



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
MARCH 10, 2021
4:00 PM
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 in excess of those permitted in the current Public Health Order, 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.santafem.gov>.

Written Comments: The public may submit written comments on any of the legislative items to be considered on the *Consent Agenda*, *Discussion Agenda*, *Public Hearings* or *Petitions From the Floor* through 1:00 p.m. the day of the meeting, via the virtual comment "button" at <https://santafe.primegov.com/public/portal>.

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Passcode: 402941

Attendees should use the "Raise Hand" function to be recognized by the Mayor to speak at the appropriate time.

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AFTERNOON SESSION - 4:00 P.M.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

Councilor Lindell

3. **SALUTE TO THE NEW MEXICO FLAG**

Councilor Romero-Wirth

4. **INVOCATION**

Councilor Abeyta

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT CALENDAR**

8. **APPROVAL OF MINUTES**

a. Regular Governing Body Meeting – February 24, 2021

9. **PRESENTATIONS**

a. COVID-19 Update Pursuant to Resolution 2020-51. (Jarel LaPan Hill, City Manager, jlpanhill@santafenm.gov, 955-6848 and Kyra Ochoa, Interim Director of Community Health and Safety, krochoa@santafenm.gov, 955-6603) **INFORMATION ONLY**



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- b. Economic Development Department Overview of the Midtown Bi-Weekly Development Update Report. (Rich Brown, Director, Community & Economic Development Department, rbrown@santafenm.gov, 955-6625 and Daniel Hernandez, Project Director at Proyecto LLC, Andrea Salazar, Assistant City Attorney, asalazar@santafenm.gov, 955-6303) **INFORMATION ONLY**

10. CONSENT CALENDAR

- a. CONSIDERATION OF RESOLUTION 2021-____. (Councilor Romero-Wirth) A Resolution Designating the City of Santa Fe, New Mexico as a Bee City USA Affiliate. (Christine Chavez, Water Conservation Manager, cychavez@santafenm.gov, 955-4219)

COMMITTEE REVIEW:

Quality of Life Committee: 03/3/21

Public Works and Utilities Committee: 03/8/21

Water Conservation Committee: 03/9/21

Governing Body: 03/10/21

- b. CONSIDERATION OF RESOLUTION NO. 2021-____. (Councilor Vigil Coppler, Councilor Garcia, and Councilor Villarreal) A Resolution Requiring Governing Body Approval Prior to Announcing the Availability of Any City-Owned Land, Buildings, or Other Real Property for Sale. (Andrea Salazar, Assistant City Attorney, asalazar@santafenm.gov, 955-6303 and Rich Brown, Economic and Community Development Director, rbrown@santafenm.gov, 955-6625)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 02/8/21

Governing Body: 02/10/21

Finance Committee: 02/15/21

Governing Body: 02/24/21

Public Works and Utilities Committee: 03/08/21

Governing Body: 03/10/21

- c. Request for Approval of Amendment #12 with Allied Security that Will Add \$60,000 to the Existing Contingency and Allow for Greater Flexibility in Adjusting Service Locations, Times and Officer Levels. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 955-5933)



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COMMITTEE REVIEW:

Public Works and Utilities Committee: 02/22/2021

Finance Committee: 03/01/2021

Governing Body: 03/10/2021

- d. Request for Approval of a Budget Amendment Resolution (BAR) for FAA Grants #3-35-0037-052-2020 and #3-35-0037-053-2020, in the Amount of \$2,630,925 Securing Funds for Construction of Taxiway Golf. (Mark Baca, Airport Manager, mdbaca@santafenm.gov, 955-2901)

COMMITTEE REVIEW:

Finance Committee: 03/01/2021

Public Works and Utilities Committee: 03/08/2021

Governing Body: 03/10/2021

- e. Request for the Approval of Amendment 1 to IT Agreement 19-0828 to Assign the Remaining After Sales and Warranty Portion of the Parking Access and Revenue Control System (PARCS) Agreement to a New Vendor, Associated Time Instruments, Inc. (ATI). ATI's Compensation Will Not Exceed the \$114,920.06 Remaining Balance of the Original Agreement. (Noel Correia, Parking Division Director, npcorreia@santafenm.gov, 955-6611)

COMMITTEE REVIEW:

Finance Committee: 03/01/2021

Public Works and Utilities Committee: 03/08/2021

Governing Body: 03/10/2021

- f. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$190,471 for FY21 to Fund the Purchase of Radios. (Manuel Gonzales, Interim ITT Director, mmgonzales@santafenm.gov, 955-5531, Paul Babcock, Fire Chief, prbabcock@santafenm.gov, 955-3112 and Andrew Padilla, Police Chief, aapadilla@santafenm.gov, 955-5102)

COMMITTEE REVIEW:

Finance Committee: 03/01/2021

Public Works and Utilities: 03/08/2021

Governing Body: 03/10/2021



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- g. CONSIDERATION OF RESOLUTION NO. 2021-____. (Councilor Rivera and Councilor Villarreal)
A Resolution Updating the Terms of Resolution 2020-29 to Extend the Duration of the Community Health and Safety Task Force Through the End of Calendar Year 2021, Allow Additional Task Force Members, Change the Task Force Composition, Exempt the Task Force From Certain Open Meetings Act Requirements, and Other Changes as Necessary. (Jennifer Faubion, Council Liaison, jrfaubion@santafenm.gov, 955-6033)

COMMITTEE REVIEW:

Finance Committee: 03/1/21

Quality of Life Committee: 03/3/21

Governing Body: 03/10/21

11. DISCUSSION/ACTION ITEMS

- a. Request for Approval of Cooperative Agreement with NMDOT for a Total Amount of \$300,000. (Romella Glorioso-Moss, PW Project Administrator, rsglorioso-moss@santafenm.gov, 955-6623)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/08/2021

Governing Body: 03/10/2021

- b. Request for Approval of BAR to Budget NMDOT Grant Funding of \$256,320. (Romella Glorioso-Moss, PW Project Administrator, rsglorioso-moss@santafenm.gov, 955-6623)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/08/2021

Governing Body: 03/10/2021

- c. Request for Authority for the City Attorney's Office to Finalize Terms, and Mayor to Execute, a Cost Sharing Agreement with the County of Santa Fe and Las Campanas Water and Sewer Cooperative for the Lease-Purchase of Energy Efficiency Equipment and Improvements to be Performed Under the Energy Savings Performance Contract with Yearout Energy to Reduce the Energy Use of the Buckman Direct Diversion Project, Consistent with the Terms of the Parties' Joint Powers Agreement. (Regina Wheeler, Public Works Director, rawheeler@santafenm.gov, 955-6622)



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COMMITTEE REVIEW:

Governing Body: 02/24/2021

Governing Body: 03/10/2021

- d. Request for Approval of an Agreement with the Buckman Direct Diversion (“BDD”) Board Allowing for the Installation of Energy Efficiency Equipment and Improvements at the BDD Project and Providing for the Transfer of Such Equipment and Improvements to the BDD Board. (Regina Wheeler, Public Works Director, rawheeler@santafenm.gov, 955-6622)

COMMITTEE REVIEW:

Governing Body: 02/24/2021

Governing Body: 03/10/2021

12. MATTERS FROM THE CITY MANAGER

13. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

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 a Party, Including, but not Limited to, American Federation of State, County, and Municipal Employees, Council 18, AFL-CIO, Local 3999 v. City of Santa Fe, PELRB Case No. 106-20. (Erin K. McSherry, City Attorney, ekmcsberry@santafenm.gov, 955-6512)

14. MATTERS FROM THE CITY CLERK

15. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION - 6:00 P.M.

16. ROLL CALL

17. PETITIONS FROM THE FLOOR



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18. APPOINTMENTS

a. Independent Salary Commission

- Alba Blondis – At-Large – Term Ending 2/2025 (Resume Attached)
- Bridget Dixon – Santa Fe Chamber of Commerce – Term Ending 2/2025 (Resume Attached)
- Troy D. Fernandez – Neighborhood Association – Term Ending 2/2025 (Resume Attached)
- Maria Gale – Community Organization – Term Ending 2/2025 (Resume Attached)
- Paul Hultin – Attorney – Chairman – Reappointment Term Ending 2/2025
- Andrew M. Wallerstein – Chief Executive Officer – Term Ending 2/2025 (Resume Attached)
- Emily Westermeier – Human Resources Industry – Term Ending 2/2025 (Resume Attached)

19. PUBLIC HEARINGS

To Provide a Written or Live Comment or Please Follow the Instructions Below:

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Agenda, Public Hearings or Petitions From the Floor through 1:00 p.m. the day of the meeting, via the virtual comment “button” at <https://santafe.primegov.com/public/portal>. If you submit a written comment it will be distributed to the Governing Body and you do not need to attend the live public comment.

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- a. CONSIDERATION OF BILL NO. 2021-5. ADOPTION OF ORDINANCE NO. 2021-____. (Councilor Cassutt-Sanchez, Councilor Abeyta and Councilor Villarreal)

An Ordinance Amending Section 7-1.1 SFCC 1987 to Adopt the Newest Version of the International Energy Conservation Code as Adopted and Amended by the State of New Mexico Construction Industries Division; and Amending Section 7-4.2 SFCC 1987, City of Santa Fe Green Building Code, to Update Code References in Conjunction with the Adoption of the 2018 International Energy Conservation Code as Adopted and Amended by the State of New Mexico Construction Industries Division. (Jason Kluck, Assistant Planning and Land Use Director, jmkluck@santafenm.gov, 955-6729)

COMMITTEE REVIEW:

Quality of Life Committee: 02/3/21

Public Works and Utilities Committee: 02/8/21

Governing Body (request to publish): 02/10/21

Governing Body (public hearing): 03/10/21

- b. City of Santa Fe Fiscal Year 2021 Annual Operating Budget Presentation and Fiscal Year 2022 Annual Operating Budget Public Hearing. (Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 955-6171)

COMMITTEE REVIEW:



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Governing Body (public hearing): 03/10/21

20. **ADJOURN**

21. **UPCOMING PUBLIC HEARINGS**

- a. Special Governing Body Meeting – April 1, 2021 – Zia Station
- b. Special Governing Body Meeting – April 8, 2021 – Zia Station

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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Governing Body
March 10, 2021

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20. Adjournment	Adjourned at 9:02 pm	43

**Minutes of the
Regular Meeting of the Governing Body
Wednesday, March 10, 2021
Virtual Meeting**

1. CALL TO ORDER

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Alan Webber, on Wednesday, March 10, 2021, at approximately 4:02 p.m., at the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico as a virtual meeting.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilor Lindell.

3. SALUTE TO THE NEW MEXICO FLAG

The Salute to the New Mexico Flag was led by Councilor Romero-Wirth.

4. INVOCATION

The Invocation was led by Councilor Abeyta, who shared Psalm 23.

Councilor Vigil Coppler remembered Tom Trowbridge died Monday in his sleep. He was the KSFR News Director and covered the Legislature. He submitted his last report on Monday, the day he died. He won several awards and one of the most famous was his award for the KSFR Wake Up Call. He had a great sense of humor and was a professional. Condolences to his family and friends.

Councilor Villarreal recognized the life of a school mate Phil Garcia, who passed away unexpectedly. He had so much life and love to give. She remembered his family at this time.

Mayor Webber lost a friend of 50 years, Phyllis Ray, "PJ", who was a dedicated public servant. She had a great sense of humor and a lot of zest for life. She loved a good time with her friends but more than that, she loved to help people. She died of a heart attack and left many behind who benefited from her and gave them great memories.

He noted that tomorrow is the anniversary of the pandemic which has taken many friends and loved ones.

The Governing Body observed a moment of silence for those who have recently died and their grieving families.

5. ROLL CALL

Roll call indicated the presence of a quorum remotely, as follows:

Members Present Remotely

Mayor Alan Webber
Councilor Roman "Tiger" Abeyta
Councilor Jamie Cassutt-Sanchez
Councilor Michael J. Garcia
Councilor Signe Lindell
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

Other Participants Attending Remotely

Jarel LaPan Hill, City Manager
Erin McSherry, City Attorney
Kristine Bustos-Mihelcic, City Clerk
Mary McCoy, Finance Department Director
Kyra Ochoa, Community Services Director
Alexandra Ladd, Affordable Housing Director
Rich Brown, Economic and Community Development Director
Andrea Salazar, Assistant City Attorney
Jennifer Faubion, Council Liaison
Jason Kluck, Assistant Planning and Land Use Director
Regina Wheeler, Public Works Director
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

Mayor Webber withdrew 18A because of a need to make changes to the appointments and to the process to move it forward.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Lindell, to approve the agenda as amended, removing 18 A.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

7. APPROVAL OF CONSENT CALENDAR

Councilor Vigil Coppler pulled item 10(b) for discussion.

Councilor Romero-Wirth pulled item 10(g) for discussion.

Councilor Villarreal asked to be listed as a cosponsor for item 10(a) – the Resolution designating Santa Fe as a Bee City USA

MOTION: Councilor Cassutt-Sanchez moved, seconded by Councilor Vigil Coppler, to approve the Consent Calendar as amended with items 10(b) and 10(g) removed for discussion.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

8. APPROVAL OF MINUTES

a. Regular Governing Body Meeting – February 24, 2021

MOTION: Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve the minutes of February 24, 2021 as presented.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

9. PRESENTATIONS

- a. COVID-19 Update Pursuant to Resolution 2020-51. (Jarel LaPan Hill, City Manager, jlapanhill@santafenm.gov, 955-6848 and Kyra Ochoa, Interim Director of Community Health and Safety, krochoa@santafenm.gov, 955-6603) **INFORMATION ONLY**

Ms. Bustos-Mihelcic read the caption for this presentation.

Manager LaPan Hill began the presentation with good news that Santa Fe County is officially green now. She stated the statistics which indicated we were close last week and going the right direction. We want to keep it that way. Four counties went back from green to yellow. There will be another report on the 24th. And we could get to turquoise. The whole year has been a wild ride. As of Friday, the City went 14 days without a single employee infected. We are doing all the right things. Vigilance is exhausting but worth it.

The Governing Body has the draft policy for employee testing now with comments due back Friday. Beginning in April is implementation, and it is more than ongoing maintenance.

The City intends to open the ice rink on March 13th with some significant changes.

Ms. McSherry explained that if we stay with these same rates or rates permitted, we will become turquoise on March 24th. It is very likely, if we keep up the good processes. She described the reduced restrictions for turquoise. Recreation facilities and the Convention Center can open. For other City facilities, the limit is 20 for the remainder of this level. The customer questionnaire is lifted but masks and social distancing remain. If any practice affects for higher per person rate, we will reduce the rate, so they are not impacted financially.

Director Ochoa recalled that a year ago, we saw three cases every few days and shut everything down and now at six per day are reopening everything. Santa Fe is at a good place for vaccines at 22.4% with one dose and 14.4% fully vaccinated. About 58% are registered so we need more registered onsite.

The County, DOH, and other providers report vaccinations are increasing and more vaccines coming in. 4,000 teachers and school staff are prioritized with 1,500 already vaccinated. They are part of the 1-B group. We plan for a vaccine event and registration event with City/County at the County Fairgrounds on March 14. People can come there from 9-2 and get help registering on-site and special vaccinations for seniors toward the

end of March on the south side. The City is working closely with the County and more information will be forthcoming as it becomes available.

Councilor Cassutt-Sanchez asked if our vaccine is Johnson & Johnson.

Director Ochoa said it is all the above. Johnson & Johnson is particularly good for rural areas, so it is prioritized for rural areas. Up to now, there has been no differentiation. Johnson & Johnson is being given to teachers so the District can be ready to get kids back to school.

Councilor Rivera observed the distribution list from Safety Department doesn't add up. He advised Staff should double check those numbers to determine if they are correct.

Director Ochoa said it is duly noted.

- b. Economic Development Department Overview of the Midtown Bi-Weekly Development Update Report. (Rich Brown, Director, Community & Economic Development Department, rdbrown@santafenm.gov, 955-6625 and Daniel Hernandez, Project Director at Proyecto LLC, Andrea Salazar, Assistant City Attorney, asalazar@santafenm.gov, 955-6303) Public Engagement Michaele Pride, UNM Design Planning Assistance Center, Director Alexandra Ladd, Office of Affordable Housing Director
INFORMATION ONLY

Ms. Bustos-Mihelcic read the caption for this presentation.

Daniel Hernandez introduced the partners and shared the major goals and the drivers for the Midtown site. He described the focus on sustainable development with four areas: equity economy, culture, and environment. To determine what is viable, they will set priorities and learn how we and the public can work together on public engagement.

He listed topics in the sustainable development slide. There will be a final report at the end of the process on who was involved and what happened along the way in considering programs people want to see at Midtown. Then, they will establish priorities that will end up in a document for presentation to the Governing Body.

Director Ladd described the public planning process. It is a shared commitment between City and DPAC on this process and getting the community to engage with us. She read the values aloud. There has been shared frustration with the property. Today, they had conversation with the DPAC Team about all we have learned and realized we were not talking values at the beginning but is what we learned is needed to drive it forward.

Midtown engagement partners have an application process from groups proposing work at the Midtown site and get a small stipend for the work. She appreciated that it is an extractive process – give us your information and come to our meeting and that puts them in driver's seat to tell the team what is important.

A community of Learning – we are really committed as a partner of DPAC – really a learning process in the work. What comes out will be an activities calendar open to the public so general public can participate in the process and events. Gathering is only one way to do that.

Step 1: listening and learning. This has largely concluded with a plan moving forward and many steps are overlapping.

Step 2: co-creating and organizing – stipends and activities calendar have started.

Step 3: implementing and supporting the activities. Starting to look at community goals.

Step 4: synthesizing and policy making that at the end will have a set of outcomes added for ways of public involvement.

Step 5: reflecting and evaluating what worked and what data we have. More quantitative data with summary reports.

Michaela Pride, on the faculty of UNM, said the team has been engaged to continue into the next phase. She introduced the other members of the team.

She gave an overview, noting they had informal conversations with current engagement leaders and is ongoing. The Community Engagement Survey was done in December and January. The Charette with City Staff was in February. They engaged in promising practices and got feedback on past engagements and were able to talk with many community members on what it means to be cocreating and designing the process.

It was iterative - learning from the survey with more qualitative responses than quantitative. They had trusted relationships with community members, especially those less represented than by geography. For the question about how much community input in the process, there was a gap in communications among Spanish speakers and people nearby the campus.

In the survey, they asked what was most important. Housing was #1 overall. The survey questions included – what is most interesting to you.

The Midtown Activities Program (MAP) was for groups they were already working with – trusted organizations as community leaders. As potential grantees are brought on, they ask how to help each other. Phase 1 will be in April with activities into the summer.

Councilor Lindell asked how many grantees they anticipated.

Ms. Pride anticipated 4-5 grantees in the first round. Then they would determine the amounts and numbers.

Mr. Hernandez reminded that as part of public engagement, they will return to the Governing Body. The next is April 14 and in July 14 to hear from partners. He showed the three website locations.

Councilor Lindell went back to her previous request and asked if they contacted the others who responded to the RFEI.

Director Brown said he sent them an email.

Councilor Lindell asked when the Governing Body would get that information and how they would tie in to this 9-month process.

Director Brown said that could be discussed in executive session.

Councilor Lindell had not heard about the public engagement project. She asked who guided it and whether Council would have input into it.

Director Brown said the Council approved the funding and there would be another round of public engagement. This has been part of the process informing Council and others.

Councilor Lindell was really frustrated with the timing. She recalled we went through public engagement before. There is always someone pleased, and someone not pleased. But this is another 9-month process and there is urgency around this campus, but she didn't sense any urgency from others. The City pays \$8-10,000 per day for this campus. It seems like these processes take too long and people have no sense of urgency she was frustrated about it and said it every time. She didn't remember approving this process. She didn't feel she was signing on to another 9-month public engagement process. We are not being responsible.

Councilor Vigil Coppler said recalled the 3-pronged decision tree from months ago. They were clearly outlined, and she thought the Governing Body was going to decide on which one we would choose.

Councilor Vigil Coppler liked what was presented today. Maybe we could whittle it down a little, but she thought the steps were – one, to start over, second, to go back to the others who responded to the RFEI. The third she didn't remember now.

She assumed this verbal presentation was part of the monthly report and asked to get copies at least the day it was being presented. It would help her focus to follow it more closely. She understood they are online but that is after the fact. She would appreciate being able to digest what was just presented.

Part of this in the past was feedback to engage the neighborhood right around the campus. Even in those neighborhoods, some people don't have access. She asked how we can have people without internet to know what our plans are. And with COVID, we don't move around as much.

Councilor Cassutt-Sanchez wanted to clarify the WE had a report out prior to terminating with Developer.

Director Brown agreed. And he met with Ms. Pride yesterday to deal with how to engage others. He was excited to be working on this and bringing in the community groups. We need to look at it as a business project. What is the community investment here? He was eager to gather from the process planning and deciding and prioritizing, what the community investment is here and what it means to our City.

He thanked the Governing Body for trying out this model. It is very different and can be scary at times but there are exciting developments here and we have experts on it.

Councilor Villarreal thanked the team for the presentation and glad to see familiar faces. She was committed to work with the team in whatever capacity. We got off the track with this contract with an out-of-town developer. We lost ground but now are back on. Community investment and development go hand in hand. Hopefully, there will be things running in parallel whether with a master developer or not. The presentation hit the high points and said the right words. "Let me know how I can help with the process. We need to be efficient because time is money."

Mayor Webber echoed Councilor Villarreal and Councilor Cassutt-Sanchez. What the team is building is not only social capital but brilliant in design. It will be groundbreaking as we continue to learn how to do community engagement better. Your work is outstanding. Thanks for the presentation – very well done.

Ms. Pride thanked them. This feedback is a testament to our team.

10. CONSENT CALENDAR

- a. CONSIDERATION OF RESOLUTION 2021-16. (Councilor Romero-Wirth, Councilor Jamie Cassutt-Sanchez, Councilor JoAnne Vigil Coppler, Councilor Signe Lindell and Councilor Villarreal)
A Resolution Designating the City of Santa Fe, New Mexico as a Bee City USA Affiliate. (Christine Chavez, Water Conservation Manager, cychavez@santafenm.gov, 955-4219)
COMMITTEE REVIEW:
Quality of Life Committee: 03/3/21
Public Works and Utilities Committee: 03/8/21
Water Conservation Committee: 03/9/21
Governing Body: 03/10/21
- b. This item was pulled for discussion by Councilor Vigil Coppler.
- c. Request for Approval of Amendment #12 with Allied Security that Will Add \$60,000 to the Existing Contingency and Allow for Greater Flexibility in Adjusting Service Locations, Times, and Officer Levels. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 955-5933)
COMMITTEE REVIEW:
Public Works and Utilities Committee: 02/22/2021
Finance Committee: 03/01/2021
Governing Body: 03/10/2021
- d. Request for Approval of a Budget Amendment Resolution (BAR) for FAA Grants #3-35-0037-052-2020 and #3-35-0037-053-2020, in the Amount of \$2,630,925 Securing Funds for Construction of Taxiway Golf. (Mark Baca, Airport Manager, mdbaca@santafenm.gov, 955-2901)
COMMITTEE REVIEW:
Finance Committee: 03/01/2021
Public Works and Utilities Committee: 03/08/2021
Governing Body: 03/10/2021
- e. Request for the Approval of Amendment 1 to IT Agreement 19-0828 to Assign the Remaining After Sales and Warranty Portion of the Parking Access and Revenue Control System (PARCS) Agreement to a New Vendor, Associated Time Instruments, Inc. (ATI). ATI's Compensation Will Not Exceed the \$114,920.06 Remaining Balance of the Original Agreement. (Noel Correia, Parking Division Director, npcorreia@santafenm.gov, 955-6611)
COMMITTEE REVIEW:
Finance Committee: 03/01/2021

Public Works and Utilities Committee: 03/08/2021
Governing Body: 03/10/2021

- f. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of \$190,471 for FY21 to Fund the Purchase of Radios. (Manuel Gonzales, Interim ITT Director, mmgonzales@santafenm.gov, 955-5531, Paul Babcock, Fire Chief, prbabcock@santafenm.gov, 955-3112 and Andrew Padilla, Police Chief, aapadilla@santafenm.gov, 955-5102)
COMMITTEE REVIEW:
Finance Committee: 03/01/2021
Public Works and Utilities: 03/08/2021
Governing Body: 03/10/2021
- g. This item was pulled for discussion by Councilor Romero-Worth.

CONSENT CALENDAR DISCUSSION

- b. CONSIDERATION OF RESOLUTION NO. 2021-17. (Councilor Vigil Coppler, Councilor Garcia, and Councilor Villarreal)
A Resolution Requiring Governing Body Approval Prior to Announcing the Availability of Any City-Owned Land, Buildings, or Other Real Property for Sale. (Andrea Salazar, Assistant City Attorney, asalazar@santafenm.gov, 955-6303 and Rich Brown, Economic and Community Development Director, rdbrown@santafenm.gov, 955-6625)
COMMITTEE REVIEW:
Public Works and Utilities Committee: 02/8/21
Governing Body: 02/10/21
Finance Committee: 02/15/21
Governing Body: 02/24/21
Public Works and Utilities Committee: 03/08/21
Governing Body: 03/10/21

Ms. Bustos-Mihelcic read the caption for this matter.

Councilor Vigil Coppler wanted to pull this to thank her colleagues Councilor Garcia, Councilor Villarreal, Councilor Romero-Wirth, and Councilor Lindell for batting it around back and forth and the work on a substitute resolution. Everyone compromised a bit. The substitute resolution was number six on the attachment.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Romero-Wirth, to approve the substitute resolution requiring Governing Body approval prior to announcing availability of City-owned land, buildings, or other real property for sale.

Ms. McSherry said the Governing Body needs to move the item on the agenda first and then move the substitute.

Councilor Vigil Coppler withdrew her motion and Councilor Romero-Wirth withdrew her second.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Garcia, to approve Resolution No. 2021-17 as presented on the agenda.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Romero-Wirth to replace the original Resolution with the Substitute Resolution in the packet.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Romero-Wirth, to approve the Substitute Resolution as presented.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

g. CONSIDERATION OF RESOLUTION NO. 2021-18. (Councilor Rivera and Councilor Villarreal)

A Resolution Updating the Terms of Resolution 2020-29 to Extend the Duration of the Community Health and Safety Task Force Through the End of Calendar Year 2021, Allow Additional Task Force Members, Change the Task Force Composition, Exempt the Task Force From Certain Open Meetings Act Requirements, and Other Changes, as Necessary. (Jennifer Faubion, Council Liaison, jrfaubion@santafenm.gov, 955-6033)

COMMITTEE REVIEW:

Finance Committee: 03/1/21

Quality of Life Committee: 03/3/21
Governing Body: 03/10/21

Ms. Bustos-Mihelcic read the caption for this case.

Councilor Villarreal commented this went through all three committee so we can respond to other questions. At the PWUC, it was unclear what this is changing and if it is in violation of the Open Meetings Act. She understood this would exempt members of the Task Force from our rules. She and Councilor Garcia talked about the potential change since the beginning before selection of members for a way the Task Force could talk about sensitive topics. So it has been challenging. After three meetings, we waited to get approval for a facilitator. The challenges are not just to be under the microscope but also what is comfortable to share with the group.

Mayor Webber asked for a motion before further discussion.

MOTION: Councilor Villarreal moved, seconded by Councilor Rivera, to approve the Resolution as presented, approving changes for the Community Health and Safety Task Force.

Discussion on the Motion:

Councilor Villarreal yielded the floor to Councilor Romero-Wirth.

Amendment to the Motion:

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to amend the motion by approving her amendment which is in the packet, for discussion.

Discussion on the Amendment:

Councilor Romero-Wirth said Councilor Villarreal is correct. We discussed this quite a bit.

The amendment does not waive the Open Meetings Act but that the Task Force doesn't have to follow Robert's Rules of Order. They do need a safe space with trauma involved. The Task Force did ask for changes in the way it operates but she hoped they realize we also have filters and lenses. She could not support closing the Task Force meetings when the Chair might be other than an elected official and no parameters about when they can be closed or open. She did discuss it with Councilor Garcia, and she didn't know how to structure when a meeting can be closed.

Councilor Lindell asked Councilor Villarreal and Councilor Garcia why they felt this amendment of Councilor Romero-Wirth's can't work for the Task Force. This is a very hard decision for her. She understood why people don't want to tell their story in public and see it memorialized on Youtube. She has had the experience of not having much fun with these situations. But she was also concerned about going behind closed doors and not having much parameter about doing that. We need to come up with something that allows some safety but also in principle operates in a transparent manner. Or perhaps there is something that falls in the middle.

Councilor Garcia was opposed to the amendment Councilor Romero-Wirth put forward. We've already lost two members in trying to make the environment a safe place to be. As Councilor Villarreal said, we are not violating the Open Meetings Act but following every rule of every City Committee, following the same rules.

We may bring recommendations to the Governing Body and may discuss them 2-3 times in advance. That is a long time for opinions to be out on Youtube while it is still a hot topic in our nation.

The ability to speak freely on a topic was never discussed in the City before. It is very different than anything else we have taken on. He and Councilor Villarreal are very committed to have safety for sharing their stories.

Ms. McSherry clarified that a recording is not required by the AG. And Youtube is not used for all our committees. Youtube is not required but public access is. The requirements for committees are to be subject to the Open Meetings Act.

Councilor Lindell said the mandate that Councilor Romero-Wirth brought forward mimics the Drug Task Force. She said she just had a problem not seeing why this could not function similarly. She appreciated Councilor Garcia's answer. She didn't know if Councilor Villarreal wanted to take a stab at it.

Councilor Lindell asked why Councilor Romero-Wirth's amendment doesn't provide safety and security for the Task Force.

Councilor Villarreal acknowledged that part of the amendment does make sense and was already discussed in the Task Force. They also felt and had conversations that safety is top on the list. Robert's Rules of Order really needs to go away. With topics they would get into in the working sessions and which the membership did not feel they could talk openly

and truthfully about. People don't feel safe in talking about them to take on with the Task Force. The Task Force is very diverse, and a majority of color and women. They need to skillfully help so people can share and not have it taken out of context. Even in the memo, we are in a different world now. The fact that white supremacy is right in our face also brings a level of fear. After the attack at the capitol and have fencing around it now, she wouldn't compare it with the drug task force.

We keep talking about focus. There is a strong desire in the Task Force to have public meetings. But we are at a point to get organized and feel we are being listened to and have an important role to play.

Councilor Lindell would feel more comfortable having Councilors as the chairs. Why was that put into the resolution?

Councilor Garcia observed that it is so engrained in the furniture at City Hall and very formal and following Robert's Rules of Order. It is still difficult to work his way back into this on what they need to talk about. It will take time for him to be freer in it. He didn't want to make people feel uncomfortable with it.

Councilor Lindell asked how their work will be memorialized so that when you come out, everybody knows and agrees what happened.

Jennifer Faubion noted that in facilitator contracts, there is a report-out on the process midway and at the end. And through the recommendations that come out of this Task Force, they will put their names on it at the end, and that will be the memorialization of the work of the Task Force.

Councilor Villarreal pointed out that there is no stenographer, so the only record is who was there in attendance and then the minutes are not really minutes. So it doesn't memorialize anything. "We could meet and say they were closed meetings and then have it memorialized and documented as well as a public meeting."

Ms. McSherry clarified that the Open Meetings Act has various levels and the only required things – who was there, what time the meeting convened, what was decided, and who voted which way, which is why we take roll call votes, what time the meeting adjourned. Those are the minimum requirements and what we make sure is documented.

Councilor Lindell was trying to find a middle ground with this that allows people to function with safety on the Task Force and meet what she thought we all subscribe to. She realized it was not a requirement of the

Open Meetings Act. “Typically, we try in some way to have the meetings open with transparency. This is extremely hard for me.”

Councilor Garcia appreciated the questions and answers. He asked Ms. McSherry to confirm that this committee was not required to adhere to the Open Meetings Act.

Ms. McSherry said, under the existing rules, it would be subject to the Open Meetings Act. In approving a Resolution that says they are not; it would create an exception for this committee.

Councilor Garcia thought an exception would fall within the law.

Ms. McSherry agreed. It is not a violation of State Open Meetings Act.

Councilor Garcia added that the amendment does not take away the Open Meetings Act, which is different from the original resolution. There will be documentation on the record of who voted on what, but it provides space for individuals to talk with safety in private and then come back to public to vote. So they would publicly vote on any recommendations.

Councilor Villarreal agreed; that is what we would want.

Councilor Garcia reasoned that all actions would be done publicly. The main difference is that the amendment on the floor keeps everything open and, in essence, defeats the original purpose of the resolution.

Councilor Vigil Coppler said the reason this Task Force was created was to identify how traditional methods of public safety are not ready to be improved and action taken on changes. In order to do that, and because the resolution speaks to public safety, public health, quality of life, and injustice that leads to violence, and inequities in communities of color, there is a whole body of evidence within those parameters that members could come to discuss. It could be a wide range of things that happened to them. If she went to the Task Force to let them know what happened to her, let’s say hypothetically that if it was domestic violence and the way a Law Enforcement Officer handled it, or maybe she wasn’t treated like everyone else because she was related to someone in the department, or it may not be topnotch police work to get it to court. And she was to bring it to the Task Force. She would not feel comfortable having her story broadcast on Youtube. She would not be comfortable telling her story again without the confines of confidentiality in front of a task force and all who attended. So if we don’t do something that will help people feel comfortable so they do have privacy and how to get to recommendations for change, they are only going to get safe stories that may not get to the root of the issues.

If we cannot give the testifier the opportunity to be heard in safety, then the Task Force won't come up with the best resolution how to solve the issue.

Without that, we might as well disband the Task Force. She agreed with Ms. McSherry – we need to do the best we can to protect the people who are willing to come forward. Creating space doesn't solve the issue. There could be a million more reasons for people to come forward if they were sure of their safety. Otherwise, it won't get to what it was created for.

Mayor Webber announced for the public that the meeting scheduled to start at 6 pm won't start at 6 pm. He suggested the Governing Body will probably put the executive session at the end of the agenda. There are about 30 people in the attendee room.

Councilor Cassutt-Sanchez said we also have a need to balance this to take on really challenging topics. She asked about another task force in the past.

Ms. McSherry said she did not research that.

Councilor Rivera said in his experience since 1987, there has been no request like this one.

Councilor Cassutt-Sanchez concluded there is no precedent for this. It is important for the Task Force to have the challenging conversations and consider how to move forward. They need to be in the right setting. She recalled in a Social Epidemiology class in Public Health and a small class of six. The growth she had from it was incredible. And the others were not giving her pushback. This is a different standard. She supported the resolution as sponsors recommended. These are extraordinary times.

Councilor Abeyta asked if the Task Force still ends on December 31, 2021 and would not change by either amendment.

Ms. Faubion said it is extended by Councilor Villarreal and Councilor Garcia resolution, but nothing else changes it.

Councilor Romero-Wirth said this has been good discussion. She agreed with Councilor Vigil Coppler that we need to create a safe space and her amendment does that, keeping the meetings open. It helps develop a public understanding on why they are recommending what they are recommending, and they don't have to share personal stories with the recommendations.

She understood some people would ask why on their recommendations. She didn't know how that would work. The resolution does not provide that actions will be taken in public. We also don't know if Councilor Villarreal will remain as Chair to make sure it is voted in an open meeting. Right now, Prime.Gov will take you right to the conversation in Youtube. So to say our minutes are inadequate in not so. You can go right to the video to see the conversation by clicking on the agenda item.

Her amendment is based on the Municipal Drug Task Force. And she did not assume this Task Force is the same as that one. She didn't know why it could not work here. The facilitator's report in the contract said the facilitator will do a report. It doesn't talk about votes or other details. She guessed "we would just close the doors and trust that the right outcome comes forward."

Lastly, the justification for why her amendment isn't sufficient was the idea that talking in public is still difficult and that we have these threats like we have a chained fence around the Capitol, but that was result of a direct threat. She believed her amendment allowed safety. It is a tough issue.

Councilor Garcia said we can all agree this is tough and he was trying to put himself in the place of a Task Force member. He would not want to talk about his racist encounters in public. We need to ensure there is no ramification. As an individual campaigning for this seat, he experienced racism. It is critical to set these spaces. He understood Councilor Romero-Wirth was trying to create the spaces. But the Task Force has said they would have those spaces anyway to force the panel to share them, defeats the purpose of the Task Force. It is evidenced in those who applied to be on the Task Force. We must remember we live in a small community. Even in closed meetings, those stories would be shared. And we need to ensure what has impacted their lives, we can grow from.

Councilor Garcia wanted the Councilors to put themselves in the shoes of the Task Force to talk about a private story in a public forum. It takes lots of courage.

Councilor Cassutt-Sanchez asked regarding the money if we have identified the money to support the work of the Task Force and community conversations. Regardless of if this passes, it is needed. She asked the City Manager if we have money available for the Task Force.

Manager LaPan Hill agreed we would need to identify the money for it. And that would come back to the Governing Body for approval.

Councilor Villarreal said funding would be great to have. We had to fight for the \$10,000 for a facilitator that is already in place. She was trying to

find other sources and would not want the Task Force set up for failure. We cannot have our facilitator take on more work at the rate she gets So we don't know if we have more funding yet. So she was not sure that community conversations with facilitation would be possible yet.

She knew there were pieces in the amendment of Councilor Romero-Wirth that were good. And she would want to consider them to be in the resolution. But the way the amendment is written now, it counters what Task Force members wanted. All that we put in has come from the Task Force members.

Mayor Webber commented that what we heard is incredibly powerful and he liked Councilor Garcia's comments. He has also been subjected to discrimination with anti-Semitism and know it is powerful and painful and harmful. If we cannot have a conversation on what describes our lives in Santa Fe, we won't be better. Many of us are torn on this. We've had lots of conversations on needs for transparency and on the other hand, we want voices in a secure place. he thought about how to get the best of both worlds. What he learned from the CHART effort is that if you ask the question in the wrong way, you will get the wrong answer.

The same should apply to this Task Force. Our nation was having these conversations and we now hear what we have won't provide those conversations for people who have had traumatic experiences - not as a public record. The time for a conversation is fundamentally intertwined with feelings of safety. He was worried about an exception to transparency process to provide safety for people with powerful stories to tell. We might end up with less of either world.

The issues of CHART are not that different. We've tried for a way to have grassroots conversation and would favor a private way that didn't go through the rules of the City. They can only work when suited to the task at hand. It is in some ways an unsolvable problem. He didn't like either choice that is here tonight. We don't have the right remedy.

Motion to Postpone:

A motion was first made to postpone indefinitely and after a brief discussion, that motion was withdrawn.

After further discussion on another postponing motion, Councilor Romero-Wirth moved to postpone this matter to the next regular Council meeting. The motion died for lack of a second.

VOTE: The amendment motion made by Councilor Romero-Wirth failed on the following Roll Call vote:

For: Mayor Webber, Councilor Lindell, and Councilor Romero-Wirth.

Against: Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Rivera, Councilor Vigil Coppler, and Councilor Villarreal.

Further Discussion on the Main Motion:

Councilor Cassutt-Sanchez pointed out that there were parts of Councilor Romero-Wirth's amendment that many of Councilors were in favor of, particularly items 7, 8, and 9.

Ms. McSherry suggested it would be appropriate as a motion distinct from the main motion.

Motion to Amend:

MOTION: Councilor Cassutt-Sanchez moved, seconded by Councilor Lindell, to amend the Resolution by adding items 7, 8, and 9 from Councilor Romero-Wirth's amendment.

Discussion on the Amendment:

Councilor Villarreal asked to have that section read.

Councilor Cassutt-Sanchez read those three points: On page 5, line 4, insert the following paragraph,

"D. The CHS Task Force shall host a series of community conversations to gather insight into the concerns and ideas of community members to ensure that the city's health and safety strategies are guided by community input.

E. The CHS Task Force shall convene a series of focus groups around the city to learn how health and safety issues affect communities, families, and individuals, and how current City policies can be improved. Focus groups should represent specific constituencies that are affected by the city's current health and safety policies."

On page 5, line 6 after the period *insert* the following new sentence: "The City shall appropriate funding to accomplish the provisions of paragraphs D. and E. above."

Councilor Garcia assumed the budget would have to come along with it. It would be another \$12,500 that could be found in the budget.

Manager LaPan Hill nodded.

Mayor Webber agreed the money would be found as reasonable support for facilitation.

Councilor Villarreal observed that the FIR currently in the packet reflects the current facilitator and this talks about additional funding for D and E.

Mayor Webber agreed. And all of us agree that this conversation needs to happen.

VOTE: The amendment motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

Councilor Villarreal pointed out an additional amendment that was passed in committee. The amendment was to insert on page 3, line 18 after the word “force,” “which may include exploring innovative approaches to Community Health and Safety, reimagining the current structures and systems in which the City currently operates in examining group causes and identified problems.”

MOTION: Councilor Villarreal moved, seconded by Councilor Rivera, to approve the amendment she just read.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

Discussion on the Motion as Amended:

Mayor Webber asked Councilor Villarreal and Councilor Rivera, for whom he had so much admiration for taking this project on, now that we have adopted part of the amendment proposed by Councilor Romero-Wirth, that calls for these community conversations, recognizing that those

would not be required to be open, those could be handled by subcommittees and sub meetings if that would help reduce the concern over transparency. He felt the conversations could be private and not subject to public meetings but would not close off transparency. Does this come closer to a compromise that would solve the problem? And is this the middle ground? He thought it does.

Councilor Rivera, in reading it again, thought nothing in Councilor Romero-Wirth's amendment would be a closed meeting. The press could attend these meetings, or others in the community conversations. The Press is part of the community and it could have fifty people attending them. So he didn't believe it addresses what he and Councilor Villarreal were trying to do for the Task Force members.

Mayor Webber asked Ms. McSherry if the community conversations were required to be a public meeting open to all comers or if that were something, they could decide among themselves.

Ms. McSherry was hearing two different means of the term "open meeting." If the meeting was announced to the community as a community conversation, then other people could be there, including members of the Press. If a quorum of the Task Force members were present, it would be subject to the Open Meetings Act, then it must be a public meeting.

Mayor Webber was talking about a small breakout with a few members present to share their experiences.

Ms. McSherry said that would not require it be subject to the OMA and members of the Press would not be required to be there, but they could be attending.

Councilor Romero-Wirth said they could be closed but there was no language to fix it and they would not be protected. It is now 7 pm, and it seems we are not ready to determine it. This is a new issue now. She assumed they would be closed so people could share their experiences. You are saying the focus groups would be open to the public. Do we need to set it aside and work on it some more?

Councilor Rivera just didn't see how we would have the meeting without publicly inviting the community.

Councilor Romero-Wirth agreed. This just identifies another problem. Do we want to sit here longer to fix it?

Councilor Rivera didn't think anyone disagrees that community conversations are important. But the Task Force may need to discuss what is happening and need to share these stories in a non-open meeting. We wanted to include the community all along, so he didn't see how it hurts anything.

Councilor Romero-Wirth asked what will protect the community. Maybe we need language to invite community to a closed meeting to have comfort. She assumed the focus groups would be a private matter. You just found a flaw in what it provides.

Mayor Webber assumed that without a quorum of the Task Force, they could be closed meetings and a summary report shared with the Task Force without identifying the person who shared the story.

Councilor Rivera asked if the Task Force has the option for breakout sessions with a specific number of members to host people coming in for what they are talking about. But he read this as community conversations and felt the Task Force already had the opportunity to do that in breakout sessions.

Mayor Webber agreed. That is the opportunity for those private conversations.

Ms. McSherry didn't want to confuse this, but "community conversations" is not defined there. That doesn't have to be the definition either. It could be designed however the Task Force wants it.

Councilor Romero-Wirth thought if breakouts can be done not in open session without a quorum of the Task Force, it doesn't seem to be a problem.

VOTE: **The motion, as amended, was approved on the following Roll Call vote:**

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Vigil Coppler, and Councilor Villarreal.

Against: Councilor Romero-Wirth.

AMENDMENT OF THE AGENDA:

MOTION: Councilor Garcia moved, seconded by Councilor Cassutt-Sanchez, to amend the agenda, suspending the remainder of the afternoon session and go directly to the evening session.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

EVENING SESSION - 7:03 P.M.

16. ROLL CALL

Roll call indicated the presence of a quorum remotely, as follows:

Members Present Remotely

Mayor Alan Webber
Councilor Roman "Tiger" Abeyta
Councilor Jamie Cassutt-Sanchez
Councilor Michael J. Garcia
Councilor Signe Lindell
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

17. PETITIONS FROM THE FLOOR

Stefanie Beninato stated regarding racism and financial discrimination, she found that the way her cases were treated were very different than if she had money or was white. She sent Councilor an email asking the City Council to direct the City Attorney Office to negotiate or go to mediation on the Case at 203 East Santa Fe Avenue which involves an important Historic Design Review of regulation and standard and that Mr. Prinz be directed to actually focus on the real issue and that it would be mediated at the Human Rights Commission, which is a secret notebook that was created over a year and a half, not current practices by the Recreation Department. The response to her last week was about not focusing on the real issue and not the matter in the present tense.

There were no other petitions.

18. APPOINTMENTS

- a. Independent Salary Commission
 - Alba Blondis – At-Large – Term Ending 2/2025
 - Bridget Dixon – Santa Fe Chamber of Commerce – Term Ending 2/2025
 - Troy D. Fernandez – Neighborhood Association – Term Ending 2/2025
 - Maria Gale – Community Organization – Term Ending 2/2025
 - Paul Hultin – Attorney – Chairman – Reappointment Term Ending 2/2025
 - Andrew M. Wallerstein – Chief Executive Officer – Term Ending 2/2025
 - Emily Westermeier – Human Resources Industry – Term Ending 2/2025

This item was withdrawn under Approval of the Agenda.

19. PUBLIC HEARINGS

- a. CONSIDERATION OF BILL NO. 2021-5. ADOPTION OF ORDINANCE NO. 2021-6. (Councilor Cassutt-Sanchez, Councilor Abeyta and Councilor Villarreal)

An Ordinance Amending Section 7-1.1 SFCC 1987 to Adopt the Newest Version of the International Energy Conservation Code as Adopted and Amended by the State of New Mexico Construction Industries Division; and Amending Section 7-4.2 SFCC 1987, City of Santa Fe Green Building Code, to Update Code References in Conjunction with the Adoption of the 2018 International Energy Conservation Code as Adopted and Amended by the State of New Mexico Construction Industries Division. (Jason Kluck, Assistant Planning and Land Use Director, jmkluck@santafenm.gov, 955-6729)

COMMITTEE REVIEW:

Quality of Life Committee: 02/3/21

Public Works and Utilities Committee: 02/8/21

Governing Body (request to publish): 02/10/21

Governing Body (public hearing): 03/10/21

Ms. Bustos-Mihelcic read the caption. Director Jason Kluck was present.

STAFF PRESENTATION

Director Kluck explained that the proposed legislation would amend the Energy Conservation Code currently adopted by the City in the Building Code and associated references in the Green Building Code. It would adopt the 2018 International Energy Conservation Code as amended and adopted by the State Construction Industry Division on September 5, 2020. Under State Law, the City's Building Code must meet or exceed the requirements set forth in the State's Building Codes. The City must adopt the changes within six months of adoption by the State. When approved, the City will begin enforcing these new requirements no later than April 1, 2021.

The Energy Conservation Codes are essential today and by increasing the energy conservation on new and remodeled buildings by focusing on efficiency in the primary aspects of the building – thermal envelope, mechanical systems, lighting, etc. which reduce heating, lighting, and energy loads. The Code provides for safety and comfort with indoor air quality standards and proper ventilation and lower energy costs. That can result in significant life-cycle savings and particularly benefit the most economically disadvantaged users.

The City showed leadership by adopting advanced energy efficiency. In 2009, the City adopted the Green Energy Code that required all new construction be subject to a new rating system to meet a minimum threshold. That increased efficiency of Santa Fe homes by approximately 30% and adoption of the 2018 energy code is projected to make buildings 20% more efficient than under the previous version of the Code. Residential construction will still meet the City's Green Code requirements without significant additional required measures at an anticipated cost of less than 1% of median home value in Santa Fe.

PUBLIC COMMENTS

Stefanie Beninato had given a written comment, but she still wondered why commercial has to be less effective than residential. She was particularly concerned about the ventilation because it does require mechanical equipment to meet the ventilation requirements. And opening windows doesn't address that. The biggest thing she would like questions asked is whether a green code expert is needed to review an owner-builder plans – to submit them so the City would approve them. She understood that an owner-builder would have to hire an expert to look at their plan for meeting the code and the City Land Use Department is not going to do that. She thought the City Land Use Staff is being paid to do exactly that. So if there are standards, the Land Use Staff should be conversant with that.

Daniel Werwath expressed his support for this requested change as we think about our electrical standards and other ways we could really prepare and the long time it takes.

Miles Conway said the Santa Fe Homebuilders Association is in favor of this adoption and in favor of that the City has been doing all along. Our 400 builder members have embraced the science of building efficiency and support this move. He just presented to the County how these highly deficient homes can be updated affordably. He had a question for the City Attorney when they noticed on page 6, the reference to Section 405. He believed the City is on Section 406, which is the HERS rating. He was confused why that choice was made.

Jason Rogers, who works in appliance sales for construction of new homes and remodeling, said this would bring much more revenue if the Land Use Staff could speed up permitting.

Bill Roth, homebuilder for over 20 years, said he also spoke last night at the Santa Fe County Board of County Commissioners where “we prevailed 5-0 on upgrading Code.” He said it is one of many that is needed if we will get to the net zero (carbon neutral) pledge the City made.

Steve Olmstead, a HERS resident, said he does work with City Building inspectors. He didn’t understand the bill, itself, that was earlier referenced on page 6, line 13, which represents the IECC 405. 405 is a completely different path and not related to HERS ratings at all. He wondered if it is typo or if the City was trying to use that to get around the State adopted code.

There were no other public comments, and the Public Comment portion was closed.

QUESTIONS FROM THE GOVERNING BODY.

Councilor Garcia asked Director Kluck if this was going to cost more per person for building or remodeling a home.

Director Kluck clarified this has no added fees.

Councilor Cassutt-Sanchez asked for clarification on the page 6 Section 405 reference.

Director Kluck said he had lengthy discussion with Mr. Olmstead and explained it is not in error. It was already referenced in the Code and is not a proposed change now, but rather, an existing reference. It is superseded

in the City Code. The ERI is not an equivalent of a HERS rating and it doesn't offer the same assurances as HERS.

Councilor Villarreal had the same question and wanted to make sure that was a reasonable answer. It looks like Stephen Olmstead left but Miles Conway is still on. She wanted to know if that was understandable.

Director Kluck added that the ERI is not excluded but it was superseded by the Green Code. An ERI could be accepted by Building Code people.

Ms. McSherry affirmed the other part was already in the text and not part of this amendment.

Councilor Villarreal just wanted to make sure the original text was correct.

Mr. Olmstead said he knew it was in the original code but 406 is in the new code. It is okay as written but requires a different document. He was okay with it.

Councilor Villarreal asked if we don't need both sections in the language.

Director Kluck was reluctant to answer. He explained that Section 406 is not precluded by approving this.

Mayor Webber asked how this amendment differs from what the County did.

Mr. Olmstead said the County adopted 406 which has ERI. They did it for a different reason – the County doesn't have a building code. It puts enforcement into their code that they didn't have before.

Mayor Webber understood the City needed a different process.

MOTION: Councilor Cassutt-Sanchez moved, seconded by Councilor Villarreal, to approve Ordinance No. 2021-06, the newest version of the International Energy Conservation Code as adopted by the State.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

- b. City of Santa Fe Fiscal Year 2021 Annual Operating Budget Presentation and Fiscal Year 2022 Annual Operating Budget Public Hearing. (Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 955-6171)

COMMITTEE REVIEW:

Governing Body (public hearing): 03/10/21

Mayor Webber noted this is a chance for people to express their mind and it is not an action item. There is no resolution to adopt. He observed 35 people in the waiting room.

Mary Mccoy presented the budget to the Governing Body. He said the Governing Body has seen it before with an overview of General Fund revenue and GRT.

She shared a screen showing the organizational structure, fiscal responsibility, credit ratings, budget operations, etc. She showed an Org Chart with Residents at the top.

She next showed the listing of City Funds, now reduced to about 70 from the previous 400 in the last few years. She highlighted both Public Utilities and Public Works, which is the largest department in the City, that together make up almost 40% of all expenses. Community Services is about 6%, Police is about 8%.

She showed the breakout for general operating expenses by category and noted that personnel are the largest share. The MRC and Parks make up about 18% of expenditures. She then broke out by category all revenue for the City. GRT is 25% of all revenue. Reserves helped balance the budget during the pandemic. She provided an analysis of the GRT revenue for the year. During the last half of 2020, GRT revenue fell by \$202 million.

PUBLIC COMMENT

Karen, a City employee, asked for raises this year.

Matt Segura, President of the Santa Fe Homebuilders Association, thanked Director McCoy for her presentation on the budget. He explained the way the pandemic affected construction. This was not a problem the City created. He looked forward to working with the Mayor and Land Use Staff in the coming fiscal year.

Kim Shanahan, 51 Herrada Road, said we need to find at least 20% for the Office of Affordable Housing. Whatever Director Brown has proposed is not enough. The Governing Body needs to remind him that his department faces a crisis here in our City. Funding the Affordable Housing Trust Fund (AHTF) for at least \$5 million in the coming fiscal year should be a minimum commitment.

There is so much more to be done. The private sector, represented by local builders and developers, could easily build single family detached homes for young families, first in Tierra Contenta. That would represent hundreds of future homes that are languishing because of financing hurdles the City could help overcome. As a community, we must recognize that these infrastructure hurdles need the help of the City's bonding capacity to overcome the financial roadblocks. Funding AH Trust Fund is a first step. Show us the money and we will show you the houses.

Miles Conway – Rio Medio and serving as executive officer for Santa Fe Homebuilders Association and on the Santa Fe Affordable Housing Coalition. He asked the Governing Body to fund the Trust Fund challenges us to solve the housing problems in Santa Fe. We know the data for the Trust Fund. It creates all kinds of economic activity – jobs not just in construction but across the spectrum.

He also echoed Mr. Segura on the process. If Land Use is adequately funded at rates adequate to attract the additional professionals, we need. He gave a quick shout out to the great City team. He spoke of growing up with trips on the train and loving the conductor. He said the Association is in the process of canvassing members on the chance to work with the City Staff. But we need a conductor to answer the phone.

Maxine Sandoval for the local 3999 and read her statement. Raises are of utmost importance for our morale support and budget an amount for raises. We always ask for it but not as a handout or a show of appreciation. We make sure you have clean running water. We make sure the permits are submitted correctly and expect their safety. They make sure your computer is running properly, phones are answered, questions are answered, information prepared for every meeting, to keep the City operating. City employees are worthy of being rewarded for all they do. Please show the employees they are appreciated with raises in the budget and an acknowledgement for their dedication to the City.

Rob Morlino – Marketing Director for Homewise said he was also in support of the Affordable Housing Trust Fund. Each dollar leverages \$14 in the Trust Fund. Working families cannot afford to live in Santa Fe, even with both making minimum wage. It is critical for the long-term economic viability for us on an agreed amount of \$3 million annually.

Bill Roth said he was here as a builder again to reiterate that housing construction is one of the largest amounts of GRT revenue for Santa Fe. Land Use handles it, so staffing and budget need to be increased on the online permitting process and it would take the weight off other staff who must do in-person work. The City needs a person just to answer and return phone calls and emails. Even just a couple of days/week for answers to questions of the public.

Daniel Werwath – New Mexico Inter-Faith Housing, said the Council heard from him in the past two weeks. Just getting the money into the Trust fund will help to make sure of enough capacity in the Housing Department with Staff to handle the second round of AHTF allocations. The perpetuity of the budgeting encourages adopting a certain level of funding each year.

On the Land Use Department, the City needs to invest in long-term planning and dealing with growth problems. Getting in front of that will help a lot. But we can't if we continue arguing about the number of stories, etc.

Miguel Acosta – Santa Fe Mutual Aid. This has been a difficult year and relations further strained. Santa Fe is a network of relationships composed of small businesses, neighborhood, and community institutions that share our hard-won wealth with the people we elect, with the understanding they will help provide for our welfare. That is our social contract. Certain sectors of the population have privilege and the pandemic just magnified these inequities. Barriers were already in place prior to the pandemic. We need an equity audit and resources reallocated with a serious investment in capacity building. And for dialogue, we need a government that reflects the population, and we need to participate in our own languages and in our own time. One of the things we don't have is an equity framework for the budget based on the audit with equity and social justice and no racism.

Jessica Gilford - Santa Fe City Librarian, Community Service Department, asked the Governing Body to provide for employee raises. We have worked harder than ever before during the pandemic. She has worked here for seven years and gotten a 2% raise in that whole time.

Elena Valdez – District 3 resident and librarian in Community Services at the Southside Branch, speaking in support of AFSCME raises. “During my short time working with the City at the library, I see those at the library take pride in their work, even if they don't get paid enough to live in Santa Fe. I encourage the City to raise wages because you won't attract young people to work here without raises. Please give us raises.”

R John Nervaes – District 3 lifelong resident, working for City Parking Division. lifelong resident, born here, living on Maez Road in District 3 – work in parking division. People he works with have worked for the City for many years. He chatted with the Mayor at the Christmas party last year. He noted that a co-worker who has worked for the City for 14 years makes sixty cents per hour more than he does. People come here sharing their skills with constituents to have nobody having our back. Please set

aside money in the budget for raises. Many have already spoken about how hard they work. It is pride. Mr. Acosta hit it from the heart. He asked the Council “to please keep our concerns in your heart.”

Kathy Garcia – organizer with Chainbreaker, said they have 700 dues paying members, the bulk of who are low-income people of color. “Our members will feel the effect of this budget and are looking forward to the processes for recovery. We must do all we can to avoid an austerity budgeting mindset. People are hurting and now, more than ever, we need to lead with equity and support people where the need is greatest. We ask that the City follow its own lead and find solutions in the same spirit and intent of the distribution of the CARES Act Fund of last year. When it prioritized families in neighborhoods with the highest numbers of evictions, those neighborhoods most impacted by the pandemic closures and infections. Chainbreaker right now, is in the middle of writing research reports, investigating the impact and efficacy of the eviction moratoria with publication of our findings in the coming months. Our findings indicate that neighborhoods with elevated risk of eviction, had rates drop dramatically during the moratoria. So there were some effective solutions. What we know, however, is that in the coming months, as we reopen and recover, the risk of eviction in these neighborhoods not only remains but indeed escalates and threatens to expand citywide. The entire City will feel its effects, nonetheless. People are facing evictions in our City. Estimates say that 5000. So we ask that our numbers are also pedestrians and youth transit. We look forward to working with City for open negotiations.

Katheryn Hildebrand, former Housing Planner in Albuquerque, and Albuquerque resident, urged the Council to fund AHTF with \$3 million. Albuquerque has a trust fund also. And the local trust fund is essential for Affordable Housing development. So it is far above the value of the money from the budget. It is local money to serve as a match for philanthropic giving. It is flexible funding. As needs shift, the use of Trust Fund money can shift.

You have heard from other speakers about the robust housing construction in Santa Fe and that builds the capacity of nonprofits to build and rehabilitate housing for the community – some with private funds. It stabilizes living so people can live here and that benefits the city from GRT and making this a true community of people who live and love Santa Fe.

Kate Noble, Santa Fe Public Schools Board President, 54 Epsom Street in the lovely Torreon neighborhood, thanked the Council for their service and City Staff for hard work. She said she was speaking only on her own behalf. She was here to ask the Council to prioritize AH in this budget. It

is the transformational force, and \$3 million is a modest amount compared with the budget. We get back a lot from it. Our teachers cannot afford to live and work here. This is foundational for our educational system. We need educators who live here. And they don't need to rent here forever. There is a lot to consider, and you need to be courageous. The Office of AH has been understaffed for a long time. Everything depends on having people living here who work here.

Aaron Moore said he works with the Affordable Housing Coalition and in support of fund to ensure constant affordability for those with very low incomes. This investment has multiple ways to expand resources. It creates a path to financial success for our residents. The Albuquerque trust fund serves as a good model. Thanks for your time.

Mary Ann Maestas, Santa Fe resident in her late twenties and asking for funding for equity and quality of life investments. This is also for investment in local people and our local community with housing options for her parents and those younger than her who were raised here. Many of us feel left behind when coming back after college. We can't find a place we can afford. And we don't all inherit a house nor can live with our parents.

Bree Silery, Communications Director for New Mexico Coalition to end homelessness. She asked the Council to please put \$3 million, \$5 million, or \$10 million in the AHTF. Many families or individuals are priced out of their homes. While some may have their own vehicles, others must resort to public transportation. This severely limits their housing options. They need to have enough money to pay for the basic essentials, food, medication, and housing. We call for the maximum investment in this trust fund to ensure that options are available across the entire spectrum of housing.

Dianna Woods thanked the City Council and Staff for your service and hard work. She represented Essential Dwellings Inc. whose mission is to build affordable housing for low-income seniors so they can stay here in Santa Fe after they have worked here their whole lives. Many seniors experience housing instability. It is stress for them, not knowing where they will go. It is constant daily worry. She has many friends in that position. So they started Essential Dwelling. \$3 million is less than 1% of the budget and it affects everything. She asked what Santa Fe is turning into. This should be a priority. Everybody is doing a great job. We just need to change our priorities and think about our people who have worked here their whole lives. Please fund this.

Michelle Bright thanked the Council for all that they do. She was the Youth Services librarian at the Library. "When we closed, and with a hiring

freeze, we were doing more to meet needs. I'd like to see money appropriated to ASFCME for my colleagues making \$10-13 per hour which is not a livable wage in Santa Fe. Raises are needed to continue providing the community with the services we love to provide. We would like to continue to do so.

Stefanie Beninato appreciated the presentation by Mary McCoy and the chart and for the opportunity to comment. She was amazed how little is devoted to Affordable Housing, given all the talk about it and for community engagement. She urged especially that much more is invested in AHTF. It is not just for young people but elderly too. She also noted that Arts and Culture has very little funding, and with the culture crisis last year, it should have an increase. Construction has helped get us through and that should have a budget increase. She said recreation should be called wellness centers. They keep us healthy and give social interaction to people. She was concerned about the low pay for lifeguards because they have a high turnover. They are one of the few groups that requires drug testing, which is a big deterrent.

Rosario Torres thanked the Council for the opportunity to speak. Her concern was for the affordable housing in Santa Fe. She serves on the Community Development Commission and, for the last three years, she has seen the requested camper funding. It is heartbreaking to her how they impact people in negative ways and this funding would provide more positive impact. The City needs a permanent housing fund for the Affordable Housing Trust Fund, and it needs to be more than \$3 million. When the City has homes that are selling for \$5 million or \$10 million, it is obvious that we can afford it. People who buy those homes could afford to pay into the AHTF. That is one option but not the only one. The City also needs to consider the land trust for groups that can afford to build affordable housing and be responsive to specific needs as was previously mentioned, to seniors. She encouraged the City to do everything in its power to restore the money the city workers lost during the pandemic due to the furloughs. This was not the first time that the lower tiers of the City workers lost benefits, health insurance, and income. That should be restored and increased.

Travis Kellerman said he lives in Albuquerque but is a frequent visitor to Santa Fe. He echoed what many other speakers have said in support of the Trust Fund. He spoke briefly about the relocation of very wealthy people to Santa Fe which is really depleted housing by placing them out of reach for most working families. Albuquerque really set a model for the Trust Fund. The rising cost of housing brings the threat of unaffordable rent or homelessness. The AHTF needs at least \$3 million to get started. It also needs more for the Land Use Department in the budget. He hoped all Councilors would support this.

Marie Velasco, a library technician, living in District 4, speaking in support of the AFSCME raises. City employees are the heart of the City. They work hard and do it in an amazing job, especially during the pandemic. Please consider these raises. Thank you.

Bridgit Dixon, present CEO of the Santa Fe Chamber of Commerce, said she sits on the Board of the Santa Fe Housing Action Coalition. She expressed the Chamber's support for the Trust Fund. It will help and strengthen our work force, support the local economy, generate tax revenue for the local government, and is environmentally sound. It reduces community expenses and mostly helps the quality of life. The Chamber also supports public transportation. Please support this very important initiative.

Michael Barrio, Director of the Santa Fe Housing Action Coalition said as many have said, we have a housing crisis in Santa Fe and how it affects life. Please devote at least \$3 million to the AHTF. As recommended by the first Mayor's Task Force in December 2019, to ensure housing can address the problem from homelessness to foreclosure, he added city after city studies on housing have shown that homelessness has a distinct financial tipping point. When rents reach a third of household income, that point begins to happen. He advocated strongly for dedicated staff funding to implement the Trust Fund without undue burdens. Please fund the SHTF with a minimum of \$3 million per year.

Rachel Thompson had a very bold outrageous thought. She was looking at a headline from November 13, 1992 that said City Council Okays Affordable Housing Fund. It is always at a crisis. This is happening everywhere in the US that have economies based primarily on tourism. Lack of Affordable Housing is destructive to a successful tourism business. And it is not going away. It needs to be addressed in a permanent way. The Governor in late 2019, when a bill was passed and began a new organization in Economic Development to promote outdoor recreation all across the state. It was a new area of tourism. One core value was sustainable Economic Development. We cannot keep growing out tourism without focusing on housing. They come here for our culture. We should link Affordable Housing funding to Short-term Rental funding with a \$5 charge on every B&B per night and market it.

Tomas Rivera, speaking on behalf of Chainbreaker Collective, said we deeply appreciate this process tonight – bringing a voice to the most vulnerable. We are optimistic in this bold approach of the City for those in most need for assistance and services devoted to equity. We are encouraged by that. It is a precedent already set. The next series on

evictions will be released in a couple of weeks. The recommendations will be informed by the data and is the product of much hard work of local and national nonprofits. We are committed to the partnerships for housing to the most impacted, both during the pandemic and for a long time to come.

Mark Garcia, a frontline worker at BDD to supply clean drinking water for the City, urged a union raise this year. We have gone without raises for several years.

Roger Carson, President of the Santa Fe Association of Realtors with over 100 realtors, is in support of increasing the City budget to meet the affordable housing needs of our community. The Association supports the innovative work of the Office of Affordable Housing. Purchase of a downtown hotel is an indication. As we move into the final stage of the pandemic, this down payment support and sustainability are needed and need to be expanded. We urge the Council to increase investment in the Affordable Housing Office and the AHTF. Thanks.

John Paul Daniel using his wife's phone, said he lived on the south side and work with lots of nonprofits like Chainbreaker and YouthWorks, and think now, more than ever, support for affordable housing with \$3 million annually is super important. Thank you for all your work. Please consider that funding. We would greatly appreciate it.

Alba Blandis said she came to hear what everyone had to say. She is part of a group of neighbors here to increase quality of life in District 3. Thank you for your time and effort and for answering emails. This is an outpouring of concern and she urged the Council to help. What people have said about displacement is true. We have experienced it. She related how she could not pay taxes on a small house they had in Aspen and had to leave. She urged the Council to do their best to save our people.

Rebecca Wurzbarger wanted to add perspective. We have got years and years of not being able to address this trend and, given what will happen in next few years, this is indeed your issue and our issue. "I'm grateful for the support of AHTF. Please put a minimum of \$3 million into it.

Tom couldn't unmute his computer to speak.

Mayor Webber asked him to send an email to have his voice heard or a letter.

Mary McCoy said she took notes. She thanked everyone who took time to join us. We look forward to considering recommendations and suggestions and advocacy tonight. She asked Ms. Bustos-Mihelcic if anyone submitted written comments.

Ms. Bustos-Mihelcic believed they were all sent out but would check with Ms. Cardenas again.

Mayor Webber thanked everyone who spoke. There will be more opportunities going forward.

BRIEF RECESS

Councilor Garcia requested a short break and resume with the afternoon schedule.

The meeting recessed at 9:00 and resumed at 9:10 pm at the remainder of the afternoon agenda.

11. DISCUSSION/ACTION ITEMS

- a. Request for Approval of Cooperative Agreement with NMDOT for a Total Amount of \$300,000. (Romella Glorioso-Moss, PW Project Administrator, rsglorioso-moss@santafenm.gov, 955-6623)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/08/2021

Governing Body: 03/10/2021

Ms. Bustos-Mihelcic read the caption for this request. Ms. Glorioso-Moss is present.

MOTION: Councilor Villarreal moved, seconded by Councilor Abeyta, to approve the Cooperative Agreement as proposed.

Discussion on the Motion:

Ms. Glorioso-Moss described the item. This is cooperative funding to design the ramp on Guadalupe with \$300,000 from NMDOT and \$43,679 Santa Fe match. It needs approval today and sent to DOT by Monday or else there would be no funding from them.

Councilor Cassutt-Sanchez asked if the funding would cover the entire cost.

Ms. Glorioso-Moss explained this funding is only for the design and then will come construction. The City will apply for more funding for the construction.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

- b. Request for Approval of BAR to Budget NMDOT Grant Funding of \$256,320. (Romella Glorioso-Moss, PW Project Administrator, rsgloriosomoss@santafenm.gov, 955-6623)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 03/08/2021

Governing Body: 03/10/2021

Ms. Bustos-Mihelcic read the caption for this item.

MOTION: Councilor Villarreal moved, seconded by Councilor Vigil Coppler, to approve the BAR as requested.

Discussion on the Motion:

Ms. Glorioso-Moss explained this is for all NMDOT funds and the City does not receive the funds except in reimbursement. The BAR is needed to proceed with the project.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

- c. Request for Authority for the City Attorney's Office to Finalize Terms, and Mayor to Execute, a Cost Sharing Agreement with the County of Santa Fe and Las Campanas Water and Sewer Cooperative for the Lease-Purchase of Energy Efficiency Equipment and Improvements to be Performed Under the Energy Savings Performance Contract with Yearout Energy to Reduce the Energy Use of the Buckman Direct Diversion

Project, Consistent with the Terms of the Parties' Joint Powers Agreement. (Regina Wheeler, Public Works Director, rawheeler@santafenm.gov, 955-6622)

COMMITTEE REVIEW:

Governing Body: 02/24/2021

Governing Body: 03/10/2021

Ms. Bustos-Mihelcic read the caption for this item. Director Wheeler was present.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Romero-Wirth, to approve the Cost-Sharing Agreement with Santa Fe County for energy savings as proposed.

Discussion on the Motion:

Director Wheeler explained the item is an integral part of the energy savings program for lighting across the City to solarize everything possible in the City. Part of the agreement is to get energy generation from BDD and part of it is in the next agenda item. This establishes the role of the partners involved. The City will share costs with the County related to water usage and is not an equal sharing of costs.

The County has a resolution authorizing their work on the agreement. This is part of our entire energy savings project. They wanted very much to participate, and we are confident the negotiations will happen before the deadline.

Ms. McSherry clarified that a couple of terms came up regarding a tax issue and Las Campanas. This is not at a final agreement yet. But we need the authority to complete the agreement.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

- d. Request for Approval of an Agreement with the Buckman Direct Diversion ("BDD") Board Allowing for the Installation of Energy Efficiency Equipment and Improvements at the BDD Project and Providing for the Transfer of Such Equipment and Improvements to the BDD Board.

(Regina Wheeler, Public Works Director, rawheeler@santafenm.gov, 955-6622)

COMMITTEE REVIEW:

Governing Body: 02/24/2021

Governing Body: 03/10/2021

Ms. Bustos-Mihelcic read the caption for this item.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Romero-Wirth, to approve the Agreement with Buckman Direct Diversion Board as proposed.

Discussion on the Motion:

Director Wheeler, in an overview, explained the BDD Board is giving authority to install this energy savings equipment and improvements at BDD including advancement of solar energy generation. The BDD Board will be responsible for the improvements.

The Governing Body had no questions.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

AMENDMENT OF THE AGENDA:

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to Amend the Agenda to consider Communications from the Governing Body now.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

17. COMMUNICATIONS FROM GOVERNING BODY

A copy of the introduction of Bills and Resolutions is incorporated herewith to these minutes as Exhibit 1.

Councilor Cassutt-Sanchez said how it has been a year since we met in Chambers. It will be wonderful to see everybody in person soon. She appreciated everyone here. It has been so long, and she missed seeing everyone in person.

Councilor Lindell thanked her partner, Maria Sanchez for always standing by her and going through the journey with her. It is hard on families. Thank you to all your families. Families also serve quietly sometimes and sometimes loudly. "I am deeply grateful to my partner of 25 years that she supports me in this work that I absolutely love."

Councilor Villarreal was thinking about a year ago and wondered if we can have our meetings together in person with a hybrid combination of staffers with electronic capability. Thanks.

Councilor Abeyta wanted to cosponsor what Councilor Romero-Wirth is introducing.

Councilor Vigil Coppler added her name as cosponsor of Councilor Rivera's resolution regarding fire restrictions in the drought.

She asked the City Manager about the hiring freeze.

Manager LaPan Hill replied the City can begin hiring people now.

Councilor Vigil Coppler said, although the Council has not talked about it, she knew some hiring was going on.

She recognized and congratulated a class of the Santa Fe Fire Department for Advanced EMT Certification. They took the national test this past weekend and she thanked everyone who passed the test. To see their hard work is a good testament on the training still going on at the Fire Department. We have good quality personnel to take it on. The seven-week program just finished and several EMTs passed it and there is a lot of joy there.

The EDAC met today with Rich Brown and Fabian Trujillo. She heard at the meeting that Fabian is retiring on March 26. It was a sad meeting because Fabian has been there a long time. What a joyous time for him. He has contributed greatly to EDAC. Everyone will miss him, and she will miss him at the committee meetings.

Councilor Garcia was excited that we went green today. But urged everyone to continue to ride the safe roller coaster and take it on to turquoise. And the American Rescue Plan passed today. It was another big win for our country. He gave a shout out to all who helped us through this past year – all the essential workers. Folks have kept us safe during the year. He is looking forward to the day we can get together and give each other hugs and back slaps and high fives. Lastly, he reminded everyone it is a season of change with kids going back to school and businesses opening. But let's keep each other safe. Happy beginning of March.

Councilor Rivera introduced a Resolution proclaiming an extreme drought conditions and restricting the sale and use of fireworks within the City of Santa Fe and other fire activities. This must be a monthly thing. The State set it up on a monthly basis. He thanked Councilor Abeyta and the Boys and Girls Club and Parks Director McDonald for doubling the size of the community gardens. It took a lot of work. He only dug a six-inch hole and is still a little sore. He asked City Manager LaPan Hill to convey thanks to the Parks team and their crews.

A copy of Councilor Rivera's Resolution on drought is incorporated herewith to these minutes as Exhibit 2.

Councilor Romero-Wirth signed on to Councilor Rivera's resolution on fire restrictions.

She introduced a Resolution supporting the creation and management of Tree Smart Santa Fe, a comprehensive canopy project in the City of Santa Fe.

A copy of Councilor Romero-Wirth's resolution on Tree Smart Santa Fe is incorporated herewith to these minutes as Exhibit 3.

Mayor Webber called attention to the remarkable achievements of Corporal Rachel Rael, who is a daughter of Santa Fe and 2018 graduate of SFHS, who was recognized by the USMC as the 2020 Marine Corp Marine of the year. She was one of 70 candidates for the honor. She is a third generation Marine, stationed in Okinawa Japan.

Also tomorrow is one-year of the pandemic declaration. We've lost a lot of people – friends. We have been transformed by this disease and are not out of it yet today. Green is a community achievement. We were quick to respond and fortunate our City Manager was the Deputy Secretary during the Obama Administration and was quick to see how important masks are. We were quick with protection for our homeless people and recently the City was written up for no fatalities among our homeless

population and quick on moratorium on evictions. Now as we see more vaccinations, we can begin healing and recovery and opening in a safe way. It has been a long year. And teams showed courage and effort and we owe them thanks. Hopefully soon will be back on track.

12. **MATTERS FROM THE CITY MANAGER**

Manager LaPan Hill gave shout outs to Staff.

16. **MATTERS FROM THE CITY CLERK**

Ms. Bustos-Mihelcic reported 2021 contracts are online now and the RFP for CHART is posted now.

13. **MATTERS FROM THE CITY ATTORNEY**

Ms. McSherry recommended going into executive session to discuss two items which she identified.

EXECUTIVE SESSION

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 a Party, Including, but not Limited to, American Federation of State, County, and Municipal Employees, Council 18, AFL-CIO, Local 3999 v. City of Santa Fe, PELRB Case No. 106-20 and Buckman Direct Diversion Board v CDM Smith, et al., First Judicial District Court Case No. D-101-CV-2018-01610. (Erin K. McSherry, City Attorney, ekmcsberry@santafenm.gov, 955-6512 and Marcos Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)

MOTION: Councilor Garcia moved, seconded by Councilor Villarreal, to go into executive session to discuss the matters listed on the agenda as recommended by the City Attorney.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

The Governing Body went into executive session at 9:46 pm.

The Governing Body executive session ended at 10:56 pm.

MOTION: Councilor Garcia moved, seconded by Councilor Cassutt-Sanchez, to return from executive session, stating for the record that discussion was limited to the matters listed on the agenda.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt-Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

20. **ADJOURN**

Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at 10:59 p.m.

Approved by:



Mayor Alan Webber

ATTESTED TO:



Kristine Mihelcic (Apr 2, 2021 09:40 MDT)

Kristine Bustos Mihelcic, City Clerk

Respectfully submitted by:



Carl G. Boaz, Council Stenographer

21. **UPCOMING PUBLIC HEARINGS**

- a. Special Governing Body Meeting – April 6, 2021 – Zia Station
- b. Special Governing Body Meeting – April 8, 2021 – Zia Station

**GOVERNING BODY MEETING
EXECUTIVE SESSION
March 10, 2021**

The Governing Body of the City of Santa Fe met in an executive session duly called on March 10, 2021 beginning at 9:49 p.m.

The following was discussed:

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 a Party, Including, but not Limited to, American Federation of State, County, and Municipal Employees, Council 18, AFL-CIO, Local 3999 v. City of Santa Fe, PELRB Case No. 106-20 and Buckman Direct Diversion Board v CDM Smith, et al., First Judicial District Court Case No. D-101-CV-2018-01610. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512 and Marcos Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)

PRESENT

Mayor Webber (Attended Virtually)
Councilor Abeyta (Attended Virtually)
Councilor Cassutt-Sanchez (Attended Virtually)
Councilor Garcia (Attended Virtually)
Councilor Lindell (Attended Virtually)
Councilor Rivera (Attended Virtually)
Councilor Romero-Wirth (Attended Virtually)
Councilor Vigil Coppler (Attended Virtually)
Councilor Villarreal (Attended Virtually)

STAFF PRESENT

Jarel LaPan Hill, City Manager (Attended Virtually)
Erin K. McSherry, City Attorney (Attended Virtually)
Kristine M. Mihelcic, City Clerk (Attended Virtually)
Marcos Martinez, Assistant City Attorney (Attended Virtually) (Left at 10:08 p.m.)
Nancy Long, Outside Council (Attended Virtually) (Left at 10:08 p.m.)
Dan Frost, Outside Council (Attended Virtually) (Left at 10:08 p.m.)
Mary McCoy, Finance Director (Attended Virtually) (Entered at 10:10 p.m.)
Bernadette Salazar, HR Director, (Attended Virtually) (Entered at 10:10 p.m.)
Chris Ryan, Assistant City Attorney, (Attended Virtually) (Entered at 10:10 p.m.)

There being no further business to discuss, the executive session adjourned at 10:56 p.m.


Kristine Mihelcic (Mar 25, 2021 16:07 MDT)

Kristine M. Mihelcic, City Clerk



GOVERNING BODY MEETING OF
March 10, 2021
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

EXHIBIT ONE
 GB March 10, 2021

Mayor Alan Webber		
Co-Sponsors	Title*	Tentative Committee Schedule*
Councilor Roman "Tiger" Abeyta		
Co-Sponsors	Title*	Tentative Committee Schedule*
Councilor Jamie Cassutt-Sanchez		
Co-Sponsors	Title*	Tentative Committee Schedule*
Councilor Michael J. Garcia		
Co-Sponsors	Title*	Tentative Committee Schedule*
Councilor Signe I. Lindell		
Co-Sponsors	Title*	Tentative Committee Schedule*
Councilor Chris Rivera		
Co-Sponsors	Title*	Tentative Committee Schedule*
	A RESOLUTION PROCLAIMING SEVERE OR EXTREME DROUGHT CONDITIONS MAY EXIST IN THE CITY OF SANTA FE; IMPOSING FIRE RESTRICTIONS; RESTRICTING THE SALE OR USE OF FIREWORKS WITHIN THE CITY OF SANTA FE AND PROHIBITING OTHER FIRE HAZARD ACTIVITIES.	Quality of Life Committee – 4/7/21 Governing Body – 4/14/21
Councilor Carol Romero-Wirth		
Co-Sponsors	Title*	Tentative Committee Schedule*
	A RESOLUTION SUPPORTING THE CREATION AND MANAGEMENT OF TREESMART SANTA FE, A COMPREHENSIVE TREE CANOPY PROJECT IN THE CITY OF SANTA FE.	Quality of Life Committee – 3/17/21 Finance Committee – 3/22/21 Public Works and Utilities Committee – 3/29/21

		Governing Body – 3/31/21
Councilor JoAnne Vigil Coppler		
Co-Sponsors	Title*	Tentative Committee Schedule*
Councilor Renee Villarreal		
Co-Sponsors	Title*	Tentative Committee Schedule*

* Subject to change

Introduced legislation will be posted on the City Attorney's website, under legislative services. If you would like to review the legislation prior to that time or you would like to be a co-sponsor, please contact Jesse Guillen, 505-955-6518, jbg Guillen@santafenm.gov or Jeff Norris, 505-955-6692, jtnorris@santafenm.gov.

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2021-__

INTRODUCED BY:

Councilor Christopher M. Rivera

A RESOLUTION

PROCLAIMING SEVERE OR EXTREME DROUGHT CONDITIONS MAY EXIST IN THE CITY OF SANTA FE; IMPOSING FIRE RESTRICTIONS; RESTRICTING THE SALE OR USE OF FIREWORKS WITHIN THE CITY OF SANTA FE AND PROHIBITING OTHER FIRE HAZARD ACTIVITIES.

WHEREAS, the danger of range fires, grass fires, forest fires and structure fires is very high or extremely high in and around the city of Santa Fe; and

WHEREAS, the weather in Santa Fe has been dry and windy, contributing to the present very high or extremely high fire risk, and it is predicted that the windy and dry weather will continue into the coming weeks, causing progressively worsening fire conditions; and

WHEREAS, due to abnormally low winter precipitation, United States forest service data indicates very high or extreme fire danger presently exists; and

WHEREAS, it is anticipated that drought conditions will be present for the foreseeable future; and

WHEREAS, the probability of ignition of materials likely to serve as fuel for fire is

1 presently extremely high in the city of Santa Fe; and

2 **WHEREAS**, if the city experiences a fire that burns out of control in the
3 watershed, 40% of the city's water resources are at serious risk of complete loss or substantially
4 reduced capacity; and

5 **WHEREAS**, if the city experiences a fire that burns out of control in populated areas, it
6 may be necessary to evacuate and relocate affected residents; and

7 **WHEREAS**, SARS-CoV-2 (COVID-19) 2020-21 Pandemic is complicating suppression
8 operations being experienced on wildland fires in New Mexico; and

9 **WHEREAS**, pursuant to N.M. Stat. Ann. Section 60-2C-8.1, the governing body of a
10 municipality is authorized to restrict the sale or use of fireworks within the boundaries of the
11 municipality if severe or extreme drought conditions exist.

12 **NOW THEREFORE BE IT PROCLAIMED BY THE GOVERNING BODY OF**
13 **THE CITY OF SANTA FE:**

14 **Section 1.** This resolution shall be deemed a proclamation within the meaning of
15 Section 60-2C-8.1 NMSA 1978 and Section 12-3.9 SFCC 1987.

16 **Section 2.** As per Section 60-2C-8.1 NMSA 1978, the Governing Body anticipates
17 severe or extreme drought conditions may exist within the boundaries of the city of Santa Fe based
18 upon current drought indices published by the national weather service and other relevant
19 information supplied by the United States forest service.

20 **Section 3.** The governing body restricts the sale or use of fireworks to the maximum
21 extent possible permitted in Section 60-2C-8.1 NMSA 1978.

22 A. The sale or use of the following fireworks is specifically prohibited within
23 the city limits:

24 (1) aerial devices:

25 (a) aerial spinners;

- 1 (b) helicopters;
- 2 (c) mines;
- 3 (d) missile-type rockets;
- 4 (e) roman candles;
- 5 (f) shells; and
- 6 (g) stick-type rockets;
- 7 (2) ground audible devices:
 - 8 (a) chasers; and
 - 9 (b) firecrackers.

10 B. All fireworks within any lands covered wholly or in part by timber, brush
11 or native grass are prohibited.

12 **Section 4.** An exception to the above restrictions is public displays of fireworks in
13 strict conformance with the requirements and conditions set forth in Section 12-3.3 SFCC 1987 and
14 as approved by the City of Santa Fe fire chief.

15 **Section 5.** Pursuant to Section 12-3.9 SFCC 1987:

16 A. Any individual, firm, partnership or other entity found in violation of the
17 above restrictions shall be deemed guilty of a misdemeanor and shall be punished by
18 imprisonment for up to ninety (90) days or a fine not to exceed five hundred dollars (\$500),
19 or both.

20 B. Each and every occasion on which this section is violated shall be
21 considered a separate offense.

22 **BE IT FURTHER RESOLVED** that:

23 **Section 1.** Due to severe or extreme drought conditions and wildland fire conditions,
24 the Governing Body hereby prohibits the following activities, in accordance with the International
25 Fire Code® as adopted by §12-2.1 SFCC 1987:

- 1 A. Open burning, including campfires, bonfires, pit barbecues;
- 2 B. Burning of weeds, trash, or other vegetation;
- 3 C. Using charcoal barbecue grills in public parks and recreation areas;
- 4 D. Smoking in public parks, recreation areas, or on any public trail; and
- 5 E. Using any motorized all terrain vehicle or motorcycles on city owned open
- 6 space, parks, trails, or other recreational areas, except for the Motocross
- 7 Track located off of the 599 Relief Route.

8 Charcoal barbecuing at a residential structure is permitted if the fire is closely monitored and fire-
9 extinguishing equipment, such as a garden hose or fire extinguisher, is readily available.

10 **Section 2.** Pursuant to Section 1-3.1 SFCC 1987:

11 A. Any individual, firm, partnership or other entity found in violation of the
12 above restrictions shall be deemed guilty of a misdemeanor and shall be punished by
13 imprisonment for up to ninety (90) days or a fine not to exceed five hundred dollars (\$500),
14 or both.

15 B. Each and every occasion on which this section is violated shall be
16 considered a separate offense.

17 **BE IT FURTHER RESOLVED** that the Governing Body recognizes that Section 60-2C-
18 8.1 NMSA 1978 only allows municipalities to adopt fire restrictions for 30 days at a time and no
19 less than 20 days prior to a holiday for which fireworks may be sold. Therefore, to ensure that there
20 will be no lapse in the fire restrictions imposed by this resolution, the Governing Body may impose
21 these fire restrictions at any subsequent meeting date hereafter to ensure that such fire restrictions
22 are in place during extreme or severe drought conditions and wildland fire conditions.

23 PASSED, APPROVED AND ADOPTED this _____ day of _____, 2021.

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ALAN WEBBER, MAYOR

ATTEST:

KRISTINE MIHELICIC, CITY CLERK

APPROVED AS TO FORM:

ERIN MCSHERRY, CITY ATTORNEY

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2021-__

INTRODUCED BY:

Councilor Carol Romero-Wirth

A RESOLUTION

**SUPPORTING THE CREATION AND MANAGEMENT OF TREESMART SANTA FE, A
COMPREHENSIVE TREE CANOPY PROJECT IN THE CITY OF SANTA FE.**

WHEREAS, trees can provide significant environmental benefits to a city, including moderating the local climate, improving air quality, conserving water, and harboring wildlife; and

WHEREAS, trees in Santa Fe increase property values, enhance the economic vitality of business areas, and beautify the community; and

WHEREAS, planting trees and maintaining older trees provides an opportunity for community interaction, volunteerism, economic development, and environmental conservation; and

WHEREAS, trees, wherever they are planted, are a source of joy and renewal; and

WHEREAS, trees provide environmental benefits for present and future generations to enjoy; and

WHEREAS, those benefits vary by tree species and placement of trees within the environment; and

1 **WHEREAS**, scientifically oriented tree management can maximize the benefits achieved
2 from trees and minimize any negative consequences associated with certain species or placements;
3 and

4 **WHEREAS**, Resolution No. 2009-129 directed the City to celebrate National Arbor Day,
5 create the Municipal Tree Board, and work toward becoming a National Arbor Day Foundation
6 Tree City USA, of which the City of Santa Fe has been for 10 years; and

7 **WHEREAS**, the health, safety, and general welfare of the public and the conservation and
8 protection of the natural resources of the City of Santa Fe and its values necessitates the
9 implementation of a comprehensive, strategic, and cross-sectoral program to maintain a healthy
10 tree canopy in the City of Santa Fe.

11 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
12 **CITY OF SANTA FE** that staff is directed to lead and implement TreeSmart Santa Fe, a
13 comprehensive, equitable, and strategic initiative to increase and maintain a healthy urban tree
14 canopy in Santa Fe, including but not limited to:

- 15 1. Develop, coordinate, and maintain environmental data with equity-based
16 prioritization and City staff direction for a phase-in model. TreeSmart will focus
17 on highest-need areas first and expand as resources allow as directed by City staff.
- 18 2. Work and collaborate with non-profit and other community organizations to
19 engage residents in planning and implementing equitable projects that provide for
20 the canopy needs of the City.
- 21 3. Work with City staff, the Municipal Tree Board, and the River Commission to
22 coordinate an assessment of the extent of the current urban tree canopy cover.
23 Assist City staff, to complete an inventory of trees on public lands.
- 24 4. Annually recognize Arbor Day with a tree-planting celebration that encourages
25 residents to plant trees and take advantage of the benefits of City parks and our

1 current tree canopy.

2 5. Consider public and private lands and varying projects, incentives, and programs
3 to replace lost trees, minimize heat islands, and increase the canopy cover.

4 6. Develop a City of Santa Fe Urban Forest and Tree Canopy Plan.

5 7. Conduct a Canopy Pilot Project to test the methods utilized, complete needed
6 canopy assessments, and kick start a larger long-term effort to preserve and
7 restore an appropriate urban tree canopy in the City of Santa Fe.

8 8. Develop and conduct public outreach to promote the Canopy Project and the
9 Santa Fe River watershed.

10 9. Develop educational materials and provide training and education of volunteers
11 with respect to watershed issues that relate to canopy cover and urban tree
12 management.

13 10. Create an app or handbook for the City to increase community awareness of the
14 techniques of planting and maintaining plant canopy and community
15 understanding of the value of the benefits of our urban forest in Santa Fe.

16 11. Identify and work to secure additional funding by means of applying for funding
17 on the City's behalf via private donations, grants, company sponsorships, CIP,
18 legislative funding, and bonds.

19 PASSED, APPROVED, and ADOPTED this ____ day of _____, 2021.

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23 ALAN WEBBER, MAYOR
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4 KRISTIN MIHELICIC, CITY CLERK

5 APPROVED AS TO FORM:

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8 ERIN K. McSHERRY, CITY ATTORNEY

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25 *Legislation/2021/Resolutions/TreeSmart Santa Fe Support*