



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
DECEMBER 13, 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/85063759298>

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: 850 6375 9298**

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. Matters from the Fire Chief. (Brian Moya, Fire Chief: bjmoya@santafenm.gov)
- b. State of the Municipal Court (Judge Virginia Vigil, Municipal Court Judge; vmvigil@santafenm.gov)
- c. Compensation Study Presentation by Evergreen Solutions (Bernadette Salazar, Human Resources Director; bjsalazar@santafenm.gov)
- d. Audit Update and Overview (Emily K. Oster, Finance Director, ekoster@santafenm.gov)

9. **ACTION ITEMS: CONSENT AGENDA**

- a. Request for Approval of the October 2, 2023 Special Governing Body Meeting Minutes. (Geraldyn Cardenas, Interim City Clerk; gfcardenas@santafenm.gov)

Committee Review:

Governing Body: 12/13/2023

- b. Request for Approval of General Services Contract with Vector Airport Systems LLC for Collection of Aircraft Landing Fees at the Santa Fe Regional Airport in the Total Amount of \$1,341,000 through June 30, 2025. (James Harris, Airport Manager, jcharris@santafenm.gov; Kelly Bynon, Administrative Manager, kabynon@santafenm.gov)

- 1. Request for Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of \$1,320,540 to Increase Budget for Landing Fees, Parking Fees, and Service Contracts.

Committee Review:

Public Works and Utilities: 11/27/2023

Finance Committee: 12/04/2023

Governing Body: 12/13/2023

- c. Request for Approval of Ratification of the City Manager's Approval of Amendment No. 1 to the New Mexico Department of Transportation Aviation Division Grant Award No. SAF-23-01 in the Amount of \$94,295 for Marking on the Airfield, Bringing the Total Amount for the Grant to \$180,795. (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 \$94,295 to Increase WIP Construction Fund using NMDOT Funding for Markings on the Airfield.

Committee Review:

Public Works and Utilities: 11/27/2023

Finance Committee: 12/04/2023

Governing Body: 12/13/2023

- d. Request for Approval of the Addition of Six (6) Full Time Positions, Funded in the Amount of \$255,303 to the Santa Fe Regional Airport for Security Services that was Previously Contracted as a Security Contract. (James Harris, Airport Manager; jcharris@santafenm.gov and Kelly Bynon, Administrative Manager; kabynon@santafenm.gov)

Committee Review:

Finance Committee: 12/04/2023

Public Works and Utilities Committee: 12/11/2023

Governing Body: 12/13/2023

- e. Request for Approval of a Good and Services Contract with American Fence Company of New Mexico Inc. in the Total Amount of \$367,286.93 Including NMGRT for the Installation of New Security Fencing and New Gate Motors at the Santa Fe Regional Airport. (James Garduno, Project Administrator, jdgarduno@santafenm.gov)

Committee Review:

Finance Committee: 12/04/2023

Public Works and Utilities Committee: 12/11/2023
Governing Body: 12/13/2023

- f. Request for Approval of General Service Agreement with CamNet Inc. for Phase 2 Equipment and Configuration of Cameras and Door Controls at Various Fire Stations in the Total Amount of \$393,637.82 Including New Mexico Gross Receipts Tax through November 15, 2024. (Eric Candelaria, ITT Department Director: edcandelaria@santafenm.gov; Larry Worstell, Infrastructure Manager: lfworstell@santafenm.gov and Joseph Abeyta, Project Manager: jmabeyta@santafenm.gov)

Committee Review:

Finance Committee: 12/04/2023
Quality of Life Committee: 12/06/2023
Governing Body: 12/13/2023

- g. Request for Approval of Tangible Goods Purchase in the Total Amount of \$200,294.49 for Required Hardware for Antennas, Radios, Dash Mounts, APX ES Head Controls, and Microphones for the City of Santa Fe Police Department Vehicle Uplift with Motorola. (Eric Candelaria, ITT Director: edcandelaria@santafenm.gov and Benjamin Valdez, Deputy Police Chief: bpvaldez@santafenm.gov)

Committee Review:

Public Works Committee: 12/11/2023
Governing Body: 12/13/2023

- h. Request for Approval of an Agreement with Axon Enterprise, Inc. for Equipment and Services in the Total Amount of \$11,027,153 through June 30, 2030. (Ben Valdez, Deputy Chief of Police, bpvaldez@santafenm.gov)

Committee Review:

Finance Committee: 12/04/2023
Quality of Life Committee: 12/06/2023
Governing Body Committee: 12/13/2023

- i. Request for Approval of a Budget Adjustment Resolution (BAR) in

the Total Amount of \$83,749 from the NM Department of Transportation Fund to the Police Overtime Fund for Projects: End Driving While Impaired (ENDWI); Buckle Up (BKLUP)/ Click It or Ticket (CIOT); Selective Traffic Enforcement Program (STEP)/ Summer Enforcement Period. (Captain Thomas Grundler, tjgrundler@santafenm.gov)

Committee Review:

Finance Committee: 12/04/2023

Quality of Life Committee: 12/06/2023

Governing Body Committee: 12/13/2023

- j. Request for Approval of Amendment No. 2 to Service Contract Item #22-0062 with Mittera for Printing Services for FY24 in the Amount of \$16,000 for a New Total Amount of \$422,827.47. (Randy Randall, TSF Executive Director: rrandall@santafenm.gov)

Committee Review:

Finance Committee: 12/04/2023

Quality of Life Committee: 12/06/2023

Governing Body: 12/13/2023

- k. Request for Approval of a Budget Adjustment Resolution (BAR) for TOURISM Santa Fe in the Total Amount of \$1,733,593 to Allocate FY23 Lodgers Tax Revenue Earned Over Budgeted Estimates to Increase Budget for Salaries, Benefits, Service Contracts, Advertising and Consulting for \$1,133,593 and to Increase Budget for Building/Structure and Furniture/Fixtures for \$600,000. (Randy Randall, TSF Executive Director: rrandall@santafenm.gov)

Committee Review:

Finance Committee: 12/04/2023

Quality of Life Committee: 12/06/2023

Governing Body : 12/13/2023

- l. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$67,666 to Create Two (2) New Positions, Convention Specialist and Conference Service Manager for TOURISM Santa Fe. (Randy Randall, TSF Executive Director: rrandall@santafenm.gov)

Committee Review:

Finance Committee: 12/04/2023

Quality of Life Committee: 12/06/2023

Governing Body: 12/13/2023

- m. Request for Approval of Amendment No. 1 to the Professional Service Agreement Item #23-0483 with Vladimir Jones – PRACO in the Total Amount of \$877,000 for Advertising Agency of Record for Fiscal Year 24 for TOURISM Santa Fe. (Randy Randall, TSF Executive Director, rrandall@santafenm.gov)

1. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$877,000 to Increase Advertising to Fund Amendment No. 1 to the Professional Service Agreement with Vladimir Jones-PRACO.

Committee Review:

Finance Committee: 12/04/2023

Quality of Life Committee: 12/06/2023

Governing Body : 12/13/2023

- n. Request for Approval of Amendment No. 1 to the Affordable Housing Trust Fund Service Agreement Item #22-0298 with Bella Luz Apartments 2022, LLLP in the Total Amount of \$800,000 for the Lamplighter Motel Conversion Project to Extend the Term through December 31, 2024. (Cody Minnich, Project Manager, Office of Affordable Housing: cjminnich@santafenm.gov).

Committee Review:

Finance Committee: 12/04/2023

Quality of Life Committee: 12/06/2023

Governing Body: 12/13/2023

- o. Request for Approval of a Budget Amendment Resolution (BAR) to Allocate FY23 Gross Receipts Tax Revenue Earned Over Budgeted Estimates to MRC Soccer Valley Expansion Design for \$500,000 and Salvador Perez Athletic Field Renovation for \$1,000,000. (Melissa

McDonald, Parks and Open Space Division Director,
mamcdonald@santafenm.gov, 505-303-9502)

Committee Review

Finance Committee 12/04/2023

Public Works and Utilities Committee: 12/11/2023

Governing Body 12/13/2023

- p. Request for Approval of a Budget Adjustment Resolution (BAR) for the Allocation of \$2,000,000 to the MRC Effluent Irrigation Supply System Replacement Wastewater CIP Project with \$1,000,000 from FY23 Gross Receipts Tax Revenue Earned Over Budgeted Estimates and \$1,000,000 from Public Utilities Wastewater Fund Balance. (John Dupuis, Public Utilities Department Director, jedupuis@santafenm.gov; Melissa McDonald, Parks and Open Space Division Director, mamcdonald@santafenm.gov)

Committee Review

Finance Committee 12/04/2023

Public Works and Utilities Committee: 12/11/2023

Governing Body 12/13/2023

- q. Request for Approval of a Budget Adjustment Resolution (BAR) to the MRC Operating Budget from FY23 Gross Receipts Tax Revenue Earned Over Budgeted Estimates in the Amount of \$690,000 for Effluent/Water Usage for Irrigation at the Municipal Recreation Complex (MRC) and SWAN Park in FY24. (John Dupuis, Public Utilities Department Director, jedupuis@santafenm.gov and Melissa McDonald, Parks and Open Space Division Director, mamcdonald@santafenm.gov)

Committee Review

Finance Committee 12/04/2023

Public Works and Utilities Committee: 12/11/2023

Governing Body 12/13/2023

- r. Request for the Approval of a Third Amendment to the American Rescue Plan Act (ARPA) Work-Based Learning Sub-Recipient Agreement with the Santa Fe Public Schools to Reflect the City of Santa Fe Living Wage Ordinance and to Reallocate of \$153,800 of Project Budget from Bucket 5: Dropout Recovery Internships to Bucket 1: Youth/Senior Internships, Increasing the Number of Student Interns Paid through Bucket 1. (Casey

Dalbor, Economic Development Specialist; cjdalbor@santafenm.gov)

Committee Review

Finance Committee 12/04/2023

Quality of Life Committee 12/06/23

Governing Body 12/13/2023

- s. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$800,000 to Allocate FY23 Gross Receipts Tax Revenue Earned Over Budgeted Estimates to Fund Infrastructure Design at the City of Santa Fe's Midtown Site. (Lee Logston, Midtown Asset Development Manager lrlogston@santafenm.gov)

Committee Review:

Finance Committee: 12/04/2023

Economic Development Advisory Committee: 12/06/2023

Quality of Life Committee: 12/06/2023

Public Works and Utilities Committee: 12/11/2023

Governing Body: 12/13/2023

- t. Request for Approval of Amendment No. 6 to Legal Services Agreement Item #21-0399 to Increase the Amount of Compensation by \$40,000, Excluding GRT, for Legal Services to be Provided by Modrall Sperling, Roehl, Harris & Sisk, P.A., Not to Exceed \$324,562.50; and Extending the Term through December 31, 2024. (Erin McSherry, City Attorney, ekmcsberry@santafenm.gov)

Committee Review:

Finance Committee: 12/04/2023

Governing Body: 12/13/2023

- u. Request for Approval of a Budget Adjustment Resolution (BAR) to Increase the City Attorney's Office Personnel Services Budget in an Amount of \$83,510 from FY23 Gross Receipts Tax Revenues Earned Over Budgeted Estimates for Two (2) New Public Records Specialists. (Katherine Garcia-Gallegos, IPRA Manager, kkgallegos@santafenm.gov; Erin McSherry, City Attorney, ekmcsberry@santafenm.gov)

Committee Review:

Finance Committee: 12/04/2023

Governing Body: 12/13/2023

- v. Request for Approval of the 2023 State Homeland Security Grant Program Sub-Grant Agreement EMW-2023-SS-00015 New Mexico Department of Homeland Security and Emergency Management for the Purchase of Hazardous Material Detection Equipment for the Fire Department, Equipment for the Police Department Special Operations Teams and GIS Support for the Office of Emergency Management in the Total Amount of \$219,849 Performance through December 31, 2025. (Brian Williams, Director Emergency Management, bgwilliams@santafenm.gov)

Committee Review:

Finance Committee: 12/04/2023

Quality of Life Committee: 12/06/2023

Governing Body: 12/13/2023

- w. Request for Approval of Amendment No. 2 to Service Agreement Item #22-0348 with St. Elizabeth Shelter in the Total Amount of \$286,500 Including NMGRT to Provide Navigation Services to Homeless Adults Ages 18 and Older in Santa Fe Over Three Years. (Christa Hernandez, Youth and Family Service Program Manager: chernandez@santafenm.gov).

Committee Review

Finance Committee: 12/04/2023

Quality of Life Committee: 12/06/2023

Governing Body: 12/13/2023

- x. Request for Approval of Recovery Funds Subrecipient Contract (ARPA) with The Life Link to Provide Support Services and 24-Hour On-Site Supervision to the Safe Outdoor Space Total Amount of \$440,192 through December 31, 2024. (Brittany Rodriguez, YFS Program Manager: bcrodriguez@santafenm.gov and Kyra Ochoa, Community Health and Safety Director, krochoa@santafenm.gov)

Committee Review

Finance Committee: 12/04/2023

Quality of Life Committee: 12/06/2024

Governing Body: 12/13/2023

- y. Request for Approval of Goods and Services Contract with Christ Lutheran Evangelical Church for Preparation and Construction of a Safe Outdoor Space Utilizing 10 Shelter Units in the Total Amount of \$388,176.75 through December 31, 2024. (Brittany Rodriguez, YFS Program Manager: bcrodriguez@santafenm.gov and Kyra Ochoa, Community Health and Safety Director, krochoa@santafenm.gov)

Committee Review:

Finance Committee: 12/04/2023

Quality of Life Committee: 12/06/2024

Governing Body: 12/13/2023

- z. Request for Approval of a Budget Adjustment Resolution (BAR) for the Allocation of Funds in the Amount of \$611,520 from FY23 Gross Receipts Tax (GRT) Revenue Earned Over Budgeted Estimates to the Fire General Fund to Purchase a New Ambulance; to Employ Eight (8) New Full-Time Staff; and to Procure the Necessary Supplies and Equipment for the Operational Facilitation of the New Ambulance. (Brian Moya, Fire Chief: bjmoya@santafenm.gov)

Committee Review:

Finance Committee: 12/04/2023

Public Works and Utilities Committee: 12/11/2023

Governing Body: 12/13/2023

- aa. Request for Approval of a Budget Amendment Resolution (BAR) in the Amount of \$175,000 to Allocate FY23 Gross Receipts Tax Revenue Earned Over Budgeted Estimates to Public Works to Engage a Consultant to Compile Public Works Elements for the City Code Chapter 14 Land Development Code Revision. (Regina Wheeler: Public Works Director: rawheeler@santafenm.gov)

Committee Review:

Finance Committee: 12/04/2023

Public Works and Utilities Committee: 12/11/2023

Governing Body: 12/13/2023

ab. Request for Approval of Fiscal Year 24 Budget Increases for Land Use Department in the Total Amount of \$356,382. (Jason Kluck, Land Use Director, jmkluck@santafenm.gov)

1. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$116,382 to Allocate FY23 Gross Receipts Tax Revenue Earned Over Budgeted Estimates to Fund Two (2) New Full Time Positions and Increase Salary for One (1) Vacant Full Time Position.

2. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$240,000 to Allocate FY23 Gross Receipts Tax Revenue Earned Over Budgeted Estimates to Acquire Digital Planning and Development Solutions to Improve Operations.

Committee Review:

Finance Committee: 12/04/2023

Quality of Life: 12/06/2023

Governing Body: 12/13/2023

ac. Request for Approval of a Budget Adjustment Resolution (BAR) to Increase the FY24 Transit Budget in the Amount of \$542,354 Pursuant to a Memorandum of Agreement with the New Mexico Department of Transportation. (Gabrielle Chavez: Transit Director of Administration, gnchavez@santafenm.gov)

Committee Review:

Finance Committee :12/04/2023

Public Works and Utilities Committee: 12/11/2023

Governing Body: 12/13/2023

ad. Request for Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of \$300,000 from Cash Balance to Repair and Maintenance for Additional Funding to the Sub Surface On-Call Service Contract Item #21-0660 for Sewer Line Repairs. (Benjamin Sandoval, WWM Collections Manager; basandoval@santafenm.gov)

Committee Review:

Public Works and Utilities Committee: 12/11/2023

Governing Body: 12/13/2023

- ae. 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

10. **ACTION ITEMS: DISCUSSION AGENDA**

- a. Request for Approval of an Intergovernmental Services Agreement with the North Central New Mexico Economic Development District for Fiscal Agent Services in Relation to Appropriations from the State of New Mexico for Capital Projects, in the Amount of Three percent (3%) of Actual Expenditures. (Erin McSherry, City Attorney: ekmcsherry@santafenm.gov)

Committee Review:

Governing Body: 12/13/2023

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)(6) and (7), 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 Land and Building Disposition and Redevelopment of the Midtown Performing Arts Center, Request for Proposal No. 23/16/P; and Attorney-Client Privileged Discussion of Pending or Threatened Litigation, in Particular, *Hill, et al. v. City of Santa Fe*, D-101-CV-2023-02507, a tort claim related to the Estate of Cristian Marban-Tafoya and *City of Santa Fe vs. Santa Fe Country*

Club and Golf Association, D-101-CV-2022-01288. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov).

13. **EXECUTIVE SESSION ACTION ITEMS**

- a. Request Approval to Enter into an Exclusive Negotiating Agreement between the City of Santa Fe and LiveArts Santa Fe, for the Purpose of Performing Due Diligence Activities and Negotiating Terms for Land and Building Disposition and Redevelopment of the Midtown Performing Arts Center Pursuant to the City’s Request for Proposal No. 23/16/P. (Lee Logston, Midtown Asset Development Manager: lrlogston@santafenm.gov; Karen Iverson, Director, Metropolitan Redevelopment Area: kriverson@santafenm.gov; Rich Brown, Director, Community Development: rdbrown@santafenm.gov; Daniel Hernandez, Midtown Redevelopment Project Manager, Proyecto: daniel@proyecto.is)

Committee Review:

Finance Committee: 12/04/2023

Economic Development Advisory Committee: 12/06/2023

Quality of Life Committee: 12/06/2023

Public Works and Utilities Committee: 12/11/2023

Governing Body: 12/13/2023

14. **MATTERS FROM THE CITY CLERK**

15. **COMMUNICATIONS FROM THE GOVERNING BODY**

16. **INTRODUCTION OF LEGISLATION**

- a. CONSIDERATION OF A RESOLUTION 2023_____. (Mayor Alan Webber)
A Resolution Rescinding Resolution No. 2023-1 Relating to the Open Meetings Act and Adopting Annual Open Meetings Act Notice Requirements for 2024. (Geraldyn F. Cardenas, Interim City Clerk: gfcardenas@santafenm.gov)

Committee Review:

Governing Body (Introduction): 12/13/2023

Public Works and Utility Committee: 01/02/2024

Quality of Life Committee: 01/03/2024

Governing Body: 01/10/2024

- b. CONSIDERATION OF A RESOLUTION 2023 _____. (Councilor Jamie Cassutt and Councilwoman Renee Villarreal)

A Resolution Supporting the Appropriation of funds by the New Mexico Legislature for New Mexico-Grown Fresh Fruits and Vegetables for School and Senior Meals Programs and Related Education Programs for Schools and Farmers. (Maria Sanchez-Tucker, Community Services Division Director: metucker@santafenm.gov)

Committee Review:

Governing Body (Introduction): 12/13/2023

Quality of Life Committee: 01/03/2024

Governing Body: 01/10/2024

- c. CONSIDERATION OF A RESOLUTION 2023 _____. (Councilwoman Renee Villarreal and Councilor Jamie Cassutt)

A Resolution Objecting to Los Alamos National Laboratory's ("LANL") Plutonium Warhead Core or "Pit" Production and Expansion of Operations and Supporting the Prioritizing of Removal of Legacy Nuclear Waste Over Generating New Nuclear Waste at LANL. (Marci Eannarino, Legislation and Policy Innovation Manager: maeannarino@santafenm.gov)

Committee Review:

Governing Body (Introduction): 12/13/2023

Quality of Life Committee: 01/03/2024

Governing Body: 01/10/2023

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. 2023-24. ADOPTION OF ORDINANCE NO. 2023-_____. (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

Historic Districts Review Board: 11/14/2023

Quality of Life Committee: 11/15/2023

Public Works and Utilities Committee: 11/27/2023

Governing Body (Public Hearing): 12/13/2023

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) ***POSTPONED FROM THE NOVEMBER 29, 2023 REGULAR GOVERNING BODY MEETING.***
- 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) **POSTPONED FROM THE NOVEMBER 29, 2023 REGULAR GOVERNING BODY MEETING.**

21. **APPOINTMENTS**

a. Children and Youth Commission

- Jenna Yanez – Appointment – Term Ending 01/2027
- NoraJean Salazar – Appointment – 01/2027

b. Community Development Commission

- Garron Yepa – Appointment – Term Ending 03/2026
- Rosario Torres – Reappointment – Term Ending 03/2027

c. Arts Commission

- Barbara Jean (Beej) Nierngarten-Smith, Ed.D. – Appointment as Alternate – 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, DECEMBER 13, 2023, 5:00 PM
COUNCIL CHAMBERS, CITY HALL
200 LINCOLN AVENUE, SANTA FE, NEW MEXICO**

1.	Call To Order	Convened at 5:04 pm	3
2.	Pledge of Allegiance	Councilor Lindell	3
3.	Salute to the NM Flag	Councilor Romero-Wirth	3
4.	Invocation and Remembrances	Councilor Lee Garcia	3
5.	Roll Call	Quorum	3-4
6.	Approval of Agenda	Approved	4
7.	Approval of Consent Agenda	Approved	4
8.	Presentations		
	a. Fire Chief	Presented	4
	b. Municipal Court	Presented	4
	c. Compensation Study	Presented	4
17.	Petitions From The Floor	Heard	5-6
8.	b. Audit Update	Presented	6
9.	Action Items: Consent Agenda	Approved	6-13
10.	Action Items: Discussion Agenda		
	A. Intergovernmental Agreement	Approved	13
19.	Final Action on Legislation		
	a. Bill No. 2023-24	Approved	14
20.	Public Hearings		
	a. Bill No. 2023-17	Approved	14-15
	b. Resolution 2023-_____	Approved	15

21.	Appointments		
	a. Children and Youth Comm.	Approved	16
	b. Community Dev. Comm.	Approved	16
	c. Arts Commission	Approved	17
11.	Matters from the City Manager	Heard	11
14.	Matters from the City Clerk	Heard	17
15.	Communications from the GB	Heard	17
16.	Introduction of Legislation		
	a. Resolution No. 2023-_____	Introduced	17-18
	b. Resolution No. 2023-_____	Introduced	18
	c. Resolution 2023-_____	Introduced	18
18.	Public Comments on Bills	None	18
12.	Matters from the City Attorney	Heard	17
13.	Executive Session	Held	18-19
22.	Adjourn	Adjourned at 12:32 am	19-20

**REGULAR MEETING OF THE GOVERNING BODY
WEDNESDAY, DECEMBER 13, 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 5:05 pm, on Wednesday, December 13, 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
Councilor Christopher Rivera
Councilor Carol Romero-Wirth
Councilor Renee Villarreal

MEMBERS EXCUSED

OTHERS PARTICIPANTS ATTENDING

John Blair, City Manager
Erin McSherry, City Attorney

Geralyn Cardenas, Interim City Clerk

6. APPROVAL OF AGENDA

Ms. Cardenas said item 13 (A) has been removed from the agenda by staff.

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

VOTE The motion passed on a voice vote.

7. APPROVAL OF CONSENT AGENDA

Ms. Cardenas stated that Item K has been pulled for discussion by Councilor Villarreal; Item R has been pulled for recusal by Councilor Chavez; Item U has been pulled for discussion by Councilor Michael Garcia, item X has been pulled for discussion by Councilor Lindell; and Item Y has been pulled for discussion by Councilors Lindell and Michael Garcia.

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

8. PRESENTATIONS

A. MATTERS FROM THE FIRE CHIEF

Heard.

B. STATE OF THE MUNICIPAL COURT

Heard.

C. COMPENSATION STUDY PRESENTATION BY EVERGREEN SOLUTIONS

Heard.

MOTION A motion was made by Councilor Villarreal, seconded by Councilor Chavez, to move to item 17, Petitions From the Floor and to then return to item 8 (D).

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

Councilor Cassutt, yes; Councilor Chavez, yes; Councilor Lindell, yes; Councilor

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

17. PETITIONS FROM THE FLOOR

Greg Mello. Mr. Mello spoke in support of the Resolution regarding Los Alamos National Labs.

Bex Hampton. Ms. Hampton spoke in support of the Resolution regarding Los Alamos National Labs.

Rachel Thompson. Ms. Thompson spoke in support of the Safe Outdoor Space project.

Dusty Ray. Mr. Ray spoke in support of the Resolution regarding Los Alamos National Labs.

Valarie Holms. Ms. Holms spoke to rental challenges.

Alicia Mayella. Ms. Mayella spoke regarding gas company issues and housing and thanked Councilor Villarreal for her support.

Shane Brown. Mr. Brown spoke against pit production at Los Alamos National Labs.

Raquel Baca-Thompson. Ms. Baca-Thompson spoke in support of safe outdoor spaces.

Stephanie Benaito. Ms. Benaito spoke against pit production at Los Alamos National Labs.

Jean Nichols. Ms. Nichols spoke in support of the Resolution regarding Los Alamos National Labs.

Lucia. Lucia spoke in support in support of the Resolution regarding Los Alamos National Labs.

Kalie Warren. Ms. Warren spoke in support of the Resolution regarding Los Alamos National Labs.

Adam Johnson. Mr. Johnson spoke in support of the Resolution regarding Los Alamos National Labs and called awareness to a building project in Santa Fe that will be a 200,000 foot office building.

Joanie Ahrens. Ms. Ahrens thanked Councilors Villarreal and Rivera for their service.

Patricia Cardona. Ms. Cardona spoke in support of the Resolution regarding Los Alamos National Labs.

Madge Britt Eagle. Ms. Eagle spoke in support of the Resolution regarding Los Alamos National Labs.

Erica Kidd. Ms. Kidd spoke to the need for a Spanish translator for public comments.

8. PRESENTATIONS CONTINUED

D. AUDIT UPDATE AND OVERVIEW

Given.

9. ACTION ITEMS: CONSENT AGENDA

A. REQUEST FOR APPROVAL OF THE OCTOBER 2, 2023 SPECIAL GOVERNING BODY MEETING MINUTES.

Approved on consent.

B. REQUEST FOR APPROVAL OF GENERAL SERVICES CONTRACT WITH VECTOR AIRPORT SYSTEMS LLC FOR COLLECTION OF AIRCRAFT LANDING FEES AT THE SANTA FE REGIONAL AIRPORT IN THE TOTAL AMOUNT OF \$1,341,000 THROUGH JUNE 30, 2025.

Approved on consent.

C. REQUEST FOR APPROVAL OF RATIFICATION OF THE CITY MANAGER'S APPROVAL OF AMENDMENT NO. 1 TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION AVIATION DIVISION GRANT AWARD NO. SAF-23-01 IN THE AMOUNT \$94,295 FOR MARKING ON THE AIRFIELD, BRINGING THE TOTAL AMOUNT FOR THE GRANT TO \$180,795.

Approved on consent.

D. REQUEST FOR APPROVAL OF THE ADDITION OF SIX (6) FULL TIME POSITIONS, FUNDED IN THE AMOUNT OF \$255,303 TO THE SANTA FE REGIONAL AIRPORT FOR SECURITY SERVICES THAT WAS

PREVIOUSLY CONTRACTED AS A SECURITY CONTRACT.

Approved on consent.

- E. REQUEST FOR APPROVAL OF A GOODS AND SERVICES CONTRACT WITH AMERICAN FENCE COMPANY OF NEW MEXICO, INC. IN THE TOTAL AMOUNT OF \$367,286.93 INCLUDING NMGR T FOR THE INSTALLATION OF NEW SECURITY FENCING AND NEW GATE MOTORS AT THE SANTA FE REGIONAL AIRPORT.**

Approved on consent.

- F. REQUEST FOR APPROVAL OF GENERAL SERVICES AGREEMENT WITH CAMNET INC. FOR PHASE 2 EQUIPMENT AND CONFIGURATION OF CAMERAS AND DOOR CONTROLS AT VARIOUS FIRE STATIONS IN THE TOTAL AMOUNT OF \$393,637.82 INCLUDING NEW MEXICO GROSS RECEIPTS TAX THROUGH NOVEMBER 15, 2024.**

Approved on consent.

- G. REQUEST FOR APPROVAL OF TANGIBLE GOODS PURCHASE IN THE TOTAL AMOUNT OF \$200,294.49 FOR REQUIRED HARDWARE FOR ANTENNAS, RADIOS, DASH MOUNTS, APX ES HEAD CONTROLS, AND MICROPHONES FOR THE CITY OF SANTA FE POLICE DEPARTMENT VEHICLE UPLIFT WITH MOTOROLA.**

Approved on consent.

- H. REQUEST FOR APPROVAL OF AN AGREEMENT WITH AXON ENTERPRISE, INC. FOR EQUIPMENT AND SERVICES IN THE TOTAL AMOUNT OF \$11,027,153 THROUGH JUNE 30, 2030.**

Approved on consent.

- I. REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT RESOLUTION (BAR) IN THE TOTAL AMOUNT OF \$83,749 FROM THE NM DEPARTMENT OF TRANSPORTATION FUND TO THE POLICE OVERTIME FUND FOR PROJECTS: END DRIVING WHILE IMPAIRED (ENDWI); BUCKLE UP (BKLUP)/ CLICK IT OR TICKET (CIOT); SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)/ SUMMER ENFORCEMENT PERIOD.**

Approved on consent.

- J. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO SERVICE CONTRACT ITEM #22-0062 WITH MITTERA FOR PRINTING SERVICES FOR FY24 IN THE AMOUNT OF \$16,000 FOR A NEW TOTAL AMOUNT OF \$422,827.47.**

Approved on consent.

- K. REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT RESOLUTION (BAR) FOR TOURISM SANTA FE IN THE TOTAL AMOUNT OF \$1,733,593 TO ALLOCATE FY23 LODGERS TAX REVENUE EARNED OVER BUDGETED ESTIMATES TO INCREASE BUDGET FOR SALARIES, BENEFITS, SERVICE CONTRACTS, ADVERTISING AND CONSULTING FOR \$1,133,593 AND TO INCREASE BUDGET FOR BUILDING/STRUCTURE AND FURNITURE/FIXTURES FOR \$600,000.**

MOTION A motion was made by Councilor Romero-Wirth, seconded by Councilor Lindell, to approve the request for a Budget Adjustment Resolution for Tourism Santa Fe in the total amount of \$1,733,593.

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

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

- L. REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT RESOLUTION (BAR) IN THE AMOUNT OF \$67,666 TO CREATE TWO (2) NEW POSITIONS, CONVENTION SPECIALIST AND CONFERENCE SERVICE MANAGER FOR TOURISM SANTA FE.**

Approved on consent.

- M. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICE AGREEMENT ITEM #23-0483 WITH VLADMIR JONES - PRACO IN THE TOTAL AMOUNT OF \$877,000 FOR ADVERTISING AGENCY OF RECORD FOR FISCAL YEAR 24 FOR TOURISM SANTA FE.**

Approved on consent.

- N. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE AFFORDABLE HOUSING TRUST FUND SERVICE AGREEMENT ITEM #22-0298 WITH BELLA LUZ APARTMENTS 2022, LLLP IN THE TOTAL**

**AMOUNT OF \$800,000 FOR THE LAMPLIGHTER MOTEL
CONVERSION PROJECT TO EXTEND THE TERM THROUGH
DECEMBER 31, 2024.**

Approved on consent.

- O. REQUEST FOR APPROVAL OF A BUDGET AMENDMENT
RESOLUTION (BAR) TO ALLOCATE FY23 GROSS RECEIPTS TAX
REVENUE OVER BUDGETED ESTIMATES TO MRC SOCCER VALLEY
EXPANSION DESIGN FOR \$500,000 AND SALVADOR PEREZ
ATHLETIC FIELD RENOVATION FOR \$1,000,000.**

Approved on consent.

- P. REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT
RESOLUTION (BAR) FOR THE ALLOCATION OF \$2,000,000 TO THE
MRC EFFLUENT IRRIGATION SUPPLY SYSTEM REPLACEMENT
WASTEWATER CIP PROJECT WITH \$1,000,000 FROM FY23 GROSS
RECEIPTS TAX REVENUE EARNED OVER BUDGETED ESTIMATES
AND \$1,000,000 FROM PUBLIC UTILITIES WASTEWATER FUND
BALANCE.**

Approved on consent.

- Q. REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT
RESOLUTION (BAR) TO THE MRC OPERATING BUDGET FROM FY 23
GROSS RECEIPTS TAX REVENUE EARNED OVER BUDGETED
ESTIMATES IN THE AMOUNT OF \$690,000 FOR THE
EFFLUENT/WATER USAGE FOR IRRIGATION AT THE MUNICIPAL
RECREATION COMPLEX (MRC) AND SWAN PARK IN FY24.**

Approved on consent.

- R. REQUEST FOR THE APPROVAL OF A THIRD AMENDMENT TO THE
AMERICAN RESCUE PLAN ACT (ARPA) WORK-BASED LEARNING
SUB-RECIPIENT AGREEMENT WITH THE SANTA FE PUBLIC
SCHOOLS TO REFLECT THE CITY OF SANTA FE LIVING WAGE
ORDINANCE AND TO REALLOCATE \$153,800 OF PROJECT BUDGET
FROM BUCKET 5; DROPOUT RECOVERY INTERNSHIPS TO BUCKET
1: YOUTH/SENIOR INTERNSHIPS, INCREASING THE NUMBER OF
STUDENT INTERNS PAID THROUGH BUCKET 1.**

Councilor Chavez recused herself from this item as she is an employee of the Santa Fe Public Schools.

Councilor Chavez left the meeting.

MOTION A motion was made by Councilor Lindell, seconded by Councilor Cassutt, to approve a third amendment to the American Rescue Plan Act.

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

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

Councilor Chavez returned to the meeting.

S. REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT RESOLUTION (BAR) IN THE AMOUNT OF \$800,000 TO ALLOCATE FY23 GROSS RECEIPTS TAX REVENUE EARNED OVER BUDGETED ESTIMATES TO FUND INFRASTRUCTURE DESIGN AT THE CITY OF SANTA FE'S MIDTOWN SITE.

Approved on consent.

T. REQUEST FOR APPROVAL OF AMENDMENT NO. 6 TO LEGAL SERVICES AGREEMENT ITEM #21-0399 TO INCREASE THE AMOUNT OF COMPENSATION BY \$40,000, EXCLUDING GRT, FOR LEGAL SERVICES TO BE PROVIDED BY MODRALL SPERLING, ROEHL, HARRIS & SISK, P.A., NOT TO EXCEED \$324,562.50; AND EXTENDING THE TERM THROUGH DECEMBER 31, 2024.

Approved on consent.

U. REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT RESOLUTION (BAR) TO INCREASE THE CITY ATTORNEY'S OFFICE PERSONNEL SERVICES BUDGET IN AN AMOUNT OF \$83,510 FROM FY23 GROSS RECEIPTS TAX REVENUES EARNED OVER BUDGETED ESTIMATES FOR TWO (2) NEW PUBLIC RECORDS SPECIALISTS.

MOTION A motion was made by Councilor Michael Garcia, seconded by Councilor Romero-Wirth to approve a budget adjustment resolution to increase the City Attorney's office personnel services budget in the amount of \$83,510.

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

Councilor Cassutt, yes; Councilor Chavez, yes; Councilor Lindell, yes; Councilor

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

- V. REQUEST FOR APPROVAL OF THE 2023 STATE HOMELAND SECURITY GRANT PROGRAM SUB-GRANT AGREEMENT EMW-2023-SS-00015 NEW MEXICO DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT FOR THE PURCHASE OF HAZARDOUS MATERIAL DETECTION EQUIPMENT FOR THE FIRE DEPARTMENT, EQUIPMENT FOR THE POLICE DEPARTMENT SPECIAL OPERATIONS TEAMS AND GIS SUPPORT FOR THE OFFICE OF EMERGENCY MANAGEMENT IN THE TOTAL AMOUNT OF \$219,849 PERFORMANCE THROUGH DECEMBER 31, 2025.**

Approved on consent.

- W. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO SERVICE AGREEMENT ITEM #22-0348 WITH ST. ELIZABETH SHELTER IN THE TOTAL AMOUNT OF \$286,500 INCLUDING NMGR TO PROVIDE NAVIGATION SERVICES TO HOMELESS ADULTS AGES 16 AND OLDER IN SANTA FE OVER THREE YEARS.**

Approved on consent.

- X. REQUEST FOR APPROVAL OF RECOVERY FUNDS SUBRECIPIENT CONTRACT (ARPA) WITH THE LIFE LINK TO PROVIDE SUPPORT SERVICES AND 24-HOUR ON-SITE SUPERVISION TO THE SAFE OUTDOOR SPACE TOTAL AMOUNT OF \$440,192 THROUGH DECEMBER 31, 2024.**

MOTION A motion was made by Councilor Lindell, seconded by Councilor Michael Garcia, to approve the request for a ARPA funded contract with the Life Link.

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

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

- Y. REQUEST FOR APPROVAL OF GOODS AND SERVICES CONTRACT WITH CHRIST LUTHERAN EVANGELICAL CHURCH FOR PREPARATION AND CONSTRUCTION OF A SAFE OUTDOOR SPACE UTILIZING TEN SHELTER UNITS IN THE TOTAL AMOUNT OF \$388,176.75 THROUGH DECEMBER 31, 2024.**

MOTION A motion was made by Councilor Michael Garcia, seconded by Councilor Cassutt, to approve a contract with Christ Lutheran Evangelical Church for preparation and construction of a safe outdoor space.

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

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

Z. REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT RESOLUTION (BAR) FOR THE ALLOCATION OF FUNDS IN THE AMOUNT OF \$611,520 FROM FY23 GROSS RECEIPTS TAX (GRT) REVENUE EARNED OVER BUDGETED ESTIMATES TO THE FIRE GENERAL FUND TO PURCHASE A NEW AMBULANCE; TO EMPLOY EIGHT (8) NEW FULL-TIME STAFF, AND TO PROCURE THE NECESSARY SUPPLIES AND EQUIPMENT FOR THE OPERATIONAL FACILITATION OF THE NEW AMBULANCE.

Approved on consent.

AA. REQUEST FOR APPROVAL OF A BUDGET AMENDMENT RESOLUTION (BAR) IN THE AMOUNT OF \$175,000 TO ALLOCATE FY23 GROSS RECEIPTS TAX REVENUE EARNED OVER BUDGETED ESTIMATES TO PUBLIC WORKS TO ENGAGE A CONSULTANT TO COMPILE PUBLIC WORKS ELEMENTS FOR THE CITY CODE CHAPTER 14 LAND DEVELOPMENT CODE REVISION.

Approved on consent.

AB. REQUEST FOR APPROVAL OF FISCAL YEAR 24 BUDGET INCREASES FOR LAND USE DEPARTMENT IN THE TOTAL AMOUNT OF \$356,382.

Approved on consent.

AC. REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT RESOLUTION (BAR) TO INCREASE THE FY24 TRANSIT BUDGET IN THE AMOUNT OF \$542,354 PURSUANT TO A MEMORANDUM OF AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION.

Approved on consent.

AD. REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT RESOLUTION (BAR) IN THE TOTAL AMOUNT OF \$300,000 FROM CASH BALANCE TO REPAIR AND MAINTENANCE FOR ADDITIONAL FUNDING TO THE SUB SURFACE ON-CALL SERVICE CONTRACT ITEM #21-0660 FOR SEWER LINE REPAIRS.

AE. CONSIDERATION OF A RESOLUTION 2023 _____. A RESOLUTION NAMING FIRE STATION SEVEN "CHIEF FRANK DI LUZIO FIRE STATION NO. 7," PURSUANT TO RESOLUTION 2010-09.

Approved on consent.

10. ACTION ITEMS: DISCUSSION AGENDA

A. REQUEST FOR APPROVAL OF AN INTERGOVERNMENTAL SERVICES AGREEMENT WITH THE NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT FOR FISCAL AGENT SERVICES IN RELATION TO APPROPRIATIONS FROM THE STATE OF NEW MEXICO FOR CAPITAL PROJECTS IN THE AMOUNT OF THREE PERCENT (3%) OF ACTUAL EXPENDITURES.

MOTION A motion was made by Councilor Cassutt, seconded by Councilor Michael Garcia, to approve an intergovernmental services agreement with the North Central New Mexico Economic Development District to provide fiscal agent services.

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

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

MOTION A motion was made by Councilor Rivera, seconded by Councilor Michael Garcia to, after a 15 minute break, move to Item 19A and then to Item 20 (A&B), then to Item 21.

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

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

MOTION A motion was made by Councilor Romero-Wirth, seconded by Councilor Lindell to move the Executive Session to the last item on the agenda.

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

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

19. FINAL ACTION ON LEGISLATION (PUBLIC HEARING)

- A. CONSIDERATION OF BILL NO. 2023-24. ADOPTION OF AN ORDINANCE NO. 2023-_____. A BILL AMENDING SFCC 1987, SECTION 14-5.2, TO AUTHORIZE THE HISTORIC DISTRICT 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.**

PUBLIC COMMENT

Stephanie Beninato. Ms. Benaito spoke to Bill No. 2023-24 and suggested changes.

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

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

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

Councilor Lee Garcia left the meeting.

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

SWORN PUBLIC COMMENT

Inaudible Speaker Name. Spoke to Bill No. 2023-17.

Lynn Osburn. Ms. Osburn spoke to Bill No. 2023-17.

Kay Nataste. Ms. Nataste spoke to Bill No. 2023-17.

- A. CONSIDERATION OF BILL NO. 2023-17. ADOPTION OF ORDINANCE**

NO. 2023-_____.
CASE #2022-6134, JENKINGGAVIN 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).

MOTION A motion was made by Councilor Lindell, seconded by Councilor Cassutt, to adopt Bill No. 2023-17.

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

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

B. CONSIDERATION OF RESOLUTION 2023-_____.
CASE #2023-6488, 1864 PASEO DE VISTA MASTER PLAN, JENKINGGAVIN, 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.

MOTION A motion was made by Councilor Lindell, seconded by Councilor Cassutt, to adopt an Amendment to Section C of the Master Plan excluding condition number 2 of the Master Plan.

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

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

MOTION A motion was made by Councilor Lindell, seconded by Councilor Cassutt, to approve Resolution 2023-_____.

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

Councilor Cassutt, yes; Councilor Chavez, yes; Councilor Lindell, yes; Councilor

Michael Garcia, yes; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Councilor Villarreal, yes; Mayor Webber, yes.

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

21. APPOINTMENTS

A. CHILDREN AND YOUTH COMMISSION

- * **JENNA YEPPA - APPOINTMENT - TERM ENDING 01/2027**
- * **NORAJEAN SALAZAR - APPOINTMENT - 01/2027**

MOTION A motion was made by Councilor Cassutt, seconded by Councilor Romero-Wirth, to approve the appointments to the Children and Youth Commission.

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

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

B. COMMUNITY DEVELOPMENT COMMISSION

- * **GARRON YEPPA - APPOINTMENT - TERM ENDING 03/2026**
- * **ROSARIO TORRES - REAPPOINTMENT - TERM ENDING 03/2027**

MOTION A motion was made by Councilor Villarreal, seconded by Councilor Cassutt, to approve the appointments to the Community Development Commission.

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

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

C. ARTS COMMISSION

- * **BARBARA JEAN (BEEJ) NIERNGARTEN-SMITH, ED.D. - APPOINTMENT AS ALTERNATE - TERM ENDING 10/2025**

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

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

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

11. MATTERS FROM THE CITY MANAGER

Given.

13. EXECUTIVE SESSION ACTION ITEMS

- A. REQUEST APPROVAL TO ENTER INTO AN EXCLUSIVE NEGOTIATING AGREEMENT BETWEEN THE CITY OF SANTA FE AND LIVEARTS SANTA FE, FOR THE PURPOSE OF PERFORMING DUE DILIGENCE ACTIVITIES AND NEGOTIATING TERMS FOR LAND AND BUILDING DISPOSITION AND REDEVELOPMENT OF THE MIDTOWN PERFORMING ARTS CENTER PURSUANT TO THE CITY'S REQUEST FOR PROPOSAL NO. 23/16/P.**

This item was removed from the agenda by staff.

14. MATTERS FROM THE CITY CLERK

Given.

15. COMMUNICATIONS FROM THE GOVERNING BODY

Given

16. INTRODUCTION OF LEGISLATION

- A. CONSIDERATION OF A RESOLUTION 2023-_____. A RESOLUTION RECINDING RESOLUTION NO. 2023-1 RELATING TO THE OPEN MEETINGS ACT AND ADOPTING ANNUAL OPEN MEETINGS ACT NOTICE REQUIREMENTS FOR 2024.**

Introduced.

- B. CONSIDERATION OF A RESOLUTION 2023-_____. A RESOLUTION SUPPORTING THE APPROPRIATION OF FUNDS BY THE NEW MEXICO LEGISLATURE FOR NEW MEXICO-GROWN FRESH FRUITS AND VEGETABLES FOR SCHOOL AND SENIOR MEALS PROGRAMS AND RELATED EDUCATION PROGRAMS FOR SCHOOLS AND FARMERS.**

Introduced.

- C. CONSIDERATION OF A RESOLUTION 2023-_____. A RESOLUTION OBJECTING TO LOS ALAMOS NATIONAL LABORATORY'S (:LANL") PLUTONIUM WARHEAD CORE OR "PIT" PRODUCTION AND EXPANSION OF OPERATIONS AND SUPPORTING THE PRIORITIZING OF REMOVAL OF LEGACY NUCLEAR WASTE OVER GENERATING NEW NUCLEAR WASTE AT LANL.**

Introduced.

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

None.

- 12. MATTERS FROM THE CITY ATTORNEY**

Given.

The City Attorney recommended that the Governing Body enter into Executive Session.

EXECUTIVE SESSION

IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT, NMSA 1978, SECTION 10-15-1 SUBPARTS (H)(6) AND (7), 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 LAND AND BUILDING DISPOSITION AND REDEVELOPMENT OF THE MIDTOWN PERFORMING ARTS CENTER, REQUEST FOR PROPOSAL NO. 23/16/P; AND ATTORNEY-CLIENT PRIVILEGED DISCUSSION OF PENDING OR THREATENED LITIGATION, IN PARTICULAR, HILL, ET AL. V. CITY OF SANTA FE, D-101-CV-2023-02507, A TORT CLAIM RELATED TO THE ESTATE OF CRISTIAN MARBAN-TAFOYA AND CITY OF SANTA FE VS. SANTA FE COUNTRY CLUB AND GOLF

ASSOCIATION, D-101-CV-2022-01288.

MOTION A motion was made by Councilor Rivera, seconded by Councilor Romero-Wirth, to in accordance with the New Mexico Open Meetings Act, NMSA 1978, Section 10-15-2 subparts (H)(6) and (7), enter into Executive Session.

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

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

The Governing Body entered into executive Session at 11:47 pm.

MOTION A motion was made by Councilor Rivera, seconded by Councilor Romero-Wirth, to reconvene in open session and stated that only the items as noted on the agenda were discussed in Executive Session.


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

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

The Governing Body reconvened in open session at 12:31 am.


22. ADJOURN

There being no further business before the Governing Body, the meeting adjourned at 12:32 am.


Alan Webber (Jan 11, 2024 11:28 MST)

Mayor Alan Webber

Attested To By:


Geralyn Cardenas (Jan 11, 2024 11:29 MST)

Geralyn Cardenas, Interim City Clerk

Respectfully Submitted By:

Elizabeth Martin

Elizabeth Martin, Stenographer

**GOVERNING BODY MEETING
EXECUTIVE SESSION
December 13, 2023**

The Governing Body of the City of Santa Fe met in an executive session duly called on December 13, 2023, beginning at 12:02 a.m.

The following was discussed:

In Accordance with the New Mexico Open Meetings Act, NMSA 1978, Section 10-15-1, Subparts (H)(6) and (7), 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 Land and Building Disposition and Redevelopment of the Midtown Performing Arts Center, Request for Proposal No. 23/16/P; and Attorney-Client Privileged Discussion of Pending or Threatened Litigation, in Particular, *Hill, et al. v. City of Santa Fe*, D-101-CV-2023-02507, a tort claim related to the Estate of Cristian Marban-Tafoya and *City of Santa Fe vs. Santa Fe Country Club and Golf Association*, D-101-CV-2022-01288. (Erin K. McSherry, City Attorney: ekmcsherry@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
Melissa McDonald, Parks and Open Space Division Director (Left at 12:24 a.m.)
Regina Wheeler, Public Works Department Director (Left at 12:24 a.m.)
Jonathan Weiss, Golf Course Manager (Left at 12:24 a.m.)
Randy Randall, TOURISM Santa Fe Director (Left at 12:24 a.m.)

There being no further business to discuss, the executive session was adjourned at 12:37 a.m.



Geralyn F. Cardenas, Interim City Clerk









12-13-23 Regular Governing Body Meeting Minutes

Final Audit Report

2024-01-11

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