



# 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.

**SUMMARY OF ACTION  
REGULAR MEETING OF THE GOVERNING BODY  
WEDNESDAY, JANUARY 31, 2024, 5:00 PM  
CITY COUNCIL CHAMBERS, CITY HALL  
200 LINCOLN AVENUE, SANTA FE, NEW MEXICO**

<b>1.</b>	<b>Call To Order</b>	<b>Convened at 5:07 pm</b>	<b>3</b>
<b>2.</b>	<b>Pledge of Allegiance</b>	<b>Councilor Faulkner</b>	<b>3</b>
<b>3.</b>	<b>Salute to the NM Flag</b>	<b>Councilor Cassutt</b>	<b>3</b>
<b>4.</b>	<b>Invocation and Remembrances</b>	<b>Councilor Lindell</b>	<b>3</b>
<b>5.</b>	<b>Roll Call</b>	<b>Quorum</b>	<b>3-4</b>
<b>6.</b>	<b>Approval of Agenda</b>	<b>Approved as Presented</b>	<b>4</b>
<b>7.</b>	<b>Approval of Consent Agenda</b>	<b>Approved</b>	<b>4</b>
<b>8.</b>	<b>Presentations</b>		
	<b>a. FY 2022 Audit Report</b>	<b>Presented</b>	<b>4</b>
	<b>b. Audit Update</b>	<b>Presented</b>	<b>5</b>
<b>17.</b>	<b>Petitions From the Floor</b>	<b>Heard</b>	<b>5-6</b>
<b>9.</b>	<b>Action Items: Consent Agenda</b>	<b>Approved</b>	<b>6-10</b>
<b>10.</b>	<b>Action Items: Discussion Agenda</b>		
	<b>a. BAR Utility Cust. Service</b>	<b>Approved</b>	<b>10</b>
	<b>b. Ratification</b>	<b>Approved</b>	<b>10-11</b>
	<b>c. Appeal</b>	<b>Denied</b>	<b>11</b>
	<b>d. Resolution</b>	<b>Approved</b>	<b>11</b>
<b>11.</b>	<b>Matters from the City Manager</b>	<b>Heard</b>	<b>12</b>
<b>12.</b>	<b>Matters from the City Attorney</b>	<b>Heard</b>	<b>12</b>
	<b>a. Executive Session</b>	<b>Held</b>	<b>12</b>

<b>13.</b>	<b>Executive Session Action Items</b>	<b>Approved</b>	<b>12-13</b>
<b>14.</b>	<b>Matters from the City Clerk</b>	<b>Heard</b>	<b>13</b>
<b>15.</b>	<b>Communications from the GB</b>	<b>Heard</b>	<b>13</b>
<b>16.</b>	<b>Introduction of Legislation</b>		
	<b>a. Resolution No. 2024-_____</b>	<b>Introduced</b>	<b>13</b>
	<b>b. Resolution No. 2024-_____</b>	<b>Introduced</b>	<b>13-14</b>
<b>18.</b>	<b>Public Comments on Bills</b>	<b>None</b>	<b>14</b>
<b>19.</b>	<b>Final Action on Legislation</b>	<b>None</b>	<b>14</b>
<b>20.</b>	<b>Public Hearings</b>		
	<b>a. Case # 2023-7297-APPL</b>	<b>Heard</b>	<b>14-15</b>
<b>21.</b>	<b>Appointments</b>		
	<b>a. Human Services Comm.</b>	<b>Approved</b>	<b>15</b>
	<b>b. Public Safety Comm.</b>	<b>Approved</b>	<b>15</b>
	<b>c. Archaeological Review Comm</b>	<b>Approved</b>	<b>15-16</b>
	<b>d. Ethics and Campaign Review</b>	<b>Approved</b>	<b>16</b>
	<b>e. City's Poet Laureate</b>	<b>Approved</b>	<b>16</b>
<b>22.</b>	<b>Adjourn</b>	<b>Adjourned at 11:54 pm</b>	<b>16-17</b>

**REGULAR MEETING OF THE GOVERNING BODY  
WEDNESDAY, JANUARY 31, 2024, 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 5:07 pm, on Wednesday, January 31, 2024, 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 Faulkner.

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

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

**4. INVOCATION AND REMEMBRANCES**

The invocation was given by Councilor Lindell.

A moment of silence was given.

**5. ROLL CALL**

**MEMBERS PRESENT**

Mayor Alan Webber  
Councilor Signe Lindell  
Councilor Jamie Cassutt  
Councilor Alma Castro  
Councilor Amanda Chavez  
Councilor Pilar Faulkner  
Councilor Lee Garcia

Councilor Michael Garcia  
Councilor Carol Romero-Wirth

**MEMBERS EXCUSED**

**OTHERS PARTICIPANTS ATTENDING**

John Blair, City Manager  
Erin McSherry, City Attorney  
Geraldyn Cardenas, Interim City Clerk  
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.

**MOTION** A motion was made by Councilor Lindell, seconded by Councilor Romero-Wirth, to limit each Councilor to ten minutes of questions per round of discussion on all agenda items.

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

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

**7. APPROVAL OF CONSENT AGENDA**

Items 9 (I) and 9 (Q) were pulled by Councilor Michael Garcia for discussion.

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

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

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

**8. PRESENTATIONS**

**A. FISCAL YEAR 2022 AUDIT REPORT**

The presentation was heard.

**B. AUDIT UPDATE AND OVERVIEW**

The presentation was heard.

**MOTION** A motion was made by Councilor Romero-Wirth, seconded by Councilor Chavez, to move item 17 to the next item on the agenda.

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

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

**17. PETITIONS FROM THE FLOOR**

**Bex Hampton.** Ms. Hampton spoke in opposition to pit production and asked that the Resolution be heard and supported by the Council.

**Ann Gonzales.** Ms. Gonzales spoke to a Land Use case on the agenda and asked that the City Council not deny the appeal.

**Kip.** Kip spoke in opposition to all current and future pit production and the hiring of Bernie Tune.

**Abbey Knowlton.** Ms. Knowlton asked that the City Council approve the Resolution against pit production and spoke about the hiring of Bernie

**Daniel Alvarado.** Mr. Alvarado spoke in favor of Councilor Michael Garcia's Resolution regarding maintenance of bike lanes, trails and roads.

**Dan Young.** Mr. Young spoke in support for of the Resolution for maintenance and use of bikes and trails.

**Dassie Ray.** Ms. Ray asked that the Countil resurrect the Resolution and pass it and spoke against pit production.

**Lee Lujan.** Ms. Lujan spoke against pit production.

**Peter Valdez.** Mr. Valdez spoke against pit production.

**Shane Brown.** Mr. Brown spoke against pit production and the hiring of Bernie Tune.

**Barbara O'Conner** Ms. O'Conner spoke against pit production.

**Tony Gurlich.** Mr. Gurlich spoke in support of Councilor Michael Garcia's bicycle and roadways Resolution.

**Steven Fox.** Mr. Fox spoke to United Nations Santa Fe.

**Jean Nichols.** Ms. Nichols spoke against pit production and in support of the bicycle Resolution.

**Stephanie Benaito.** Ms. Benaito spoke in support of the Resolution on bicycles, against pit production, the high-end tax staff person and a City Attorney issue.

**Niera Quintana.** Ms. Quintana spoke against pit production.

**Greg Mellow.** Mr. Mellow spoke against pit production and in support of the reconsideration of the Resolution.

## **9. ACTION ITEMS: CONSENT AGENDA**

### **A. REQUEST FOR APPROVAL OF THE JANUARY 3, 2024 STUDY SESSION OF THE GOVERNING BODY MEETING MINUTES**

Approved on consent.

### **B. REQUEST FOR APPROVAL OF THE JANUARY 4, 2024 STUDY SESSION OF THE GOVERNING BODY MEETING MINUTES**

Approved on consent.

### **C. REQUEST FOR APPROVAL OF THE JANUARY 10, 2024 REGULAR GOVERNING BODY MEETING MINUTES**

Approved on consent.

### **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**

Approved on consent.

- 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**

Approved on consent.

- F. REQUEST FOR APPROVAL OF CONSTRUCTION CONTRACT WITH ANCHORBUILD, 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.**

Approved on consent.

- 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 NMGR, FOR A NEW TOTAL CONTRACT AMOUNT OF \$17,559,925.54, INCLUDING NMGR, AND TO INCREASE THE TERM FOR SUBSTANTIAL COMPLETION BY 15 CALENDAR DAYS, FOR A NEW TOTAL OF 602 CALENDAR DAYS**

Approved on consent.

- 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**

Approved on consent.

- 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

Councilor Chavez left the meeting.

**MOTION** A motion was made by Councilor Romero-Wirth, seconded by Councilor Cassutt, to approve Amendment No. 1 to item #23-0493, exclusive negotiation agreement with Midtown Santa Fe Productions QOF, LLC.

**MOTION** A motion was made by Councilor Michael Garcia, seconded by Councilor Castro, to hear this item in Executive Session.

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

Councilor Cassutt, yes; Councilor Castro, yes; Councilor Lindell, yes; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Faulkner, yes; Councilor Romero-Wirth, yes; Mayor Webber, yes.

**MOTION** A motion was made by Councilor Cassutt, seconded by Councilor Romero-Wirth, to table this item until after the Executive Session.

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

Councilor Cassutt, yes; Councilor Castro, yes; Councilor Lindell, yes; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Faulkner, yes; Councilor Romero-Wirth, yes; Mayor Webber, yes.

### **The following action occurred after the Executive Session.**

**MOTION** A motion was made by Councilor Romero-Wirth, seconded by Councilor Michael Garcia, to remove this item from the table.

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

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

### **The following vote is on the original motion to approve the request.**

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

Councilor Cassutt, yes; Councilor Castro, yes; Councilor Lindell, yes; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Romero-Wirth, yes; Mayor

Webber, yes.

- J. REQUEST FOR APPROVAL OF THE 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 20, 2025**

Approved on consent.

- 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**

Approved on consent.

- 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**

Approved on consent.

- M. REQUEST APPROVAL OF CAPITAL APPROPRIATIONS 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**

Approved on consent.

- 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**

Approved on consent.

- 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**

Approved on consent.

- 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**

Approved on consent.

- 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**

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

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

Councilor Cassutt, yes; Councilor Castro, yes; Councilor Lindell, yes; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Faulkner, yes; Councilor Romero-Wirth, yes; Mayor Webber, yes.

**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**

**MOTION** A motion was made by Councilor Lindell, seconded by Councilor Cassutt, to approve the request.

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

Councilor Cassutt, yes; Councilor Castro, yes; Councilor Lindell, yes; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Faulkner, yes; Councilor Romero-Wirth, yes; Mayor Webber, yes.

**B. REQUEST FOR RATIFICATION OF AMENDMENT NO. 2 TO ITEM #20-0042 WITH NEW MEXICO DEPARTMENT OF TRANSPORTATION (\$100470) TO EXTEND THE TERM THROUGH JUNE 30, 2025 WITH NO CORRESPONDING CHANGE IN COST**

**MOTION** A motion was made by Councilor Romero-Wirth, seconded by Councilor Lindell, to ratify Amendment No. 2 to item #20-0042 with the New Mexico Department of Transportation.

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

Councilor Cassutt, yes; Councilor Lindell, yes; Councilor Castro, yes; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Romero-Wirth, yes; Councilor Faulkner, yes; Mayor Webber, yes.

**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.**

Councilor Cassutt recused herself as she has had numerous conversations with the parties and neighbors.

Councilor Cassutt left the meeting.

**MOTION** A motion was made by Councilor Lindell, seconded by Councilor Michael Garcia, to approve the recommendation of the City Attorney and deny the appeal.

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

Councilor Lindell, yes; Councilor Castro, yes; Councilor Lee Garcia, no; Councilor Michael Garcia, yes; Councilor Romero-Wirth, yes; Councilor Faulkner, yes; Mayor Webber, yes.

**D. CONSIDERATION OF RESOLUTION NO. 2024\_\_\_\_\_. ACKNOWLEDGING THE CITY'S FISCAL YEAR 2022 AUDIT REPORT AND FINDINGS AND ACCEPTING MANAGEMENT'S RESPONSES FOR CORRECTING THE FINDINGS.**

Councilor Cassutt returned to the meeting.

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

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

Councilor Cassutt, yes; Councilor Lindell, yes; Councilor Castro, yes; Councilor Lee Garcia, no; Councilor Michael Garcia, yes; Councilor Romero-Wirth, yes; Councilor Faulkner, yes; Mayor Webber, yes.

**11. MATTERS FROM THE CITY MANAGER**

**12. MATTERS FROM THE CITY ATTORNEY**

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)(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 CHRISTIAN 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-2022-01288; AND DISCUSSION ABOUT DISPOSITION OF PROPERTY, PARTICULARLY IN RELATION TO THE MIDTOWN PERFORMING ARTS CENTER**

**MOTION** A motion was made by Councilor Romero-Wirth, seconded by Councilor Cassutt, in accordance with the Open Meetings Act, NMSA 1978, Section 10-15-1, Subparts (H)(7) and (8), to enter into Executive Session.

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

Councilor Cassutt, yes; Councilor Lindell, yes; Councilor Castro, yes; Councilor Lee Garcia, no; Councilor Michael Garcia, yes; Councilor Romero-Wirth, yes; Councilor Faulkner, yes; Mayor Webber, yes.

The Governing Body entered into Executive Session at 8:40 pm.

Councilor Faulkner left the meeting.

**MOTION** A motion was made by Councilor Romero-Wirth, seconded by Councilor Cassutt, stating that no items were discussed other than those noted on the agenda and that the Governing Body reconvene in open session.

**VOTE** The motion passed on a voice vote.

The Governing Body returned to the regular meeting at 10:06 pm.

**The Governing Body returned to item 9 (I) to take action.**

**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**

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

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

Councilor Cassutt, yes; Councilor Lindell, yes; Councilor Castro, yes; Councilor Lee Garcia, no; Councilor Michael Garcia, yes; Councilor Romero-Wirth, Mayor Webber, yes.

**14. MATTERS FROM THE CITY CLERK**

**15. COMMUNICATIONS FROM THE GOVERNING BODY**

**16. INTRODUCTION OF LEGISLATION**

**A. CONSIDERATION OF RESOLUTION NO. 2024\_\_\_\_\_. 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**

Introduced.

- B. CONSIDERATION OF RESOLUTION NO. 2024\_\_\_\_\_.  
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**

Introduced.

**MOTION** A motion was made to send the Resolution to the Finance Committee for consideration.

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

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

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

None

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

None

**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**

Mayor Webber reviewed the process of the public hearing.

**MOTION** A motion was made by Councilor Cassutt, seconded by Councilor Romero-Wirth, to suspend the rules to allow the meeting to continue past 11:30 pm.

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

Councilor Cassutt, yes; Councilor Lindell, no; Councilor Castro, yes; Councilor Lee Garcia, no; Councilor Michael Garcia, yes; Councilor Romero-Wirth, yes; Mayor Webber, yes.

Mayor Webber called the Public Hearing to order 10:25 pm.

**MOTION** A motion was made by Councilor Cassutt, seconded by Councilor Michael Garcia, to postpone the rest of the proceeding to a date certain of Wednesday, February 7<sup>th</sup>, at 5:30 pm.

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

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

Mayor Webber closed the Public Hearing at 11:50 pm.

## **21. APPOINTMENTS**

### **A. HUMAN SERVICES COMMITTEE**

- \* **KAREN BALDWIN - APPOINTMENT - TERM ENDING 03/2026**
- \* **KATHERINE COURTNEY - APPOINTMENT - TERM ENDING 03/2026**

**MOTION** A motion was made by Councilor Michael Garcia, seconded by Councilor Cassutt, to approve the appointments to the Human Services Committee.

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

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

### **B. PUBLIC SAFETY COMMITTEE**

**\* ARIC WHEELER - APPOINTMENT -TERM ENDING 03/2028**

**MOTION** A motion was made by Michael Garcia, seconded by Councilor Lindell, to approve the appointment to the Public Safety Committee.

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

Councilor Cassutt, yes; Councilor Lindell, yes; Councilor Castro, no; Councilor Lee Garcia, yes; Councilor Michael Garcia, yes; Councilor Romero-Wirth, yes; Mayor Webber, yes.

**C. ARCHAEOLOGICAL REVIEW COMMITTEE**

**\* TOM TREECE - APPOINTMENT - TERM ENDING 06/2025**

**MOTION** A motion was made by Councilor Michael Garcia, seconded by Councilor Cassutt, to approve the appointment to the Archaeological Review Committee.

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

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

**D. ETHICS AND CAMPAIGN REVIEW BOARD**

**\* KRISTINA MARTINEZ - REAPPOINTMENT - TERM ENDING 07/2028**

**MOTION** A motion was made by Councilor Michael Garcia, seconded by Councilor Lindell, to approve the appointment to the Ethics and Campaign Review Board.

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

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

**E. CITY'S POET LAUREATE**

\* **TOMMY ARCHULETA - APPOINTMENT - TERM ENDING  
12/2024**

**MOTION** A motion was made by Councilor Castro, seconded by Councilor Cassutt, to approve the appointment of Tommy Archuleta as the City of Santa Fe Poet Laureate.


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

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

**22. ADJOURN**


There being no further business before the Governing Body, the meeting adjourned at 11:54 pm.

Approved By:

  
Alan Webber (Feb 15, 2024 10:02 MST)

Mayor Alan Webber

Attested To By:

  
Gerilyn Cardenas (Feb 15, 2024 11:08 MST)

Gerilyn F. Cardenas, Interim City Clerk

Respectfully Submitted By:

*Elizabeth Martin*

Elizabeth Martin (Feb 6, 2024 09:37 MST)

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Elizabeth Martin  
Stenographer

**GOVERNING BODY MEETING  
EXECUTIVE SESSION  
January 31, 2024**

The Governing Body of the City of Santa Fe met in an executive session duly called on January 31, 2024, beginning at 9:01 p.m.

The following was discussed:

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: [ekmcsberry@santafenm.gov](mailto:ekmcsberry@santafenm.gov))

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](mailto:kriverson@santafenm.gov))


**PRESENT**

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

**STAFF PRESENT**

John Blair, City Manager  
Erin McSherry, City Attorney  
Geraldyn Cardenas, Interim City Clerk  
Marcos Martinez, Senior Assistant City Attorney (Left at 9:24 p.m.)  
Rich Brown, Community Development Director (In at 9:25 p.m. and left at 9:49 p.m.)  
Karen Iverson, Metropolitan Redevelopment Area Director (In at 9:25 p.m. and left at 9:49 p.m.)  
Pat Feghali, Assistant City Attorney (In at 9:25 p.m. and left at 9:49 p.m.)

There being no further business to discuss, the executive session was adjourned at 10:01 p.m.

  
\_\_\_\_\_  
Geraldyn F. Cardenas, Interim City Clerk