendment. The City of Santa Fe, Agent, Requests that the Governing Body Approve a Resolution to Amend the Existing General Plan Future Land Use Classification for the City of Santa Fe and New Mexico State-Owned Parcels Comprising ±24-Acres Adjacent to 1600 St. Michaels Drive from Public/Institutional to Transitional Mixed Use. (Heather Lamboy, Case Manager, hllamboy@santafenm.gov, 505-955-6598)

f. CONSIDERATION OF BILL NO. 2022-26. ADOPTION OF ORDINANCE NO. 2022-_____.

Case #2022-5769. Midtown Adjacent Parcels Rezoning. The City of Santa Fe, Agent, Requests that the Governing Body Approve an Ordinance to Rezone the City of Santa Fe and New Mexico State-Owned Parcels Comprising ±24-Acres Adjacent to 1600 St. Michaels Drive from R-5 (5 Residential Dwelling Units Per Acre) to C-2 (General Commercial). The Parcels are within the Midtown LINC Overlay District. (Heather Lamboy, Case Manager: hllamboy@santafenm.gov, 505-955-6598)

20. APPOINTMENTS

a. Santa Fe Women's Commission

- Wendy Pomeroy – District 1 Reappointment – Term Ending 11/2024
- Olivia Sloan – District 2 Reappointment – Term Ending 11/2024
- Carla Bachechi – Alternate Reappointment – Term Ending 11/2024
- Sheila Vaughn – At-Large Reappointment – Term Ending 11/2024
- Gloria Martinez-Friestad – At-Large Appointment – Term Ending 11/2025
- Gabriela Schwenker – At-Large Reappointment – Term Ending 11/2025

b. Water Conservation Committee

- Beth Beloff – Appointment – Term Ending 07/2024
- Bill Roth – Appointment – Term Ending 07/2024
- Autumn Leiker – Appointment – Term Ending 07/2024
- Evan Ripley – Appointment – Term Ending 07/2024
- Stephen Schmelling – Reappointment – Term Ending 07/2024

c. City of Santa Fe Liquor Hearing Officer

- Renee Barela Gutierrez – Appointment – Term Ending 11/2026
- Nathan Eckberg – Appointment – Term Ending 11/2026

21. **ADJOURN**

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

**Governing Body
SUMMARY INDEX
November 30, 2022**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
1. Call to Order	Convened at 5:04 p.m.	1
2. Pledge of Allegiance	Led by Councilor Cassutt	1
3. Salute to the State Flag	Led by Councilor Romero-Wirth	1
4. Invocation & Remembrances	Led by Councilor Chavez	1-2
5. Roll Call	Quorum Present	2-3
6. Approval of Agenda	Approved as presented	3
7. Approval of Consent Agenda	Approved as amended	3
8. Presentations		
a. "So Proudly She Served Portrait Series" Presented		3-4
9. Consent Agenda Listing	Listed	4-8
a) BAR for Traffic Calming	Approved	5
10. Discussion Agenda	None	8
11. Matters from the City Manager	Reported	8
12. Matters from the City Attorney	Reported	8
13. Matters from the City Clerk	Reported	8-9
14. Communications from the Governing Body	Reported	9-10
15. Introduction of Legislation		
a) Midtown Community Development Plan	Introduced	10-11
b) Property Donating or Below Market	Review amended	11-12
c) Weapons on school-related property	Postponed	12
16. Petitions from the Floor	No Petitions	15-16
17. Public Comment on Bills	None	16
18. Final Action on Legislation	None	16
19. Public Hearings		
a) Midtown General Plan Amendment	Approved	16-37
b) Midtown Rezoning	Approved	16-37
c) Midtown Master Plan	Approved as amended	16-39
d) Midtown LINC Text Amendment	Approved	39-41
e) Midtown Adjacent Parcels Plan	Postponed to next meeting	41-42
f) Midtown Adjacent Parcels Rezoning	Postponed to next meeting	41-42
20. Appointments		
a) Santa Fe Women's Commission	Appointed	13
b) Water Conservation Committee	Appointed	14
c) City Liquor Hearing Officer	Appointed	14
21. Adjourn	Adjourned at 12:10 am	44

**Minutes of the
Special Meeting of the Governing Body
Wednesday, November 30, 2022
City Hall
Santa Fe, New Mexico
Hybrid Meeting**

1. CALL TO ORDER

A special meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Pro-Tem Signe Lindell, on Wednesday, November 30, 2022, at approximately 5:04 p.m., at the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico as a hybrid meeting.

2. PLEDGE OF ALLEGIANCE

Councilor Cassutt led the Pledge of Allegiance.

3. SALUTE TO THE NEW MEXICO FLAG

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

4. INVOCATION AND REMEMBRANCES

Councilor Chavez gave the Invocation, focusing on the holidays and remembering those who have been lost, making it a difficult time. The celebration also comes with sadness from loss of loved ones, loneliness, financial distress, hopelessness, helplessness, which he also had this year with loss of a cousin and a close friend. But the holiday also leads to connections we are all capable of giving, a check in to say hello, a smile, an offer to help, an invite to a holiday party, sending a holiday card, or even a reminder to someone in need that they are not alone. She reminded our community of the power of connections and love during the holiday season. "Remember to shine a little light this holiday season and brighten the season up for those needing it most. I am committed to do that this year. And, as Mother Teresa said, "Spread love everywhere you go. Let no one ever come to you without leaving happier. Change the season for giving and the greatest gift you have to give is free. I challenge our community to spread the gift of love, connection, care, compassion, and kindness to others this holiday season."

Councilor Villarreal recognized the passing of her cousin, David "Davey" Griego, Jr. He was a generous person and always affectionate with his family and friends

and always caring of others. He had his struggles but always had a loving heart. She wanted to give love to her family and friends.

Councilor Cassutt remembered the anniversary of the passing of her cousin who died at Thanksgiving three years ago and has missed her every single year. This year was bittersweet because her sister birthed a baby girl whom she named after her sister. It is beautiful to see her legacy carried on. She also recognized the passing of one of the artists of Meow Wolf who was always part of the landscape of her Santa Fe. They were both together as students at Lewis & Clark College in Portland Oregon. She gave condolences to his family and all his friends.

Mayor Webber mentioned three people lost recently: Reanna Hubert, who was Municipal Judge in Ranchos de Albuquerque and former Los Alamos Councilor. He also remembered former Mayor Joe Valdez from 1972 to 1976, a founding member of Los Caballeros, and a dear friend, and Mike Pritchard who lived here while spending much of his life in Washington, DC where he was Chief of Staff for Senator from Washington State, head of the Federal Trade Commission. Without him, we would not have cigarette warnings labels. He was a giant – they are all great people we have lost.

The Governing Body observed a moment of silence for those who have recently died and their grieving families.

5. ROLL CALL

Roll call indicated the presence of a quorum in-person, as follows:

Members Present

Mayor Alan Webber
Councilor Jamie Cassutt
Councilor Amanda Chavez
Councilor Lee Garcia
Councilor Michael Garcia
Councilor Carol Romero-Wirth
Councilor Renee D. Villarreal

Members Excused

Councilor Signe Lindell
Councilor Christopher M. Rivera

Other Participants Attending

Layla Archuleta-Maestas, Deputy City Manager
Marcos Martinez, Senior Assistant City Attorney
Kristine Bustos-Mihelcic, City Clerk
John Blair, City Manager

Melissa McDonald, Parks & Open Space Division Director
Emily Oster, Finance Director
Regina Wheeler, Public Works Director
Ken Dettelback, NMVLGP, Community Engagement Coordinator
Lee Logston, Midtown Asset Development Manager
Terry Lease, Asset Development Manager
Kyra Ochoa, Community Health, and Safety Department Director
Heather Lamboy, Case Manager
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

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

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

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

Against: None.

7. APPROVAL OF CONSENT AGENDA

Ms. Bustos-Mihelcic said item “a” was removed for discussion by Councilor Cassutt.

MOTION: Councilor Chavez moved, seconded by Councilor Romero-Wirth, to approve the Consent Agenda as amended with item a removed for discussion.

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

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

Against: None.

8. PRESENTATIONS

- a. “So Proudly She Served Portrait Series” presented by New Mexico Veterans Legacy Grant Program (Presenter Ken Dettelback, NMVLGP, Community Engagement Coordinator).

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

Mr. Dettelback introduced himself as a two-term Viet Nam Vet. He thanked Mayor Webber and the City for getting behind the Veterans’ Legacy Program and Council as well and for the Resolution they gave to the Veterans some time ago. Four years ago, he was contacted by Washington and asked if the State of New Mexico would like to have the Veteran’s Legacy Program. He said yes to them and started it last year, due to the COVID pandemic. It has grown from a contract to a grant – this year for \$500,000 grant to New Mexico, through the Santa Fe Community College for administration with a committee they put together. He had handed out a brochure to the Governing Body members that explained the program and URL for their website. He briefly described the Legacy Program about those buried at the National Cemetery. He said everything he would talk about now was on the website. He also described the exhibit he just had put up at City Hall. George Rivera was recently added to the Committee this year.

He explained how they serve K-12 students in the education provided in the Legacy Grants in the Santa Fe School District and how they were trained to do research, interview families of those interred in national cemeteries, and provide field trips for them at the national cemetery. Students are paid to do the interviewing. The program this year focuses on Women in the Military. This coming year, they will focus on Native Americans and cemeteries on Native American Lands. He introduced Gary Donato to speak.

Mr. Donato thanked the Council members and especially those from District 2, Councilor Garcia, and Councilor Romero-Wirth. Having served 22 years in the Navy in submarines, he was honored and considered it his duty to present this project. And as educator for 27 years, he emphasized the outreach of the program for the greater community through the Council to their constituents. The exhibit has the portraits by Steve Alpert. He noted that 2.1 million of the 19 million American veterans are women. In New Mexico, 16,600 of the New Mexico’s 148,300 veterans are women. And New Mexico has the highest percentage of veterans in the country. He was proud of all women serving now and veterans who have served and to provide acknowledgement of them in this Legacy Program.

Mr. Dettelback related his interview with a 98-year-old veteran who had been in the Battle of the Bulge in Patton's army as a gunner and the first soldier in the Death Camps.

Mayor Webber thanked him for bringing the exhibit to City Hall.

Councilor Michael Garcia thanked Mr. Dettelback and Mr. Donato for the fantastic exhibits at City Hall and urged everyone to visit them and consider what sacrifice they had given to our country from the Battle at Galisteo to the monument of Sergeant Petrie outside City Hall.

Councilor Romero-Wirth was grateful for the presentation and for the exhibit in the hallway. Two of her uncles served during wartime. She asked if those who were interred elsewhere could be included.

Mr. Dettelback said the Legacy Program can only tell the stories of those interred in the national cemeteries. New Mexico is one of only five states who were chosen out of 26 states that applied.

Councilor Villarreal thanked him for this exhibit and asked if they were all New Mexico veterans.

Mr. Dettelback described the two parts of the exhibit and one side had only women veterans from New Mexico and interred here.

Councilor Villarreal invited and urged people to come and view the exhibit. She asked if there could be a QR Code that would lead people to the stories behind that person.

Mr. Dettelback said it would be part of the grant and the website and the stories are being developed now so that people, standing at the headstone can get the QR Code to read the biography.

Councilor Villarreal wished them luck and thanked them for doing it.

Councilor Lee Garcia thanked them for the program. We must always remember those who have fallen and those who will be in the future. We don't realize the huge commitment of New Mexicans until going to the National Cemeteries and the Veterans' Memorial at Angel Fire. Families are proud of their family members who have served. This program keeps their memory alive and allows us to visit the past.

9. **ACTION ITEMS: CONSENT AGENDA**

DISCUSSED

This item was pulled for discussion by Councilor Cassutt.

- a. Request for Approval of Budget Adjustment Resolution (BAR) to Utilize FY22 GRT Earned in Excess of Budgeted Estimates in the Amount of \$180,000 to Cover the Costs of Three Traffic Calming/Safety Projects. (Regina Wheeler, Public Works Department Director, rawheeler@santafenm.gov, 505-955-6622)

Committee Review:

Public Works & Utilities Committee: 11/07/2022

Finance Committee: 11/28/2022

Governing Body: 11/30/2022

Ms. Bustos-Mihelcic read the caption for this agenda item, and she said Director Wheeler was present for questions.

Councilor Cassutt thanked Director Wheeler and her team for these three projects in District 4 that constituents there will be very excited about. The development there has been greater than first planned and the traffic calming will be greatly appreciated. She applauded the design staff used to address the complicated nature of the traffic patterns and getting the project funded.

Director Wheeler was grateful for the work of the community to provide for safety and improvement there.

MOTION: Councilor Cassutt moved, seconded by Councilor Chavez, to approve the project as proposed.

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

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

Against: None.

- b. Request for Approval of a Budget Amendment Resolution (BAR) to Fund Park Ranger Salaries and to Create Three Positions to Oversee Park Security in the Amount of \$232,692 from FY23 Service Contracts and Move to General Salaries and Various Benefits. (Melissa McDonald, Parks, and Open Space Division Director: mamcdonald@santafenm.gov, 505-303-9502)

Committee Review:

Public Works & Utility Committee: 11/07/2022

Finance Committee: 11/28/2022
Governing Body: 11/30/2022

- c. Request for Approval of Amendment No. 2 with Valli DBA Postal Pros to Original Contract # 21-0320 to Eliminate the Monthly Payments Payment Charged through Postal Pros for the Remainder of FY23 and FY24-25. (Nancy Jimenez; Utility Billing Division Director: nljimenez@santafenm.gov; 505-955-4364)
Committee Review:
Public Works and Utilities Committee: 11/07/2022
Finance Committee: 11/28/2022
Governing Body: 11/30/2022
- d. Request for Approval of Amendment No. 3 to Master Services Agreement Item #18-0758 with Payments to Eliminate the Monthly Subscription Fees of \$7,000 Per Month for the Remainder of FY23 in Addition to FY24-25. (Nancy Jimenez; Utility Billing Division Director: nljimenez@santafenm.gov; 505-955-4364)
Committee Review:
Public Works and Utilities Committee: 11/07/2022
Finance Committee: 11/28/2022
Governing Body: 11/30/2022
- e. Request for the Approval of the Revised 2023 Governing Body and Council Committee Meeting Calendar. (Kristine Bustos Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 505-955-6521)
Committee Review:
Governing Body: 11/09/2022
Special Governing Body: 11/30/2022
- f. Request for Approval of Water Rights Agreement between the City of Santa Fe and Apodaca Family Trust for 27.762 Acre-Feet Per Year in the Total Amount of \$400,000.17 Dependent Upon Approval of the New Mexico Office of the State Engineer. (Alan Hook, Water Resources Coordinator: aghook@santafnm.gov)
1. Request for Approval of a Budget Adjustment Resolution in the Total Amount of \$400,000 from the Water Enterprise Cash Balance.
Committee Review:
Public Works and Utilities Committee: 11/07/2022
Finance Committee: 11/28/2022
Governing Body: 11/30/2022

- g. CONSIDERATION OF RESOLUTION NO. 2022-___. (Mayor Webber)
A Resolution Approving First Quarter Budget Amendments for Fiscal Year
2022/2023. (Andy Hopkins, Budget Officer: ajhopkins@santafenm.gov,
505-955-6177).
Committee Review:
Governing Body (Introduced): 11/09/2022
Finance Committee: 11/28/2022
Governing Body: 11/30/2022

10. **ACTION ITEMS: DISCUSSION AGENDA**

There were no action items on this agenda.

11. **MATTERS FROM THE CITY MANAGER**

Ms. Bustos-Mihelcic read the caption for the Council.

Manager Blair was on Zoom and said the City is working with Santa Fe County on the annexation issues and negotiations for the JPA for the RECC. They are making progress with both of those. He added that the RECC Board had a special meeting last week to approve the needed upgrades for the Motorola radio system. He felt very positive about that. He reminded everyone for the Staff members to stay COVID-safe. He explained he was remote today to keep everyone around him safe.

12. **MATTERS FROM THE CITY ATTORNEY**

Ms. Bustos-Mihelcic went to the Matters from the City Attorney.

Mr. Marcos Martinez said he did not have any matters to report.

13. **MATTERS FROM THE CITY CLERK**

Ms. Bustos-Mihelcic thanked everyone who joined us for Veterans' Day. It was a wonderful celebration on the Plaza and appreciated all who were participants in the ceremony. She also thanked those who attended and those who prepared for the lighting on the Plaza for the holiday season. Finally, she recognized the work of her team in transitioning to the joint services and special events now. She

encouraged everyone to come to the Plaza in the evening to see its beauty, thanks for the work of Parks Staff.

14. **COMMUNICATIONS FROM THE GOVERNING BODY**

Councilor Lee Garcia wished everyone a happy holiday season.

Councilor Cassutt thanked the Parks Department for a beautiful lighting event and to imagine all the work they invested in the Plaza for the holiday season. It is beautiful and brings joy and happiness to everybody during the holiday season. Happy holidays to everyone.

Councilor Romero-Wirth had no communications.

Councilor Villarreal thanked Staff for all they do behind the scenes. It is a busy time for all City Staff. She thanked the Benefits Committee for all their work on the party they have planned. She said she was in Las Cruces when the Plaza Lighting took place.

Councilor Michael Garcia was sorry she missed the ceremony which was fantastic. He gave a shout out to the Staff members who quickly restored water service after a watermain break. Randy Lopez, Glen Montoya, Ronald Romero, Lucas Perea, Lloyd Sandoval, Pat Sykes, James Calabaza, Matthew Varela, Chris Chavez, John Lujan, the Wastewater Team, and Orlando Mendoza from SOS who were working night and day, over 30 hours, until 2:30 a.m. to get it repaired and operational.

He also wished everyone a happy and safe holiday season.

Councilor Chavez thanked the City Clerk's office and the Parks Division for the tree lighting. Her daughter performed Christmas carols, so it was extra special, and she got to dance with her daughter. She also thanked the Santa Fe Fire Department for the Giving Tree event and their toy drive efforts and how they are so invested in the community. She was sad to miss the Veterans' Day event. She was in Utah for a work conference. She was glad the City always posts them on social media and urged others to follow their page. She connects on Facebook and feels a part of the event in celebrating from afar. Happy Holidays!

Mayor Webber agreed there is a lot going on in our City. He thanked Kevin Boland in the HRA for the candlelight vigil after tragic shooting at the club in Colorado Springs. 250 people assembled on the Plaza to demonstrate our solidarity with the LGBTQ community and those who lost their lives in Colorado Springs and also their sense of safety and security. It was an event they put together rapidly and did a great job bringing people together. He thanked the Alternative Response Unit for Code Blue on the cold nights, searching for people

on the streets who were homeless and exposed to the elements. The Code Blue Team was out there saving lives. The Toy Drive is a great community event. The goal Chief Moya and the Fire Department have set is 2,500 toys and have 310 so far. He urged people to get a tag off the tree and help ensure no young person in Santa Fe doesn't have an opportunity to feel appreciated and have joy at the Christmas season. The tree lighting event was the best night in Santa Fe and was gorgeous. Randy and his team did a great job again. And the 4,000 people on the Plaza made it spectacular. He was grateful for the people who made it happen.

He thanked the people who provided the Traditional Spanish Market Artists Show at the Convention Center – another great Santa Fe tradition. It had a great turnout and great works of art and great community participation.

Congratulations tomorrow to the seven officers being sworn in as new Santa Fe Police Department Officers and listed them. Their hiring lowered the vacancy rate to 19 positions.

He congratulated the Santa Fe Opera for being named Festival of the Year at the International Opera Awards – another world-class recognition for something that is our team doing great.

Today is World AIDs Day with a 5:30 event now going on at the Plaza.

December 6 is the 20th anniversary of the Railyard and December 10 is Human Rights Day. We have a lot to be grateful for during this holiday season and a lot to be proud of the achievements here in Santa Fe.

Ms. Bustos-Mihelcic also plugged Twitter and Instagram so the public can join us in ways other than Facebook now. Her Department has put a lot of work into interconnecting with our community that way.

15. INTRODUCTION OF LEGISLATION

- a. CONSIDERATION OF RESOLUTION NO. 2022-___. (Mayor Webber)
A Resolution Adopting the Midtown Community Development Plan for the Midtown Redevelopment Project. (Lee Logston, Midtown Asset Development Manager: llogston@santafenm.gov, 599-6914)

Committee Review:

Governing Body (Introduced): 11/09/2022 (Postponed)

Governing Body (Introduced): 11/30/2022

Community Development Commission: 12/07/2022

Quality of Life Committee: 12/07/2022

Public Works and Utilities Committee: 12/12/2022

Economic Development Advisory Committee: 12/14/2022

Governing Body: 12/14/2022

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

Mayor Webber explained this is a part of the City's Midtown work in the Community Development Plan at that site and the City's commitments for what we want to do there and commit to the public process.

- b. CONSIDERATION OF RESOLUTION NO. 2022-___. (Councilor M. Garcia, Councilwoman Villarreal, and Mayor Webber)
A Resolution Adopting a Strategy for Donating or Selling at Below- Market Value, a Property Identified as "Las Estrellas Tract 6A" to a Developer Certified as a "Qualifying Grantee" Under the New Mexico Affordable Housing Act to Develop Santa Fe Homes Program Homes, Low-Priced Dwelling Units, or Units Price-Restricted Through Another Affordable Housing Subsidy; and Approving an Announcement to Sell the Remaining Seven Las Estrellas Lots with a Local Preference. (Terry Lease, Asset Development Manager: tjlease@santafenm.gov)

Committee Review:

Governing Body (Introduced): 11/30/2022
Community Development Commission: 12/07/2022
Quality of Life Committee: 01/04/2023
Public Works and Utilities Committee: 01/09/2023
Finance Committee: 01/16/2023
Governing Body: 01/25/2023

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

Councilor Villareal was excited to introduce this long-awaited resolution on the strategy for affordable housing at Las Estrellas and described briefly the strategy to be employed.

Councilor Michael Garcia added that the disposition of City property needs to consider how it meets the needs for affordable housing. He was glad the City has been able to account for that in Las Estrellas property. This will be in the north side of the City with an opportunity for affordability in an area not just on the south side.

Councilor Cassutt asked to bring this resolution to the EDAC meeting on December 13, 2022 because it does help increase economic development throughout the City.

MOTION: Councilor Cassutt moved, seconded by Councilor Chavez, to bring this resolution to add to the committee review the December 14 Economic Development Advisory Committee meeting.

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

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

Against: None.

- c. CONSIDERATION OF RESOLUTION NO. 2023-___. (Mayor Webber)
A Resolution Relating to Firearms; Recognizing That Certain City Properties are Used for School-Related Activities, Which Makes the Carrying of a Deadly Weapon on Such Properties a Fourth-Degree Felony Pursuant to NMSA 1978, Section 30-7-2.1; and Directing the City Manager to Work with Staff to Post Notice on Such Facilities. (Kyra Ochoa, Community Health, and Safety Department Director: krochoa@santafenm.gov)

Committee Review:

Introduced: 11/30/22

Quality of Life Committee: 12/7/22

Public Works and Utilities Committee: 12/12/22

Finance Committee: 01/03/23

Governing Body: 1/11/23

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

Mayor Webber was sad to introduce this resolution because we are seeing a tragic increase in firearm deaths involving school-age children and looking for ways to stop that from happening in Santa Fe. We are constrained in many ways by the Constitution of the State and other straitjackets that keep us from doing what would keep our children safe. This is something we can do, and it is legal. It is within our City's rights to safeguard city properties where school activities take place and children are present. He hoped this can be moved through the process and brought to the Governing Body and make it part of the City's effort to respond to the serious increase and tragic deaths by firearms of young people. Hopefully that action will be spread to other communities too.

Councilor Michael Garcia raised a point of order. The first resolution introduced he could not find in the packet.

Ms. Bustos-Mihelcic said it was in the packet on Prime.Gov.

She said it could be postponed until January 13 if needed.

Mayor Webber will check into the posting and postpone it if it did not meet the posting requirements.

Agenda Amendment:

It was noted that it was not yet 7 pm and Councilor Cassutt wished to amend the agenda.

MOTION: Councilor Cassutt moved, seconded by Councilor Romero-Wirth, to amend the agenda, to move next to Item 20, Appointments before Petitions from the Floor and then resume the regular agenda.

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

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

Against: None.

19. **APPOINTMENTS**

a. Santa Fe Women’s Commission

- Wendy Pomeroy – District 1 Reappointment – Term Ending 11/2024
- Olivia Sloan – District 2 Reappointment – Term Ending 11/2024
- Carla Bachechi – Alternate Reappointment – Term Ending 11/2024
- Sheila Vaughn – At-Large Reappointment – Term Ending 11/2024
- Gloria Martinez-Friestad – At-Large Appointment – Term Ending 11/2025
- Gabriela Schwenker – At-Large Reappointment – Term Ending 11/2025

Ms. Bustos-Mihelcic read the nominations for the Santa Fe Women’s Commission.

MOTION: Councilor Michael Garcia moved, seconded by Councilor Cassutt, to appoint the nominees to the Santa Fe Women’s Commission as presented.

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

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

Against: None.

b. Water Conservation Committee

- Beth Beloff – Appointment – Term Ending 07/2024
- Bill Roth – Appointment – Term Ending 07/2024
- Autumn Leiker – Appointment – Term Ending 07/2024
- Evan Ripley – Appointment – Term Ending 07/2024
- Stephen Schmelling – Reappointment – Term Ending 07/2024

Ms. Bustos-Mihelcic read the nominees for the Water Conservation Committee.

MOTION: Councilor Michael Garcia moved, seconded by Councilor Cassutt, to appoint the nominees to the Water Conservation Committee as presented.

Councilor Villarreal wanted to know that the nominees were all full-time residents of the City.

Ms. Bustos-Mihelcic said they all are fulltime residents.

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

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

Against: None.

c. City of Santa Fe Liquor Hearing Officer

- Renee Barela Gutierrez – Appointment – Term Ending 11/2026
- Nathan Eckberg – Appointment – Term Ending 11/2026

Ms. Bustos-Mihelcic read the nominees for the Liquor Hearing Officer position.

MOTION: Councilor Cassutt moved, seconded by Councilor Michael Garcia, to appoint the nominees to the Santa Fe Liquor Hearing Officer positions as presented.

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

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

Against: None.

At 6:15, Mayor Webber asked the Governing Body what they wanted to do next. He pointed out the Petitions and six public hearings on the agenda to consider.

Mr. Martinez understood the Midtown General Plan Amendment, Rezoning, and Master Plan could be heard together in one public hearing but would require separate motions for each, a separate hearing for the Midtown Linc Amendment and a separate hearing for the Midtown Adjacent Parcels, General Plan Amendment and Rezoning.

Mayor Webber clarified that would be three separate hearings and six different motions.

Mr. Martinez agreed.

Councilor Romero-Wirth asked how disruptive it would be to hear part of them, then go back to Petitions from the Floor, and then return to the rest of the Midtown matters.

Director Brown suggested starting with the adjacent parcels because it was a smaller piece of legislation

Ms. Bustos-Mihelcic reminded the Governing Body that the interruption did not need to be exactly at 7:00.

Mayor Webber acceded to Director Brown's suggestion and entertained a motion to amend the agenda in that manner.

Councilor Michael Garcia's only concern with that was that it was approving a potential land issue before approving the General Plan Amendment first. That is why it was on the agenda in the order shown.

Director Brown said Ms. Duvall could explain why that would work.

She clarified that this would be approving General Plan Amendment along with the adjacent properties matter, so it would not be out of order.

Mayor Webber said the Governing Body was not going to agonize over this under 7:00. He declared a recess until 7:00 p.m.

The Governing Body recessed until time for Petitions from the Floor.

16. **PETITIONS FROM THE FLOOR**

Stefanie Beninato said she had sent in a fairly long public comment by email and hoped the Councilors had read it. She mentioned that the City Clerk's credit card payments did not refund on the credit card and does make audits harder. She also noted that graffiti reports previously with a 48-hour turnaround and now has taken over one month for five reports on one block. She said regarding HBRD appeals that putting them on the consent agenda is a violation of the City Charter and a violation of State law. The same thing happened in a case with St. John's College. She also wanted the Governing Body to look at the policy regarding lifeguards and why the City refused to give them overtime.

A person in the Zoom room had a hand up but could not be heard. Mayor Webber invited her to submit written comments instead or call the Mayor's Office.

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

There were no bills on which to receive public comment.

18. **FINAL ACTION ON LEGISLATION**

There was no legislation for final action.

19. **APPOINTMENTS**

This agenda item was heard earlier in the meeting.

20. **PUBLIC HEARINGS**

a. **CONSIDERATION OF RESOLUTION 2022-_____.**

Case #2022-5763. Midtown General Plan Amendment. The City of Santa Fe, Agent/Owner, Requests that the Governing Body Approve a Resolution to Amend the Existing General Plan Future Land Use Classification from Public/Institutional to Transitional Mixed-Use for the ±64-Acre Midtown Property at 1600 St. Michaels Drive. (Heather Lamboy, Case Manager: hllamboy@santafenm.gov, 505-955-6598)

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

And,

- b. CONSIDERATION OF BILL NO. 2022-24. ADOPTION OF ORDINANCE 2022-_____.

Case #2022-5765. Midtown Rezoning. The City of Santa Fe, Agent/Owner, Requests that the Governing Body Approve an Ordinance to Rezone the ±64-Acre Midtown Property at 1600 St. Michaels Drive from R-5 (5 Residential Dwelling Units Per Acre) to C-2 PUD (General Commercial -Planned Unit Development). The property is within the Midtown LINC Overlay District. (Heather Lamboy, Case Manager, hllamboy@santafenm.gov, 505-955-6598)

Ms. Bustos-Mihelcic read this caption with the previous case.

- c. CONSIDERATION OF RESOLUTION NO. 2022-_____.

Case #2022-5764. Midtown Master Plan. The City of Santa Fe, Agent/Owner, Requests that the Governing Body Approve a Resolution to adopt the Midtown Land Development Plan, a Master Plan for the ±64- Acre Property Located at 1600 St. Michaels Drive with “Innovative Street Design Standards” Per SFCC 1987, Section 14-9.2(B)(3). The Property is currently Zoned R-5 and within the Midtown LINC Overlay District with a proposed Zoning of C-2 PUD (See Case #2022-5765). (Heather Lamboy, Case Manager, hllamboy@santafenm.gov, 505-955-6598)

Ms. Bustos-Mihelcic read the caption for this resolution with the two previous cases.

Mayor Webber shared the process that would be used. As a quasi-judicial matter, recusals would be solicited, a 15-minutes Staff Report, 15-minutes Applicant presentation, sworn testimony from the public, questions from the Governing Body, and turn to motion, second, and discussion by the Governing Body with vote on the motion.

Disclosures

There were no disclosures.

Staff Report

Director Brown made a statement on the work at the Midtown site, four years of public engagement, and the Rezoning and Master Plan by Staff. He described the parameters of the plan. The Plan reflects public policy, achieving objectives based on elements of free space sustainable development, environment, economy, equity, and culture. The Planning and Land Use Team would present in three parts the Master Plan and associated applications, the Town Linc Amendments in the General Plan,

and amendments for rezoning for adjacent parcels required for the land swap. If approved, it would next consider a brief redevelopment of our legacy of parcels (Garson Performance Center, Arts Center, and production studios), take the Community Development Plan through the Community Review Process and work in parceling the site as Phase II for housing and mixed-use development. He thanked all the partners and City Staff involved in this project and welcomed questions later.

Ms. Lamboy said a major milestone has been reached for this property. It has been changing over time and this is the next step in its evolution. This is the consideration of changing the use from low density residential (3-7 du/ac), to C-2 PUD and the Master Plan to implement that planned unit development. That will be a stand-alone zoning document in addition to Chapter 14 and the Midtown Master Plan. In 2016, the LINC Ordinance was established that called for redevelopment along the entire St. Michael's Corridor as well as on the Midtown campus. In 2017, a resolution approved pursuing the discussion with the educational users and expansion of the existing film facilities at Midtown, including post-production and sound studios, work-force housing, and adaptive reuse of the Fogelson Library and create a campus Master Plan. The community feedback on the Plan were Equity, Economy, Culture and Environment. The Master Plan was organized around those four topics.

In 2018, the Planning Guidelines were adopted by the Governing Body. In 2022, the City Staff were directed to develop a Community Development Plan and entitlement processes and that is where the progress is today.

She shared an aerial photo taken before the old Army Barracks were removed and other dormitory buildings. The current Future Plan Use is Public/Institutional (since it was a college). The Future Land Use Map was created in 1999 with the General Plan with the thought that it should be kept as Public/Institutional to support the uses associated with the college and also with abutting states and local facilities.

What is proposed is changes in the Future Land Use Category to Transitional Mixed-Use which provides for creative infill and development that permits office, commercial, and residential development, promotes Affordable Housing and Economic Development with flexible land uses and fosters alternate transportation options.

Ms. Lamboy reviewed the zoning categories for the adjacent properties. The proposed zone district is C-2 PUD, and the Master Plan will implement that zoning which will allow the planning of planned districts, each conceived as a unit piece of development in integrated uses. She described the character of the building form and street design, and all would be in Santa Fe Style. The Master Plan calls for 30% affordable

units. The approximately 195 homes to be built would have 105 for rent and 90 for purchase. Four lots have been set aside for fully subsidized housing.

She explained that rezoning would be the second motion. It represents a change in the surrounding area. There has been a big evolution in Santa Fe and particularly on this site. The change in zoning is consistent with the Plan and will accommodate the future plan development on the sites. Finally, this is consistent with the General Plan and intent of the underlying zoning districts, contribute to a coordinated and efficient development of the community.

The Planning Commission added a condition of approval that no parcel outside the Midtown Master Plan area would be not considered as part of any recommendation or final action related to the Master Plan.

Ms. Lamboy listed the members of the DRT and said they were available to answer questions regarding the resolution. She said that concluded the Staff Presentation.

Applicant's Presentation

Mr. Lee Logston represented the City of Santa Fe, Applicant for this matter.

Ms. Bustos-Mihelcic swore in Mr. Logston.

Mr. Logston said the Applicant Team has done a lot of work and much of it was with consultants to the City. He shared the names of those who were present at the meeting.

Many of the Engagement Partners had a long memory of this property as a function educational institution and he gave a shout out to them, because without them, the City could not have achieved this effort. He listed them. They were able to reach populations as sometimes City Staff cannot.

Mr. Logston shared a video taken at the Block Party by Youthworks and Little Globe.

Mr. Daniel Hernandez was sworn in. He reviewed the tasks they were assigned by the resolution passed by the Governing Body and thanked all the City Departments involved in the work and the Community organizations and residents who help guide the process along the way. He pointed out the distinction between two separate plans: the Community

Development Plan, and the Land Development Plan – everything that would be voted on here.

He walked through the six chapters of the uses desired and those not to be included. He shared the cultural values to be maintained, affordability at about thirty percent focused on four parcels with leverage and diverse household types. Updates in progress and maps would be posted on the website.

Public Sworn Testimony

Those who intended to speak were sworn in with a statement to be used shared with them. Each one was given two minutes to speak.

Cheryl Odom – asked that the memory of Christian Brothers who founded the College of Santa Fe. He asked for the flat roofs use solar PV.

Andrea Dobbins, President of the Santa Fe Association of Realtors, shared the Association’s support for the proposed Midtown Development Plan. The Association recognized Midtown as the geographic center of the City, was ripe for development. The Corridor can offer benefits for multi-families and retail developers, while providing City utilities and permitting, and re-energizing the area. There is a lot more to say, but we just want you to know we support this. She agreed to send a written statement. I

Buena Van Shermanson with a quick question, said she would be translating statements for members who were speaking in Spanish. She was not actually testifying but for Kathy Garcia, residing at and renting at 2616 West Zia Road. Ms. Garcia gave her testimony in Spanish.

Reymundo Herrera, 2000 Hopewell Street, said she had been a member of Chainbreaker for several months now. She described Chainbreaker organization. Before she knew about the campus, she would go every morning and walk around with her dog, and she wondered why this lot was so empty and not being built upon. She has been participating in Midtown workshops where she and her neighbors learned more about the status of the property. She recently heard Steve Watson and Alexandra Ladd and they listened to our questions and heard what we said and responded to our questions. We wanted to appreciate the efforts in this part of the City because these efforts demonstrate authentic participation in the community and it’s a model for leadership development in the development of Midtown, which we expressed will continue as this process advances. “I am here today to support the rezoning and the plans with amendments to the plan on the 64 acres of Midtown so that we can

continue the next phase of development and continue interacting with the community.”

Cipriana Hurtado testified in Spanish. “Good evening, Mayor, and Council members. My name is Cipriana Hurtado. I live in the Sierra Vista Mobile Home Park. I’ve been a Chainbreaker member for over five years. I participated in Chainbreaker’s 2018 Assembly where over 500 of our members discussed what should happen to the land of the then Santa Fe University of Art and Design. Since then, I’ve knocked on doors in the surrounding neighborhood, informing the community and organizing around our desires for our community. We want the results of the community engagement process to continue to be taken into account, as well as the proposals that have already been developed with the community in various meetings. We have organized meetings recently with Lee Logston and Alexandra Ladd to stay informed of these processes. And propose that you approve the rezoning of Midtown because of the hope that we have in developing a Community Land Trust that should be part of the next phases of development. We need affordable and dignified housing. Santa Fe is on the verge of a crisis. Thank you.”

Evelyn Herrera testified on behalf of others including Elvis Lopez at 2020 Calle Lorca. I’ve been a member of Chainbreaker almost three years now. I became a member of Chainbreaker when they knocked on my door at my Midtown apartment. And then Chainbreaker had been in the community for many years and has focused on the development of Midtown since 2018. She was concerned about what was happening around her community. She has lived in Santa Fe for twenty years and always lived around the area of Midtown. Chainbreaker has organized with Lee Logston and cared a lot where they have provided information about Midtown and its development. She and her neighbors have hope with the information about community launches in the Midtown development, and the hope of the Committee of Affordable Housing for the community and efforts by the community. The development has impact on her family and her future. “I will continue organizing with members of my community as development at Midtown moves forward as much as possible. Thank you so much for your time and attention.”

Miles Conway 495 New Mexico 592, 87506, said he was a board member of Santa Fe Habitat for Humanity and New Mexico Interfaith Housing and delivering a statement and speaking as executive officer of the Santa Fe Area Homebuilders Association. He appreciated how the major issues of sustainability workforce in affordable housing and need for affordable housing and creative community development were all addressed in the plan the Association acknowledged. He appreciated the difficult balance of that which the Council performs in deciding how the structure of the

City's perspective of Return on Investment, whether or not to exclude Fee in Lieu, options for development, what percentage of residential housing should be mandated to be truly affordable by the definition. From an industry perspective and informed by the primary findings within the recently released New Mexico Finance Authority's Housing in New Mexico Call to Action Report, local, state, and federal governments need to make deep investments in housing now, regardless how the return on investment looks on the balance sheet. From page 2 of the report, capacity and resources as the market has changed, a gap between the cost of development in the private market and what low and moderate-income would-be buyers could afford has widened considerably. The estimate of the gap ranges from \$110,000 to \$195,000 per home, based on recent sales transactions. So he thought part of the plan in the RFP, he looked to see this finance gap or chasm between affordability and development costs, especially for affordable rental or owner-occupied housing needs to be closed. For starters, it assuredly entails deep discounts of donations of land, creative tax abatement schemes, other incentive programs to spur the construction activity that is needed, and certain recent historic dodge proves that these tools such as fee in lieu can't be completely taken off the table without the consequences stifling the development. He urged approval of the resolution before the senior request for proposals put Midtown in motion. His first memory of coming to Santa Fe, going to the College of Santa Fe, and his buddy there, were on the campus. It was war hoops going on between IAIA campus and the College of Santa Fe were a lot of fun and we couldn't wait to be there again in a really fun, vibrant university.

Adan Fulton Johnson, 121 Arroyo Hondo Trail, 87508, Executive Director of the Old Santa Fe Association, said they followed the Midtown development with keen interest. They believed the Midtown development has the opportunity to forge a unique urban core. Reimagining 64 acres to meet the needs and interests of Santafeans and to do so in a distinctly Santa Fe style. OFSA provided feedback to Mayor Webber and Rich Brown in a meeting in City Hall addressing concerns of the design guidelines and height allowances. But also expressing their enthusiasm for the potentials of this project. Mr. Brown later connected OSFA with Daniel Hernandez and Lee Logston and they again conveyed their support and asked pointed questions about housing affordability and the historic buildings currently present on the Midtown campus. They applauded the inclusion of historic preservation in design considerations into the forthcoming [?]. They hoped to be included as community partners in future decisions about the look and feel of the campus, especially how it serves long-term Santa Feans. They support a Midtown that fits with the Santa Fe that we know and love, as well as open to new chapters of cohesively designed urban village. They support approving the rezoning and Master Plan tonight. Once it moves to the next stage, OSFA urges the

Council to commit to the design standards that fit with the rest of the City. They pledge to protect affordable housing at the site for all Santa Feans and ensure compliance with these standards on the part of the developers who are ultimately selected. They look forward to watching this project come into fruition.

Bridget Dixson 4147 Las Cruces, President, and CEO of the Santa Fe Chamber of Commerce, said the Chamber has been the voice of business in our community for over a hundred years. Since 2018, the Chamber has been in support of the Midtown project and excited to see it move forward in a productive way to be inclusive and developed with the input of the community. The Midtown project will provide numerous jobs, innovation for entrepreneurs, and diversified housing options. She commended Rich Brown, Daniel Hernandez, and his team as well as the Mayor and members of this Council for all the hard work that has been invested in this project and brought to where it is today. She reiterated the support of the Chamber, its Board of Directors and its members and looked forward to the work coming to fruition.

Glenn Shiffbauer 519 Vera Drive, 87501, Executive Director of the Santa Fe Green Chamber of Commerce, said they have been confident and following along with the plans for the last four years, knowing that things evolve as developments are built. The affordable housing will be very important to this development, as well as the potential for economic development in the Midtown area. The one thing missing for them and himself was the comfort with sustainability. This plan addresses sustainable design in its vision, and with LEEDs certification, has given a level of comfort that there will be a sustainable and sustainability bent towards the development of this project. Just the fact there is stormwater management has been heartening for someone who was an organizer of the sustainable water summit. What really sealed it for them was a future or upgraded electrification because in going carbon free, the best path will be through electrification. They have been working with Senator Heinrich's office on his Electrify America Resolution, and with the Beneficial Electrification rates so they know how important it is. This will allow renewable energy to be the source of this latest development. And one final thing is with talking about affordable housing, it is not just the entry into that house; it is being able to stay there that the energy burden for low to moderate income families and people is much greater than the rest of the population. As an organization they support the adoption of this plan.

Ray Landing at 16 Bishop's Lodge Road, and a board member for the Santa Fe Art Institute and Chair of its Midtown Committee and on behalf of the Board Chair Maria Wilkinson, and the Executive Director Jamie Blosser, he was thrilled to support this legislation. "It has been a lonely existence for them on the corner site of Midtown and the fact they could

look forward to neighbors soon was also a wonderful aspect for them. Now they could assist the City in achieving one of its core values to this plan – a vibrant and diverse arts and cultural hub that recognizes so many organizations in the City that usually would not be able to have a place to reside or benefit from the synergy in multiple arts organizations in Midtown and they looked forward to playing a role in that. There have been over 2,200 residents in the arts that have moved to SFAI since 1985. He believed that community of artists provide something very significant to the City and other organizations who otherwise would not have the opportunity to reside at Midtown. He thanked the hard work of Rich Brown and his staff and the City.

Forest Thomas, 1040 Camino Miñalmas, 87501, was here to say he was grateful to be present and support the City for creating an avenue to redevelop the campus and the City Staff who made major efforts to work with the neighboring property owners and consideration to them. He was encouraged and hopeful to see younger people – normal Santa Feans being able to stay in their City, which is a challenge. He said he left Santa Fe immediately out of high school and the “Land of Entrapment” brought him back and was grateful to be here. It will take some time before they get to a place where the campus is energized and full of people and activities. He strongly encouraged the City to make some sincere efforts to help deal with the crime and problems that have become outrageous along St. Michael’s Drive. “We have people coming to our shopping center shooting up in the parking lot daily, right in front of the businesses. It is a real problem, and we can’t really give assistance with the police. It takes too long to respond. Most people come in and go out. But it is a very serious problem throughout the City. But because of the campus’s current lack of activity, there is a considerable draw for people to be in that area that are not up to good activities. We’ve had numerous of our businesses broken into. So I plead on their behalf, help to do some more to bring more police presence in the meanwhile and I am very excited to support this project.”

Matt O’Reilly, 3229 Calle Molino, Vice President of Thomas Properties, that has a considerable amount of land around the University and wanted to take this opportunity to thank City Staff, particularly in the Land Use Department for their amazing efforts to address our serious concerns that we have, which have been addressed and in full support of this Master Plan. He urged the City to remember a few things.

With regard to Affordable Housing, Tierra Contenta, that he was involved in over 30 years ago, is over 45% affordable housing on a dwelling unit basis. So with 30% affordable housing, proposed for the campus, should be seen as a floor in his opinion. The City can do more than that on this campus. Also, although changes to the Midtown LINC have been

proposed tonight, some parts of the Midtown LINC ordinance will still apply on this campus including the Fee in Lieu as okayed in the Midtown area, have to stay and used in the Midtown LINC area which could include this campus.

Finally, a lot of people have been sharing their memories of this campus and he has been through every square inch of every building and on top and underneath, including the secret passages in the Garson Theater. One thing about Garson which he discovered by researching the building back in the day, the Garson Theater used to have turquoise inlay on the corners of the building and now has been stuccoed over. That is food for thought. That would be pretty cool if that was able to come back. Thank you.

Caren Gala, Living in District 1, as Chair of the Santa Fe Indigenous Center Board, she thought the big change tonight put on the table was that Santa Fe Indigenous Center supports the adoption of the Midtown Community Development Plan for the Midtown Development Project. “We at the Center look forward to watching this project grow and are please that you listened to our Native voice. Thank you.”

She invited all Governing Body members to the Indigenous Bazaar Arts and Crafts at our Center. It is full of art and Native Artists selling their goods to enjoy.

Stefanie Beninato swore herself in and said she thought a lot of the detail was where they would get hung upon as usual and any plan that the City of Santa Fe adopts. And that was based on 47 rules of this State and the City on long-term projects. She was concerned first that we have this case of zoning issue which she understood to mean that one could buy their way out of building affordable housing. She favored Matt O’Reilly’s that it should be less - at the base and not the ceiling, that was at 30%. She thought that would be a problem.

She was also concerned that there has been no higher education institution located there for some time. She also wondered about the Library and did not think they would come back to that library. She did not think 64 quick buildings really recreate the “around the plaza area” which was what she understands was the Opera House which was what the interior buildings would be or that it would recreate the falling of the downtown plaza. In her opinion because the Plaza buildings are two stories high, and one does not perceive them as that high. That would create a lot of shadow.

She wanted to say a lot more about community land trusts and have the City determine is they were really affordable. She would also like the

Council to give more direction on what was going to be developed in those units. A little direction to Staff so they would not be swimming around for four years as they have in the past. Thank you.

Lonna Lemus, 1918 Hopewell Street, was sworn in. She said as this project reaches into the future, she agreed with the first woman who said there seemed to be a movement now that we forget our past and glamorize it. The Christian Brothers and the Army, and whoever was there, she hoped in some way was included in this development. That we don't forget that part of it. She worked both with the College of Santa Fe and the School of Art and Design. There was a lot that went on there with that background. We should not forget that as we make that new vision. She was concerned about the Fee in Lieu of because everybody talks about affordable housing but then when the time comes, suddenly it is not there or not as much. So when that gentleman said 30% should be the base, she agreed. Let's hope for 30%.

But if it was going to be affordable, and hopefully multi-generational there is some talk about acceptability for those that are mobility-challenged. Because it will be three-story buildings, and that was an issue with Homewise, mobility-challenged could not use that space. She asked if they have considered at least in some of these buildings, having an elevator so that people can get to the third floor. She has heard nothing about that in the testimony and presentations in the meetings she attended. "Bring back the library and save the mural."

Miguel Gabaldon 2344 Las Placitas, was sworn in. He said, as a resident of a nearby neighborhood, he has been following its progress and proposals for development of this property since the SFAUD closed down. His biggest concern was his neighbors in this area, especially along Siringo Road and continue to listen to the neighbors of this property. It is all grand and marvelous to talk about the endeavors we have at this location but also need to remember that the quality of life of the residents who have lived here for over 60 years are overlooked and should always be considered as this project moves along. There are a lot of issues to address in the City, and to put all of them upon a 64-acre parcel of land just because it belongs to the City and have an opportunity to do so, needs to be done carefully and without affecting those who have already established their lives, families, and comforts of quality of life that they do not change drastically, once this project is developed. He looked forward to participating with the City and future developers as far as traffic impacts, property values and other things. There is a feeling in Santa Fe that is very prominent. Everyone calls it NIMBY That happens a lot in District 1 or District 2. But it all seems to get pushed into Districts 3 and 4. Let's not forget the residents who live near this project.

Nyira Gitana, 996 Camino Riso, was sworn in. She had three issues. First, she said the name of this project is not appropriate and suggested several other possible names for it. Secondly, she noted the appearance was not attractive and needed a little more pizzazz. It would be helpful and at least interesting to hear what the Christian Brothers had to say about what they realized had been left out or other information that could be useful for the developers to know. Thirdly, she pointed out there are three schools very close to the property and she asked what would be done to minimize the construction noise that would disrupt the students at those schools. The construction will obviously take years to complete.

There was no further public testimony at 9:18 p.m.

Governing Body Questions

. Councilor Romero-Wirth asked about affordable housing. She saw the presentation by Mr. Hernandez was not included in the packet. The plans said about 30% would be the floor. The packet had about 700 pages already. She asked Director Ladd to speak to that issue.

Director Ladd agreed that 30% was the bare minimum.

Councilor Romero-Wirth understood in this kind of development with multiple objectives, including a community plan which was sort of introduced at this meeting. She asked if that was appropriate or high.

Director Ladd said it was a little bit high, but it is redevelopment and at Midtown is more complicated. It seeks to develop market-rate homes as well as affordable housing up to the middle of the range.

Councilor Romero-Wirth understood. She noted there were four tracts of land that were set aside for 100% affordable housing as overarching development.

Director Ladd agreed that was the intention for those four tracts, much like Siler Road. It would be full subsidized area.

Councilor Romero-Wirth said the Governing Body also heard talk about a land trust and the need for such a land trust as part of the tools used in developing this property. She asked if the land trust was envisioned for one of those four tracts.

Director Ladd agreed that was the most likely scenario. The City's role would be to provide the support for the actual organization and long-term governance because managing a land trust is not in the City's function.

Donating the land would make it even more affordable on top of that. The land trust would take the cost of land out of the cost of housing. That would bring very significant affordability

What was important about the land trust is that it separates the value of the land from the value of the housing. The Santa Fe Community Housing Trust was set up to have properties held in trust, so the eventual owner of the home or renter of the home is only paying for the cost of the home that is weighed to the actual building. It is controlled by the stakeholders which are ultimately the residents of the property or other stakeholders who have a vested interest in the community control of the asset, vs. a corporate ownership structure.

Councilor Romero-Wirth asked if that was part of the thinking for the Midtown property.

Director Ladd agreed.

Councilor Romero-Wirth asked Erick Aune about transportation and how to characterize what we are trying to accomplish with multimodal transportation. I seemed as though the City is being modern, up to date, innovative or maybe bold and visionary.

Director Wheeler characterized it as implementing our Complete Streets where all users of rights-of-way are safe and have complete accessibility to all different forms of transportation, encouraging bicycles, pedestrians, and transit access for all with mobility issues.

Councilor Romero-Wirth asked to hear more about the Complete Streets concept and why it was so “cool.”

Ms. Bustos-Mihelcic interrupted to swear in Director Wheeler who was providing public comment.

Director Wheeler said it was for design of City streets which means ample sidewalks that feel safe with a buffer from traffic, ample bicycle paths that are separated from the traffic, use of street trees and landscaping with adequate stormwater management, etc.

Mr. Aune reiterated what Director Wheeler said and she explained it well.

Councilor Romero-Wirth wanted to talk more about the connectivity issue with the campus which had been “its own little bubble or silo or envelope.” Now they were doing something totally different and needed to figure out how to get it integrated into the area that it is. She understood the

concerns of local property owners, wondering what “the big, bad City was going to do.” She was glad they had worked that out.

Mr. Hernandez explained how interconnections could be made by the City, either by new roadways to think about that would lead out to the larger boulevards, or just soft connections that would break through various places along that wall by pedestrians and bicycles.

Councilor Romero-Wirth recalled discussions about rain gardens and the City has been doing rain gardens across the City and how important they are to capture stormwater and control it. Also it would be helped by planting trees and having more green spaces and how its beauty would cause drivers to slow down.

Mr. Hernandez saw every open space as a water retention opportunity.

Stefan Paulodrini was sworn in and commented about stormwater management that the campus did not have a system to do that were exacerbating problems there and in the nearby neighborhood. It was important to plan that would allow the site to treat stormwater as part of the key to integrate it. It would be built into a bosque framework. Keeping water on the site and using it for all green spaces is a beneficial impact for the site and, over time, work to provide a more livable climate.

Councilor Romero-Wirth said the City has worked diligently to make water use as efficient as possible. To deal with the environment we need to be smarter about how to sustain those trees.

She added that the US Green Building Council was something she just heard about for the first time and asked how that interface would guide us.

Mr. Paulodrini said the Green Building Council has certification programs for building for areas or neighborhoods and proposes, based on where it is located and designed, so it will have active water retention and enhance walkability. They provide credits according to their parameters to the design and qualify for it to be a LEED project. It is a high priority in this plan.

Councilor Romero-Wirth understood.

Councilor Villarreal thanked those have joined and helped this project from the beginning. She asked on page 81 of their packet about inclusionary ownership and terms of long-term community control and prohibiting opting out with cash contributions in the Santa Fe Homes Program. She asked what that meant. It was in Document 64.

Director Ladd explained that any ultimate compliance must stay within the Midtown or benefit the neighborhood.

Councilor Villarreal read part of the requirement and asked how it complied with codes and controls.

Director Ladd said the subsidy never goes away. On the rental side, most of them in the program, the affordability will attach with the property for 35-45 years. Compliance is taken care of by the tax credit monitoring agency. What was written in the ordinance was that the time with subsidy would be thirty years because the property value was restricted during that period. She briefly explained the impact on improving equity levels.

Councilor Villarreal thought that was more flexible for Midtown.

Director Ladd explained it further.

Councilor Villarreal mentioned standard street design for this area and asked if it was the responsibility of the City or the developer.

Mr. Hernandez described the details of the rules for it.

Councilor Villarreal asked how they would follow that for consistency in light of piecemeal development and still maintain continuity.

Director Wheeler said the DRT had that as part of the process for it to be appropriately developed.

Ms. Lamboy added that the Staff makes it clear as part of their reviews and gets feedback from all areas in a dialogue with the applicant.

Councilor Villarreal said parking was a big piece of this. The packet talked about how the public and private sector will be responsible for parking and reference the parking management strategy. She asked how that was being integrated into this development.

Director Wheeler said they do now have a management strategy that looks at the need so that it will work for the use of this area. With a look at the purpose for the needs of parking but often is based on how close it is to downtown. The strategy also includes recommended pricing for the parking. It has different levels for parking sophistication. As far as public and private development, there would be roadside parking in some places or a public parking garage and other places.

Renée didn't think there would be any paid parking in this development.

She next referred to civic places, plazas, and parks which were defined as areas where they will be located on the conceptual map. She asked if that meant the locations were set or if they would be negotiated.

Mr. Paulodrini said there was some flexibility but would remain close to where they were led to be located. The expectation would be notated on the to parcel when it was released for development by using the minimum dimensions as described. It would be up to Land Use to negotiation with the applicant. There is an open space requirement tied to the parcel to provide common open space for the area.

Councilor Villarreal asked if that was part of the 25% common open space requirements.

Mr. Paulodrini agreed.

Councilor Villarreal asked about the frontage requirements and how frontages would be kept consistent with piecemeal development.

Mr. Paulodrini said it would be in the parameters for each parcel on what frontages would be allowed. He explained it further. The frontages must also align with the application. The developer could also choose from a variety of styles.

Councilor Villarreal addressed proactive stormwater management. She wondered if it was a novel approach. There were three things mentioned.

Mr. Paulodrini said how it was addressed in the plan it would mitigate loss of harvesting. Large stormwater amenities were planned at the site that provided an opportunity to connect with the whole system.

Director Wheeler added that the City in older times were more interested n just getting rid of stormwater and since then changed the management slow water down and use as much as possible on site.

Councilor Villarreal saw references to acequia but there was no acequia on that site. She noted an arroyo was different from an acequia and wondered if they had misused that term. One reference was on page 187, and she assumed it was a reference to aesthetics. On page 44 also and suggested they use what was in the staff report. That section should be beefed up and make sure it was accurate.

She wanted to see that when revised to ensure it was accurate.

Councilor Chavez addressed community participation and feedback and the comments that it was hard to engage. She heard some anxiety also. She asked how this would be kept with community process.

Mr. Hernandez said there will be ongoing opportunity during the progress in development.

Councilor Chavez said the community should be captured and kept in the focus of the work. Sections of the community have been seriously underrepresented.

Mr. Hernandez said there will also be community representation on the Evaluation Committee.

Mr. Logston said they were completely open to those opportunities He noted two events with Chainbreaker and plans for more of them with one specific to affordable housing where Director Ladd will explain further how the pricing works.

Councilor Chavez said she had conversations with some community partners and finding developers to participate. She wanted the community to understand that and the partners that have been involved going to the community, using the websites, and even going to their homes to invite them to collaborate.

Councilor Lee Garcia appreciated the presentation and asked Mr. Hernandez how many buildings were anticipated on the 64 square acre site.

Mr. Hernandez gave no specific number and was not sure how many but gave some estimates by usage.

Councilor Lee Garcia thought that was an enormous amount of land and thought about the balance in amenities. He mentioned room for the Chamber of Commerce, the Spanish Chamber of Commerce, and the Green Chamber of Commerce.

Mr. Hernandez said ultimately, it was up to the Governing Body. Amenities were planned for minimum amounts and could be larger. He added they were not planning everything within the Midtown campus but using existing amenities nearby.

Councilor Lee Garcia asked how public safety connects with this plan. It will need more police officers and firefighters or maybe another station.

Mr. Logston said they did contact both departments and they decided what they have now would accommodate what is planned. They are also taking into account the new development on St. Michaels Drive.

Councilor Lee Garcia had concerns about collaboration with neighbors as the development goes forward, including the three public schools nearby in their work with UNM.

Ms. Lamboy said since the City owns the land, the City can decide what will be there. She pointed out that the public safety issue was higher because of the vacancies there. Once people were living on Midtown property and workers present involved in construction, it would improve public safety there.

Councilor Lee Garcia understood that concept.

Councilor Michael Garcia said many of his questions had been addressed. He asked how the 30% would be monitored and met.

Director Ladd said they would follow the Tierra Content model where, if one tract had lower than 30%, that would be met in being above 30% in another.

Councilor Michael Garcia asked about requirements for ownership vs. renting.

Director Ladd shared the details of the requirements of HUD and the tiers of income percentage of the median income level for the area. Se also described the flexibility the City has.

Councilor Michael Garcia understood that the City would ensure the 30% was clearly be met as the base. But my not ensure it was being met from the beginning, it would get pushed to the end and might not be met by the end, leaving the City to make up the difference and that meant the burden would be on the taxpayers.

Director Ladd explained further how that scenario would be avoided.

Councilor Michael Garcia asked Mr. Hernandez how many of the proposed 900-1100 units were to be market-rate rental homes.

Mr. Hernandez said 30% were affordable so as many as 70% could be market rate housing. They would use a formula that included inclusionary i the 30%.

Councilor Michael Garcia asked what would make up for when a developer used Fee in Lieu.

Mr. Hernandez said the 30% actual units would always be required. The City knows how many units will be built and the City will manage that.

Director explained the way inclusionary housing worked. It helped the City make sure the required units were built and that people could afford them with the subsidized payment arrangements. Inclusionary zoning applies to privately owned homes. For publicly owned land, more incentives could be provided.

Councilor Michael Garcia asked regarding the RFPs if it was stated that the City is offering to sell the property.

Mr. Hernandez said the RFP did not address any offering to sell the property.

Councilor Michael Garcia understood and supported multiple perspectives and was glad that was not included in an RFP.

Councilor Cassutt followed up on a public comment re the Midtown LINC.

Director Lapp explained how it would help in redevelopment of the area.

Councilor Cassutt thought about many comments made by her constituents on the redevelopments that would be beneficial to cope with displacements.

Director Ladd said there were many strategies that could be used here including an overlay that could minimize displacement.

Mr. Hernandez said the Community Land Trust could be helpful for that development of ownership. That is a commitment and more would be said about that later.

Councilor Cassutt asked for elaboration on what could be said about urban landform. And said she had heard from her constituents that this looked like it could be anywhere in my backyard.

Mr. Paulodrine thanked her and said the design guidelines was silent on more architectural style and the analysis was open form and they were trying to focus more on allowing a greater diversity of style. He pointed out that on the campus now were elements that were distinctively Santa Fe and others that were very different modern interpretations. The design

allows architects to elaborate. They paid attention to other things like the height of buildings to not approve buildings that were too tall.

Councilor Cassutt understood from the Planning Commission that there would be other opportunities to be engaged with community input.

Ms. Lamboy assured her there would be many more opportunities.

Mr. Hernandez said Chainbreaker was disappointed they would not be part of the RFP evaluations. He said they would have community participation in that. process.

Director Ladd agreed and pointed out how difficult it was to have the community represented on the RFP responses. Councilor Cassutt asked them to think about affordable commercial space also, especially for folks to start up who don't have a lot of capital.

Mr. Hernandez agreed that would be beneficial to work on. It will be a public policy decision regarding how affordable we want it to be.

Councilor Cassutt understood the decisions would be complicated.

Mayor Webber knew there would be four parcels at a minimum where affordability would be emphasized and wondered how many the minimum 30% would provide. He asked if that was the formula, they would use to guarantee that minimum 30% would be achieved.

Mr. Hernandez agreed.

Mayor Webber asked about infrastructure. He asked if there was a hypothetical amount of investment needed for that.

Dena Belzer was sworn and explained what the infrastructure included and said it would be about \$26 million. The roads were about \$27 million of that. She described the priorities in it and had been examining the existing infrastructure.

Mayor Webber said if the Governing Body is going to come up with that amount, what the tools were that could be used.

Mr. Hernandez said a meeting on Monday would consider the possible sources such as issuing a bond.

Ms. Belzer said land sales would provide a lot of the money and GRT. Over the next 15 years, that could draw down as much as \$50 million.

Mayor Webber noted that three RFPs are out the door and asked what those are.

Mr. Hernandez said Arts and Culture and Visual Arts Center and bringing people to live at Midtown. We need to create a marketplace to bring them back. The RFP also talked about jobs.

The questions from the Governing Body were completed at 10:35 p.m.

Mayor Webber closed the public hearing and entertained motions.

MOTION: Councillor Cassutt moved, seconded by Councillor Romero-Wirth to approve Case #2022-5764. Midtown Master Plan. Discussion of the Motion

Councillor Villarreal commended all who were involved in this plan and called out Matt O'Reilly who worked diligently on it while he was the Public Works Director. She also praised them for the plan that was proposed and described the strengths and benefits it will provide to the City. Among the values, she mentioned health equity for people living there and working there. She mentioned some of the neighborhoods that were not mentioned in the plan that should also be recognized. It is a community-powered effort and there is much more work to do.

Councillor Cassutt noted the immensity of the plan that is offered here for forward mobility and the City with control having an incremental process with a forward vision. It puts Santa Fe in a better place for what this development can be and what has been learned about processes to apply here and elsewhere in the City. There was criticism about this taking so long, but it was worth spending the time with it. There will be other challenges and roadblocks along the way, but she was very exciting to turn the corner on this way to do the City's business. It won't solve all the problems the City faces but this is an asset for us. It is enhancing the quality of life here.

Councillor Michael Garcia could only imagine how much coffee this team has gone through. Director Brown and this team stepped up. Our future is now in focus and all eager to take those next steps and the heavy lifting is now ready to lift. He hoped all who have been involved will stay engaged. It will take time to implement like the Railyard took time. He thanked everyone who has been involved in this plan.

Councilor Lee Garcia also thanked everyone involved in the work, the public engagement, how the partners were involved and how the community at large came out to provide input. As it develops, he hoped it will benefit all who use this property in the future. It is up to the Governing Body to ensure it is being utilized by many people.

He hoped the park would be named for the Christian Brothers who were there for so long.

Councilor Romero-Wirth – congratulated to the community groups who participated and agreed the Governing Body needs for them all to stay engaged. She congratulated the Staff for the last four years of work on it. Congratulated to the consultants, the community and all who gave of time and talent for the plan. It is wonderful to see it take shape. It can showcase the City for all you have done.

Councilor Chavez said this makes her very proud of her kids because they will be able to be there and realize the people were for them. This has been a transparent work that has educated all why it is being built. Let's continue to beyond what is needed to make it a success.

Councilor Cassutt said how important it is to recognize how incredibly dedicated and creative City Staff is.

VOTE: **The motion was approved on a unanimous roll call vote with:**

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

Against: None.

MOTION: **Councilor Cassutt moved, seconded by Councilor Chavez to approve Case #2022-5765. Midtown Rezoning to change the zoning from R-5 to C-2 PUD.**

VOTE: **The motion was approved on a unanimous roll call vote with:**

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

Against: None.

MOTION: Councilor Cassutt moved, seconded by Councilor Villarreal to approve Case #2022-5764. Midtown Master Plan.

Discussion on the Motion

Councilor Cassutt noted that the Master Plan had not been updated to include the changed the City made to the Zoning Code that all childcare centers of all sizes in the amendment be included in the approved uses by right and did not require a special use permit.

MOTION: Councilor Cassutt moved, seconded by Councilor Chavez to approve the amendment in the Master Plan uses table as she stated.

VOTE: The amendment was approved on a unanimous roll call vote with:

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

Against: None.

Discussion on the amendments:

Mr. Martinez reminded the Governing Body about the correct term for replacing “acequia” in the Master Plan. He offered the clarification on the amendment regarding the updated table could be part of the next case about the Midtown LINC.

Then ensued a discussion about what word be an accurate replacement word and whether it would require a motion.

Mr. Martinez advised that the language could be to replace “acequia” with an appropriate word as applied in the statute.

Ms. Bustos-Mihelcic pointed out the need to follow the rules concerning actions of the Governing Body to have all amendments in writing.

Mr. Martinez was not sure how best to proceed.

Mayor Webber proposed to give a directive to the City Manager to make those corrections in the language.

Mr. Martinez suggested a direction to Staff to make the corrections in concert with the intention of the Governing Body for the document.

Councilor Villarreal pointed out the amendment has already been voted on.

Mayor Webber was comfortable directing Staff to make those corrections and that would be reflected in the minutes.

Councilor Lee Garcia suggested the motion as amended could include with conditions of approval to make the document accurate.

Mayor Webber commented that this was a remarkable achievement and across the City, the Governing Body heard support for this plan.

He shared that when he walked in after becoming Mayor, he was handed an agreement that would turn the campus into place with raffles and UNM with no community involvement, no economic study, no master plan. And from there, the City took over the work to make it a huge financial opportunity and put the City in charge of our treasure of a site. in a landmark achievement and deserves acknowledgement of all people. He was enthused with this project and see the first three RFP issued on Friday.

VOTE: **The motion as amended and with a condition of approval that would replace “acequia” with a more appropriate term to reflect what was written i the Staff Report was approved on a unanimous roll call vote with:**

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

Against: None.

SUSPENSION OF RULE TO AJOURN AT 11:30 PM

MOTION: Councilor Villarreal moved, seconded by Councilor Cassutt to suspend the rule to adjourn the Governing Body meeting at 11:30 p.m. and allow the meeting to continue.

VOTE: The motion was approved on a unanimous roll call vote with:

For: Mayor Webber, Councilor Cassutt, Councilor Chavez, Councilor L Garcia, Councilor M. Garcia, and Councilor Villarreal.

Against: None. Councilor Romero-Wirth was not present while the vote was taken.

d. CONSIDERATION OF BILL NO. 2022-25. ADOPTION OF ORDINANCE NO. 2022-_____.

Case #2022-5766. Midtown LINC Text Amendment. The City of Santa Fe, Agent/Owner, Requests that the Governing Body Approve a Text Amendment to the Midtown Local Innovation Corridor (Midtown LINC) Overlay District, SFCC 1987, Section 14-5.5(D), to Expand the Permitted Uses in the Midtown LINC Overlay District to Include all Qualifying Projects, Update the Name of the Area Formerly known as the Santa Fe University of Art and Design, Format the Use Chart Consistently with the Rest of Chapter 14's Charts, Allow Alternative Open Space Compliance for Institutional Buildings, and Reduce Landscape Area Minimum Requirements Around the Base of Qualifying Residential Projects within the Midtown Planned Unit Development, and Removing an Expired Provision Regarding Review of the Ordinance. (Heather Lamboy, Case Manager, hllamboy@santafenm.gov, 505-955-6598)

Ms. Bustos-Mihelcic read the caption for this case.
Mayor Webber described the procedure for this matter.

Staff Report

Ms. Lamboy gave the Staff Report. She explained the purpose of the overlay corridor. Its area covers more than just the Midtown campus. The purpose for the amendments is to update the Master Plan, clarify the uses table and prohibited Uses in the Master Plan. The Qualifying Projects Table would also be updated as well as other provisions such as open space requirements for each project. She identified the approval criteria and said the Planning Commission recommended approval.

Public Comment

Public Testimony was invited.

Suby T Bowden said she did not intend to make any comment.

There was no public comment.

Governing Body Questions

There were no questions for Staff.

Action of the Governing Body

MOTION: Councilor Michael Garcia moved, seconded by Councilor Cassutt, to approve Case #2022-5766. Midtown LINC Text Amendment.

Discussion on the Motion:

There was no discussion.

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

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

Against: None.

- e. CONSIDERATION OF RESOLUTION NO. 2022-____.
Case #2022-5767. Midtown Adjacent Parcels General Plan Amendment. The City of Santa Fe, Agent, Requests that the Governing Body Approve a Resolution to Amend the Existing General Plan Future Land Use Classification for the City of Santa Fe and New Mexico State Owned Parcels Comprising ±24-Acres Adjacent to 1600 St. Michaels Drive from Public/Institutional to Transitional Mixed Use. (Heather Lamboy, Case Manager, hllamboy@santafenm.gov, 505-955-6598)

Ms. Bustos-Mihelcic read the caption for tis case along with the next one.

Mayor Webber noted this case and the next were quasi-judicial matters and stated the procedures involved.

He asked for any disclosures and there were none.

Ms. Lamboy presented the Staff Report. She clarified that amending this General Plan Amendment would allow for future developments on these

parcels. The State has already authorized the City of Santa Fe to act on its behalf in this case. She shared a map of the parcels in question being requested for a zoning of C-2 for such developments, a zoning conducive with the future plans.

Mr. Logston did not have a formal presentation, but this was a natural step for a land swap to bring the area into compliance with City Code at this time for options in the future.

Mayor Webber invited public comments for this or the next case.

There were no public comments.

Councilor Villarreal didn't see the Resolution, exhibits for Staff comments in the packet.

Ms. Lamboy said the Resolution was signed by Ms. McSherry.

Councilor Michael Garcia said without the resolution the Governing Body would need to postpone these cases to the next meeting.

Staff Attorney agreed.

Mayor Webber closed the public hearing for these two cases.

Discussion on the Motion:

There was no discussion

MOTION: Councilor Cassutt moved, seconded by Councilor Romero-Wirth, to postpone Case #2022-5767, Midtown Adjacent Parcels General Plan Amendment and Case #2022-5769 Midtown Adjacent Parcels Rezoning to the meeting on December 14, 2022.

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

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

Against: None.

f. CONSIDERATION OF BILL NO. 2022-26. ADOPTION OF ORDINANCE NO. 2022-_____.

Case #2022-5769. Midtown Adjacent Parcels Rezoning. The City of Santa Fe, Agent, Requests that the Governing Body Approve an Ordinance to Rezone the City of Santa Fe and New Mexico State-Owned Parcels Comprising ±24-Acres Adjacent to 1600 St. Michaels Drive from R-5 (5 Residential Dwelling Units Per Acre) to C-2 (General Commercial). The Parcels are within the Midtown LINC Overlay District. (Heather Lamboy, Case Manager: hllamboy@santafenm.gov, 505-955-6598)

This item was postponed with the former case.

20. **APPOINTMENTS**

a. Santa Fe Women's Commission

- Wendy Pomeroy – District 1 Reappointment – Term Ending 11/2024
 - Olivia Sloan – District 2 Reappointment – Term Ending 11/2024
 - Carla Bachechi – Alternate Reappointment- Term Ending 11/2024
 - Sheila Vaughn – At-Large Reappointment – Term Ending 11/2024
 - Gloria Martinez-Friestad – At-Large Appointment – Term Ending 11/2025
 - Gabriela Schwenker – At-Large Reappointment – Term Ending 11/2025
- This appointment was approved earlier in the meeting.

b. Water Conservation Committee

- Beth Beloff – Appointment – Term Ending 07/2024
 - Bill Roth – Appointment – Term Ending 07/2024
 - Autumn Leiker – Appointment – Term Ending 07/2024
 - Evan Ripley – Appointment – Term Ending 07/2024
 - Stephen Schmelling – Reappointment – Term Ending 07/2024
- This appointment was approved earlier in the meeting.

c. City of Santa Fe Liquor Hearing Officer

- Renee Barela Gutierrez – Appointment – Term Ending 11/2026
- Nathan Eckberg – Appointment – Term Ending 11/2026

This appointment was approved earlier in the meeting.

21. **ADJOURN**

Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at 12:10 a.m.

Approved by:



Mayor Alan Webber

ATTESTED TO:



Kristine Bustos Mihelcic, City Clerk

Respectfully submitted by:



Carl G. Boaz, Council Stenographer