



Agenda

CITY CLERK'S OFFICE

DATE 8/11/16 TIME 8:30a
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PUBLIC SAFETY COMMITTEE
Tuesday, August 16, 2016, 4:00 PM
City Council Chambers
200 Lincoln Avenue, Santa Fe, NM 87501

1. Roll Call
2. Approval of Agenda
3. Approval of Tuesday, July 19, 2016 Minutes
4. Presentation:

Proclamation for Santa Fe County Sheriff's Posse Day
(Councilor Trujillo)(Councilor Rivera)

5. New Business: Action Items

- A. A RESOLUTION DIRECTING THE CITY MANAGER TO COLLABORATE WITH THE POLICE DEPARTMENT AND FINANCE DEPARTMENT TO DEVELOP A PLAN, INCLUDING FISCAL IMPACT, FOR RETAINING POLICE OFFICERS CURRENTLY SERVING WITH THE CITY OF SANTA FE POLICE DEPARTMENT. (Councilor Trujillo) (Chief Gallagher)
- B. A RESOLUTION REQUESTING APPROVAL TO PURCHASE POLICE VEHICLES FOR FISCAL YEAR 2016-17. (Deputy Chief Andrew Padilla)
- C. A RESOLUTION REQUESTING APPROVAL OF THE 2016-17 POLICE OFFICER'S ASSOCIATION UNION CONTRACT. (Deputy Chief Andrew Padilla)

PUBLIC HEARING:

- D. A RESOLUTION CALLING ON THE NEW MEXICO LEGISLATURE TO REDUCE GUN VIOLENCE BY ENACTING LEGISLATION REQUIRING COMPREHENSIVE BACKGROUND CHECKS FOR FIREARM SALES AND STRENGTHENING THE CRIMINAL BACKGROUND CHECK SYSTEM. (Councilor Harris, Mayor Gonzales, Councilors Lindell, Villarreal, Rivera, Ives, Dominguez, Trujillo and Maestas) (Jesse Guillen)
6. Matters from Municipal Court Judge Virginia Vigil
 7. Matters from Police Chief Patrick Gallagher
 - a. Capt. James Lamb; Fiestas and Zozobra Briefing
 8. Matters from Fire Chief Erik Litzenberg
 9. Matters from the Regional Emergency Communications Center Ken Martinez
 10. Communications from the Floor
 11. Matters from Committee Members
 12. Adjournment

For information regarding the agenda, you can call Jessica Pfeiffer at 955-5074. Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520, five (5) working days prior to meeting date.

INDEX SUMMARY OF MINUTES
Public Safety Committee
August 16, 2016

<u>INDEX</u>	<u>ACTION TAKEN</u>	<u>PAGE(S)</u>
Cover Page		Page 1
Call to Order and Roll Call	Councilor Rivera, Chair called the meeting to order at 4:00 pm. A quorum was present at time of roll call.	Page 2
Review and Approval of Agenda No Changes from Staff	<i>Dr. Mier moved to approve the agenda as presented, second by Mr. Harris, motion carried by unanimous voice vote.</i>	Page 3
Approval of Minutes, July 19, 2016 No Changes from Staff or PSC Members	<i>Mr. Mizrahi moved to approve the minutes of July 19, 2016 as amended, second by Mr. Arellano, motion carried by unanimous voice vote.</i>	Page 3
Presentation: Proclamation for Santa Fe County Sheriff's Posse Day	<i>Photo Op</i>	Page 3
Vietnam Veterans of Northern NM	<i>Matanza for 1st Responders</i>	
New Business A Resolution directing the City Manager to collaborate with the Police Department and Finance Department to develop a plan, including fiscal impact, for retaining police officers currently serving with the City of Santa Fe Police Department. A Resolution requesting approval to purchase police vehicles for fiscal year 2016-2017. A Resolution requesting approval of the 2016-17 Police Officer's Association Union Contract.	<i>Mr. Bowen moved to approve the resolution directing the City Manager to collaborate with the Police Department and Finance Department to develop a plan, including fiscal impact, for retaining police officers currently serving with the City of Santa Fe Police Department, second by Mr. Harris, motion carried by unanimous voice vote.</i> <i>Dr. Mier moved to approve the Resolution requesting approval to purchase 27 police vehicles for fiscal year 2016-17, second by Mr. Mizrahi, motion carried by unanimous voice vote.</i> <i>Mr. Bowen moved to approve the resolution requesting approval of the 2016-117 Police Officer's Association, second by Dr. Mier, motion carried by unanimous voice vote.</i>	Page 3-4
Public Hearing: A Resolution calling on the New Mexico Legislature to reduce gun violence by enacting legislation requiring comprehensive background checks for firearm sales and strengthening the criminal background check system.	<i>Dr. Mier moved to approve the resolution calling on the New Mexico Legislature to reduce gunviolence by enacting legislation requiring comprehensive background checks for firearm sales and strengthening the criminal background check system, second by Dr. Nancy Owen Lewis, motion carried by voice roll call vote, 4-2</i>	Page 4-8
Matters from Municipal Court Judge Virginia Vigil	Report included in packet.	Page 8

INDEX SUMMARY OF MINUTES
Public Safety Committee
August 16, 2016

Matters from Police Chief Patrick Gallagher a. Fiestas and Zozobra Briefing	Informational	Page 8
Matters from Fire Chief Erik Litzenberg	Informational	Page 9
Matters from the Regional Emergency Communications Center	Not in Attendance	Page 9
Communications from the Floor	None	Page 9
Matters from Committee Members	Informational	Page 9
Adjournment and Signature Page	Meeting was adjourned at 5:00 pm	Page 9

PUBLIC SAFETY COMMITTEE
Tuesday, August 16, 2016, 4:00 pm – 5:26 pm
City Council Chambers
Santa Fe, NM

MINUTES

Meeting was called to order at 4:00 pm by Councilor Rivera, Chair for the Public Safety Committee. Roll call reflects a quorum.

1. Roll Call

Present

Councilor Chris Rivera, Chair
Peter Mizrahi
Herbert Harris
Dr. Mike Mier
Mike Bowen
Dr. Nancy Owen Lewis
Joe Arellano

Absent/Excused

Chief Eric Johnson

Staff Present:

Patrick Gallagher, Santa Fe Police Chief
Mario Salbidrez, Deputy Police Chief
Andrew Padilla, Deputy Police Chief, SFPD
Captain James Lamb, SFPD
Jessica Pfeiffer, Office Manager, SFPD
Sgt. Troy Baker, Union President for the SFPD
Jan Snyder, Assistant Chief, Santa Fe Fire Chief

Others Present

Julianna Koob, Everytown for Gun Safety
Karen Watkins, Citizen
Elaine Duncan, Citizen
Michael Greene, Citizen
Sgt. Troy Baker, Citizen
Santa Fe County Sheriff's Posse
Mr. Ken Dettelbach, Vietnam Veterans of Northern New Mexico
Jerry Martinez, Vietnam Veterans of Northern New Mexico
Fran Lucero, Stenographer

2. Approval of Agenda

Mr. Arellano to introduce the Vietnam Veteran's of Northern New Mexico under Presentations.

Dr. Mier moved to approve the agenda as amended, second by Mr. Harris, motion carried by unanimous voice vote.

3. Approval of Tuesday, July 19, 2016 Minutes

No Changes from the Committee or Staff

Mr. Mizrahi moved to approve the minutes of July 9, 2016 as presented, second by Mr. Arellano, motion carried by unanimous voice vote.

4. Presentation:

Proclamation for Santa Fe County Sheriff's Posse Day - (Councilor Rivera)

Members of the Santa Fe County Sheriff's Posse were present at the Public Safety Committee. Proclamation was read in honor of the great job they do for Santa Fe.

Vietnam Veterans of America, Northern NM Chapter 996 – Mr. Arellano introduced Board Members, Mr. Ken Dettelbach and Jerry Martinez from the Vietnam Veterans of Northern New Mexico. Mr. Dettelbach provided information on the forthcoming Matanza to be held on September 17, 2016 to acknowledge the daily service of Santa Fe's 1st Responders. There will be prizes and games for the children at this event. In appreciation for the work that the 1st Responder's do, Ken and Jerry requested that the flyer be sent to the 1st Responders, he will provide the flyer digitally for distribution. Thank you to the Public Safety Committee. (Exhibit A)

5. New Business: Action Items

- A. A Resolution directing the City Manager to collaborate with the Police Department and Finance Department to develop a plan, including fiscal impact, for retaining police officers currently serving with the City of Santa Fe Police Department. (Chief Gallagher)**

Chief Gallagher noted that Councilor Trujillo was concerned about the APD recruiting program. Since this information was learned of, the recruiting plan has been released publicly which details the benefits and salaries for new recruits. It takes 7 years for our Santa Fe Police Officers to reach the top of their pay band which is \$27/hr. and APD is starting at \$28/hr.

Mr. Bowen moved to approve the resolution directing the City Manager to collaborate with the Police Department and Finance Department to develop a plan, including fiscal impact, for retaining police officers currently serving with the City of Santa Fe Police Department, second by Mr. Harris, motion carried by unanimous voice vote.

- B. A Resolution requesting approval to purchase police vehicles for fiscal year 2016-17. (Deputy Chief Andrew Padilla)**

Request to purchase 27 vehicles for the Santa Fe Police Department. Councilor Rivera was complimentary of the proposal submitted by Chief Padilla as it provided details and answers to questions, without asking.

Dr. Mier moved to approve the Resolution requesting approval to purchase 27 police vehicles for fiscal year 2016-17, second by Mr. Mizrahi, motion carried by unanimous voice vote.

C. A Resolution requesting approval of the 2016-17 Police Officer's Association Union contract. (Deputy Chief Andrew Padilla)

Dr. Mier offered his compliments of the work done in negotiating for the 2016-17 Police Officer's Association Union Contract. The memo in packet shows the requested changes moving forward showing there was no fiscal impact to the overall budget of the Santa Fe Police Department.

Mr. Bowen conveyed his thanks to the Police Department knowing all the work that goes in to the negotiations and asked his fellow Public Safety Committee members to support the efforts of both the administration and the Union for coming to an agreement. I am happy to make the motion at the appropriate time.

Sgt. Troy Baker, Union President for the Santa Fe Police Officers Association: Thank you for supporting us. This contract is effective July 1, 2016 and retro as we were four contracts behind.

The Chair expressed his thanks to the Chief and to Sgt. Baker.

The Chair asked about the status of the fire range as the language has been taken out. Chief Padilla said he is aware of the complaints of the loud sound; to date there have been no complaints and he welcomed the committee members to visit the space. Discussions to move the range to 599 Inter-change normally doesn't get very far. The Chair would like to have a follow up discussion in the future about the shooting range location and future.

Mr. Bowen moved to approve the resolution requesting approval of the 2016-117 Police Officer's Association, second by Dr. Mier, motion carried by unanimous voice vote.

PUBLIC HEARING

D. A Resolution calling on the New Mexico Legislature to reduce gunviolence by enacting legislation requiring comprehensive background checks for firearm sales and strengthening the criminal background check system. (Councilor Harris)

Councilor Harris: All members of the governing body have agreed to co-sponsor this resolution. Any changes will need to happen at the State Legislative level. This resolution was copied word for word from a resolution that passed by the Las Cruces City Council on July 3, 2016 by 5 to 1 to 1. This is not just a Santa Fe initiative by any means, we are second in line on this particular resolution and through different avenues I intend to reach out to other municipalities to consider something similar.

Mr. Arellano asked that if at this time, is it standard to do background checks and criminal background checks? Councilor Harris stated that it is his understanding that under federal law it requires licensed gun sellers to conduct background checks through a data base that the law went in to effect in 1998. What this is asking the legislature to address and it has been done

before in the 2014 Legislative session, HB44 was being considered and was a similar type of legislation.

Dr. Nancy Owen-Lewis: How would this provision be enforced? Councilor Harris: Typically it would go through a licensed dealer and there is a fee involved for their transaction when it goes through their license/data base. Councilor Harris said it is his understanding that the response is quick, if there are any questions there is about a 3-day grace period but the transactions should be occurring through a licensed dealer.

Dr. Nancy Owen-Lewis asked; who is going to verify if they are using a licensed dealer? Dr. Nancy Owen-Lewis would like for more research to be done on how it works in other states.

Councilor Harris invited Julianna Koob from a National Agency, Everytown for Gun Safety to respond to questions from the Public Safety Committee. They worked closely with the Las Cruces City Council.

Julianna Koob – Everytown for Gun Safety - Everytown is a National movement of Americans working together to end gun violence and build safer communities. Gun violence touches every town in America. For too long, change has been thwarted by the Washington gun lobby and by leaders who refuse to take common-sense steps that will save lives. But something is changing. More than 3 million mayors, moms, cops, teachers, survivors, gun owners, and everyday Americans have come together to make their own communities safer. Together, we are fighting for the changes that we know will save lives. Everytown starts with you, and it starts in your town. We have presence of 40,000 people in New Mexico. We have seen how it works in other states, it has lowered gun homicide against law enforcement by 48%, it has lowered homicides against fire women in domestic violence by 46% and it has lowered gun suicides. Most background checks take about 90 seconds; it is a quick turn around. If there is a concern there it could take up to 3-days to complete the check. The loop holes we would be looking for the legislature to close are on-line gun sales and gun shows.

Public Hearing

Karen Watkins, 1017 Placita Loma, Santa Fe, NM – I am a lifelong New Mexican, from Albuquerque, I have lived in various towns around the state and for the last 40+ years I have lived in Santa Fe. I also volunteer with Moms Demand Action which is the state and local group supporting sensible gun laws. I strongly support the 2nd Amendment and the rights of gun owners, our family has guns. But we know that with those rights come responsibilities and one of those is to try to make sure that people who are dangerous don't get their hands on guns. This includes felons, domestic abusers and people who can bring danger to themselves and others. These people are not allowed to buy guns, the problem is that there is a large loop hole that allows them to go outside the licensed dealers and buy guns from gun shows or on line services. They can buy as many guns as they want no questions asked. So requiring background checks on all gun sales to include gun shows and those on-line would close this dangerous loop hole and make it much harder for criminals to get their hands on guns. Now we know that one law is not going to stop all tragedies but we also know that background checks work. With background checks, as Julianna mentioned, the amount of deaths with gun violence has decreased. Passing this resolution and having a law in the future is a sensible way to address the problem of guns in the hands of dangerous people. I congratulate the city council for supporting this resolution and hope soon that our legislators will do the same. Thank you for your time.

Elaine Duncan, 111 Valley Drive, Santa Fe, NM – I am a School Teacher for SFPS and mother. I am also a New Mexico and a Volunteer for Everytown New Mexico Moms Demand Action. I am here today to express strong support for this resolution which asks our elected leaders and our state to pass criminal background checks on all gun sales during the next legislative session. I support the 2nd Amendment that goes hand in hand with keeping guns away from criminals and other dangerous people. But the loop holes make it easy for dangerous people to get guns resulting in preventable violence and leads to suicide and as we heard last Saturday, shooting of law enforcement officers as in Hatch, NM. New Mexico has the highest rate of law enforcement officers shot and killed with hand guns over any state, over 300% higher than the national average. Right now dangerous people can obtain a gun with no background check and no questions asked at gun shows on on-line. The research shows that requiring a criminal background check on all gun sales is the single and most effective way to keep guns out of dangerous hands. In states that require criminal background checks on all gun sales, 48% fewer law enforcement officers are shot and killed in the line of duty in those states. That is why we are calling on our leaders to take action and close this loop hole. That safety of our friends, family and community depends on us.

Michael Greene, 1025 Camino Manana, SFNM – I coordinated the June 2nd National Gun Violence Awareness event on the plaza with Moms Demand Action and Everytown for Gun Safety and got to know several of the council members and the Mayor. I have been here in Santa Fe for about 3 ½ years and I am a relatively new volunteer for Moms Demand Action, I am here today simply to support a call for your support for this resolution asking our State Legislature to require criminal background checks on all gun sales for the reasons that the other members spoke about. It would close the loop holes in our background checks law that allow dangerous people who already are not allowed to have guns to buy one – right now they can buy one easily with no questions asked. We are all aware that America has a gun violence problem and New Mexico has a gun violence problem. It seems like every day in the news we continue to hear about yet another tragedy involving guns. I am neither a mother nor a mom but I was a Religion and English teacher in Catholic Schools for many years in Texas. The strong convictions for our children, our future and everyone have a right to safety, it is very important that my elected representatives do whatever they can to keep us safe. No single law can prevent all crimes but there are proven common sense actions we can do to protect our family and keep us safe. We need to make sure that every gun buyer undergoes a simple background check will prevent convicted felons, domestic abusers, people who have dangerous mental illness from getting their hands on guns or at least it will stop many of them. These are people that are already legally prohibited from having a gun. For everyone else background checks will be very quick and very easy. It is a common sense policy that we should all be able to agree on and I thank you very much for listening.

Troy Baker, 2651 Siringo Road, SFNM – I kind of support a form of this, there is no such thing as the gun show loop hole, every person at a firearm show much go through the background investigation to purchase from a dealer. That is not going to stop a private sale, which is going to be unenforceable. I have been working the streets, you deal with the firearms that have been used against, including the officer down in Hatch, those were not owned legally, and they were guns found in homicides; that aren't going to change anything. What I would like to do is encourage our Governing Body to assist me in working with the NM Legislature to get it put in place where those individuals convicted of domestic violence, where we actually have a

state law that we can enforce. Right now it is illegal to have a gun whether they pled no contest, not guilty or a deferred sentence; that is still a guilty plea for domestic violence. Right now we do not have a State Statute that covers felons in possession; it doesn't cover domestic violence so these same individuals we are dealing with have firearms. I have talked to ATF, US Attorney's and work with the FBI and ATF and unless we have a gun riding case they are not going to be able to pick it up, they are shorthanded just like we are shorthanded. If we could get anyone who has support with the NM Legislature to get that passed and give us some teeth in our state laws to enforce domestic violence abusers to not have firearms and if they possess if we could take to jail. Right now we take their firearms, put it in safekeeping, they get it back, there is not a lot else we can do. If all the gun laws were in place than Chicago would be the safest place right now.

Mr. Bowen: I was in law enforcement for 24 years and I am not in support of the NRA and I did not support the carry and conceal because I had some questions about how the law was originally presented. I don't really support this because I believe it is more of a feel good measure. The problem we are having is not criminals buying guns at gun shows and things of that nature. As Sgt. Baker has said, if you went by the strongest gun laws you would go to NY City, as I am sure Chief Gallagher could attest to, you could fly there this evening and purchase a gun by morning by not going through any legal channels on the street. I think gun violence is a tremendous problem in this country but I do not think we are going to solve it with this type of legislation. Thank you.

Dr. Mier, I don't necessarily agree with my fellow member but I do believe that, although it might be viewed by my fellow members as not having the teeth perhaps or even necessarily the ability to make a significant amount of change. If it, as in other things we have supported as a committee, if it makes a difference for one individual to save one life, than I think it is important to consider and I will offer a motion to pass this resolution.

Dr. Nancy Owen Lewis: This is a step in the right direction, my question is this, when this is presented to the legislature what would be the objections and what is the strategy for these objections.

Julianna Koob: The objections are going to be largely built around misunderstanding and some legitimate concerns about the important culture around hunting that we have in New Mexico. There is an exception in the draft that NM Legislators are looking at that includes an exception for family members to pass down guns to family members. That is an important piece of the legislation that is specific to concerns here in New Mexico. Otherwise a lot of it is built around, "this is not going to solve the problem". No, this may not solve the problem; this is going to get us a huge step forward in addressing the problem. What we know is that 40% of gun transfers right now are from unlicensed dealers which mean no background checks. What we are asking for here is to put in place what our law enforcement does; they have to get a criminal background check, if I want a gun I should be held to that same standard, what is fair is fair. 60% of gun owners are going through that background check.

Dr. Mier moved to approve the resolution calling on the New Mexico Legislature to reduce gunviolence by enacting legislation requiring comprehensive background checks for firearm sales and strengthening the criminal background check system, second by Dr. Nancy Owen Lewis, motion carried by voice roll call vote, 4-2

Thank you to all contributors to the public hearing.

6. Matters from Municipal Court Judge Virginia Vigil

Report Included in Packet, the Chair noted that she has been invited to future meetings, if any questions they can be delivered to her at that time.

7. Matters from Police Chief Patrick Gallagher

Chief Gallagher asked for prayers in remembrance of Officer Jose Chavez from Hatch, NM who lost his life in the line of duty.

(Crime report provided in the meeting packet).

Chief Salbidrez: Robberies - success in solving some of these robberies, 5 out of the 7 robberies resulted in arrests. Specifics were shared with the Public Safety Committee members on each of the incidents. Chief Gallagher reported that the city had its first homicide of the year in August, it was a homeless individual arrested within a week. It was an incredible effort between the patrol and the investigative side because of who was involved, there are a lot of homeless people, very difficult to identify, very difficult to interview and very difficult witnesses. Great congratulations to both the patrol officers and investigations that made the arrest, it was a team effort.

Vacancies, they are at 13. We continue to recruit, on Saturday we had 23 people test; we hope to fill those vacancies, sooner than later.

Deputy Chief Salbidrez provided success stories for the month.

Mr. Harris asked if a person is arrested with possession of a gun is it a higher charge? Chief Salbidrez said yes it is a higher charge.

a. Fiestas and Zozobra Briefing (Captain James Lamb)

Slide Show detailing the Zozobra Plan of Action for SFPD and Timeline was presented to the PSC members. September 2, 2016 – Zozobra - Informational: Call 855-ZOZOBRA for more information.

Joe Arellano: What are gang colors? Captain Lamb said that he hasn't actually seen them wearing gang colors but he assured the members that the Gang Team does know the colors. Black and purple are two colors. It was reiterated that National Guard will be positioned at the entry. Mr. Arellano asked how many were in attendance last year and Captain Lamb responded, 48,000. Dr. Mier asked if there would be metal detectors and the answer is yes, SFPD cannot wand but hired security can do this.

Captain Lamb noted that the last train out for Railrunner will be announced and controlled by Kiwanis notification.

Captain Lamb showed the Santa FE Fiesta Schedule, September 9-11, 2016. Event Patrol and Non-Event Patrol times were also shared with the PSC members. Security support plan was detailed. No questions from the committee, thank you to SFPD.

8. Matters from Assistant Fire Chief Jan Snyder

Chief Snyder detailed the SFFD Zozobra and Fiesta plan of coverage. SFFD is also going through large apparatus and capital projects. Fire department has about 8 vacancies right now. SFFD is looking towards non-traditional hiring programs to best fill the vacancies. Call Volume is really high year to date; it is being evaluated based on population in the city, i.e. tourists. They are about 1,000 more than last year.

Dr. Mier asked if there are still problems with arsons. Chief Snyder said that they are under control and in working with SFPD it has diminished. Usually it is kids, when they see the presence of the SFFD they disappear.

9. Matters from the Regional Emergency Communications Center Ken Martinez

Not available.

10. Communications from the Floor

None

11. Matters from Committee Members

Councilor Rivera read a letter from a constituent experiencing problem with her adult child's drug addiction. This individual wrote to not only compliment but to give honorable mention to Captain Jerome Sanchez and the LEAD team for all the support this individual has received and how much progress her adult child has accomplished. Thank you for everything that is being done.

12. Adjournment

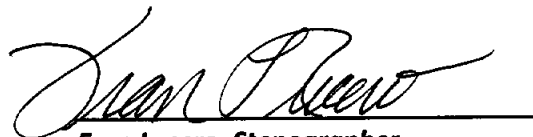
There being no further business, meeting was adjourned at 5:26 pm

Signature Page

Public Safety Committee:



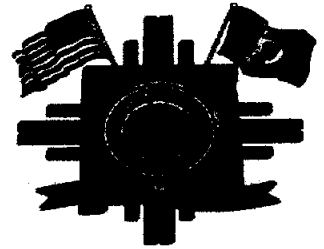
Councilor Chris Rivera, Chair



Fran Lucero, Stenographer



**Vietnam Veterans of America, Inc.
Northern New Mexico Chapter 996
PO Box 33336
Santa Fe, New Mexico 87594**



LETTER OF RECOGNITION

To: Safety Committee, City of Santa Fe, New Mexico

From: Vietnam Veterans of America Northern New Mexico Chapter 996

Subject: Matanza 2016 September 17, 2016

August 16, 2016

TO WHOM IT MAY CONCERN

On September 17, 2016 from 4-9 PM, VVA 996 is holding its annual Matanza at the County Fairgrounds. VVA 996 wants to acknowledge the daily service of Santa Fe's 1st Responders.

Therefore, all fire and police personnel who come in uniform and their immediate family (kids under 17 FREE) will pay only \$5.00 each. See attached Matanza flyer. Join military personnel and their families to celebrate the community.

**Ken Dettelbach
Jerry Martinez
Board Members, VVA 996**

Exhibit A.