

City of Santa Fe, NM
Regular Meeting of the Governing Body
Wednesday, June 10, 2020
05:00 PM – Governing Body
ATTEND VIRTUALLY
<https://www.youtube.com/user/cityofsantafe>

AGENDA

SPECIAL PROCEDURES FOR JUNE 10, 2020 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 on Wednesday, June 10, 2020 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 on the City of Santa Fe’s website at <https://www.santafenm.gov>.

Petitions from the Floor: The Governing Body will take public comment for “Petitions from the Floor” in written form via email or by telephone message, through 8:00 a.m. on Wednesday, June 10, 2020. Emails and telephone messages must identify the submitting party’s name and address and may be sent to petitionsfromthefloor@santafenm.gov or 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, telephone number by 8:00 a.m. on Wednesday, June 10, 2020, to petitionsfromthefloor@santafenm.gov. A Zoom Meeting invite will be sent on June 10, 2020 to the email address provided. If you do not have a smartphone, tablet, or computer, call 505-955-6520 by 8:00 a.m. on Wednesday, June 10, 2020 and leave a telephone message with your name and address. The City Clerk’s office will return your call on June 10, 2020 to provide Zoom call-in information.

Public Hearings: The Governing Body will take public comment for the public hearing listed on the Evening Session Agenda, in written form via email or by telephone message, through 8:00 a.m. on Wednesday, June 10, 2020. Emails and telephone messages must identify the submitting party’s name and address and may be sent to publiccomment@santafenm.gov or 505-955-6520. All comments will be distributed to the Governing Body for review prior to the meeting.

To provide live public comment during the public hearing, send your name, email address, telephone number and the agenda item(s) you wish to comment on by 8:00 a.m. on Wednesday, June 10, 2020, to publiccomment@santafenm.gov. A Zoom Meeting invite will be sent on June 10, 2020 to the email address provided. If you do not have a smartphone, tablet, or computer, call 505-955-6520 by 8:00 a.m. on Wednesday,

June 10, 2020 and leave a telephone message with your name, address and the agenda item you wish to comment on, and the City Clerk's office will return your call on June 10, 2020 to provide Zoom call-in information.

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:

Regular Governing Body Meeting – May 27, 2020

[Item 8.pdf](#)

9. PRESENTATIONS

10. CONSENT CALENDAR

a) Request for Approval of Federal Fiscal Year 2020 FHWA Section 112 and Section 5303 Federal Transportation Grant Funds in the Total Amount of \$422,249.94 Including Cash Match for Santa Fe MPO Program Operations; Transportation NMDOT/Federal Highway Administration (FHWA) and Federal Transit Authority (FTA). (Erick J. Aune, Santa Fe MPO Officer, ejaune@santafenm.gov, 955-6664)

1) Request for Approval of Budget Amendment Resolution.

[Item 10-a.pdf](#)

b) Request for Approval of Amendment No. 2 to Original Professional Service Agreement No. 18-0910 to Mountain River Consulting for Providing Database, Development, Training and Support Services to the City of Santa Fe's Utility Billing Division. (Nancy Jimenez, Utility Billing Division Director, nljimenez@santafenm.gov, 955-4364)

[Item 10-b.pdf](#)

c) Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Chipotle Mexican Grill of Colorado, LLC for a Restaurant Liquor License (Beer and Wine) with On Premise Consumption Only and Patio Service, to be Located at Chipotle Mexican Grill, 1001 S. St. Francis Drive, Suite 101. (Yolanda Y. Vigil, City Clerk, yvigor@santafenm.gov, 955-6521)

[Item 10-c.pdf](#)

d) Request for Approval to Publish Notice of Public Hearing on July 8, 2020:

BILL NO. 2020-13. An Ordinance Amending Section 5-13.3 to Correct a Reference Citation. (Councilor Lindell) (Jesse Guillen, Legislative Liaison: jbguillen@santafenm.gov, 955-6518)

[Item 10-d.pdf](#)

[Item 10-d - PW&UC Action Sheet.pdf](#)**11. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JUNE 24, 2020:**

Amendment to the 2019 Annual Action Plan, Required by the U.S. Department of HUD, that Describes Proposed Uses of CARES Funding in the Amount of \$361,227. (Alexandra Ladd, Director, Office of Affordable Housing, agladd@santafenm.gov, 955-6346).

[Item 11.pdf](#)

12. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JUNE 24, 2020:

BILL 2020-14. An Ordinance Amending Section 23-6.2 SFCC 1987 to Allow Restaurants that Have Obtained a Temporary Liquor License Modification from the New Mexico Alcoholic Beverage Control Division to Serve Alcohol on City Sidewalks, Streets, Rights-of-Way, or Other Property that has Been Specifically Authorized by the City for Temporary Business Use Due to the Covid-19 Public Health Emergency. (Mayor Webber) (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 955-6521 and Michael Prinz, Assistant City Attorney, enprinz@santafenm.gov, 955-6554)

[Item 12.pdf](#)

13. CONSIDERATION OF RESOLUTION 2020-____. (COUNCILOR RIVERA, COUNCILOR ABEYTA, COUNCILOR VIGIL COPPLER AND COUNCILOR LINDELL)

A Resolution Authorizing the Standard Process for Sale of Potable Water to Treated Effluent Customers in the Event Treated Effluent is Not Available; Directing the City to Pursue Alternative Methods and Actions to Increase Robustness and Dependability of Non-Potable Water Sources. (Shannon Jones, Public Utilities Division Director, swjones@santafenm.gov, 955-4267)

[Item 13.pdf](#)

[Item 13 - PW&UC Action Sheet.pdf](#)

14. REQUEST FOR APPROVAL OF A SERVICE CONTRACT IN THE TOTAL AMOUNT OF \$544,500

Including Applicable NMGRT for Comprehensive Design/Build Services for the Design and Construction of a Restroom Facility to be Located in the Water Street Parking Lot; FacilityBuild, Inc. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 995-6853)

[Item 14.pdf](#)

15. CITY OF SANTA FE EMERGENCY SHELTER RESULTS AND CONSIDERATION OF DURATION

of Operation. (Regina Wheeler, Emergency Operations Incident Commander, rawheeler@santafenm.gov, 505-690-4197 and Kyra Ochoa, Community Services Director, krochoa@santafenm.gov, 505-955-6603) (INFORMATIONAL ONLY)

[Item 15.pdf](#)

16. CONSIDERATION OF RESOLUTION NO. 2020-____. (MAYOR WEBBER)

A Resolution Authorizing a "Furlough Bridge Plan" for July 11, 2020, through September 4, 2020 for Four (4) Hours Per Week for Certain City Employees and Six (6) Hours for Certain City Leadership Positions. (Jarel LaPan Hill, City Manager, jlapanhill@santafenm.gov, 955-6848, Bernadette Salazar, Human Resources Director, bjsalazar@santafenm.gov, 955-6591, Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 955-6171 and Erin K. McSherry, City Attorney; ekmsherry@santafenm.gov, 955-6512)

[Item 16.pdf](#)

[Item 16 - Attachment A.pdf](#)

[Item 16 - CoSF FY21 Budget Update-Council Update with Salary Options_06.03.20.pdf](#)

[Item 16 - Summary of FY21 Bridge Plan.pdf](#)

17. MATTERS FROM THE CITY MANAGER

**18. 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), Attorney-Client Privileged Discussion Regarding Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Participant, Including, but Not Limited to the Opportunity to Join an Amicus Brief Defending the Decision Issued in O.A. v. Trump, 404 F. Supp. 3d 109 (D.D.C. 2019), to be Filed in the District of Columbia Federal Circuit Court of Appeals. (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 Acquisition and Disposition of the Santa Fe Estates Property. (Erin K. McSherry, City Attorney; ekmcsherry@santafenm.gov, 955-6512)

19. APPROVAL TO JOIN THE COUNTY OF LOS ANGELES, CITY OF CHICAGO, CITY OF OAKLAND, AND CITY OF NEW YORK IN AN AMICUS BRIEF

in the District of Columbia Federal Circuit Court of Appeals, Supporting the Plaintiffs in their Defense of the Decision in O.A. v. Trump, 404 F. Supp. 3d 109 (D.D.C. 2019), which Overturned the Department of Justice's and Department of Homeland Security's Interim Final Rule Which Would Render Migrants who Entered the Country Outside Ports of Entry Categorically Ineligible for Asylum, Without Consideration of Dangers Faced in their Home Countries. (Erin K. McSherry, City Attorney; ekmcsherry@santafenm.gov, 955-6512)

20. MATTERS FROM THE CITY CLERK

21. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. SALUTE TO THE NEW MEXICO FLAG

D. INVOCATION

E. ROLL CALL

F. PETITIONS FROM THE FLOOR

Please Refer to the Statement at the Beginning of this Agenda.

[MaryLynn Collins.pdf](#)

[Denise Ip.pdf](#)

[Carrie Lujan.pdf](#)

G. APPOINTMENTS

H. PUBLIC HEARINGS:

1) CONSIDERATION OF BILL 2020-10 ADOPTION OF ORDINANCE NO. 2020-_____. (Councilor Romero-Wirth, Councilor Lindell, Councilor Cassutt-Sanchez, Councilor Abeyta and Councilor Rivera)

An Ordinance Creating a New Section 20-7 SFCC 1987 Regarding the Use of Face Coverings by Employees and Customers when Inside Places of Business and by all Members of the Public when in Public Places where Social Distancing is Not Possible; Establishing an Effective Date as the Date of Bill Adoption. (Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov, 505-955-6518)

[Item H-1.pdf](#)

[Ivy Amar.pdf](#)

[Carl Bogenholm.pdf](#)

[Ingrid Bond.pdf](#)

[Berl Brechner.pdf](#)

[Kathleen Dudley.pdf](#)

[Arthur Firstenberg.pdf](#)

[Sandrine Gaillard.pdf](#)

[Allie Girmus.pdf](#)

[Christopher Hassell.pdf](#)

[Colleen Hogan.pdf](#)

[Tracy Juechter.pdf](#)

[George Kaschner.pdf](#)

[Trisha Keefe.pdf](#)

[Patrice Kerr.pdf](#)

[Christopher Kukulski.pdf](#)

[John Kukulski.pdf](#)

[Janice Olch.pdf](#)

[Deborah Reade.pdf](#)

[Gianna Settin.pdf](#)

[Scott Shuker.pdf](#)

[Oshana Spring.pdf](#)

I. 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.