



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 29, 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/82582594406>

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: 825 8259 4406**

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 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. Community Health and Safety Task Force Community Engagement Findings and Final Recommendations (CHS Task Force members; Dr. Gabriel Sanchez, UNM Center for Social Policy)
- b. Audit Update (Emily K. Oster, Finance Director, ekoster@santafenm.gov)
- c. Paseo Real Wastewater Reclamation Facility Presentation (John Dupuis, Public Utilities Director; jedupuis@santafenm.gov)

9. **ACTION ITEMS: CONSENT AGENDA**

- a. Request for Approval of the November 8, 2023 Governing Body Meeting Minutes. (Geraldyn Cardenas, Interim City Clerk; gfcardenas@santafenm.gov)

Committee Review:

Governing Body: 11/29/2023

- b. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Brewer Oil Co., for a Transfer of Ownership of Dispenser Liquor License No. 0897, the License will Remain Located at Airport Shell, 7510 Airport Road. (Alexandria Mares, Marketing & Special Events Coordinator: armares@santafenm.gov)

Committee Review:

Liquor Hearing: 11/02/2023

Governing Body: 11/29/2023

- c. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Mesari, LLC, for a Restaurant B (Beer, Wine

& Spirits) Liquor License with On-Premises Consumption Only, to be Located at San Francisco Street Bar & Grill, 50 E. San Francisco Street. (Alexandria Mares, Marketing & Special Events Coordinator: armares@santafenm.gov)

Committee Review:

Liquor Hearing: 11/13/2023

Governing Body: 11/29/2023

- d. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Buttermilk Restaurant Group, 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 Capital Coal Neighborhood Eatery, 326 S. Guadalupe Street, Which is Within 300 Feet of New Mexico School for the Arts, Located at 500 Montezuma 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 Only and Patio Service, to be Located at Capital Coal Neighborhood Eatery, 326 S. Guadalupe Street.

Committee Review:

Liquor Hearing: 11/13/2023

Governing Body: 11/29/2023

- e. Request for Approval of Agreement with Albuquerque Bernalillo County Water Utility Authority to Allow Storage of Water within Easements and Fee Simple Property Surrounding Abiquiu Reservoir. (Steve Shultz, Water Resources Coordinator: smshultz@santafenm.gov, 505-955-4277).

Committee Review

Public Works and Utilities Committee: 11/06/2023

Finance Committee: 11/13/2023

Governing Body: 11/29/2023

- f. Request for Approval of Agreement with the Albuquerque Bernalillo County Water Utility Authority to Suballot Contracted Storage Space in Abiquiu Reservoir. (Steve Shultz, Water Resources Coordinator: smshultz@santafenm.gov, 505-955-4277).

Committee Review:

Public Works and Utilities Committee: 11/06/2023

Finance Committee: 11/13/2023

Governing Body: 11/29/2023

- g. Request for Approval of Amendment No.1 to General Services Contract Item #23-0354 with FacilityBUILD, Inc. to Design and Construct an Addition at Mary Esther Gonzales Senior Center to Add Construction Services, Increase the Contract Amount to \$1,930,874, Including NMGRT, and Extend the Term to December 31, 2024. (Caryn Grosse, Project Administrator; clgrosse@santafenm.gov).

Committee Review

Finance Committee: 11/13/2023

Public Works & Utilities Committee: 11/27/2023

Governing Body: 11/29/2023

- h. Request for Approval of Amendment No.3 with Bradbury Stamm Construction Inc. for the Construction at Santa Fe Regional Airport, to Increase the Term by 150 Calendar Days and to Increase the Compensation in the Amount of \$1,722,605.46 Plus NMGRT for a New Total Contract Amount of \$23,140,903.02 Plus NMGRT. (James Garduno, Project Administrator: jdgarduno@santafenm.gov; James Harris, Airport Manager: jcharris@santafenm.gov)

Committee Review:

Finance Committee: 11/13/2023

Public Works and Utilities Committee: 11/27/2023

Governing Body: 11/29/2023

- i. Request Approval of Intergovernmental Agreement with the State of New Mexico Economic Development Department Creative Division to Provide Funding for a Creative Industries Related Project in the Total Amount of \$100,000 through June 30, 2024. (Johanna Nelson, Office of Economic

Development Director; jcnelson@santafenm.gov)

1. Request for Approval of a Budget Adjustment Resolution (BAR) to Increase Economic Development – Grants and Revenue (2122800.510400) Budget by \$100,000.

Committee Review

Finance Committee: 11/13/2023

Quality of Life Committee: 11/15/2023

Governing Body: 11/29/2023

- j. Request for Approval of a Budget Adjustment Resolution of \$250,000 of State-Deposited Funds for the Beck & Bulow LEDA Project, in Accordance with the Intergovernmental Agreement, Signed into Effect in 2022. (Casey Dalbor, Business Growth Manager: cjdalbor@santafenm.gov)

Committee Review:

Finance Committee: 11/13/2023

Quality of Life Committee: 11/15/2023

Governing Body: 11/29/2023

- k. Request for Approval of Tangible Goods Purchase from Motorola in the Total Amount of \$200,294.49 for Antennas, Radios, Dash Mounts, APX ES Head Controls, and Microphones for the City of Santa Fe Police Department Vehicle Uplift. (Lieutenant Christopher Mccord; cemccord@santafenm.gov and Eric Candelaria, ITT Director; edcandelaria@santafenm.gov)

Committee Review

Public Works and Utilities Committee: 11/27/2023

Governing Body: 11/29/2023

- l. Request for Approval of Purchase with Dell Technologies to Procure Six New Dell Server Nodes to Replace the Outdated Nodes at the City's Secondary Data Center in the Total Amount of \$399,329.64. (Eric Candelaria; edcandelaria@santafenm.gov; ITT Director; 505-470-5963 and Larry Worstell; lfworstell.@santafenm.gov; Infrastructure Manager; 505-955-5580)

Committee Review:

Public Works and Utilities Committee: 11/27/2023

Governing Body: 11/29/2023

- m. CONSIDERATION OF A RESOLUTION 2023-____. (Councilor Signe Lindell and Councilor Chris Rivera)
A Resolution Approving a Public Firework Display During the Santa Fe Plaza 2023-2024 New Years Eve Event. (Geronimo Griego, Santa Fe Fire Marshal: gggriego@santafenm.gov)

Committee Review:

Governing Body (Introduction): 11/08/2023

Quality of Life Committee (Was Not Heard at this Meeting): 11/15/2023

Public Works & Utilities Committee: 11/27/2023

Governing Body: 11/29/2023

10. **ACTION ITEMS: DISCUSSION AGENDA**

- a. Request for Ratification of a Transportation Project Fund Grant Agreement with New Mexico Department of Transportation for the Construction of Agua Fria St-South Meadows Rd Intersection Improvements Project in the Total Amount of \$735,000 through June 30, 2026.
1. Request for the Approval of a Budget Adjustment Resolution (BAR) for \$698,250 of NMDOT Funding and 5% Local Match of \$36,750 from Road Impact Fees and an Additional \$120,000 of Road Impact Fees to Cover a Project Funding Gap for a Total Amount of \$855,000 for the Construction of Agua Fria-South Meadows Rd Intersection Improvements Project. (Romella Glorioso-Moss, Capital Projects Manager (Romella Glorioso-Moss, Capital Projects Manager, rsglorioso-moss@santafenm.gov)

Committee Review:

Governing Body: 11/29/2023

- b. Request for Approval of Memorandum of Agreement with the International Association of Firefighters – Local 2059 to Provide a One-Time Retention Incentive to Sworn Firefighter Positions Who Have Agreed to Remain Employed with the City through June 30, 2024 in the Amount of \$2,675.07 Per Firefighter. (Brian Moya, Fire Chief: bjmoya@santafenm.gov)

Committee Review:

Governing Body: 11/29/2023

- c. Request for Approval of Memorandum of Agreement with Local 3999 City of Santa Fe Employees of the American Federation of State, County and Municipal Employees, Council 18, AFL-CIO for a One-time Retention Incentive Payment in the Amount of \$1,150 Per Employee.

Committee Review:

Governing Body: 11/29/2023

- d. Request for Approval of a Memorandum of Agreement with the Santa Fe Police Officers' Association for a One-Time Retention Incentive of \$1,000 Per Eligible Employee. (Ben Valdez, Deputy Chief of Police, bpvaldez@santafenm.gov, 505955-5040)

Committee Review:

Governing Body: 11/29/2023

- e. Request for Approval of a Memorandum of Agreement with the Santa Fe Police Officers' Association for the Disbursement of \$330,110.39 as a Retention Incentive, and for Approval for the Disbursement of \$65,476.44, for Eligible Probationary and Non-Union Sworn Personnel as a Retention Incentive. Funds in the Amount of \$395,586.83 were Allocated by the City of Santa Fe and the State of New Mexico for Recruitment and Retention Stipends for Law Enforcement Officers at Santa Fe Police Department. (Ben Valdez, Deputy Chief of Police, bpvaldez@santafenm.gov, 505-955-5040)

Committee Review:

Governing Body Committee: 11/29/2023

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, Subparts (H)(2), (6) and (7), Discussion of Limited Personnel Matters in Relation to the City Manager; Discussion of Competitive Sealed Proposals Solicited Pursuant to the Procurement Code Regarding Management of the Marty Sanchez Golf Course, Request for Proposals #23/47/P; and Attorney-Client Privileged Discussion of Pending or Threatened Litigation Including, but not Limited to, In Re: McKinsey & Co., Inc. National Prescription Opiate Consultant Litigation, Case No. 3:21-md-02996-CRB, and City of Santa Fe vs. Santa Fe Country Club and Golf Association. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov)

13. **EXECUTIVE SESSION ACTION ITEMS**

- a. **CONSIDERATION OF RESOLUTION NO. 2023-_____.** (Councilor Chris Rivera and Councilor Lee Garcia)
A Resolution Suspending the City Manager for Three Days.

Committee Review:

Governing Body (Introduced): 11/08/2023

Governing Body: 11/29/2023

14. **MATTERS FROM THE CITY CLERK**

15. **COMMUNICATIONS FROM THE GOVERNING BODY**

16. **INTRODUCTION OF LEGISLATION**

- a. **CONSIDERATION OF A RESOLUTION 2023_____.** (Councilor Chris Rivera)
A Resolution Naming Fire Station Seven “Chief Frank Di Luzio Fire Station No. 7,” Pursuant to Resolution 2010-19. (Brian Moya, Fire Chief:

bjmoya@santafenm.gov)

Committee Review:

Governing Body (Introduction): 11/29/2023

Quality of Life Committee: 12/06/2023

Public Works Committee: 12/11/2023

Governing Body: 12/13/2023

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 BILL NO. 2023-25. ADOPTION OF ORDINANCE NO. 2023-____. (Councilor Jamie Cassutt)
A Bill Amending SFCC 1987, Sections 23-4.13 And 23-7.5, to Remove Youth Leagues' Priority Use of Certain City Sports Fields; and Adult Leagues' Priority Use of the Municipal Recreation Complex Sports Fields; and to Require Annual Review and Publication of a Field Use Management Plan. (Jonathan Weiss, Golf Course & MRC Manager: jwweiss@santafenm.gov)

Committee Review:

Governing Body (Introduced): 10/25/2023

Governing Body (Public Comment): 11/08/2023

Finance Committee: 11/13/2023

Quality of Life Committee: 11/15/2023

Public Works and Utilities Committee: 11/27/2023

Governing Body (Public Hearing): 11/29/2023

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

- a. CONSIDERATION OF BILL NO. 2023-17. ADOPTION OF ORDINANCE NO. 2023-____.
Case #2022-6134, JenkinsGavins Agent for Applicant Cerro del Norte Partners LLC ("Applicant"), Requests Approval of Bill 2023-17 to

Rezone Approximately 31.0 Acres and Located at 1864 Paseo de Vista, from its Present Designation and Class of R-1 (Single Family One (1) Dwelling Per Acre) to R-3 (Single-Family Three (3) Dwellings Per Acre). (Dan Esquibel, Planner Senior, Current Planning Division: daesquibel@santafenm.gov)

- b. CONSIDERATION OF RESOLUTION 2023-____.
Case #2023-6488. 1864 Paseo de Vista Master Plan. JenkinsGavin, Inc., Agent for Cerro Del Norte Partners, LLC, Applicant, Requests the Governing Body Approve Resolution No. 2023-____ to Adopt a Master Plan and Conditions of Approval for a Residential Project on Approximately 31 Acres, Located at 1864 Paseo de Vista, within the Suburban Archaeological Review. (Dan A. Esquibel, Planner Senior, Current Planning Division: daesquibel@santafenm.gov)

21. **APPOINTMENTS**

- a. Santa Fe City and County Council on Food Policy
- David D. Sundberg – Reappointment as Chair – Term Ending 01/2026
 - Sherry Hooper – Reappointment – Term Ending 01/2026
 - Peter Ives – Appointment – Term Ending 01/2026
 - Said Assali – Appointment – Term Ending 01/2026
 - Jasmine Meyer – Appointment – Term Ending 01/2025
 - Maria Sanchez Tucker – Appointment as City Manager Designee – Term Ending 01/2026
 - Eric Renz-Whitmore – Appointment at City Staff Representative – Term Ending 01/2025

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.