



# Agenda

REGULAR MEETING OF  
THE GOVERNING BODY  
MARCH 11, 2020  
CITY COUNCIL CHAMBERS

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## **AFTERNOON SESSION – 5:00 P.M.**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Regular City Council Meeting – February 26, 2020
9. PRESENTATIONS
  - a) Muchas Gracias – Genoveva Chavez Community Center Aquatic Staff for Their Bravery and Professionalism During a Rescue on February 17, 2020. (Councilor Rivera)
10. CONSENT CALENDAR
  - a) Request for Approval to Utilize State Price Agreement 70-000-16-00002 in the Total Amount of \$70,497.40 for the Purchase of (2) Ford F250 Crew Cab 4x4 Vehicles; Don Chalmers Ford. (Richard Thompson, [rcthompson@santafenm.gov](mailto:rcthompson@santafenm.gov), 955-2105)
  - b) Request for Approval of Children and Youth Commission (CYC) Grant Professional Services Agreement Amendments to May Center for Learning (CYC) Scope of Services, No Fiscal Changes. (Julie Sanchez, Youth and Family Services, [jsanchez@santafenm.gov](mailto:jsanchez@santafenm.gov), 955-6678)
  - c) Request for Approval of State Library Appropriation General Obligation Bond 2018 in the Total Amount of \$219,899.61 for the City of Santa Fe Libraries, Approval of the State of New Mexico Department of Cultural Affairs Fund Capital Appropriation Project Agreement and Approval of BAR for the Appropriation (Project LIB2025101, MUNIS Contract# 3201426). (Maria Tucker, Library Division Director, [metucker@santafenm.gov](mailto:metucker@santafenm.gov), 955-6788)



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- d) Request for Approval of Contract with Hutton Broadcasting in the Amount of \$80,000 (\$20,000 Annually for Four Years) for Media Advertising, Beginning FY20. (Randy Randall, Tourism Santa Fe Executive Director, [rrandall@santafenm.gov](mailto:rrandall@santafenm.gov), 955-6209)
- e) Request for Approval of Contract with Northern New Mexico Air Alliance in the Amount of \$100,000 (\$50,000 Contingent from SF County) for Marketing Support of the Santa Fe Airport for FY20. (Randy Randall, Tourism Santa Fe Executive Director, [rrandall@santafenm.gov](mailto:rrandall@santafenm.gov), 955-6209)
- f) Request for Approval of Memorandum of Agreement with Santa Fe County for the Jointly Funded Film Office in the Amount of \$150,000 for FY20. (Randy Randall, Tourism Santa Fe Executive Director, [rrandall@santafenm.gov](mailto:rrandall@santafenm.gov), 955-6209)
- g) Request for Approval of Award of Bid 20/11/B in the Amount of \$85,900, Exclusive of NMGRT, for City of Santa Fe Wastewater Aeration System Improvements, Tipping Scum Troughs, Goods and Services Contract; Ovivo USA, LLC. (James Martinez, Wastewater Engineer, [jamartinez@santafenm.gov](mailto:jamartinez@santafenm.gov), 955-4616)
- h) Request for Approval of Award of Bid 20/14/B – City of Santa Fe Waste Water Aeration System Improvements – Aeration Bid Mixers, Goods and Services Contract in the Amount of \$109,888.00, Exclusive of NMGRT; James, Cooke & Hobson, Inc. (James Martinez, Wastewater Engineer, [jamartinez@santafenm.gov](mailto:jamartinez@santafenm.gov), 955-4616)
- i) Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Trailhead Café, LLC for a Restaurant Liquor License (Beer and Wine), with On Premise Consumption Only and Patio Service, to be Located at Cafecito, 922A Shoofly Street, Suites 101-102. (Yolanda Y. Vigil, City Clerk, [yyvigil@santafenm.gov](mailto:yvigil@santafenm.gov), 955-6521)
- j) Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Tafoya Investments, LLC for a Restaurant Liquor License (Beer and Wine) with On Premise Consumption Only and Patio Service, to be Located at Crackin' Crab, 604 N. Guadalupe Street, Units A & B. (Yolanda Y. Vigil, City Clerk, [yyvigil@santafenm.gov](mailto:yvigil@santafenm.gov), 955-6521)



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- k) Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Bosque Brewing Co., LLC, for the following: (Yolanda Y. Vigil, City Clerk, [yyvigil@santafenm.gov](mailto:yvigil@santafenm.gov), 955-6521)
  - 1) Waiver of the 300 Foot Location Restriction to Allow the Sale of Alcohol at Bosque Brewing Co., 500 Market Street, Suite 11A, which is Within 300 Feet of the Camino de Paz Montessori Secondary School & Farm, 1607 Paseo de Peralta, Suite B.
  - 2) Winegrower 3<sup>rd</sup> Off-Site Liquor License, with On Premise Consumption, Patio Service and Package Sales, to be Located at Bosque Brewing Co., 500 Market Street, Suite 110A.
- l) Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Kay Contemporary Art for a Waiver of the 300 Foot Location Restriction to Allow the Dispensing/Consumption of Alcoholic Beverages (Beer, Wine and Champagne) at Kay Contemporary Art, which is Within 300 Feet of Acequia Madre Elementary School, 700 Acequia Madre and Santa Fe Monthly Meeting of Friends, 630 Canyon Road. The Waiver is for Kay Contemporary Art's Grand Opening which will be Held on Friday, March 13, 2020, with Alcohol Service from 4:30 PM to 7:00 PM. (Yolanda Y. Vigil, City Clerk, [yyvigil@santafenm.gov](mailto:yvigil@santafenm.gov), 955-6521)
- m) Request for Approval of the Governing Body's Findings of Fact and Conclusions of Law in Land Use Case No. 2019-1147, Approving the 3420 Rufina Street General Plan Amendment; and Land Use Case No. 2010-1148, Approving the 3420 Rufina Street Rezoning. (Erin K. McSherry, City Attorney, [ekmcsberry@santafenm.gov](mailto:ekmcsberry@santafenm.gov), 955-6512)
- 11. Request for Approval to Execute Quitclaim Deed for a Portion of the Real Estate within the Veterans Memorial Highway AKA 599 Bypass Right-of-Way, Located within Section 23, Township 16 North, Range 8 East, NMPM, Santa Fe County, NM, for the Purpose of Correcting Existing Cloud on Title and Vest Ownership of Record Into the New Mexico Department of Transportation (NMDOT). (Edward Vigil, Property Manager, [ejvigil@santafenm.gov](mailto:ejvigil@santafenm.gov), 955-6226)
- 12. Municipal Drug Strategy Task Force Final Recommendations and Next Steps. (Kyra R. Ochoa, Community Services Director, [krochoa@santafenm.gov](mailto:krochoa@santafenm.gov), 955-6603, Julie J. Sanchez, Interim Youth and Family Services Division Director, [jjsanchez@santafenm.gov](mailto:jjsanchez@santafenm.gov), 955-6678 and Emily Kaltenbach, Senior Director, Criminal Justice Reform Strategy & State Director, New Mexico Drug Policy Alliance, [ekaltenbach@drugpolicy.org](mailto:ekaltenbach@drugpolicy.org)) (Informational Only)



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REGULAR MEETING OF  
THE GOVERNING BODY  
MARCH 11, 2020  
CITY COUNCIL CHAMBERS

13. MATTERS FROM THE CITY MANAGER

14. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

- a) In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(7), Attorney-Client Privileged Discussion Regarding Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Participant; Including, But Not Limited to, *New Mexico Environment Department v. City of Santa Fe*, Case No. OSHA 19-44. (Erin K. McSherry, City Attorney, 955-6512, [ekmcsherry@santafenm.gov](mailto:ekmcsherry@santafenm.gov))
  - b) In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(8), Discussion of the Disposition of the Midtown Property, Formerly Operated as the College of Santa Fe and the Santa Fe University of Art and Design. (Erin K. McSherry, City Attorney, 955-6512, [ekmcsherry@santafenm.gov](mailto:ekmcsherry@santafenm.gov))
15. Approval of a Settlement Agreement with the Occupational, Safety, and Hazard Bureau (OSHB) of the New Mexico Environment Department. (Erin K. McSherry, City Attorney, 955-6512, [ekmcsherry@santafenm.gov](mailto:ekmcsherry@santafenm.gov))
16. MATTERS FROM THE CITY CLERK
17. COMMUNICATIONS FROM THE GOVERNING BODY

**EVENING SESSION – 7:00 P.M.**

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. SALUTE TO THE NEW MEXICO FLAG
- D. INVOCATION
- E. ROLL CALL
- F. PETITIONS FROM THE FLOOR



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REGULAR MEETING OF  
THE GOVERNING BODY  
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CITY COUNCIL CHAMBERS

## G. APPOINTMENTS

- Historic Districts Review Board
- Bicycle and Trails Advisory Committee
- Immigration Committee

## H. PUBLIC HEARINGS:

- 1) CONSIDERATION OF BILL NO. 2020-6: ADOPTION OF ORDINANCE NO. 2020-\_\_\_\_ (Councilor Lindell, Councilor Vigil Coppler, Councilor Abeyta and Councilor Villarreal)

An Ordinance Amending Section 5-2 SFCC 1987 to Amend the Definition of "Domestic Animal", to Add a Second Definition for "Shelter", and to Delete the Definition for "Trolley System"; Amending Section 5-5.4 to Reduce the Length of Leashes and to Ban the Use of Trolley Systems; Amending Section 5-5.6 to Specify where Pet Licenses Can be Obtained; Creating a New Section 5-5.7 to Establish Minimum Requirements for the Outdoor Shelter of Dogs in Extreme Weather; Creating a New Section 5-5.8 to Prohibit the Keeping of Dogs Outside Extreme Weather; Amending Section 5-7.1 to Allow Animal Services Officers to Enter Private Property to Take-Up and Impound an Animal that is in Imminent Danger of Harm; Amending Section 5-7.5 to Have Complaints of Animals Disturbing the Peace be Heard Before a Hearing Officer Instead of at Municipal Court; Amending Section 5-7.6 to Refer to the Fees and Fines Table; and Amending Section 5-12 to Codify Fees and Fines Related to this Chapter and to Adopt a Framework for Appeals to a Hearing Officer for Civil Citations. (Jesse Guillen, Legislative Liaison, [jbgullen@santafenm.gov](mailto:jbgullen@santafenm.gov), 955-6518 and Chris Smith, Animal Services Supervisor, [ccsmith@santafenm.gov](mailto:ccsmith@santafenm.gov), 955-2702)

- a) A Resolution Repealing Resolution No. 2004-43 that Established Licensing and Permit Fees, Fines and Penalties for Violations, and Other Charges Relating to Animal Services. (Councilor Lindell, Councilor Vigil Coppler, Councilor Abeyta and Councilor Villarreal) **(WITHDRAWN)**

- 2) CONSIDERATION OF BILL NO. 2020-3: ADOPTION OF ORDINANCE NO. 2020-\_\_\_\_ (Mayor Webber, Councilor Villarreal and Councilor Vigil Coppler)

An Ordinance Amending Section 18-1.5 SFCC 1987 to Allow for the Staggered Application of a Business License; and Amending Section 18-2.5 to Allow for the Staggered Application of a Business Registration. (Rich Brown, Director, Office of Economic Development, [rdbrown@santafenm.gov](mailto:rdbrown@santafenm.gov), 955-6625)



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- 3) CONSIDERATION OF BILL NO. 2020-5: ADOPTION OF ORDINANCE NO. 2020-\_\_\_\_ (Councilor Abeyta and Councilor Lindell)  
An Ordinance Amending the Land Development Code to Allow Apothecaries, Pharmacies, and Laboratories, as Accessory Uses to Clinics; to Add a Definition for "Apothecary"; and to Amend the Definition of "Clinic". (Elias Isaacson, Interim Land Use Director, [esiaacson@santafenm.gov](mailto:esiaacson@santafenm.gov), 955-6830)
- 4) CONSIDERATION OF BILL NO. 2020-4: ADOPTION OF ORDINANCE NO. 2020-\_\_\_\_ (Mayor Webber)  
An Ordinance Amending Article 4.04 of the Santa Fe Municipal Charter to Reference the Local Election Act Rather than the Municipal Election Code, Pursuant to NMSA 1978, Section 1-22-3.2(C). (Jesse Guillen, Legislative Liaison, [jbguillen@santafenm.gov](mailto:jbguillen@santafenm.gov), 955-6518)

## I. ADJOURN

**Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been considered prior to 11:30 p.m. and the Governing Body does not vote to extend the meeting, such items shall be postponed to a subsequent meeting, provided that the date, time and place of such meeting is specified at the time of postponement.**

**NOTE:** New Mexico law requires the following administrative procedures be followed when conducting "quasi-judicial" hearings. In a "quasi-judicial" hearing all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross-examination. Witnesses have the right to have an attorney present at the hearing.

**Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.**

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: March 6, 2020

TIME: 4:48 PM

**SUMMARY INDEX  
SANTA FE CITY COUNCIL  
March 11, 2020**

<b>ITEM</b>	<b>ACTION</b>	<b>PAGE</b>
1. Call to Order	Convened at 5:00 p.m.	1
5. Roll Call	Quorum Present	1
6. Approval of Agenda	Approved as presented	1
7. Approval of Consent Calendar	Approved as amended	2
8. Approval of Minutes		
Regular Meeting - Feb 26, 2020	Approved as presented	2
9. Presentations	GCCC Life Savers	2-3
10. Consent Calendar	Listed	3-5
d) Hutton Broadcasting Contract	Approved	5-6
11. ROW Deed Correction	Approved	6
12. Drug Strategy Task Force Report	Information	6-7
13. Matters from the City Manager	None	7
14. Matters from the City Attorney	Reported	8
Executive Session	6:08 to 7:02	8-9
15. OSHB Settlement Agreement	Approved	10
Evening Session at 7:05	Quorum Present	10-11
F. Petitions from the Floor	Petitions Made	11
G. Appointments	Approved	22-23
H. Public Hearings		
1) Dog Protection Ordinance	Approved	12-19
2) Business License Ordinance	Approved	19-21
3) Land Use Code Amendment	Approved	21-22
4) Local Election Act Amendment	Approved	22
16. Matters from the City Clerk	None	23
17. Communications from Gov. Body	Communicated	23-24
I. Adjournment	Adjourned at 8:25 pm	24

**MINUTES OF THE  
REGULAR MEETING OF THE GOVERNING BODY  
Wednesday, March 11, 2020  
City Council Chambers**

**AFTERNOON SESSION**

**1. CALL TO ORDER AND ROLL CALL**

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Alan Webber, on Wednesday, March 11, 2020, at approximately 5:02 p.m., in the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico. Following the Pledge of Allegiance, Salute to the New Mexico flag, and the Invocation, roll call indicated the presence of a quorum, as follows:

**Members Present**

Mayor Alan Webber  
Councilor Roman "Tiger" Abeyta  
Councilor Jamie Cassutt-Sanchez  
Councilor Michael J. Garcia  
Councilor Signe I. Lindell  
Councilor Christopher M. Rivera  
Councilor Carol Romero-Wirth  
Councilor Vigil Coppler  
Councilor Renee D. Villarreal

**Members Excused**

**Others Attending**

Shannon Jones for Jarel LaPan Hill, City Manager  
Erin McSherry, City Attorney  
Yolanda Y. Vigil, City Clerk  
Carl Boaz, Council Stenographer

**6. APPROVAL OF AGENDA**

**MOTION:** Councilor Vigil Coppler moved, seconded by Councilor Garcia, to approve the agenda as presented.



**VOTE:** The motion was approved on a voice vote with Mayor Webber and Councilors Abeyta, Cassutt-Sanchez, Garcia, Lindell, Rivera, Romero-Wirth, Vigil Coppler and Villarreal voting in favor of the motion and none voting against.

## **7. APPROVAL OF CONSENT CALENDAR**

Councilor Cassutt-Sanchez requested discussion on Item 10(d).

**MOTION:** Councilor Villarreal moved, seconded by Councilor Garcia, to approve the Consent Calendar as amended with Item 10(d) pulled for discussion.

**VOTE:** The motion was approved on the following Roll Call vote:

**For:** Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

**Against:** None.

## **8. APPROVAL OF MINUTES:**

Regular City Council Meeting – February 26, 2020

**MOTION:** Councilor Rivera moved, seconded by Councilor Vigil Coppler, to approve the minutes of the February 26, 2020 Governing Body Meeting as presented.

**VOTE:** The motion was approved on a voice vote with Mayor Webber and Councilors Abeyta, Cassutt-Sanchez, Garcia, Lindell, Rivera, Romero-Wirth, Vigil Coppler and Villarreal voting in favor of the motion and none voting against.

## **9. PRESENTATIONS**

**a) Muchas Gracias – Genoveva Chavez Community Center Aquatic Staff for Their Bravery and Professionalism During a Rescue on February 17, 2020 (Councilor Rivera)**

Councilor Rivera invited the entire Governing Body to the floor so each Councilor could read a Muchas Gracias for the staff at GCCC involved with the rescue of Paul Forrester. He thanked them for their response in an emergency to save a person's life. He read the resolution for their bravery and responsiveness saving a life of a community patron; the highest level of service, and a job well done. It was announced that Mr. Forrester is conscious and scheduled for physical therapy in Albuquerque.

Each team member introduced themselves as a Councilor presented their award.

Councilor Rivera recognized the EMS personnel in the audience. We appreciate their work too.

Director Muñoz thanked the Governing Body for recognizing the GCCC team. He said he could not be prouder for what they have done. He thanked them for the update also.

## **10. CONSENT CALENDAR LISTING**

- a) Request for Approval to Utilize State Price Agreement 70-000-16-00002 in the Total Amount of \$70,497.40 for the Purchase of (2) Ford F250 Crew Cab 4x4 Vehicles; Don Chalmers Ford. (Richard Thompson, [rcthompson@santafenm.gov](mailto:rcthompson@santafenm.gov), 955-2105)
- b) Request for Approval of Children and Youth Commission (CYC) Grant Professional Services Agreement Amendments to May Center for Learning (CYC) Scope of Services, No Fiscal Changes. (Julie Sanchez, Youth and Family Services, [jsanchez@santafenm.gov](mailto:jsanchez@santafenm.gov), 955-6678)
- c) Request for Approval of State Library Appropriation General Obligation Bond 2018 in the Total Amount of \$219,899.61 for the City of Santa Fe Libraries, Approval of the State of New Mexico Department of Cultural Affairs Fund Capital Appropriation Project Agreement and Approval of BAR for the Appropriation (Project LIB2025101, MUNIS Contract# 3201426). (Maria Tucker, Library Division Director, [metucker@santafenm.gov](mailto:metucker@santafenm.gov), 955-6788)
- d) This item was pulled for discussion by Councilor Cassutt-Sanchez.
- e) Request for Approval of Contract with Northern New Mexico Air Alliance in the Amount of \$100,000 (\$50,000 Contingent from SF County) for Marketing Support of the Santa Fe Airport for FY20. (Randy Randall, Tourism Santa Fe Executive Director, [rrandall@santafenm.gov](mailto:rrandall@santafenm.gov), 955-6209)

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- g) Request for Approval of Award of Bid 20/11/B in the Amount of \$85,900, Exclusive of NMGR, for City of Santa Fe Wastewater Aeration System Improvements, Tipping Scum Troughs, Goods and Services Contract; Ovivo USA, LLC. (James Martinez, Wastewater Engineer, [jmartinez@santafenm.gov](mailto:jmartinez@santafenm.gov), 955-4616)
- h) Request for Approval of Award of Bid 20/14/B – City of Santa Fe Waste Water Aeration System Improvements – Aeration Bid Mixers, Goods and Services Contract in the Amount of \$109,888.00, Exclusive of NMGR; James, Cooke & Hobson, Inc. (James Martinez, Wastewater Engineer, [jmartinez@santafenm.gov](mailto:jmartinez@santafenm.gov), 955-4616)
- i) Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Trailhead Café, LLC for a Restaurant Liquor License (Beer and Wine), with On Premise Consumption Only and Patio Service, to be Located at Cafecito, 922A Shoofly Street, Suites 101-102. (Yolanda Y. Vigil, City Clerk, [yyvigil@santafenm.gov](mailto:yyvigil@santafenm.gov), 955-6521)
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  - 1) Waiver of the 300 Foot Location Restriction to Allow the Sale of Alcohol at Bosque Brewing Co., 500 Market Street, Suite 11A, which is Within 300 Feet of the Camino de Paz Montessori Secondary School & Farm, 1607 Paseo de Peralta, Suite B.
  - 2) Winegrower 3<sup>rd</sup> Off-Site Liquor License, with On Premise Consumption, Patio Service and Package Sales, to be Located at Bosque Brewing Co., 500 Market Street, Suite 110A.

- l) Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Kay Contemporary Art for a Waiver of the 300 Foot Location Restriction to Allow the Dispensing/Consumption of Alcoholic Beverages (Beer, Wine and Champagne) at Kay Contemporary Art, which is Within 300 Feet of Acequia Madre Elementary School, 700 Acequia Madre and Santa Fe Monthly Meeting of Friends, 630 Canyon Road. The Waiver is for Kay Contemporary Art's Grand Opening which will be Held on Friday, March 13, 2020, with Alcohol Service from 4:30 PM to 7:00 PM. (Yolanda Y. Vigil, City Clerk, [yyvigil@santafenm.gov](mailto:yvigil@santafenm.gov), 9556521)
- m) Request for Approval of the Governing Body's Findings of Fact and Conclusions of Law in Land Use Case No. 2019-1147, Approving the 3420 Rufina Street General Plan Amendment; and Land Use Case No. 2010-1148, Approving the 3420 Rufina Street Rezoning. (Erin K. McSherry, City Attorney, [ekmcsherry@santafenm.gov](mailto:ekmcsherry@santafenm.gov), 955-6512)

### **CONSENT CALENDAR DISCUSSION**

- d) Request for Approval of Contract with Hutton Broadcasting in the Amount of \$80,000 (\$20,000 Annually for Four Years) for Media Advertising, Beginning FY20. (Randy Randall, Tourism Santa Fe Executive Director, [rrandall@santafenm.gov](mailto:rrandall@santafenm.gov), 955-6209)

Councilor Cassutt-Sanchez pulled this item. She noted there was a discrepancy on what we are purchasing and what is value-added.

Mr. Randall received a clarifying memo from Hutton that what we are purchasing is advertising at \$20,00 per year which is \$80,000 over 4 years plus tax. As added value, the City will be allowed to utilize their product at completion. Hutton will transfer those back to the City. That does clarify it and we are good to go. He will hand out the letter to the Commissioners tomorrow.

**MOTION:** Councilor Cassutt-Sanchez moved, seconded by Councilor Lindell, to approve the Contract with Hutton Broadcasting as presented.

**VOTE:** The motion was approved on the following Roll Call vote:

**For:** Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

**Against:** None.

### **End of Consent Calendar**

11. Request for Approval to Execute Quitclaim Deed for a Portion of the Real Estate within the Veterans Memorial Highway AKA 599 Bypass Right-of-Way, Located within Section 23, Township 16 North, Range 8 East, NMPM, Santa Fe County, NM, for the Purpose of Correcting Existing Cloud on Title and Vest Ownership of Record Into the New Mexico Department of Transportation (NMDOT). (Edward Vigil, Property Manager, [eivigil@santafenm.gov](mailto:eivigil@santafenm.gov), 955-6226)

Mr. Vigil explained that this request is to correct a deed for the real estate record on a portion of land at the 599 Bypass Right-of-Way.

There were no questions about this request.

**MOTION:** Councilor Abeyta moved, seconded by Councilor Vigil Coppler, to approve the request as presented.

**VOTE:** The motion was approved on the following Roll Call vote:

**For:** Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

**Against:** None.

12. Municipal Drug Strategy Task Force Final Recommendations and Next Steps. (Kyra R. Ochoa, Community Services Director, [krochoa@santafenm.gov](mailto:krochoa@santafenm.gov), 9556603, Julie J. Sanchez, Interim Youth and Family Services Division Director, [jjsanchez@santafenm.gov](mailto:jjsanchez@santafenm.gov), 955-6678 and Emily Kaltenbach, Senior Director, Criminal Justice Reform Strategy & State Director, New Mexico Drug Policy Alliance, [ekaltenbach@drugpolicy.org](mailto:ekaltenbach@drugpolicy.org)) **(Informational Only)**

Director Sanchez shared a Power Point presentation.

Emily Kaltenbach, Chair of the Task Force, was excited to share our findings and recommendations. She gave a summary presentation. She said they were here six months ago for an update. She gave a brief background on what they achieved. The resolution called for a municipal drug strategy so the City can take

a major role. Other cities have taken leadership roles for things like climate change and others when the feds don't step up. When solutions and interventions are developed locally, they will reflect our community and reflect the changes. This model is from Frankfurt Germany from which 34 cities across 10 countries signed onto called the Frankfurt Resolution. Vancouver signed on and Ithaca, New York and now Santa Fe is the second in this country.

A task force member from Santa Fe Fire Department said this will result in more safety and help for the community. The traditional understanding of fire and police work has shifted. Instead of dwelling on negatives, we are focusing on the opportunity to fill gaps, etc. The Fire Department gets a lot of dispatch complaints, but evidence shows the effectiveness of this strategy. It is an opportunity but also a challenge on how to deploy efforts and respond to things requiring a different set of skills. It is an exciting time to be in public safety. The opiate issue is only one subset of those issues and what we see at the Fire Department is that a coordinated approach makes it more effective.

It is important to note all the resources in Santa Fe that we are investing. Santa Fe has a big stake. At the local level, plans come down to model what cities are doing. The conversations he heard rang true with our own experience. Santa Fe has the opportunity to be on the forefront under a municipal plan. He commended the City and the Task Force and hoped the Governing Body finds it helpful.

Ms. Kaltenbach referred to page 6 in the written report. We know there are poly-substance abuses. Data just out from the Department of Health show that 49% are not receiving the treatment they need. The next page shows how the Santa Fe County meets the schedule. Mental Health issues with substance abuse are often accompanied by other issues. 40% have a feeling of hopelessness. That is higher than the state and national levels.

The Resolution was first passed in 2017, establishing the Task Force. Members of the Task Force are here. They gave their time for two years and have had monthly meetings since July 2018.

She briefly addressed the nine guiding principles.

Ms. Diaz was the first to engage with community in the process. She said they do a lot of the work as Somos Un Pueblo statewide. They talked with 234 community people in conversations and interviews over about 10 months and got good information. They conducted 13 focus groups with 180 people of various

kinds participating. Stakeholders participated and 42 law enforcement staff participated in the survey. Some results were surprising; some showed the amount of work we have to do. Overarching is stigma that impacts the ability of community members to seek help needed. There is also a lack of linguistically appropriate materials. There is some disconnection, targeting of police; Lots of Law Enforcement personnel feel concerned that we don't have enough capacity and suffer from staff turnover, etc. She asked everyone to look through the findings in community conversations.

Ms. Kaltenbach said they did a poll two years ago and voters agreed that the policies were not working for getting the kids into treatment. She listed the six recommendation categories. They wanted to make sure this is a comprehensive program. They all have immediate, short-term and long-term recommendations.

They recommended having a person on City staff to work on ideas to include in the plan.

Ms. Diaz shared recommendations for economic security & community development and the needs that are involved in the report.

Ms. Kaltenbach reported on recovery-oriented treatment, harm reduction and mostly about how to collaborate. for long-term, the City does not have enough detox treatment. The City needs to accept an advocacy role. One suggestion was to increase the alcohol tax.

The Task Force wants to have more community conversation in - championing some of these goals and support for the comprehensiveness here.

### **13. MATTERS FROM THE CITY MANAGER**

Mayor Webber noted that the City Manager is sick. Her substitute had no matters.

### **14. MATTERS FROM THE CITY ATTORNEY**

#### **EXECUTIVE SESSION**

- a) In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(7), Attorney-Client Privileged

Discussion Regarding Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Participant; Including, But Not Limited to, *New Mexico Environment Department v. City of Santa Fe*, Case No. OSHA 19-44. (Erin K. McSherry, City Attorney, 955-6512, [ekmchsherry@santafenm.gov](mailto:ekmchsherry@santafenm.gov))

- b) In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(8), Discussion of the Disposition of the Midtown Property, Formerly Operated as the College of Santa Fe and the Santa Fe University of Art and Design. (Erin K. McSherry, City Attorney, 955-6512, [ekmchsherry@santafenm.gov](mailto:ekmchsherry@santafenm.gov))

**MOTION:** Councilor Rivera moved, seconded by Councilor Romero-Wirth, to enter executive session pursuant to the Open Meetings Act Section 10-15-1, Part (H)(7) for discussion of threatened or pending litigation and subpart (8) for discussion of purchase, acquisition of disposal of real property or water rights by the Governing Body.

**VOTE:** The motion was approved on the following Roll Call vote:

**For:** Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

**Against:** None.

The Governing Body entered closed executive session at 6:07 p.m.

The Governing Body returned from the executive session at 7:02 p.m.

**MOTION:** Councilor Rivera moved, seconded by Councilor Romero-Wirth pursuant to the Open Meetings Act, Section 10-15-1(J) that the Governing Body reconvene in open session, stating for the record that during the closed session, the matters discussed were limited to those included in the motion to go into executive session.

**VOTE:** The motion was approved on the following Roll Call vote:

**For:** Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

**Against:** None.



15. Approval of a Settlement Agreement with the Occupational, Safety, and Hazard Bureau (OSHB) of the New Mexico Environment Department. (Erin K. McSherry, City Attorney, 955-6512, [ekmcsherry@santafenm.gov](mailto:ekmcsherry@santafenm.gov))

Ms. McSherry requested approval of the settlement agreement as proposed with Occupational Safety Health Bureau of the New Mexico Environment Department.

**MOTION:** Councilor Lindell moved, seconded by Councilor Rivera, to approve the settlement agreement as presented.

**VOTE:** The motion was approved on the following Roll Call vote:

**For:** Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

**Against:** None.

16. **MATTERS FROM THE CITY CLERK**

This item was postponed to the end of the agenda.

17. **COMMUNICATIONS FROM THE GOVERNING BODY**

This item was postponed to the end of the agenda.

**EVENING SESSION – 7:05 P.M.**

**A-E. CALL TO ORDER AND ROLL CALL**

The regular meeting of the Governing Body of the City of Santa Fe, New Mexico, evening session was begun by Mayor Alan Webber, Chair, Wednesday, March 11, 2020, at approximately 7:05 p.m. in Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

Present at the evening session were:

**Members Present**

Mayor Alan Webber  
Councilor Roman "Tiger" Abeyta  
Councilor Jamie Cassutt-Sanchez  
Councilor Michael J. Garcia  
Councilor Signe Lindell  
Councilor Christopher M. Rivera  
Councilor Carol Romero-Wirth  
Councilor JoAnne Vigil Coppler  
Councilor Renee D. Villarreal

**Members Excused**

**Others Attending**

Jarel LaPan Hill, Interim City Manager  
Erin McSherry, City Attorney  
Yolanda Y. Vigil, City Clerk  
Carl Boaz, Council Stenographer

**F. PETITIONS FROM THE FLOOR**

Martin Witt, a representative of a local company, mentioned a product developed by Dr. Hahn without drugs. He said the product works.

Stefanie Beninato spoke about recreation. There are no bars for the dressing room and has no heat coming in. She wondered about the in-kind renovation on permit for brick and adobe wall but went to adobe and frame construction. She wondered how that works. How are you protecting neighborhoods on Barela which will have three units and have a much larger main unit which will only occasionally be occupied. How does it protect our neighborhood?

You are forgetting the owners of Midtown. Some of those owners don't live in Santa Fe.

There were no other petitions from the floor.

**G. APPOINTMENTS**

This item was postponed until later in the agenda.

**H. PUBLIC HEARINGS:**

- 1) **CONSIDERATION OF BILL NO. 2020-6: ADOPTION OF ORDINANCE NO. 2020-6 (Councilor Lindell, Councilor Vigil Coppler, Councilor Abeyta and Councilor Villarreal)**  
An Ordinance Amending Section 5-2 SFCC 1987 to Amend the Definition of "Domestic Animal", to Add a Second Definition for "Shelter", and to Delete the Definition for "Trolley System"; Amending Section 5-5.4 to Reduce the Length of Leashes and to Ban the Use of Trolley Systems; Amending Section 5-5.6 to Specify where Pet Licenses Can be Obtained; Creating a New Section 5-5.7 to Establish Minimum Requirements for the Outdoor Shelter of Dogs in Extreme Weather; Creating a New Section 55.8 to Prohibit the Keeping of Dogs Outside Extreme Weather; Amending Section 5-7.1 to Allow Animal Services Officers to Enter Private Property to Take-Up and Impound an Animal that is in Imminent Danger of Harm; Amending Section 5-7.5 to Have Complaints of Animals Disturbing the Peace be Heard Before a Hearing Officer Instead of at Municipal Court; Amending Section 5-7.6 to Refer to the Fees and Fines Table; and Amending Section 5-12 to Codify Fees and Fines Related to this Chapter and to Adopt a Framework for Appeals to a Hearing Officer for Civil Citations. (Jesse Guillen, Legislative Liaison, [jbg Guillen@santafenm.gov](mailto:jbg Guillen@santafenm.gov), 955-6518 and Chris Smith, Animal Services Supervisor, [ccsmith@santafenm.gov](mailto:ccsmith@santafenm.gov), 955-2702)

*A copy of a proposed amendment by councilor Lindell and Mayor Webber is herewith incorporated in these minutes as Exhibit 1.*

Mr. Guillen addressed this Bill. It has been through committees with no questions. He provided a brief overview and noted that a lot of the components are substantive, and it provides some definitions. No tethering at home of owner is allowed; shelter and shade must be provided, as well as access to water and food. Pets are not to be left out in extreme heat or cold. You Those in danger from extreme weather will be picked up. The Municipal Court makes it a civil violation and the fines are codified. They are associated with Chapter 5 and includes alternative methods of payment. He reviewed the chart. The appeal process goes to the Hearing Officer.

There are three amendments to this bill that are included in the packet. One amendment is on your desk. Amendment a is by Councilor Lindell and it has been withdrawn. Amendment b, from Councilor Lindell establishes an effective date of the hundred and 20 days after adoption. That is to give time to prepare the implementation and train officers on the regulations with a public outreach campaign about the new regulations before any citations

are issued. Amendment C from Mayor Webber strikes sentence regarding feces being picked up just to say premises need to be kept free from feces.

Second is a technical correction to a reference.

Third, it proposes establishing a violation of neglect as criminal cases.

Finally, it develops an alternative payment program for those that receive first time civil citations who affirm that they don't have the means to pay the fine.

This program was established in 2004 by resolution. The fines are currently in effect.

Councilor Lindell thanked Mr. Guillen, who covered this well. She commented that this was brought forward for betterment of animals' lives in this town. It is heartening for people who deeply care about them. Her fellow Councilors deeply care about animals. Questions brought have good answers and the community pitched in a way that is astounding. We raised nearly \$6000 from public to help people comply with this ordinance. She also thanked animal protection voters. Allen Edmunds has helped tremendously and getting this ordinance in an acceptable format and bringing to it national best practices. Any animal advocate in New Mexico knows Jessica Johnson from Animal Protection, who has had huge victories at the Roundhouse this year. Congratulations. Councilor Romero-Wirth gave her a lot of time on it. She thanked both of them very much. There was a terrific editorial in the New Mexican yesterday. We got it in a form we can all live with regarding enforcement. Folks at the animal shelter were extremely helpful. Thanks to the community we live in for the love of animals. We are deeply pained when we see abuse and neglect.

She was wearing the quintessential dog sweater. We have a new dog on the way, and it made her put more heart and soul into this ordinance. We had a horrible act of cruelty last week and it brings us all together in our horror. She was grateful to live in Santa Fe for people who care.

#### PUBLIC HEARING:

Linda Castner thanked Councilor Lindell and Councilor Villarreal for doing this because we really need to empower our animal control officers to have the tools to respond when people complain. I know we don't have enough officers, but they just need the power to do something that is brought to their

attention. I'm glad you are getting rid of the trolley. A trolley is no better than chains. I got bit by a dog on a trolley as a child. It also leaves the dog open to attack. Female dogs have no way to protect themselves or to get away. And access of animal control officers to private property is important to help dogs. She gave an example. Thanks for your due diligence.

A woman gave her name but was not audible. Thanks for this ordinance. A light is being shined and certain behaviors need to be stigmatized. She talked about a small dog untethered in a small fenced yard full of feces. Her owners are elderly and cannot get out to take care of the dog. But for some reason, they don't connect that the dog needs a better life.

The Case Manager for Animal Protection in New Mexico told Councilor Lindell she was welcome. We are happy to be involved in the process. Now that it is time to vote, we are excited to be here in support of the process. In my duties I have helped other jurisdictions get updated. This one is unique with the extreme weather provision. It is first in the state and the City should feel proud about it.

In other jurisdictions where tethering section has been already in place, there has not been any problem in enforcement. With the education and the transitional period, it is great. He did not think Santa Fe would have any problem with it. He was happy to be part of this

Jenny Genowitca said when we are kinder to animals, we make a kinder world for ourselves. Life is not cheap, and it matters. As a social worker, I have learned about people finding dead animals in their yard, pit bulls, etc. There has been some futilism about it. Thanks for the bill.

Jessica Johnson said protection of animals' officers is important. There are more than 1,300 Santa Fe supporter voters and urge you to make these changes. They are very important to deal with cruelty and health and safety implications, as well as public safety implications. She referenced a report by NMPD that talked about it. She had copies to share.

We are partnering with communities. Santa Fe County upgraded their ordinance recently. We have presented awards for training officers. We have identified dogs on chains and through our efforts, 18 dogs are now untethered. The Straw Fund provides free straw for dogs living outside in winter. We are actively seeking added funds to expand our service in the City.

Karen Tane, with services to homeless people who have companion animals. Regarding the temperature thing. We have a 3-year-old campaign about dogs who die in hot cars. This ordinance is imperative. Thank you to police. We have a vet involved in that support and this is amazing and wonderful. We are working hard on it and questions will come to you. We had a bulletin board on the interstate to Albuquerque. We are working on a Good Samaritan law so we can break a car window and save a life. There is a \$500 fine or 90 days in jail now. Thanks for your effort.

Stefanie Beninato said she was in support of the ordinance and glad you are more specific. She said you talk about the animal control officer has to witness it or have documentation and has to have a written complaint. Enforcement is big problem. A neighbor left two German Shepherds out all the time. She asked what authority the City has and how to get permission to go onto the property. They cannot do it automatically but must get permission of the owners. It is easier for administrative action but even if animal control took the documents, if it goes to appeal, the person who did the documentation would still have to face the neighbor offending. Some of that just needs a little clarification.

Mary Shondumandi, on behalf of her husband, herself, and her neighbors who could not attend, said they are in favor of the ordinance and thanked the Governing Body for considering it. She said "domesticated" means "of the home." It is not good to chain these beings who are so much like ourselves. People who are cruel to animals often become domestic violence people. You are speaking against violence to humans, as well I am proud to be Santa Fe with this kind of ordinance and other municipalities can do it by finding out how we did it. Thanks very much.

Bert Samons said she is a dog lover and has had dogs all her life. But she disagreed because this doesn't take into account the breed of the dog. Her dog loves the cold and loves to sit in the snow. There is a process. She had a chart that takes the differences into account by a calculation. Not all dogs fit into one category. It is not complicated but takes various characteristics of each dog into account.

She also addressed the homeless population. Most of them would go without eating to keep their dog fed. She referred to Section 5.17.6 about being required to have a container for feces in their possession. This means someone can harass you to show a doggy bag while you are walking your dog.

Morton Witt said he was just finding out about the ordinance today. If you have a neighbor who is abusing his dog in some way, can we take a picture instead of confronting the neighbor? That could help a person maintain anonymity and not have to confront an unruly neighbor. The animal shelter said he had to provide his name with the complaint. Is there a way a picture could maintain anonymity?

There were no other speakers from the public and the public hearing portion was closed.

## DISCUSSION

Councilor Lindell named the Councilors who helped her with the ordinance. She pointed out that this is not meant to be punitive to dog owners. We must write it to protect the most vulnerable. That doesn't mean our animal control officers and police are not well trained to use judgment on the proper enforcement of these ordinances. She appreciated the woman who said she disagreed, but she did not find the proposed ordinance disagreeable. We have to trust our enforcement personnel to be compassionate and evaluate each incident. We will be providing education and will help some people come into compliance. She did appreciate the points the woman made.

Councilor Garcia thanked Councilor Lindell and her helpers. He said he was learning how much love and compassion there is in dog ownership. He asked for clarification on Section 5-.7 for dogs kept outside. On page 13 of the ordinance, he asked if that meant long-term or something else.

Mr. Guillen noted there is no definition for the period of time. But shelter should be available for any dog left outside.

Councilor Garcia surmised that it is up to an animal control officer to interpret. He said their dog is ordinarily kept inside. So if he let her outside to play, it is not a dog kept outside.

Mr. Guillen agreed. It is not just leaving a dog out to play but having their living area outside.

Councilor Garcia suggested adding "long-term" for those left outside.

He also asked what an example of bedding is. His dog uses a pillow and blanket. He would assume an outside dog would have the same appropriate bedding.

Councilor Lindell clarified that outside bedding would not be blankets or dog beds, which could get wet and retain moisture. It is straw which is not hay. Once a blanket gets wet, in the wintertime would freeze and in summer can mold. As was mentioned by the public, at the shelter, they provide straw for free.

Councilor Garcia went to Section 5-8 regarding extreme weather. He also had concerns for different breeds of animals and just wanted to make sure we are not being punitive and that owners of extreme weather dogs don't get in trouble for having dogs outside. His dog loves the snow and when it snows, we will take her outside to play. So if we have a major snowstorm, he wanted to know if he would be a violator.

Councilor Lindell agreed that certain breeds are comfortable with 32 degrees but not likely if they are outside all night in 10-degree or zero-degree weather with wind. This ordinance means not for hours on end.

Councilor Garcia thanked her. That helps. He also noticed that this doesn't apply to cats. They are domestic animals too. Some people have cats outside most of the time. Do we also look at protecting cats?

Mr. Guillen said the extreme weather restriction is limited to dogs now. He agreed, if we are protecting animals, we need to protect all of them. We should look at that and review it.

Councilor Garcia's last question was about Pit Bulls and how we arrived at \$3,600 per year. We want to show we are walking the talk as well.

Mr. Guillen referred to the top of page 2 is a description of where that amount came from. There are professionals involved. There was no license fee in it, so we added that in. They have been charged \$250 which is the license fee for other businesses. We are reducing it to \$100. Animals disturbing the peace would be a fine of \$25. All other fines are kept at current rates.

Councilor Vigil Coppler was happy that Councilor Lindell sponsored this. This is a better resolution for all of us. She felt advertising these changes to the public would be very important. KOAT did an hour-long program on this



subject. We are going to be a kinder City, and this applies to all pet owners. She had heard that, if you are cold, your pet is cold. That is a good measure.

Regarding advertising, she understood that, if approved, the ordinance would go into effect in 120 days. And during the wait, we need to educate the community. People have donated to help with bedding, fencing, etc and that will help.

Councilor Lindell agreed and added that we still have room for matching donations.

Councilor Vigil Coppler said regarding the suggestion of photos by the gentleman, she is open to that and she understood that folks want anonymity when filing a complaint. Perhaps there could be a "well check" by Animal control. We could do that anyway.

With regard to entering the property, she wondered if we already have provision that the Municipal Judge could issue a court order.

Councilor Villarreal thanked everyone who was involved in this process. This will be very positive for the community that other jurisdictions can model. She was also concerned about cats. We are too busy here, so she did not have a pet now. She suggested the State level man could speak to including cats.

He came forward and said it depends on what the ordinance applies to. The definition in the State Statute is "animal." Cats cannot run at large. With the outdoor provision, if you have a secure yard a cat could not get out.

Councilor Villarreal thought we could consider something in the future. This is so much better than what we have now. In her neighborhood, they had a situation with a dog and she and her partner talked about which one of them would call.

She asked why the Police Department section was changed.

Mayor Webber said that was the neglect penalty.

Mr. Guillen said Animal Services felt animal neglect should be criminal instead of a slap on the hand.

Ms. McSherry noted that neglect would be a civil citation to the Court or a Hearing Officer. Either way, it needs a complainant or an officer witnessing. With cruelty, the accused has the right to confront the complainant or someone attesting to accuracy of a photo or some other kind of evidence.

Mayor Webber said in his conversations with Mr. Guillen they realized it needs a stiffened penalty for any person who visited neglect on their pet.

Mr. Guillen noted that the part about confronting is in disturbing the peace but not in the neglect section.

Councilor Villarreal asked for a one-year review on it to see what is working and what needs adjustment. One part that did not get through was a definition issue on page 14 and asked how to address that.

Mr. Guillen explained that is in a separate bill.

Mayor Webber thanked the sponsors for their tremendous effort and a lot of work went into it. He will be asking the City Manager and the team to develop an implementation plan for tweaks going forward. He thought this is the right measure for now. The implementation plan will be part of that.

Ms. Vigil said this ordinance will be 2020-6.

Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve Councilor Vigil Coppler.

**MOTION:** Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve Ordinance 2020-6, including amendment b proposed by Councilor Lindell and the amendments by Mayor Webber and Councilor Lindell and the amendment proposed by Councilor Villarreal for the one-year review.

**VOTE:** The motion was approved on the following Roll Call vote:

**For:** Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

**Against:** Councilor Rivera.

## 2) CONSIDERATION OF BILL NO. 2020-3: ADOPTION OF ORDINANCE

NO. 2020-7 (Mayor Webber, Councilor Villarreal and Councilor Vigil Coppler)

An Ordinance Amending Section 18-1.5 SFCC 1987 to Allow for the Staggered Application of a Business License; and Amending Section 18-2.5 to Allow for the Staggered Application of a Business Registration. (Rich Brown, Director, Office of Economic Development, [rdbrown@santafenm.gov](mailto:rdbrown@santafenm.gov), 955-6625)

Director Brown spoke to Bill No. 2020-3. He said they are taking steps to bring a new platform to the City. They have processed 3,625 business license renewals out of a possible 4889 on file and 814 new licenses. In the final weeks of the renewal period he added a greeter and four temp staff with a bonus of validated parking for one hour and also coffee and donuts and by July, it will all be on-line.

This proposed ordinance allows a renewal at 12 months. Businesses will have up to 90 days to extend the renewal period for people not wanting to come to City Hall. There is no fiscal impact for the ordinance.

#### PUBLIC HEARING.

Stefanie Beninato opposed the ruling for certification of licenses, but she had never had a problem coming in, even with long lines. We have been told for years these changes would be implemented and she was glad it is finally being implemented. The IT Department is making problems with payments. it is just a comment on IT and reliance on it when every system takes much longer to be operational.

There were no other speakers from the public and the public hearing portion was closed.

Councilor Vigil Coppler said this was discussed in the Economic Development Committee and real-life examples were mentioned. One of them was hers. She came twice to renew her license and the first time the hall was packed with many unhappy people with no greeter or donuts. But next time there were only three ahead of her. She believed the deadline needs to be extended because there are issues. The bottleneck is that there is only one cashier. the added cashier was only there at noon hour.

It is something that won't last long but they need to rotate so there is a cashier through the noon hour. Printing takes time. We will have crowds because there are still a thousand businesses left to renew. So she would ask the City Manager to work something out with dual cashiers. It is like we

are in the stone age doing this. People would probably appreciate that more than donuts.

Director Brown said the temp cashier is supposed to be there all day, but he would take that advice so one will be there during noon time.

Councilor Villarreal asked if businesses could do it by mail.

Director Brown said they don't have clean data and the microsite just happened.

**MOTION:** Councilor Vigil Coppler moved, seconded by Councilor Cassutt-Sanchez to approve Ordinance 2020-7 as amended.

**VOTE:** The motion was approved on the following Roll Call vote:

**For:** Mayor Webber, Councilor Abeyta, Councilor Cassutt–Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

**Against:** None.

3) **CONSIDERATION OF BILL NO. 2020-5: ADOPTION OF ORDINANCE NO. 2020-8 (Councilor Abeyta)**

An Ordinance Amending the Land Development Code to Allow Apothecaries, Pharmacies, and Laboratories, as Accessory Uses to Clinics; to Add a Definition for "Apothecary"; and to Amend the Definition of "Clinic". (Elias Isaacson, Interim Land Use Director, [esiaacson@santafenm.gov](mailto:esiaacson@santafenm.gov), 955-6830)

Director Isaacson believed everyone saw this in committee.

Public Hearing

There were no speakers from the public and the public hearing portion was closed.

**MOTION:** Councilor Abeyta moved, seconded by Councilor Romero-Wirth, to approve Ordinance No. 2020-8 as proposed.

**VOTE:** The motion was approved on the following Roll Call vote:

**For:** Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

**Against:** None.

- 4) **CONSIDERATION OF BILL NO. 2020-4: ADOPTION OF ORDINANCE NO. 2020-10 (Mayor Webber)**  
An Ordinance Amending Article 4.04 of the Santa Fe Municipal Charter to Reference the Local Election Act Rather than the Municipal Election Code, Pursuant to NMSA 1978, Section 1-22-3.2(C). (Jesse Guillen, Legislative Liaison, [jbguillen@santafenm.gov](mailto:jbguillen@santafenm.gov), 955-6518)

Mr. Guillen explained that this is just clarification on the Local Election Act which allows us to amend the charter in this regard.

Public Hearing

There were no speakers from the public and the public portion of the hearing was closed.

**MOTION:** Councilor Villarreal moved, seconded by Councilor Vigil Coppler, to approve Ordinance No. 2020-10 as presented.

**VOTE:** The motion was approved on the following Roll Call vote:

**For:** Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

**Against:** None.

## **G. APPOINTMENTS**

Mayor Webber made the following appointments:

John C. Bienvenu to the Historic Districts Review Board,  
Yolanda Eisenstein to the Bicycle and Trails Advisory Committee,  
Shelley Cohen and Holly Casadella-Andulo to the Immigration Committee

**MOTION:** Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve all appointments.

**VOTE:** The motion was approved on a voice vote with Mayor Webber and Councilors Abeyta, Cassutt-Sanchez, Garcia, Lindell, Rivera, Romero-Wirth, Vigil Coppler and Villarreal voting in favor of the motion and none voting against.

**16. MATTERS FROM THE CITY CLERK**

There were no matters from the City Clerk.

**17. COMMUNICATIONS FROM THE GOVERNING BODY**

*A copy of the proposed resolutions and ordinances is herewith incorporated in the minutes as Exhibit 2.*

Councilor Lindell signed on as a cosponsor with Councilor Abeyta's resolution.

Councilor Cassutt-Sanchez also asked to be a cosponsor with Councilor Abeyta's resolution.

Councilor Abeyta introduced a resolution for outdoor equipment at the City parks. He congratulated Capital High on their win and wished SFHS success.

Councilor Vigil Coppler also gave congratulations to Capital High and wished good luck to SFHS. She gave congratulations to the Fire Department for visits to schools and for escorting the team out to the interstate highway.

Councilor Garcia announced the birthday of his Mother on Saturday. He cautioned everyone to be safe out there.

Mayor Webber noted the Governor vetoed road improvement funding. The Teen Center and electric vehicles bills survived. Mark Duran will report soon. We know the oil and gas situation has changed precariously. The corona virus occupies a lot of his time and most department heads are deeply involved, including Community Services, Finance, HR, and other public engaging departments.

This morning on a call the White House organized, basic facts are the basic facts and washing hands is not gratuitous. We want sick employees to stay home.

sign up for. Nonessential staff travel is suspended. We have added twenty hand sanitizing stations installed in city buildings. Flu protocol is in effect at transit and recreation buildings.

Mayor Webber said he will continue to meet with department heads and today gathered with the County and St. Vincent's on new decisions that will be communicated with Councilors on real-time. We are listing decisions that must be made as things progress as well as when other entities decide. We want to be a good partner and follow Department of Health recommendations.

Mayor Webber introduced two resolutions - one approving a grant to construct a greenhouse for people with developmental disabilities, and a resolution for extension of banners.

**I. ADJOURN**

The Governing Body meeting was adjourned at 8:35 pm.

Approved by:

Mayor Alan Webber

ATTESTED TO:

Yolanda Y. Vigil, City Clerk

Respectfully submitted by:

Carl G. Boaz  
Carl G. Boaz, Council Stenographer