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**CITY OF SANTA FE, NEW MEXICO**

**RESOLUTION NO. 2021-\_\_**

**INTRODUCED BY:**

Mayor Alan Webber

Councilor Signe I. Lindell	Councilor Carol Romero-Wirth
Councilor Roman “Tiger” Abeyta	Councilor Jamie Cassutt
Councilor Chris Rivera	Councilor Michael J. Garcia
Councilor JoAnne Vigil Coppler	Councilor Renee Villarreal

**A RESOLUTION**

**WAIVING THE CITY PERSONNEL RULE’S LIMITATIONS ON SALARY INCREASES FOR THE PURPOSE OF OFFERING A WAGE OF AT LEAST FIFTEEN DOLLARS PER HOUR TO ALL CITY EMPLOYEES IN NOVEMBER, 2021.**

**WHEREAS**, since the enactment of the federal minimum wage in the Fair Labor Standards Act in 1938, the federal minimum pay rate has been increased 22 times, by 12 different U.S. presidents, but it hasn’t been raised since July 2009, when it was increased to seven dollars and twenty-five cents per hour; and

**WHEREAS**, the City pays its employees, including part-time and temporary employees, no less than the hourly wage established by the Living Wage Ordinance, SFCC 1987, Section 28-1; and

**WHEREAS**, the Living Wage in the City of Santa Fe is twelve dollars and thirty-two cents currently; and

**WHEREAS**, offering at least fifteen dollars per hour for all City of Santa Fe employees, including part-time, full-time, term, at-will, classified, probationary, and temporary employees,

1 would allow all employees the opportunity to earn more than double the federal minimum wage;  
2 and

3 **WHEREAS**, other than for employees for whom a wage increase could cause a benefits  
4 cliff that would negatively impact income eligible benefits, a fifteen dollar wage would help City  
5 workers who work and live in Santa Fe to meet their financial needs, as well as keep the City  
6 competitive in the current competitive job market; and

7 **WHEREAS**, pursuant to SFCC 1987, Section 2-4.6(B), the City Manager is responsible  
8 for compliance with the city's personnel rules and regulations in her employment of all municipal  
9 employees;

10 **WHEREAS**, Rule 6 of the City's Rules, Regulations, and Policies, regarding the Pay  
11 Plan of the City, provides for the City Manager to provide salary increases in three circumstances:

- 12 1. Productivity increases for certain employees, based on demonstrated quality of  
13 performance and a productivity formula as approved by the City Council;
- 14 2. For the emergency retention of employees, except those in temporary status, who  
15 have completed at least six months continuous service, other than to retain employees  
16 under consideration for another position in the City; and
- 17 3. Longevity pay when an employee's salary reaches the maximum pay rate for his/her  
18 position after his/her fifteenth year of total service; and

19 **WHEREAS**, Rule 15.10 of the City's Rules, Regulations, and Policies, allow for the  
20 Governing Body to "temporarily modify or waive" any of its Rules if it would be reasonable,  
21 appropriate, lawful, and necessary for the orderly and efficient administration of the City."

22 **WHEREAS**, 150 positions (130 filled, 20 vacant) are currently paid less than fifteen  
23 dollars per hour and the positions span nine City departments and 27 job classifications; and


24 **WHEREAS**, the 150 positions include positions impact non-union, AFSCME and Fire  
25 Unions.

1           **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**  
2 **CITY OF SANTA FE** that the Governing Body finds that it would be reasonable, appropriate,  
3 lawful, and necessary to waive limitations in its existing personnel rules governing the offering of  
4 salary increases in order to allow the City Manager to offer all City employees an hourly wage of  
5 at least fifteen dollars per hour.

6           **BE IT FURTHER RESOLVED** that, by the end of November 2021, the City Manager  
7 shall offer increases to the rate of pay up to fifteen dollars per hour for all City employees who do  
8 not currently make fifteen dollars per hour.

9           PASSED, APPROVED, and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

10 APPROVED AS TO FORM:

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12 \_\_\_\_\_  
13 ERIN K. McSHERRY, CITY ATTORNEY