



# AGENDA

CHARTER REVIEW  
COMMISSION  
MARCH 30, 2023  
4:00 PM  
MEETING VIRTUALLY

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## PROCEDURES FOR CHARTER REVIEW COMMISSION MEETING

**Viewing:** Members of the public may view the meeting 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 meeting of the Charter Review Commission 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 Charter Review Committee Meetings meetings on-line at any time during normal business hours. Please call 955-6521 for assistance.

**Virtual Viewing:** To attend the meeting 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://santafem-gov.zoom.us/j/84143993290>

Phone: To join the Zoom meeting using a phone, use the following phone numbers and Webinar ID: **US: 386-347-5053 - Webinar ID: 841 4399 3290**

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 MINUTES**

- a. Minutes from the March 9, 2023, Charter Review Commission Meeting.
- b. Minutes from the February 23, 2023 Charter Review Commission meeting.

5. **PUBLIC COMMENT**

Written public comment is also welcome. Visit <https://santafe.primegov.com/public/portal>.

6. **ACTION ITEMS: DISCUSSION**

- a. Consideration of Proposals by Subcommittee on Governance Issues and Financial Audit
  - A. The appropriate number of city council districts.
  - B. The appropriate number of city councilors per district
  - C. Whether a city councilor who has lost a campaign for mayor [should be permitted to] remain in office after the inauguration of a new mayor.
  - D. Whether the Charter should dictate the City's Board and Commission organization.
  - E. Whether the City's mayor should have a purely executive role, rather than both legislative roles and, if so, what new rights and limitations should be adopted along with such a separation of powers.
  - F. Whether councilors should be full-time.
  - G. Whether the roles of the mayor, councilors, and city manager should be better defined and, if so, how.
  - H. Whether the Charter should address additional financial management matters.
  - I. Whether the Charter's requirements for the public rights of referendum

and initiative should be modified.

J. Whether the Charter's requirements for recall should be modified.

b. Consideration of Proposals by Subcommittee on Human Rights and Social Issues

A. Whether the Human and Civil Rights policy statement should be more specific with regard to the breadth of required protections and/or the manner in which such rights should be protected.

B. Whether the Charter should provide protections for agriculture.

C. Whether the Charter should allow voting beginning at age 16 in municipal elections.

c. New Topics for Consideration by the Commission

7. **MATTERS FROM STAFF**

8. **MATTERS FROM THE COMMITTEE**

9. **MATTERS FROM THE CHAIR**

10. **NEXT MEETING: Thursday, April 13, 2023**

Meeting in City Council Chambers.

11. **ADJOURN**

**CHARTER REVIEW COMMISSION  
MARCH 9, 2023, 5:00 PM  
CITY HALL, COUNCIL CHAMBERS  
SANTA FE, NEW MEXICO**

**1. CALL TO ORDER**

The meeting of the Charter Review Commission was called to order by Nancy Long, Chair, on March 9, 2023, at 5:05 pm at City Hall, in the City Council Chambers, Santa Fe, New Mexico.

**2. ROLL CALL**

**MEMBERS PRESENT**

Alba Blondis  
Paul Dirdak  
John Paul Granillo  
Peter Ives  
Elicia Montoya  
Lilliemae Ortiz  
Maria Perez  
Nancy Long, Chair

**MEMBERS ABSENT**

Sarah Amador-Guzman

**OTHERS PRESENT**

Erin McSherry, City Attorney  
Marcos Martinez, Senior Assistant City Attorney  
Pat Feghali, Assistant City Attorney  
Adam Fulton Johnson, OSFA  
Elizabeth Martin, Stenographer

**3. APPROVAL OF AGENDA**

**MOTION** A motion was made by Commissioner Blondis, seconded by Commissioner Granillo, to approve the agenda as presented.

**VOTE** The motion passed on a roll call vote as follows:

Commissioner Blondis, yes; Commissioner Dirdak, yes; Commissioner Granillo, yes; Commissioner Ives, yes; Commissioner Montoya, yes; Commissioner Ortiz, yes; Commissioner Perez, yes; Chair Long yes.

#### **4. APPROVAL OF MINUTES**

Commissioner Dirdak said that on page 7 of the minutes his report was not reflected completely. He noted that there were sound issues on the Zoom. The Commissioners were in person, however; Ms. Martin was on Zoom which kept her from hearing all that was said. He would like to have his reported with all of the information he stated.

Ms. Martin said she could watch the YouTube session of the meeting and fill in the gaps.

Ms. Feghali said if the Zoom sound was bad the YouTube sound will be effected as well.

Ms. Martin suggested that Mr. Dirdak send her his additions by email and she will correct the minutes and send them to Ms. McSherry for approval.

Commissioner Ortiz stated that she would also like to have the statement at the end of the reporting section regarding the presentation of the financial portion of the recommendations be added to the minutes.

**MOTION** A motion was made by Commissioner Blondis, seconded by Commissioner Montoya, to postpone the approval of minutes to the next meeting.

**VOTE** The motion passed on a roll call vote as follows:

Commissioner Blondis, yes; Commissioner Dirdak, yes; Commissioner Granillo, yes; Commissioner Ives, yes; Commissioner Montoya, yes; Commissioner Ortiz, yes; Commissioner Perez, yes; Chair Long yes.

#### **5. PRESENTATION**

None.

#### **6. PUBLIC COMMENT**

Chair Long stated that written public comment had been received from Beryl Beckner and was send to all of the Commissioners.

**Adam Johnson.** Mr. Johnson said he sent in his additional comments.

Ms. McSherry said they were sent to the Commissioners.

**7. ACTION ITEMS: DISCUSSION**

**1. SUBCOMMITTEE ON GOVERNANCE ISSUES AND FINANCIAL AUDIT**

- A. THE APPROPRIATE NUMBER OF CITY COUNCIL DISTRICTS**
- B. THE APPROPRIATE NUMBER OF CITY COUNCILORS PER DISTRICT**
- C. WHETHER A CITY COUNCILOR WHO HAS LOST A CAMPAIGN FOR MAYOR (SHOULD BE PERMITTED TO) REMAIN IN OFFICE AFTER THE INAUGURATION OF A NEW MAYOR**
- D. WHETHER THE CHARTER SHOULD DICTATE THE CITY'S BOARD AND COMMISSION ORGANIZATION**
- E. WHETHER THE CITY'S MAYOR SHOULD HAVE A PURELY EXECUTIVE ROLE, RATHER THAT BOTH LEGISLATIVE ROLES AND, IF SO, WHAT NEW RIGHTS AND LIMITATIONS SHOULD BE ADOPTED ALONG WITH SUCH A SEPARATION OF POWERS**
- F. WHETHER COUNCILORS SHOULD BE FULL-TIME.**
- G. WHETHER THE ROLES OF MAYOR, COUNCILORS, AND CITY MANAGER SHOULD BE BETTER DEFINED, AND IF SO, HOW**
- H. WHETHER THE CHARTER SHOULD ADDRESS ADDITIONAL FINANCIAL MANAGEMENT MATTES**
- I. WHETHER THE CHARTER'S REQUIREMENTS FOR PUBLIC RIGHTS OF REFERENDUM AND INITIATIVE SHOULD BE MODIFIED**
- J. WHETHER THE CHARTER'S REQUIREMENTS FOR RECALL SHOULD BE MODIFIED**

Commissioner Dirdak said we met yesterday and made fine edits to a few of the materials offered in the Subcommittee. He forwarded those to Ms. Feghali for review. If we agree, we are ready for our recommendations to come to the Chair for the meeting on March 30<sup>th</sup>. He trusts that will happen. The Subcommittee's text work is done. If there are adjustments he will forward them to the Chair.

Commissioner Dirdak continued, saying we, as a full Commission, can take action on Issue H. It will be presented to the Commission today. Items E and G there has been tandem conversations on the same subject matter. We have devised a way to carry the items in the present Charter forward with a few changes in substance to the branches. We followed the model City Charter and suggested different language as to

the CEO and COO roles. We followed the City Charter except where it speaks about the Mayor and his role and inserted that the City Manager be the Manager of the detail of the Government and Legislative branches and described the difference. On the model Charter the Executive Branch contains those two roles. We made the appropriate distinction. The Mayor, in our view, is not the presiding officer of the City Council. The Mayor is entitled to send messages to the Council. The Council selects its presiding officer. The objective of the Manager is to bring the budget proposals to the Council. In doing that, they discuss the annual budget, the three year plan and the capital plan. When financial matters are brought forward the Charter describes the public engagement for those matters. The process for capital and operational is different.

Commissioner Ortiz said the financial section we included is not one of the elements City Council gave us. We brought this up because of concerns with the audits not being done for three years and the concern for financial stability. We wanted to elevate this issue to where it needs to be.

Chair Long said this issue was voted on as an issue that the Council wanted to include. It is not in the Resolution.

Commissioner Dirdak said our report is structured so that each referral to us is reported in the same format. In the model Charter we found that to be a helpful structure that they used.

Commissioner Dirdak said our third recommendation is regarding the signature threshold for initiatives, referendums and recalls. The current Charter calls for 33 1/3 of voters. We looked at how it is done elsewhere. We thought Santa Fe ought to have a threshold typical of those around the country. That is a minimum of 2% to a maximum of 15%. Our recommendation is in the two places where 33 1/3 is cited, it be modified to 15%. Recall does have options for votes. We recommend that the Santa Fe Charter language on this issue be retained.

Chair Long asked, your report will take up all of the items and the reasoning of not including recommendations on some items.

Commissioner Dirdak said correct.

Commissioner Ives said as to the financial Manager section, two things came to mind. Our City does not and has not operated according to the model Charter. He understands you have changes proposed that would change the practice. There would be procedural changes necessary beyond the Charter. It would be easier if we have a comparison of how it is done now and how it would be with the changes, the nature of the changes from the current practice and what other sections of the Charter will be

effected.

Commissioner Blondis said you mentioned in the minutes that you are considering consolidating 5 through 8 into 5. Would you elaborate on that.

Commissioner Dirdak describing the change sequence and said we leave the numbering to the professionals so that it is consistent throughout the entire document. We followed the procedure as discussed. Our document shows the strike throughs and what is added is underlined. We think that will answer Commissioner Ives questions. The present Charter is a little hard to follow and is confusing. We hope our work gives more clarity.

Chair Long said we are on track for the Commission to hear the subcommittee's recommendations and to discuss them at our next meeting.

Ms. McSherry said in terms of the three branches of government, we don't have a branch equal to Judiciary within the City.

Commissioner Dirdak said he thinks you will be happy with what we did.

Commissioner Perez said she wanted to remind the Commission that we agreed on a two week public comment period. Both Subcommittee's were to have their documents for the March 30<sup>th</sup> meeting so that they could be made available to the public after the meeting.

Chair Long said yes. Action will be taken on that after our next meeting in April.

## **2. SUBCOMMITTEE ON HUMAN RIGHTS AND SOCIAL ISSUES**

- A. WHETHER THE HUMAN AND CIVIL RIGHTS POLICY STATEMENT SHOULD BE MORE SPECIFIC WITH REGARD TO THE BREADTH OF REQUIRED PROTECTIONS AND/OR THE MANNER IN WHICH SUCH RIGHTS SHOULD BE PROTECTED**
- B. WHETHER THE CHARTER SHOULD PROVIDE PROTECTIONS FOR AGRICULTURE**
- C. WHETHER THE CHARTER SHOULD ALLOW VOTING BEGINNING AT AGE 16 IN MUNICIPAL ELECTIONS**

Commissioner Ives said we anticipate a submission to Marcos prior to the next meeting so that it can be provided as well. Our format is a little different from Subcommittee 1. Our Charter has policy statements in it. We anticipate having informational materials behind the proposals we make. We spent time at the last meeting discussing public engagement and recommend that we make the proposals

public and then have public engagement.

Commissioner Ives continued, saying the sense of the Subcommittee is that we try to provide potential amendments to Article 10 as part of the human rights part of our Subcommittee. 10.01 says a Charter Review Commission is appointed as needed, but not less than every ten years. It does not address issues of a public engagement process or the length of time the Charter Commission takes to do the process such as get in and out. That is some of the frustration of some of the members of the Subcommittee and of the public. There is a disconnect between engaging public comment and holding meetings like this as open to the public.

Commissioner Granillo thanked Commissioner Ives and said he was the one who brought up this issue. He wanted to see if we could get more engagement. If he can't see what his people want and need how does he make decisions. To him, that is part of what he feels being a public servant is. That is the point. He appreciates that Commissioner Ives presented that so well. In the Resolution that created the Commission it does not that the public is invited to engage and comment in the process. To engage is important.

Chair Long said we do have time constraints for sure. She assumes that the public process will continue on the other side with the Council as well.

Commissioner Ives said we do see that as a significant component. It takes more than a month and a half to acknowledge that. As to the Office of Equity and Inclusion, we received the Resolution sponsored by Councilors. A large percentage of it is directed to the Soldiers Monument. We understand that it is likely that an Ordinance will be needed to address these issues. We do feel that the citizens of Santa Fe should weigh in these issues. There is a lot of flesh to be put on the bones, but there is not a prohibition on activity to create a Human Rights Commission.

Commissioner Blondis said she agrees. She has a concern that an office can come and go depending on the administration. To see it stated in the Charter reflects a commitment from the City of Santa Fe. To have people take a position on that is important. It is important for the City to see everything they do through an equity lens. The only public comment we have is from Mr. Johnson and Mr. Beckner. That is very disturbing to her. She appreciates that there may be additional opportunities for public comment on the other side of this, but where we need input is now when we are deciding for the whole City. That is pretty remarkable. How can we get the public to engage.

Commissioner Perez said to follow up with the public engagement piece, we are talking about really wonky stuff. It is not just a matter of sharing a Google doc with the public. This process does not even give us time to check that box as a gesture. She would hope that the City takes public engagement seriously. This requires dialogue

and conversation and being in partnership with community organizations and their constituents. It requires time to engage. We can't just check the box and say we had a public meeting. She hopes a public engagement process can be part of the Charter so the public can really engage.

Ms. McSherry said we are in the process of putting together an email about the documents we are putting on the website. If there are specific measures you want her to take to the County Manager and City Clerk she is happy to facilitate that.

Chair Long said thank you. That is helpful.

### **3. NEW TOPICS FOR CONSIDERATION BY THE COMMISSION**

Chair Long said she did talk with Ms. Feghali about the issue brought up by Mr. Johnson. Ms. Feghali brought it to the attention of Mr. Johnson that the revision of Chapter 14 is opening up and that is the place for this issue. Also it is the place to talk about ex parte comments. Due to a court decision, there is not a lot of latitude. There may be room to work on his issues in the processes and procedures in Chapter 14. There is really not a good way to address it in the Charter. There are some avenues available, but some are not available in the law.

Ms. Feghali said yes it is important, but not necessarily a Charter issue.

Commissioner Blondis said in reading the environment part of the Charter, she noticed language as to development regarding water. She does not believe that the language is definitive enough. It is not specific enough. It could say something along to line of development current data as to the availability of water. The language could be tightened. She thinks it is worth taking a passing look at that language. It is in Section 2.03. The language now is open-ended. Having it open-ended leaves it open to interpretation. She does not know if interpretation favored the developer.

Chair Long said any new topics should be voted on by the Commission as a whole.

**MOTION** A motion was made by Commissioner Blondis, seconded by Commissioner Ives, to ask the Commission to consider the importance of specificity when it comes to development and water conservation.

Chair Long said she sees it as specific as it relates to water availability. It sounds like a Charter statement as to policy. The City implements that. She would not be in favor of considering this.

Commissioner Ives said there are various Ordinances that take into

consideration water for development. Marcos is involved quite a lot with water issues. It might be important to see those Ordinances before making a decision. That is his recommendation, for those Ordinances to be available to the Commission and that we put this item on the agenda for the next meeting.

Commissioner Ortiz said she agrees with waiting until the next meeting. In our Charter it talks about water availability. She is not sure where we are trying to go with this. There are a lot of issues in the City we could raise, but are they critical and important and do we have to carry the flag for them. She is not ready to vote on this.

Commissioner Blondis said perhaps we should bring this to a vote. She brought this to the Commission tonight based on public input she received. She was approached by people concerned about development.

Commissioner Montoya said she agrees that we need more information.

Commissioner Dirdak asked that the motion be stated again before we vote and he asked if we re voting to refer this item to a Subcommittee for further information.

Commissioner Blondis restated the motion as follows:

The motion is to refer the issue of if the language regarding development and water needs to be tighter to the Subcommittee on Human Rights and Social Issues.

Chair Long asked if Commissioner Ives, the seconder of the original motion, if he was okay with the restated motion. Commissioner Ives said he was fine with it.

**VOTE** The motion passed on a roll call vote as follows:

Commissioner Blondis, yes; Commissioner Ortiz, no; Commissioner Dirdak, yes; Commissioner Ives, yes; Commissioner Granillo, yes; Commissioner Perez, yes; Commissioner Montoya, yes; Chair Long, yes.

Chair Long said this new topic will be assigned to the Subcommittee on Human Rights and Social Issues for more information and to determine if the language in the Charter is adequate.

Commissioner Ives said he would like to look at the phraseology in Chapter 10 in order to make the language regarding public engagement more robust.

**MOTION** A motion was made by Commissioner Ives, seconded by Commissioner Perez, to refer this topic to the Subcommittee on Human Rights and Social Issues.

**VOTE** The motion passed on a roll call vote as follows:

Commissioner Blondis, yes; Commissioner Ortiz, yes; Commissioner Dirdak, yes; Commissioner Ives, yes; Commissioner Granillo, yes; Commissioner Perez, yes; Commissioner Montoya, yes; Chair Long, yes.

Commissioner Dirdak said when we got the materials for today's meeting they included the CHART Resolution. He thought that was included because the Subcommittee was looking at that information for discussion. Hopefully when we get into the substance of that those of us who are not on the Subcommittee can be heard as to how that is related to the recommendation of the creation of an Office of Human Rights. Social equity for him is a big category and there are stakeholders here that have not been heard in the discussion and frankly they matter a lot in his view. When we get there he would like to hear the rationale on the topic areas of social equity in the discussion we have or he will state his opinion on that. It seems that what we have now is too narrow.

Ms. McSherry said she just included that document because she had promised to send it a couple of meetings ago. It was not included at the request of the Subcommittee.

#### **4. CONSIDERATION OF GOVERNANCE AND FINANCIAL AUDIT SUBCOMMITTEE PROPOSAL REGARDING FINANCIAL MANAGEMENT**

Commissioner Ortiz said we have presented our information on this in a very straightforward manner. Our report contains all the pieces that the best practice model contains. If the Commission chooses to put forward our proposal in fact, the only City Councilors will need to look at incorporating the Independent Audit Committee language that is already in the Charter.

Commissioner Ives said he feels the function of the City Manager is appropriate. His challenge is that there are other areas of the Charter that would have to be amended as well. His question is do we want to vote on this before we see the completeness of it. Under the section in question the Independent Audit Committee has three paragraphs. We, of course, have the Audit Committee. Did you want to forget about that and make a distinction as to an Internal Auditor. When he was on the Council, there was an Internal Auditor. Some of the big issues with the audit have come about over several years. It is worthwhile to say something about the timing of the audit.

Commissioner Ortiz said in terms of timing, you will see blanks in the language as they need to be filled by the City as to the dates. Then people need to be held accountable for that. As to an Internal Auditor, this is mainly addressing an independent auditor. It is focused on that. Cities can have internal auditors if they want to. 505m talks about the Mayor meeting with the City Council. We did not red line and delete language on this. What kind of format are we sending to the City Council. Should it be redlined like the language in a Legislative Bill. We can easily do that. She feels that their reported changes read as they should.

Ms. McSherry said there are no specific regulations for the format. If you are able to do a red lined version that would be helpful. A number of these sections are from State law. The timelines for audits are overseen by DFA. You might want to look at those things before finalizing this section. It would be helpful to know how the City is acting on these issues now.

Commissioner Ortiz said that is a great point. We thought you as the City Attorney would look at that.

Ms. McSherry said she was not requested to give her feedback on this. She was only asked to post it.

Chair Long asked if it would be acceptable to the Subcommittee to have our attorneys look at this.

Commissioner Dirdak said it is beyond acceptable, it is right. It seems that we have another task that us as amateurs are not equipped to do. That is to have harmonization. It very well may be that any of our proposals would modify claims made elsewhere in the Charter. We are ill equipped to accomplish that. In past Charter Commissions there was a harmonization process.

Chair Long said it might have been more haphazard than that. When making language changes there is more to do in the harmonizing you are speaking to. In terms of the report it seems like there is a preferred format as to what we want to come out and what we want to go in. That is the preferred format.

Ms. McSherry said the City Attorney's Office is required to post a report as to if all the recommendations are legal before it goes to the voters. The Governing Body could think a particular term is more useful and might speak to the harmonization as well.

Commissioner Dirdak said that is exactly what he was thinking of. That format is how we have structured our recommendations.

Chair Long said so this needs to go back for more revisions. The idea is well

formed, it just needs to be developed.

Commissioner Ortiz said she got the impression that we wanted to start funneling out these sections to the public before we vote on the recommendations. Wouldn't we continue to put these pieces out so we can get input and vote at the end after getting public comments and after the City Attorney's Office review.

Chair Long said to the extent we can have these items for discussion at meetings and put the pieces on line for public input is part of our process. We need to have the Subcommittee reports at the end of March for discussion and vote on the final report in April. We will have final votes on all of the items.

Commissioner Montoya said given the time frame, she is hoping we can have Erin's insight prior to the next meeting so we can have the recommendations ready for the March 30<sup>th</sup> meeting.

Ms. McSherry said we can give you a high level review for each section. She would like to share her comments to the budget team as well for feedback.

Commissioner Ives said based upon his time on the Council, the City regularly approved the budget at their last Council meeting in May. The budget is submitted to DFA by June 30<sup>th</sup> for their review and approval. Prior to that the budget is brought forth by the Mayor and the Finance Committee holds hearings for 4 or 5 days to hear each department. The Capital budget is looked at by the Public Works Committee and gets approved by Council after the operational budget is done.

## **8. MATTERS FROM STAFF**

Ms. McSherry said she is trying to get the calendar invite out earlier for these meetings. The meeting on March 30<sup>th</sup> will be virtual. In April the meetings will be in the Council Chambers. Chair Long, if you have any community engagement issues you want her to look at let her know.

## **9. MATTERS FROM THE COMMITTEE**

Commissioner Ives said in Article 2, the section that talks about the economy, he would like to focus on the creative economy. He may bring something back as a potential new item.

Commissioner Ortiz said the one thing that was so helpful for the Independent Redistricting Committee was we added a link on the City website to allow people to look at the date. That is what worked best for us.

**10. MATTERS FROM THE CHAIR**

Chair Long said we have a lot of work to get done by our next meeting.

**11. NEXT MEETING: THURSDAY, MARCH 30, 2023**

**12. ADJOURN**

There being no further business before the Commission the meeting adjourned at 7:00 pm.

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Nancy Long, Chair

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Elizabeth Martin, Stenographer

**SUMMARY OF ACTION  
 CHARTER REVIEW COMMISSION  
 FEBRUARY 23, 2023, 5:00 PM  
 CITY HALL, COUNCIL CHAMBERS  
 SANTA FE, NEW MEXICO**

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**CHARTER REVIEW COMMISSION  
FEBRUARY 23, 2023, 5:00 PM  
CITY HALL, COUNCIL CHAMBERS  
SANTA FE, NEW MEXICO**

**1. CALL TO ORDER**

The meeting of the Charter Review Commission was called to order by Nancy Long, Chair, on February 23, 2023, at 5:05 pm at City Hall, in the City Council Chambers, Santa Fe, New Mexico.

**2. ROLL CALL**

**MEMBERS PRESENT**

Alba Blondis  
Paul Dirdak  
John Paul Granillo  
Peter Ives  
Elicia Montoya  
Lilliemaë Ortiz  
Maria Perez  
Nancy Long, Chair

**MEMBERS ABSENT**

Sarah Amador-Guzman

**OTHERS PRESENT**

Connor Leavy Murphy, Commission Liaison  
Marcos Martinez, Senior Assistant City Attorney  
Pat Feghali, Assistant City Attorney  
Adam Fulton Johnson, OSFA  
Elizabeth Martin, Stenographer

**3. APPROVAL OF AGENDA**

**MOTION** A motion was made by Commissioner Dirdak, seconded by Commissioner Ortiz, to approve the agenda as presented.

**VOTE** The motion was approved on a voice vote.

**5. APPROVAL OF MINUTES**

**A. MINUTES FROM FEBRUARY 9, 2023 CHARTER REVIEW COMMISSION MEETING**

**MOTION** A motion was made by Commissioner Blondis, seconded by Commissioner Perez, to approve the minutes as presented.

**VOTE** The motion passed on a voice vote.

**5. PUBLIC COMMENT**

Mr. Murphy said we received written comment from Beryl Beckner. It was sent to each of you.

**Adam Johnson, Executive Director, Old Santa Fe Association.** Mr. Johnson thanked the Commissioners for their work on the Commission and said at the last session he inquired about the use of the quasi judicial status for Land Use cases. He can see the usefulness in some cases, but in most cases that reshape an area of the City such as the South Meadows case, there needs to be a balance of process and public interest and enough time to give both the weight they are due. The process gives the applicant and staff time to give their facts and opinions where the public is limited in their time to speak. The question is if a quasi judicial process should be followed in cases such as those.

**6. ACTION ITEMS: DISCUSSION**

**A. 1. SUBCOMMITTEE ON GOVERNANCE ISSUES AND FINANCIAL AUDIT**

Commissioner Dirdak said at the last meeting he described some of the items we discussed. Since then we divided the issues we were asked to look at into three categories: those for which we recommend Charter amendments; those we considered carefully and recommend to the Council that they are not properly Charter amendments, but could be Ordinances or the like; and items we believe are not timely or do not belong in a Charter at all and we make no recommendation. There are also two items that we did not consider due to case law that covers the action required or they have been determined to be unconstitutional.

Chair Long said the Resolution tasks us that we shall make recommendations on all that they gave us. She recommends that in our report to the Council we say we

recommend that we do not do anything on X topic because. We still have to report on it.

Commissioner Dirdak addressed the issues assigned to his subcommittee as follows:

**A. The appropriate number of City Council districts.**

It seems to us that the City process for redistricting is done backwards. Our recommendation is that the Governing Body should make those decisions before redistricting. We believe at this point, the current number of districts and Councilors speaks well for this City. It is irrelevant. We did ask in our discussions at what threshold does it become an issue.

Do we recommend at large Council members. There is case law on that. It will not happen.

**B. The appropriate number of City Councilors per district.**

This item was discussed under item A.

**C. Whether a City Councilor who has lost a campaign for Mayor (should be permitted to) remain in office after the inauguration of a new Mayor.**

As to resignation of a City Councilor after a loss, we will carry this one forward. We discussed it at length including what that would look like in real life. It really seems to us that the voting public elected Councilor needs to be on the dias until their term ends.

Commissioner Perez said as to term limits, the City Attorney informed us that there is case law noting the inability to do that in municipalities.

**D. Whether the Charter should dictate the City's Board and Commission organization.**

The issue brought up under this item was if the Charter should have a process to sunset Boards and Commissions. We think the Council should have a process for that.

Chair Long said that is very interesting. She can tell that you have worked hard on this and took it all seriously.

**E. Whether the City's Mayor should have a purely executive role,**

**rather than both legislative roles and, if so, what new rights and limitations should be adopted along with such a separation of powers.**

As to the roles of the three branches of government, we propose that Articles 5,6,7 and 8 in the Charter be replaced by a significant Article 5 entitled Governance, with a section on the Executive, Legislative and Administrative branches. There would be an explanation of the powers at the beginning along with the duties. The duties would be as described in the Charter now.

In each City Council meeting, the City Manager responds to most of the questions about the budget. The Mayor facilitates and in the case of a tie the Mayor breaks a tie with his vote. When the Council acts as a quasi judicial body that requires everyone who could have a vote to vote on an appeal. The Mayor would participate in that. Otherwise the person who assists the Council is the Manager. That is defined now. The Mayor hires the City Attorney and the City Clerk. The model raises an important issue as to when the Mayor appoints the City Attorney the public and the Council tend to think the Attorney works for the Mayor. It has been a source of confusion. We recommend that the language be changed to say that the Mayor appoints the City Attorney with the consent of the Governing Body. That is one change we recommend.

As to the “strong Mayor” role, we do not think we should reverse the work of the previous Charter Commission. We will clarify that in our report to the Council.

We were not sure if this item was ours or Committee 2, but we discussed the right of the public to have a referendum on an initiative. It was interesting that in the model Charter the signature threshold was the same as used for recalls. We decided that there is a distinction between an initiative and a recall. We thought the threshold for a recall needed to be reduced.

**F. Whether Councilors should be full-time.**

This item doesn’t seem like a timely matter to us. The one recommendation we have is that we think there should be a hard look at hiring staff for the Councilors.

**G. Whether the roles of Mayor, Councilors, and City Manager should be better defined and, if so , how.**

This item was addressed in item E.

**H. Whether the Charter should address additional financial and management matters.**

The model Charter has a closing chapter on this matter. We looked at recommendations. Between the public engagement process and building a budget it is distinguished from building a budget for a year long budget. The model provides a plan for public engagement and the budget. We are recommend passing along that text. We feel it is worthy of the public's vote.

Commissioner Ives commented that the Commission can choose to go backwards. In terms of permissibility it is all on the table as to what the Governing Body and the public brought forward. He was in the position of resigning his position to run for Mayor. The Mayor felt comfortable enough to appoint him Chair of the Public Works Committee and he served in that position until his term ended. As to the question about recalls, there are significant differences in voter turnout between districts.

Commissioner Dirdak said we will look at that. Regarding the election relationship between you and the Mayor, he was delighted with how that was handled.

**2. SUBCOMMITTEE ON HUMAN RIGHTS AND SOCIAL ISSUES**

Commissioner Ives addressed the items assigned to this subcommittee as follows:

**A. Whether the Human and Civil Rights policy statement should be more specific with regard to the breadth of required protections and/or the manner in which such rights should be protected.**

We think this should include a policy statement. We are aware of the creation of an Office of Equity and Human Rights at the City level. The Resolution is focused on the obelisk, but goes beyond that to create an office. Across the country, the world and locally these issues become more and more important. We are looking at what would be appropriate to go into the Charter and what would be appropriate for an Ordinance. We want to understand the implementation process first.

Commissioner Blondis said as to the Human Rights concept, she spoke to one of the Councilors who sponsored the Resolution. He reiterated that the proposed office will go way beyond the obelisk and a solution for the Plaza and that is would be a functioning entity. She is focused on having this within the Charter. We have been discussing how to include that in the Charter language.

Chair Long said it does state in the Human and Civil Rights section that the Governing Body may enact Ordinances and create Commissions to address issues. Are you thinking of having stronger language such as the Governing Body “shall”.

Commissioner Blondis said that is where she is headed. We would like a meaty office that looks at events and projects through an equity lense. We would like to see that in place.

Commissioner Perez said we are interested in having an office that is a body with teeth and that can do the work. We talked about a staffed City office that serves an administrative function rather than an aspirational one. Every project and expenditure should go through the same process. It needs to be an office with administrative duties.

**B. Whether the Charter should provide protections for agriculture.**

All of the subcommittee members feel that hunger is an issue that relates to a fundamental right. There are sections of the City who face hunger. We are looking at practical implementation of this issue and what would go into an Ordinance and what would go into the Charter.

Ms. Long said it seems this issue has turned into hunger. It could be some sort of Charter steps to address hunger.

Councilor Ives said it would be a policy statement. We are trying to have City Land used, in a water wise manner, to grow food. Incentivizing that is possible along with making a policy statement. We are still figuring this out.

Commissioner Dirdak said it would be helpful in your agriculture report if you included supportive material that will quantify numbers from Santa Fe County and the Department of Agriculture as to the amount of production and what is practical and what percentage of the deficit this could address.

Commissioner Ives said he agrees and appreciates your recommendation. We will look at that. We did look at some of the Food Depot numbers. We will report on the numbers at the next meeting.

**C. Whether the Charter should allow voting beginning at age 16 in municipal elections.**

The Legislature is considering this issue. It has not been reported out of committee yet. He is not sure that we have the capacity at this time to go that route. He will keep this Commission informed of any Legislative

action or non action.

Commissioner Perez said she had a question for the City Attorney about if this item is about allowing 16 year olds to vote in statewide elections or just in municipal elections and school board elections.

Ms. Feghali said the City Attorney is not here tonight. She is representing her. We will look into that.

Chair Long asked would we have to have our own process for registering voters.

Commissioner Perez said the State registers 17 year olds now who will turn 18 by the next election.

Commissioner Ortiz said the Secretary of State would have all of that information that she could share with us.

**D. Whether the Charter's requirements for the public rights of referendum and initiative should be modified**

This issue was addressed by Subcommittee 1.

**E. Whether the Charter's requirements for recall should be modified.**

This issue was addressed by Subcommittee 2.

**3. NEW TOPICS FOR CONSIDERATION BY COMMISSION**

Chair Long said we have heard from Mr. Johnson twice. She appreciates his interest in our work. There have been some very large land use cases before City Council recently. The hearings involved a lot of citizens. She thinks a lot of their concern is that citywide interests are not able to be addressed and that the citizens are not given enough time. That seems like a rules issue and not a Charter issue. She will visit with Pat on that to see if we can unpack that.

Ms. Feghali said that is a good assessment of what he said. The Chapter 14 rewrite is happening. Some of the processes for hearings may need to be changed, but some are required to be quasi judicial. She doesn't know if the Charter is the place for that. The rules are being looked at.

Chair Long said maybe processes and standards could be addressed in the code rewrite.

Commissioner Ives said the revisions to the Land Use Code will run through 2026. He suggests that our involvement could be guidance on that process.

Chair Long said she will visit with the City Attorney about that and get clarity for Mr. Johnson.

Mr. Murphy said he will send Mr. Johnson's comments to the Commissioners.

## **7. MATTERS FROM STAFF**

Mr. Murphy said this meeting is his last meeting. Monday is his last day with the City. He has accepted a position back home in Arizona. It has been an honor to live in the City Different. He will always cherish that.

Chair Long thanked Mr. Murphy for all of his help and responsiveness. We will miss you.

Ms. Feghali said we will have a new head of Legislative and Policy Innovation starting the end of March. Until then, she will be the liaison to Subcommittee 1 and Marcos Martinez will be the liaison to Subcommittee 2. Erin will be the liaison to the Chair moving forward.

## **8. MATTERS FROM THE COMMITTEE**

Commissioner Dirdak said he would like clarity on what the deliverables are for the subcommittees.

Chair Long said she will address that under Matters from the Chair.

## **9. MATTERS FROM THE CHAIR**

Chair Long said she spoke to Ms. McSherry about how best to get our work done. We would like a written recommendation with some back up from the subcommittees on each by the last meeting in March. In order to get those reports into the meeting packet they will need them one week before the meeting.

Ms. Feghali said the written reports from the subcommittees will need to be completed next month. Both March meetings are virtual. If we need to schedule a special meeting we can do that. April will be the month to put the written report together. The City Attorney will help with the writing. You will vote on the final report at the end of April and it will be presented to the City Council at their meeting on May 9<sup>th</sup>.

Commissioner Perez said we talked about having the draft by the March 30<sup>th</sup>

We really do need feedback from the public and the City Attorney.

Ms. Feghali said it might be more helpful to do public comments when the recommendations are done in draft form.

There was discussion about public feedback and the best process to accomplish that.

It was decided that any completed portions of the recommendations would be forwarded to their respective liaison as soon as possible. After review by the City Attorneys office they will be placed on the agenda for discussion at the next Charter Commission meeting.

**10. NEXT MEETING: Thursday, March 9, 2023  
Virtual Meeting (Zoom see PrimeGov Agenda for link)**

**11. ADJOURN**

There being no further business before the Commission the meeting adjourned at 7:30 pm.

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Nancy Long, Chair



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Elizabeth Martin, Stenographer

3-16-2023

In relation to what I wrote yesterday (about a specific city policy that does, indeed, need to be established by ordinance beyond the present resolution), I thought of the actual overlying concept: Transparency in government.

I was reminded of this by an opinion piece in The New Mexican print edition today, that stresses the importance of government transparency in maintaining the credibility of the government and its actions. It is written by an Albuquerque attorney. I'll copy that text below for your convenience.

Presently, the Charter has 7 "policy statements":

ARTICLE II. POLICY STATEMENTS ..... 3

2.01. Code of ethics ..... 3

2.02. Human and civil rights ..... 3

2.03. Environmental protection ..... 3

2.04. Cultural preservation ..... 4

2.05. Campaign finance and campaign practices ..... 4

2.06. General Plan ..... 5

2.07. Support for local business and an enduring local economy..... 5

I believe a commitment by the City of Santa Fe to "Transparency" is as important as any of these, and perhaps more important than some here.

Thanks for considering this.  
Berl Brechner

Text of "Commentary" in Santa Fe New Mexican, 3/16/2023:

**COMMENTARY GREGORY WILLIAMS**  
**Government transparency requires commitment**

- By Gregory Williams

- Mar 15, 2023 Updated 23 hrs ago

Public officials and employees love transparency in the abstract. In reality, not so much. Transparency in government is a crowd-pleasing election promise that gets set aside in practice. It happens in part because openness takes effort. It takes a daily commitment by public entities to provide access to records, to inform the public what is going on and to allow participation. Transparency also invites scrutiny, and not all public officials and employees want that.

Open government also suffers because public officials often choose to favor other policy concerns over transparency. For example, when the New Mexico Legislature and governor chose years ago to limit access to applications for university president positions, they decided other considerations, like the supposed quality of the applicant pool, outweighed the public interest in a transparent hiring process.

Transparency isn't the only valid policy concern, of course. There are sometimes good reasons to keep some public records confidential, or to close parts of open meetings. For example, the state tax department is required to keep information in tax returns private, which protects the privacy interests of individual taxpayers.

But when it comes to public business, transparency is entitled to more weight than almost every other policy concern. The reason is simple: Government is omnipresent, and transparency is fundamental to good government.

Every person in our state, one way or another, relies on the operation of government. And every person funds it. We all have a constant interest in how our government runs. Efficient, dependable and effective government is a requirement for a thriving society.

And that requires both trust and oversight. Our government reports to us; when it enacts laws that limit what information we can get from it, or puts up obstacles to obtain it, we lose faith in the system. Public entities have to be open and straightforward about how they are devoting our resources and applying our laws; when they are not, we question their integrity. On the other hand, when the government allows us access to its inner workings, we inherently trust it more.

Accountability is key to any operation, including government. Transparency is one of the primary deterrents to government corruption. The more access we have to the daily operations of government — specifically, where the money goes — the less likely that we will be victimized by those with a duty to serve us.

Access to government is not just about strong transparency laws. It also relies on a commitment by public officials to comply with those laws. A robust public records law is of little use if a public body does not adequately fund compliance with the law or training of its employees.

Too many governmental entities resist providing access to their operations, delaying responses to records requests or looking for ways to provide the least possible information. Open government requires the opposite mindset: a dedication to providing the greatest possible access and an understanding that doing so is one of the core functions of government.

Transparency erodes without a constant effort to maintain it. Each statute passed with a confidentiality provision, each portion of a public meeting closed off to attendees, each delay in responding to a records request eats away at effective government. Transparency must be more than a politician's favorite buzzword; instead, it requires a recognition that it is fundamental to democracy and takes constant effort to carry out.

### **Gregory Williams is a board member and past president of the New Mexico Foundation for Open Government.**

Hello, Chair Long and Member Ortiz,

I don't think this is on your radar at this point, but it is something that created some confusion in the past year or so.

Of course, the state has an Open Meetings Act. Certain bodies of the city, usually those established by ordinance and principally those that make rules and policy, must [er state statute comply with the state Open Meetings laws.

(The NM Open Meetings Act Compliance Guide is here:

<https://www.nmag.gov/wp-content/uploads/2021/11/Open-Meetings-Act-Compliance-Guide-2015.pdf>  
)

The city, by Resolution 1984-56 (amended as recently as 2009) establishes rules and procedures for committees, and within that document specifies that committees, even those that are advisory in nature, would also comply with the state Open Meetings laws.

Compliance by committees with the Open Meetings Act had not, to my knowledge, been a problem until a year or two ago, when the Community Health and Safety Task Force, established for a limited time and purpose by the city per a resolution, decided it needed to be able to meet in secret. And, despite other options being presented to that task force, the Governing Body acceded to the task force's wishes. And for about a year, it did meet in secret. The task force needed to further extend its work, and per its extension resolution was advised to again start complying with the Open Meetings Act.

The point of all of this is that because open meetings act compliance by committees is embodied in a resolution, that really doesn't have any standing in law.

So should the Charter make it clear that all bodies of city government, including those established as advisory in nature, such as committees, commissions, special committees, task forces, etc., will comply with the State's Open Meeting Act.

I'm attaching a copy of Res. 1984-56 (as amended) "Rules and Procedures for City Committees", for your convenience.

**RECOMMENDATIONS ON TOPICS REFERRED TO THE  
SANTA FE CHARTER COMMISSION  
AND ITS GOVERNANCE SUB-COMMITTEE  
BY THE CITY COUNCIL, 2023**

*The council referrals are listed here with the original letter designations for easy and consistent reference. The topics that have been added by action of the Commission are enumerated within the final Council topic (J) as sequential numbers within Council referral J (J.1, J.2, etc.)*

*MCC9== - National Civic League's Model City Charter, 9<sup>th</sup> Edition,*

**Recommended Charter Amendments**

**REFERRALS D & F  
ROLES OF COUNCIL, MAYOR, AND MANAGER  
SANTA FE CHARTER COMMISSION  
BY THE CITY COUNCIL, 2023**

**Action:** Reorganize articles that specify separation of powers; combine certain duties; add certain duties.

**Recommendation:** a new Article V to replace current Articles V—VIII, entitled GOVERNANCE with three sections: The Legislative Branch, The Executive Branch, and ~~The Judicial Branch~~ Municipal Court.

**ARTICLE V. GOVERNANCE**

Balance and Separation of Powers: City government in Santa Fe shall be defined by this Charter, and specifically by the separated and balanced powers of its ~~three~~ branches, legislative ~~and~~ , executive, ~~and~~ judicial.

5.01 The Legislative Branch

THE CITY COUNCIL

5.01 The Legislative Branch, Composition

**Commented [FP1]:** We don't have the power to make the judiciary check anything. There is currently no veto power in the mayor or council, and no veto power is put forth in this proposed amendment.

If separation between mayor and council is desired, some kind of veto and veto override power is generally also required.

**Commented [PWDP2R2]:** Understood about judiciary, but from the voters' perspective there is balance because each city voter also votes on the state-wide aspects where the judiciary levels do reside. Your concern about the city constitutional document is handled by our not suggesting in any way to change the relevant article which we know we could and should not do. As to veto and veto override, we'll need your help to know just how to add it.

There shall be a city council composed of elected councilors representing districts as provided herein. The members of the city council governing body, exclusive of the mayor shall be known and designated as councilors. The mayor and the councilors when acting together may be referred to as the governing body of the city.

#### The Legislative Branch, Powers and Duties

- A. ~~The governing body~~ city council shall serve as the principal policy maker of the city, and shall, as necessary, amend existing policies that are consistent with other provisions of the charter. The council shall consider the legislative agenda put forth by the mayor and propose amendments to existing policies and propose new policies.
- B. All legislative powers of the city shall be vested in the city council governing body, except as otherwise required by law or this charter. The city council governing body shall provide for the exercise of its powers and for the performance of all duties and obligations imposed on the city by law.
- C. The city council shall select from among its members a presiding officer, who may or may not also be the mayor pro-tempore.

~~C.D.~~ The city council shall select from among its members a finance committee and may select from among its members other committees to facilitate its work.

#### ED. Mayor pro tempore.

At the first meeting of the council following a regular city election the mayor shall appoint, subject to the approval of the council, a councilor to serve as mayor pro tempore until the next regular city election. The mayor pro tempore shall perform the duties of the mayor in the absence or temporary incapacity of the mayor.

FE. The city council governing body shall by ordinance fix the annual salaries of the municipal judge and councilors and shall review those salaries not less than every four years.

**Commented [PWDP3]:** Added to provide relevant authority pursuant to the proposed Financial Management section.. See below.

**Commented [PWDP4R4]:** I also re-lettered the succeeding paragraphs in this section for consistency.

GF. The city council governing body shall by ordinance establish an independent salary review commission whose sole purpose shall be to review and set the mayor's salary. The independent salary review commission shall review the mayor's salary no less than every four years.

HG. The city council governing body shall by ordinance set a policy for reimbursement of the actual and necessary expenses incurred by the mayor, the municipal judge and city councilors.

IH. The governing body city council shall consider and take action throughout the year on the mayor's legislative agenda.

#### The Legislative Branch, City Council Districts

The city shall be divided into four dual-member districts numbered one through four. District boundaries shall be reviewed and revised at least every ten years following the decennial census by an independent citizens' redistricting commission. The governing body shall, by ordinance, establish a procedure for the appointment and deliberations of the commission which will, to the maximum practicable extent, ensure that the commission's decisions will be based exclusively on the following principles in the following order of priority:

- A. each district shall contain as nearly as possible substantially the same population based upon the most recent federal census;
- B. districting plans must avoid dilution of minority voting strength;
- C. communities of interest, including those based upon ethnic and economic factors, shall be preserved within a single district whenever reasonable;
- D. each district shall be formed of compact, contiguous territories. The total length of all district boundary lines shall be as short as possible;
- E. districting plans shall compensate for U.S. census undercount of minorities.

Legislative Branch, Conditions of Service

A. Eligibility.

Registered voters who reside in the district shall be eligible to run for the office of councilor from that district.

B. Term of office.

Councilors shall be elected for a term of four years. The terms of office of the two councilors from each district shall be staggered so that one councilor shall be elected from each district at each regular municipal election.

C. Vacancies in office.

The office of a councilor shall become vacant upon the member's death, resignation, termination of residency in the district from which elected, or removal from office in any manner authorized by law or this charter. When such a vacancy occurs, the mayor shall within thirty days appoint a qualified elector from the district in which the vacancy has occurred to serve until the next regular city election, at which time a qualified elector shall be elected to fill the remaining unexpired term, if any. The governing body shall approve or disapprove the mayor's appointment not later than its second regularly scheduled meeting after the appointment.

D. Grounds for removal from office.

A councilor may be removed from office in accordance with applicable state law or this Charter.

- Commented [PF5]:** should this just be councilors or the whole governing body?
- Commented [PWDP6R6]:** Point taken. "Governing body" is better.
- Commented [FP7R6]:** Would the mayor have a vote on their appointment? I don't think it's clear from this sentence.

5.02 The Executive Branch

THE MAYOR

Powers and Duties of the Mayor

The city shall have a mayor who shall:

- A. be elected at large by the voters of the city;
- B. ~~have a vote on all matters that come before the governing body;~~  
provide the city council, in person or by other means, with mayoral messages on major matters under consideration by the council and be free to amend those messages in light of the council's debate on such matters.
- C. ~~Be~~ the chief executive officer of the city whose position shall be full-time. The mayor shall function as 'facilitator in chief' throughout the city, ~~including to include,~~ but not be limited to:
  - facilitating, as may be possible, cooperation among all stakeholders in government and the private sector to solve the major challenges facing the city, and
  - enlisting the support of the council to add legislative framework as may be necessary.
- D. ~~Earn a~~ an initial salary set by an independent commission as created by ordinance.
- E. ~~Appoint,~~ with the consent of a simple majority of the total possible membership of city council: governing body, the city manager, city attorney, city clerk, and members of advisory commissions;
- F. ~~exercise administrative control and supervision over~~ supervise the city manager, city attorney and city clerk;
- G. have the sole authority to remove the city manager, ~~city attorney~~ and city clerk without council approval; and may remove the city attorney with the consent of a simple majority of the six members of city council.
- H. Shall join the city council as the governing body, with voice and vote, to break tie votes;  
to break tie votes and,  
to participate as a member at large when the council sits in its quasi-judicial role as required by law, hearing and acting on such matters as land use decisions.

**Commented [FP8]:** How would this work? Who decides if something is a major matter or just a normal matter?

**Commented [PWDP9R9]:** That's exactly the point. The mayors decide. We think that that is exactly what they should be elected to do — to lead. But leading as a CEO-facilitative mayor means lots of hard work building city-wide consensus, lots of listening, bringing in outside wisdom and comparative experience. The voters should judge the mayor at the polls on whether the "major challenges" were well-chosen, articulated, and led toward true progress. Mayors should be expected to succeed or fail based on these judgements by voters.

**Commented [FP10]:** What do you perceive to be the difference here? What does administrative control mean? Can the mayor not direct the city manager, attorney, and clerk in this new version? Who would?

**Commented [PWDP11R11]:** We were anxious to avoid "administration" or its derivatives. Too many organizations get into trouble because admin means within the programatics to some and outside the programmatic to others. "Supervision" means agreement on performance goals, monitoring performance against goals, acting on success and failure based on consistent monitoring and compliance with established guardrails. "Admin..." is just too loopy goosey. The current charter uses it for both the mayor and the manager which leaves all parties without managed expectations of either.

**Commented [FP12]:** If not present, how would the mayor know to come in if there was a tie? Would someone call the mayor, or would the mayor decide later?

**Commented [PWDP13R13]:** As to tied votes; I would do this by having a non-charter procedure that, in event of tie, the matter is automatically tabled and referred to the mayors for their actions. I understand why you want to see how it might work, but the procedure for making it work should not be in the charter.

**Commented [EM14]:** There is not requirement that quasi-judicial matters are heard in front of council/gb; some are not currently and it is possible they could be assigned to hearing officers, etc.

**Commented [PWDP15R15]:** Excellent. We were just trying to help having read a letter by Mr. Johnson. But after we sent our recommendations to you, the next day's Commission mtg clarified this very well. The issue should / could be referred for definition and more helpful process to the Chapter 14 revisions now under way. Please delete this sub-bullet (..to participate...use decisions..) and join the first sub-bullet to the full

I. cause the ordinances and regulations of the city to be faithfully and constantly obeyed;

J. have, within the city limits, the power conferred on the sheriffs of counties to suppress disorders and keep the peace;

~~J.K. Propose programs and policies to city council the governing body;~~

K.L. represent the city in intergovernmental relationships;

M. present an annual state of the city message which shall identify among other matters the mayor's legislative agenda for the upcoming year;

~~L. Work with city personnel and timely prepare an annual budget and proposed spending priority for review and approval by the finance committee and city council the governing body;~~

~~M.N.~~ be recognized as head of the city government for all ceremonial purposes; and

~~N.O.~~ be recognized by the governor for purposes of military law.

#### Conditions of Service by the Mayor

##### A. Eligibility.

Registered voters who reside in the city shall be eligible to run for the office of mayor.

##### B. Term of office.

The mayor shall be elected for a term of four years.

##### ~~C. Mayor pro tempore.~~

~~At the first meeting of the council following a regular city election, the mayor shall appoint, subject to the approval of the council, a councilor to serve as mayor pro tempore until the next regular city election. The mayor pro tempore shall perform the duties of the mayor in the absence or temporary incapacity of the mayor.~~

##### C. Vacancy in office.

The office of mayor shall become vacant upon the mayor's death, resignation, termination of residency in the city, or removal from office in any manner authorized by law or this charter.

When such a vacancy occurs, the mayor pro tempore shall serve as mayor until the next regular city election. If the offices of both the mayor and the mayor pro tempore are vacant, then a councilor shall be elected by the remaining members of the governing body to serve as mayor until a special election can be held.

D. Grounds for removal from office.

A mayor may be removed from office in accordance with applicable state law or this Charter.

THE CITY MANAGER

Appointment.

The city manager shall be appointed by the mayor with the consent of the governing body.

Qualifications.

The city manager should be professionally trained and have the necessary administrative operational and managerial skills to carry out the duties and responsibilities of the city manager. The council shall adopt minimum and preferred demonstrated experience shall be required for the position.

Powers and duties.

The city manager shall:

- A. be the chief administrative operations officer of the city;
- B. have the power to hire and fire all city employees, except for the city attorney and city clerk;
- C. Work with city personnel and timely prepare an annual budget and proposed spending priority for review and approval by the finance committee and city council the governing body;

**Commented [PF16]:**

**Commented [PWDP17R17]:** I wonder whether this council responsibility would be better lodged in their section of the charter? Should it apply to all three of the professionals hired by mayors?

**Commented [FP18R17]:** Good questions for the group

**Commented [PF19]:** Is the city manager supposed to be administrative or operational or both? The previous section says the city manager has administrative and managerial skills, also see third not in this string about MCC9 recommendations

**Commented [PF20R20]:** Who is the chief administrative officer supposed to be? The MCC9 appendix 1 (p. 71-2) suggests that the Chief admin officer be another person in the mayor's office or another office

**Commented [PF21R20]:** From the MCC9 p. 72: *In a study of differences in adoption of innovative practices based on detailed features of form of government in cities over 10,000 in population, half of the mayor-council cities had a chief administrative officer-- "pure" strong mayor approach that clearly divides powers between the mayor and the council with the CAO being an extension of the mayor's office.*

**Commented [PWDP22R20]:** As described above, we prefer to not use admin language in deference to op language, so good catch on the admin reference that should be replaced when we work on qualifications (minimum and preferred). But as to COO being an extension of the mayor, we are proposing something that is not very much different. Mayors (CEOs) still hire and supervise the COO, but the COO's activity, responsibility and relation to the council are all distinct from the mayors (CEDs').

D. provide for a program of public communication on behalf of the city, informing the public of the on-going work of departments, including city-owned enterprises, their successes, and outstanding challenges as well as the public's interaction with the departments;- And

C.E. have such other powers as are provided for in city ordinances and state law.

Removal. [Effective March 12, 2018]

The city manager may be suspended or removed:

- A. by the mayor with consent of a simple majority of the total possible membership of city council at a regularly scheduled meeting, or
- B. by a vote of six councilors at a regularly scheduled meeting.

### 5.03 The Judicial Branch

#### THE MUNICIPAL COURT

##### A. Establishment.

There shall be a municipal court for the city, which shall be presided over by a full-time municipal judge. The governing body may by ordinance authorize the election of additional municipal judges.

##### B. Jurisdiction.

The municipal court shall have all jurisdiction provided under state law and city ordinances.

##### C. Eligibility.

Registered voters who reside in the city and are licensed members of the New Mexico Bar shall be eligible to run for the office of municipal judge.

D. Term of office.

The municipal judge shall be elected for a four-year term.

E. Vacancy in office.

The office of a municipal judge shall become vacant upon the judge's death, resignation, termination of residency in the city or membership in the New Mexico Bar, or removal from office in any manner authorized by law. In case of such vacancy, the mayor with the consent of the governing body shall within thirty days appoint a person who meets the eligibility requirements for the office of municipal judge to serve until the end of the unexpired term of that municipal judge.

F. Grounds for removal from office.

The municipal judge may be removed from office in accordance with applicable state law.

G. Salary.

The governing body shall review and set salary for the municipal judge at least every four years.

**COMMENTARY:**

Our recommendation features the following:

- We reorder sections of the current charter to conform to the recognizable governance structure of three branches: legislative, executive, and judicial.
- We begin with a declarative statement that the branches both balance and separate the powers of government. ~~Checks and balances incorporate the points at which each branch relies upon and cooperates with the other branches.~~
- The mayor is not a member of the council except as noted in Powers and Duties (H) but has the opportunity to make or send statements declaring positions is required to declare her or himself on the major legislative matters that the council has under consideration, as determined by the mayor.

- Our deliberations on the distinct roles of mayor and manager were informed by several passages in MCC9, such as:

“The mayor is a comprehensive leader who draws on the features of the council-manager form of government to make it even more effective. The mayor is a community leader who interacts extensively with the public. The mayor strives to create a shared vision for the city with the support of the entire council. **The facilitative mayor helps to assure that there is extensive and positive communication between the council and the manager. The mayor also focuses on communicating with the public and ensuring that their views are being incorporated in the decision made by the council and the priorities being pursued by staff.** (emphasis added.) The leadership role of the mayor is supported by direct election. Candidates speak to the full population about citywide issues and the proposals they are advancing, and residents are able to indicate which candidate and proposals they support.” P 7.

The theory, here, is that both the Mayor and the City Manager are **two** officers whose roles supply overview and detail-view of the city’s work. MCC9 observes persuasively (\*) that the reason to have both is that a Mayor who leads the city and manages it is a mayor who is either overextended or who defaults on behalf of the public’s need for her or him. So, we have two officers, but each has a separate, cooperative, leadership task within the Executive Branch of government.

(\*) “It is difficult to find candidates for mayors who are equally adept at providing both political and administrative leadership... [It] is important for the mayor to devote a substantial amount of time to interacting with the public, making it difficult to devote sufficient attention to policy development, administration, and management. So-called “strong” mayors may actually be overextended mayors.” (MCC9, p. 71)

- MCC9 also informed our discussion of the role of the city attorney as experienced by a range of cities. The city attorney is to be the sole legal representative of city units and enterprises on matters of compliance as well as litigation and discharging disputes. Therefore, if the city attorney is both hired and fired by the mayor it becomes unclear if the difference of

**Commented [EM23]:** I believe this all assumes a mayor-councilor form of government, in which the mayor presides. The MCC9 does not recommend separation of powers.

**Commented [PWDP24R24]:** Yes, but the referrals from the council to the commission did refer exactly to the separation as a need for greater clarity. We felt that we needed to thread this needle and did so by adding certain legislative clarity and executive clarity and placing one of the two executives (manager) in close collaboration with the leg while the other is placed in active collaboration with the public. We tried to both manage expectations so that the city is not just the mayors and keep the stakeholders in close relation to one another. If “mayor-councilor” form becomes “executive-legislative” form the form stays the same while the functions relate more clearly.

opinion occurs between the mayor and the council. Cities have cured the matter by requiring that the mayor both hire and fire with the consent of the council. Heretofore, in Santa Fe, council consent has been required only on the occasion of hiring.

(MCC9, pp. 31- 33, esp. 33.a. Note also: it is entirely the city's option as to whether this role is exercised by the Mayor or the Manager on behalf of the executive branch. The pattern in Santa Fe has been to assign this responsibility to the Mayor and we see no reason to change it.)

- We added an explicit duty under Powers and Duties of the manager (C) to raise the level of emphasis that the public may expect the city to communicate more fully both its successes and its challenges, and that the importance of this matter is constitutional in nature.

**REFERRAL J.2**  
**CHARTER SECTION ON FINANCE**  
**SANTA FE CHARTER COMMISSION**  
**BY THE COMMISSION**

[Referral J.2 was submitted to counsel and the full commission by action of the commission on 2/23/23.]

**Commented [FP25]:** This Section has not yet been reviewed by the City Attorney's Office

**Action:** Include the Model City Charter section "Financial Management" section "in the Santa Fe Charter.

**Recommendation:** add the following:

**FINANCIAL MANAGEMENT – Section**

**Section Submission of Budget and Budget Message.**

The city manager shall submit to the finance committee of the council, and thence to the city council, a budget for the ensuing fiscal year and an accompanying message.

**Commented [PWDP26]:** Note, I also added an item under city council to permit other committees but require a finance committee so as to tie this requirement to that one.

**Section Budget Message.**

Consistent with the form required in NM law, the city manager's message shall explain the budget both in fiscal terms and in terms of the work programs, linking those programs to organizational goals and community priorities. It shall outline the proposed financial policies of the city for the ensuing fiscal year and the impact of those policies on future years. It shall describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the city's debt position, including factors affecting the ability to raise resources through debt issues, and include such other material as the city manager deems desirable. The council shall provide in ordinance the budget summaries that will facilitate its work.

**Commented [PWDP27]:** The two additions to this section comply with the recommendations of council.

**Section . Budget.**

The budget shall provide a financial plan of all city funds and activities for the ensuing fiscal year and, except as required by law or this charter, shall be in such form as the city manager deems desirable or the city council may require for effective management and an understanding of the relationship between the

budget and the city's strategic goals. The budget shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the anticipated tax revenues, and all proposed expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding fiscal year. It shall indicate in separate sections:

(1) The proposed goals and expenditures for current operations during the ensuing fiscal year, detailed for each fund by department or by other organization unit, and program, purpose or activity, method of financing such expenditures, and methods to measure outcomes and performance related to the goals;

(2) Proposed longer-term goals and capital expenditures during the ensuing fiscal year, detailed for each fund by department or by other organization unit when practical, the proposed method of financing each such capital expenditure, and methods to measure outcomes and performance related to the goals; and

(3) The proposed goals, anticipated income and expense, profit and loss for the ensuing year for each utility or other enterprise fund or internal service fund operated by the city, and methods to measure outcomes and performance related to the goals. For any fund, the total of proposed expenditures shall not exceed the total of appropriated funds.

**Section . City Council Action on Budget.**

(a) **Notice and Hearing.** The city manager shall publish the general summary of the budget and a notice stating:

(1) The times and places where copies of the message and budget are available for inspection by the public, and

(2) The time and place, not less than two weeks after such publication, for a public hearing(s) on the budget.

(b) **Amendment Before Adoption.** After the public hearing, the city council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.

(c) **Adoption.** The city council shall adopt the budget on or before the city's budget is due to the state. If it fails to adopt the budget by this date, the budget proposed by the city manager shall go into effect.

(d) **"Publish" defined.** As used in this article, the term "publish" means to print in the form of publication recognized in NM law for government entities, plus any electronic media that the council deems accessible to the public.

**Section . Administration and Fiduciary Oversight of the Budget.**

The city council governing body shall provide by ordinance the procedures for administration and fiduciary oversight of the budget.

**Section . City Council Action on Capital Program.**

(a) **Notice and Hearing.** The city manager shall publish the general summary of the capital program consistent with the requirements in NM law for public notice.

(b) **Adoption.** The city council by resolution shall adopt the capital program with or without amendment after the public hearing and ~~on or before the day of the month of the current fiscal year.~~ before the capital program is due to the state.

**Section Independent Audit.**

The city council shall provide for an independent annual audit of all city accounts and may provide for more frequent audits as it deems necessary. The council shall by ordinance update its financial processes and accounting systems, and prioritize budgetary resources to staff its financial services so as to facilitate timely completion of audits.

**Section Additional provisions**

**Investments**

The city shall follow the laws and policies of the State of New Mexico regarding investment of public funds.

**Procurement**

The governing body shall, by ordinance, adopt a fair and equitable procurement code for the city.

Independent audit committee

The governing body shall, by ordinance, adopt an independent audit committee for the city.

**Commented [PWDP28]:** These passages appear in a section of the current charter entitled "Miscellaneous Governmental Issues." These three should be added to the new Financial Management article. I should note that doing so would leave only one item under "Miscellaneous..." which seems odd to me. Perhaps there is another more logical place for it?

~~[MCC9 pp 35-42. Deleting commentary]~~

**Recommendation:** the addition of the following.

**FINANCIAL MANAGEMENT — Section \_\_\_\_**

**Section \_\_\_\_1. Fiscal Year.**

The fiscal year of the city shall begin on the first day of \_\_\_\_ and end on the last day of \_\_\_\_.

**Section \_\_\_\_2. Submission of Budget and Budget Message.**

On or before the day of \_\_\_\_ each year, the city manager shall submit to the city council a budget for the ensuing fiscal year and an accompanying message.

**Section \_\_\_\_3. Budget Message.**

The city manager's message shall explain the budget both in fiscal terms and in terms of the work programs, linking those programs to organizational goals and community priorities. It shall outline the proposed financial policies of the city for the ensuing fiscal year and the impact of those policies on future years. It shall describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the city's debt position, including factors affecting the ability to raise resources through debt issues, and include such other material as the city manager deems desirable.

**Section \_\_\_\_4. Budget.**

The budget shall provide a complete financial plan of all city funds and activities for the ensuing fiscal year and, except as required by law or this charter, shall be in such form as the city manager deems desirable or the city council may require for effective management and an understanding of the relationship between the budget and the city's strategic goals. The budget shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal

year and actual income and expenditures of the preceding fiscal year. It shall indicate in separate sections:

- (1) The proposed goals and expenditures for current operations during the ensuing fiscal year, detailed for each fund by department or by other organization unit, and program, purpose or activity, method of financing such expenditures, and methods to measure outcomes and performance related to the goals;
- (2) Proposed longer-term goals and capital expenditures during the ensuing fiscal year, detailed for each fund by department or by other organization unit when practical, the proposed method of financing each such capital expenditure, and methods to measure outcomes and performance related to the goals; and
- (3) The proposed goals, anticipated income and expense, profit and loss for the ensuing year for each utility or other enterprise fund or internal service fund operated by the city, and methods to measure outcomes and performance related to the goals. For any fund, the total of proposed expenditures shall not exceed the total of estimated income plus carried forward fund balance exclusive of reserves.

**Section \_\_\_5. City Council Action on Budget.**

(a) **Notice and Hearing.** The city council shall publish the general summary of the budget and a notice stating:

- (1) The times and places where copies of the message and budget are available for inspection by the public, and
- (2) The time and place, not less than two weeks after such publication, for a public hearing(s) on the budget.

(b) **Amendment Before Adoption.** After the public hearing, the city council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.

(c) **Adoption.** The city council shall adopt the budget on or before the day of the \_\_\_ month of the fiscal year currently ending. If it fails to adopt the budget by this date, the budget proposed by the city manager shall go into effect.

(d) **“Publish” defined.** As used in this article, the term “publish” means to print in the contemporary means of information sharing, which includes but is not limited to, one or more newspapers of general circulation in the city, and, if available, in a web site.

**Section 6. Appropriation and Revenue Ordinances.**

To implement the adopted budget, the city council shall adopt, prior to the beginning of the fiscal year:

- (a) an appropriation ordinance making appropriations by department, fund, service, strategy, or other organizational unit and authorizing an allocation for each program or activity;
- (b) a tax levy ordinance authorizing the property tax levy or levies and setting the tax rate or rates; and
- (c) any other ordinances required to authorize new revenues or to amend the rates or other features of existing taxes or other revenue sources.

**Section 7. Amendments after Adoption.**

**(a) Supplemental Appropriations.** If during or before the fiscal year the city manager certifies that there are available for appropriation revenues in excess of those estimated in the budget, the city council by ordinance may make supplemental appropriations for the year up to the amount of such excess.

**(b) Emergency Appropriations.** To address a public emergency affecting life, health, property or the public peace, the city council may make emergency appropriations. Such appropriations may be made by emergency ordinance in accordance with the provisions of § 2.15. To the extent that there are no available unappropriated revenues or a sufficient fund balance to meet such appropriations, the council may by such emergency ordinance authorize the issuance of emergency notes, which may be renewed from time to time, but the emergency notes and renewals of any fiscal year shall be paid or refinanced as long-term debt not later than the last day of the fiscal year next succeeding that in which the emergency appropriation was made.

**(c) Reduction of Appropriations.** If at any time during the fiscal year it appears probable to the city manager that the revenues or fund balances available will be insufficient to finance the expenditures for which appropriations have been authorized, the manager shall report to the city council without delay, indicating the estimated amount of the deficit, any remedial action taken by the manager and recommendations as to any

other steps to be taken. The council shall then take such further action as it deems necessary to prevent or reduce any deficit and for that purpose it may by ordinance reduce or eliminate one or more appropriations.

**(d) Transfer of Appropriations.** At any time during or before the fiscal year, the city council may by resolution transfer part or all of the unencumbered appropriation balance from one department, fund, service, strategy or organizational unit to the appropriation for other departments or organizational units or a new appropriation. The manager may transfer funds among programs within a department, fund, service, strategy, or organizational unit and shall report such transfers to the council in writing in a timely manner.

**(e) Limitation; Effective Date.** No appropriation for debt service may be reduced or transferred, except to the extent that the debt is refinanced and less debt service is required, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof. The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.

**Section \_\_\_8. Administration and Fiduciary Oversight of the Budget.**

The city council shall provide by ordinance the procedures for administration and fiduciary oversight of the budget.

**Section \_\_\_9. Capital Program.**

(a) **Submission to City Council.** The city manager shall prepare and submit to the city council a multiyear capital program no later than three months before the final date for submission of the budget.

(b) **Contents.** The capital program shall include:

- (1) A clear general summary of its contents;
- (2) Identification of the long-term goals of the community;
- (3) A list of all capital improvements and other capital expenditures which are proposed to be undertaken during the fiscal years next ensuing, with appropriate supporting information as to the necessity for each;
- (4) Cost estimates and recommended time schedules for each improvement or other capital expenditure;
- (5) Method of financing upon which each capital expenditure is to be reliant;

- (6) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired;
- (7) A commentary on how the plan addresses the sustainability of the community and the region of which it is a part; and
- (8) Methods to measure outcomes and performance of the capital plan related to the long-term goals of the community.

The above shall be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

**Section \_\_\_10. City Council Action on Capital Program.**

**(a) Notice and Hearing.** The city council shall publish the general summary of the capital program and a notice stating:

- (1) The times and places where copies of the capital program are available for inspection by the public; and
- (2) The time and place, not less than two weeks after such publication, for a public hearing(s) on the capital program.

**(b) Adoption.** The city council by resolution shall adopt the capital program with or without amendment after the public hearing and on or before the day of the month of the current fiscal year.

**Section \_\_\_11 Independent Audit.**

The city council shall provide for an independent annual audit of all city accounts and may provide for more frequent audits as it deems necessary. An independent certified public accountant or firm of such accountants shall make such audits. Such audits should be performed in accordance with Generally Accepted Auditing Standards (GAAS) and Generally Accepted Governmental Auditing Standards (GAGAS).

The Council shall designate no fewer than three of its members to serve as an Audit Committee. This Committee shall:

- (1) Lead the process of selecting an independent auditor;
- (2) Direct the work of the independent auditor as to the scope of the annual audit and any matters of concern with respect to internal controls; and
- (3) Receive the report of the internal auditor and present that report to the council with any recommendations from the Committee.

The council shall, using competitive bidding, designate such accountant or firm annually, or for a period not exceeding five years, but the designation for any particular fiscal year shall be made no later than 30 days after the beginning of such fiscal year. The standard for independence is that the auditor must be capable of exercising objective and impartial judgment on all issues encompassed within the audit engagement. No accountant or firm may provide any other services to the city during the time it is retained to provide independent audits to the city. The city council may waive this requirement by a majority vote at a public hearing. If the state makes such an audit, the council may accept it as satisfying the requirements of this section.

**Section ~~\_\_\_~~12. Public Records.**

Copies of the budget, capital program, independent audits, and appropriation and revenue ordinances shall be public records.

**REFERRAL J.5  
SIGNATURE THRESHOLDS  
FOR INITIATIVES, REFERENDA AND RECALL  
SANTA FE CHARTER COMMISSION**

**Action:** recommend reducing the initiative and referendum signature thresholds only.

**Recommendation:** Note deletions and additions in text below.

**3.01. Referendum**

**E. Number of signatures.** A referendum petition shall be deemed sufficient if signed by qualified electors in an amount equal to ~~fifteen~~ thirty-three and one third percent or more of the actual voters at the last mayoral election, including at least ten percent of the voters for mayor in each council district in the last mayoral election. The city clerk shall determine the number of actual voters at the last mayoral election.

**3.02. Initiatives**

**F. Number of signatures.** An initiative petition shall be deemed sufficient if signed by qualified electors in an amount equal to ~~fifteen~~ thirty-three and one third percent or more of the actual voters in the last mayoral election, including at least ten percent of the actual voters for mayor in each council district in the last mayoral election. The city clerk shall determine the number of actual voters at the last mayoral election.

**3.03. Recall.**

**G. Number of signatures.**

[1] For mayor. A recall petition shall be deemed sufficient if signed by qualified electors in an amount equal to thirty-three and one third percent or more of the actual voters at the last mayoral election, including at least fifteen percent of the actual voters for mayor from each council district. The city clerk shall determine the number of actual voters for mayor in each district.

[2] For councilor. A recall petition shall be deemed sufficient if signed by qualified electors in an amount equal to thirty-three and one third percent or more of the actual voters at the last mayoral election in the district from which

the councilor was elected. The city clerk shall determine the number of actual voters in the district at the last mayoral election.

**COMMENTARY:**

**On Initiatives and Referenda**

Having access to initiative and referendum rights allows voters to own the ballot's provisions upon which they may vote, in cases where their representatives are not responsive in prioritizing specific voter priorities or have acted despite the voters and their priorities.

The National Civic League's Model City Charter, 9<sup>th</sup> Edition states that the percentage of signatures required for voters to be able to put a Ballot Initiative or a Referendum on the ballot "should not be too easy nor too burdensome". The document recommends the signature requirement for Initiatives and Referenda to be equal in number to at least 5 to 10% of the total number of registered voters who voted in the last regular election. The city of Albuquerque's signature requirement for initiatives and referenda is 20%, whereas the city of Las Cruces' is 15%. A study of initiative and referenda signature requirement thresholds shows a range most commonly occurring between 2% and 15%.\*

We recommend changing the signature requirement threshold for initiatives and referenda from 33.3% to 15%. We also recommend keeping the signature requirement threshold per district at 10%.

\*[http://www.iandrinstutute.org/docs/A Comparison of Statewide landR Proces ses.pdf](http://www.iandrinstutute.org/docs/A_Comparison_of_Statewide_landR_Proces ses.pdf)

**On Recalls**

The Model City Charter report recommends the signature requirement threshold be higher for recalls than for initiatives or referenda. When an elected official is not responsive to the voters and their priorities, the voters do have a recourse to address this issue, and that is electing a different representative the next time that representative is up for re-election. Therefore, we do not recommend changing the signature requirement threshold for recalls.

We recommend keeping the signature requirement threshold for recalls at 33.3%, as well as keeping the signature requirement threshold per district at 15%.

**Recommended non-Charter Actions**

**REFERRAL E  
FULL-TIME COUNCILORS  
SANTA FE CHARTER COMMISSION  
BY THE CITY COUNCIL, 2023**

**Action: add staff but keep part-time councilors**

**Recommendation:** add one staff person assigned to each councilor. [The council has the authority to re-classify unfilled positions.](#)

We do not presently recommend changing Santa Fe’s councilors to full-time. This action does not require a charter amendment.

**Commentary:**

Full-time councilors may be warranted when the city population, through annexation or influx, reaches 100,000. Current trends suggest that that may occur in the 2030-2040 decade.

**REFERRAL J.1  
BOARDS AND COMMISSIONS SUNSET  
SANTA FE CHARTER COMMISSION  
BY THE COMMISSION**

**Action: evaluate city boards and commissions.**

**Recommendation:** That the council determine whether city boards and commissions, not required by law, are functioning and productive.

**Commentary:**

Council should determine on-going relevance or effectiveness of boards and commissions unless required by law, and that they be terminated or reauthorized accordingly.

This is not properly a Charter topic.

**Our Recommendations Regarding the Remaining Referrals**

**REFERRALS A & B  
NUMBER OF DISTRICTS AND COUNCILORS  
SANTA FE CHARTER COMMISSION  
BY THE CITY COUNCIL, 2023**

**Action:** refer the current configuration of 4 dual member districts to the 2030 Charter review and adjust the sequence of Charter and Redistricting Commissions.

**Recommendation:**

- that the number of districts and councilors be referred to the 2030 Charter Commission as soon as the 2030 census is completed, and
- [the 2030-2040 Redistricting Commission be convened upon the voters' adoption of any resulting referrals to them from the council. The next Charter Commission should be convened prior to convening the next Redistricting Commission.](#)

**Commentary:**

The benefits of adding a district and reducing the number of councilors do not outweigh the disruption that these changes would make at this time.

The sequence of Charter and then Redistricting commissions' work is preferred. [One recommended possibility would be to spend the census year with a full year of charter review with ample public engagement from beginning to end of that year. The census report and the charter report would then both be available to the redistricting process.](#)

**REFERRAL C  
AT-LARGE COUNCIL MEMBER  
SANTA FE CHARTER COMMISSION  
BY THE CITY COUNCIL, 2023**

**Action:** apply the legal restriction against this item.

**Recommendation:** that the council does not forward this item unless the Legislature acts to allow it.

**Commentary:**

Case law in NM would not allow at-large membership.  
(*Casuse v. City of Gallup*, 1987-NMSC-112, P 8.)

At present, the council approaches the maximum number of members allowed by NM law. An at-large member would only serve to relieve the necessity of all members to act on behalf of the city as a whole as well as to represent their own district.

**REFERRAL G  
COUNCILORS WHO LOSE MAYORAL ELECTION  
SANTA FE CHARTER COMMISSION  
BY THE CITY COUNCIL, 2023**

**Action:** rely on the will of the voters

**Recommendation:** that the proposal to remove councilors who lose a mayoral election from service on the council is found to be unnecessary.

**Commentary:**

We do not find that a need to resign to protect against post-election acrimony on the council has been demonstrated. We trust the voters to express their preferences for councilors at the polls and that that is sufficient incentive for councilors to act in the interests of their constituents.

**REFERRAL H  
TERM LIMITS  
SANTA FE CHARTER COMMISSION  
BY THE CITY COUNCIL, 2023**

**Action:** apply the legal restriction against this item.

**Recommendation:** that the council does not forward this item unless the Legislature acts to allow it.

**Commentary:**

The proposal should not be considered for a Charter amendment until/unless the NM Constitution is amended to allow it.  
(New Mexico Constitution Article 7, Section 2.)

## 2.01. Human and civil rights.

The human and civil rights of the residents of Santa Fe are inviolate and shall not be diminished or otherwise infringed. ~~To that end~~ Thus, no city ordinance, resolution or policy shall be enacted or adopted, nor shall any action be condoned which discriminates on the basis of ethnicity, race, age, religion, creed, color, national origin, ancestry, sex, gender, sexual orientation, physical or mental disability, medical condition or citizenship status;~~;~~ ~~nor shall any~~ No ordinance enacted or policy adopted protecting or enhancing these rights ~~shall~~ be subject to the right of referendum or initiative. The governing body shall preserve, protect and promote human rights and human dignity, and shall, through all of its activities, including but not limited to employment, awarding of contracts, housing accommodation, and the provision of city services, prohibit ~~and discourage~~ such discrimination. To ~~effect~~ affect these ends, the governing body may ~~may~~ enact ordinances and ~~shall~~ establish an Office of Equity and Inclusion ~~appropriate commissions~~ with jurisdiction, authority, and staff sufficient to effectively administer ~~this~~ these policies ~~policy~~ in coordination with the Human Rights Commission. The Human Rights Commission shall have five commissioners, each serving a two-year term, except two commissioners drawn by lot who shall initially serve a one-year term, in order that every two years either two or three commissioners will be appointed to the commission. One commissioner from each

council district shall be appointed by the consensus of the two councilors from that  
district, and one commissioner shall be appointed by the Mayor. Each commissioner shall  
be limited to two, two-year terms. The commissioners once appointed shall elect a chair  
and a vice chair from their number.

## AGRICULTURE AND HUNGER

**"Poverty is the worst form of violence." Mahatma Ghandi**

The United Nations Human Rights Commission in its publication entitled "The Right to Adequate Food", states in part that:

*Combating hunger and malnutrition is more than a moral duty or a policy choice; in many countries, it is a legally binding human rights obligation.*

*The right to food is recognized in the 1948 Universal Declaration of Human Rights as part of the right to an adequate standard of living, and is enshrined in the 1966 International Covenant on Economic, Social and Cultural Rights. It is also protected by regional treaties and national constitutions. Furthermore, the right to food of specific groups has been recognized in several international conventions. All human beings, regardless of their race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status have the right to adequate food and the right to be free from hunger.*

### **1. Proposed Amendment to the City of Santa Fe Charter, Article II, Food Policy**

*2. \_\_\_ Having sufficient and nutritious food readily available to the people of Santa Fe is a key component of the sustainability of our community. It is an essential element of good health at every age, including our school aged children and our elders, who often do not have sufficient readily available nutritious food. We consider it a basic human right that our citizens have nutritious food readily available and do not experience significant or prolonged hunger. To ensure that our community is striving to ensure that all in Santa Fe are well fed and not experiencing prolonged hunger or lack of nutritious food, our City government shall take those steps necessary to ensure that our community has abundant food resources readily available to all in Santa Fe and shall make available City land and water so that this can be accomplished in a sustainable manner that promotes the local production of food and the wise and conservation minded use of water.*

### **2. NEED WITHIN OUR COMMUNITY**

#### **a. Food Depot Information**

The Food Depot notes the following with regard to hunger and food insecurity within their service area, which is broader than the City or County of Santa Fe:

***Hunger Statistics***

*Hunger was a persistent challenge in New Mexico before the COVID-19 public health crisis. The demand for hunger relief increased by 30% after crisis began.*

***2018 Food Insecurity Data (pre-pandemic)***

- *In The Food Depot’s service area, 12.2% of people are food insecure.*
- *In The Food Depot’s service area, 23% of children are food insecure.*

***2020 Food Insecurity Projections***

- *Projections show that 17.4% of people will be food insecure in The Food Depot’s service area.*
- *Projections show that, 33.7% of children will be food insecure in The Food Depot’s service area.*

<https://thefooddepot.org/hunger-statistics/>

**b. Santa Fe Food Policy Council Information**

**i. Growing Food**

*Our vision for food production in Santa Fe City and County views farming and ranching as an economically viable way of life that promotes stewardship of the land and resources. This vision supports food security through the integration of sustainable agricultural practices into the built environment.*

***Goal 1: Increase the impact and efficiency of community gardens.***

- Enforce existing water conservation policies for community gardens. This will encourage appropriate growing methods that support efficient water usage and minimize negative environmental impacts.
- Support development of community gardens that create educational opportunities with diversified crops.
- Define the populations intended to be served by community gardens and develop policies that ensure those populations have access and education to benefit from the increased food security of those gardens.
- Support the development of community gardens and other agricultural projects by providing water, land, and infrastructure on County or public land where appropriate. (Santa Fe County Sustainable Growth Management Strategy 15.1.1, page 86).
- Allow the option for community gardens to be considered as part of the open space requirements for new developments. (Santa Fe County Sustainable Growth Management Plan, 2010, Strategy 15.5.2, page 86).

***Goal 2: Develop on-site gardens at senior centers to increase the availability of fresh and local foods for seniors.***

- Design sustainability plans for senior center gardens to ensure they have operational support, are economically self-sufficient, and are integrated into the community.

- Connect garden coordinators to resources, technical support, and educational opportunities available within Santa Fe County.
- Develop the plan by which fruit and vegetables grown in senior center gardens can be practically harvested, washed, stored and integrated into food preparation for senior center meals.

***Goal 3: Increase the number of school gardens aimed at helping youth***

- Develop and implement plans for school gardens that address the need for continuing support from the school district and community. Encourage schools to use school gardens as outdoor classrooms, integrating learning about food into the school day, cafeteria meals, and afterschool and summer programs.
- Work with school administration and local governments to develop joint use agreements establishing community gardens on school grounds. This will increase opportunities for multi-generational and multi-cultural learning and help gardens become long-term resources that serve the entire community.
- Develop partnerships with the Santa Fe Community College and/or other academic institutions to deliver arid-land agriculture training for residents and people pursuing careers in food production.

***Goal 4: Conserve water through educational programs, incentives, and policies.***

- Design educational landscapes in urban and rural settings that demonstrate the range of possibilities for water conservation, including harvested rainwater, xeric irrigation, re-vegetation and supplementing food production.
- Require that urban farms that grow produce for sale or to donate to organizations that address food insecurity must provide a water use plan including a water budget for plantings and water sources which minimize the use of municipal drinking water for crop irrigation.
- Support rebates and other incentives for agricultural use such as rain barrels, drip-irrigation, composting systems, and water conservation techniques in areas where appropriate.
- Support the use of rain fed agriculture where collected water is used to irrigate crops. (Santa Fe County Sustainable Growth Management Plan, 2010, strategy 16.2.2, p. 87.)
- Support farming techniques that facilitate the conversion from spray irrigation-based practices to lower water use systems such as no-till, drip irrigation, and/or greenhouse based agriculture.

***Goal 5: Increase the viability and presence of local gardens, farms and ranches.***

- Work with Santa Fe County to incorporate land use allowances for agricultural activity into the Sustainable Land Development Code.
- Design and implement a City Harvest program, (as detailed in the Sustainable Santa Fe Plan), to create multiple growing, processing, storing, and selling opportunities. (Sustainable Santa Fe Plan, 2008, Proposed Action 10-2 under Food Production, page 29-30.)
- Develop a Commercial Scale Urban Agricultural Permit to protect both neighborhood and agricultural interests within the City by setting policies for uses including, but not limited to water conservation, embedded greenhouse gas footprint, sales, employees, volunteers, visitors and community educational benefits.
- Encourage public and private land owners within the City to revitalize vacant and underutilized property by allowing land to be used for green space and gardening.

***Goal 6: Develop agricultural incentives and innovative programs to support small farmers and maximize food production/distribution in our regional foodshed.***

- Promote and expand outreach and incentives for extended season farming techniques, supporting farmers to generate more income.

- Coordinate with local communities and organizations to promote the development of agricultural products and markets, including the development of farmers markets, buy-local campaigns, and a local products website to market and distribute fresh goods. (Santa Fe County Sustainable Growth Management Plan, 2010, strategy 14.2.3, page 85.)

- Establish Specialty Crop programs which support local farm and food based businesses by creating subsidies for fruits and vegetables.

***Goal 7: Adopt sustainable land/resource management practices at a regional scale.***

- Develop incentives, policies and programs throughout the City and County designed to support farming and ranching activities and improve environmental resiliency: develop a composting program, build soil to increase land fertility and groundwater recharge, improve functionality of waterways and irrigation networks, and promote growth of plants that are resilient in a wider range of climate conditions and provide habitat for beneficial insects.

***Goal 8: Prioritize sustainability and agriculture in future development in Santa Fe City and County.***

- Establish City and County development approval requirements with standards and regulations that do not limit home-based agricultural activities otherwise allowed by land use approval authority.
- Revise the City of Santa Fe’s Development Code landscape requirements to allow and/or require a percentage of plants produce fruits or vegetables that have low to moderate water requirements.

## ii. Getting Food

*Our vision for connecting diverse communities throughout the Santa Fe region to a reliable supply of healthy and affordable food is rooted in building knowledge of available assistance programs and resources, as well as ensuring that these foods are readily available in local stores, farmers markets, senior centers, hospitals, and schools.*

***Goal 1: Improve residents’ ability to access fresh, nutritious food.***

- Require City-and County-operated institutions include an increasing amount and variety of local food in their meal service programs to a maximum feasible percentage.
- Support provision of infrastructure and programming to improve food access in rural and under-served areas.

***Goal 2: Promote self-reliance, family gardening, and food storage.***

- Conduct education and outreach campaigns which emphasize self-reliance as a cornerstone of sustainability.

***Goal 3: Prioritize getting local, fresh food into schools.***

- Continue to support Farm to School educational activities currently taking place within our schools, such as on-site school gardens, food system and farming curriculum, fruit and vegetable tastings, culinary programs, field trips to local farms and venues, farmers in the classroom, and food system entrepreneurship programs.
- Work with School Food Service Directors and District Procurement offices to increase the availability of local foods in schools by setting up sustainable systems to purchase foods from local farmers, including standing purchase orders and bid processes that emphasize local purchasing.

***Goal 4: Promote existing food assistance programs.***

- Promote innovative programs aimed at increasing access to fresh, local food, such as the Southside Farmers Market and Santa Fe Farmers Market Double

Buck Days which provide SNAP recipients with additional funds to shop at local farmers markets.

**Goal 5: Celebrate local food and support regional food economy.**

- Grow the demand for local food by organizing an outreach campaign aimed at educating and inspiring residents to buy local.
- Implement innovative strategies that support local economic development efforts such as mobile grocery stores and food carts to bring locally produced food into under-served areas of the county.
- Work with Santa Fe City and County to develop urban agriculture ordinances.
- Maximize the efficiency of existing Community Commercial Kitchens and assess the need for additional facilities in order to enhance the economic potential of local value-added products and traditional foods

**c. New Mexico First**

*Food, Hunger, Water, Agriculture Policy Workgroup  
Project Summary*

*The Food, Hunger, Water and Agriculture Policy Workgroup is made up of a group of a cross-partisan coalition of policy makers, agricultural producers, agricultural and food-related businesses, the emergency food sector, people of faith, anti-poverty and anti-hunger advocates, researchers/academics, dietitians and health experts, educators, and public policy advocates. While participants come from many different communities and professions across New Mexico and have many different life experiences, there is a shared belief that working together to address food insecurity and strengthen local food systems will improve the health and nutrition of all New Mexicans. For questions about these priorities or for introductions to workgroup members, please contact New Mexico First at [info@nmfirst.org](mailto:info@nmfirst.org).*

*The Policy Workgroup came together in 2019 to support the following policy efforts:*

- 1. Increase data-driven decisions about food and hunger that support local food systems.*
- 2. Strengthen local food systems with policies that promote resiliency in local agriculture.*
- 3. Develop and support family-friendly policies that address hunger-related income inequalities.*

*Since the pandemic, the Food, Hunger, Water, Ag Policy Workgroup has been focusing on COVID-19 response and recovery, including policy work, to strengthen local food systems and end hunger. The Policy Workgroup includes a diverse range of professionals and stakeholders dedicated to the coordination of community responses to complement government efforts.*

Since July, 2022, the Policy Workgroup is organized by a steering committee comprised of six organizations: ToohBAA (Shiprock Dine' Farmers Cooperative), NM Voices for Children, NM Food & Agriculture Policy Council, Lutheran Advocacy Ministry – NM, NM First and Roadrunner Food Bank.

<https://nmfirst.org/initiatives/food-hunger-policy-workgroup/>

**d. Feeding America, a non-profit organization**

***What Hunger Looks Like in New Mexico***

*In New Mexico, 271,210 people are facing hunger - and of them 99,100 are children.*

*1 in 8 people*



*face hunger.*

***1 in 5 children*** face hunger.

*People facing hunger in New Mexico are estimated to report needing \$131,722,000 more per year to meet their food needs. The average cost of a meal in New Mexico is \$3.02. Data from Feeding America's Map the Meal Gap study.*

***Supplemental Nutrition Assistance Program (SNAP) in New Mexico***

*Charitable programs are unable to fully support those facing hunger. The combination of charity and government assistance programs are necessary to help bridge the meal gap.*

*SNAP, formerly food stamps, provides temporary help for people going through hard times – providing supplemental money to buy food until they can get back on their feet.*

*In New Mexico,*

***41.1%*** of households receiving SNAP benefits have ***children***

***\$632,907,856***

*distributed through*

***SNAP generated \$1,075,943,355 in economic activity\****

*\*Economists estimate that every dollar a household redeems through SNAP generates about \$1.70 in economic activity.*

<https://www.feedingamerica.org/hunger-in-america/new-mexico>

**e. KQRE Reporting**

## NEW MEXICO NEWS **unger in Santa Fe**

by: [Curtis Segarra](#)

Posted: Jun 21, 2022 / 02:57 PM MDT

Updated: Jun 21, 2022 / 03:04 PM MDT

SANTA FE, N.M. (KRQE) – ... Santa Fe County has around 5,000 children under the age of 18 who are repeatedly food insecure, according to the latest data from the state’s Human Services Department. That means that there are likely thousands of children in the county who have to limit or skip meals or eat a reduced diet.

The report goes on to explain that doubling down on existing efforts may not be enough to end childhood hunger. “Despite the good intentions of the individuals and organizations involved in the myriad existing anti-hunger programs and efforts, both governmental and nonprofit, and expenditure of multimillions of dollars annually, this objective has never been achieved in Santa Fe or anywhere else in the U. S.,” the report notes.

### f. **CHILDREN'S HEALTH WATCH REPORTING**

**Food insecurity is harmful to children’s health.** Many studies have found that food insecurity harms children’s health in a variety of ways.<sup>3,4</sup> Research conducted by Children’s HealthWatch and others has found that food-insecure young children are nearly twice as likely to be in fair or poor health<sup>ii</sup> when compared to food-secure young children, and significantly more likely to be hospitalized.<sup>5,6</sup> Food-insecure children are also more likely to suffer from common illnesses such as stomachaches, headaches, and colds when they reach preschool age.<sup>6</sup> Research on the relationship between food insecurity in childhood and obesity is inconclusive. One longitudinal study of young children, however, suggests that persistent household food insecurity may be a contributing factor in childhood obesity.<sup>7</sup>

> **Food insecurity is harmful to children’s development.** Children’s HealthWatch findings show that food insecure infants and toddlers are two thirds more likely than food-secure young children to be at risk for developmental delays.<sup>8</sup> Our research has also tied food insecurity to iron-deficiency anemia in young children,<sup>9</sup> a condition which negatively influences development of basic motor and social skills.<sup>10</sup> The stress that family hardships, like food-insecurity, place on a young child physically alter the development of crucial brain structures controlling memory<sup>11</sup> and psychosocial functioning.<sup>12</sup> Early childhood is

the narrow window during which one builds the basic capacity to learn and interact productively with others; disrupting this brief period diminishes children’s ability to acquire complex school skills as they grow, and, later, job skills.<sup>13</sup>

> **The developmental impact of food insecurity in early childhood is sustained through a child’s critical first years in school.** A study of school-aged children who suffered from iron-deficiency anemia as infants—a health outcome associated with food insecurity—found impaired memory and social functioning more than 10 years after the children had completed iron treatment.<sup>14</sup> Researchers examining the role of food insecurity in cognitive outcomes found that food-insecure 6-11 year-olds scored lower than their food-secure peers on a measure of child intelligence and were more likely to have seen a child psychologist. The same study also found that these children had a harder time getting along with others, were more likely to have repeated a grade, and had lower arithmetic and general achievement test scores than food-secure children in the same age group.<sup>15</sup> A study using data from the 1999 National Survey of American Families found that food insecurity predicts poor school engagement partly because food-insecure children tend to be in poor emotional and physical health.<sup>16</sup> In a longitudinal study, other researchers found that food insecurity in kindergarten was associated with poor reading performance and impaired social skills in later grades.

4. Addressing the Need and Implementing Solutions to Hunger Issues

a. A Proposed to Strengthen Sustainability and Feed the Hungry in Santa Fe

How can the City boost its participation in solving the problems of food insecurity and hunger within our community, while strengthening our City's sustainability? One real step is to make both City land and water available for the production of food in sustainable ways. Attached hereto is a proposed form of ordinance to allow for the use of City land for the erection of commercial green houses, using hydroponic or aquaponic methodologies and city water, for the production of food that would be directed to those experiencing food insecurity and hunger, including, in particular, our young people and our elders.

b. NM Constitution Anti-donation Clause

Article IX, Section 14, provides, in pertinent part, that:

Neither the state nor any county, school district or municipality, except as otherwise provided in this constitution, shall directly or indirectly lend or pledge its credit or make any donation to or in aid of any person, association or public or private corporation or in aid of any private enterprise for the construction of any railroad except as provided in Subsections A through H of this section.

A. Nothing in this section prohibits the state or any county or municipality from making provision for the care and maintenance of sick and indigent persons.

D. Nothing in this section prohibits the state or a county or municipality from creating new job opportunities by providing land, buildings or infrastructure for facilities to support new or expanding businesses if this assistance is granted pursuant to general implementing legislation that is approved by a majority vote of those elected to each house of the legislature. The implementing legislation shall include adequate safeguards to protect public money or other resources used for the purposes authorized in this subsection. The implementing legislation shall further provide that:

(1) each specific county or municipal project providing assistance pursuant to this subsection need not be approved by the legislature but shall be approved by the county or municipality pursuant to procedures provided in the implementing legislation; and

The Food Depot estimated that to eliminate hunger in its service area, the minimum wage would need to be raised to \$22 to \$25 per hour. This statement makes clear that poverty and lack of economic means is a prime driver in creating hunger issues within our community. Such a solution has not moved forward within our community, leaving with the need to address this issues of indigency through other mechanisms. When it comes to food, when people do not have the economic power to buy that food, the solution comes into focus: make food available at less expensive prices. That can be done in significant part through controlling land and water costs associated with the production of food. The City has land and water, and will not run afoul of the Anti-donation Clause of the NM Constitution serving the indigent, and could therefore

move toward solving hunger issues within our community by undertaking the following steps:

- make City land available at a reduced cost, i.e., with a donative component, for hydroponic and aquaponic food production for the poor and indigent members of our community;
- make water available at a reduced cost, i.e., with a donative component, for hydroponic and aquaponic food production, for the poor and indigent members of our community;
- require that those utilizing City land and water for these purposes make the food produced available at reduced cost or no cost to the poor and indigent members of our community;
- require that those utilizing City land and water for these purposes hire the unemployed or underemployed within our community, when possible, and specifically hire personnel trained in hydroponic and aquaponic food production at local educational institutions;

c. City Land/City Water

The City owns some \_\_\_\_ acres of undeveloped land with the boundaries of the City. The City makes water available currently for land use development projects that involve residences that are fewer than \_\_\_\_ in number. The City can use its own land and water to incentivize such food production and enhance the sustainability of the City.

d. Skilled Workforce/Training

The Santa Fe Community College offers a program/training in hydroponic and aquaponic agriculture - Controlled Environment Agriculture. The City could work cooperatively with the SFCC to move its students into the workforce at the new greenhouses that could be built.

5. Draft City Ordinance- A sample form of ordinance for consideration in implementing such a program:

**RESOLUTION NO. 2023-\_\_**  
**INTRODUCED BY:**  
**Councilor \_\_\_\_\_**

**A RESOLUTION  
IN SUPPORT OF HYDROPONIC AND AQUAPONIC GROWING IN  
CONTAINED ENVIRONMENT AGRICULTURE UTILIZING CITY LAND AND**

**CITY WATER TO FURTHER SANTA FE'S SUSTAINABLE FUTURE AND  
ELIMINATE HUNGER IN OUR COMMUNITY.**

**WHEREAS**, hunger was a persistent challenge in New Mexico before the COVID-19 public health crisis; the demand for hunger relief increased by 30% after that crisis began.

**WHEREAS**, the United Nations Human Rights Commission in its publication entitled "The Right to Adequate Food", states in part that "Combating hunger and malnutrition is more than a moral duty or a policy choice; in many countries, it is a legally binding human rights obligation.... All human beings, regardless of their race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status have the right to adequate food and the right to be free from hunger";

**WHEREAS**, the people of the City of Santa Fe affirm that the right to adequate food and the right to be free from hunger are basic human rights;

**WHEREAS**, New Mexico First's Food, Hunger, Water, Agriculture Policy Workgroup supports the following policy efforts: 1) Increase data-driven decisions about food and hunger that support local food systems; 2) Strengthen local food systems with policies that promote resiliency in local agriculture and 3) Develop and support family-friendly policies that address hunger-related income inequalities;

**WHEREAS**, in New Mexico one in eight persons experience hunger related issues, and one in five children experience hunger; and

**WHEREAS**, the City of Santa Fe has land and water resources that can be utilized in accord with law for the purposes of creating contained environment agricultural systems in the form of greenhouses to produce food to feed the hunger and malnourished in our City in a sustainable manner.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE**, that the City of Santa Fe shall develop and implement within two years a program to make City land in every district within the City available for hydroponic and aquaponic food production in contained environment agricultural production facilities, such as greenhouses;

**BE IT FURTHER RESOLVED**, that the City of Santa Fe shall make available City water for use at significantly reduced rates in such greenhouses if they are commercial greenhouses and recycle said water multiple time within said facilities;

**BE IT FURTHER RESOLVED**, that any person(s) or entity(ies) operating such greenhouses shall be required to give priority in hiring to persons trained in the operation of such greenhouses and having degrees from the Contained Environment Agricultural program operated by the Santa Fe Community College; and

**BE IT FURTHER RESOLVED** that the food produced in such greenhouses shall be made available at no cost or low cost to feed children, elderly persons, and other residents of Santa Fe who experience food insecurity or hunger in Santa Fe, utilizing Santa Fe Schools, Santa Fe Senior Centers, and nonprofits faith communities within the Santa Fe community addressing hunger issues.

**PASSED, APPROVED, AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_,**

**2023**

6. Conclusions

The City of Santa Fe is uniquely situated to solve the problems of food insecurity and hunger in its community. A Charter Amendment stating the City's policy regarding making available nutritious food, utilizing City land and water should act as a catalyst to end hunger in our City, affirming the fundamental human right to food. The City has the land and water resources to promote the creation of commercial green houses on City land and using City water, that could be dedicated to the production of hydroponic and aquaponic food resources to feed the hungry in our community. We have at our local community college extant training programs (Controlled Environment Agriculture) to educate and train hydroponic and aquaponic farmers.

7. Appendicies

- A. Santa Fe Food Policy Council Information
- B. KQRE Report
- C. Childrens HealthWatch Information
- D. SFCC - Controlled Environment Agriculture

## Appendix A - Santa Fe Food Policy Council Information

### A. Growing Food

#### *GROWING FOOD*

*Our vision for food production in Santa Fe City and County views farming and ranching as an economically viable way of life that promotes stewardship of the land and resources. This vision supports food security through the integration of sustainable agricultural practices into the built environment.*

#### **Goal 1: Increase the impact and efficiency of community gardens.**

- Enforce existing water conservation policies for community gardens. This will encourage appropriate growing methods that support efficient water usage and minimize negative environmental impacts. *Potential Partners: City of Santa Fe Parks Division, Community Garden Council, Homegrown NM, Santa Fe Watershed Association*
- Support development of community gardens that create educational opportunities with diversified crops. *Potential Partners: City of Santa Fe Parks Division, Community Garden Council, Homegrown NM, Santa Fe County Open Space, Santa Fe Community College, Institute of American Indian Arts*
- Define the populations intended to be served by community gardens and develop policies that ensure those populations have access and education to benefit from the increased food security of those gardens. *Potential Partners: City of Santa Fe Parks Division, Community Garden Council, Homegrown NM, Earth Care, Somos un Pueblo Unido*
- Support the development of community gardens and other agricultural projects by providing water, land, and infrastructure on County or public land where appropriate. (Santa Fe County Sustainable Growth Management Strategy 15.1.1, page 86). *Potential Partners: Santa Fe County Open Space and Trails program, Santa Fe County Growth Management Department*
- Allow the option for community gardens to be considered as part of the open space requirements for new developments. (Santa Fe County Sustainable Growth Management Plan, 2010, Strategy 15.5.2, page 86). *Potential Partners: Santa Fe County Open Space and Trails program, Santa Fe County Growth Management Department.*

#### **Goal 2: Develop on-site gardens at senior centers to increase the availability of fresh and local foods for seniors.**

- Design sustainability plans for senior center gardens to ensure they have operational support, are economically self-sufficient, and are integrated into the community. *Potential Partners: Santa Fe County Community Services, City of Santa Fe Community Services, City of Santa Fe Parks Division, Santa Fe County Open Space and Trails program, Homegrown NM, non-profits*
- Connect garden coordinators to resources, technical support, and educational opportunities available within Santa Fe County. *Potential Partners: Santa Fe County Community Services Department, City of Santa Fe Community Services, Santa Fe Community College, Institute of American Indian Arts (IAIA), Homegrown NM, non-profits.*
- Develop the plan by which fruit and vegetables grown in senior center gardens can be practically harvested, washed, stored and integrated into food preparation for senior center meals. *Potential Partners: Santa Fe County Community Services Department, New Mexico Environment Department, National Farm to School Network, Farm to Table, New Mexico State Extension Service*

#### **Goal 3: Increase the number of school gardens aimed at helping youth**

- Develop and implement plans for school gardens that address the need for continuing support from the school district and community. Encourage schools to use school gardens as outdoor classrooms, integrating learning about food into the school day, cafeteria meals, and afterschool and summer programs. *Potential Partners: National Farm to School Network, school district administration and staff, Americorps, Food Corps, non-profits.*
- Work with school administration and local governments to develop joint use agreements establishing community gardens on school grounds. This will increase opportunities for multi-

generational and multi-cultural learning and help gardens become long-term resources that serve the entire community. *Potential Partners: City of Santa Fe Community Services, Santa Fe County Community Services, school district administration and staff, non-profits.*

- Develop partnerships with the Santa Fe Community College and/or other academic institutions to deliver arid-land agriculture training for residents and people pursuing careers in food production. *Potential Partners: Santa Fe Community College, Sustainable Santa Fe, Santa Fe Community Farm, IAIA*

**Goal 4: Conserve water through educational programs, incentives, and policies.**

- Design educational landscapes in urban and rural settings that demonstrate the range of possibilities for water conservation, including harvested rainwater, xeric irrigation, re-vegetation and supplementing food production. *Potential Partners: City of Santa Fe Water Division, Santa Fe County Water Policy Advisory Committee, City of Santa Fe Environmental Services Department, Santa Fe Watershed Alliance, non-profits, Sustainable Santa Fe.*
- Require that urban farms that grow produce for sale or to donate to organizations that address food insecurity must provide a water use plan including a water budget for plantings and water sources which minimize the use of municipal drinking water for crop irrigation. *Potential Partners: City of Santa Fe Water Division, Santa Fe County Water Policy Advisory Committee, City of Santa Fe Environmental Services Department, Santa Fe Watershed Alliance, non-profits, Sustainable Santa Fe.*
- Support rebates and other incentives for agricultural use such as rain barrels, drip-irrigation, composting systems, and water conservation techniques in areas where appropriate. (Santa Fe County Sustainable Growth Management Plan, 2010, strategy 16.2.1, p. 87). *Potential Partners: City of Santa Fe Water Division, Santa Fe County Water Policy Advisory Committee, City of Santa Fe Environmental Services Department, Santa Fe Watershed Alliance, non-profits, Sustainable Santa Fe.*
- Support the use of rain fed agriculture where collected water is used to irrigate crops. (Santa Fe County Sustainable Growth Management Plan, 2010, strategy 16.2.2, p. 87. *Potential Partners: Santa Fe County Growth Management Department, City of Santa Fe Water Division, Santa Fe County Water Policy Advisory Committee, City of Santa Fe Environmental Services Department, Santa Fe Watershed Alliance, non-profits, Sustainable Santa Fe.*
- Support farming techniques that facilitate the conversion from spray irrigation-based practices to lower water use systems such as no-till, drip irrigation, and/or greenhouse based agriculture. (Santa Fe County Sustainable Growth Plan, 2010, strategy 16.2.3, p.87.) *Potential Partners: Santa Fe County Growth Management Department, Santa Fe Watershed Association, New Mexico Acequia Association, Natural Resource Conservation Service (NRCS), New Mexico State Extension Service.*
- Create educational programs that highlight our watershed, related policies, and water conservation tips. *Potential Partners: City of Santa Fe Water Division, Santa Fe County Water Policy Advisory Committee, City of Santa Fe Environmental Services Department, Santa Fe Watershed Association, New Mexico Acequia Association, non-profits.*

- Develop and publicize incentive programs to reduce in-home water use by utilizing gray water and rainwater for irrigation and other purposes that do not require potable water. *Potential Partners: City of Santa Fe Water Division, Santa Fe County Water Policy Advisory Committee, City of Santa Fe Environmental Services Department, Santa Fe Watershed Alliance, non-profits.*

**Goal 5: Increase the viability and presence of local gardens, farms and ranches.**

- Work with Santa Fe County to incorporate land use allowances for agricultural activity into the Sustainable Land Development Code. *Potential Partners: Santa Fe County Growth Management Department, Santa Fe County Board of County Commissioners, Water and Soil Conservation Districts, local farmers, non-profits.*
- Create a LandLink program which connects landowners in Northern New Mexico with farmers who need land; Also provides opportunity to connect new farmers with experienced mentors. *Potential Partners: Santa Fe County Growth Management Department, North Central New Mexico Economic Development District.*

- Collaborate with area agencies and organizations to help small and medium scale farms meet market-based and Federal food safety requirements. *Potential partners: New Mexico State Extension Service, New Mexico Department of Agriculture, Farm to Table*
- Design and implement a City Harvest program, (as detailed in the Sustainable Santa Fe Plan), to create multiple growing, processing, storing, and selling opportunities. (Sustainable Santa Fe Plan, 2008, Proposed Action 10-2 under Food Production, page 29-30.) *Potential Partners: Santa Fe County Growth Management Department, City of Santa Fe Water Division, Santa Fe County Water Policy Advisory Committee, City of Santa Fe Environmental Services Department, Santa Fe Watershed Alliance, non-profits, Sustainable Santa Fe.*
- Develop a Commercial Scale Urban Agricultural Permit to protect both neighborhood and agricultural interests within the City by setting policies for uses including, but not limited to water conservation, embedded greenhouse gas footprint, sales, employees, volunteers, visitors and community educational benefits. *Potential Partners: City of Santa Fe Land Use and Zoning Department, Santa Fe City Council, neighborhood associations, non-profits, farmers, and community members*
- Work with the City and County to develop zoning and land use polices which clearly detail home-based agricultural activities such as raising chickens, small livestock, and honey bees. *Potential Partners: City of Santa Fe Land Use and Zoning Department, Santa Fe City Council, Santa Fe County Growth Management and Land Use Department, neighborhood associations, non-profits, farmers, and community members.*
- Encourage public and private land owners within the City to revitalize vacant and underutilized property by allowing land to be used for green space and gardening. *Potential Partners: City of Santa Fe Land Use and Zoning Department, Santa Fe City Council, and community members*

**Goal 6: Develop agricultural incentives and innovative programs to support small farmers and maximize food production/distribution in our regional foodshed.**

- Promote and expand outreach and incentives for extended season farming techniques, supporting farmers to generate more income. *Potential Partners: New Mexico State Extension Service, Natural Resource Conservation Service, Santa Fe Farmers Market Institute*
- Assess and develop resource tools such as conservation easements, improvement districts, and grants to support the viability of agricultural uses. (Santa Fe County Sustainable Growth Management Plan, 2010, strategy 14.2.2, page 85.) *Potential Partners: Santa Fe County Planning Division, Santa Fe Growth Management Department, Santa Fe Board of County Commissioners, New Mexico Land Conservancy*
- Coordinate with local communities and organizations to promote the development of agricultural products and markets, including the development of farmers markets, buy-local campaigns, and a local products website to market and distribute fresh goods. (Santa Fe County Sustainable Growth Management Plan, 2010, strategy 14.2.3, page 85.) *Potential Partners: Santa Fe County Growth Management Department, Santa Fe Food Policy Council, Santa Fe Farmers Market Institute, New Mexico Farmer's Market Association, NMDA-Taste the Tradition and Growth with Tradition*
- Establish Specialty Crop programs which support local farm and food based businesses by creating subsidies for fruits and vegetables. *Potential Partners: City of Santa Fe Economic Development, Santa Fe County Economic Development, New Mexico Department of Agriculture.*
- Clarify and communicate the process by which landowners can apply for Agricultural Exemptions; Conduct a "Did You Know?" campaign to make the public aware of qualifications for this classification, and to facilitate the application process. *Potential Partners: Santa Fe County Growth Management Office of the Santa Fe County Assessor, Santa Fe Food Policy Council-Lane Use Subcommittee*
- Maximize the efficient use of existing infrastructure in our regional food shed. For example, the Rail Runner is a public transit spine, which could be used to transport growers and their produce, expanding markets and food access points from Belen to Santa Fe. *Potential Partners: Santa Fe County Growth Management, Rio Metro Board, Mid Region Council of Governments (MRCOG), University of New Mexico*

**Goal 7: Adopt sustainable land/resource management practices at a regional scale.**

- Encourage City planning initiatives such as urban forestry, green belts, and edible infrastructure to create continuous green space which can provide habitat for animals, food, shade, and places to play. *Potential Partners: City of Santa Fe Parks Division, City of Santa Fe Roadway and Trails Department, Southwest Area Planning Initiative*
- Develop a list-serve for urban food harvesting opportunities to connect individuals to existing food production sites, allowing them to collect crops that would otherwise go to waste. *Potential Partners: City of Santa Fe, Santa Fe County Growth Management Department, Gaia Gardens, non-profits, community members.*
- Support the development of community elected “GMO Free Zones” to create buffer zones that protect farmland, crops, and seeds from the unknown impacts of genetically engineered organisms. *Potential Partners: Santa Fe County Growth Management, New Mexico State Extension Service, area Tribal Governments, non-profits.*
- Promote educational opportunities in community gardens and public spaces that highlight native, low water plants and traditional uses. *Potential Partners: Homegrown New Mexico, Tesuque Agriculture Department, City of Santa Fe Parks Division, Santa Fe County Open Space and Trails Division, Southwest Area Planning Initiative*
- Develop incentives, policies and programs throughout the City and County designed to support farming and ranching activities and improve environmental resiliency: develop a composting program, build soil to increase land fertility and groundwater recharge, improve functionality of waterways and irrigation networks, and promote growth of plants that are resilient in a wider range of climate conditions and provide habitat for beneficial insects. *Potential Partners: City of Santa Fe Parks Division, Santa Fe County Growth Management, New Mexico State Extension Service, area Tribal Governments, USDA, Santa Fe Watershed Association, Quivira Coalition, other non-profits*
- Collaborate with area agencies and organizations to develop “Farmer to Farmer” outreach programs focused on innovative farming and ranching practices that build soil health. *Potential partners: Santa Fe Farmers Market Institute, Quivira Coalition, Natural Resource Conservation Service, New Mexico State Extension Service, Farm to Table, other non-profits.*

**Goal 8: Prioritize sustainability and agriculture in future development in Santa Fe City and County.**

- Develop an Implementation Plan for the Agriculture and Ranching Element, Chapter 4 of the 2010 Sustainable Growth Management Plan. *Potential Partners: Santa Fe Food Policy Council, Santa Fe County Growth Management, Santa Fe County Board of County Commissioners, Santa Fe Food Policy Council.*
- Establish City and County development approval requirements to incorporate water-efficient edible landscapes, food production and composting areas for the future residents into their master plans. *Potential Partners: City of Santa Fe Department of Housing and Community Development, Santa Fe County Building and Development Services, Santa Fe County Growth Management and Land Use, area developers*
- Establish City and County development approval requirements with standards and regulations that do not limit home-based agricultural activities otherwise allowed by land use approval authority. *Potential Partners: City of Santa Fe Department of Housing and Community Development, Santa Fe County Growth Management and Land Use, Homegrown NM, area developers*
- Revise the City of Santa Fe’s Development Code landscape requirements to allow and/or require a percentage of plants produce fruits or vegetables that have low to moderate water requirements. *Potential partners: City of Santa Fe Parks Division, Sangre de Cristo Water Division, Santa Fe Watershed Association*
- Assess and develop a county-wide composting program that considers food waste, green waste, and manure. (Santa Fe County Sustainable Growth Management Plan, 2010, strategy 15.3.3, page 86). *Potential Partners: City of Santa Fe Environmental Services Division, Santa Fe County Growth Management, New Mexico State Extension Service, area Tribal Governments, USDA, Santa Fe Watershed Association, Quivira Coalition, other non-profits.*

- Complete an Agricultural Overlay Zone to protect agricultural land and resources and create bonus and incentive zoning techniques. *Potential Partners: Santa Fe County Growth Management Department, Santa Fe Food Policy Council-Land Use subcommittee.*
- Provide regulatory framework to accommodate sustainable historic development patterns and strengthen community planning efforts to ensure that traditional communities are supported in planning for their futures. *Potential Partners: Santa Fe County Growth Management*
- Develop an agriculture preservation policy that is directed toward maintaining small agricultural parcels, including “working land” (such as barns, greenhouses, and other structures) as part of the development land. (Santa Fe County Sustainable Growth Management Plan, 2010, strategy 14.1.3, page 85). *Potential Partners: Santa Fe County Planning Division, Santa Fe County Growth Management Department, Santa Fe Food Policy Council,-Land Use Subcommittee, Santa Fe Board of County Commissioners, non-profits.*
- Create an inventory of agricultural lands and conduct a land suitability analysis to identify agricultural potential and determine high priority of protection for agricultural soils and other sensitive arable lands, especially historical agricultural lands with water rights. (Santa Fe County Sustainable Growth Management Plan, 2010, strategy 14.1.5, page 85). *Potential Partners: Santa Fe County Growth Management Department, Santa Fe Food Policy Council-Land Use Subcommittee, Santa Fe Board of County Commissioners, New Mexico Acequia Association, non-profits.*
- Require clustering of new development on acequia-irrigated agricultural land. (Santa Fe County Sustainable Growth Management Plan, 2010, strategy 16.3.5, page 87). *Potential Partners: Santa Fe County Growth Management Department, Santa Fe Food Policy Council, Santa Fe Board of County Commissioners, non-profits.*

## B. Getting Food

### *Getting Food*

*Our vision for connecting diverse communities throughout the Santa Fe region to a reliable supply of healthy and affordable food is rooted in building knowledge of available assistance programs and resources, as well as ensuring that these foods are readily available in local stores, farmers markets, senior centers, hospitals, and schools.*

#### **Goal 1: Improve residents’ ability to access fresh, nutritious food.**

- Require public transportation routes to be aligned with food outlets that offer a full range of whole and fresh food options. *Potential Partners: Santa Fe Trails, North Central Regional Transit*
- Require City-and County-operated institutions include an increasing amount and variety of local food in their meal service programs to a maximum feasible percentage. *Potential Partners: Santa Fe County Community Services Department, City of Santa Fe Community Services, Area Agency on Aging, Santa Fe Public Schools, PED, CYFD*
- Support provision of infrastructure and programming to improve food access in rural and under-served areas. (Santa Fe County Sustainable Growth Management Plan, 2010, strategy 15.4.1, page 86). *Potential Partners: Santa Fe County Growth Management Department*
- Increase seniors’ awareness of various food assistance programs. *Potential Partners: Santa Fe County Community Services Department, New Mexico Income Support Division (ISD), Santa Fe County Office, non-profits, City and County Senior Centers administration and staff*

#### **Goal 2: Promote self-reliance, family gardening, and food storage.**

- Conduct education and outreach campaigns which emphasize self-reliance as a cornerstone of sustainability. *Potential Partners: Sustainable Santa Fe Commission, City of Santa Fe Environmental Services, Santa Fe City Council, Santa Fe Board of County Commissioners*
- *Inspire our community to integrate emergency preparedness into our daily lives through various lifestyle shifts, from smart shopping techniques for storing food reserves to revitalizing food preservation and storage traditions. Potential Partners: Santa Fe County Emergency Management, New Mexico State Extension Service, City of Santa Fe Emergency Management, non-profits*

- Sponsor a “Grow Up Gardening” campaign which highlights creative and fun food production techniques tailored to families, including container and vertical gardening techniques for limited space. *Potential Partners: Food for Santa Fe/Feeding Santa Fe, Santa Fe Farmers Market Institute, area nurseries, and food retail outlets that offer seasonal plant starts*

**Goal 3: Prioritize getting local, fresh food into schools.**

- Support and advocate for universal free school meals, which would make free healthy schools meals the norm for all children, irregardless of family income. *Potential partners: NM State Legislature, NM’s congressional delegation, the New Mexico Food and Agriculture Policy Council, New Mexico School Nutrition Association*
- Continue to support Farm to School educational activities currently taking place within our schools, such as on-site school gardens, food system and farming curriculum, fruit and vegetable tastings, culinary programs, field trips to local farms and venues, farmers in the classroom, and food system entrepreneurship programs. *Potential Partners: Santa Fe Public Schools, Santa Fe Farm to School Coordinator, Cooking With Kids, the New Mexico Food and Agriculture Policy*
- Work with School Food Service Directors and District Procurement offices to increase the availability of local foods in schools by setting up sustainable systems to purchase foods from local farmers, including standing purchase orders and bid processes that emphasize local purchasing. *Potential Partners: School District Procurement Offices, School Food Service Directors, Farm to Table, Cooking with Kids, the New Mexico Food and Agriculture Policy Council*

**Goal 4: Promote existing food assistance programs.**

- Demonstrate and promote creative uses of Supplemental Nutrition Assistance Program (SNAP) benefits—from tips for shopping on a budget to home gardening using seeds and plant starts available for purchase with monthly assistance benefits. *Potential Partners: New Mexico ISD Santa Fe County Office, Santa Fe Farmers Market Institute, Local Organic Meals on a Budget, Homegrown NM*
- Promote innovative programs aimed at increasing access to fresh, local food, such as the Southside Farmers Market and Santa Fe Farmers Market Double Buck Days which provide SNAP recipients with additional funds to shop at local farmers markets. Encourage clear signage at farmers markets and outreach about the WIC and Senior Farmers Market Nutrition Programs. *Potential Partners: Santa Fe Farmers Market Institute, New Mexico ISD Santa Fe County Office, NM Department of Health, Kitchen Angels, non-profits.*
- Organize volunteers to collect leftover crops from local farms to expand the availability of fresh food at area food banks/food pantries. *Potential Partners: Food for Santa Fe/Feeding Santa Fe, The Food Depot, area farms, non-profits*

**Goal 5: Celebrate local food and support regional food economy.**

- Grow the demand for local food by organizing an outreach campaign aimed at educating and inspiring residents to buy local. *Potential Partners: Santa Fe County Planning-Economic Development, Santa Fe Food Policy Council, Santa Fe Farmers Market Institute, New Mexico Farmers Marketing Association, NMDA-Taste the Tradition and Grown with Tradition, area food retail, non-profits, community members, farmers*
- Develop a locally based approach to address concerns of consumers and producers about the potential impacts of Genetically Modified Organism (GMO) food consumption and production in the region. *Potential Partners: Joint City-County GMO Task Force, Homegrown NM, Santa Fe County Extension, non-profits and initiatives.*
- Implement innovative strategies that support local economic development efforts such as mobile grocery stores and food carts to bring locally produced food into under-served areas of the county. *Potential Partners: City of Santa Fe Economic Development, Santa Fe County Economic Development, North Central New Mexico Economic Development District, MoGro Mobile Grocery*
- Work with Santa Fe City and County to develop urban agriculture ordinances. *Potential Partners: Santa Fe County Extension, Santa Fe Food Policy Council-Land Use Subcommittee, Gaia Gardens, Homegrown NM, non-profits*
- Maximize the efficiency of existing Community Commercial Kitchens and assess the need for additional facilities in order to enhance the economic potential of local value-added products and traditional foods

*Potential Partners: City of Santa Fe Economic Development, Santa Fe County Economic Development, Santa Fe SCORE, Southside Merchants Association, Santa Fe Business Incubator, Pojoaque Pueblo, non-profits, community members*

- Work with New Mexico regulatory agencies to streamline the process by which local producers and food processors can become certified for value added products. *Potential Partners: City of Santa Fe Economic Development, Santa Fe County Economic Development and Planning Division, New Mexico Environment Department, New Mexico Food and Agriculture Policy Council, Farm to Table*

## NEW MEXICO NEWS

# Report: No “cheap and easy” way to end child hunger in Santa Fe

by: [Curtis Segarra](#)

Posted: Jun 21, 2022 / 02:57 PM MDT

Updated: Jun 21, 2022 / 03:04 PM MDT

## SHARE

[SANTA FE, N.M.](#) (KRQE) – After more than a year of research, a task force examining how to end childhood hunger in Santa Fe has released its recommendations. The big picture: Feeding children require an increase in wages, and that won’t come easily.

The report on how to prevent childhood hunger was put together by policy advocates and experts organized by The Food Depot. That’s [a food bank that provides food services to residents in nine counties](#) in Northern New Mexico. “We recognize that this is a complex issue,” Sherry Hooper, the executive director of The Food Depot said in a press conference on Tuesday. “It’s time for bold action.”

## [The debate over New Mexico Hydrogen hub deepens](#)

Santa Fe County has around 5,000 children under the age of 18 who are repeatedly food insecure, according to the latest [data from the state’s Human Services Department](#). That means that there are likely thousands of children in the county who have to limit or skip meals or eat a reduced diet.

State leaders have taken steps to fix the problem. Earlier this year, for example, the [Office of the Governor initiated a \\$10 million grant](#) to try to increase food security. But the new report from The Food Depot says ending childhood hunger in Santa Fe might not be so easy.

The only way it will happen, the report says, is by increasing wages. They recommend raising the minimum wage in Santa Fe from the current \$12.95 to around \$22 to \$25 per hour. That income, plus some

government benefits, would be enough for a “living wage” that would ensure families can cover living expenses as well as sufficient food.

There is “no “cheap and easy” alternative that promises success in eliminating childhood hunger; our task force believes there is no less expensive alternative that can succeed in attaining that objective.”

“Not only is there no ‘cheap and easy’ alternative that promises success in eliminating childhood hunger; our task force believes there is no less expensive alternative that can succeed,” the report says.

### **Here are some new laws going into effect in New Mexico**

The report goes on to explain that doubling down on existing efforts may not be enough to end childhood hunger. “Despite the good intentions of the individuals and organizations involved in the myriad existing anti-hunger programs and efforts, both governmental and nonprofit, and expenditure of multimillions of dollars annually, this objective has never been achieved in Santa Fe or anywhere else in the U. S.,” the report notes.

While the report focuses on Santa Fe County, some public figures say the report has implications for the entire state.

“This report shows that we are at a turning point and that we are looking at how to approach hunger in a more broad way,” Santa Fe County Commissioner Anna Hansen said at a news conference Tuesday. “The county is a subdivision of the state... We have to think about how we’re going to pull them in, how we’re going to use the resources that we can.”

Commissioner Hansen also called on private businesses to help foot the bill.

“It is not just the counties and the cities that need to make sure that there is a living wage. It is private corporations that need to recognize that they have to pay workers more,” Hansen said. “And when they say, ‘well these workers are not educated.’ That doesn’t matter. That is not an excuse.”

Following the release of the report, Santa Fe County commissioners announced that June 21 would be “End Childhood Hunger Day.” Santa Fe Mayor Alan Webber joined the proclamation to mark the day.

“Santa Fe is a city with the ability to see to it that no child goes hungry,” Webber told KRQE News 13. “We have farmers and ranchers who produce healthy produce and meat, award-winning chefs and restaurants, and community outreach workers who can connect food and families. We need to align all those pieces so every child in Santa Fe can eat three healthy meals every day.”

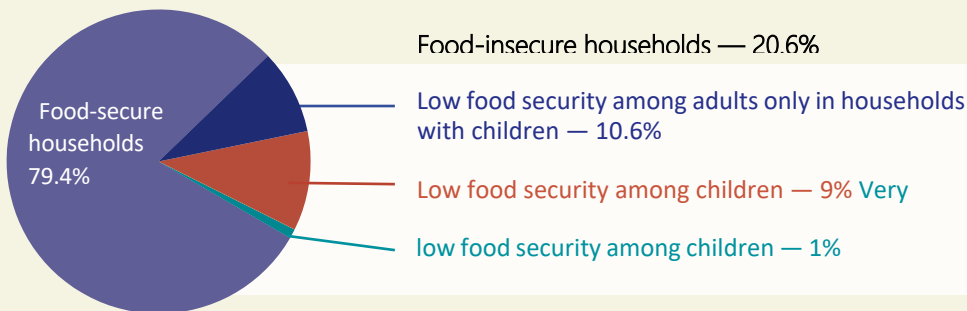
When asked whether or not a \$22 per hour living wage is possible in Santa Fe, the mayor says he plans on setting up another task force to address the issue. “I intend to form a task force that represents all parts of our community to take a look at what a living wage really is in 2022 in Santa Fe,” Webber says. “Santa Fe led the nation when we first adopted a living wage, and it took every interested party to come to the table and arrive at a proposal that demonstrated real leadership. It’s time to do that again.”

## Appendix C

### CHILDREN'S HEALTH WATCH REPORT

**Food insecurity can damage children's health and brain development years before they enter a classroom. By kindergarten, food-insecure children often are cognitively, emotionally and physically behind their food-secure peers.** This report is the first in a two-part series addressing the relationship between food insecurity, diminished educational attainment and implications for the U.S. workforce.<sup>i</sup>

One fifth of U.S. households with children (ages 0-18 years) experienced food insecurity in 2011



Source: Calculated by USDA, Economic Research Service using data from the December 2011 Current Population Survey Food Security

> **A household experiences food insecurity when any member of the household does not have access at all times to enough healthful food for an active, healthy life.**<sup>1</sup> The annual United States

Department of Agriculture (USDA) report on national food security reveals that the burden of food insecurity falls most heavily on families with children; families with young children are especially vulnerable. The USDA reported that 20.6% of US households with children ages 0-18 years, and 14.9% of all US households, experienced food insecurity in 2011.<sup>2</sup> Children's HealthWatch data indicate that 23.7% of households with young children (0-4 years) in our five-city sample are food-insecure.

**FOOD InSecUrly:** limited or uncertain availability of nutritionally adequate and safe foods or limited or uncertain ability to acquire acceptable foods in socially acceptable ways.

In 2006 the USDA changed the official terms for food insecurity.

**LOW FOOD SecUrly** equates to food insecurity without hunger: reports of reduced quality, variety or desirability of diet.

**Very LOW FOOD SecUrly** equates to food insecurity with hunger: At times during the year, eating patterns of one or more household members were disrupted and food intake reduced because the household lacked money and other resources for food.

these categories can be further differentiated among adults and children.



# Too Hungry to Learn: Food Insecurity and School

Source: *Children's HealthWatch*,

*economic conditions on the  
health of  
low-income young children.*

<sup>1</sup>The second brief in the series is entitled *Feeding Our Human Capital: Food Insecurity and the Workforce*

### Summary of Findings:

1. Food insecurity harms young children's health and development.
2. due to increased risk for developmental delays, many food-insecure children have greater difficulty acquiring social and academic skills necessary to successfully transition to pre-school or kindergarten.
3. Food insecurity predicts poor performance during a child's first years at school which has implications for future academic success.
4. SnAP, wIC, and cACFP are federal programs that can help young children overcome the negative effects of food insecurity on school readiness by supporting their health and development through healthy nutrition at home and at school.

> **Food insecurity is harmful to children's health.** Many studies have found that food insecurity harms children's health in a variety of ways.<sup>3,4</sup> Research conducted by Children's HealthWatch and others has found that food-insecure young children are nearly twice as likely to be in fair or poor health<sup>ii</sup> when compared to food-secure young children, and significantly more likely to be hospitalized.<sup>5,6</sup> Food-insecure children are also more likely to suffer from common illnesses such as stomachaches, headaches, and colds when they reach preschool age.<sup>6</sup> Research on the relationship between food insecurity in childhood and obesity is inconclusive. One longitudinal study of young children, however, suggests that persistent household food insecurity may be a contributing factor in childhood obesity.<sup>7</sup>

> **Food insecurity is harmful to children's development.** Children's HealthWatch findings show that food insecure infants and toddlers are two thirds more likely than food-secure young children to be at risk for developmental delays.<sup>8</sup> Our research has also tied food insecurity to iron-deficiency anemia in young children,<sup>9</sup> a condition which negatively influences development of basic motor and social skills.<sup>10</sup> The stress that family hardships, like food-insecurity, place on a young child physically alter the development of crucial brain structures controlling memory<sup>11</sup> and psychosocial functioning.<sup>12</sup> Early childhood is the narrow window during which one builds the basic capacity to learn and interact productively with others; disrupting this brief period diminishes children's ability to acquire complex school skills as they grow, and, later, job skills.<sup>13</sup>

> **The developmental impact of food insecurity in early childhood is sustained through a child's critical first years in school.** A study of school-aged children who suffered from iron-deficiency anemia as infants—a health outcome associated with food insecurity—found impaired memory and social functioning more than 10 years after the children had completed iron treatment.<sup>14</sup> Researchers examining the role of food insecurity in cognitive outcomes found that food-insecure 6-11 year-olds scored lower than their food-secure peers on a measure of child intelligence and were more likely to have seen a child psychologist. The same study also found that these children had a harder time getting along with others, were more likely to have repeated a grade, and had lower arithmetic and general achievement test scores than food-secure children in the same age group.<sup>15</sup> A study using data from the 1999 National

Survey of American Families found that food insecurity predicts poor school engagement partly because food-insecure children tend to be in poor emotional and physical health.<sup>16</sup> In a longitudinal study, other researchers found that food insecurity in kindergarten was associated with poor reading performance and impaired social skills in later grades.

> **Federal nutrition programs can improve school readiness by counteracting childhood food insecurity.** The Obama administration's initiative to increase access to public preschool,<sup>17</sup> is a very important step in improving the quality of life and long-term success of low-income children, especially if it includes high quality nutrition as part of the school day. It is clear, however, that the need for adequate, healthy food is present from birth, and that food security during these early days affects children's chances of receiving the full benefit of high quality early education. Food insecurity begins to harm children's health and development years before they ever enter a school building. School-only interventions that start at age four are insufficient by themselves. Parents and child care/ early education providers require help preparing children nutritionally in the years leading up to elementary school. Given the vital roles that good food and nutrition play in preparing young

*“With the money food stamps provide, I was able to feed her breakfast . . . Without it what would she have eaten? . . . with the help . . . she didn’t have to go without.”* CRySTaL S., WITneSS To HungeR

children to learn, ensuring that every young child has sufficient access to healthy food should be a top priority for the nation.

The Supplemental Nutrition Assistance Program (SNAP, formerly the Food Stamp Program), the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), and the Child and Adult Care Food Program (CACFP) together help families and child care providers supply quality nutrition at home and in other care settings. These federal nutrition programs reach children before they start school and support them outside of school throughout their formative years. These programs effectively reduce household food insecurity<sup>18,19, 20</sup> and help to counteract its negative impacts on school readiness.<sup>20,21, 22</sup> SNAP, WIC and CACFP are also smart investments: they help to reduce the need for expensive health care, including hospitalizations,<sup>23</sup> and can reduce the need for costly later special education placements by supporting children’s health and development now.<sup>24</sup>

ending food insecurity in childhood needs to be a national child health priority; programs like SnAP, wIc and cAcFP are part of the solution. they form a public health support system that every American family must be able to access in times of need.

By championing the issue of childhood food security, and supporting federal nutrition programs, lawmakers can help ensure the future prosperity of the nation and give every child a fighting chance of success.

**> The long-lasting negative effects of childhood food insecurity on school readiness**

**translate into poor academic and, ultimately, economic outcomes.** The burden food insecurity in early life places on children’s future abilities to work and provide for themselves and their families, as well as on the work force and public well-being at the societal level, are the focus of a second brief in this series, Feeding Our Human Capital: Food Insecurity and the Workforce. We encourage readers of this brief to review that publication for additional information on policy solutions.

<sup>18</sup>Based on the health status question developed by RAND and used in NHANES. Fair/poor health status (compared to excellent/ good) is positively correlated with higher rates of health care utilization.

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# Controlled Environment Agriculture, A.A.S.

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CIP: 01.0604

School of Trades, Advanced Technologies and Sustainability, 505-428-1664

The purpose of this program is to revitalize agricultural traditions in order to build local food security in a way that is ecologically sustainable for future generations. Students will receive hands-on and classroom training in greenhouse management. Through various programs, the program will focus on hydroponic and aquaponic production techniques.

NOTE: A.A.S. degrees are designed to prepare students for entry-level positions in specific occupations; they are not general education degrees. For more information, see the **Credit** section of this catalog, or speak with an academic adviser.

**Students can earn the following certificates included in this degree:**

- [Controlled Environment Agriculture \(CEA\) Certificate](#)
- [Algae Cultivation Certificate](#)

## Program Learning Outcomes

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Upon completion of this program, students will be able to:

- Demonstrate competency in basic workplace safety
- Demonstrate understanding of sustainable agriculture production techniques such as hydroponics and aquaponics
- Demonstrate an awareness of economic, environmental, and community impacts of soilless agriculture
- Demonstrate an understanding of soilless plant growth

## General Education Requirements: (20 Credits)

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### Communications (6 Credits)

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- [ENGL 1110 - Composition I](#) Credits: 3
- [ENGL 1120 - Composition II](#) Credits: 3
- or
- [ENGL 1210 - Technical Communications](#) Credits: 3
- or
- [ENGL 2210 - Technical and Professional Communication](#) Credits: 3
- or
- [COMM 1130 - Public Speaking](#) Credits: 3
- or
- [COMM 2120 - Interpersonal Communication](#) Credits: 3
- or
- [COMM 2140 - Small Group Communication](#) Credits: 3

### Mathematics (3 Credits)

- [MATH 1130 - Survey of Mathematics](#) Credits: 3 or higher numbered MATH course except MATH 1215 Intermed

## Laboratory Science (4 Credits)

- [BIOL 1110 - General Biology](#) Credits: 3
- and
- [BIOL 1110L - General Biology Lab](#) Credits: 1
- or
- [BIOL 1215 - Biology for Environmental Sciences](#) Credits: 3
- and
- [BIOL 1215L - Biology for Environmental Sciences Lab](#) Credits: 1
- or
- [BIOL 1625 - Introduction to Ecology and Field Biology](#) Credits: 4
- Any 4 credit Laboratory Science Course

## Social/Behavioral Sciences (3 Credits)

## Humanities and Fine Arts (3 Credits)

## Health and Wellness (1 Credit)

## Program Requirements: (29 Credits)

- [GRHS 121 - Greenhouse Design and Operation](#)  
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### GRHS 121 - Greenhouse Design and Operation

**Credits:** 3

Controlled environment agriculture for commercial agricultural production and hobby-scale greenhouses. This includes aspects of greenhouse designs and styles, climate control systems, heating, cooling, ventilation, environmental control, energy consumption, lighting, and economic viability. Participants gain a thorough understanding of greenhouse systems and how to determine greenhouse viability and energy consumption.

**Offered:** Fall and Spring.  
Two lecture hours, two lab hours.

- 
- [GRHS 123 - Introduction to Soilless Production Systems](#)  
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## GRHS 123 - Introduction to Soilless Production Systems

**Credits:** 4

An introduction to growing plants without soil. This includes an in-depth look at different types of systems, hydroponic, aquaponic, for growing various crops in recirculating and drain to waste systems. Students gain an understanding of how these systems operate, and hands-on practical experience growing plants using multiple systems. Topics include the history of hydroponics and aquaponics, from the early history to the current state of each industry, water quality, nutrient dynamics, light requirements, and appropriate plant variety for system types. At the conclusion of this course, students will be able to design a variety of soilless production systems for specific agricultural crops.

**Offered:** Fall and Spring.  
Three lecture hours, two lab hours.

- 

- [GRHS 125 - Hydroponic Plant Growth](#)

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## GRHS 125 - Hydroponic Plant Growth

**Credits:** 3

Fundamental principals of hydroponic plant growth. This course covers cellular/ molecular biology as applicable to plant physiology, nutrient requirements and biochemical nutrient uptake activities. Soil components, properties, and nutrient dynamics in soil systems are studied to understand hydroponic plant growth and production. Other topics include water quality parameters such as pH and electrical conductivity (EC) and their relationship to nutrient availability. At the conclusion of the course, students will be able to create custom nutrient solutions from mineral salts, and have practical experience growing hydroponic plants.

**Offered:** Fall and Spring.  
Two lecture hours, two lab hours.

- 

- [GRHS 127 - Hydroponic Crop Production](#)

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## GRHS 127 - Hydroponic Crop Production

**Credits:** 4

Growing hydroponic vegetables and herbs. Students apply knowledge and skills from the introductory study of hydroponics and plants to grow hydroponic vegetables and herbs. Topics include plant propagation, plant specific requirements, pest management (IPM), identifying nutrient deficiencies and toxicities, organic hydroponics and nutrient and composition, and marketability.

**Prerequisite(s):** [GRHS 123](#) and [GRHS 125](#).

**Offered:** Fall and Spring.

Two lecture hours, four lab hours.

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• [GRHS 221 - Aquaponics](#)

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## GRHS 221 - Aquaponics

**Credits:** 4

Growing aquaponic vegetables and herbs using this sustainable, water efficient method. Students learn about the hydroponic plant production with aquaculture (fish farming). Aquaponic systems support symbiotic relationships between fish to grow plants with the key link between these processes being microbial activity. Students gain experience with multi-trophic aquaculture (IMTA) production systems. Students learn the nitrogen cycle and its key components, water quality and nutrient dynamics, diagnose and treat diseases, and explore the economics of integrated systems.

**Prerequisite(s):** [GRHS 123](#) and [GRHS 125](#).

**Offered:** Fall and Spring.

Two lecture hours, four lab hours.

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• [ALTF 161 - Introduction to Algae Cultivation](#)

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## ALTF 161 - Introduction to Algae Cultivation

**Credits:** 3

An introduction to algal biology and sustainable cultivation. Students are introduced to media preparation, sterile techniques, inoculation, and microscopy. Students view demonstrations of scale-up from isolated strains to 10-liter photobioreactors. Monitoring equipment is also introduced for the analysis of water and media chemistry, monitoring algal growth, and troubleshooting. Data collection, record keeping, and safety are emphasized throughout the course.

**Offered:** Fall.  
Three lecture hours.

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- [BLDG 111 - Construction Industry Workplace Health and Safety](#)

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## BLDG 111 - Construction Industry Workplace Health and Safety

**Credits:** 3

This course follows the approved Occupational Safety and Health Administration (OSHA) curriculum for the 30-hour Training Program for Construction Industry Safety and Health. Topics include: an introduction to OSHA, hazard identification and control for the OSHA Focus four hazards (Falls, Electrocution, Struck-by and Caught-in), PPE, health hazards, stair and other applicable construction standards. Individuals complete the course and successfully achieve a passing 30-hr exam will be issued OSHA 30-hr cards.

**Offered:** Summer, Fall and Spring.  
Three lecture hours.

- 

- [HRMG 118 - Sanitation and Safety - ServeSafe Manager Course](#)

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## HRMG 118 - Sanitation and Safety - ServeSafe Manager Course

**Credits:** 2

An overview of the sanitation standards, quality controls and risk reduction standards in our industries. Sanitation covers two important areas in the professional and personal settings. Most successful businesses have high standards of safety. These businesses have high standards which have been established by the national ServSafe® program such as Hazard Analysis Critical Control Point (HACCP).

**Offered:** Summer, Fall and Spring.  
Two lecture hours.

- 

- [SUST 1130 - Sustainable Energy Technologies](#)

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## SUST 1130 - Sustainable Energy Technologies

**Credits:** 3

[Previously offered as: ENVR 112] Designed to provide students with a basic understanding of sustainability as an economic concept. The course will describe and analyze current and emerging sustainable-energy technologies. Additional information about basic skill requirements required to begin working in renewable energy fields are provided.

**Offered:** Fall and Spring.  
Three lecture hours.

## Related Requirements: (11 Credits)

Choose from the following:

Students in the Sustainable Technologies programs who are required to take a First Year Student Success course are recommended to take the following:

- [ALTF 121 - Biofuels I](#) Credits: 4
- [ALTF 221 - Biofuels II](#) Credits: 4
- [ALTF 261 - Advanced Algae Cultivation](#) Credits: 3
- [ALTF 262 - Algae Harvesting](#) Credits: 3
- [ALTF 268 - Algae Culture Capstone](#) Credits: 3
- [ALTF 298 - Biofuels Internship](#) Credits: 1-3
- [ELEC 111 - Electronic Fundamentals](#) Credits: 4
- [ENTR 1110 - Entrepreneurship](#) Credits: 3
- [ENVR 215 - Active Water Harvesting and Distribution Systems](#) Credits: 3
- [FACT 114 - Basic Electricity and Controls](#) Credits: 2
- [GRHS 128 - Biopesticides - Application and Safety](#) Credits: 2
- [GRHS 223 - Microgreen and Fodder Production](#) Credits: 2
- [GRHS 298 - Greenhouse Internship](#) Credits: 1-4
- [HRMG 115 - Customer Relations and Service](#) Credits: 3
- [PLMB 141 - Pumps and Motors](#) Credits: 2
- [SOLR 111 - Introduction to Solar Energy](#) Credits: 1
- [SOLR 121 - Design and Installation of Photovoltaic Systems I](#) Credits: 3
- [SOLR 131 - Design and Installation of Solar Hot Water Systems](#) Credits: 3
- [SUST 1134 - Introduction to Sustainability Studies](#) Credits: 3
- [WATR 160 - Applied Chemistry for Water Treatment Operators](#) Credits: 4

## Note

See [First-Year Student Success Course Requirement](#).

**Total 60 Credits Min.**



## CASE STATEMENT FOR A CITY HUMAN RIGHTS COMMISSION

Across the United States current efforts by groups of individuals and by state legislatures to limit human and civil rights is occurring. Individual municipalities in some instances are also passing ordinances affecting these rights. Administrations come and go and along with them different priorities for the protection of human and civil rights. Further, offices are formed, funded and later dismantled, often owing to administrative priorities.

We believe that to avoid changes in administrations and in administrative priorities, creation of a City based Human Rights Commission makes sense and is called for. With that, a city administrative office that examines City actions and operations through an equity lens is of paramount importance in our changing society. It is impossible to predict the racial and ethnic diversity yet to be realized in Santa Fe's future. Also impossible to predict is the impact food, housing and city services availability will have on the residents in neighborhoods throughout Santa Fe.

In anticipation of these changes due to time and city growth, an equity foundation must be laid. A mandate for a Human Rights Commission within the City of Santa Fe Charter, is therefore necessary. Further, to bring such a statement before the voting public of Santa Fe gives our citizens the opportunity to declare that a strong commitment to equity exists.

The work of municipalities such as Seattle, WA and Portland, OR offer their assessments and reflections of learned experiences. It is this sub-committees' hope that resources are tapped by an Office of Inclusion, Diversity, Equity and Access (IDEA) or any future office with a different acronym to augment ideas.

The development of an equity checklist for different departments as project decisions are made is one method the city of Seattle, Washington uses that could be reviewed and refined if necessary for the City of Santa Fe.

As noted by Kent Keel, President of the Association of Washington Cities, in its report entitled: "Equity Resource Guide", a copy of which is attached as Appendix 1:

While many may say that racism or lack of equity isn't an issue in their communities, I challenge us all to go a little deeper. Unfortunately, we all share a history where racism has played a role in government's policy decisions. But we are not bound by that history, and we shouldn't fear it. Instead, we can embrace our role as city leaders by facing these challenges and uncomfortable conversations. We can work to ensure that all of our community members, especially those who may feel disenfranchised and underrepresented, know that we hear their voices and are committed to working on their behalf.

And as noted in Portland, Oregon's report entitled "Racial Equity Strategy Guide", a copy of which is attached as Appendix 2:

"**EQUITY** is when everyone has access to the opportunities necessary to satisfy their essential needs, advance their well-being and achieve their full potential. We have a shared fate as individuals within a community and communities within society. All communities need the ability to shape their own present and future. Equity is both the means to healthy communities and an end that benefits all."

*– The Portland Plan (adopted by City Council April 2012)*

and,

Equity is Portland's key to increasing economic and social opportunity. Through expanding and coordinating how the City practices the value of equity, Portland can realize its potential as both an economic leader and thriving community.

Creating opportunity and achievement for all

is essential for the city's future growth and prosperity.

By initially focusing on *racial* equity, we can address Portland's most persistent disparities while developing a permanent shift towards fairer practice and institutions that benefit all.

6

We are all aware of some of the issues occurring within our community. We have seen protests, which continue to this day; we have seen criminal activity initiated by some in the name redressing historic wrongs; we know of the need for affordable housing in our City; we know of the need for better means of addressing hunger in our City. These circumstances and others tell us that more needs to be done. A City Human Rights Commission representative of the interests of all of our community, is a strategic place to being to systemically solve these issues.

Several publications, attached as Appendices, identify how other communities have and are tackling these issues. They are attached as:

Appendix 1 - Association of Washington Cities, "Equity Resource Guide"

Appendix 2 - Portland, Oregon, "Racial Equity Strategy Guide"

Appendix 3 - The Nonprofit Association of Oregon, "Equity and Inclusion Lens Guide"

Appendix 4 - ICMA Research Report, Governing for Equity: Implementing an Equity Lens for Local Governments"

Appendix 5 - GARE-Racial Equity Toolkit

## Appendix 1

## ARTICLE X. CHARTER REVIEW AND AMENDMENT

### 10.01. Charter review.

A charter review commission shall be appointed as needed, but not less frequently than every ten years. ~~The governing body shall by resolution determine the manner of appointment of the commission, provided that there shall be an odd number of commissioners. The charter review commission shall consist of nine members; each city councilor shall select one member of the Commission and the Mayor shall select the ninth member. The selected commissioners shall elect one of their members to be the chair and a second one of their members to be the vice-chair of the commission. the commission, once selected shall serve for a one year term, so the commission shall be selected as set forth above no less than 15 months before the election at which any proposed amendments are to be presented to the voters. A sum of \$50,000 shall be made available as a budget for the commission; in the event any commission needs an increase in the budget, it must be approved by the City Council before being made available. The city shall staff the commission with a designated city attorney and no fewer than two staffers to perform research and drafting functions for the commission. The city shall advertise the creation of the commission and its function, setting up a separate page on the City's web page for the submission of proposed amendments from the public. The City shall hold no less than two meetings in each of the four city council districts within the first four months after the commission is selected for the purpose of taking input from the public. The commission shall report its recommended amendments to the Charter to the governing body no less than the first week of June prior to the election when any such amendments are to be considered. Any recommendation put forth by the commission, unless prohibited by law or of significant doubt as to its legality, shall be given to the voters at the next election, unless the Governing body does not approve it by a vote of no less than six members of the governing body.~~

Control-Click to Open Links (Secure Links to Google Docs)

[Appendix 1 - Washington EquityResourceGuide.docx](#)

[Appendix 2 - Portland RACIAL-EQUITY-STRATEGY-GU...](#)

[Appendix 3 - NAO-Equity-Lens-Guide-2019.docx](#)

[Appendix 4 - Governing For Equity Implementing ...](#)

[Appendix 5 - GARE-Racial Equity Toolkit.docx](#)