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**CITY OF SANTA FE, NEW MEXICO**

**BILL NO. 2021-\_\_**

**INTRODUCED BY:**

Councilor Signe I. Lindell

Mayor Alan Webber

Councilor Chris Rivera

**AN ORDINANCE**

**CREATING A NEW SECTION 2-4.14 SFCC 1987 TO REQUIRE THE CITY MANAGER’S  
PRIMARY RESIDENCE BE WITHIN, OR WITHIN TEN (10) MILES OF, THE  
MUNICIPAL BOUNDARIES OF THE CITY OF SANTA FE; CREATING A NEW  
SECTION 2-9.7 SFCC 1987 TO REQUIRE THAT THE CHIEF OF POLICE’S PRIMARY  
RESIDENCE BE WITHIN, OR WITHIN TEN (10) MILES OF, THE MUNICIPAL  
BOUNDARIES OF THE CITY OF SANTA FE; AND CREATING A NEW SECTION 2-10.6  
SFCC 1987 TO REQUIRE THAT THE CHIEF OF THE FIRE DEPARTMENT’S  
PRIMARY RESIDENCE BE WITHIN, OR WITHIN TEN (10) MILES OF, THE  
MUNICIPAL BOUNDARIES OF THE CITY OF SANTA FE.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

**Section 1.     [NEW MATERIAL] A new Section 2-4.14 of SFCC 1987 is hereby  
ordained to read:**

**2-4.14 Residency requirements.**

Beginning with the first city manager appointed after July 1, 2021, the city manager shall,

1 within one hundred and eighty (180) days of employment, and for the duration of employment as  
2 manager, live within the geographic boundaries of the city of Santa Fe or within ten (10) miles  
3 from the city’s geographic boundaries. As used here, “live” means to have a primary residence.

4 **Section 2. [NEW MATERIAL] A new Section 2-9.7 of SFCC 1987 is hereby**  
5 **ordained to read:**

6 **2-9.7 Residency requirements.**

7 Beginning with the first chief of police appointed after July 1, 2021, the chief of police  
8 shall, within one hundred and eighty (180) days of employment, and for the duration of employment  
9 as chief, live within the geographic boundaries of the city of Santa Fe or within ten (10) miles from  
10 the city’s geographic boundaries. As used here, “live” means to have a primary residence.

11 **Section 3. [NEW MATERIAL] A new Section 2-10.6 of SFCC 1987 is hereby**  
12 **ordained to read:**

13 **2-10.6 Residency requirements.**

14 Beginning with the first chief of the fire department appointed after July 1, 2021, the chief  
15 of the city fire department shall, within one hundred and eighty (180) days of employment, and for  
16 the duration of employment as chief, live within the geographic boundaries of the city of Santa Fe  
17 or within ten (10) miles from the city’s geographic boundaries. As used here, “live” means to have  
18 a primary residence.

19 APPROVED AS TO FORM:

20  
21 \_\_\_\_\_

22 ERIN K. McSHERRY, CITY ATTORNEY

23

24

25 *Legislation/2021/Bills/Residency Requirements*

## FISCAL IMPACT REPORT

**General Information:**

(Check) Bill:  Resolution: \_\_\_\_\_

Short Title(s): Residency Requirements

Sponsor(s): Councilors Lindell, Webber, Rivera

Reviewing Department(s): Legislative Services – City Attorney’s Office

Staff Completing FIR: Jesse Guillen Date: 5/20/21 Phone: 955-6518

Reviewed by City Attorney:  Date: Jun 4, 2021

Reviewed by Finance Director:  Date: Jun 4, 2021  
Alexis Lotero (Jun 4, 2021 16:01 MDT)

**Summary:**

The proposed Bill would require appointees to City Manager, Police Chief, and Fire Chief after July 1, 2021 to reside within the municipality or 10 miles of the municipal boundaries of the City of Santa Fe

**Departments Affected:**

City Manager, Police Department, Fire Department, and Human Resources.

**Consequences of Not Enacting Legislation:**

None of the three positions will include a future requirement for the employee to maintain a primary residence within 10 miles of the municipal boundaries of Santa Fe within 180 days of appointment. If the City Manager, Police Chief or Fire Chief live further than 10 miles of the municipal boundaries, in-person response times from these employees could be delayed.

**Conflict, Duplication, Companionship, or Relationship to Other Legislation:**

This residency requirement could lead potentially well-qualified applicants for the affected positions to not apply because of this requirement, including long-term employees of the City who established their family outside of Santa Fe for financial or other reasons.

**Performance and Administrative Implications:**

The Human Resources Department would have to verify the appointee’s primary residence was within the required geographic boundaries within 180 days of appointment.

**Fiscal Implications:**

None identified.

**Fiscal Impact**

Check here if no fiscal impact

**Expenditures**

Expenditure Type	FYE ___	FYE ___	FYE ___	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
<u>Personnel and Benefits*</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	_____
<u>Capital Outlay</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	_____
<u>Contractual/ Professional Services</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	_____
<u>Operating</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	\$ _____
<u>Total:</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	\$ _____

\* This includes all staff time associated with executing the job functions of the proposed legislation.

**Expenditure Narrative:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Revenue**

Revenue Type	FYE ___	FYE ___	FYE ___	Recurring (R) or Non-recurring (NR)	Fund
General Fund	\$ _____	\$ _____	\$ _____	_____	_____
Special Revenue	\$ _____	\$ _____	\$ _____	_____	_____
CIP	\$ _____	\$ _____	\$ _____	_____	_____
Enterprise	\$ _____	\$ _____	\$ _____	_____	_____
Internal Service	\$ _____	\$ _____	\$ _____	_____	_____
Trust and Agency	\$ _____	\$ _____	\$ _____	_____	_____
Federal	\$ _____	\$ _____	\$ _____	_____	_____
Other	\$ _____	\$ _____	\$ _____	_____	_____
Total	\$ _____	\$ _____	\$ _____	_____	_____

**Revenue Narrative:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*Jean Guillen*

**Signature:**

**Email:** [jbg Guillen@ci.santa-fe.nm.us](mailto:jbg Guillen@ci.santa-fe.nm.us)