



AGENDA

REGULAR MEETING OF
THE QUALITY OF LIFE
COMMITTEE
OCTOBER 20, 2021
5:00 PM
ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR QUALITY OF LIFE COMMITTEE 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 Quality of Life Committee meeting will be conducted virtually.

Viewing: Members of the public 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.

Internet: To join the Zoom meeting on the internet using a computer, laptop, smartphone, or tablet, use the following link: <https://santafenm-gov.zoom.us/j/81059942736?pwd=eW5ZRnlSQkg1R0pLbHFqTms1VGQ0QT09>

Passcode: 517664

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

Phone: To join the Zoom meeting using a phone, use the following phone numbers and Webinar ID: **US: 1 (346) 248-7799 - Webinar ID: 810 5994 2736 - Passcode: 517664**

Phone attendees should press *9 to use the "Raise Hand" function to be recognized by the Chair to speak at the appropriate time.

The agenda and packet for the meeting will be posted at <https://santafe.primegov.com/public/portal>.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF CONSENT AGENDA**
5. **APPROVAL OF MINUTES**



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- a. October 06, 2021 Meeting Minutes

6. ACTION ITEMS: CONSENT

- a. CONSIDERATION OF RESOLUTION NO. 2021-___. (Councilor Rivera and Councilwoman Villarreal)
A Resolution Convening the Independent Citizens' Redistricting Commission and Calling for the Redistricting of the Four City of Santa Fe Council Districts Prior to the Municipal Election on November 7, 2023, Based on the Results From the 2020 United States Census. (Kristine Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 9556846)

Committee Review:

Introduced: 09/29/21
Finance Committee: 10/18/21
Quality of Life Committee: 10/20/21
Governing Body: 10/27/21

- b. CONSIDERATION OF RESOLUTION NO. 2021-___. (Mayor Webber)
A Resolution Establishing City of Santa Fe Legislative Priorities for Consideration by the New Mexico State Legislature During the 55th Legislature – State of New Mexico – Second Session, 2022. (Regina Wheeler, Public Works Director: rawheeler@santafenm.gov, 955-6622; Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov, 955-6518)

Committee Review:

Introduced: 9/29/21
Finance Committee: 10/18/21
Quality of Life Committee: 10/06/21
Public Works and Utilities Committee: 10/12/21
Governing Body: 10/27/21

- c. CONSIDERATION OF RESOLUTION NO. 2021-___. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt, Councilor Rivera, Councilor Garcia, Councilor Vigil Coppler, and Councilor Villarreal)



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A Resolution Waiving the City Personnel Rule's Limitations on Salary Increases for the Purpose of Offering a Wage of at Least Fifteen Dollars Per Hour to All City Employees in November, 2021.

Committee Review:

Quality of Life Committee: 10/20/21

Public Works and Utilities Committee: 10/25/21

Governing Body: 10/27/21

7. **ACTION ITEMS: DISCUSSION**

- a. CONSIDERATION OF BILL NO. 2021-___. (Councilor Lindell and Councilor Abeyta)

An Ordinance Relating to the City of Santa Fe Uniform Traffic Ordinance ("UTO"); Amending Section 12-10-1.10 to Insert a Clause Stating That a Person Who Violates a Provision of Section 12-10-1.10 of the UTO is Guilty of a Penalty Assessment Misdemeanor; and to Add and Increase Penalties in Schedule A, the Traffic Violation Penalty Assessment Schedule. (Kyle Hiber, City Prosecutor: kjhibner@santafenm.gov, 955-

Committee Review:

Introduced: 09/29/21

Quality of Life Committee: 10/06/21

Finance Committee: 10/18/21

Public Safety Committee: 10/19/21

Quality of Life 10/20/21

Governing Body (Request to Publish): 10/27/21

8. **PRESENTATIONS**

- a. Presentation on Early Childhood Care in Santa Fe

9. **MATTERS FROM STAFF**

10. **MATTERS FROM THE COMMITTEE**

11. **MATTERS FROM THE CHAIR**



City of Santa Fe

AGENDA

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12. **NEXT MEETING: Wednesday, November 3, 2021**
13. **ADJOURN**

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



MINUTES

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VIRTUAL MEETING

1. **CALL TO ORDER**

Meeting started at 5:08pm

2. **ROLL CALL**

Members Present:

Councilor Jamie Cassutt
Councilor Michael Garcia
Councilor Chris Rivera
Councilor Renee Villarreal
Councilor Carol Romero-Wirth

Members Excused:

Others Attending:

Jesse Guillen, Legislative Liaison
Kyra Ochoa, Community Services Department Director
Jamie-Rae Diaz, Clerk
Bernadette Salazar, Attendee
Pauline Kamiyama, Attendee
Rich Brown, Attendee
Andy Hopkins, Attendee
Mary McCoy, Attendee
Kyle Hibner, Attendee
Alexis Lotero, Attendee

3. **APPROVAL OF AGENDA**

MOTION: Councilor Rivera moved, seconded by Councilor Villarreal, to approve the as presented.

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



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For: Councilor Cassutt, Councilor Garcia, Councilor Rivera, Councilor Villarreal, Councilor Romero-Wirth

Against: None

Abstain: None

4. APPROVAL OF CONSENT AGENDA

MOTION: Councilor Rivera moved, seconded by Councilor Cassutt, to approve the as amended.

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

For: Councilor Cassutt, Councilor Garcia, Councilor Rivera, Councilor Villarreal, Councilor Romero-Wirth

Against: None

Abstain: None

Councilwomen Cassutt pulled item E for discussion.

Councilor Garcia pulled item A and D for discussion

Councilwomen also pulled item E for discussion.

5. APPROVAL OF MINUTES

- a. Approval of September 15, 2021 Minutes.

MOTION: moved, seconded by , to approve the minutes as presented.

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



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For: None

Against: None

Abstain: None

MOTION: moved, seconded by , to approve the minutes as presented.

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

For: None

Against: None

Abstain: None

6. ACTION ITEMS: CONSENT

- a. CONSIDERATION OF RESOLUTION NO. 2021-___. (Mayor Webber)
A Resolution Extending the Timeline for the Community Conversations on Santa Fe's Cultures, Histories, Arts, Reconciliation, and Truth Established in Resolution No. 2021-6. (Pauline Kamiyama, Arts and Culture Department Director: pkkamiyama@santafenm.gov; Kristine Mihelcic, Community Engagement Department Director: kmmihelcic@santafenm.gov, 955-6846)

Committee Review:

Quality of Life Committee: 10/06/21

Governing Body: 10/13/21

MOTION: Councilor Cassutt moved, seconded by Councilor Villarreal, to approve the resolution.

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

For: Councilor Cassutt, Councilor Rivera, Councilor Villarreal, Councilor Romero-Wirth



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Against: None

Abstain: Councilor Garcia

Pulled by Councilor Garcia for discussion

- b. CONSIDERATION OF BILL NO. 2021-23. (Councilor Garcia)
An Ordinance Amending Section 9-1.7 SFCC 1987 Regarding Ranked Choice Voting to Amend How a Tie Vote Between Two Candidates is Resolved. (Marcos Martinez, Senior Assistant City Attorney: mdmartinez@santafenm.gov, 955-6502 and Kristine Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 955-6846)

Committee Review:

Introduced: 09/20/21 (Finance Committee)

Ethics and Campaign Review Board: 09/28/21

Governing Body (Request to Publish): 09/29/21

Quality of Life Committee: 10/06/21

Finance Committee: 10/18/21

Governing Body (Public Hearing): 10/27/21

MOTION: Councilor Rivera moved, seconded by Councilor Cassutt, to approve the bill as presented.

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

For: Councilor Cassutt, Councilor Garcia, Councilor Rivera, Councilor Villarreal, Councilor Romero-Wirth

Against: None

Abstain: None

item pulled by Councilor Garcia for discussion

- c. Request for the Approval of 2022 Employee Calendar. (Bernadette Salazar, HR Director, bjsalazar@santafenm.gov 505-955-6591)



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VIRTUAL MEETING

MOTION: Councilor Rivera moved, seconded by Councilor Cassutt, to approve the meeting information as presented.

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

For: Councilor Cassutt, Councilor Garcia, Councilor Rivera, Councilor Villarreal, Councilor Romero-Wirth

Against: None

Abstain: None

- d. Request to approve the Acceptance of Award Terms and Conditions for the American Rescue Plan Act (ARPA) Fiscal Recovery Funds. (Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 505-955-6171; Rich Brown, Community Development Director, rdbrown@santafenm.gov, 505-955-6625; Kyra Ochoa, Community Health and Safety Director, krochoa@santafenm.gov, 505-955-6603)

Committee Review:

Finance Committee –10/04/2021

Quality of Life Committee – 10/6/2021

Public Utilities and Public Works Committee –10/12/2021

Governing Body – 10/13/2021

MOTION: Councilor Garcia moved, seconded by Councilor Villarreal, to approve the grant as presented.

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

For: Councilor Cassutt, Councilor Garcia, Councilor Rivera, Councilor Villarreal, Councilor Romero-Wirth

Against: None

Abstain: None



MINUTES

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Pulled by Councilor Gacria for discussion

- e. CONSIDERATION OF BILL NO. 2021-___. (Councilor Lindell and Councilor Abeyta)

An Ordinance Relating to the City of Santa Fe Uniform Traffic Ordinance (“UTO”); Amending Section 12-10-1.10 to Insert a Clause Stating That a Person Who Violates a Provision of Section 12-10-1.10 of the UTO is Guilty of a Penalty Assessment Misdemeanor; and to Add and Increase Penalties in Schedule A, the Traffic Violation Penalty Assessment Schedule. (Kyle Hiber, City Prosecutor: kjhibner@santafenm.gov, 955-

Committee Review:

Introduced: 09/29/21

Quality of Life Committee: 10/06/21

Governing Body (request to publish): 10/13/21

Finance Committee: 10/18/21

Public Safety Committee: 10/19/21

Governing Body (public hearing): 11/10/21

MOTION: Councilor Rivera moved, seconded by Councilor Cassutt, to postpone the bill until.

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

For: Councilor Cassutt, Councilor Garcia, Councilor Rivera, Councilor Villarreal, Councilor Romero-Wirth

Against: None

Abstain: None

Pulled by Councilwomen Cassut and Councilwomen Villarreal for discussion.

Postpone item and bring item back to 10.20.21 QoL Committee on discussion.



MINUTES

- f. CONSIDERATION OF A RESOLUTION NO. 2021-___. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Vigil Coppler, and Councilor Cassutt)

A Resolution Supporting Offering at Least a Wage of Fifteen Dollars per Hour for Employees of the City of Santa Fe and Directing the City Manager to Offer Hourly Wage Increases for All Full-Time, Non-Probationary City employees Paid Less Than Fifteen Dollars per Hour. (Mary McCoy, Finance Director: mtmccoy@santafenm.gov, 505-955-6171; Bernadette Salazar, Human Resources Director: bjsalazar@santafenm.gov, 505-955-6591)

1) Request for Approval of Budget Amendment Resolution in the Total Amount of \$216,449 to increase salaries to \$15 per hour.

Committee Review:

Introduced: 09/18/21

Finance Committee: 10/04/21

Quality of Life Committee: 10/06/21

Public Works and Utilities Committee: 10/12/21

Governing Body: 10/13/21

MOTION: Councilor Rivera moved, seconded by Councilor Cassutt, to approve the budget adjustment resolution (BAR) as presented.

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

For: Councilor Cassutt, Councilor Garcia, Councilor Rivera, Councilor Villarreal, Councilor Romero-Wirth

Against: None

Abstain: None

7. **MATTERS FROM STAFF**

8. **MATTERS FROM THE COMMITTEE**

9. **MATTERS FROM THE CHAIR**



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VIRTUAL MEETING

10. **NEXT MEETING: Wednesday, October 20, 2021**

11. **ADJOURN**

meeting adjourn at 6:48pm

Liaison

Chair



City of Santa Fe, New Mexico

Memorandum



Date: October 7, 2021

To: Quality of Life Committee, Finance Committee, and Governing Body

From: Kristine Mihelcic, City Clerk *KM*,

RE: Redistricting Commission

EXECUTIVE SUMMARY:

The proposed Resolution convenes of the Independent Citizens' Redistricting Commission to establish a districting plan based on the data received from the 2020 federal decennial census.

BACKGROUND:

In 2014 an amendment to the City's Charter to create an Independent Citizens' Redistricting Commission was approved by the voters. The Commission last convened in 2015 to provide updated redistricting for the 2016 municipal election after incorporating 4100 acres and 13,250 new residents as a result of annexation.

The Commission can be convened in two ways. The first is automatic within one year of receipt by the City of the final federal decennial census information. The second is by adoption of a resolution expressing the need for convening a commission to establish a districting plan.

ACTION REQUESTED:

Approve the Resolution as presented.

ATTACHMENTS:

Resolution
Fiscal Impact Report

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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2021-__

INTRODUCED BY:

Councilor Chris Rivera

Councilor Renee Villarreal

A RESOLUTION

**CONVENING THE INDEPENDENT CITIZENS' REDISTRICTING COMMISSION AND
CALLING FOR THE REDISTRICTING OF THE FOUR CITY OF SANTA FE COUNCIL
DISTRICTS PRIOR TO THE MUNICIPAL ELECTION ON NOVEMBER 7, 2023, BASED
ON THE RESULTS FROM THE 2020 UNITED STATES CENSUS.**

WHEREAS, in March 2014, the electorate of the City of Santa Fe approved an amendment to the City's Charter to create an Independent Citizens' Redistricting Commission ("Commission"), Section 6.03;

WHEREAS, Section 6.03 to the City's Charter required the Governing Body, by ordinance, to establish a procedure for the appointment and deliberations of the commission;

WHEREAS, the City's Governing Body adopted Section 6-18, SFCC 1987, which established a procedure for the appointment and deliberations of the Commission; and

WHEREAS, the Commission last convened in 2015 to provide updated redistricting for the 2016 municipal election, incorporating the 2014 City annexation of 4100 acres and 13,250 new residents; and

1 **WHEREAS**, the 2020 decennial census shows a total population growth of 19,558
2 residents since the 2010 census, for a total population of 87,505 within the municipal boundaries
3 of Santa Fe; and

4 **WHEREAS**, the Commission shall establish a districting plan pursuant to Section 6-
5 18.3(B) SFCC 1987 either:

6 (1) Within one (1) year of receipt by the city of the final federal decennial
7 census information for use commencing with the next scheduled general municipal election
8 occurring at least three (3) months after adoption of the final districting plan; or

9 (2) When the governing body adopts a resolution expressing the need for
10 convening a commission to establish a districting plan; and

11 **WHEREAS**, the City has both received the census information and there is a need to
12 convene the commission to equalize the populations of the four Council Districts before the 2023
13 election through the process of redistricting; and

14 **WHEREAS**, On August 1, 2021, the Census Bureau released census data to the states and
15 the public and the Governing Body desires to convene a Commission as soon as possible to ensure
16 the redistricting is complete with sufficient time prior to the 2023 municipal election; and

17 **WHEREAS**, Section 6-18.5(C) describes the process for the City Clerk to determine a
18 reasonable application period, provide a “ministerial” review of the applications, verify the
19 minimum number of applications have been reviewed, and schedule a drawing of members’
20 alternates by lot.

21 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
22 **CITY OF SANTA FE** that the Independent Citizens’ Redistricting Commission shall be convened
23 to update the four city councilor districts, based on the population results of the 2020 Federal
24 Decennial Census.

25 **BE IT FURTHER RESOLVED** that the City Clerk shall initiate the process for soliciting

1 applications for, and selecting the members of, the Commission, pursuant to SFCC 1987, Section
2 6-18.5(C).

3 PASSED, APPROVED, and ADOPTED this _____ day of _____, 2021.

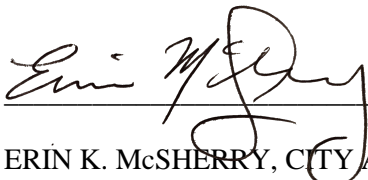
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ALAN WEBBER, MAYOR

ATTEST:

KRISTINE MIHELICIC, CITY CLERK

APPROVED AS TO FORM:



ERIN K. McSHERRY, CITY ATTORNEY

FISCAL IMPACT REPORT

General Information:

(Check) Bill: _____ Resolution: X

Short Title(s): Redistricting Commission

Sponsor(s): Councilor Rivera

Reviewing Department(s): City Clerk's Office, City Attorney's Office.

Staff Completing FIR: Kristine Mihelcic Date: 9/29/21 Phone: 955-6846

Reviewed by City Attorney: *Eric McElroy* Date: Oct 7, 2021

Reviewed by Finance Director: *Mary McElroy* Date: Oct 8, 2021

Summary:

The proposed Resolution convenes the Redistricting Commission in one of the methods established in Section 6-18.3(B). The Independent Citizens' Redistricting Commission establishes a districting plan for the City of Santa Fe. The publication of the 2020 Census data occurred on September 16, 2021, which is the other method for convening the Commission, requiring the Commission to establish a districting plan within one year of receipt of the decennial census data. Although this Resolution is not required for the Commission to convene, it provides additional public notice about the timeline and process that may impact the Council District in which some residents currently reside.

Departments Affected:

City Clerk's Office and City Attorney's Office.

Consequences of Not Enacting Legislation:

The Independent Citizens' Redistricting Commission would have less opportunity for public awareness. It would be convened as a result of the City's receipt of the 2020 federal decennial census results.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:

None identified.

Performance and Administrative Implications:

According to the City's Code, the City Clerk shall receive all applications received during a reasonable period and provide a ministerial review of the applications for completeness. The Clerk shall also set the date, time, and place for the drawing of lots to determine the members and alternates of the Commission.

Fiscal Implications:

There are no fiscal implications associated with this Resolution. With or without this Resolution, the City is required to convene the Commission for the purposes of determining if redistricting is necessary and, if so, how the districts will be adjusted to equalize the populations of the four Council Districts. The City Clerk's Office included \$200,000 in its FYE22 budget for this purpose.

Fiscal Impact

 X Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
<u>Personnel and</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	
<u>Benefits*</u>							
<u>Capital Outlay</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	
<u>Contractual/</u>	\$ _____	\$ _____	\$ _____		_____	_____	
<u>Professional Services</u>							
<u>Operating</u>	\$ _____	\$ _____	\$ _____		_____	_____	\$ _____
<u>Total:</u>	\$ _____	\$ _____	\$ _____				\$ _____

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

Revenue Type	FYE __	FYE __	FYE __	Recurring (R) or Non-recurring (NR)	Fund
General Fund	\$ _____	\$ _____	\$ _____	_____	_____
Special Revenue	\$ _____	\$ _____	\$ _____	_____	_____
CIP	\$ _____	\$ _____	\$ _____	_____	_____
Enterprise	\$ _____	\$ _____	\$ _____	_____	_____
Internal Service	\$ _____	\$ _____	\$ _____	_____	_____
Trust and Agency	\$ _____	\$ _____	\$ _____	_____	_____
Federal	\$ _____	\$ _____	\$ _____	_____	_____
Other	\$ _____	\$ _____	\$ _____	_____	_____
Total	\$ _____	\$ _____	\$ _____		

Revenue Narrative:

Signature: 

Email: kmmihelcic@ci.santa-fe.nm.us

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 10/18/21
FOR CITY COUNCIL MEETING OF 10/27/21

CONSIDERATION OF RESOLUTION NO. 2021-___. (Councilor Rivera and Councilwoman Villarreal)

A Resolution Convening the Independent Citizens' Redistricting Commission and Calling for the Redistricting of the Four City of Santa Fe Council Districts Prior to the Municipal Election on November 7, 2023, Based on the Results From the 2020 United States Census. (Kristine Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 9556846)

Committee	Review:
Introduced:	09/29/21
Finance Committee:	10/18/21
Quality of Life Committee:	10/20/21
Governing Body: 10/27/21	

FINANCE COMMITTEE ACTION:

Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	FOR	AGAINST	ABSTAIN
COUNCILOR ABEYTA	X		
COUNCILOR CASSUTT	X		
COUNCILOR LINDELL	X		
COUNCILOR ROMERO-WIRTH	X		
CHAIRPERSON VILLARREAL	X		

01/13/21



City of Santa Fe, New Mexico

Memorandum



Date: October 12, 2021

To: Public Works and Utilities Committee, Finance Committee, and Governing Body

From: Regina Wheeler, Public Works Department Director *rw*
 Jesse Guillen, Legislative Liaison *JG*

RE: Adoption of 2022 Legislative Priorities

EXECUTIVE SUMMARY:

Adoption of the City’s annual Legislative Priorities for the 2022 Legislative Session.

BACKGROUND:

Every year the City adopts its legislative priorities for the following year’s legislative session. The Resolution expresses the priority capital projects as well as policy priorities. The adoption of the capital priorities is needed in October to facilitate the State’s process of review and publication of the Infrastructure Capital Improvement Program (ICIP).

Ten city-wide capital projects that are being considered for the priority ICIP requests to the 2022 legislative session are listed below. Through adoption of another Resolution, the Governing Body will make the final determination of the top 5 city-wide and district priority ICIP requests which will be entered into the NMDFA system and reflected in the final resolution. The project worksheets for the projects listed below are attached.

	ICIP #	Project	Total Cost	Amount Requested	Current Funding
1	32333	Airport Terminal Expansion Construction	\$21,500,000	\$11,000,000	\$10,500,000
2	23272	Southwest Activity Node Park	\$3,999,000	\$3,500,000	\$499,000
3	36137	Midtown Infrastructure Development	\$12,100,000	\$10,000,000	\$2,100,000
4	36178	Santa Fe Median Beautification	\$3,000,000	\$3,000,000	\$ 0
5	36136	New Central Library Design	\$2,000,000	\$2,000,000	\$ 0
6	37521	New Fire Station #2	\$10,000,000	\$9,380,000	\$620,000
7	38547	South Capital Area Road Reconstruction	\$1,500,000	\$1,500,000	\$ 0
8	34529	Southside Library Community Plaza	\$1,500,000	\$1,500,000	\$ 0
9	33678	Transit Fixed route Vehicle Replacement	\$5,250,000	\$5,250,000	\$ 0
		Broadband Infrastructure Underserved	\$1,500,000	\$1,000,000	\$500,000
10	32339	Neighborhoods			

Councilors have requested that the projects below be considered as district priority ICIP requests. The Harrison Road improvements project received legislative funding in 2019 and 2020, so the design and public engagement has been ongoing and additional funding is needed for construction.



City of Santa Fe, New Mexico

Memorandum



Pacheco Street, Tierra Contenta Trail Improvements and Governor Miles Reconstruction for pedestrian and bicycle safety were the district priorities and were appropriated \$300,000 each in the 2021 legislative session.

District Priority	ICIP List #	ICIP #	Project Name	Total Project Cost	Amount Requested	Current Funding
1	11	34689	Harrison Road Sidewalk & Lighting Improvements	\$ 664,005	\$ 264,005	\$ 400,000
2	32	39165	Pacheco Street Bicycle & Pedestrian Improvements	\$ 1,000,000	\$ 700,000	\$ 300,000
3	23	37525	Tierra Contenta Trail Improvements	\$ 1,726,438	\$ 1,000,000	\$ 726,438
4	24	37526	Governor Miles Reconstruction	\$ 2,750,000	\$ 2,450,000	\$ 300,000

The Resolution also includes legislative policy priorities that would be beneficial to people of the City of Santa Fe. Those items include support for the following issues:

1. The transfer of State land located adjacent to Midtown Santa Fe in exchange for City-owned property currently utilized by the NM Department of Public Safety;
2. Legislation that ensures hold harmless payments are not eliminated or further reduced;
3. Eliminating the 3% cap on annual property tax increases on residences that are not owner-occupied as the owner’s principal place of residence;
4. Establishment of an additional Lodgers’ Tax that would be used to defray the cost of providing affordable housing or to leverage federal funding for affordable housing;
5. Any initiatives that would improve and expand early childhood education; and
6. Supporting certain New Mexico Municipal League priorities, any legislation deemed to be beneficial to the City and its residents, and opposing any legislation deemed to be harmful to the City and its residents.

The 2021 Legislature made the appropriation listed below in support of the City’s priority project requests.

Appropriations on city wide priority ICIP requests

1. \$1,800,000 appropriation for the Southside Teen Center;
2. \$1,000,000 appropriation to renovate and repair City parks;
3. \$1,000,000 appropriation for infrastructure improvements at Midtown Santa Fe.

Appropriations on district priority ICIP requests



City of Santa Fe, New Mexico

Memorandum



1. \$300,000 appropriation to repave Paseo de las Vistas;
2. \$300,000 appropriation for pedestrian and bike safety improvements on certain portions of Pacheco Street and Siringo Road;
3. \$300,000 appropriation for improvements to the Tierra Contenta trail system; and
4. \$300,000 appropriation to design pedestrian, bicycle, and drainage improvements along Governor Miles Road

ACTION REQUESTED:

Approve the Resolution as presented.

ATTACHMENTS:

Resolution
FIR

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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2021-__

INTRODUCED BY:

Mayor Alan Webber

A RESOLUTION

**ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR
CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 55TH
LEGISLATURE – STATE OF NEW MEXICO – SECOND SESSION, 2022.**

WHEREAS, the 30-day Legislative Session of the 2022 New Mexico State Legislature (“Legislature”) begins on January 18, 2022 and ends on February 17, 2022; and

WHEREAS, the Governing Body desires to establish City of Santa Fe (“City”) legislative priorities to be considered by the City’s Legislative Delegation and the Legislature; and

WHEREAS, the Governing Body’s legislative priorities include City-wide capital outlay priorities, statutory priorities, general fund priorities, City Council District capital outlay priorities, and other legislative priorities beneficial to the City to be introduced during the 2022 New Mexico Legislative Session.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Governing Body hereby establishes the following city-wide capital outlay legislative funding priorities for consideration by the Legislature during the 2022 Legislative

1 Session:

2 1. From any statewide capital outlay initiative associated with economic development,
3 the City requests \$11,000,000 for construction of the Santa Fe Regional Airport terminal building
4 expansion and related infrastructure to accommodate additional airlines, flights, increased seating, and
5 enhanced flow of passenger traffic;

6 2. From any statewide capital outlay initiative associated with municipal parks, the City
7 requests funding in the amount of \$3,500,000 for Phase II improvements of the Southwest Activity
8 Node (“SWAN”) Park;

9 3. From any statewide capital outlay initiative associated with economic development,
10 the City requests funding in the amount of \$10,000,000 that will be used to plan, design, and construct
11 infrastructure within the Midtown Santa Fe property including, but not limited to, digital,
12 transportation, drainage, facility, and utility infrastructure;

13 4. From any statewide capital outlay initiative associated with medians, the City requests
14 \$3,000,000 to reduce maintenance and improve median beautification and safety throughout the City,
15 specifically 80 identified medians along St. Francis Drive, Cerrillos Road, Zia Road, and Airport Road;
16 and

17 5. From any statewide capital outlay initiative associated with education and public
18 literacy, the City requests \$2,000,000 to design a new central library for residents to be located at
19 Fogelson Library on the Midtown Santa Fe property.

20 **BE IT FURTHER RESOLVED** that the Governing Body requests the Legislature enact a
21 Joint Resolution ratifying and approving the transfer of one or more tracts of City-owned real property
22 to the State of New Mexico Department of Public Safety in trade and exchange for the transfer of
23 multiple tracts of State-owned real property to the City of Santa Fe, New Mexico.

24 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses legislation
25 during the 2022 Legislative Session that would allow for a New Mexico Public Bank owned by and for

1 the people of New Mexico that would direct the State’s investment decisions to support and diversify
2 the economy including achieving goals in eco-tourism, food security, solar energy installations,
3 broadband expansion, health clinic upgrades, and clean energy infrastructure projects.

4 **BE IT FURTHER RESOLVED** that the Governing Body requests that the Legislature ensure
5 hold harmless payments to counties and municipalities are not eliminated or further reduced and
6 returned to their original schedule and/or ensure that any tax reform continues to hold counties and
7 municipalities harmless in lieu of the enactment of legislation reinstating the gross receipts tax on food
8 and medical.

9 **BE IT FURTHER RESOLVED** that the Governing Body requests that the Legislature
10 appropriate money from the general fund to support the Santa Fe Thrive public safety program, which
11 allows law enforcement officers to work with the Santa Fe Fire Department to redirect persons
12 suspected of involvement in non-violent, low-level crimes to community-based services in lieu of
13 prosecution or jail.

14 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any
15 legislation that improves broadband infrastructure throughout the state, specifically as it relates to
16 associated economic development.

17 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any
18 legislation that supports the development and construction of affordable housing to decrease and/or
19 subsidize the cost of housing for residents of Santa Fe and New Mexico.

20 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any
21 legislation that establishes an additional lodgers’ tax, the proceeds of which would be used by
22 municipalities and counties to defray the cost of providing affordable housing or to leverage federal
23 funding for affordable housing.

24 **BE IT FURTHER RESOLVED** that the Governing Body requests the Legislature support
25 legislation that promotes water reuse and water planning and other legislation designed to improve

1 overall sustainability at the state and local level.

2 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any
3 legislation that would support municipal recycling program, product packaging changes that reduce
4 waste, and programs that support recycling market development.

5 **BE IT FURTHER RESOLVED** that the Governing Body supports any legislation that
6 advances the environmental sustainability goals of the City of Santa Fe including carbon neutrality,
7 ecological resilience, economic vitality, and quality of life and social equity.

8 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any
9 legislation that would eliminate the 3% cap on annual property tax increases on residences that are not
10 owner-occupied as the owner's principal place of residence.

11 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any
12 legislation that would improve and expand early childhood education.

13 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any
14 legislation that would increase funding for the New Mexico Tourism Department for use in advertising,
15 a state-wide co-op grant program, and/or personnel expansion that restores the reduction in services at
16 the Department between 2010-2018.

17 **BE IT FURTHER RESOLVED** that the Governing Body supports the one-time allocation of
18 monies received by the State from the American Recovery Act of 2021 to the New Mexico Tourism
19 Department for the purpose of additional marketing of New Mexico, increased co-op advertising
20 support with municipalities, job training, and for other uses to benefit the restoration of tourism to New
21 Mexico.

22 **BE IT FURTHER RESOLVED** that the Governing Body requests the Legislature adopt
23 legislation that pertains to statewide business licensing that permit business owners to operate in all
24 cities, counties, and municipalities provided business owners comply with local and use and safety
25 requirements.

1 **BE IT FURTHER RESOLVED** that the Governing Body hereby establishes the following
2 City Council District capital outlay legislative funding priorities for improvements of citywide
3 infrastructure for consideration by the Legislature during the 2021 Legislative Session:

4 1. For a capital outlay initiative located within **City Council District 1**, funding is
5 requested in the total amount of **\$264,005** for sidewalk and lighting improvements along Harrison Road.

6 2. For a capital outlay initiative located within **City Council District 2**, funding is
7 requested in the total amount of **\$700,000** for pedestrian and bike safety improvements in dense
8 business areas on Pacheco Street from Alta Vista to San Mateo.

9 3. For a capital outlay initiative located within **City Council District 3**, funding is
10 requested in the total amount of **\$1,000,000** for constructing improvements to the Tierra Contenta trail
11 system.

12 4. For a capital outlay initiative located within **City Council District 4**, funding is
13 requested in the total amount of **\$2,450,000** to reconstruct Governor Miles Road to improve safety for
14 bicycles and pedestrians.

15 **BE IT FURTHER RESOLVED** that the Governing Body directs the City lobbyist to work
16 with the New Mexico Municipal League in support of any Municipal League 2022 Legislative Priority
17 where the City would benefit from the passage of such initiative.

18 **BE IT FURTHER RESOLVED** that the Governing Body directs the City lobbyist to make
19 any capital outlay project directly or indirectly included in the City ICIP Priority List a priority.

20 **BE IT FURTHER RESOLVED** that the Governing Body directs the City lobbyist to work to
21 advance any legislation introduced during the 2022 New Mexico Legislative Session deemed to be
22 beneficial to the City.

23 **BE IT FURTHER RESOLVED** that the Governing Body directs the City lobbyist to work to
24 defeat any legislation introduced during the 2022 New Mexico Legislative Session deemed to be
25 detrimental to the City.

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BE IT FURTHER RESOLVED that while this Resolution represents a majority of the intent of the Governing Body as to 2022 New Mexico legislative priorities, other timely priorities may be approved by the Governing Body, incorporated into the City’s 2022 state legislative agenda, and forwarded to the City’s lobbying team for action.

BE IT FURTHER RESOLVED that the City Clerk be directed to forward a copy of this Resolution to the City of Santa Fe lobbyist, the City of Santa Fe State Legislative Delegation, and the Governor of New Mexico.

PASSED, APPROVED, and ADOPTED this ___ day of _____, 2021.

ALAN WEBBER, MAYOR

ATTEST:

KRISTINE MIHELICIC, CITY CLERK

APPROVED AS TO FORM:



ERIN K. McSHERRY, CITY ATTORNEY

FISCAL IMPACT REPORT

General Information:

(Check) Bill: _____ Resolution: X

Short Title(s): Legislative Priorities 2022

Sponsor(s): Mayor Webber

Reviewing Department(s): Public Works, Legislative Services

Staff Completing FIR: Regina Wheeler/Jesse Guillen Date: 9/30/21 Phone: 955-6622/955-6518

Reviewed by City Attorney: *Eric McDay* Date: Oct 12, 2021

Reviewed by Finance Director: *Mary McCoy* Date: Oct 12, 2021

Summary:

The proposed Resolution establishes the legislative policy and capital outlay priorities for the City of Santa Fe in the 2022 Legislative Session. Funding requests could provide funds for projects to improve community health and safety, community development, and infrastructure. Legislation could support the City in meeting social, economic, and environmental goals.

Departments Affected:

All departments.

Consequences of Not Enacting Legislation:

The City's legislative delegation and lobbyist would not be given direction on the City's desire to support or oppose legislation and capital outlay projects. This could negatively affect the amount of capital outlay and policy priorities the City achieves to fulfill community goals and needs.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:

None identified. The Governing Body has adopted a similar Resolution in past years.

Performance and Administrative Implications:

Any capital outlay received will require project management and administration. Resources are in place for any required project management and administration.

Fiscal Implications:

The City stands to gain funding for capital priorities. There are no costs associated with the adoption of the Resolution.

Fiscal Impact

 X Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and	\$ _____	\$ _____	\$ _____	_____	_____	_____	
Benefits*							
Capital Outlay	\$ _____	\$ _____	\$ _____	_____	_____	_____	
Contractual/	\$ _____	\$ _____	\$ _____		_____	_____	
Professional Services							
Operating	\$ _____	\$ _____	\$ _____		_____	_____	\$ _____
Total:	\$ _____	\$ _____	\$ _____				\$ _____

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

There are no direct expenditures associated with the adoption of this Resolution, but if the Legislature supports the City's funding initiatives, then there would be associated expenditures for those purposes.

Revenue


Revenue Type	FYE 22	FYE __	FYE __	Recurring (R) or Non-recurring (NR)	Fund
General Fund	\$ _____	\$ _____	\$ _____	_____	_____
Special Revenue	\$ _____	\$ _____	\$ _____	_____	_____
CIP	\$100K - \$15M	\$ _____	\$ _____	NR	_____
Enterprise	\$ _____	\$ _____	\$ _____	_____	_____
Internal Service	\$ _____	\$ _____	\$ _____	_____	_____
Trust and Agency	\$ _____	\$ _____	\$ _____	_____	_____
Federal	\$ _____	\$ _____	\$ _____	_____	_____
Other	\$ _____	\$ _____	\$ _____	_____	_____
Total	\$ _____	\$ _____	\$ _____		

Revenue Narrative:

Adoption of this Resolution, and subsequent action by the Legislature in accordance with the priorities established in this Resolution, may result in capital appropriations as well as changes in state statutes that bring revenue to the general fund.

Signature: 

Email: jbg Guillen@ci.santa-fe.nm.us

Signature: 

Email: rawheeler@ci.santa-fe.nm.us

ACTION SHEET
PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 10/12/2021

ISSUE NO. 7e

CONSIDERATION OF RESOLUTION NO. 2021-___. (Mayor Webber)
 A Resolution Establishing City of Santa Fe Legislative Priorities for
 Consideration by the New Mexico State Legislature During the
 55th Legislature – State of New Mexico – Second Session, 2022. (Regina
 Wheeler, Public Works Director: rawheeler@santafenm.gov, 955-6622;
 Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov, 955-6518)

Committee Review:
 Introduced: 9/29/21
 Finance Committee: 10/18/21
 Quality of Life Committee: 10/06/21
 Public Works and Utilities Committee: 10/12/21
 Governing Body: 10/27/21

**PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Pulled by Councilor
 Vigil Coppler for discussion. Approved to forward to 10/27/2021 Governing Body**

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	X		

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 10/18/21
FOR CITY COUNCIL MEETING OF 10/27/21

CONSIDERATION OF RESOLUTION NO. 2021-___. (Mayor Webber)
 A Resolution Establishing City of Santa Fe Legislative Priorities for Consideration by the New Mexico State Legislature During the 55th Legislature – State of New Mexico – Second Session, 2022. (Regina Wheeler, Public Works Director: rawheeler@santafenm.gov, 955-6622; Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov, 955-6518)

Committee	Review:
Introduced:	9/29/21
Finance Committee:	10/18/21
Quality of Life Committee:	10/06/21
Public Works and Utilities Committee:	10/12/21
Governing Body:	10/27/21

FINANCE COMMITTEE ACTION:
 Approved on Discussion

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	FOR	AGAINST	ABSTAIN
COUNCILOR ABEYTA	X		
COUNCILOR CASSUTT	X		
COUNCILOR LINDELL	X		
COUNCILOR ROMERO-WIRTH	Excused		
CHAIRPERSON VILLARREAL	X		

01/13/21

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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2021-__

INTRODUCED BY:

Mayor Alan Webber

Councilor Signe I. Lindell

Councilor Carol Romero-Wirth

Councilor Roman “Tiger” Abeyta

Councilor Jamie Cassutt

Councilor Chris Rivera

Councilor Michael J. Garcia

Councilor JoAnne Vigil Coppler

Councilor Renee Villarreal

A RESOLUTION

WAIVING THE CITY PERSONNEL RULE’S LIMITATIONS ON SALARY INCREASES FOR THE PURPOSE OF OFFERING A WAGE OF AT LEAST FIFTEEN DOLLARS PER HOUR TO ALL CITY EMPLOYEES IN NOVEMBER, 2021.

WHEREAS, since the enactment of the federal minimum wage in the Fair Labor Standards Act in 1938, the federal minimum pay rate has been increased 22 times, by 12 different U.S. presidents, but it hasn’t been raised since July 2009, when it was increased to seven dollars and twenty-five cents per hour; and

WHEREAS, the City pays its employees, including part-time and temporary employees, no less than the hourly wage established by the Living Wage Ordinance, SFCC 1987, Section 28-1; and

WHEREAS, the Living Wage in the City of Santa Fe is twelve dollars and thirty-two cents currently; and

WHEREAS, offering at least fifteen dollars per hour for all City of Santa Fe employees, including part-time, full-time, term, at-will, classified, probationary, and temporary employees,

1 would allow all employees the opportunity to earn more than double the federal minimum wage;
2 and

3 **WHEREAS**, other than for employees for whom a wage increase could cause a benefits
4 cliff that would negatively impact income eligible benefits, a fifteen dollar wage would help City
5 workers who work and live in Santa Fe to meet their financial needs, as well as keep the City
6 competitive in the current competitive job market; and

7 **WHEREAS**, pursuant to SFCC 1987, Section 2-4.6(B), the City Manager is responsible
8 for compliance with the city's personnel rules and regulations in her employment of all municipal
9 employees;

10 **WHEREAS**, Rule 6 of the City's Rules, Regulations, and Policies, regarding the Pay
11 Plan of the City, provides for the City Manager to provide salary increases in three circumstances:

- 12 1. Productivity increases for certain employees, based on demonstrated quality of
13 performance and a productivity formula as approved by the City Council;
- 14 2. For the emergency retention of employees, except those in temporary status, who
15 have completed at least six months continuous service, other than to retain employees
16 under consideration for another position in the City; and
- 17 3. Longevity pay when an employee's salary reaches the maximum pay rate for his/her
18 position after his/her fifteenth year of total service; and

19 **WHEREAS**, Rule 15.10 of the City's Rules, Regulations, and Policies, allow for the
20 Governing Body to "temporarily modify or waive" any of its Rules if it would be reasonable,
21 appropriate, lawful, and necessary for the orderly and efficient administration of the City."

22 **WHEREAS**, 150 positions (130 filled, 20 vacant) are currently paid less than fifteen
23 dollars per hour and the positions span nine City departments and 27 job classifications; and


24 **WHEREAS**, the 150 positions include positions impact non-union, AFSCME and Fire
25 Unions.

1 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
2 **CITY OF SANTA FE** that the Governing Body finds that it would be reasonable, appropriate,
3 lawful, and necessary to waive limitations in its existing personnel rules governing the offering of
4 salary increases in order to allow the City Manager to offer all City employees an hourly wage of
5 at least fifteen dollars per hour.

6 **BE IT FURTHER RESOLVED** that, by the end of November 2021, the City Manager
7 shall offer increases to the rate of pay up to fifteen dollars per hour for all City employees who do
8 not currently make fifteen dollars per hour.

9 PASSED, APPROVED, and ADOPTED this _____ day of _____, 2021.

10 APPROVED AS TO FORM:

11 
12 _____
13 ERIN K. McSHERRY, CITY ATTORNEY



MEMORANDUM

TO: Governing Body
VIA: Jarel LaPan Hill, City Manager *JLH*
FROM: Mary McCoy, Finance Director *MM*
Bernadette Salazar, HR Director
RE: City of Santa Fe - \$15 Minimum Wage – Resolution and BAR
DATE: 10/15/2021

ITEM AND ISSUE:

Request for the Approval of Resolution waiving the City personnel rule's limitations on salary increases for the purpose of offering a wage of at least fifteen dollars per hour to all city employees in November, 2021 and Budget Adjustments in the total amount of \$149,862 to increase salaries to \$15 per hour. (Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 505-955-6171; Bernadette Salazar, HR Director, bjsalazar@santafenm.gov, 505-955-6591)

BACKGROUND AND SUMMARY:

Since the enactment of the federal minimum wage in the Fair Labor Standards Act in 1938, the minimum wage pay rate has increased 22 times by 12 different presidents; however, the federal minimum wage hasn't been raised since July 2009, when it was increased to \$7.25 per hour.

The City of Santa Fe follows the living wage ordinance which was adopted to establish minimum hourly wages for all businesses in Santa Fe. Currently, the City pays its employees, including part-time and temporary employees, an hourly minimum wage of \$12.32 per hour.

Previously, City workers received the following wage adjustments for competitiveness:

- In 2019 to address retention in our police force the City provided \$600 thousand in retention incentives for police officers.
- In 2019 to address vacancy rates for transit, paratransit and transit shuttle operators AFSCME employees in bus drivers received approximately \$120,000 in a retention incentive program.
- As a result of the 2018 classification and compensation study 290 AFSCME employees (43%) who were paid below the market rate received an average of an 8% raise in FY20.
- In FY20 the City increased the starting wage for cadets from \$19.11 per hour to \$21 an hour and provided a hiring incentive for new officers with experience in an effort to fill vacant positions.

- In FY21 and FY22 the City also offered \$15,000 signing bonus for police officers moving laterally from another law enforcement agency.

PROPOSAL:

Rule 15.10 of the City’s Rules, Regulations, and Policies, allow for the Governing Body to “temporarily modify or waive” any of its Rules if it would be reasonable, appropriate, lawful, and necessary for the orderly and efficient administration of the City.” The resolution authorizes the waiver of limitations in existing personnel rules governing the offering of salary increases in order to allow the City Manager to offer all City employees an hourly wage of at least fifteen dollars per hour. The resolution also directs the City Manager to offer increases to the rate of pay up to fifteen dollars per hour for all City employees who do not currently make fifteen dollars per hour by the end of November 2021.

Offering at least fifteen dollars per hour for all City of Santa Fe employees, including part-time, full-time, term, at-will, classified, probationary, and temporary employees, would allow all employees the opportunity to earn more than double the federal minimum wage; help ensure the City is competitive in the current job market in order to retain our current employees and attract new employees; and help ensure the City is staffed up to provide our community with the highest quality of services.

FISCAL IMPACT:

The Budget Office has summarized the fiscal impact of this change for part-time, full-time, term, at-will, classified, probationary, and temporary employees on the various City funds in FY22. The impact for offering at least fifteen dollars per hour for all City of Santa Fe employees for the remainder of the current fiscal year totals \$169,706 across all funds and the total full year cost is \$294,157 across all funds. The cost estimate includes increases to both salaries and salary-dependent benefits (such as employee retirement/PERA). The table below summarizes the proposed budget adjustment (see attached) of \$149,862 from General Fund reserves to fund offering at least fifteen dollars per hour for City of Santa Fe employees. This includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

Budget Adjustment from General Fund Reserves			
		Total Cost -	
		Remainder of FY	Total Cost -
Fund	Fund Title	(15 pay periods)	Full Year
100	General Fund	90,314	156,544
222	Fire Environmental Service	2,982	5,169
233	Transportation Grants	1,949	3,378
241	Senior Citizen Grants/Programs	17,493	30,321
251	Library	1,743	3,021
515	Railyard Properties	1,353	2,345
530	Municipal Recreation Complex	2,590	4,489
535	Parking	12,475	21,623
540	Transit Bus System	5,648	9,790
545	Airport	2,605	4,515
550	Genoveva Chavez Community Ctr	10,710	18,564
TOTAL		149,862	259,761

**Includes salary/benefits budget amounts for affected cost centers (orgs) only*

The table below summarizes a technical budget adjustment from vacancy savings in the same fund/division to fund offering at least fifteen dollars per hour for City of Santa Fe employees.

Increases Funded by TBARs from Vacancy Savings In the Same Fund/Division			
		Total Cost -	
		Remainder of FY	Total Cost -
Fund	Fund Title	(15 pay periods)	Full Year
505	Water Management	2,369	4,106
511	Utilities Administration	1,517	2,629
TOTAL		3,886	6,736

**Includes salary/benefits budget amounts for affected cost centers (orgs) only*

The table below summarizes where vacancy savings within the same org will fund offering at least fifteen dollars per hour for City of Santa Fe employees.

Increases Funded by Vacancy Savings Within Affected Org/No Adj Needed			
		Total Cost -	
		Remainder of FY	Total Cost -
Fund	Fund Title	(15 pay periods)	Full Year
213	Lodgers' Tax Fund	1,292	2,239
365	1/2% GRT Income Fund	2,160	3,744
500	Waste Water Management	199	345
505	Water Management	867	1,503
511	Utilities Administration	1,517	2,629
520	Santa Fe Convention Center	9,923	17,200
TOTAL		15,958	27,661

**Includes salary/benefits budget amounts for affected cost centers (orgs) only*

ACTION REQUESTED:

We respectfully request your review and approval. The resolution, informational packet and BARs will be presented through the governing body process.

- October 20 2021- Quality of Life Committee
- October 25, 2021- Public Works and Public Utilities Committee
- October 27, 2021- Governing Body

ATTACHMENTS:

Resolution
 Budget Adjustment Resolution
 Fiscal Impact Report

Log # {Finance use <u>only</u> }:	
Journal # {Finance use <u>only</u> }:	

City of Santa Fe, New Mexico BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME Finance Department	DATE 10/19/2021
--	--------------------

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				<i>{enter as positive #}</i>	<i>{enter as negative #}</i>
City Clerk / Salaries	1000214	500110		1,163	
City Clerk / FICA	1000214	503100		89	
City Clerk / PERA	1000214	503150		242	
City Clerk / Retiree Health Care	1000214	503250		23	
Library / Salaries	1000102	500110		2,004	
Library / FICA	1000102	503100		153	
Library / PERA	1000102	503150		417	
Library / Retiree Health Care	1000102	503250		40	
Library / Salaries	1000103	500110		1,336	
Library / FICA	1000103	503100		102	
Library / PERA	1000103	503150		270	
Library / Retiree Health Care	1000103	503250		26	
Library / Salaries	2510104	500110		1,337	
Library / FICA	2510104	503100		102	
Library / PERA	2510104	503150		278	
Library / Retiree Health Care	2510104	503250		26	
Seniors / Salaries	2410111	500110		7,094	
Seniors / FICA	2410111	503100		143	
Seniors / PERA	2410111	503150		138	
Seniors / Retiree Health Care	2410111	503250		13	
JUSTIFICATION: <i>(use additional page if needed)</i> <i>--Attach supporting documentation/memo</i>				\$ 14,996	\$ -

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to \$15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

<i>{Complete section below if BAR results in a net change to ANY Fund}</i>	
	Fund Balance
Fund(s) Affected	Increase/(Decrease)
100	(149,862)
TOTAL:	(149,862)

Andy Hopkins Prepared By {print name}	10/19/2021 Date	<i>{Use this form for Finance Committee/ City Council agenda items ONLY}</i>	 Alexis Lotero (Oct 20, 2021 11:31 MDT) Budget Officer
N/A Division Director Signature {optional}	Date	CITY COUNCIL APPROVAL City Council Approval Date: <input style="width: 100px; height: 20px;" type="text"/>	N/A Finance Director {≤ \$5,000}
 Department Director Signature	Date	Agenda Item #: <input style="width: 100px; height: 20px;" type="text"/>	N/A City Manager {≤ \$60,000}

Log # {Finance use <u>only</u> }: (see BAR p. 1 for log/journal)
Journal # {Finance use <u>only</u> }: (see BAR p. 1 for log/journal)

City of Santa Fe, New Mexico BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME Finance Department	DATE 10/19/2021
--	--------------------

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				<i>{enter as positive #}</i>	<i>{enter as negative #}</i>
Seniors / Salaries	2410114	500110		7,747	
Seniors / FICA	2410114	503100		591	
Seniors / PERA	2410114	503150		1,611	
Seniors / Retiree Health Care	2410114	503250		156	
Fire Operations / Salaries	1000021	500110		1,680	
Fire Operations / FICA	1000021	503100		23	
Fire Operations / PERA	1000021	503150		535	
Fire Operations / Retiree Health Care	1000021	503250		40	
Fire Ops (Wildland) / Salaries	1000173	500110		7,200	
Fire Ops (Wildland) / FICA	1000173	503100		105	
Fire Ops (Wildland) / PERA	1000173	503150		1,497	
Fire Ops (Wildland) / Retiree Health Care	1000173	503250		144	
Municipal Court / Salaries	1002700	500110		3,665	
Municipal Court / FICA	1002700	503100		281	
Municipal Court / PERA	1002700	503150		761	
Municipal Court / Retiree Health Care	1002700	503250		74	
Police Admin / Salaries	1000310	500110		4,554	
Police Admin / FICA	1000310	503100		346	
Police Admin / PERA	1000310	503150		944	
Police Admin / Retiree Health Care	1000310	503250		90	
JUSTIFICATION: <i>(use additional page if needed)</i> <i>--Attach supporting documentation/memo</i>				\$ 32,044	\$ -

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to \$15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.	<i>{Complete section below if BAR results in a net change to ANY Fund}</i>
	Fund Balance
	Fund(s) Affected Increase/(Decrease)
	100 (149,862)
	TOTAL: (149,862)

Andy Hopkins Prepared By {print name}	10/19/2021 Date	<i>{Use this form for Finance Committee/ City Council agenda items ONLY}</i>	[see BAR p. 1 for signatures] Budget Officer
N/A Division Director Signature {optional}	Date	CITY COUNCIL APPROVAL City Council Approval Date: <input style="width: 100px; height: 20px;" type="text"/>	N/A Finance Director {≤ \$5,000}
[see BAR p. 1 for signatures] Department Director Signature	Date	Agenda Item #: <input style="width: 100px; height: 20px;" type="text"/>	N/A City Manager {≤ \$60,000}

Log # {Finance use <u>only</u> };	(see BAR p. 1 for log/journal)
Journal # {Finance use <u>only</u> };	(see BAR p. 1 for log/journal)

City of Santa Fe, New Mexico BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME Finance Department	DATE 10/19/2021
--	--------------------

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				<i>{enter as positive #}</i>	<i>{enter as negative #}</i>
Airport / Salaries	5456050	500110		1,997	
Airport / FICA	5456050	503100		153	
Airport / PERA	5456050	503150		415	
Airport / Retiree Health Care	5456050	503250		40	
Facilities / Salaries	1000434	500110		18,451	
Facilities / FICA	1000434	503100		1,410	
Facilities / PERA	1000434	503150		3,839	
Facilities / Retiree Health Care	1000434	503250		367	
Municipal Recreation Complex / Salaries	5300271	500110		1,985	
Municipal Recreation Complex / FICA	5300271	503100		152	
Municipal Recreation Complex / PERA	5300271	503150		413	
Municipal Recreation Complex / Retiree Health Care	5300271	503250		40	
Parking / Salaries	5350452	500110		1,494	
Parking / FICA	5350452	503100		114	
Parking / PERA	5350452	503150		311	
Parking / Retiree Health Care	5350452	503250		30	
Parking / Salaries	5350453	500110		3,918	
Parking / FICA	5350453	503100		300	
Parking / PERA	5350453	503150		815	
Parking / Retiree Health Care	5350453	503250		78	
JUSTIFICATION: <i>(use additional page if needed)</i> <i>--Attach supporting documentation/memo</i>				\$ 36,322	\$ -

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to \$15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

<i>{Complete section below if BAR results in a net change to ANY Fund}</i>	
	Fund Balance
Fund(s) Affected	Increase/(Decrease)
100	(149,862)
TOTAL:	(149,862)

Andy Hopkins	10/19/2021	<i>{Use this form for Finance Committee/ City Council agenda items ONLY}</i>	
Prepared By <i>{print name}</i>	Date	CITY COUNCIL APPROVAL	<i>[see BAR p. 1 for signatures]</i>
		City Council	Budget Officer
N/A		Approval Date	Date
Division Director Signature <i>{optional}</i>	Date	Agenda Item #:	N/A
<i>[see BAR p. 1 for signatures]</i>			Finance Director {≤ \$5,000}
Department Director Signature	Date		Date
			City Manager {≤ \$60,000}

Log # {Finance use <u>only</u> }:	(see BAR p. 1 for log/journal)
Journal # {Finance use <u>only</u> }:	(see BAR p. 1 for log/journal)

City of Santa Fe, New Mexico BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME Finance Department	DATE 10/19/2021
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ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				<i>{enter as positive #}</i>	<i>{enter as negative #}</i>
Parking / Salaries	5350454	500110		1,494	
Parking / FICA	5350454	503100		114	
Parking / PERA	5350454	503150		311	
Parking / Retiree Health Care	5350454	503250		30	
Parking / Salaries	5350456	500110		2,657	
Parking / FICA	5350456	503100		203	
Parking / PERA	5350456	503150		553	
Parking / Retiree Health Care	5350456	503250		53	
Parks / Salaries	1004150	500110		21,583	
Parks / FICA	1004150	503100		1,651	
Parks / PERA	1004150	503150		4,489	
Parks / Retiree Health Care	1004150	503250		430	
Parks / Salaries	5154150	500110		1,037	
Parks / FICA	5154150	503100		79	
Parks / PERA	5154150	503150		216	
Parks / Retiree Health Care	5154150	503250		21	
Streets / Salaries	1000086	500110		834	
Streets / FICA	1000086	503100		64	
Streets / PERA	1000086	503150		173	
Streets / Retiree Health Care	1000086	503250		17	
JUSTIFICATION: <i>(use additional page if needed)</i> <i>--Attach supporting documentation/memo</i>				\$ 36,009	\$ -

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to \$15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

<i>{Complete section below if BAR results in a net change to ANY Fund}</i>	
	Fund Balance
Fund(s) Affected	Increase/(Decrease)
100	(149,862)
TOTAL:	(149,862)

Andy Hopkins	10/19/2021	<i>{Use this form for Finance Committee/ City Council agenda items ONLY}</i>	
Prepared By <i>{print name}</i>	Date	CITY COUNCIL APPROVAL	<i>[see BAR p. 1 for signatures]</i>
N/A		City Council	Budget Officer
Division Director Signature <i>{optional}</i>	Date	Approval Date	Date
		Agenda Item #:	N/A
<i>[see BAR p. 1 for signatures]</i>			Finance Director <i>{≤ \$5,000}</i>
Department Director Signature	Date		Date
			City Manager <i>{≤ \$60,000}</i>

Log # {Finance use <u>only</u> }:	(see BAR p. 1 for log/journal)
Journal # {Finance use <u>only</u> }:	(see BAR p. 1 for log/journal)

City of Santa Fe, New Mexico BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME Finance Department	DATE 10/19/2021
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ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				<i>{enter as positive #}</i>	<i>{enter as negative #}</i>
Transit / Salaries	2330491	500110		1,494	
Transit / FICA	2330491	503100		114	
Transit / PERA	2330491	503150		311	
Transit / Retiree Health Care	2330491	503250		30	
Transit / Salaries	5400091	500110		1,032	
Transit / FICA	5400091	503100		79	
Transit / PERA	5400091	503150		215	
Transit / Retiree Health Care	5400091	503250		21	
Transit / Salaries	5400093	500110		1,494	
Transit / FICA	5400093	503100		114	
Transit / PERA	5400093	503150		311	
Transit / Retiree Health Care	5400093	503250		30	
Transit / Salaries	5400094	500110		1,803	
Transit / FICA	5400094	503100		138	
Transit / PERA	5400094	503150		375	
Transit / Retiree Health Care	5400094	503250		36	
GCCC / Salaries	5500261	500110		2,129	
GCCC / FICA	5500261	503100		163	
GCCC / PERA	5500261	503150		443	
GCCC / Retiree Health Care	5500261	503250		43	
JUSTIFICATION: <i>(use additional page if needed)</i> <i>--Attach supporting documentation/memo</i>				\$ 10,375	\$ -

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to \$15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

<i>{Complete section below if BAR results in a net change to ANY Fund}</i>	
	Fund Balance
Fund(s) Affected	Increase/(Decrease)
100	(149,862)
TOTAL:	(149,862)

Andy Hopkins	10/19/2021	<i>{Use this form for Finance Committee/ City Council agenda items ONLY}</i>	
Prepared By <i>{print name}</i>	Date	CITY COUNCIL APPROVAL	<i>[see BAR p. 1 for signatures]</i>
N/A		City Council	N/A
Division Director Signature <i>{optional}</i>	Date	Approval Date	Finance Director <i>{≤ \$5,000}</i>
<i>[see BAR p. 1 for signatures]</i>		Agenda Item #:	N/A
Department Director Signature	Date		City Manager <i>{≤ \$60,000}</i>

Log # {Finance use <u>only</u> }: (see BAR p. 1 for log/journal)
Journal # {Finance use <u>only</u> }: (see BAR p. 1 for log/journal)

City of Santa Fe, New Mexico BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME Finance Department	DATE 10/19/2021
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ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				<i>{enter as positive #}</i>	<i>{enter as negative #}</i>
GCCC / Salaries	5500263	500110		2,484	
GCCC / FICA	5500263	503100		190	
GCCC / PERA	5500263	503150		516	
GCCC / Retiree Health Care	5500263	503250		49	
GCCC / Salaries	5500265	500110		3,598	
GCCC / FICA	5500265	503100		275	
GCCC / PERA	5500265	503150		748	
GCCC / Retiree Health Care	5500265	503250		72	
Recreation / Salaries	1004200	500110		7,054	
Recreation / FICA	1004200	503100		539	
Recreation / PERA	1004200	503150		1,467	
Recreation / Retiree Health Care	1004200	503250		142	
Library (General Fund) / Operating Transfer to Southside Library	1000101	750251		1,743	
Seniors (General Fund) / Operating Transfer to Seniors (Special Revenue Fund)	1000111	750241		17,493	
Airport (General Fund) / Operating Transfer to Airport (Enterprise Fund)	1006050	750545		2,605	
REVENUES				<i>{enter as negative #}</i>	<i>{enter as positive #}</i>
Southside Library / Operating Transfer from Library (General Fund)	2510104	650100		(1,743)	
Senior Center Programs / Operating Transfer from Seniors (General Fund)	2410111	650100		(7,388)	
Senior Nutrition Programs / Operating Transfer from Seniors (General Fund)	2410114	650100		(10,105)	
Airport (Enterprise Fund) / Operating Transfer from Airport (General Fund)	5456050	650100		(2,605)	
JUSTIFICATION: <i>(use additional page if needed)</i> <i>--Attach supporting documentation/memo</i>				\$ 17,134	\$ -

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to \$15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

<i>{Complete section below if BAR results in a net change to ANY Fund}</i>	
	Fund Balance
Fund(s) Affected	Increase/(Decrease)
100	(149,862)
TOTAL:	(149,862)

Andy Hopkins	10/19/2021	<i>{Use this form for Finance Committee/ City Council agenda items ONLY}</i>	
Prepared By <i>{print name}</i>	Date	CITY COUNCIL APPROVAL	<i>[see BAR p. 1 for signatures]</i>
N/A		City Council	N/A
Division Director Signature <i>{optional}</i>	Date	Approval Date	Finance Director <i>{≤ \$5,000}</i>
		Agenda Item #:	N/A
<i>[see BAR p. 1 for signatures]</i>			City Manager <i>{≤ \$60,000}</i>
Department Director Signature	Date		Date

Log # <i>{Finance use only}</i> :	<i>{see BAR p. 1 for log/journal}</i>
Journal # <i>{Finance use only}</i> :	<i>{see BAR p. 1 for log/journal}</i>

City of Santa Fe, New Mexico BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME Finance Department	DATE 10/19/2021
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ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				<i>{enter as positive #}</i>	<i>{enter as negative #}</i>
MRC (General Fund) / Operating Transfer to MRC (Enterprise Fund)	1000272	750530		2,590	
Public Works Admin (General Fund) / Operating Transfer to Parking Enterprise Fund	1006001	750535		12,475	
Parks (General Fund) / Operating Transfer to Railyard Park (Enterprise Fund)	1004150	750515		1,353	
Public Works Admin (General Fund) / Operating Transfer to Transit (Transportation Grants Fund)	1006001	750233		1,949	
Public Works Admin (General Fund) / Operating Transfer to Transit Enterprise Fund	1006001	750540		5,648	
Recreation (General Fund) / Operating Transfer to GCCC (Enterprise Fund)	1004200	750550		10,710	
REVENUES				<i>{enter as negative #}</i>	<i>{enter as positive #}</i>
MRC (Enterprise Fund) / Operating Transfer from MRC (General Fund)	5300271	650100		(2,590)	
Parking-Accounting (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5350452	650100		(1,949)	
Parking-Enforcement (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5350453	650100		(5,111)	
Parking-Collections (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5350454	650100		(1,949)	
Parking-Maintenance (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5350456	650100		(3,466)	
Railyard Park (Enterprise Fund) / Operating Transfer from Parks (General Fund)	5154150	650100		(1,353)	
Transit (Transportation Grants Fund) / Operating Transfer from Public Works Admin (General Fund)	2330491	650100		(1,949)	
Transit Admin (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5400091	650100		(1,347)	
Transit Maintenance (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5400093	650100		(1,949)	
Paratransit Operations (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5400094	650100		(2,352)	
GCCC Admin (Enterprise Fund) / Operating Transfer from Recreation (General Fund)	5500261	650100		(2,778)	
GCCC Center Ops (Enterprise Fund) / Operating Transfer from Recreation (General Fund)	5500263	650100		(3,239)	
GCCC Ice Arena Ops (Enterprise Fund) / Operating Transfer from Recreation (General Fund)	5500265	650100		(4,693)	
JUSTIFICATION: <i>{use additional page if needed}</i> <i>--Attach supporting documentation/memo</i>				\$ -	\$ -

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to \$15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.	<i>{Complete section below if BAR results in a net change to ANY Fund}</i>
	Fund Balance Increase/(Decrease)
	100 (149,862)
	TOTAL: (149,862)

Andy Hopkins Prepared By <i>{print name}</i>	10/19/2021 Date	<i>{Use this form for Finance Committee/ City Council agenda items ONLY}</i>	<i>{see BAR p. 1 for signatures}</i> Budget Officer
		CITY COUNCIL APPROVAL	
N/A Division Director Signature <i>{optional}</i>	Date	City Council Approval Date <input style="width: 100px; height: 20px;" type="text"/>	N/A Finance Director <i>{≤ \$5,000}</i>
<i>{see BAR p. 1 for signatures}</i> Department Director Signature	Date	Agenda Item #: <input style="width: 100px; height: 20px;" type="text"/>	N/A City Manager <i>{≤ \$60,000}</i>

FISCAL IMPACT REPORT

General Information:

(Check) Bill: _____ Resolution: X

Short Title(s): Personnel Wage Rules Waiver

Sponsor(s): Mayor Webber, Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt, Councilor Rivera, Councilor Garcia, Councilor Vigil Coppler, and Councilor Villarreal

Reviewing Department(s): Finance Department and Human Resources Department

Staff Completing FIR: Andy Hopkins Date: 10/15/2021 Phone: 505-955-6177

Reviewed by City Attorney: *Eric McDay* Date: Oct 20, 2021

Reviewed by Finance Director: *Mary McDay* Date: Oct 20, 2021

Summary:

Rule 15.10 of the City's Rules, Regulations, and Policies, allow for the Governing Body to "temporarily modify or waive" any of its Rules if it would be reasonable, appropriate, lawful, and necessary for the orderly and efficient administration of the City." The resolution states that it would be reasonable, appropriate, lawful, and necessary to waive limitations in existing personnel rules governing the offering of salary increases in order to allow the City Manager to offer all City employees an hourly wage of at least fifteen dollars per hour. The resolution states that by the end of November 2021, the City Manager shall offer increases to the rate of pay up to fifteen dollars per hour for all City employees who do not currently make fifteen dollars per hour. Offering at least fifteen dollars per hour for all City of Santa Fe employees, including part-time, full-time, term, at-will, classified, probationary, and temporary employees, would allow all employees the opportunity to earn more than double the federal minimum wage; help ensure the City is competitive in the current job market in order to retain our current employees and attract new employees; and help ensure the City is staffed up to provide our community with the highest quality of services.

Departments Affected: Multiple Departments

Consequences of Not Enacting Legislation: Employees will continue to earn less than \$15 per hour.

Conflict, Duplication, Companionship, or Relationship to Other Legislation: There is no conflict, duplication, companion or relation to any other legislation.

Performance and Administrative Implications: The City of Santa Fe Payroll Division and Human Resources Department will work together to ensure all HR actions to implement the \$15 per hour wage is implemented for all impacted positions.

Fiscal Implications:

The fiscal impact of this change for the remainder of the current fiscal year, starting with the Pay Period on November 27th, totals \$169,706 and the total full year cost is \$294,157. The cost estimate includes increases to both salaries and salary-dependent benefits (such as employee retirement/PERA). Because some of these costs will be absorbed by vacancy savings within the affected areas, the net increase to the budget for the current fiscal year is \$149,862.

Fiscal Impact

_____ Check here if no fiscal impact

Expenditures

Expenditure Type	FYE-22	FYE-23	FYE-24	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and Benefits*	\$169,706	\$294,157	\$294,157	Y	R	Multiple	
Capital Outlay	\$	\$	\$				
Contractual/	\$	\$	\$				
Professional Services							
Operating	\$	\$	\$				
Total:	\$169,706	\$294,157	\$294,157			Multiple	\$758,020

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:**Revenue**

Revenue Type	FYE	FYE	FYE	Recurring (R) or Non-recurring (NR)	Fund
General Fund	\$149,862	\$259,761	\$259,761	Y	100
Special Revenue	\$	\$	\$		
CIP	\$	\$	\$		
Enterprise	\$19,844	\$34,396	\$34,396		Multiple
Internal Service	\$	\$	\$		
Trust and Agency	\$	\$	\$		
Federal	\$	\$	\$		
Other	\$	\$	\$		
Total	\$169,706	\$294,157	\$294,157		

Revenue Narrative:

Signature: *Janel Lapan Hill*

Email: jlapanhill@ci.santa-fe.nm.us

Signature:

Email: bjsalazar@ci.santa-fe.nm.us




City of Santa Fe, New Mexico


Memorandum



Date: September 29, 2021

To: Public Safety Committee, Quality of Life Committee, Finance Committee, and Governing Body

Via: Erin K. McSherry, City Attorney 

From: Kyle Hibner, Assistant City Attorney/City Prosecutor 

RE: Noise Violation Penalties

EXECUTIVE SUMMARY:

The proposed bill adds to the Muffler Ordinance, Santa Fe Uniform Traffic Ordinance (“UTO”) 12-10-1.10, the clarification that a violation of the section is a penalty assessment misdemeanor. The primary purpose of the proposed bill is to amend the penalty assessment section with respect to violation of the Muffler Ordinance to increase the fine from \$25 to \$100 for a first-time offense. Also increases the fine to \$200 for a second offense and \$300 for a third or subsequent offense.

BACKGROUND:

The City of Santa Fe has a similar provision to state statute (NMSA 1978, Section 66-3-844) requiring vehicles to be equipped with a muffler. The City’s Ordinance is Section 12-10-1.10 of the UTO. Section 12-10-1.10 requires mufflers to prevent excessive or unusual noise, and to prevent the escape of excessive fumes or smoke. This proposed bill changes the fine structure for violation of this ordinance. First, a provision is entered specifying that violation of Ordinance 12-10-1.10 is a penalty assessment misdemeanor.

The second change modifies the penalty assessment section of the City’s Uniform Traffic Ordinance. This proposed bill also creates an increase in fines for subsequent violations. For a first offense, the fine is increased to \$100. A second offense will increase the fine to \$200. Finally, a third or subsequent offense will increase the fine to \$300.

ACTION REQUESTED:

Adopt the Bill as presented.

ATTACHMENTS:

Bill
Fiscal Impact Report

[bracketed material] = delete

underscoring material = new

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CITY OF SANTA FE, NEW MEXICO

BILL NO. 2020-__

INTRODUCED BY:

Councilor Signe I. Lindell
Councilor Roman “Tiger” Abeyta

AN ORDINANCE

**RELATING TO THE CITY OF SANTA FE UNIFORM TRAFFIC ORDINANCE (“UTO”);
AMENDING SECTION 12-10-1.10 TO INSERT A CLAUSE STATING THAT A PERSON
WHO VIOLATES A PROVISION OF SECTION 12-10-1.10 OF THE UTO IS GUILTY OF
A PENALTY ASSESSMENT MISDEMEANOR AND TO ADD AND INCREASE
PENALTIES IN SCHEDULE A OF THE TRAFFIC VIOLATION PENALTY
ASSESSMENT SCHEDULE.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

**Section 1. Section 12-10-1.10 of SFCC 1987 (being Ord. No. 2011-4, as amended)
is amended to read:**

**12-10-1.10 MUFFLERS--PREVENTION OF NOISE--EMISSION CONTROL
DEVICES.**

A. Every motor vehicle shall at all times be equipped with a muffler in good
working order and in constant operation to prevent excessive or unusual noise, and no
person shall use a muffler cutout, bypass, or similar device upon a motor vehicle on a street

1 in this municipality; and

2 B. The muffler, emission control equipment or device, engine and power
3 mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the
4 escape of excessive fumes or smoke; and

5 C. Every registered gasoline-fueled motor vehicle manufactured or assembled,
6 commencing with the 1968 models, shall at all times be equipped and maintained in good
7 working order with the factory-installed devices and equipment or their replacements
8 designed to prevent, reduce or control exhaust emissions or air pollution. (66-3-844 NMSA
9 1978)

10 D. A person who violates the provisions of this section is guilty of a penalty
11 assessment misdemeanor.

12 **Section 2. Section 2 of Schedule A of the Uniform Traffic Ordinance (being**
13 **Ord. No. 2011-4, as amended) is amended to read:**

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18 **[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]**

19
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25 **SCHEDULE A**

1 **TRAFFIC VIOLATION PENALTY ASSESSMENT SCHEDULE**

2 **SECTION 2.**

3 "Penalty assessment misdemeanor" means violation of the following listed sections of the city of
4 Santa Fe Uniform Traffic Code for which the listed penalty assessment is established. The term
5 "penalty assessment misdemeanor" does not include any violation which has caused or contributed
6 to the cause of an accident resulting in injury or death to any person. When an alleged violator of a
7 penalty assessment misdemeanor elects to accept a notice to appear in lieu of a notice of penalty
8 assessment, the fine imposed upon later conviction shall not exceed the penalty assessment
9 established for the particular penalty assessment misdemeanor and probation imposed upon a
10 suspended or deferred sentence shall not exceed ninety days.

11

12 COMMON NAME OF OFFENSE	13 SECTION VIOLATED	14 PENALTY ASSESSMENT
15 Obedience To Traffic–Control Devices/Failure To Stop	12-5-3	\$25.00
16 Red Light	12-5-6	\$25.00
17 Pedestrian Controls	12-5-7	\$25.00
18 Flashing Signals	12-5-8	\$25.00
19 Display of Unauthorized Signs, Signals, or Markings	12-5-10	\$25.00
20 Basic (Speeding) Rule	12-6-1.1	\$25.00
21 Speed Limits	12-6-1.2	
22 <i>A. The following apply outside a school zone:</i>		
Up to and including 10 miles an hour over speed limit		\$15.00
From 11 up to and including 15 miles an hour over speed limit		\$30.00

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From 16 up to and including 20 miles an hour over speed limit		\$65.00
From 21 up to and including 25 miles an hour over speed limit		\$100.00
From 26 up to and including 30 miles an hour over the speed limit		\$125.00
From 31 up to and including 35 miles an hour over the speed limit		\$150.00
More than 35 miles an hour over the speed limit		\$200.00
<i>B. In a school zone</i>	12-6-1.2A	\$171.00
<i>C. In a construction zone:</i> The penalty assessment for speeding in violation of Section 12-6-1.2 (4) of the city of Santa Fe traffic ordinance is twice the penalty assessment established in subsection A above for the equivalent miles per hour over the speed limit		
<i>D. In a pedestrian zone.</i> The penalty assessment for speeding in violation of the posted speed limit in a designated pedestrian zone is twice the penalty assessment established in subsection A. above for the equivalent miles per hour over the speed limit.		
Minimum Speed Regulations	12-6-1.5	\$25.00
Driving On Right Side Of Street	12-6-2.1	\$25.00
Overtaking A Vehicle On The Left	12-6-2.3	\$25.00
Limitations On Overtaking On The Left	12-6-2.4	\$25.00
Overtaking A Vehicle On The Right	12-6-2.6	\$25.00
No Passing Zones/Restrictions On Passing	12-6-2.7	\$25.00
Streets Laned For Traffic	12-6-2.12	\$25.00
Following Too Closely	12-6-2.13	\$25.00
Driving On Divided Streets	12-6-2.14	\$25.00
Driving Vehicle On Or Across Bicycle Lane Or Path.	12-6-2.17	\$25.00
Turning Left At Intersection	12-6-4.2	\$25.00
Entering Stop/Yield Intersection/Failure To Yield	12-6-4.3	\$25.00
Required Position/Method of Turning/Improper Turn	12-6-5.1	\$25.00
Obedience To No-Turn Signs	12-6-5.4	\$25.00
Limitations On Turning Around/Illegal U-Turn	12-6-5.5	\$25.00
Starting A Parked Vehicle	12-6-5.7	\$25.00
Turn/Stop Movements	12-6-5.8	\$25.00
Failure To Signal	12-6-5.9	\$25.00
Motorist Turning Across Bicycle Lane.	12-6-5.11	\$25.00
Stopping, Standing, Parking	12-6-6	See Exhibit B
Special Stops Required	12-6-7 (Excluding 12-6-7.3, 12-6-7.4, 12-6-7.5 and 12-6-7.7)	\$25.00
Stopping For School Bus	12-6-7.3	\$100.00
Failure To Stop At Railroad Crossing	12-6-7.5 and 12-6-7.7	\$150.00

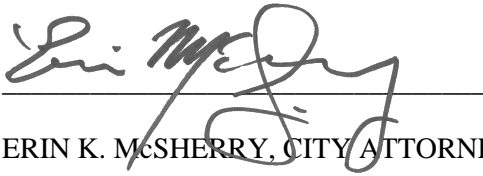
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Operators and Chauffeurs Must Be Licensed	12-6-12.5	\$25.00
Driving While License Suspended/Administratively Suspended	12-6-12.6 and 12-6-12.6A	\$25.00
Driving While License Revoked	12-6-12.6B	\$300-\$500
Unattended Motor Vehicle	12-6-12.8	\$25.00
Limitations On Backing	12-6-12.9	\$25.00
Restriction On Use of Video In Motor Vehicles	12-6-12.11	\$25.00
Coasting Prohibited	12-6-12.12	\$25.00
Prohibited Activities While Driving (including hand held mobile communication device use)	12-6-12.18	\$200.00
Mobile communication device use while driving in a school zone	12-6-12.18	\$300.00
Permitting Unauthorized Persons To Drive	12-6-12.23	\$25.00
Destructive Material On Roadway/Failure To Secure Load	12-6-13.5	\$100.00
Improper Opening Of Doors	12-6-13.8	\$25.00
Child Restraint Device Or Safety Belt	12-6-13.12	\$100.00
Mandatory Use Of Seat Belts	12-6-13.13	\$100.00
Open Container, 1 st Offense	12-6-13.14	\$100.00
For Subsequent Violations		mandatory court appearance
Littering	12-6-13.15	\$300.00
Jaywalking	12-6-14.1 through 12-6-14.8	\$25.00
Windshield	12-10-1.12	\$25.00
When Lighted Lamps Are Required	12-10-1.3	\$25.00
Headlamps On Vehicles	12-10-1.5	\$25.00
Dimming Of Lights	12-10-1.6	\$25.00
Tail Lamps	12-10-1.7, except 12-10-1.7C	\$25.00
Plate Light Required	12-10-1.7C.	\$10.00
Stop Lamps/Brake Lamps	12-10-1.9	\$25.00
Mufflers, Prevention of Noise, 1 st offense	12-10-1.10	[\$25.00] \$100.00
2 nd Offense		\$200.00
For Subsequent Offenses		\$300.00
Lamp Or Flag On Projecting Load	12-10-1.11	\$25.00
Windshield Must Be Unobstructed and Equipped with Wipers and Windows Must Be Transparent	12-10-1.12	\$25.00
Tinted Windows	12-10-1.12A	\$25.00
Unsafe Equipment (Brakes)	12-10-1.16	\$25.00
Display of Current Valid Registration Plate	12-10-4	\$25.00

1 APPROVED AS TO FORM:

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A handwritten signature in black ink, appearing to read "Erin McSherry", is written over a horizontal line. The signature is cursive and somewhat stylized.

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ERIN K. MCSHERRY, CITY ATTORNEY

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Legislation/2020/Bills/Noise Violation Penalties

FISCAL IMPACT REPORT**General Information:**(Check) Bill: X Resolution: _____Short Title(s): Noise Violation PenaltiesSponsor(s): Councilors Lindell and AbeytaReviewing Department(s): City Attorney's OfficeStaff Completing FIR: Kyle Hibner Date: 09/13/2021 Phone: 955-5195Reviewed by City Attorney:  Date: Sep 29, 2021Reviewed by Finance Director:  Date: Sep 30, 2021**Summary:**

The proposed Bill increases the penalty for violation of the muffler ordinance from \$25 to \$100 for a first offense. This proposed Bill would also increase the fine amount based on subsequent offenses. A second offense would be punishable by a fine of \$200, and a third or subsequent offense would be punishable by a fine of \$300. The Bill also specifies that violation of the muffler ordinance, Section 12-10-1.10 of the Uniform Traffic Ordinance ("UTO") is a penalty assessment misdemeanor.

Departments Affected:City Attorney's Office, Police Department, Municipal Court.**Consequences of Not Enacting Legislation:**

The fine for violation of the muffler ordinance will remain at \$25, and there will not be increases in fines for subsequent violations.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:

State statutes contain a similar provision in NMSA 1987, Section 66-3-844. However, the fines would be an increase from the fines in State statute. Additionally, the changes would enact an increase in fines for subsequent offenses, which is also different from the State statute.

Performance and Administrative Implications:

The substantive text of the UTO will not change. This amendment should not change how the Police Department would enforce this section. Still, all of the affected Departments will need to be aware of the changes if they are approved. Municipal Court especially will need to be aware of the changes as it will process the citations.

Fiscal Implications:

From 2018 to 2021 there have been 79 citations issued by police officers. In 2018, one citation was issued. In 2019, one citation was issued. There were 54 citations issued in 2020. Finally, there have been 23 citations issued so far in 2021. There have been 53 convictions and 20 dismissals processed through Municipal Court. Six citations are still pending. During this time, the Municipal Court has collected \$750 in fines and \$1837 in fees for a total of \$2587. That means that the average total fines and fees per conviction under this ordinance is \$48.81 per conviction. There have been an average of about 20 citations per year. Assuming similar numbers, the average fine would come closer to at least \$100. Currently, the City Ordinance does not distinguish between first or subsequent offenses. Therefore, with these changes, the average fines may surpass \$100. The fees would not be expected to change as they are set at \$56.

Fiscal Impact

_____ Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and	\$ _____	\$ _____	\$ _____	_____	_____	_____	
Benefits*							
Capital Outlay	\$ _____	\$ _____	\$ _____	_____	_____	_____	
Contractual/	\$ _____	\$ _____	\$ _____		_____	_____	
Professional Services							
Operating	\$ _____	\$ _____	\$ _____		_____	_____	\$ _____
Total:	\$ _____	\$ _____	\$ _____				\$ _____

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:


No additional expenditure associated with this Bill.

Revenue

Revenue Type	FYE __	FYE 23	FYE 24	Recurring (R) or Non-recurring (NR)	Fund
General Fund	\$ _____	\$ _____	\$ _____	_____	_____
Special Revenue	\$ _____	\$ _____	\$ _____	_____	_____
CIP	\$ _____	\$ _____	\$ _____	_____	_____
Enterprise	\$ _____	\$ _____	\$ _____	_____	_____
Internal Service	\$ _____	\$ _____	\$ _____	_____	_____
Trust and Agency	\$ _____	\$ _____	\$ _____	_____	_____
Federal	\$ _____	\$ _____	\$ _____	_____	_____
Other	\$1560	\$3120	\$3120	R	_____
Total	\$1560	\$3120	\$3120		

Revenue Narrative:

Assuming an average of 20 citations a year, expected revenue from the fines (\$2000) and associated court fees (\$1120) would be \$3120. This estimate is assuming all citations are first offenses and don't trigger an escalation in the fines associated with a second, third, or subsequent fine.

Signature:  _____

Email: kjhibner@santafenm.gov

**ACTION SHEET
QUALITY OF LIFE MEETING OF 10/06/2021**

ISSUE NO. 7e

CONSIDERATION OF BILL NO. 2021-___. (Councilor Lindell and Councilor Abeyta)

An Ordinance Relating to the City of Santa Fe Uniform Traffic Ordinance (“UTO”); Amending Section 12-10-1.10 to Insert a Clause Stating That a Person Who Violates a Provision of Section 12-10-1.10 of the UTO is Guilty of a Penalty Assessment Misdemeanor; and to Add and Increase Penalties in Schedule A, the Traffic Violation Penalty Assessment Schedule. (Kyle Hiber, City Prosecutor: kjhibner@santafenm.gov, 955-

Committee Review:

Introduced: 09/29/21

Quality of Life Committee: 10/06/21

Governing Body (request to publish): 10/13/21

Finance Committee: 10/18/21

Public Safety Committee: 10/19/21

Governing Body (public hearing): 11/10/21

PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Pulled by Councilwomen Cassutt and Councilwomen Villarreal discussion. Item postponed to come back to the 10.20.21 Quality of Life Committee before moving forward

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA	X		
COUNCILOR GARICA	X		
COUNCILOR CASSUTT	X		
COUNCILOR VILLARREAL	X		
COUNCILOR ROMERO-WIRTH, CHAIR	X		

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 10/18/21
FOR CITY COUNCIL MEETING OF 10/27/21

CONSIDERATION OF BILL NO. 2021-___. (Councilor Lindell and Councilor Abeyta)
 An Ordinance Relating to the City of Santa Fe Uniform Traffic Ordinance (“UTO”); Amending Section 12-10-1.10 to Insert a Clause Stating That a Person Who Violates a Provision of Section 12-10-1.10 of the UTO is Guilty of a Penalty Assessment Misdemeanor; and to Add and Increase Penalties in Schedule A, the Traffic Violation Penalty Assessment Schedule. (Kyle Hiber, City Prosecutor: kjhibner@santafenm.gov, 955-

Committee	Review:
Introduced:	09/29/21
Quality of Life Committee:	10/06/21
Finance Committee:	10/18/21
Public Safety Committee:	10/19/21
Quality of Life	10/20/21
Governing Body (Request to Publish): 10/27/21	

FINANCE COMMITTEE ACTION:
 Postponed by Chair Abeyta –QoL to provide additional info

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	FOR	AGAINST	ABSTAIN
COUNCILOR ABEYTA			
COUNCILOR CASSUTT			
COUNCILOR LINDELL			
COUNCILOR ROMERO-WIRTH			
CHAIRPERSON VILLARREAL			