



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
AUGUST 09, 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 5 p.m. the day before 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/83866366579>.

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: 838 6636 6579**

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 Lindell

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

Councilor Romero-Wirth

4. **INVOCATION AND REMEMBRANCES**

Councilor Lee Garcia

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT AGENDA**

8. **PRESENTATIONS**

- a. Update of the Area Median Income (AMI) Data and Update to the Santa Fe Homes Pricing Schedule. (Alexandra Ladd, Director of Office of Affordable Housing: agladd@santafenm.gov, 505-955-6346)
- b. Presentation of FY2021 Audit Report (Emily Oster, Finance Director, ekoster@santafenm.gov, 505-629-3411 and AJ Bowers, Partner, Carr Riggs & Ingram CPAs and Advisors, 505-379-5408)
- c. Audit Update and Overview (Emily Oster, Finance Director, ekoster@santafenm.gov, 505-629-3411).

9. **ACTION ITEMS: CONSENT AGENDA**

- a. Request for Approval of the July 26, 2023 Regular Governing Body Meeting Minutes. (Geraldyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov; 505-955-6521)

Committee Review:

Governing Body: 08/09/2023

- b. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Santa Fe Distillery, LLC for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Alcoholic Beverages at the Santa Fe Spirits Parking Lot, Located at 308 Read Street, Which is Within 300 Feet of Santa Fe Jewish Center, 230 W. Manhattan Avenue. The Request is for the Santa Fe Spirits at Read Street 10 Year Anniversary, to be Held on Friday, August 25, 2023, with Alcohol Service from 3:00 p.m. to 9:30 p.m.. (Alexandria Mares, Marketing & Special Events Coordinator: armares@santafenm.gov, 955-6520)

Committee Review:

Liquor Hearing: 07/24/2023

Governing Body: 08/09/2023

- c. Request for the Approval of Lease Agreement between the City of Santa Fe and the Solace Crisis Treatment Center in the Amount of \$78,852 for the Use of Office Space for the Santa Fe Police Department's Special Victims Unit Staff (Ben Valdez, Deputy Police Chief; bpvaldez@santafenm.gov).

Committee Review:

Finance Committee: 07/31/2023

Quality of Life Committee: 08/02/2023

Governing Body Committee: 08/09/2023

- d. Request for Approval of Professional Services Contract with AECOM Technical Services, Inc., for On Call Engineering Services in the Amount of \$3,249,375, Including NMGRT through June 30, 2027. (John Del Mar, Engineer Supervisor: jpdelmar@santafenm.gov, 505-955-4231 and Jonna Leigh Stack, Project Administrator: jlstack@santafenm.gov, 505-955-4206)

- 1. Request for Approval of a Budget Adjustment Resolution (BAR) to Increase Professional Services in the Amount of \$3,249,375 for On Call Services with Aecom Technical Services, Inc.

Committee Review:

Finance Committee (Removed from the Agenda):07/17/2023

Public Works and Utilities Committee: 07/24/2023

Finance Committee: 07/31/2023

Governing Body:08/09/2023

- e. Request for Approval of Good and Services Contract with CamNet through June 30, 2026 in the Total Amount of \$461,940.70 Including NMGRT for the Purchase and Installation of Security Equipment at the Santa Fe Regional Airport. (James Garduno, Project Administrator, jdgarduno@santafenm.gov; James Harris, Airport Manager, jcharris@santafenm.gov)

Committee Review:

Finance: 07/31/2023

Quality of Life: 08/02/2023

Governing Body: 08/09/2023

- f. Request for Approval of Budget Adjustment Resolution (BAR) for FY24 in the Amount of \$300,000 for the Planning and Land Use Department Budget, in Order for the City's Internal Budget to Match what is Available in the City's Third-Party Plan Review Contract with SAFEbuilt, LLC. (Thomas M. Graham, Assistant Director, Planning and Land Use Department – Development Branch, tmgraham@santafenm.gov)

Committee Review:

Finance Committee: 07/31/2023

Quality of Life Committee: 08/02/2023

Governing Body: 08/09/2023

- g. Request for Approval of Amendment No.2 to Original Contract #22-0031 with AAC Construction, LLC for the Richards Ave East and Campo Conejo Master Meter Vaults Extending the Term of the Contract through June 30, 2024. (Bill Huey, Engineer, bchuey@santafenm.gov)

Committee Review:

Public Works and Utilities Committee: 07/24/2023

Finance Committee: 07/31/2023

Governing Body: 08/09/2023

- h. Request for Approval of an Agreement of Sale to Purchase New Mexico State Game Commission Property located at 1085 Richards Avenue in Santa Fe for the Purchase Price of \$2,100,000. (Alexandra Ladd, Director, Office of Affordable Housing: agladd@santafenm.gov, 505-955-6346; Terry Lease, Asset Development Manager: tjlease@santafenm.gov, 505-629-2206)

Committee Review:

Finance Committee: 07/31/2023

Quality of Life Committee: 08/2/2023

Public Works & Utilities Committee: 08/07/2023

Governing Body: 08/09/2023

- i. Request for Approval of Professional Services Contract with Carollo Engineers Inc., for Capital Improvement Projects through June 30, 2027 in the Amount of \$3,249,375. (John Del Mar, Engineer Supervisor, jpdelmar@santafenm.gov)

- 1. Request for Approval of a Budget Adjustment Resolution (BAR) to Increase the WIP Design Fund in the Amount of \$3,249,375 for the Carollo CIP Contract.

Committee Review:

Public Works and Utilities Committee: 07/24/2023

Finance Committee: 07/31/2023

Governing Body: 08/09/2023

- j. Request for Approval of Cooperative Project Agreement with the New Mexico Department of Transportation in the Amount of \$900,000 for the Construction of Project Control No. S100660 Canada Rincon Trail. (Romella Glorioso-Moss, Complete Streets Capital Projects Manager, rsglorioso-moss@santafenm.gov, 505-955-6623)

- 1. Request for the Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of \$131,040 from Road Impact Fees to Capital Improvements Project to Cover Required 14.56% Local Match.

Committee Review:

Finance Committee: 07/31/2023

Public Works & Utilities Committee: 08/07/2023

Governing Body: 08/09/2023

- k. Request for Approval of Lease Agreement between the City of Santa Fe and the Santa Fe Public Utilities Department for Use of 18 Acres of Land at the Santa Fe Regional Airport to be Used to Collect, Convey and Treat Sanitary Sewage through June 30, 2023. (James Harris, Santa Fe Regional Airport Manager; jcharris@santafenm.gov)

Committee Review:

Finance Committee: 07/31/2023

Public Works and Utilities Committee: 08/07/2023

Governing Body: 08/09/2023

- I. Request for Approval of Amendment No. 6 to the Santa Fe Regional Airport Lease Agreement Jet Center at Santa Fe Real Estate, LLC, Item #15-0129, to Increase the Size of the Premises through April 16, 2060. (James Harris, Santa Fe Regional Airport Director: jcharris@santafenm.gov, 505-955-2901; Terry Lease, Asset Development Manager: tjlease@santafenm.gov, 505-629-2206)

Committee Review

Finance Committee: 07/31/2023

Public Works and Utilities Committee: 08/07/2023

Governing Body: 08/09/2023

- m. Request for Approval of Professional Services Agreement with Hazen and Sawyer for Capital Improvements Program through July 1, 2027 in the Amount of \$2,166,250. (Jonna Leigh Stack, Project Administrator, jlstack@santafenm.gov)

1. Request for Approval of a Budget Adjustment Resolution (BAR) from The Water Fund Cash Balance In the Amount of 2,166,250 to Fund Hazen and Sawyer.

Committee Review:

Public Works and Utilities Committee: 07/24/2023

Finance Committee:07/31/2023

Governing Body:08/09/2023

- n. Request for Approval of Findings of Fact and Conclusions of Law for Case #2022-4942 in the Matter of Rezoning for Property Located at 2339 Botolph Road, Approved During the May 31, 2023 Governing Body Meeting. (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 505-955-6587)

Committee Review:

Governing Body: 08/09/2023

- o. CONSIDERATION OF A RESOLUTION 2023-___ (Councilor Chris Rivera)
A Resolution Adopting the City of Santa Fe's 2025-2029 Infrastructure Capital Improvement Plan. (Regina Wheeler, Public Works Department Director, rawheeler@santafenm.gov, 505-955-6622)

Committee Review:

Governing Body (Introduction): 07/12/2023

Quality of Life Committee: 07/19/2023

Public Works Committee: 07/24/2023

Finance Committee: 07/31/2023

Governing Body: 08/09/2023

- p. CONSIDERATION OF A RESOLUTION 2023-___ (Councilor Chris Rivera, Councilor Michael Garcia, Councilor Lee Garcia and Councilwoman Renee Villarreal)

A Resolution Proposing a Ballot Question to be Submitted to the City of Santa Fe's Voters During the November 7, 2023 Regular Local Election Regarding Amending the City's Charter to Include a Provision Establishing an Independent Office of Inspector General for the City of Santa Fe. (Marci Eannarino, Manager of Legislation and Policy Innovation, maeannarino@santafenm.gov, 505-955-6518)

Committee Review:

Governing Body: (Introduction) 07/26/2023

Finance Committee: 07/31/2023

Quality of Life Committee: 08/02/2023

Governing Body : 08/09/2023 (POSTPONED TO THE SPECIAL GOVERNING BODY MEETING FOR BALLOT INITIATIVES TO BE HELD ON TUESDAY, AUGUST 22, 2023 AT THE SANTA FE COMMUNITY CONVENTION CENTER AT 5:00 PM)

Governing Body: 08/22/2023

- q. CONSIDERATION OF A RESOLUTION 2023-___ (Councilor Michael Garcia, Councilwoman Renee Villarreal)

A Resolution Proposing a Ballot Question to Be Submitted to the City's Voters During the November 7, 2023 Regular Local Election Regarding Amending the City's Charter to Reduce the Signature Requirements for Referenda and Initiatives From 33.3 Percent to 15 Percent, Provide That the Denominator Used to Calculate the Percentages is the Total Number

of Voters Who Voted In the Most Recent Election That Included the Election of the Office of the Mayor, and Make Appropriate Technical Changes to Sections 3.01, 3.02 And 3.03, Consistent With Ordinance No. 2018-24 Regarding the City's Adoption Of The Local Election Act. (Marci Eannarino, Manager of Legislation and Policy Innovation, maeannarino@santafenm.gov, 505-955-6518)

Committee Review:

Governing Body: (Introduction) 07/26/2023

Quality of Life: 08/02/2023

Governing Body : 08/09/2023 (POSTPONED TO THE SPECIAL GOVERNING BODY MEETING FOR BALLOT INITIATIVES TO BE HELD ON TUESDAY, AUGUST 22, 2023 AT THE SANTA FE COMMUNITY CONVENTION CENTER AT 5:00 PM)

Governing Body: 08/22/2023

- r. CONSIDERATION OF A RESOLUTION 2023-___ (Councilor Michael Garcia and Councilor Chris Rivera)

A Resolution Proposing a Ballot Question to Be Submitted to the City's Voters During the November 7, 2023, Regular Local Election Regarding Amending the City's Charter to Include a Provision Stating That the Governing Body, Commissions, and Boards Must Adopt Procedural Rules Stating That They Must Adhere to Established Principles of Procedural Due Process and Fundamental Fairness When Functioning In a Quasi-Judicial Role. (Marci Eannarino, Manager of Legislation and Policy Innovation, maeannarino@santafenm.gov, 505-955-6518)

Committee Review:

Governing Body: (Introduction) 07/26/2023

Quality of Life: 08/02/2023

Governing Body : 08/09/2023 (POSTPONED TO THE SPECIAL GOVERNING BODY MEETING FOR BALLOT INITIATIVES TO BE HELD ON TUESDAY, AUGUST 22, 2023 AT THE SANTA FE COMMUNITY CONVENTION CENTER AT 5:00 PM)

Governing Body: 08/22/2023

- s. CONSIDERATION OF RESOLUTION 2023-___ (Councilor Michael Garcia, Councilwoman Renee Villarreal)

A Resolution Proposing a Ballot Question to be Submitted to the City's

Voters During the November 7, 2023, Regular Local Election Regarding Amending Article X of the City's Charter to Specify the Santa Fe Municipal Charter Commission's Appointment, Terms, and Functions. (Marci Eannarino, Manager of Legislation and Policy Innovation, maeannarino@santafenm.gov, 505-955-6518)

Committee Review

Finance Committee: (Introduced) 07/31/2023

Quality of Life: 08/02/2023

Governing Body : 08/09/2023 (POSTPONED TO THE SPECIAL GOVERNING BODY MEETING FOR BALLOT INITIATIVES TO BE HELD ON TUESDAY, AUGUST 22, 2023 AT THE SANTA FE COMMUNITY CONVENTION CENTER AT 5:00 PM)

Governing Body: 08/22/2023

10. ACTION ITEMS: DISCUSSION AGENDA

- a. Recommendation to Deny Appeal by Gyanna Basse/ Gaia Traders, LLC DBA: Love for Life Dispensary, of the Land Use Director's Decision in Case #2023-6588 to Deny Request for Variance to Operate a Retail Cannabis Business at 1330 Rufina Circle, within 400 feet of Another Licensed Cannabis Retail Business. (Rebecca Mnuk-Herrmann, Assistant City Attorney: ramnukherrmann@santafenm.gov)

11. MATTERS FROM THE CITY MANAGER

12. MATTERS FROM THE CITY ATTORNEY

13. EXECUTIVE SESSION ACTION ITEMS

14. MATTERS FROM THE CITY CLERK

15. COMMUNICATIONS FROM THE GOVERNING BODY

16. INTRODUCTION OF LEGISLATION

- a. CONSIDERATION OF A RESOLUTION 2023-__ (Councilor Jamie Cassutt, Councilor Amanda Chavez)
A Resolution Accepting a Municipal Arterial Program Cooperative Grant Identified as Control Number L500561 for the Planning, Design, Construction, Reconstruction, Pavement Rehabilitation, Construction Management, Drainage, and Miscellaneous Improvements of the Henry Lynch Road Reconstruction Project. (Romella Glorioso-Moss, Capital Projects Manager, rsglorioso-moss@santafenm.gov, 505-955-6623)

Committee Review:

Governing Body: (Introduced) 08/029/2023

Quality of Life: 08/16/2023

Finance Committee: 08/21/2023

Governing Body: 08/30/2023

- b. CONSIDERATION OF A RESOLUTION 2023-__ (Councilwoman Renee Villarreal and Councilor Chris Rivera)
A Resolution Reconvening the Community Health and Safety Task Force for a Single Meeting for the Purpose of Adopting the Task Force's Final Report and Recommendations. (Julie Sanchez, Youth and Family Division Director, jjsanchez@santafenm.gov, 505-955-6678)

Committee Review:

Governing Body: (Introduced) 08/09/2023

Quality of Life: 08/16/2023

Public Works: 08/28/2023

Finance Committee: 09/05/2023

Governing Body: 09/13/2023

- c. CONSIDERATION OF A RESOLUTION 2023-__ (Councilor Michael Garcia)
A Resolution Proposing a Ballot Question to be Submitted to the City's Voters During the November 7, 2023, Regular Local Election Regarding Amending the City's Charter to Limit the Mayor's Ability to Vote when there is a Tie. (Marci Eannarino, Manager of Legislation and Policy Innovation, maeannarino@santafenm.gov, 505-955-6518)

Committee Review:

Governing Body: (Introduced) 08/09/2023

Finance Committee: 08/14/2023

Quality of Life Committee: 08/16/2023

Governing Body: (Special Meeting) 08/22/2023

17. **PETITIONS FROM THE FLOOR**

18. **PUBLIC COMMENT ON BILLS (First Public Comment, No Action)**

19. **FINAL ACTION ON LEGISLATION (Public Hearing)**

- a. CONSIDERATION OF A BILL NO. 2023-15. ADOPTION OF ORDINANCE NO. 2023-____. (Mayor Webber and Councilor Lindell,) A Bill Amending SFCC 1987 Section 2-4.6 to Increase the City Manager's Non-Pandemic Contract Approval Authority to One Hundred and Fifty Thousand Dollars, and to Two Hundred Thousand Dollars Beginning July 1, 2024; and to Require the City Manager, on a Monthly Basis, to Publish a List of All Contracts the City Manager Approved; Amending Section 11-13 to Strike Language Regarding Contract Authority; and Amending Section 20-1.4 by Removing the City Manager's Pandemic-Specific Authority. (Travis Dutton-Leyda, Purchasing Officer: tkduttonleyda@santafenm.gov)

Committee Review:

Governing Body (Introduction): 05/31/2023

Governing Body (Public Comment): 06/14/2023

Finance Committee: 06/20/2023

Public Works and Utilities Committee: 07/10/2023

Governing Body (Public Hearing) (Postponed to the August 9, 2023

Regular Governing Body Meeting): 07/12/2023

Governing Body (Public Hearing) (New Caption and Notice): 08/09/2023

- b. CONSIDERATION OF BILL NO. 2023-20. ADOPTION OF ORDINANCE NO. 2023-____. (Mayor Webber, Councilor Cassutt, Councilor Romero-Wirth and Councilor M. Garcia) A Bill Relating to Metropolitan Redevelopment; Deleting the Content of Section 7-2 Regarding "Urban Renewal", Repealed by State Law in 2008, and Replacing it with the City's Metropolitan Redevelopment Code,

Sections 6-13 and 6-14, Amended to be Consistent with State Law, Delete Language Specific to a Business Capitol District, Limit Metropolitan Redevelopment Commission Leasing Authority to that Specified in a Particular Metropolitan Development Plan, and Specify Qualifications for Metropolitan Redevelopment Commissioners (Rich Brown, rdbrown@santafenm.gov, 505-955-6625, Marcos Martinez, mdmartinez, 505-955-6502)

Committee Review:

Governing Body (Introduction): 06/14/2023
Governing Body (Public Comment): 06/28/2023
Public Works and Utilities Committee: 07/10/2023
Finance Committee: 07/17/2023
Quality of Life Committee: 07/19/2023
Governing Body (Public Hearing) (Postponed to the 08/08/2023 Regular Governing Body Meeting): 07/26/2023
Finance Committee: 07/31/2023
Quality of Life Committee: 08/02/2023
Governing Body (Public Hearing): 08/09/2023

- c. **CONSIDERATION OF BILL NO. 2023-23. (Councilor Cassutt and Councilwoman Villarreal)**
A Bill Creating Article 18-18, the High-End Excise Tax for Affordable Housing Ordinance; Establishing an Excise Tax on the Transfer of Certain Residential Property and Dedicating the Revenues to Affordable Housing. (Erin McSherry, City Attorney: ekmcsherry@santanm.gov; Alexandra Ladd, Director of Office of Affordable Housing: agladd@santafenm.gov)

Committee Review:

Quality of Life Committee (Introduced): 07/05/2023
Governing Body (Public Comment): 07/12/2023
Community Development Commission: 07/19/2023
Quality of Life Committee: 07/19/2023
Finance Committee: 07/31/2023
Economic Development Advisory Committee: 08/02/2023
Governing Body : 08/09/2023 (POSTPONED TO THE SPECIAL GOVERNING BODY MEETING FOR BALLOT INITIATIVES TO BE HELD ON TUESDAY, AUGUST 22, 2023 AT THE SANTA FE COMMUNITY CONVENTION CENTER AT 5:00 PM)
Governing Body: 08/22/2023

- d. **CONSIDERATION OF A RESOLUTION 2023-___** (Councilor Jamie Cassutt and Councilwoman Renee Villarreal)
A Resolution Proposing a Ballot Question to be Submitted to the City of Santa Fe's Voters During the November 7, 2023, Regular Local Election Regarding Approval of the City Ordinance Establishing a High-End Excise Tax for Affordable Housing. (Erin McSherry, City Attorney, ekmcsherry@santafenm.gov, 505-955-6512)

Committee Review:

Governing Body: (Introduction) 07/26/2023)

Finance Committee: 07/31/2023

Quality of Life: 08/02/2023

Governing Body : 08/09/2023 (POSTPONED TO THE SPECIAL GOVERNING BODY MEETING FOR BALLOT INITIATIVES TO BE HELD ON TUESDAY, AUGUST 22, 2023 AT THE SANTA FE COMMUNITY CONVENTION CENTER AT 5:00 PM)

Governing Body: 08/22/2023

20. **PUBLIC HEARINGS (Land Use Cases, Appeals, and Other Items Required to Have a Public Hearing)**

21. **APPOINTMENTS**

a. Children and Youth Commission

- Jennifer Romero – Reappointment – Term Ending 01/2025

b. Sister Cities Committee

- John DiRuggiero – Appointment – Term Ending 10/2025

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.

**SUMMARY OF ACTION
REGULAR MEETING OF THE GOVERNING BODY
WEDNESDAY, AUGUST 9, 2023, 5:00 PM
COUNCIL CHAMBERS, CITY HALL
200 LINCOLN AVENUE, SANTA FE, NEW MEXICO**

1.	Call To Order	Convened at 5:06 pm	1
2.	Pledge of Allegiance	Councilor Lindell	1
3.	Salute to the NM Flag	Councilor Romero-Wirth	1
4.	Invocation and Remembrances	Councilor Lee Garcia	1
5.	Roll Call	Quorum	1-2
6.	Approval of Agenda	Approved as Amended	2
7.	Approval of Consent Agenda	Approved as Amended	2
8.	Presentations		
	a. Santa Fe Homes Pricing	Given	2
	b. FY2021 Audit Presentation	Given	3
17.	Petitions From The Floor	Heard	3
8.	Presentations		
	c. Audit Update	Heard	3
9.	Action items: Consent agenda	Approved	3-7
10.	Action items: Discussion Agenda		
	a. Appeal/Gyanna Basse	Recommendation Denied	8
11.	Matters from the City Manager	Heard	8
12.	Matters from the City Attorney	Heard	8
13.	Executive Session Action Items	None	8
14.	Matters from the City Clerk	Heard	8

15.	Communications from the GB	Heard	8
16.	Introduction of Legislation		
	a. Resolution 2023 - _____	Introduced	9
	b. Resolution 2023 - _____	Introduced	9
	c. Resolution 2023 - _____	Introduced	9
18.	Public Comments on Bills	None	9
19.	Final Action on Legislation		
	a. Bill 2023-15	Approved	9-10
	b. Bill 2023-20	Approved	10
	c. Bill 2023-23	Will be heard on 8/22	10
	d. Resolution 2023-_____	Will be heard on 8/22	10-11
20.	Public Hearings (Land Use Cases, Appeals, and other items)	None	11
21.	Appointments		
	a. Children and Youth Comm.	Appointed	11
	b. Sister Cities Committee	Appointed	11
22.	Adjourn	Adjourned 10:07 pm	11-12

**REGULAR MEETING OF THE GOVERNING BODY
WEDNESDAY, AUGUST 9, 2023, 5:00 PM
COUNCIL CHAMBERS, CITY HALL
200 LINCOLN AVENUE, SANTA FE, NEW MEXICO**

I. CALL TO ORDER

The regular meeting of the Governing Body was called to order by Mayor Webber at 5:06 pm, on Wednesday, August 9, 2023, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilor Lindell.

3. SALUTE TO THE NEW MEXICO FLAG

The salute to the New Mexico Flag was led by Councilor Romero-Wirth.

4. INVOCATION AND REMEMBRANCES

The invocation was given by Councilor Lee Garcia.

A moment of silence was given.

5. ROLL CALL

MEMBERS PRESENT

Mayor Alan Webber
Councilor Signe Lindell
Councilor Jamie Cassutt
Councilor Amanda Chavez
Councilor Lee Garcia
Councilor Michael Garcia, via Zoom
Councilor Christopher Rivera
Councilor Carol Romero-Wirth
Councilor Renee Villarreal

MEMBERS EXCUSED

OTHERS PARTICIPANTS ATTENDING

Erin McSherry, City Attorney

John Blair, County Manager
Kristine Bustos-Mihelcic, City Clerk
Emily Oster, Finance Director
Alexandra Ladd, Affordable Housing Director
AJ Bowers, Partner, Carr Riggs and Ingram CPAs and Advisors.
Elizabeth Martin, Stenographer

6. APPROVAL OF AGENDA

Item 9 H was removed from the Consent Agenda by Councilor Michael Garcia for discussion.

Item 9 L was removed from the Consent Agenda by staff.

Item 9 O was removed from the Consent Agenda by Councilor Rivera for discussion.

MOTION A motion was made by Councilor Lindell, seconded by Councilor Romero-Wirth, to approve the agenda as amended.

VOTE The motion passed on a roll call vote as follows:

Councilor Chavez, yes; Councilor Cassutt, yes; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Lindell, yes; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

7. APPROVAL OF CONSENT AGENDA

MOTION A motion was made by Councilor Lindell, seconded by Councilor Lee Garcia, to approve the consent agenda as amended.

VOTE The motion passed on a roll call vote as follows:

Councilor Chavez, yes; Councilor Cassutt, yes; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Lindell, yes; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

8. PRESENTATIONS

A. UPDATE OF THE AREA MEDIAN INCOME (AMI) DATA AND UPDATE TO THE SANTA FE HOMES PRICING SCHEDULE.

The presentation was given by Ms. Ladd.

B. PRESENTATION OF FY2021 AUDIT REPORT.

The presentation was given by Ms. Oster and Mr. Bowers.

MOTION A motion was made by Councilor Romero-Wirth, seconded by Councilor Lindell, to go to Petitions From The Floor as the next item to be heard.

VOTE The motion passed on a roll call vote as follows:

Councilor Chavez, yes; Councilor Cassutt, yes; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Lindell, yes; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

17. PETITIONS FROM THE FLOOR

Stephanie Beninato. Ms. Beninato spoke about her appeal and about the Historic District Review Board meeting last night.

C. AUDIT UPDATE AND OVERVIEW

The update was given by Ms. Oster.

9. ACTION ITEMS: CONSENT AGENDA

A. REQUEST FOR APPROVAL OF THE JULY 26, 2023 REGULAR GOVERNING BODY MEETING MINUTES

Approved on consent.

B. REQUEST FOR APPROVAL OF LIQUOR HEARING OFFICER'S RECOMMENDATION TO APPROVE THE REQUEST FROM SANTA FE DISTILLERY, LLC FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/CONSUMPTION OF ALCOHOLIC BEVERAGES AT THE SANTA FE SPIRITS PARKING LOT, LOCATED AT 308 READ STREET, WHICH IS WITHIN 300 FEET OF THE SANTA FE JEWISH CENTER, 230 W. MANHATTAN AVENUE. THE REQUEST IS FOR THE SANTA FE SPIRITS AT READ STREET 10 YEAR ANNIVERSARY, TO BE HELD ON FRIDAY, AUGUST 25, 2023, WITH ALCOHOL SERVICE FROM 3:00 PM TO 9:30 PM.

Approved on consent.

C. REQUEST FOR THE APPROVAL OF LEASE AGREEMENT BETWEEN

THE CITY OF SANTA FE AND THE SOLACE CRISIS TREATMENT CENTER IN THE AMOUNT OF \$78,852 FOR THE USE OF OFFICE SPACE FOR THE SANTA FE POLICE DEPARTMENT'S SPECIAL VICTIMS UNIT STAFF.

Approved on consent.

- D. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES CONTRACT WITH AECOM TECHNICAL SERVICES, INC., FOR ON CALL ENGINEERING SERVICES IN THE AMOUNT OF \$3,249,375, INCLUDING NMGR T THROUGH JUNE 30, 2027.**

Approved on consent.

- E. REQUEST FOR APPROVAL OF GOOD AND SERVICES CONTRACT WITH CAMNET THROUGH JUNE 30, 2026 IN THE TOTAL AMOUNT OF \$461,940.70 INCLUDING NMGR T FOR THE PURCHASE AND INSTALLATION OF SECURITY EQUIPMENT AT THE SANTA FE REGIONAL AIRPORT.**

Approved on consent..

- F. REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT RESOLUTION (BAR) FOR FY 24 IN THE AMOUNT OF \$300,000 FOR THE PLANNING AND LAND USE DEPARTMENT BUDGET, IN ORDER FOR THE CITY'S INTERNAL BUDGET TO MATCH WHAT IS AVAILABLE IN THE CITY'S THIRD-PARTY PLAN REVIEW CONTRACT WITH SAFE BUILT, LLC.**

Approved on consent.

- G. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO ORIGINAL CONTRACT #22-0031 WITH AAC CONSTRUCTION, LLC FOR THE RICHARDS AVE EAST AND CAMPO CONEJO MASTER METER VAULTS EXTENDING THE TERM OF THE CONTRACT THROUGH JUNE 30, 2024.**

Approved on consent.

- H. REQUEST FOR APPROVAL OF AN AGREEMENT OF SALE TO PURCHASE NEW MEXICO STATE GAME COMMISSION PROPERTY PRICE OF \$2,100,000.**

MOTION A motion was made by Councilor Romero-Wirth, seconded by Councilor

Cassutt, to approve the purchase of the New Mexico Game Commission property.

MOTION A motion was made by Councilor Michael Garcia, seconded by Councilor Villarreal, to table the item until the source of funding could be identified.

VOTE The motion passed on a roll call vote as follows:

Councilor Chavez, yes; Councilor Cassutt, yes; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Lindell, no; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

I. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES CONTRACT WITH CAROLLO ENGINEERS INC., FOR CAPITAL IMPROVEMENT PROJECTS THROUGH JUNE 30, 2027 IN THE AMOUNT OF \$3,249,375.

Approved on consent.

J. REQUEST FOR APPROVAL OF COOPERATIVE PROJECT AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$900,000 FOR THE CONSTRUCTION OF PROJECT CONTROL NO. S100660 CANADA RINCON TRAIL.

Approved on consent.

K. REQUEST FOR APPROVAL OF LEASE AGREEMENT BETWEEN THE CITY OF SANTA FE AND THE SANTA FE PUBLIC UTILITIES DEPARTMENT FOR USE OF 18 ACRES OF LAND AT THE SANTA FE REGIONAL AIRPORT TO BE USED TO COLLECT, CONVEY AND TREAT SANITARY SEWAGE THROUGH JUNE 30, 2023.

Approved on consent.

L. REQUEST FOR APPROVAL OF AMENDMENT NO. 6 TO THE SANTA FE REGIONAL AIRPORT LEASE AGREEMENT JET CENTER AT SANTA FE REAL ESTATE, LLC, ITEM #15-0129, TO INCREASE THE SIZE OF THE PREMISES THROUGH APRIL 16, 2060.

This item was removed by staff.

M. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH HAZEN AND SAWYER FOR CAPITAL

IMPROVEMENTS PROGRAM THROUGH JULY 1, 2027 IN THE AMOUNT OF \$2,166,250.

Approved on consent.

- N. REQUEST FOR APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR CASE #2022-4942 IN THE MATTER OF REZONING FOR PROPERTY LOCATED AT 2339 BOTULPH ROAD, APPROVED DURING THE MAY 31, 2023 GOVERNING BODY MEETING.**

Approved on consent.

- O. RESOLUTION 2023-_____. A RESOLUTION ADOPTING THE CITY OF SANTA FE'S 2025-2029 INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN.**

MOTION A motion was made by Councilor Romero-Wirth, seconded by councilor Lindell, to approve the Resolution.

Councilor Rivera introduced amendment A to the Resolution.

MOTION A motion was made by Councilor Rivera, seconded by Councilor Chavez, to approve amendment A to the Resolution.

VOTE Councilor Chavez, yes; Councilor Cassutt, yes; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Lindell, yes; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

VOTE (on main motion)

Councilor Chavez, yes; Councilor Cassutt, yes; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Lindell, yes; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

- P. CONSIDERATION OF A RESOLUTION 2023-_____. A RESOLUTION PROPOSING A BALLOT QUESTION TO BE SUBMITTED TO THE CITY OF SANTA FE'S VOTERS DURING THE NOVEMBER 7, 2023 REGULAR LOCAL ELECTION REGARDING AMENDING THE CITY'S CHARTER TO INCLUDE A PROVISION ESTABLISHING AN INDEPENDENT OFFICE OF INSPECTOR GENERAL FOR THE CITY OF SANTA FE.**

This item will be heard at the special meeting of the Governing Body on August

22nd.

- Q. CONSIDERATION OF A RESOLUTION 2023-_____. A RESOLUTION PROPOSING A BALLOT QUESTION TO BE SUBMITTED TO THE CITY'S VOTERS DURING THE NOVEMBER 7, 2023 REGULAR LOCAL ELECTION REGARDING AMENDING THE CITY'S CHARTER TO REDUCE THE SIGNATURE REQUIREMENTS FOR REFERENDA AND INITIATIVES FROM 33.3 PERCENT TO 15 PERCENT, PROVIDE THAT THE DENOMINATOR USED TO CALCULATE THE PERCENTAGES IS THE TOTAL NUMBER OF VOTERS WHO VOTED IN THE MOST RECENT ELECTION THAT INCLUDED THE ELECTION OF THE OFFICE OF THE MAYOR, AND MAKE APPROPRIATE TECHNICAL CHANGES TO SECTIONS 3.01, 3.02, AND 3.03, CONSISTANT WITH ORDINANCE NO. 2018-24 REGARDING THE CITY'S ADOPTION OF THE LOCAL ELECTION ACT.**

This item will be heard at the special meeting of the Governing Body to be held on August 22nd.

- R. CONSIDERATION OF A RESOLUTION 2023-_____. A RESOLUTION PROPOSING A BALLOT QUESTION TO BE SUBMITTED TO THE CITY'S VOTERS DURING THE NOVEMBER 7, 2023, REGULAR LOCAL ELECTION REGARDING THE CITY'S CHARTER TO INCLUDE A PROVISION STATING THAT THE GOVERNING BODY, COMMISSIONS, AND BOARDS MUST ADOPT PROCEDURAL RULES STATING THAT THEY MUST ADHERE TO ESTABLISHED PRINCIPALS OF PROCEDURAL DUE PROCESS AND FUNDAMENTAL FAIRNESS WHEN FUNCTIONING IN A QUASI-JUDICIAL ROLE.**

This item will be heard at the special meeting of the Governing Body to be held on August 22nd.

- S. CONSIDERATION OF RESOLUTION 2023-_____. A RESOLUTION PROPOSING A BALLOT QUESTION TO BE SUBMITTED TO THE CITY'S VOTERS DURING THE NOVEMBER 7, 2023, REGULAR LOCAL ELECTION REGARDING AMENDING ARTICLE X OF THE CITY'S CHARTER TO SPECIFY THE SANTA FE MUNICIPAL CHARTER COMMISSION'S APPOINTMENT, TERMS, AND FUNCTIONS.**

This item will be heard at the special meeting of the Governing Body to be held on August 22nd.

10. ACTION ITEMS: DISCUSSION AGENDA

A. RECOMMENDATION TO DENY APPEAL BY GYANNA BASSE/GAIA TRADERS, LLC DBA: LOVE FOR LIFE DISPENSARY, OF THE LAND USE DIRECTOR'S DECISION IN CASE #2023-6588 TO DENY REQUEST FOR VARIANCE TO OPERATE A RETAIL CANNABIS BUSINESS AT 1330 RUFINA CIRCLE, WITHIN 400 FEET OF ANOTHER LICENSED CANNABIS RETAIL BUSINESS

MOTION A motion was made by Councilor Villarreal, seconded by Councilor Chavez, to reject the recommendation of the City Attorney.

VOTE The motion passed on a roll call vote as follows:

Councilor Chavez, yes; Councilor Cassutt, no; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Lindell, yes; Councilor Rivera, yes; Councilor Romero-Wirth, no; Councilor Villarreal, yes; Mayor Webber, no.

MOTION A motion was made by Councilor Romero-Wirth, seconded by Councilor Villarreal, to remove item 9 H from the table.

VOTE The motion passed on a roll call vote as follows:

Councilor Chavez, yes; Councilor Cassutt, yes; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Lindell, yes; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

11. MATTERS FROM THE CITY MANAGER

Heard.

12. MATTERS FROM THE CITY ATTORNEY

Heard.

13. EXECUTIVE SESSION ACTION ITEMS

None.

14. MATTERS FROM THE CITY CLERK

Heard.

15. COMMUNICATIONS FROM THE GOVERNING BODY

Heard.

16. INTRODUCTION OF LEGISLATURE

- A. CONSIDERATION OF A RESOLUTION 2023-_____. A RESOLUTION ACCEPTING A MUNICIPAL ARTERIAL PROGRAM COOPERATIVE GRANT IDENTIFIED AS CONTROL NUMBER L500561 FOR THE PLANNING, DESIGN, CONSTRUCTION, RECONSTRUCTION, PAVEMENT REHABILITATION, CONSTRUCTION MANAGEMENT, DRAINAGE, AND MISCELLANEOUS IMPROVEMENTS OF THE HENRY LYNCH ROAD RECONSTRUCTION PROJECT.**

Introduced.

- B. CONSIDERATION OF A RESOLUTION 2023-_____. A RESOLUTION RECONVENING THE COMMUNITY HEALTH AND SAFETY TASK FORCE FOR A SINGLE MEETING FOR THE PURPOSE OF ADOPTING THE TASK FORCE’S FINAL REPORT AND RECOMMENDATIONS.**

Introduced.

- C. CONSIDERATION OF A RESOLUTION 2023-_____. A RESOLUTION PROPOSING A BALLOT QUESTION TO BE SUBMITTED TO THE CITY’S VOTERS DURING THE NOVEMBER 7, 2023, REGULAR LOCAL ELECTION REGARDING AMENDING THE CITY’S CHARTER TO LIMIT THE MAYOR’S ABILITY TO VOTE WHEN THERE IS A TIE.**

Introduced.

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

None.

19. FINAL ACTION ON LEGISLATION (PUBLIC HEARING)

- A. CONSIDERATION OF A BILL NO. 2023-15. ADOPTION OF ORDINANCE NO. 2023-_____. A BILL AMENDING SFCC 1987 SECTION 2-4.66 TO INCREASE THE CITY MANAGER’S NON-PANDEMIC CONTRACT APPROVAL AUTHORITY TO ONE HUNDRED AND FIFTY THOUSAND DOLLARS, AND TO TWO HUNDRED THOUSAND DOLLARS BEGINNING JULY 1, 2024; AND TO REQUIRE THE CITY MANAGER, ON A MONTHLY BASIS, TO PUBLISH A LIST OF ALL CONTRACTS THE CITY MANAGER APPROVED; AMENDING SECTION 11-13 TO STRIKE LANGUAGE REGARDING CONTRACT AUTHORITY; AND AMENDING SECTION 20-1.4 BY REMOVING THE CITY MANAGER’S PANDEMIC-SPECIFIC AUTHORITY.**

MOTION A motion was made by Councilor Lindell, seconded by Councilor Cassutt, to approve Bill No. 2023-15,

VOTE The motion passed on a roll call vote as follows:

Councilor Chavez, yes; Councilor Cassutt, yes; Councilor Lee Garcia, no; Councilor Michael Garcia, yes; Councilor Lindell, yes; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

- B. CONSIDERATION OF BILL NO. 2023-20. ADOPTION OF ORDINANCE NO. 2023-_____. A BILL RELATING TO METROPOLITAN REDEVELOPMENT; DELETING THE CONTENT OF SECTION 7-2 REGARDING “URBAN RENEWAL”, REPEALED BY STATE LAW IN 2008, AND REPLACING IT WITH THE CITY’S METROPOLITAN REDEVELOPMENT CODE, SECTIONS 6-13 AND 6-14, AMENDED TO BE CONSISTENT WITH STATE LAW, DELETE LANGUAGE SPECIFIC TO A BUSINESS CAPITOL DISTRICT, LIMIT METROPOLITAN REDEVELOPMENT COMMISSION LEASING AUTHORITY TO THAT SPECIFIED IN A PARTICULAR METROPOLITAN DEVELOPMENT PLAN, AND SPECIFY QUALIFICATIONS FOR METROPOLITAN REDEVELOPMENT COMMISSIONERS.**

MOTION A motion was made by Councilor Romero-Wirth, seconded by Councilor Villarreal, to approve Bill No. 2023-20.

VOTE The motion passed on a roll call vote as follows:

Councilor Chavez, yes; Councilor Cassutt, yes; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Lindell, yes; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

- C. CONSIDERATION OF BILL NO. 2023-23. A BILL CREATING ARTICLE 18-18, THE HIGH-END EXCISE TAX FOR AFFORDABLE HOUSING ORDINANCE; ESTABLISHING AN EXCISE TAX ON THE TRANSFER OF CERTAIN RESIDENTIAL PROPERTY AND DEDICATING THE REVENUES TO AFFORDABLE HOUSING.**

This bill will be heard at the special meeting of the Governing Body to be held on August 22nd.

- D. CONSIDERATION OF A RESOLUTION 2023-_____. A RESOLUTION PROPOSING A BALLOT QUESTION TO BE SUBMITTED TO THE CITY OF SANTA FE’S VOTERS DURING THE NOVEMBER 7, 2023, REGULAR LOCAL ELECTION REGARDING APPROVAL OF THE CITY**

ORDINANCE ESTABLISHING A HIGH-END EXCISE TAX FOR AFFORDABLE HOUSING.

This bill will be heard at the special meeting of the Governing Body to be held on August 22nd.

20. PUBLIC HEARINGS (LAND USE CASES, APPEALS, AND OTHER ITEMS REQUIRED TO HAVE A PUBLIC HEARING)

None.

21. APPOINTMENTS

A. CHILDREN AND YOUTH COMMISSION

- **JENNIFER ROMERO - REAPPOINTMENT - TERM ENDING 01/2025**

MOTION A motion was made by Councilor Romero-Wirth, seconded by Councilor Villarreal, to approve the appointment.

VOTE The motion passed on a roll call vote as follows:

Councilor Chavez, yes; Councilor Cassutt, yes; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Lindell, yes; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

B. SISTER CITIES COMMITTEE

- **JOHN DIRUGGIERO - APPOINTMENT - TERM ENDING 10/2025**

MOTION A motion was made by Councilor Rivera, seconded by Councilor Lee Garcia, to approve the appointment.

VOTE The motion passed on a roll call vote as follows:

Councilor Chavez, yes; Councilor Cassutt, yes; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Lindell, yes; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

22. ADJOURN

There being no further business before the Governing Body the meeting adjourned at 10:07 pm.



Mayor Alan Webber

Attested To By:



Kristine Bustos-Mihelcic, City Clerk

Respectfully Submitted By:



Elizabeth Martin (Aug 17, 2023 14:53 MDT)

Elizabeth Martin, Stenographer