

**SUMMARY OF ACTION
FINANCE COMMITTEE MEETING
Monday, December 2, 2013**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved	1
APPROVAL OF CONSENT AGENDA	Approved [amended]	2
CONSENT AGENDA LISTING		2-4
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF EXPANSION OF POSITIONS AND EQUIPMENT FOR PHASE 2 YEAR 1 OF ANNEXATION FOR POLICE DEPARTMENT	Approved w/direction to staff	5-7
REQUEST FOR APPROVAL OF EXEMPT PROCUREMENT AND TELECOMMUNICATIONS SERVICES AGREEMENT – IMPLEMENT CIP HIGH SPEED INTERNET PROJECT FOR CITY OF SANTA FE; CYBER MESA COMPUTER SYSTEMS INCORPORATED	Approved	7-9
REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE AND FEDERAL PRICE AGREEMENTS – CITY-WIDE ITT RELATED EQUIPMENT AND SERVICES; VARIOUS VENDORS	Approved	10-12
REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING THE CITY OF SANTA FE FIRE DEPARTMENT TO EXPLORE THE OPTIONS FOR DEVELOPING A COMMUNITY PARA MEDICINE PROGRAM WITHIN THE FIRE DEPARTMENT AND TO PROMOTE PUBLIC/ PRIVATE PARTNERSHIPS TO MAKE SUCH A PROGRAM SUCCESSFUL AND SUSTAINABLE	Approved	13-14

ITEM

ACTION

PAGE

REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING THE CITY OF SANTA FE FIRE DEPARTMENT TO ESTABLISH A COALITION OF INDIVIDUALS, WITH A VESTED INTEREST IN PROTECTING NEIGHBORHOODS FROM A WILDFIRE, TO PRODUCE AND IMPLEMENT TANGIBLE WILDFIRE MITIGATION STRATEGIES

Approved

15-17

REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE CITY OF SANTA FE EMERGENCY MANAGER TO ESTABLISH A HAZARD MITIGATION ADVISORY GROUP FOR THE PURPOSE OF MAINTAINING, UPDATING AND MONITORING THE PROGRESS OF PROJECTS THAT ARE PLACED IN THE CITY'S ALL-HAZARD MITIGATION PLAN

Approved

17-18

REQUEST FOR APPROVAL OF A RESOLUTION REQUESTING CONSIDERATION OF ALTERNATIVES TO LOS ALAMOS NATIONAL LABORATORY'S PROPOSED PLAN OF LEAVING NUCLEAR WASTES BURIED IN PLACE AT TA-54, AREA G; URGING INSTEAD FOR FULL CHARACTERIZATION AND EXCAVATION OF THE WASTES, OFFSITE DISPOSAL OF ANY HIGH-LEVEL OR TRANSURANIC RADIO WASTES AND REBURIAL OF REMAINING LOW-LEVEL RADIOACTIVE WASTES IN A MODERN LANDFILL; AND DIRECTING THE CITY CLERK TO INFORM THE NEW MEXICO ENVIRONMENT DEPARTMENT OF THIS RESOLUTION

Approved w/changes

18-24

END OF CONSENT CALENDAR DISCUSSION

DISCUSSION

REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 51ST LEGISLATURE – STATE OF NEW MEXICO – SECOND SESSION, 2014

No action/direction to staff

24-28

ITEM

ACTION

PAGE

OTHER FINANCIAL INFORMATION:

UPDATE ON COLLECTION FEES	Information/discussion	28-30
PARKS BOND – GENERAL DISCUSSION POSAC REQUEST	Information/discussion	30-33
MATTERS FROM THE COMMITTEE	Information/discussion	33-
ADJOURN		
REQUEST FOR APPROVAL OF EXEMPT PROCUREMENT AND TELECOMMUNICATIONS SERVICES AGREEMENT – IMPLEMENT CIP HIGH SPEED INTERNET PROJECT FOR CITY OF SANTA FE; CYBER MESA COMPUTER SYSTEMS INCORPORATED	Approved	12-14
REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE AND FEDERAL PRICE AGREEMENTS – CITY-WIDE ITT RELATED EQUIPMENT AND SERVICES; VARIOUS VENDORS	Approved	15-17

**MINUTES OF THE
CITY OF SANTA FE
FINANCE COMMITTEE**
Monday, December 2, 2013

1. CALL TO ORDER

A meeting of the City of Santa Fe Finance Committee was called to order by Chair Carmichael A. Dominguez, at approximately 5:00 p.m., on Monday, December 2, 2013, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT:

Carmichael A. Dominguez, Chair
Councilor Patti J. Bushee
Councilor Christopher Calvert
Councilor Bill Dimas
Councilor Peter N. Ives

OTHERS ATTENDING:

Marcos A. Tapia, Finance Department
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 to these minutes by reference. The original Committee packet is on file in the Finance Department.

3. APPROVAL OF AGENDA

MOTION: Councilor Dimas moved, seconded by Councilor Calvert, to approve the agenda, as presented.

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

4. APPROVAL OF CONSENT AGENDA

Councilor Trujillo asked that Item #20 on consent be removed from the agenda, noting he will be introducing a new piece of legislation.

Councilor Ives said when Councilor Trujillo introduced this ordinance, he had said it was to prohibit procuring of electronic nicotine delivery products, and would ask Councilor Trujillo to make that change when he re-introduces the measure.

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

DISCUSSION: Councilor Bushee said she will be abstaining, because she just got back to town and hadn't seen the electronic version of the Consent Agenda.

VOTE: The motion was approved unanimously on a voice vote with Councilor Ives, Councilor Dimas and Councilor Calvert voting in favor of the motion, no one voting against and Councilor Bushee abstaining.

CONSENT AGENDA

- 5. **BID NO. 14/09/B – CITY OF SANTA FE SAFE ROUTES TO SCHOOL PROJECT AND CONSTRUCTION AGREEMENT; TLC PLUMBING & UTILITY. (LEANN VALDEZ)**
 - A. **REQUEST FOR APPROVAL OF FIRST AMENDMENT TO COOPERATIVE PROJECT AGREEMENT – CITY OF SANTA FE ROUTES TO SCHOOL PROJECT; NEW MEXICO DEPARTMENT OF TRANSPORTATION.**
 - B. **REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND.**

- 6. **BID NO. 14/15/B – SOUTHWEST ACTIVITY NODE (SWAN) PARK, PHASE 1 AND AGREEMENT BETWEEN OWNER AND ARCHITECT FOR CONSTRUCTION SERVICES; RMCI, INC. (MARY MacDONALD)**

- 7. **BID NO. 14/17/B – SANTA FE POLICE STATION PHASE III NEW ADDITION AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; SARCON CONSTRUCTION CORPORATION. (CHIP LILIENTHAL)**

- 8. **REQUEST FOR APPROVAL OF LEASE OPERATING AGREEMENT – FOOD AND BEVERAGE SERVICE FACILITY AT MARTY SANCHEZ LINKS DE SANTA FE (RFP #14/11/P); NORTHERN VENTURES, LLC D/B/A THE LINKS BAR & GRILL. (JENNIFER ROMERO)**

9. **REQUEST FOR APPROVAL OF GRANT AWARD AND FIRST AMENDMENT TO GRANT AGREEMENT – DEVELOP PLAN FOR BUCKMAN MX TRACK IN THE LA TIERRA AREA IN SANTA FE FOR FY 2013/2014; NEW MEXICO DEPARTMENT OF GAME AND FISH. (DAVID CHAPMAN)**
 - A. **REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.**
10. **REQUEST FOR APPROVAL OF FUNDING PRIORITIES FOR AFFORDABLE HOUSING TRUST FUND FOR FISCAL YEAR 2014-2015 ALLOCATION ALIGNED WITH THE CDBG FUNDING CYCLE. (KYM DICOME)**
11. **REQUEST FOR APPROVAL OF BUDGET ADJUSTMENTS FOR DEBT SERVICE – CORRECT BUDGET WITH DEBT SERVICE IN SPECIFIC FUNDS. (HELENE HAUSMAN)**
12. *[Removed for discussion by Councilor Calvert]*
13. **REQUEST FOR APPROVAL OF GRANT AGREEMENTS – 2012 CAPITAL APPROPRIATION PROJECT; STATE OF NEW MEXICO AGING AND LONG-TERM SERVICES DEPARTMENT. (RON VIALPANDO)**
 - A. **REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.**
14. **REQUEST FOR APPROVAL OF MEMORANDUM OF AGREEMENT – USE OF PARKING LOT AT SOUTH CAPITAL RAIL RUNNER STATION FOR INSTALLATION OF MESSAGE DISPLAY BOARD; NEW MEXICO DEPARTMENT OF TRANSPORTATION. (KEN SMITHSON)**
15. **REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – COMPRESSED NATURAL GAS (CNG) FACILITY UPGRADE AND EXPANSION PROJECT; CLEAN ENERGY. (JON BULTHUIS)**
 - A. **REQUEST FOR APPROVAL OF BUDGET AGREEMENT – TRANSIT BUS OPERATING FUND.**
16. *[Removed for discussion by Councilor Ives]*
17. **REQUEST FOR APPROVAL OF DEBT MANAGEMENT AND POST INSURANCE POLICY. (HELENE HAUSMAN)**
18. *[Removed for discussion by Councilor Ives]*

19. REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO THE CITY OF SANTA FE ECONOMIC DEVELOPMENT PLAN ORDINANCE, ARTICLE 11-11 SFCC 1987; AMENDING ORDINANCE NO. 2013-2 FOR THE PURPOSE OF APPROVING AND ADOPTING A SECOND AMENDED LOCAL ECONOMIC DEVELOPMENT PROJECT PARTICIPATION AGREEMENT BETWEEN THE CITY OF SANTA FE AND RODEO PROPERTY, INC., FOR AN INDOOR MULTIPURPOSE FACILITY, A LOCAL ECONOMIC DEVELOPMENT PROJECT (MAYOR COSS). (FABIAN TRUJILLO)
 - A. REQUEST FOR APPROVAL OF ECONOMIC DEVELOPMENT SECOND AMENDED PROJECT PARTICIPATION AGREEMENT BETWEEN THE CITY OF SANTA FE AND RODEO PROPERTY, INC.
 - B. REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA FE AND SANTA FE COUNTY.

Committee Review: Economic Development Review Subcommittee (approved) 10/31/13; City Business & Quality of Life Committee (scheduled) 12/10/13; City Council (request to publish) 12/11/13; and City Council (public hearing) 01/08/14. Fiscal Impact – No.

20. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW SECTION 16-15.5 SFCC 1987, TO INCLUDE PROCURING OF ELECTRONIC NICOTINE DELIVERY PRODUCTS OR E-CIGARETTES BY MINORS (COUNCILOR TRUJILLO). (ALFRED WALKER) Committee Review: Public Safety Committee (approved) 11/19/13; City Council (request to publish) 12/11/13; and City Council (public hearing) 01/08/14. Fiscal Impact – No. THIS ITEM WAS REMOVED FROM THE AGENDA.

21. REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO THE CITY OF SANTA FE UNIFORM TRAFFIC ORDINANCE; AMENDING SECTIONS 12-6-12.6 RELATING TO DRIVING WITH A REVOKED LICENSE; 12-12-3 RELATING TO ELECTRONIC UNIFORM TRAFFIC CITATIONS; 12-12-11 RELATING TO ABSTRACT OF TRAFFIC CASES; CREATING A NEW SECTION 12-12-3.1 RELATING TO ELECTRONIC UNIFORM TRAFFIC CITATIONS; AND MAKING SUCH OTHER STYLISTIC AND GRAMMATICAL CHANGES AS ARE NECESSARY (COUNCILOR TRUJILLO). (ALFRED WALKER) Committee Review: Public Safety Committee (approved) 11/19/13; City Council (request to publish) 12/11/13; and City Council (public hearing) 01/08/14. Fiscal Impact – No.

22. *[Removed for discussion by Councilor Bushee]*

23. *[Removed for discussion by Councilor Ives]*

24. *[Removed for discussion by Councilor Ives]*

25. *[Removed for discussion by Councilor Bushee]*

 END OF CONSENT AGENDA

CONSENT CALENDAR DISCUSSION

12. REQUEST FOR APPROVAL OF EXPANSION OF POSITIONS AND EQUIPMENT FOR PHASE 2 YEAR 1 OF ANNEXATION FOR POLICE DEPARTMENT. (POLICE CHIEF RAYMOND RAE)

Councilor Calvert said #3 Expenditure/Narrative on page 3 of the FIR says, "To be determined by City Council, may want to consider increasing GRT for annexation." He said he has no problem with the request. He asked if there is funding for this request. He asked if there is a plan for the source of funds to pay for this request.

Mr. Tapia said approximately \$1.42 million is coming from GRTs and property taxes. He said other revenues will be coming from other sources. He said we are looking at \$1.5 million from the annexation – there is increased revenue because of annexation.

Councilor Calvert asked if those funds will be sufficient to cover the request, and future additions, if the increase of revenue going to keep pace with the need for the increase in staff, and is this just one phase of it.

Mr. Tapia said it will, and in the future there will be some \$900,000 in recurring annual costs. He said the majority of the money received from annexation will be earmarked for the next few years.

Councilor Calvert asked if the increased revenue will take care of all the needs of annexation, or just the police, commenting we also have Fire to deal with.

Mr. Tapia said this amount is for the Police, and the remaining amount after that will be allocated by the Council, and yes it will deal with the needs.

Councilor Calvert said this is phased, noting within phase 2, there is a phasing of the areas.

Chief Rael said that is correct. It is a three-year phase-in, and the original plan called for 24 officers, in year there would be 10, in year 2 there would be 9 officers, and in year 3, the remainder. He said this is just the first part of the phase-in for Airport Road area 7 – south of Airport Road.

Councilor Bushee asked if there is a concern about recruitment and retention, and if Chief Rael has a better plan for filling positions than we've had in the past.

Chief Rael said as of today, there are 4 vacancies remaining, noting he has 4 interviews scheduled later in the week. He said as of December 9, 2015, all positions will be filled and there will be zero vacancies. He said there are 14 people in various stages of background, and 6 laterals and 10-15 people who are testing. He said we should have a waiting list as of December 19, 2013.

Councilor Bushee asked if the funds will be available after the first of the year.

Mr. Tapia said the funds will be available for this phase beginning January 1, 2014.

Responding to Councilor Bushee, Chief Rael said he would like to hire these people in January 2014, because we need to send some of them to the Police Academy for 16 weeks, and then subsequently for a 14 week program and additional training, so it will take 8 months to 12 years to train the cadets, and the laterals about 6 months.

Councilor Bushee said she has been reviewing the City's cash balances which are hefty in some situations. She asked if we can find the funds to get recruitment efforts going right away.

Mr. Tapia said there are funds, but some of the funds are regulated and for specific purposes. He said funds from the General fund may be used to replace those funds.

Councilor Bushee asked if the Water Division would be able to repay some of the funds it owes the General Fund.

Mr. Tapia said staff is researching to see if the fund balances can be used.

Councilor Bushee said she wants the funding to be made available as soon as possible, and asked if that could be part of the motion.

Mr. Tapia said authorizing those positions doesn't need to be in the motion. He said staff will set up a budget, and the funds will replace the loan from the General Fund GRT balance, or paid back by the Water Division.

Councilor Bushee said Wastewater still has a chunk of funds without a project.

MOTION: Councilor Bushee moved, seconded by Councilor Calvert, to approve this request, with direction to staff that funding be available as soon as possible

DISCUSSION: Councilor Bushee asked if he expects to need more upper level positions.

Chief Rael said not at this point, noting one Sergeant should be adequate for the span of control for the 9 police officers.

Councilor said we had a deputy chief position that we didn't fill. She asked if there is a position that could be shifted.

Chief Rael said not at this point, noting they are lean and there is no fat in the system. He said we just had one Deputy Chief vacancy when Captain Wheeler retired.

Councilor Bushee asked if they are going to fill that position.

Chief Rael said no.

Councilor Bushee asked if the funding is available for that position.

Chief Rael said that funding was removed as of this fiscal year.

Chair Dominguez said he plans on having a mid-year budget session in January/February 2014, and we can answer those questions and/or direction can be given at that time with regard to how the revenue from annexation will be used.

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

16. REQUEST FOR APPROVAL OF EXEMPT PROCUREMENT AND TELECOMMUNICATIONS SERVICES AGREEMENT – IMPLEMENT CIP HIGH SPEED INTERNET PROJECT FOR CITY OF SANTA FE; CYBER MESA COMPUTER SYSTEMS INCORPORATED. (SEAN MOODY)

Councilor Ives said this has been long in coming back to the Council. The memo references actions taken in November 2011, two years ago. He asked if we are ready to move forward on this, noting he is curious as to how this is contracted, and once in place, if there is a sense of ownership and how that will play out.

Mr. Moody said it is complicated and unique. He said what makes it unique is that the operator needs to be a telephone company. He said we will be contracting with Cyber Mesa for \$132,100, for their management and administration and also includes the options for the fiber entrance into the building. He said the remainder of the funds are for the actual physical infrastructure, which will be contracted separately through a utility construction contractor. He said there will be two contracts for work, one to administer the telephone company side and one to build the utility side. He said the work will happen quickly. The agreement today is for the telephone company Cyber Mesa, and we will be procuring the construction contractor within the next 60 days and we will come before the Committee at that time. He said the system should be ready by June 2014.

Councilor Ives asked if the regulatory framework put in place by the PUC will require that it be a regulated telephone company or telecommunications carrier in order to run a line into the central station.

Mr. Moody said that is not quite correct, but almost. He said the telephone company, CenturyLink, has an obligation to offer these entrances to other telephone companies, but not to anybody else, especially under FCC. He said because we want to be inside the building, the company will have to own this entrance, "we can't own it." He said there is a company in town which owns its entrance which is CyberMesa. He said also, there is an FCC requirement that didn't come into play, but if there were as many as 3 of these fiber entrances, it would change the landscape of the project. The solution he is trying to achieve wouldn't be achievable by this means.

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

DISCUSSION: Councilor Bushee said she understands a former employee, Mr. Torres, has some concerns, and she doesn't have Mr. Moody's response.

Mr. Moody said he can't speak for Mr. Torres, and he is unsure of the gist of Mr. Torres's concerns, with regard to public participation and the procurement method used.

Councilor Calvert said he received the email and Mr. Torres was reiterating some of his concerns he had mentioned in the past, and wasn't mentioning anything new. He said, "In my opinion, staff had already addressed those things, but that it is simply my opinion. But it wasn't anything new that he was bringing up it was concerns that he had mentioned previously."

Councilor Bushee said she never got those answers. She said perhaps he was talking about the RFQ and then there was a protest. He claims there was not enough vetting and [inaudible].

Chair Dominguez said he believes we did receive the response from staff.

Mr. Moody said a few issues are being inflated. This project is basically in response to the million dollars that was allocated to improve broadband infrastructure. Mr. Torres worked with the Regional Telecommunication Coalition which more a collaborative effort to include public input and that sort of thing. Mr. Moody said, in response to the email, this project is intended strictly to implement the goals of that funding, rather than the larger community work with public participation, although it will go through all of the public notification as an engineering project, which identifies the critical infrastructure choke point. This project is designed to go around that. He said they learned a lot from the RFQ including that this needs to be a utility contract. He said he was worked closely with Purchasing and with Legal in purchasing this, and separating out construction which is the part we have to bid competitively. He said because it is a complicated project and unlike something we've done before, staff has depended heavily on Purchasing and Legal to work with us and figure out how we can achieve what we know needs to happen to eliminate the choke point in the infrastructure. He said the other thing unique is that we looked for a market solution within the budget which was allocated by the City Council to deal with that infrastructure.

Councilor Bushee said he was asking if there was a protest and how we handle that and he is also saying somebody was pre-selected. She wants to make sure the proper steps were taken.

Councilor Bushee said one of the applicants protested the selection, and asked how that was handled. She said with such a large contract, it matters to her.

Mr. Rodarte said after the RFQ was issued, and 3 organizations responded, as we moved forward, we received a protest from City Link. He said we took all the information on which they were protesting, broke it down, and they were correct on certain factors, one of which was the construction process. He said this is the reason that RFQ was canceled. He said, "What you're getting on that email is old stuff. It was closed off."

Councilor Bushee asked if a new RFQ was issued.

Mr. Rodarte said a new RFQ wasn't issued. He said they made a determination based on the fact that a certain segment of this particular project is considered a utility and that is what is before you today. The next step is the construction project which will be coming forward in the next few months. He said, "So everything that he's telling you in that email, we addressed. We publicly sent them back a determination and it's gone, closed-off. So, we understand where they're coming from, but now on the process, we're going to follow the City procurement method as far as utilities, and the construction process coming up."

Councilor Bushee said she wants to make sure there is something in place to determine that we are getting what we pay for.

Mr. Moody said the subscription is \$50 the same as Santa Fe, but in Albuquerque they get 10 megabits per second instead of 5 megabits. He said in terms of measurement, the target is to get to parity on the most level of service we can expect and per subscription. He said the focus of this project is to high speed users.

Councilor Bushee said then we will not exceed the \$1 million approved by the Council, and we will see a "chunk" of it the next time you come to this.

Mr. Moody said yes, noting the current contract is \$132,000, and the next will be \$750,000 approximately.

Councilor Bushee wants to know the procurement process is A-OK, and we feel we will get good results and spend taxpayer dollars wisely. She said, "That's what I'm looking for."

Councilor Dimas asked if CityLink was bidder and Mr. Rodarte said yes.

Councilor Dimas asked by whom CityLink is owned.

Mr. Rodarte said he doesn't know. He said because they submitted, they are eligible to protest. He is unsure who owns it.

Ms. Noble said the President & Principal is John Brown.

Councilor Dimas said he wanted to make sure it isn't Albert Catanach who is his cousin.

Ms. Noble hasn't heard his name in connection with City Link, and she doesn't know the ownership structure, but John Brown is usually the big figure.

Councilor Dimas said he doesn't think he has a contract.

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

18. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE AND FEDERAL PRICE AGREEMENTS – CITY-WIDE ITT RELATED EQUIPMENT AND SERVICES; VARIOUS VENDORS. (ROBERT RODARTE AND LISA MARTINEZ)

Councilor Ives said this was postponed so Mr. Tapia could answer various questions, and asked the status of those inquiries and what the “upshot was.”

Mr. Tapia said it appeared we were giving blanket approval, and the City Manager was uncomfortable with it, and wanted staff to go back and look at this. He said several businesses had been vetted through various contracts, but not at one shot. He said the money isn't all in ITT, and it is in various departments. Once there is a request they will pull those funds. He says there is a bottleneck because we have already exceeded the \$50,000 threshold, which means you will get requests every two weeks for a \$25 item. He said the City Manager asked staff to go through the process to ensure there were checks and balances in procurement, the P.O., and such. He said if approved, the only items which will come to the Council will be one-time purchases or projects in excess of \$50,000.

Councilor Ives asked if the Interim IT Director reviewed this and, if so, is he satisfied with it, noting he doesn't see that person's name in the Memorandum.

Lisa Martinez said neither she nor the City is comfortable with blanket approval. However, they realized they would have to come back every two weeks for small purchases over \$50,000. She said if approved, they can purchase the needed items and provide quarterly reports on the details of purchasing. She said they believe that will provide the assurance that they are spending the funds appropriately.

Councilor Ives said, in connection with the IT area, he always will be looking for the overall strategy in terms of data bases, and such, such as a list of contractual agreements in place relating to IT services, commenting he would like that before the next Finance Committee meeting.

Ms. Martinez said she will do that, and one of her projects to make sure that there is inventory on hand, the age of the equipment and so forth. She said there need a good strategic plan in place, so we have the equipment we need.

Councilor Ives would like something at the \$30,000 level which is “the IT plan for IT systems across the City, here's how we're building efficiencies, data bases, our backup system which is still unclear whether we had one or not, and a few things like, that, in my mind are potentially critical failures within our current systems.”

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

DISCUSSION: Councilor Calvert he would like a list of priorities in terms of best buy, better applications and such, noting this is a request as part of the strategic plan. He doesn't expect this by the next meeting, but he hopes we would look at our priorities to move from paper to doing everything electronically. He said this is an example.

Chair Dominguez asked Ms. Martinez if she is familiar with the City's technical infrastructure, and if these purchases will conflict with any upgrades "to the infrastructure or anything else."

Ms. Martinez said the purchase would not be significant, would not change the overall structure – printer cartridges, a few small software purchases, replacement printers – day to day things which are used by staff throughout the City. She is taking a lot of time to learn about what currently is in place, working with individual departments to get their priorities. [inaudible]

Chair Dominguez asked, for example, if each department purchases its own printer cartridges.

Ms. Martinez said purchases made come through ITT.

Responding to the Chair, Ms. Martinez said the requests made are standard purchases to this point. However, she agrees that an ultimate plan is needed.

Councilor Bushee said she is uncomfortable with the whole list of vendors, and the sums. She said, in terms of purchasing printers and cartridges, she thinks this can be done under the current budget. She spoke about what has happened in the past, and IT doesn't have a great reputation in the City. She would like to wait to see what the plan is, and what expertise we have in terms of review of the system, which is the reason they created the position she holds. She said she can't support this request, but would approve something to get them through the day-to-day.

Mr. Tapia said when the City purchases printer cartridge they go to CDWG which is the cheapest and best prices on State procurement. He said it isn't the entire plan for ITT.

Councilor Bushee said you don't have to come to us for an item for \$2,000. She wants to know someone is just paying attention, and has oversight in this department particularly.

Mr. Tapia said this isn't just for ITT, and ITT can't go out for purchases without a request from the department, and those have to be approved by the department director.

Councilor Bushee said, "We've been told from this department just trust us, this is the best thing. And they were obsolete before were done ordering. I don't trust anymore..."

Chair Dominguez asked what is the policy.

Mr. Tapia said he is unsure about the policy.

Mr. Rodarte said, "We have an internal control at Purchasing related to small purchases for ITT. Any type of transaction that is ITT related, must go through the ITT's small purchases. Currently anything like toner, for example, although there are hundreds of vendors out there... you try to control the cost. So there is nothing that comes through the Purchasing Office without ITT taking a good look at it. On the policy, there is no policy. It is all part of the internal control, and the departments know that. There's a lot of things we look at, compatibility is the biggest issue of printers, for example, without someone taking a good hard look

at what's coming inside the printer." He said everything comes through ITT, with the exception of SWMA and BDD. He said the small purchase prices are double checked, noting "we have turned everything backwards, inside out, to try to make sure, but to answer your question, there is no policy governing internal control."

Chair Dominguez said then we basically are relying on the procurement office to make sure the process is adhered to. However, there is no internal policy on how these kinds of things are budgeted and expended.

Mr. Tapia said there is process and policy in the Procurement Code which we follow. He is confused as to what policy the Chair referring, and asked if it is it for small purchases and the Chair said yes.

Mr. Tapia said small purchases are checked and doubled checked through the procurement process. He said, at any time, if the cost is more than \$50,000, it will come to the Finance Committee. He said this is for small items, small purchases for day-to-day use.

Chair Dominguez said he understands this. However, there is no policy in place to determine, for example, whether a department should order 1 printer cartridge or 15, and whether to buy Epson or something else.

Mr. Tapia reiterated purchases above \$50,000 require prior approval.

Chair Dominguez asked the internal policy in place to give staff direction. He wants policy in place, and wants the answers to these questions so he can answer questions from his constituents.

Councilor Ives said in the Memo, page 3, staff describes some of the process described in Memo. He said the Memo discusses ITT Division purchases, goods and services, as follows: "The ITT Division purchases goods and services on behalf of all City departments, and charges the cost to the various business units that require this type of procurement. The majority of the funding is budgeted in the individual business units and not the ITT related accounts." He said we do look at that as part of the budget process. He said as we go into the next budget cycle, it is important to refocus on that.

Councilor Ives said he understands there are immediate needs, because this is ongoing during the next budget cycle. He said, however, in looking at the "30,000 foot level and the strategic plan," he wants to know what systems we need to change across the City to make us as efficient as possible. He said this covers the immediate future while we restructure, as opposed to the piecemeal situation of the past.

Councilor Bushee said she meant nothing personal to anyone, but she has lived through horrible phone service on which we spent more money that we needed to spend. She wants some new ideas and new ways of doing things to make the City more efficient and effective in delivery of services, which is dependent on good technology and infrastructure, and reiterated that she will vote against this motion.

VOTE: The motion was approved on a voice vote, with Councilors Dimas, Ives and Calvert voting in favor of the motion, and Councilor Bushee voted against the motion.

22. **REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING THE CITY OF SANTA FE FIRE DEPARTMENT TO EXPLORE THE OPTIONS FOR DEVELOPING A COMMUNITY PARA MEDICINE PROGRAM WITHIN THE FIRE DEPARTMENT AND TO PROMOTE PUBLIC/PRIVATE PARTNERSHIPS TO MAKE SUCH A PROGRAM SUCCESSFUL AND SUSTAINABLE (COUNCILOR TRUJILLO AND COUNCILOR BUSHEE). (ERIK LITZENBERG) Committee Review: Public Safety Committee (approved) 11/19/13; and City Council (scheduled) 12/11/13. Fiscal Impact – No.**

Councilor Bushee said she would like to be a cosponsor, and said she wants to know how this works, and what kinds of public/private partnerships, is this something we do with the County or on our own.

Chief Litzenberg talked about the history of prevention, commenting there is a trend toward this approach, commenting that in the end there will be a good result. The change has been inspired with the Affordable Care Act to incentive creative solutions by governing agencies and 501(C)(3) organizations. He said grant funding is stronger when we have been directed to make these partnerships by the Governing Body, and they like to put that in the grant application. In terms of partnerships, they have done exploration with the hospitals and care facilities. He also spent time with the County. He said we don't know how it will look in the end, but he anticipates it will results in a more pro-active approach.

Councilor Bushee asked how the hospitals and organizations contribute.

Chief Litzenberg said he doesn't know whether it will result in funding.

Councilor Bushee asked to be added as a sponsor, and wants more information once this starts moving forward.

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

DISCUSSION: Councilor Calvert said it sounds like a good and logical step for the City to take. However, he wants to ensure that when we do these things, we don't take on the liability which might go with it. He said if he understands correctly, we might be doing a little more and not necessarily taking them to the hospital if we don't need to do so. He said this is good for the overall system, but speaking selfishly for the City he wants to be sure it doesn't cost us in terms of liability which is the only caveat he has at this time.

Councilor Ives said in the Resolution says, "There are models within other communities that have successfully implemented creative community para medicine solutions to augment traditional emergency response and healthcare delivery systems." He asks how many other primary models there are, and asked for a thumbnail sketch of those.

Chief Litzenberg said he is sure there are models, noting they are looking at models which have been tested in hospital-based systems, but none tested in government-based systems. He said although there are models in other Cities, but it is hard to find funding for them. He said there is no full model to say that it worked.

Councilor Ives said he heard no model described, other than to say the hospitals have tried something. He asked, when this comes back to the next meeting, to have more sense of what those model entail. He said he shares Councilor Calvert's concern about increased potential liability if we're making determinations not to take somebody to an emergency room. He does understand those are the most expensive costs within the health care system.

Councilor Ives said the FIR provides, there is no fiscal impact, but the Resolution provides, "The Affordable Care Act authorizes new forms of medicare and medicaid payments to create medical care systems that are more accessible to patients and accountable for reducing overall costs of healthcare; and the changes in healthcare resulting from the Affordable Care Act have the potential to transform emergency medical services organizations." He said he wants to understand, in making that assertion, what it is in the Affordable Care Act which will create affordable systems, and hopes there is a diagram overlay between the models out there and the Affordable Care Act funding. He reiterated he wants more information when this comes back, although it is a laudable program.

Chair Dominguez said one of the things being requested on the south side where there are very few health care opportunities is that people learn how to do simple things at the basic level, such as blood sugar testing and checking blood pressure. He asked if this is something this could facilitate.

Chief Litzenberg said it is conceivable, saying this wide open and directing exploration. He said he things they will come back with the great picture.

FRIENDLY AMENDMENT: Chair Dominguez asked the Sponsor to include language in the Resolution to direct staff to consider a proma thera program. Councilor Ives said yes, and as part of that it would be identifying facilities where it is done. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE COMMITTEE..**

Councilor Calvert said the whole thing is about educating people about what is available already. He said one of the biggest expenses is the emergency room cost, and if we can keep people from going there as the first alternative, we will be much better off.

Councilor Dimas said he thinks it is a good idea to explore this, and one of the purposes is to eliminate a lot of the frivolous costs and people being transported to the hospital when it isn't necessary.

Chief Litzenberg said yes, and we need a lot of education. He believes it is worthy of expansion, and it might bring a change in our system.

Councilor Bushee asked if disposal of drugs on a regular basis could be a part of this. She noted there is a very good Paramedic program at the Community College, which she presumes is one of the partners.

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

23. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING THE CITY OF SANTA FE FIRE DEPARTMENT TO ESTABLISH A COALITION OF INDIVIDUALS, WITH A VESTED INTEREST IN PROTECTING NEIGHBORHOODS FROM A WILDFIRE, TO PRODUCE AND IMPLEMENT TANGIBLE WILDFIRE MITIGATION STRATEGIES (COUNCILOR TRUJILLO AND COUNCILOR IVES). (ERIK LITZENBERG. Committee Review: Public Safety Committee (approved) 11/19/13; and City Council (scheduled) 12/11/13. Fiscal Impact – No.

Councilor Ives said he thought Councilor Wurzbarger had introduced this notion some time ago, and we had seen this in various committees, and asked if this is an outgrowth of that.

Porfirio Chavez said it was discussed at the last Public Safety Committee.

Councilor Ives said that could be part of the mitigation strategy.

Chief Litzenberg said the last legislation was to get the formality in place. He said this is to get a group of people together to work on wildfire mitigation.

Councilor Ives said he has no problem supporting the legislation and asked to be a cosponsor. He said the previous measure and this one seem to be similar issues.

Councilor Bushee asked Chief Litzenberg if he feels this is necessary, and asked if it is coming from Officer Chavez's office.

Officer Chavez said it is coming from the members of the community and came out of the Flame Act which directs communities to become more pro-active. He said it is being pushed at the national level, especially builders, Realtors. He said this is the purpose of his position.

Councilor Bushee asked Chief Litzenberg if he will come back with another Resolution, which specifies the numbers on the committee and so forth.

Officer Chavez said that would be at the pleasure of the Council. He envisioned that they would form this coalition, which would decide how they would govern themselves, and then develop strategies for implementation of new ordinances and programs, looking at grant funding and fundraising. He said they then would bring some of those to Council.

Councilor Bushee asked if the creation of the group will be formalized moving forward.

Officer Chavez said he has met with some of the people proposed to be on the coalition, but thinks it is something separate that brings recommendation to the Council, and gets Council support for various items.

Councilor Bushee said it authorizes the Fire Department to establish a coalition. She supports the concept, but wants to know if the organization needs to be formalized.

Judith Amer, Assistant City Attorney, Ms. Amer said a coalition is just a different word for an advisory committee, and probably should be organized as such.

Councilor Bushee asked if it should have memberships with terms, and someone to take minutes, and such.

Ms. Amer said yes.

Chair Dominguez said then there would be a fiscal impact.

Chair Dominguez said Item #23 is sponsored by Councilor Trujillo and Item #24 is sponsored by Councilor Wurzbarger.

Chief Litzenberg said both are from Councilor Wurzbarger.

Chair Dominguez asked if it was the intent that it be this formal – were you anticipating a short term group.

Chief Litzenberg said they didn't want something with fiscal impact, just to form partnerships with the community.

Councilor Calvert suggested that we consult with the sponsor, and if she has a notion it can move forward in its current form and doesn't need a structure, and she can explain that at Council. However, if she believes it needs a structure, then it can be brought back to this Committee at the next meeting with that structure in place.

Councilor Bushee said we don't need a "formalized thing," to make this work. She said the only thing that isn't in the Resolution is the term of the Council.

Chief Litzenberg said his thought is that it would ongoing until we solve this problem.

Councilor Bushee said if using staff time, needs to be structured as an advisory committee.

MOTION: Councilor Calvert moved, seconded by Councilor Dimas, to approve this request, with direction to staff to consult with the sponsor, and ask the sponsor if she would like for it to move forward in its current form and feels it doesn't need a structure, or if she believes it needs a structure, then it can be brought back to this Committee at the next meeting with that structure in place.

DISCUSSION: Councilor Bushee said then we need to back up on a lot of things we created and put in a formal structure. She said Ms. Amer said if we are making this a formal committee, using staff time, we need to do it in a structured way with Chair, Vice-Chair, terms, scope of work and such.

Councilor Calvert said this is part of the motion to have staff talk with the staff and legal.

Councilor Bushee said she wants to hear from Legal briefly.

Chair Dominguez said the question is if there a policy in place that requires certain action from the Governing Body to create a coalition.

Melissa Byers said there is a Committee book, adopted by Resolution, which provides when a committee is formed, certain things have to be done. Ms. Byers said she thought about that when she was drafting the Resolutions for #23 and #24, and she didn't pursue that and didn't have time to revisit it.

Councilor Dominguez said the direction to staff is to determine whether or not the sponsor wants to go through that process.

Ms. Amer said the legal issue that needs to be explored is whether this coalition fits in the advisory committee realm, or if it is extremely different and doesn't need all of that.

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

24. REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE CITY OF SANTA FE EMERGENCY MANAGER TO ESTABLISH A HAZARD MITIGATION ADVISORY GROUP FOR THE PURPOSE OF MAINTAINING, UPDATING AND MONITORING THE PROGRESS OF PROJECTS THAT ARE PLACED IN THE CITY'S ALL-HAZARD MITIGATION PLAN (COUNCILOR WURZBURGER). (ANDREW PHELPS) Committee Review: Public Safety Committee (approved) 11/19/13; and City Council (scheduled) 12/11/13. Fiscal Impact – No.

Councilor Ives asked the breadth and scope of things Mr. Phelps sees being in this Plan, noting he wants a sense of what will qualify.

Andrew Phelps said the projects run the gamut from replacing culverts to power systems, as well as fire projects, noting there is a whole list of things.

Councilor Ives would like to look at that list, and asked him to put a copy in his box. He asked if we have an obligation to turn that over to the State Emergency Preparedness.

Mr. Phelps said yes, because it was created in part with federal grant funds, so we need final approval by the State and the Regional headquarters in Denton, Texas. The plan also allows the City to apply for Hazard Mitigation funds.

Councilor Bushee said she has the same concerns as the last one, and would like to make the same motion to investigate.

Councilor Ives said a copy of the Plan would be helpful.

Mr. Phelps said provide a copy, noting it is about 150 pages and it is also on the City's website.

MOTION: Councilor Calvert moved, seconded by Councilor Dimas, to approve this request, with direction to staff to consult with the sponsor, and ask the sponsor if she would like for it to move forward in its current form and feels it doesn't need a structure, or if she believes it needs a structure, then it can be brought back to this Committee at the next meeting with that structure in place

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

25. **REQUEST FOR APPROVAL OF A RESOLUTION REQUESTING CONSIDERATION OF ALTERNATIVES TO LOS ALAMOS NATIONAL LABORATORY'S PROPOSED PLAN OF LEAVING NUCLEAR WASTES BURIED IN PLACE AT TA-54, AREA G; URGING INSTEAD FOR FULL CHARACTERIZATION AND EXCAVATION OF THE WASTES, OFFSITE DISPOSAL OF ANY HIGH-LEVEL OR TRANSURANIC RADIO WASTES AND REBURIAL OF REMAINING LOW-LEVEL RADIOACTIVE WASTES IN A MODERN LANDFILL; AND DIRECTING THE CITY CLERK TO INFORM THE NEW MEXICO ENVIRONMENT DEPARTMENT OF THIS RESOLUTION (MAYOR COSS). (ALEX PUGLISI) Committee Review: Public Works Committee (postponed) 11/25/13; Public utilities Committee (scheduled) 12/04/13; Public Works Committee (scheduled) 12/09/13; and City Council (scheduled) 12/11/13. Fiscal Impact – No.**

Chair Dominguez recognized the Mayor for comments.

Mayor Coss said members of environmental groups have been watching this for quite a while. He introduced the Resolution based on his work with the LANL Communities Coalition, and Alex Puglisi can talk about the technical factors. Mayor Coss said he has chaired the Coalition for about a year, and every meeting they ask for public comment, and the strongest comment they get is, "Don't cap and cover Area G like they did at Rocky Flat, we want it removed and disposed of properly." He said we don't want it capped and covered, "what some call Cap/Cover/Pray." We want it removed. He said from the New Mexico perspective, when we gave you this site it was clean and why can't it be clean now.

Mayor Coss said the site overlies the significant regional aquifer, with access to the Rio Grande, so it is a pretty big deal to ask for the cleanup. He said before they make it a Regional Coalition of LANL Communities issue, he wanted the local communities look at this again, so when we say we are the Coalition, which includes elected representatives from Santa Fe City and County, Espanola, Rio Arriba County, Taos County, Taos, Los Alamos County. He said this is a small piece of the whole issue at Los Alamos National Laboratories. It has created quite a discussion with some of the environmental community which I categorize as "how clean is clean."

Mayor Coss said we have asked for some agreement with the environmental groups and would like to hear from them this evening. He thinks amendments would be proposed to be sure we are "crossing the i's and dotting t's." He said we are reliant on the New Mexico Environment Department. And this is the City of Santa Fe and other local communities saying we don't want it to be capped and covered, we want it to be removed. He said this is the gist of the Resolution..

Mayor Coss said Alex Puglisi drafted the Resolution, noting Mr. Puglisi is the environmental staff in the Water Division and the most familiar with the issues. He said there are representatives from Nuclear Watch in attendance as well.

Chair Dominguez said this isn't a public hearing, but he will allow someone from Nuclear Watch to speak.

Jake Coghlan, Nuclear Watch New Mexico, said there were some points of controversy after discussion by some of the local environmental organizations. He believes they have come to agreement concerning this Resolution. He said he is expressing Nuclear Watch's view. He said the primary intent of the Resolution is to block what the laboratory and the Environment Department under the present Governor is all too ready to approve. He said there is absolutely no question about what LANL wants which is cap and cover. He said what this would do would be to create a permanent nuclear waste dump at Technical Area G-4 of approximately 1 million cubic meters of radioactive and hazardous waste. He said the implications are obvious. This site sits on a narrow mesa above gradient from the Rio Grande and above our own groundwater that is the sole source aquifer for approximately 270,000 inhabitants. He said, "We are sincere in presenting this. We view this Resolution as building political momentum toward what could be a true win-win for New Mexicans, which is to permanently protect the environment, while creating hundreds of new jobs, unlike the nuclear weapons programs." He said they salute the Mayor for introducing this Resolution.

Councilor Bushee asked what has changed. She got half dozen emails from people, all of whom asked us to table any resolution about this issue until the NMED has released its statement of basis, at which time public comment is allowed. They are asking us not to rush this and what the rush is. She said she thought at first she clearly favors this, and asked why we aren't all on the same page.

Mr. Coghlan said we have a pretty good idea that the draft decision by the State Environment Department will condone LANL's proposal to cap and cover. He said there is a little bit of tactical disagreement, whether to try to do things in advance of that statement basis, or after. He said, "The general consensus now is in effect to do both. We will support this Resolution to be in advance of the Environment Department's draft Decision, while at the same time directly engage in the public process which has to follow."

Mr. Coghlan said, "Where there was disagreement had to do with what may or may not be final disposal of some class of waste, and briefly in Department of Energy parlance, they cite Willow waste, transuranic waste, then there is so-called low level waste, which itself is a misnomer, but the most low level waste permits. We are suggesting that the Resolution adopt a call for off-site disposal of high level waste, transuranic waste and all mixed, low level waste. That takes care of the overwhelming majority of waste."

Councilor Bushee said this Resolution calls for a public hearing, and it is a very different Environment Director than under a previous Governor. She said then you would like to see all levels of waste moved out, presumably to WIPP.

[Unable to transcribe here because Mr. Coghlan and Councilor Bushee were talking at the same time]

Responding to Mr. Coghlan, Councilor Bushee said then the waste is likely to stay there.

Mr. Coghlan said we don't know if Area G will have high level waste, but it is possible. He said transuranic wastes, mostly associated with plutonium, are slated to go to WIPP. He said mixed waste are both hazardous and radioactive, and no longer can be buried at Area G, and hasn't been allowed since the mid-1980's.

Mr. Puglisi said one of the issues is in the Resolution we used the term "re-burial" which it believed could mean it could be buried in a modern landfill. He said the intent was the waste would be taken to a modern landfill for radioactive waste with composite liners and leachate collection systems and leak detection systems. He said some people are seeing that phrase as a go ahead for LANL to rebury the waste at LANL. He said we have already agreed we can remove that language. He said it was never our intent to be reburied on site.

Councilor Bushee asked if there is anything else which will be removed from the Resolution.

Mr. Puglisi said we are considering some of the waste about which people had concerns. People were concerned that waste from other areas like Area H and L might be moved to Area G, and we didn't take that into account, because we were addressing the corrective measures/evaluation from LANL for Area G. However, we are in agreement that we can include language which says we don't want reburial of any waste from other areas such as H and L at Area G, because we do not mean this Resolution to give them an opportunity to rebury waste, any waste at Area G, much less waste from Areas H and L.

Councilor Bushee said, to be clear, the high level waste has no place, and it will still sit there.

Mr. Puglisi said it could be moved to an appropriate facility, and doesn't have to stay on-site at LANL, noting there is no ultimate disposal site for that waste. He said there is waste all over the country awaiting disposal.

Councilor Bushee said she believes we're going in the right direction, but she is more concerned about high level waste which has no future home.

Councilor Calvert said it be stored on a temporary basis in South Carolina or some such place where there is on site storage.

Mr. Puglisi said currently the waste is buried in urban unlined pits in Los Alamos. He said it would be better to excavate the waste and rebury it in the appropriate manner.

Councilor Bushee suggested we add language in the Resolution that says very clearly what we want to happen.

Mr. Puglisi said we could include language with regard to high level waste.

Councilor Bushee said there was confusion on the part of the reporters, and she wants that language included.

Mr. Puglisi said we want this to go to NMED before the decision, because once the decision is made there will be a mandatory public hearing. However, we don't want to be ramrodded through a public process if a final decision has been handed down without opportunity for proper comment. He said we are asking for pre-hearings, in addition to the requirements of the Resource Conservation and Recovery Act. We are asking for additional hearings, and to be able to make comment prior to any decision. He said it could be a very quick process once a draft decision comes down. He said we have been waiting for that decision for many years.

Councilor Bushee asked if we are the "guinea pig."

Mayor Coss said, as usual, we are first. He said Taos, Santa Fe County and Espanola have this Resolution.

Councilor Bushee asked if there is an inclination for them to follow suit.

Mayor Coss said yes, and there is an inclination in the Legislature to hold meetings around this as well. He reiterated the general response they received when calling for public comment. He said if the other local governments are with us, it puts us in a stronger position in representing the constituency to the current administration.

Councilor Bushee asked if the Regional Coalition has taken a stand.

Mayor Coss said no, because they first want to take it to their respective constituencies and reach a consensus.

Councilor Bushee asked if we can put language in the Resolution about how future waste would be treated -- can we be forward thinking.

Mayor Coss said he is to the point that "let's not let perfect be the enemy of good."

Councilor Calvert said we need to be careful on the scope, if we start getting outside the scope of the Resolution. He said we might be able to do it in the future, but he doesn't want to attach it to this scope of work.

Chair Dominguez agreed to let Joanie Arens speak, reiterating this is not a public hearing.

Joanie Arens, Director, Concerned Citizens for Nuclear Safety, said the CCNS was formed in 1988 to address community concerns about proposed transportation of nuclear waste from LANL to the proposed Waste Isolation Pilot Plant. She said they have been active on DOE issues in New Mexico for 25 years. She said they are following a federal lawsuit with regard to the hazardous waste permit for LANL issued by the NMED. She said under the Resource Conservation & Recovery Act, LANL is required to submit a closure plan and post-closure plan when it submits its application for a permit. NMED didn't require closure plans, "which tells us what they're going to do." This is the reason we're saying it's premature because we have not seen the closure plan, which will say what they will do. If they are going to leave waste in place, they are required to have post-closure plans which discusses groundwater and air quality monitoring. However, this hasn't been delivered. She said language has been added that we want to see the closure and post closure plans now so we can see what they're done. She spoke about the process following that, noting it may be 5 years before we learn what LANL's plan is, in writing, where we can comment about what they're going to do with the pits and trenches, and the different forms of waste disposal at Area G. She said, "We want to see LANL's plans, right now for the waste currently buried, and to comment on that."

Ms. Arens said they asked for language saying once it is fully excavated it will be closed and there will be no new waste, which doesn't expand the scope, but seals up what we're talking about here.

Councilor Bushee quoted from the Resolution, which says the possible safe recycling of some materials.

Ms. Arens said that language will be deleted.

Mr. Puglisi said language was added, "BE IT FURTHER RESOLVED, the waste from Area G should be completely excavated with no new disposal of waste."

Councilor Bushee asked if language was added on the high level waste.

Mr. Puglisi said yes. He said the technology exists for dry cast storage, and that is thought to be much more effective and/or less dangerous than storing it in pools of water. He said it will have to be removed eventually, and dry cast storage would be okay. He said plutonium waste lasts 100,000 years in the environment.

MOTION: Councilor Bushee moved, seconded by Councilor Bushee, to approve the Resolution, "with all changes in concept."

DISCUSSION: Chair Dominguez said he wants a clean bill by the time it goes to Council.

Councilor Bushee said one change is on page 3 of the Resolution, Item 2, correct as follows: "Requests that NMED should instead require full characterization and excavation of the wastes;~~the possible safe recycling of some materials; offsite disposal of any high-level or transuranic radioactive wastes and the reburial of remaining low-level radioactive wastes in a modern landfill with liners...~~"

Councilor Bushee asked that staff work on the language for the dry cast storage contingency plan for the high level waste.

Councilor Dominguez said, "For the record, we understand there will be changes as this comes before us, and that we've been able to capture the intent and the spirit of the changes that members of the public want, and that staff has already worked on. So, without getting into the dotting of the i's and crossing the t's."

Councilor Calvert asked that Mr. Puglisi be the coordination point for any changes to the Resolution.

Councilor Ives said there are assertions which are significant in terms of this discussion. He has been involved in some significant cleanup at military bases and other facilities with lots of hazardous materials. He has seen the results from the lack of a full characterization of the site in terms of trying to implement future plans and how the lack can impact what you're doing and cause it to fail from the get-go. He said there is an assertion on page 3 of the Resolution which says, "NMED should instead require full characterization and excavation of the waste." He is concerned about the characterization of the reason it isn't full or otherwise. He would like to see the materials which suggest that, which will help him to understand this signification. It is an important assertion which you don't want to make unless there is solid evidence of that.

Councilor Ives said page 2 of the Resolution says, "LANL has claimed that full cleanup of Area G would cost the inflated sum of \$29 billion, but nevertheless recently successfully excavated its smaller Material Disposal Area B for \$136 million dollars." It also states that the "full cleanup of Area G could be completed for around 6 billion dollars..." He said through previous work, he is familiar with the types of costing methods used in multi-million dollar cleanups, and would like to know how the extrapolation was made that it is reasonable.

Mr. Puglisi said they borrowed the language from a study done by Nuclear Watch New Mexico. He said Area B contained many of the same types of wastes as those in Area G, waste resulting from the actual construction of the bomb. He said records weren't kept at Area G as to what exactly was going into the unlined trenches and shafts. He said we feel to make a decision on corrective measures we need to know what is buried and left for 1,000 years plus. He said we are calling for the full characterization of the waste, even it stays in the ground. He said any waste that goes to WIPP has to be characterized before it is repackaged and sent to WIPP for WIPP to accept the waste. It is part of WIPP's waste acceptance criteria. He said we are asking for the same here in the Resolution.

Councilor Ives wants to know what characterization has been done and the reason it is felt it is not full characterization.

Mr. Puglisi said there has been some characterization based on soil samples below the waste, in terms of what could be in the waste. He said we already had migration of contaminants into the soil. He said they know partially what is in the waste composition itself. Some were buried wooden boxes, crates and containers and some of those have not fully characterized. This is the reason we're calling for full characterization, noting any disposal of mixed waste needs full characterization in compliance with the Act.

Councilor Ives said he wants to see the materials showing the characterization that was done.

Mr. Puglisi said for many reasons, he is unsure if they are comfortable with LANL's cost evaluation for CMA-3, commenting we're just saying that LANL is concerned.

Councilor Ives would like a copy of the study showing the comparative cost, and Mr. Puglisi said he will provide that information.

Councilor Bushee said she is concerned about public awareness. She wants a public hearing on this Resolution when it goes before the City Council on December 11, 2013.

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

END OF CONSENT CALENDAR DISCUSSION

DISCUSSION

- 26. **REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 51ST LEGISLATURE – STATE OF NEW MEXICO – SECOND SESSION, 2014 (MAYOR COSS). (BRIAN SNYDER) Committee Review: Public Works Committee (postponed) 11/25/13; Public Works Committee (scheduled) 12/09/13; and City Council (scheduled) 12/11/13. Fiscal Impact – No.**

Chair Dominguez noted that this has to be done by December 11, 2013. He said he removed this to add language to recognize past efforts, and future language regarding alcohol laws.

Brian Snyder, City Manager, said yes, noting it has to go back to Public Works.

Mark Duran said the 30 day session generally is reserved for finance related matters. He said there will be a City of Santa Fe Day at the Legislature. He said there are opportunities to address capital outlay, general fund issues and statutory changes. He said there will be one statutory change sponsored by the NMML, regarding HB-641 repealing the hold harmless provision relating to the food tax. The NMML will be sponsoring language to repeal the portion of that bill which abolished the hold harmless clause. He said there will be other related legislation.

Mr. Duran said we will be developing our own priorities in terms of capital outlay funds, and described the way we have done it in the past. He noted the Police Station has been completed and we need to develop our City-wide priorities for the Legislature on which we all agree. He talked about how District priorities were developed which worked well in the past.

Mr. Duran said we will be meeting with our Santa Fe Legislative Delegation on December 18, 2013, to present our priorities to the Legislators.

Chair Dominguez said this item will be at Public Works on Monday, and asked what direction was given by Public Works.

Councilor Ives said he pulled this off the Public Works Consent Agenda to ask questions about various expenditures. He said he is being asked to approve, for example, a request for \$1.4 million for the Healthy Kids Healthy Economy Initiative, a program about which he has no information of what the program was, how it was to be implemented, how it would be affected by the Public Schools which has its own funding programs for food programs and such. He understands it came from the Food Policy Council, but he has nothing about the program and there is nothing in the packet which provides additional explanation. He is being asked to approve a request for \$1.4 million for a program for which he has no idea how it is to operate or what it is to accomplish.

Councilor Ives said members of Public Works and Finance Committees had gone through a several month process to approve the ICIP priorities, which would be what we would take to the Legislature. The concern was the priority list didn't appear in the stated objectives here, so we were trying to understand the selection process. He said the Committee moved the item forward without recommendation so Finance could consider issues and ask questions, with a request that it come back to Public Works once they had the requested information.

Brian Snyder said there was confusion as to the purpose of the Resolution and review. He said it is a working draft, and recommended that we take the priorities to the Legislature. He said the process is an opportunity for the Councilors to review and amend the recommendations at various stages along the way. He understands the \$1.4 million recommendation came from the Food Policy Council for the Schools to get funding to increase the funding for the Healthy Kids Healthy Economy Program, which is ongoing.

Mr. Snyder said regarding ICIP, there was a long discussion at Public Works. He said the purpose of the ICIP is to get projects on the list to get submitted to the State for funding. It does not mean that we need to put everything on that list in this Resolution. He said any item for funding by the State must be on the ICIP list. He said this Resolution gives priority and direction for Mr. Duran and himself during the Legislature.

Chair Dominguez asked the time constraints.

Mr. Duran said he needs it by December 18, 2013, when we meet with our Santa Fe Legislative delegation.

Councilor Bushee asked if the order of the list matters, and Mr. Snyder said it isn't in any priority order.

Councilor Bushee would like to seek a tax on cigarettes. She thinks that ought to be a third item under how to replace lost revenues. She thinks this should be introduced every session until it is done. She doesn't know that we need to keep the Healthy Kids Healthy Economy Program personal with the City. She has participated planning sessions around delivery of services on the south side. She thinks that is where the need exists. She said, "I would replace this, personally, with Section 2." She thinks a shuttle should be mentioned with specificity under transportation. She said people are wanting to approach things such as climate change, which she thinks probably shouldn't be done this session. However, if Mr. Duran advises that there are policy decisions that we need to bring forward she is willing to do say.

Mr. Duran said this is a short 30 day session, noting the Governor is running for reelection. He said we can introduce some policy items to try to get runway for a 60 day session. He said, "I don't think many of them, quite frankly, are going to be successful. I think many Legislators are going to consider the hold harmless, and if we pursue policy it should be around that.

Councilor Bushee's remarks here are inaudible.

Councilor Calvert said he believes the hold harmless will be the center of attention at the Legislature, and he is doubtful we will get a repeal. He is hoping we can come up with something that makes it more palatable and separates the City from the County. He said he thinks there should be consistency between the ICIP list and the 5 priorities we listed there, and the items we list in this Resolution. Otherwise, we will confuse the matter. He said the ICIP list goes to the Legislature and DFA, reiterating we need to look at our 5 priorities vis a vis the ICIP list and echo that in this Resolution. We need to stay on point in terms of our priorities. We need a clear message in terms of our priorities.

Councilor Ives said he doesn't understand including #2 of the Resolution, and putting this in the City's request in this context, suggesting that might be more effective as a separate Resolution.

Mr. Duran said that would be a good approach. He said we need to figure out how to get that intent to the Legislature. He said this kind of Resolution would be brought forth separately to the Legislature. He said looks at the list and where the City would be initiating legislation. He said he can work with the City Manager, look at the ICIP list and what is here and overlay it with what the Legislature is willing to fund, and come up with 2-3 City-wide projects for selection by the Council.

Councilor Ives said he believes we prioritized the first 10 items.

Mr. Snyder said this is the same format we used last year, and specifically, Section 2 was listed last year in Resolution 2012-93, with "almost the exact same language, so we've asked for this item for the schools before."

Councilor Ives reiterated that it would be more effective to do that as a separate Resolution, and we could send it to other municipalities to see if they would support it. He believes that would be more powerful than having it buried in the City's request.

Chair Dominguez said there is some legitimacy to that suggestion. He believes having it as a City priority would be better, and because it shows that it is a priority for the City and a more bold statement.

Councilor Ives said he identified various amounts and in comparing it to the ICIP there are differences.

Mr. Snyder said it would nice to align them. Since did ICIP done more research and have harder numbers. Evolving process. We are here tonight to get direction. He wants clear direction on recommendation of this Committee.

Councilor Ives reiterated that we do need to be consistent with items going to the Legislature.

Councilor Ives said it would be good to have that information before this goes to the Council. He said he has not seen a request to change the ICIP numbers.

Mr. Snyder said he would like to go forward with clear direction.

Councilor Ives said his direction would be to remove Item #2 from the Resolution and make it a separate Resolution to the Legislature, as well as shopping it to other jurisdictions around the State to see if we can get other similar resolutions passed by other units of government. He said he would use the ICIP list in Section 5 of the Resolution for capital outlay priorities.

Councilor Ives said we were advised to eliminate priorities and references in favor of going with more specific items, commenting this conflicts with previous discussion. He values Mr. Duran's input on these issues before we adopt anything.

Chair Dominguez asked Mr. Duran if he will take pieces of separate resolution to our delegation which aren't included in the priority resolution before us.

Mr. Duran said he can take the City's priorities, indicate those appearing on ICIP and those which don't. He said he is then trying to see how it fits in the schedule. He has done this already to some extent.

Mr. Snyder said the top 10 on our capital outlay list may not be items which are being funded, and wants to be clear you may not see the top 10 from the ICIP.

Councilor Calvert said, for consistency, this is a good starting point.

Councilor Ives would like to be engaged earlier in the process.

Councilor Calvert said this is more of the realm of importance than what is likely to be considered. He said he would lead with the Hold Harmless item as our first priority.

Chair Dominguez agreed, commenting he favors leaving Section #2 in the Resolution.

Councilor Calvert recommended that Public Works "take another crack at this," with Mr. Duran's ability to look at things and then provide us for advice. Then, we will provide the City Council with our best recommendation at a Council meeting.

Chair Dominguez agreed, saying he hopes the Public Works Committee will agree that the Hold Harmless issue will be the priority, and capital outlay items are secondary to that. He said the direction we want to give to staff is that the City Finance Committee made the Hold Harmless issue a priority and that the Public Works consider that, and that they are able to deal with all the other issues as public works projects.

Councilor Ives said, based on his observation, he would note he wouldn't be surprised if the Legislature didn't focus on the issues of water. He asked if there are specific proposals we can move forward which would be beneficial to the City.

No action was taken on this item, and direction was given to the staff.

27. OTHER FINANCIAL INFORMATION:

A. UPDATE ON COLLECTION FEES (ROBERT RODARTE)

Mr. Tapia explained the basic changes to the proposed RFP – the two addenda which address the issued.

Ms. Amer said the issue was raised, with regard to parking violations, as to whether that could be part of the RFP. Ms. Said she spoke with Mr. Walker. She said it is somewhat complicated. The City's Parking Ordinance makes it a misdemeanor. Therefore, it isn't civil penalty, but if they have had their day in Court and the appeals process has run, or a bench warrant has been unanswered, at that point it is finally adjudicated, and then a fine that could be collected through this process. She said, that being said, if the City does nothing within to collect, after a year the statute of limitations has run and we can't collect after that.

Councilor Dimas said he is unsure if, once the bench warrant is issued and they come in, he is unsure we can collect, and we may need to look into that some time.

Ms. Amer said if it is finally adjudicated and all appeals periods have run, at that point, the Court could make that determination and then go out and collect.

Councilor Dimas said uncollected thicketts number in the millions of dollars. He said if nothing has been done, those will have to be dismissed, with prejudice, for lack of prosecution. He can we can just take those off the books.

Ms. Amer said this is correct. She said right away, someone at the Courts needs to divide the past due into buckets which can't be collected, and then those which can be sent to collections.

[Councilor Dimas's remarks here are inaudible]

Chair Dominguez asked if this can be handled in this RFP.

Ms. Amer said she would think no, because we have already issued an RFP, an addenda, and we issued proposals for the various options. She said at this point our option would be to not do the parking portion with this contractor.

Councilor Calvert said he has yet to receive the requested chart in the different scope of services, therefore is somewhat confused on the scope of services, and is isn't thrilled that the warrants aren't in here, because it will cost even more money. He said in the speed program we allow that company to do the collections. He said then there is a split of the pot, but they don't get any more and we don't lose any less of the percentages. However, if someone different handles collections for the false alarms, we will be paying them a cut of the proceeds, as well as the companies that administer the false alarms

Councilor Ives said then we're paying percentage on top of a percentage, commenting he doesn't find the logic with that. He said if we do it with a speeding program we will give more of the revenue and don't parse it out in percentages to multiple parties. He doesn't know why we wouldn't want to do that either.

Councilor Amer said Councilor Ives is correct, noting the contract will expire next year, and that will be something we will look at prior to that time.

Councilor Calvert said if we continue with the same vendor, he doesn't think we want to separate the collections from that vendor, because we will just be paying more in fees and percentages than are necessary. He said they are willing to do it because it is in their interest, just like with the speeding program. He said the only way you would want to include it is if you brought the program in-house and wanted to farm-out the collections portion.

Councilor Calvert reiterated that if we bring someone on board to do collections the City will be paying them a percentage of what they collect, and the City will receive the sum of what was collected, and then pay the company its percentage. The City will be paying percentages on what we're collecting. If you just turn over collections to whoever is administering the ordinance you have to pay one percentage. He said, "We have not decided to do that, we haven't allowed them. They are quite willing to go forward, and I don't think you would have to pay them any extra to do that, because they are already get a percentage of what they collect. He said the same thing happens in the speeding program, noting they are quite willing to do that, because they're already getting a percentage of what they collect anyway.

Councilor Calvert said the people administering the False Alarm Ordinance have asked to do collections, but we have put them off for one reason or another. He said until we do something different he wouldn't recommend farming out collections on that until we have a different arrangement. He said the only reason you would want to farm-out collections to someone different is if the City brought that in-house. He said, "Otherwise, you will be paying more and more money for that you don't need to."

Chair Dominguez asked if there are time constraints.

Councilor Calvert said the RFP has been issued, but he believes we can put this in the RFP and say we won't award this at this time. He wouldn't include this until the program is changed in terms of collections.

Chair Dominguez said then this policy is being proposed by staff.

Ms. Amer said direction to staff was given by this Committee to issue the RFP, and staff was following that direction.

Councilor Dimas asked if it would be better to have citations filed quarterly, so if people won't settle tickets in a timely manner, they can issue bench warrants. He talked about how the Magistrate Court handled bench warrants.

Ms. Amer said she would suggest the Finance Committee invite the Parking Division to a Finance Committee to describe how the process works, and come up with a better way to address it. He is willing to meet with both parties and provide his input in this regard.

Councilor Ives noted the proposals are to be received today at 2:00 p.m., and assumes those were received, noting the Memo outlines the process and timetable for evaluating proposals.

Mr. Tapia noted the deadline for the RFP was extended to December 20, 2013.

B. PARKS BOND – GENERAL DISCUSSION POSAC REQUEST. (ISAAC PINO)

A copy of *Questions about the 2008 Final Bond Report*, is incorporated herewith to these minutes as Exhibit "1."

Chair Dominguez said he attended the last POSAC meeting, and the public had questions. He would like to ensure the questions from POSAC are made a part of the record. He said the first direction to staff is that staff provide the Committee with the questions from POSAC, noting those aren't in the packet, and to provide a copy to Ms. Helberg for attachment to the minutes. He would like staff to propose a timeline as to when some of these questions can be answered. He said, "The first question I would like to have answered, or is really for staff. to provide a list to the Committee of everyone who was paid out of the Parks, and how much they were paid, both overtime and regular pay, and how much of it was spent on maintenance. If that is too complicated, I don't think that it should be, because I think the Governing Body's direction back whenever, it was a reallocation, was perfectly clear in terms of positions it was going to fund out of the Parks Bond. I will be working on the Public Works Chair on this as well, because these are Public Works projects, she is asking me to work with her on some of this."

Councilor Bushee would like to get into the details tonight.

Chair Dominguez said we don't have details, and the first order of business is for staff to obtain the questions asked of POSAC and to make those questions a part of the official record of the Finance Committee, and that his first questions in this regard be answered, especially those which are relatively easy to answer. He said we can then decide how to proceed from there.

Councilor Ives said it would be helpful to know what was discussed. He said we had authorized an audit of the Parks Bond, so he would propose those questions be shared with the Auditor as deemed prudent or necessary. Councilor Ives said if answers are being given to the questions, sharing those with the Committee would be helpful.

Chair Dominguez asked Mr. Pino to ensure the Committee are fully informed with regard to the answers to any questions.

Councilor Bushee is uncertain why we can't talk about what was in the newspapers.

Chair Dominguez said we should, but in all fairness, some people may not have read the newspapers or have been out of town. He thinks this is a good start, and by tomorrow, at the latest, the Committee should have a copy of the questions posed at POSAC.

Councilor Bushee asked the number of questions and asked why we don't want to address it right no.

Chair Dominguez said staff is going to say they aren't ready to answer the questions. He said staff has indicated it will take them a long time to answer these questions, and he doesn't feel it is fair to ask them to answer those questions right now.

Chair Dominguez said we can come up with a process for answering the questions.

Councilor Dimas also asked the number of questions.

Mr. Pino said 14 questions were taken to POSAC. He said, "We began work on them two days after we received the questions. The binder reflects what we put together. We are to the point where we are reconciling a couple of spreadsheets, so we can have this package ready to present back to POSAC for the next meeting, on December 17, 2013. So 14 questions doesn't sound like a lot, but they are very detailed questions which will require a lot of a background information. We would be foolish not to have learned our lesson in presenting to this Committee, to come here without a lot of detail and a lot of background. We have confirmed that it makes better sense to do that rather than coming without it. So we are preparing a packet so we can try to get as much information as we can."

Mr. Pino continued, "With respect to Councilor Dominguez's questions, that kind of information about everybody who was paid out of the bond, whether they were paid overtime, straight time, etc., can be provided, but that is more of a finance function. I think that kind of information can be provided. That

can be done. In the meantime, however, we are going to finish the working questions that were posed and present them back here for the record. We will then finish the 14 questions and be ready to go to POSAC in another 2 ½ weeks.”

Chair Dominguez asked if the final report is final.

Mr. Pino reiterated they are reconciling now so they can say it is final, with the exception of the Acequia Madre/Agua Fria crossing under Cerrillos Road which is going to be ongoing for a while.

Chair Dominguez said then, once the questions are answered, POSAC will be given the “final, final report.”

Mr. Pino said this is correct.

Chair Dominguez asked the reason staff put out a final report they knew was not accurate for final consumption by the public.

Mr. Pino said staff was asked to put the draft out to the public, “so we did.” And at right now we are making sure the numbers are correct before the issue the final, final report.”

Chair Dominguez said, “Sooner than the 17th [December] we should expect something, at least for consumption.”

Mr. Pino said as soon as it is ready to go “we can present it to the Committee.”

Chair Dominguez pointed out that the Committee doesn’t meet again until 2015.

Mr. Pino said he can provide the same information to the Finance Committee as that which was provided to POSAC.

Chair Dominguez asked when that will be done.

Mr. Pino said as soon as staff has time to finish the questions.

Chair Dominguez said, “What I don’t want is for POSAC to get it, and for them to go through what we normally do, when we go through it.”

Pino said, “All we’ve done is to work on this since the last POSAC meeting to get this together, so we are going to stay on it until it’s finished. I just want to say the information you requested, as far as what it was, and when and all that, we’re going to rely on the research and production by the Finance Department, working with Public Works, to get that report. That’s not one of the questions. So, we’ll keep plugging away on these until they are finished, and when that information is ready, then we’ll present that.”

Chair Dominguez said, "So in that analysis, if you can at least provide me with the comparison on the first question #9, that has what approved by the Governing Body, I guess, in 2011. If we can have that comparison. So you understand that in fiscal year 2010 we approved 4 positions, and so if there is 5 you will have that comparison."

Chair Dominguez said then we will have something by December 17, 2013, and asked Mr. Pino to be sure it is distributed to the Finance Committee.

Responding to the Committee, Chair Dominguez would like to first get the information before moving forward.

Councilor Dominguez asked the status of the requested audit, noting we are asking for more than a generic audit.

Councilor Dominguez said this is what he understands.

Mr. Pino noted its within our purview at any time to request information.

Chair Dominguez said he would like more than a generic audit.

Mr. Pino said the Resolution requested a generic audit.

Mr. Pino said he will email the questions to POSAC and to this Committee as well..

28. MATTERS FROM THE COMMITTEE

Mr. Tapia said the audit ending FY June 2013, was submitted today to the State Auditor, which is before the statutory deadline.

Mr. Tapis said Ms. Garcia and staff worked through the weekend. He said Ms. Garcia and staff are amazing – they are a diligent and hard working staff.

Mr. Tapia said he will be retiring effective, December 20, 2013. He said after 29 years in the active and reserves, and full-time with the State, he needs more time with his children, age 7 and 14, noting he is a single father. He thanked the Governing Body and Mr. Snyder for the opportunity to serve in this position

Mr. Tapia spoke about what he thinks is needed for a Director of Finance, noting it will be difficult to fill the position on an interim basis until the City Elections in March. He is working on documents and procedures to be in place prior to him leaving.

Chair Dominguez asked Mr. Tapia to thank his family for sharing him with the City.

29. ADJOURN

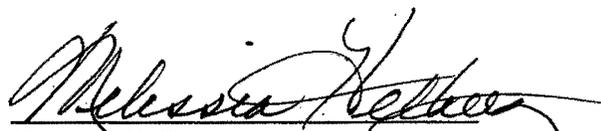
There was no further business to come before the Committee, and the meeting was adjourned at 8:25 pm.

Carmichael A. Dominguez, Chair

Reviewed by:



**Marcos A. Tapia, Director
Department of Finance**



Melessia Helberg, Stenographer

**SUMMARY OF ACTION
FINANCE COMMITTEE MEETING
Monday, November 18, 2013**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved	2
APPROVAL OF CONSENT AGENDA	Approved [amended]	2
CONSENT AGENDA LISTING		2-5
APPROVAL OF MINUTES: REGULAR FINANCE COMMITTEE MEETING – NOVEMBER 4, 2013	Approved	5
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING – ACCEPT AND ADMINISTER FUNDS TO ADVISORY COUNCIL ON FOOD POLICY; CITY OF SANTA FE AND SANTA FE COUNTY	Approved	6-7
REQUEST FOR APPROVAL OF BUDGET INCREASE – HUMAN SERVICES FUND	Approved	6-7
REQUEST FOR APPROVAL OF EXEMPT PROCUREMENT AND AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – CONSULTING SERVICES AND TRAINING FOR ITT AND PAYROLL; TST CONSULTING	Approved	7-9
REQUEST FOR APPROVAL OF BUDGET INCREASE FOR CITY-WIDE ITT COMMUNICATIONS; CENTURYLINK	Approved	9

END OF CONSENT CALENDAR DISCUSSION		

ITEM

ACTION

PAGE

DISCUSSION

OTHER FINANCIAL INFORMATION:

UPDATE ON COLLECTION FEES	Information/discussion	10-14
UPDATE ON GROSS RECEIPTS TAX REPORT RECEIVED IN NOVEMBER 2013 (FOR SEPTEMBER ACTIVITY) AND LODGERS' TAX REPORT RECEIVED IN NOVEMBER 2013 (FOR OCTOBER 2013 ACTIVITY)	Information/discussion	14-15
MATTERS FROM THE COMMITTEE	Information/discussion	15-16
ADJOURN		16

**MINUTES OF THE
CITY OF SANTA FE
FINANCE COMMITTEE**
Monday, November 18, 2013

1. CALL TO ORDER

A meeting of the City of Santa Fe Finance Committee was called to order by Chair Carmichael A. Dominguez, at approximately 5:00 p.m., on Monday, November 18, 2013, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT:

Carmichael A. Dominguez, Chair
Councilor Bill Dimas
Councilor Peter N. Ives

MEMBERS EXCUSED:

Councilor Patti J. Bushee
Councilor Christopher Calvert

OTHERS ATTENDING:

Marcos A. Tapia, Finance Department
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 to these minutes by reference. The original Committee packet is on file in the Finance Department.

3. APPROVAL OF AGENDA

MOTION: Councilor Dimas moved, seconded by Councilor Ives, to approve the agenda, as published.

VOTE: The motion was approved unanimously on a voice vote, with Chair Dominguez, Councilor Dimas and Councilor Ives voting in favor of the motion and no one voting against..

4. APPROVAL OF CONSENT AGENDA

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

VOTE: The motion was approved unanimously on a voice vote, with Chair Dominguez, Councilor Dimas and Councilor Ives voting in favor of the motion and no one voting against..

CONSENT AGENDA

- 6. **BID NO. 14/02/B – FY 13/14 WASTEWATER MANAGEMENT DIVISION SANITARY SEWER LINE REHABILITATION PROJECT; INSITIFORM TECHNOLOGIES, LLC. (STAN HOLLAND)**
 - A. **REQUEST FOR APPROVAL OF BUDGET INCREASE – WASTEWATER FUND.**

- 7. **BID NO. 14/14/B – SOUTHWEST EFFLUENT WATER LINE FOR WASTEWATER MANAGEMENT DIVISION AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; RMCI, INC. (BRYAN ROMERO.**
 - A. **REQUEST FOR APPROVAL OF PROJECT CONTINGENCY OF 10% OF BASE BID.**
 - B. **REQUEST FOR APPROVAL OF BUDGET INCREASE – WASTEWATER FUND**

- 8. **REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – HOSPITAL TANK REHABILITATION IMPROVEMENTS PROJECT FOR ADDITIONAL BIDDING, INSPECTION AND PROJECT MANAGEMENT ACTIVITIES (RFP #12/11/P); NARASIMHAN CONSULTING SERVICES, INC. (NCS) ENGINEERS. (BILL HUEY)**

9. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 1 TO CONTRACT – HOSPITAL TANK VALVE PROJECT ADDITIONAL SERVICES; SASQUATCH, INC. (BILL HUEY)
10. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 2 TO CONTRACT – HOSPITAL TANK COATING APPLICATION PROJECT ADDITIONAL SERVICES; GUARANTEED WATERPROOFING & CONSTRUCTION (GWC). (BILL HUEY)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – WATER FUND.
11. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – TRAFFIC CONTROL AND SAFETY SERVICES FOR WATER DIVISION; SOUTHWEST SERVICES, INC. (MIKE MOYA)
12. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO AGREEMENT BETWEEN OWNER AND ARCHITECT – SOUTHWEST ACTIVITY NODE (SWAN) PARK PHASE I CONSTRUCTION SERVICES; SURROUNDINGS STUDIO, LLC. (MARY MacDONALD).
 - A. REQUEST FOR APPROVAL OF BUDGET TRANSFER – PROJECT FUND.
13. REQUEST FOR APPROVAL OF WRITTEN DETERMINATION AND PROCUREMENT – AUTHORIZE USE OF A DESIGN-BUILD PROCESS FOR CONSTRUCTION STORM WATER IMPROVEMENTS AND INFILTRATION STRUCTURES ADJACENT TO ARROYO CHAMISO AND SANTA FE RIVER. (BRIAN DRYPOLCHER)
14. REQUEST FOR APPROVAL OF PROCUREMENT UNDER COOPERATIVE PRICE AGREEMENT AND PROFESSIONAL SERVICES AGREEMENT – OPERATIONS MAINTENANCE COMPLEX (OMC) BUILDING B – ROOF RETROFIT; COOPERATIVE EDUCATION SERVICES AND ROOF CARE. (LISA MARTINEZ)
15. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – GENOVEVA CHAVEZ COMMUNITY CENTER ICE ARENA MECHANICAL ROOM ROOF REPLACEMENTS; ALPHA RESTORATION AND CONSTRUCTION SERVICES, LLC. (LISA MARTINEZ)
16. *[Removed for discussion by Councilor Ives]*
17. *[Removed for discussion by Councilor Ives]*
18. REQUEST FOR APPROVAL OF A RESOLUTION RELATING TO A REQUEST FOR APPROVAL OF FIRST QUARTER BUDGET ADJUSTMENTS FOR FISCAL YEAR 2013/2014 ENDING SEPTEMBER 30, 2013. (CAL PROBASCO)

19. **REQUEST FOR APPROVAL OF GRANT AWARD AND CONSOLIDATED PROJECT AGREEMENT – OPERATION DWI, OPERATION BUCKLE DOWN AND CLICK IT OR TICKET AND 100 DAYS AND NIGHTS OF SUMMER FOR POLICE DEPARTMENT; NEW MEXICO DEPARTMENT OF TRANSPORTATION, TRAFFIC SAFETY DIVISION, HIGHWAY SAFETY PROJECTS. (JOHN SCHAERFL, DEPUTY CHIEF OF POLICE)**
 - A. **REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.**

20. **REQUEST FOR APPROVAL OF A RESOLUTION REPEALING RESOLUTION NO. 2007-109 AND ADOPTING A NEW RESOLUTION TO ESTABLISH A POLICY RELATED TO WAIVERS OF REDUCTION OF FEES FOR SPECIAL EVENTS OR FOR THE USE OF CITY FACILITIES, EXCLUSIVE OF THE SANTA FE COMMUNITY CONVENTION CENTER (COUNCILOR TRUJILLO). (JUDIE AMER) Committee Review: Public Works (approved) 11/12/13; and City Council (scheduled) 12/11/13. Fiscal Impact – yes.**

21. **REQUEST FOR APPROVAL OF A RESOLUTION REPEALING RESOLUTION 2012-33 AND ADOPTING A NEW RESOLUTION TO ESTABLISH A POLICY RELATED TO THE WAIVER OF USER FEES AT THE SANTA FE COMMUNITY CONVENTION CENTER, SO THAT ON AN ANNUAL BASIS, EACH MEMBER OF THE GOVERNING BODY IS AUTHORIZED TO HAVE THE USER FEES WAIVED AT THE SANTA FE COMMUNITY CONVENTION CENTER, ON BEHALF OF A NON-PROFIT ORGANIZATION, FOR A ONE-DAY EVENT (COUNCILOR TRUJILLO). (JUDIE AMER AND JIM LUTTJOHANN) Committee Review: Public Works (approved) 11/12/13; and City Council (scheduled) 12/11/13. Fiscal Impact – yes. Note: This caption may be amended pursuant to the amendment sheet in the packet.**

22. **REQUEST FOR APPROVAL OF A RESOLUTION RELATING TO A LOCAL GOVERNMENT ROAD FUND COOPERATIVE AGREEMENT BETWEEN THE CITY OF SANTA FE AND THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO PALACE AVENUE BETWEEN CATHEDRAL PLACE AND DELGADO STREET; DIRECTING STAFF TO CAUSE SUCH COOPERATIVE AGREEMENT TO BE EXECUTED ON BEHALF OF THE CITY OF SANTA FE (COUNCILOR CALVERT). (DAVID CATANACH) Committee Review: Public Works (approved) 11/12/13; and City Council (scheduled) 12/11/13. Fiscal Impact – yes.**

23. **REQUEST FOR APPROVAL OF A RESOLUTION ENDORSING THE RESIDENT ASSISTANCE DEMONSTRATION (RAD) PROGRAM UNDER THE MANAGEMENT OF THE SANTA FE CIVIC HOUSING AUTHORITY FOR RENOVATION AND IMPROVEMENT OF HUD SUBSIDIZED HOUSING WITH SUCH CONFIRMATION TO INCLUDE APPROVAL OF A LEASE ADDENDUM BASED ON THE PRESUMPTION THAT EACH LEASE IS A "GROUND LEASE," AND ALL BUILDINGS, IMPROVEMENTS AND FIXTURES NOW OR HEREAFTER ERECTED WILL BE OWNED IN FEE SIMPLE BY THE SANTA FE CIVIC HOUSING AUTHORITY AND BE DEEMED REAL ESTATE UNDER LOCAL LAW (COUNCILOR WURZBURGER). (ALEXANDRA LADD)**
Committee Review: Public Works (approved) 11/12/13; and City Council (scheduled) 12/11/13. Fiscal Impact – no.
24. **REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE ORGANIZATIONAL TRANSFER OF THE OFFICE OF ANTI-GRAFFITI COORDINATION AND ABATEMENT PROGRAM FROM THE POLICE DEPARTMENT AND PARKS DIVISION TO KEEP SANTA FE BEAUTIFUL, ENVIRONMENTAL SERVICES DIVISION (COUNCILORS DOMINGUEZ, CALVERT, TRUJILLO, RIVERA AND DIMAS). (CINDY PADILLA)** Committee Review: Public Works (approved) 11/12/13; and City Council (scheduled) 12/11/13. Fiscal Impact – no.
25. *[Removed for discussion by Councilor Ives and Councilor Dimas]*

END OF CONSENT AGENDA

5. **APPROVAL OF MINUTES; REGULAR FINANCE COMMITTEE MEETING – NOVEMBER 4, 2013.**

MOTION: Councilor Ives moved, seconded by Councilor Dimas, to approve the minutes of the Regular Finance Committee Meeting of November 4, 2013, as presented.

VOTE: The motion was approved unanimously on a voice vote, with Chair Dominguez, Councilor Dimas and Councilor Ives voting in favor of the motion and no one voting against.

CONSENT CALENDAR DISCUSSION

16. **REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING – ACCEPT AND ADMINISTER FUNDS TO ADVISORY COUNCIL ON FOOD POLICY; CITY OF SANTA FE AND SANTA FE COUNTY. (TERRIE RODRIGUEZ)**
- A. **REQUEST FOR APPROVAL OF BUDGET INCREASE – HUMAN SERVICES FUND.**

Councilor Ives said the Memo on this didn't capture all of the history, noting it referenced an event in 2008 and then suddenly jumped to the present day. However, the MOA did recount some of it back and forth over time.

Councilor Ives, referring to page 3, said the sixth "WHEREAS" provides, "WHEREAS, ON May 9, 2013, the County and the City entered into a MOU, which expired on June 30, 2013.." He asked if it is correct that we entered into an MOU for less than two months.

Mr. Pino said he doesn't know, although that is what is suggested in the language.

Chair Dominguez recalled that we did, but is unsure of the circumstances.

Councilor Ives asked if this is the City's \$8,500 which we are doing annually.

Councilor Ives said the seventh "WHEREAS" provides, "WHEREAS, the compensation to paid by the City to Farm to Table is \$10,000," and asked the source of the \$10,000, and if it was intended to increase the \$8,500 to \$10,000 in this instance.

Mr. Pino said he is unsure he can answer that question. He recalls that \$10,000 is the benchmark, but it never reached that amount.

Mr. Tapia said \$10,000 is referenced as \$10,000 for the compensation in the contract and in the PSA.

Councilor Ives said the County contributes \$8,500 and the City \$10,000 annually, and the source of the \$18,500.

Councilor Ives said Exhibit C lists the Reporting Requirements, and asked if we are getting all of the required reports on the program, somebody is reviewing those reports and ensuring we are informed. He presumes the Food Policy Council would want that information and it may go to the Council to be incorporated into the Food Plan.

Mr. Pino said staff is actively following it, noting Terrie Rodriguez is a part of the Committee, and follows it on a regular basis.

Councilor Ives requested a copy of the Food Plan be put in his box.

MOTION: Councilor Ives moved, seconded by Councilor Dimas, to approve this request.

VOTE: The motion was approved unanimously on a voice vote, with Chair Dominguez, Councilor Dimas and Councilor Ives voting in favor of the motion and no one voting against..

17. REQUEST FOR APPROVAL OF EXEMPT PROCUREMENT AND AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – CONSULTING SERVICES AND TRAINING FOR ITT AND PAYROLL; TST CONSULTING. (CARYN FIORINA)

Councilor Ives said it is unclear exactly when this agreement was put in place.

Ms. Fiorina said it is part of the upgrade of the system which happened in 2008.

Councilor Ives said then this has been ongoing for 5 years. He said it sounds as if there were issues with the reporting last year, and this is an effort to fix those problems to make sure we are up to date on our training and have staff which are fully capable of using the system to do the required reporting.

Ms. Fiorina said yes, noting there updates at the end of every year which are issues, and there will be training on the updates so staff knows how to complete those every year.

Councilor Ives there is a paragraph in the Memo which provides, "This contract will also include an additional 40 hours needed to complete development on the original contract for TST for the budget position control project." He said he has no idea what that means.

Ms. Fiorina said the initial contract was with Finance to implement budget position control reporting which is used for the budgeting process. The hours to complete that project were underestimated, and a part of that is included in this contract. She said the budget position control allows projections to be made for budgeting purposes for vacant positions, and different other salary increases.

Councilor Ives asked why this hasn't been done for 5 years.

Ms. Fiorina said it has been done, but through an Excel spreadsheet, and now it will automate it with the Enterprise 1 Financial application.

Councilor Ives said when the City Manager was here with the pay raise information and said it took 30 days to prepare the spreadsheet showing union, non-union and other matters. What she is saying that this module will allow us to key in what kind of report we want to generate that automatically and instantly, rather than spending 30 days of several peoples' time to generate that report.

Ms. Fiorina said this is correct.

Chair Dominguez asked much does the additional 40 hours cost the City.

Ms. Fiorina said it is approximately \$5,600. It is in finance and part of the Enterprise-1 operating system.

Chair Dominguez said then the 40 hours is in additional to the original.

Ms. Fiorina said that is correct. The 40 hours is in addition to the original contract of \$49,000, plus the \$5,600 to complete the budget position control.

Councilor Ives noted the Memo provides that TST consulting qualifies under Section 18:L of the City Purchasing Manual. He would like a new copy of the Purchasing Manual with all updates.

Councilor Ives asked Mr. Rodarte if he is okay with the compliance with the new provisions and changes in the law.

Mr. Rodarte said the updated Purchasing Manual is posted on the intranet.

Councilor Ives said he has difficulty using the intranet to find documents.

Mr. Rodarte said he will email it to Councilor Ives after the meeting.

Mr. Rodarte said to answer the second part of Councilor Ives' question, he discussed this with Ms. Fiorina, and there is a critical need to have this company continue doing this process. He said it is at \$83,000, and exceeded the \$50,000 threshold. He said they made the call using exempt, for which it qualifies, and it wasn't competitively issued as an RFP. He spoke with Ms.

Fiorina, and we are going to keep this company rolling, and we will RFP to see who else is out there that can do this kind of work. He said they will explain this in the meetings tomorrow and on Wednesday, and it will be one of the power point sections tomorrow. He said we are okay on this one.

MOTION: Councilor Ives moved, seconded by Councilor Dimas, to approve this request.

VOTE: The motion was approved unanimously on a voice vote, with Chair Dominguez, Councilor Dimas and Councilor Ives voting in favor of the motion and no one voting against..

25. REQUEST FOR APPROVAL OF BUDGET INCREASE FOR CITY-WIDE ITT COMMUNICATIONS; CENTURYLINK. (LISA MARTINEZ AND MARCOS TAPIA)

Councilor Ives asked how we make a \$438,186 error.

Mr. Tapia said he believes the previous City Manager wanted "to do and fall in line" with the way we were doing procurement systems and/or our cell phones. These were in the department level and the directors wanted control of that, and each department was billed. He said CenturyLink was taken from the departments into the ITT budget. He said of the \$764,000 spent annually on 3 different contracts, we budgeted only \$326,000 in that line item for CenturyLink. He said the good news is that received an additional \$489,000. He said this will not happen again, but it was a mistake, it happened. He said during the budget the Finance Committee and the City Manager will decide whether to consolidate all costs under ITT or to have them in each department.

Councilor Ives said he looks forward to the recommendations in this regard.

MOTION: Councilor Ives moved, seconded by Councilor Dimas, to approve this request.

DISCUSSION: Chair Dominguez asked the source of the funding.

Mr. Tapia said it is from the General Fund.

VOTE: The motion was approved unanimously on a voice vote, with Chair Dominguez, Councilor Dimas and Councilor Ives voting in favor of the motion and no one voting against..

END OF CONSENT CALENDAR DISCUSSION

DISCUSSION

26. OTHER FINANCIAL INFORMATION:

A. UPDATE ON COLLECTION FEES. (ROBERT RODARTE)

Mr. Rodarte presented information from his Memorandum of November 14, 2013, with attachments, which is in the Committee packet. He noted the timetable for the RFP is indicated in the Memorandum, as requested, noting he took the information from the canceled RFP and went verbatim with minor changes. Mr. Rodarte reviewed the timetable.

The Committee commented and asked questions as follows:

- Councilor Ives quoted from packet page 14, Item #6, "Accept for collection and engage in diligent collection efforts for all referred accounts regardless of the amount of the account." He said that implies that at some point in time, we will decide accounts to refer to collections. He asked Mr. Rodarte to describe that process.

Mr. Rodarte said, based on feedback from the past RFP, the process was to try to be as professional as possible and no hard core collections. He said in the previous submittals the companies identified the types of collections they want to do, and most want to do things within the last 360. He said the scale slides tremendously after that. The goal is to collect everything we possibly can. He doesn't know the numbers for collection, but it is workable, if the Governing Body wants to do it – the percentages go from 15% to 24%, while they want 25% of the overall amount for things over 2-3 years. He thinks what we go for is at the complete discretion of the Governing Body as we move forward. He said we will get better information once we receive the proposals.

- Councilor Ives said he is curious as to whether there is some *de minimus* level at which collections are useful and functional.
- Councilor Ives said he would hope the Governing Body would consider, as part of the process, ensuring that the City's website has a functional and useful payment location. He would like to see a button at the website which says, "If you owe the City anything pay here," and people can click on that button and identify the nature of the charge. He wants to incentivize people to use that, noting Albuquerque doubles the amount of parking fines after a period of time and then triple the fine. He would like something which indicates that after two weeks the fine is doubled, after three weeks it's tripled and you have to go to court pay court costs. He said, hopefully, if we do this in a user friendly way, we will see a large

uptick of collections. He understands after time they are sent to a collections agency, and then subsequently a recommendation to file suit, which will be at the City's discretion.

- Chair Dominguez said there could be a payment center at the Library. He thinks we should give people as much opportunity to pay the debt as possible. He said he is hopeful that whoever is chosen, there is a human component to it, so we aren't "beating people to death" to pay, especially in view of the economic challenges in our City, state and nation.

Mr. Rodarte said the collection process at the Library is a soft collection program, and we're looking for that same kind of process. He said we will piggyback off one that fits perfectly with the City.

- Chair Dominguez said there should be a procedure/process for people to let us know how they are being treated. He said some of the collection agencies are interested only in collecting the fee. He said there are always glitches and issues that need to be resolved individually. He asked if it turns out it is not a legitimate collection, if that will be part of the contract as well.

Mr. Rodarte said we have mediation services for that process for collections for Cry Wolf and Redflex. He said he will go back and look at his Scope of Work, and see if something can be integrated. He said he can add an addenda onto the Scope of Work and add it to the website so we can get feedback from the ones that are submitting proposals.

- Councilor Dimas asked if a determination ever was made on parking tickets specifically, to make those a civil rather than criminal matter.

Mr. Rodarte said, "That's beyond my pay grade, Councilor Dimas, I have no idea."

- Councilor Ives said Sev Gurule has been looking at the various options, and believes we're at the point we can make a decision on that.
- Councilor Dimas said the limitation on collections should be within the 6 month rule once they are given a citation. He said they have to enter a plea for the rule to start running. He said if they haven't shown up at all, it could go forever, noting there is no statute of limitation on that. He said the Court could be issuing bench warrants for those citations. It will be interesting to see how we switch from criminal to civil, noting it has to be a civil liability for it to be collected by a collections agency. He said we will have to examine that closely before we "go off on a tangent." He said we have a large amount of money due in parking fines.

- Chair Dominguez said perhaps Mr. Tapia can figure it out and get an answer to some of these questions.

Mr. Tapia said this is something for Legal and he can deal with that with Legal. He said a public debt is always owed, and can't be written-off or fall under the statute of limitations. He said we do soft collections here at the City, because these are constituents. He said they are talking about collecting from people who have moved, which can't be found and it's been 3 plus years – they are looking at collections on those. He said he was unaware we couldn't use a collection agency on these because these are criminal. He thought we could use this company to do that kind of stuff.
- Councilor Dimas said perhaps he could be wrong, but he doesn't think a criminal matter can't go to collections.
- Councilor Ives said Mr. Tapia was in the early meetings in looking at modifying how the City handles its parking violations, and in engaging the City Attorney, he will be the point person on that.
- Councilor Dimas said when the Pueblo of Pojoaque Tribal Police issue a traffic citation it is a civil citation, not criminal and doesn't go on the person's record, and they can do that. Here, he believes people have to see Judge Yalman for a parking citation. He said we could change parking violations to be civil citations rather than criminal and we wouldn't have that worry.
- Mr. Tapia said people have so long to pay a parking ticket, or else they have to go to Judge Yalman.
- Councilor Ives recalled there are complicating issues in going to civil citations, because of a provision in State Code requiring a 50% reimbursement of citations to the State under the Uniform Traffic Code. He said they didn't want to see 50% of the revenue going back to the State and we're doing all the work. He said, "Marcus should have some of that information in the City Attorney's Office."
- Chair Dominguez would like to get answers to these questions as soon as practicable.

Mr. Tapia said he will speak with Kelly Brennan, and he believes he can get the answers by the Finance Committee meeting on December 2, 2013.
- Chair Dominguez asked if any of this gets in the way of the RFP.

Mr. Tapia said yes, it will.

Mr. Rodarte said he can add an addenda to the RFP so we can do the changes.

- Chair Dominguez asked if we would be looking at the last part of January 2014 to take action at the Committee level.

Mr. Rodarte said it is difficult to get a quorum of the Committee during the holidays, but he believes it can be done by the end of January 2014.

- Councilor Ives quoted from Item #28, from packet page 16, "Maintain in effect an errors and omissions insurance policy in the amount of \$500,000 to protect against errors and omissions by the Collector or any of its officers, agents of employees." He asked under the Fair Debt Collections Practices Act if we are happy with the \$500,000.

Mr. Rodarte asked if he is wanting a \$2 million minimum, noting that will cut out half the bidders and we are then dealing with only the big companies. There are a lot of qualified, smaller companies that won't have that coverage.

- Councilor Ives asked Mr. Rodarte to check with the City Attorney's Office to see if they are satisfied with that as an appropriate amount to protect the City against any derivative suits. He also would like to add the City as an additional insured under their insurance policy. However, he questioned whether that can be done for errors and omissions.
- Chair Dominguez said, "It's fair to ask Legal these questions." He cautioned the Committee that if we start to meddle in the limits, that could get us into some trouble.
- Chair Dominguez asked if we want this item back here at the Finance Committee. He said the risk, if we bring it back to the Committee, is that there will be more questions, and it could delay the RFP process.

Mr. Tapia said we can go forward with the RFP. He said we can put it back 2-3 weeks if the Governing Body would like to add an addenda to it.

Councilor Ives said this hasn't gone before Council.

Mr. Rodarte said it will go to the Council on December 11, 2013, after that, it would be in January.

Chair Dominguez said then you don't want action today, you want action at the next Finance Committee.

Mr. Rodarte said he can make the changes, noting everything is doable, with the exception of the change from a criminal to a civil citation. He said, "I would like to make these changes and then let it take it's course."

Chair Dominguez said then this will be on the agenda for the Finance Committee meeting of December 2, 2013.

B. UPDATE ON GROSS RECEIPTS TAX REPORT RECEIVED IN NOVEMBER 2013 (FOR SEPTEMBER ACTIVITY) AND LODGERS' TAX REPORT RECEIVED IN NOVEMBER 2013 (FOR OCTOBER 2013 ACTIVITY). (MARCOS TAPIA)

Mr. Tapia said the GRT is up about \$2,489,000 over the last fiscal year, but it is not back to the 2007-2008 levels. He said next month we will know how the federal shutdown impacted the City, which will be the "true tell," and the potential for that if it happens again.

Chair Dominguez said then the \$2.4 million doesn't include the action we took earlier with ITT.

Mr. Tapia said it has no impact on that.

Mr. Tapia said the Lodgers' Tax collections don't go hand-in-hand with the GRT's. However, the difference in collections tells him we are having more retail and other items, such as home sales, from which we are receiving GRTs. He they did see an increase in Lodgers' Tax this period, but the previous ones were down.

Councilor Ives said on packet page 6, it shows the GRT analysis by category which is interesting. He asked about the Professional Scientific Technical which is a large figure which shows an increase of 17.18%, and asked what is included in that.

Mr. Tapia said staff has been trying to meet with Taxation and Revenue and determine what is in each of the categories, and he doesn't have that information. He will continue to seek this information.

Chair Dominguez asked if there is an indication that what is happening at the hospital could /impact the City.

Mr. Tapia said the only thing he knows is that they may be looking at another hospital coming in which would be able to employ some of these people. His concern with the process is why they do these things right before Christmas.

Chair Dominguez said then there is no information about the impact from the layoffs.

Mr. Tapia said he has no further information at this time.

Councilor Ives said he actually would like to hear from the people at hospital. He has heard that the hospital sent some \$21 million from Santa Fe to Christus in Texas. He said they somehow missed out from some \$70 million funds through indigent service compensation. He is struggling to make sense of the large dollar amounts. He will report back to the Committee if he hears anything further.

27. MATTERS FROM THE COMMITTEE

Councilor Ives reminded staff he is still hoping to see a big spreadsheet on SWAN park, to help him to understand the context of the entire project in dealing with smaller portions of the whole project.

Chair Dominguez said we have the reports which were given to POSAC, and asked if that is what he wants.

Councilor Ives doesn't know what was given to POSAC.

Chair Dominguez said, then let's start there with the report which was given to POSAC.

Councilor Ives said part of his problem is SWAN Park has been in the City process for an extended period of time, and he's only seen pieces here and there. He doesn't have an understanding of the context of the whole.

Chair Dominguez asked staff to prepare a summary with a spreadsheet, with the effluent line monies included.

Chair Dominguez will start doing a mid-year budget review in January. He will talk with Mr. Tapia about the formatting/designing of that for the Committee.

Mr. Tapia said he has been preparing a one-page summary for all departments – revenue and expenditures. It will show you what you approved, what has changed, what has been expensed and the revenue received to date.

Chair Dominguez said he will meet with Mr. Tapia next month, so he can present something at the last meeting in January.

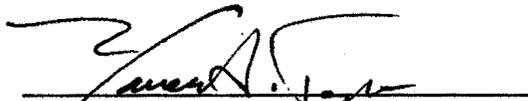
Chair Dominguez requested that Mr. Rodarte prepare a summary of everything that has happened in terms of collections – what has happened to date and a summary of outstanding collections. He wants that for the next Finance Committee meeting.

28. ADJOURN

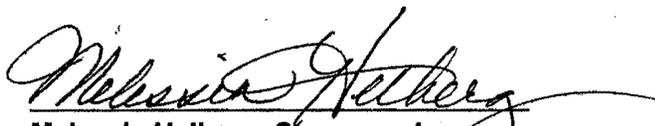
There was no further business to come before the Committee, and the meeting was adjourned at approximately 6 p.m.

Carmichael A. Dominguez, Chair

Reviewed by:



**Marcos A. Tapia, Director
Department of Finance**



Melessia Helberg, Stenographer