City of Santa Fe

Agenda

Finance Committee Meeting
November 19, 2007 – 5:15 pm
City Council Chambers

CITY CLERK'S OFFICE
DATE 11/16/07 TIME 2:30pm
SERVED BY Yolanda Green
RECEIVED BY [illegible]

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF AGENDA

4. APPROVAL OF CONSENT AGENDA

5. APPROVAL OF MINUTES:

   NOVEMBER 5, 2007

INFORMATIONAL AGENDA:

6. PRESENTATION ON PARKING AT THE RAILYARD (BILL HON)

7. UPDATE ON ENERGY CONSERVATION REPORT (NICK SCHIAVO)

CONSENT AGENDA:

8. BID OPENINGS:

   A. BID NO. 08/97/B – MODULAR OFFICE BUILDING FOR WASTEWATER MANAGEMENT DIVISION; MORGAN MANAGEMENT (BRYAN ROMERO)

      1. REQUEST FOR APPROVAL OF BUDGET TRANSFER – WASTEWATER ENTERPRISE FUND

   B. BID NO. 06/51/B – PORTABLE TOILET RENTAL SERVICE FOR PARKS DIVISION; WASTE MANAGEMENT OF NEW MEXICO, INC. (FABIAN CHAVEZ)

9. REQUEST FOR APPROVAL OF GRANT AWARD – SANTA FE ARTS COMMISSION ARTWORK PROGRAM; BUCKAROO BALL COMMITTEE (SABRINA PRATT)

10. REQUEST FOR APPROVAL OF SUPPLEMENT TO AGREEMENT – MOBILE DATA BROWSER SOFTWARE FOR POLICE DEPARTMENT; SUNGARD H.T.E., INC. (CARYN FIORINA)

11. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – ARTS-IN-TRAFFIC CALMING DEMONSTRATION PROJECT – SCULPTURE ON BOTULPH ROAD (RFP #07/32/P); CLEMENS AND ASSOCIATES, INC. (LEROY PACHECO)

12. REQUEST FOR APPROVAL OF A MEMORANDUM OF AGREEMENT – GRIP2 2007 LEGISLATIVE APPROPRIATIONS FOR CERRILLOS ROAD RECONSTRUCTION PROJECT; NEW MEXICO FINANCE AUTHORITY (ERIC MARTINEZ)

13. REQUEST FOR APPROVAL OF LEASE AGREEMENT – AIRLINE TERMINAL BUILDING COUNTER AND FLOOR SPACE AT SANTA FE MUNICIPAL AIRPORT; PACIFIC WINGS AIRLINES D/B/A NEW MEXICO AIRLINES (JIM MONTMAN)

14. REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO PROFESSIONAL SERVICES AGREEMENT – HEATING AND AIR CONDITIONING SERVICES AT GCCC; TRAVERS MECHANICAL SERVICES (LIZ ROYBAL)

15. REQUEST FOR APPROVAL OF AMENDMENT NO. 5 TO LEGAL SERVICES AGREEMENT – BUCKMAN DIRECT DIVERSION PROJECT; MODRALL SPERLING, P.A. (RICK CARPENTER)

16. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – TRANSPORT AND DISPOSAL OF RESIDUAL (SLUDGE) FOR WASTEWATER TREATMENT PLANT; RHINO ENVIRONMENTAL SERVICES, INC. (ROBERT GALLEGOS)

17. REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO PROFESSIONAL SERVICES AGREEMENT – WATER RESOURCE PLANNING RELATED TO AAMODT SETTLEMENT AGREEMENT; DANIEL B. STEPHENS & ASSOCIATES, INC. (CLAUDIA BORCHERT)

18. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO SEEK FUNDING FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION TO ASSIST THE CITY IN CONSTRUCTING AN UNDERGROUND CROSSING FOR THE ARROYO CHAMISO TRAIL AT ST. FRANCIS DRIVE (COUNCILOR BUSHEE) (BOB SIQUEIROS)

19. REQUEST FOR APPROVAL OF A RESOLUTION REGARDING WAIVERS OR REDUCTION OF FEES FOR SPECIAL EVENTS OR FOR THE USE OF CITY FACILITIES (MAYOR COSS AND COUNCILOR CHAVEZ) (BILL TALLMAN)

20. REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING A PARTNERSHIP BETWEEN THE CITY OF SANTA FE AND THE U.S. ENVIRONMENTAL PROTECTION AGENCY WATERSENSE PROGRAM (COUNCILORS BUSHEE AND CALVERT) (DAN RANSOM)

DISCUSSION:

21. REQUEST FOR APPROVAL OF 2008 CIP BOND ISSUE PROJECTS (ROBERT ROMERO) (Postponed at Finance Committee meeting of October 1, 2007 and October 15, 2007)

    A. REQUEST FOR APPROVAL OF A RESOLUTION DESIGNATING UP TO $300,000 OF THE CITY'S 2008 CAPITAL IMPROVEMENTS PROGRAM (CIP) BOND FOR A CITY OWNED PERMANENT INDOOR ARTS MARKET AT THE RAILYARD (COUNCILOR CHAVEZ) (ROBERT ROMERO)

22. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – PLAN, DESIGN AND IMPROVE LAND AND FACILITIES LOCATED ADJACENT TO PROPOSED TRAIN STOPS WITHIN THE CITY OF SANTA FE; ATKIN, OLSHIN, SCHADE ARCHITECTS (RFP NO. 07/50/P) (KATHERINE MORTIMER) (Postponed at Finance Committee meeting of October 1, 2007, October 15, 2007 and November 5, 2007)

23. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON DECEMBER 12, 2007 AN ORDINANCE AMENDING CHAPTER 7 REGARDING BUILDING AND RELATED CODES; ADOPTING THE 2006 INTERNATIONAL BUILDING CODE, THE 2007 INTERNATIONAL RESIDENTIAL BUILDING CODE, THE 2006 INTERNATIONAL EXISTING BUILDING CODE, THE 2006 UNIFORM MECHANICAL CODE, THE 2006 UNIFORM PLUMBING CODE, THE 2008 NATIONAL ELECTRIC CODE AND OTHER RELATED CODES AS AMENDED BY THE STATE OF NEW MEXICO AND CITY OF SANTA FE (COUNCILORS CALVERT, WURZBURGER AND BUSHEE) (JACK HIATT)

    A. REQUEST FOR APPROVAL OF A RESOLUTION READOPTING FEE SCHEDULES FOR BUILDING PERMITS, ELECTRICAL PERMITS, MECHANICAL/GAS/PLUMBING PERMITS, SEWER AND SIGN PERMITS (COUNCILORS CALVERT AND WURZBURGER) (JACK HIATT)

    B. REQUEST FOR APPROVAL OF BUDGET INCREASE – GENERAL FUND

24. REQUEST FOR APPROVAL OF A JOINT RESOLUTION DIRECTING CITY STAFF AND SANTA FE PUBLIC SCHOOL STAFF TO EXPLORE OPTIONS FOR POLICE OFFICERS AT SANTA FE PUBLIC HIGH SCHOOL CAMPUSES (COUNCILOR DOMINGUEZ) (POLICE CHIEF ERIC JOHNSON)

25. REQUEST FOR APPROVAL OF VENDOR AGREEMENT – SERVICES FOR SENIOR DIVISION; STATE OF NEW MEXICO NON-METRO NEW MEXICO AREA AGENCY ON AGING (AAA) (TERRIE RODRIGUEZ)

26. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT – NUTRITION SERVICE INCENTIVE PROGRAM FOR SENIOR SERVICES DIVISION; NORTH CENTRAL NEW MEXICO, ECONOMIC DEVELOPMENT DISTRICT NON-METRO AREA AGENCY ON AGING (RON VIALPANDO)

    A. REQUEST FOR APPROVAL OF BUDGET INCREASE FROM GRANT REVENUES – GRANT FUND

27. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JANUARY 9, 2008 AN ORDINANCE CREATING A NEW RATE SCHEDULE 10 OF EXHIBIT B, CHAPTER 25 SFCC 1987 ESTABLISHING A SPECIAL CHANGE FOR ALL WATER SERVICE CUSTOMERS IN ORDER TO FUND WATER CONSERVATION PROGRAMS (COUNCILORS CALVERT AND BUSHEE) (DAN RANSOM)

28. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JANUARY 9, 2008 AN ORDINANCE AMENDING SECTION 14-8.14 1987 REGARDING IMPACT FEES AND ADDING A NEW IMPACT FEE SCHEDULE (COUNCILOR CHAVEZ) (REED LIMING)

29. REQUEST FOR APPROVAL OF ADOPTING THE IMPACT FEE CAPITAL IMPROVEMENTS PLAN AND LAND USE ASSUMPTIONS, 2007-2012 (REED LIMING)

30. REQUEST FOR APPROVAL OF CITY OF SANTA FE FACILITIES NEEDS ASSESSMENT AND MASTER PLAN (RICHARD FIEDLER)

31. REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING PAY INCREASES OF UP TO 2.81% TO THOSE MANAGEMENT AND CONFIDENTIAL EMPLOYEES WHO RECEIVED NO PAY INCREASE OR WHO RECEIVED LESS THAN A 2.81% PAY INCREASE FOR FISCAL YEAR 2007/08, EFFECTIVE THE FIRST PAY PERIOD IN DECEMBER 2007 (KRISTINE KUEBLI)

32. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING THE CITY OF SANTA FE PERSONNEL RULES AND REGULATIONS BY CREATING A NEW RULE 13.32 REGARDING THE ESTABLISHMENT OF A SICK LEAVE INCENTIVE PROGRAM FOR NON-UNION EMPLOYEES (KRISTINE KUEBLI)

33. REQUEST FOR APPROVAL OF FINAL CLOSEOUT REPORT FOR GENERAL FUND FOR FY 2006/2007 (KATHRYN RAVELING)

    A. REQUEST FOR APPROVAL OF A RESOLUTION RELATING TO A REQUEST FOR APPROVAL OF FIRST QUARTER ADJUSTMENTS FOR FY 2007/2008

    B. REQUEST FOR APPROVAL OF REALLOCATION OF FUNDS (GENERAL FUND) (CONTINGENT ON JANUARY 2008 LEGISLATIVE ACTION)

34. OTHER FINANCIAL INFORMATION:

    A. UPDATE ON GROSS RECEIPTS TAX FOR NOVEMBER 2007 AND LODGERS' TAX REPORT FOR OCTOBER 2007 (KATHRYN RAVELING)

35. MATTERS FROM THE COMMITTEE

36. ADJOURNMENT

Interpreter for hearing impaired is available through City Clerk's Office upon 5 days notice.

SUMMARY OF ACTION
FINANCE COMMITTEE MEETING
Monday, November 19, 2007

ITEM	*ACTION*	*PAGE*
CALL TO ORDER	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	1-3
APPROVAL OF CONSENT AGENDA	Approved [amended]	4
CONSENT AGENDA LISTING		4-5
APPROVAL OF MINUTES: NOVEMBER 5, 2007	Approved	5
INFORMATION AGENDA		
PRESENTATION ON PARKING AT THE RAILYARD	Information/discussion	5-10
UPDATE ON ENERGY CONSERVATION REPORT	Information/discussion	10-12
CONSENT CALENDAR DISCUSSION		
REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – ARTS-IN-TRAFFIC CALMING DEMONSTRATION PROJECT – SCULPTURE ON BOTULPH ROAD (RFP #07/32/P); CLEMENS AND ASSOCIATES, INC.	Approved	12
REQUEST FOR APPROVAL OF AMENDMENT NO. 5 TO LEGAL SERVICES AGREEMENT – BUCKMAN DIRECT DIVERSION PROJECT; MODRALL SPERLING, P.A. (RICK CARPENTER)	Approved	12
REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – TRANSPORT AND DISPOSAL OF RESIDUAL (SLUDGE) FOR WASTEWATER TREATMENT PLANT; RHINO ENVIRONMENTAL SERVICES, INC.	Approved	12-13

ITEM	ACTION	PAGE
REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO SEEK FUNDING FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION TO ASSIST THE CITY IN CONSTRUCTING AN UNDERGROUND CROSSING FOR THE ARROYO CHAMISO TRAIL AT ST. FRANCIS DRIVE	Postponed to 12/03/07	13-15

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END OF CONSENT CALENDAR DISCUSSION

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DISCUSSION

REQUEST FOR APPROVAL OF 2008 CIP BOND ISSUE PROJECTS	Postponed to January 2008	15
REQUEST FOR APPROVAL OF A RESOLUTION DESIGNATING UP TO $300,000 OF THE CITY'S 2008 CAPITAL IMPROVEMENTS PROGRAM (CIP) BOND FOR A CITY OWNED PERMANENT INDOOR ARTS MARKET AT THE RAILYARD	Approved	15-18
REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – PLAN, DESIGN AND IMPROVE LAND AND FACILITIES LOCATED ADJACENT TO PROPOSED TRAIN STOPS WITHIN THE CITY OF SANTA FE; ATKIN, OLSHIN, SCHADE ARCHITECTS	Postponed to 12/03/07	18
REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON DECEMBER 12, 2007, AN ORDINANCE AMENDING CHAPTER 7, REGARDING BUILDING AND RELATED CODES; ADOPTING THE 2006 INTERNATIONAL BUILDING CODE, THE 2007 INTERNATIONAL RESIDENTIAL BUILDING CODE, THE 2006 INTERNATIONAL EXISTING BUILDING CODE, THE 2006 UNIFORM MECHANICAL CODE, THE 2006 UNIFORM PLUMBING CODE, THE 2008 NATIONAL ELECTRICAL CODE AND OTHER RELATED CODES AS AMENDED BY THE STATE OF NEW MEXICO AND CITY OF SANTA FE	Approved	18-20

ITEM	ACTION	PAGE
REQUEST FOR APPROVAL OF A RESOLUTION READOPTING FEE SCHEDULES TO BUILDING PERMITS, ELECTRICAL PERMITS, MECHANICAL/ GAS/PLUMBING PERMITS, SEWER AND SIGN PERMITS	Approved	20-21
REQUEST FOR APPROVAL OF BUDGET INCREASE	Approved	21
REQUEST FOR APPROVAL OF A JOINT RESOLUTION DIRECTING CITY STAFF AND SANTA FE PUBLIC SCHOOL STAFF TO EXPLORE OPTIONS FOR POLICE OFFICERS AT SANTA FE PUBLIC HIGH SCHOOL CAMPUSES	Approved	21
REQUEST FOR APPROVAL OF VENDOR AGREEMENT – SERVICES FOR SENIOR DIVISION; STATE OF NEW MEXICO, NON-METRO NEW MEXICO AREA AGENCY ON AGING (AAA)	Approved	22
REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT – NUTRITION SERVICE INCENTIVE PROGRAM FOR SENIOR SERVICES DIVISION; NORTH CENTRAL NEW MEXICO, ECONOMIC DEVELOPMENT DISTRICT, NON-METRO AREA AGENCY ON AGING	Approved	22-23
REQUEST FOR APPROVAL OF BUDGET INCREASE FROM GRANT REVENUES – GRANT FUND	Approved	22-23
REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JANUARY 9, 2008, AN ORDINANCE CREATING A NEW RATE SCHEDULE 10 OF EXHIBIT B, CHAPTER 25, SFCC 1987, ESTABLISHING A SPECIAL CHANGE FOR ALL WATER SERVICE CUSTOMERS IN ORDER TO FUND WATER CONSERVATION PROGRAMS	Approved	23-24

ITEM	ACTION	PAGE
REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JANUARY 9, 2008, AN ORDINANCE AMENDING SECTION 14-8.14 1987, REGARDING IMPACT FEES AND ADDING A NEW IMPACT FEE SCHEDULE	Approved	24-25
REQUEST FOR APPROVAL OF ADOPTING THE IMPACT FEE CAPITAL IMPROVEMENTS PLAN AND LAND USE ASSUMPTIONS, 2007-2012	Approved	25
REQUEST FOR APPROVAL OF CITY OF SANTA FE FACILITIES NEEDS ASSESSMENT AND MASTER PLAN	Approved	25-27
REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING PAY INCREASES OF UP TO 2.81% TO THOSE MANAGEMENT AND CONFIDENTIAL EMPLOYEES WHO RECEIVED NO PAY INCREASE OR WHO RECEIVED LESS THAN A 2.81% PAY INCREASE FOR FISCAL YEAR 2007/08, EFFECTIVE THE FIRST PAY PERIOD IN DECEMBER 2007	Postponed to 12/03/07	27
REQUEST FOR APPROVAL OF A RESOLUTION AMENDING THE CITY OF SANTA FE PERSONNEL RULES AND REGULATIONS BY CREATING A NEW RULE 13.32 REGARDING THE ESTABLISHMENT OF A SICK LEAVE INCENTIVE PROGRAM FOR NON-UNION EMPLOYEES	No action	27-33
REQUEST FOR APPROVAL OF FINAL CLOSEOUT REPORT FOR GENERAL FUND FOR FY 2006/2007	Approved	33-35
REQUEST FOR APPROVAL OF A RESOLUTION RELATING TO A REQUEST FOR APPROVAL OF FIRST QUARTER ADJUSTMENTS FOR FY 2007/2008	Postponed to 12/03/07	33-35
REQUEST FOR APPROVAL OF REALLOCATION OF FUNDS (GENERAL FUND). (CONTINGENT ON JANUARY 2008 LEGISLATIVE ACTION)	Postponed to 12/03/07	33-35

ITEM	ACTION	PAGE
OTHER FINANCIAL INFORMATION		
UPDATE ON GROSS RECEIPTS TAX FOR NOVEMBER 2007 AND LODGERS' TAX REPORT FOR OCTOBER 2007	Postponed to 12/03/07	35
MATTERS FROM THE COMMITTEE	Information/discussion	35-36
ADJOURNMENT		37

MINUTES OF THE
CITY OF SANTA FE
FINANCE COMMITTEE
Monday, November 19, 2007

1. CALL TO ORDER

A meeting of the Finance Committee was called to order by Chair Karen Heldmeyer, at 5:15 p.m., on Monday, November 19, 2007, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT:
Councilor Karen Heldmeyer, Chair
Councilor Christopher Calvert
Councilor Carmichael Dominguez
Councilor Matthew Ortiz
Councilor Rebecca Wurzburger

OTHERS ATTENDING:
Kathryn Raveling, Finance Director
Yolanda Green, Finance Division
Melessia Helberg, Stenographer.

There was a quorum of the membership in attendance for the conducting of official business.

NOTE: All items in the Committee packets for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Finance Department.

3. APPROVAL OF AGENDA

Councilor Wurzburger requested that Item #21 be postponed until the first meeting in January 2008, but she would like A to stay on the agenda. Councilor Wurzburger said she did check to ensure that this doesn't need to be approved in either the November 28th or December 12th Council meetings.

Councilor Wurzburger moved, seconded by Councilor Calvert, to approve the agenda, as amended.

Councilor Dominguez noted that Item #32 was at Council.

Chair Heldmeyer said it was at Council, but it wasn't discussed because we didn't have the complete packet. She said, unfortunately, although this was sent yesterday by email, she couldn't print it. It is on the Councilor's desk now. She asked if the Committee wants this discussion here or at the Council, commenting that this has to be discussed, because we have not discussed these issues.

Councilor Dominguez said some of the Councilors had this information in their packets.

Chair Heldmeyer said this is new information and new suggestions, and is not what was missing from the Council packets.

Friendly amendment. Councilor Ortiz would like to amend the agenda to postpone this item until we get the information which was requested, and to consider this pay package at the mid-year discussions in January.

Discussion on the friendly amendment. Councilor Ortiz said Item #31 is the resolution which was brought forward to increase pay for non-union employees. He said at the last Finance Committee meeting, specific and clear direction was given as to what information we wanted to have, but it is not in the Committee packet. We also gave direction that we would be considering this item at mid-year as part of the mid-year budget discussions.

Chair Heldmeyer asked Ms. Kuebli why that information wasn't in the Committee packets, noting that very specific information was requested by the Committee at the previous meeting when this item was postponed to the mid-year. We now have this Resolution, but we do not have any of the specific information which was requested at that meeting.

Ms. Kuebli said the FIR was attached.

Councilor Calvert said the Committee is requesting specifically, the position by position breakdown, not the overall numbers.

Chair Heldmeyer said the FIR has no fiscal impact. The Committee also asked how many people at each of these levels would be affected, and the fiscal impact of that, but she sees zero fiscal impact in the FIR.

Ms. Kuebli said the Resolution was presented by Mayor Coss, and this the resolution which she is bringing forward. She said originally a Memorandum was prepared asking the Finance Committee to reconsider the way salaries are implemented. She understood it was being proposed that the case by case, evaluation position by position, would be presented at mid-year. She said, for whatever reason, it was the direction of the Mayor and cosponsoring Councilors to move this Resolution forward.

Chair Heldmeyer said she agreed to put it on this agenda with the assumption that the information requested by this Committee would accompany it, and it isn't there.

Councilor Wurzburger said she would like an additional piece of information. She heard Lee Rinna

speak on the national trends at the Business Incubator. She would like staff to invite her to give a big picture presentation to this Committee at the next meeting on national trends and how this may impact us next year. She believes it is relevant to this issue and others. Councilor Wurzburger said to tell her she has 10 minutes to give the national highlights, and we can do our own inferences as to whether we think we are immune to national trends.

Responding to Ms. Kuebli, Chair Heldmeyer said what the Committee wants are a listing of the positions, not the employees, which would be affected by this raise in terms of position, current salary, the size of the raise, and then we wanted to look at the overall impact.

Councilor Ortiz, responding to Ms. Kuebli's question, said what the Committee wanted is on page 32 of the November 5th minutes, in the Motion "...to postpone this item to the discussion of the mid-year budget, with direction to provide aggregate numbers on the amount of employees they are proposing, to provide specific numbers with regard to all of the positions proposed for this raise, and that on a case by case basis by department and division, staff will bring forward the necessary information to determine whether or not there are inequities in pay for these non-union employees which need to be adjusted for forwarding the interest of City Government." He said that is the motion in the minutes and the information which specifically was requested and is germane to the staff's proposal as well as to the Mayor's Resolution.

Chair Heldmeyer reiterated that she agreed to place this on the agenda, because she was told that the information would be available and would be in the packet at this meeting, but this isn't what was provided.

Chair Heldmeyer said an FIR was also requested by the Committee at the November 5th meeting.

Ms. Kuebli said the Resolution is talking about the cost of living, and at mid-year, the Committee wants salary inequities.

Chair Heldmeyer asked Ms. Kuebli to read Page 32 of the November 5th minutes, which details the items needed, plus the FIR.

Councilor Wurzburger clarified that the Committee asked for three things in the motion plus the FIR.

The amendment was friendly to the maker and second, and there were no objections from the other members of the Committee.

VOTE: The motion to approve the agenda, as amended, was approved unanimously on a voice vote.

Chair Heldmeyer said she, Councilor Ortiz and Councilor Wurzburger, will be willing to assist Ms. Kuebli with specific detail on the information requested by this Committee.

4. APPROVAL OF CONSENT AGENDA

MOTION: Councilor Calvert moved, seconded by Councilor Ortiz, to approve the following Consent Agenda as amended.

VOTE: The motion was approved unanimously on a voice vote.

CONSENT AGENDA

8. BID OPENINGS:

A. BID NO. 08/97/B – MODULAR OFFICE BUILDING FOR WASTEWATER MANAGEMENT DIVISION; MORGAN MANAGEMENT. (BRYAN ROMERO)

1. REQUEST FOR APPROVAL OF BUDGET TRANSFER – WASTEWATER ENTERPRISE FUND.

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10. REQUEST FOR APPROVAL OF SUPPLEMENT TO AGREEMENT – MOBILE DATA BROWSER SOFTWARE FOR POLICE DEPARTMENT; SUNGARD H.T.E., INC. (CARYN FIORINA)

11. *[Removed for discussion by Councilor Wurzburger]*

12. REQUEST FOR APPROVAL OF A MEMORANDUM OF AGREEMENT – GRIP2 2007 LEGISLATIVE APPROPRIATIONS FOR CERRILLOS ROAD RECONSTRUCTION PROJECT; NEW MEXICO FINANCE AUTHORITY. (ERIC MARTINEZ)

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14. REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO PROFESSIONAL SERVICES AGREEMENT – HEATING AND AIR CONDITIONING SERVICES AT GCCC; TRAVERS MECHANICAL SERVICES. (LIZ ROYBAL)

15. *[Removed for discussion by Councilor Calvert]*

16. *[Removed for discussion by Councilor Calvert]*

17. **REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO PROFESSIONAL SERVICES AGREEMENT – WATER RESOURCE PLANNING RELATED TO AAMODT SETTLEMENT AGREEMENT; DANIEL B. STEPHENS & ASSOCIATES, INC. (CLAUDIA BORCHERT)**

18. ***[Removed for discussion by Councilor Wurzburger]***

19. **REQUEST FOR APPROVAL OF A RESOLUTION REGARDING WAIVERS OR REDUCTION OF FEES FOR SPECIAL EVENTS OR FOR THE USE OF CITY FACILITIES (MAYOR COSS AND COUNCILOR CHAVEZ). (BILL TALLMAN)**

20. **REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING A PARTNERSHIP BETWEEN THE CITY OF SANTA FE AND THE U.S. ENVIRONMENTAL PROTECTION AGENCY WATERSENSE PROGRAM (COUNCILORS BUSHEE AND CALVERT). (DAN RANSOM)**

5. APPROVAL OF MINUTES: NOVEMBER 5, 2007

MOTION: Councilor Calvert moved, seconded by Councilor Ortiz, to approve the minutes of the meeting of November 5, 2007, as presented.

VOTE: The motion was approved unanimously on a voice vote.

INFORMATION AGENDA

6. PRESENTATION ON PARKING AT THE RAILYARD. (BILL HON)

A copy of "Parking Enterprise Revenue," with attachments, is incorporated herewith to these minutes as Exhibit "1."

Bill Hon, Parking Division Director, noted that he was asked to speak to the Committee with regard to whether the parking at the Railyard should be free. He said he has prepared some projected figures, but it is difficult to project the figures, because there are so many unknowns, noting that the figures are modeled on the Sandoval Garage because it is about the same size. He said we really need to wait until parking patterns establish themselves, which takes about a year.

Chair Heldmeyer asked if he expects equal levels of demand.

Mr. Hon, said absolutely not, because there will be different factors driving the demand, and there won't be certain demands until certain buildouts happen at the Railyard.

Mr. Hon presented information from Exhibit "1" to the Committee.

Councilor Ortiz he always understood that there would be charges for parking on the Railyard. He asked if Mr. Hon is presenting these figures as if we were not going to charge for parking.

Mr. Hon said he was asked to explain why they had to charge.

Chair Heldmeyer said there were numerous requests from the public not to charge for parking under a variety of circumstances, and a member of the Committee requested that she invite Mr. Hon to speak to the Committee with regard to the rationale for the current policy. She said, at a later point, individual Councilors might propose changes to the policy. However, the policy is to charge for most of the parking on the Railyard whether surface or underground parking.

Councilor Ortiz asked if there is a potential for increased charges at the Railyard parking garage which would be different from Sandoval Street or Water Street, or will the rates be consistent, including those for the new Civic Center parking facility.

Mr. Hon said it is planned to charge the same rates, across the board, in the entire parking enterprise system at all facilities when open. He said, based on current numbers, there is no plan to request a rate increase. However, there are significant capital outlay costs which require the City to continue to charge for parking.

Responding to Councilor Wurzburger, Mr. Hon said the current rate in all facilities is 90¢ per ½ hour, $1.80 per hour, with a $9 maximum for the entire day, and these will be the rates at the Railyard and the Civic Center. Mr. Hon said there are monthly rates, but these differ depending on whether it is reserved, 24-hour user and such.

Chair Heldmeyer asked Mr. Hon to provide the Governing Body a copy of the current rate schedule. Mr. Hon will do so.

Councilor Wurzburger said she is receiving calls from people who say they can't afford to park, such as artists. She asked if staff is looking at different options for different reasons, such as not being able to use studio space because of the cost of parking.

Mr. Hon said there are many programs which can be done, and nothing is "in stone." He said they can charge different rates for different events, with a different rate, for example, for users of Warehouse 21, or for Santa Fe Clay.

Councilor Wurzburger asked Mr. Hon if he will come back with a proposed plan prior to the opening of the facility.

Mr. Hon said he can. The current rates allow for all of this. He said Warehouse 21, Santa Fe Clay, and Eric Gent and his people, can purchase monthly parking permits to park in the garage and on the surface structure, and those are reduced so that the total cost would be $2 per day.

Councilor Wurzburger would like to visit with Mr. Hon about this, so she can inform her constituents about those options.

Councilor Wurzburger said she has been receiving emails from people who are telling her that all of the Civic Center parking is gone. She asked the process for allocating the spots which aren't for hourly parking.

Mr. Hon said staff established a waiting list as people called about parking at the Railyard and the Civic Center. He said the Parking Division has not set up the numbers and kinds of parking which can be in each facility, commenting that we can't fill the facilities with monthly parking because we need transient parking as well. He has 141 names on the Railyard waiting list for people who want to park at the Railyard, and there are two people waiting for reserved spaces which are more expensive. There are 181 names on the waiting list for the Civic Center.

Councilor Wurzburger asked if someone is number one on the waiting list if it means they automatically have parking.

Mr. Hon said, in this case, it could. In this case, staff is going off the waiting list which was established for the Sandoval list. Staff is purging names from the list who have moved or do not want to move into one of the other facilities. If they do, then their name will be placed on the other list(s). He said he wants to make sure that it is clear that the waiting list of people for these facilities does not satisfy zoning laws for parking requirements.

Councilor Wurzburger said in her situation, someone understood that a developer was given parking spaces to meet their parking requirements, but Mr. Hon is saying that is not happening.

Mr. Hon said he is getting a lot of calls from people. He said we need to look at the need to get into these facilities, the uses and how to juggle everything together. He said one of the big things built into the Plan, is a transportation system coming from the Railyard to downtown, which is costly. However, the Division will keep those costs in the Parking Division.

Councilor Wurzburger asked for a clarification of what will happen to employee parking at the Civic Center.

Mr. Hon said he has had several discussions with the City Manager, Robert Romero and City employees regarding this issue. He said currently, we are not looking at putting City employees in the Civic Center Parking Garage, at least during the summer. He said we want to get it open, get through a season, look at the parking patterns which are established and at the usage and need. He said free parking will be provided for City employees at the Masonic Lodge and Scottish Rite Temple once the Civic Center is opened. He said in the winter, when the demand is low, we will be looking at putting employees in the underground Civic Center parking lot.

Councilor Ortiz said this is straying far afield of the agenda item. However, he doesn't remember that when the Council approved the Civic Center Parking that we made any of these kinds of policy

assumptions. He does not believe the Council gave direction to staff to pursue the line being pursued, in terms of "freezing out" City employees at the Civic Center. If that is going to be a recommendation from the administration, he has views which might be contrary and wants to discuss these in a public way, and make that decision as the Governing Body. This isn't a decision to be made by staff, and when Mr. Hon is ready, he can bring that forward.

Councilor Heldmeyer said all of the issues brought up by Councilor Wurzburger are policy issues which need to be discussed by the Governing Body.

Councilor Calvert understands people on a waiting list at a current garage might have some priority, but just because people are on a waiting list independent of that at one of the two new garages doesn't mean they have priority. He doesn't believe that is general knowledge by the public, noting he didn't know Parking was signing up people on a waiting list, and believes that couldn't be used as a priority ranking. He believes we have to do this by lottery, unless there are other criteria to be used.

Chair Heldmeyer said this is a policy decision. She said as soon as Mr. Hon is ready, he needs to come forward with a proposed resolution about that policy. She knew he was taking names, but she didn't know it was a waiting list. She said the question of how a person gets on or off that list, and what being on that list means is another policy decision.

Councilor Calvert said then in general, Mr. Hon is saying the financing for the Railyard envisioned charging for parking in the garage and on the surface, period. However, after we have some experience, then we could revisit it and perhaps change the parking policy/rates.

Mr. Hon said this is correct. The Council can revisit it and establish new policies based on the usage, including increasing rates, or changing the cost of parking and reduce the cost to park in the facility while increasing the cost of on-street parking to get people off the street and into the facility. However, we do need to wait and let parking patterns establish themselves so we can determine the facility usage.

Mr. Hon said if the buildout continues at the Railyard, the demand at the Railyard is going to be very high. He said the City has been approached by Sanbusco and staff is preparing a Management Agreement to run its parking, as well as to do the same for Barker Realty. He said we will be putting in parking meters at Sanbusco Center.

Chair Heldmeyer asked if the Council approved this.

Mr. Hon said not yet, because it hasn't gone to the Council. He said the Management Agreement currently is being drafted by the City Attorney.

Chair Heldmeyer said there is a single Parking Enterprise Fund, with all revenue in, and expenses out of that Fund, and sometimes it is "robbing Peter to pay Paul" because of the expense to put in new parking. She said the issue in the first year will be whether the public will take advantage of the parking provided at the prices at which it is offered. She said it is important to remember that the original funding plan for the Parking Enterprise Fund which came with the plans for the Civic Center and the Railyard

talked about limiting monthly parking. It was based on maximizing hourly parking because more money comes from that. However, most of the people from whom she has heard are from businesses which want monthly parking, whether or not reserved.

Chair Heldmeyer said she is glad staff is looking at the whole issue of how we maximize parking with events whether at the Railyard, the Civic Center or wherever, and the issue of employee parking. She noted in the winter there always were empty spaces available on the surface lot.

Chair Heldmeyer asked if there are tenants, other than Sanbusco and Barker, which have their own parking.

Mr. Hon said Eric did not opt to keep his own parking, so the Parking enterprise is leasing the parking in front of Eric Gent's building from the SFRCC for $2,000 per month which makes them whole on the lease.

Chair Heldmeyer said there were signs this weekend saying only people going to dance classes could park in that area.

Mr. Hon said he wasn't there, but they were trying to reserve spaces because of the dance classes and the intrusion from the recycling event was blocking people so they couldn't get to the dance recitals.

Chair Heldmeyer asked on what basis this was done.

Mr. Hon said we are trying to be good neighbors right now to make it all work until the infrastructure is built out, and then we'll negotiate that with the tenants.

Chair Heldmeyer said at least one person at the DOT is under the impression that there will be a lot of parking for commuters for the Rail Runner. She doesn't believe this is true and we need to be working with the DOT to clarify that. Chair Heldmeyer said the City needs to be working now to get resident only parking in the neighborhoods surrounding the Railyard.

Mr. Hon said the Residential Parking Permit District was established in the neighborhoods over a year ago. Staff met with residents at the school and passed out permits to the residents. He said we may have missed new residents, or property owners who were leasing to tenants and have moved back.

Responding to the Chair, Mr. Hon said the Capital repairs for Sandoval Garage have been completed and the entire $400,000 has been spent. He said it indicates projected, but the year is not complete so it is "green" in the report.

Chair Heldmeyer asked the anticipated opening of the Railyard and Civic Center parking garages.

Mr. Hon, said April 1, 2008 for the Railyard facility, and somewhere in June 2008 for the Civic Center facility. He said once the Civic Center facility is complete, there still is a lot of testing of equipment which has to be done which affects the above ground building. He said they won't be able to test some of

the equipment until the building is completed, and they hope to open the facility in June 2008, but it could be as late as August 2008.

Chair Heldmeyer said this isn't far in the future, and policies need to be established prior to opening of these facilities, so staff needs to be working on those now, so they can start going through the Council process in January 2008.

Mr. Hon said he was looking to begin the process in January 2008 at the Parking Advisory Committee and then move through the process.

Responding to Councilor Calvert, Mr. Hon said the projected opening April 1, 2008, is completely finished with a full CO.

7. UPDATE ON ENERGY CONSERVATION REPORT. (NICK SCHIAVO)

A copy of power point presentation, "City of Santa Fe Energy Policy," is incorporated herewith to these minutes as Exhibit "2."

Mr. Schiavo presented information via a power point with regard to what the City Hall could do in a short period of time while developing a long term policy. Please see Exhibit "2" for specifics of this presentation.

Responding to Councilor Ortiz, Mr. Schiavo said the dual level lighting is as simple as a desk light at the desk and very inexpensive. The daylight dimming would depend on the situation, but it's not an expensive system. The occupancy sensor controls are fairly inexpensive, and costs more to install than to purchase, and could be installed by a handyman or an electrician. He will verify this with Mr. Fiedler, noting these already are in some of the buildings.

Responding to Councilor Calvert, Mr. Schiavo said the vending machines are owned by the vendors and plugged into City outlets.

Chair Heldmeyer said the funding comes from the Employee Benefit Fund who negotiates with the vendor in terms of the finances.

Councilor Calvert feels the Employee Benefit Fund could benefit from renegotiation, saying the City shouldn't be subsidizing the profits.

Councilor Wurzburger observed that things don't have to be plugged in all the time.

Mr. Schiavo said it would be easy to unplug the vending machines, but he is unsure whether there is a chip which had to reset, and it would be an additional task for an employee to plug and unplug each evening.

Chair Heldmeyer pointed out that the vending machines in this building are used until midnight or 1:00 a.m.

Responding to Councilor Ortiz, Mr. Schiavo spoke with Thomas Williams of IT, and he said there is no problem in turning off the Computer every evening. He said the PC's go for updates when the computer is shut down, so it is a good idea to turn it off.

Councilor Calvert said we need to change our behavior so that we don't need a whole new packet of information every time it is redone.

Chair Heldmeyer said if everybody goes to laptops, it won't be an issue. She said at times we will get a two-inch packet at Public Works, which goes without amendment to Finance, and then it all is reprinted. She said it isn't worth the staff time to do this, especially if you are using high level staff to do it.

Mr. SCHIAVO, responding to a question from the Chair, said the pool covers can be purchased for as little as 15¢ per sq. ft. He has been told that even the best pool covers wear out fairly quickly. He said the life can be extended if you purchase quality stainless steel rollers to roll up the pool covers to keep them from tearing. He said there is a potential to pay for the pool covers in one month's utility bill.

Chair Heldmeyer said to put this in the mid-year budget review.

Responding to Councilor Calvert, Mr. Schiavo said E85 vehicles can run on regular gasoline which will produce better mileage.

Chair Heldmeyer said it seems to make sense to evaluate the job for which the vehicle is intended, and buy the vehicle which fits the job, as opposed to continuing to buy what we always bought "because we always bought it."

Responding to Councilor Wurzburger, Mr. Schiavo said the City has contracted with M&E Engineering which will do a preliminary review of 8-9 buildings, and then advise the City if it should consider those further in terms of a full-blown energy audit. He said he is hoping to have the PO sometime this week, and the contractor can then begin.

Councilor Calvert suggested that the City should go ahead and approve the purchases of the pool covers based on the savings we will incur.

Ms. Raveling said the pool covers could be purchased with CIP funds.

Chair Heldmeyer said it will take about two months to go through the process of bids and such, and the purchase could be considered at mid-year.

Councilor Wurzburger suggested that Mr. Schiavo come back with the financial impact of all of the recommendations in his power point presentation, and we can then decide how to move forward.

Councilor Heldmeyer said the City Manager could send a policy directive to staff for some of the recommendations which have no fiscal impact – turning off computers at night, for example. She looks forward to receiving that memorandum.

Responding to the Chair, Mr. Schiavo said he will return to the Committee with the requested information, and in the interim will provide a copy of his draft Energy Policy for the Committee.

CONSENT CALENDAR DISCUSSION

11. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – ARTS-IN-TRAFFIC CALMING DEMONSTRATION PROJECT – SCULPTURE ON BOTULPH ROAD (RFP #07/32/P); CLEMENS AND ASSOCIATES, INC. (LEROY PACHECO)

Councilor Wurzburger said she is confused and asked if this is the total amount.

Ms. Pratt said the $73,000 is the cost to build this work.

MOTION: Councilor Wurzburger moved, seconded by Councilor Calvert, to approve this request.

VOTE: The motion was approved unanimously on a voice vote.

15. REQUEST FOR APPROVAL OF AMENDMENT NO. 5 TO LEGAL SERVICES AGREEMENT – BUCKMAN DIRECT DIVERSION PROJECT; MODRALL SPERLING, P.A. (RICK CARPENTER)

Councilor Calvert said the title sheet has $30,000, and everything else has $40,000, and asked which is the correct figure.

Mr. Carpenter said the correct amount is $40,000, and the $30,000 is a typographical error, and it has been approved at $40,000 by the BDD Board and the Public Utilities Committee.

MOTION: Councilor Calvert moved, seconded by Councilor Wurzburger, to approve this request.

VOTE: The motion was approved unanimously on a voice vote.

16. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – TRANSPORT AND DISPOSAL OF RESIDUAL (SLUDGE) FOR WASTEWATER TREATMENT PLANT; RHINO ENVIRONMENTAL SERVICES, INC. (ROBERT GALLEGOS)

Councilor Calvert quoted from Mr. Gallegos's Memorandum, "The PSA in effect for $60,000 is insufficient. The increase is needed to cover costs overruns caused by the contractor. The contractor failed to provide staff with an accurate accounting of transportation services while work was in process."

Councilor Calvert said then we are going to have to pay more because the contractor didn't provide an accurate accounting. He asked if there is any cost sharing or responsibility on the part of the contractor.

Mr. Gallegos said there was a contract amendment of $40,000, and he was receiving updates as they hauled the sludge away. When he told them to stop because the funds were all spent, the contractor hadn't accounted for its transportation costs, so the sludge was hauled away and they did what they were supposed to do. However, the contractor exceeded the allotted amount in the amount requested.

Councilor Calvert pointed out that to continue the service which is needed, we will exceed the amount originally authorized some more. He doesn't understand how a contract could be done without including transportation costs, especially since it is going to Rio Rancho and the cost of fuel.

Mr. Gallegos said the City received permission to work on a modification of the Caja del Rio permit, so hopefully that will be done in six months.

MOTION: Councilor Calvert moved, seconded by Councilor Wurzburger, to approve this request.

DISCUSSION: Chair Heldmeyer asked what will we do for the next six months.

Mr. Gallegos said currently we are building a stockpile at the Wastewater Treatment Plant, and staff will have to come back for another amendment to get that stockpile hauled to Rio Rancho.

Chair Heldmeyer asked if this is the only contractor which is approved to do this.

Mr. Gallegos said it was the least expensive.

Chair Heldmeyer suggested that staff needs to look at other alternatives, including rebidding this service, and shouldn't just continue with this Company if it will be a lot more money.

VOTE: The motion was approved unanimously on a voice vote.

18. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO SEEK FUNDING FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION TO ASSIST THE CITY IN CONSTRUCTING AN UNDERGROUND CROSSING FOR THE ARROYO CHAMISO TRAIL AT ST. FRANCIS DRIVE (COUNCILOR BUSHEE). (BOB SIQUEIROS)

Councilor Wurzburger said she has serious concerns about underground things, including underground pathways as opposed to bridges. Her concern is twofold. She said she has never been in an underground walkway that didn't smell like pissoir, and she has never been in a walkway which didn't have other kinds of safety issues. She is very concerned about this proposal. She said there are overhead bridges in Denver which are pedestrian and bicycle friendly, which could be modified to a different architectural sensitivity. She recognizes and respects that we are "down the path," on this. However, if

this is what we're going to do, she wants her two concerns to be addressed, and wants to know why this will be different than anywhere else in the world.

Mr. Siqueiros said these items haven't been discussed in looking at underground costs. However, the alternative of crossing Zia may be more of a safety risk than going underground.

Councilor Wurzburger said she isn't arguing to cross at grade, but is asking why the bridge option wasn't considered, noting it could be esthetically pleasing, absolutely functional and won't stink, as well as being safer.

Councilor Heldmeyer pointed out that it must be ADA compatible for the City to build it.

Councilor Ortiz said this Resolution arose out of the public meetings on the Rail Runner. He said DOT officials said a realignment of the train tracks is being proposed. He said currently, the Arroyo Chamiso Trail ends at Zia Road, and there is nothing until you are past Rodeo Road, and then the County version of the Rail Trail continues. There is a segment which is missing in the network. He said the State DOT promised it would try to construct a connection between the southern part of the Rail Trail to the existing Arroyo Chamiso Trail.

Councilor Ortiz said he understands the intent of the Resolution is to get it adopted so it becomes a part of the ongoing discussions with the State on the Rail Runner project and how it impacts the City. He said the underground crossing was a particular request by one of his constituents in one of the public meetings which "Councilor Bushee picked out and plugged into this potential Resolution."

Councilor Ortiz said language can be added on page 2, line 21, "...in constructing an underground crossing <u>or a suitably safe</u> crossing..."

Councilor Wurzburger would like to include that language, and asked Councilor Ortiz to help her to do that.

Councilor Calvert said this will bring up the arguments they had in Public Works in discussing the design – the big overpass argument.

Chair Heldmeyer said this argument has to be resolved. She said there are issues about the overhead bridge and the amount of space needed to be ADA compatible. She said there is an additional problem at St. Francis & Cerrillos with regard to the configuration of the intersection, and whether it makes sense to build something when the configuration might change in a short period of time, noting the DOT advised this could be the case. She said there will be a lot of issues at Zia about the best way to do this. She said there are strong proponents and opponents of both kinds of designs. She said hopefully, the discussion will include more than a few people trying to shove a particular design down the throats of other people, and we will have an open discussion among people in the community about makes sense for that particular place.

Councilor Wurzburger said we can have that debate by including language that the crossing will be "below, at or above grade."

Mr. Romero said this project was begun with federal funds and went through a NEPA process. He said there is an existing box there now, and it is the intent to have the trail connect to the existing box. The estimate to do that is about $500,000. He said 5-6 years ago, it cost $1.5 million, but believes now, it would be $2.5 to $3 million because of the escalating construction costs. He said we could look at that, but if the DOT does use federal dollars, it is necessary to follow the NEPA process because we've already built part of the trail with federal dollars and we have to continue that. He will research that and report back to the Committee.

MOTION: Councilor Wurzburger moved, seconded by Councilor Calvert, to postpone this item to the next meeting of the Committee, so Mr. Romero can return with options for the Committee.

DISCUSSION: Mr. Romero said he can return with information on the process to "get us to here," noting there were several public meetings. He noted at one point this was totally designed and ready to go, but there weren't sufficient funds to build it.

Chair Heldmeyer said just because one option is cheaper to build than another, if no one uses it, it isn't cheap at all. The fear is that if an underground tunnel isn't well designed and is perceived as unsafe, it won't be used.

Mr. Romero said the underground structures have been very successful when they are very short – you can see daylight out the other side.

Chair Heldmeyer pointed out that St. Francis may be expanded by two lanes in the near future, and the more the road is expanded, the longer the underground passage.

VOTE: The motion was approved unanimously on a voice vote.

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END OF CONSENT CALENDAR DISCUSSION

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DISCUSSION

21. REQUEST FOR APPROVAL OF 2008 CIP BOND ISSUE PROJECTS. (ROBERT ROMERO) (Postponed at Finance Committee meetings of October 1, 2007 and October 15, 2007)
This item was postponed to the first meeting of the Committee in January 2008.

A. REQUEST FOR APPROVAL OF A RESOLUTION DESIGNATING UP TO $300,000 OF THE CITY'S 2008 CAPITAL IMPROVEMENTS PROGRAM (CIP) BOND FOR A CITY OWNED PERMANENT INDOOR ARTS MARKET AT THE RAILYARD. (COUNCILOR CHAVEZ). (ROBERT ROMERO)

Councilor Chavez said this project has received $150,000 in funding from the 2007 Legislature, and they are trying to build on that.

Councilor Wurzburger said there have been questions about this, including staffing, but the legislative appropriation is site specific. She is asking the Committee to approve this Resolution because:

(1) we received funds to do this from the Legislature;

(2) those who supported the Legislation are specific as to where the funds are used;

(3) Councilor Chavez has indicated his willingness to refine the actual operating plan;

(4) Councilor Chavez has indicated his willingness to work with other groups which are interested in the furthering of the Economic Plan to which we have all agreed; and

(5) it becomes clear to her that these two items are not necessarily in conflict.

MOTION: Councilor Wurzburger moved, seconded by Councilor Calvert to approve the Resolution, Item A, and to move forward with it.

DISCUSSION: Councilor Ortiz said there definitely are qualifications, and although he trusts Councilor Wurzburger, we have not heard publicly that any of these things will come to fruition. He gathers that these discussions have happened in consultation with the Mayor, but those have not been presented to this Committee. He said the only things we have is what we've always seen, which is that we are committed to this particular site, for this particular purpose, with no other consideration of other options. He said, given that there is another pending option which will be discussed next week at Public Works, he wonders if there is some movement to have this issue decided before we have a public discussion about the other opportunities which could exist for this site.

Councilor Ortiz said he hasn't seen the legislation, nor spoken to the principal sponsor, so he doesn't know for a fact that the Legislation is site specific as in this particular building for this particular use, or if it is site specific, in terms of going for an arts market on the Railyard, and if so, there are other opportunities for the use of these funds. He said he trusts that Councilor Wurzburger has had that conversation and feels comfortable, but he has not had that conversation with Councilor Chavez, nor has he provided the same details to him. He said until he gets those details, he will vote against this proposal.

Councilor Dominguez said he believes it has always been the intention to have opportunities to work some of these things out, but he hasn't received those details, although he has received a letter from the Artist Guild indicating it isn't interested in an indoor arts market. He said there was correspondence from someone with regard to the details which need to be resolved with this building. He has had no conversation with anyone to be able to get this information. He said it isn't further than it was the last time when he voted against this, and he will not be able to support this request this evening.

Councilor Wurzburger said she respects those opinions, but would like to vote on this. She stated that she

is comfortable with having this go forward. She said, if approved, she would like written documentation to support the qualifications.

Chair Heldmeyer said the lobbying which was done on this at the Legislature was for a specific project and funds were awarded for this specific project. She said it may be that there are other projects or policies which inform all these projects. She said what makes her nervous about the new project in Councilor Bushee's Resolution, is that a developer which made representations, decided it would rather do something else and is asking the City to put a large chunk of money in a very different project because this developer wants to do it. She said, based on the developer's letter, the developer expects the City to pay for all of the development of this new project and expects to profit from that development. The line is that they will do all work at cost, which she finds amazing. The question is who is driving this train. She said when the lobbying was done at the Legislature, several different arts groups participated. She said it is unclear who is pushing the new, improved project. She said she knows what this project is, but she has no idea who is behind, or what this larger, more expensive project is, because it hasn't been around or discussed for a year. She said one group of artists which wrote us said they would prefer to be outdoors. She said space has been allocated on the Alameda on the Railyard. We now need to work on the policy of who gets what space, who runs the space – the City, an outside agency, and if it is an outside agency, how to choose who runs it. There still are questions to be answered. However, we could bring these questions up about everything in the CIP budget.

Councilor Wurzburger said by the time of Council we will know more. She thinks we have an opportunity with both proposals. She said she met with people from Creative Santa Fe to try to understand that proposal. She believes there is great potential for both, working together, to meet the Economic Development Plan. She said the plan was for more than galleries, and from the beginning we also needed a place where artists could work, for studio space, sharing of resources and such. She is excited about both proposals. However, she believes it is worth going forward with this proposal because we've spent a lot of time on it, and she wants to move it forward and be done with this piece of it.

Councilor Ortiz said it is his hope that he hears from someone on this proposal, and from the sponsor, and other artist groups. The only information he's ever received in support of the artists' market has been from Councilor Chavez and from the CVB Director, a City employee, who wrote a letter in support. He said he is asking other individual artists or artist groups in support of this proposed gallery space on the Railyard to contact us so we can have the fuller picture which he believes some Governing Body members have, but some do not, so we can adequately compare this one item.

Councilor Chavez said there are at least three letters from three different arts organizations in the packet that are trying to get their message to the Committee. He said the letter from the CVB Director was based on a survey which was just done for the new Civic Center. That survey found two things in which visitors are interested: Native American made items and handmade items in Santa Fe.

Councilor Dominguez said there are many questions which need to be answered on this proposal, including, "One overarching concern is that the expectations for the identified space exceed what it can deliver." He would like answers to some of the questions which are being asked.

Responding to Councilor Dominguez, Chair Heldmeyer said Rose Utton is a representative of the development company. Councilor Wurzburger said she can't believe this would be on the Council agenda unless Ms. Utton appeared before the Council to help discuss this. She said she will help facilitate that in order to move this forward.

VOTE: The motion was approved on a voice vote, with Councilors Calvert and Wurzburger voting for the motion, Councilors Ortiz and Dominguez voting against, and Chair Heldmeyer voting in favor of the motion to break the tie vote.

22. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – PLAN, DESIGN AND IMPROVE LAND AND FACILITIES LOCATED ADJACENT TO PROPOSED TRAIN STOPS WITHIN THE CITY OF SANTA FE; ATKIN, OLSHIN, SCHADE ARCHITECTS (RFP NO. 07/50/P). (KATHERINE MORTIMER) (Postponed at Finance Committee meetings of October 1, 2007, October 15, 2007 and November 5, 2007)

Reed Liming presented information regarding this matter on behalf of Katherine Mortimer. He said in said in discussions with the consultants, they are ready to get started, and the first item is the public input on the I-25 corridor before moving into the rest of the corridor in the City.

Responding to Councilor Calvert, Chair Heldmeyer said the Committee asked that staff come back to this meeting with specific information about the grant, what it would cover, what it would not cover, and this information isn't in the packet.

MOTION: Councilor Calvert moved, seconded by Councilor Ortiz to postpone this item to the next meeting of the Committee.

VOTE: The motion was approved unanimously on a voice vote.

Chair Heldmeyer asked staff to please get the requested information to this Committee before bringing this item back to this Committee.

23. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON DECEMBER 12, 2007, AN ORDINANCE AMENDING CHAPTER 7, REGARDING BUILDING AND RELATED CODES; ADOPTING THE 2006 INTERNATIONAL BUILDING CODE, THE 2007 INTERNATIONAL RESIDENTIAL BUILDING CODE, THE 2006 INTERNATIONAL EXISTING BUILDING CODE, THE 2006 UNIFORM MECHANICAL CODE, THE 2006 UNIFORM PLUMBING CODE, THE 2008 NATIONAL ELECTRICAL CODE AND OTHER RELATED CODES AS AMENDED BY THE STATE OF NEW MEXICO AND CITY OF SANTA FE (COUNCILORS CALVERT, WURZBURGER AND BUSHEE). (JACK HIATT)

A Memorandum dated November 14, 2007, to Councilor Karen Heldmeyer, from John B. Hiatt, Acting Director, Land Use Department, is incorporated herewith to these minutes as Exhibit "3."

Chair Heldmeyer said there was a request for more information on this case. She said Jeanne Price called right after the last meeting for a list of questions which she [Heldmeyer] wanted answered. There is nothing in the packet answering these questions. She said Mr. Hiatt has distributed a Memorandum written today.

Mr. Hiatt said the Memo was written last week. He said he though Councilor Heldmeyer had transition questions, so he ordered the two transition documents which he has and would be willing to share, but those are too specific for the questions asked by Councilor Heldmeyer. He said Ms. Price sent him the questions which he discussed with Yolanda Cortez, Director Building Permits and Harold Trujillo the contractor, and he hopes this Memorandum satisfies her questions. Mr. Hiatt noted that this was passed unanimously at Public Works, as well as at the Business & Quality of Life Committee. He spoke with Councilor Chavez today and he wants to join as a sponsor of this Resolution.

Chair Heldmeyer said the Memorandum does not answer her questions, because she was asking specific questions about how the various parts of the Code will be coordinated with one another. She is particularly, but not exclusively, concerned with how the existing Building Code and the International Building Code will impact historic buildings, but not just historic buildings. For example, roofers were told by someone in Land Use six months ago that the International Building Code would require them to do a tear-down whenever someone wanted to reroof, and they were called in by someone on staff who told them that they'd better get ready for that. The roofers then approached her and said this would make reroofing very expensive, although they could understand limiting the number of roofs which could be put on top of each other. However, they thought being able to reroof at least once was okay. The question became for them: Are we going to cause people not to do reroofing because it was going to be beyond their means and cause them to ignore roof problems because it would too expensive to try to fix them. This is a specific example of the more general questions she gave to Ms. Price, noting she gave her that specific example.

Chair Heldmeyer said the question is what it means to adopt these, particularly in terms of existing buildings, if you have met Code which was current at the time it was built, what did you have to update and what did you not have to update when doing renovations. She said these are the kinds of questions she has with regard to the coordination between different portions of the Code, although she is unsure if this is the same as transition.

Mr. Hiatt said the Chair focused on something he hasn't addressed, and he hadn't heard the specific question about roofing. He said fifteen different Codes are being proposed. He said he wouldn't speculate about how these will interact without specific issues before us. He is sure there are going to be issues in trying to make the different Codes mesh with one another. He said Santa Fe, as a 400-year-old City, with a Historic Design Review Board makes it difficult to interact with the existing building codes.

Chair Heldmeyer understands this, and the reason she gave Ms. Price policy type questions with specific examples to illustrate. She said if we are going to pass all these Codes, but we really don't know how they will interact, it may be time to step back, and for the big issues decide what to do before passing these Codes. She said, "We would be crazy to pass these if we don't have a better idea of how they're going to interact with each other."

Councilor Calvert said he understands she might have specific questions, but he believes this will be an ongoing concern staff will be working on. He said we really don't have a whole lot of choice, because this is where the State is going, and we have to work within those limitations.

Chair Heldmeyer doesn't see these things as limitations, but as a starting point as to how we will implement these in Santa Fe. She pointed out that Albuquerque put some of these interactional questions in what it passed, and suggested we can "steal" from Albuquerque. There are concerns about what the interactions are.

MOTION: Councilor Calvert moved, seconded by Councilor Wurzburger, for approval of this request, with direction to staff to work with Councilor Heldmeyer to address these questions as best they can prior to bringing this before Council, including consulting with Albuquerque.

DISCUSSION: Councilor Calvert believes we need to move forward with this.

Chair Heldmeyer said it has been her experience that things which get put off at City Hall to be dealt with after something is passed, don't get addressed, or get addressed in an ad hoc "seat of the pants" kind of way. The time to get something done is before something passes, because you have the push of the people who want it to be passed because we have to get it done which gives the impetus to making some of these decisions and potentially making additions. She said the reason this was postponed at the last meeting was to get some of these issues addressed. She said she spoke with Ms. Price just after the previous meeting, but we got nothing in the packet which address her concerns. She will be glad to meet with, and talk to, staff again.

Councilor Calvert said this is not just somebody's whim to come up with, and adopt, new codes for the hell of it. He said these are updates which, in most cases if not all, are more cost effective ways to accomplish the same things.

Chair Heldmeyer clarified that she didn't say this was somebody's whim. "I said the time to get things put in is when there is a push to get something passed, and I understand the technical bases behind many of these codes. I also understand the financial bases on which many people want them passed, and those sometimes aren't the same things."

VOTE: The motion was approved unanimously on a voice vote.

A. REQUEST FOR APPROVAL OF A RESOLUTION READOPTING FEE SCHEDULES TO BUILDING PERMITS, ELECTRICAL PERMITS, MECHANICAL/GAS/PLUMBING PERMITS, SEWER AND SIGN PERMITS (COUNCILORS CALVERT AND WURZBURGER). (JACK HIATT)

Mr. Hiatt said this Resolution would reauthorize the current fees, noting fees generally are approved by resolution, as opposed to by ordinance.

MOTION: Councilor Calvert moved, seconded by Councilor Wurzburger, to approve Item 23(A).

DISCUSSION: Chair Heldmeyer asked why this is being adopted without changes.

Mr. Hiatt said the changes will come in about a month.

Chair Heldmeyer said this won't be before the Council in a month.

Mr. Hiatt said the proposal will be brought to the Council through the committee process beginning in about a month. He said, "The Council isn't going to be receptive to fee increases without the concomitant review of the staff and the standards that we are going to be held accountable for by increasing staff and resources, so that's not quite ready."

Chair Heldmeyer pointed out that in the past, the Council has raised fees and earmarked the proceeds to certain aspects within the Planning & Land Use Department, but the funds wound up disappearing into the maw of the general fund.

VOTE: The motion was approved unanimously on a voice vote.

B. REQUEST FOR APPROVAL OF BUDGET INCREASE.

Mr. Hiatt said this request is to purchase the books which have all of the Codes in them.

MOTION: Councilor Wurzburger moved, seconded by Councilor Calvert, to approve Item 23(B).

VOTE: The motion was approved unanimously on a voice vote.

Chair Heldmeyer said it isn't necessary for the Council to approve budget increases of $3,500, because those can be approved by the City Manager.

24. REQUEST FOR APPROVAL OF A JOINT RESOLUTION DIRECTING CITY STAFF AND SANTA FE PUBLIC SCHOOL STAFF TO EXPLORE OPTIONS FOR POLICE OFFICERS AT SANTA FE PUBLIC HIGH SCHOOL CAMPUSES (COUNCILOR DOMINGUEZ). (POLICE CHIEF ERIC JOHNSON)

Chair Heldmeyer noted that the Resolution has been amended and the amendment is in the Committee packets.

MOTION: Councilor Dominguez moved, seconded by Councilor Wurzburger, to approve this Resolution as amended.

VOTE: The motion was approved unanimously on a voice vote.

25. REQUEST FOR APPROVAL OF VENDOR AGREEMENT – SERVICES FOR SENIOR DIVISION; STATE OF NEW MEXICO, NON-METRO NEW MEXICO AREA AGENCY ON AGING (AAA). (TERRIE RODRIGUEZ)

Chair Heldmeyer said the reason Items #25 and #26 are on the Discussion Agenda is because these are the first contracts under the new method by which the State will reimburse for Senior Services.

Ms. Rodriguez presented information from her Memorandum of November 2, 2007, to the Finance Committee and City Council, and Mr. Vialpando's Memorandum of November 7, 2007, to the Finance Committee, both of which are in the Committee packets.

Chair Heldmeyer asked, if the costs are not sufficiently reflected in the payments, if AAA will raise the payments, or are they just willing to negotiate.

Ms. Rodriguez said "she" said she would allow us to ask for more funds, "so I am feeling that they would be able to raise those amounts if we were sufficiently saying, with the proposed units that we are providing, that we're not meeting those kinds of actual..what it costs us to provide those services, that they would allow us to ask for more funds for those costs."

Chair Heldmeyer noted there have been difficulties regarding the cost of fuel in the past.

Councilor Wurzburger said it seems we are in a better place here than we were before, and we are getting a notion of our actual costs and we are able to negotiate those, compared to what happened before.

Ms. Rodriguez said, "I do believe so, Councilor Wurzburger, because it was a whole change of the way it was before. Before, we were given a grant, we were allowed to spend it, and then we had to figure out at the end of year if the numbers actually panned out. Now, because they are asking us to reimburse ourselves as those costs happen, the actual costs, I do believe we are getting a better handle on what it is costing us to provide those services.

MOTION: Councilor Wurzburger moved, seconded by Councilor Calvert, to approve the requests in Item #25 and Item #26.

DISCUSSION: Chair Heldmeyer said this essentially is *status quo*. The discussion we haven't had, from Mary Ann Shaening's Report, is in looking forward with regard to what we are doing for Seniors, and if it is more so, the same amount, or if it will change as the nature of seniors change in the future. She said this discussion needs to be held as part of strategic planning.

Ms. Rodriguez said the State is examining this issue, and because of those changes, it will continue to drive this discussion.

VOTE: The motion was approved unanimously on a voice vote.

26. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT – NUTRITION SERVICE INCENTIVE PROGRAM FOR SENIOR SERVICES DIVISION; NORTH CENTRAL NEW MEXICO, ECONOMIC DEVELOPMENT DISTRICT, NON-METRO AREA AGENCY ON AGING. (RON VIALPANDO)

A. REQUEST FOR APPROVAL OF BUDGET INCREASE FROM GRANT REVENUES – GRANT FUND.

See Item #25 above for action approving this agenda item.

27. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JANUARY 9, 2008, AN ORDINANCE CREATING A NEW RATE SCHEDULE 10 OF EXHIBIT B, CHAPTER 25, SFCC 1987, ESTABLISHING A SPECIAL ~~CHANGE~~ CHARGE FOR ALL WATER SERVICE CUSTOMERS IN ORDER TO FUND WATER CONSERVATION PROGRAMS (COUNCILORS CALVERT AND BUSHEE). (DAN RANSOM)

MOTION: Councilor Calvert moved, seconded by Councilor Wurzburger, to approve this request.

DISCUSSION: Chair Heldmeyer she has heard from two people who are unhappy with the charge being linked to meter size.

Councilor Calvert said he also heard, and it will result in a charge of $6 instead of $4.

Chair Heldmeyer said it relates to the commercial side, and who pays what.

Mr. Ransom said it is based on meter size and it is also based on the average water use of that meter size.

Chair Heldmeyer said it is based on the charge in the rates on meter size, and most of the time you use more water if you have a bigger meter. However, those who don't fall in that category get ticked. She is unsure if what she read in the paper was sufficient in terms of what the Water Conservation Committee and staff want to do. It seemed the emphasis was on education which is fine, but she would like to see more specific programs aimed at particular types of water uses, particularly commercial water users.

Councilor Calvert said the Committee is starting to work on those – outdoor irrigation, water harvesting, the laundry industry and the car wash industry – and there are some specific things coming forward, along with some of the existing programs which work well. All of these need funding because the fund has run out of money.

Councilor Calvert said, with regard to commercial, he believes we addressed that in our reconsideration of the water rates. He said in looking at the difference in conservation fees between 5/8" and 2" meters, there is a difference of $60, but he doesn't believe this is the kind of significant hit those people were talking about. They were talking in terms of thousands of dollars per month. This is a once a year charge and is a much smaller fee.

Chair Heldmeyer said this benefits the people who were complaining about the rates because they have small meters and will get a lower conservation fee. We are now hearing from the obverse. She believes people want to see real, concrete programs coming out of this money. Chair Heldmeyer reiterated her concerns about restaurants serving water without being asked.

Mr. Ransom said to let him know about any restaurant which is serving water without being requested to do so, and he will check it out. He said he always follows up on any complaints.

VOTE: The motion was approved unanimously on a voice vote.

28. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JANUARY 9, 2008, AN ORDINANCE AMENDING SECTION 14-8.14 1987, REGARDING IMPACT FEES AND ADDING A NEW IMPACT FEE SCHEDULE (COUNCILOR CHAVEZ). (REED LIMING)

MOTION: Councilor Ortiz moved, seconded by Councilor Dominguez, to approve this request.

DISCUSSION: Councilor Calvert said there was a discussion about what was recommended by the CIAC and by the Planning Commission, noting he believes CIAC set it at 60% of the maximum and the Planning Commission at 80%. He would like to have some discussion about this.

Mr. Liming said the consultants developed the maximum they believe could be charged. He said because the methodology had changed, there was a proportionately greater impact fee on smaller homes. In an effort to mitigate that, the CIAC recommended 60% of the maximum potential fees. He said it is still a sizeable increase on smaller homes. He said the Planning Commission wanted to split the difference between the CIAC recommendation and the maximum.

Councilor Ortiz said we had this discussion at Public Works, and he understood what they did, saying he believes it is subjective. He said this is just the notice to publish by title and general summary, and the issue of perceived inequity for single family homes will come up as part of the public hearing.

Responding to Councilor Wurzburger, Mr. Liming said the funds from these fees will go to the categories for projects for which we collect it.

Councilor Wurzburger asked if it goes for Planning and Land Use administration.

Mr. Liming said State law allows for 3% of all revenues to be used to administer the impact fees program.

Chair Heldmeyer said there is the issue of what developments have to do to mitigate, especially, traffic impacts in the immediate areas. There have been several developers who have told us they will pay for certain things, and then come back saying that should come out of impact fees, and therefore they don't have to pay anything. She asked if we are going to be taking a stronger stand on requiring developments to pay for its local impacts as opposed to the impact fees they pay.

Mr. Liming said, by ordinance, any developer has to negotiate an impact fee credit agreement prior to final approval of a plat, so they can't come back after the plat is approved. There has to be a written agreement signed by the City and the developer, noting he is aware of only one of those. He said they do try to make that case. He said the way our ordinance is written, the developer has to be making an off site improvement to a project which is listed in our impact fee CIP to be eligible for a credit agreement. He believes staff is vigilant in following this provision of the Code.

Chair Heldmeyer asked Mr. Buller if the proposed ordinance, which would strengthen our ability to ask for additional money, especially for traffic impacts, is going anywhere, noting it has come out of Robert Romero's shop, more than from Reed's.

Mr. Buller said it is part of the discussions. His impression is that it is not a formal process, but it is a process which is happening on an ongoing basis.

Chair Heldmeyer asked Mr. Buller to look at the draft to see if it is something with which this administration would like to go forward. She commented that some projects create very heavy local impacts over and above what the developer is being asked to contribute in impact fees.

VOTE: The motion was approved unanimously on a voice vote.

29. REQUEST FOR APPROVAL OF ADOPTING THE IMPACT FEE CAPITAL IMPROVEMENTS PLAN AND LAND USE ASSUMPTIONS, 2007-2012. (REED LIMING)

MOTION: Councilor Ortiz moved, seconded by Councilor Dominguez, to approve this request.

VOTE: The motion was approved unanimously on a voice vote.

Ms. Wurzburger said she wants to talk to Mr. Liming this week about the concept of the 3% option.

30. REQUEST FOR APPROVAL OF CITY OF SANTA FE FACILITIES NEEDS ASSESSMENT AND MASTER PLAN. (RICHARD FIEDLER)

Chair Heldmeyer said this is on the agenda because of a request from a member of this Committee.

Councilor Wurzburger asked at what point we will look at the master plan. She said she doesn't want to be stuck with a plan which doesn't give us the options for doing more than City buildings at a City building site. She wants to be sure this in the record, because in no way has the master plan been revised to reflect that.

Mr. Fiedler said the recommendation in the cover memo to the Public Works Committee was based on the findings of the Report. He said a more comprehensive master plan and financial analysis will

be the next steps in developing the strategy and timeline for addressing City office and yard space needs currently in the future.

Councilor Wurzburger said, for the record, she assumes as part of the process, we can look at a comprehensive master plan and financial analysis relating to the cost of developing a City facility, owning versus leasing space, in the context of greater community needs, and we aren't just talking about doing a government building for the City, "naked and alone" on a side street.

Mr. Fiedler said, "Madam Chair, Councilor Wurzburger, that is correct."

MOTION: Councilor Wurzburger moved, seconded by Councilor Calvert, to approve this request.

DISCUSSION: Chair Heldmeyer agrees that there can be other things on the site. She asked Mr. Fiedler to address the issue of the Siringo Complex and how it's treated in this.

Mr. Fiedler said the Siringo Road aspect of this report suggests, after space is expanded at the Siler property, a centralization move, and the Siringo Road complex could be vacated and sold.

Chair Heldmeyer said it is her impression that the Siringo Complex has sparsely populated space, and asked if this is a correct impression.

Mr. Fiedler said every facility at the Siringo Complex is bursting at the seams.

Chair Heldmeyer said she is talking about the number of facilities on that property.

Mr. Fiedler said the number of facilities are A-J units.

Chair Heldmeyer said between each of these facilities is space which does not appear to be utilized optimally, and asked if this is a correct analysis.

Mr. Fiedler said most of the facility is on the eastern side of the property, and physically separated is the old Archives and Graphic building, which is part of the old Brown Hospital complex, as well as the Facilities Maintenance Complex where there is a shop and yard for our repair vehicles. He said everything else is in one place. He said Purchasing is connected to Police Records which is connected to ITT, which is connected to the two warehouses.

Chair Heldmeyer said she knows we inherited the complex and many of the buildings there, but it doesn't strike her as the optimal use of the space. She asked if we accept this Needs Assessment and Master Plan where will we get funds to implement its recommendations.

Mr. Fiedler said that is addressed as part of the second phase of recognition and using this is as a goal and directive to allow the Governing Body to recognize the needs for additional space, and along the way a financial plan would be developed along with a master plan.

Chair Heldmeyer said then that is in the future, and Mr. Fiedler replied yes.

VOTE: The motion was approved unanimously on a voice vote.

31. REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING PAY INCREASES OF UP TO 2.81% TO THOSE MANAGEMENT AND CONFIDENTIAL EMPLOYEES WHO RECEIVED NO PAY INCREASE OR WHO RECEIVED LESS THAN A 2.81% PAY INCREASE FOR FISCAL YEAR 2007/08, EFFECTIVE THE FIRST PAY PERIOD IN DECEMBER 2007. (KRISTINE KUEBLI)

This item was postponed to the next meeting of the Committee.

32. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING THE CITY OF SANTA FE PERSONNEL RULES AND REGULATIONS BY CREATING A NEW RULE 13.32 REGARDING THE ESTABLISHMENT OF A SICK LEAVE INCENTIVE PROGRAM FOR NON-UNION EMPLOYEES. (KRISTINE KUEBLI)

A copy of proposed scenarios for "City of Santa Fe Current Sick Leave Buy Back Program and Accelerated Leave," with attachments, is incorporated herewith to these minutes as Exhibit "4."

Chair Heldmeyer said this Committee continues to ask for information, but we don't get it until the last minute, noting the contents of the motion by the Committee at the last meeting. She asked Ms. Kuebli to briefly summarize the different scenarios.

Councilor Wurzburger would like staff to give a quick summary along with their recommendation, and the Committee then will focus on the recommendations.

Ms. Kuebli said staff is before the Committee to focus on a longer term solution as to how to reduce costs to the City, especially the use of sick leave for accelerated retirement, to reward good employees to save their sick leave, and to develop mechanisms to reduce costs.

Chair Heldmeyer reiterated that the Committee would like Ms. Kuebli to give a brief verbal description of the different scenarios, the recommendation and then the Committee will spend time discussing the recommendation.

Ms. Kuebli said the Resolution offered four different options for sick leave, and she would like to strike the fourth option, because of the concerns about the financial impact, so any payment for sick leave on resignation is off the table.

Ms. Kuebli said the three options will be for A, B and C of the Resolution:

(A) Payment for sick leave at retirement;

(B) Use of sick leave for accelerated retirement; and
(C) Sick leave sale and buyback options.

She said she and Ms. Gage looked at creating caps on any kind of sell back or accelerated retirement and they will be proposing this to the Committee. They want to show the benefits of moving from the current 96 hours to 250 hours for an annual buyback program.

Vicki Gage reviewed the Scenarios from Exhibit "4".

Chair Heldmeyer said it is difficult to follow the presentation because "these" sheets are a specific example of a specific person, and what it might be for that specific person, and are not general overall.

Ms. Gage said this is correct.

Chair Heldmeyer said she assumes the recommendations are based, overall, on how you think this is going to work. She asked Ms. Gage to skip to the recommendation.

Ms. Gage said the recommendation is to change the Personnel Rule for buyback so employees with balances of 500 or more hours of sick leave, annually can sell up to a maximum of 250 hours at two for one, rather than 96 hours.

Chair Heldmeyer said part of the rationale for doing this is that people get paid more every year, so it is cheaper to buy it this year than next year. Ms. Gage said yes.

Chair Heldmeyer asked what happens if someone sells sick leave and then they get sick, or have a family medical leave issue.

Ms. Gage said the current rule is that an employee cannot sell sick leave for a buyback if the balance is less than 500 hours, so the minimum requirement would be in effect, and the only change is the amount they can sell is higher.

Chair Heldmeyer said then the balance would be less. She understands if they have 500 hours they can sell 250 hours.

Ms. Gage said if the employee has more than 500 hours, they can sell hours above that and they will still have 500 hours.

Councilor Calvert pointed out other options, such as employees sharing sick leave.

Councilor Wurzburger asked why we are doing this at all, particularly when we look at the formula which is now doing it for everyone instead of just people with 30 years or more of service to the City. She understands we used to do this, and then it was done depending on the decision of the City Manager, and then the last two City Managers decided we couldn't afford it and we didn't do it. She wants this question answered before she can deal with formulas.

Chair Heldmeyer said in the presentation staff spoke about people who had been with the City for so many years, and now you have moved past that and are talking about something else. She said she would like Councilor Wurzburger's question to be answered – why are you doing this at all.

Councilor Wurzburger said the question is why you are recommending that we do this at all.

Ms. Gage said this came from a Resolution which was proposed in an effort to reward employees who have been with the City for more than 30 years. It has evolved into looking at how the City could reward people for dedicating their career to the City of Santa Fe, not abusing their sick leave, and at the same time, how to contain some of the costs.

Councilor Wurzburger said then it is an equity kind of issue.

Ms. Gage said the current rules allow a buyback and accelerated leave. The Rule states that the buyback will happen if funding is available. However, there always has been accelerated leave which many employees choose to use because it is an excellent benefit. She said Santa Fe is one of the few governmental agencies in New Mexico which offer accelerated leave.

Councilor Ortiz said he was not consulted about any of this additional information, and he has not spoken with Ms. Kuebli or Ms. Gage on this proposal, and comes fresh to this Committee.

Councilor Ortiz said when he initially started this, it was about rewarding people who had been with the City a long time who had not taken time off, and had accumulated too much sick leave, and how to reward these people. He said it was a simple Resolution to deal with two specific instances. He said there are particular instances of particular employees receiving, by contract, an accelerated buyout at a different rate than what is in the City policy which was approved by former H.R. directors and former City managers, and that practice no longer happens.

Councilor Ortiz said when he discussed particular instances with the City Manager, the City Manager said no, this is a policy decision, and he had no authority to do it. Councilor Ortiz then drafted a Resolution containing a policy to do something for the non-union employees. He said there was no response from the then H.R. director. Ms. Kuebli came on board, and convinced him to do a larger discussion. However, this has morphed into something much larger, and is "hard to swallow," pointing out that he is still the sponsor of the Resolution. He did not get input on the Resolution, nor on the proposed changes. It is hard for him to say that the proposed changes to the program meets his initial idea: If employees work for more than twenty years, and haven't taken time off, or can't because of the nature of their employment, there should be some system to reward these employees at retirement. He said City benefits and packages typically beat any other local governments.

Councilor Ortiz said it was never his intention to say this program, if approved, would change from a privilege to a right to be uniformly applied. He asked, in view of how this has evolved, if we should go back to the original concept to reward people with 27.5 years of service with a large accumulation of sick leave. He said these people earned it by working faithfully without taking sick leave. He wants to reward these people.

Councilor Ortiz said he appreciates all of the work done by Human Resources on the Resolution, but the original intent has been pushed to the side. He wonders how to change the Resolution to go back to his original intent.

Ms. Kuebli believes it would be necessary to go back to the original resolution, which dealt with three individuals who would be affected, noting two of the individuals are in the bargaining unit and we can't provide a benefit which hasn't been negotiated. She said we really are talking about one person.

Councilor Wurzburger said we can make a policy decision which is related to the original intention, instead of making it available to everyone.

Chair Heldmeyer said Assistant City Attorney Mark Allen said the City cannot give a benefit to a union employee unless the benefit has been negotiated, otherwise it will be seen as unfair bargaining, and an attempt to "buy off" union members which doesn't apply to these cases.

Chair Heldmeyer asked if the Committee wants to do something which affects only a very small number of non-union employees. Chair Heldmeyer said the reason this has dragged on is because it has evolved, and as it became more complicated it needed more time.

Councilor Ortiz said as it became more complicated, more questions arose, and the answers continued to elicit more and more questions, without getting to the point which is to reward employees who have put in their time and have sick leave balances.

Ms. Gage said when the Resolution first went to Finance Committee, it was deemed to be too expensive. At that time, staff was instructed to explore other options as to how to do this.

Councilor Ortiz said the first time it was at Finance, there were questions about the fiscal impact. As the sponsor, he sent it back to staff to develop other alternatives in light of the potential fiscal impact, noting there was no FIR at that time, and he didn't have the votes on the Committee to get it passed.

Councilor Ortiz said he understands the policy position taken by H.R. all along was to develop a program which was more general, universal, and applied to all employees. He said there is a skyrocketing fiscal impact which has increased from $100,000 to $695,000 annually. He stressed that he is not the sponsor of the proposed changes, and his concern as the sponsor is the fiscal impact. Councilor Ortiz said his original resolution was introduced almost a year ago, and he has been patient with staff.

Ms. Kuebli said maybe we can get back to where we started. She said the challenge is that every time we make an adjustment it overlays on the existing rules.

Councilor Ortiz said he appreciates and understands the competing principle of regularity and uniformity in the Personnel Rules, but the current proposal doesn't jive with his original intention.

Ms. Kuebli suggested determining the appropriate service years, and then offering an opportunity to those employees to pay out sick leave at retirement, which is a reward for being a good employee. She

believes if we do it this way, it won't be done just to affect one person today at a cost of about $75,000. The reward would be based on the longevity of all employees.

Chair Heldmeyer said there are several issues. The first is the issue Councilor Ortiz brought forward which is how to reward people who have been here a long time and have a lot of sick leave, narrowed to those who are non-union employees. She observed that what is approved for this group probably will work its way into union negotiations in the future. Within this, there are two subgroups. One are the people who stay for 20-25 years which is the length of time necessary to receive retirement from PERA, and the other group are those who stay longer than that. She said longevity can apply to either of these two groups, and she is unsure which of these two we want to address. She said there is also a more general discussion about what to do about sick leave, and leave in general. As we've moved into these scenarios, we have gotten more and more into a discussion, from a financial point of view, whether to pay for sick leave or to let them take it. The final issue is, when people leave for whatever reason, we have positions which are unfilled for long periods of time, because we have let those people work out the leave they accumulated – is this a good policy and what should we do about that.

Chair Heldmeyer summarized that this has evolved into a discussion of several different, related, but distinct policies, but it is still kind of a "mishmash." She said perhaps the administration may want to come forward with a resolution specifically saying what to do about this.

Councilor Calvert said he is of the old school, and awarding increasing sick leave based on longevity is something which is foreign to him. He said he is the member of a union, and he gets 12 days a year, regardless of time served. He said the City allows leave time to accrue or awards more time based on longevity. He said if you add the requirement to pay for that accumulation, it becomes another layer of benefits. He said we need to look at these in terms of employee recruitment, employee retention, what is happening in the marketplace today, and what it is that people really want. He said he is hearing that new employees are looking for salary, because they don't envision being at one place long enough to get the longevity benefits. He said we need to look at the current situation as well as into the future.

Councilor Wurzburger would like to look at the fiscal impact of paying people with 25 years or more, and rewarding that category of employee into the future. However, prior to doing that, she wants to have a discussion about incentives, to see if we really want to do this. She said it makes sense to her that as you grow older that you want to save your time in the event of an emergency or hospitalization for three months, for example. She said she also would like to consider incentives which do not reward the employee with money. She wants to keep this, and back away from it for a time, and look at the options, then come back and look at this if we need to. She is not comfortable in moving toward the policy of "across the board."

Councilor Ortiz said he is not old school, and without unions and the contributions of lots of working men and women we wouldn't have sick leave, nor annual leave, nor any of these kinds of benefits. It is only because of the perseverance of labor as a movement, that we are talking about this. He said there is a shift in the corporate culture, but we aren't doing anything here which can't and shouldn't be done in corporate America, given the changing nature of the work force.

Councilor Ortiz reiterated that this was his original resolution with a particular narrow focus, and he wants to get back to this narrow focus. He said this is on the Agenda at City Council, but it will need to be retooled and probably come back through the process. He noted it was postponed at the last Council meeting because of items missing from the packets. He wants the resolution to come back with a different focus.

Councilor Heldmeyer said, new school, the trend is to prohibit employees from accumulating huge amounts of leave, in part for fiscal reasons, and in part because there are a lot of things in place now. For example, there is a disability policy which kicks in early, and employees don't need as much accumulated leave.

Councilor Calvert doesn't believe we need to make a distinction between the public and the private sector, because we are competing for employees in the same market. He said people tend to need leave more as they grow older, so perhaps we need to set plateaus of accumulated leave before the employee can sell it.

Councilor Ortiz pointed out that there are people working at the City who graduated from high school or college and who have worked here ever since, and these employees are treated the same as the more mobile employees who move between employers and geographical locations. He wants to reward the long time service of these employees.

Chair Heldmeyer asked Ms. Kuebli if she is reasonably clear about what her next step is to be, and which are steps after that.

Ms. Kuebli asked, after she and Ms. Gage work with Councilor Ortiz to retool the Resolution, will it come back to Finance Committee, or will it go to the City Council.

Councilor Ortiz said he is going to try to move it forward to Council and get it passed, but it probably will end up coming back to this Committee. He said these details still need to be worked out. He pointed out that there still is a Resolution on the Council agenda, noting it was postponed at the last meeting. However, although it isn't the latest version of the Resolution, he is going to keep it before the Council.

Responding to Ms. Kuebli, Chair Heldmeyer said there is a Council meeting before there is another Finance Committee meeting, and Councilor Ortiz is going to try to get it approved at Council, and "we'll see what happens."

Ms. Kuebli said she has run the numbers for the overall "big picture." The challenge is that she will not know who is going to stay past 25 years. She will work closely to Councilor Ortiz to determine the service years to propose.

Ms. Kuebli said, "Guess who gets to rewrite all the Rules and Regulations? So, there'll be more opportunities to address leave balances, PPOs and sick leave and...."

There was no formal action on this agenda item.

33. REQUEST FOR APPROVAL OF FINAL CLOSEOUT REPORT FOR GENERAL FUND FOR FY 2006/2007. (KATHRYN RAVELING)

A. REQUEST FOR APPROVAL OF A RESOLUTION RELATING TO A REQUEST FOR APPROVAL OF FIRST QUARTER ADJUSTMENTS FOR FY 2007/2008.

B. REQUEST FOR APPROVAL OF REALLOCATION OF FUNDS (GENERAL FUND). (CONTINGENT ON JANUARY 2008 LEGISLATIVE ACTION)

Chair Heldmeyer asked Ms. Raveling if it is necessary for the Committee to approve the Final Closeout this evening.

[Ms. Raveling's complete response is inaudible, but she indicated she would like to make a short presentation before the Committee decides what to do.]

Councilor Ortiz said Ms. Raveling's November 15th Memorandum provides, with regard to the cash balance, "This is composed primarily of nearly $1.4 million of savings for personnel (overall including benefits) or 2.6%."

Ms. Raveling said that is for the previous fiscal year.

Chair Heldmeyer said we didn't fill positions last fiscal year, so this is what is left over.

Ms. Raveling said there are a number of reasons, first because of the reorganization, as well as the vacancies, and the Medical insurance is leveling out for the 2nd year in a row, although she is unsure what will happen in the future. She said all of this is through June 30, 2007.

Ms. Raveling said there were recommendations as to how to spend the $1.4 million, the bulk of it was for Fire, noting there is a list on page 5 of positions discussed. She said these positions were to finish the classification and compensation study, a financial analyst in Finance as well as an additional Parks crew. She said there is a note that there is some confusion on how the State passed its minimum wage law, which had an unintentional impact because it provides that anyone who works over 40 hours is paid time and a half. This eliminates compensatory time and the scheduling of Firefighters. The State is planning on changing the law in the upcoming Legislature, but the question is what do we do in the meantime because it becomes effective on January 1, 2008. She understands Albuquerque is going to ignore it. She said for the City's Firefighters there is no easy answer, because different employees will have different feelings. The younger Firefighters, for example, will want overtime, while those who are working their way up, toward the end of their career when overtime isn't included in PERA wages, will not want it because it will be detrimental. There is no answer to follow the law.

Chair Heldmeyer asked if the Municipal League is taking a stand.

Ms. Raveling said the NMML and the Association of Counties are going to push it as the #1 priority in the 2008 Legislature. However, in the best case scenario, it might be passed by the Legislature in February or March as an emergency. She said it is very clear that this was not the intent of the Legislators, nor did the State FIRs discuss the huge impact, especially on Firefighters. She said it impacts the State prison positions as well.

Ms. Raveling said these are the recommendations for the available funds from June 30, 2007, keeping in mind that we may be facing this issue.

Councilor Ortiz said Chief Rivera did an analysis, based on what we wanted to have done on the pay inequities, and it is included. Councilor Ortiz said Chief Rivera's proposal which is a $40,000 increase to the Fire Budget to pay for these positions seemed to make sense. He said as part of the closeout, as a part of funding positions from cash balances, he wants to add the $40,144.84, in addition to the Capital Equipment requests for Police and Fire, to pay the discrepancies which have been identified in the Fire Department.

Chief Rivera said he just got that out today, and he will get one to Ms. Raveling the first thing in the morning.

Ms. Raveling said there are a number of inequities through all the departments. She set aside $380,000 to do the buyback. If the City isn't going to do the sick leave buyback, it could be used for the inequities.

Chair Heldmeyer said the Committee asked that inequities be brought to the Committee's attention and specifically addressed, which the Fire Department did, and nobody else has done that.

Councilor Ortiz believes that needs to be included as part of the discussion, separate and apart from the other stuff which has to happen with that Resolution.

Councilor Wurzburger would like to have this on the next Finance Committee agenda, noting the $1.4 million isn't a small amount of money. She would like the opportunity to read this material.

Councilor Ortiz said he thought this had to be approved by December 1, 2007.

Ms. Raveling said it isn't needed by December 1, 2007, and it can be brought back to the next meeting. She said she would not like to bring back all of the budget adjustments, and asked that the Committee approve those.

MOTION: Councilor Wurzburger moved, seconded by Councilor Calvert, to approve the reconciliation, "this part," accept "that," and not accept the recommendations with respect to the allocations.

DISCUSSION: Councilor Calvert said on page 5, he doesn't necessarily have a problem with the allocations. He said, "I have a big question over in the margin and it's what about IT, because we talked about all these things, especially when we were going through the CIP budget, and how those things that

were really seemed...deemed essential didn't get funded. And I think some of those could actually pay for themselves over a short amount of time if we got them going at some point, so I still want to fit some of that into this discussion as well, because I think some of those things merit funding. People might say some, some say all, but I think we should have those things that were mentioned in that memo...I think we have part of that in the CIP, but not much, and so I think some of those other things need to be considered in here as part of the discussion."

Ms. Raveling said it a "chicken and egg" situation. Do you get the staff in the system so you can save money, or do you decide to save money and use that. She thinks we need to get the staff on board so we can get the technology implemented, and then we can get the savings.

Councilor Wurzburger requested that this be placed early on the agenda at the next meeting, right after the Consent discussion, as well as the report on the Gross Receipts Taxes.

Chair Heldmeyer said there are a lot of requests for equipment for public safety. Presumably, we are using the RECC money for equipment for public safety. She said the Chief [Police or Fire?] gave a presentation at Council, that a large chunk of those funds were going for equipment. She said, for example, if we buy two more ambulances, how many ambulances have we purchased in one year. She would like to see the coordination of this with those other two sources of funds.

VOTE: The motion was approved unanimously on a voice vote.

34. OTHER FINANCIAL INFORMATION

A. UPDATE ON GROSS RECEIPTS TAX FOR NOVEMBER 2007 AND LODGERS' TAX REPORT FOR OCTOBER 2007. (KATHRYN RAVELING)

The discussion of Gross Receipts and Lodgers' Tax was postponed to the beginning of the next meeting.

Chair Heldmeyer pointed out that apparently someone paid their Lodgers' Tax last month.

Ms. Raveling said, because there was a death and things didn't get posted in October, they were posted in November. However, it is still not up a lot.

35. MATTERS FROM THE COMMITTEE

Councilor Calvert would like, at a future meeting, to have a discussion of the contracting of the utility bills.

Ms. Raveling said Mr. Ortega is working on that, and he should be ready by the next meeting.

Chair Heldmeyer said that is a part of the larger discussion of where this fits in the general context of City Hall.

36 ADJOURNMENT

There being no further business to come before the Committee, and the Committee having completed its Agenda, the meeting was adjourned at 9:00 pm.

Karen Heldmeyer, Chair

Reviewed by:

Kathryn L. Raveling, Director
Department of Finance

Melessia Helberg, Stenographer