



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
SEPTEMBER 11, 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/88617865720>

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 (669) 444-9171 - Webinar ID: 886 1786 5720**

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 Chavez

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

- Councilor Castro

4. **INVOCATION AND REMEMBRANCES**

- Councilor Michael Garcia

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT AGENDA**

8. **PRESENTATIONS**

- a. Santa Fe Women's Commission Strategic Plan (Layla Archuletta-Maestas, Deputy City Manager; Isarchulettamaestas@santafenm.gov and Elais Ponton, Santa Fe Women's Commission Chair)
- b. Review of FY 25-26 Internal Audit Plan and Program Overview. (Layla Archuletta-Maestas, Deputy City Manager; Isarchuleta-maestas@santafenm.gov and Chelsea Ritchie; Chelsea.Ritchie@mossadams.com)

9. **ACTION ITEMS: CONSENT AGENDA**

- a. Request for Approval of a Budget Amendment Resolution (BAR) in the Total Amount of \$1,166,127 from the Cash Balance of the Water Management Fund to Fund the Filter Replacement Contract with Roberts Water Technology. (Jonathan Montoya, Source of Supply Facilities Manager; jmmontoya@santafenm.gov)

Committee Review:

Public Works and Utilities Committee: 09/03/2024

Finance Committee: 09/09/2024

Governing Body: 09/11/2024

- b. Request for Approval of a Budget Amendment Resolution (BAR) in the Amount of \$540,938 from the Cash Balance of the Water Management Fund to Fund FY25 City-Wide Construction for the Water Utility. (Bill Huey, Engineer; bchuey@santafenm.gov)

Committee Review:

Public Works and Utilities Committee: 09/03/2024

Finance Committee: 09/09/2024

Governing Body: 09/11/2024

- c. Request for Approval of a Budget Amendment Resolution (BAR) to Re-

Appropriate the Remaining Affordable Housing Trust Fund Budget in the Amount of \$1,944,692 into the FY25 Budget. (Johanna Nelson, Office of Economic Development Director; jcnelson@santafenm.gov)

Committee Review:

Public Works & Utilities Committee: 09/03/2024

Quality of Life Committee: 09/04/2024

Finance Committee: 09/09/2024

Governing Body: 09/11/2024

- d. Request For Approval of a General Services Contract with Polydyne Inc. for the Purchase of Cationic Polymers for Conditioning and Dewatering Sewage Sludge Prior to Disposal for a Total Amount of \$1,400,000 through June 30, 2028. (P. Fred Heerbrandt, P.E., Engineer Supervisor; pfheerbrandt@santafenm.gov)

1. Request for Approval of a Budget Amendment Resolution (BAR) in the Total Amount of \$350,000 from the Wastewater Management Enterprise Fund to Fund the Contract for Polydyne Inc.

Committee Review

Public Works and Utilities Committee: 09/03/2024

Finance Committee: 09/09/2024

Governing Body: 09/11/2024

- e. Request for Approval of Amendment No. 1 to the Professional Services Agreement Item #23-0158 with Carollo Engineers, Inc. to Add Scope to the Paseo Real Master Plan to Evaluate Construction of a New Treatment Facility, Increase Compensation by \$73,550 for a New Total Amount of \$372,370.13 and Extend the Termination Date of the Contract to June 30, 2025. (P. Fred Heerbrandt, P.E., Engineer Supervisor; pfheerbrandt@santafenm.gov)

1. Request for Approval of a Budget Amendment Resolution (BAR) in the Total Amount of \$73,550 from the Wastewater Management Enterprise Fund to Fund the Contract with Carollo Engineers, Inc.

Committee Review:

Public Works and Utilities Committee: 09/03/2024

Finance Committee: 09/09/2024

Governing Body: 09/11/2024

- f. Request for Approval of Intergovernmental Agreement with the State of New Mexico Aging and Long-Term Services Department for Providing Volunteer Services for the Division of Senior Services Volunteer Programs in the Total Amount of \$313,120 through June 30, 2025. (Theresa Trujillo, Volunteer Program Manager; tptrujillo@santafenm.gov)

Committee Review:

Quality of Life Committee: 08/21/2024

Finance Committee: 08/26/2024

Governing Body: 09/11/2024

- g. Request for Approval to Purchase Six Snow Plowing Trucks from Roberts Truck Center in the Amount of \$1,794,268.20 Excluding NMGRT for the Complete Streets Division. (Regina Wheeler, Public Works Department Director; rawheeler@santafenm.gov)

Committee Review:

Public Works and Utilities Committee: 09/03/2024

Finance Committee: 09/09/2024

Governing Body: 09/11/2024

- h. Request for Approval to Purchase a Patching Truck from Pete's Equipment Repair Inc. for \$288,662 Excluding NMGRT for Complete Streets Division. (Regina Wheeler, Public Works Department Director; rawheeler@santafenm.gov)

Committee Review:

Public Works and Utilities Committee: 09/03/2024

Finance Committee: 09/09/2024

Governing Body: 09/11/2024

- i. Request for Approval of Professional Services Agreement with Lee Engineering to Provide On-Call General Engineering Services in an Amount Not to Exceed \$5,409,375 Including NMGRT for Four Years. (Romella Glorioso-Moss, Capital Projects Manager, rsglorioso-moss@santafenm.gov)

Committee Review:

Public Works & Utilities Comment: 09/03/24

Finance Committee: 09/09/24
Governing Body: 09/11/24

- j. Request for Approval of American Rescue Plan Act (ARPA) Recovery Funds Subrecipient Contract with Santa Fe Community College for the Hire of a Workforce Program Coordinator to Promote and Support the Santa Fe Community College's Trades and Certifications Programming in the Total Amount of \$250,000 through December 31, 2026. (Elisa Portillo, Economic Development Specialist; emportillo@santafenm.gov)

Committee Review:

Economic Development Advisory Committee: 09/04/2024
Quality of Life Committee: 09/04/2024
Finance Committee: 09/09/2024
Governing Body: 09/11/2024

- k. Request for Approval of Findings of Fact and Conclusions of Law for Appeal #2024-8077 Regarding the February 6, 2024 Board of Adjustment Decision to Grant a Variance on a Property Located at 1030 ½ W. Houghton St., Which the Governing Body Reversed at its August 14, 2024 Meeting. (Rebecca Mnuk-Herrmann, Assistant City Attorney; rmnukherrmann@santafenm.gov)

Committee Review:

Governing Body: 09/11/2024

- l. CONSIDERATION OF RESOLUTION 2024-____. (Councilor Carol Romero-Wirth)
A Resolution Authorizing Submission of an Application to the New Mexico Finance Authority for Financial Assistance and Project Approval for Upgrades to the Canyon Road Water Treatment Plant. (Clinton Peterson, Engineer, Public Utilities; cdpeterson@santafenm.gov)

Committee Review:

Governing Body (Introduced): 08/28/2024
Public Works and Utilities Committee: 09/03/2024
Finance Committee: 09/09/2024
Governing Body: 09/11/2024

- m. CONSIDERATION OF RESOLUTION 2024-____. (Councilor Carol Romero-Wirth and Councilor Jamie Cassutt)
A Resolution Recognizing the Devastating Impact of Covid-19 (SARS-CoV-2); Honoring the Sacrifices that Essential Workers Have Made to Protect and Save Lives in their Communities; and Declaring Support for a Permanent Covid-19 Memorial to be Located in New Mexico to Honor the Victims of Covid-19. (Marci Eannarino, Legislation and Policy Innovation Manager; maeannarino@santafenm.gov)

Committee Review:

Governing Body (Introduced): 08/28/2024

Quality of Life Committee: 09/04/2024

Governing Body: 09/11/2024

10. **ACTION ITEMS: DISCUSSION AGENDA**

- a. Request for Approval of Restated and Extended Memorandum of Agreement with Santa Fe County to Transfer the Santa Fe Film Office to the City of Santa Fe. (Randy Randall, Interim Community Development Director; rrandall@santafenm.gov)

Committee Review:

Finance Committee: 09/09/2024

Governing Body: 09/11/2024

11. **MATTERS FROM THE CITY MANAGER**

12. **MATTERS FROM THE CITY ATTORNEY**

In Accordance with the New Mexico Open Meetings Act, NMSA 1978, Subpart (H)(7) of Section 10-15-1, Attorney-Client Privileged Discussion of Pending and Threatened Litigation, in Particular Potential Litigation Regarding City Water Infrastructure Construction; *In Re: City of Camden, et. al v. Tyco Fire Products LP et al.*, 2:24-cv-012231; and *Union Protectoriva de Santa Fe vs. Mayor Alan Webber and the City of Santa Fe*, D-101-CV-2021-01373. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov).

13. **EXECUTIVE SESSION ACTION ITEMS**

- a. Approval of Recommended Next steps with Regards to Potential Water Infrastructure Construction Litigation. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov)

- b. Direction Regarding the City of Santa Fe's Participation in the Tyco Certified Class. (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 2024-_____.** (Councilor Amanda Chavez)
A Resolution Accepting a Grant from the Local Government Road Fund Program Administered by New Mexico Department of Transportation and Entering into Cooperative Agreement Control Number L500577. (Romella Glorioso-Moss, Complete Streets Capital Projects Manager; rsglorioso-moss@santafenm.gov).

Committee Review:

Governing Body (Introduced): 09/11/2024

Public Works and Utilities Committee: 09/16/2024

Finance Committee: 09/23/2024

Governing Body: 09/25/2024

- b. **CONSIDERATION OF BILL 2024-10. ADOPTION OF ORDINANCE 2024-_____.** (Mayor Alan Webber)
A Bill Relating to the City of Santa Fe's ("City's") Office of Economic Development Plan Ordinance, Section 11-11-5 SFCC 1987; Repealing and Replacing Ordinance 2023-15, Including Approving a Local Economic Development Project Participation Agreement Between

the City and Parting Stone Inc. for Design, Development, and Construction of Tenant Improvements; Lease Payments; and Expansion of a Corporate Headquarters, a Local Economic Development Project. (Johanna Nelson, Office of Economic Development; jcnelson@santafenm.gov and Casey Dalbor, Business Growth Manager; cjdalbor@santafenm.gov).

Committee Review:

Governing Body (Introduced): 09/11/2024
Governing Body (Public Comment): 09/25/2024
Economic Development Advisory Committee: 10/02/2024
Quality of Life Committee: 10/02/2024
Finance Committee: 10/07/2024
Governing Body: 10/30/2024

17. **PETITIONS FROM THE FLOOR**

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

- a. CONSIDERATION OF BILL 2024-4. ADOPTION OF ORDINANCE NO. 2024-____. (Councilor Signe Lindell and Mayor Alan Webber).
A Bill Relating to Marty Sanchez Links de Santa Fe; Amending Sections 23-7.3 and 23-7.4 of SFCC 1987 to Update Golf Rates. (Melissa McDonald, Parks and Open Space Division Director, mamcdonald@santafenm.gov)

Committee Review:

Governing Body (Introduced): 08/28/2024
Governing Body (Public Comment): 09/11/2024
Quality of Life Committee: 09/18/2024
Finance Committee: 09/23/2024
Governing Body (Public Hearing): 10/09/2024

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

- a. CONSIDERATION OF BILL 2024-11. ADOPTION OF ORDINANCE NO. 2024-____. (Councilor Carol Romero-Wirth)

A Bill Relating to House Bill 139, Adopted During the 2023 Regular Session; Amending Section 1-3.2 SFCC 1987 to Remove Text About the Corrections Fee, Judicial Education Fee, Court Automation Fee, and Substance Abuse Fee, Consistent with the Repeal of Sections 31-12-8 and 34-14-11 NMSA 1978; and Amending Section 12-6-12.2 of the Uniform Traffic Ordinance, to Remove Text About the DWI Prevention Fee and the Crime Laboratory Fee, Consistent with the Repeal of Section 31-12-7 NMSA 1978. (Christine M. Spiers, Legislation and Policy Innovation Assistant; cmspiers@santafenm.gov)

Committee Review:

Governing Body (Introduced): 07/31/2024
Governing Body (Public Comment): 08/14/2024
Quality of Life Committee: 08/21/2024
Finance Committee: 08/26/2024
Governing Body: 09/11/2024

- b. CONSIDERATION OF BILL NO. 2024-9. ADOPTION OF ORDINANCE NO. 2024-____. (Councilor Carol Romero-Wirth)
A Bill Amending SFCC 1987, Section 11-8, to Allow the City of Santa Fe to Obtain an Investment Advisory Service Contractually for the Investment of Public Funds. (Alexis Lotero, Assistant Finance Director; aclotero@santafenm.gov)

Committee Review:

Governing Body (Introduction): 07/10/2024
Governing Body (Public Comment): 07/31/2024
Quality of Life Committee: 08/07/2024
Finance Committee: 08/12/2024
~~Governing Body (Public Hearing): 08/28/2024~~ (Rescheduled to Regular Governing Body Meeting on September 11, 2024 for Notice of Public Hearing)
Governing Body (Public Hearing): 09/11/2024

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

21. **APPOINTMENTS**

a. Economic Development Advisory Committee

- Sierra Cruz – Appointment – Term Ending 06/2026
- Kathy Rivera – Appointment – Term Ending 06/2026

b. Public Safety Committee

- Cameron Crawford – Appointment – Term Ending 03/2028
- Aurora Martinez – Appointment – Term Ending 03/2028
- Christine Robertson – Appointment – Term Ending 03/2028

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.