



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
JANUARY 31, 2024 5:00 PM  
COUNCIL CHAMBERS, CITY  
HALL  
200 LINCOLN AVENUE

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## PROCEDURES FOR GOVERNING BODY MEETING

**Viewing:** Members of the public may view the meeting through the Government Channel on Comcast Channel 28 and Comcast HD928 or may stream the meeting live on the City of Santa Fe's YouTube channel at <https://www.youtube.com/user/cityofsantafe>. The YouTube live stream can be accessed at this address from most smartphones, tablets, or computers.

The video recording of this and all past meetings of the Governing Body will also remain available for viewing at any time on the City's YouTube channel at <https://www.youtube.com/user/cityofsantafe>. Staff is available to help members of the public access pre-recorded Governing Body meetings on-line at any time during normal business hours. Please call 955-6521 for assistance.

**Radio Broadcast:** The meeting can be heard on radio station KSFR 101.1.

**Written Public Comment:** Members of the public may submit written comments on legislation by clicking on the comment bubble to the right of the meeting on the public portal at <https://santafe.primegov.com/public/portal> until 5 p.m. the day before the meeting.

**Live Public Comment:** Members of the public may provide public comment in person during *Petitions from the Floor*, *Public Comment*, *Final Action on Legislation*, or *Public Hearings*.

**Virtual Public Comment:** To provide public comment during *Petitions from the Floor, Public Comment, Final Action on Legislation, or Public Hearings* virtually, you must join the Zoom meeting by internet or phone, as follows:

Internet: To join the Zoom meeting on the internet using a computer, laptop, smartphone, or tablet, use the following link: <https://santafenm.gov.zoom.us/j/88124004949>.

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: 881 2400 4949**

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 Faulkner

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

Councilor Cassutt

4. **INVOCATION AND REMEMBRANCES**

Councilor Lindell

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT AGENDA**

8. **PRESENTATIONS**

- a. Fiscal Year 2022 Audit Report (Emily Oster, Finance Director, [ekoster@santafenm.gov](mailto:ekoster@santafenm.gov), and AJ Bowers, Partner, Carr Riggs & Ingram CPAs and Advisors, and Eric Spurlin, Partner, Carr Riggs & Ingram CPAs and Advisors)
- b. Audit Update and Overview (Emily K. Oster, Finance Director, [ekoster@santafenm.gov](mailto:ekoster@santafenm.gov))

9. **ACTION ITEMS: CONSENT AGENDA**

- a. Request for Approval of the January 3, 2024 Study Session of the Governing Body Meeting Minutes. (Geralyn Cardenas, Interim City Clerk: [gfcardenas@santafenm.gov](mailto:gfcardenas@santafenm.gov))

**Committee Review:**

Governing Body: 01/31/2024

- b. Request for Approval of the January 4, 2024 Study Session of the Governing Body Meeting Minutes. (Geralyn Cardenas, Interim City Clerk: [gfcardenas@santafenm.gov](mailto:gfcardenas@santafenm.gov))

**Committee Review:**

Governing Body: 01/31/2024

- c. Request for Approval of the January 10, 2024 Regular Governing Body Meeting Minutes. (Geralyn Cardenas, Interim City Clerk: [gfcardenas@santafenm.gov](mailto:gfcardenas@santafenm.gov))

**Committee Review:**

Governing Body: 01/31/2024

- d. Request for Approval of Memorandum of Agreement with the United States Bureau of Reclamation to Work Collaboratively on the Rio Grande

Basin Study as Part of the WaterSMART Basin Study Program with In-Kind Services Provided for Study Cost-Sharing. (Francesca Shirley, Water Resources Coordinator: fdshirley@santafenm.gov)

**Committee Review:**

Public Works and Utilities Committee: 01/22/2024

Finance Committee: 01/29/2024

Governing Body: 01/31/2024

- e. Request for Approval of a Position Expansion Request Budget Amendment Resolution (BAR) in the Public Utilities Water Division in the Amount of \$43,154 to Create and Fund a New Project Administrator Position for a Term of Two Years Plus the Remainder of FY24 Including Salary and Benefits. (John Del Mar, Engineer; jpdelmar@santafenm.gov)

**Committee Review**

Public Works and Utilities Committee: 01/22/2024

Finance Committee: 01/29/2024

Governing Body: 01/31/2024

- f. Request for Approval of Construction Contract with AnchorBuilt, Inc. to Remove and Replace Diffuser Grid A-2 of the North Aeration Basin at the Paseo Real Wastewater Reclamation Facility, in the Total of \$243,257.43. (P. Fred Heerbrandt, Engineer Supervisor; pfheerbrandt@santafenm.gov)

1. Request for Approval of a Budget Amendment Resolution (BAR) in the Total Amount of \$243,258 from WWMD Enterprise Fund Cash Balance.

**Committee Review:**

Public Works and Utilities Committee: 01/22/2024

Finance Committee: 01/29/2024

Governing Body: 01/31/2024

- g. Request for Approval of Amendment No. 1 to the Nichols Dam Outlet Works Rehabilitation Contract Item #23-0565 with CF Padilla, LLC. to Increase the Compensation by \$591,789.32, Including NMGRT, for a New Total Contract Amount of \$17,559,295.54, Including NMGRT, and to Increase the Term for Substantial Completion by 15 Calendar Days, for a New Total of 602 Calendar Days. (Taylor Jurgens, Engineer: trjurgens@santafenm.gov)

1. Request for Approval of a Budget Amendment Resolution (BAR) in the Amount of \$591,789.32 from the Water Enterprise Cash Fund.

**Committee Review:**

Public Works and Utilities Committee: 01/22/2024

Finance Committee: 01/29/2024

Governing Body: 01/31/2024

- h. Request for Approval of a Budget Amendment Resolution (BAR) in the Amount of \$41,357 from the Water Enterprise Fund to Fund a Water Resources Coordination Position for the Public Utilities Department, Water Division. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 505-955-4309)

**Committee Review:**

Public Works and Utilities Committee: 01/02/2024

Finance Committee: 01/29/2024

Governing Body: 01/31/2024

- i. Request for Approval of Amendment No. 1 to Item #23-0493, Exclusive Negotiation Agreement with Midtown Santa Fe Productions QOF, LLC, to Extend the Term through August 4, 2024 with No Corresponding Change to Other Terms. (Karen Iverson, Director, Metropolitan Redevelopment Agency: kriverson@santafenm.gov).

**Committee Review**

Quality of Life Committee: 01/24/2024

Finance Committee: 01/29/2024

Governing Body: 01/31/2024

- j. Request for Approval of the of State of New Mexico Department of Finance and Administration Capital Appropriation Project Grant Agreement 21-F2903 in the Total Amount of \$1,000,000 to Plan, Design, Construct and Improve Infrastructure for the Midtown Santa Fe Property, Term Ending June 30, 2025. (Karen Iverson, MRA Director, kriverson@santafenm.gov)

1. Request for Approval of a Budget Amendment Resolution (BAR) in the Amount of \$1,000,000 to Allocate Proceeds from the of State of New

Mexico Department of Finance and Administration Capital Appropriation Project Grant Agreement 21-F2903 for Midtown Infrastructure Development to FY24 Capital Budget for the Midtown Redevelopment Project.

**Committee Review**

Public Works and Utilities Committee: 01/22/2024

Quality of Life Committee: 01/24/2024

Finance Committee: 01/29/2024

Governing Body: 01/31/2024

- k. Request for Approval of Budget Amendment Resolution (BAR) to Allocate Funding in the Amount of \$147,437 from the State of New Mexico's Tourism Department for Professional Services to Support the Goals of the Grant Program to Manage Vegetation and Litter. (Melissa McDonald, Parks and Open Space Division Director)

**Committee Review:**

Public Works and Utilities Committee: 1/22/2024

Finance Committee: 1/29/2024

Governing Body: 1/31/2024

- l. Request for Approval of a Budget Amendment Resolution (BAR) for the Purchase of Replacement Vehicles for the Parks and Open Space Division from 2023 Auction Revenue Proceeds in the Amount of \$797,738. (Melissa McDonald, Parks and Open Space Division Director: mamcdonald@santafenm.gov)

- 1. Request to Authorize Chief Procurement Officer to Issue Purchase Orders for Fifteen Replacement Trucks from Don Chalmers Ford, Power Ford, and Phil Long Ford of Raton in the Total Amount of \$757,818.

**Committee Review:**

Public Works and Utilities Committee: 01/22/2024

Finance Committee: 01/29/2024

Governing Body: 01/31/2024

- m. Request Approval of Capital Appropriations Agreement with Department of Finance and Administration for 2021 Appropriation of \$1,000,000 to

Plan, Design, Construct, Repair, Improve and Equip Parks in Santa Fe. (Melissa McDonald, Parks and Open Space Division Director: mamcdonald@santafenm.gov, 505-303-9502)

1. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$1,000,000 to Allocate the Grant Funding for Parks & Open Space Improvements into the FY24 Budget.

**Committee Review:**

Public Works and Utilities Committee: 01/22/2024

Finance Committee: 01/29/2024

Governing Body: 01/31/2024

- n. Request for Approval of Capital Appropriation Agreement with the New Mexico Department of Finance and Administration (DFA) for a 2021 Appropriation to “Plan, Design, Construct Furnish and Equip a Teen and Resource Center on the Southside of Santa Fe” in the Amount of \$1,786,950. (Brian Stinett, Recreation Division Director, bjstinett@santafenm.gov; Sam Burnett, Facilities Division Director, jsburnett@santafenm.gov).

**Committee Review:**

Public Works and Utilities Committee: 01/22/2024

Finance Committee: 01/29/2024

Governing Body: 01/31/2024

- o. Approval of a Budget Amendment Resolution (BAR) in the Total Amount of \$442,452 to Place Federal Planning Grant Funding for the Santa Fe Metropolitan Planning Organization into FY24 Budget . (Erick Aune, Santa Fe MPO Director: ejaune@santafenm.gov, 505-330-8483)

**Committee Review:**

Public Works/Utilities Committee: 1/22/2024

Finance Committee: 01/29/2024

Governing Body: 01/31/2024

- p. Request Approval of the Capital Appropriation Agreement Project 21-F2899 with the Department of Finance and Administration (DFA) to Plan, Design, Renovate, Construct, Improve, and Equip a Facility for a Meals Program Serving Homebound and Special Needs Individuals in Santa Fe

in the Amount of \$250,000. (David Chapman, Grant Administrator: dachapman@santafenm.gov)

1. Request for the Approval of a Budget Amendment Resolution (BAR) to Allocate \$247,500 into the FY24 Capital Budget from the Capital Appropriation Agreement for \$250,000 for the City Facilities Leased by Kitchen Angel, After a Deduction of \$2,500 for Arts in Public Places (AIPP) for the State's AIPP Program.

**Committee Review:**

Public Works and Utilities Committee: 1/22/2024

Finance Committee: 1/29/2024

Governing Body: 1/31/2024

- q. Request for Approval of a Budget Amendment Resolution (BAR) to Allocate FY23 Gross Receipts Tax Revenue Earned Over Budgeted Estimates in the Amount of \$47,946 to Create a New Full Time Employee (FTE) Accounting Supervisor for the High- End Home Excise Tax Program (Emily K. Oster, Finance Director, ekoster@santafenm.gov)

**Committee Review:**

Finance Committee: 01/29/2024

Governing Body: 01/31/2024

10. **ACTION ITEMS: DISCUSSION AGENDA**

a.

Request for Approval of Budget Amendment Resolution (BAR) in the Total Amount of \$162,644 from Utilities Fund Balance to Utility Customer Service Admin Service Contracts for Temporary Staffing Services.(John Dupuis, Public Utilities Department Director, jedupuis@santafenm.gov)

1. Request for Governing Body to Authorize the Chief Procurement Officer to Amend PO# 22401108 for Temporary Staffing Services with ITSQuest to Increase for an Additional \$162,644 for a Total Amount of \$312,644.

**Committee Review:**

Public Works Public Utilities Committee (**REMOVED FROM AGENDA**):

01/22/2024

Finance Committee: 01/29/2024

Governing Body:01/31/2024

- b. Request for Ratification of Amendment No. 2 to Item #20-0042 with New Mexico Department of Transportation (S100470) to Extend the Term through June 30, 2025 with No Corresponding Change in Cost. (Romella Glorioso-Moss, Capital Projects Manager, rsglorioso-moss@santafenm.gov)

**Committee Review:**

Governing Body: 01/31/2024

- c. **Appeal #2023-7619 of Case #2023-7088.** Recommendation to Deny Appeal by Anne W. Gonzales Due to Lack of Conformity with Santa Fe City Code Section 14-3.17. (Rebecca Mnuk-Herrmann, Assistant City Attorney, ramnukherrmann@santafenm.gov)

- d. CONSIDERATION OF RESOLUTION NO. 2024\_\_\_\_\_. (Mayor Alan Webber)  
Acknowledging the City's Fiscal Year 2022 Audit Report and Findings and Accepting Management's Responses for Correcting the Findings. (Emily Oster, Finance Director; ekoster@santafenm.gov)

**Committee Review Schedule:**

Finance Committee (Introduced): 01/29/2024

Governing Body: 01/31/2024

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)(7) and (8), Attorney-Client Privileged Discussion of Pending and Threatened Litigation, in Particular a Quarterly Update Including, but Not Limited to, a Tort Claim Related to the Estate of Cristian Marban-Tafoya, *Perls v. City of Santa Fe*,

No. D-101-CV-2023-01555, *City of Santa Fe vs. the Board of County Commissioners of Santa Fe County*, No. D-101-CV-2023-00921, and *City of Santa Fe vs. Santa Fe Country Club and Golf Association*, D-101-CV-2022-01288; and Discussion about Disposition of Property, Particularly in Relation to the Midtown Performing Arts Center. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov)

13. **EXECUTIVE SESSION ACTION ITEMS**

- a. Request for Approval of a Settlement Agreement in *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).

14. **MATTERS FROM THE CITY CLERK**

15. **COMMUNICATIONS FROM THE GOVERNING BODY**

16. **INTRODUCTION OF LEGISLATION**

- a. **CONSIDERATION OF RESOLUTION NO. 2024\_\_\_\_\_.** (Councilor Michael Garica)  
Calling on the City Manager to Designate Appropriate Entities and Departments Within the City to Ensure Safe and Accessible Use of Bicycle and Pedestrian Facilities by Establishing a Regular Inspection Schedule for Bicycle And Pedestrian Infrastructure and Developing and Maintaining a Geographic Information System Inventory for Recording the Physical Condition of Bicycle and Pedestrian Infrastructure; and Calling on the Mayor to Include the Ongoing Maintenance of Bicycle and Pedestrian Infrastructure in His Proposed Annual Budget. (Romella Glorioso-Moss, Projects Administrator; rsglorioso-moss@santafenm.gov; Regina Wheeler, Public Works Director: rawheeler@santafenm.gov )

**Committee Review Schedule:**

Governing Body (Introduced): 01/31/2024

Mayor's Committee on Disability: 02/07/2024

Bicycle and Pedestrian Advisory Committee: 02/08/2024

Public Works and Utilities Committee: 02/19/2024

Finance Committee: 02/26/2024

Governing Body: 02/28/2024

- b. **CONSIDERATION OF RESOLUTION NO. 2024\_\_\_\_\_.** ( Councilor Alma Castro)

Recognizing the City Manager as the City's Representative for Obtaining and Holding a Governmental Liquor License at Fort Marcy Ballpark And Encouraging Lessees of the City's License to Use Local Vendors. (Geraldyn F. Cardenas, Interim City Clerk; gfcardenas@santafenm.gov; Alexandria Mares, Marketing and Special Events Coordinator; armares@santafenm.gov)

**Committee Review Schedule:**

Governing Body (Introduced): 01/31/2024

Quality of Life Committee: 02/07/2024

Governing Body: 02/14/2024

17. **PETITIONS FROM THE FLOOR**

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

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

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

- a. **Case #2023-7297-APPL Old Pecos Trail.** Appellants Annie Campbell, Mark Baker, Robert Josephs, Christopher Worland, Steven Clark, Lucia Deichmann, and Tom Hall, by and through Their Agent, Bruce Throne, Appeal the Planning Commission's Decision to Approve a Final Subdivision Plat for a 25-lot Residential Subdivision Located at 2200 Old Pecos Trail. (Rebecca Mnuk-Herrmann, Assistant City Attorney, ramnukherrmann@santafenm.gov)

21. **APPOINTMENTS**

- a. Human Services Committee

- Karen Baldwin – Appointment – Term Ending 03/2026

- Katherine Courtney – Appointment – Term Ending 03/2026
- b. Public Safety Committee
  - Aric Wheeler – Appointment – Term Ending 03/2028
- c. Archaeological Review Committee
  - Tom Treece – Appointment – Term Ending 06/2025
- d. Ethics and Campaign Review Board
  - Kristina Martinez – Reappointment – Term Ending 07/2028
- e. City’s Poet Laureate
  - Tommy Archuleta – Appointment – Term Ending 12/2024

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.