



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
SEPTEMBER 30, 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 <https://santafe.primegov.com/public/portal>.

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/91023070113?pwd=QTJrQjl3M2c3TFpCRjVaRkJYZU53UT09>. **Passcode: 141109**

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: 1 (346) 248-7799 - Webinar ID: 910 2307 0113 - Passcode: 141109**
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 – September 9, 2020
 - b) Emergency Governing Body Meeting – September 15, 2020
 - c) Special Governing Body Meeting – September 17, 2020
9. **PRESENTATIONS**
10. **CONSENT CALENDAR**



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- a. Request for Approval of Change Order No. 2 to the Original Contract No. 19-0714 with TLC Company, Inc. for the Canyon Road Water Treatment Plant Raw Water Supply Pipeline CIP No.3038C to Extend the Contract Term by 96 Calendar Days. (Robert Jorgenson, Water Division Engineer, mjorgenson@santafenm.gov, 955-4265)
- b. Request for Approval of Amendment 1 to the Immix Technology Agreement Item # 20-0306, Munis Contract #3201928 for the Kronos Workforce Telestaff Cloud Hosting Services for a 3 Year Contract Procured through Immix Technology on GSA GS-35F-0265X in the Amount of \$111,204.38 Budgeted in ITT Applications Software Subscriptions 6203600.530710. (Manuel Gonzales, ITT Project Manager, mmgonzales@santafenm.gov 955-5531)
- c. CONSIDERATION OF RESOLUTION NO. 2020-____. (Councilor Abeyta) A Resolution Adopting the 2022-2026 Senior Infrastructure Capital Improvements Plan (ICIP) for the Division of Senior Services, Community Services Department. (Gino Rinaldi, Senior Services Division Director, earinaldi@santafenm.gov, 955-4710)

11. DISCUSSION/ACTION ITEMS

- a. Request to Publish Notice of Public Hearing on October 28, 2020. **BILL NO. 2020-25:** An Ordinance Creating a New Section 20-7 SFCC 1987 to Prohibit Certain Police Activities, Including No-Knock Warrants, and Requiring the Use of Body-Worn Cameras During the Execution of Any Search Warrant. (Mayor Webber) (Paul Joye, Deputy Police Chief, pmjoye@santafenm.gov, 955-5355)
- b. Request for Approval of Professional Services Agreements for On-Call Project Management/Owner Representative Services with the Following Four (4) Contractors: Joe Cohen & Associates, Inc., Leroy Nicholas Pacheco, PE, Motiva Corporation, and NV5 in the Amount Not to Exceed \$1,000,000 Excluding NMGRT for a Total of Four (4) Years Per Contractor. (Romella Glorioso-Moss, Public Works Project Administrator, rsglorioso-moss@santafenm.gov, 955-6623)
- c. Request for Approval of Budget Amendment Resolution – North Central New Mexico Economic Development District-Non Metro Area Agency on Aging NSIP, Item # 20-0363 (Munis Contract #3201993) in the Amount of



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\$111,126. The NSIP Grant Funds Will be Used to Purchase Raw Food Supplies for Meal Preparation for Eligible Senior Citizens Participating in Our Meal Program During FY 2021. (Gino Rinaldi, Senior Services Division Director earinaldi@santafenm.gov, 955-4710)

- d. Request for Approval of Budget Amendment Resolution – North Central New Mexico Economic Development District-Non Metro Area Agency on Aging FFRCA Federal Sub-Award, Item # 20-0402 (Munis Contract #3201960) in the Amount of \$61,325.10. The FFRCA Grant Funds Will be Used to Purchase Operational Supplies for Meal Preparation for Eligible Senior Citizens Participating in Our Meal Program During FY 2021. (Gino Rinaldi, Senior Services Division Director earinaldi@santafenm.gov, 955-4710)
- e. Request for Approval of a Lease Agreement between the City of Santa Fe and the Interfaith Community Shelter Group ("Pete's Place") Located at 2801 Cerrillos Road, for a Four (4) Year Term. (Rich Brown, Economic Development Director, rdbrown@santafenm.gov, 955-6625 and Andrea Salazar, Assistant City Attorney, asalazar@santafenm.gov, 955-6303)
- f. CONSIDERATION OF RESOLUTION NO. 2020-____. (Mayor Webber) A Resolution Extending the State of Emergency Proclaimed by the Mayor on September 28, 2020, COVID-19 Emergency Proclamation V, by Sixty (60) Days, Pursuant to Section 20-1.2 SFCC. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)
- g. City of Santa Fe Municipal Court Update. (Virginia Vigil, Municipal Judge, vmvigil@santafenm.gov, 955-5110) **INFORMATION ONLY**
- h. Request for Approval of Additional Governing Body Meetings, if Needed, to Address CARES Act Related Items or Any Other Timely Items: (Jarel LaPan Hill, City Manager, jlapanhill@santafenm.gov, 955-6848)

- Wednesday, November 18, 2020
- Wednesday, December 2, 2020
- Wednesday, December 16, 2020

12. MATTERS FROM THE CITY MANAGER



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13. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

- a) In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(7), Discussion of Pending or Threatened Litigation, Including But Not Limited to, Two Cases Filed in the First Judicial District Court, Both Captioned Gail Gilbert v. City of Santa Fe, Case Numbers D-101-CV-2020-00979 and D-101-CV-2019-02819; and (Erin K. McSherry, City Attorney; ekmcsherry@santafenm.gov, 955-6512)
- b) In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(8), Discussion of the Sale of the Recently Acquired Santa Fe Estates Property. (Erin K. McSherry, City Attorney; ekmcsherry@santafenm.gov, 955-6512)

14. MATTERS FROM THE CITY CLERK

15. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION - 6:00 P.M.

16. ROLL CALL

17. PETITIONS FROM THE FLOOR

18. APPOINTMENTS

- a. Occupancy Tax Advisory Board
- b. Community Health and Safety Task Force



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19. PUBLIC HEARINGS

- a. CONSIDERATION OF BILL NO. 2020-27. ADOPTION OF ORDINANCE NO. 2020-____. (Councilor Rivera and Councilor Vigil Coppler)
An Ordinance Amending 12-2.1 SFCC 1987 to Update the Version of the International Fire Code Adopted by the City of Santa Fe. (Geronimo Griego, Fire Inspector II, gggriego@santafenm.gov, 955-3310)
- b. CONSIDERATION OF Bill No. 2020-24. ADOPTION OF ORDINANCE 2020-____. (Mayor Webber)
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 "Permit, Emergency Grading at Owner's Risk:", "Permit, Limited Grading", "Permit, Preliminary Clearing and Grubbing", and "Site Restoration"; and Establishing an Effective Date. (Eli Isaacson, Land Use Department Director, eaisaacson@santafenm.gov, 955-6830 and Jason Kluck, Assistant Land Use Department Director, jmkluck@santafenm.gov, 955-6729)
- c. CONSIDERATION OF BILL NO. 2020-22. ADOPTION OF ORDINANCE NO. 2020-____.(Councilor Lindell, Councilor Villarreal, and Councilor Romero-Wirth)
An Ordinance Amending the Table of Permitted Uses in Section 14-6.1(C) SFCC 1987 to Include Commissary Kitchens as a Permitted Use Requiring a Special Use Permit in C-1 Zoning Districts; and Amending Section 14-12.1 to Add the Definition of Commissary Kitchens. (Eli Isaacson, Land Use Department Director, eaisaacson@santafenm.gov, 955-6830)
- d. CONSIDERATION OF BILL NO. 2020-23. ADOPTION OF ORDINANCE NO. 2020-____. (Councilor Lindell and Councilor Vigil Coppler)
An Ordinance Amending Section 23-7.4 Relating to Golf Rates at the MRC. (Jennifer Romero, MRC Manager, jcromero@santafenm.gov, 955-4465)
(POSTPONED TO OCTOBER 14, 2020)



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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.

RECEIVED AT THE CITY CLERK’S OFFICE	
DATE:	September 25, 2020
TIME:	4:33 PM

Governing Body INDEX - September 30, 2020

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3. Salute to the State Flag	led by Councilor Abeyta	1
4. Invocation	led by Councilor Villarreal	1
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6. Approval of Agenda	Approved as amended	2
7. Approval of Consent Calendar	Approved as presented	2-3
8. Approval of Minutes		
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b) September 15, 2020	Approved as presented	3-4
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b) On-Call PSAs (4)	Approved as presented	5-16
c) NCNMEDD BAR	Approved as presented	16
d) NCNMEDD Fed Award	Approved as presented	17
e) Pete's Place 4 yr. Lease	Remanded for committee review	17-21
f) Emergency Proclamation Ext.	Approved as amended	21-22
g) Municipal Court Update	Informational	22-23
h) Additional Council Meetings	Approved as amended	23-25
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14. Matters from the City Clerk	None	40
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18. Appointments		
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b) Community Health/Safety Task Force	Approved	27-28
19. Public Hearings		
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b. Land Use Dept. Fee Schedule	Approved	28-35
c. Special Use Uses Ordinance	Approved as presented	35-38
d. Golf Rates Ordinance	Postponed to Oct. 14, 2020	38
20. Adjournment	Adjourned at 10:58 pm	42

Minutes of the
Regular Meeting of the Governing Body
Wednesday, September 30, 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 30, 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 Romero-Wirth.

3. SALUTE TO THE NEW MEXICO FLAG

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

4. INVOCATION

The Invocation was led by Councilor Villarreal. She remembered Ernie Gonzales, mentor and mariachi performer, and a young boy who died

Councilor Rivera remembered his father, who died four years ago tomorrow.

Councilor Vigil Coppler gave condolences for the family of Robert "Bob" Sweeney, an important figure in our sports culture with an elementary school named after him. Once was coach of Lobos men's basketball. The Sweeney Convention Center (Gymnasium) was also named after him.

Councilor Garcia remembered Mr. Gonzales. His group played at our inauguration.

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
Erin McSherry, Acting City Attorney
Yolanda Y. Vigil, City Clerk
Jesse Guillen, Legislative Liaison
Sally Paez, Assistant City Attorney
Romella Glorioso-Moss, Public Works Project Administrator
Bernadette Salazar, Human Resources Director
Rich Brown, Economic Development Director
Regina Wheeler, Public Works Director
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

Ms. Vigil asked to amend the agenda with #19a regarding update to fire code postponed to October 14.

MOTION: Councilor Rivera moved, seconded by Councilor Villarreal, to approve the agenda as amended with item #19a postponed to October 14, 2020.

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

MOTION: Councilor Villarreal moved, seconded by Councilor Rivera, to approve the Consent Calendar 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.

8. APPROVAL OF MINUTES:

a) Regular Governing Body Meeting – September 9, 2020

MOTION: Councilor Rivera moved, seconded by Councilor Cassutt-Sanchez, to approve the minutes of the regular Governing Body meeting on September 9, 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.

b) Emergency Governing Body Meeting – September 15, 2020

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, to approve the minutes of the emergency Governing Body meeting on September 15, 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, and Councilor Vigil Coppler. Councilor Villarreal abstained because she was not present at the meeting.

Against: None.

c) Special Governing Body Meeting – September 17, 2020

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, to approve the minutes of the special Governing Body meeting on September 17, 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, and Councilor Vigil Coppler. Councilor Villarreal abstained because she was not present at the meeting.

Against: None.

9. PRESENTATIONS

There were no presentations.

10. CONSENT CALENDAR LISTING

- a. Request for Approval of Change Order No. 2 to the Original Contract No. 19-0714 with TLC Company, Inc. for the Canyon Road Water Treatment Plant Raw Water Supply Pipeline CIP No.3038C to Extend the Contract Term by 96 Calendar Days. (Robert Jorgenson, Water Division Engineer, rnjorgenson@santafenm.gov, 955-4265)
- b. Request for Approval of Amendment 1 to the Immix Technology Agreement Item # 20-0306, Munis Contract #3201928 for the Kronos Workforce Telestaff Cloud Hosting Services for a 3 Year Contract Procured through Immix Technology on GSA GS-35F-0265X in the Amount of \$111,204.38 Budgeted in ITT Applications Software Subscriptions 6203600.530710.

(Manuel Gonzales, ITT Project Manager, mmgonzales@santafenm.gov 955-5531)

- c. CONSIDERATION OF RESOLUTION NO. 2020-37. (Councilor Abeyta) A Resolution Adopting the 2022-2026 Senior Infrastructure Capital Improvements Plan (ICIP) for the Division of Senior Services, Community Services Department. (Gino Rinaldi, Senior Services Division Director, earinaldi@santafenm.gov, 955-4710)

11. DISCUSSION/ACTION ITEMS

- a. Request to Publish Notice of Public Hearing on October 28, 2020. BILL NO. 2020-25: An Ordinance Creating a New Section 20-7 SFCC 1987 to Prohibit Certain Police Activities, Including No-Knock Warrants, and Requiring the Use of Body-Worn Cameras During the Execution of Any Search Warrant. (Mayor Webber) (Paul Joye, Deputy Police Chief, pmjoye@santafenm.gov, 955-5355)

Ms. Vigil read the caption for this matter.

MOTION: Councilor Cassutt-Sanchez moved, seconded by Councilor Lindell, to approve the request to publish notice on Bill No. 2020-25, as presented. Councilor Cassutt-Sanchez signed on as a co-sponsor.

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 Professional Services Agreements for On-Call Project Management/Owner Representative Services with the Following Four (4) Contractors: Joe Cohen & Associates, Inc., Leroy Nicholas Pacheco, PE, Motiva Corporation, and NV5 in the Amount Not to Exceed \$1,000,000 Excluding NMGRT for a Total of Four (4) Years Per Contractor. (Romella Glorioso-Moss, Public Works Project Administrator, rsgloriosomoss@santafenm.gov, 955-6623)

Ms. Vigil read the caption for this matter.

MOTION: Councilor Garcia moved, seconded by Councilor Abeyta, to approve the four On-Call PSAs with contractors as presented.

Discussion on the Motion:

Councilor Vigil Coppler said Councilors got communications from AFSCME Union, whose concern is to ensure there is not a move to privatize services resulting in job losses. A statement in the Memo from Sarah Anderson which pointed out the contract can also be used by the Parks Department to support project management needs. She asked for an explanation what those might be.

Director Wheeler responded that these contractors are extremely valuable to deliver service to constituents and to utilize government grants funding. Parks has none right now, but from time to time might receive a grant and she wanted to have a project administrator to get the job done. Public Works keeps a list of project administrators only to supplement that capacity or for people with specific expertise.

Councilor Vigil Coppler noticed the word, "Repair" and knew the Parks Department has only six people or less and they sometimes have to repair the destruction of benches or trash cans. She asked if Director Wheeler could go on record to assure the union that those contracts would not supplant the city staff who could be assigned to that task in the Parks Department or any other department.

Director Wheeler clarified that no employee would be displaced with the on-call contracts.

Councilor Garcia asked if Director Wheeler is complying on talks with union for more than 30 days.

Director Wheeler agreed. She pulled up a memo from more than 30 days before and explained that the contract, if approved, would take at least 30 days to finalize and she has already communicated with the union.

Councilor Garcia thought perhaps there was confusion or miscommunication. They said in the memo the union had not received any communication. He asked how the Governing Body can ensure that has taken place.

Director Wheeler said the Department has had several talks with the union. She forwarded one to all Councilors today and a letter submitted

last March. She will work with the City Attorney to ensure it is all in order. She added that they will not begin using on-call contractors for at least 30 days.

Councilor Lindell had procedural questions. She asked why this was not seen at the Finance Committee.

Director Wheeler said this contract has been in process since March and has become urgent now. There are several major projects to be managed.

Councilor Villarreal knew this went through the review for PSA and bidding. But she wondered why the Department is considering an out-of-state company for project management.

Director Wheeler explained that NV5 has on-site managers. They hired a manager away from Meow Wolf and have other resources here as well. The others are in-state. NV 5 has specific skills.

Councilor Villarreal asked if there was a hierarchy for ranking in the vetting or if it just depends on needs.

Director Wheeler replied that specific skills are sought. Some of these have experts in facility construction. So it is skills-based procurement. And, if needed, we can ask for quotes among several contractors.

Councilor Villarreal asked then if the people providing these services are in-state companies.

Director Wheeler agreed.

Councilor Rivera asked if contractor Leroy Pacheco is the person who retired from the City.

Director Wheeler said it is he.

Councilor Rivera knew there are limits with PERA and asked if that has been vetted.

Director Salazar (HR) said she has not been in contact with PERA on this vendor, but she agreed that there are regulations to follow. She will work with Director Wheeler on them.

Councilor Vigil Coppler wondered about a discrepancy on when the clock starts – especially with the fire fighter union. Some of these documents were signed August 3. She did not see anything other than testimony that notice was properly given but it is on the agenda. She asked if there was a union representative on the evaluation committee.

Director Wheeler said it has been awhile. The members were not in the packet, but she named them.

Director Salazar added that the project administrators are included in the bargaining unit and the regulation is to notify the union 30 days before using a contractor.

Councilor Vigil Coppler understood that Director Salazar interpreted that as having complied. We are under an order right now so we must be cautious. She asked if Director Salazar was extremely confident, we are complying.

Director Salazar said she was aware of communications with the union before COVID's onset. We can give a formal letter tomorrow and still comply with the CBA.

Ms. McSherry noted that the regulation is on an unrelated order.

Councilor Vigil Coppler agreed but she pointed out that the similarities are close. The Governing Body voted and needs a quick response. She had nothing in the packet that properly documents compliance so she would have to vote no on this. She was not sure the City is complying.

Mayor Webber asked Director Wheeler to review the history on it. The conversation started in March, so it is not a violation and we all need to be aware of our need to collaborate with the union. He thought, based on Director Wheeler's and Director Salazar's statements that the regulations have been met and the contracting doesn't violate the CBA. He asked Director Wheeler for a review.

Director Wheeler said there was an AFSCME grievance against the contract service process and we had discussions at that time about it and agreed it was for capacity and certain expertise and would not supplant any existing employees. She had a draft of the letter that was done before she was Public Works Director. And on Monday, she was given something in writing to respond to. She clarified that Director Salazar's explanation was correct that the agreement is to notify within 30 days of the use of a contractor. Upon approval, we will notify the union and it will

take some weeks to get a contractor on board. This notice tonight would serve as the required notice.

Councilor Villarreal understood we have the money to support contracts for project management. She asked how many vacant positions we have currently and whether we are trying to fill them or if they are frozen.

Director Wheeler clarified that we do not have all the money and this approval is not to spend money. When a project arises for which we don't have a project manager with those skills, we can use this money then.

Councilor Villarreal understood the urgency for CARES Act money before December but wondered how many positions that are vacant would be positions of management to be filled or if they are frozen.

Director Wheeler said the Traffic Engineer under John Romero has been vacant since she came to the City. It has been advertised 5-6 times and never had a qualified applicant. Sarah Anderson's position is now vacant with a need for a PE engineer. They are not frozen, but we have been unsuccessful to fill it.

Councilor Villarreal heard from John Romero that the City is not paying with a comparable pay scale for an engineer's position. How long will this be open for using a contractor?

Director Wheeler said it will be four years with one-year renewals. It is important to have this capacity. We have been successful in the past for capital funding from Legislative appropriations. An employee requires a steady pay throughout, despite the variance in money received.

Councilor Villarreal asked if the City is considering increasing the pay scale for those positions we can't fill.

Director Wheeler agreed.

Mayor Webber said the distinction here and what Director Wheeler was describing was the difference in one-off projects where a project manager needs to be plugged in quickly and that speaks to the unfilled position. It is spot services that are needed. So it is a both-and, not either-or.

Councilor Villarreal understood the Governing Body will see it again and asked how it will be renewed year-by-year.

Ms. Romella Glorioso-Moss explained that it is for a four-year term contract and not renewable and will end December 31, 2024.

Councilor Villarreal asked if they would still have the potential to hire because we might not need them.

Ms. Glorioso-Moss explained the contract is written that way so when there is no need, there is no contract money to spend.

Councilor Cassutt-Sanchez wanted to confirm this contract is funded by sources that are not necessarily ongoing revenue but based on appropriations from the State.

Director Wheeler said that is exactly correct.

Councilor Cassutt-Sanchez understood a written letter to the union 30 days ahead should be confirmed so the Governing Body would know that did occur. Councilors should get confirmation the letter was sent properly to make sure the rules are being followed.

Director Wheeler said she will provide it.

Councilor Vigil Coppler added that to be sure we are complying; it should be in the packet. Was there a letter?

Director Wheeler explained she could send a letter tomorrow if this is approved.

Councilor Vigil Coppler said it needs a meeting with the union on securing an agreement but that is not written in this contract. This is good for four years, but it will need an agreement every twelve months.

Ms. McSherry replied that the Governing Body approved the overall CBA but is not in oversight over this. It is the Labor Relations Board. They are a little bit different. She did not think the Governing Body wanted the day-to-day oversight. It could be a misuse of powers.

Councilor Vigil Coppler understood the City Attorney's interpretation, but she heard that let's just do it and let it go to LRB, if needed. But we need to be more proactive. The buck stops with us and we are not trying to be the day-to-day manager. But we are the purveyors of policy and need to follow that. She saw the language in the contract. She was not satisfied with that. Nothing here gave her the absolute decision to move forward here because she felt we are missing something.

Councilor Garcia felt it is prudent to ensure moving forward is in the best interest of the citizens and the union. He asked if we have utilized our employees as much as possible.

Director Wheeler said we have Our employees always come first for maximum capacity.

Councilor Garcia was looking at 4-b in CBA that it should not exceed twelve months when an employee is not available. So why are we entering into a 4-year agreement?

Director Wheeler did not anticipate hiring a contractor for a term over 12 months. And if needed, we would give proper notice, if we are not making sufficient progress.

Director Salazar added that the CBA contemplated, and through discussions and negotiations about going beyond twelve months, that the City is required to give notice again.

Councilor Garcia understood and we could wordsmith it, but to maintain good relations with our union friends, we should revisit it in 12 months to see where we are at that time and might have opportunity to hire more fulltime employees for this work instead of contracting. That would be his preference. But if not possible, it comes back before the Governing Body.

Mayor Webber said the period for overall agreement is four years, but it is not likely any contract would be over 12 months.

Director Wheeler agreed and if we find something that would go more than 12 months, we will come to the Governing Body.

Ms. McSherry added there is no reason that it should go to litigation The CBA was negotiated fully.

Councilor Rivera clarified that all four-year contracts have had to come back annually to be approved for the upcoming year.

Ms. McSherry agreed it has been a practice and maybe the staff did not have that language. They used the state language on it. A PSA is allowed up to four years and in general is allowed up to ten years.

Councilor Rivera asked how this Governing Body could approve a four-year agreement without it coming back.

Ms. McSherry said the Governing Body can make it either way – either one-year or four-year with annual approval

Councilor Vigil Coppler pointed out that 4-b says the projects are not to exceed 12 months and that it would bring cost savings and the employee shall notify the union 30 days before or when it will exceed 12 months. What this is before us is an intent to use contract workers. And we are to notify them in both cases.

Right now, there is nothing in writing, which is required. We have nothing to prove it and the contract before us will not comply with the language in the CBA. “Let’s do things right and comply what the City agreed to. It shouldn’t be difficult. If we don’t even know when we are going to use these people, let’s get a letter out.” She didn’t think we are meeting the CBA unless Director Wheeler can tell us otherwise.

Mayor Webber said it is an on-call contract so we can ensure in ten months if the contractors are still at work, we can notify the union of the intended extension, so it addresses the specifics of an agreement.

Councilor Villarreal concluded it is to spend up to one million over the four years.

Ms. Glorioso-Moss agreed.

Councilor Villarreal was in favor of a change to come back in one year.

Councilor Abeyta thought we would give 30-day notice before each PSA has been established and asked if that was right.

Ms. McSherry said it was a good point. The application for this contract is different. We are not asking them to start immediately but when we need someone.

Councilor Abeyta reasoned that before using one of the contractors, we will give a 30-day notice beforehand.

Director Wheeler had not understood it that way but was okay to do it each time.

Councilor Abeyta thought it might be one 30-day notice and then we could use a contractor whenever we need to. But with one 30-day notice,

we could use an on-call manager. The union probably wants it done each time.

Councilor Romero-Wirth summarized that we are approving \$1 million with a handful of contractors to approve tonight. And if we wanted to use one of them, she asked if a contract would be coming back to the Governing Body or not.

Ms. Glorioso-Moss said it would not come back to the Governing Body. It is \$1 million per contractor and there are four contractors.

Councilor Romero-Wirth said the City is to give 30-day notice to the union before using one of them.

Ms. McSherry agreed those are the words but maybe not the understanding.

Councilor Romero-Wirth concluded that we don't have to notify the union until we are going to use one of them.

Ms. McSherry noted it merely says, "the use of."

Councilor Vigil Coppler pointed out it says "intent." We intend to use contractors and that means a lot in context. We intend to utilize them. But it also says, "or" use them for less than 12 months or come back to approve using them longer.

The other thing she had not heard about was evaluating the expertise but with no way to determine that and prove that it will save us money. She had not seen that in this, and we need to honor our CBA.

Ms. McSherry said the language is about notice. Intent is not in this section. It is hard to provide notice before you intend to do something.

Mayor Webber added that the trigger for this is Director Wheeler's notion that the workload exceeds our present capacity. The preference would be to hire people on a fulltime basis and the CARES Act has extraordinary pressure to execute quickly. It is the need to have additional spot help because the demand for work exceeds the City's ability to provide it in-house.

Director Wheeler remembered that Councilor Harris started this long ago. There are often 3-year maximums on big projects and that is the situation we are in right now. It is important to have that capacity

Ms. Glorioso-Moss shared some examples.

Councilor Rivera heard that the contractors would not be used within the next 30 days so sending the letter was his suggestion.

Director Wheeler said she was trying to deploy projects now. There is a lot of work to be done and adding an administrative process to it adds to the burden.

Councilor Abeyta asked if we have used on-call contractors before.

Director Salazar pointed out that this on-call contract has been in place since July 2017 and the language has not changed for over nine years.

Director Wheeler agreed. Public Works uses on-call for design engineering. We use landscaping contractors and have used some at Midtown.

Councilor Abeyta asked if we notified the union before we used them.

Director Wheeler was not aware of the process used in the past.

Councilor Villarreal asked for a friendly amendment that we re-evaluate the agreement after the first year. We understand the urgency but, in a year, she would like to see if we have filled the vacancies then.

She proposed adding, "That the Governing Body would see the on-call agreement after one year."

Director Salazar commented that even if all positions are filled a year from now, there could still be a need for skills our staff does not have.

Councilor Villarreal understood but the Governing Body could still re-evaluate it.

Ms. McSherry suggested amending it as one-year contract, renewable up to four years.

MOTION: Councilor Villarreal moved, seconded by Councilor Garcia, to amend the motion by adding "That the contract would be for one year, renewable up to four years."

Discussion on the amendment:

Councilor Lindell asked if that would slow down the process.

Ms. Glorioso-Moss said she would have to go back to renegotiate with the four contractors because they already signed the contract. It will delay implementation.

Ms. McSherry asked if the RFP was specific about the term.

Ms. Glorioso-Moss agreed. It said four years.

Ms. McSherry concluded that this amendment might not be possible.

Councilor Lindell was concerned about how it would slow us down. It could be months. The second part is to Director Salazar to whom she asked how long the City has been trying to hire engineers.

Director Salazar said it has been several months. There are other departments that have engineers, and we need to determine if we can increase the salary range because we are just not getting applicants.

Councilor Lindell asked how many times we have advertised trying to hire them.

Mayor Webber recalled the conversations around hiring engineers go back to my coming into office. There is a statewide shortage. John Romero was offered a very attractive position at the State. And traffic has significant need. We have put a notice out five or more times. He asked a friend at San Francisco City on what it would take. She said she could recommend people but not at our salary offering.

Mayor Webber was struck by Exhibit B on number of projects undertaken. If we cannot get project management in place, we cannot get them done.

Councilor Lindell did not want to hold up the projects and could not support the amendment.

Councilor Romero-Wirth also had concerns. If we make this change, she wondered if we close lose the contractors that are signed up here. They are in demand and have other choices.

Ms. Glorioso-Moss noted on page 2 of the contract is a requirement for the project manager to provide progress reports to the City.

Mayor Webber said they are really required to make monthly reports.

Ms. Glorioso-Moss agreed. The report includes whether the project is on time or behind schedule.

VOTE: The motion to amend failed on the following (4-5) Roll Call vote:

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

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

VOTE: The main motion was approved on the following (6-3) Roll Call vote:

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

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

- c. Request for Approval of Budget Amendment Resolution – North Central New Mexico Economic Development District-Non-Metro Area Agency on Aging NSIP, Item # 20-0363 (Munis Contract #3201993) in the Amount of \$111,126. The NSIP Grant Funds Will be Used to Purchase Raw Food Supplies for Meal Preparation for Eligible Senior Citizens Participating in Our Meal Program During FY 2021. (Gino Rinaldi, Senior Services Division Director earinaldi@santafenm.gov, 955-4710)

Ms. Vigil read the caption for this matter.

MOTION: Councilor Lindell moved, seconded by Councilor Rivera, to approve the Budget Amendment Resolution 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 for Approval of Budget Amendment Resolution – North Central New Mexico Economic Development District-Non-Metro Area Agency on Aging FFRCA Federal Sub-Award, Item # 20-0402 (Munis Contract #3201960) in the Amount of \$61,325.10. The FFRCA Grant Funds Will be Used to Purchase Operational Supplies for Meal Preparation for Eligible Senior Citizens Participating in Our Meal Program During FY 2021. (Gino Rinaldi, Senior Services Division Director earinaldi@santafenm.gov, 955-4710)

Ms. Vigil read the caption for this matter.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Rivera, to approve this Budget Amendment Resolution 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.

- e. Request for Approval of a Lease Agreement between the City of Santa Fe and the Interfaith Community Shelter Group ("Pete's Place") Located at 2801 Cerrillos Road, for a Four (4) Year Term. (Rich Brown, Economic Development Director, rdbrown@santafenm.gov, 955-6625 and Andrea Salazar, Assistant City Attorney, asalazar@santafenm.gov, 955-6303)

Ms. Vigil read the caption for this matter.

MOTION: Councilor Rivera moved, seconded by Councilor Villarreal, to remand this matter back through the committee process.

Discussion on the Motion:

Councilor Rivera said he had asked questions of the Land Use Department regarding the lease of this property, as it relates to inspections. The building is city-owned, and State CID must do the inspections. But those inspections have not been done. He is looking for them to be done prior to the next Governing Body meeting to be assured that the sprinkler system is working properly and that the building is structurally sound.

Secondly, no appraisal has been done since 2010 so we are due for updated information. There may be further issues. He would be willing to have it come to Public Works/Utilities Committee.

Councilor Villarreal had some concerns. It was not clear that CID is responsible for maintenance. We have some contracts for maintenance of our buildings, and it is unclear if that is our role. There are some aspects of lease agreement that do not address issues of health and safety or of contiguous businesses to that property. There needs to be a concerted effort, working with the shelter and Public Safety, to solve those problems and do this right. It is premature to bring it to the Governing Body and really needs to be heard at the committees first.

Councilor Romero-Wirth understood the issue of safety but asked it needs an appraisal if we are not selling it.

Councilor Rivera said an appraisal is needed for having an appropriate lease amount. That was his understanding.

Ms. McSherry was satisfied as was Director Brown.

Ms. Andrea Salazar explained that the reason for not moving forward with another appraisal was that it falls under an exemption clause regarding fair market value and the anti-donation clause – it falls under care of indigent individuals. So they were comfortable moving forward with a percent increase in the appraised value that was established. It is a 12.5% increase over the last appraised value.

Councilor Romero-Wirth understood.

Ms. Salazar said, under the lease agreement, the City has the right to inspect the premises if there is a suspected concern. She did not know of any inspections previously

Director Ochoa was unaware of any inspections done previously.

Mayor Webber believed a fire inspection was done but was done more than a year ago. He thought it should have been done by the State.

Chief Babcock said the City Fire Department has done an inspection for capacity. He was not sure when the last State inspection was done but would find out for the Governing Body.

Councilor Romero Wirth thought it would be a good idea to know how often this building has been inspected because we want to make sure that if there is a safe building.

Since the lease expires today, we need to keep that facility operable as it houses and important population that we don't want to see turned out into the street. She asked what that would mean if we remain this back to the committees.

Ms. Salazar confirmed that today is end of the state lease. But they can be held over for a month-to-month holdover for month-to-month lease.

Councilor Romero-Wirth asked how long the lease can go on a month-to-month basis.

Ms. Salazar said it would be just until we terminate it or until new lease is entered. There is no end date.

Councilor Romero-Wirth asked that if sent through committees, the QOL Committee should see it. There are a range of concerns and some might not be able to be fixed in the short term. If it does go back, QOL should see it and work to get it renewed quickly because it is important to our City.

Mayor Webber agreed. He recalled in QOL, the Committee has discussed the overlap of needy people and communities.

Councilor Vigil Coppler was curious about anti-donation clause. If the City is not charging at fair-market value, she thought it would be a donation. She asked if it can be substantiated, we are not giving something away. The increase is about 1.25% per year and an appraisal this year would be terribly expensive. If charging much less, we have a fiscal responsibility to our taxpayers since we are not charging enough.

Ms. McSherry explained this fall into the exception as care and maintenance of needy persons. The Governing Body could go lower and that is a policy choice that could be made. She thought it was the right thing to do. Their lease expires at midnight tonight.

Ms. Salazar agreed, but they do have a hold over to go month-to-month.

Councilor Vigil Coppler noted according to the communication from Dan, it was in June and we are here without a committee process today. It seems to me we find ourselves in this position when they are not vetted, and things brought to us at the last minute. She didn't understand why it was delayed for something expiring today.

Director Brown said there is a capacity problem. The City has a collection of parcels developed for sale and once the budget was approved, we were receiving applications. He recognized we needed to get it done and asked for it to be on the agenda tonight.

Councilor Vigil Coppler said that raises even more problems.

Director Ochoa clarified that an inspection was done last year on improvements to the kitchen.

Councilor Romero-Wirth surmised the Board asked this to come directly to Governing Body and not through committees.

Director Brown agreed and we advised them it should go through committees. They wanted it reviewed at next available Governing Body meeting.

Mayor Webber pointed out the importance of this discussion and put it in context of all the City has been doing re homelessness. Director Ochoa is here and Director Wheeler, who was doing so much work at Midtown in our attempt to get arms around the national crisis. We joined the National Strategy to end homelessness. Ian Haggerty came here and met with us and it has been an inspiration to find a way forward re homelessness in Santa Fe and has led to significant steps including Midtown, reducing the number staying at Pete's Place and that population then was 90 and now 30. St. E's has also found new ways to address its population. We are building a chain of care – a system to address this issue. Doing more outreach. Director Ochoa has worked through the Connect Fund to prevent homelessness and if we can find financing for people to stay in a motel, we could have 137 more rooms for housing those people. At same time, the Task Force would be cochaired by Councilor Villarreal and Councilor Rivera that speaks to public safety. He was on a call with US Mayors discussing the most underserved with mental health and health disabilities, who are entitled to legal protection.

So discussing at the committee level on how we intend to produce a systemic approach and address neighbor's concerns and businesses nearby is important. Some see it as a law enforcement issue for outreach to people suffering from these disabilities. The conversation should be productive rather than just a delay. And it is an extraordinary commitment of the volunteers who make it happen each day.

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.

Councilor Romero-Wirth said she would put it on their October 7 agenda.

- f. **CONSIDERATION OF RESOLUTION NO. 2020-38.** (Mayor Webber)
A Resolution Extending the State of Emergency Proclaimed by the Mayor on September 28, 2020, COVID-19 Emergency Proclamation V, by Sixty (60) Days, Pursuant to Section 20-1.2 SFCC. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

Ms. Vigil read the caption for this matter.

Mayor Webber thought there was an amendment and asked Mr. Guillen if it is in the packet.

Mr. Guillen said it was sent to all Councilors as Exhibit E but it was not in packet.

MOTION: Councilor Cassutt-Sanchez moved, seconded by Councilor Lindell, to approve Resolution No. 2020-38 as amended.

Discussion on the Motion:

Councilor Garcia asked for clarification regarding the authority to City Manager for signing contracts up to \$200,000 if it was just those related to COVID or to any contract.

Ms. McSherry clarified the order of extending is not related to City Manager authority. But her authority would be for all contracts.

Councilor Garcia noted the conditions around the pandemic have not happened as fast as we hoped in March. We probably will be in it for at least one year. So he asked if we going to continue with 60-day orders and there are the Governor's orders to follow. He was not in favor of doing it every sixty days.

Mayor Webber said it was a good question. There are several policies for the public. We are in a spread rate where we were in April. We are not making the progress we would like to see. There are specifics in the order such as water shut-off moratorium, etc. The grocery help order had him meeting with the four general managers to check their progress on the stipulations in the declaration. On a large basis, he was happy Santa Fe is in direct alignment with the Governor and perceived as sending the same order. It is a health emergency, a profound pandemic threatening lives in the City. We want the severity of this health emergency to be a matter of public record and hoped in the near term, we would not need the emergency declaration. But right now we are at risk and doing what we can to implement that message. And it tells the citizens how concerned we are with their health and safety.

Councilor Garcia pointed out that we have additional needs now like supporting our students who may be home for a while and to partner up with SFPS and any other kid trying to make it through the pandemic and priorities are changing and we need to adapt to that.

Mayor Webber agreed, and there are some new conditions of need that must be addressed.

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. City of Santa Fe Municipal Court Update. (Virginia Vigil, Municipal Judge, vmvigil@santafenm.gov, 955-5110) INFORMATION ONLY

Ms. Vigil read the caption.

Judge Vigil was present virtually and said she is required to report twice each year. She submitted a report surrounded by Supreme Court COVID orders. The current process is to do trials by Zoom. So we are operating at the same workload or caseload as before the pandemic and perhaps a little more. We are quite busy today and the load has been escalating. Quite a few trials are being conducted.

We had a visit to make sure social distancing is practiced and we have been able to transition to this point. It is not yet a normal state, but everything is being done telephonically or by Zoom.

Mayor Webber said our police department has issued significant citations and wondered what is seen in the courtroom virtually.

Judge Vigil said that was her reference in escalation. We are seeing the result from that. We had two face mask cases and both pled guilty and were given a warning. We also see more traffic citations.

Councilor Villarreal asked how the court facilitates community service during this time.

Judge Vigil said there are people who cannot pay the court costs. A couple of places have been used that do allow community services. The top place is the Food Depot who has welcomed community services. That was preapproved by the Governing Body. Kitchen Angels is another. Parks and Rec has also been a choice for community services. That has made it much easier.

Mayor Webber thanked Judge Vigil for the update.

- h. Request for Approval of Additional Governing Body Meetings, if Needed, to Address CARES Act Related Items or Any Other Timely Items: (Jarel LaPan Hill, City Manager, jlapanhill@santafenm.gov, 955-6848)
- Wednesday, November 18, 2020
 - Wednesday, December 2, 2020
 - Wednesday, December 16, 2020

MOTION: Councilor Garcia moved, seconded by Councilor Lindell, to approve the proposed dates for special Governing Body meetings as presented.

Discussion on the Motion:

Councilor Villarreal pointed out that CDC meets on November 18 and December 16. She asked if the Governing Body meeting could start later because of the conflict. Do they have to start at 4:00 or maybe 5:00?

Manager LaPan Hill said 4:00 was in the new resolution but she was open to a better time. 5:00 would be fine.

Councilor Villarreal noted that December 2 is the QOL Committee date too.

Manager LaPan Hill agreed.

Councilor Villarreal wanted to start at 5:00 on November 18. CDC might not meet on December 16.

Manager LaPan Hill accepted November 18 and December 16 at 5:00 and December 2 at 4:00.

Ms. McSherry suggested calling them all special meetings.

Councilor Villarreal considered them as special meetings.

Councilor Romero-Wirth wondered about flexibility on times. She was amenable to cancel QOL if necessary. She would not know for sure until we get closer. She asked about announcing times.

Councilor Garcia suggested moving December 2 to Tuesday, December 1.

Mayor Webber deferred to the Governing Body and City Manager. He assumed the time was from the resolution.

Manager LaPan Hill said the preference of the Governing Body is okay. We were just trying to make them consistent.

Mayor Webber suggested withdrawing the motion and make a new one with times.

Councilor Vigil Coppler asked if October 22 is still a special meeting

Manager LaPan Hill agreed. That one is focused on Land Issues and a public hearing.

Councilor Vigil Coppler pointed out that in PrimeGov the times are shown as 4 pm and 6 pm.

Manager LaPan Hill did not know why 6 pm was there because it is not an afternoon and evening session. It is just one meeting.

Ms. Vigil said she will show it as a single meeting.

Councilor Vigil Coppler added that if we don't need them, we won't hold these meetings, but asked when that will be known.

Manager LaPan Hill said the notice will meet the standard 72 hours for notification.

Councilor Cassutt-Sanchez hoped for a 5:00 starting time because 4:00 was challenging for her schedule.

Motion Withdrawn

Councilor Garcia withdrew his motion and Councilor Lindell withdrew her second.

Ms. Vigil recommended to approve the dates and she would work with Councilors on the starting times.

Councilor Garcia – moved to approve the proposed schedule for the special meetings on Nov 18, Dec 1, and Dec 18 with starting times TBD. /Councilor Lindell.

MOTION: Councilor Garcia moved, seconded by Councilor Lindell, to approve the proposed schedule for the special Governing Body meetings on minutes of the special Governing Body meeting on September 17, 2020 at times to be determined.

Amendment to the Agenda

MOTION: Councilor Rivera moved, seconded by Councilor Villarreal, to amend the agenda to suspend the remainder of the afternoon session, observe a 5-minute break and then go to the evening session and return to the afternoon agenda, starting with item 12 after the evening session agenda is finished.

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.

Brief Recess

The Governing Body took a break at 6:58 p.m. and reconvened for the evening session at 7:03 p.m.

EVENING SESSION - 7:08 P.M.

14. ROLL CALL

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
None

15. PETITIONS FROM THE FLOOR

Lisa Schub asked for the date of GCCC skating rink reopening. She noted it took 14 days to reopen golf courses MRC and 14 days to open the GCCC pool. "You might think it is a so-called victimless crime, but it takes two weeks' time to get the ice ready." I feel terrible about traveling and paying Albuquerque fees to use their rink. Now the City is preparing to open the Salvador Perez pool. Please give us an opening date and think about the wellbeing of youth and adult skaters. Thank you."

Stefanie Beninato said she previously sent in comments on discussion items. She was here today to talk about pools. Staff are working on changes regarding pool use. She also pointed out that Salvador Perez still needs to do a couple more months of work and after two years, is finally set to open. Regarding the complaint process, even when they file their final report, we have our own paperwork to do, whereas the other person violating doesn't have to fill out more paperwork. So they can just keep on violating. Then, someone building five years later doesn't know about it. At a recent Historic Districts Review Board meeting, she let her concerns be known. She got the impression that no one on the Board wanted to hear her concerns. And Lisa Roach told her to not bother her with emails. She sent her comments for the Governing Body because all Councilors need to know what is going on in the City.

There were no other petitions from the floor.

16. **APPOINTMENTS**

a) Occupancy Tax Advisory Board

Ms. Vigil named the appointments for the OTAB:

Councilor Villarreal/Councilor Rivera – to approve – unanimous.

MOTION: Councilor Villarreal moved, seconded by Councilor Rivera, to approve the appointees to the Occupancy Tax Advisory Board 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) Community Health and Safety Task Force

Ms. Vigil named the appointments with Councilor Villarreal and Councilor Rivera as Co-Chairs.

MOTION: Councilor Villarreal moved, seconded by Councilor Garcia, to approve the appointments as presented.

Councilor Garcia congratulated the selection committee for a nice diverse membership and was looking forward to the work to be accomplished. What comes out of the Task Force will change the direction of Santa Fe.

Councilor Villarreal thanked everyone who applied for membership on the Task Force. Over 66 people applied, and some were not eligible because they were county residents. It was a rigorous process with interviews. She commended those who won't be on the Task Force but participating in other ways.

Councilor Rivera also thanked all who applied. There were so many that it was hard to leave people out. He hoped they would continue to stay involved with City activities. He looked forward to the work.

Mayor Webber thanked both for agreeing to be co-chairs with all the discussion on policing and health reimagining. He added that the City is keeping the resumes for future use to invite them into other service with the City.

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.

19. **PUBLIC HEARINGS**

- a) **CONSIDERATION OF BILL NO. 2020-27.ADOPTION OF ORDINANCE NO. 2020-____. (Councilor Rivera and Councilor Vigil Coppler)**
An Ordinance Amending 12-2.1 SFCC 1987 to Update the Version of the International Fire Code Adopted by the City of Santa Fe. (Geronimo Griego, Fire Inspector II, gggriego@santafenm.gov, 955-3310)

This item was postponed to October 14,2020 under Approval of Agenda.

- b) **CONSIDERATION OF Bill No. 2020-24. ADOPTION OF ORDINANCE 2020-24. (Mayor Webber)**
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 "Permit, Emergency Grading at Owner's Risk:", "Permit, Limited Grading", "Permit, Preliminary Clearing and Grubbing", and "Site Restoration"; and Establishing an Effective Date. (Eli Isaacson, Land Use Department Director, eisaacson@santafenm.gov, 955-6830 and Jason Kluck, Assistant Land Use Department Director, jmkluck@santafenm.gov, 955-6729)

Ms. Vigil read the caption for this public hearing.

Director Isaacson was present.

Mayor Webber explained the process.

Staff Presentation

Director Isaacson presented this proposed ordinance to the Governing Body. The primary objective is to add a new section 7-1.1 and 13-14 creating a new fee structure for the Land Use Department and an amendment to among other things, add a definition for site restoration. Many of the services are provided at no charge. The Planning Commission has recommended approval on this. He noted that the Assistant Land Use Director, Jason Kluck, was also in the meeting.

Public Hearing:

Stefanie Beninato, at PO Box 1601, said what she appreciated about the ordinance is allowing some preliminary processes. She had a little concern but liked that important process. As Director Isaacson pointed out, I think you see, the new computer system from a few years ago is much different.

There were no other speakers from the public.

Questions from Governing Body

Councilor Romero-Wirth asked Director Isaacson about the Planning Commission recommendation because she saw nothing in the packet about a recommendation or what changes they made to it.

Director Isaacson explained that the Planning Commission did make a recommendation to approve but also made amendments on some definitions and had questions.

Councilor Romero-Wirth thought those amendments must have been incorporated into the ordinance since there was nothing as a stand-alone amendment.

Director Isaacson agreed. They provided a substitute ordinance that included the Planning Commission amendments.

Councilor Vigil Coppler said she had a good discussion with Director Isaacson yesterday. Some of her questions did not get clarity. She wondered what rationale there was for the fees proposed and what they

are based on. The other matter of concern was where we are now with service charges. Taxpayers are already paying into the City, including property taxes and GRT. The services are paid for through the General Fund. And we have been told about the burden on Staff as significant. But to her, this is more like privatization. If it is fee-based money, why would it not be characterized as an enterprise fund and the money stay within the LUD. If it means an increased workload, then those fees should be as in an enterprise fund so extra staff could be hired. But she was told the fees all go into the General Fund. If we are going to collect them and citizens are already paying for the salaries, the fees should stay in LUD. Or if not, why are we collecting fees in the first place? This is very cyclical, and she recalled when the City had no developments going on.

Ms. McSherry thought this line of questioning should be considered after a motion.

Councilor Vigil Coppler asked why the fees going into the General Fund rather than separate accounting within the LUD so they can get the Staff they need. We are not truly accounting to builders or developers with their money. The taxpayers are already paying for these positions. She proposed they be kept within LUD to be best able to hire people for the increased workload. They could be term employees. Why can't we do that?

Mayor Webber asked Director Isaacson or others to respond to this question.

Director Isaacson said there are two categories of fees – some are existing, and we increased them because of evaluation of the time and staff effort and trying to align the fees to the amount of funding. Probably one reason is because of all the hiring of folks with more experience to conduct more sophisticated reviews. The new fees are in review of services we have not charged for – things that really help the applicant to avoid stumbling blocks and sometimes require 7-8 staff in meetings and that costs the City quite a bit. That is how we see the new fees on costs to the City to provide those services.

Regarding enterprise, the LUD is not currently an enterprise fund operation. Some larger cities do operate that way. But typically not for a city of our size. That is beyond the scope of this ordinance amendment. It is an interesting question. But he was not able to address it this evening. Ms. McSherry might have other advice.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to approve Ordinance 2020-24 as presented.

Discussion on the Motion:

Councilor Vigil Coppler commented this is a concern because she has been in this business a long time and it is a question she gets asked and the fees don't seem to improve the service. She had paid two fees and her project was never reinspected afterward. Many builders who have been here a long time say maybe the City needs more staff and she agreed.

The LUD is reactive and not proactive. If we had enough staff, we could be more helpful. The City used to do program budgeting and knew exactly how much things cost. It has been a very intricate budgeting process. Collecting fees means we should be able to say what was done with the money received. What is better for the extra money I am paying? She didn't disagree with Staff, but we have a right to think more globally about things and this is more global. We are charging extra fees and promising more services but commingling the fees in the General Fund and we cannot say what extra service they get for the fees they never had to pay before. These fees could be used back in LUD for staff that they need.

Councilor Garcia had a possible correction in the fee table under preapplication. The fee looks like an excel spreadsheet formula instead of an amount. He asked on several fees why they are going up so high - variance fees also. What is the rationale for those?

Director Isaacson said it is the associated staff time and the City's cost for handling the service. We looked at other jurisdictions also to find out what they are charging for that service.

Councilor Garcia asked if the City is in alignment on what we will be charging with this amendment.

Director Isaacson agreed.

Councilor Garcia asked what the new added steps are to go through that a developer might have to pass on to the customer and how that would affect that business.

Councilor Garcia asked what the mandatory preapplication meeting is.

Director Isaacson said it is associated with large projects typically but would not be held for a homeowner doing remodeling or adding on to their home. But in navigating an overlay district. \$500 is not a lot in a project budget. It

is usually passed on to the consumer. In aggregate, it is very useful to the City. You will see we have not increased some fees at all.

Councilor Garcia was concerned about how he has heard consistently from developers about all the time they must wait for approvals. Some were three to four months. He understood the City is strapped for enough members on our team. Will these fees allow a more time efficient response for approvals?

Director Isaacson said that was their hope in the Land Use Department. He said it is increasing revenue city-wide. The LUD is now funded by the General Fund so with fees going into the General Fund, more funding to hire additional staff would result.

Councilor Garcia asked what added necessities there will be for people who want to build a new house on a vacant lot.

Director Isaacson noted we have not increased our permit fees per se. One example that might impact a typical residential project is our recommended charge for revision, which is when we find issues that must be corrected in an application. An amendment is a change we find in the field. With them, after the first time, if you must come back second or third time, the fee is charged. Another one is for time extensions of the construction period at a \$100 fee.

Councilor Villarreal had a couple of things related to the industry. the Santa Fe Homebuilders Association inquired about the changes and getting feedback from them. If the fees make sense to them. She asked Director Isaacson what interaction or response from them he had received.

Director Isaacson said they got a request from the Executive Director and sent him a response and did not receive any follow-up. For the most part, the fees don't affect the homebuilders.

Councilor Villarreal said Mr. Comley would usually let us know if there were concerns. So not hearing back is a good thing.

She agreed that fees generated in LUD should go back to LUD to staff up as needed. It was clearly a goal. She felt in the past, we made it clear that such fees generated would go back there.

Director Isaacson did not have a good answer for that but the need for additional revenue is real.

Councilor Villarreal would like to make that a directive of what we would like to see.

Mayor Webber was not sure that is handled as a directive but a matter during budget negotiations or as a matter of fiscal policy and not just an assertion. We would have to explore what was done under prior administrations to see how it was set up.

Ms. McSherry said it could have been a budgetary decision in the past. She was not aware of any resolutions on that. An ordinance would be better than a resolution.

Councilor Villarreal said the City had a goal of using fees where they were generated to have sufficient staffing. She just wanted to continue that. We've never been fully staffed in LUD.

Councilor Romero-Wirth commented that the legislative philosophy is for fewer dedicated funds and more in General Fund to be able to allocate it. Dedicated funds are frowned upon. Getting away from it is good. Our enterprise funds are not self-sustaining. A point was made earlier about the ebb and flow of development industry. We are in a boom right now. But sometimes the cycle goes down and if we are relying on fees to support the department, it would not work.

So in the General Fund, we prioritize where we want funds to go and where it will do the most. We want better services and be fully staffed, and the Governing Body could prioritize that to happen.

Councilor Vigil Coppler read in the FIR that these funds are recurring funds and that is not true. They are fees so we have ebbs and flows and we still haven't experienced how much impact the increases will do for Affordable Housing. She thought the categorization of this new money cannot be depended on.

Mayor Webber agreed and asked about data that is available. In general, how LUD has been doing. Given the understaffing and strain the Department is under, how it is going with permitting this year.

Director Isaacson said it is going well for LUD. We were able to shift from over the counter to electronic methods. But no matter how it is done, it is hard. We have dedicated people and a useful framework done every day for the construction industry here.

Mr. Kluck echoed the response. He has been in LUD almost one year and was very excited to be here and meet the challenges. What Carol Johnson passed on was good and then COVID hit as a roller coaster ride. But we have risen to the challenge and he assured the Governing Body that he supports the building community as much as possible. There are more challenges with the health crisis, but our staff is responsible, in their work.

We issued 6,599 permits last year and it is on par this year - with about 5,500 permits and slightly less revenue.

Also, to address something Councilor Vigil Coppler addressed, these permit fees over the last six months were worked on to submit for approval. Staff verified where the fees are, and these are definitely in line with Colorado, Texas, and Arizona. Not all cities use these fees. We are right there, based on home value, with these others states. Our fees have not changed in last five years and we want to look at them every five years. The fees we are adding are definitely needed.

Mayor Webber appreciated the depth of his knowledge and the data. He asked for an estimate on number of houses being built right now.

Director Isaacson said for those under construction that have been approved by the Planning Commission or Governing Body, the total is 2,100 right now. It was not that much in recent history in Santa Fe. And that is not to mention multi-family construction, some of which is affordable housing.

Councilor Abeyta asked when the last time we increased land use fees was.

Director Isaacson didn't have that in front of him and would follow up.

Councilor Villarreal thought it was four years ago.

Director Isaacson said one of his staff members had texted 2008 was the last time. We have revised certain portions of them as recently as last year. So we have done piecemeal revisions but overall, not since 2008.

Councilor Abeyta added that he gets comments from builders that they would be happy to pay more fees if they could get approvals back quicker. Maybe certain permits don't need as much paperwork. Any time you can make it quicker, they don't mind paying higher fees.

Director Isaacson understood and said they have taken on that challenge to make it happen quicker. As part of the COVID response is an express permit for things that don't take as much review. So we are taking an opportunity to streamline our process and with short staff, we need to find those.

Mr. Kluck added that in the new fee schedule on page 2 is one for expedited plan review. We are definitely interested in that process and hopefully can implement it soon.

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) CONSIDERATION OF BILL NO. 2020-22. ADOPTION OF ORDINANCE NO. 2020-25. (Councilor Lindell, Councilor Villarreal, and Councilor Romero-Wirth)
An Ordinance Amending the Table of Permitted Uses in Section 14-6.1(C) SFCC 1987 to Include Commissary Kitchens as a Permitted Use Requiring a Special Use Permit in C-1 Zoning Districts; and Amending Section 14-12.1 to Add the Definition of Commissary Kitchens. (Eli Isaacson, Land Use Department Director, eaisaacson@santafenm.gov, 955-6830)

Ms. Vigil read the caption for this public hearing.

Director Isaacson introduced the ordinance. It adds a definition in the code to add commissary kitchens as a permitted use with a special use permit if within 200 feet of a residential property.

Ms. Paez recommended in this matter to swear in applicants testifying for these ordinance changes.

Mayor Webber did not realize it was applicant driven.

Director Isaacson said the testimony was initiated by a member of the public under the sponsorship of Councilor Lindell and Councilor Villarreal.

Mayor Webber had no problem turning it over to an applicant.

Councilor Rivera asked Ms. McSherry if the public can initiate policy.

Ms. McSherry clarified it is not for sponsorship, but we could pull it up.

Ms. Paez said there is a specific section for which people requested an amendment and that can be done by any person.

Councilor Rivera asked if the presentation would be outside of public comment.

Ms. Paez recommended it be part of the public hearing. We swore in all making testimony on this at the Planning Commission. This falls a little more toward submittal although it applies to the whole City.

Public Hearing

Andrea Abedi, 1533 West Cieneguita, was sworn in and mentioned her partner, but would make the presentation by herself. She said commissary kitchens are for food distribution – to prepare food for retail to help economic development and to create a resource for those wishing to start a food business. She further explained how such kitchens help the community, e.g., for farmers to distribute their produce to the community.

Stefanie Beninato, P. O. Box 1601, was sworn. She appreciated the explanation about commissary kitchens. She said there might be a lot of different things in the same building. More separation of processing and then distribution somewhere else. She thanked the applicant for the explanation and purpose.

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

Governing Body Questions

MOTION: Councilor Villarreal moved, seconded by Councilor Lindell, to adopt Ordinance No. 2020-25 as presented.

Discussion on the Motion.

Councilor Garcia asked to be a cosponsor of this legislation.

Councilor Vigil Coppler was curious about the Convention Center and whether the City is using that as commissary kitchen.

Director Isaacson said it can be rented as commissary kitchen. He didn't know how much the charge was. He offered to track it down for her.

Councilor Vigil Coppler wondered how the public finds out about that.

Director Isaacson said people would contact Director Randall about it.

Councilor Vigil Coppler asked if the convention center could be used if the Governing Body did not approve this.

Director Isaacson thought so. This is a use allowed in other areas of the City and this amendment allows it in C-1 zones.

Councilor Vigil Coppler asked if those kitchens get inspected in the same way by the Environmental Division.

Director Isaacson agreed. It is considered as a certified production facility by them. It would be established on privately held property and the city would review and inspect the construction and mechanical, electrical, and plumbing facilities prior to operation. Then they would need inspection certification from NMED prior to opening. Prior to a business license, our department would make sure it was all done.

Councilor Vigil Coppler asked if the City reviews ourselves at the Convention Center.

Director Isaacson was not sure what has been done at the Convention Center kitchen. No one in his department would have oversight over that. He would direct that to Director Randall also.

Councilor Vigil Coppler asked if approval tonight allows commissary kitchen, and if the City reports those we approve to NMED

Director Isaacson clarified the request for health inspection comes from the owner or operator of the commissary kitchen. They would call to request the inspection.

Councilor Vigil Coppler thought they would not just inspect once.

Director Isaacson agreed. They happen on more of an annual type basis.

Councilor Vigil Coppler thanked him for his answers. She would like an information sheet on the requirements for the Convention Center and what our fees are.

Director Isaacson would track it down and provide it to her.

Councilor Villarreal commented that this was actually asked how it could be made legal because we did not have any term for this project. And LUD had no ability to amend the code and proposed hiring an attorney. They spent a lot of money and worked on it for over a year. She recommended it as the process for everyone. This will be more accessible and fees probably different. It is not an easy place downtown to use the kitchen at the Convention Center. She appreciated staff coming up with a solution, but it is not easy. She hoped and wished them success and hoped there will be ways that people can access it and make it affordable and ways they can work it out to be accessible. She wouldn't even compare it with the Convention Center kitchen.

Councilor Romero-Wirth was sorry to hear they had such an ordeal. The public can approach a Councilor to introduce legislation. We have that capacity, and she was sorry they had to hire lawyers and make it such a big deal.

Mayor Webber added it really is part of our focus on economic development and growing that segment rewards a lot of entrepreneurs. Hopefully, it will bring spin-offs of growing, producing food and nurture it.

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) CONSIDERATION OF BILL NO. 2020-23. ADOPTION OF ORDINANCE NO. 2020-____. (Councilor Lindell and Councilor Vigil Coppler)
An Ordinance Amending Section 23-7.4 Relating to Golf Rates at the MRC. (Jennifer Romero, MRC Manager, jcromero@santafenm.gov, 955-4465)
(POSTPONED TO OCTOBER 14, 2020)

Return to Afternoon Session:

12. **MATTERS FROM THE CITY MANAGER**

Manager LaPan Hill wanted to highlight our vacancies and job posting. The Community Health and Safety Director, Asset Manager positions and others are on our web site. We are really excited about them. The engineer is also on there.

We want to get the postings out to a much wider audience. She asked and encouraged the Governing Body to help with that effort by sharing the openings with their networks to get good candidates.

13. **MATTERS FROM THE CITY ATTORNEY**

The City Attorney recommended going into executive session to discuss the two items listed on the agenda.

EXECUTIVE SESSION

- a) In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(7), Discussion of Pending or Threatened Litigation, Including But Not Limited to, Two Cases Filed in the First Judicial District Court, Both Captioned Gail Gilbert v. City of Santa Fe, Case Numbers D-101-CV-2020-00979 and D-101CV-2019-02819; and (Erin K. McSherry, City Attorney; ekmcsherry@santafenm.gov, 955-6512)
- b) In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(8), Discussion of the Sale of the Recently Acquired Santa Fe Estates Property. (Erin K. McSherry, City Attorney; ekmcsherry@santafenm.gov, 955-6512)

MOTION: Councilor Rivera moved, seconded by Councilor Garcia, to move into closed executive session to discuss the matters listed on the agenda.

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

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

Against: None.

The Governing Body went into executive session at 8:54 pm.

The executive session ended at 10:35 pm

Councilor Rivera moved, seconded by Councilor Villarreal, to come out of executive session stating for the record that discussion was limited to the items on the agenda.

Vote - Councilor Abeyta was not present for the vote. Unanimous otherwise. At 10:42.

MOTION: Councilor Rivera moved, seconded by Councilor Villarreal, to come out of closed executive session, stating for the record that discussion was limited to the items on the agenda.

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

For: Mayor Webber, Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal. Councilor Abeyta was not present for the vote.

Against: None.

14. **MATTERS FROM THE CITY CLERK**

None.

15. **COMMUNICATIONS FROM THE GOVERNING BODY**

Councilor Garcia reminded everyone that next week is the last week to respond to the Census in. The website is 2020census.org. Early voting starts next week. His background showed the seven archangels that have been restored on the river walk. They are part of iconic downtown Santa Fe. He was happy they got restored. One collapsed and he hoped it would also get restored. The sculptor was very traditional using all-natural pigments from local plants. That is awesome. Jose did well.

Councilor Lindell introduced a resolution in support of the Veterans' National Cemetery which is a wonderful program. She also wanted to say she "knew a gal who has lived through two pandemics – one in 1918 and one in 2020. My Mom turned 103 on Monday. It has been a hard year for her, and she says she was just waiting for the call and was afraid God had forgotten about her. She does her best to enjoy the day. It is amazing – Happy birthday Mom. Thank you."

Councilor Romero-Wirth wished Happy birthday to Councilor Lindell's mom.

Councilor Rivera signed on to Councilor Lindell's resolution and wished her Mom a happy birthday.

Councilor Vigil Coppler said happy birthday to Mom Lindell and she had a couple of questions for Manager LaPan Hill about the ice rink. In the first memo, it said October 7 and the second said October 21. When will it be open?

Manager LaPan Hill said it is a work in progress and they have a few more steps to undertake. The October 21 is the current projected date. There were mechanical issues in turning the ice on again. The work on it was completed. It is complicated and she will put out a memo tomorrow and address the discontent. They are working diligently to get it done.

Councilor Vigil Coppler thanked her. That is very good news and there are a lot of people waiting for that including her own children. She asked the same question about Ft. Marcy. At one time it was to open by the time Bicentennial closes and Perez was to open but that is now delayed.

Manager LaPan Hill said they all are a work in progress. We are not able to open both Ft. Marcy and Perez at the same time. We are working through what the reopening plan is from staffing and COVID procedures. We have gotten increasing numbers for safely opening. The major construction is very close to completion. She had no definitive date yet. We will not be able to maintain all facilities as we have previously.

Councilor Vigil Coppler said she got a communication from employees that they must learn what is happening to them in the newspaper. If possible, increased communications with employees would be helpful. It is not a good practice for that.

Manager LaPan Hill agreed. We still have lots of items to work through. But point heard and taken for better communications.

Councilor Cassutt-Sanchez wished a happy birthday to Sig's mom. One of her favorites was yesterday. It was her father's birthday. She has not seen him in about a year now.

Mayor Webber said Councilor Abeyta let him know he has nothing to communicate.

Mayor Webber introduced a long ordinance concerning short term rentals so he would not read the whole thing. But it will move through the process.

Regarding the Census and voting, he noted the election is very close – right on us. He asked everyone to please register, which is a requirement for democracy to work. Have a voting plan with seriousness. Same with census which is real money coming back to New Mexico.

He wished Councilor Lindell's mom a happy birthday. "We love her mom dearly and we send remembrances, congratulation, and great love to her."

Councilor Romero-Wirth had nothing to add.

20. **ADJOURN**

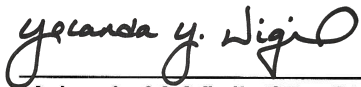
Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at 10:58 p.m.

Approved by:



Mayor Alan Webber

ATTESTED TO:



Yolanda Y. Vigil, City Clerk

Respectfully submitted by:



Carl G. Boaz, Council Stenographer








09-30-20 Governing Body

Final Audit Report

2020-10-19

Created:	2020-10-16
By:	Geralyn Cardenas (gfcardenas@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAwP5sTnLbDUzNgYTIFQJVqXsmjJrpVRYp

"09-30-20 Governing Body" History

-  Document created by Geralyn Cardenas (gfcardenas@ci.santa-fe.nm.us)
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