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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2021-16

INTRODUCED BY:

Councilor JoAnne Vigil Coppler

Councilor Michael J. Garcia

Councilor Renee Villarreal

Councilor Carol Romero-Wirth

Councilor Signe I. Lindell

A RESOLUTION

REQUIRING GOVERNING BODY APPROVAL PRIOR TO ANNOUNCING THE AVAILABILITY OF ANY CITY-OWNED LAND, BUILDINGS, OR OTHER REAL PROPERTY FOR SALE.

WHEREAS, Governing Body approval and a bill presented at a public hearing are required for an offeror to purchase City property having an appraised value in excess of twenty-five thousand dollars (\$25,000); and

WHEREAS, approval from the Governing Body is not currently required before the City announces the opportunity for potential offerors to submit offers to buy City property for the Governing Body’s consideration; and

WHEREAS, the Governing Body and staff work together to evaluate assets and staff seeks policy guidance from the Governing Body; and

WHEREAS, staff have expertise in real property transactions and in evaluating development strategies to maximize City interests; and

WHEREAS, the Governing Body has developed policy priorities for the use of certain

1 City-owned land, buildings, and other real property; and

2 **WHEREAS**, Santa Fe City Code sole guidance on real property sales is contained in
3 Section 11-10.2 which cites to statutory authority (NMSA 1978, § 3-54-1), or as otherwise provided
4 by law; and

5 **WHEREAS**, NMSA 1978, Section 3-54-1 sets forth the statutory process for selling
6 municipal utility facilities and other real property subject to a required referendum period; and

7 **WHEREAS**, City-owned land, buildings, and other real property are public property; and

8 **WHEREAS**, the Governing Body understands the importance of holding executive
9 sessions for sales of City-owned land, buildings, or other real property.

10 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
11 **CITY OF SANTA FE** that the Governing Body shall hold an executive session to discuss a
12 proposed sale when recommended by staff.

13 **BE IT FURTHER RESOLVED** that, if staff does not recommend an executive session,
14 then staff will provide a public presentation regarding the reasons for the recommended sale of
15 City-owned land, buildings, or other real property.

16 **BE IT FURTHER RESOLVED** that, regardless of whether or not the Governing Body
17 holds an executive session, prior to the City announcing the sale of any City-owned land, buildings,
18 or other real property that has a value that exceeds \$25,000, the Governing Body shall vote to
19 approve a proposed announcement that includes the address, name, and description of the relevant
20 property during a public meeting.

21 **BE IT FURTHER RESOLVED** that the Governing Body shall review this Resolution
22 within three (3) years of the date of adoption to evaluate the efficacy of the process it establishes.

23 **BE IT FURTHER RESOLVED** that this Resolution shall apply to properties that are not
24 already announced as “for sale” at the time of the adoption of this Resolution.

25 **PASSED, APPROVED, and ADOPTED** this 10th day of March, 2021.

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ALAN WEBBER, MAYOR

ATTEST:



Kristine Mihelcic (Mar 14, 2021 10:36 MDT)

KRISTINE MIHELICIC, CITY CLERK

APPROVED AS TO FORM:



ERIN K. McSHERRY, CITY ATTORNEY