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PUBLIC SAFETY COMMITTEE
Tuesday, May 15, 2018, 4:00 PM
City Council Chambers
200 Lincoln Avenue, Santa Fe, NM 87501

1. Roll Call
2. Approval of Agenda
3. Approval of the April 17, 2018 Minutes
4. New Business/Action Items:
 - A. A RESOLUTION PROCLAIMING SEVERE OR EXTREME DROUGHT CONDITIONS MAY EXIST IN THE CITY OF SANTA FE; IMPOSING FIRE RESTRICTIONS; RESTRICTING THE SALE OR USE OF FIREWORKS WITHIN THE CITY OF SANTA FE AND PROHIBITING OTHER FIRE HAZARD ACTIVITIES. (Councilor Rivera) (Porfirio Chavarria)
 - B. APPROVAL OF PSA FOR DRUG AND ALCOHOL TESTING SERVICES. (Debbie Rouse, Safety Manager)
5. Matters from Municipal Court Judge Virginia Vigil
6. Matters from Interim Police Chief Andrew Padilla
7. Matters from Fire Chief Erik Litzenberg
8. Matters from the Regional Emergency Communications Center Ken Martinez
9. Communications from the Floor
10. Matters from Committee Members
11. Adjournment

For information regarding the agenda, please call Jessica Pfeifer 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.

**PUBLIC SAFETY COMMITTEE
INDEX
MAY 15, 2018**

Cover Page		Page 0
Call to Order and Roll Call	The Chair, Councilor Chris Rivera, called the Public Safety Committee meeting to order at 4:00 pm in the City Council Chambers. Roll Call reflects a quorum	Page 1
Approval of Agenda	<i>Dr. Mier moved to approve the agenda as presented, second by Mr. Bowen, motion carried by unanimous voice vote.</i>	Page 1
Approval of Minutes – April 17, 2018	<i>Dr. Nancy Owen-Lewis moved to approve the minutes of April 17, 2018 as presented, second by Mr. Mizrahi, motion carried by unanimous voice vote.</i>	Page 1
New Business A. A RESOLUTION PROCLAIMING SEVERE OR EXTREME DROUGHT CONDITIONS MAY EXIST IN THE CITY OF SANTA FE IMPOSING FIRE RESTRICTIONS; RESTRICTING THE SALE OR USE OF FIREWORKS WITHIN THE CITY OF SANTA FE AND PROHIBITING OTHER FIRE HAZARD ACTIVITIES. B. APPROVAL OF PSA FOR DRUG AND ALCOHOL TESTING SERVICES.	<i>Dr. Mier moved to approve the Resolution proclaiming severe or extreme drought conditions may exist in the city of Santa Fe; imposing fire restrictions; restricting the sale or use of fireworks within the city of Santa Fe and prohibiting other fire hazard activities, second by Dr. Nancy Owen-Lewis, motion carried by unanimous voice vote.</i> <i>Mr. Mizrahi moved to approve the PSA for drug and alcohol-testing services, second by Dr. Owen Lewis, motion carried by unanimous voice vote.</i> Ms. Wellington abstained.	Page 2 - 4
Matters from Municipal Court	Report included in packet.	Page 4
Matters from Police Chief Padilla	Informational	Page 5
Matters from SFFD	Informational	Page 5-6
Matters from the RECC	Informational	Page 6-7
Communications from the Floor	Informational	Page 7-8
Matters from Committee Members	Informational	Page 8
Adjourn/Signature Page	There being no further business to come before the Public Safety Committee, the meeting was adjourned at 4:45 pm	Page 9

**PUBLIC SAFETY COMMITTEE
TUESDAY, MAY 15, 2018, 4:00 PM – 4:45 PM
CITY COUNCIL CHAMBERS
200 LINCOLN AVENUE, SANTA FE, NM 87501**

1. ROLL CALL AND CALL TO ORDER

The Chair called the meeting to order at 4:00 pm, City Council Chambers, roll call reflects a quorum.

PRESENT

Councilor Chris Rivera, Chair
Peter Mizrahi
Dr. Nancy Owen Lewis
Dr. Mike Mier
Mike Bowen
Jennifer Wellington, BTAC Member

ABSENT/EXCUSED

Joe Arellano
Stephen Tapke
Gerald Joyce
Herbert Harris

OTHERS PRESENT:

Chief Andrew Padilla, SFPD
Chief Erik Litzenberg, SFFD
Porfirio Chavarria
Debbie Rouse, Safety Manager
Ken Martinez, RECC
Fran Lucero, Stenographer

2. APPROVAL OF AGENDA

No changes from staff.

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

3. APPROVAL OF THE APRIL 17, 2018 MINUTES

NO CHANGES FROM STAFF.

Dr. Nancy Owen-Lewis moved to approve the minutes of April 17, 2018 as presented, second by Mr. Mizrahi, motion carried by unanimous voice vote.

4. NEW BUSINESS/ACTION ITEMS:

- a. A RESOLUTION PROCLAIMING SEVERE OR EXTREME DROUGHT CONDITIONS MAY EXIST IN THE CITY OF SANTA FE; IMPOSING FIRE RESTRICTIONS; RESTRICTING THE SALE OR USE OF FIREWORKS WITHIN THE CITY OF SANTA FE AND PROHIBITING OTHER FIRE HAZARD ACTIVITIES.

Porfirio Chavarria informed the committee members that this was presented and approved by the City Council in the month of April and that it is a continuation of the already approved Resolution. The understanding is that the Resolution is approved for 30 days and needs to be reviewed every 30 days and will be brought up every 30 days until the drought conditions are improved. It may change when the weather conditions change.

Chief Litzenberg stated that the resolution states how long it is approved for, how far it is announced for the holidays.

Dr. Mier asked about the restrictions on fireworks, is it certain type of fireworks.

Mr. Chavarria noted that it prohibits those fireworks that travel a certain height.

Dr. Mier moved to approve the Resolution proclaiming severe or extreme drought conditions may exist in the city of Santa Fe; imposing fire restrictions; restricting the sale or use of fireworks within the city of Santa Fe and prohibiting other fire hazard activities, second by Dr. Nancy Owen-Lewis, motion carried by unanimous voice vote.

- b. APPROVAL OF PSA FOR DRUG AND ALCOHOL TESTING SERVICES.
(Debbie Rouse, Safety Manager)

Ms. Rouse noted that this is a contract to DATCO Services Corporation for \$65,000 annually for four years and not to exceed \$260,000 for the life of the contract, which is executed on the date, signed by the Mayor and will expire June 30, 2022 for drug and alcohol testing for all city employees, certified testing, collection sites, laboratory services, medical review officer, random selecting program, and quarterly selection of employees for the testing. There is a training element for assault and abuse awareness for the city of Santa Fe to use for employees.

Mr. Bowen stated that the contract appears to be very standard and was used in other agencies.

Dr. Owen-Lewis asked how many companies were considered and why this one was selected.

Ms. Rouse said that this company was selected as the price was most reasonable and they have already been doing the testing for the city.

Dr. Nancy Owen-Lewis asked what happens to the employee who tests positive.

Ms. Rouse said that it depends on the situation, what happens is they get disciplined, they go to EAP counseling and they come back and retest again for return to duty. They are put under a drug-alcohol program so they will be tested for several years constantly to make sure that they abide by the program. It also depends on the employee, if it is a classified employee and they have the option for and EAP and if it is a probation employee they will be automatically terminated if they test positive.

Dr. Owen-Lewis asked what drug and alcohol programs you use to provide them with services.

Ms. Rouse answered that they use the Solution Group. They are a NMDOT and Federal Trans Admission certified and we have used them for quite a bit.

Dr. Owen Lewis said she is interested in the extent of the problem how many cases are you getting a year and how many can you expect in a year period to go through EAP.

Ms. Rouse answered that it varies, in 2015 they had 9 and 2016 they had 2 and in 2017 they had 1 and this year there is 1 that tested positive for either alcohol or drugs.

Dr. Mier asked if an employee is tested for alcohol what is the percentage that is unacceptable in the workplace.

Ms. Rouse said it would be .04.

Dr. Mier asked if an employee were to partake in medical marijuana is now allowed, is that also now an exception?

Ms. Rouse stated that it is not allowable; the city policy mirrors the NM Department of Transportation process and regulations and they don't identify marijuana as a prescribed medication. If they test positive over the limit they would be terminated.

The Chair reconfirmed that we have been using DATCO for sometime?
Where are they located?

Ms. Rouse: Yes we have been using them for quite a while and they are located in California.

The Chair asked where do we do our testing?

Ms. Rouse: We do it here in New Mexico at Southwest Drug and Alcohol Compliance and Concentra.

The Chair asked if they do all of it, random, etc.

Ms. Rouse: Yes, they do it all, post accidents, employments, follow up testing and reasonable suspicion.

Chair River: Are these only safety sensitive?

Ms. Rouse stated that there are several policies that we fall under; there is safety sensitive which is Police, Fire, and CDL employees, Recreation. There is a policy called Reasonable Suspicion policy, which covers every employee that is employed in the city of Santa Fe. The reason we have separate policies is because we have separate regulations for each entity mentioned above.

Chair River: So non-safety sensitive employees are subject to random testing.

Ms. Rouse: No, they are not. Only the safety sensitive employees, Police, Fire, CDL and Recreation.

Dr. Nancy Owen Lewis asked how many employees are tested.

Ms. Rouse stated that there are 650 Safety Sensitive employees that they do random testing on. We do not test all 650 employees.

The Chair asked if all of the percentages are the same?

Ms. Rouse answered; Fire is 35% for alcohol and drug, Police is 50% drug, 10% alcohol and CDLs if they are not FDA funded they are 50% drug and 25% alcohol.

Mr. Mizrahi moved to approve the PSA for drug and alcohol-testing services, second by Dr. Owen Lewis, motion carried by unanimous voice vote.

Ms. Wellington abstained.

5. MATTERS FROM MUNICIPAL COURT, JUDGE VIRGINIA VIGIL
Report included in packet.

6. MATTERS FROM POLICE DEPUTY CHIEF PADILLA

Chief Padilla reached out to the Judge to ask that she attend the Public Safety Committee and she acknowledged one email, Chief will continue to reach out to her.

Chief Padilla included the Crime Data Report.

Currently there are 13 vacant positions in the SFPD, 8 graduating from the Law Enforcement Academy on 5/18/18, at the Indian School and invited committee members to the ceremony.

Jennifer Wellington: Ms. Wellington said that one of the main reasons she is on the committee is to monitor crime and safety for pedestrians and those on bicycles and asked if they could set up sting locations for those drivers on cell phones.

Chief Padilla said if there is a specific location that can be identified the Police Department is glad to set up a stop and check at that location. They will provide the education that is needed, what are the consequences, issue them a written warning or receive a full citation depending on the case or appear in court. It was conveyed to Ms. Wellington if she knows of a certain crime area of concern to please inform the Chief and they will work to set up a stop and check location.

7. MATTERS FROM FIRE CHIEF

The US Department of Agriculture Secretary Purdue made a visit to the Water Shed. It was the start of a 4-state tour. It was good timing for the SFPD as he got to see how dry it is. Not knowing the results from this visit it was still nice to have that caliber of individual visit the Watershed.

The Stop the Bleed Campaign presented to Public Safety a few months back; they have receive the kits, they will be installed where the AEDs are installed here at city hall.

In the last few weeks the Rescue Task Force, collaboration between police and fire on how to respond to the war zone for the most dangerous active shooter collaboratively. The Chief said they have been training to get that Task Force in service.

In terms of deployments, we share our resources with those communities in need and we do not have anyone out right now. The Rapid Response team is in Arizona. Our teams are in New Mexico aiding with the drought.

An Architect has been hired for building the Fire Station #2 which is the annexation station. Type 3 Engine and equipment continues to be ordered.

Mr. Bowen followed up with a comment; you mentioned the active shooter, the Municipal Police Chiefs Association will be proposing some new statutes or changes to the statutes this coming legislative session.

The Chair asked if during severe drought in New Mexico, do we send our teams out? The Chief said that our areas are priority and we would not send our resources out.

Dr. Mier said that there are certain areas in Santa Fe that are green belts, now brown, as they are so dry, are you involved at all in clearing those areas?

Chief stated that they are involved, and more so around supplying the labor and working with Parks and Recreation. The SFFD is constantly doing work to clear and assist in those areas.

8. MATTERS FROM THE REGIONAL EMERGENCY COMMUNICATIONS CENTER

Ken Martinez, Director for the 911 Regional Center for City/County Implemented Public Safety Programs, SMART 911 is in full-force which allows you to complete the template with personal information. They also have expanded RAVE alert, which can now put out notices to the public when there are threats. That has been utilized for several specified cases in geographic locations. There will also be a feature to provide public information to the public on different events.

A new application process is called Panic Button, RAVE public service – to provide safety to the schools. Whoever presses that button can provide and identify the school where help is needed. Information will be presented in detail in June and an invitation will be sent for attendance. We are looking at ways to protect our citizens better through the 911 center.

911 Center is working on two projects, CAD system – information on units dispatch, it will be map based vs. data based. As we move forward with 911 this will give us that opportunity to be ahead. The importance is to have all staff trained on this new system.

\$8-\$10 million dollar expense – Radio System – A consultant has been hired to do an assessment to determine where we are and where we need to be. And RFP has been created but not released at this date.

Mr. Martinez said he is very happy to move forward in to the future with new technology.

Dr. Mier asked if the report done by the vendor on the radio system can be shared with the Public Safety Committee. Mr. Martinez will research and get back to the committee.

Mr. Mizrahi asked if calls are still coming in to the Drug line. Mr. Martinez said that they are receiving calls and numbers will be reflected in the report next month.

RAVE: You can determine what level of service you would like to get and you can identify how you would like to be notified; land line, mobile text.

Chair: Will this replace Nixel?

Mr. Martinez said that is the intent to replace Nixel.

9. COMMUNICATIONS FROM THE FLOOR

Chris Muchles

Bishops Lodge Road, Tesuque, NM

Mr. Muchles and Mr. Chris Goad have been looking in to police training for the last 4-years, mostly addressing the Law Enforcement Academy Board. Current situation, I describe as having the worst police training in the state for the following reasons; your training hours are 675 hours because you get it down at the Jaguar Law Enforcement. Las Cruces gets 1,000 hours as a sister city speaking in size. The State Police who basically run that academy also get 1142 hours, APD get 1080 hours. I would say the fairest comparison is Santa Fe and Las Cruces. I would suggest that you take the time to look at that. I have given those curriculums to Jessica Pfeiffer for Las Cruces and Santa Fe so you can look for yourselves. It is pretty easy to look at in the format I have provided. That doesn't give you the whole picture but it might engage your interest and if it does I would be happy to come back and be on as an agenda item. The issues that have suffered; this current regime goes back to an illegal curriculum that was established illegally in December, 2013 and I say illegal because it was established at the Law Enforcement Academy with no public input and in violation of the rules. Those facts resulted in a lawsuit amongst other things. That is the curriculum that is used today, the curriculum that was established in December of 2013. You are suffering from that today. The major issues that they trash in that change over from the previous curriculum to the one that they installed is community policing, patrol procedures, fitness and defensive tactics. All of these things if you compare them to Las Cruces; are much worse if you compare them to the State Police or APD. If you compare them to Las Cruces you don't look good at all. You have big problems and I suggest you watch what is going on in Santa Fe and the Santa Fe Sheriff with use of force policy and pursuit policy. One of the ways it causes a lot of problems is you have agencies patrolling in the city, you have the Sheriff, you have the Santa Fe Police, State Police. They run different use of force and pursuit policies, some of those policies are illegal and some of them are not. Depending on who engages you –

you may be at a lot more risk. What engaged me in this issue was Jeannette Anaya being shot by a state police in 2013; that is when I paid attention. I am from Los Alamos, we don't do a lot of shooting up there. When they killed Jeanette that is when I looked in to the police training. Police training in this state is in very bad shape because of the 2013 curriculum change, you have the worst training in the state. I will take any questions or I encourage you to contact Jessica Pfeiffer at SFPD who has the curriculums that I am referring to.

Chair asked Jessica Pfeiffer to send to the committee members.

10. MATTERS FROM COMMITTEE MEMBERS

Ms. Jennifer Wellington introduced herself and reasons for being here. I am a BTAC member which is the city bike and trail committee. We work on infrastructure advocacy for pedestrians and bicyclist. I am also on the board of a non-profit called Bike Santa Fe that is an advocacy group. I have been a cyclist since I was 6 years old and have recently become a League of American Bicyclist Certified Instructor. I am looking forward to sharing a bicyclist and pedestrian point of view. We are all pedestrians one time or another, so BTAC's presence here is to advocate and build awareness through some feet on presentations, working on enforcement and creative sentencing, infrastructure to provide for better bicycle and pedestrian facilities. Currently we have been concerned about Penn Road, there is funding from a former bond that was to be spent on an unfinished portion of the rail trail and the Council is currently considering taking that away although it was actually designed and the contract existed, not sure what happened. It is a very unsafe piece; it is not trail at this point it is part road, a section behind the capitol area going past the gas station that comes to the corner of St. Francis and Cerrillos Road. One of the other things that I would like for you to recognize is that BTAC; we are very concerned about the enforcement and laws of careless driving of cars. If a bicyclist runs a light, which they do, if a bicyclist is texting or talking on their phone, they are far less to injure some one in any grave way as to where if it is someone who has the responsibility of driving cars has a much greater chance of injuring someone therefore they have much greater responsibility. We would like to see that enforced better and we would like to see sentencing to include education.


Dispatch 1 of 3
critical components!

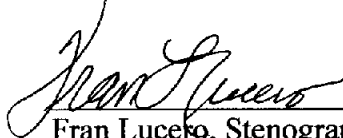
City prime site
state secondary site
IPRATING

11. ADJOURNMENT

There being no further business to come before the Public Safety Committee moved to adjourn at 4:45 pm, second by, motion carried by unanimous voice vote.

SIGNATURE PAGE:



Councilor Chris Rivera, Chair

Fran Lucero, Stenographer