

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2021-__

INTRODUCED BY:

Councilor JoAnne Vigil Coppler

Councilor Michael J. Garcia

Councilor Renee Villarreal

A RESOLUTION

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

WHEREAS, the City recently unveiled a new website that advertises various properties owned by the City of Santa Fe that are either “for sale” or contemplated for future sale; and

WHEREAS, Governing Body approval and, in most circumstances, a waiting period during which the sale is subject to a voter referendum, is required for an offeror to purchase City property; 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, there is currently one property listed as “for sale” on the new website: the seven parcel, 228 acre Santa Fe Estates located north of Veterans Memorial Highway (US 599) and to the West of US 285; and

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1 **WHEREAS**, several other City-owned land and real property may soon be listed as “for
2 sale” on the website; and

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

4 **WHEREAS**, the Governing Body prefers to hold discussions of the [~~disposition or~~] sale
5 of City-owned land, buildings, or other real property transparently and in front of the public, during
6 a public meeting [~~unless~~] if doing so would not harm the City’s ability to leverage the competitive
7 value of real property; when confidential market strategy is not a factor; when there are no
8 reputational interests at stake; when relevant laws do not require confidentiality; and there is no
9 actual or threatened litigation to consider[-]; and

10 **WHEREAS**, the Governing Body understands the importance of holding executive
11 sessions for sales of City-owned land, building, or other real property.

12 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
13 **CITY OF SANTA FE** that, prior to announcing any City-owned land, building, or other real
14 property that has a value that exceeds \$25,000 as “for sale”, the Governing Body must approve a
15 recommendation to do so, after a presentation by City staff during a public meeting, describing
16 why staff members recommend that the City announce the land or other real property as “for sale.”

17 **BE IT FURTHER RESOLVED** that the requirement to make a public presentation does
18 not preclude an executive session regarding a recommended sale.

19 **BE IT FURTHER RESOLVED** that, other than Santa Fe Estates, all properties currently
20 under consideration for sale must be presented to the Governing Body for approval of a desired
21 announcement, prior to announcing the land, building, or other real property is for sale, even if the
22 Governing Body has already discussed such sale of such property in an executive session.

23 PASSED, APPROVED, and ADOPTED this ___ day of _____, 2021.
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ATTEST:

ALAN WEBBER, MAYOR

KRISTINE MIHELICIC, CITY CLERK

APPROVED AS TO FORM:

ERIN K. McSHERRY, CITY ATTORNEY