



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
OCTOBER 25, 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/89622989353>.

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 (719) 359-4580 - Webinar ID: 896 2298 9353**

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 Jamie Cassutt

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

Councilor Signe Lindell

4. **INVOCATION AND REMEMBRANCES**

Councilor Lee Garcia

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT AGENDA**

8. **PRESENTATIONS**

- a. Community Risk Reduction Analysis and Strategic Plan for the City of Santa Fe Fire Department. (Steven G. Knight, PhD, Fitch and Associates)
- b. Audit Update and Overview. (Emily Oster, Finance Director, ekoster@santafenm.gov)

9. **ACTION ITEMS: CONSENT AGENDA**

- a. Request for Approval of the October 11, 2023 Governing Body Meeting Minutes. (Geraldyn Cardenas, Interim City Clerk; gfcardenas@santafenm.gov)

Committee Review

Governing Body: 10/25/2023

- b. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Bentley Legacy Group, LLC, for a Restaurant B (Beer, Wine & Spirits) Liquor License with On-Premises Consumption Only and Patio Service, to be Located at Old Santa Fe Inn, 201 Montezuma Avenue. (Alexandria Mares, Marketing & Special Events Coordinator: armares@santafenm.gov, 955-6520)

Committee Review:

Liquor Hearing: 10/16/2023

Governing Body: 10/25/2023

- c. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Second Wind Partners, Inc., for a Bed & Breakfast Liquor License, to be Located at Inn of the Turquoise Bear, 342 E. Buena Vista Street. (Alexandria Mares, Marketing & Special Events

Coordinator: armares@santafenm.gov)

Committee Review:

Liquor Hearing: 10/05/2023

Governing Body: 10/25/2023

- d. Request for Approval of a Budget Amendment Resolution (BAR) to Increase the Funds for FY2024 for Audit Preparation and Accounting Consulting in the Total Amount of \$795,883, which is the Unexpended Amount Originally Budgeted for FY2023. (Emily K. Oster, Finance Director: ekoster@santafenm.gov)

Committee Review

Finance Committee: 10/16/2023

Quality of Life Committee: 10/18/2023

Governing Body: 10/25/2023

- e. Request for Approval of New Mexico Department of Transportation Aviation Division Grant # SAF-24-03 for the Design of the Terminal Apron Replacement in the Amount of \$284,610. (James Harris, Airport Manager: jcharris@santafenm.gov; Kelly Bynon, Administrative Manager: kabynon@santafenm.gov)

- 1. Request for Approval of a Budget Amendment Resolution (BAR) in the Total Amount of \$284,610 in Increase WIP Design Fund using NMDOT Funding for the Design of the Terminal Apron Replacement.

Committee Review:

Finance Committee: 10/16/2023

Public Works and Utilities Committee: 10/23/2023

Governing Body: 10/25/2023

- f. Request for Approval of the New Mexico Department of Finance & Administration Certification for Allocation 22-ZG1016-48 for Recruitment and Retention Stipends for Law Enforcement Officers at the Santa Fe Police Department for FY24 in the Total Amount of \$112,500. (Ben Valdez, Deputy Chief of Police: bpvaldez@santafenm.gov)

1. Request for Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of \$112,500 from the NM Department of Finance and Administration Fund to the Police Incentive Fund.

Committee Review:

Finance Committee: 10/16/2023

Quality of Life Committee: 10/18/2023

Governing Body Committee: 10/25/2023

- g. Request for Approval of Professional Services Agreement with Bohannon Huston Inc. for On-Call Engineering Services in the Total Amount of \$3,243,975 Including NMGRT through October 5, 2026. (Zoe Isaacson, River & Watershed Manager, zrisaacson@santafenm.gov)

Committee Review:

Finance Committee: 10/16/2023

Public Works & Utilities Committee: 10/23/2023

Governing Body: 10/25/2023

- h. Request for Approval of Amendment No.1 to the New Mexico Department of Transportation Aviation Division Grant # SAF-24-02 in the Amount of \$391,033 for the Repair of the Runway Midfield Intersection, Bringing the Total Amount of the Grant to \$1,727,033. (James Harris, Airport Manager: jcharris@santafenm.gov; Kelly Bynon, Administrative Manager: kabynon@santafenm.gov)

1. Request for Approval of a Budget Amendment Resolution (BAR) in the Total Amount of \$391,033 to Increase WIP Construction Fund Using NMDOT Funding for the Repair of the Runway Midfield Intersection.

Committee Review:

Finance Committee: 10/16/2023

Public Works and Utilities Committee: 10/23/2023

Governing Body: 10/25/2023

- i. Request for Approval of Amendment No.1 to Professional Services Agreement Item #22-0378 with Tyler Technologies Munis Upgrade for Senior Finance Subject Matter Experts and Testers Services with IT Connect Inc. for Consulting Services for the Finance Department in the

Total Amount of \$108,312.50 through June 30, 2024. (Emily Oster, Finance Director: ekoster@santafenm.gov and Eric Candelaria, IT Director: edcandelaria@santafenm.gov)

Committee Review:

Finance Committee: 10/16/2023

Quality Of Life Committee: 10/18/2023

Governing Body: 10/25/2023

- j. Request the Approval of Amendment No.1 to General Services Agreement Item #22-0389 with the Santa Fe Railyard Park Conservancy to Clarify Responsibilities and Reporting and Increase the Compensation by \$300,000 for the Total Amount Not to Exceed \$400,000 through June 30, 2026. (Tim Farrell, Property Development Manager: tgfarrell@santafenm.gov)

Committee Review

Public Works & Utilities Committee: 10/10/2023

Finance Committee: 10/16/2023

Governing Body: 10/25/2023

- k. Request for Approval to Purchase Two (2) Ford F150 Pickup Trucks and One (1) Ford F450 Pickup Truck for the City of Santa Fe's Wastewater Management Division in the Total Amount of \$184,097 from Chalmers Ford. (Benjamin Sandoval, Collections Manager, WWMD: basandoval@santafenm.gov)

1. Request for Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of \$184,097 from the Cash Balance.

Committee Review:

Finance Committee: 10/16/2023

Public Works and Utilities Committee: 10/23/2023

Governing Body: 10/25/2023

- l. Request for Approval of Purchasing Agreement with Southwest Ambulance Sales for the Purchase of a New Ford E-350 XL Cutaway Ambulance Utilizing the HGACBUY Price Agreement #AMI0-20; in the Total Amount of \$187,726. (Brian Moya, Fire Chief: bjmoya@santafenm.gov; Daniel Garcia, Fire Fleet Manager: dagarcia@sanatafenm.gov)

Committee Review:

Finance Committee: 10/16/2023

Public Safety Committee: 10/17/2023

Public Works and Utilities Committee: 10/23/2023

Governing Body: 10/25/2023

10. **ACTION ITEMS: DISCUSSION AGENDA**

- a. Request for Approval of Amendment No. 2 to Audit Contract Item #22-0417 with Carr, Riggs, Ingram to Increase Compensation by \$113,287 for a New Contract Amount of \$382,741 Including NMGRT 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: 10/23/2023

Governing Body: 10/25/2023

- b. CONSIDERATION OF A RESOLUTION 2023-____. (Councilor Carol Romero-Wirth, Councilor Renee Villarreal, Councilor Chris Rivera, and Councilor Amanda Chavez)

A Resolution Directing the City Manager to Establish an Office of Equity and Inclusion. (John Blair, City Manager, jwblair@santafenm.gov)

Committee Review

Governing Body (Introduced):09/27/2023

Quality of Life Committee: 10/04/2023

Finance Committee: 10/16/2023

Governing Body: 10/25/2023

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, Subpart (H)(7), Attorney-Client Privileged Discussion of a Quarterly Update on Pending

and Threatened Litigation in which the City is or may Become a Party, Including, but not Limited to, City of Santa Fe vs. Purdue Pharma, LP, et. al, Union Protectiva vs. City of Santa Fe and Mayor Alan Webber, and Hill, Newton, and Santa Fe Association of Realtors, Inc. v. City of Santa Fe. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov)

13. **EXECUTIVE SESSION ACTION ITEMS**

- a. Request for Approval of a Waiver of Conflict of Interest - Consultation, Disclosure, and Informed Consent to Representation with Brownstein Hyatt Farber Schreck, LLP, which represents Allergen in *City of Santa Fe vs. Purdue Pharma, LP, et. al.* (Erin McSherry, City Attorney; ekmcsherry@santafenm.gov)

14. **MATTERS FROM THE CITY CLERK**

15. **COMMUNICATIONS FROM THE GOVERNING BODY**

16. **INTRODUCTION OF LEGISLATION**

- a. **CONSIDERATION OF BILL NO. 2023-25 (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

- b. **CONSIDERATION OF A RESOLUTION 2023-____.** (Councilor Chris Rivera and Councilor Lee Garcia)
A Resolution Approving the City of Santa Fe's Participation in a

Transportation Project Fund Program Administered by New Mexico Department of Transportation for Improvements to the Agua Fria/South Meadows Intersection. (Romella Glorioso-Moss, Projects Administrator; rsglorioso-moss@santafenm.gov)

Committee Review:

Governing Body: 10/25/2023
Finance Committee: 10/30/2023
Public Works Committee: 11/06/2023
Governing Body: 11/08/2023

- c. CONSIDERATION OF A RESOLUTION 2023-____. (Mayor Alan Webber)
A Resolution Requesting Approval of First Quarter Budget Amendments for Fiscal Year 2024. (Andy Hopkins, Budget Officer: ajhopkins@santafenm.gov)

Committee Review:

Governing Body: 10/25/2023
Finance Committee: 10/30/2023
Quality of Life Committee: 11/01/2023
Public Works and Utilities Committee: 11/06/2023
Governing Body: 11/08/2023

- d. CONSIDERATION OF A RESOLUTION 2023-____. (Councilor Michael Garcia)
A Resolution Supporting the Administrative and Legislative Protection of the Upper Pecos River Watershed Through the Withdrawal of Mineral Rights. (Marci Eannarino, Manager Legislation & Policy Innovation: maeannarino@santafenm.gov)

Committee Review:

Governing Body (Introduction): 10/25/2023
Finance Committee: 10/30/2023
Quality of Life Committee: 11/01/2023
Public Works and Utilities Committee: 11/06/2023
Governing Body: 11/08/2023

17. **PETITIONS FROM THE FLOOR**

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

- a. **CONSIDERATION OF BILL NO. 2023-24 (Councilor Signe Lindell)**
A Bill Amending SFCC 1987, Section 14-5.2, to Authorize the Historic Districts Review Board to Approve Additional Exceptions, Including Exceptions for Signs and Murals; and to Remove Certain Administrative Requirements for Land Use Staff Approvals and Disapprovals of Signs and Murals. (Heather Lamboy, Assistant Land Use Director; hllamboy@santafenm.gov)

Committee Review:

Governing Body (Introduced): 10/11/2023
Governing Body (Public Comment): 10/25/2023
Quality of Life Committee: 11/01/2023
Public Works and Utilities Committee: 11/06/2023
Historic Districts Review Board: 11/14/2023
Governing Body (Public Hearing): 11/29/2023

19. **FINAL ACTION ON LEGISLATION (Public Hearing)**
20. **PUBLIC HEARINGS (Land Use Cases, Appeals, and Other Items Required to Have a Public Hearing)**
21. **APPOINTMENTS**
 - a. Audit Committee
 - Diane Rubin – Appointment – Term Ending 11/2025
22. **ADJOURN**

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

**SUMMARY OF ACTION
MEETING OF THE GOVERNING BODY
WEDNESDAY, OCTOBER 25, 2023, 5:00 PM
COUNCIL CHAMBERS, CITY HALL
200 LINCOLN AVENUE, SANTA FE, NEW MEXICO**

1.	Call To Order	Convened at 5:00 pm	3
2.	Pledge of Allegiance	Councilor Cassutt	3
3.	Salute to the NM Flag	Councilor Lindell	3
4.	Invocation and Remembrances	Councilor Lee Garcia	3
5.	Roll Call	Quorum	3-4
6.	Approval of Agenda	Approved as Presented	4
7.	Approval of Consent Agenda	Approved, item 9 (I) pulled	4
8.	Presentations		
	a. Santa Fe Fire Department	Given	4
	b. Audit Update	Given	4
17.	Petitions from the Floor	Heard	5
9.	Action items: Consent agenda	Approved	5-9
10.	Action items: Discussion agenda		
	a. Amendment to Audit Contract	Approved	9
	b. Resolution 2023-_____	Approved	9-10
14.	Matters from the City Clerk	Reported	10
15.	Matters from the Governing Body	Reported	10
16.	Introduction of Legislation		
	a. Bill No. 2023-25	Introduced	10
	b. Resolution 2023-_____	Introduced	10
	c. Resolution 2023-_____	Introduced	10
	d. Resolution 2023-_____	Introduced	10
18.	Public Comment on Bills		11

	a.	Bill No. 2023-24	Heard	11
19.		Final Action on Legislation	None	11
20.		Public Hearings	None	11
12.		Matters from City Attorney		
	a.	Executive Session	Held	11
13.		Executive Session Action Items		
	a.	Waiver of Conflict of Interest	Approved	11-12
21.		Appointments		
	a.	Audit Committee	Approved	12
22.		Adjourned	Adjourned at 9:47 pm	12-13

**MEETING OF THE GOVERNING BODY
WEDNESDAY, OCTOBER 25, 2023, 5:00 PM
COUNCIL CHAMBERS, CITY HALL
200 LINCOLN AVENUE, SANTA FE, NEW MEXICO**

I. CALL TO ORDER

The meeting of the Governing Body was called to order by Mayor Webber at 5:00 pm, on Wednesday, October 25, 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 Cassutt.

3. SALUTE TO THE NEW MEXICO FLAG

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

4. INVOCATION

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
Councilor Christopher Rivera
Councilor Carol Romero-Wirth
Councilor Renee Villarreal

MEMBERS EXCUSED

OTHERS PARTICIPANTS ATTENDING

Erin McSherry, City Attorney
John Blair, County Manager

Geralyn Cardenas, Interim City Clerk
Rich Brown, Director, Community Development
Emily Oster, Finance Director
Elizabeth Martin, Stenographer

6. APPROVAL OF AGENDA

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

VOTE The motion passed on a voice vote.

7. APPROVAL OF CONSENT AGENDA

Item 9 I was pulled for discussion by Councilor Michael Garcia

MOTION A motion was made by Councilor Chavez, seconded by Councilor Lee Garcia, to approve the Consent Agenda as amended.

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

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

8. PRESENTATIONS

- a. **COMMUNITY RISK REDUCTION ANALYSIS AND STRATEGIC PLAN FOR THE CITY OF SANTA FE FIRE DEPARTMENT**
- b. **AUDIT UPDATE AND OVERVIEW**

MOTION A motion was made by Councilor Rivera, seconded by Councilor Michael Garcia, to move the Executive Session, Matters from the City Attorney, Item 12, and the post session Item 13, to just before Appointments, item 21, and to move directly to Petitions From the Floor, item 17 and proceed through the balance of the agenda.

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

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

17. PETITIONS FROM THE FLOOR

Stephanie Beninato. Ms. Beninato commented on issues with payments by credit card for ads in the Visitor Guide, the new permit system and non-responsiveness of the Land Use Department.

9. ACTION ITEMS: CONSENT AGENDA

a. REQUEST FOR APPROVAL OF THE OCTOBER 11, 2023 GOVERNING BODY MEETING MINUTES

Approved on consent.

b. REQUEST FOR APPROVAL OF LIQUOR HEARING OFFICER'S RECOMMENDATION TO APPROVE THE REQUEST FROM BENTLEY LEGACY GROUP, LLC, FOR A RESTAURANT B (BEER, WINE & SPIRITS) LIQUOR LICENSE WITH ON-PREMISES CONSUMPTION ONLY AND PATIO SERVICE, TO BE LOCATED AT OLD SANTA FE INN, 201 MONTEZUMA AVENUE

Approved on consent.

c. REQUEST FOR APPROVAL OF LIQUOR HEARING OFFICER'S RECOMMENDATION TO APPROVE THE REQUEST FROM SECOND WIND PARTNERS, INC., FOR A BED & BREAKFAST LIQUOR LICENSE, TO BE LOCATED AT INN OF THE TURQUOISE BEAR, 342 E. BUENA VISTA STREET.

Approved on consent.

d. REQUEST FOR APPROVAL OF A BUDGET AMENDMENT RESOLUTION (BAR) TO INCREASE THE FUNDS FOR FY2024 FOR AUDIT PREPARATION AND ACCOUNTING CONSULTING IN THE TOTAL AMOUNT OF \$785,883, WHICH IS THE UNEXPENDED AMOUNT ORIGINALLY BUDGETED FOR FY2023.

Approved on consent.

e. REQUEST FOR APPROVAL OF NEW MEXICO DEPARTMENT OF TRANSPORTATION AVIATION DIVISION GRANT # SAF-24-03 FOR THE DESIGN OF THE TERMINAL APRON REPLACEMENT IN THE AMOUNT OF \$284,610.

Approved on consent.

- f. **REQUEST FOR APPROVAL OF THE NEW MEXICO DEPARTMENT OF FINANCE & ADMINISTRATION CERTIFICATION FOR ALLOCATION 22-ZG1016-48 FOR RECRUITMENT AND RETENTION STIPENDS FOR LAW ENFORCEMENT OFFICERS AT THE SANTA FE POLICE DEPARTMENT FOR FY24 IN THE TOTAL AMOUNT OF \$112,500.**

Approved on consent.

- g. **REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH BOHANNAN HUSTON INC. FOR ON-CALL ENGINEERING SERVICES IN THE TOTAL AMOUNT OF \$3,243,975 INCLUDING NMGRT THROUGH OCTOBER 5, 2026.**

Approved on consent.

- h. **REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION AVIATION DIVISION GRANT # SAF-24-02 IN THE AMOUNT OF \$391,033 FOR THE REPAIR OF THE RUNWAY MIDFIELD INTERSECTION, BRINGING THE TOTAL AMOUNT OF THE GRANT TO \$1,727,033.**

Approved on consent.

- i. **REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT ITEM #22-0378 WITH TYLER MUNIS UPGRADE FOR SENIOR FINANCE SUBJECT MATTER EXPERTS AND TESTERS SERVICES WITH IT CONNECTED INC. FOR CONSULTING SERVICES FOR THE FINANCE DEPARTMENT IN THE TOTAL AMOUNT OF \$108,312.50 THROUGH JUNE 30, 2024.**

MOTION A motion was made by Councilor Romero-Wirth, seconded by Councilor Cassutt, to approve the request for Amendment No. 1 to the Professional Services Agreement with Tyler Munis.

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

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

- j. **REQUEST THE APPROVAL OF AMENDMENT NO. 1 TO GENERAL**

SERVICES AGREEMENT ITEM #22-0389 WITH THE SANTA FE RAILYARD PARK CONSERVANCY TO CLARIFY RESPONSIBILITIES AND REPORTING AND INCREASE THE COMPENSATION BY \$300,000 FOR THE TOTAL AMOUNT NOT TO EXCEED \$400,000 THROUGH JUNE 30, 2026.

Approved on consent.

- k. REQUEST FOR APPROVAL TO PURCHASE TWO (2) FORD F150 PICKUP TRUCKS AND ONE (1) FORD F450 PICKUP TRUCK FOR THE CITY OF SANTA FE'S WASTEWATER MANAGEMENT DIVISION IN THE TOTAL AMOUNT OF \$184,097 FROM CHALMERS FORD.**

Approved on consent.

- I. REQUEST FOR APPROVAL OF PURCHASING AGREEMENT WITH SOUTHWEST AMBULANCE SALES FOR THE PURCHASE OF A NEW FORD E-350 XL CUTAWAY AMBULANCE UTILIZING THE HGACBUY PRICE AGREEMENT #AMIO-20; IN THE TOTAL AMOUNT OF \$187,726.**

Approved on consent.

10. ACTION ITEMS: DISCUSSION AGENDA

- a. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO AUDIT CONTRACT ITEM #22-0417 WITH CARR, RIGGS, INGRAM TO INCREASE COMPENSATION BY \$113,287 FOR A NEW CONTRACT AMOUNT OF \$382,741 INCLUDING NMGR TO PROVIDE AUDIT SERVICES FOR FYE 6/30/2022.**

MOTION A motion was made by Councilor Romero-Wirth, seconded by Councilor Cassutt, to approve the request for approval of Amendment No. 2 to the Audit Contract.

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

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

- b. CONSIDERATION OF RESOLUTION 2023-____. A RESOLUTION DIRECTING THE CITY MANAGER TO ESTABLISH AN OFFICE OF**

EQUITY AND INCLUSION.

MOTION A motion was made by Councilor Villarreal, seconded by Councilor Romero-Wirth, to approve Resolution 2023-_____.

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

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

11. MATTERS FROM THE CITY MANAGER

14. MATTERS FROM THE CITY CLERK

15. COMMUNICATIONS FROM THE GOVERNING BODY

16. INTRODUCTION OF LEGISLATION

- a. **CONSIDERATION OF BILL NO. 2023-25. 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.**
- b. **CONSIDERATION OF A RESOLUTION 2023-_____. A RESOLUTION APPROVING THE CITY OF SANTA FE'S PARTICIPATION IN A TRANSPORTATION PROJECT FUND PROGRAM ADMINISTERED BY NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO THE AGUA FRIA/SOUTH MEADOWS INTERSECTION.**
- c. **CONSIDERATION OF A RESOLUTION 2023-_____. A RESOLUTION REQUESTING APPROVAL OF FIRST QUARTER BUDGET AMENDMENTS FOR FISCAL YEAR 2024.**
- d. **CONSIDERATION OF A RESOLUTION 2023-_____. A RESOLUTION SUPPORTING THE ADMINISTRATIVE AND LEGISLATIVE PROTECTION OF THE UPPER PECOS RIVER WATERSHED THROUGH THE WITHDRAWAL OF MINERAL RIGHTS.**

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

- a. CONSIDERATION OF BILL NO. 2023-24. A BILL AMENDING SFCC 1987, SECTION 14-5.2, TO AUTHORIZE THE HISTORIC DISTRICTS REVIEW BOARD TO APPROVE ADDITIONAL EXCEPTIONS, INCLUDING EXCEPTIONS FOR SIGNS AND MURALS; AND TO REMOVE CERTAIN ADMINISTRATIVE REQUIREMENTS FOR LAND USE STAFF APPROVALS AND DISAPPROVALS OF SIGNS AND MURALS.**

Adam Johnson. Mr. Johnson commented that the Old Santa Fe Historic Association strongly supports the Board's authority. He spoke to concern about the language around signs and murals.

Stephanie Beninato. Ms. Beninato commented about the language around signs and murals.

Ms. McSherry informed the Governing Body that an error was made on the original referral. She would like the Governing Body to correct that error by motion tonight.

MOTION A motion was made by Councilor Romero-Wirth, seconded by Councilor Lindell, to suspend the rules.

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

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

MOTION A motion was made by Councilor Lindell, seconded by Councilor Romero-Wirth, that Bill number 2023-24 be heard by the Historic District Review Board on 11/14/23; by the Quality of Life Committee on 11/15/23; by the Public Works and Utilities Committee on 11/27/23 and that it be heard by the Governing Body on 12/13/23.

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

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

19. FINAL ACTION ON LEGISLATION (PUBLIC HEARING)

None.

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

None.

12. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, NMSA 1978, Section 10-15-1, Subpart (H)(7), Attorney-Client Privileged Discussion of a Quarterly Update and Pending and Threatened Litigation in which the City is or may Become a Party, Including but not Limited to, City of Santa Fe vs. Purdue Pharma, LP, et. al, Union Protectiva vs. City of Santa Fe and Mayor Alan Webber, and Hill, Newton, and Santa Fe Association of Realtors, Inc. v. City of Santa Fe.

MOTION A motion was made by Councilor Rivera, seconded by Councilor Romero-Wirth, pursuant to the New Mexico Open Meetings Act, NMSA 1978, Section 10-15-1, Subpart (H)(7), the Governing Body enter into Executive Session.

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

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

The Governing Body entered into Executive Session at 9:11 pm.

MOTION A motion was made by Councilor Rivera, seconded by Councilor Chavez, to return to the regular meeting.

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

The Governing Body returned to the regular meeting at 9:43 pm.

13. EXECUTIVE SESSION ACTION ITEMS

- a. **REQUEST FOR APPROVAL OF A WAIVER OF CONFLICT OF INTEREST - CONSULTATION, DISCLOSURE, AND INFORMED CONSENT TO REPRESENTATION WITH BROWNSTEIN HYATT FARBER SCHRECK, LLP, WHICH REPRESENTS ALLERGEN IN CITY OF SANTA FE VS. PURDUE PHARMA, LP, ET. AL..**

MOTION A motion was made by Councilor Romero-Wirth, seconded by Councilor Cassutt, to approve the request for approval of a waiver of conflict of interest.

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

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

21. APPOINTMENTS

- a. **AUDIT COMMITTEE**

* **DIANE RUBIN - APPOINTMENT - TERM ENDING 11/2025**

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

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

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

22. ADJOURN

There being no further business before the Governing Body, the meeting adjourned at 9:47 pm.

Approved By:



Mayor Alan Webber

**GOVERNING BODY MEETING
EXECUTIVE SESSION
October 25, 2023**

The Governing Body of the City of Santa Fe met in an executive session duly called on October 25, 2023, beginning at 9:23 p.m.

The following was discussed:

In Accordance with the New Mexico Open Meetings Act, NMSA 1978, Section 10-15-1, Subpart (H)(7), Attorney-Client Privileged Discussion of a Quarterly Update on Pending and Threatened Litigation in which the City is or may Become a Party, Including, but not Limited to, City of Santa Fe vs. Purdue Pharma, LP, et. al, Union Protectiva vs. City of Santa Fe and Mayor Alan Webber, and Hill, Newton, and Santa Fe Association of Realtors, Inc. v. City of Santa Fe. (Erin K. McSherry, City Attorney: ekmcsberry@santafenm.gov)

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
Geralyn Cardenas, Interim City Clerk

There being no further business to discuss, the executive session adjourned at 9:50 p.m.



Geralyn F. Cardenas, Interim City Clerk