



# AGENDA

**SPECIAL MEETING OF  
THE GOVERNING BODY  
DECEMBER 16, 2020  
4:00 PM  
ATTEND VIRTUALLY**

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## **SPECIAL PROCEDURES FOR SPECIAL 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://santafe.primegov.com/public/portal>.

**Written Comments:** The public may submit written comments on any of the legislative items to be considered on the Discussion Agenda and Public Hearing through 1:00 p.m. the day of the meeting, via the virtual comment "button" at [santafe.primegov.com/portal/search](https://santafe.primegov.com/portal/search).

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/93233936052?pwd=KzJNK2NxZWtsbm9mNnYyN3g0Z0RGdz09>

Passcode: 483225

**Phone:** To join the Zoom meeting using a phone, use the following phone numbers and Webinar ID: US: 1 (346) 248-7799 or +1 669 900 6833 or +1 253 215 8782 or +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 - Webinar ID: 932 3393 6052 - Passcode: 483225



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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. **DISCUSSION/ACTION ITEMS**
  - a. To Help Mitigate Potential COVID-19 Outbreaks within Their Resident Population, Request Approval of Lease Agreement Amendment #2 with the Santa Fe Recovery Center to Extend Their Footprint within King Hall Dormitory; Located at Midtown Santa Fe. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafem.gov, 955-5933)
  - b. Approval of the First Amendment to the Settlement Agreement between the New Mexico Environment Department (“NMED”) and the City of Santa Fe, Providing a Six Month Extension for Training in Case No. OSHA 19-44, to Allow Compliance with COVID-19 Restrictions. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)
  - c. CONSIDERATION OF RESOLUTION NO. 2020-\_\_\_\_. (Councilor Cassutt-Sanchez, Councilor Rivera, Councilor Villarreal, and Councilor Lindell)  
A Resolution Directing the City Manager to Provide Written Updates and Presentations at Every Regular Governing Body Meeting with Information Regarding the COVID-19 Response from the Police Department, Fire Department, Human Resources Department, and Office of Emergency Management and Safety. (Jarel LaPan Hill, City Manager, japanhill@santafenm.gov, 955-6534)



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- d. Adjustments to FY21 Cares Act Grant Budget to Maximize the Reimbursement Request from the NM Department of Finance and Administration and Adjustments to the FY21 Operating Budget to Allow the City the Flexibility to Continue Pandemic Response Projects Past December 30, 2020. (Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 955-6171)
1. Request for Approval of Budget Adjustment Resolution (BAR) in the Amount of \$2,138,728.24 for FY21 Cares Act Grant.
  2. Request for Approval of Budget Adjustment Resolution (BAR) in the Amount of \$5,426,492 for FY21 Operating Budget.
8. **PUBLIC HEARINGS**
- a. CONSIDERATION OF RESOLUTION NO. 2020-\_\_\_\_. (Mayor Webber, Councilor Garcia, Councilor Villarreal, Councilor Cassutt-Sanchez, Councilor Vigil Coppler, Councilor Romero-Wirth, and Councilor Lindell)  
A Resolution Hosting Community Conversations and Establishing a Special City Committee On Santa Fe's Cultures, Histories, Art, Reconciliation, and Truth. (Kristine Mihelcic, Constituent and Council Services Director, kmihelcic@santafenm.gov, 955-6846)
9. **MATTERS FROM THE CITY ATTORNEY**
- a. 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, Specifically an Amicus Opportunity to Join the County of Los Angeles, and Other Local Governments in Support of the Plaintiffs in *R.V. v. Mnuchin*, No. 8:20-cv-1148 (D. Md.), and Subsequent Appeals, Challenging the Provision of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) that Excludes U.S. Citizen Children with One or More Undocumented Immigrant Parents from Stimulus Payments Intended to Offset the Hardships Caused by the COVID-19 Pandemic. (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 Disposition of the Midtown Property, Formerly Known as the College of Santa Fe and



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Formerly Operated as the Santa Fe University of Art and Design. (Erin K. McSherry, City Attorney, [ekmcsberry@santafenm.gov](mailto:ekmcsberry@santafenm.gov), 955-6512)

10. **EXECUTIVE SESSION ACTION ITEMS**

- a. Approval to Join the County of Los Angeles, and Other Local Governments in Support of the Plaintiffs in R.V. v. Mnuchin, No. 8:20-cv-1148 (D. Md.), and Subsequent Appeals, Challenging the Provision of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) that Excludes U.S. Citizen Children with One or More Undocumented Immigrant Parents from Stimulus Payments Intended to Offset the Hardships Caused by the COVID-19 Pandemic. (Erin K. McSherry, City Attorney, [ekmcsberry@santafenm.gov](mailto:ekmcsberry@santafenm.gov), 955-6512)

11. **COMMUNICATIONS FROM THE GOVERNING BODY**

12. **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.