

CARDENAS, GERALYN F.

From: City of Santa Fe <noreply@santafenm-gov.com>
Sent: Monday, January 13, 2025 2:30 PM
To: Governing Body Public Comment
Subject: New submission from your Governing Body Public Comment form

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Submitted on: Monday, January 13, 2025 at 2:30pm

- First Name: Jerry
- Last Name: Richardson
- Your District: District 1
- Meeting Date: 01/15/2025
- Section of Agenda you would like to comment on: Final Action
- Your Comment: I am writing to urge that the City not appeal Judge Matthew Wilson's decision regarding the Soldier's Monument. I am a retired attorney and former Administrative Law Judge who has followed the monument controversy closely. I wrote a "My View" opinion piece in the Santa Fe New Mexican published on March 3, 2024 in which I counseled citizens and the Governing Body that because of the state Prehistoric and Historic Sites Preservation Act, the City did not have unrestricted discretion as to what to do with the destroyed monument. Judge Wilson's decision confirmed this and now the city is faced with determining whether or not to appeal the decision. I am writing to strongly urge the city not to appeal. In the first place, the city's chances on appeal are poor to negligible. It is a thorough, clearly written, factually well supported and highly persuasive opinion. I have carefully read all 23 pages and I would urge each and every member of the Governing Body to do the same. Secondly, the city has already expended over \$440,000 on attorney fees. To waste more taxpayer money on this litigation would be pouring additional resources down the drain, with little chance of success. Thirdly, an appeal will only delay the inevitable; that the monument must be restored or permission to do something else with the monument must be obtained by following proper procedures under the Historic Sites Preservation Act. And finally, the judge's decision allows the city to continue the course of action it has already chosen, to pursue permission from the State Historic Preservation Office to move and/or make alterations to the monument as part of its move to another location. So, I don't think the city has anything to gain by appealing the decision that has almost no likelihood of being successful on appeal and which will only delay resolution of this very public dispute indefinitely. All the while the shattered monument will be on display in its broken state for all to see in the historic Plaza that is the center of our community during this lengthy delay.