

Minutes of the
Emergency Meeting of the Governing Body
Monday, October 12, 2020
Virtual Meeting

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, October 12, 2020, at 5:13 p.m., at the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico as a virtual meeting.

2. ROLL CALL

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

None

Other Participants Attending Remotely

Jarel LaPan Hill, City Manager
Erin McSherry, City Attorney
Marcos Martinez, Assistant City Attorney
Yolanda Y. Vigil, City Clerk

3. PURPOSE OF THE MEETING - AGENDA

Mayor Webber noted the Clerk recommended having an agenda and approval of the agenda. He proposed that no action be taken and consider the events that took place this past weekend in the City. That culminated in the destruction of the obelisk at the Plaza in a violent demonstration and that was the agenda that he proposed.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Romero-Wirth, to approve the agenda as stated by Mayor Webber.

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. OVERVIEW OF WEEKEND EVENTS

Mayor Webber noted that the Governing Body would know by the time of the next regularly scheduled meeting on Wednesday and could discuss it further at that time. But he wanted to make sure everyone on the Council was fully aware and have a chance to comment on those events.

For Background, Mayor Webber said there was a demonstration on the Plaza that started Saturday night with individuals occupying the obelisk by chaining themselves to it and indicating their intent to stay there until Monday. The Police, Fire Department were there. Mayor Webber went and offered to meet with them if they would come down from the obelisk and talk about their concerns. They preferred to stay on the obelisk and the Police stayed overnight and observed to keep it peaceful. Starting yesterday (Sunday) developed a plan to meet with the group and inform them they were criminally trespassing and would be cited for it if they did not leave. That was at 7 pm and was respectful and peaceful. They were given time to talk among themselves. They asked the Police to come back over and said they were ready to leave the obelisk peacefully. They packed up a lot of gear. They told the Police they wanted to get a pickup truck to move their gear out. The Police helped with it and by 8:30 to 9:00 last night, the Plaza was clear and calm.

The situation changed dramatically today (Monday) when a large group came to the Plaza at a time when workers were increasing security with more plywood around it. The group was reported to tear pieces of the pedestrian gating on the perimeter and threw them at the workers. At that time, the Police decided to pull

the workers away from their work to avoid injuries to them. That led to a full-scale assault on the obelisk by the demonstrators, including tackling and taking down two police officers.

There were several arrests made, based on the assault on police and protestors overcame the police and mounted the obelisk and with their tools, tore it to the ground and destroyed it. Then they left and now the Police, Public Works Team, and Fire Department, tried to safeguard what was down at the Plaza and clean up and put the pieces of the obelisk in a safe place to make sure there was no further destruction or use it in any violent way.

Mayor Webber has been in contact with other individuals who have been instrumental in the work to bring more reconciliation to our community. He spoke with the Governor of the Pueblo of Tesuque, with Regis Pecos, who was a leader in the retirement of La Entrada and a proclamation last year to remember the events of Indigenous People's Day on the Plaza, which was a most peaceful, heartfelt expressions of solidarity and reconciliation. He was sad and disappointed that one year later, people took their law into their own hands and a step back from peace in the community.

He said it doesn't change the course Santa Fe is on and spoke with each Councilor on the best path to structure a task force or committee to discuss statues and monuments, history and cultures, to try to build more reconciliation in this community. It was sad to lose the obelisk in this unlawful way rather than having a community discussion about the best way to deal with it.

Mayor Webber invited comments and suggestions from the Governing Body.

Councilor Garcia recalled one who was chained to the obelisk stated their intention to stay chained to it until Monday – Indigenous People's Day on the Plaza. He asked why the decision was not made to just let them peacefully protest and stay chained until today.

Mayor Webber said a lot of consideration went into all forms of protest. He thought he, the police and City Manager made a calm decision. "If they wanted to make a point about history and their views about the obelisk, the point was being made. But they were also in violation of the law. As to the City's point of view, we are the keepers of the peace and enforcers of City ordinances. That is the oath of office that we all take. We would be derelict in our duty if we simply let them stay there." The police approached them and give a way for them to come down, having made their point. He thought it representative very good solution. They got to make the appointment not to violate city code. But today, we saw wanton destruction of property that did violate city codes and two officers were injured by this demonstration.

Councilor Garcia noted there was a lot of presence on the Plaza, whether from City law enforcement, County law enforcement, State law enforcement, Fire and Safety, etc. He didn't understand why we did not maintain the area safe and secure, knowing the original protesters' intention was to go through Monday. And why did we not have that today as we did last night?

Mayor Webber preferred, in this public meeting, not to worry if he could not answer with certainty. That was a question he expected the press and the public to ask going forward and was confident that an answer would soon portray a clear picture of what happened. Before they were chained to the obelisk, he had reached out to Native Americans who were not parties to this protest. He couldn't see who was responsible for toppling the obelisk and assaulting the police. He had heard from several groups that this did not come from those who were planning to peacefully observe the Indigenous People's Day.

Councilor Garcia said that is a good reason why we need this commission on truth and reconciliation. Tension within our City has been high since the summer. They're only going to get more exasperated because of this incident. He asked how we as the Governing Body begin to work on the process. We need to start bringing together our community leaders to start addressing the promise of our past and work together and come together as a community and face our past or we will continue to have the circumstances and any other part of the City that has a remembrance of colonialism. Our ultimate priority should be to keep our community safe. When the tensions are high, people may act out of hate and it leads to negative output. So he asked how the Governing Body could bring people together and address the elephant in the room to keep things safe.

Mayor Webber did believe, after this setback, that we need to rebuild the community trust and move beyond the pains of the past to reconciliation.

Councilor Garcia wanted to hear the ideas of his colleagues and not get distracted but moving forward to figure it out with something strong.

Mayor Webber did not think it wise to speak to the specifics in reaction before having all facts gathered. He was not confident in being able to answer those specific questions before the facts are established.

Councilor Rivera asked that when that information is available, to understand the lack of police presence during this protest. There were four officers trying to hold back more than seventy people. He wanted to know how and when that decision was made to pull back. He asked Mayor Webber to pass that along to the Police Chief and why the Sheriff's Department and State Police were not more involved. An answer to that would be helpful. There was plenty of video around to see what took place and whether the City would press charges against those people.

Mayor Webber said the City would take that up with the Police Department and the City Attorney. The two people who were arrested would be held accountable for their actions. Assaulting a police officer is one of the more serious things a person could do. He also spoke with chief Padilla to make sure body cameras were on so there is no questions about excessive force being used. He added that we will coordinate with the District Attorney on it to make sure the proper legal steps are taken. These are all the right things to do.

Councilor Rivera asked the City Attorney about the research to determine whether the obelisk was a federal monument or not. He asked what her findings were.

Ms. McSherry was in a vehicle and her transmission was poor.

Mr. Martinez said he had not had time to review all the documentation but found it most likely that the City owns the obelisk.

Councilor Rivera asked about prosecution of those responsible.

Mr. Martinez said it is done under the District Attorney's jurisdiction, although petty misdemeanors are under the City's jurisdiction. He will pursue that, and it will depend on what charges are filed.

Councilor Rivera asked if Public Works has discussed rebuilding the obelisk.

Mayor Webber said they would at least protect all parts of the obelisk that are collected. They would not be destroyed further. Director Wheeler and her team is doing everything possible to make sure they are safely stored and protected. He did not know what options were available. Chief Padilla has been alerted to presence and vigilance on protecting what is there now. Those discussions are ongoing. He did not know what steps have been taken to protect what is there.

Councilor Vigil Coppler asked about the injury to police officers and if they are okay.

Mayor Webber said they are okay. They were taken to the ground and sustained injuries, but both are okay physically. The injuries are not serious.

Councilor Vigil Coppler understood the City owns the obelisk but there is a required federal process to make changes to it. She recommended that the city research whether there are any sanctions to the City but also to anyone who has damaged.

Mayor Webber agreed. The City is moving forward carefully on legal obligations surrounding the obelisk and the overlay of authorities in oversight of the monument. The work has been ongoing for several months with Councilors and those with a stake in the obelisk and other monuments in the City and need for dialogue regarding our shared histories. The City Attorney has ascertained, though not complete, on the oversight authority involving federal and state entities that require careful procedures, moving forward. It is moving forward in a methodical way to engender confidence in the work.

Councilor Vigil Coppler hadn't known statues were going to be removed and that should have been considered at a Governing Body meeting where Councilors would be involved in the discussion. Councilors did not have that opportunity to engage in how to proceed. The Truth and Reconciliation Commission is far overdue, and this lack of planning brings emails to all Councilors about how we are not paying attention. She felt we should not always be reacting but be proactive. She is hoping we have learned from this to not delay. Mayor Webber has made it hard to prepare, had we at least gone forward and done something. Now, all of us get the rap from people on both sides on what is being done today which is violent and oppressive. She is looking forward to a better tomorrow, but it is hard on all of us. It is always better to be proactive instead of reactive. She was sorry it has happened and is heartbreaking. She wanted to do her part to make things better.

Mayor Webber agreed it is a sad day when people take it in their own hands instead of the community working together. The next steps must be designed to heal wounds rather than provoking more anger. Cool heads need to prevail and bring people of good will together rather than pointing fingers

Councilor Abeyta asked Legal regarding creation of the Truth and Reconciliation Task Force. Is it the Mayor acting, or should it be a resolution of the Governing Body to start bringing people together?

Mr. Martinez thought a resolution would be a vehicle for creating the Truth and Reconciliation group. It could also be established by ordinance.

Councilor Abeyta asked a time frame for doing that.

Mr. Martinez said a typical resolution time frame is what it would take. We could explore the most expeditious way.

Councilor Abeyta asked about an answer by Wednesday's regular meeting.

Mr. Martinez thought that would be possible.

Councilor Cassutt-Sanchez was curious if there are other monuments that the Governing Body needs to protect. This is not the process we want. She supported a Truth and Reconciliation group and wanted to know if other monuments need to be protected. She understood the obelisk could not be removed without damage.

Mayor Webber said it is a good question and could discuss offline. We don't want more destruction without more discussion across the community and hoped that discussion could be undertaken on all monuments. There are obviously different points of view regarding the past. Some were painful and others joyful and we came together

Councilor Cassutt-Sanchez looked forward to Wednesday and more information. The Truth and Reconciliation Task Force is a hopeful way to move forward. She understood there would be roadblocks to face and it would not be a perfect process.

Councilor Romero-Wirth was sorry we must gather in emergency session because of the events of this day. It is disheartening and not who we are. She had to believe some of it is the result of the times we are living in and no shortage of things to be upset about and that cause hate. She thought some structure needs to happen quickly – begin a process for healing. People need to be heard. We have spent all our time dealing with the global pandemic and sorry we had not don't this earlier. We need a process that moves us forward in phases and the first phase is to listen to the various voice that need to be heard in our community. Whatever process is used, it should be done in phases and consider the time frame. It will be dependent on what is asked to be done and structure to do it in. We must find a way to live together and tell a more comprehensive story.

Councilor Villarreal was shocked by all of this. This was a terrible way to deal with the obelisk and she hoped to understand the sequence of events better. She wanted to understand the police presence, how the attack on them happened. It would be helpful to get the video from the camera at the Plaza rather than just hearing things second-hand. She noted various one-on-one conversations with the Mayor about a more neutral party leading. The Resolution should not just be the City filing the process which is in some ways tainted. There was not enough action take and it is not just the Mayor's responsibility. All Councilors had a role to paly and will be blamed for our part in it. We all need to acknowledge that, and it has been gong on for a long time.

She wished for more communication such as the research going on. That needed to be shared with all Councilors to respond to constituents. That information would have been helpful to understand what was going on. We need that information going forward. It would help to know what is being done to secure the Plaza. Unfortunately, the importance of Indigenous People's Day gets lost with this happening and people not even involved get blamed for it. So we need more details on it and who is to blame. Otherwise, people could blame all the Governing Body on it. She wanted to know what the next steps are. Representation needs to be known for the Commission.

Mayor Webber thanked her for many good points. There is a celebration at the Downs very peacefully and stands in stark contract to the destruction and lawlessness of a small group in Santa Fe. He knew that all Councilors condemns what happened.

Councilor Lindell was in a vehicle, and said it is a painful day and not one thing by her colleagues that she disagreed with. Everyone spoke eloquently. We have the past and now need to understand why this happened. Seeing the tapes from the camera is important. We will hear many ways this happened, but she wanted to decide from the videos what happened. She really appreciated those she works with on this day.

Mayor Webber said the point of this meeting was to get feelings and questions out about the events on the Plaza and those who were responsible and begin a process of engagement about past and future. We need a way for all to be heard. He was like them videotaped and preserved, whether Hispanic, Native American, or visitors settling here. That should be on the record and part of the community dialogue. We need to consider our other monuments or memorials. Public Art that we have and that we don't have could be testimonials to conquest or to peace and the gifts of New Mexico and lessons

learned. So there is a clear idea of what needs to be done. The same applies to evaluation of experiences people and families have had over generations and where pain has been inflicted, to be honest about them and the acts of generosity of people.

We need to decide who should be members on the Task Force and who should be represented to consider reconciliation. Part of it happened several years ago with the proclamation that happened.

He appreciated everyone coming on fifteen minutes' notice and reminded members of the regular meeting on Wednesday when more would be known. We cannot let the emotions of this day lead to hatred and division. He commended all Councilors on their hard work and good heartedness that will carry us through. He hoped this would become a turning point for Santa Fe toward better efforts for the future to understand and work together.

5. ADJOURN

The emergency meeting was adjourned at 6:10 p.m.

Approved by:

Mayor Alan Webber

ATTESTED TO:

Yolanda Y. Vigil, City Clerk

Respectfully submitted by:



Carl G. Boaz, Council Stenographer