



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
AUGUST 30, 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 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/82229394179>.

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: 822 2939 4179**

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 Chavez

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

Councilwoman Villarreal

4. **INVOCATION AND REMEMBRANCES**

Councilor Michael Garcia

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT AGENDA**

8. **PRESENTATIONS**

- a. Audit Update and Overview. (Emily Oster, Finance Director, ekoster@santafenm.gov)

9. **ACTION ITEMS: CONSENT AGENDA**

- a. Request for Approval of the August 9, 2023 Regular Governing Body Meeting Minutes. (Geraldyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov)

**Committee Review:**

Governing Body: 08/30/2023

- b. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from City of Santa Fe, for a Governmental Liquor License with On-Premises Consumption and Patio Service, to be Located at Fort Marcy Park, 490 Bishops Lodge Road. (Alexandria Mares, Marketing & Special Events Coordinator: armares@santafenm.gov)

**Committee Review:**

Liquor Hearing: 08/14/2023

Governing Body: 08/30/2023

- c. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Inn of the Governors LTD, for a Transfer of Ownership of Dispenser Liquor License No. 0894, to Remain Located at Inn of the Governors / Del Charro, 101 West Alameda. (Alexandria Mares, Marketing & Special Events Coordinator: armares@santafenm.gov)

**Committee Review:**

Liquor Hearing: 08/07/2023

Governing Body: 08/30/2023

- d. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Dumpling Cafe, LLC, for the Following: (Alexandria Mares, Marketing & Special Events Coordinator: armares@santafenm.gov)
1. Pursuant to §60-6B-10 NMSA 1978, Consideration of a Waiver of the 300 Foot Location Restriction to Allow the Sale of Alcohol at Dumpling Cafe, 500 Sandoval Street, Which is Within 300 Feet of the Santa Fe Jewish Center, Located at 230 W. Manhattan Avenue.
  2. If the Waiver of the 300 Foot Location Restriction is Granted, Consideration of a Request for a Restaurant A (Beer & Wine) Liquor License with On-Premises Consumption and Patio Service, to be Located at Dumpling Cafe, 500 Sandoval Street.

**Committee Review:**

Liquor Hearing: 08/07/2023

Governing Body: 08/30/2023

- e. Request for Approval of Memorandum of Agreement (MOA) between the City of Santa Fe and New Mexico Energy, Minerals, and Natural Resources Department (EMNRD) Forestry Division to Establish a Collaborative Framework for Implementing Wildland Hazardous Fuels Reduction and Forest Health Projects on City Lands and would Supersede and Terminate a Previous Joint Powers Agreement Between the City of Santa Fe and EMNRD; Share No. 000...12272. (Kyle Morgan, Emergency Management Specialist; klmorgan@santafenm.gov, 505-955-6704; Alan Hook, Water Resources Coordinator; aghook@santafenm.gov, 505-955-4205; and Nathan Millier, Wildland Superintendent; nfmiller@santafenm.gov, 505-955-3901)

**Committee Review:**

Finance Committee: 08/14/2023

Quality of Life Committee: 08/16/2023

Public Works and Utilities Committee: 08/28/2023

Governing Body: 08/30/2023

- f. Request for Approval of Purchasing Agreement with Southwest Ambulance Sales in the Total Amount of \$187,726 for the Purchase of a New Metro Express 150 Type III Ambulance Utilizing the HGACBUY

Price Agreement. (Brian Moya, Fire Chief, bjmoya@santafenm.gov, Daniel Garcia, Fire Fleet Manager, dagarcia@santafenm.gov.)

**Committee Review:**

Public Works & Utilities Committee: 08/07/2023

Finance Committee: 08/14/2023

Public Safety Committee: 08/15/2023

Governing Body: 08/30/2023

- g. Request for Approval of Budget Adjustment Resolution (BAR) in the Amount of \$902,130.49 to Create and Fund 5 New Full Time Employees Including Salaries and Benefits for an Airport Security Coordinator, Airport Operations Officer, Project Manager, Airport Maintenance Worker, and Heavy Equipment Mechanic, and Costs for Security Services at the Airport. (James Harris, Airport Manager: jcharris@santafenm.gov)

**Committee Review**

Finance Committee: 08/14/2023

Public Works and Utilities Committee: 08/28/2023

Governing Body: 08/30/2023

- h. Request for Approval of Memorandum of Understanding per Agreement #2023-0208-CSD/BT between Santa Fe County and the City of Santa Fe in the Total Amount of \$25,000 for Reimbursement of Funds Spent in Pursuit of Providing Library Services through the City's Southside Library Branch. (Margaret Neill, Library Division Director; mmneill@santafenm.gov)

**Committee Review**

Finance Committee: 08/14/2023

Quality of Life Committee: 08/16/2023

Governing Body: 08/30/2023

- i. Request for Approval of Professional Services Agreement with Huitt-Zollars Inc. for the Design of Administrative Offices and Maintenance Facility for Environmental Services Division (ESD) in the Total Amount of \$954,254.40 Including NMGR through June 30, 2024. (Lawrence Garcia, ESD Fleet Manager, lmgarcia@santafenm.gov, 505-955-2241)

**Committee Review**

Finance Committee: 08/14/2023

Public Works and Utilities Committee: 08/28/2023  
Governing Body: 08/30/2023

- j. Request for Approval of a Memorandum of Agreement (MOA) Between the City of Santa Fe and the Consulate of Mexico in Albuquerque to Waive \$585 in Event Fees for an Event to Celebrate “El Grito” to be Held on September 16, 2023 on the Santa Fe Plaza and for Every Saturday Closest to the 16<sup>th</sup> of September Until 2025. (Barbara Lopez, bvlopez@santafenm.gov, 505-699-7603)

**Committee Review:**

Public Works and Utilities Committee: 08/28/2023  
Governing Body: 08/30/2023

- k. 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): 08/09/2023  
Finance Committee: 08/14/2023  
Quality of Life: 08/16/2023  
Governing Body: 08/30/2023

10. **ACTION ITEMS: DISCUSSION AGENDA**

- a. Request for Approval of Amendment No.1 to Contract #22-0417 with Carr, Riggs, Ingram to Extend the Term of the Contract through December 31, 2023 to Provide Audit Services for FYE 6/30/2022. (Emily K. Oster, Finance Director: ekoster@@santafenm.gov, 505-629-3411)

**Committee Review:**

Public Works & Utilities Committee: 8/28/2023  
Governing Body: 8/30/2023

- b. Request for Approval of the New Mexico Department of Transportation Aviation Division Grant Agreement # SAF-24-01 in the Amount of \$4,000,000 for Terminal Expansion and Infrastructure Improvements. (James Harris, Airport Manager: jcharris@santafenm.gov)
  - 1. Request for Approval of a Budget Amendment Resolution (BAR) in the Total Amount of \$4,000,000 to Increase the WIP Construction Fund Using NMDOT Funding for Terminal Expansion and Improvements.

**Committee Review:**

Public Works and Utilities: 08/28/2023

Governing Body: 08/30/2023

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), Subparts (6) and (8), Discussion Regarding the Contents of Proposals Responsive to Competitive Solicitations for the Development of Certain Portions of the Midtown Property, Pursuant to the Procurement Code and in Furtherance of Contract Negotiations; and Discussion of Property Disposition, Specifically, Portions of the Property on the Midtown Property Located at 1600 St. Michael's Drive. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov, 505-955-6512)

13. **EXECUTIVE SESSION ACTION ITEMS**

- a. Request for Approval to Enter into an Exclusive Negotiation Agreement between the City of Santa Fe and the Santa Fe Art Institute, for the Purpose of Performing Due Diligence Activities and Negotiating Terms for Land and Building Disposition and Redevelopment of the Midtown Visual Arts Center Pursuant to the City's Request for Proposal No. 23/17P. (Lee Logston, Midtown Asset Development Manager: lrlogston@santafenm.gov, 505-955-6914; Rich Brown, Director,

Community Development: rdbrown@santafenm.gov, 505-670-0559;  
Daniel Hernandez, Midtown Redevelopment Project Manager, Proyecto:  
daniel@proyecto.is)

**Committee Review:**

Finance Committee: 08/14/2023

Quality of Life Committee: 08/16/2023

Public Works & Utilities Committee: 08/28/2023

Governing Body: 08/30/2023

14. **MATTERS FROM THE CITY CLERK**
15. **COMMUNICATIONS FROM THE GOVERNING BODY**
16. **INTRODUCTION OF LEGISLATION**
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 2023-22. ADOPTION OF ORDINANCE NO. 2023-\_\_\_\_.** (Councilor Chris Rivera, Councilor Carol Romero-Wirth, Councilor Jamie Cassutt and Councilor Renee Villarreal)  
A Bill Amending SFCC 1987, Section 12-3.9 to Ban the Sale and Use of Certain Fireworks During Severe Drought Conditions. (Brian Moya, Fire Chief, bjmoya@santafenm.gov, 505-955-3111)  
**Committee Review:**  
Governing Body (Introduction): 07/12/2023  
Governing Body (Public Comment): 07/26/2023  
Quality of Life Committee: 08/02/2023  
Public Works and Utilities Committee: 08/07/2023  
Governing Body (Public Hearing): 08/30/2023
  - b. **CONSIDERATION OF BILL NO. 2023-24. ADOPTION OF ORDINANCE NO. 2023-\_\_\_\_.** (Councilor Lindell, Councilor Cassutt and Councilor

Michael Garcia)

A Bill Amending SFCC 1987, Section 23-5.1 to Include a Definition for Unicycles; Amending the Uniform Traffic Ordinance (UTO), Exhibit A to Chapter 24 By Creating a New Section 12-1-86.5 to Add a Definition for "Unicycle" and "Electric Unicycle, Amending Section 12-1-40 to Exclude Electric Unicycles from the Definition of Motor Vehicles, Amending Section 12-1-88 to Include Electric Unicycles in the Definition of Vehicle, and Amending Article 8, Sections 12-8-1 through 12-8-16 and Section 12-10-3.1 to Apply the Rules of Operation of Bicycles to Unicycles to the Extent Feasible and to Prohibit Anyone Under the Age of Sixteen from Riding a Class Two Electric Unicycle. (Romella Glorioso-Moss, Capital Projects Manager, rsglorioso-moss@santafenm.gov, 505-955-6623)

**Committee Review:**

Governing Body (Introduction): 07/12/2023

Bicycle and Pedestrian Advisory Committee: 07/13/23

Governing Body (Public Comment): 07/26/2023

Quality of Life Committee: 08/2/2023

Public Works and Utilities Committee: 08/07/2023

Governing Body (Public Hearing): 08/30/2023

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

- a. **2023-006552-HDRB. 135 Grant Ave.** Hugo Iribarren, Agent for the O’Keeffe Research Center, Owners, Proposed to Replace Non-Historic Doors with Aluminum Store-Front Doors On a Significant Structure, the Bergere House. The Applicant Requests a Style Exception to 14-5.2(D) (5) (a)(i), Windows, Doors, and Architectural Features. (Ramón J. Sarason, Senior Planner: rjsarason@santafenm.gov)
  
- b. **2023-006852-HDRB. 1233 Cerro Gordo Rd.** Downtown and Eastside Historic District. Non-Contributing. Positive Energy Solar, Agent for William Earl, Owner, Proposes to Install a Publicly Visible Rooftop Solar Array. An Exception is Requested for Publicly Visible Rooftop Appurtenances to Section 14-5.2(E)(1)(d). (Lani McCulley, Planner Senior: ljmcculley@santafenm.gov)

- c. **2022-006059-HDRB. 513 Canyon Rd.** Downtown and Eastside Historic District. Gayla Bechtol, Agent for Morning Star Gallery, Owner, Proposes to Create an Addition to a Primary Facade on a Contributing Building and Requests Exception to 14-5.2(D)(2)(d). (Heather Lamboy, Assistant Land Use Director: hllamboy@santafenm.gov)

21. **APPOINTMENTS**

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  
MEETING OF THE GOVERNING BODY  
WEDNESDAY, AUGUST 30, 2023, 5:00 PM  
COUNCIL CHAMBERS, CITY HALL  
200 LINCOLN AVENUE, SANTA FE, NEW MEXICO**

<b>1.</b>	<b>Call To Order</b>	<b>Convened at 5:05 pm</b>	<b>3</b>
<b>2.</b>	<b>Pledge of Allegiance</b>	<b>Councilor Chavez</b>	<b>3</b>
<b>3.</b>	<b>Salute to the NM Flag</b>	<b>Councilor Villarreal</b>	<b>3</b>
<b>4.</b>	<b>Invocation and Remembrances</b>	<b>Councilor Michael Garcia</b>	<b>3</b>
<b>5.</b>	<b>Roll Call</b>	<b>Quorum</b>	<b>3-4</b>
<b>6.</b>	<b>Approval of Agenda</b>	<b>Approved</b>	<b>4</b>
<b>7.</b>	<b>Approval of Consent Agenda</b>	<b>Approved</b>	<b>4</b>
<b>8.</b>	<b>Presentation</b>		
	<b>a. Audit Update</b>	<b>Heard</b>	<b>4</b>
<b>9.</b>	<b>Action Items: Consent Agenda</b>	<b>Approved on Consent</b>	<b>4-6</b>
<b>10.</b>	<b>Action Items: Discussion Agenda</b>		
	<b>a. Amendment 1 to Carr, Riggs, Ingram Contract</b>	<b>Approved</b>	<b>7</b>
	<b>b. Aviation Grant</b>	<b>Approved</b>	<b>7-8</b>
<b>11.</b>	<b>Matters from the City Manger</b>	<b>Heard</b>	<b>8</b>
<b>12.</b>	<b>Matters from the City Attorney</b>		
	<b>a. Executive Session</b>	<b>Held</b>	<b>8</b>
<b>13.</b>	<b>Executive Session Action Items</b>		
	<b>a. Negotiation Agreement</b>	<b>Approved</b>	<b>8-9</b>
<b>17.</b>	<b>Petitions From the Floor</b>	<b>Heard</b>	<b>9</b>
<b>14.</b>	<b>Matters from the City Clerk</b>	<b>Heard</b>	<b>9</b>

15.	Communications from the Governing Body	Heard	9
16.	Introduction of Legislation	None	9
18.	Public Comment on Bills	None	9
19.	Final Action on Legislation		
	a. Bill 2023-22	Approved	10
	b. Bill 2023-24	Approved	10-11
20.	Public Hearings		
	a. 2023-006552-HDRB	Approved	11
	b. 2023-006852-HDRB	Approved	11-12
	c. 2022-006059-HDRB	Approved	12
21.	Appointments	None	12
22.	Adjourn	Adjourned 8:56 pm	12

**REGULAR MEETING OF THE GOVERNING BODY  
WEDNESDAY, AUGUST 30, 2023, 5:00 PM  
COUNCIL CHAMBERS, CITY HALL  
200 LINCOLN AVENUE, SANTA FE, NEW MEXICO**

**1. CALL TO ORDER**

The special meeting of the Governing Body was called to order by Mayor Webber at 5:05 pm, on Wednesday, August 30, 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 Chavez.

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

The salute to the New Mexico Flag was led by Councilor Villarreal.

**4. INVOCATION AND REMEMBRANCES**

The invocation was given by Councilor Michael Garcia.

A moment of silence was given.

**5. ROLL CALL**

**MEMBERS PRESENT**

Mayor Alan Webber  
Councilor Amanda Chavez  
Councilor Jamie Cassutt  
Councilor Lee Garcia  
Councilor Michael Garcia  
Councilor Signe Lindell  
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

**6. APPROVAL OF AGENDA**

**MOTION** A motion was made by Councilor Lindell, seconded by Councilor Michael Garcia, 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**

Item 9 G was pulled for discussion by Councilor Michael Garcia.

**MOTION** A motion was made by Councilor Romero-Wirth, seconded by Councilor Lindell, 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. AUDIT UPDATE AND OVERVIEW**

**9. ACTION ITEMS: CONSENT AGENDA**

**A. REQUEST FOR APPROVAL OF THE AUGUST 9, 2023 REGULAR GOVERNING BODY MEETING MINUTES**

Approved on consent.

**B. REQUEST FOR APPROVAL OF LIQUOR HEARING OFFICER'S RECOMMENDATION TO APPROVE THE REQUEST FROM CITY OF SANTA FE, FOR A GOVERNMENTAL LIQUOR LICENSE WITH ON-PREMISES CONSUMPTION AND PATIO SERVICE, TO BE LOCATED AT FORT MARCY PARK, 490 BISHOPS LODGE ROAD.**

Approved on consent.

- C. REQUEST FOR APPROVAL OF LIQUOR HEARING OFFICER'S RECOMMENDATION TO APPROVE THE REQUEST FROM INN OF THE GOVERNORS LTD, FOR A TRANSFER OF OWNERSHIP OF DISPENSER LIQUOR LICENSE NO. 0894, TO REMAIN LOCATED AT INN OF THE GOVERNORS/DEL CHARRO, 101 WEST ALAMEDA.**

Approved on consent.

- D. REQUEST FOR APPROVAL OF LIQUOR HEARING OFFICER'S RECOMMENDATION TO APPROVE THE REQUEST FROM DUMPLING CAFÉ, LLC, FOR THE FOLLOWING:**

- 1. PURSUANT TO 60-6B-10 NMSA 1978, CONSIDERATION OF A WAIVER OF THE 300 FOOT LOCATION RESTRICTION TO ALLOW THE SALE OF ALCOHOL AT DUMPLING CAFÉ, 500 SANDOVAL STREET, WHICH IS WITHIN 300 FEET OF THE SANTA FE JEWISH CENTER, LOCATED AT 230 W. MANHATTAN AVENUE**
- 2. IF THE WAIVER OF 300 FOOT LOCATION RESTRICTION IS GRANTED, CONSIDERATION OF A REQUEST FOR A RESTAURANT A (BEER AND WINE) LIQUOR LICENSE WITH ON-PREMISES CONSUMPTION AND PATIO SERVICE, TO BE LOCATED AT DUMPLING CAFÉ, 500 SANDOVAL STREET.**

Approved on consent.

- E. REQUEST FOR APPROVAL OF MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE CITY OF SANTA FE AND NEW MEXICO ENERGY, MINERALS, AND NATURAL RESOURCES DEPARTMENT (EMNRD) FORESTRY DIVISION TO ESTABLISH A COLLABORATIVE FRAMEWORK FOR IMPLEMENTING WILDLAND HAZARDOUS FUELS REDUCTION AND FOREST HEALTH PROJECTS ON CITY LANDS AND WOULD SUPERSEDE AND TERMINATE A PREVIOUS JOINT POWERS AGREEMENT BETWEEN THE CITY OF SANTA FE AND EMNRD; SHARE NO. 000...12272.**

Approved on consent.

- F. REQUEST FOR APPROVAL OF PURCHASING AGREEMENT WITH SOUTHWEST AMBULANCE SALES IN THE TOTAL AMOUNT OF \$187,726 FOR THE PURCHASE OF A NEW METRO EXPRESS 150 TYPE III AMBULANCE UTILIZING THE HGACBUY PRICE AGREEMENT.**

Approved on consent.

- G. REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT RESOLUTION (BAR) IN THE AMOUNT OF \$902,130.49 TO CREATE AND FUND 5 NEW FULL TIME EMPLOYEES INCLUDING SALARIES AND BENEFITS FOR AN AIRPORT SECURITY COORDINATOR, AIRPORT OPERATIONS OFFICER, PROJECT MANAGER, AIRPORT MAINTENANCE WORKER, AND HEAVY EQUIPMENT MECHANIC, AND COSTS FOR SECURITY SERVICES AT THE AIRPORT.**

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

**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.

- H. REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING PER AGREEMENT #2023-0208-CSD/BT BETWEEN SANTA FE COUNTY AND THE CITY OF SANTA FE IN THE TOTAL AMOUNT OF \$25,000 FOR REIMBURSEMENT OF FUNDS SPENT IN PURSUIT OF PROVIDING LIBRARY SERVICES THROUGH THE CITY'S SOUTHSIDE LIBRARY BRANCH.**

Approved on consent.

- I. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH HUITT-ZOLLARS INC. FOR THE DESIGN OF ADMINISTRATIVE OFFICES AND MAINTENANCE FACILITY FOR ENVIRONMENTAL SERVICES DIVISION (ESD) IN THE TOTAL AMOUNT OF \$954,254.40 INCLUDING NMGRT THROUGH JUNE 30, 2024.**

Approved on consent.

- J. REQUEST FOR APPROVAL OF A MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE CITY OF SANTA FE AND THE CONSULATE OF MEXICO IN ALBUQUERQUE TO WAIVE THE \$585 IN EVENT FEES FOR AN EVENT TO CELEBRATE "EL GRITO" TO BE HELD ON SEPTEMBER 16, 2023 ON THE SANTA FE PLAZA AND FOR EVERY SATURDAY CLOSEST TO THE 16<sup>TH</sup> OF SEPTEMBER UNTIL 2025.**

Approved on consent.

- K. 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.**

Approved on consent.

**10. ACTION ITEMS: DISCUSSION AGENDA**

- A. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO CONTRACT #22-0417 WITH CARR, RIGGS, INGRAM TO EXTEND THE TERM OF THE CONTRACT THROUGH DECEMBER 31, 2023 TO PROVIDE AUDIT SERVICES FOR FYE 6/30/2022.**

**MOTION** A motion was made by Councilor Romero-Wirth, seconded by Councilor Lindell, to approve Amendment No. 1 to contract #22-0417.

**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. REQUEST FOR APPROVAL OF THE NEW MEXICO DEPARTMENT OF TRANSPORTATION AVIATION DIVISION GRANT AGREEMENT # SAF-24-01 IN THE AMOUNT OF \$4,000,000 FOR TERMINAL EXPANSION AND INFRASTRUCTURE IMPROVEMENTS.**

**MOTION** A motion was made by Councilor Romero-Wirth, seconded by Councilor Lindell, to approve the New Mexico Department of Transportation Aviation Division Grant # SAF-24-01.

**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**

**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), Subparts (6) and (8), discussion regarding the contents of proposals responsive to competitive solicitations for the development of certain portions of the Midtown Property, Pursuant to the Procurement Code and in Furtherance of Contract Negotiations; and discussion of Property Disposition, Specifically, Portions of the Property on Midtown Property Located at 1600 St. Michael's Drive.

**MOTION** A motion was made by Councilor Rivera, seconded by Councilor Romero-Wirth, in accordance with the New Mexico Open Meetings Act, NMSA 1978, Section 10-15-1, Part (H), Subparts (6) and (8) to enter into Executive Session.

**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.

The Governing Body entered into Executive Session at 5:57 pm.

**MOTION** A motion was made by Councilor Rivera, seconded by Councilor Romero-Wirth, to return to the regular meeting and stating that the only items discussed were as notices on the agenda.

**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.

The Governing Body returned to the regular meeting at 7:42 pm.

**13. EXECUTIVE SESSION ACTION ITEMS**

**A. REQUEST FOR APPROVAL TO ENTER INTO AN EXCLUSIVE NEGOTIATION AGREEMENT BETWEEN THE CITY OF SANTA FE AND THE SANTA FE ART INSTITUTE, FOR THE PURPOSE OF PERFORMING DUE DILIGENCE ACTIVITIES AND NEGOTIATING**

**TERMS FOR LAND AND BUILDING DISPOSITION AND REDEVELOPMENT OF THE MIDTOWN VISUAL ARTS CENTER PURSUANT TO THE CITY'S REQUEST FOR PROPOSAL NO. 23/17/P.**

**MOTION** A motion was made by Councilor Romero-Wirth, seconded by Councilor Chavez, to approve the request.

**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, abstained; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

**MOTION** A motion was made by Councilor Lindell, seconded by Councilor Romero-Wirth, to move item 17, Petitions From The Floor, to the next item on the agenda.

**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, abstained; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

**17. PETITIONS FROM THE FLOOR**

**Rose Angela.** Ms. Angela requested that the City look at planting drought tolerant trees and shrubs along both sides of Airport Road and that they look at putting roofs on the bus stops on the Southside.

**Stephanie Beninato.** Ms. Beninato spoke to her requests regarding her appeal.

**14. MATTERS FROM THE CITY CLERK**

**15. COMMUNICATIONS FROM THE GOVERNING BODY**

**16. INTRODUCTION OF LEGISLATION**

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

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

**A. CONSIDERATION OF A BILL 2023-22. ADOPTION OF ORDINANCE**

**NO. 2023-\_\_\_\_. A BILL AMENDING SFCC 1987, SECTION 12-3.9 TO BAN THE SALE AND USE OF CERTAIN FIREWORKS DURING SEVERE DROUGHT CONDITIONS.**

Mayor Webber said this is a public hearing and asked for public comments.

There were none.

**MOTION** A motion was made by Councilor Rivera, seconded by Councilor Cassutt, to approve Bill No. 2023-22.

**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, abstained; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

**B. CONSIDERATION OF BILL NO. 2023-24. ADOPTION OF ORDINANCE NO. 2023-\_\_\_\_. A BILL AMENDING SFCC 1987, SECTION 23-5.1 TO INCLUDE A DEFINITION FOR UNICYCLES; AMENDING THE UNIFORM TRAFFIC ORDINANCE (UTO), EXHIBIT A TO CHAPTER 24 BY CREATING A NEW SECTION 12-1-86.5 TO ADD A DEFINITION FOR “UNICYCLE” AND “ELECTRIC UNICYCLE”, AMENDING SECTION 12-1-40 TO EXCLUDE ELECTRIC UNICYCLES FROM THE DEFINITION OF MOTOR VEHICLES AMENDING SECTION 12-1-88 TO INCLUDE ELECTRIC UNICYCLES IN THE DEFINITION OF VEHICLE, AND AMENDING ARTICLE 8, SECTIONS 12-8-1 THROUGH 12-8-16 AND SECTION 12-10-3.1 TO APPLY THE RULES OF OPERATION OF BICYCLES TO UNICYCLES TO THE EXTENT FEASIBLE AND TO PROHIBIT ANYONE UNDER THE AGE OF SIXTEEN FROM RIDING A CLASS TWO ELECTRIC UNICYCLE.**

**MOTION** A motion was made by Councilor Lindell, seconded by Councilor Cassutt, to approve Bill No. 2023-24.

**MOTION** A motion was made by Councilor Michael Garcia, seconded by Councilor Cassutt, to move Councilor Michael Garcia’s amendment.

**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, abstained; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

Mayor Webber said we will return to the main motion as amended.

**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, abstained; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

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

- A. 2023-006552-HDRB. 135 GRANT AVE. HUGO IRIBARREN, AGENT FOR THE O'KEEFFE RESEARCH CENTER, OWNERS, PROPOSED TO REPLACE NON-HISTORIC DOORS WITH ALUMINUM STORE-FRONT DOORS ON A SIGNIFICANT STRUCTURE, THE BERGERE HOUSE. THE APPLICANT REQUESTS A STYLE EXCEPTION TO 14-5-2(D) (5) (a)(I), WINDOWS, DOORS, AND ARCHITECTURAL FEATURES.**

**PUBLIC COMMENT**

**Stephanie Beninato.** Ms. Beninato spoke to case 2023-006552-HDRB.

**MOTION** A motion was made by Councilor Cassutt, seconded by Councilor Romero-Wirth, to approve the requested exception.

**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, abstained; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

- B. 2023-006852-HDRB 1233 CERRO GORDO RD. DOWNTOWN AND EASTSIDE HISTORIC DISTRICT. NON-CONTRIBUTING. POSITIVE ENERGY SOLAR, AGENT FOR WILLIAM EARL, OWNER, PROPOSES TO INSTALL A PUBLICALLY VISIBLE ROOFTOP SOLAR ARRAY. AN EXCEPTION IS REQUESTED FOR PUBLICLY VISIBLE ROOFTOP APPURTENANCES TO SECTION 14-5.2 (E)(1)(d).**

**PUBLIC COMMENT**

**Stephanie Beninato.** Ms. Beninato spoke to case 2023-006852-HDRB.

**MOTION** A motion was made by Councilor Cassutt, seconded by Councilor Romero-Wirth, to approve the requested exception.

**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, abstained; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

**C. 2022-006059-HDRB. 513 CANYON RD. DOWNTOWN AND EASTSIDE HISTORIC DISTRICT. GAYLA BECHTOL, AGENT FOR MORNING STAR GALLERY, OWNER, PROPOSES TO CREATE AN ADDITION TO A PRIMARY FACADE ON A CONTRIBUTING BUILDING AND REQUESTS EXCEPTION TO 14-5.2 (D)(2)(d).**

**PUBLIC COMMENT**

**Stephanie Beninato.** Ms Beninato spoke to case 2023-006059-HDRB.

**MOTION** A motion was made by Councilor Cassutt, seconded by Councilor Romero-Wirth, to approve the requested exception.

**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, abstained; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

**21. APPOINTMENTS**

**22. ADJOURN**

There being no further business before the Governing Body the meeting adjourned at 8:56 pm.

Attested To By:



\_\_\_\_\_  
Mayor Alan Webber



Gerilyn Cardenas (Oct 2, 2023 11:30 MDT)

\_\_\_\_\_  
Kristine Bustos-Mihelcic, City Clerk

Respectfully Submitted By:



Elizabeth Martin (Sep 20, 2023 00:06 MDT)

\_\_\_\_\_  
Elizabeth Martin, Stenographer

**GOVERNING BODY MEETING  
EXECUTIVE SESSION  
August 30, 2023**

The Governing Body of the City of Santa Fe met in an executive session duly called on August 30, 2023, beginning at 6:09 p.m.

The following was discussed:

In Accordance with the New Mexico Open Meetings Act, NMSA 1978, Section 10-15-1, Part (H), Subparts (6) and (8), Discussion Regarding the Contents of Proposals Responsive to Competitive Solicitations for the Development of Certain Portions of the Midtown Property, Pursuant to the Procurement Code and in Furtherance of Contract Negotiations; and Discussion of Property Disposition, Specifically, Portions of the Property on the Midtown Property Located at 1600 St. Michael's Drive. (Erin K. McSherry, City Attorney: [ekmcsberry@santafenm.gov](mailto:ekmcsberry@santafenm.gov), 505-955-6512)

PRESENT

Mayor Webber  
Councilor Lindell  
Councilor M. Garcia  
Councilor Romero-Wirth  
Councilwoman Villarreal  
Councilor Cassutt  
Councilor L. Garcia  
Councilor Rivera  
Councilor Chavez

STAFF PRESENT

John Blair, City Manager  
Erin McSherry, City Attorney  
Kristine Bustos-Mihelcic, City Clerk  
Pat Feghali, Assistant City Attorney  
Rich Brown, Director of Office of Economic Development  
Lee Logston, Asset Management Manager  
Daniel Hernandez (Consultant)  
Jamie Blosser (7:25 pm via text)

There being no further business to discuss, the executive session adjourned at 7:36 p.m.



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Kristine Bustos-Mihelcic, City Clerk