



CITY OF SANTA FE
PROCLAMATION OF EMERGENCY XVII - COVID-19
April 25, 2022

WHEREAS, pursuant to Santa Fe City Code (SFCC) 1987, Section 2-1.3, “Powers and Duties of the Mayor,” the Mayor has, within the city limits, the power conferred on the sheriffs of counties to suppress disorders and keep the peace;

WHEREAS, the City’s Emergency Declaration Ordinance, Section 20-1, authorizes the Mayor to proclaim that a state of emergency exists, after consultation with the emergency manager, chief of police, and/or fire chief;

WHEREAS, such an emergency proclamation allows the Mayor to prohibit and/or require certain actions to protect life and property and to preserve public peace and safety;

WHEREAS, SFCC 1987, Section 2-16, defines “emergency” to include a “public health or medical emergency” and other occurrences “requiring an emergency response, or any other condition that warrants action to protect life, property, or the environment”;

WHEREAS, the public health emergency due to the Coronavirus Disease 2019 (referred to as "COVID-19") declared by the United

States Department of Health and Human Services Secretary and New Mexico Department of Health continues and evolves;

WHEREAS, the spread of COVID-19 in New Mexico and the City of Santa Fe continues to threaten the health of residents and visitors and negatively impacts the social, emotional, and overall quality of life of the residents of Santa Fe;

WHEREAS, according to NMDOH data, there are a growing number of COVID-19 cases in New Mexico, including 28,863 cases and 273 deaths in Santa Fe County as of March 6, 2022;

WHEREAS, according to the Center for Disease Control (CDC), <https://covid.cdc.gov/covid-data-tracker/#variant-proportions>, the Omicron BA2 variant of the COVID-19 virus has quickly become the primary variant nationwide and the percent of cases identified as the BA2 was above in New Mexico exceeded 22% as of last week;

WHEREAS, it is unclear what impact the BA2 variant will have in Santa Fe; it is understood to be highly contagious;

WHEREAS, according to the CDC, COVID-19 vaccines and boosters continue to protect people from being hospitalized or dying with COVID-19;

WHEREAS, the CDC continues to recommend that, in counties with “High” or “Substantial” contagion risk, vaccinated persons wear facial coverings inside;

WHEREAS, unvaccinated persons continue to face a significantly higher risk of infection, hospitalization, and death, and infection is a higher risk in close-contact, indoor settings, and particularly

when in close-contact with unvaccinated persons;

WHEREAS, according to CDC data, over eighty-seven percent (89.1%) of eligible Santa Fe residents over the age of 18 have completed a vaccination series, and ninety-five percent (95%) have had at least one shot;

WHEREAS, Santa Fe County currently has a “low” transmission rate, based on the CDC’s classifications and estimates of cases per 100,000 persons and test positivity rates¹;

WHEREAS, COVID-19 has caused extreme social and economic hardships on the residents and businesses in Santa Fe, including access to safe, affordable rental housing;

WHEREAS, emergency relief funds are available from a number of sources for tenants who are behind on their rent and utilities payments, but the funds continue to be difficult to access for some residents who remain at risk of eviction due to the financial impacts of the pandemic;

WHEREAS, credible research by local organizations, personal experiences of local residents, and data and trends from across the country indicate that a large number of Santa Fe renter households are facing eviction in Santa Fe;

WHEREAS, New Mexico Supreme Court’s Order placing a moratorium on evictions based on non-payment of rent is scheduled to expire June 1, 2022;

¹ https://covid.cdc.gov/covid-data-tracker/#county-view?list_select_state=New+Mexico&data-type=CommunityLevels&list_select_county=35049&null=CommunityLevels

WHEREAS, the City’s emergency declaration ordinance limits remote attendance to times when there is a declared emergency, in addition to it being difficult or impossible for a member of a policy making body to attend a meetings governed by the Open Meetings Act;

WHEREAS, the City manager has determined that, based on the risk of contagion and time and resources needed to reengage on-site meetings, it is difficult or impossible to hold in-person meetings until at least May 10, 2022;

WHEREAS, the City’s Utilities Department works with residents who are behind on water payments to set up a payment plan in order to avoid water shut-offs;

WHEREAS, according to the City’s public safety officials, there has been a spike in the number and severity of behavioral health (substance use disorder and mental health) episodes in Santa Fe attributable to the stress and emotional suffering caused by COVID-19;

WHEREAS, Proclamation XVI expired at noon today, April 25, 2022; and

WHEREAS, certain orders I previously issued remain necessary to protect life and property and preserve the public peace and safety of the people of Santa Fe; other orders I previously issued require updating to address the continuing pandemic; and certain new orders will improve the City of Santa Fe’s pace of recovery from, and limit the harm caused by, the pandemic.

THEREFORE, I, ALAN M. WEBBER, Mayor of the City of Santa Fe, New Mexico, hereby declare, that a public health emergency continues to exist in the City. As a result, events have caused and are causing danger of injury or damage to persons and property within the city. I hereby invoke all Section 2-1.3, and Sections 20-1.2 through 20-1.5 of the Santa Fe City Code of 1987, to preserve the peace and order in the City of Santa Fe.

In particular, I take the following actions:

I. I order the following:

- a. City facilities shall accommodate public use while maintaining the applicable COVID-Safe Practices (CSPs) and when such use is not difficult or impossible with regards to in-person public meetings;
- b. The City Manager shall address the public health emergency by
 - i. increasing the level of in-person City services and access to facilities to the extent that is possible in a safety-conscious manner, including a transition back to public meetings in person when it is not difficult or impossible to do so;
 - ii. directing City employees, as applicable, to perform emergency functions;
 - iii. continuing to work on a new strategy to replace the existing encampment policy, a strategy designed in furtherance of the Built for Zero initiative to eliminate chronic homelessness, providing for the well-being of those experiencing homelessness and facilitating their access to services, while also addressing the safety and

well-being of neighborhoods;

iv. work with the Utilities and Finance Departments to facilitate utility customers' access to emergency relief funds;

v. work with the Community Development Department, Office of Affordable Housing and Department of Safety and Emergency Management, Community Services Division, to plan additional funding assistance clinics with City partner non-profits;

vi. work with the Human Resources Department in reviewing and updating, as appropriate, the policies regarding COVID-19 Safe Practices for City employees and policies for in-person work and telework for staff; and

vii. maintaining the conditions of employment for vacant positions to include maintaining "up-to-date" vaccination status for COVID-19 for new employees, meaning obtaining the vaccines and boosters recommended by the CDC; and

viii. encouraging employees and supervisors to watch for symptoms in others and to encourage a culture in which employees reinforce to each other that they should not expose each other to infection;

c. Resources of the City shall be used to address the emergency as reasonably necessary, including the following:

i. City employees must either

a. Provide documentation of their full COVID-19 vaccination, as defined by the CDC; or

b. Provide proof of a negative COVID-19 test on a

weekly basis.

iv. All vaccination records and test results shall be submitted pursuant to guidance issued by the City Manager and shall be maintained as confidential.

v. Employees who refuse to abide by the above documentation and confidentiality requirements may be subject to disciplinary action.

d. Before entering City facilities, members of the public shall review the posted COVID-19 Screening Questions regarding their COVID-19 positivity risk. Entry into City buildings is prohibited if the answer to any of the following screening questions is yes:

i. Are you currently experiencing, or have you experienced in the past 5 days, fever of 100.4 degrees or greater, cough, shortness of breath or difficulty breathing, sore throat, new loss of taste or smell, chills, body aches, nausea, diarrhea, or vomiting?

ii. In the past 5 days, have you had close contact with anyone that you know had COVID-19 or COVID-like symptoms? “Close contact” includes being 6 feet or closer for more than 15 minutes, cumulatively, with the person in a 24-hour period;

iii. In the past 5 days, has a public health or medical professional told you to self-monitor, self-isolate, or self-quarantine because of concerns about COVID-19 infection?

e. Mayor Pro-Tem Signe Lindell, City Manager John Blair, and Finance Director Mary McCoy are my substitute signatories for emergency obligation of funds during the

pendency of the declared emergency;

f. The City Clerk shall accept electronic signatures, including scanned copies of hard-copy signature, on legal documents, including but not limited to contracts, property documents, ordinances, resolutions, etc., and shall attest to electronic signatures of the Mayor and City Manager or their designees, if submitted by the signatory through the signatory's email;

g. The City Attorney shall review proposals to amend the City's laws, including these emergency orders, to discourage housing instability and encourage landlords to collaborate with their tenants to improve housing stability and, when appropriate, plan trainings for local attorneys and offer or support clinics for local residents to reduce housing insecurity;

h. Until the New Mexico Supreme Court lifts its injunction, landlords are prohibited from taking action towards evicting residential tenants who are unable to pay rent due to COVID-19. This order does not seek to change the obligation of a tenant to pay rent and strongly encourages landlords and tenants to seek relief funds and landlords and tenants to discuss of payment plans;

i. The moratorium on water shut-offs will continue in order to allow customers the opportunity to seek a payment plan and/or relief funds, and to allow the Utilities Department to facilitate customers' access to relief funds, while charges will continue to accrue and be owed;

j. Businesses and non-profits shall comply with the State-

issued CSPs to the extent applicable, which are accessible online: <https://cv.nmhealth.org/covid-safe-practices/>; and

k. Employers shall not retaliate against employees for seeking to comply with CSPs, this Order, or CDC guidance, advocating that their place of business follow CSPs, this Order or CDC guidance, or reporting non-compliance with this Order or CDC guidance.

II. Further, based on the recommendations of the Centers for Disease Control, National Institutes of Health, and other governmental, medical, and public health experts, I strongly recommend the following precautions:

- a. Wearing at least KN95 rated facial coverings in crowded indoor spaces and if you or members of your household are unvaccinated or immunocompromised; and
- b. Local businesses and employers considering requiring proof of vaccination for admittance to venues such as restaurants, bars, entertainment spaces.

III. In addition, I advise residents and visitors to the City to take the following actions and/or precautions:

- a. Obtain “up-to-date” vaccination against the COVID-19 virus, which includes all recommended booster vaccinations. Available locations for vaccination are posted on <https://cgvaccine.nmhealth.org>;
- b. Seek relief funds for overdue rent and utilities payments. Available sources include the following:
 - i. For rent and/or mortgage assistance, from the following sources:
 - 1. For renters, the Emergency Rental Assistance

Program: <https://www.renthelpnm.org/> ; and

2. For homeowners, the State of New Mexico Mortgage Finance Authority:

[https://portal.neighborlysoftware.com/NEW MEXICOHOMEOWNERASSISTANCEFU](https://portal.neighborlysoftware.com/NEW_MEXICOHOMEOWNERASSISTANCEFU)
[ND/Participant](https://portal.neighborlysoftware.com/NEW_MEXICOHOMEOWNERASSISTANCEFU), 505-308-4206, 866-488-0498, or housingassistance@housingnm.org

- ii. For assistance with utilities payments, the following organizations have resources: Rent Help NM (linked above with rental assistance sources), Adelante Santa Fe Public Schools, Connect, St. Bede’s Episcopal Church, St. Vincent de Paul, The Cathedral Basilica of St. Francis of Assisi, Help New Mexico, Life Link, Our Lady of Guadalupe Church, Income Support Division, Salvation Army, Communities in Schools New Mexico, and Westminster Presbyterian Church;
- c. For utilities payments that are overdue to the City, set up a payment plan by calling Utility Billing’s main number 505-955-4333 and selecting option “2”;
- d. Avoid contact with people who are sick;
- e. If you are unvaccinated,
 - i. Seek “up to date” vaccination as the best protection against serious illness, hospitalization, and death;
 - ii. If you cannot get vaccinated, practice “social distancing”, by maintain six (6) feet between yourself and others;
 - iii. Avoid large indoor gatherings; and
- f. Follow CSPs for individuals as best practices evolve.

IV. I also strongly encourage the following:

- a. Before June 1 and as soon as possible, landlords should work with their tenants to obtain the maximum relief funds available for past-due rental payments;
- b. Utilities should work with their customers to obtain the maximum relief funds available for past-due utilities bills;
- c. Event planners should seek testing and vaccinations for performers, vendors, and other traveling participants to the greatest extent possible, preferably vaccination before arrival and testing for unvaccinated participants;
- d. Local businesses should offer paid sick leave whenever feasible;
- e. Residents should sign up for “Alert Santa Fe” at <https://www.santafenm.gov/alertsantafe>;
- f. Residents should register for the COVID-19 vaccine at <https://cvvaccine.nmhealth.org> and update their profile regularly;
- g. Residents and visitors should get tested when and if they have symptoms or know they have been exposed to someone with COVID-19;
- h. *Symptomatic persons* should isolate and obtain a “PCR” test at one of many local testing sites, searchable on the NMDOH website (<https://cvprovider.nmhealth.org/directory.html>); and
- i. Residents should call 1-855-NMCRISIS (1-855-662-7474) if they or someone they know is having a behavioral health (substance use disorder or mental health) crisis and need assistance.

V. Effective Date

I hereby declare that this Proclamation will become effective upon my signature and order the City Manager to disseminate the contents hereof to the public by appropriate news media and any other means at her disposal.

VI. Term.

This Proclamation of Emergency may be extended for such additional periods of time as determined necessary by Resolution of the Governing Body of the City of Santa Fe, New Mexico.

DONE at Santa Fe, New Mexico this 25th day of April, 2022 at the hour of 4 o'clock P.M. (MDT).



ALAN M. WEBBER, MAYOR
City of Santa Fe, New Mexico

ATTEST:



Kristine Mihelcic (Apr 25, 2022 16:58 MDT)

KRISTINE MIHELICIC, CITY CLERK
(S E A L)