



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
FEBRUARY 08, 2023 5:00 PM
COUNCIL CHAMBERS, CITY
HALL
200 LINCOLN AVENUE

PROCEDURES FOR GOVERNING BODY MEETING

Viewing: Members of the public may view the meeting through the Government Channel on Comcast Channel 28 and Comcast HD928 or may stream the meeting live on the City of Santa Fe's YouTube channel at <https://www.youtube.com/user/cityofsantafe>. The YouTube live stream can be accessed at this address from most smartphones, tablets, or computers.

The video recording of this and all past meetings of the Governing Body will also remain available for viewing at any time on the City's YouTube channel at <https://www.youtube.com/user/cityofsantafe>. Staff is available to help members of the public access pre-recorded Governing Body meetings on-line at any time during normal business hours. Please call 955-6521 for assistance.

Radio Broadcast: The meeting can be heard on radio station KSFR 101.1.

Written Public Comment: Members of the public may submit written comments on legislation by clicking on the comment bubble to the right of the meeting on the public portal at <https://santafe.primegov.com/public/portal> until 1 p.m. the day 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/85332554325>.

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: 853 3255 4325**

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**

Councilwoman Villarreal

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

Councilor Michael Garcia

4. **INVOCATION AND REMEMBRANCES**

Councilor Rivera

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT AGENDA**

8. **PRESENTATIONS**

- a. Audit Update for FY21. (Emily Oster, Finance Director: ekoster@santafenm.gov, 505-629-3411)
- b. Presentation of MRC and Golf Course Update, Assessment, and Plans. (Jonathan Weiss, Golf Course and Sports Complex Manager, 505-629-2410, jwweiss@santafenm.gov)

Committee Review:

Public Works and Utilities Committee: 02/06/2023

Governing Body: 02/08/2023

9. **ACTION ITEMS: CONSENT AGENDA**

- a. Request for Approval of the January 11, 2023 Regular Governing Body Meeting Minutes. (Geraldyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov; 505-955-6519)

Committee Review:

Governing Body: 02/08/2023

- b. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Yamas LLC, for a Restaurant A (Beer & Wine) Liquor License with On-Premises Consumption Only and Patio Service, to be Located at Yamas Greek Rotisserie, 2411 Cerrillos Road. (Alexandria Mares, Marketing & Special Events Coordinator: armares@santafenm.gov, 505-955-6520)

Committee Review:

Liquor Hearing: 01/23/2023

Governing Body: 02/08/2023

- c. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from The Mystic at Santa Fe, LLC, for a Transfer of Ownership and Location of Inter-Local Dispenser Liquor License No. 2792, from Midtown Bistro, 901 San Mateo, Suite A & B, to The Mystic, 2810 Cerrillos Road. (Alexandria Mares, Marketing & Special Events

Coordinator: armares@santafenm.gov, 505-955-6520)

Committee Review:

Liquor Hearing: 01/23/2023

Governing Body: 02/08/2023

- d. Request for Approval of Budget Adjustment Resolution (BAR) from the Water Enterprise Fund Cash Balance to Operating Supplies in the Amount of \$100,000. (Randy Lopez, Transmission and Distribution Supervisor, rjlopez@santafenm.gov)

Committee Review:

Public Works and Utilities Committee: 01/23/2023

Finance Committee: 01/30/2023

Governing Body: 02/08/2023

- e. Request for Approval to Purchase and Replace Two (2) Vehicles for the Water Division, Source of Supply Section in the Total Amount of \$107,483. (Jonathan Montoya, Source of Supply Operations Manager: jmmontoya@santafenm.gov, 505-955-4373 and Joe Olivas, Water Equipment Supervisor: jwolivas@santafenm.gov, 505-955-4370)

Committee Review:

Public Works and Utilities Committee: 01/23/2023

Finance Committee: 01/30/2023

Governing Body: 02/08/2023

- f. Request for Approval of a Memorandum of Understanding (MOU) between the City of Santa Fe and Santa Fe County to Provide Water and Wastewater Service Outside the City Limits to First Serve of New Mexico, LLC. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 505-955-4309 and Stan Holland, WWMD Engineer, tsholland@santafenm.gov, 505-955-4367)

Committee Review:

Public Works and Utilities Committee: 01/23/2023

Finance Committee: 01/30/2023

Governing Body: 02/08/2023

- g. Request for Approval of Contract With GM Emulsion LLC for Removal of Sewage Sludge to be Hauled from The Paseo Real Water Reclamation

Facility, in the Total Amount of \$300,000. Excluding NMGRT for a One (1) Year Term Expiring June 30, 2024. (P. Fred Heerbrandt, Wastewater Management Engineer Supervisor 505-955-4623)

1. Request for Approval of a Budget Adjustment Resolution (BAR) In The Amount of 300,000.

Committee Review:

Public Works and Utilities Committee: 01/23/2023

Finance Committee: 01/30/2023

Governing Body: 02/08/2023

- h. Request for Approval of Amendment No.1 to Original Contract #22-0511 with ESA Construction to Expand Concrete Ramp Work and Bathroom Plumbing in the Amount of \$13,828.65 for a Total Contract Amount of \$297,962.67. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 505-955-4309)

Committee Review:

Public Works and Utilities Committee: 01/23/2023

Finance Committee: 01/30/2023

Governing Body: 02/08/2023

- i. Request for Approval of Amendment No.1 to Original Contract # 22-0410 with Parkson Corporation for the Purchase of an AquaGuard Wastewater Screen and Extending the Contract through December 31, 2023. (P.F Heerbrandt, Engineer Supervisor, pfheerbrandt@santafenm.gov)

Committee Review:

Public Works and Utilities Committee: 01/23/2023

Finance Committee: 01/30/2023

Governing Body: 02/08/2023

- j. Request for Approval of Contract with Alpha Southwest. Inc. for On-Call Repair and Maintenance of Water and Wastewater Facilities for the Remainder of FY23 in the Amount of \$307,603.35 (Jonathan Montoya, Source of Supply Operations Manager, jmmontoya@santafenm.gov, 505-955-4373; Julian Gonzales, Wastewater Plant Operator, jrgonzales@santafenm.gov)

Committee Review:

Public Works and Utilities Committee: 01/23/2023

Finance Committee: 01/30/2023

Governing Body: 02/08/2023

- k. Request for Approval of Award and Acceptance of Reoccurring Federal Planning Funding Section 112 Federal Highway Association (FHWA) and Section 5303 Federal Transit Authority (FTA) for Federal Fiscal Year 2023 in the Amount of \$388,184 for the Annual Operations of the Santa Fe MPO. (Erick Aune, Santa Fe MPO Officer: ejaune@santafenm.gov, 505-330-8483)

Committee Review:

Finance Committee: 01/30/2023

Public Works/Utilities Committee: 02/06/2023

Governing Body: 02/08/2023

- l. Request for Approval of Midyear Budget Amendment Resolutions (BAR's) Utilizing FY22 (Prior Year) Gross Receipts Tax Revenue, Above Budgeted Estimates, to Fund a Package of Priorities that Includes Contracted Services to Alleviate Unsheltered Homelessness, Vehicles and Equipment for Park Rangers, Encampment Cleanup, Salary Adjustments to Improve Recruitment and Retention of Parks Department Employees, and Relocation of City Offices from Railyard Market Station, Totaling \$2,119,290. (Emily K. Oster, Finance Director, ekoster@santafenm.gov, 505-629-3411).

Committee Review:

Finance Committee (Forwarded with No Recommendation): 01/30/2023

Quality of Life: 02/01/2023

Governing Body: 02/08/2023

- m. CONSIDERATION OF RESOLUTION NO. 2023-___. (Councilor Lindell and Councilor Romero-Wirth)
A Resolution Accepting Donations from the Santa Fe Pickleball Club and the Mammel Foundation for the Design and Construction of Pickleball Courts at Fort Marcy Park and Directing the Use of Capital Improvement Funds to Construct Six Additional Pickleball Courts. (Melissa McDonald, Parks and Open Space Division Director: mamcdonald@santafenm.gov,

955-6840)

Committee Review:

Governing Body (Introduced): 01/11/2023

Public Works and Utilities Committee: 01/23/2023

Finance Committee: 01/30/2023

Governing Body: 02/08/2023

- n. CONSIDERATION OF RESOLUTION NO. 2023-___. (Councilwoman Villarreal and Councilor Lindell)
A Resolution Authorizing the Sale and Consumption of Alcohol During SITE Santa Fe's Annual Benefit and Concert on City Property for the Years 2023-2027, Pursuant to Subsection 23-6.2(C) SFCC 1987. (Kristine Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 955-6521)

Committee Review:

Governing Body (Introduced): 01/11/2023

Quality of Life Committee: 01/18/2023

Finance Committee: 01/30/2023

Governing Body: 02/08/2023

10. **ACTION ITEMS: DISCUSSION AGENDA**

11. **MATTERS FROM THE CITY MANAGER**

12. **MATTERS FROM THE CITY ATTORNEY**

Executive Session

In Accordance with the New Mexico Open Meetings Act, NMSA 1978, Section 10-15-1, Part (H)(7), Attorney-Client Privileged Discussion of Litigation, Specifically *Duran Family Trust v. City of Santa Fe*, D-101-CV-2021-02418. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov, 955-6512)

13. **EXECUTIVE SESSION ACTION ITEMS**

- a. Approval of a Settlement Agreement in *Duran Family Trust v. City of Santa Fe*, D-101-CV-2021-02418, Selling the City's Property Interests in

730 Alto Street for \$467,000. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov, 955-6512)

14. **MATTERS FROM THE CITY CLERK**

15. **COMMUNICATIONS FROM THE GOVERNING BODY**

16. **INTRODUCTION OF LEGISLATION**

- a. CONSIDERATION OF RESOLUTION 2023-____ (Councilor Romero-Wirth, Councilwoman Villarreal, Councilor Chavez, Councilor Rivera, Councilor Cassutt, Councilor M. Garcia, Mayor Webber)
A Resolution Directing the City Manager to Take Next Steps Based on Some of the Recommendations of the CHART Report. (Erin McSherry, City Attorney, ekmcsherry@santafenm.gov, 505-955-6512) **Committee Review**

Governing Body (Introduced): 02/08/2023

Quality of Life Committee: 02/15/2023

Finance Committee: 02/27/2023

Public Works/Utilities: 03/06/2023

Governing Body: 03/08/2023

- b. CONSIDERATION OF RESOLUTION 2023-__ (Mayor Webber)
A Resolution in Support of Governor Lujan Grisham's Call to Pass Gun Reforms, Including a Ban on the Sale of Assault Weapons. (John Blair, City Manager: jwblair@santafenm.gov, 505-955-6521)

Committee Review:

Governing Body (Introduction) (Removed from Agenda): 01/25/2023

Governing Body (Introduction): 02/08/2023

Quality of Life Committee: 02/15/2023

Finance Committee: 02/27/2023

Governing Body: 03/08/2023

- c. CONSIDERATION OF RESOLUTION 2023-____ (Councilwoman Villarreal)

A Resolution in Support of the Investigation and Prosecution of the Persons Responsible for the Effort to Criminally Interfere with or Overturn the Results of the 2020 Presidential Election that Culminated in the January 6, 2021, Attack Upon the United States Capitol; and Calling for the Passage of Federal and State Laws to Eliminate the Risks of Future Insurrections and Efforts to Delay, Disrupt, or Overturn Elections, and to Better Protect and Safeguard the Election Process. (Layla Maestas-Archuleta, Deputy City Manager: Isarchulettamaestas@santafenm.gov, 505-955-6740)

Committee Review

Governing Body: (Introduced) 02/08/2023

Quality of Life Committee: 02/15/2023

Finance Committee: 02/27/2023

Governing Body: 03/08/2023

- d. CONSIDERATION OF RESOLUTION 2023-____ (Councilor Jamie Cassutt, Councilor Michael Garcia)
A Resolution Authorizing the Sale And Consumption of Beer During the Party on the Pitch Soccer Tournament on June 3-4, 2023, Pursuant To Section 23-6.2(B) SFCC 1987.

Committee Review

Governing Body (Introduced): 02/08/2023

Quality of Life Committee: 02/15/2023

Finance Committee: 02/27/2023

Governing Body: 03/08/2023

17. **PETITIONS FROM THE FLOOR**

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

- a. CONSIDERATION OF BILL NO. 2023-9 (Mayor Webber, Councilor Lindell, Councilor Cassutt and Councilor Romero-Wirth)
A Bill Approving a Lease Agreement Between the City Of Santa Fe and Specifica, LLC, for the Lease of City-Owned Building and Improvements Located At 500 Market Street within the Railyard Within the City And County of Santa Fe, New Mexico to Expand Its Biotechnological Company. (Andrea Salazar, Assistant City Attorney,

asalazar@santafenm.gov, 505-955-6303)

Committee Review:

Governing Body (Introduced): 01/25/2023

Governing Body (Public Comment): 02/08/2023

Quality of Life: 02/15/2023

Public Works and Utilities: 02/20/2023

Economic Development Advisory Committee: 03/01/2023

Finance Committee: 02/27/2023

Governing Body (Public Hearing): 03/08/2023

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

- a. CONSIDERATION OF BILL NO. 2022-27. (Councilor M. Garcia, Councilor Cassutt)

An Ordinance Relating to Electric Bicycles; Amending Section 12-1-6 of the Uniform Traffic Ordinance (“UTO”) to Include Electric Bicycles in the Definition of Bicycle; Amending Section 12-1-40 of the UTO to Delineate Electric Bicycles From Motor Vehicles; Amending Section 12-1-88 of the UTO to Specify That an Electric Bicycle is a Vehicle; Amending Section 12-8-1 of the UTO to Prohibit Anyone Under the Age of Sixteen From Riding a Class 3 Electric Bicycle; Amending Section 12-8-10 of the UTO to Regulate and Establish a Speed Limit for Electric and Manually-Propelled Bicycles on City Sidewalks; Amending Section 12-8-15 of the UTO to Remove the Prohibition for Bicycles to Ride on a Street Adjacent to a Sidewalk or Path When Bicycles are Required to Use the Sidewalk or Street; Creating a New Section 12-8-18 of the UTO to Make it an Offense to Enhance the Speed Capabilities of an Electric Bicycle; Amending Section 12-8-23 of the UTO to Raise the Maximum Fine for Violation of Certain Provisions from Twenty-Five Dollars to One Hundred Dollars; and Amending SFCC 1987 Section 23-5.1 to Amend the Definition of Bicycle to Include Electric Bicycles, and to Regulate the Use of Electric Bicycles on City Roads. (Romella Glorioso-Moss; Project Administrator: rsglorioso-moss@santafenm.gov, 505-955-6623; Kevin Nault, Assistant City Attorney: klnault@santafenm.gov)

Committee Review:

Governing Body (Introduced): 08/31/2022

Governing Body (Public Comment): 09/14/2022

Bicycle and Pedestrian Advisory Committee: 10/13/2022
Quality of Life Committee: 10/19/2022
Bicycle and Pedestrian Advisory Committee: 11/10/2022
Quality of Life Committee: 12/7/2022
Public Works and Utilities Committee: 12/12/2022
Finance Committee: 01/03/2023 (Postponed)
Finance Committee: 01/17/2023
Governing Body (Public Hearing): 02/08/2023

20. **PUBLIC HEARINGS**

- a. CONSIDERATION OF RESOLUTION NO.2023_____.
Case #2021-4648. JenkinsGavin, Inc., Agent for Homewise, Inc., Applicant, Requests Approval of a Resolution to Amend the Designation on the General Plan Future Land Use Map for Approximately 19.54 Acres, Located at 3600 South Meadows Road and within the River and Trails Archeological Review Overlay District and the Suburban Archeological Review Overview District, from Park to Low-Density Residential (Residential: Three to Seven Dwelling Units Per Acre). (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 505-955-6587) **RECONVENING FROM THE FEBRUARY 1, 2023 SPECIAL GOVERNING BODY MEETING. PUBLIC COMMENT IS CLOSED**

- b. CONSIDERATION OF BILL NO. 2023-1. ADOPTION OF ORDINANCE NO. 2023-_____.
Case #2021-4649. JenkinsGavin, Inc., Agent for Homewise, Inc., Applicant, Requests Approval of Bill 2023-1 to Rezone Approximately 19.54 Acres, Located at 3600 South Meadows Road and within the River and Trails Archaeological Review Overlay District and the Suburban Archaeological Review Overview District, from R-1 (Residential: One Dwelling Unit Per Acre) to R-6 (Residential: Six Dwelling Units Per Acre). (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 505-955-6587) **RECONVENING FROM THE FEBRUARY 1, 2023 SPECIAL GOVERNING BODY MEETING. PUBLIC COMMENT IS CLOSED**

- c. CONSIDERATION OF RESOLUTION NO. 2023-_____.
Case #2021-4650. JenkinsGavin, Inc., Agent for Homewise, Inc.,

Applicant, Requests Approval of a Resolution to Amend the Designation on the General Plan Future Land Use Map for Approximately 2.66 Acres, Located at 3740 South Meadows Road and within the River and Trails Archaeological Review Overlay District and the Suburban Archaeological Review Overview District, from Park to High-Density Residential (Residential: 12 to 29 Units Per Acre). (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 505-955-6587) **RECONVENING FROM THE FEBRUARY 1, 2023 SPECIAL GOVERNING BODY MEETING. PUBLIC COMMENT IS CLOSED**

- d. CONSIDERATION OF BILL NO. 2023-2. ADOPTION OF ORDINANCE 2023-_____.

Case #2021-4651. JenkinsGavin, Inc., Agent for Homewise, Inc., Applicant, Requests Approval of Bill 2023-2 to Rezone Approximately 2.66 Acres Located at 3740 South Meadows Road and within the River and Trails Archaeological Review Overlay District and the Suburban Archaeological Review Overview District, from R-1 (Residential: One Dwelling Unit Per Acre) to R-21 (Residential: 21 Dwelling Units Per Acre). (Dan Esquibel, Case Manager: daesquibel@santafenm.gov, 505-955-6587) **RECONVENING FROM THE FEBRUARY 1, 2023 SPECIAL GOVERNING BODY MEETING. PUBLIC COMMENT IS CLOSED**

- e. CONSIDERATION OF RESOLUTION 2023-_____.

Case #2022-5618. JenkinsGavin, Inc., Agent for Homewise, Inc., Applicant, Requests Approval of Resolution 2023-_____ to Adopt a Master Plan for a Residential Project on Approximately 22.2-Acres Located at 3600 and 3740 South Meadows Road to Include a Subdivision, Development Plan, and Construction of a Neighborhood Park for Dedication to the City. (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 505-955-6587) **RECONVENING FROM THE FEBRUARY 1, 2023 SPECIAL GOVERNING BODY MEETING. PUBLIC COMMENT IS CLOSED**

21. APPOINTMENTS

- a. Mayor's Committee on Disability

- Christopher Pommier – Appointment – Term Ending 01/2027
- Pam J. Parfitt – Reappointment – Term Ending 01/2027
- Angelique Montoya-Chaves –Reappointment - Term Ending 01/2027

b. Santa Fe Women’s Commission

- Mariah Gonzales – Appointment – Term Ending 11/2025
- Elais Ponton – Appointment – Term Ending 11/2025

22. **ADJOURN**

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