



AGENDA

REGULAR MEETING OF
THE GOVERNING BODY
JUNE 08, 2022
5:00 PM
COUNCIL CHAMBERS
CITY HALL
200 LINCOLN AVENUE

PROCEDURES FOR GOVERNING BODY MEETING

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.

Written Public Comment: Members of the public may submit written comments on legislation by clicking on the comment bubble to the right of the meeting on the public portal at <https://santafe.primegov.com/public/portal> three hours prior to the start of the meeting.

Live Public Comment: Members of the public may provide public comment in person during *Petitions from the Floor*, *Public Comment*, *Final Action on Legislation*, or *Public Hearings*.

Virtual Public Comment: To provide public comment during *Petitions from the Floor*, *Public Comment*, *Final Action on Legislation*, or *Public Hearings* virtually, you must join the Zoom meeting by internet or phone, as follows:

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/86842558958>.

Attendees should use the "Raise Hand" function to be recognized by the Mayor 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: 868 4255 8958**

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



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

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

Councilor Lee Garcia

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

Councilor Chavez

4. **INVOCATION AND REMEMBRANCES**

Councilwoman Villarreal

5. **ROLL CALL**
6. **APPROVAL OF AGENDA**
7. **APPROVAL OF CONSENT AGENDA**
8. **PRESENTATIONS**
 - a. FY21 Audit Status Update (Ricky Bejarano, Interim Assistant Finance Director)

9. **ACTION ITEMS: CONSENT AGENDA**

- a. Request for Approval of the May 25, 2022 Regular Governing Body Meeting Minutes. (Geraldyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov; 505-955-6519)

Committee Review:

Governing Body: 06/08/2022



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- b. Request for Approval of an Easement Agreement with North Central Regional Transit District (NCRTD) for the Re-Construction, Maintenance and Use of Bus Stop 470 Located at Fort Marcy Ball Park Field Parking. (James Garduno, Facilities Division Project Administrator: jdgarduno@santafenm.gov, 505-795-2436)

Committee Review:

Public Works Committee: 05/23/2022

Quality of Life Committee: 06/01/2022

Governing Body: 06/08/2022

- c. Request for Approval of Amendment No.4 to Service Contract # 20-0027, Extending the Term and Increasing Compensation in the Amount of \$500,000 for HVAC, Mechanical, Plumbing and Electrical Services; B&D Industries, Inc. (Josh Bohlman, Facilities Project Administrator: jbohlman@santafenm.gov, 505-690-9597)

Committee Review:

Public Works and Utilities Committee: 05/23/2022

Finance Committee: 05/31/2022

Governing Body: 06/08/2022

- d. Request for Approval of a Four-Year Contract in the Amount of \$146,250 for Fiscal Agent and Merchant Services for the Period of July 1, 2022 to June 30, 2026; Wells Fargo Bank, NA. (Bradley Fluetsch, CFA: bjfluetsch@santafenm.gov; 505-955-6885)

Committee Review:

Finance Committee: 05/31/2022

Public Works/Utilities Committee: 06/06/2022

Governing Body: 06/08/2022

- e. Request for Approval of a Service Contract in the Total Amount of \$1,517,257.50 for Tyler Munis Upgrade Support Services and Payroll Support for the Term of Twelve Months with Ciber Pathway. (Manuel Gonzales, ITT Director: mmgonzales@santafenm.gov, 505-955-5576)

Committee Review:

Finance Committee: 05/31/2022

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- f. Request for Approval of the Collective Bargaining Agreement between the City of Santa Fe and the Santa Fe Police Officers Association for FY23 in the Amount of \$2,251,013 for Sworn and Civilian Bargaining Unit Employees.
(Ben Valdez, Deputy Chief of Police,
bpvaldez@santafenm.gov, 505-955-5040)

Committee Review:

Finance Committee: 05/31/2022

Quality of Life Committee: 06/01/2022

Governing Body: 06/08/2022

- g. Request for Approval of a Cooperative Purchasing Agreement with Rubicon Global LLC, for On-Board Solid Waste Routing and Ticketing Technology in the Total Amount of \$515,532.80 Exclusive of NMGRT. (Shirlene Sitton, Environmental Services Division Director: sesitton@santafenm.gov, 505-955-2209)

Committee Review:

Finance Committee: 05/31/2022

Public Works and Utilities Committee: 06/06/2022

Governing Body: 06/08/2022

10. ACTION ITEMS: DISCUSSION AGENDA

- a. CONSIDERATION OF RESOLUTION NO. 2022-___. (Mayor Webber)
A Resolution Extending the Duration of the Mayor's Emergency Proclamation Issued on June 6, 2022 by Eighteen Days, Expiring at Noon on June 27, 2022, Pursuant to Section 20-1.3(C) SFCC 1987. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov, 505-955-6961)

Committee Review:

Governing Body: 06/08/2022

- b. CONSIDERATION OF RESOLUTION NO 2022-___. (Mayor Webber)
A Resolution Extending the Duration of the Mayor's Emergency Proclamation Responding to Fire Risks, Issued on June 7, 2022, by Seven Days, Expiring at Noon on June 17, 2022, Pursuant to SFCC 1987, Section 20-1.3(C). (Erin McSherry, City Attorney: ekmcsherry@santafenm.gov, 505-955-6512)



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Committee Review:

Governing Body: 06/08/2022

11. **MATTERS FROM THE CITY MANAGER**
12. **MATTERS FROM THE CITY ATTORNEY**
13. **MATTERS FROM THE CITY CLERK**
14. **COMMUNICATIONS FROM THE GOVERNING BODY**
15. **INTRODUCTION OF LEGISLATION**
 - a. **CONSIDERATION OF RESOLUTION NO. 2022-__.** (Councilwoman Villarreal, Councilor Rivera, Councilor Chavez, Councilor M. Garcia, Councilor Cassutt)
A Resolution Supporting the Permanent Preservation of the Caja Del Rio Cultural Landscape and Wildlife Area. (Shirlene Sitton, Environmental Services Division Director: sesitton@santafenm.gov, 955-2209)

Committee Review:

Governing Body (Introduced): 06/08/2022

Quality of Life Committee: 06/15/2022

Governing Body: 06/29/2022

- b. **CONSIDERATION OF RESOLUTION NO. 2022-__.** (Councilor Rivera, Councilor Romero-Wirth, Councilor Villarreal, and Councilor Cassutt)
A Resolution Proclaiming Severe or Extreme Drought Conditions Exist in the City of Santa Fe; Imposing Fire Restrictions July 11, 2022, to August 9, 2022; Banning the Sale or Use of Fireworks Within the City of Santa Fe; Encouraging Residents to Prepare a Personal Wildfire Action Plan; and Encouraging Residents to Follow the Fire Department's Fire Readiness Guidelines. (Geronimo Griego, Fire Marshall: gggriego@santafenm.gov, 955-3317)

Committee Review:

Introduced (Governing Body): 06/09/22

Quality of Life Committee: 06/15/22

Governing Body (public hearing): 06/29/22



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- c. CONSIDERATION OF BILL NO. 2022-___. (Councilor Rivera)
An Ordinance Amending Section 21-4.3 SFCC 1987 to Change the Set Out Time for Residential Refuse Collection. (Shirline Sitton, Environmental Services Division Director: sjsitton@santafenm.gov, 955-2209)

Committee Review:

Introduced (Governing Body): 06/08/22
Governing Body (Public Comment): 06/29/22
Quality of Life Committee: 07/06/22
Public Works and Utilities Committee: 07/11/22
Finance Committee: 07/18/22
Governing Body (Public Hearing): 07/27/22

16. **PETITIONS FROM THE FLOOR**

17. **PUBLIC COMMENT ON BILLS (No Action)**

- a. CONSIDERATION OF BILL NO. 2022-___. (Mayor Webber, Councilor Lindell)
An Ordinance Amending Section 23-5.2 SFCC 1987 to Specify that Major Commercial Events are Not Entitled to Use City Property that is Otherwise Leased by the City. (Terry Lease, Asset Development Manager: tjlease@santafenm.gov, 629-2206)

Committee Review:

Governing Body (Introduced): 05/25/2022
Governing Body (Public Comment): 06/08/2022
Quality of Life Committee: 06/15/2022
Public Works and Utilities Committee: 06/27/2022
Finance Committee: 07/04/22
Governing Body (Public Hearing): 07/13/22

- b. CONSIDERATION OF BILL NO. 2022-___. (Mayor Webber, Councilwoman Villarreal, Councilor Lindell, and Councilor Cassutt)
An Ordinance Amending Section 23-6.3 to Align the Designated Drinking Area Buffer Requirements with State Requirements, to Require the Use of Recyclable or Compostable Alcoholic Beverage Containers for Events on City Property, and to Permit Tasting of Mixed Beverages Containing Liquor on City Property. (Kristine Mihelcic, City Clerk: kmmihelcic@santafenm.gov,



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955-6327; Jesse Guillen, Legislation and Policy Innovation Manager:
jbg Guillen@santafenm.gov, 955-6518)

Committee Review:

Governing Body (Introduced): 05/25/2022
Governing Body (Public Comment): 06/08/2022
Quality of Life Committee: 06/15/2022
Public Works and Utilities Committee: 06/27/2022
Governing Body (Public Hearing): 06/29/2022

18. **FINAL ACTION ON LEGISLATION**

- a. CONSIDERATION OF RESOLUTION NO. 2022-___. (Councilor Rivera, Councilor Romero-Wirth, Councilwoman Villarreal, Councilor Cassutt)
A Resolution Proclaiming Severe or Extreme Drought Conditions Exist in the City of Santa Fe; Imposing Fire Restrictions From June 11, 2022, to July 10, 2022; Banning the Sale or Use of Fireworks Within the City of Santa Fe; and Prohibiting Other Fire Hazard Activities. (Geronimo Griego, Fire Marshal: gggriego@santafenm.gov, 505-955-3317)

Committee Review:

Governing Body (Introduced): 05/25/2022
Quality of Life Committee: 06/01/2022
Governing Body (Public Hearing): 06/08/2022

19. **PUBLIC HEARINGS (Land Use Cases, Appeals, Etc.)**

20. **APPOINTMENTS**

21. **ADJOURN**

Closed captions are provided for this meeting. Persons with disabilities in need for additional accommodations, contact the City Clerk's office at 505-955-6521, five (5) working days prior to meeting date.

**Governing Body
INDEX SUMMARY
June 8, 2022**

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**Minutes of the
Regular Meeting of the Governing Body
Wednesday, June 8, 2022
City Hall
Santa Fe, New Mexico
Hybrid Meeting**

1. CALL TO ORDER

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Alan Webber, on Wednesday, May 25, 2022, at approximately 5:03 p.m., at the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico as a hybrid meeting.

2. PLEDGE OF ALLEGIANCE

Councilor Lee Garcia led the Pledge of Allegiance.

3. SALUTE TO THE NEW MEXICO FLAG

Councilor Chavez led the Salute to the New Mexico Flag.

4. INVOCATION

Councilor Villarreal gave the Invocation. She read a poem by Langston Hughes, "I Look at the World" in honor of Juneteenth.

Councilor Villarreal honored the life of Gwyneth Carl, who recently passed. She was named one of ten who made a difference in 2017 through nonprofits she started to care for those near the end of their lives who were limited in access to resources. She wished Gwyneth peace, and "may she now rest easy."

Councilor Lindell remembered Liz Pollock, in the second or third Peace Corp class. She went on to work with State Department in Diplomat Corp. Started in Leone, went to Paris, Ethiopia, two tours in China and others. She left us about ten days ago and she was delightful to be around. She read people as well as anyone ever. She did a lot of volunteer work here in Santa Fe, "and I will miss her tremendously."

The Governing Body observed a moment of silence for those struggling with COVID those in need of recovery, and those who have recently died and their grieving families here and in Uvalde.

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 Garcia
Councilor Signe Lindell
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth [remotely]
Councilor Renee D. Villarreal

Members Excused

Other Participants Attending

Erin McSherry, City Attorney
Kristine Bustos-Mihelcic, City Clerk
John Blair, City Manager
Kyra Ochoa, Community Health, and Safety Department Director
Jesse Guillen, Legislative Liaison
Alex Lotero, Interim Finance Director
Ricky Bejarano, Interim Assistant Finance Director
Nathan Miller, Santa Fe Fire Department
Alexandra Ladd, Affordable Housing Department Director
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

MOTION: Councilor Lindell moved, seconded by Councilor Cassutt, 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. APPROVAL OF CONSENT AGENDA

Ms. Bustos-Mihelcic noted two items to be taken off consent for discussion. The first was on the minutes, item 9-a, for Councilor Michael Garcia to recuse himself. The second was item 9-f, regarding the CBA negotiations with the Police Department for FY 23 which was pulled by Councilor Lindell.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Villarreal, to approve the consent agenda as amended with items 9-a and 9-f pulled for discussion.

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

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

Against: None.

8. PRESENTATIONS

- a. FY21 Audit Status Update (Ricky Bejarano, Interim Assistant Finance Director)

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

Asst. Director Bejarano said he did not have much on the status update. They have yet to hear from the State Auditor who had requested certain items. He said, "Those items were submitted June 20th." He expected to hear shortly on what the next steps forward would be. In the meanwhile, they were reviewing again other items they felt were ready for audit and getting caught up on accounting for FY 22 audit which he hoped to still submit on time.

Councilor Michael Garcia recalled at the last meeting, there were 26 items the former auditor had asked the City to complete, and after they were completed, they would consider returning as the City's auditor. He asked Mr. Bejarano when he anticipated those 26 will be completed.

Asst. Director Bejarano said, "We responded that July 15 was a comfortable date." He clarified there were actually 27 items but the last two were acknowledgements by the auditor and the decision to resume or not. And we agreed to pay for that assessment and their work done up to that point. Two payments were made today one

more due to be up to date. What was left was the complete review of the Trial Balance (5,000 accounts) and Cash (accounting for the revenues). They did a one-to-one comparison on deposits and were down from a \$4.6 million difference to about \$800,000 and one million dollars. He was comfortable to find accounting errors (mis-postings) that have not reduced cash balances and they were just correcting those accounting errors. He said if CLA does not return, they would find another auditor.

Councilor Michael Garcia asked him to assess the likelihood of CLA returning and pointed out if they did not, the City would need much more time to find another auditor.

Asst. Director Bejarano said CLA has several large audits in their schedule now and they will decide where they are at that time. Plan B, in legal counsel's opinion, is to do an emergency procurement. Otherwise, we will have an RFP ready to go, if needed.

Councilor Romero-Wirth urged him to let the public know that the Finance Committee at their next meeting on the 20th will review all the plan and hope to have response from the State Auditor at that time.

Mayor Webber asked when the plan was sent.

Asst. Director Bejarano said it was sent on June 20 in the afternoon.

Mayor Webber asked what the Governing Body needs from the State Auditor.

Asst. Director Bejarano said they were at a standstill and really needed for it to continue on those requested items, if CLA will pick it back up and review them.

Mayor Webber asked if he was clear in adding many items that were accomplished outside of the 27 items.

Asst. Director Bejarano said the 26 items are categories that could lead to hundreds of items. The reconciled items could be thousands. The Department pulled 5,000 items for the Trial Balance. Each one must be reconciled. The schedule of federal awards will be ready by the 15th for sure. The Interfunds have been done. The COVID Relief Fund is separate fund, and we are re-reviewing those. The other is on remaining federal grants and the contractor will be on site by Friday. There is also payroll which we believe is ready. He

emphasized the 25 items can lead to hundreds or thousands of other items.

Mayor Webber commented that is SEPA is almost a separate audit. They pick major programs and are audited as if they were a separate audit in themselves. We know COVID will be one and Airport another and most likely CDBG. He opined those vacancies to be filled will affect future requirements. He asked for that status at the Finance Department.

Asst. Director Bejarano said the vacancies of Comptroller, and Treasurer Officer both closed today, and they hope to select the one to be hired within two weeks. The Grants Manager position has had very few applicants and we need to review that. The Compliance Officer position is a new position being created. They will advertise for a payroll officer very soon.

Mayor Webber asked what steps are being taken to ensure the FY22 audit will be finished on time.

Asst. Director Bejarano said they won't be issuing four contracts, but one contract and the contractor could subcontract if needed. The application for contract closes June 24. When it is issued (July1) they can begin immediately. He added that they already have some contractors setting up the work. CLA generously provided the spreadsheets that feed into the audit. (their workpapers) to get ahead on the FY22 audit.

Mayor Webber thanked him for the report and preparation for next year.

RECONSIDERATION OF THE CONSENT AGENDA

Mayor Webber asked Ms. Bustos-Mihelcic about one item, 9-d, which was added later to the agenda but did not go through all committees and had no packet. She asked the Governing Body to reconsider the approval of the Consent Agenda and noted Item d was the rogue item. He asked if it could be done with one motion or more.

Ms. McSherry recommended three motions: one to reconsider the consent agenda, one to delete item d, and one to approve the consent agenda as amended.

MOTION: Councilor Villarreal moved, seconded by Councilor Cassutt, to reconsider the consent agenda.

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.

MOTION: Councilor Villarreal moved, seconded by Councilor Lindell, to remove item 9-d and send it to be heard by Committee.

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.

MOTION: Councilor Villarreal moved, seconded by Councilor Romero-Wirth, to approve the consent agenda as amended twice.

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.

9. ACTION ITEMS: CONSENT AGENDA

Ms. Bustos-Mihelcic read the caption for item a, which was pulled from the Consent Agenda by Councilor Michael Garcia.

- a. Request for Approval of the May 25, 2022 Regular Governing Body Meeting Minutes. (Geralyn Cardenas, Assistant City Clerk: gfcardenas@santafenm.gov; 505-955-6519)
Committee Review:
Governing Body: 06/08/2022

Councilor Michael Garcia said he was absent at the May 25 2022 meeting and would abstain from voting on approval of the minutes.

Councilor Rivera stated he was also absent and would abstain from voting on the motion to approve the minutes.

MOTION: Councilor Villarreal moved, seconded by Councilor Cassutt, 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 Lindell, Councilor Romero-Wirth, and Councilor Villarreal.

Against: None.

Abstain: Councilor Michael Garcia, and Councilor Christopher Rivera.

- b. Request for Approval of an Easement Agreement with North Central Regional Transit District (NCRTD) for the Re-Construction, Maintenance and Use of Bus Stop 470 Located at Fort Marcy Ball Park Field Parking. (James Garduño, Facilities Division Project Administrator: jdgarduno@santafenm.gov, 505-795-2436)

Committee Review:

Public Works Committee: 05/23/2022

Quality of Life Committee: 06/01/2022

Governing Body: 06/08/2022

- c. Request for Approval of Amendment No.4 to Service Contract # 20-0027, Extending the Term and Increasing Compensation in the Amount of \$500,000 for HVAC, Mechanical, Plumbing and Electrical Services; B&D Industries, Inc. (Josh Bohlman, Facilities Project Administrator: jbohlman@santafenm.gov, 505-690-9597)

Committee Review:

Public Works and Utilities Committee: 05/23/2022

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- d. ~~Request for Approval of a Four Year Contract in the Amount of \$146,250 for Fiscal Agent and Merchant Services for the Period of~~

~~July 1, 2022 to June 30, 2026; Wells Fargo Bank, NA. (Bradley Fluetsch, CFA:~~

~~bjfluetsch@santafenm.gov; 505-955-6885)~~

Committee Review:

~~Finance Committee: 05/31/2022~~

~~Public Works/Utilities Committee: 06/06/2022~~

~~Governing Body: 06/08/2022~~

This agenda item was removed from the agenda under reconsideration of the Consent Agenda.

- e. Request for Approval of a Service Contract in the Total Amount of \$1,517,257.50 for Tyler Munis Upgrade Support Services and Payroll Support for the Term of Twelve Months with Cyber Pathway. (Manuel Gonzales, ITT Director: mmgonzales@santafenm.gov, 505-955-5576)

Committee Review:

Finance Committee: 05/31/2022

Public Works and Utilities Committee: 06/06/2022

Governing Body: 06/08/2022

Item 9-f was pulled from Consent for discussion by Councilor Lindell.

- f. Request for Approval of the Collective Bargaining Agreement between the City of Santa Fe and the Santa Fe Police Officers Association for FY23 in the Amount of \$2,251,013 for Sworn and Civilian Bargaining Unit Employees. (Ben Valdez, Deputy Chief of Police, bpvaldez@santafenm.gov, 505-955-5040)

Committee Review:

Finance Committee: 05/31/2022

Quality of Life Committee: 06/01/2022

Governing Body: 06/08/2022

Ms. Bustos-Mihelcic read the caption for this item. Deputy Chief Valdez was present.

MOTION: Councilor Lindell moved, seconded by Councilor Lee Garcia, to approve the Collective Bargaining Agreement between the City of Santa Fe and the Santa Fe Police Officers Association as presented.

Discussion on the Motion:

Councilor Lindell thought it was a progressive agreement with Police. She asked Deputy Chief Valdez to address it so folks listening can understand the section on take-home cars.

Deputy Chief Valdez said, based on the CBA discussion, the Police Association agreed to extend from a 45-mile radius to 55 miles and have just one policy for that distance. He checked housing for \$300,000 to \$350,000 which officers can afford. There is not much in Santa Fe but in Chupadero and Pojoaque there are some that are not mobile homes.

On the recruiting pool, many police departments are vying to recruit the same people. Gallup has a radius of 60 miles. We will still see cost savings with electric vehicles or hybrid. Those outside the take home radius who have to buy a home may not stay. The down payment assistance will help.

This agreement will help us retain enough staff to cover the needs. We currently have ten coming in lateral transfers to our Department. And this is just one way. One officer who joined last week was out of the radius. It will be a tough decision for them and their career.

We want to do good and become carbon neutral soon. It is very difficult for police officers to locate in Santa Fe. It is a good start for a long-term solution. We cannot wait for years but need them onboard now.

Councilor Lindell thanked him for the thorough answer. This is the situation where the Council must make priorities. Right now, we need to get our Police Department staffed. She wasn't sure extending the radius further as a priority, but we need to be fully staffed and in the bigger scheme of things, it is important.

That is why the Governing Body put \$750,000 into down payment assistance. She hoped that over time, those incentive programs will be able to collect data and see that they work. Everyone who lives here would like to have a police vehicle parked next door.

Councilor Rivera said he had heard that the hybrids were less fuel efficient with the added weight of police equipment.

Deputy Chief Valdez said they get about 26 mpg now with hybrids and about 13 mpg with non-hybrid cars.

Councilor Rivera asked Ms. Lotero about finances.

Deputy Chief Valdez said the department budget has an increase of \$106,000 from the current FY and the total budget is \$1.1 million for FY 23.

Councilor Rivera asked if that was based on current staffing.

Deputy Chief Valdez said yes. It is \$106,000. With a full staff, we can realize some cost saving and overtime would not be utilized as much.

Councilor Rivera asked Director Lotero if the buy-back at retirement was that factored in with the increase.

Director Lotero said it was not budgeted in addition to salaries. The City tends to have enough vacancies to cover those expenses, so it has never been affected. It comes from the budget for Salaries and Benefits. The 16% increase includes salaries and benefits.

Mayor Webber gave his gratitude to the police union and thanked them for being here and for the speed and positive work done so officers would get their increases on July 1. Public Safety is the #1 issue across the country right now. Getting a 16% increase at the start is significant. His letter from them was the most gracious letter he had received. After getting back from the U.S. Mayors' conference, he could say the Santa Fe Police Department is the finest group in any city of any size and the work to prioritize safety of our residents is paramount. Our teamwork is clear and constant with the same goal to fill our vacancies. It is great to have ten lateral transfers and a signal of the Santa Fe Department and desire of people to work here. This contract is a signal of appreciation of our officers and to keep safety as top priority in the City. It is the most difficult job in the City now. Thanks for being here tonight. We are grateful to all of you.

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.

- g. Request for Approval of a Cooperative Purchasing Agreement with Rubicon Global LLC, for On-Board Solid Waste Routing and Ticketing Technology in the Total Amount of \$515,532.80 Exclusive of NMGR. (Shirlene Sitton, Environmental Services Division Director: sesitton@santafenm.gov, 505-955-2209)

Committee Review:

Finance Committee: 05/31/2022

Public Works and Utilities Committee: 06/06/2022

Governing Body: 06/08/2022

10. ACTION ITEMS: DISCUSSION AGENDA

- a. CONSIDERATION OF RESOLUTION NO. 2022-27. (Mayor Webber)
A Resolution Extending the Duration of the Mayor's Emergency Proclamation Issued on June 6, 2022 by Eighteen Days, Expiring at Noon on June 27, 2022, Pursuant to Section 20-1.3(C) SFCC 1987. (Erin K. McSherry, City Attorney: ekmcsherry@santafenm.gov, 505-955-6961)

Committee Review:

Governing Body: 06/08/2022

Ms. Bustos-Mihelcic read the caption for this item. Ms. McSherry was available for questions.

Motion: Councilor Villarreal/Councilor Michael Garcia to approve.

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

Discussion on the Motion:

Ms. McSherry addressed highlighted items from the emergency version. Overall context is to transition out of emergency order and hope is this would be the last time in the transition language. The vaccination language is for City Manager to issue for new employees and transition to new encampment policy as Kyra has discussed with one committee; update testing policy; updates moratorium on water shutoff to allow time for payment plan or other negotiation; notices to the public has been simplified for those with COVID and access to services with language for housing and security, legal aid - a package on that subject.

Councilor Villarreal asked why it covered only 18 days.

Ms. McSherry explained that would bring us to June 27th, within three days of the next Council meeting, in case it is not the last time we need this resolution.

Councilor Lee Garcia asked if this removes the testing requirement.

Ms. McSherry agreed but the City will still keep well stocked with the rapid test and encourage all employees to stay home if they have symptoms.

Councilor Lee Garcia assumed if they are not vaccinated, they would still get the tests and still requires new employees to be vaccinated.

Ms. McSherry agreed.

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. CONSIDERATION OF RESOLUTION NO 2022-28. (Mayor Webber)
A Resolution Extending the Duration of the Mayor’s Emergency Proclamation Responding to Fire Risks, Issued on June 7, 2022, by Seven Days, Expiring at Noon on June 17, 2022, Pursuant to SFCC 1987, Section 20-1.3(C). (Erin McSherry, City Attorney: ekmcsherry@santafenm.gov, 505-955-6512)

Committee Review:
Governing Body: 06/08/2022

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

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

Discussion on the Motion:

Ms. McSherry described what this represents. It is very consistent with last order and just extends to June 17 and prohibits use of the same trails and prohibits fires and cooking at City Parks.

Councilor Rivera had brought up the idea of friends of the trails discussion and asked Ms. Bustos-Mihelcic to research it. He asked if she came up with anything.

Ms. Bustos-Mihelcic said she had not. She reached out to Karen Heldmeyer for her recollections. Once she hears from her, she will let Councilor Rivera know.

Mayor Webber pointed out this is not something done without consideration and is a hard imposition for those who love to use those trails. As recently as yesterday, the fire department had to respond quickly to a fire. At the same time, it is for the community good, and the City is in extremely difficult circumstance and will have a visit from the President soon. It is a small sacrifice for the good of the community. So, we keep Santa Fe safe from any fires that could break out.

He asked Chief Moya to comment.

Chief Moya reported 22 brush fires throughout the City in the past few days. It is very serious and at any point could change. He is seeing an uptick of brush fires and not when everyone is awake. He brought all but the type 3 fire engine home from Hermits' Peak Fire.

Councilor Lee Garcia asked Chief Moya what the causes of these fires were.

Chief Moya said a few were still under investigation. One was by an abandoned car. One was on the Hyde Park trail where we saw a lighter. Sometimes it is a mental need to get attention. Some are manmade doing something they are not supposed to do. One was from fireworks. The biggest was on I-25 and we worked on it with four trucks and the County had 25 there.

Councilor Lee Garcia said it was a great job. Everyone doing due diligence will help.

Councilor Cassutt knew we have ordinances restricting fireworks which doesn't always work. Given the extreme danger this year, she asked what extra work the Fire Department is doing to address July 4th this year.

Asst. Chief Johnson said they will do comprehensive community awareness. As in the past, officers are on assignments to monitor fireworks calls and issue citations and confiscate illegal fireworks they find.

Councilor Cassutt asked if the Fire Department will follow the Police Department practice of overtime patrols to find fireworks and fires.

Chief Moya agreed. They will probably be using all trucks and dedicated units and continue to patrol.

Councilor Cassutt asked if the public is to call the RECC and when we call at midnight what data do we need to provide?

Chief Moya said the location address is most important. It is harder to find them without the address.

Councilor Cassutt asked if Animal Control has overtime hours. Last year she found a dog who escaped from a few blocks away from the noise of fireworks.

Asst. Chief Johnson said animal control will have an on-call location and consult with officers on duty and come out. We will see how it works out.

Councilor Rivera asked what other counties were doing and the tribal land tents that are set up.

Chief Moya said each County is doing similar work. Moriarty is still selling fireworks, but buyers can't use them in their county.

Ms. McSherry added that the Governor has asked local governments to follow the very convoluted fireworks ban statute.

Councilor Rivera asked Manager Blair to reach out to our neighbors to the north. Typically, they respond positively and see if they would be willing to enforce the ban.

Councilor Romero-Wirth said a constituent was very upset why we are doing a fireworks display by the City. She asked Chief Moya to explain the philosophy of doing it.

Chief Moya explained it would be ten times worse if we did nothing. So it is best to let people come watch professionals do it and have equipment to put out any fire that starts there. We will do everything to take care of it. With lightning or storm, we can shut it down in a second. He will bring the permit to the next Governing Body meeting and share why the location at the mall parking lot was the best place to have the display.

Ms. Bustos-Mihelcic said they are working on joint messaging with Kiwanis in discouraging fireworks and a community meeting on Tuesday night in Nava Adé neighborhood.

Councilor Cassutt thanked the Fire Department for their collaboration with the neighborhood on this. It is challenging for them.

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.

Ms. Bustos-Mihelcic alerted Councilors for a June 20 special meeting if needed.

11. **MATTERS FROM THE CITY MANAGER**

Manager Blair noted the President coming to Santa Fe on Saturday but not into City limits, so he didn't anticipate shutting down the Plaza.

The evacuation site is shut down and the City is back to normal planning. We are still planning to open Bicentennial Pool on Fathers' Day.

As part of Pride month, we have an inclusive flag at City Hall. We are still doing Pride Parade on June 25 and a little more work to have a City presence in the parade.

12. **MATTERS FROM THE CITY ATTORNEY**

Ms. McSherry announced the new attorney starts on June 26. The Policy Analyst is posted. In the State BAR bulletin this month. She will put a post on her link. That will close in early July.

13. **MATTERS FROM THE CITY CLERK**

Ms. Bustos-Mihelcic gave a quick kudo to the Mail Room. They produced 53,000 copies last week for the City, including our Seniors Newsletter, and mailed out 700 newsletters out to seniors in addition to those handed out.

She invited Councilors to Villa Linda Park on Friday for the first Movie in the Park movie night which includes family games and informational booths. Next Friday is the ribbon cutting at Ragle Park for new equipment and the second movie night, showing *Angels in the Outfield*.

She announced her two sons are playing in a tournament right now and her son is pitching a no hitter so far.

She noted another public meeting of the Redistricting Commission to be held at GCCC on June 14th and a third public meeting at the Southside Library on June 28th.

There will be a pizza and pool party on July 2 at the Bicentennial Pool.

She anticipated a special June 20 special meeting in conjunction with Pride Week and will distribute more information on that.

14. **COMMUNICATIONS FROM THE GOVERNING BODY**

Councilor Lindell wished Happy Pride Month to everyone. The hard-fought rights of LGBTQ+ people are under assault right now with many pieces of legislation in our state to roll back the rights of LGBTQ+ people. She asked for Santa Fe people to continue to stand proud for these people. These rights should not be taken for granted. Please come to Pride Day and don't forget why this is needed. It is about *we belong and deserve to be here*. It will be fun, and she looked forward to us all out there.

Councilor Villarreal recognized that Juneteenth is around the corner, a federal holiday to commemorate freedom and the end of slavery, but we continue to see the stains from with daily occurrences of injustice, racial profiling, mass shootings, and state sanctioned violence. It is a day to recognize the historic and current contributions of Black Americans and communities. In Santa Fe who work and play alongside of us and part of the fabric that makes Santa Fe. The celebration will be on the Plaza on Sunday, June 19, thanks to Earth Seed and Black Arts Alliance, with speakers, music, poets, etc. Hopefully, next year they can incorporate vendors into the celebration.

She also lifted up Pride Month to support safety and being treated equitably. We still have a lot to do to protect the rights of children who have been marginalized and attacked. She continues to be a fighter for justice for LGBTQ+ people.

Councilor Michael Garcia also wished Happy Pride Month and the great events being planned. He gave a big shout out for cleanup at Young Park by a group called FEUGE based out of Nashville who came here as a mission trip. Many thanks for their work in cooperation with Jesse Benavides in Parks.

He was looking forward to the Ragle Park ribbon cutting and thanks to Melissa McDonald. He will sign up for cannonballs in the pool. There have been lots of efforts to clean up parks. Both organized and organically. Many thanks. It is awesome.

Councilor Rivera said he will be at the Maleo Conference on June 22-25. Maleo is the national association of Latino elected leaders from all over the country, meeting in Chicago for the first time since the pandemic. He shared some of the topics for the conference and will bring information back from it.

Councilor Chavez thanked IT and the Post Office for making hybrid happen. She was glad to be present remotely and participate. Thanks to them for putting the equipment in to make it happen.

Last Friday, June 3 was Gun Violence Awareness Day and thanked her colleagues who reached out to everyone and to the parents, mothers who showed up with their children. City Parks made it happen very quickly and made it wonderful.

Tomorrow from 10-11 is the Tennis Groundbreaking at Herb Martinez Park. Things that make a difference are happening. We are putting in the work by many people.

Happy Pride Month. True love is the freedom to love as you wish.

Councilor Romero-Wirth echoed what has already been said. Thanks for making hybrid work tonight. Pride Month is very important in these times. The new slide at Ragle Park is a big deal. Thanks to Melissa McDonald for making it happen. It's a really important piece for the park.

Mayor Webber also wished a Happy Pride Month – a critically important celebration and our human rights are once again up for grabs – fundamental human rights. Councilor Rivera going to the conference is a good example for learning things and bringing them back. He just went to US Conference of Mayors for the first time in two years in person. There was a great speech by VP Harris. Many rights we have enjoyed are now up for grabs. The stresses and pressures for community trauma has brought much pain to people and we need to improve our mental health. There must be no stigma for that. The leading conference subject was violence, starting with the mass shootings and two more while we were there. We heard an outstanding presentation on mass shooting protocol and preparation for them. Preparation is like preparation for any natural disaster. To not only prevent violence but being responsive when it happens, He shared our work on homelessness. It was SRO for that meeting to solve homelessness.

There was lots of support for the guaranteed income pilot project in ours and 50 other communities. The Mayor of Las Cruces headed a panel Mayor Webber was on. He was not originally in favor but now is. Many people came up to him because of his name tag to say how much they love our City. We just got #1 destination in the country. And when Councilor Rivera goes to Chicago, he will hear that too.

Director McDonald was saluted by EPA and Director Sitton was saluted for our collection process Neal Benton was congratulated for our solar work. The Staff work was what they congratulated him on.

Having the President arrive on Saturday is a symbol of the commitment of federal agencies to provide support, so people get their lives back.

15. INTRODUCTION OF LEGISLATION

- a. CONSIDERATION OF RESOLUTION NO. 2022-___. (Councilwoman Villarreal and Councilor Rivera)

A Resolution Supporting the Permanent Preservation of the Caja Del Rio Cultural Landscape and Wildlife Area. (Shirlene Sitton, Environmental Services Division Director: sesitton@santafenm.gov, 955-2209)

Committee Review:

Governing Body (Introduced): 06/08/2022

Quality of Life Committee: 06/15/2022

Governing Body: 06/29/2022

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

Councilor Villarreal commented that Caja del Rios is a remarkable place, beautiful landscape and historic and cultural site that is unmatched and wildlife paths abound. The culture there goes back 13 generations. Conservationists and spiritual leaders are connected to this place. We need to formalize protection for the enjoyment of future generations and work with the feds to promote federal stewardship of this amazing place. This Resolution has already been approved by Tribal Councils. She listed those supporting this effort and noted Councilor Chavez is also a co-sponsor.

Councilor Rivera said he and Councilor Michael Garcia signed on. He noted that *Hecho* is an outdoor periodical promoting cultural places. Violation of this cultural site happened and highlights the need to protect who we are and how we got here. He recently walked this area with Senator Luján and saw there is a gun range that people utilize in the rear there. He thanked Director Sitton for this effort.

Councilor Villarreal added that Councilor Cassutt also signed on.

b. CONSIDERATION OF RESOLUTION NO. 2022-___.
(Councilor Rivera, Councilor Romero-Wirth, Councilor Villarreal, and Councilor Cassutt)

A Resolution Proclaiming Severe or Extreme Drought Conditions Exist in the City of Santa Fe; Imposing Fire Restrictions July 11, 2022, to August 9, 2022; Banning the Sale or Use of Fireworks Within the City of Santa Fe; Encouraging Residents to Prepare a Personal Wildfire Action Plan; and Encouraging Residents to Follow the Fire Department's Fire Readiness Guidelines. (Geronimo Griego, Fire Marshall: gggriego@santafenm.gov, 955-3317)

Committee Review:

Introduced (Governing Body): 06/09/22

Quality of Life Committee: 06/15/22

Governing Body (public hearing): 06/29/22

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

This Resolution bans fireworks in Santa Fe and encourages people to prepare a personal wildfire action plan.

Councilor Rivera said the state requires this be done on a monthly basis. He was grateful they asked us to start this in February. He thanked Councilor Romero-Wirth, Councilor Villarreal, and Councilor Cassutt for also signing on to this resolution.

Councilor Villarreal recognized the additional language on fire readiness and protection of wildlife and to follow SFFD personal readiness guidelines. We need to take action and have individual responsibility as well.

c. CONSIDERATION OF BILL NO. 2022-___. (Councilor Rivera)
An Ordinance Amending Section 21-4.3 SFCC 1987 to Change the Set-Out Time for Residential Refuse Collection. (Shirlene Sitton, Environmental Services Division Director: sjsitton@santafenm.gov, 955-2209)

Committee Review:

Introduced (Governing Body): 06/08/22

Governing Body (Public Comment): 06/29/22

Quality of Life Committee: 07/06/22

Public Works and Utilities Committee: 07/11/22

Finance Committee: 07/18/22

Governing Body (Public Hearing): 07/27/22

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

Councilor Rivera said Director Sitton has done good research on how best to make collections and this makes those changes, and we can ask the questions as it goes through the committee process.

16. **PETITIONS FROM THE FLOOR**

Stefanie Beninato said enforcement against fireworks has not worked well and hoped the department would try something different this time. Her two neighbors to the north have fences under very high trees and if the fence caught fire, the houses would burn up. Her other next-door neighbor has a non-conforming wall that is too high and not properly located. It is on the property line instead of the required five-foot setback. These are hazards we have. And the alley is overgrown. If we started at the beginning and not rely on the fire department, the plan would work better.

Miguel Gabaldon said he met with Director McDonald's staff about the tennis courts, and he was looking forward to improved tennis courts to allow people to use. Scott and Schuyler met with him on trees that are dependent on water. He gave a shout out to Melissa and her department for improvements at Herb Martinez Park.

17. **PUBLIC COMMENT ON BILLS (No Action)**

- a. CONSIDERATION OF BILL NO. 2022-___. (Mayor Webber, Councilor Lindell) An Ordinance Amending Section 23-5.2 SFCC 1987 to Specify that Major Commercial Events are Not Entitled to Use City Property that is Otherwise Leased by the City. (Terry Lease, Asset Development Manager: tjlease@santafenm.gov, 629-2206)

Committee Review:

Governing Body (Introduced): 05/25/2022

Governing Body (Public Comment): 06/08/2022

Quality of Life Committee: 06/15/2022

Public Works and Utilities Committee: 06/27/2022

Finance Committee: 07/04/22

Governing Body (Public Hearing): 07/13/22

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

Mayor Webber asked for public comment and there was none.

- b. CONSIDERATION OF BILL NO. 2022-___. (Mayor Webber, Councilwoman Villarreal, Councilor Lindell, and Councilor Cassutt) An Ordinance Amending Section 23-6.3 to Align the Designated Drinking Area Buffer Requirements with State Requirements, to Require the Use of Recyclable or Compostable Alcoholic Beverage Containers for Events on City Property, and to Permit Tasting of Mixed Beverages Containing Liquor on City Property. (Kristine Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 955-6327; Jesse Guillen, Legislation and Policy Innovation Manager: jbg Guillen@santafenm.gov, 955-6518)

Committee Review:

Governing Body (Introduced): 05/25/2022
Governing Body (Public Comment): 06/08/2022
Quality of Life Committee: 06/15/2022
Public Works and Utilities Committee: 06/27/2022
Governing Body (Public Hearing): 06/29/2022

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

Stefanie Beninato commented on how much time is spent on alcohol and found it distressing that we cannot regulate how many people provide alcohol, but we do regulate cannabis and saw no parallel there.

There was no other public comment on this bill.

18. **FINAL ACTION ON LEGISLATION**

- a. CONSIDERATION OF RESOLUTION NO. 2022-29. (Councilor Rivera, Councilor Romero-Wirth, Councilwoman Villarreal, Councilor Cassutt) A Resolution Proclaiming Severe or Extreme Drought Conditions Exist in the City of Santa Fe; Imposing Fire Restrictions From June 11, 2022, to July 10, 2022; Banning the Sale or Use of Fireworks Within the City of Santa Fe; and Prohibiting Other Fire Hazard Activities. (Geronimo Griego, Fire Marshal: gggriego@santafenm.gov, 505-955-3317)

Committee Review:

Governing Body (Introduced): 05/25/2022
Quality of Life Committee: 06/01/2022
Governing Body (Public Hearing): 06/08/2022

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

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, to approve the resolution 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.

19. **PUBLIC HEARINGS (Land Use Cases, Appeals, Etc.)**

There were no public hearings scheduled.

20. **APPOINTMENTS**

There were no appointments.

21. **ADJOURN**

Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at 7:09 p.m.

Approved by:

Mayor Alan Webber

ATTESTED TO:

Kristine Bustos Mihelcic, City Clerk

Respectfully submitted by:

Carl G. Boaz, Council Stenographer

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, to approve the resolution 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.

19. **PUBLIC HEARINGS (Land Use Cases, Appeals, Etc.)**

There were no public hearings scheduled.

20. **APPOINTMENTS**

There were no appointments.

21. **ADJOURN**

Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at 7:09 p.m.

Approved by:



Mayor Alan Webber

ATTESTED TO:



Kristine Bustos Mihelcic, City Clerk

Respectfully submitted by:



Carl G. Boaz, Council Stenographer