



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
JULY 08, 2020
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 items to be considered on the *Consent Agenda*, *Discussion Agenda*, *Public Hearings* or *Petitions From the Floor* through 8:00 a.m. the day of the meeting, via the virtual comment "button" at santafe.primegov.com/portal/search.

Petitions from the Floor: The Governing Body will also take public comment for *Petitions from the Floor* by telephone message, through 8:00 a.m. the day of the meeting. Telephone messages must identify the submitting party's name and address and may be left at 505-955-6520. These comments will be distributed to the Governing Body for review prior to the meeting.

To provide live public comment during *Petitions from the Floor*, send your name, email address and telephone number, by 8:00 a.m. the day of the meeting, to petitionsfromthefloor@santafenm.gov. A Zoom Meeting invite will be sent the day of the meeting to the email address provided. If you do not have a smartphone, tablet, or computer, call 505-955-6520 by 8:00 a.m. the day of the meeting and leave a telephone message with your name and address. The City Clerk's office will return your call on the day of the meeting to provide Zoom call-in information.

Public Hearings: The Governing Body will also take public comments for the public hearing listed on the Evening Session Agenda by telephone message through 8:00 a.m. the day of the meeting. Telephone messages must identify the submitting party's name and address and may



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AFTERNOON SESSION - 5:00 P.M.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **SALUTE TO THE NEW MEXICO FLAG**
4. **INVOCATION**
5. **ROLL CALL**
6. **APPROVAL OF AGENDA**
7. **APPROVAL OF CONSENT CALENDAR**
8. **APPROVAL OF MINUTES**
 - a) Regular Governing Body Meeting – June 24, 2020
9. **PRESENTATIONS**
10. **CONSENT CALENDAR**
 - a. Request for Review and Approval of Re-Prioritization of City Capital Projects for the Purpose of Utilizing Capital Funds on Capital Expenses Normally Paid from City Operating Budgets. (John Romero, Acting Public Works Director, jjromero1@santafenm.gov, 955-6638)



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- b. Request for Approval of Amendment #1 to the Contract with Financial Consulting Solutions Group for the Asset Management Plan Extending the Term Through June 30, 2021. (Lee Gagnon, Engineer Associate, Water Division, Irgagnon@santafenm.gov, 955-4229)
 - c. Salvador Perez Recreation Center Project Status Updated and Request for Approval of Amendment No. 1 to the Contract (MUNIS Contract #3201566) with Pool Pro, LLC to Increase the Contract by \$66,133.31 (Inclusive of NMGRT) to \$267,378.71, for Additional Work Discovered and Required to Complete Pool Replastering. (Anson Rane, PW Project Administrator, aerane@santafenm.gov, 955-5935)
 - d. Request for Approval of Change Order #4 with Bradbury Stamm Construction – WWM Treatment Plant Anaerobic Digesters Project in the Amount of \$288,280.59, Inclusive of NMGRT. (Alan Macgregor, Engineering Supervisor, Public Utilities, asmacgregor@santafenm.gov, 955-4263 and Michael Dozier, Wastewater Division Director, mldozier@santafenm.gov)
 - e. Request for Approval of Contracts Awarded through RFP 20/15 to Use Affordable Housing Trust Funds (AHTF) and General Funds to Support Housing Contracts, as Follows: (Alexandra Ladd, Director, Office of Affordable Housing, agladd@santafenm.gov, 955-6346)

SF Civic Housing Authority (Calle Resolana)	\$200,000
SF Civic Housing Authority (Country Club)A	\$140,000A
SF Habitat	\$80,000
SF Recovery Center	\$50,000
Youth Works	\$40,000
SFPS – Adelante	\$60,000
 - f. Request for Approval of Change Order #3 with Sub Surface for FY 20/21 City Wide Utility Construction and Repair in the Amount of \$542,187.50, Inclusive of NMGRT. (Bill Huey, Engineer, Public Utilities, bchuey@santafenm.gov, 955-4273)
 - g. Request for Approval of the Governing Body’s Findings of Fact and Conclusions of Law Denying Appeal No. 2020-2043-APPL by Rosewood Hotels of the Historic Districts Review Board’s Decision in Case No. 2019-1600-HDRB to Impose Conditions on its Approval of Rooftop Improvements at the Rosewood Inn of the



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Anasazi at 113 Washington Avenue. (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-65012)

- h. Request for Approval to Publish Notice of Public Hearing on August 12, 2020:
Bill No. 2020-17. An Ordinance Amending Section 14-11.4 of The Land Development Code to Adopt Civil Penalty Provisions, a Civil Fine Schedule, and Civil Citation Procedures for Land Use Code Enforcement Actions; and to Permit the Land Use Director to Order a One-Year Waiting Period for Application for Short-Term Rental Permit by a Person Who Has Violated the Short-Term Rental Ordinance, Section 14-6.2(A)(5) SFCC 1987. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth and Councilor Villarreal) (Eli Isaacson, Land Use Department Director, eaisaacson@santafenm.gov, 955-6830 and Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

11. DISCUSSION/ACTION ITEMS

- a. Request for Approval to Publish Notice of Public Hearing on July 29, 2020:
BILL 2020-18. An Ordinance Relating to the Nuisance Abatement Ordinance, Section 10-9 SFCC 1987; Amending Section 10-9.2 to Align the Intent with the Purpose of the Bill; Amending Section 10-9.3 to Amend and Add Definitions; Amending Section 10-9.4 to Make the Property Owner Responsible; Repealing and Readopting a New Section 10-9.5 to Establish a Process for a Nuisance Investigation and Abatement Process; Repealing and Readopting a New Section 10-9.6 to Establish Tenants Rights; Amending Section 10-9.7 to Establish Enforcement Provisions to Hold the Property Owner Accountable; Amending Section 10-9.8 Regarding Reservation of Legal Options; Amending Section 10-9.9 Regarding Appeals; Amending Section 10-9.10 to Remove Extraneous Language; Repealing Section 10-9.11 Regarding Supplementary Remedies for Public Nuisances; and Amending Section 10-9.13 Regarding the Right of Entry. (Councilor Lindell, Councilor Villarreal, Councilor Romero-Wirth and Councilor Vigil Coppler) (Michael Prinz, Assistant City Attorney, mprinz@santafenm.gov, 955-6554 and Jennifer Faubion, Council Liaison, jrfaubion@santafenm.gov, 699-6386)
- b. Request for Approval to Publish Notice of Public Hearing on July 29, 2020:
BILL 2020-19. An Ordinance Relating to the City of Santa Fe Economic Development Plan Ordinance, Section 11-11 SFCC 1987; Approving and Adopting a Local Economic Development Project Participation Agreement Between the City



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of Santa Fe and La Puerta Originals, LLC for an Economic Development Loan Project for Lease Payments to Provide Assistance for the Negative Financial Impacts of COVID-19. (Mayor Webber and Councilor Vigil Coppler) (Fabian Trujillo, Office for Business Growth Manager, frujillo@santafenm.gov, 955-6912)

- c. Request for Approval of Amendment to Legal Services Agreement between the City and Gallagher and Kennedy to Extend the Term to June 30, 2022. (Marcos Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)
 - d. Request for the Approval of the State of New Mexico Children, Youth and Families Department (CYFD) - Alternative to Detention Grant in the Total Amount of \$345,324 for Alternative to Detention Services in the City of Santa Fe Contracts; (George Carrasco, Project Administrator, gccarrasco@santafenm.gov, 955-6728)
 - e. Approval of a Settlement Agreement with the County of Santa Fe to Resolve Payment for Certain Capital Costs Pursuant to the Second Amended Joint Powers Agreement Between the Parties for the Operation of the Regional Emergency Call Center (RECC) and the Memorandum of Agreement (MOA) Between the City and the County for Public Safety Radio Communications Motorola Dispatch Consoles and Site Equipment. (Marcos Martinez, Senior Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)
12. **MATTERS FROM THE CITY MANAGER**
 13. **MATTERS FROM THE CITY ATTORNEY**
 15. **MATTERS FROM THE CITY CLERK**
 16. **COMMUNICATIONS FROM THE GOVERNING BODY**

EVENING SESSION - 7:00 P.M.

17. **ROLL CALL**
18. **PETITIONS FROM THE FLOOR**
19. **APPOINTMENTS**
20. **PUBLIC HEARINGS**



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- a. CONSIDERATION OF BILL 2020-15. ADOPTION OF ORDINANCE NO. 2020-____. **Case #2020-1994. 1115 Calle La Resolana Zoning Ordinance Amendment.** An Ordinance Amending Ordinance No. 1998-23 to Remove Condition of Approval Number 5, which Limits Access from Calle la Resolana to Emergency Access Only for the Property Located at 1115 Calle la Resolana (Amending “The Summerset Storage Rezoning”, Case No. ZA 1998-4). (Dan Esquibel, Planner Senior, daesquibel@santafenm.gov, 955-6587)

21. ADJOURN

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

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

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

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From: [Scott Bigbee](#)
To: [Petitions from the Floor](#)
Subject: Statement regarding the removal of monuments to colonization
Date: Wednesday, June 24, 2020 10:34:07 PM

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

I believe that these monuments and where they are located are dis-respectful to the Indigenous People who live in and visit our City.

The obelisk stands directly across the street from the Palace of the governors. For Sixty years Native People selling their crafts here have become an Icon of the city. The plaque which once read -- "To the heroes who have fallen in various battles with Savage Indians in the territory of NM." faces where they sit. How degrading it must be to face this thing which glorifies the destruction of your Ancestors.

Up the street is —
IAIA Museum of Contemporary Art — Since 1992, It is the only Museum of its kind in the US. In 2006, the Monument to DeVargas was erected in Cathedral Park directly across the street. Contrary to the fairy tale of the peaceful Entrada -- it is believed that 8 Indigenous People died at the Palace of the Governors; 70 were captured and later executed and 400 were sentenced to serve as slaves in Spanish households for a period of 10 years. DeVargas in bronze faces viewers holding a lance; behind him is a metal fence and behind that is the IAIA Museum as if the "savages" are once again safely locked up and under his control.

Three blocks away is the United States Courthouse
This monument is dedicated to the man who commanded those responsible for rounding up the Apache and Navajo people and forcing them onto reservations. They achieved this by shooting all males on sight, capturing the women and children, burning their homes and removing their animals. This ruthless treatment led to a Navajo surrender and the brutal long walk or 400 miles to Bosque Redondo.

Is it there to remind all that these are the ideals which the Federal Government stands for? The same Federal Government whose Bureau of Indian Affairs manages the Millions of acres of land held in trust for American Indians, Indian Tribes and Alaska Natives.

These monuments do not represent our City and should be removed as promised immediately. This is Tewa Land; respect it.

Scott Bigbee
1018 Don Juan St.
Santa Fe NM 87501

From: [Stefanie Beninato](#)
To: [Public Comment](#)
Subject: 8 july consent item comment
Date: Wednesday, July 8, 2020 1:09:19 PM

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PUBLIC COMMENT ON CONSENT ITEM

Salvador Perez Pool overrun 8 July 2020

I am extremely disappointed with the handling of the improvements at Salvador Perez pool. Now we have yet another cost overrun for work that was anticipated over six months ago—the pool liner was the excuse that SalPer could not open until May and then now July. How competent are the project managers under Regina Wheeler or whoever is running Public Works now?

And why is the city delaying opening the Bicentennial pool. It is outdoors and can be accessed without having to go through the building. Even when Chavez reopens, it is a good alternative to those of us who live in the north half of town. I have a yearly pass of the SalPer and Ft Marcy. We were told years ago that Chavez was an enterprise fund and had its own fee schedule. Chavez has never been self sufficient and is not longer an enterprise fund. The Bicentennial pool was considered part of the yearly membership until THREE years ago when it began charging more. The city has already promised card holders use of Chavez for no extra cost. It should do so for card holders for the Bicentennial pool too.

From: [A. Christopher Hilton Hassell](#)
To: [Petitions from the Floor](#)
Cc: [Mayors Office](#); [GARCIA, MICHAEL J.](#); [VILLARREAL, RENEE D.](#); [LINDELL, SIGNE I.](#); [ROMERO-WIRTH, CAROL](#); [RIVERA, CHRISTOPHER M.](#); [ABEYTA, ROMAN R.](#); [CASSUTT-SANCHEZ, JAMIE A.](#); [COPPLER, JOANNE V.](#)
Subject: Petition from the Floor for July 8, 2020: Santa Fe as "Living Environment Sanctuary City"
Date: Tuesday, July 7, 2020 9:10:03 PM
Attachments: [Santa Fe as Living Environment Sanctuary City v2.docx](#)

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

I wish to offer a PftF at tomorrow's meeting, on video:

Christopher Hassell
PO Box 31453
Santa Fe, NM 87594
(505) 395-0108

I have attached a draft document for review and inclusion in the record, proposing Santa Fe as the first "Living Environment Sanctuary City".

Here follows the full text, in case you will not open attachments:

Santa Fe: a Living Environment Sanctuary City

June 21, 2020

There exists a tiny window of opportunity to save Santa Fe from economic and societal ruin.

With the current City budget shortfall caused by the collapse of GRT and other revenue dependencies that will certainly worsen as small and medium businesses fail; as the real estate market and many other sectors fall in the inevitable domino effect; as unemployment, homelessness, hunger, and other conditions of privation driven by the crisis increase reliance on social safety nets and overwhelm the system with unprecedented levels of need; we will go under by degrees, with no recourse but a death spiral of raised property taxes and God knows what. Surely, the City doesn't know what, and it really doesn't have that many viable options.

We have been thrown under the bus by the Federal government:

As a small city, we're under duress to enact the strictures demanded as tribute to the so-called "pandemic", yet we have not been and will not be bailed out like large cities and big business, because – arguably – we are not intended to survive this Great Reset Initiative. It is intended that we fail, that Santa Fe and small towns and small cities fail across the nation. Read the UN's Agenda 21 and 2030 and the World Economic Forum website (The Great Reset Initiative) if you need convincing: Small is the new dead in their world order.

Santa Fe must innovate if to survive. Small, like our furry mammal ancestors that survived the K-T extinction, might be what saves us – if we act courageously and now.

The Mayor and majority of the City Council made the argument in deliberations about the mask ordinance on June 10 that they must pass it and we must abide by it in order to maintain and attract tourism, that people will only come here if they feel safe. Frankly, that's absurd. All cities everywhere are doing that, and Santa Fe will just be another, a city the same.

Not everyone wants to wear a mask or, certainly, be forced to, as a walk on the Plaza will

immediately inform one. We, unMasked, don't, and we're not going to. Period.

Under current conditions, there isn't going to be any tourism this year to speak of. If we want tourism, different would be needed, not more of the same. Different would be to invite the maskless and show them it's safe here: Santa Fe is a Living Environment Sanctuary City, incubating health and wellbeing in bright sunlight and fresh air and well-oxygenated governance.

And it is safe. Good science says so. We are healthy. Just look around you: There is no (health) emergency, no overwhelmed hospitals, virtually no trace of this phantom menace called covid.

But what of the "second wave", you ask? Or did the first wave ever even reach us?

Yes, we'll probably see something scary sooner or later. But it will be the sum of the stresses and toxic influences of masks and distancing and isolation and anxiety and depression and pent-up demand for healthcare treatment that's been avoided or denied and the re-exposure of all of us to each other and the 150 viruses in circulation now and always and the deployment of 5G cellular causing radiation sickness in the vulnerable... that indeed may cause an apparent (second) wave. And impact will be measured and characterized by government and media, of course, as people who test positive under the false and fraudulent protocols, therefore justifying the "we told you so" that has been preemptively baked into the cake. You know full well by now how this is rigged.

Don't they – the Mayor and Council in denial – see how this has traumatized people, especially the children? Don't they see the damage being done? Don't they wonder how long you'll be told to keep this up? Have they really done the math on what happens next as the cascade of collateral damage runs its course? Don't they know how much worse it's going to get? Don't they see that "safe", in the establishment paradigm, is itself death? Do they have a fallback plan?

Or are we to simply cave to the terror and intimidation and surrender our City?

Santa Fe has long advertised itself as "the City Different". Folks come here from all over for our difference, for our healthy offerings of food and activity, for our specialists in alternative healthcare, for our natural environment. In short, for HEALTH. In these times, many might be delighted to travel to a place that hadn't lost its collective mind and is still living the good life: celebrating its blessings of health and wellbeing, keeping on with festivals and markets and traditions, sharing creative brilliance in the arts and culture, opening its doors and businesses and minds to embrace the national and international tourist who wants to be surrounded by **healthy, happy people in a truly safe, living environment**.

That would be Santa Fe. That would be different. That could succeed.

And what would be the cost and consequence? (Ask Japan or Thailand or Belarus or even Sweden.) What's the real risk, and is it greater than the certainties of calamity we can clearly see gathering on the horizon? Sure, there would be repercussions from those perpetrating this event, but maybe other cities would follow suit, maybe we'd start a movement, maybe they'd have to back down.

However, there is more to genuine health and safety than the absence of a virus or a mask ordinance. To create a Living Environment, we'd have to undo some longstanding practices, banish some toxic products, and defend against the incursion of new threats.

But what of the laws that would be used to compel us to our own harm? Well, we're smart, creative people, and we could find ways to innovate around the exemptions that have granted terrifying powers to corporations through their capture of federal governing agencies and exposed us to grave threats. Education alone, and the resulting opt-out by individuals, would probably achieve the better part of the defeats. Starting with the adoption of a platform to

make Santa Fe the first Living Environment Sanctuary City, good information and support could easily be distributed. Informed people would make good choices.

Some of the threats we could address include:

- Wireless and cellular technology, especially the planned 5G infrastructure: You've seen the evidence – and we won't repeat it here – that 5G technology is NOT safe and not smart, that it likely will cause horrific damage and an environment of death. This isn't speculation. Speculation, on the other hand, is what the industry has asked of us in allowing the deployment of a high-energy bio-disruptive technology without testing for its safety, especially its effects on our children and species more vulnerable than us. They've asked us to enroll ourselves, our children and grandchildren, our entire community and our entire natural environment, in a mass experiment that has a high likelihood of ending in catastrophe – if the thousands of scientific studies warning us of this are correct. The insects, like pollinating honeybees, die first, then maybe the children, then maybe us. Or maybe, in a best-case scenario, we're all merely sterilized and sickened. So how about we deal in reality, err on the side of prudence, stand protected on the precautionary principle, and put 5G on hold until the safety studies are in and conclusively show real-world effects. Many other cities far less enlightened than Santa Fe have already made this move and succeeded. What are we waiting for?
- We could outlaw glyphosate, that poison in Monsanto-Bayer's Roundup herbicide that's been proven carcinogenic and lost them massive lawsuits – that's also killing the pollinators.
- We could stop fluoridating our water. Recent suits have been won by citizens finally establishing a precedent for stopping this decades-old insanity of adding a neurotoxin to all our drinking water.
- And there are so many ways we could strengthen the basis of real public health and wellbeing under a Living Environment Sanctuary City proclamation and agenda.

We could then trumpet it to the world. Healthy people would flock to Santa Fe, and we'd survive this economic peril, thrive and prosper again, maybe quickly.

Let's start to take legal and public actions to compel the Santa Fe City Council to adopt this platform and ensure it's a key issue in the next elections. Let's share this proposal and work together to improve it. Let's get everyone we know talking about how to save Santa Fe by making it the first Living Environment Sanctuary City – a city for healthy living.

Christopher Hassell
unMasked