



# AGENDA

REGULAR MEETING OF  
THE GOVERNING BODY  
DECEMBER 11, 2023 10:00 AM  
COUNCIL CHAMBERS, CITY  
HALL  
200 LINCOLN AVENUE

## PROCEDURES FOR SPECIAL GOVERNING BODY MEETING

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

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

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

**Written Public Comment:** Members of the public may submit written comments on legislation by clicking on the comment bubble to the right of the meeting on the public portal at <https://santafe.primegov.com/public/portal> through 1:00p.m. the day of the meeting.

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

### 1. CALL TO ORDER

2. **PLEDGE OF ALLEGIANCE**
3. **SALUTE TO THE NEW MEXICO FLAG**
4. **INVOCATION**
5. **ROLL CALL**
6. **APPROVAL OF AGENDA**
7. **DISCUSSION/ACTION ITEMS**

- a. **EXECUTIVE SESSION**

In Accordance with the New Mexico Open Meetings Act, NMSA 1978, Section 10-15-1, Subpart (H)(7), Attorney-Client Privileged Discussion of Pending or Threatened Litigation in which the City of Santa Fe Is or May Become a Participant, in Particular, *In Re: Aqueous Film Forming Foams Products Liability Litigation, City of Camden et al v. 3M*, Case No. 2:23-cv-03147-RMG and *City of Camden et al. v. DuPont*, Case No. 2:23-cv-03230-RMG. (Erin K. McSherry, City Attorney: [ekmcsberry@santafenm.gov](mailto:ekmcsberry@santafenm.gov) and Marcos D. Martinez, Senior Assistant City Attorney: [mdmartinez@santafenm.gov](mailto:mdmartinez@santafenm.gov))

8. **EXECUTIVE SESSION ACTION ITEMS**

- a. Potential Direction Regarding the City of Santa Fe's Participation in the 3M Certified Class. (Erin McSherry, City Attorney: [ekmcsberry@santafenm.gov](mailto:ekmcsberry@santafenm.gov))

9. **ADJOURN**

**SUMMARY OF ACTION  
SPECIAL MEETING OF THE GOVERNING BODY  
MONDAY, DECEMBER 11, 2023, 10:00 AM  
COUNCIL CHAMBERS, CITY HALL  
200 LINCOLN AVENUE, SANTA FE, NEW MEXICO**

<b>1.</b>	<b>Call To Order</b>	<b>Convened at 10:00 am</b>	<b>2</b>
<b>2.</b>	<b>Pledge of Allegiance</b>	<b>Councilor Lee Garcia</b>	<b>2</b>
<b>3.</b>	<b>Salute to the NM Flag</b>	<b>Councilor Cassutt</b>	<b>2</b>
<b>4.</b>	<b>Invocation and Remembrances</b>	<b>Councilor Rivera</b>	<b>2</b>
<b>5.</b>	<b>Roll Call</b>	<b>Quorum</b>	<b>2-3</b>
<b>6.</b>	<b>Approval of Agenda</b>	<b>Approved as Presented</b>	<b>3</b>
<b>7.</b>	<b>Discussion/Action Items Executive Session</b>	<b>Held</b>	<b>3-4</b>
<b>8.</b>	<b>Executive Session Action Items Direction in City of SF Participation in the 3M Certified Class</b>	<b>Denied</b>	<b>4</b>
<b>9.</b>	<b>Adjourn</b>	<b>Adjourned at 10:27 am</b>	<b>4</b>

**SPECIAL MEETING OF THE GOVERNING BODY  
MONDAY, DECEMBER 11, 2023, 10:00 AM  
COUNCIL CHAMBERS, CITY HALL  
200 LINCOLN AVENUE, SANTA FE, NEW MEXICO**

**I. CALL TO ORDER**

The special meeting of the Governing Body was called to order by Mayor Webber at 10:00 AM, on Monday, December 11, 2023, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Councilor Lee Garcia.

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

The salute to the New Mexico Flag was led by Councilor Cassutt.

**4. INVOCATION**

The invocation was given by Councilor Rivera.

A moment of silence was given.

**5. ROLL CALL**

**MEMBERS PRESENT**

Mayor Alan Webber  
Councilor Signe Lindell  
Councilor Jamie Cassutt  
Councilor Lee Garcia  
Councilor Christopher Rivera  
Councilor Carol Romero-Wirth

**MEMBERS EXCUSED**

Councilor Amanda Chavez  
Councilor Michael Garcia  
Councilor Renee Villarreal

**OTHER PARTICIPANTS ATTENDING**

Erin McSherry, City Attorney  
John Blair, County Manager

Geralyn Cardenas, Deputy City Clerk.

## 6. APPROVAL OF AGENDA

**MOTION** A motion was made by Councilor Lindell, seconded by Councilor Romero-Wirth, to approve the agenda as presented.

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

Councilor Cassutt, yes; Councilor Lindell, yes; Councilor Lee Garcia, yes; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Mayor Webber, yes.

## 7. DISCUSSION/ACTION ITEMS

Ms. McSherry recommended that the City Council enter into Executive Session.

### A. EXECUTIVE SESSION

**IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT, NMSA 1978, SECTION 10-15-1, SUBPART (H)(7), ATTORNEY-CLIENT PRIVILEGED DISCUSSION OF PENDING OR THREATENED LITIGATION IN WHICH THE CITY OF SANTA FE IS OR MAY BECOME A PARTICIPANT IN PARTICULAR, *IN RE: AQUEOUS FILM FORMING FOAMS PRODUCTS LIABILITY LITIGATION, CITY OF CAMDEN ET AL V. 3M, CASE NO. 2:23-CV-03147-RMG AND CITY OF CAMDEN ET AL. V. DUPONT, CASE NO. 2:23-CV-0323-RMG***

**MOTION** A motion was made by Councilor Rivera, seconded by Councilor Romero-Wirth, to, pursuant to the New Mexico Open Meetings Act, NMSA 1978, Section 10-15-1, Subpart (H)(7), Attorney-Client Litigation in which the City of Santa Fe is or may become a participant, enter into Executive Session.

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

Councilor Cassutt, yes; Councilor Lindell, yes; Councilor Lee Garcia, yes; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Mayor Webber, yes.

The City Council entered into Executive Session at 10:04 am.

**MOTION** A motion was made by Councilor Rivera, seconded by Councilor Romero-Wirth, to, pursuant to the Open Meetings Act, reconvene in open session and that the items discussed were limited to those noticed.

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

Councilor Cassutt, yes; Councilor Lindell, yes; Councilor Lee Garcia, yes; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Mayor Webber, yes.

The City Council reconvened in open session at 10:25 am.

**8. EXECUTIVE SESSION ACTION ITEMS**

**A. POTENTIAL DIRECTOR REGARDING THE CITY OF SANTA FE'S PARTICIPATION IN THE 3M CERTIFIED CLASS**

**MOTION** A motion was made by Councilor Romero-Wirth, seconded by Councilor Lindell, to opt out of litigation in which the City was included in a certified class.


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

Councilor Cassutt, yes; Councilor Lindell, yes; Councilor Lee Garcia, yes; Councilor Rivera, yes; Councilor Romero-Wirth, yes; Mayor Webber, yes.


**9. ADJOURN**

There being no further business before the Council, the meeting adjourned at 10:27 am.

Approved By:

  
Alan Webber (Jan 11, 2024 11:28 MST)  
\_\_\_\_\_  
Mayor Alan Webber

Attested To By:

  
Geralyn Cardenas (Jan 11, 2024 11:29 MST)  
\_\_\_\_\_  
Geralyn Cardenas, Interim City Clerk

Respectfully Submitted By:

*Elizabeth Martin*  
\_\_\_\_\_  
Elizabeth Martin

**SPECIAL GOVERNING BODY MEETING  
EXECUTIVE SESSION  
December 11, 2023**

The Governing Body of the City of Santa Fe met in an executive session duly called on December 11, 2023, beginning at 10:15 a.m.

The following was discussed:

In Accordance with the New Mexico Open Meetings Act, NMSA 1978, Section 10-15-1, Subpart (H)(7), Attorney-Client Privileged Discussion of Pending or Threatened Litigation in which the City of Santa Fe Is or May Become a Participant, in Particular, *In Re: Aqueous Film Forming Foams Products Liability Litigation, City of Camden et al v. 3M*, Case No. 2:23-cv-03147-RMG and *City of Camden et al. v. DuPont*, Case No. 2:23-cv-03230-RMG. (Erin K. McSherry, City Attorney: [ekmcsberry@santafenm.gov](mailto:ekmcsberry@santafenm.gov) and Marcos D. Martinez, Senior Assistant City Attorney: [mdmartinez@santafenm.gov](mailto:mdmartinez@santafenm.gov))

**PRESENT**

Mayor Webber  
Councilor Lindell  
Councilor Romero-Wirth  
Councilor Cassutt  
Councilor L. Garcia  
Councilor Rivera

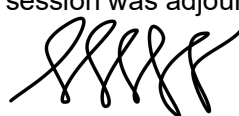
**ABSENT**

Councilor M. Garcia (EXCUSED)  
Councilwoman Villarreal (EXCUSED)  
Councilor Chavez (EXCUSED)

**STAFF PRESENT**

John Blair, City Manager  
Erin McSherry, City Attorney  
Geraldyn Cardenas, Interim City Clerk  
Marcos Martinez, Senior Assistant City Attorney  
Bernie Toon, Senior Advisor to the Mayor

There being no further business to discuss, the executive session was adjourned at 10:22 a.m.



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Geraldyn F. Cardenas, Interim City Clerk









# 12-11-23 Governing Body Special Meeting Minutes

Final Audit Report

2024-01-11

Created:	2024-01-11
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