



Agenda

EMERGENCY MEETING OF THE GOVERNING BODY

MARCH 16, 2020

12:00 P.M.

CITY COUNCIL CHAMBERS

CITY HALL

200 LINCOLN AVENUE

1. CALL TO ORDER
2. ROLL CALL
3. Request to Approve a Resolution Adopting a Seven-Day Extension of Emergency Proclamation Declared by Mayor Alan Webber on Friday, March 13, 2020. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)
4. Request to Approve a Resolution Adopting Temporary Changes to the City Personnel Rules to, During the Public Health Emergency Associated with COVID-19, and for a Limited Time Thereafter (1) Allow Use of Sick Leave to Care for Household Members Who Would Otherwise Attend Institutions or Receive Care in Facilities that are Closed to Address the Public Health Emergency; and (2) Permit the City Manager to Grant Administrative Leave to Employees Who Cannot Telecommute and are Deemed Non-Essential and Employees Recommended to Self-Quarantine by the NMDOH or a Licensed Healthcare Professional. (Bernadette Salazar, Human Resources Director, bjsalazar@santafenm.gov, 955-6591)
5. Request to Appoint Kyle Mason as the City's "Local Coordinator of Emergency Management", Having Direct Responsibility for Carrying Out the All Hazard Emergency Management Program of the City Pursuant to NMSA 1978, Section 12-10-5 (2007). (Jarel LaPan Hill, City Manager, jhill@santafenm.gov, 955-6848)
6. ADJOURN

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: March 13, 2020

TIME: 3:14 PM

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SANTA FE CITY COUNCIL
March 16, 2020**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
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2. Roll Call	Quorum Present	1
3. Extension of seven-day Emergency	Approved as presented	2
4. Personnel Rules Amendment	Approved as amended more	3-4
5. Appointment of Kyle Mason	Approved as requested	4-5
6. Notice of Public Hearing 2020-7	Approved	5-6
7. Adjournment	Adjourned at 12:36	7

**MINUTES OF THE
EMERGENCY MEETING OF THE GOVERNING BODY
Monday, March 16, 2020
City Council Chambers
12:00 PM**

1. CALL TO ORDER

An emergency meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Alan Webber, on Monday, March 16, 2020, at approximately 12:00 p.m., in the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

2. ROLL CALL

Roll call indicated the presence of a quorum, as follows:

Members Present

Mayor Alan Webber
Councilor Roman "Tiger" Abeyta
Councilor Jamie Cassutt-Sanchez [telephonically]
Councilor Michael J. Garcia
Councilor Signe I. Lindell
Councilor Christopher M. Rivera [telephonically]
Councilor Carol Romero-Wirth
Councilor Vigil Coppler
Councilor Renee D. Villarreal [telephonically]

Members Excused

Others Attending

Jarel LaPan Hill, City Manager [telephonically]
Erin McSherry, City Attorney
Yolanda Y. Vigil, City Clerk
Jesse Guillen, Legislative Liaison
Carl Boaz, Council Stenographer

Mayor Webber presented a summary of the Coronavirus status. He mentioned the Governor's restrictions and noted the City is trying to provide new personnel rules to operate remotely for the services the City Staff must do. It is the most fundamental step in reducing the virus. He briefly described the steps going forward to reduce the spread of the virus and contain it where people were already introduced to it.

For this meeting, he noted we will take a number of steps - to extend the state of emergency issued on Friday which takes a Governing Body vote; to modify personnel rules in order to allow employees to work remotely; to appoint Kyle Mason Coordinator for Emergency Management; and to enact a measure to publish for public hearing and to go beyond the week-to-week emergency resolutions.

3. REQUEST TO APPROVE SEVEN-DAY EXTENSION OF EMERGENCY
Proclamation Declared by Mayor Alan Webber on Friday, March 13, 2020. (Erin K. McSherry, City Attorney, ekmcsherry@sangafenm.gov, 955-6512)

Ms. McSherry clarified the new ordinance would allow the emergency provisions up to 60 days. This limits congregations to 50 persons maximum, as CDC announced yesterday. There are other things that could be included but not opted into yet such as a curfew. This will limit the number of persons congregating to no more than 50 persons, based on CDC recommendations announced yesterday. She invited questions.

Councilor Rivera wondered if we could limit the delay on how we respond to what is recommended or if we would continue to have emergency meetings.

Ms. McSherry pointed out, at the bottom of the agenda, Item 6 was added as a request to publish to extend the emergency resolution up to 60 days instead of seven.

Councilor Rivera asked if that would give the Governing Body the ability to respond on a daily basis to those recommendations.

Ms. McSherry clarified that the Mayor is able to add to the emergency declaration.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Romero-Wirth, to approve the Proclamation as presented.

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

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

4. REQUEST TO APPROVE AMENDMENT TO CITY PERSONNEL RULES

to Allow Use of Sick Leave During Declared Public Health Emergencies to Care for Family Members of Household Members Who Would Otherwise Attend Institutions or Receive Care in Facilities that are Closed to Address the Public Health Emergency and to Self-Quarantine After Returning From Out-of-State Travel. (Bernadette Salazar, Human Resources Director, bjsalazar@santafenm.gov, 955-6591)

Mayor Webber explained this amendment to the personnel rules makes it possible for employees, as much as possible, to work remotely. Ms. Salazar has worked on a platform for this to identify those who could work remotely and those who cannot; and how to provide same services and maintain the health and wellbeing of City employees. He added that Ms. Salazar is present to answer any questions.

Councilor Abeyta referred to page 2, item 2 under "now therefore" on line 18 which said administrative leave, paid or unpaid. He asked for clarification on what is paid and what is unpaid.

Ms. McSherry explained that administrative leave is paid leave up to five days. This amendment would extend administrative leave beyond five days, if needed.

Councilor Garcia noted on page 1, line 20 a need to amend that from 100 persons to 50 persons.

Mayor Webber agreed that should be amended.

Councilor Vigil Coppler asked if this amendment had any provision for granting leave when an employee may be out of sick leave.

Ms. Salazar said they are working on an administrative policy for leave with pay for additional days if they are out of sick leave hours.

Mayor Webber said that is a work in progress to be rolled out later.

Ms. McSherry further explained that this administrative leave does allow for that already. The employee could go on administrative leave if the employee runs out of sick leave. Lines 18-20 amends the administrative leave rule, which she read. It grants administrative leave if the employee is not able to telecommute. She proposed to add "and have run out of sick leave and nonessential employees who have run out."

Councilor Rivera asked about those who have not earned enough sick leave as a newer employee.

Ms. McSherry replied that the amendment would cover that circumstance.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Garcia, to approve the proposed personnel rule amendment as proposed and amended twice by changing the number of persons on page 1 from 100 to 50, and adding on line 20, "and have run out of sick leave, and nonessential employees who have run out."

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

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

5. **REQUEST TO APPOINT KYLE MASON** as the City's "Local Coordinator of Emergency Management," Having Direct Responsibility for Carrying Out the All Hazard Emergency Management Program of the City Pursuant to NMSA 1978, Section 12-10-5 (2007) (Jarel LaPan Hill, City Manager, jhill@santafenm.gov, 955-6848)

Ms. McSherry pointed out that this is in concert with State regulation and would allow Mr. Mason to participate with the State Department of Health. It does require a formal appointment by the Governing Body.

Councilor Vigil Coppler asked if this is an operational title by statute.

Ms. McSherry agreed. It to be "Local Coordinator of Emergency Management."

Councilor Vigil Coppler asked if that also aligns with the City title.

Ms. McSherry said they are not in conflict; they complement each other. It meets the State official designation requirement.

Councilor Vigil Coppler asked if the City still has an emergency management director.

Ms. McSherry agreed.

Councilor Rivera asked if this should have his name specifically or to allow the Mayor to appoint a coordinator in case Mr. Mason cannot.

Ms. McSherry explained that the State Statute requires naming a specific person. She read that part of the Statute and said the City has created the office. We will submit Mr. Mason's name to the State Department of Homeland Security.

Councilor Romero-Wirth asked what the Governing Body would do if Mr. Mason was not able to serve.

Mayor Webber said we would come back with another nominee.

Ms. McSherry agreed. The Council would appoint someone else.

Councilor Romero-Wirth was concerned we might need to have the new person in place quickly.

Ms. McSherry offer to research appointing a new person.

Mayor Webber suggested keeping a list on these responses.

Councilor Garcia asked if we could fill the position quickly.

Mayor Webber agreed but must submit to conform with the State requirement.

MOTION: Councilor Abeyta moved, seconded by Councilor Vigil Coppler, to approve the appointment of Kyle Mason as Local Coordinator of Emergency Management.

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

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

6. Request to Publish a Notice of Public Hearing on March 25, 2020, Addressing the Current State of Emergency.

BILL NO. 2020-7: An Ordinance Amending Section 20-1.3 to Allow the Governing Body to Extend a State Of Emergency in a Public Health Emergency that has been Declared a Pandemic by the New Mexico Department of Health; and Providing for Remote Participation in City Meetings, Allowing the City Manager to Limit Public Attendance at Meetings Provided there is Sufficient Means to Allow Remote Participation and Allowing the City Manager to Cancel any City Meeting to Preserve the Public Health, Safety, and Welfare; Establishing an Effective Date. (Councilor Romero-Wirth) (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955- 6512 and Jesse Guillen, Legislative Liaison, Ujbquillen@santafenm.gov, 955-6518)

Councilor Romero-Wirth introduced the ordinance proposed to allow extending the state of emergency, limiting attendance with remote access, and giving the City Manager the right to cancel City meetings when needed to preserve public health, safety and welfare.

There were no questions about the ordinance.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Garcia, to approve publishing notice for March 25, 2020 of Bill No. 2020-7.

DISCUSSION ON THE MOTION:

Ms. Vigil clarified that it is for the March 25 public hearing.

Ms. McSherry said she would look at alternative ways for the public to participate, such as written comments ahead of time, so they don't need to physically attend the meeting.

Councilor Rivera requested to be added as cosponsor.

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

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

Mayor Webber appreciated the participation of the Council and pledged to work on the technology to make it more usable. He reiterated that, as much as possible, we need to emphasize social distancing as we look at cases in New Mexico to interrupt the spread of the virus and promote staying at home to get tasks done and deliver services to the public.

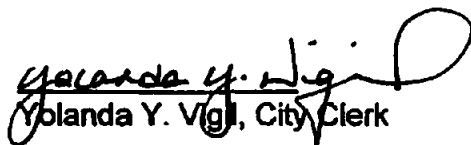
6. ADJOURN

The meeting of the Governing Body was adjourned at 12:36 pm.

Approved by:


Mayor Alan Webber

ATTESTED TO:


Yolanda Y. Vigil, City Clerk

Respectfully submitted by:


Carl G. Boaz, Council Stenographer