



**SUMMARY OF ACTION  
FINANCE COMMITTEE MEETING  
Tuesday, January 7, 2014**

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**ITEM**

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Approved

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**MINUTES OF THE  
CITY OF SANTA FE  
FINANCE COMMITTEE**  
Tuesday, January 7, 2014

**1. CALL TO ORDER**

A meeting of the City of Santa Fe Finance Committee was called to order by Councilor Carmichael A. Dominguez, Chair, at approximately 5:00 p.m., on Tuesday, January 7, 2014, 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 Peter N. Ives

**MEMBERS EXCUSED:**

Councilor Bill Dimas

**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 AMENDED AGENDA**

Mr. Tapia said Councilors Ives, Bushee and Calvert need to be added as cosponsors to Item #18. Chair Dominguez said he would like to be added as well.

Mr. Tapia noted a Memorandum was handed out for Item #12.

Councilor Ives asked that Item #17 be postponed, noting he understands a substitute measure will be coming forward.

Responding to a question from the Stenographer, Chair Dominguez said Item #17 is not postponed to a date specific, and will have to be rescheduled once the substitute measure is introduced.

**MOTION:** Councilor Ives moved, seconded by Councilor Calvert, to approve the amended agenda, as amended.

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

#### 4. APPROVAL OF CONSENT AGENDA

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

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

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#### CONSENT AGENDA

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A copy of an Action Sheet from the Public works/CIP and Land Use Committee of Monday, January 6, 2014, regarding Item 9, is incorporated herewith to these minutes as Exhibit "1."

A copy of an Action Sheet from the Public works/CIP and Land Use Committee of Monday, January 6, 2014, regarding Item 10, is incorporated herewith to these minutes as Exhibit "2."

A Memorandum dated January 7, 2014, to the Finance Committee, to the Finance Committee, from Cindy Padilla, Environmental Services Division Director, regarding Item 12, is incorporated herewith to these minutes as Exhibit "3."

A copy of an Action Sheet from the Public works/CIP and Land Use Committee of Monday, January 6, 2014, regarding Item 18, is incorporated herewith to these minutes as Exhibit "4."

#### 6. BID NO. 14/19/B – FY 2013/2014 AGUA FRIA, ALTA VISTA & AVENIDA CORDONIZ WATER MAIN REPLACEMENT PROJECT AND AGREEMENT BETWEEN OWNER AND CONTRACTOR, BLUELINE CONSTRUCTION, INC. (DEE BEINGESSNER)

7. BID NO. 14/21/B – FIRE DEPARTMENT UNIFORMS. (JAN SNYDER)
  - A. CAPITAL CITY UNIFORM
  - B. NEVE’S UNIFORMS & EQUIPMENT
  - C. ROADRUNNER SCREEN PRINTERS
  
8. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – MEDICAL DIRECTION SERVICES FOR FIRE DEPARTMENT EMERGENCY MEDICAL SERVICES (EMS); HEALTHFRONT, P.C. (BRIAN CALDWELL)
  
9. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – REFURBISH ROCK SALE STOCKPILES FOR STREETS AND DRAINAGE MAINTENANCE DIVISION; NEW MEXICO SALT & MINERALS. (DAVID CATANACH)
  
10. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – REFURBISH RED SCORIA CINDER STOCKPILES FOR STREETS & DRAINAGE DIVISION; MONARCH MOUNTAIN MINERALS & AGGREGATES. (DAVID CATANACH)
  
11. *[Removed for discussion by Councilor Calvert]*
  
12. REQUEST FOR APPROVAL OF GRANT AGREEMENT – NEW MEXICO CLEAN DIESEL GRANT PROGRAM; NEW MEXICO ENVIRONMENT DEPARTMENT, AIR QUALITY BUREAU. (CINDY PADILLA)
  - A/ REQUEST FOR APPROVAL OF PROCUREMENT UNDER BID NO. 13/20/B FOR CNG FRONT LOADING REFUSE COLLECTION UNIT FOR ENVIRONMENTAL SERVICES DIVISION; BRUCKNER TRUCK SALES, INC.
  - A. REQUEST FOR APPROVAL OF BUDGET INCREASE/ADJUSTMENT – GRANT FUND.
  
13. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO CAPITAL IMPROVEMENT PROGRAM AGREEMENT BETWEEN OWNER AND CONTRACTOR – FY 2013/2014 WASTEWATER DIVISION PUBLICLY OWNED TREATMENT WORKS REPAIR, REPLACEMENT AND EXTENSION CONTRACT; TLC COMPANY, INC., D/B/A TLC PLUMBING AND UTILITY. (STAN HOLLAND)
  
14. *[Removed for discussion by Councilor Calvert]*
  
15. REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO THE PROCUREMENT OF TOBACCO BY MINORS; AMENDING SUBSECTION 16-15.4 SFCC 1987, TO AMEND THE DEFINITION OF “TOBACCO PRODUCT” AND CREATE A NEW DEFINITION FOR “ELECTRONIC SMOKING DEVICE” (COUNCILORS TRUJILLO AND BUSHEE). (ALFRED WALKER) Committee Review: Public Safety Committee (approved w/amendment) 12/17/13; City Council (request to publish) 01/08/14; and City Council (public hearing) 01/29/14. Fiscal Impact – No.
  
16. *[Removed for discussion by Councilor Bushee]*

17. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 14-8.14(E) SFCC 1987, TO EXTEND FOR ONE YEAR THE PERIOD DURING WHICH IMPACT FEES FOR RESIDENTIAL DEVELOPMENTS SHALL BE REDUCED BY 100% AND TO REDUCE IMPACT FEES FOR RESIDENTIAL DEVELOPMENTS BY 50% FOR A PERIOD OF ONE YEAR THEREAFTER; AND MAKING SUCH OTHER STYLISTIC OR GRAMMATICAL CHANGES THAT ARE NECESSARY (COUNCILOR WURZBURGER). (MATTHEW O'REILLY) Committee Review: Public Works Committee (approved) 12/09/13; City Council (request to publish) 12/11/13; Capital Improvements Advisory Committee (approved) 12/12/13; Planning Commission (denied) 12/19/13; and City Council (public hearing) 01/08/14. Fiscal Impact – Yes.
18. REQUEST FOR APPROVAL OF A RESOLUTION DECLARING CITY SUPPORT FOR THE “UNITED FOR HOMES” CAMPAIGN TO RAISE REVENUE FOR THE NATIONAL HOUSING TRUST FUND SO THAT COMMUNITIES NATIONWIDE CAN BE SUPPORTED IN THEIR EFFORTS TO END HOMELESSNESS (COUNCILOR WURZBURGER, COUNCILOR DOMINGUEZ, COUNCILOR IVES, COUNCILOR CALVERT AND COUNCILOR BUSHEE). (ALEXANDRA LADD) Committee Review: Public Works Committee (scheduled) 01/06/14; and City Council (scheduled) 01/08/14. Fiscal Impact – No.
19. *[Removed for discussion by Councilor Ives]*
20. *[Removed for discussion by Councilor Ives]*

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 END OF CONSENT AGENDA  
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5. APPROVAL OF MINUTES: REGULAR FINANCE COMMITTEE MINUTES FROM NOVEMBER 18, 2013; AND REGULAR FINANCE COMMITTEE MINUTES FROM DECEMBER 2, 2013.

**MOTION:** Councilor Calvert moved, seconded by Councilor Ives, to approve the minutes of the Regular Finance Committee Meeting of November 18, 2014.

**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.

**MOTION:** Councilor Ives moved, seconded by Councilor Calvert, to approve the minutes of the Regular Finance Committee Minutes of December 2, 2013.

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

## CONSENT CALENDAR DISCUSSION

### 11. REQUEST FOR APPROVAL OF GRANT AWARD – SANTA FE ARTS COMMISSION 2014 PICS INTERNSHIP PROGRAM; PRINCETON INTERNSHIPS IN CIVIL SERVICE. (DEBRA GARCIA Y GRIEGO)

#### A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.

Councilor Calvert asked how much this will cost the City, commenting it stated different amounts in different places. He said it indicates we are getting a grant for \$13,000. He said it references Exhibit "B," which wasn't in the packet.

Ms. Garcia y Griego apologized that it wasn't in the packet, saying it was an email from Princeton stating the offer and the intern was to be paid at least \$450 per week. She said under the Living Wage Ordinance they are paid more, so the cost last year was approximately \$4,000 for the 8-week internship.

Councilor Calvert said he presumes the cost will be \$4,480, and Ms. Garcia y Griego said this is correct. Councilor Calvert asked if the difference has been budgeted.

Ms. Garcia y Griego said yes, noting it has been a standing item in the budget since they became involved in the program.

Councilor Calvert said we want to be sure that the intern is productive, that the City gets something out of its participation, and "we're not just taking it because we're getting \$1,350."

Ms. Garcia y Griego said, "It's been an incredibly valuable program for us. The interns that have come to us have been very high quality, very experienced, worked hard and been dedicated. And frankly, it's the only way we're able to operate the Art on Loan Program, because the regular staff doesn't have time to solicit loans, go through the submissions, present them, get them installed. This is a visible program that the public enjoys, so I think in terms of my minimal estimate, it is very much worth the return."

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

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

### 14. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE CITY OF SANTA FE ANIMAL SERVICES ORDINANCE, CHAPTER 5 SFCC 1987 (COUNCILOR BUSHEE). (JOHNNY MARTINEZ) Committee Review: Public Safety Committee (approved) 12/17/13; City Council (request to publish) 01/08/14; and City Council (public hearing) 01/29/14. Fiscal Impact – No.

Councilor Calvert said he is supportive of the Ordinance, but he is somewhat confused about a couple of things. He said we are amending definitions and taking certain things out, but the "one we're

replacing with is not in the definitions. We're deleting kennels, grooming parlors, pet shops and shelters and inserting in lieu thereof professional animal care, but we didn't define professional animal care."

Officer Martínez said all animal entities must apply annually for a professional care permit which is under permits, which allows us to do inspections and ensure everyone is in compliance with City Ordinance.

Councilor Calvert said he understands, and reiterated his concern about the definitions.

Officer Martinez said they can define that item.

Councilor Calvert said this allows for a trolley system, which is 10 feet or longer in some places and in other 12 feet. He said we need consistency on that. He said on Ordinance page 6, there is a definition of the trolley system which is 10 feet or longer, and on Ordinance page 11, line 18, it says, "The device shall be at least 12 feet long."

Officer Martinez said he can make that correction, noting there is a 10 foot run with a cord attached, and he will change everything to 10 feet.

Chair Dominguez asked if they are talking about the device in one place and the tether in the other.

Officer Martinez said two different cords are required for the tether, so there are two different mechanisms in the trolley system.

Councilor Calvert said it references an Exhibit A in the definitions section, but he didn't see an Exhibit A which would help to clarify all of the questions.

Melissa Byers said that will be included in the next packet.

Officer Martinez said we want to do away with all of the animals being tethered here in Santa Fe, and we're taking a step with the trolley system trying to be more humane without the chains.

Councilor Calver said perhaps this should be done incrementally.

Councilor Bushee said the Municipal Judge may not be getting back quickly enough with the language in places.

Ms. Byers said Judge Yalman has concerns with the current definitions of "dangerous animal" and "vicious animal," and she has called the Judge for clarification, so an amendment may be introduced to this bill tomorrow at Council with the Request to Publish.

Chair Dominguez asked if there is a time urgency on this Ordinance.

Councilor Bushee said no, but it has been hanging around for a while. She said we waited for the County to go through its process, thinking we may have a seamless ordinance process. However, there are different concerns in the rural areas. She said she thinks the County updated its ordinance, and borrowed some things from our Ordinance and "kept some others individualized."

Council Calvert, quoting from Ordinance Page 14, said, "Line 8, Item h. Every individual entity that provides animals for sale or adoption shall purchase and display a professional animal care permit issued by the administrator. Any entity that is discovered representing another entity's animal as their own, shall be in violation of this Chapter, and shall be cited and may be required to forfeit..." He asked if "individual entity" applies to the people who take their newborn kittens or dogs to the Coop and say they have animals to give away.

Officer Martinez said, "No. This section applies to outside agencies that come into, for example, PetSmart or PetCo and advertise animals, trying to sell them under the Petco permit."

Councilor Calvert said he understands, but asked if the language captures more than you want.

Officer Martinez said he can revise that language.

Councilor Calvert said the language needs to be specific that you are talking about business entities, as opposed to individuals or personal entities. He said he isn't going to provide the wording, reiterating he may be capturing more there than he wants to capture.

Councilor Bushee asked if this bill will go to the Public Works Committee, and the Chair said no.

Councilor Ives said Section 5-7.9 is an amendment to bring the definition of service animal into compliance with the Americans with Disability Act. He said presumably the ADA provides that "...only a dog or a miniature horse that is individually trained to do work or perform tasks for a person with a disability is a service animal to which the act applies."

Officer Martinez said that is correct.

Councilor Ives said then presumably the particular animal has to be trained to do that work. He said he wants to be sure, because we hear folks describing dogs as a service animal without any reference to training, merely as a sort of companion as opposed to a full-blown service animal as defined here.

Officer Martinez said, "It is required to be trained. However, it is a very touchy subject when dealing with them, so we are pretty lenient. Most of the time, when people tell us they have a service animal, we take their word, and don't demand proof. But that is the exact wording of the ADA law, so we would like to change ours to govern that."

Councilor Ives asked if he knows of instances in Santa Fe where people purport to be using anything other than a dog or a miniature horse as a service animal.

Officer Martinez said, "No. And right now we don't have any horses, but there are people with therapeutic cats they walk around with, or birds. But as far as service animals, they are downsized to dogs and miniature horses."

Councilor Calvert said on Ordinance page 12, in Section 5-6.1 Purpose, we are introducing some new terms – animal training, dog walking or animal sitting business. So we're introducing those, but we haven't defined them."

Officer Martinez said this is correct, but they will be part of the definitions.

Chair Dominguez said then work needs to be done on this before tomorrow, depending on whatever action the Committee takes today, noting it will be at the Council tomorrow for a Request to Publish.

**MOTION:** Councilor Calvert moved, seconded by Councilor Ives, to approve this request with direction to staff to make sure the amendments are provided as this moves forward.

**DISCUSSION:** Councilor Bushee said the biggest change is no tethering, which is a significant change.

Officer Martinez agreed, commenting that compliance with the ADA is another significant change.

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

- 16. REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO SANTA FE SMOKE FREE ORDINANCE, SECTION 10-6 SFCC 1987; AMENDING SUBSECTION 10-6.2 TO INCLUDE FINDINGS RELATING TO ELECTRONIC SMOKING DEVICES AND AMENDING SUBSECTION 10-6.3 TO INCLUDE DEFINITIONS FOR "ELECTRONIC SMOKING DEVICE" AND "TOBACCO PRODUCT" (COUNCILOR TRUJILLO). (ALFRED WALKER) Committee Review: Public Safety Committee (approved w/amendment) 12/17/13; City Council (request to publish) 01/08/14; and City Council (public hearing) 01/29/14. Fiscal Impact – No.**

Councilor Bushee said when she brought the Santa Fe Smoke Free Ordinance forward she believed strongly in it, and for everyone who has to be inside with second hand smoke. She said a lot of people are using eCigarettes. She asked if there are studies in terms of the second hand smoke effects of eCigarettes, noting nicotine is an ingredient but certainly less. She said she wants to make sure she has justification for the Ordinance. She said many of her friends have been helped with eCigarettes, but understands the concept of not wanting others to be impacted. She wants to be sure we are basing this on recent studies or evidence.

Mr. Walker said, "To the best of my knowledge, the studies depend on who's doing the studies. That's my understanding. My understanding also is that the Food & Drug Administration has refused to certify electronic cigarettes as a smoking cessation device. It will not do it. And the FDA was intending to

promulgate regulation of these devices in October of last year, however, that has been postponed and people are waiting for those to come out any day now. As far as I know, they haven't come out, but.."

Councilor Bushee asked if the feds are close to taxing eCigarettes.

Mr. Walker said he doesn't know and hasn't looked into that at all.

**MOTION:** Councilor Calvert moved, seconded by Councilor Bushee, to approve this request with the amendments.

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

- 19. REQUEST FOR APPROVAL OF A RESOLUTION ENCOURAGING THE CITY MANAGER TO ESTABLISH AN ADMINISTRATIVE POLICY THAT WOULD CLARIFY THAT THE CITY MANAGER IS ALLOWED TO GRANT ADMINISTRATIVE LEAVE TO EMPLOYEES WHO SERVE AS A MUNICIPAL REPRESENTATIVE ON A NON-CITY DECISION-MAKING BODY, IF IT IS DETERMINED TO BE IN THE BEST INTEREST OF THE CITY (COUNCILOR DOMINGUEZ). (SANDRA PEREZ) Committee Review: City Council (scheduled) 01/08/14. Fiscal Impact – No.**

Councilor Ives asked about the language in the FIR which proposes the granting of leave for municipal representatives of a "non-City decision-making body." He asked what that means.

Sandra Perez, Interim Director, Human Resources, said for example, the PERA Board has positions specifically allocated for municipal employees as well as the Retiree Health Care Board, and the NMML also has committees or groups which require municipal employees. She said there probably are many other different boards, including the credit union boards, that want City employees to run for or seek appointment to those boards. This would allow those employees 8 hours a month to participate these meetings, typically held during the work day. The PERA Board at times has Board work sessions for multiple days. The employee would be given 8 hours a month, and anything above that would be the employee's responsibility.

Councilors Ives said it is undefined to the point where he was confused. He said it makes sense to grant leave in those circumstances which participation is serving a real function on behalf of the City.

**MOTION:** Councilor Ives moved, seconded by Councilor Calvert for purposes of discussion, to approve this request, with an amendment to require a one year report on all of the entities for which this leave has been granted to City employees.

**DISCUSSION:** Chair Dominguez said we should incorporate this into the City's budget as well.

Councilor Bushee said other employees have raised other similar issues with her. She understands certain employees are given administrative leave to serve the Rodeo or in the Fiesta Court, but didn't get the same amount of administrative leave. She doesn't know where that needs to be addressed.

Ms. Perez said Councilor Bushee is correct that there are a variety of small amounts of leave which have been granted. During the Rodeo the Mayor granted leave to 1-2 employees the day before the Rodeo for set-up and then for breakdown after the Rodeo, but leave was not granted to some Fiesta Council members, although one employee was given leave for Fiesta Council activities. She said HR has tried to be consistent in the granting of leave, noting that each situation is handled individually, noting these requests went through the Mayor and the City Manager.

Councilor Bushee said if there is a policy, it should be equitable and made available to all employees, rather than situational.

Ms. Perez said there is a general policy, Rule 13.6, which provides, "Department heads may grant, with the prior approval of the City Manager, up to 5 days." She said typically they speak with the City Manager. She said HR tries to keep a record of what has been approved and disapproved to try to bring perspective and consistency.

Councilor Bushee asked if this needs to be done by Resolution, and if this amends a policy. She said, "I guess what I'm trying to prevent is the said person that asked me, it didn't occur to me that I need to bring a resolution for it. I just assumed you handle these things administratively."

Chair Dominguez said it is to memorialize current practice.

Councilor Bushee said her question is, could you have done this administratively.

Ms. Perez said it could have been done under Rule 13.6. She said, "What I read through this resolution which helps us by establishing a policy, is specifically bringing the framework around these particular entities requiring a position to be municipal, and it's giving the employees the understanding that if I choose to run with one of those positions, I can be assured I can go to this meeting and not have to take leave or maybe be denied my personal leave, or possibly have the administrative leave or not. The administrative leave is broad enough that we could have applied and we wouldn't need the resolution. What the Resolution does it brings something specific that some of our general policies do about certain situations in this regard, these boards for sure, so it guarantees the administrative leave for these boards. Otherwise, we could have administered it the other way."

Councilor Bushee said the NMML committees are just for Councilors.

Ms. Perez said yes, but there are committees and sub-committees to which people are appointed by virtue of having been a municipal employee.

**VOTE:** The motion was approved on a voice vote with Councilor Calvert, Councilor Ives and Chair Dominguez voting in favor of the motion, no one voting against, and Councilor Bushee not voting.

20. **REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A HOSPITAL STUDY GROUP FOR THE PURPOSE OF GATHERING INFORMATION AND MAKING RECOMMENDATIONS RELATED TO THE CURRENT GENERAL STATE OF CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER (COUNCILOR BUSHEE, MAYOR COSS AND COUNCILOR IVES). (KATE NOBLE) Committee Review: City Council (scheduled) 01/08/14. Fiscal Impact – No.**

Councilor Ives said as he read the Resolution he had concerns, noting he thought it should be broader in a number of different issues in the community. He said he will be introducing a similar, but different Resolution which expands on this to engage in a broader discussion which considers anticipated changes in the Indigent Fund which is likely to happen at the Legislature. He thinks any changes would impact funding from the County to entities providing services to the indigent, in particular La Familia. He will be calling for the formation of a health working group to look at a slightly broader context.

Councilor Bushee said, "I actually have an action, and you don't need to discuss the bill. I have changes I am working on for this bill. I'm going to more than postpone it, I'm going to pull it at this time."

*The Committee asked to comment on the Resolution.*

Councilor Calvert said he saw the dates at the end of the Resolution, which seemed to be fairly aggressive and did not give enough time for the process to work itself out. He said in one of the studies given us to study, it indicated it is good to keep the working group in place during the implementation phase. He said the Resolution provided the group would go away after 3 months, which may be premature.

Councilor Bushee said this was modeled on a process happening in Taos with its hospital, and it is to bring attention to a variety of issues from economics to level of care offered. She said the Committee membership can be expanded and deadlines flexible. She has heard from constituents and she is starting to hear from the medical community once the issue was raised. She said she feels we need a thorough vetting of the issue, and she certainly is open to an ongoing committee. She said we can't ignore health care here in the City. She said the Affordable Health Care Act has brought this to the forefront, and it is important that we look at it collectively. She wants to see the Committee, if formed, to be a City/County committee, and she wants to involve members of the industry, citizens that use the service, and deal with the economic aspects.

Councilor Bushee continued saying, "When I raised this I was very sincere in saying that this is not an attempt at any kind of confrontational vetting grievances. This is seriously an attempt to look at... we've had the former CEO of St. Vincent's to come to us and tell us their concern about federal monies being withdrawn and matching funds and plights they felt they had financially. And it feels to me that we have a big investment by the fact that we have one acute care facility in this community. And we want to see it stay and deliver the best services possible. So how we can do that collectively as governing bodies, I hope that's going to be something we actually entertain, and soon. I don't think it can be put off, the discussion. So I'm hopeful that we will have a public hearing soon. I want to work on a few more sections.

If there other comments or additions, or potential new directions, please send them to me via email, and it will be back soon.”

Councilor Bushee continued, “I brought it to this Committee because I serve on this Committee. It didn’t really have a Committee that it needed to go to particularly. So at some point, I would like to see a hearing, and it’s not always the practice of this Committee to have hearings, so maybe that happens at the Council level, and I’ll talk to the Mayor who I think is still a cosponsor, so thank you.”

Chair Dominguez said he thinks there is a need to have dialogue in the community, and he thinks the City could facilitate some of that dialogue just to make sure that our constituency understands their health care options and the complexities of what is happening in the health care industry. He said, of course, Christus St. Vincent and La Familia are important partners, and believes it is appropriate for the City to facilitate the dialogue and make sure that there is an effort from the bottom up to understand what the constituency wants to know or what they have to say about health care.

Councilor Dominguez said he has questions, such as what is the definition of a “health care industry expert.” He said without getting into the details and nitpicking, he is glad we will have the opportunity to have that discussion.

Melissa Byers, Legislative Liaison, said, “I want to clarify with Councilor Bushee. This is on Council tomorrow, so are you withdrawing the Resolution altogether.”

Councilor Bushee said, “Yes, I am. In fact, when I spoke with the Clerk earlier, she already had the packet ready. I had hoped we were going to have it as a public hearing in the evening. And so I will talk with the Mayor and her and see how we can facilitate this.”

Ms. Byers said, “So you’ll just withdraw it and introduce another one.”

Councilor Bushee said, “Yes. At another time.”

***There was no action on this item***

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**END OF CONSENT CALENDAR DISCUSSION**  
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**DISCUSSION**

**21. OTHER FINANCIAL INFORMATION:**

- A. UPDATE ON ITT DEPARTMENT (LISA MARTINEZ)**
  - STRATEGIC PLAN**
  - PROJECT PRIORITY LIST**
  - MATRIX OF OUTSTANDING CONTRACTS**

A copy of a Memorandum dated January 7, 2014, to the Finance Committee, from Lisa D. Martinez, Interim Director, Information, Technology & Telecommunications [ITT] Department, to the Finance Committee, with attachments including the draft ITT Strategic Plan, a Matrix of Outstanding ITT Contracts, an ITT Project Priority List, and current list of contracts, is incorporated herewith to these minutes as Exhibit "5."

Lisa Martinez reviewed the information in Exhibit "5" as follows: The draft ITT Strategic Plan, a Matrix of Outstanding ITT Contracts, an ITT Project Priority List, and current list of outstanding ITT contracts Please see Exhibit "5" for specifics of this presentation.

*The Committee commented and asked questions as follows:*

- Chair Dominguez thanked Ms. Martinez for her work and bringing these forward. He asked if the \$2.4 million in the matrix is the annual cost to maintain current licenses, or if it is a mix of all kinds of things.

Ms. Martinez said it is a mixture of a number of different licenses spread across the entire City.

- Chair Dominguez asked if training is involved.

Ms. Martinez said, "Yes. In a number of the contracts currently in place, and new ones we've been looking at, one of our priorities to look at ways, when the vendor comes in to provide the service, we're also asking them if they can provide us with in-house training so that ultimately we can bring that back in-house, and not have to renew the contract in the following year."

- Chair Dominguez said then the \$2.4 million is just to maintain what we have right now – cell phones, desk tops, server and such.

Ms. Martinez said that is correct.

- Chair Dominguez said, in looking at the strategic goals, in the past members of the Governing Body have brought up service to the public which is very important. So we are making sure services are more accessible electronically available to the public. He said what has been identified in the annual cost doesn't take us to the next level of services to the public. Or, if she is saying we can increase that ability with some of the services we're providing right now, the \$2.4 million.

Ms. Martinez said she believes we still can increase those services. She said, "When training comes from our consultants to the staff, it enables them to be able to do more. Some of the things we're working on right now on utility billing, are all about improving those programs and services, enhancing what we have right now, to be able to make it easier for the public to be able to access this information, pay bills on line."

- Chair Dominguez said, "I always see things as, there's the user of software, right, and you can get training to become very proficient in some of that software. Then there also are programmers that take the software to the next level, but there's also the infrastructure. And so I guess the question is, with regard to training, the training may be good for the employee who is going to be administering that ability to provide the public with more service. Do we have the infrastructure to get that done. Do we have the capacity, the right infrastructure, I don't know how else to explain it."

Ms. Martinez said in certain instances we do, and in a lot of instances we don't. She said, "There are modules to a lot of programs that we have in place that we have yet to implement, that can advance the services that we provide, not only to the general public, but to our employees. Just as an example, one of the pieces we're working on now with our accounting system is an electronic timesheet systems, so our staff and managers can much more easily enter the time that they've worked. Managers can approve it. It's just with a click of couple of buttons, instead of having to deal with all the paperwork that we've dealt with for years, we're currently running out of the pilot programs through certain departments in the City. And this is a module that belongs to a program that we've had for a little while. It's just been a matter of needing to have the right training and taking the time to be able to implement it. And I know we have several of those, and there are several of them that are in the works."

- Chair Dominguez said, "So you're saying, once we get folks trained and we get the proper upgrade or model, then we'll be able to provide more services to the public."

Ms. Martinez said, "Yes, Mr. Chair, ultimately that's our goal."

- Chair Dominguez said then we can do that with some of this \$2.4 million now.

Ms. Martinez said her understanding is that's correct. She asked if she is wrong, then Karen, Thomas or ITT contract experts can correct her if she doesn't have that information right.

- Chair Dominguez said, "It's been a dream of mine, if you want to call it that, to basically go paperless for the Governing Body. And I've always felt that there already is software out there that provide that, but I've always felt that we don't... aside from folks not wanting to go paperless, we don't have the capability necessary to go paperless. With the website, sometimes things aren't provided to the public, whatever the case may be. And so if someone were to bring a piece of legislation moving in that direction, to go paperless, would the ITT Department have the ability, outside of purchasing new equipment, to provide a paperless environment for the Governing Body."

Ms. Martinez said, "That's certainly a goal that I would like to pursue and I don't know what kinds of complex or expensive hardware and software we would need to do something like that. I can tell you that in my past life, working with the Construction Industries Division, we worked with the Commission. We always had tons of paper for every single meeting. And so, one of the things we did, is we purchased enough laptops for each of them. We would then take all of the information

and scan it in, just provide it on a flash drive before the meeting so they could go through everything, and then have it right there in front of them at the meeting. That didn't really cost us a whole lot at all and certainly saved a lot on paper resources."

- Chair Dominguez said, "Paperless is more than that."

Ms. Martinez said she understands. She said, "I keep seeing basic packets of information that get copied for City Council meetings and other things, and that is the first piece of it that comes to mind."

- Chair Dominguez said, "But we couldn't implement that tomorrow, again, aside from purchasing software and hardware. Could we do something like that tomorrow?"

Ms. Martinez said, "I'm not sure Mr. Chair. Thomas, do you know if that's something we could do right at this point."

Thomas Williams said, "No. Not right away."

Ms. Martinez said, "No. Not at this point, but it's certainly something we've talked about and that I'm interested in."

- Chair Dominguez asked if that is articulated somewhere in the draft Plan.

Ms. Martinez said, "No, not in one of those specific details that's in here, but those are some of the pieces that are coming from the individual departments."

- Councilor Calvert said, "I'm going to mostly focus on the Project Description and Schedule. And God bless Ms. Fiorina. Her name is in here so many times against so many things, and this certainly isn't any criticism of her, but obviously some of these assignments are somewhat not realistic. She's been here so many times against projects that either haven't started or have due dates that are like a month, or have already passed. They're fairly critical systems such as parking systems, trying to get the police off doing reporting. I see her name in here so many times. And, unfortunately because she is spread so thin, I think we have a lot of possibility of projects that are going to go past the projected date or we've already missed those dates in some of these cases. And I appreciate the honesty of the information."

- Councilor Calvert continued, "I guess my point is, is there an opportunity, at least in the short term, to hire some contract people she could supervise to assist her. I don't know if she's the only person working on these, or the lead. It says the project lead, but she's the lead on so many things that I'm wondering if there is an opportunity to augment in the short term, her ability to be better able to work on all of these projects and meet these deadlines."

Ms. Martinez said, "Karen is the lead on these projects, and she does have some assistance, but I will make the very important point that IT is short-handed all the way around. She is very short

staffed in her particular area and has some vacancies. We're working to see about getting those positions filled, and also evaluate the best way we can utilize the vacancies we have. In terms of looking for contractual employees, we're doing a lot of budget work, and I'm looking into that as well to see what funding we have available to do some of that, because I know we can use the help."

- Councilor Calvert reiterated, "In the short run, if you have vacant positions, obviously it takes time to fill those. In the meantime you can hire contract people perhaps because you have vacancy savings if those positions are vacant that would pay for that. I'm just looking at some of these, like the parking interface. I'm looking at the ones that have to do with the police systems, the full court system upgrade, and all those. And a lot of dates are fast approaching, or have already passed. And I'm saying I think we need to do several things simultaneously here. We can discuss whether the dates are realistic, but I don't think we'll have much discussion that some of those systems are very important to the efficient operation of the City. And they can pay dividends if we can get them in place and the sooner, the better. I think we need to look at several options in the short term. We can pursue filling vacancies, but while we're doing that, we can be doing other things if we think we can bring on someone temporarily and they can be productive in the short term."
- Councilor Calvert continued, "I'm looking at Mobile Device Management and BYOD, that says, 'Evaluate mobile device management and Bring Your Own systems for FY 14-15 budget request and new policy.' But it had an estimated completion date of 8/29/14, which is well past the budget cycle timing. 14/15 is the budget we're going to be considering this spring, and if the estimated completion on this project is 8/29/14, it's after the fact and moot." He said he is keying on the dates we're going to have difficulty meeting with existing personnel. He said, "It's not against the personnel we have, but like you say it's not enough. We probably even have the money, the budget to get some more help, so we need to do it in a variety of ways as quickly as possible."
- Councilor Calvert said near the end of that, under Project Lead you have ASP, a term with which he isn't familiar.

Ms. Martinez said that is the Special Projects Team we have working within the Finance Department which are responsible for those projects, but they work directly with IT and we meet weekly to get status reports and updates on what they're doing.

- Councilor Calvert noted the spreadsheet indicates 3 people are doing the services/contracts, and asked if that is their full time job.

Ms. Martinez said No, but they are doing several other jobs at the same time. She said, "Ideally, we would have an individual who just dealt with contracts. Clearly, there are a lot of them in place. They're complex and need lots of legal assistance. And so, in an ideal world, we'd have one or two people who managed just contracts for IT. It's not just for the IT Department, it's for the entire City."

- Councilor Calvert said he is admittedly "ignorant in this area." He asked, "Do we want, I guess for use of skills and career enrichment all that, do we want to sort of pigeonhole people in managing contracts. Is that the best use of their skills and abilities, or is something where you assign two people to take care of, or if it should spread with some of the other responsibilities, and everybody take a piece of it. I don't know if this is a good assignment or not a good assignment. I don't know if there is that kind of quality to the assignments. That's an open question I have..... I don't know if that's a good division of labor from a career and morale standpoint and whatever."

Ms. Martinez said, "One of the things I've seen need in reviewing a lot of these contracts is they're very complex and very specific to certain kinds of system. I think, in general, we need specific contract individuals who understand the general formatting requirements for putting them together. They would need to work with specific IT members who have that kind of expertise for that particular system that we're trying to implement. I think it's some collaboration, but at the same time thinking about some of the complex legalities involved. We almost need a contract/legal type person working there full time to be able to draft these and work with the technical code folks to add all the specific details. That would be in a perfect world, and my initial thought and opinion of looking at a lot of these contracts."

- Councilor Calvert said you can create redefined positions to meet your needs.
- Councilor Ives said, knowing her background, he would like to get Ms. Martinez some technical assistance to expand on the Presidio Report and what they've done, noting they've done a good job working with our network components. He said, "I'm still not seeing, as I described to you, that 30,000 foot look at all our systems and figures out where we want to go strategically, not only in terms of restructuring the system, but in terms of programs, looking for greater efficiencies, an effective way to do IT within the City."
- Councilor Ives said, "The thing that I hope your leadership brings to this area is turning a response that was referenced in the Presidio Report, which is, 'It was noted by all departments that there was a disconnect between ITT serving CSF departments as a support organization. The typical response received from ITT was no...' and that's capitalized and in quotes, followed up by technical jargon about why. I hope under your leadership IT has a service to all the departments across the City, and really can find its footing. You will find a strong proponent for modernizing, making more efficient, in me and certainly during budget time, just to give the Chair a heads up. I look forward in engaging in this dialogue with you and really making it more effective."
- Councilor Ives continued, saying he is looking at the sheet which lists various projects with dates, with a project lead, etc. He asked if anything on the list been completed.

Ms. Martinez said, "Yes. That's the thing I was going to mention is that some of these going back to December like the Municipal Court System Upgrade Project. That is complete and completed according to that date, and now we're going in and doing additional fixes as things come up. But yes, there are items on here and we probably need another column. The one thing we want to talk about at some point in the future are our accomplishments. So we will add that and let you know

which projects are done. There are many in the works and moving forward.”

Councilor Ives said he has a difficult time describing this as a priority list, unless the date is meant to establish a priority. He said it would be vital as part of the Strategic Plan to have a true priority list.

Ms. Martinez said he is correct and it should be titled something such as “Project in Progress List.” She said the priorities absolutely will come with the Strategic Plan and will be based on all of the information that is provided from the departments. The ITT Steering Committee will sit as a group to make decisions as to what those priorities should be, and those will be a formal part of the Plan.

- Councilor Ives said he sees nothing about the backup system which was discussed with the Santa Fe Legislators. He said we purchased the Hitachi systems as reported in the newspaper which were never plugged in or used. He asked if it is her intent to try to use those, even though they are at end of life. He said would urge her, as part of the priorities, to focus on that, because it is a huge legal issue if the City suffered some sort of disaster and didn’t have the capacity to recapture the information.

Ms. Martinez said it is a priority and she is looking at both backup of information as well as to have backup generators and equipment to support our systems.

- Councilor Ives said he has many more questions, but will ask those at a different time and place. He is glad this is getting the attention it needs, thanking her for her work. He said he looks forward to hearing from Ms. Martinez about what she needs to get her job done.

Chair Dominguez said the bottom line is the Governing Body needs to provide you with the resources you need to become a World Class City in technology. He recommends she put that together for budget time.

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

Mr. Tapia reviewed the information in the reports, noting there is improvement across the Board. He said there are no apparent effects from the federal shutdown, noting there were increases in GRTs. He said the Lodger’s Tax had only a small impact, and is down only \$53,000 from year. He said he looks forward to the numbers for December which will be an interesting trend indication “going down the road.”

Councilor Calvert noted the graph indicates a 100 year long range projection, and Mr. Tapia said he will correct that.

Responding to Councilor Calvert, Mr. Tapia said the reports come directly from Taxation and Revenue, so he can't respond to the areas, noting it is difficult to be able to speak to, or get a return phone call from, the people at Taxation and Revenue.

Councilor Ives notes December is higher than the revenues in the 2007-2008 benchmark – the red line.

## 22. MATTERS FROM THE COMMITTEE

### **Verbatim Transcript of this portion of this Agenda Item of the Finance Committee meeting on February 7, 2014 as requested by Councilor Bushee**

COUNCILOR BUSHEE:

I have a long one, so bear with me, to bring to the Finance Committee's attention. I would like to call for a special Audit Committee meeting to address some serious concerns that have been brought to my attention regarding the operation of the City's bar and grill out at the airport. It's my understanding that the Lessee, Santa Fe Airport Grill, has potentially jeopardized the City's FAA funding for the Airport due to substantial federal liens, over \$100,000, that the Lessee has accrued for failure to pay withholding taxes, and a long history of non or late payment of their rent out at the Airport, and finally because the City has not been maintaining a fair market value lease arrangement with the Santa Fe Airport Grill. The serious issues of non-compliance need to be addressed by the Audit Committee and the Internal Auditor. So I've asked for a special Audit Committee meeting to do that.

I would also like to follow with an issue that I raised as the Chair of the Public Works Committee in 2006, and was never addressed, we even voted on it, Councilor Calvert you're in the minutes, the development of a uniform policy relating to the issuance of any City owned liquor licenses. I would add to the Audit Committee's work plan, a review of all enterprise lease agreements, we voted on as well at that time in 2006, and gave that direction. And had it been followed up on, we might have prevented our current dilemma.

Third, I want the Audit Committee to discuss or interpret how the Internal Auditor will achieve the goals of the internal Fraud and Abuse Hotline that we recently passed. That's not the name of it officially, but that's my memory of what it was to achieve.

Fourth, I was dismayed to learn that the Legal Department had concluded that the renewal of the lease, with the tenant that is seriously out

compliance and potentially harming the City's funding, federal funding, did not need to be reviewed by the Council or even the Finance Committee.

Fifth, I still harbor concerns that I've been raising for some time, that our Internal Auditor retain complete independence. I still feel our current Ordinance could be strengthened.

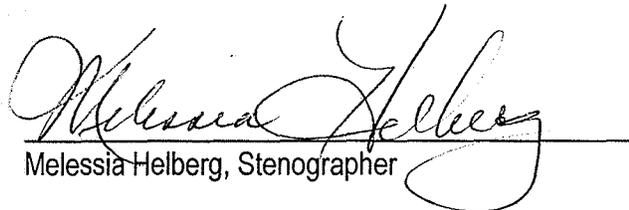
And finally, I'm disheartened that a professional member of our staff was discouraged from doing her job. She should be rewarded for trying to look out for the City's assets, not made to feel she has done something wrong.

So, that's my statement. I hope that that gets translated literally, word for word, to the Audit Committee.

CHAIR DOMINGUEZ: Ms. Helberg will you do that verbatim.

MELESSIA HELBERG: Yes sir, Mr. Chair.

*I certify that this is a true and accurate transcript of this portion of Agenda Item 22 from the Finance Committee meeting of January 7, 2014.*

  
Melessia Helberg, Stenographer

A copy of Bills and Resolutions Scheduled for introduction by Members of the Governing Body for the Finance Committee meeting of January 7, 2014, is incorporated herewith to these minutes as Exhibit "6."

Councilor Ives introduced the following:

1. A Substitute Resolution calling for the formation of a Community Health Working Group to examine the effects of the Affordable Health Care Act on the delivery of health care services to the Santa Fe Community, the cost of health care in Santa Fe and delivery of health care services to the indigent. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "7."

Councilor Ives requested this go to the Business and Quality of Life Committee, then back to the Finance Committee, and potentially to the City Council.

2. A Resolution establishing City of Santa Fe legislative priorities for water projects for consideration by the New Mexico State Legislature during the 51<sup>st</sup> Legislature, State of New Mexico, Second Session, 2014. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "8."
3. Proposed amendments to the Resolution establishing priorities for water projects. A copy of the proposed amendments are incorporated herewith to these minutes as Exhibit "9."

He said this is in large response from the request from the Legislative Delegation to have identified water priorities in the event there is a call for those priorities during the Legislature.

Chair Dominguez asked Mr. Tapia to be sure these documents are transmitted to Ms. Helberg for the record, and to him electronically in pdf format.

*Councilor Bushee departed the meeting*

Chair Dominguez said, for the record, he will be meeting with Mr. Tapia during the next two weeks to go over a mid-year budget agenda, and will want his ideas in this regard.

Mr. Tapia said he did budget books last year for the individual departments. He said something such as that will be given to the Committee for the mid-year report, showing financials for the last 6 months so the Committee will have something to look at, which provides a basis in part for their decision-making.

## **23. ADJOURN**

There was no further business to come before the Committee, and the meeting was adjourned at approximately 6:40 pm.

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**Carmichael A. Dominguez, Chair**

**Reviewed by:**



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

*Melessia Helberg*  
Melessia Helberg, Stenographer