



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
MARCH 29, 2023 5:00 PM  
COUNCIL CHAMBERS, CITY  
HALL  
200 LINCOLN AVENUE

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## PROCEDURES FOR GOVERNING BODY MEETING

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

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

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

**Written Public Comment:** Members of the public may submit written comments on legislation by clicking on the comment bubble to the right of the meeting on the public portal at <https://santafe.primegov.com/public/portal> 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/83309382965>.

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: 833 0938 2956**

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**

Michael Garcia

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

Councilor Rivera

4. **INVOCATION AND REMEMBRANCES**

Councilor Cassutt

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT AGENDA**

8. **PRESENTATIONS**

- a. Recognition of St. Michaels High School Volleyball State Champions.
- b. Quarterly Update from the Community Health and Safety Task Force. (Councilwoman Villarreal and Councilor Rivera)
- c. Audit Update for FY21. (Emily Oster, Finance Director: [ekoster@santafenm.gov](mailto:ekoster@santafenm.gov), 505-629-3411)

9. **ACTION ITEMS: CONSENT AGENDA**

- a. Request for Approval of the February 1, 2023 Special Governing Body Meeting Minutes. (Geraldyn Cardenas, Assistant City Clerk: [gfcardenas@santafenm.gov](mailto:gfcardenas@santafenm.gov); 505-955-6519)

**Committee Review:**

Governing Body: 03/29/2023

- b. Request for Approval of the February 8, 2023 Regular Governing Body Meeting Minutes. (Geraldyn Cardenas, Assistant City Clerk: [gfcardenas@santafenm.gov](mailto:gfcardenas@santafenm.gov); 505-955-6519)

**Committee Review:**

Governing Body: 03/29/2023

- c. Request for Approval of the February 22, 2023 Regular Governing Body Meeting Minutes. (Geraldyn Cardenas, Assistant City Clerk: [gfcardenas@santafenm.gov](mailto:gfcardenas@santafenm.gov); 505-955-6519)

**Committee Review:**

Governing Body: 03/29/2023

- d. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Thai on Canyon, LLC, for a Restaurant A (Beer & Wine) Liquor License with On-Premises Consumption Only and Patio Service, to be Located at Thai on Canyon, 802 Canyon Road.

(Alexandria Mares, Marketing & Special Events Coordinator:  
armares@santafenm.gov, 955-6520)

**Committee Review:**

Liquor Hearing: 03/06/2023

Governing Body: 03/29/2023

- e. Request for Approval of a Budget Adjustment Resolution (BAR) from the Wastewater Management Division (WWMD) Enterprise Fund Cash Balance, to Fund a Contract with Andritz Separation Inc. in the Amount of \$107,687. (Andrew Hardinge, Automation and Security Systems Administrator, aphardinge@santafenm.gov)

**Committee Review:**

Public Works and Utilities Committee: 03/06/2023

Finance Committee: 03/13/2023

Governing Body: 03/29/2023

- f. Request for Approval of General Services Contract with EMCO of Santa Fe, LLC for On-Call General Contracting Services for City Facilities in the Total Amount of \$1,000,000 Excluding NMGR. (Sam Burnett, Facilities Division Director; 505-955-5933, jsburnett@santafenm.gov; Johsua Bohlman, Project Administrator; 505-955-5933, jbohlman@santafenm.gov)

**Committee Review**

Finance Committee: 03/13/2023

Public Works & Utilities Committee: 03/27/2023

Governing Body: 03/29/2023

- g. Request for Approval for a Budget Adjustment Resolution (BAR) from the Wastewater Management Division (WWMD) Cash Balance for Additional Funding to the Sub Surface Contractors On-Call Contract in the Total Amount of \$250,000. (P.Fred Heerbrandt, P.E Engineer Supervisor, pfheerbrandt@santafenm.gov)

**Committee Review:**

Public Works and Utilities Committee: 03/06/2023

Finance Committee: 03/13/2023

Governing Body: 03/29/2023

- h. Request for Approval of Amendment No. 1 to Item No. 21-0408 with United Way of Central New Mexico to Change the Name from United Way of Central New Mexico to United Way of North Central New Mexico. (Christa Hernandez, Youth and Family Service Program Manager: chernandez@santafenm.gov, 505-955-6728)

**Committee Review**

Finance Committee: 03/13/2023

Quality of Life Committee: 03/15/2023

Governing Body: 03/29/2023

- i. Request for Approval of Budget Adjustment Resolution (BAR) from Services Contracts in the Total Amount of \$175,000 to Fund the Replacement of Roof Top Unit at the Santa Fe Police Department. (Sam Burnett, CIP & Facilities Division Director: jsburnett@santafenm.gov, 505-795-2491)

**Committee Schedule:**

Finance Committee: 03/13/2023

Public Works and Utilities Committee: 03/27/2023

Governing Body: 03/29/2023

- j. Request for Approval of a Cooperative Agreement with NMDOT in the Amount of \$781,560.15 for the Engineering Design of S100650 Acequia Trail Link from Rufina St. to San Felipe Rd. (Romelia Glorioso-Moss, Projects Administrator, rsglorioso-moss@santafenm.gov, 505-955-6623)

- 1. Request for the Approval of a Budget Adjustment Resolution (BAR) to Place the \$500,000 Additional NMDOT Grant Funds Into the FY23 Budget for the Engineering Design of S100650 Acequia Trail Link.

**Committee Review:**

Finance Committee: 03/13/2023

Public Works & Utilities Committee: 03/27/2023

Governing Body: 03/29/2023

- k. Request for Approval of Amendment #1 to Item #23-0011 American Rescue Plan Act (ARPA) Recovery Funds Sub Recipient Contract with Santa Fe Public Schools for Work-Based Learning and Paid Internship

Programs Under US Treasury Guidelines. (Jason Grinage, Economic Development Specialist: jxgrinage@santafenm.gov, 505-955-6840; Rich Brown, Director, Community Development: rdbrown@santafenm.gov, 505-955-6625).

1. Request Approval of FY23 Budget Adjustment Resolution (BAR) in the Amount of \$389,267 to Transfer Funds from Project Ledger ECD222400C to Project Ledger ECD222400D to Supplement Full Support of the City of Santa Fe Work Based Learning Program from the ARPA Grant.

**Committee Review:**

Finance Committee: 03/13/2023

Quality of Life Committee: 03/15/23

Governing Body: 03/29/23

- I. CONSIDERATION OF RESOLUTION NO. 2023-\_\_\_\_ (Councilwoman Villarreal, Councilor M. Garcia)  
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: lsarchulettamaestas@santafenm.gov, 505-955-6740)

**Committee Review**

Governing Body: (Introduced) 02/08/2023

Finance Committee: 03/13/2023

Quality of Life Committee: 03/15/2023

Governing Body: 03/29/2023

- m. CONSIDERATION OF RESOLUTION NO. 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. (Kristine Bustos-Mihelcic, City Clerk; kmmihelcic@santafenm.gov)

**Committee Review**

Governing Body (Introduced): 02/08/2023

Finance Committee: 03/13/2023

Quality of Life Committee: 03/15/2023

Governing Body: 03/29/2023

10. **ACTION ITEMS: DISCUSSION AGENDA**

- a. Request for Approval to Purchase Three (3) Ford F-150 Vehicles, Two (2) Ford F-250 Vehicles, a Ford Expedition, and a Ford Ranger for the Santa Fe Municipal Airport from Chalmer's Ford in the Total Amount of \$341,775 via NM Statewide Price Agreement 00-00000-20-00088. (Kelly Bynon, Administrative Manager, kabynon@santafenm.gov)

**Committee Review:**

Public Works and Utilities Committee: 03/27/2023

Governing Body: 03/29/2023

- b. Request for Approval of Two (2) John Deere Tractors with Mowers from Deere and Company in the Total Amount of \$296,796.72 via NM Statewide Price Agreement 10-00000-20-00037AC. (Kelly Bynon, Administrative Manager, kabynon@santafenm.gov)

**Committee Review:**

Public Works and Utilities Committee: 03/27/2023

Governing Body: 03/29/2023

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 Pending or Threatened Litigation, Including, but Not Limited to, *City of Santa Fe v. Purdue Pharma, et al.* (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov, 505-955-6512)

13. **MATTERS FROM THE CITY CLERK**

14. **COMMUNICATIONS FROM THE GOVERNING BODY**

15. **INTRODUCTION OF LEGISLATION**

- a. **CONSIDERATION OF A BILL NO. 2023-13 (Mayor Alan Webber)**  
A Bill Relating to the City Of Santa Fe's Office Of Economic Development Plan Ordinance, Section 11-11-5 SFCC 1987; Approving and Adopting a Local Economic Development Project Participation Agreement Between the City Of Santa Fe and Parting Stone Inc., for Design, Development, And Construction of Tenant Improvements; Lease Payments; and Expansion of a Corporate Headquarters, A Local Economic Development Project. (Casey Dalbor, Economic Development Associate, cjdalbor@santafenm.gov, 505-955-6912)

**Committee Review:**

Governing Body: (Introduced) 03/29/2023  
Economic Development Advisory Committee: 04/04/2023  
Governing Body: (Public Comment): 04/12/2023  
Quality of Life: 04/19/2023  
Finance Committee: 05/01/2023  
Governing Body: (Public Hearing) 05/10/2023

- b. **CONSIDERATION OF A RESOLUTION 2023-\_\_\_ (Mayor Alan Webber, Councilor Cassutt)**  
A Resolution Adopting Next Steps to Revise the City of Santa Fe's General Plan. (Heather Lamboy, AICP, Assistant Land Use Director, hllamboy@santafenm.gov, (505) 955-6598 and Daniel Alverado, djalvarado@santafenm.gov)

**Committee Review:** Governing Body: (Introduction) 03/29/2023

Finance Committee: 04/03/2023 Quality of Life Committee: 04/05/2023  
Governing Body: 04/12/2023

- c. **CONSIDERATION OF A RESOLUTION 2023-\_\_\_** (Councilor M. Garcia and Councilor Villarreal)  
A Resolution Prohibiting the Use of the Fee-in-Lieu of Option Described in the Santa Fe Homes Program on the Midtown Site. (Rich Brown, Community and Economic Development Director, rdbrown@santafenm.gov, 505-955-6625; Alexandra Ladd, Office of Affordable Housing Director, agladd@santafenm.gov, 505-955-6346)

**Committee Review:**

Governing Body: (Introduction) 03/29/2023  
Quality of Life Committee: 04/04/2023  
Public Works and Utilities Committee: 04/10/2023  
Finance Committee: 04/17/2023  
Governing Body: 04/26/2023

- d. **CONSIDERATION OF A RESOLUTION 2023-\_\_\_** (Councilor Villarreal, Councilor Cassutt, and Mayor Webber)  
A Resolution Supporting the Establishment of Safe Sleeping Spaces As a Shelter Option for Those Who are Experiencing Homelessness in Santa Fe and For Whom Standard Shelter Options Are Not Feasible; Identifying An Appropriate “Best Practices” and Data-Driven Approach to Sheltering This Population; and Directing the City Manager to Enter Into or Bring To the Governing Body Contracts for Structures, Sites For the Structures, Landowners Willing to Provide an Area For the Structures, and An Operator or Operators Capable of Providing Round-The Clock Support Services and 27/7 Supervision. (Julie Sanchez, Youth and Family Services Division Director, jjsanchez@santafenm.gov, 505-955-6678)

**Committee Review:**

Governing Body: (Introduction) 03/29/2023  
Quality of Life Committee: 04/05/2023  
Public Works and Utilities Committee: 04/10/2023  
Finance Committee: 04/17/2023  
Governing Body: 04/26/2023

16. **PETITIONS FROM THE FLOOR**

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

- a. **CONSIDERATION OF BILL NO. 2023-10 (Mayor Webber)**  
A Bill Approving the Sale of a City-Owned Building and Improvements Located At 730 Alto Street Within the City And County of Santa Fe, New Mexico, by the City of Santa Fe to the Duran Family Trust, as a Condition of a Settlement Agreement. (Pat Feghali, Assistant City Attorney: pfeighali@santafenm.gov, 505-955-6501)

**Committee Review:**

Governing Body (Introduced): 02/22/2023  
Governing Body (Public Comment): 03/29/2023  
Finance Committee: 04/03/2023  
Economic Development Advisory Committee: 04/05/2023  
Governing Body (Public Hearing): 04/26/2023

- b. **CONSIDERATION OF A BILL 2023-12 (Mayor Alan Webber)**  
A Bill Approving the Sale of a City-Owned Commercial Condominium and Improvements Located At 500 Market Street Within the City and County of Santa Fe, New Mexico, to State Properties of New Mexico, LLC., for an Amount 1.5% Above the Appraised Value. (Terry Lease, Asset Development Manager: tjlease@santafenm.gov)

**Committee Review:**

Governing Body (Introduction): 03/08/2023  
Finance Committee: 03/13/2023  
Governing Body (Public Comment): 03/29/2023  
Economic Development Advisory Committee: 04/05/2023  
Quality of Life Committee: 04/05/2023  
Public Works and Utilities Committee: 04/10/2023  
Governing Body (Public Hearing): 04/12/2023

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

- a. **CONSIDERATION OF BILL NO. 2023-5. ADOPTION OF ORDINANCE NO. 2023-\_\_\_\_\_.** (Councilor Romero-Wirth, Councilor Cassutt and Councilor Villarreal)  
An Ordinance Amending Sections 2-1.9, 2-4.6, and 19-4. SFCC 1987, to Authorize Governing Body Members to Employ Staff When Funds are

Budgeted for that Purpose and Aligning those Sections with the City of Santa Fe Charter. (Bernadette Salazar, Human Resources Director, bjsalazar@santafenm.gov, 505-955-6591)

**Committee Review:**

Governing Body (Introduced): 01/11/2023

Governing Body (Public Comment): 01/25/2023

Quality of Life Committee: 03/01/2023

Public Works and Utilities Committee: 03/06/2023

Finance Committee: 03/13/2023

Governing Body (Public Hearing): 03/29/2023

- b. CONSIDERATION OF BILL NO. 2023-6. ADOPTION OF ORDINANCE NO. 2023-\_\_\_\_. (Mayor Webber)

An Ordinance Amending Section 2-8.2(A), "Creation of Department" by Removing Language that Prescribes a "Recreation Division" as a Division of the Community Health and Safety Department and "Family and Youth Services" as a Component of the Community Services Department; and by Removing the Term "Safety" from the Name of the "Office of Emergency Management and Safety". (Kyra Ochoa, Community Health and Safety Department Director: krochoa@santafenm.gov)

**Committee Review:**

Governing Body (Introduced): 01/11/2023

Governing Body (Public Comment): 01/25/2023

Quality of Life Committee: 02/01/2023

Public Works and Utilities Committee: 02/06/2023

Finance Committee: 02/13/2023

Governing Body (Public Hearing): 03/29/2023

- c. CONSIDERATION OF BILL NO. 2023-7. ADOPTION OF ORDINANCE NO. 2023-\_\_\_\_. (Mayor Webber)

An Ordinance Relating to Fire Safety; Creating a New Section 12-7 SFCC 1987 to Allow the City Manager, in Consultation with the Fire Chief, Emergency Manager, and the Director of the Community Health and Safety Department, to Close Certain Public Spaces if Fire Conditions Require Such Closure to Protect Life or Property, and to Preserve Public Peace and Safety. (Brian Moya, Fire Chief: bjmoaya@santafenm.gov)

**Committee Review:**

Governing Body (Introduced): 01/11/2023  
Governing Body (Public Comment): 01/25/2023  
Public Safety Committee: 02/21/2023  
Quality of Life Committee: 03/01/2023  
Public Works and Utilities Committee: 03/06/2023  
Finance Committee: 03/13/2023  
Governing Body (Public Hearing): 03/29/2023

- d. CONSIDERATION OF BILL NO. 2023-11. ADOPTION OF ORDINANCE NO. 2023-\_\_\_\_. (Councilor Carol Romero-Wirth)  
A Bill Amending the Election and Political Campaign Codes, Sections 1 Through 3, of Chapter 9 1987 SFCC; Updating Definitions and Responsibilities Consistent with State Law; Creating a Single Section of Common Definitions for the Campaign Code and the Public Campaign Finance Code; Removing Section 9-2.4 Regarding a Candidate Written Acknowledgment of Familiarity with Campaign Code; Removing the Requirement in Section 9-2.5 to Post a Phone Number on Campaign Materials; Amending Section 9-2.6 to Incorporate the Previously Amended Definition of Independent Expenditure; Amending Section 9-2.7 to Remove the Requirement to Identify a Specific Candidate or Ballot Question in Political Committee Disclosures; Updating the Finance Reporting Schedule in Section 9-2.10; Expressly Permitting Electronic Contributions in Section 9-3.12; and Replacing All References ff “Participating Candidate” with “Publicly Financed Candidate”. (Kristine Bustos Mihelcic, City Clerk: [kmmihelcic@santafenm.gov](mailto:kmmihelcic@santafenm.gov); 505-955-6521)

**Committee Review:**

Public Works & Utilities Committee (Introduction): 03/06/2023  
Governing Body (Public Comment): 03/08/2023  
Ethics and Campaign Review Board: 03/09/2023  
Finance Committee: 03/13/2023  
Quality of Life Committee: 03/15/2023  
Governing Body (Public Hearing): 03/29/2023

19. **PUBLIC HEARINGS**

- a. **2022-006108-HDRB. 462 Arroyo Tenorio.** Estevan Trujillo, Agent for Janet DesForges, Owner, Proposes to Remodel a Contributing Structure Located in the Downtown & Eastside Historic District which Includes the Replacement of Historic Windows on a Primary Façade. An Exception is Requested to Section 14-5.2(D)(5)(a) for Removal of Historic Windows. (Heather Lamboy, Assistant Land Use Director: hllamboy@santafenm.gov; 505-955-6598)

## 20. **APPOINTMENTS**

- a. Charter Review Commission
  - Bridget Dixson – Appointment to Fill Vacancy
- b. Santa Fe Sister Cities Committee
  - Carol Robertson Lopez – Reappointment – Term Ending 03/2027
  - Stuart Ashman – Appointment – Term Ending 03/2027
  - Satori Murata – Appointment – Term Ending 03/2027
  - Kerri Cottle – Appointment – Term Ending 03/2025
  - Jill Heppenheimer – Appointment – Term Ending 03/2025
  - Joe Schepps – Appointment – Term Ending 03/2025
  - Jeff Case – Appointment as Alternate – Term Ending 03/2025
  - Judith Moir – Appointment as Alternate – Term Ending 03/2025
  - Ron Press – Appointment as Alternate – Term Ending 03/2025

## 21. **ADJOURN**

### EXECUTIVE SESSION ACTION ITEMS

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.