

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]~~ 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, 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~~

1 to the West of US 285; and

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

4 ~~WHEREAS, City-owned land, buildings, and other real property are public property; and~~

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

12 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
13 **CITY OF SANTA FE** that, prior to the City announcing the sale of any City-owned land,
14 buildings, or other real property [as “for sale”], the Governing Body [must] shall hold an executive
15 session to discuss the proposed sale and vote to approve [a recommendation to do so, after a
16 presentation by City staff] a proposed announcement during a public meeting[, describing why staff
17 members recommend that the City announce the land or other real property after staff has presented
18 the address, name, and description of the property that will be announced as “for 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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ALAN WEBBER, MAYOR

ATTEST:

KRISTINE MIHELCIC, CITY CLERK

APPROVED AS TO FORM:

ERIN K. McSHERRY, CITY ATTORNEY