



# AGENDA

SPECIAL MEETING OF  
THE GOVERNING BODY  
JANUARY 03, 2022  
4:00 PM  
ATTEND VIRTUALLY

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## SPECIAL PROCEDURES FOR SPECIAL GOVERNING BODY MEETING

**Attendance:** In response to the State's declaration of a Public Health Emergency, the Mayor's Proclamation of Emergency, and the ban on public gatherings in excess of those permitted in the current Public Health Order, the Special Governing Body meeting will be conducted virtually.

**Viewing:** Members of the public may view the meeting through the Government Channel on Comcast Channel 28 and Comcast HD928 or may stream the meeting live on the City of Santa Fe's YouTube channel at <https://www.youtube.com/user/cityofsantafe>. The YouTube live stream can be accessed at this address from most smartphones, tablets, or computers.

The video recording of this and all past meetings of the Governing Body will also remain available for viewing at any time on the City's YouTube channel at <https://www.youtube.com/user/cityofsantafe>. Staff is available to help members of the public access pre-recorded Governing Body meetings on-line at any time during normal business hours. Please call 955-6521 for assistance.

**Radio Broadcast:** The meeting can be heard on radio station KSFR 101.1.

**Agenda:** The agenda for the meeting will be posted at <https://www.santafenm.gov>.

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

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/88289529805?pwd=dIJSYnFHMWlrZi9MV3BsMlkvaXprQT09>. **Passcode: 739642**

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



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Phone: To join the Zoom meeting using a phone, use the following phone numbers and Webinar ID: **US: 1 (346) 248-7799 - Webinar ID: 882 8952 9805 - Passcode: 739642**  
Phone attendees should press \*9 to use the “Raise Hand” function to be recognized by the Mayor to speak at the appropriate time.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**

Councilor Rivera

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

Councilwoman Villarreal

4. **INVOCATION**

Councilor Cassutt

5. **ROLL CALL**
6. **APPROVAL OF AGENDA**
7. **APPOINTMENTS**

- a. Appointment of Signe Lindell as Mayor Pro-Tem
- b. Announcement of Appointment of Carol Romero-Wirth as Parliamentarian (No Vote Required)
- c. Appointment of City Council Committees

8. **DISCUSSION/ACTION ITEMS**

- a. **CONSIDERATION OF RESOLUTION NO. 2022-\_\_.** (Mayor Webber)  
A Resolution Temporarily Modifying the City’s Personnel Rules Regarding Administrative Leave to Provide a Standard Framework for Issuing COVID-19 Administrative Leave. (Bernadette Salazar; Human Resources Director: [bjsalazar@santafenm.gov](mailto:bjsalazar@santafenm.gov), 955-6591)

**Committee Review:**

Governing Body: 12/08/2021 (Introduced)  
Governing Body (Special Meeting): 01/03/22



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9. **ADJOURN**

**Governing Body  
INDEX SUMMARY  
January 3, 2022**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
1. Call to Order	Convened at 5:00 p.m.	1
2. Pledge of Allegiance	Led by Councilor Rivera	1
3. Salute to the State Flag	Led by Councilor Villarreal	1
4. Invocation	Led by Councilor Cassutt	1
5. Roll Call	Quorum Present	1-2
6. Approval of Agenda	Approved as presented	2
7. Appointments		
a) Signe Lindell as Mayor Pro-Tem	Approved	2
b) Carol Romero-Wirth as Parliamentarian	Informational	2
c) Appointments of Council Committees	Approved	3
8. Discussion/Action Items		
a) Resolution for COVID Leave	Postponed to Jan 12, 2022	3-10
10. Adjournment	Adjourned at 5:04 p.m.	10

**Minutes of the  
Special Meeting of the Governing Body  
Monday, January 3, 2022  
Virtual Meeting**

**1. CALL TO ORDER**

A special meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Alan Webber, on Tuesday, January 3, 2023, at approximately 4:05 p.m., at the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico as a virtual meeting.

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Councilor Rivera.

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

The Salute to the New Mexico Flag was led by Councilor Villarreal.

**4. INVOCATION**

The Invocation was led by Councilor Cassutt.

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

**5. ROLL CALL**

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

Members Present

Mayor Alan Webber  
Councilor Jamie Cassutt  
Councilor Amanda Chavez  
Councilor Lee Garcia  
Councilor Michael J. Garcia  
Councilor Signe Lindell  
Councilor Christopher M. Rivera  
Councilor Carol Romero-Wirth  
Councilor Renee D. Villarreal

Members Excused

Other Participants Attending Remotely

Erin McSherry, City Attorney  
Geraldyn Cardenas, Assistant City Clerk  
Bernadette Salazar, Human Resources Director  
Carl Boaz, Council Stenographer

**6. APPROVAL OF AGENDA**

**MOTION:** Councilor Cassutt moved, seconded by Councilor Villarreal, to approve the agenda as presented.

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

**For:** Mayor Webber, Councilor Cassutt, Councilor Chavez, Councilor L. Garcia, Councilor M. Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

**Against:** None

**7. APPOINTMENTS**

a. Appointment of Signe Lindell as Mayor Pro-Tem

**MOTION:** Councilor Romero-Wirth moved, seconded by Councilor Villarreal, to approve the appointment.

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

**For:** Mayor Webber, Councilor Cassutt, Councilor Chavez, Councilor L. Garcia, Councilor M. Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

**Against:** None

b. Announcement of Appointment of Carol Romero-Wirth as Parliamentarian

Mayor Webber announced the appointment of Councilor Romero-Wirth to continue as Council Parliamentarian

c. Appointments of City Council Committees

**MOTION:** Councilor M Garcia moved, seconded by Councilor Cassutt, to approve the appointments as presented.

**Discussion on the Motion:**

Councilor Villarreal asked if the Santa Fe Extraterritorial Land Use Authority was to be revised.

Mayor Webber said he was informed by the City Attorney's Office that it was never disbanded but has not been meeting. It was there as a resource should issues on boundaries come up.

Councilor Villarreal asked if that entity would be used for annexation issues.

Mayor Webber said it would under certain circumstances.

Ms. McSherry explained that at this point it was not required but could be in the future.

Councilor Villarreal thanked her. Her other question was that she did not see the Public Safety Committee in the list and Councilor Rivera was the Chair of that Committee.

Ms. McSherry said he will continue since he was previously the Chair.

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

**For:** Mayor Webber, Councilor Cassutt, Councilor Chavez, Councilor L. Garcia, Councilor M. Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

**Against:** None

**8. DISCUSSION/ACTION ITEMS**

- a. CONSIDERATION OF RESOLUTION NO. 2022-\_\_\_. (Mayor Webber)  
A Resolution Temporarily Modifying the City's Personnel Rules Regarding Administrative Leave to Provide a Standard Framework for Issuing COVID-

19 Administrative Leave. (Bernadette Salazar; Human Resources Director: bjsalazar@santafenm.gov, 955-6591)

**Committee Review:**

Governing Body: 12/08/2021 (Introduced)

Governing Body (Special Meeting): 01/03/22

Ms. Cardenas read the caption for this item.

Director Salazar was present to address the item.

Director Salazar apologized that it was not uploaded yet to Prime.Gov. She provided background on it:

Right now, we have staff who tested positive with COVID and want to allow employees access to administrative leave when they test positive in a more user-friendly manner. It is a temporary change for 2022 to use their hours immediately instead of completing all paperwork first. It is also streamlined for the supervisor to report for payroll, like the procedure used for Families First virus. It will start January 1 2022.

Councilor Villarreal felt Councilors did not have enough time to understand this was a change in process rather than a signoff by the City Manager.

Director Salazar agreed. The CDC recommended that change for hours and additional access and if they were exposed more than once.

Councilor Villarreal asked if this leave is accessible to both vaccinated and unvaccinated.

Director Salazar agreed.

Councilor Villarreal asked how much administrative leave was used in 2021.

Director Salazar didn't have a total but offered to provide it.

Councilor Villarreal wanted to know how many used administrative leave and if they had access when a family member was sick too.

Director Salazar said it is provided when the employee has a positive test or close contact but not for a family member.

Councilor Villarreal asked what an incentive would be for City Staff to get vaccinated with this change. She knew the Fire Department has had the highest incidence, but she didn't know how many were vaccinated. What would be an incentive?

Director Salazar explained that the 96 hours for firefighters does cover the ten-day quarantine for them. When the 96 hours is exhausted, they would still be required to quarantine.

Councilor Villarreal wanted an incentive to get vaccinated.

Director Salazar understood. It is delicate and the policy needs to comply with all employment laws. The City tries to balance when requesting changes and not violate anyone's beliefs. It is a challenge.

Mayor Webber asked Director Salazar to comment on what happens if the resolution is not approved and what would continue.

Director Salazar explained that presently, employees requesting administrative hours would fill out the form and submit it to the City Manager for approval. If an employee was too sick to complete the form that might be an issue. This resolution is to make the application for hours more efficient.

Councilor Cassutt added, to piggyback on the challenge to incentivize vaccinating employees, that we also need to incentivize for them to stay home and not infect other people. She also wanted to see the leave report for 2021 and if anyone needed more than 80 hours. She was curious how that report was broken out. Especially for those quarantined but without pay. She asked if when schools were closed if the employee who was a parent needing to stay at home, would have administrative leave.

Director Salazar replied that when the parent had to stay home, they could use sick leave for that purpose.

Councilor Cassutt pointed out a typo on page one, line 22 where "day time" should be "day care." She also asked if the employee to qualify, needed to prove close contact with an infected person.

Director Salazar briefly described how she works with them and reports on a biweekly report.

Councilor Cassutt asked, if the administrative hours would be replenished to 80 hours again if COVID was still around in 2023.

Director Salazar said she will analyze it on a monthly basis.

Councilor Cassutt understood unused administrative hours would not roll over.

Director Salazar said that was correct.

Councilor Romero-Wirth understood the hours don't roll over but asked if the City needs to reset the clock again in a new year.

Director Salazar agreed and it would need a new resolution.

Councilor Romero-Wirth asked about the benefit if they get COVID more than once. It is one-time 80 hours, but she knew people who have been infected more than once.

Director Salazar said the hours are intended as one-time for the year. And would be, regardless of accrued sick or annual leave time.

Councilor Romero-Wirth suggested the resolution should say one-time 80 hours perhaps.

Ms. McSherry said that is clarified in the last paragraph. They are given the same opportunity but if unvaccinated, they are likely to run out of administrative leave.

Councilor Romero-Wirth was not sure how to express that it was one-time. Her other question was to keep track of how many had used it more than once if they got reinfected.

Director Salazar agreed to provide the data. She said this was devised under the previous CDC guidelines.

Councilor Romero-Wirth asked what the downside would be if the Governing Body didn't pass this until January 12.

Director Salazar said it was just a lot of paperwork to fill out and a challenge to payroll between now and January 12. It is more difficult administratively and

perhaps an employee would be denied some leave. HR has a list of questions for them to complete.

Councilor L Garcia wanted clarification on the similarity to a condition last year.

Director Salazar explained we changed the administrative leave policy in 2020 and now she was just trying to streamline the process and get a better balance on accessing it.

Councilor L Garcia understood and asked where the funds would come from for the administrative leave payments.

Director Salazar said that for those not requiring a substitute while out on leave, their position is already budgeted so it comes from the budget. Those positions requiring a substitute would come for overtime budgets.

Councilor Lindell could see why the resolution was coming forward now but it was uncomfortable for her, especially when this modification is for a full year. The CDC has changed the quarantine time recently. She didn't want to commit for a full year. She wanted more data. She wanted people to get vaccinated. We need to look at that through HR and Legal. This is an opportunity to encourage people to get vaccinated. She understood the need for it was immediate but believed the Governing Body could go nine more days until the regular Governing Body meeting. She agreed with Councilor Romero-Wirth on an effort to get all staff vaccinated.

Councilor Rivera asked if this resolution was based on the current CDC guidelines which calls for a 5-day quarantine

Director Salazar said it was based on the previous 10-day quarantine and it would cover two exposures. It is a little more comfort level for everyone.

Councilor Rivera pointed out that our firefighters work a 48-hour week so they would need 96 to cover two weeks.

Director Salazar agreed and the resolution covers that much leave for them.

Councilor Rivera asked if City Staff are tracking those with COVID.

Director Salazar didn't know.

Councilor Rivera asked if the City still has a COVID-only ambulance.

Director Salazar didn't know but would find out.

Councilor Rivera noted there have been more ambulance trips from the airport to hospitals for COVID passengers. He was curious about trends in those transfers.

Lastly, he knew the Police officers and firefighters have staff quarantines but still operate at a station. He asked if that was where budget increases arose.

Director Salazar agreed.

Councilor Rivera commented that one exposure could take out as many as five fire fighters.

Director Salazar agreed.

Councilor Rivera agreed with these changes.

Councilor M Garcia echoed the same sentiment on appropriate tools to encourage members to get vaccinated. He noticed that the FIR was based on an average 50 cases per month. But in December we had 56 cases. If that stays consistent, the budget will need \$120,000 instead of \$40,000 to cover it. He thought the Staff needed to reevaluate that benefit and it was better to use more recent numbers because of the explosion right now. He would like the numbers revised with December statistics to eliminate returning to the Governing Body to ask for more resources. "We should re-evaluate it in six months. We need to be flexible. Who knows where we will be in six months? Maybe even a quarterly update." He thought it should be postponed to next week to get stats and alternatives.

**MOTION:** Councilor M Garcia moved, seconded by Councilor Villarreal, to postpone the Resolution Temporarily Modifying the City's Personnel Rules to the January 12, 2022 Governing Body Meeting.

**Discussion on the Motion to Postpone:**

Mayor Webber said that between now and January 12, the questions and current policy will stay in place which is only to change the paperwork.

Director Salazar agreed.

Ms. McSherry clarified that the existing policy is discretionary without a number to be approved and most requests have been approved. There is a difference. This guarantees a certain number of hours for all employees.

Councilor L Garcia asked if the police officers are being handled the same way as the firefighters.

Director Salazar agreed.

Mayor Webber was perfectly happy to review it in six months. He noted the CDC quarantine change to five days is controversial and not all people favor that. The major change has less to do with policy and more as help on the procedure. He didn't know what more data was needed.

Councilor Villarreal said the data she needed was whether there were funds for sufficient hours provided. She also agreed with a six-month review and wanted some incentive in it. She just wanted to make sure the days offered would be sufficient.

Councilor Romero-Wirth asked if any leave granted between now and January 12 would be counted against the 80-hour maximum or not.

Director Salazar said it would depend on words crafted on the resolution. It would start from this day forward if approved here.

Ms. McSherry said the City would need to follow current policy and the rule in pace at the time. Deducting hours retroactively would not be a good decision.

Ms. McSherry pointed out that reducing some and not all is the problem.

Director Salazar clarified on the point of more than once infected requests, our current quarantine policy is that without symptoms, vaccinated people are not required to quarantine. So, some who request multiple times are likely to be unvaccinated and we are likely to see that in the stats

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

**For:** Councilor Cassutt, Councilor L. Garcia, Councilor M. Garcia, Councilor Lindell, and Councilor Villarreal.

**Against:** Councilor Rivera, Councilor Romero-Wirth, Councilor Chavez, Mayor Webber.

**9. ADJOURNMENT**

Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at 5:04 p.m.

Approved by:



\_\_\_\_\_  
Mayor Alan Webber

ATTESTED TO:



\_\_\_\_\_  
Kristine Bustos Mihelcic, City Clerk

Respectfully submitted by:



\_\_\_\_\_  
Carl G. Boaz, Council Stenographer