



City of Santa Fe

AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
SEPTEMBER 09, 2020 4:00 PM
ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR GOVERNING BODY MEETING

Attendance: In response to the State's declaration of a Public Health Emergency, the Mayor's Proclamation of Emergency, and the ban on public gatherings of more than five (5) people, the Governing Body meeting will be conducted virtually.

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.

Agenda: The agenda for the meeting will be posted at <https://www.santafenm.gov>.

Written Comments: The public may submit written comments on any of the legislative items to be considered on the *Consent Agenda*, *Discussion Agenda*, *Public Hearings* or *Petitions From the Floor* through 1:00 p.m. the day of the meeting, via the virtual comment "button" at santafe.primemegov.com/portal/search.

Public Comment: To provide live public comment during *Petitions from the Floor* or *Public Hearings*, 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/94030607153?pwd=RGgzVU04eTJSRWRjUHZiSERWOGxWdz09>. **Passcode: 335157**

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: (346) 248-7799 or (669) 900-6833 or (253) 215-8782 or (312) 626-6799 - Webinar ID: 940 3060 7153 - Passcode: 335157**

Phone attendees should press *9 to use the "Raise Hand" function to be recognized by the Mayor to speak at the appropriate time.



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AFTERNOON SESSION - 4:00 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**
 - a) Regular Governing Body Meeting – August 26, 2020
9. **PRESENTATIONS**
10. **CONSENT CALENDAR**
 - a. Request for Approval of Contract Amendment #3 with Studio X in the Amount of \$125,000 for Website Services for FY21. (Randy Randall, Tourism Director, rrandall@santafenm.gov, 955-6209)
 - b. Request for Approval of Contract Amendment #2 with Lou Hammond & Associates in the Amount of \$125,000 for Public Relations Services for FY21. (Randy Randall, Tourism Director, rrandall@santafenm.gov, 955-6209)
 - c. Request for Approval of Contract Amendment #3 with Certified Folder Display Services, Inc. in the Amount of \$45,000 for SF Visitor's Guide Distribution Services for FY21. (Randy Randall, Tourism Director, rrandall@santafenm.gov, 955-6209)



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d. Request for Approval of Contract Amendment #1 with Vladimir Jones in the Amount of \$1,300,000 for Advertising Agency Services for FY21. (Randy Randall, Tourism Director, rRANDALL@santafenm.gov, 955-6209)

e. Request to Publish Notice of Public Hearing on October 14, 2020.

Bill No. 2020-26: An Ordinance Amending Section 24-2.6 SFCC 1987 to Restrict Certain Vehicles From Traveling on a Portion of Sabino Street Running East/West between St. Francis Drive and DeVargas Mall. (Councilor Villarreal and Councilor Lindell) (John Romero, Acting Public Works Department Director, jjromero1@santafenm.gov, 955-6638)

f. Request to Publish Notice of Public Hearing on October 14, 2020.

Bill No. 2020-27: An Ordinance Creating New Section 7-1.11 and 14-13 SFCC 1987, Establishing a Fee Schedule for Services Provided by the Land Use Department; Repealing Section 7-3.3, Regarding the Permit Fee to Move a Building; Amending Section 14-8 to Allow the Land Use Director to Issue Certain Preliminary Permits at the Owner's Own Risk; Amending Section 14-9.5 to Clarify the Process for Constructing Public and Quasi-Public Improvements Prior to Commencement of Other Aspects of Development; Adding a Definition to Subsection 14-12.1 for "Site Restoration"; and Establishing an Effective Date. (Mayor Webber) (Eli Isaacson, Land Use Department Director, eisaacson@santafenm.gov, 955-6830)

g. Request for Approval of the Governing Body's Findings of Fact and Conclusions of Law for the Following Cases: (Marcos Martinez, Senior Assistant City Attorney, mdmartinez@santafenm.gov, 955-6512 and Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

1. Approving the Following Requests for Two Properties Located at 4000 and 4100 Geo Lane: (1) an Amendment to the General Plan Future Land Use Map Designation from Institutional to Low Density Residential in Case #2019-19; and (2) a Rezoning from R-1 (Residential-One Dwelling Unit Per Acre) to R-5 (Residential-Five Dwelling Units Per Acre) in Case #2019-20; and
2. Denying Appeal No. 2020-2175-APPL by Christina Halaburka of the Historic Districts Review Board's Decision in Case No. 2020-1732-



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HDRB and Affirming the Board's Denial of a Request to Demolish a Portion of a Yard Wall at 868 East Alameda Street, which is a Contributing Structure in the Downtown and Eastside Historic District.

- h. CONSIDERATION OF RESOLUTION NO. 2020-____. (Councilor Rivera, Councilor Vigil Coppler and Councilor Garcia)
A Resolution Adopting the 2022-2026 Infrastructure Capital Improvements Plan (ICIP). (John Romero, Acting Public Works Department Director, jromero1@santafenm.gov, 955-6638)
- i. Request for Approval of the North Central New Mexico Economic Development District-Non Metro Area Agency on Aging Title III Federal & State Sub-Award; Contract #2020-21-60026 (Munis Contract #3202012) in the Amount of \$801,843.02 to Provide Services to Eligible Clientele Who Receive Transportation, Nutrition, and in-Home Support Services During FY 2021. (Gino Rinaldi, Senior Services Division Director: earinaldi@santafenm.gov, 955-4710)
- j. Request for Approval of the Capital Reallocation Budget Amendment Resolution. (John Romero, Traffic Division Director, jromero1@santafenm.gov 955-6638 and Bradley Fluetsch, Financial Planning & Investments, bjfluetsch@santafenm.gov, 955-6885)
- k. CONSIDERATION OF RESOLUTION NO. 2020-____. (Councilor Rivera and Councilor Abeyta)
A Resolution Accepting a Municipal Arterial Program ("MAP") Cooperative Grant from the New Mexico Department of Transportation ("NMDOT") Identified as Control Number L500383 for the Planning, Design, and Construction of Agua Fria Street and South Meadows Road Intersection Improvements. (Tom Graham, ADA Coordinator, tmgraham@santafenm.gov, 955-6654)
1. Request Approval of a Municipal Arterial Program Cooperation Agreement (MUNIS Contract No. 3202084) with the NMDOT in the Amount of \$216,000.00 for Planning, Design and Construction of CIP 853 C – Agua Fria and South Meadows Road Intersection Improvement Project.



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-
2. Request for Approval of Budget Adjustment Resolution (BAR) to Budget NMDOT Grant Funding.
 - i. Request for the Approval to Utilize the Sourcewell Cooperative Agreement with Wex Bank in the Total Amount of \$495,000 for the Purchase of Fuel (Wex Bank). (Deputy Chief Ben Valdez, bpvaldez@santafenm.gov, 955-5040)
 - m. Request for Approval of Amendment No. 4 to the Alpha Southwest Contract to Provide Refurbishment of Newly Acquired Las Campanas Effluent Pump Station Tank in the Amount of \$298,193.00. (John Delmar, Water Division Engineer, jpdelmar@santafenm.gov, 955-4231)
 1. Request for Approval of Budget Adjustment Resolution (BAR) from Wastewater Management Division Cash Balance.
11. **DISCUSSION/ACTION ITEMS**
- a. Request to Publish Notice of Public Hearing on September 30, 2020.
BILL NO. 2020-24: An Ordinance Amending 12-2.1 SFCC 1987 to Update the Version of the International Fire Code Adopted by the City of Santa Fe. (Councilor Rivera and Councilor Vigil Coppler) (Geronimo Griego, Fire Inspector II, gggriego@santafenm.gov, 955-3310)
 - b. Request for Approval of Contract Amendment #9 with Allied Universal Security Which will Extend Security Service to Cover the Railyard and Railyard Park. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 955-5933)
 - c. Request for Approval of Professional Services Agreement in the Amount of \$150,000 Pursuant to Appendix A, Fee Schedule – Bond Counsel Services for City of Santa Fe; Modrall, Sperling, Roehl, Harris & Sisk, P.A. (Bradley Fluetsch, CFA bjfluetsch@santafenm.gov, 231-8753)
 - d. Request to Publish Notice of Public Hearing on October 14, 2020.
BILL NO. 2020-28: An Ordinance Amending Section 23-6.2 SFCC 1987 to Extend the Time Period for which Establishments that Have Obtained an Obstruction Permit from the City and a Temporary Change/Expansion of the



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Liquor License Premises from the New Mexico Alcoholic Beverage Control Division May Serve Alcohol on City Sidewalks, Streets, Rights-of-Way, or Other Property that has Been Specifically Authorized for Temporary Use Due to the COVID-19 Public Health Emergency and it's Effects. (Mayor Webber and Councilor Lindell) (Randy Randall, TOURISM Santa Fe Director, rrandall@santafenm.gov, 955-6209 and John Romero, Acting Public Works Director, jjromero1@santafenm.gov, 955-6638)

12. **MATTERS FROM THE CITY MANAGER**
13. **MATTERS FROM THE CITY ATTORNEY**
14. **EXECUTIVE SESSION ACTION ITEMS**
15. **MATTERS FROM THE CITY CLERK**
16. **COMMUNICATIONS FROM THE GOVERNING BODY**

EVENING SESSION - 6:00 P.M.

ROLL CALL

17. **PETITIONS FROM THE FLOOR**
18. **APPOINTMENTS**
19. **PUBLIC HEARINGS**
 - a. **CONSIDERATION OF BILL NO. 2020-21. ADOPTION OF ORDINANCE 2020-____. (Mayor Webber and Councilor Vigil Coppler)**
An Ordinance Relating to the City of Santa Fe Economic Development Plan Ordinance, Article 11-11 SFCC 1987; Approving and Adopting a Local Economic Development Project Participation Agreement Between the City of Santa Fe and Savant X, Inc. for Design Development, and Construction of Tenant Improvements; and Lease Payments, Expand a Corporate Research Center, a Local Economic Development Project. (Fabian Trujillo, Office for Business Growth Manager, ftrujillo@santafenm.gov, 995-6912)



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b. CONSIDERATION OF BILL NO. 2020-20. ADOPTION OF ORDINANCE NO. 2020-____. (Mayor Webber)

An Ordinance Creating Efficiencies, Enhancing Effectiveness, and Eliminating Silos by Reorganizing Certain City Departments, Organizing the Economic Development Division, Office of Affordable Housing [Office], Planning and Land Use Department, Tourism Santa Fe Department, [Recreation Division,] and the Arts and Culture Department as Divisions of a Community Development Department; Organizing the Community Services Department, Police Department, Fire Department, Recreation Division, and Office of Emergency Management and Safety as Divisions of a Community Health and Safety Department; and Placing [the] Constituent and Council Relations [Department] Into the City Clerk's Office to Form an Office of Community Engagement; Amending Section 2.6-3; Replacing Section 2-8 SFCC 1987 with a New Section 2-8 SFCC 1987 that Establishes all City Departments; Reorganizing Existing Sections 2-8, 2-14, 2-15, 2-19, and 2-10 as Subsections of the New Section 2-8; Establishing in Ordinance the Existing Information Technology and Telecommunications Department and [the] Constituent and Council Services [Department]; and Repealing the Sections of Chapter 2 that Establish Departments that are Either Becoming Divisions or no Longer Exist, Sections 2-9, 2-10, 2-11, 2-12, 2-13, 2-16, 2-19, 2-21, and 2-23 SFCC 1987; Amending Section 2-22 SFCC 1987 to Provide Contract Internal Audit Functions; [and] Amending Sections 26-1.6 and 26-3.5 Regarding the Office Of Affordable Housing; and Making Such Other Changes as are Necessary. (Jarel LaPan Hill, City Manager, jlapanhill@santafenm.gov, 955-6848, Erin K. McSherry, City Attorney, ekmcsberry@santafenm.gov, 955-6512 and Jesse Guillen, jbg Guillen@santafenm.gov, 505-955-6518) (POSTPONED AT THE AUGUST 26, 2020 GOVERNING BODY MEETING)

20. 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.



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SEPTEMBER 09, 2020 4:00 PM
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RECEIVED AT THE CITY CLERK'S OFFICE
DATE: September 4, 2020
TIME: 12:00 PM

SUMMARY INDEX
Governing Body
September 9, 2020

| ITEM | ACTION | PAGE |
|---|----------------------------------|-------------|
| 1. Call to Order | Convened at 4:00 p.m. | 1 |
| 2. Pledge of Allegiance | led by Councilor Romero-Wirth | 1 |
| 3. Salute to the State Flag | led by Councilor Rivera | 1 |
| 4. Invocation | led by Councilor Cassutt-Sanchez | 1 |
| 5. Roll Call | Quorum Present | 1-2 |
| 6. Approval of Agenda | Approved as presented | 2 |
| 7. Approval of Consent Calendar | Approved as amended | 2-3 |
| 8. Approval of Minutes- August 26, 2020 | Approved as presented | 3 |
| 9. Presentations | None | 3 |
| | | |
| 10. Consent Calendar Listing | Listed | 3-5 |
| Consent Calendar Discussion | | |
| d) Vladimir Jones Contract | Approved | 5-6 |
| g) 1 – Geo Lane Findings/Conclusions | Approved as amended | 6-7 |
| 2 - Appeal Denial Findings | Approved as presented | 7-8 |
| h) ICIP Priorities | Approved as amended | 8-9 |
| j) Capital Reallocation BAR | Approved as presented | 9-10 |
| | | |
| 11. Discussion/Action Items | | |
| a) Fire Code Hearing Notice | Approved | 10 |
| b) Security Amendment #9 | Approved | 11 |
| c) Bond Counsel PSA | Approved | 11-12 |
| d) Alcohol Service Hearing Notice | Approved | 12 |
| | | |
| 12. Matters from the City Manager | Comments | 13 |
| 13. Matters from the City Attorney | None | 13 |
| 14. Matters from the City Clerk | None | 13 |
| 15. Communications from Gov. Body | Communicated | 13-15 |
| | | |
| Evening Session | 6:00 pm | 15 |
| | | |
| 16. Roll Call | Quorum present | 15-16 |
| 17. Petitions from the Floor | Petitions made | 16 |
| 18. Appointments | None | 16 |
| | | |
| 19. Public Hearings | | |
| a. Project Agreement with Savant X | Approved | 16-21 |
| b. City Government Reorganization | Approved | 21-39 |
| | | |
| 20. Adjournment | Adjourned at 8:36 pm | 40 |

**MINUTES OF THE
REGULAR MEETING OF THE GOVERNING BODY
Wednesday, September 9, 2020
Virtual Meeting**

AFTERNOON SESSION

1. CALL TO ORDER

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, September 9, 2020, at approximately 4:00 p.m., at the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico as a virtual meeting.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilor Cassutt-Sanchez.

3. SALUTE TO THE NEW MEXICO FLAG

The Salute to the New Mexico Flag was led by Councilor Vigil Coppler.

4. INVOCATION

The Invocation was led by Councilor Abeyta.

The Governing Body observed a moment of silence for those who died and for their grieving families.

5. ROLL CALL

Roll call indicated the presence of a quorum remotely, as follows:

Members Present Remotely

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 JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

Other Participants Attending Remotely

Jarel LaPan Hill, City Manager
Marcos Martinez, Acting City Attorney
Yolanda Y. Vigil, City Clerk
Jesse Guillen, Legislative Liaison
Sally Paez, Assistant City Attorney
Bernadette Salazar, Human Resources Director
Regina Wheeler, Public Works Director
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

MOTION: Councilor Garcia moved, seconded by Councilor Lindell, to approve the agenda 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.

7. APPROVAL OF CONSENT CALENDAR

Councilor Vigil Coppler requested discussion on 10(d) and (h).

Councilor Villarreal requested discussion on 10(g) and (j).

MOTION: Councilor Villarreal moved, seconded by Councilor Rivera, to approve the Consent Calendar as amended with items 10(d, g, h, j) 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 Governing Body Meeting – August 26, 2020

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, to approve the minutes of the regular Governing Body meeting on August 26, 2020 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.

9. PRESENTATIONS

There were no presentations.

10. CONSENT CALENDAR LISTING

- a. Request for Approval of Contract Amendment #3 with Studio X in the Amount of \$125,000 for Website Services for FY21. (Randy Randall, Tourism Director, rrandall@santafenm.gov, 955-6209)
- b. Request for Approval of Contract Amendment #2 with Lou Hammond & Associates in the Amount of \$125,000 for Public Relations Services for FY21. (Randy Randall, Tourism Director, rrandall@santafenm.gov, 955-6209)
- c. Request for Approval of Contract Amendment #3 with Certified Folder Display Services, Inc. in the Amount of \$45,000 for SF Visitor's Guide Distribution Services for FY21. (Randy Randall, Tourism Director, rrandall@santafenm.gov, 955-6209)

- d. This item was pulled for discussion by Councilor Vigil Coppler.
- e. Request to Publish Notice of Public Hearing on October 14, 2020.
Bill No. 2020-26: An Ordinance Amending Section 24-2.6 SFCC 1987 to Restrict Certain Vehicles From Traveling on a Portion of Sabino Street Running East/West between St. Francis Drive and DeVargas Mall. (Councilor Villarreal and Councilor Lindell) (John Romero, Acting Public Works Department Director, jiromero1@santafenm.gov, 955-6638)
- f. Request to Publish Notice of Public Hearing on October 14, 2020.
Bill No. 2020-27: An Ordinance Creating New Section 7-1.11 and 14-13 SFCC 1987, Establishing a Fee Schedule for Services Provided by the Land Use Department; Repealing Section 7-3.3, Regarding the Permit Fee to Move a Building; Amending Section 14-8 to Allow the Land Use Director to Issue Certain Preliminary Permits at the Owner's Own Risk; Amending Section 14-9.5 to Clarify the Process for Constructing Public and QuasiPublic Improvements Prior to Commencement of Other Aspects of Development; Adding a Definition to Subsection 14-12.1 for "Site Restoration"; and Establishing an Effective Date. (Mayor Webber) (Eli Isaacson, Land Use Department Director, eaisaacson@santafenm.gov, 955-6830)
- g. This item was pulled for discussion by Councilor Villarreal.
- h. This item was pulled for discussion by Councilor Vigil Coppler
- i. Request for Approval of the North Central New Mexico Economic Development District-Non Metro Area Agency on Aging Title III Federal & State Sub-Award; Contract #2020-21-60026 (Munis Contract #3202012) in the Amount of \$801,843.02 to Provide Services to Eligible Clientele Who Receive Transportation, Nutrition, and in-Home Support Services During FY 2021.(Gino Rinaldi,Senior ServicesDivision Director: earinaldi@santafenm.gov, 955-4710)
- j. This item was pulled for discussion by Councilor Villarreal.
- k. **CONSIDERATION OF RESOLUTION NO. 2020-36.** (Councilor Rivera and Councilor Abeyta)
A Resolution Accepting a Municipal Arterial Program ("MAP") Cooperative Grant from the New Mexico Department of Transportation ("NMDOT") Identified as Control Number L500383 for the Planning, Design, and Construction of Agua Fria Street and South Meadows Road Intersection Improvements. (Tom Graham, ADA Coordinator, tmgraham@santafenm.gov, 955-6654)

1. Request Approval of a Municipal Arterial Program Cooperation Agreement (MUNIS Contract No. 3202084) with the NMDOT in the Amount of \$216,000.00 for Planning, Design and Construction of CIP 853 C – Agua Fria and South Meadows Road Intersection Improvement Project.
 2. Request for Approval of Budget Adjustment Resolution (BAR) to Budget NMDOT Grant Funding.
- l. Request for the Approval to Utilize the Sourcewell Cooperative Agreement with Wex Bank in the Total Amount of \$495,000 for the Purchase of Fuel (Wex Bank). (Deputy Chief Ben Valdez, bpvaldez@santafenm.gov, 955-5040)
- m. Request for Approval of Amendment No. 4 to the Alpha Southwest Contract to Provide Refurbishment of Newly Acquired Las Campanas Effluent Pump Station Tank in the Amount of \$298,193.00. (John Delmar, Water Division Engineer, jpdelmar@santafenm.gov, 955-4231)
1. Request for Approval of Budget Adjustment Resolution (BAR) from Wastewater Management Division Cash Balance.

CONSENT CALENDAR DISCUSSION

- d. Request for Approval of Contract Amendment #1 with Vladimir Jones in the Amount of \$1,300,000 for Advertising Agency Services for FY21. (Randy Randall, Tourism Director, rrandall@santafenm.gov, 955-6209)

This item was pulled for discussion by Councilor Vigil Coppler.

Ms. Vigil read the caption for 10(d).

Councilor Vigil Coppler referred to the prime.gov black bar at top of page 10 of 20, Item C, Contracted Services, #3, which says, "The Contractor shall submit periodic reports to the Governing Body at least quarterly, on the expenses quarterly for that period. Within ten days, the Governing Body shall furnish copies of them to the Tax Advisory Board." She didn't recall getting any such reports and asked Director Randall if those reports will be made available to the Governing Body.

Director Randall said those reports are made monthly to OTAB but have not been shared with Governing Body. There have been no expenses since

March, so there are no advertising expenses for the first or second quarter, but he can make them available. He apologized for the oversight.

Councilor Vigil Coppler noted this is a contract for \$1.3 million and is a continuation and for \$1.3 million to not to have the contractor or overseer comply with the requirements of the contract is problematic. We scrutinize things that are much less. This rings a bell for me. When this contract was approved, former Councilor Harris was very inquisitive about the RFP process. This is a similar contract and we are not getting the reports. Either the Governing Body isn't important enough to scrutinize what was approved in terms of new money and not transparent. It also says that when it was approved, we have not been accountable. She was disappointed that the contractors are not complying with the terms of the contract and the overseer is not making them comply. But she brought it now to the Governing Body's attention to emphasize when we approve contracts, we should comply with the terms and somehow are not doing that. She wondered how many other contracts we are not scrutinizing.

MOTION: Councilor Lindell moved, seconded by Councilor Rivera, to approve Amendment #1 to the Contract with Vladimir Jones as presented.

Councilor Villarreal wanted the report sent to all Governing Body members.

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. Request for Approval of the Governing Body's Findings of Fact and Conclusions of Law for the Following Cases: (Marcos Martinez, Senior Assistant City Attorney, mdmartinez@santafenm.gov, 955-6512 and Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

1. Approving the Following Requests for Two Properties Located at 4000 and 4100 Geo Lane: (1) an Amendment to the General Plan Future Land Use Map Designation from Institutional to Low Density Residential in Case #2019-19; and (2) a Rezoning from R-1 (Residential-One Dwelling Unit Per Acre) to R-5 (Residential-Five Dwelling Units Per Acre) in Case #2019-20.

Mayor Webber asked Mr. Martinez to explain that this is to determine whether Governing Body will accept the Findings of Fact and Conclusions of Law.

Mr. Martinez said that was correct.

Councilor Villarreal had questions only on this part. She felt the vote should be shown since it was not unanimous. It did for the other item but not for Geo Lane. She did not think the votes were unanimous on GPA or Rezoning. She asked Staff to explain that and add it in.

Ms. Paez apologized and agreed to do that. If the Governing Body approves it with the added statement, it would be easy to correct.

Councilor Villarreal asked if the vote was different for the GPA than for the Rezoning.

Ms. Paez did not have the details in front of her but agreed to make sure they are accurate, if the Governing Body would trust her to do that.

Councilor Villarreal agreed.

MOTION: Councilor Villarreal moved, seconded by Councilor Vigil Coppler, to approve the Findings of Fact and Conclusions of Law for Item 10 (g) 1 as amended with the addition of the vote totals on both motions.

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.

2. Denying Appeal No. 2020-2175-APPL by Christina Halaburka of the Historic Districts Review Board's Decision in Case No. 2020-1732HDRB and Affirming the Board's Denial of a Request to Demolish a Portion of a Yard Wall at 868 East Alameda Street, which is a Contributing Structure in the Downtown and Eastside Historic District.

Ms. Vigil read the caption for this item.

MOTION: Councilor Villarreal moved, seconded by Councilor Vigil Coppler, to deny Appeal No. 2020-2175-APPL by Christina Halaburka and affirming the Historic Districts Review Board's Denial of demolishing of a yard wall 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.

- h. **CONSIDERATION OF RESOLUTION NO. 2020-35.** (Councilor Rivera, Councilor Vigil Coppler and Councilor Garcia)
A Resolution Adopting the 2022-2026 Infrastructure Capital Improvements Plan (ICIP). (John Romero, Acting Public Works Department Director, jromero1@santafenm.gov, 955-6638)

Councilor Vigil Coppler pulled this item for discussion.

Ms. Vigil read the caption for this item.

Councilor Vigil Coppler drew attention to the project summary and noted that from the Public Works Utilities Committee, an action sheet was also attached in the packet. She had made a motion at that meeting on median beautification with City Park/Recreation repairs and that was approved. She knew it went to Finance but did not know if the Finance Committee changed it back, but it now appears as it was before those reviews.

City-wide parks and renovations and repairs should be #3 and Santa Fe medians should be #4. She was not sure that would matter at the Legislature but the point she made was that children play in the parks but not in the medians.

Director Romero apologized that it was not consistent with what was approved at Public Works and Finance. She is correct on what was approved at Public Works. It was also amended at Finance that put Midtown at #5.

Councilor Cassutt-Sanchez said John Romero covered her concern.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Cassutt-Sanchez, to approve the 2022-2026 ICIP as amended with priorities reordered with Teen Center at #1, Airport at #2, Parks at #3, Medians at #4 and Midtown at #5.

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.

- j. Request for Approval of the Capital Reallocation Budget Amendment Resolution. (John Romero, Traffic Division Director, jjromero1@santafenm.gov 955-6638 and Bradley Fluetsch, Financial Planning & Investments, bjfluetsch@santafenm.gov, 955-6885)

Councilor Villarreal pulled this item for discussion.

Ms. Vigil read the caption for this item.

Councilor Villarreal pointed out that at Finance and Public Works adjustments were made. The Finance Committee added funding for Harrison Road, sidewalk and lighting, the Public Safety radio, and the roof and periphery were reduced. She asked Mr. Romero to say if an adjustment was made at Public Works.

Director Romero said they approved adding \$225,000 for multi-modal transportation and reduced the roof project down to \$1,403,000. That was explained on sheet 25 of the packet (second to last sheet).

Councilor Villarreal asked what the multi-modal transit plan is.

Director Romero asked Director Wheeler to explain it.

Director Wheeler said that item covers a lot of bases. It completes the study for the transit system regarding demand vs. need and identify the right places, the best on-demand bus services and policies on pricing including parking. And is evaluates our multi-modal system to makes trails and roads all work together for how people move around on foot and bicycles.

Councilor Villarreal said that is something we need and is it already in process. She asked if the RFP is out.

Director Wheeler said it already has been bid and is ready for an award. MPO is leading the effort.

Councilor Romero-Wirth asked, for clarity, if the roof repair is for Fort Marcy.

Director Wheeler agreed and is currently estimated at \$1.3 million.

MOTION: Councilor Villarreal moved, seconded by Councilor Cassutt-Sanchez, to approve the Capital Reallocation Budget Amendment Resolution 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.

11. DISCUSSION/ACTION ITEMS

- a. Request to Publish Notice of Public Hearing on September 30, 2020. An Ordinance Amending 12-2.1 SFCC 1987 to Update the Version of the International Fire Code Adopted by the City of Santa Fe. (Councilor Rivera and Councilor Vigil Coppler) (Geronimo Griego, Fire Inspector II, ggriego@santafenm.gov, 955-3310)

Ms. Vigil read the caption for this item and clarified it is a request to publish

MOTION: Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve the notice of public hearing 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.

- b. Request for Approval of Contract Amendment #9 with Allied Universal Security Which Will Extend Security Service to Cover the Railyard and Railyard Park. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 955-5933)

Ms. Vigil read the caption for this item.

Councilor Garcia asked Mr. Burnett if the contract allows patrol for the underpass at Baca Street.

Mr. Burnett agreed. It absolutely includes from that underpass to Montezuma to cover the Railyard including the Railyard Park.

Councilor Garcia thanked him. There is community concern from events that have occurred at the underpass and if the patrol passes through there at least on a half-hour frequency, it will help alleviate that problem.

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to approve the contract amendment 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.

- c. Request for Approval of Professional Services Agreement in the Amount of \$150,000 Pursuant to Appendix A, Fee Schedule – Bond Counsel Services for City of Santa Fe; Modrall, Sperling, Roehl, Harris & Sisk, P.A. (Bradley Fluetsch, CFA bjfluetsch@santafenm.gov, 231-8753)

Ms. Vigil read the caption for this item.

MOTION: Councilor Abeyta moved, seconded by Councilor Lindell, to approve the professional services agreement at \$150,000 for Bond Counsel Services 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.

- d. Request to Publish Notice of Public Hearing on October 14, 2020.
An Ordinance Amending Section 23-6.2 SFCC 1987 to Extend the Time Period for which Establishments that Have Obtained an Obstruction Permit from the City and a Temporary Change/Expansion of the Liquor License Premises from the New Mexico Alcoholic Beverage Control Division May Serve Alcohol on City Sidewalks, Streets, Rights-of-Way, or Other Property that has Been Specifically Authorized for Temporary Use Due to the COVID-19 Public Health Emergency and its Effects. (Mayor Webber and Councilor Lindell) (Randy Randall, TOURISM Santa Fe Director, rrandall@santafenm.gov, 955-6209 and John Romero, Acting Public Works Director, jjromero1@santafenm.gov, 955-6638)

Ms. Vigil read the caption for this item.

Councilor Vigil Coppler informed the Governing Body and the public that she brought up questions at the Public Works Committee which were answered. One was when the City has events next summer and what restaurants would still be able to serve on the sidewalk during those activities. She was concerned about their ability to use the street in front of their business. Director Romero had agreed to work on that part.

Director Romero agreed with her summary. We will coordinate it for all events with those restaurant owners.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Lindell, to approve publishing notice for this public hearing 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. MATTERS FROM THE CITY MANAGER

Manager LaPan Hill drew attention to her email sent last week on her monthly report on contracts approved. There were seven contracts ranging from \$67,000 to \$200,000 including GRT. She will provide a monthly report. We have an approved budget so we will see other contracts as they occur.

She acknowledged with appreciation, the entire City team who have made sacrifices all around and exhibited remarkable resiliency. Fiesta Friday will look different this year but thanks to all who coped with the challenges of the present.

13. MATTERS FROM THE CITY ATTORNEY

The City Attorney was not present.

14. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

15. COMMUNICATIONS FROM THE GOVERNING BODY

Councilor Villarreal appreciated the City staff for sticking it out for the past furloughs and hopes for not going there again.

Councilor Lindell said she had nothing to communicate but was remiss in not making a remembrance of Forrest Fenn earlier. She shared her remembrance and sent her condolences to his family.

Councilor Cassutt-Sanchez thanked Staff for taking care of the tough times and hoped those furloughs are behind us now.

Councilor Garcia continued his District tour, showing a mural at the courts at Zia and Yucca done by the Mayor's Youth program in 1996. He hoped the City would soon be able to continue supporting murals in public places. He knew resources were tight but wanted to work on getting artwork back on the streets. He also

thanked every employee for bearing with the Governing Body as this crisis hit their paychecks and hoped and prayed no more would happen.

Councilor Romero-Wirth described her background which showed a picture from Marie Sanchez Tucker who was before the Quality of Life Committee last week to talk about all the great work of the library during this period. She gave a shout out to Library staff and others during these hard months. This picture is the Great Southwest Room at the Library. She noted that people can see the presentation on the City's Youtube channel.

Councilor Vigil Coppler thanked staff for all the work they do. From emails, she knew they don't always feel appreciated, but we do. She thanked John Munoz and Jennifer Romero, so she had the golf course as background. Mr. Munoz had a certificate of appreciation to pass out and it was very touching, and people were very happy to get recognition. She and Councilor Garcia gave the certificates out. She and Mayor Webber attended the swearing in ceremony of police cadets. Sgt. Chandler was promoted and one day she might be our next female police chief. They were great ceremonies and some new officers were transfers from other places.

Encouraged those who pick up at the parks, etc to continue to wear PPE. It is important not to send anyone out without Protective gear. We already know those parks are not the cleanest places. And we should consider buying that protective gear for them. It is totally against our safety rules and perhaps they need hepatitis shots as they pick up needles. We are not going to stop cleaning parks. And unless we have great recovery/prevention programs, they will still find needles to pick up in their cleaning.

Councilor Rivera said he has been here since 1987 and these are even more challenging times now. Thanks to our staff and to our managers for taking the bigger hit during those challenging times. And for those who are on the street daily. He also thanked the Kiwanis Club and Channel 7 for their coverage of Zozobra and sharing things he didn't know about it. And thanks to all who helped.

He introduced a resolution directing the City Manager to have Public Utility Staff apply for federal and state funds for water, wastewater and other water related projects. He noted that Councilor Romero-Wirth is cosponsor. And he requested to be signed on as cosponsor to Councilor Abeyta's resolution.

Councilor Abeyta thanked all staff and thanked the Kiwanis Club, especially with all the challenges his year. Being a former member, it takes a lot of dedication and work and this is also Fiesta Week. He will deeply miss the pet parade and music and food on the Plaza, and he gave a shout out to the planners with hope that we will get back there soon.

He introduced a resolution adopting the 2021-2025 Senior ICIP for the Senior Citizens' Department.

Mayor Webber commented that since it was Labor Day on Monday and we should thank all essential workers across Santa Fe who have contended with really difficult circumstances. It is Labor Day with great challenge in it and recognition of history to the men and women who provide those services to us. It was a thoughtful day for all of us.

Coming up is 911 and recognition of all safety personnel and everyone can watch it on the City's website. He also thanked all fire and police who made the Zozobra event happen and people watched it from all over the world this year. More than 100,000 glooms went up in flames at it.

Finally, thanks to our managers. We are working with a CARES Act allocation from the State to provide relief to men and women and families in Santa Fe, and small businesses. It was put together in about a week, thanks to our managers, our City Manager, City Attorney, HR, and Finance. All came together to produce a request in Santa Fe and thanks to all who made it happen.

There is a lot going on with COVID 19 - lots of resilience, compassion, and empathy as we move into the Fall.

Having completed the Afternoon Session, the Governing Body recessed at 5:04 p.m. to resume at 6:00 p.m.

EVENING SESSION – 6:01 P.M.

16. ROLL CALL

Roll call indicated the presence of a quorum remotely, as follows:

Members Present Remotely

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 JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

17. PETITIONS FROM THE FLOOR

Ms. Stefanie Beninato said she got a Finding from the Human Rights Commission that there is probable cause for a discrimination claim against the City of Santa Fe for its maintenance of a secret notebook against her. She had asked the City Attorney over a year ago, to destroy that notebook, since it was collected without notice. But the City Attorney refused to do so. The Human Rights Commission strongly urges mediation on that. She hoped the City would discuss that in executive session and direct City Staff to go forward in good faith. You don't have digital readings daily for temperature but once a month for the State. "I think you are being disingenuous about it. I hope you will discuss it in executive session."

There were no other petitions.

18. APPOINTMENTS

There were no appointments.

19. PUBLIC HEARINGS

- a. CONSIDERATION OF BILL NO. 2020-21. ADOPTION OF ORDINANCE 2020-22. (Mayor Webber and Councilor Vigil Coppler)
An Ordinance Relating to the City of Santa Fe Economic Development Plan Ordinance, Article 11-11 SFCC 1987; Approving and Adopting a

Local Economic Development Project Participation Agreement Between the City of Santa Fe and Savant X, Inc. for Design Development, and Construction of Tenant Improvements; and Lease Payments, Expand a Corporate Research Center, a Local Economic Development Project. (Fabian Trujillo, Office for Business Growth Manager, ftrujillo@santafenm.gov, 995-6912)

Ms. Vigil read the caption for this hearing.

Manager Trujillo presented the proposed ordinance to the Governing Body. He introduced Ed Heinbockel, CEO of the Company and Peter Mitchell, from the New Mexico Economic Development Department. This is a software development company focusing on AI, with headquarters in Jackson Hole, Wyoming and they are seeking to locate a center here in Santa Fe as a corporate research facility, after searching elsewhere. They are developing software for the nuclear energy industry to keep it safe as used in transportation, the Dept of Defense, and other industries.

Manager Trujillo gave a brief overview of economic development in the City. According to New Mexico Workforce Solutions, Santa Fe lost 8,300 jobs with an unemployment rate at 13.5% at end of July and was 4.4% last July. Only construction, financial services, education, and health care industries are showing any growth. Santa Fe needs new jobs. Savant will help in diversifying our economy.

This project is requesting \$500,000 from City and State and will match it with \$50,000 over five years. They will provide jobs averaging \$97,000 in annual salaries and provide a capital investment of \$2.4 million. They expect to generate \$28.4 million in the local economy and Santa Fe will receive a net benefit of \$5 million. They project 128 jobs and we expect them to stimulate growth in the high-tech industry in Santa Fe.

Public Hearing

Jake Houghlan works for New Mexico Watch. He did not think this is the appropriate company for Santa Fe to invest in. He was at the company's website and the industries for which they do propriety software. He understood it is the State Economic Development Act that enables the City and State to invest in them. Savant does a lot of software for the nuclear industry which is a dying industry. Small modular reactors are about all that is left and that, too, is failing. So, he doubted the long-term benefit. Their other sector is the military. He came from a military family

and has a high regard for the military. St. Francis was a saint of peace.
(Time up.)

Stefanie Beninato had concerns about giving out funds for these types of businesses. Descartes Lab said they have good job but a woman working for them had trouble paying \$800/month rent. It seems we are paying them to look good in the public. Savant X does a lot of surveillance software and she thought the City is under enough surveillance already and we don't need that type of industry here. It does not speak well for our environment. They have four jobs so far and promise over 100 and she would like to know how soon the jobs will be developed.

There were no other speakers for this topic. Mayor Webber closed the public hearing portion and asked for a motion to discuss

Governing Body Discussion and Action

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Lindell, to approve Ordinance 2020-22 as presented.

Discussion on the Motion:

Councilor Villarreal said she brought up some issues and got a response from Peter Mitchell at State Economic Development Division. There is never a criterion for New Mexico residents to have priority in jobs. On LETA, how do you set criteria for LETA funds that are not just a number of jobs? What is the public good and is there criteria around them for aspects of the business models and social benefits for staff? That is her overall concern. At Finance, she was told it is only for number of jobs.

Manager Trujillo said Mr. Mitchell can speak to it. The City and State partner together on LETA projects. It is not just number of jobs, but we have lost many jobs in the last report. It also looks at the public benefit. During the pandemic, we felt job creation was a key area to look at. And it is our recommendation but up to Governing Body to consider that.

Mr. Peter Mitchell said LETA dollars are for capital investment and job creation. The benefits are addressed in our job training. We look at the overall picture. The LETA Fund is dynamic, and we are always looking for better ways to award the funds.

For the Cabinet Secretary, the Governor, and him, this is a good company for New Mexico. The focus here is on abundance of talent with National Labs to accommodate the type of jobs here.

Mr. Heinbockel said, as a concise response, we are not under a requirement to hire New Mexico residents, but it is not wise to not consider New Mexico residents. It makes little business sense for head hunting and expense of relocating so we have already hired three locals and looking for more. Our Company follows that criteria. Hopefully, that adds color to your request.

Councilor Villarreal wanted Mr. Mitchell to say more. She thought about the social benefit and human capital. What are these businesses going to bring? Do they have good hiring practices and benefits and gender equity or maybe paid sick leave? Do those things get considered?

Mr. Mitchell said they do look at those criteria for job creation and they are thoroughly vetted through the job training program and we believe Mr. Heinbockel has answered that very well. So, we do take the admonition to the company. WE don't look at those things in LETA Funding. We do look in LETA for how many qualify for JChip. That is a criterion considered for funding and LETA Funds.

Councilor Villarreal asked Manager Trujillo if the City has criteria for what she calls social benefit.

Manager Trujillo said he does look at public benefit – and employee benefits. It is subjective. We like to see them pay at least 50% of medical plan. Mr. Heinbockel can speak to it and specifics on medical benefits.

Mr. Heinbockel clarified that Savant X is a C Corp and we have stock plan for employees based on merit and performance through a yearly review. It is a means by which to reward employees in the longer term and to grow them. We are in process to setting up 401K and provide 50% of health insurance premiums which covers dental. We are adding life insurance as well. We have had no complaints and are competitive in the industry.

Regarding social benefits - A corporation is a group who decide to work together. We let experienced staff mentor inexperienced people that we hire, and we “grow” people hiring them out of school and we have remarkably low turnover. We are investing in the team; giving them tools and mentoring which helps them professionally and answers the social benefits you are asking about.

Councilor Villarreal was glad to hear that. On the industry sector, we have heard you are dealing with nuclear reaction. She wondered about the long-term effects of that.

Mr. Heinbockel explained that this industry came to Savant to help them. They are a regulated industry and squirrel away all their data. Anyone who is honest in the industry knows that it operates mainly through “tribal knowledge.” They learn operationally the best practices. They came to us to help them be able to detect early outbreaks of radiation. But that is not a big part of our business. The same technology is used across other sectors of industry. But the genesis of that was when they came to us. When people come to ask for help in a critical sector, Savant is “all over that to help them keep safe.” We are far beyond that now. The company’s scope is much bigger than that.

Councilor Villarreal surmised that nuclear power is no longer the core industry for Savant. She asked if they have found more interesting things.

Mr. Heinbockel said they support the nuclear power industry as they can but the call in was accurate. It is a dying industry and they are an industry that is difficult to propagate change. They are all nuclear engineers. We are there to help them, but they are set in their ways. It is not a growth source. Chemical plants, manufacturing, etc. would all be supported. For the nuclear power industry, if it is not shut down, we should protect it as safely as we can.

Regarding military business, the US has a strong military and we support those who are out there on the lines and we want to provide them the tools to be able to come home safely.

Councilor Villarreal thanked him for his response. The fact we have a nuclear lab here is something to be mindful of.

To Mr. Mitchell and Manager Trujillo, she wanted to figure out how LETA funds can have more social benefit in our workforce and how we can deal with it. She did not know how much the City is bound to the State’s criteria but wanted to learn how LETA requirements could be changed to help with that. She also wanted LETA funds to be more equitable in looking at social benefit. We can’t deal with that tonight but putting that bug in your ear that it won’t be the last time she talks about it.

Mr. Mitchell agreed with the need to expand the criteria and social benefit. He mentioned that they have funded projects in rural New Mexico and

would be happy to present Councilor Villarreal's proposals for more social benefit and her guidance.

Mr. Mitchell also described how ranches were being funded in New Mexico at 12 ranches so far.

Manager Trujillo added that this is the first recruitment project recommended for funding in the LETA Program. All the projects are locally grown projects and include Marty's Meals, Second Street Brewery, Santa Fe Spirits, and others that are grown here and source locally. This is a project funded by us in high tech and it helps diversify our economy and we use good strategies for location of our projects. It must have innovative potential, create jobs, and have low environmental impact. Savant X and a few others all have those attributes that we brought to Governing Body to approve.

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.

- b. **CONSIDERATION OF BILL NO. 2020-20. ADOPTION OF ORDINANCE NO. 2020-23. (Mayor Webber)**
An Ordinance Creating Efficiencies, Enhancing Effectiveness, and Eliminating Silos by Reorganizing Certain City Departments, Organizing the Economic Development Division, Office of Affordable Housing [Office], Planning and Land Use Department, Tourism Santa Fe Department, [Recreation Division] and the Arts and Culture Department as Divisions of a Community Development Department; Organizing the Community Services Department, Police Department, Fire Department, Recreation Division, and Office of Emergency Management and Safety as Divisions of a Community Health and Safety Department; and Placing ~~[the]~~ Constituent and Council Relations [Department] Into the City Clerk's Office to Form an Office of Community Engagement; Amending Section 2.6-3; Replacing Section 2-8 SFCC 1987 with a New Section 2-8 SFCC 1987 that Establishes all City Departments; Reorganizing Existing Sections 2-8, 2-14, 2-15, 2-19, and 2-10 as Subsections of the New Section 2-8; Establishing in Ordinance the Existing Information Technology and Telecommunications Department and ~~[the]~~ Constituent and Council Services [Department]; and

Repealing the Sections of Chapter 2 that Establish Departments that are Either Becoming Divisions or no Longer Exist, Sections 2-9, 2-10, 2-11, 2-12, 2-13, 2-16, 2-19, 2-21, and 2-23 SFCC 1987; Amending Section 2-22 SFCC 1987 to Provide Contract Internal Audit Functions; [and] Amending Sections 26-1.6 and 26-3.5 Regarding the Office Of Affordable Housing; and Making Such Other Changes as are Necessary. (Jarel LaPan Hill, City Manager, jlpanhill@santafenm.gov, 955-6848, Erin K. McSherry, City Attorney, ekmcsberry@santafenm.gov, 955-6512 and Jesse Guillen, jbguillen@santafenm.gov, 505-955-6518) **(POSTPONED AUGUST 26, 2020)**

Ms. Vigil read the caption for this case.

Mayor Webber proposed to try to keep this in an orderly way and give everyone a chance to speak. Since it was considered last time, he asked Councilor Abeyta to highlight the discussion at Finance, then go to public hearing and then to the Governing Body for a motion along with three amendments – two from previously in the packet, and one from Councilor Garcia, and get the main motion amended as desired and then discuss and proceed to a vote on the amended main motion.

Councilor Abeyta summarized the Finance Committee discussion mainly on the FIR #3237, on page 35b in the packet. The Committee got a summary that described which departments would be affected and the consequences of not passing it as well as its relationship with other legislation with administrative implications, fiscal implications, increases in salaries and benefits. The Governing Body unanimously approved the FY2021 budget in August and the DFA ratified it in August. The Committee discussed fiscal impact for 90 minutes and did not recommend any changes.

Public Hearing

Stefanie Beninato was in opposition to the proposed changes. She said, “You are not eliminating silos but creating different ones. I don’t think the departments you have created are intuitive. For instance, who would expect the City Clerk to be in the Office of Community Engagement?” She did not see how Tourism and Affordable Housing Department were to become a team, although they might want to use land in certain ways. This seems to be more bureaucracy and a lot of sidestepping has already gone on. Reorganization happened when Mayor became full-time with more office

staff for him, as well as constituent staff. It is an excuse for when City Hall is not functional. She didn't see what happened with Libraries fit in and didn't know where Public Works fits in with what they do. She wondered why Finance got recreated and wondered why they did not heed the advice to keep Parks and Recreation together. Why is Workplace Safety under the Office of Emergency Management? Why was Finance redone? What are the changes? How much input came from the entire City Staff?

As Councilor Villarreal pointed out, the person hired cannot do it all so has to have assistant. So, it looks like bureaucracy keeps exploding at City Hall. She would like to see much more education and why these changes would bring about much more efficiency and more transparency.

Terese Martinez with AFSCME Local 3999. She said the Fire Fighters Union was trying to get in on Zoom and were unable. She didn't know why the link was not working for them. She said her statement was actually four minutes and asked for more time.

Mayor Webber gave her two minutes.

Ms. Martinez read her statement very quickly. In July, we asked that the budget not be approved because it included the reorganization. For the third time, we ask you to not approve the reorganization. This position is supported by over 51% of Santa Fe employees. You can just vote yes or no and go about your lives as normally, but we must live with the consequences of that decision every single day. When over 700 members say "no," how can nine people not hear? We have not been asked but we are being told that a sweeping reorganization is best for us. We need to hear how this is better for us. This is major surgery on City government, and it needs more input, more facts, and more research. This includes shutting down divisions, replacing managers, and moving budgets and workers. Why not put out the survey, visit the boots on the ground, and ask the right questions?

Juan Lopez, representing Local 2059 of the Fire Fighters Union, said, "We feel we have gained a basic understanding of the reorganization and have concerns. Our concern is trying to push this reorganization at an unfavorable economic time. We are in favor of making this the best City. But the climate is so volatile that we question doing it now. I hope we can continue to strive to make Santa Fe the best in the state and country."

There were no other speakers from the public and Mayor Webber closed the public hearing part.

Two written comments are attached as Exhibits 2 and 3 to these minutes.

Governing Body discussion and action

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Villarreal, to table this item.

VOTE: The motion failed on the following Roll Call vote:

For: Councilor Garcia, Councilor Vigil Coppler and Councilor Villarreal.

Against: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Lindell, Councilor Rivera, and Councilor Romero-Wirth.

MOTION: Councilor Lindell moved, seconded by Councilor Rivera, to approve Ordinance 2020-23 as presented.

Amendment to the Motion

Councilor Villarreal's amendment was to clean up the gender-specific language.

Councilor Villarreal said it was proposed at the last meeting to make it gender neutral and she gave a few examples. She also clarified that "safety" includes safety of all City employees.

MOTION: Councilor Villarreal moved, seconded by Councilor Lindell, to amend the main motion to make it gender neutral and to clarify that "safety" includes employees' safety.

Discussion on the First Amendment

Councilor Garcia asked if the Council doesn't need to hear Councilor Lindell's motion first.

Mayor Webber explained this is an amendment to the main motion.

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

Mayor Webber said the second amendment was also in packet last time. It is to clarify language of division and departments.

MOTION: Councilor Lindell moved, seconded by Councilor Cassutt-Sanchez, to amend the main motion as stated by Mayor Webber to clean up language around divisions and departments.

Discussion on the second motion to amend:

Councilor Vigil Coppler asked for clarification on which amendment this is and where it was in the packet.

Councilor Garcia said it is in two portions on page 28, line 20 and line 21. Where it is to remove the brackets and the strike through "departments" and strike "division."

Councilor Vigil Coppler referred to Prime.Gov and asked what item it is.

Councilor Romero-Wirth said it is the 7th item down from the top.

Councilor Vigil Coppler observed it was Mayor Webber's amendment.

Mayor Webber agreed. He proposed it.

Councilor Romero-Wirth said it was one of the items that came up in the Committee hearings.

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.

Third Amendment to the Main Motion

Mayor Webber asked for Councilor Garcia to present his new amendment.

Councilor Garcia said he is proposing this amendment because he strongly believes the Governing Body is working forward to make data-driven decisions. There has been no data supporting this reorganization thus far and he wanted the Governing Body to implement some sort of plan as we move forward toward this reorganization.

He proposed to insert a new section: "An assessment process will be developed to provide a work environment review of the Community Engagement Department, Community Development Department and Community Health and Safety Department. Assessments will be administered by the 1) 180th day, and 2) the 365th day of passage of this ordinance. Assessment data must be provided to the Governing Body within 30 days of assessments being administered. The Assessment, at a minimum, will utilize a confidential process that administers a survey with the purpose of collecting data from all employees in the Community Engagement Department, the Community Development Department and the Community Health and Safety Department. The Survey, at a minimum, will ask the following questions: Has there been an increase in communication amongst the employees in your newly created Department? Are you able to accomplish additional work responsibilities due to the reorganization of your Department? Has there been an increase in collaboration amongst department employees? Are you able to complete your work responsibilities at a higher effective rate due to the reorganization of your Department?"

He felt this should help us know if it is successful, and if it is not successful, how we can improve it. He was concerned that without data, we have no path to go down. He was completely open to additional questions. With the proposed motion last time, there was a six-month review which is covered here along with a one-year review. It provides a framework. It shows that

we really want to walk the walk for the talk we talk. That is the intention It includes a confidential process. There are similar surveys conducted and he felt we would get true responses from employees.

MOTION: Councilor Garcia moved, seconded by Councilor Villarreal, to approve this amendment as presented.

Discussion on the Amendment

Councilor Vigil Coppler said she liked the thought process behind these amendments to assess how things are going. She would like to see more response with open-ended questions. So, she would ask if Councilor Garcia would be willing to turn the questions into open-ended questions rather than yes/no questions.

Councilor Garcia agreed. The intention was not to be yes/no.

Councilor Vigil Coppler added that if written into the ordinance, that is exactly what you would get. And it would be too late. She suggested something like -

1. How has communication increased or decreased among employees in your newly created department?
2. Have you been able to accomplish additional responsibility due to reorganization in your department?
3. Has there been an increase or decrease of collaboration among employees? Why or why not?
4. How have you been about to complete your responsibilities either at a higher or lower effective rate due to the reorg in your newly completed department? Why or why not?

Councilor Villarreal, added on the first one suggested, has there been increase or decrease in communication among employees in your department.

Councilor Rivera said we have had this issue before with trying to wordsmith amendments at the last minute and is exactly what is happening again. Even though the wordsmith is not something that is going to be in front of us, we need to look at them and think about and absorb. I think these were sent out yesterday and have not had

time to consider what I think. On the surface, he agreed they were just yes or no questions. The other issue is that they were brought up to me at the last minute and there is no transparency with the public being able to see them beforehand. And even with the wordsmithing I've heard so far, they would be subjective questions. Even if open-ended, they are not measuring anything on how the work is being done, but just employees' opinions.

Councilor Rivera asked Mr. Martinez if we have ever added something like this to an ordinance before.

Mr. Martinez was not aware of any. There are portions of the code that ask for periodic reporting so that is typical but the framing of questions within an ordinance, he was not familiar with.

Councilor Rivera his recommendation was to give the responsibility to the City Manager instead.

His other question was on the City Charter that prohibits the Governing Body from getting into the day-today operations of the City.

Mr. Martinez said he has reviewed the City Charter on the allocation of authority between the City Manager and the Governing Body. He did not think this ordinance conflicts with the law. His Office would not have signed it if we thought it did. We would want to make sure it doesn't invade the area of the City Manager's duties and to follow the City Charter.

Councilor Rivera imagined the City Manager would have to take it on and would need to react to it. Maybe that is not the right question.

Mayor Webber wasn't sure it was a question but more of a comment.

Councilor Rivera was just concerned about this coming at the last minute. He didn't like it much and didn't think it should be in the ordinance.

Councilor Cassutt-Sanchez echoed some of Councilor Rivera's concerns about wordsmithing. She also had concerns about creating a survey on the fly. She was not sure this is measuring what we want to measure. She was very hesitant to approve these questions now.

Councilor Vigil Coppler said it was the concern last time that it was considered at the last minute and did not involve all the Councilors and certainly not the employees. That is how it is done best. If there had been foresight and forethought on how to reorganize, we probably would have a better document to look at tonight. The only thing she got was a phone call from the City Manager saying, "This is what we are doing," as if it was a done deal. No matter how much the Councilors weigh in on it, it is the employees who make the difference on it. We need employee involvement in it and could have gotten a better product. Employees can make you or break you and when they are not consulted, it is not healthy for the organization. That was why she moved to postpone it.

Councilor Villarreal appreciated Councilor Garcia's attempt for this since there was no assessment in the beginning. So, she supported the amendment and it could be completed later. The creation of a matrix could be subjective too. She didn't think it is fair to say we are doing it now.

Modification of the Proposed Amendment

Councilor Garcia responded on that last point about it being at the last minute. That absolutely was not his intention. He emphasized that he had offered his support to strengthen the reorganization and not only during the meeting but afterward. He had emailed the Mayor to help but got no response. He never heard back and that forced him to act late. He felt it was his duty from one who has worked in that field for all his career. He would be open to striking the whole amendment and would suggest that the City Manager develop a survey of the employees by the City.

He modified his motion to strike from, "The Survey at a minimum" to the end and insert "The City Manager will work with the City Council to develop the survey."

He pointed out that other Councilors were in favor of the review. This just sets a structure for it and more tools for the review.

Mayor Webber understood that the amendment as proposed would stop at “Departments” and insert that the City Manager would work with City Council to develop the survey.

The seconder agreed to the change of the amendment.

Councilor Garcia hoped that will meet the concerns.

Councilor Cassutt-Sanchez agreed that does help but she was still having a hard time with this amendment. She was looking at how we wanted to start the process. Assessment is something we should be utilizing but we don't have the other components and there is more that needs to be worked on. She would be happy with an assessment process that would be developed by the City Manager. She was not sure about the substance with it and not sure she could support it now. She needed to think about it more.

Councilor Garcia said the reorganization impacts every single employee of the City. This would help create the quality data needed to evaluate those three new departments. He did not understand the confusion. We are going to assess the employees who are affected by this in those three departments, set the time frame and saying a survey would be used to collect data. With those three solid foundations, he did not see why it would not be a solid process.

VOTE: The motion failed on the following Roll Call vote:

For: Councilor Garcia, Councilor Vigil Coppler and Councilor Villarreal.

Against: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Lindell, Councilor Rivera, and Councilor Romero-Wirth.

Discussion on Main Motion as Amended

Councilor Vigil Coppler recalled a city survey not long ago with the Santa Fe residents and none of them said they wanted reorganization or regrouping of our people to accomplish better response times or cleaner parks, etc.

Since then, she had received no communications that said they thought this was a good idea – not one. So, she wondered what the people are seeing. Last time we talked about focus groups; she recalled the City Manager saying the employees were consulted. But some of them said they were not consulted. She asked Manager LaPan Hill about that.

Manager LaPan Hill said she did not recall the comment. But each department director had meetings with their department employees. There were many meetings She said she could communicate that in more detail. She anticipated that communications will be more robust – better with the reorganization. That is part of the ongoing process. She would invite any department director now to present for further comment.

Councilor Vigil Coppler disagreed and felt that was not necessary. It is the people that apparently many Department Directors said they spoke to. But many of those employees were just told what would happen and not asked for any input on how they could perform any better with a new organization. There was no discussion like that that people told me about. They said they were told; not asked what they thought or putting post-it notes on how things could be better. That is how successful reorg happens. There may be even some department directors who just said this is what we are going to do.

She asked who wrote those three mission statements.

Manager LaPan Hill said those draft statements were created by her, the department directors, the Finance Committee, the Quality of Life Committee and in draft iterations at the budget hearings. One of the first tasks for the new Directors was to build out the level of mission statements. They are starting points.

Councilor Vigil Coppler explained that in any organization she has been in, they have mission statements created by employees. It is a collaboration of what is meaningful for their jobs, their department, etc. that is how mission statements are handled.

Right now, if the employees were involved in developing them, you could go to a lifeguard and the lifeguard should be able to tell you what the mission is. "But today, I guarantee they would not know because they were not involved."

The next issue is the \$29,000 increase. Where did that come from. Does it involve change in letterhead? Is it cars? Is this just salary and benefits?

Director McCoy said it is on the last page of the FIR where it gives the breakdown in the narrative and what Councilor Abeyta discussed previously in Finance. It is salaries and benefits in the reorganization package for the new position.

Councilor Vigil Coppler asked whose salary and whose benefits it was for. That is not in the FIR.

Director McCoy read from the last page of FIR, "The proposal includes reclassification of the Parks and Recreation Department Director from a Range 27 to a Recreation Director – Range 25. The total salaries and benefits will be \$29,000 in the General Fund. The proposal also includes reclassifying the Economic Development Director, which is a Range 23, the Community Development Department Director which is a Range 29. This is a total increase of \$31,638 which 75% is borne by the General Fund and 25% borne by the Economic Development Fund. The proposal includes reclassification of the vacant Assistant Fire Chief position, which is a Range 24 for Community Health and Safety Department Director which is a Range 29 with a total increase of \$17,570 salary and benefits in the General Fund."

Councilor Vigil Coppler asked, from the personnel rule, what percentage was applied to these numbers in the salary range.

Director Salazar replied that it was compared with comparable jobs and similar qualifications.

Councilor Vigil Coppler asked what percentage of the range the Parks Director will get or if she will get a pay increase.

Director McCoy explained that the incumbent was not retired when this budget was considered. She pulled up what was budgeted for that position.

Director Salazar said the Parks Division Director position is vacant, and she was not aware of any change.

Councilor Vigil Coppler was told the Golf Course Manager is going to fill the Parks Division and asked if Director Salazar did not know what that is.

Director Salazar said the salary is the same for that position.

Director McCoy agreed. The salary is \$95,000 as included in the budget.

Councilor Vigil Coppler asked if that is what the current MRC Director is going to get.

Director Salazar said that is the available budget for the position, once filled and is the same as was the Recreation Director will get.

Councilor Vigil Coppler asked if both persons have agreed with those salary amounts.

Director Salazar said the Parks Director position is vacant.

Mayor Webber clarified that they are waiting for approval before people are put in those positions.

Councilor Vigil Coppler commented that our City relies heavily on First Responders and the sacrificial position that was taken to fill the new Community Safety Director that includes all the libraries and such was taken from the career ladder of the Fire Department.

So why didn't you use that same consideration for the other vacant positions? Mayor Webber took a new position from First Responders in his department instead of from one in his own office.

Mayor Webber said he spoke with Chief Babcock about it several times and that position over many years was not a permanent fixture in the Fire Department. It mirrors the position of Deputy Chief in the Police Department and it was done with his advice and consent. Neither his office or the City Manager's has a Chief of Staff and we are not filling them to preserve the resources. It is false to say we are filling more positions in the Mayor's Office. We talked with Chief Babcock and Chief Padilla. The Fire Union is feeling concerned about career ladder issues and we are doing what we can to bring fire personnel back into the pay, uniform, etc range to make sure they are recognized for their performance and trying to get the Legislature to change the PERA schedule to make sure they get the benefits they deserve.

Councilor Vigil Coppler didn't think either Chief would say no to the Mayor. It could be any one of another positions in fire service. She was not being facetious about Chief of Staff position at all. She asked what had happened to that position.

Manager LaPan Hill said it is vacant.

Councilor Vigil Coppler noted we have a span of control in a goal to do away with silos and create three big silos in addition to the two other silos we still have so the City Manager would have only seven directly reporting and converted the Chief of Staff position into the Public Safety position, and no Chief of Staff, it reduce the span of control to six people. That might have been a better priority and not necessary anymore.

That position could have been used in the Fire Department. It is an important position in this City and instead of having a Chief of Staff for the City Manager, this was done by taking the career ladder from the Fire Department.

She observed that Councilor Garcia did his darnedest to get a measurement to make sure the reorganization would work. How

will you know if it is working? There is no real test for how it is or not. We still don't know the answers and just shut down some amendments that would have helped.

She said she heard this would simplify the calls. When police or fire are called to a go out on a call. And what is the rational for including library and senior citizens and community services in this department? She didn't understand the rationale.

Mayor Webber said this is a move in the right direction in recognizing the serious situation we are in. He used an example of a man with bipolar disease who was shot and a boy with autism who was shot. We have a failure of imagination around emergency and public safety. We are asking police and fire to do things for which they are not the best responders. We ask them to do it in isolation and now all learning about social indicators of help, etc.

We know our librarians are often called upon to function as therapists by people with nowhere to go and often go to the library and the librarians who are not trained as therapists frequently must do so. So, combining them is far from hypothetical and what libraries around the country are doing. We are doing it with programs in Santa Fe too.

People who are isolated have lives shortened. The rationale seems unassailable. It is the right way to think about the values. We want the community to have people in place with the skills recognized for the service they provide.

Councilor Vigil Coppler did not understand why that could not be addressed in Community Services as it is now. She questioned if the reorganization was going to help this. Who else would go on the call?

Mayor Webber recalled it was in the questions by Councilor Villarreal on how Chief Padilla and Director Ochoa would be working more closely together and embedded in future budgets and job descriptions and a culture change – not overnight but as a process of thinking through what kind of services we want to

provide as a community. As Mayor, he believed it is accomplished in how we embed it in our business rather than an ad hoc basis. Other cities have done it. As we see social issues considered in public safety, it needs to be a structural component and through leadership, partnership, and teamwork, is built into how we respond to calls and programs.

Councilor Vigil Coppler said it will not all be done on \$29,000. She didn't understand how that can work and why it can't be accomplished as it is now under Community Services. While she appreciated the vision, she did not know how boxes on paper will accomplish it. She could see it in maybe three years, but Fire and Police already have their structure done. Without a clearly thought out plan and procedures in things that staff must contend with in the future, they need to be discussed and fine-tuned. This is collaboration among departments and how you work proactively to accomplish things.

The last thing is a key point. If you have good management in place and mission clear to produce a strong organization, you do it from the bottom up and it takes time. It takes discussion and has good energy behind it the way it should be done. With focus on the priorities and what you try to accomplish. And there is a complete sentiment in the City who don't want Parks and Recreation broken up. We don't need reorganization to do any of these things. They can all be done with the structure we have right now. We have gotten resignations to put good people in positions and, instead of gaining ground, we are losing ground. She was sad because it is like one step forward and two back. This is not a good thing for this City, and she planned to vote against it.

Councilor Abeyta did not disagree with a lot of what Councilor Vigil Coppler has said. He has always supported this because he saw it as the first step. He came in with the Coss administration and we did the reorganization first and then worked on the other things. He believed a lot of this can still be accomplished and we need to rely on the management to see that it does.

Call for the Previous Question

Councilor Abeyta said the Governing Body can discuss this for a long time. He called the previous question.

Mayor Webber clarified that a call for the previous question is not debatable.

Mr. Martinez agreed. It is not up for debate.

Mayor Webber said the motion is for approval of the Ordinance.

Councilor Romero-Wirth disagreed. The call for the Previous Question is the vote.

Mayor Webber agreed.

Councilor Romero-Wirth explained the call for previous question is not debatable or amendable.

Mr. Martinez agreed. That is correct.

Councilor Villarreal asked if comments could not be made if the vote is approved.

Mayor Webber agreed but added that people can explain their vote.

Councilor Romero-Wirth – if the call for previous question passes, we must immediately take a vote on the motion. Members can explain their vote in one-minute max. It is done after the vote is taken.

Vote to Call the Previous Question:

VOTE: The Call for the Question 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: Councilor Garcia, stating "Give everyone a change. The original motion made by Councilor Lindell does not include a review and it needs that.

Councilor Romero-Wirth said the Call of the Question means no more debate. Councilor Garcia's comment was out of line. She explained the ability to explain one's vote.

Vote on the Main Motion as Amended:

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

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Lindell, Councilor Rivera, and Councilor Romero-Wirth.

Against: Councilor Garcia, Councilor Vigil Coppler and Councilor Villarreal.

Councilor Garcia wished to explain his vote.

Councilor Romero-Wirth, as Parliamentarian, said Councilors should have said they wanted to comment when they voted.

Mayor Webber allowed his explanation.

Councilor Garcia appreciated Councilor Romero-Wirth getting us in order. He said, "This is not the way we have conducted business and this dramatic approach is unfair. We are all elected officials and representing our constituents and when shut down, you are saying our constituents do not matter. "I do not care. You've got to shut up." But I feel our constituents have not been heard so to not allow their questions to be brought up – is unfair. If we abide by these new rules, we are going to get >>> We enforce when we want and are lax when we want to be. We are playing push this through. We've heard your voice. Also bringing forth this measure and utilizing measures to make it successful is also not supported. The six-month review was requested last time. Some people just don't care. There are a lot of questions that unfortunately did not get asked and is a disservice to our citizens and our employees. It just further shows that people don't care and is very disappointing.

Councilor Villarreal was disappointed with this process. "It is flawed among the whole Council. It is a toxic way to handle things and very disappointing. It might be different if we were all in the same room – the transparency of it all. Having meetings on Zoom is a problem. I just don't agree with this to have a complete reorg when employees just got off furlough. Our staff has been through a lot and moving boxes around is not a viable solution. Supporting morale is what is important. I hope we can move beyond this."

Councilor Cassutt-Sanchez said, "I have tried through the 11 weeks that parts I'm excited about and others that I question. I thank Councilor Villarreal for that sentiment of having an opinion and discussing with each other and not doing a very good job lately. It is the fault of all of us. We are understaffed but have opportunity for improvement. I don't think it is fair to say Councilors don't care when we see things differently. We all very much care and want success for our City and our constituents."

Mayor Webber commented that we have had extensive debates through all three Committees and the Governing Body – not just Finance but across all three Committees. We have attempted to be respectful without being argumentative. In some areas, there are genuine disagreements and that is how we arrive at better answers. We are trying to make things better by embracing change and bringing new structure for a more effective government. We will have a review in six months. It is guaranteed to be part of the next budget with input suggested and an ongoing process of evaluation and self-management. Sitting down to work on better ways always makes better government.

It is not a panacea but also not something we should take for granted. We are always looking for better government – It actually started with the City Charter. Whether through data or subjective opinions – through outreach or focus groups, we will continue to look for ways to make City government something everyone is proud of through the services we provide.

He thanked everyone for their deliberations at this meeting.

20. ADJOURN

Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at 8:36 p.m.

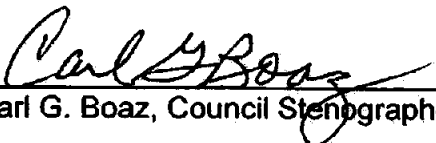
Approved by:

Mayor Alan Webber

ATTESTED TO:

Yolanda Y. Vigil, City Clerk

Respectfully submitted by:



Carl G. Boaz, Council Stenographer



REGULAR GOVERNING BODY MEETING OF
September 9, 2020
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

EXHIBIT ONE
 GB Sept 9, 2020

| | | |
|--|--|---|
| Mayor Alan Webber | | |
| Co-Sponsors | Title* | Tentative Committee Schedule* |
| | | |
| Councilor Roman "Tiger" Abeyta | | |
| Co-Sponsors | Title* | Tentative Committee Schedule* |
| | A RESOLUTION ADOPTING THE 2021-2025 SENIOR INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP) FOR THE DIVISION OF SENIOR SERVICES, COMMUNITY SERVICES DEPARTMENT. | Finance Committee – 9/21/20 Public Works and Utilities Committee – 9/29/20 City Council – 9/30/20 |
| Councilor Jamie Cassutt-Sanchez | | |
| Co-Sponsors | Title* | Tentative Committee Schedule* |
| | | |
| Councilor Michael J. Garcia | | |
| Co-Sponsors | Title* | Tentative Committee Schedule* |
| | | |
| Councilor Signe I. Lindell | | |
| Co-Sponsors | Title* | Tentative Committee Schedule* |
| | | |
| Councilor Chris Rivera | | |
| Co-Sponsors | Title* | Tentative Committee Schedule* |
| Romero-Wirth | A RESOLUTION DIRECTING THE CITY MANAGER TO HAVE PUBLIC UTILITIES STAFF IDENTIFY AND APPLY FOR FEDERAL AND STATE FUNDING SOURCES FOR WATER, WASTEWATER AND OTHER WATER RELATED PROJECTS. | Public Works and Utilities Committee – Finance Committee – City Council – |
| Councilor Carol Romero-Wirth | | |
| Co-Sponsors | Title* | Tentative Committee Schedule* |
| | | |
| Councilor JoAnne Vigil Coppler | | |
| Co-Sponsors | Title* | Tentative Committee Schedule* |
| | | |

| | | |
|-----------------------------------|---------------|--------------------------------------|
| Councilor Renee Villarreal | | |
| Co-Sponsors | Title* | Tentative Committee Schedule* |
| | | |

* Subject to change

Introduced legislation will be posted on the City Attorney's website, under legislative services. If you would like to review the legislation prior to that time or you would like to be a co-sponsor, please contact Jesse Guillen, 505-955-6518, jguillen@santafenm.gov or Jeff Norris, 505-955-6692, jnorris@santafenm.gov.

EXHIBIT TWO

GB Sept 9, 2020

From: VIGIL, XAVIER I.
To: CARDENAS, GERALYN F.
Subject: FW: Consideration of Bill No. 2020-20 Adoption of Ordinance No. 2020-20
Date: Wednesday, August 26, 2020 2:27:38 PM

-----Original Message-----

From: Mark Garcia <gam69@comcast.net>
Sent: Wednesday, August 26, 2020 2:23 PM
To: VIGIL, XAVIER I. <xivigil@santafenm.gov>
Subject: Consideration of Bill No. 2020-20 Adoption of Ordinance No. 2020-20

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

August 26, 2020

Mark A. Garcia
1949 Hano Rd.
Santa Fe, N.M. 87505

Hi and Good Afternoon ! My name is Mark Garcia and I just wanted to send this quick letter to say that I am against the idea of a : Community Health and Safety Department that would try to organize for efficiency purposes the Community Services Department, the Police Department, the Fire Department, the Recreation Department, the Office of Emergency Management and Safety at a time when there is something much more important for the physical health and mental health of Santa Fe, New Mexico residents.

Two years ago today on 8-26-2018 discrimination occurred when I was approached by 2 City of Santa Fe Police officers at my home because of a " noise complaint " because of that discrimination that occurred and or what is also a legal theory called : Danger creation. I immediately contacted a law firm and sent out 3 torts dated 8-26-2018 to Mayor Alan Webber, Chief of Police Andrew Padilla and Risk management. 9 days later on 9-4-2018 2 City of Santa Fe Police Officers arrested me without giving me a due process. Since 9-4-2018 the 2 Police Officers that arrested me have left to work for the Rio Rancho Police department.

I think instead of organizing these departments into a Community and Health and Safety Department that instead the type of equipment that the Santa Fe Police Department are using to " direct sound " around residents that puts there physical and mental health in very big danger by " attacking " residents not imaginary hearing and privacy as well should be take away and or destroyed and if employed by the City of Santa Fe and using equipment to " attack someone's not imaginary hearing that they should be fired from the City of Santa Fe.

I've met with a Private Detective and he did relay that he can get the equipment to find the source from where my " not imaginary hearing sound " is coming from. My lawsuit was filed on 2-24-2020 in District Court and every day I'm still getting attacked by " directed sound " while I'm trying to read and write for the new College courses I am taking. I've been getting asked continuously in my " not imaginary hearing if I want to be a Policeman and I keep shouting out no that my lawsuit is in a Court room.

I think it's time to bring the Chief of Police Andrew Padilla to state his oath under oath to protect and serve and read the tort I sent him 2 years ago under oath. Instead of : " directing sound " with Police equipment in residents " not imaginary hearing " to create the legal theory called : Danger creation. It's just not right and my mom's and my health are taking a toll from this.

Please Meet with the Chief of Police Andrew Padilla and see about taking away and destroying there military equipment to " direct sound " than looking to be more efficient with combining a lot of department divisions together.

