



Special Procedures for April 8, 2020 Governing Body Meeting

Attendance: In response to the State's declaration of a Public Health Emergency, the Mayor's Proclamation of Emergency, and the ban on public gatherings of more than five (5) people, the Governing Body meeting on Wednesday, April 8, 2020 will be conducted virtually.

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://youtu.be/4ZURels9euo>. 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://youtu.be/4ZURels9euo>. 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.

Public Comment: The agenda for the meeting will be posted on the City of Santa Fe's website by 5:00 p.m. Friday, April 3, 2020 at <https://www.santafenm.gov>.

The Governing Body will take public comment for "Petitions from the Floor" in written form via email, through 1:00 p.m. on Wednesday, April 8, 2020. Emails must identify the submitting party's name and address and may be sent to publiccomment@santafenm.gov. Public comments may also be submitted at 505-955-6520. These comments will be distributed to the Governing Body for review prior to the meeting.

AFTERNOON SESSION – 5:00 P.M.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL



Agenda

REGULAR MEETING OF
THE GOVERNING BODY

APRIL 8, 2020

ATTEND VIRTUALLY

<https://youtu.be/4ZURels9euo>

6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Emergency Governing Body Meeting – March 16, 2020
Regular Governing Body Meeting – March 25, 2020
9. PRESENTATIONS
10. CONSENT CALENDAR
 - a) Request for Approval of Amendment No. 3 to Professional Services Agreement in the Total Amount of \$198,590.95 for Increased & Additional Security Patrol Services of Various Parks Locations Throughout the City; Chavez Security, Inc. (Richard Thompson, Parks Division Director, rcthompson@santafenm.gov, 955-2105)
 - b) Request for Approval of the Governing Body's Findings of Fact and Conclusions of Law Adopting the City Attorney's Office Recommendation for Appeal #2020-1815-Appl, Concurring with the Land Use Director's Determination that an Appeal Filed by Gail Gilbert Concerning Remodeling at 503 Camino del Monte Sol Does Not Conform with the Requirements of the Santa Fe City Code and Should be Dismissed Without a Hearing Because the Issues Raised in the Appeal Could Have Been Raised in Previous Appeal No. 2019-59, which the Governing Body Decided on September 11, 2019. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)
 - c) Request for Approval of City of Santa Fe 2020 Meeting Schedule for Public Works and Utilities Committee, Quality of Life Committee and Bicycle and Trails Advisory Committee. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 955-6521)
 - d) Request for Approval of Amendment to the Wells Fargo Merchant Agreement to Allow BridgePay as a Third Party Gateway to Process All EnerGov Transactions through the Cashiering Module of the Tyler Munis Financial System. No Fiscal Impact. (Clayton Pelletier, cjpelletier@santafenm.gov, and 955-6626).



Agenda

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THE GOVERNING BODY

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- e) CONSIDERATION OF RESOLUTION NO. 2020____. (Councilor Vigil Coppler, Councilor Rivera and Councilor Abeyta)
A Resolution Approving the Design and Installation Plan for Banners Commemorating Veterans Along the Cerrillos Road Corridor Between I-25 and Rodeo Road to be Displayed Every Year Between Memorial Day and Veterans Day. (Jesse Guillen, Legislative Liaison, jbguillen@santafenm.gov, 955-6518)
- f) Request for Approval of Change Order 4 and Change Order 5 to the Contract for the Wastewater Management Division POTW On-Call Repair, Replacement and Extension Contract; Sub Surface Contracting, Inc. (Stan Holland, Engineer, sholland@santafenm.gov, 955-4637)
 - 1) Request for Approval of Budget Amendment Resolution in the Amount of \$135,547.
- 11. Request for Approval of a Memorandum of Understanding between the City and the Santa Fe Public School District to Authorize the City to Install Free Public Wi-Fi Hotspots on School Properties within the City for Use by Students, Residents and the Public During the COVID-19 Pandemic. (Sean Moody, Telecommunications Architect, sxmoody@santafenm.gov)
- 12. Request for Approval of Budget Amendment Resolution in the Total Amount of \$315,000 of Unbudgeted Revenue Generated by Land and Facilities Rentals of Mid-Town Campus Assets and an Equal Amount of Expense to Support the City of Santa Fe's Emergency Response to the COVID 19 Pandemic or Other Necessary Campus Related Expenses. (Sam Burnett, Property Maintenance Manager, jsburnett@santafenm.gov, 505-955-5933; John Romero, Acting Public Works Director, jromero@santafenm.gov, 505-955-6638)
- 13. Request for Approval of Amendment #3 with Molzen Corbin and Associates, in the Amount of \$1,564,271.59. (Mark Baca, Airport Manager, md Baca@santafenm.gov, 955-2901)
- 14. MATTERS FROM THE CITY MANAGER
- 15. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(8), Discussion of the Disposition of the Midtown Property, Formerly the College of Santa Fe and Formerly Operated as the Santa Fe University of Art and Design. (Erin K. McSherry, City Attorney; ekmcsherry@santafenm.gov, 955-6512)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY

APRIL 8, 2020

ATTEND VIRTUALLY

<https://youtu.be/4ZURels9euo>

16. MATTERS FROM THE CITY CLERK
17. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. SALUTE TO THE NEW MEXICO FLAG
- D. INVOCATION
- E. ROLL CALL
- F. PETITIONS FROM THE FLOOR

Please refer to the statement "Special Procedures for April 8, 2020 Governing Body Meeting" at the beginning of the Governing Body Agenda.

- G. APPOINTMENTS: NONE
- H. PUBLIC HEARINGS: NONE
- I. ADJOURN

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been considered prior to 11:30 p.m. and the Governing Body does not vote to extend the meeting, such items shall be postponed to a subsequent meeting, provided that the date, time and place of such meeting is specified at the time of postponement.

NOTE: New Mexico law requires the following administrative procedures be followed when conducting "quasi-judicial" hearings. In a "quasi-judicial" hearing all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross-examination. Witnesses have the right to have an attorney present at the hearing.

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: April 3, 2020

TIME: 4:53 PM

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SANTA FE CITY COUNCIL
April 8, 2020

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8. Approval of Minutes		
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Regular Meeting - March 25, 2020	Approved as presented	3
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I. Adjournment	Adjourned at 10:16 pm	22

**MINUTES OF THE
REGULAR MEETING OF THE GOVERNING BODY
Wednesday, April 8, 2020
City Council Chambers**

AFTERNOON SESSION

1. CALL TO ORDER AND ROLL CALL

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Alan Webber, on Wednesday, April 8, 2020, at approximately 5:03 p.m., at the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico as a virtual meeting. Following the Pledge of Allegiance, Salute to the New Mexico flag, and the Invocation, roll call indicated the presence of a quorum remotely, as follows:

Members Present Remotely

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

Members Excused

Other Participants Attending Remotely

Jarel LaPan Hill, City Manager
Erin McSherry, City Attorney
Yolanda Y. Vigil, City Clerk
Tom Ryan, Santa Fe Public Schools
Mark Baca, Santa Fe Airport Manager
Rich Brown, Economic Development Director
Sam Burnett, Property Maintenance Manager
Sean Moody, Telecommunications Architect
Joe Abeyta, Multimedia Production Manager
Kristine Mihelcic, Constituent Services Director
Regina Wheeler, Public Works Director
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

MOTION: Councilor Cassutt-Sanchez moved, seconded by Councilor Rivera, to approve the agenda 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.

7. APPROVAL OF CONSENT CALENDAR

Councilor Vigil Coppler requested discussion on item 10(b).

Councilor Lindell asked for discussion on item 10(a).

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to approve the Consent Calendar as amended with items 10(a) and 10(b) pulled for discussion.

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.

8. APPROVAL OF MINUTES:

Emergency Governing Body Meeting - March 16, 2020

MOTION: Councilor Lindell moved, seconded by Councilor Rivera, to approve the minutes of the emergency Governing Body meeting on March 16, 2020 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.

Regular Governing Body Meeting - March 25, 2020

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to approve the minutes of the regular Governing Body meeting on March 25, 2020 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.

9. PRESENTATIONS

There were no presentations.

10. CONSENT CALENDAR LISTING

- a) This item was pulled for discussion by Councilor Lindell.
- b) This item was pulled for discussion by Councilor Vigil Coppler.
- c) Request for Approval of City of Santa Fe 2020 Meeting Schedule for Public Works and Utilities Committee, Quality of Life Committee and Bicycle and Trails Advisory Committee. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 955-6521)
- d) Request for Approval of Amendment to the Wells Fargo Merchant Agreement to Allow BridgePay as a Third-Party Gateway to Process All EnerGov Transactions through the Cashiering Module of the Tyler Munis Financial System. No Fiscal Impact. (Clayton Pelletier, cjpelletier@santafenm.gov, and 955-6626).

- e) **CONSIDERATION OF RESOLUTION NO. 2020-14.** (Councilor Vigil Coppler, Councilor Rivera, Councilor Abeyta, Councilor Villarreal and Councilor Garcia)

A Resolution Approving the Design and Installation Plan for Banners Commemorating Veterans Along the Cerrillos Road Corridor Between I-25 and Rodeo Road to be Displayed Every Year Between Memorial Day and Veterans Day. (Jesse Guillen, Legislative Liaison, jbg Guillen@santafenm.gov, 955-6518)

- f) Request for Approval of Change Order 4 and Change Order 5 to the Contract for the Wastewater Management Division POTW On-Call Repair, Replacement and Extension Contract, Sub Surface Contracting, Inc. (Stan Holland, Engineer, tsholland@santafenm.gov, 955-4637)

- 1) Request for Approval of Budget Amendment Resolution in the Amount of \$135,547.

CONSENT CALENDAR DISCUSSION

- a) Request for Approval of Amendment No. 3 to Professional Services Agreement in the Total Amount of \$198,590.95 for Increased & Additional Security Patrol Services of Various Parks Locations Throughout the City, Chavez Security, Inc. (Richard Thompson, Parks Division Director, rcthompson@santafenm.gov, 955-2105)

This item was pulled for discussion by Councilor Lindell.

Councilor Lindell commented that we have all been reminded of finding needles in the park while playing with their kids and need a receptacle for that paraphernalia. She spoke with Chavez Security about what they do when running across needles. They call the police and that did not seem like the best way to deal with it. because they have to wait a while for police to arrive. She asked if they would be willing to be trained on the protocol for removing needles, so police don't need to be called. They agreed and would reach out to Southwest Care and if they could not, to reach out to Chief Babcock. We are grateful for their partnership and willing ness to do that.

Councilor Vigil Coppler learned recently that there was vandalism in some City parks and hoped for more surveillance by this company. She heard today of a rock thrown through a window of GCCC and one of the parks trucks had a rear-view mirror smashed. Maybe people are not staying

home. She asked if Mr. Muñoz and Mr. Thompson could communicate with the security company to have them patrol where this is happening.

MOTION: Councilor Lindell moved, seconded by Councilor Cassutt-Sanchez, to approve Amendment 3 to the PSA for increased security services as requested.

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.

- b) Request for Approval of the Governing Body's Findings of Fact and Conclusions of Law Adopting the City Attorney's Office Recommendation for Appeal #2020-1815-Appl, Concurring with the Land Use Director's Determination that an Appeal Filed by Gail Gilbert Concerning Remodeling at 503 Camino del Monte Sol Does Not Conform with the Requirements of the Santa Fe City Code and Should be Dismissed Without a Hearing Because the Issues Raised in the Appeal Could Have Been Raised in Previous Appeal No. 2019-59, which the Governing Body Decided on September 11, 2019. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

Ms. Vigil read the caption for Item 10(b).

Councilor Vigil Coppler said she just wanted to pull this item for discussion just so she could vote against it again.

Councilor Romero-Wirth asked for clarification from Ms. McSherry. We are not voting on the substance of the matter but whether the document accurately reflects the action taken and the reasons from the last Council meeting. A yes vote would agree the Findings of Fact and Conclusions of Law accurately reflects it and a no vote would say it was not accurate.

Ms. McSherry agreed. She indicated that the Findings of Fact do note that Councilor Vigil Coppler voted against it at the last meeting and a no vote would indicate it is not accurate.

Councilor Vigil Coppler thanked both Councilor Romero-Wirth and Ms. McSherry for their comments. She totally understood. But it is an opportunity to vote against and took this opportunity to register her no vote.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Cassutt-Sanchez, to approve the request 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 and Councilor Villarreal

Against: Councilor Vigil Coppler

END OF CONSENT CALENDAR

- 11. REQUEST FOR APPROVAL OF A MEMORANDUM OF UNDERSTANDING** between the City and Santa Fe Public School District to Authorize the City to Install Free Public Wi-Fi Hotspots on School Properties within the City for Use by Students, Residents and the Public During the COVID-19 Pandemic. (Sean Moody, Telecommunications architect, sxmoody@sangafenm.gov)

Ms. Vigil read the caption for the Governing Body.

Mr. Moody reported this idea came to us when we saw the gap in response to COVID 19 disruptions - between some people not being affected at all and others having resources taken away like the rec centers, schools, etc. We were working on getting hot spots for students' devices and contacts. They would be placed at Southside Library, GCCC, and Fort Marcy facilities. It will provide Wi-Fi outside the buildings and where Wi-Fi is already provided inside. It is a simple Wi-Fi router on the outside of the building to cover the area including the parking lot. This cable connection covers a 100' radius and they want it to be at a place people could drive to and not congregate in large numbers. Adjustments would be made once installed.

He explained that the schools have an excellent fiber network and we will connect to that. It is through Comcast and not the fastest and we will try then to upgrade to gigabyte speed. Hopefully this will provide resiliency and prevent further disruption.

Mr. Rich Brown said with the economic and health crisis, more and more are unemployed and have loss of income and want to prevent further homelessness. We were thinking about distance learning but the unemployed and homeless also need such Wi-Fi to have the opportunity to connect to wider internet as we try to stabilize things.

Mayor Webber noted they developed a comprehensive list of the implementation. He asked Mr. Moody to read through that list and, more importantly, what it is not, in order to allay fears of people that we are putting in a technology that is

worrisome. Perhaps a definition of the hot spot that would not threaten people's safety. This will put it into the public record to allay fears.

Mr. Moody said, based on the responses of the community and to my team, there is no cellular technology of 5G involved. It is a Wi-Fi router, and many are around the City. The construction is just for a Wi-Fi router and cable to connect back to the Internet as the first round. And secondly, there will be a radio on the roof for better reception. It is a well-developed wireless technology. There is no cell antenna. The radio is removable with a six-foot mount anchored with sandbags and cables. So the project is a temporary utility structure and requires no permit. If the City wants it to be permanent after the virus, we will apply for a permit and go through the normal Land Use review. It is not to serve where people would congregate or out in the street.

There is no ongoing maintenance cost and the Santa Fe Public Schools (SFPS) would take ownership of those placed on the schools. The Internet service will be provided by Cyber-Mesa.

He explained that the term "hotspot" has a general meaning of Internet access anywhere. But we are using it as a plain old Wi-Fi spot. We are not using cellular technology for hot spots. "I wish I had not used that term."

Mayor Webber asked Tom Ryan from SFPS to comment. The original intent was to collaborate with SFPS.

Mr. Ryan said SFPS is very interested in the partnership with the City because it connects us with everyone. Even our teachers are experiencing more difficulty as spouses are laid off and paying for internet access. This is an opportunity, for as many as 550 kids right now have no home access and want the access within walking distance or a drive to the school to access the internet where they can download assignments and other content. We had 96% sign in and an average of 75 minutes' access. Over 90% of students access it every day. That goes all the way into the evening. It is not the same as across the country, but our teachers and principals are supporting access. In fact some say they will have all their meetings through the technology and will be using it from now on in the future, after we move past this crisis.

Councilor Villarreal asked Mr. Ryan if it shows a need based on their tracking. She had questions why SFPS would use City resources and about the funds they use for access of students, beyond what the City wants to do.

Mr. Ryan explained that the Schools passed an election in February for educational technology money and distributed over 6,000 devices for all elementary students to be able to receive content from the Internet. It is also for teachers' and coaches' professional development and for their instructional materials and also provides some classrooms. The Schools will also be able to

track and monitor their use of the Internet. SFPS has received "E-rate money" for a robust network across the City with access points. All that money paid for the build-out of our wide area network but not for the outside access points. We had to get a special waiver from FCC to have the community on our network in order to have this work and we did that.

Councilor Villarreal thought there were some purchases individual access points in students' homes.

Mr. Ryan said they identified 450 kids that could not access online. They needed Wi-Fi at home, and we ordered hot spots (mobile access devices) that would provide Internet access to their devices at home. Those are on order but not received yet. They currently have a limit on amounts for those devices from a national crunch currently. We have two orders soon to come in that would cover 400 and some of them might have siblings which would reduce the number needed. Some cannot receive a cellular signal at home, so they would have to receive signals from elsewhere.

Councilor Villarreal asked if the school district looked at private resources where the community could connect beyond the SFPS network.

Mr. Ryan said they were in favor of any place a student could connect. The Plaza, for example, and sites not open right now like Starbucks and others that are closed from the crisis. Some groups are tuning up their access and looking at covering parking lot areas and some indoor places. We are looking at collaboration partnerships. He noted he was a member of a national network for such partnerships to take advantage of best practices.

Councilor Villarreal asked, in regard to virtual meetings, how the sites were selected. She thought they were tracked by access.

Mr. Ryan said it was a partnership of City with the District focused more in the south part of town which lacks connectivity but not just on the south side.

Mr. Moody said they surveyed the whole area and determined where students were more likely to live for needed access. Most were in Districts 3 and 4.

Councilor Villarreal asked how far the hot spots would extend for coverage.

Mr. Moody explained there are a variety of power levels and we are targeting for parking lots and side of the building - so about 100 feet. They are very energy efficient.

Councilor Villarreal - we got many emails and calls. Why did we take this process that, in fact, did not go to committee in the emergency response?

Mr. Brown said it was primarily because of the emergency and the need. We saw the need not only for the students but also for the whole community and the longer those students are not connected, the worse their progress is. So the Wi-Fi is limited to parking lots.

Mr. Moody added that we are trying to get just outside of buildings within the next ten days. The MOU is also for getting onto the school buildings and fast track that.

Councilor Villarreal understood from an equity point of view and wanted to support it to have equality of access despite all the other things folks have to deal with. It is important to convey that, when we put it as temporary, we have the opportunity to set the cut-off date and what we are looking at for right now.

Mr. Moody hoped to have eleven sites with Wi-Fi outside very quickly, and to ramp up the city Wi-Fi locations. That is the timeline and within two weeks is realistic. Then the City will bring them up to gigabyte speed within another two weeks. None of the installation is permanently attached. But, if the City wants it to become permanent, we can do it. If not, the installation will come down after 18 months (with an extension). We don't know how long the pandemic will last. The schools will have full authority over the school installations so the City will not have a role in permitting for them.

Councilor Villarreal would like the maximum time provision at 12 months or whenever the kids get back into the classrooms. If it was business as usual, we would not need this.

Councilor Garcia gave a shout out to the schools for more learning opportunity. He has a child remotely learning for a week and a half now. It is precedent times. Thank you for setting this in motion. To follow up on Councilor Villarreal's comment, this is school property, right?

Mr. Ryan agreed it is.

Councilor Garcia reasoned that the Council cannot set a timeline for that which is on school property. The MOU would have to be amended to ensure a timeline. Or it could be an amenity of the school.

Ms. McSherry thought that would be a provision under the school's duty after a certain period of time.

Councilor Garcia agreed. And it would be a great resource. He asked about expenses. ten days to be up and running and for the rest of the school year. How much would it cost. He thought \$200,000, or \$250,000 for adding hot spots, was a lot of money. We want to make the best use of taxpayers' dollars.

Mr. Moody predicted It will not cost \$200,000, nor be anywhere near that threshold. It will be site-specific, and our contractor has been used for City work and hopefully within a day or two under contract, would let us know what is needed. They looked at the three City sites and estimated a cost less than \$3,000 per site. Upgrading after that will be more than \$3,000. The first agreement is not to exceed \$90,000, using the state rates. If we have to, we will scale down number of sites to stay under \$90,000. But he thought \$90,000 will be more than enough. If that is not possible, we will come back to Council.

Mr. Brown added that the schools become the keeper of the locations for people who are unemployed to choose between an internet bill and a utility bill. They need a place to access the internet. While the schools use it for distance learning, we have citizens who will be hurting and need to access the internet. There is a desire to not be temporary and we need time to discuss those options.

Councilor Garcia said many Councilors have gotten feedback from constituents about health concerns. He wanted to address those health concerns.

Ms. McSherry clarified that the FCC interpreted on this to not deal with those health concerns - whether the City could regulate it based on health effects. It includes Wi-Fi hot spots. We are in litigation now at District Court to change the federal rules but for now, health information is excluded.

Councilor Garcia wanted some kind of timeline on it before voting.

Mayor Webber understood that with or without a specific timeline, within a year, we would review it regardless, for possible a permanent year.

Mr. Moody clarified that the City would not ordinarily review the school sites, but for City sites, it would be one year.

Councilor Vigil Coppler pointed out that there is a lot of information here and asked for forgiveness if her questions were repetitive. She was in favor of a timeline for another review. When she originally signed on, she understood, and wanted to repeat, that this is not 5G.

Mr. Moody agreed. And it is not a cellular network.

Councilor Vigil Coppler said, "That is the majority of mail we have received and Facebook messages. We can learn from this for the future. We need to make sure to say it is not 5G. Maybe some people still have some distrust. This is not 5G."

Mr. Ryan added that it is also not 4G and not any cellular - it is internal and connected to our land lines.

Councilor Vigil Coppler said that is fantastic. We don't really know how much it is going to cost but the magic number is \$200,000. Do you have any idea what this will cost the City?

Mr. Moody replied that, with the 90-day contract hopefully done soon, he hoped for that amount to cover all costs for all eleven sites. It is very realistic and if it comes close, he will scale back the contract.

Councilor Vigil Coppler asked, if the City takes them down, we have just lost that money.

Mr. Moody noted that for the school sites, it will be relatively simple to bring cables outside. It could be up to \$5,000 and would be stranded because schools would own it. He had gotten some estimates and added that bringing them up to gigabyte speed would cost more. The City might strand \$3-5,000 at each site but it would not be lost.

Councilor Vigil Coppler pointed out that some school sites are gated. She asked if the kids would have to stand outside the gates.

Mr. Moody did not know. The City will not go onto school property unless it is publicly accessible.

Councilor Vigil Coppler was concerned if Wi-Fi would reach beyond the gates and how that was thought out. This is a good reason for kids to loiter around the school for this good reason.

Mr. Ryan explained that any place there was a problem with access would be open and also patrolled on those sites to assure no problems. We don't expect people to walk there with a laptop to sit with it but for parents to drive them there.

Councilor Vigil Coppler reasoned that they will have new rules about cars on the school grounds. Only five people could congregate. She wanted to make sure the schools would provide some oversight. It is hard with the City, as big as it is, to hope the SFPS has that security in place.

She asked if we are doing this now because of the pandemic.

Mr. Moody agreed. It is only because of COVID-19.

Mr. Brown observed that there are two audiences here - the students who need equity in learning and also community residents in hardship. Some of them would not be connected because of this crisis.

Councilor Vigil Coppler thanked him for that. She asked who will install them.

Mr. Moody said HDI is the installation contractor, who is used by ITT as a contractor.

Councilor Cassutt-Sanchez echoed the thanks of Councilor Garcia for the school district doing their best to provide education to students at this time. She knew Mr. Moody was working out kinks. Thanks for that. Regarding the timeline, she asked why it is being fast tracked and asked Mr. Ryan if this will hopefully get them back on track and speeding up the timeline.

Mr. Ryan said when the Governor ordered all schools closed, that next week was spring break and now we have had another week and a half off. Students need to keep up their academics, especially those who are applying to colleges. He mentioned the necessary testing for that to happen. And for elementary children to lose a quarter of the school year really redefines what school is. With this, we can deliver academic resources throughout the year. There are a lot of challenges and most challenge for those students without access or a very slow connection. The longer this goes, the sooner it gets into their hands, to maintain their academic connection with teachers to not fall further behind.

Councilor Cassutt-Sanchez echoed Councilor Vigil Coppler's comments to make sure it is not 5G cellular.

Mr. Moody said this is a cul-de-sac of a project and not use anything not already being used.

Councilor Cassutt-Sanchez asked if the MOU would be open for amendments. She would like to review it at access points. We have a couple of crises going on and what things will look like after the pandemic. With economic losses still there, some might have lost internet access. She understood in this emergency, it promotes infrastructure but if it becomes permanent, it needs to go through the Land Use process.

Mr. Moody pointed out that the city does want to have control over the temporariness of it and that should be written into the MOU, but the school installation is very simple with a cable which will be permanently affixed and not to be removed by the City. The City facilities are different, and they could be taken down. The District would not have that obligation.

Councilor Cassutt-Sanchez thanked Mr. Moody for clearing that up. Obviously, there is difference in authority. She thanked all who reached out on this project. It is a wonderful dialog she has had with the community on it.

Councilor Abeyta said he does not support this being temporary in District 3 and asked it to be permanent at Capital. There are apartments within 100' and also at Sweeney. He would encourage they stay up year-round. We have heard about

how kids congregate at the Southside Library on weekends for access. He didn't want to wipe out the availability for those citizens after the temporary time.

Councilor Rivera echoed Councilor Abeyta's comments. He commented that he can see the library from his back yard and could see how many try to access the internet there. His daughter is a senior and doing of her schoolwork remotely. It is important for them to have it all year around.

He asked Mr. Ryan if the MOU has been approved by the School Board.

Mr. Ryan explained that the authority is with the Superintendent and not requiring School Board approval.

Councilor Rivera said he heard this would be only for the City facilities.

Mr. Moody agreed.

Councilor Rivera pointed out that this would not require an amendment for review in the future. The schools would not be subject to that.

Mr. Moody agreed. At this point, the Schools have satisfied the MOU and the future access is in their hands.

Councilor Rivera asked if the City could force them to comply with it.

Ms. McSherry said this MOU with the Schools tonight is just for us to approve the MOU as written. The schools would own the equipment and could remove them if they choose to. To require the schools to do anything different would require a change to the MOU. Right now they only have obligation to receive the equipment.

Councilor Rivera surmised that if the Schools agree to the change in the MOU or revisiting it at some point, it could affect the kids now.

Mr. Ryan reminded him that the Schools already have high speed internet inside. If we had to remove them, it would affect not only the kids but also the community.

Councilor Rivera noted that if the Council put any date tonight, it would change the MOU and they would have to get back with us, that would cause huge delays. It is something to think about.

Councilor Romero-Wirth thanked everyone who sent emails or called. She read all of them and responded. We have had lots of communication and tonight has answered a lot of the concerns. Regarding the timeline, under the statute that is, the City code, this is considered a temporary utility and that would only apply to city facilities.

Ms. McSherry clarified that the MOU does not apply to City facilities at all. That is not on the agenda tonight. The MOU applies only to the schools.

Councilor Romero-Wirth added that the temporary code provisions are not applied to the schools, then.

Ms. McSherry and Mr. Moody agreed. She asked if the temporary provision is 90 days or a year.

Mr. Moody replied that it is for a year and can be extended to 18 months. But to make it permanent is 90 days.

Councilor Romero-Wirth pointed out that we don't know how long the economic consequences will last so she was against putting in a timeline. They will decide if they need it or not. And we have no experience with it. And we will deal with the economic consequences for years. So it is not just the students, but among the main beneficiaries are residents who cannot afford access to the internet and the internet is needed for so many things now. So we should not be amending the MOU. The schools will have to figure it out and what we do tonight does not affect the Governor's order on congregating and social distancing. She was very reluctant to amend the MOU. The schools are a separate government entity and they should decide what is needed for themselves.

Councilor Vigil Coppler noted she did not see Capital High School on this site list. She asked if that can be changed.

Councilor Villarreal said she wanted to think about our timeline, but she understood the City doesn't have a say. So what is the process for the schools to consider it as a temporary infrastructure, so we understand that.

Mr. Ryan said, as Mr. Moody explained, we are mounting it on the roof with cable from inside the building to that point. The initial impact on the facility is minimal and to make it permanent, it could be attached permanently on roof or wall.

Councilor Villarreal was not referring to the physical installation but the process for making it permanent.

Mr. Ryan explained the MOU is only to maintain that environment and attaches to a network we have already and grants access to the property. So no other process is needed.

Councilor Villarreal asked if there is another process we need to approve.

Mr. Moody said no. We will get the temporary facility up and then apply through Land Use for making the facility permanent.

Councilor Abeyta said Capital High was on the original assessment but the school across the street will have the facility.

Mayor Webber asked if there are any operating costs.

Mr. Moody said there are no recurring operating costs.

Mayor Webber added to Councilor Romero-Wirth's comment on the unknown nature of communitywide benefits. If you look back at the Spanish Flu epidemic, it came in three different waves. It appeared and came back twice, and each subsequent wave was more severe. The economic aftershock could go on for years. As Mr. Brown pointed out, people are filing for unemployment benefits through their phone. We are trying to provide a better way for folks to get things done. He wondered what problem we would solve by taking the facility down once we have made it available year-round for members of the community who are struggling to find a new job. We are doing something that is low-cost community - wide benefit for those who are most vulnerable who otherwise would have to make major tradeoffs. It provides equity for the residents. It costs very little per month and provides benefit to those who are most in need.

Councilor Lindell appreciated all who sent emails and she answered a lot of them. What stood out and she felt compelled to say out loud, was that there are people in this town who do not have internet access. There are people who have no idea how much some of our citizens are struggling and we are behind the curve in providing access to our students. She was dumbfounded by the number who do not have any access.

Mayor Webber thanked those who contacted the Councilors and the councilors for their research on it.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Rivera, to approve the MOU 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.

- 12. REQUEST FOR APPROVAL OF BUDGET AMENDMENT RESOLUTION** in the Total Amount of \$315,000 of Unbudgeted Revenue Generated by Land and Facilities Rentals of Mid-Town Campus Assets and an Equal Amount of Expense to Support the City of Santa Fe's emergency Response to the COVID-19

Pandemic or Other Necessary Campus Related Expenses. (Sam Burnett, Property Maintenance Manager, jsburnett@santafenm.gov, 955-5933; John Romero, Acting Public Works Director, jjromero@santafenm.gov, 955-6638)

Ms. Vigil read the caption for this item.

Mr. Burnett said what they are doing is moving revenue from Mid-Town Campus into the Mid-Town Operations Business Unit to use at Mid-Town for ongoing maintenance and repairs in addition to shelter expenses for COVID-19.

Councilor Vigil Coppler asked what the funds will be used for. Is it for what is happening now for housing the homeless?

Mr. Burnett clarified that, at the moment, all expenditures directly related to the COVID shelter were taken from the Mid-Town budget. We are approaching the end of available funds near end of the fiscal year. For the costs of providing shelter, we needed to have funds available and it is hard to say exactly how much we will spend, but we need to have it there in case that need arises and any not used will remain in that fund to the end of the fiscal year. Any unused funds would be moved back into fund balance for Mid-Town operations.

Councilor Vigil Coppler suggested maybe we could get an update by email. It is a good project, but she knew very little about what is going on there. And she asked if the City still owes money on this facility. She did not want to lose sight of that.

MOTION: Councilor Abeyta moved, seconded by Councilor Garcia, to approve the Budget Amendment as requested.

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.

13. REQUEST FOR APPROVAL OF AMENDMENT #3 with Molzen Corbin and Associates, in the Amount of \$1,564,271.59 (Mark Baca, Airport Manager, mdbaca@santafenm.gov, 955-2901)

Ms. Vigil read the caption for this item.

Mr. Baca gave an overview of the project. This amendment is needed because we are past the point for airport terminal design and this will reinstate the design for final plan on how to attack this project. It has been challenging to figure out the

direction we are going in since we did not get full funding. \$11.5 million is our budget and the biggest chunk of this amendment for the design going with the terminal and parking lot. The rest is for three task orders: airfield infrastructure, runway safety improvements, and taxiway golf reconstruction of the pavement which is in miserable condition. It is starting to fail, and we will receive a grant from FAA that is part of their \$3.3 billion appropriation. These task orders are set to move forward in this fiscal year.

Councilor Rivera commented this is important for the improvements of the terminal and should see very soon some spending for the parking lot and the funding should come down the pipe soon. This is the next step for getting the terminal plan going.

Councilor Vigil Coppler noted, regarding the priority on the terminal, that she saw some designs that never came before Council that would indicate a go ahead. We had our sights on a design that would make our terminal the right size for our traffic and what we would want there as an economic boost. The way things are now, perhaps the next legislative session will have thin prospects. If it doesn't meet the needs of the future, it might be harder down the road to do it. She was curious about the larger plan for how we want to proceed with the terminal. It is very important. She would be against a remodel that does not meet the future goal. She was really not sure what the terminal will even look like. She remembered the comment of Councilor Harris to improve the parking lot before getting the terminal improved.

Mayor Webber noted that the State has given us money.

Director Wheeler wanted to recognize Mr. Baca and the Molzen-Corbin team for their success. We had a conceptual design for the Legislature for a future terminal. They pivoted for a phased approach to do something now and that we could build into our future vision. We did not want to spend \$11.5 million for something that wouldn't get to that design. The Airport Advisory Committee has approved it and the extraordinary pivot that gives us a phased approach.

Mr. Baca described the approach at this point for Phase One. It is moving the north secure area of the terminal, adding 8,000 square feet so that once the passengers go through the TSA line, they will have adequate room in the terminal to sit. The secure area will have a snack bar so when people go through, they can hang out longer while waiting for the flights and the airport will get added flights with three gates. Arrivals will come through the departure area to get rental cars and baggage. The plan for baggage area will be temporarily in an outside area and will add one more counter space to serve three airlines instead of just two. It will become more attractive and FAA and the State can kick in more money and we will have some cash flow to continue the south expansion of 12-15,000 square feet.

Councilor Vigil Coppler wondered if there would be any new diagrams or if it the same that was provided to the Legislature.

Mr. Baca said there is something new. We had to reconfigure some of it and Molzen Corbin is working on a presentation for the Council. Right now, they are out of money but with the PO, they will move quickly with schematics that he could use for the presentation. That was his intention.

Councilor Vigil Coppler asked if that will include the parking lot

Mr. Baca agreed.

Councilor Rivera, in response, noted that parking is already a problem at the airport, and we can't adequately collect revenue for parking because the lot is a mess right now. Hopefully, it will be complete at the same time.

Mr. Baca added, to Councilor Harris' credit, we designed the parking lot to coordinate with the terminal and the new Aviation Drive connection design.

Mayor Webber added, as a reason to move forward, we wondered how to do a parking lot with all the cars parked there but now we don't have many cars there so it is a great time to do it with the parking lot empty. It is a byproduct of the pandemic and can have it ready when traffic resumes. And put the money to work and get the rest of the allocation. It is phased but opportunistic.

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, to approve the third amendment with Molzen Corbin 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.

14. MATTERS FROM THE CITY MANAGER

Manager Hill had four things to report and would follow up with emails:

1 - Earlier today, she sent around her signed contracts since the authority given to her was expanded. None of them exceeded the threshold. At the next meeting, she would give a full update.

2 - In the response efforts, - on March 25, the Council approved the budget adjustment for which, to date \$216,000 has been encumbered. So we can move that out quickly on our response efforts.

3 - Midtown shelter is an effort by all involved. It started with the most vulnerable population, set up on March 25, to have 150 bags there and City transit transports them to Mid-Town. Obviously, safety is paramount. 13 people are housed there now. 8 are tested negative and 2 awaiting test results. This operation continues to evolve, and we are in constant contact with DOH to work around security and food. She will provide more details. There is no clear timeline, but it is not meant to be forever. We are also in conversations with DOH if we need any other alternative care facilities.

4 - An update on food security - we have a two-lane response effort with a six-tiered plan for meals in the shelter and making sure they have access to food, in partnership with chefs.

Councilor Romero-Wirth pointed out that while we have not heard a lot about it to date, the Quality of Life Committee will be hearing about those things and meeting next week. It is well timed to help Council know more about the recovery issues. As Chair, we will focus on COVID at the next several meetings.

Councilor Vigil Coppler was happy to hear the report. She wanted to know more detail about what we are doing with current efforts. She gets many questions and doesn't know much about it. She is not on that committee and the minutes don't come out until the next meeting. We ask for emails often from Manager Hill on Mid Town activities. It is really important to her and Mid-Town is in her district.

Councilor Lindell asked Ms. Hill if she could make sure that invitations to all committee meetings be sent to every Councilor so we could sit in.

Manager Hill agreed.

15. MATTERS FROM THE CITY ATTORNEY

Ms. McSherry suggested removing the evening session because the petitions will be included in the minutes.

EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(8), Discussion of the Disposition of the Midtown Property, Formerly the College of Santa Fe and Formerly Operated as the Santa Fe University of Art and Design. (Erin K. McSherry, City Attorney; ekmcsherry@santafenm.gov, 955-5412)

Ms. McSherry recommended an executive session to discuss this matter.

Mayor Webber asked if the Council wants to amend the agenda - with petitions already considered.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Lindell, to amend the agenda by incorporation of Petitions From the Floor as an exhibit to these minutes.

Councilor Garcia asked what protocol would be used if we don't amend the agenda. Matters from the Public are not reported out. Usually, when we met in person, the public is present. So how does that happen?

Mayor Webber said the petitions can be posted on the website right away before minutes are available. He read them all before the meeting and did not think reading them aloud in the meeting would be needed.

Councilor Villarreal asked if we put a phone number for people to call in. How does that get into the record?

Ms. Vigil reported there were no messages left from that phone number. If there were, she would have typed them 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.

Mayor Webber provided instructions for leaving this meeting moving into the new (executive) meeting. When we come back to the open meeting, we will reenter this meeting.

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, to go into closed executive as recommended by the City Attorney.

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.

The Governing Body went into closed executive session at 7:39 p.m.

The executive session ended at 10:10 p.m.

MOTION: Councilor Rivera moved, seconded by Councilor Vigil Coppler, to return from executive to open session, stating for the record, that the discussion was limited to those matters listed on the agenda.

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.

16. MATTERS FROM THE CITY CLERK

Ms. Vigil had no matters to present.

17. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of the Communications from the Governing Body memo is incorporated herewith into these minutes as Exhibit 1.

Councilor Abeyta asked to be listed as a cosponsor on the ordinance regarding noise abatement.

Councilor Villarreal could not find the amendment to the noise abatement ordinance for introduction.

Councilor Lindell introduced the ordinance amending Section 10-92 for nuisance abatement which deletes some definitions, clarifies responsible parties, establishes guidelines for investigations, creates an abatement plan, establishes tenants' rights, enforcement provisions, fines, appeals, and right to enter for inspections. She also announced Easter this Sunday and cautioned everyone to watch out for the Easter Bunny.

Councilor Vigil Coppler knew the City budget hearings are not in April any longer and didn't know when they are now scheduled. She asked for a notice to be provided.

Councilor Cassutt-Sanchez gave a shout out to the Parks crew at Franklin Miles to respond to fix broken areas and clean up graffiti. And also to the Police Department regarding a constituent concerned about running stop signs and they have done extra sweeps in response.

Councilor Garcia wished everyone a happy Passover and Easter and keep some normality in their life. He showed that he is wearing a suit and sneakers.

Mayor Webber commended everyone for a very productive and thoughtful meeting. It was a very good job under these strange circumstances.

F. PETITIONS FROM THE FLOOR

A copy of the written petitions from the floor are incorporated herewith to these minutes as Exhibits 2-5.

G. APPOINTMENTS: NONE

H. PUBLIC HEARINGS: NONE

I. ADJOURN

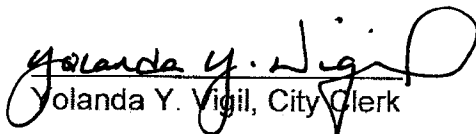
Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at 10:16 p.m.

Approved by:



Mayor Alan Webber

ATTESTED TO:


Yolanda Y. Vigil, City Clerk

Respectfully submitted by:



Carl G. Boaz, Council Stenographer



REGULAR GOVERNING BODY MEETING OF
April 8, 2020
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

EXHIBIT ONE

Mayor Alan Webber		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Roman "Tiger" Abeyta		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Jamie Cassutt-Sanchez		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Michael J. Garcia		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Signe I. Lindell		
Co-Sponsors	Title	Tentative Committee Schedule
Villarreal Romero-Wirth Vigil Coppler	AN ORDINANCE AMENDING SECTION 10-9.2 SFCC 1987 TO AMEND THE INTENT OF THE NUISANCE ABATEMENT ORDINANCE; AMENDING SECTION 10-9.3 TO ADD, AMEND, AND DELETE VARIOUS DEFINITIONS; AMENDING SECTION 10-9.4 TO CLARIFY RESPONSIBLE PARTIES; REPEALING SECTION 10-9.5 AND CREATING A NEW SECTION 10-9.5 TO ESTABLISH GUIDELINES FOR A NUISANCE INVESTIGATION AND CREATION OF AN ABATEMENT PLAN; REPEALING SECTION 10-9.6 AND CREATING A NEW SECTION 10-9.6 TO ESTABLISH TENANTS RIGHTS AS IT RELATES TO NUISANCE ABATEMENT; AMENDING SECTION 10-9.7 TO ESTABLISH ENFORCEMENT PROVISIONS OF THE SECTION; AMENDING SECTION 10-9.8 REGARDING THE RESERVATION OF LEGAL OPTIONS; AMENDING SECTION 10-9.9 REGARDING APPEALS OF ABATEMENT COSTS OR FINES; AMENDING SECTION 10-9.10 REGARDING GENERAL PROCEDURES; REPEALING SECTION 10-9.11; AND CREATING AMENDING SECTION 10-9.13 REGARDING THE RIGHT OF ENTRY OF INSPECTION OFFICERS TO CORRECT THE USE OF DEFINED TERMS.	Quality of Life Committee – 5/6/20 City Council (request to publish) – 5/13/20 Finance Committee – 5/18/20 City Council (public hearing) – 6/10/20

Councilor Chris Rivera		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Carol Romero-Wirth		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor JoAnne Vigil Coppler		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Renee Villarreal		
Co-Sponsors	Title	Tentative Committee Schedule

Introduced legislation will be posted on the City Attorney's website, under legislative services. If you would like to review the legislation prior to that time or you would like to be a co-sponsor, please contact Jesse Guillen, 505-955-6518, jbg Guillen@santafenm.gov or Jeff Norris, 505-955-6692, jtnorris@santafenm.gov.

CARDENAS, GERALYN F.

From: Stefanie Beninato <info@nmmediate.com>
Sent: Tuesday, April 7, 2020 6:55 PM
To: Public Comment
Cc: WEBBER, ALAN M.; ROMERO-WIRTH, CAROL; RIVERA, CHRISTOPHER M.; COPPLER, JOANNE V.; ABEYTA, ROMAN R.; VILLARREAL, RENEE D.; CASSUTT-SANCHEZ, JAMIE A.; GARCIA, MICHAEL J.; LINDELL, SIGNE I.
Subject: public comment
Attachments: Public Comment apr 8 2020 city council.pdf

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Both attached and in the email

Public Comment
 City Council Meeting 8 April 2020
 Mayor and Council

I am concerned about having city council and land use meetings without adequate public participation. If chambers of commerce and other professionals can organize 500 people on a meeting or 100 with full participation, there is no reason the city cannot provide this type of meeting. There are important far-reaching decisions coming before the council and these board that can wait—another month to discuss 2 4-story hotels in downtown or a apartment complexes of two hundred or more units etc. It seems obvious from councilor and lawyer remarks at the last meeting that public input is more about “creating a record” and not about considering the actual public input as required by law. The lack of being heard (literally) last time makes me wonder if that meeting complied with the Open Meetings Act.

I am even more concerned about the so called Midtown Campus (old CSF) and the number of meetings you have had about it without any reporting back to the public. It is particularly distressing because Alan keeps talking about public input but the last and only round of public input was already directed and controlled and did not reflect public input. I know I wanted to rank at least 4 suggested uses at 20 (1-20) but I had to give them separate numbers. We now hear from the paper that Alan has his staff developing bricks and mortar projects ready to go. A limited-input 13 April meeting will not be well received. Given the importance of the topic, would such a meeting reflect a desire for public input? How can projects be developed if the council has not voted and there has been no public input? The walk and the talk seem to diverge.

Even more distressing was the transfer of \$500,000 from the Railyard fund to the general fund last week on the consent calendar. In large part it was to give nonprofits money to continue feeding those in need of food and for those nonprofits to find alternative housing from my reading of what was online. The biggest chunk of the funding is directed to those entities that are eligible for federal grants. Now we find out that the Webber administration (or was this an executive session item?) has already found and funded alternative housing (hotels—another group in line for grant and loan monies) and that someone decided to house 5 homeless people in a dorm at the MTC. Did you consider the portable units that are being used in other places to avoid the cost of sanitizing the structure? Are there similar arrangements on campus for first responders and health care providers who may get the virus and not want to return home?

Why is the Door 3 that leads into the SFCCC parking structure left ajar and lit up at night. For the past three weeks, I have gone by at night (8-8:30 PM) and have seen it ajar. I have reported it to dispatch and I believe to the city manager. Sunday night I saw someone who appeared to be homeless who was trying the doors in the SFCCC courtyard facing east.

It was just a matter of minutes before he would have seen that Door 3 on the east side and gone down into the garage. Is the intention to allow this to serve as alternative shelter? If not, during this shutdown, it seems careless of the city on many levels not to secure that door.

And when will we see how the city is tracking its employees work from home? Are lifeguards actually coming to the facilities to continuously clean them? I think the city should avoid having any number of people together regularly just to make work. Better just to pay them to stay home so they will be well on re-opening or change their functions to serve the immediate needs of the community (parks, meal deliveries etc)

Thank you.

Stefanie Beninato

Stefanie Beninato

PO Box 1601

Santa Fe NM 87504

CARDENAS, GERALYN F.

From: Bizia Greene <biziagreene@gmail.com>
Sent: Monday, April 6, 2020 4:29 PM
To: Mayors Office; VILLARREAL, RENEE D.; LINDELL, SIGNE I.; GARCIA, MICHAEL J.; ROMERO-WIRTH, CAROL; RIVERA, CHRISTOPHER M.; ABEYTA, ROMAN R.; CASSUTT-SANCHEZ, JAMIE A.; COPPLER, JOANNE V.; Public Comment
Subject: Re: City Council Mtng April 8 / Item 11

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Webber and City Councilors,

I wanted to write in to commend you on your efforts to support our citizens during the COVID-19 pandemic. Your efforts to communicate through daily live briefings and social media posts etc have kept my family up to date and offered transparency. I have felt that city and state government have been on the right side of history and science while sharing a unified message creating confidence and trust in managing this unprecedented event.

In that spirit, I am kindly requesting that the City Council delay this Wednesday's agenda topic of 5G installation until a future date when all families can participate in that dialogue. At a time when parents/carers are overly stressed and vulnerable it would be inappropriate to make decisions about our public schools/spaces and the citizens who inhabit them without them physically present at the meeting. While I understand your mission, I, personally, am uncomfortable with the timing of this vote landing now when there is no traditional chamber for public comment. With an already eroding trust in government at the national level on how this health crisis has been managed, I would hate to feel that sense of distrust locally when we need you most.

It is no secret that 5G presents some controversies worth examining and local citizens have a right to vet your process and ask questions. As Councilman Chris Rivera expressed at a city council meeting on wireless telecommunications expansion in 2018 "Thirty years from now, we may be looking at this the way we do look at cigarettes" (5/19/2018 The Santa Fe New Mexican). I do not want to swap one public health emergency for a future one and certainly not hastily over the confines of the internet.

As expressed by you, Mr Mayor, at the same meeting: "I think it's completely legitimate to be very vigilant and to recognize not all technology is progress." An issue of such magnitude deserves vigilance and a voice in the room.

It behooves you to wait for an in-person traditional public forum. Our children, the future of this remarkable city, must know that we the citizens and the government are on the right side of history when making decisions that directly impact their health and well-being.

Sincerely,

Bizia C. H. Greene
 Etiquette Consultant
 Columnist, The Santa Fe New Mexican

Etiquette School of Santa Fe

CARDENAS, GERALYN F.

From: Berl Brechner <bbrech@bestweb.net>
Sent: Tuesday, April 7, 2020 8:42 PM
To: Public Comment
Subject: For Petitions from the Floor, meeting of April 8

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For Petitions from the Floor, Santa Fe Governing Body meeting, April 8, 2020 Submitted April 7, 2020

From:
 Berl Brechner
 664 Camino del Monte Sol
 Santa Fe, NM 87505

Regarding the Midtown Campus, newspaper reports and information the city put out on March 23 said there would be "a special hearing on April 13, 2020 to provide an opportunity for the public to meet the master developer that the Evaluation Committee is recommending for approval to enter into an Exclusive Negotiation Agreement with the City."

Now, as of April 6 per a new update from Liz Camacho of Economic Development, the reference to "special hearing" is dropped; there will be no public opportunity to meet the master developer. Her advisory simply says you will be voting to "approve the recommendation to enter into an Exclusive Negotiation Agreement (ENA) with the finalist developer."

The city's midtown website March 23 message did recognize the ongoing public health crisis, and its potential to impact how Santa Feans are able to access and participate in upcoming public meetings and engagement activities, and the need for an equitable path forward.

Any vote next Monday would be without public involvement in the RFEI process, and after multiple executive session discussions on this topic by the Governing Body. This pattern of secrecy has been criticized multiple times in The New Mexican. Per the April 5 Camacho letter, a final agreement still would have to be created, so "public engagement" comes later.

So now, with no hearing or prior public input for almost two years, on a matter of huge importance and decades-forward impact on the community as a whole, you are to vote. Given that no detail, not even the name of the proposed developer, has yet even been released to the public, given that RFP 1945/P of last summer for midtown campus Civic Engagement intended to better represent opinions of underserved communities was never done, and given that the public has been bypassed in this process ...

The City should look for that equitable path and access for Santa Feans:

1. Postpone this planned April 13 vote.
2. Put out publicly information and detail, including information about proposers, proposals, and the evaluation committee's work, and the Governing Body's executive session summaries.
3. Consider this at some date in the future when the public can fully and broadly participate; will have had meaningful advance knowledge of what is to be proposed, how such recommendations have come to pass, and can comment back knowledgeably to our elected officials; and would have a better capability and opportunity to be substantively involved.

Otherwise, this process will continue a pattern of appearance that the public is closed out, and key decisions are being made without regard to the public's interests and opinions on the matter.

Thank you.

CARDENAS, GERALYN F.

From: Billie Bolton <bfbolton@gmail.com>
Sent: Monday, April 6, 2020 4:56 PM
To: Public Comment
Subject: Evaluate health effects of 5G BEFORE PROCEEDING!!

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To weigh the effects of a huge technological change like 5G is only rational and sensible....
It is UNDEMOCRATIC AND SLEAZY for you to try to pass this through now during the shutdown....
and start up 5G without input from the public, and without seriously studying the effects....

YOU SHOULD OMIT 5G FROM THE COUNCIL AGENDA WEDNESDAY, AND WAIT UNTIL THE
PUBLIC CAN PARTICIPATE, AND AN ENVIRONMENTAL IMPACT STATEMENT BE DONE.

DO THE RIGHT THING!

WE WILL REMEMBER YOUR NAMES....

Billie Bolton