



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
APRIL 10, 2024 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/85130867285>

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 (253) 215-8782 - Webinar ID: 851 3086 7285**

Phone attendees should press *9 to use the “Raise Hand” function to be recognized by the Mayor to speak at the appropriate time.

The agenda and packet for the meeting will be posted at <https://santafe.primegov.com/public/portal>.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

Councilor Michael Garcia

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

Councilor Faulkner

4. **INVOCATION AND REMEMBRANCES**

Councilor Cassutt

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT AGENDA**

8. **PRESENTATIONS**

- a. Audit Update (Emily K. Oster, Finance Director, ekoster@santafenm.gov)

9. **ACTION ITEMS: CONSENT AGENDA**

- a. Request for Approval of the March 27, 2024 Governing Body Meeting Minutes. (Geraldyn Cardenas, Interim City Clerk; gfcardenas@santafenm.gov)

Committee Review:

Governing Body: 04/10/2024

- b. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Sagche's Coffee House, LLC, for a Restaurant A (Beer & Wine) Liquor License with On-Premises Consumption, to be Located at Sagche's Coffee House, 730 St. Michael's Drive, Suites 3RE & 3SE. (Alexandria Mares, Marketing & Special Events Coordinator; armares@santafenm.gov)

Committee Review:

Liquor Hearing: 03/25/2024

Governing Body: 04/10/2025

- c. A Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Santa Fe Spirits Holding, LLC, for a Craft Distiller Liquor License with On-Premises Consumption and Package Sales with Patio Service, to be Located at Santa Fe Spirits, 7505 Mallard Way, Suite I, and 7500 Avenger Way. (Alexandria Mares, Marketing & Special Events Coordinator; armares@santafenm.gov)

Committee Review:

Liquor Hearing: 03/25/2024

Governing Body: 04/10/2024

- d. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Santa Fe Spirits Holding, LLC, for a Rectifier Manufacturing Liquor License, to be Located at Santa Fe Spirits, 7505 Mallard Way, Suite I, and 7500 Avenger Way. (Alexandria Mares, Marketing & Special Events Coordinator; armares@santafenm.gov)

Committee Review:

Liquor Hearing: 03/25/2024

Governing Body: 04/10/2024

- e. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Santa Fe Spirits Holding, LLC, for the Following: (Alexandria Mares, Marketing & Special Events Coordinator; armares@santafenm.gov)

1. Pursuant to §60-6B-10 NMSA 1978, Consideration of a Waiver of the 300 Foot Location Restriction to Allow the Sale of Alcohol at Santa Fe Spirits, 308 Read Street, Which is Within 300 Feet of Santa Fe Jewish Center, Located at 230 W. Manhattan Avenue.

2. If the Waiver of the 300 Foot Location Restriction is Granted, Consideration of a Request for a Craft Distiller (1st Off-Site Location) Liquor License with On-Premises Consumption and Package Sales with Patio

Service, to be Located at Santa Fe Spirits, 308 Read Street.

Committee Review:

Liquor Hearing: 03/25/2024

Governing Body: 04/10/2024

- f. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Sidhu G Restaurants, LLC, for a Restaurant A (Beer & Wine) Liquor License with On-Premises Consumption, to be Located at India House, 2501 Cerrillos Road. (Alexandria Mares, Marketing & Special Events Coordinator; armares@santafenm.gov)

Committee Review:

Liquor Hearing: 03/25/2024

Governing Body: 04/10/2024

- g. Request for Approval of Liquor Hearing Officer's Recommendation to

Approve the Request from Torogoz Restaurant, LLC, for the Following:
(Alexandria Mares, Marketing & Special Events
Coordinator; armares@santafenm.gov)

1. Pursuant to §60-6B-10 NMSA 1978, Consideration of a Waiver of the 300 Foot Location Restriction to Allow the Sale of Alcohol at Torogoz Restaurant, 410 Old Santa Fe Trail, Suites A & B, Which is Within 300 Feet of San Miguel Chapel, Located at 401 Old Santa Fe Trail.

2. If the Waiver of the 300 Foot Location Restriction is Granted, Consideration of a Request for a Restaurant B (Beer, Wine & Spirits) Liquor License with On-Premises Consumption and Patio Service, to be Located at Torogoz Restaurant, 410 Old Santa Fe Trail, Suites A & B.

Committee Review:

Liquor Hearing : 03/25/2024

Governing Body: 04/10/2024

- h. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from MacSantaFe LLC, for a Restaurant A (Beer & Wine) Liquor License, to be Located at MacSantaFe LLC, 115 E. Water Street, Suite LL01. (Alexandria Mares, Marketing & Special Events Coordinator; armares@santafenm.gov)

Committee Review:

Liquor Hearing: 04/01/2024

Governing Body: 04/10/2024

- i. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from National Dance Institute of New Mexico (NDI) for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Alcoholic Beverages at the NDI Dance Barns, 1140 Alto Street, Which is Within 300 Feet of Aspen Community Magnet School, 450 La Madera Street and La Comunidad de Los Ninos Head Start, 1121 Alto Street, for NDI New Mexico's 2024 Annual Gala to be Held on Saturday, May 4, 2024, with Alcohol Service from 4:30 p.m. to 11:00 p.m. (Alexandria Mares, Marketing & Special Events Coordinator; armares@santafenm.gov)

Committee Review:

Liquor Hearing: 04/01/2024

Governing Body: 04/10/2024

- j. Request for Approval of License and Advertising Agreement with Kiwanis Club of Santa Fe, Inc. for the Use of City of Santa Fe's Trademarked Tourism-Related Logo(s) for the Purpose of Advertising Santa Fe in the Total Amount of \$275,000 through June 30, 2028. (Randy Randall, TSF Executive Director; rrandall@santafenm.gov)

Committee Review:

Quality of Life Committee: 04/03/2024

Finance Committee: 04/08/2024

Governing Body: 04/10/2024

- k. Request for Approval of Professional Services Contract with Advanced Communications and Electronics Inc. for Labor and Installation of Radio Equipment in the Total Amount of \$159,692.68 for a One Year Term. (Eric Candelaria, ITT Director; edcandelaria@santafenm.gov; Larry Worstell, Infrastructure Services Manager; lfworstell@santafenm.gov)

Committee Review:

Quality of Life Committee:04/03/2024

Finance Committee: 04/08/2024

Governing Body: 04/10/2024

- l. Request for Approval of a Subaward Grant Agreement with the New Mexico Economic Development Department, Outdoor Recreation Division in the Amount of \$99,999 for Improvements at Pueblos del Sol Park for a Two Year Term. (Scott A. Overlie, Parks and Open Space Project Administrator; saoverlie@santafenm.gov)

- 1. Request for Approval of a Budget Amendment Resolution (BAR) to Allocate Funding in the Amount of \$99,999 for Construction Services to Supplement Pueblos del Sol Park Upgrades.

Committee Review

Public Works and Utilities Committee: 04/01/2024

Finance Committee: 04/08/2024

Governing Body: 04/10/2024

- m. Request for the Approval of a Cooperative Agreement with the New Mexico Department of Transportation to Install and Maintain Three Historical Markers Along East Alameda Street Honoring Dona Teresa de Aguilera y Roche, Myra Ella Jenkins, and Dorothy McKibbin. (Maria Tucker, Community Services Director; metucker@santafenm.gov 505-955-4745.)

Committee Review

Quality of Life Committee: 04/03/2024

Finance Committee: 04/08/2024

Governing Body: 04/10/2024

- n. Request for Approval of a Construction Services Contract with A.A.C. Construction, LLC in the Amount of \$2,465,837.04 in to Address Ongoing Issues at the Treatment Plant Over the Function of the Pumps and Filters, Which Need to be Maintained and Brought into Working Condition. (Michael Dozier, Wastewater Management Division Director; mldozier@santafenm.gov)

Committee Review:

Public Works and Utilities Committee: 04/01/2024

Finance Committee: 04/08/2024

Governing Body: 04/10/2024

- o. Request for Approval of a Professional Services Contract with ITSQuest Staffing in the Amount of \$264,463.70 for Project Manager and Scheduler Services in Response to the Environmental Protection Agency and New Mexico Environment Department Requirements that the City Eliminate or Mitigate Violations Identified by the Environmental Protection Agency. (Michael Dozier, Wastewater Management Division Director; mldozier@santafenm.gov)

Committee Review:

Finance Committee: 04/08/2024

Governing Body: 04/10/2024

- p. Request for Approval of a Professional Services Contract with Hazen & Sawyer in the Amount of \$2,718,000 to Provide Sampling, Engineering, and Regulatory Support to Ensure Compliance with the City's Existing NPDES and Other Discharge Permits. (Michael Dozier, Wastewater

Management Division Director; mldozier@santafenm.gov)

1. Request for Approval of a Budget Amendment Resolution (BAR) in the Amount of \$8,000,000 from Cash Balance in the Wastewater Enterprise Fund to the WWMD WIP Construction Fund for Emergency Procurement.

Committee Review:

Public Works and Utilities Committee: 04/01/2024

Finance Committee: 04/08/2024

Governing Body: 04/10/2024

- q. Request for Approval of Amendment No. 2 to Item #23-0688 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 Three (3) Additional Capital Appropriations in the Amount of One Percent (1%) of Actual Expenditures. (Emily K. Oster, Finance Director; ekoster@santafenm.gov)

Committee Review:

Finance Committee: 04/08/2024

Governing Body: 04/10/2024

- r. Request for Approval of Amendment No. 1 to Audit Contract Item #23-0596 with Carr, Riggs, Ingram, LLC to Increase Compensation by \$25,601 for a New Total Amount of \$295,055 Including NMGRT to Provide Audit Services for Fiscal Year 2023 with No Corresponding Change to the Term of the Agreement. (Emily K. Oster, Finance Director; ekoster@santafenm.gov)

Committee Review:

Finance Committee: 04/08/2023

Governing Body: 04/10/2023

10. **ACTION ITEMS: DISCUSSION AGENDA**

- a. CONSIDERATION OF RESOLUTION 2024-____. (Councilor Signe Lindell)

and Mayor Alan Webber)

A Resolution Naming the Field Known as “Fort Marcy Ball Field” “Zozobra Field at Fort Marcy Park”; Accepting a Monument in the Form of Zozobra from the Santa Fe Kiwanis Club and Approving the Construction of the Monument at the Entry to Fort Marcy Complex-Magers-Field Park; and Allowing Kiwanis Club to Place a Time-Capsule in the Monument. (Melissa McDonald, Parks and Open Space Division Director; mamcdonald@santafenm.gov and Scott Overlie, Parks Project Administrator; saoverlie@santafenm.gov)

Committee Review

Governing Body (Introduction): 03/27/2024

Public Works and Utilities Committee (Not on Agenda, No Action Taken): 04/01/2024

Finance Committee: 04/08/2024

Governing Body: 04/10/2024

- b. CONSIDERATION OF RESOLUTION NO. 2024-_____. (Councilor Jamie Cassutt)

A Resolution Authorizing the Sale and Consumption of Beer During the 2024 Santa Fe Century at the Railyard Park on May 19th, 2024, Pursuant to Subsection 23-6.2(C) SFCC 1987. (Geraldyn F. Cardenas, Interim City Clerk: gfcardenas@santafenm.gov)

Committee Review:

Governing Body: 03/27/2024

Public Works and Utilities Committee (Not on Agenda, No Action Taken): 04/01/2024

Quality of Life Committee (Not on Agenda, No Action Taken): 04/03/2024

Governing Body: 04/10/2024

- c. Request for Ratification of the First Amendment to the Cooperative Project Agreement – Construction Work, Item # 23-0514, with New Mexico Department of Transportation (NMDOT) to Extend the Term through April 1, 2025. (Romella Glorioso-Moss, Complete Streets Capital Projects Manager, rsglorioso-moss@santafenm.gov)

Committee Review:

Governing Body: 04/10/2024

- d. Request for Approval of a Budget Amendment Resolution (BAR) in the Amount of \$700,000 from Road Impact Fees to Parks, Canada Rincon Trail – WIP Construction. (Romella Glorioso-Moss, Complete Streets Capital Projects Manager, rsglorioso-moss@santafenm.gov)

Committee Review:

Governing Body: 04/10/2024

11. **MATTERS FROM THE CITY MANAGER**

12. **MATTERS FROM THE CITY ATTORNEY**

13. **EXECUTIVE SESSION ACTION ITEMS**

14. **MATTERS FROM THE CITY CLERK**

15. **COMMUNICATIONS FROM THE GOVERNING BODY**

16. **INTRODUCTION OF LEGISLATION**

- a. CONSIDERATION OF RESOLUTION NO. 2024-____. (Councilor Michael Garcia)
A Resolution Authorizing the Sale and Consumption of Beer and Hard Cider During the Party on the Pitch Soccer Tournament on June 1-2, 2024, Pursuant to Subsection 23-6.2 (C) SFCC 1987. (Geraldyn F. Cardenas, Interim City Clerk; gfcardenas@santafenm.gov)

Committee Review:

Governing Body (Introduced): 04/10/2024

Quality of Life Committee: 04/17/2024

Governing Body: 04/24/2024

- b. CONSIDERATION OF BILL NO. 2024-3. ADOPTION OF ORDINANCE 2024-_____. (Councilor Jamie Cassutt and Councilor Alma Casto)
A Bill Relating to Housing Discrimination; Defining “Source of Income” and Prohibiting Discrimination Based on Source of Income; Including “Sex” in Addition to “Gender” as a Protected Class; Defining “Owner”; and Making Technical Corrections. (Alexandra Ladd, Project Manager-Affordable Housing Department; agladd@santafenm.gov)

Committee Review:

Governing Body (Introduced): 04/10/2024
Governing Body (Public Comment): 04/24/2024
Quality of Life Committee: 05/01/2024
Finance Committee: 05/28/2024
Governing Body (Public Hearing): 05/29/2024

- c. CONSIDERATION OF BILL NO. 2024-6. ADOPTION OF ORDINANCE 2024_____. (Mayor Alan Webber)
Relating to the High-End Excise Tax for Affordable Housing; Assigning the Purchaser/Grantee the Responsibility to Attest to Consideration. (Erin K. McSherry, City Attorney; ekmcsherry@santafenm.gov)

Committee Review:

Governing Body (Introduced): 04/10/2024
Governing Body (Public Comment): 04/24/2024
Finance Committee: 05/06/2024
Governing Body (Public Hearing): 05/29/2024

- d. CONSIDERATION OF BILL NO. 2024-7. ADOPTION OF ORDINANCE 2024_____. (Mayor Alan Webber)
Relating to Median Safety; Creating a New Section 20-6 SFCC 1987 Regulating the Use of Medians in the City of Santa Fe. (Marcos Martinez, Senior Assistant City Attorney; mdmartinez@santafenm.gov)

Committee Review:

Governing Body (Introduced): 04/10/2024
Governing Body (Public Comment): 04/24/2024

Public Works and Utilities Committee: 04/29/2024
Quality of Life Committee: 05/01/2024
Governing Body (Public Hearing): 05/29/2024

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)**
21. **APPOINTMENTS**
 - a. Planning Commission
 - Kristina A. Markey – Appointment to District 4 Seat – Term Ending 06/2026
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.