



MINUTES

REGULAR MEETING OF
THE GOVERNING BODY
FEBRUARY 10, 2021 4:00 PM
VIRTUAL MEETING

AFTERNOON SESSION - 4:00 P.M.

1. **CALL TO ORDER**

4:02 P.M.

2. **PLEDGE OF ALLEGIANCE**

Councilor Abeyta

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

Councilor Vigil Coppler

4. **INVOCATION**

Councilwoman Villarreal

5. **ROLL CALL**

Members Present:

Councilor Roman Abeyta
Councilor Jamie Cassutt
Councilor Michael Garcia
Councilor Signe Lindell
Councilor Chris Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee Villarreal
Mayor Alan Webber

Members Excused:

Others Attending:

Jesse Guillen, Legislative Liaison



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Jarel Lapan Hill, City Manager
Erin McSherry, City Attorney
Jesse Roach, Attendee
Marcos Martinez, Attendee
Rich Brown, Attendee
Andrea Salazar, Attendee
Randy Lopez, Attendee
Jason Kluck, Attendee
Brian Moya, Attendee
Sam Burnett, Attendee
Jennifer Faubion, Attendee
Julie Sanchez, Attendee

6. APPROVAL OF AGENDA

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Lindell, to approve the agenda as presented.

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

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

Against: None

Abstain: None

7. APPROVAL OF CONSENT CALENDAR

MOTION: Councilor Villarreal moved, seconded by Councilor Lindell, to approve the as amended.

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



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

Against: None

Abstain: None

8. APPROVAL OF MINUTES

- a. Regular Governing Body Minutes – January 27, 2021

MOTION: Councilor Villarreal moved, seconded by Councilor Lindell, to postpone the minutes until the next meeting regular Governing Body meeting (2/24/21).

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

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

Against: None

Abstain: None

- b. Special Governing Body Meeting – January 28, 2021

MOTION: Councilor Villarreal moved, seconded by Councilor Lindell, to approve the minutes as amended.

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

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



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Against: None

Abstain: None

9. PRESENTATIONS

- a) COVID-19 Update Pursuant to Resolution 2020-51. (Jarel LaPan Hill, City Manager, jlapanhill@santafenm.gov, 955-6848 and Kyra Ochoa, Interim Director of Community Health and Safety, krochoa@santafenm.gov, 955-6603) **INFORMATION ONLY**
- b) Department Overview of Santa Fe River Storage and Release Requirements Under the Rio Grande Compact. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309 and Marcos Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502) **INFORMATION ONLY**
- c) Economic Development Department Overview of the Midtown Bi-Weekly Development Update Report (Rich Brown, Director, Community & Economic Development Department, rdbrown@santafenm.gov, 955-6625 and Daniel Hernandez, Project Director at Proyecto LLC, Andrea Salazar, Assistant City Attorney, asalazar@santafenm.gov, 955-6303) **INFORMATION ONLY**

MOTION: Councilor Rivera moved, seconded by Councilor Cassutt, to amend the agenda to go next to Communications from the Governing Body, then Petitions from the Floor, then return back to Discussion/Action Items.

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

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

Against: None

Abstain: None



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10. CONSENT CALENDAR

- a. Request for Approval of a Budget Amendment Resolution (BAR) in the Total Amount of \$205,000 from the Cash Balance in Water Enterprise Fund to the Transmission and Distribution Operating Supplies; (5050386.530200).
(Randy Lopez, Transmission and Distribution Supervisor, rjlopez@santafenm.gov, 955-4246)

COMMITTEE REVIEW:

Public Works and Utilities Committee: 01/25/2021

Finance Committee: 02/01/2021

Governing Body: 02/10/2021

- b. **Request to Publish Notice of Public Hearing on March 10, 2021.**
Consideration of Bill No. 2021-5: An Ordinance Amending Section 7-1.1 SFCC 1987 to Adopt the Newest Version of the International Energy Conservation Code as Adopted and Amended by the State of New Mexico Construction Industries Division; and Amending Section 7-4.2 SFCC 1987, City of Santa Fe Green Building Code, to Update Code References in Conjunction with the Adoption of the 2018 International Energy Conservation Code as Adopted and Amended by the State of New Mexico Construction Industries Division. (Councilor Cassutt-Sanchez and Councilor Abeyta) (Jason Kluck, Assistant Planning and Land Use Director, jmkluck@santafenm.gov, 955-6729)

COMMITTEE REVIEW:

Quality of Life Committee: 02/3/21

Public Works and Utilities Committee: 02/8/21

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

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

11. DISCUSSION/ACTION ITEMS

- a. CONSIDERATION OF RESOLUTION NO. 2021-____. (Councilor Villarreal and Councilor Lindell)
A Resolution Requesting the National Nuclear Security Administration Prepare and Complete a New Site-Wide Environmental Impact Statement for Los Alamos National Laboratory Before Expanding Plutonium Pit Production



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at the Facility. (Jesse Guillen, Legislative Liaison, jbg Guillen@santafenm.gov, 955-6518)

COMMITTEE REVIEW:

Quality of Life Committee: 02/3/21

Governing Body: 02/10/21

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

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

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

Against: None

Abstain: None

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

COMMITTEE REVIEW:

Public Works and Utilities Committee: 02/8/21

Governing Body: 02/10/21

Finance Committee: 2/15/21

Governing Body: 2/24/21

MOTION: Councilor Lindell moved, seconded by Councilor Romero-Wirth, to postpone the resolution and refer it back to the Finance



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Committee and to the Governing Body meeting on February 24, 2021.

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

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

Against: None

Abstain: None

MOTION: Councilor Rivera moved, seconded by Councilor Vigil Coppler, to amend the agenda to take up appointments before returning to Discussion/Action Items.

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

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

Against: None

Abstain: None

- c. Request for Approval of Amendment No. 3 to the Memorandum of Agreement between Santa Fe County and the City of Santa Fe for the Public Safety Radio Communications System Solutions Project for Implementation of Any Upgraded Communication System. This Amendment is to Extend the Term Date to December 31, 2020 to June 30, 2021. (Brian Moya, Assistant Chief, bjmoya@santafenm.gov, 955-3111)

COMMITTEE REVIEW:

Governing Body: 02/10/21



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

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

For: None

Against: None

Abstain: None

- d. Request for Approval of Amendment #2 to Lease Agreement #20-0257 by and between the City of Santa Fe and Garson Studios, Ltd., to Extend the Term of the Lease by 18 Months or Until August 26, 2022. (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 955-5933)

COMMITTEE REVIEW:

Governing Body: 02/10/21

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Cassutt, to approve the lease amendment as presented.

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

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

Against: None

Abstain: None

- e. CONSIDERATION OF RESOLUTION NO. 2021-_____. (Councilor Cassutt-Sanchez, Councilor Villarreal, Councilor Abeyta, Councilor Rivera, and Mayor Webber)

A Resolution Supporting Legislation at the New Mexico Legislature Adopting a Paid Sick Leave Act that Allows Employees to Accrue and Use Paid Sick Leave. (Jennifer Faubion, Council Liaison, jrfaubion@santafenm.gov,



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955-6033; Jesse Guillen, Legislative Liaison: jbg Guillen@santafenm.gov
955-6518)

COMMITTEE REVIEW:

Governing Body: 02/10/21

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

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

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

Against: None

Abstain: None

- f. CONSIDERATION OF RESOLUTION NO. 2021-____. (Councilor Lindell, Councilor Abeyta, Councilor Cassutt-Sanchez, and Mayor Webber)
A Resolution Urging the New Mexico Legislature to Hold New Mexico School Districts and Charter Schools Harmless for Decreased Enrollment in the 2020-2021 School Year Resulting From the COVID-19 Pandemic and to Maintain Funding at 2019-2020 Levels. (Julie Sanchez, Children and Youth Division Director, jjsanchez@santafenm.gov, 955-6678)

COMMITTEE REVIEW:

Governing Body: 02/10/21

MOTION: Councilor Lindell moved, seconded by Councilor Cassutt, to approve the resolution as presented.

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



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Against: None

Abstain: None

12. **MATTERS FROM THE CITY MANAGER**

13. **MATTERS FROM THE CITY ATTORNEY**

EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(7), Attorney-Client Privileged Discussion Regarding Threatened and Pending Litigation in Which the City of Santa Fe Is a Party, Including, but not Limited to, a Discussion Regarding a Threatened Tort Claims Act Case. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

MOTION: Councilor Rivera moved, seconded by Councilor Vigil Coppler, to enter into Executive Session to discuss the item listed on the agenda as recommended by the City Attorney.

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

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

Against: None

Abstain: None

14. **MATTERS FROM THE CITY CLERK**

15. **COMMUNICATIONS FROM THE GOVERNING BODY**



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Councilor Rivera – introduced a Resolution Updating the Terms of Resolution No. 2020-29 to Extend the Duration of the Community Health and Safety Task Force Through the End of Calendar Year 2021, Allow Additional Task Force Members, Change the Task Force Composition, and Exempt the Task Force.

Councilor Romero-Wirth – introduced a Resolution designating the City of Santa Fe, New Mexico as a Bee City USA Affiliate.e from Certain Open Meeting Act Requirements.

Mayor Webber – introduced an Ordinance amending Section 18-11.3 SFCC 1987 to amend the definition of taxable premises to make it consistent with state statute and to add a definition for permanent resident; amending Section 18-11.8 to make the Section consistent with state statute; and to amend Section 18-11.17 to clarify the difference between the occupancy tax and the convention center fee, and to dedicate the occupancy tax collected on the thirty-first and subsequent days to the Affordable Housing Trust Fund.

EVENING SESSION - 6:00 P.M.

16. ROLL CALL

17. PETITIONS FROM THE FLOOR

18. APPOINTMENTS

- a. Economic Development Advisory Committee

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Villarreal, to approve the appointment as presented.

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

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

Against: None

Abstain: None



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- b. Request for Approval of Appointment of Municipal Court Pro Tem Judge Pursuant to §2-3.4(C) SFCC 1987: Chad Chittum. (Judge Virginia Vigil, vmvigil@santafenm.gov, 955-5054)

MOTION: Councilor Lindell moved, seconded by Councilor Romero-Wirth, to approve the appointment as presented.

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

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

Against: None

Abstain: None

19. **PUBLIC HEARINGS**

20. **ADJOURN**

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

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

Witnesses have the right to have an attorney present at the hearing.

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

City Clerk

Mayor



City of Santa Fe

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