City of Santa Fe

Agenda

FINANCE COMMITTEE MEETING
CITY COUNCIL CHAMBERS
NOVEMBER 3, 2014 – 5:00 P.M.

CITY CLERK'S OFFICE
DATE 10/31/14 TIME 9:01a
BY Yolanda Green

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES:

   Regular Finance Committee Meeting – October 20, 2014

CONSENT AGENDA

6. Bid No. 15/06/B – Security Services for City of Santa Fe Water Facilities; Chavez Security, Inc. (Alex Puglisi)

   A. Request for Approval of Budget Increase – Water Fund

7. Request for Approval of Amendment No. 1 to Agreement – Restorative Justice Program Services through Santa Fe Regional Juvenile Justice Board; State of New Mexico, Children, Youth and Families Department. (Richard DeMella)

   A. Request for Approval of Budget Increase – Juvenile Justice Program Fund

8. Request for Approval of Change Order No. 4 – Phase I Southwest Activity Node (SWAN) Park; RMCI, Inc. (Mary MacDonald and David Pfeifer)

9. Request for Approval of Professional Services Agreement – Repair, Maintenance and Service of Jacobsen Brand Equipment at MRC, Marty Sanchez Links De Santa Fe Golf Course; C & M Air Cooled Engine d/b/a C & M Turf Care Products. (Richard Thompson)

10. Request for Approval of Ratification of Change Order No. 6 to Construction Contract – Santa Fe Reservoirs Infrastructure Improvements for Water Division; RMCI, Inc. (Robert Jorgensen)

11. Request for Concept Approval of Sale of Real Estate Containing Approximately 2352 Square Feet within a Portion of the West Alameda Road Right-of-Way Adjoining 131 Sandoval Street; Galisteo Street, Inc. (Edward Vigil)

SS002.pmd - 11/02

12. Request for Approval of 2015 Finance Committee Meetings. (Teresita Garcia)

13. Independent Citizens' Redistricting Commission. (Councilors Dominguez, Trujillo and Ives) (Zachary Shandler)

A. Request for Approval of an Ordinance Relating to Redistricting; Creating a New Section 6-18 SFCC 1987 to Establish an Independent Citizens' Redistricting Commission; Amending the Santa Fe Election Code, Section 9-1 SFCC 1987 to Require That the Independent Citizens' Redistricting Commission Shall Review and Revise the City of Santa Fe District Boundaries at Least Every Ten Years; and Making Such Other Changes as are Necessary.

B. Request for Approval of a Resolution Directing Staff to Provide Outreach and Education to the Public Regarding the City of Santa Fe Independent Citizens' Redistricting Commission ("Commission") and Call on Interested Persons, Who Meet the Qualifications for Commission Membership, to Apply for a Position on the Commission.

Committee Review:

Public Works Committee (approved)	10/27/14
City Council (request to publish)	11/12/14
City Council (public hearing)	12/10/14

Fiscal Impact – Yes

14. Living Wage. (Councilor Maestas) (Zachary Shandler)

A. Request for Approval of an Ordinance Amending the Business License Ordinance, Section 18-1 SFCC 1987 and the Business Registration Ordinance, Section 18-2 SFCC 1987 to Require Businesses that Apply for a Business License or Registration or Renew a Business License or Registration to Affirm That Such Businesses are in Compliance With the Living Wage Ordinance, Section 28-1 SFCC 1987.

Committee Review:

Immigration Committee (approved)	10/07/14
City Business & Quality of Life (approved)	10/08/14
City Council (request to publish)	11/12/14
City Council (public hearing)	12/10/14

Fiscal Impact – Yes

B. Request for Approval of a Resolution Relating to the Living Wage Ordinance, §28-1 SFCC 1987; Directing Staff to Explore and Recommend to the Governing Body a Living Wage Program That Will Educate and Assist Santa Fe Businesses in Complying With the Living Wage Requirements and a Mechanism for City Staff to Perform Field Compliance Reviews of Businesses to Ensure Compliance With the Living Wage Ordinance.

Committee Review:

City Council (scheduled)	12/10/14

Fiscal Impact – Yes

15. Request for Approval of a Resolution in the Interest of Public Safety; Directing Parking Division Staff to Remove Four Parking Spaces on Canyon Road Eastbound, from Paseo De Peralta to Garcia Street. (Councilors Maestas and Ives) (Sevastian Gurule)

Committee Review:

Public Safety Committee (approved)	10/21/14
Public Works Committee (approved)	10/27/14
City Council (scheduled)	11/12/14

Fiscal Impact – No

16. Request for Approval of a Resolution Declaring the Governing Body's On-Going Support for the Homeless Community, Local Businesses and Established Residential Neighborhoods; Directing Staff to Analyze and Report Back to the Governing Body on the Overall Operation of the One-Stop for Homeless Services and Winter Shelter Located at 2801 Cerrillos Road and Whether the Shelter Should be Expanded or Relocated to Meet the On-Going Needs of the Homeless Community. (Councilor Rivera) (Terrie Rodriguez)

Committee Review:

Public Works Committee (approved)	10/27/14
City Council (scheduled)	11/12/14

Fiscal Impact – No

17. Request for Approval of a Resolution Establishing City of Santa Fe Legislative Priorities for Consideration by the New Mexico State Legislature During the 52nd Legislature - State of New Mexico - First Session, 2015. (Mayor Gonzales) (Brian Snyder)

Committee Review:

Public Utilities Committee (scheduled)	11/05/14
Public Works Committee (scheduled)	11/10/14
City Council (scheduled)	11/12/14

Fiscal Impact – No

END OF CONSENT AGENDA

DISCUSSION

18. Discuss Implementation Options Proposed per Resolution 2014-54 Regarding Donated Computers for Indigent Children Program. (Renee Martinez)

19. General Budget Discussion (Please bring Annual Operating Budget Books).

    A. Update on Finance Director

20. OTHER FINANCIAL INFORMATION

21. MATTERS FROM THE COMMITTEE

22. ADJOURN

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520 five (5) working days prior to meeting date.

SUMMARY OF ACTION
FINANCE COMMITTEE MEETING
Monday, November 3, 2014

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REQUEST FOR APPROVAL OF CHANGE ORDER NO. 4 – PHASE I SOUTHWEST ACTIVITY NODE (SWAN) PARK; RMCI, INC.	Approved	5-6
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INDEPENDENT CITIZENS' REDISTRICTING COMMISSION: REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO REDISTRICTING; CREATING A NEW SECTION 6-8 SFCC 1987, TO ESTABLISH AN INDEPENDENT CITIZENS' REDISTRICTING COMMISSION; AMENDING THE SANTA FE ELECTION CODE, SECTION 9-1 SFCC 1987 TO REQUIRE THAT THE INDEPENDENT CITIZENS' REDISTRICTING COMMISSION SHALL REVIEW AND REVISE THE CITY OF SANTA FE DISTRICT BOUNDARIES AT LEAST EVERY TEN YEARS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY	Approved [amended]	7-13
REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO PROVIDE OUTREACH AND EDUCATION TO THE PUBLIC REGARDING THE CITY OF SANTA FE INDEPENDENT CITIZENS' REDISTRICTING COMMISSION ("COMMISSION") AND CALL ON INTERESTED PERSONS WHO MEET THE QUALIFICATIONS FOR COMMISSION MEMBERSHIP, TO APPLY FOR A POSITION ON THE COMMISSION	Approved [amended]	7-13
LIVING WAGE REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING THE BUSINESS LICENSE ORDINANCE, SECTION 18-1 SFCC 1987 AND THE BUSINESS REGISTRATION ORDINANCE, SECTION 18-2 SFCC 1987 TO REQUIRE BUSINESSES THAT APPLY FOR A BUSINESS LICENSE OR REGISTRATION OR RENEW A BUSINESS LICENSE OR REGISTRATION TO AFFIRM THAT SUCH BUSINESSES ARE IN COMPLIANCE WITH THE LIVING WAGE ORDINANCE, SECTION 28-1 SFCC 1987	Approved	14-16
REQUEST FOR APPROVAL OF A RESOLUTION RELATING TO THE LIVING WAGE ORDINANCE, §28-1 SFCC 1987; DIRECTING STAFF TO EXPLORE AND RECOMMEND TO THE GOVERNING BODY A LIVING WAGE PROGRAM THAT WILL EDUCATE AND ASSIST SANTA FE BUSINESSES IN COMPLYING WITH THE LIVING WAGE REQUIREMENTS AND A MECHANISM FOR CITY STAFF TO PERFORM FIELD COMPLIANCE REVIEWS OF BUSINESSES TO ENSURE COMPLIANCE WITH THE LIVING WAGE ORDINANCE	Approved [amended]	14-16

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REQUEST FOR APPROVAL OF A RESOLUTION DECLARING THE GOVERNING BODY'S ONGOING SUPPORT FOR THE HOMELESS COMMUNITY, LOCAL BUSINESSES AND ESTABLISHED RESIDENTIAL NEIGHBORHOODS; DIRECTING STAFF TO ANALYZE AND REPORT BACK TO THE GOVERNING BODY ON THE OVERALL OPERATION OF THE ONE-STOP FOR HOMELESS SERVICES AND WINTER SHELTER (LOCATED AT 2801 CERRILLOS ROAD AND WHETHER THE SHELTER SHOULD BE EXPANDED OR RELOCATED TO MEET THE ONGOING NEEDS OF THE HOMELESS COMMUNITY	Approved	20-21
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MINUTES OF THE
CITY OF SANTA FE
FINANCE COMMITTEE
Monday, November 3, 2014

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 3, 2014, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT:
Carmichael A. Dominguez, Chair
Councilor Signe I. Lindell
Councilor Joseph M. Maestas
Councilor Ronald S. Trujillo
Councilor Christopher M. Rivera

OTHER COUNCILORS ATTENDING
Councilor Peter N. Ives

OTHERS ATTENDING:

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

Chair Dominguez said Councilor Ives wants to introduced an Ordinance, and he won't be here at the end of the meeting, and asked him to introduce the Resolution.

Councilor Ives introduced an Ordinance establishing Santa Fe Public Power, an electric public utility; providing for powers and duties of the electric public utility; and related matters, which is cosponsored by Councilor Rivera. He asked that it go to Public Works, Finance and Public Utilities, and then to the City Council.

Chair Dominguez said he will formally introduce the Ordinance under Matters from the Committee.

Ms. Garcia noted the handouts on the desk for Items 13(A) and (B) and Item #17.

Councilor Maestas asked to add a brief discussion item under Matters from the Committee – the issue of payment to the Fiesta Committee for marketing and advertising in conjunction with this year's Fiesta. He said Fiesta Council President Gilbert Romero is in attendance to support this issue, although he may not be able to attend the entire meeting.

MOTION: Councilor Rivera moved, seconded by Councilor Maestas, to approve the agenda, as amended.

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

4. APPROVAL OF CONSENT AGENDA

MOTION: Councilor Trujillo moved, seconded by Councilor Maestas, 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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6. ***[Removed for discussion by Councilor Maestas]***

7. **REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT – RESTORATIVE JUSTICE PROGRAM SERVICES THROUGH SANTA FE REGIONAL JUSTICE BOARD; STATE OF NEW MEXICO, CHILDREN, YOUTH AND FAMILIES DEPARTMENT. (RICHARD DeMELLA)**
   A. REQUEST FOR APPROVAL OF BUDGET INCREASE – JUVENILE JUSTICE PROGRAM FUND.

8. ***[Removed for discussion by Councilor Lindell]***

9. **REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – REPAIR, MAINTENANCE AND SERVICE OF JACOBSEN BRAND EQUIPMENT AT MRC, MARTY SANCHEZ LINKS DE SANTA FE GOLF COURSE; C & M AIR COOLED ENGINE D/B/A C & m TURF CARE PRODUCTS. (RICHARD THOMPSON)**

10. ***[Removed for discussion by Councilor Lindell]***

11. **REQUEST FOR CONCEPT APPROVAL OF SALE OF REAL ESTATE CONTAINING APPROXIMATELY 2,352 SQUARE FEET WITHIN A PORTION OF THE WEST ALAMEDA ROAD RIGHT-OF-WAY ADJOINING 131 SANDOVAL STREET; GALISTEO STREET, INC. (EDWARD VIGIL)**

12. **REQUEST FOR APPROVAL OF 2015 FINANCE COMMITTEE MEETINGS. (TERESITA GARCIA)**

13. ***[Removed for discussion by Chair Dominguez]***

14. ***[Removed for discussion by Councilor Lindell]***

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

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

17. ***[Removed for discussion by Councilor Maestas]***

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END OF CONSENT AGENDA

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5. **APPROVAL OF MINUTES: REGULAR FINANCE COMMITTEE MINUTES – OCTOBER 20, 2014.**

MOTION: Councilor Trujillo moved, seconded by Councilor Maestas, to approve the minutes of the Regular Finance Committee Meeting of October 20, 2014, as presented.

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

CONSENT CALENDAR DISCUSSION

6. **BID NO. 15/06/B – SECURITY SERVICES FOR CITY OF SANTA FE WATER FACILITIES; CHAVEZ SECURITY, INC. (ALEX PUGLISI)**
   A. REQUEST FOR APPROVAL OF BUDGET INCREASE – WATER FUND.

Councilor Maestas said on page 2 of the Agreement, Part B(1), is identical to Part A(1).

Mr. Puglisi said he believes Councilor Maestas is correct, and staff will make that correction.

Councilor Maestas said the booster stations and water lines are 11 miles long, and he would think the security measures for the infrastructure listed are much different from that required for the Canyon Road Water Treatment Plant.

Mr. Puglisi said he is correct.

Councilor Maestas said he believes they are appropriately listed in A(1), and that change will be a condition of approval, noting the infrastructure in B(1) is part of the Buckman project.

Mr. Puglisi said it is part of the Buckman project, and the Buckman line definitely is needed to transport water from Buckman to our 10 million gallon tank.

Councilor Maestas said part of the infrastructure is co-owned with Las Campanas, and the City and County of Santa Fe.

Mr. Puglisi said, "I don't believe so."

Councilor Maestas said then it is only City infrastructure.

Mr. Puglisi asked if he is referring to the booster stations and Councilor Maestas said yes.

Mr. Puglisi said, "That's correct. Those stations would have been necessary just for the Buckman Well Field, and we do transport the Buckman water through those lines, but those were constructed for the Buckman Well Field."

Councilor Maestas said, "So we have a clear separation in terms of security contracts for City infrastructure and Buckman infrastructure."

Mr. Puglisi said yes.

MOTION: Councilor Maestas moved, seconded by Councilor Trujillo, to approve this request with the condition that paragraph 1(B)(1) be corrected.

DISCUSSION: Councilor Rivera asked if anyone on City staff would verify the licenses required of the Security Company, such as a license to carry a weapon, is there someone who is verifying they are licensed with the State. Or, are we taking the contractor's word for it

Mr. Puglisi said, "Yes, we will be verifying that they are licensed at the appropriate level. In the past the contract required a Level 3, but they were not required to be armed at all times. That was inconsistent in that we were certification at a level 3, but only requiring a level 1 officer. Now that it is consistent, we will be checking to making sure all officers are certified at the appropriate level."

Councilor Rivera asked if that includes all certifications including CPR, first aid. Is there someone on staff that will double check on that.

Mr. Puglisi said, "It is our intent that as soon as the new contract in implemented, December 8, 2014, that all those things would be checked at that time, and the contractor would have to show proof of all the certifications prior to entering into the new contract."

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

8. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 4 – PHASE I SOUTHWEST ACTIVITY NODE (SWAN) PARK; RMCI, INC. (MARY MacDONALD AND DAVID PFEIFER)

Councilor Lindell asked Ms. MacDonald to give the background and history of how the proposed amendment came about, noting there have been 3 previous amendments and this one is for a sizable amount of money.

Ms. MacDonald said, "We started out with just under $4 million construction in February. We were lucky and got a good low bid from an excellent contractor, who led off and was performing right on schedule. And we ran into, about 2-3 months into the project, and we have extensive documentation on this, about 2-3 months into the project we finally understood that we were going to have our electrical supply or our water supply in the two road extensions that lead to SWAN Park. This would be our primary access to the park. Right now it just sits out there in the desert, and the extension of Jaguar to 599 is dirt road right now, and that's not quite adequate for, say fire engine access when we open the park next summer, it turns out. And we also asked the contractor to hold up... we had hold ups for them because of this utility issue which came as a surprise. We tried working with the developer to solve that problem. It's rather expensive and extension as you're probably well aware to bring some 1,200-1,600 feet, I forget, it's a long distance, from the pave west end of Jaguar Drive to the planned park entry. So there was some working on the part of upper management with the developer."

Ms. MacDonald continued, "In the meantime, the contractor was waiting and changing their approach to the project because of these delays. And then NMED changed, a lot of hands changed. They lost people at NMED where our discharge permit was to be processed. And while we had some really fast and good early response from NMED into the late Springtime, concurrent effect was that NMED, a lot of people quit or retired, and they got new people. The person who was kind of hustling through our discharge permit, that person went away. So, these two effects had a huge total effect on the project. When you don't have those planned utility extensions it tends to have a domino effect on the fast, efficient execution of the project."

Ms. MacDonald said, "Again, good contractor, but great difficulties because of the City's wanting to work with the developer to try to accomplish something. So we found ourselves on a schedule that did not allow for completion. The schedule for completing the park would have been affected by the NMED Discharge Permit, and we were actively working with NMED, our consultants were, we were. And that is well in gear now. We are well into the process of getting activity and execution of our effluent discharge, but all the plantings at the park were all dependent on that. Due to the huge sod multi-purpose field and a much smaller patch of sod, a green lawn patch of essential, besides all the trees and the other wonderful landscape plantings, we wouldn't have completed the project anyway this fall, because of lack of the discharge permit."

Ms. MacDonald continued, "But the delays that we caused the contractor meant, typical to all agreements with contractors no matter which City boilerplate you're looking at, when the City is the cause, when the contractor is not the cause of delays in a construction project, the owner, the City pays for those delays, because it cost the contractor up to $1,000 per day to be out there. And they would have, I'm convinced, if we'd gotten our permit in place, but more importantly had our utilities, and a road would have been nice too extended down to the park entry, their work just went to the park entry connection to Plaza Central, then we would have had project completed on schedule this month.

Councilor Lindell asked, in hindsight, if there is anything that we could have done. She said, "We're the ones left holding the bag with this. It's almost $250,000 out of a $4 million project."

Ms. MacDonald said, "I agree with you, Councilor, it is a very big chunk of money."

Councilor Lindell said, "It's a huge chunk of money."

Ms. MacDonald said, "The NMED situation, maybe, maybe not. Agency changes and what you think is a fast track, maybe staying on top of it a little bit more might have helped. But the situation with the developer, my big lesson learned was, if you have a project that is dependent on any kind of outside, separate from the City right of way, separate from the City construction effort, separate from the City provision of utilities, do not go to bid, if you don't have all of that in writing with a schedule. Hard lesson learned, very difficult and hard, but the permit might have held us up anyway. But the utilities just totally complicated it and caused even further delays."

VOTE: The motion was approved on a voice vote with Councilor Rivera, Councilor Trujillo and Chair Dominguez voting in favor of the motion, Councilor Lindell voting against and Councilor Maestas absent for the vote.

10. REQUEST FOR APPROVAL OF RATIFICATION OF CHANGE ORDER NO. 6 TO CONSTRUCTION CONTRACT – SANTA FE RESERVOIRS INFRASTRUCTURE IMPROVEMENTS FOR WATER DIVISION; RMCI, INC. (ROBERT JORGENSEN)

Councilor Lindell said we just had a change order on this project the last time we met on the consultant side.

Mr. Jorgensen said this is correct.

Councilor Lindell asked Mr. Jorgensen to explain this Change Order.

Mr. Jorgensen said, "This Change Order is for the dewatering of McClure Reservoir. Contractually, the City was obligated to dewater the Reservoir to the lowest operating hydraulic valve. That is referred to as the 84 foot valve in the Memo. We were unable to do that and we made several attempts in-house, but we were unable to do that because of the condition of the tower which is 90 years old, bottom part of it. We have two different work components in this Change Order. We directed the

contractor, basically to do work that the City could not do, and felt the contractor was better able to do, to tap the lowest valve in the tower that is directly in line with the outlet works. They attempted to bore two 6-inch holes through the bottom of the 20 inch gate valve. And that was not successful in providing enough flow. At that point in time, we directed the contractor to ahead and pump the Reservoir out, and that operation was successful. It was completed last Friday night. They are demobilizing the equipment that was done on a time and material basis. So we've got the flow through the Reservoir accomplished. And that was required before we could start to do any kind of work, to even dry out the reservoir basin."

Councilor Lindell asked, "What specifically are these monies requested for."

Mr. Jorgensen said, "On page 2 of 2 of the Change Order Sheet, Item #1 is for the top McClure existing 100 foot valve, and that was in the amount of $82,644, plus tax. Item #2 is the McClure pumping to dewater the reservoir before the 84 foot valve. And that was on a time and material basis. And that required the contractor to bring in barge, fabricate a barge and put electric pumps in it, specialty submersible pumps and run 400-500 feet of electrical cable from the dam crest to power the pumps.".

Councilor Lindell asked if the work for this request already has been completed.

Mr. Jorgensen said, "It has. And we received the approval from the City Manager on a critical need basis and we are now going through Committees, as required for, I believe it's called, ratification of the City Manager's action."

MOTION: Councilor Maestas moved, seconded by Councilor Rivera, to approve this request.

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

13. INDEPENDENT CITIZENS' REDISTRICTING COMMISSION (COUNCILORS DOMINGUEZ, TRUJILLO, ~~AND~~ IVES AND MAESTAS). (ZACHARY SHANDLER)

A. REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO REDISTRICTING; CREATING A NEW SECTION 6-8 SFCC 1987, TO ESTABLISH AN INDEPENDENT CITIZENS' REDISTRICTING COMMISSION; AMENDING THE SANTA FE ELECTION CODE, SECTION 9-1 SFCC 1987 TO REQUIRE THAT THE INDEPENDENT CITIZENS' REDISTRICTING COMMISSION SHALL REVIEW AND REVISE THE CITY OF SANTA FE DISTRICT BOUNDARIES AT LEAST EVERY TEN YEARS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY.

B. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO PROVIDE OUTREACH AND EDUCATION TO THE PUBLIC REGARDING THE CITY OF SANTA FE INDEPENDENT CITIZENS' REDISTRICTING COMMISSION ("COMMISSION") AND CALL ON INTERESTED PERSONS WHO MEET THE QUALIFICATIONS FOR COMMISSION MEMBERSHIP, TO APPLY FOR A POSITION ON THE COMMISSION.

Committee Review: Public Works Committee (approved) 10/27/14; City Council (request to publish) 11/12/14; City Council (public hearing) 12/10/14. Fiscal Impact – Yes

Items 13(A) and 13(B) were combined for purposes of presentation and discussion, but were voted upon separately.

An amendment sheet to Item 13(A), proposed by Chair Dominguez, is incorporated herewith to these minutes as Exhibit "1."

An amendment sheet to Item 13(B), proposed by Chair Dominguez, is incorporated herewith to these minutes as Exhibit "2."

Chair Dominguez noted there are two amendments on the desks for your consideration. He said, "I won't make a big speech other than to say that timing is of the essence, and I would encourage the Committee to be as efficient as they could be in getting this to move forward in the process."

The Committee commented and asked questions as follows:

- Councilor Lindell said, "I saw on page, oh Zach you can probably direct it to me rather quickly, that in terms of eliminating people that could serve on the Committee, one of the groups of people that were eliminated was anybody who had donated $5 or more to a political campaign. Can you direct me to that Zach, oh there it is. I guess it's on page 9 of the packet. Item (A(2)(i) says:

  A person who, at any time within the five (5)s immediately preceding the date of their application for selection to the commission, has contributed more than five dollars ($5.00) to the campaign of a City elected official.

What's the logic behind that."

Mr. Shandler said, "Many other cities use a financial number where I guess the rationale is that big donors should be excluded from these types of committees. We tried to find an objective number that we could rely on, and the public allows a citizen to make a qualifying contribution of $5. So that group of people would still be eligible, but anyone that had made a seed money contribution, or just a private contribution in excess of $5 would be excluded."

- Councilor Lindell said, "Well, I object to that. I don't see that, if someone who has contributed $100 to a campaign, that if they have a lot of expertise with this, that that should eliminate them from serving on this type of committee, whether it be whether seed money or some other contribution that they've made. So I want to register my objection to that."

- Chair Dominguez said, "So, just so I can respond to that, since this is my bill. I think if there is another amount that makes sense, I'm certainly open to that. I think that we were looking for something that was going to make sort of sense in our Campaign Code. So, if there's another amount that is not necessarily arbitrary but has some rationale to it, I'm certainly open to that."

- Councilor Lindell said perhaps we could have a discussion about that.

- Councilor Maestas said, "I would to maybe offer on that point, that maybe we make a differentiation on that or a clarification that anyone who has donated to a privately financed campaign would be ineligible. Because there's going to be a lot of people that want to participate in public financing and support a candidate, and maybe give as little as $5 or give a seed money contribution. I don't think those people should be affected or penalized. So I would offer that clarification that distinction that, okay if the sponsor wants to keep that in there, then let's qualify that and say those who have given a contribution to a privately financed campaign."

- Chair Dominguez said, "What we can do, and I'll talk to staff about it. There was some discussion very vaguely about that making that differentiation. So, if you're a publicly financed campaign, $5 contributors still get to be a part of the committee. Privately funded campaigns, I think that there are some thresholds that have established, so we can certainly look at that and try to get that incorporated into the bill. Again, the intent is to be very careful about who can and can't be involved in this."

- Councilor Lindell said, "The second part of that would be someone who has made a contribution to a PAC. How do you deal with that. I just think to try to eliminate anyone from being on that commission that has made a donation to someone that is privately financing their campaign is unfair and not just. And, it needs a lot of thought, because if someone contributes to a PAC is something is something we really need to think about."

- Chair Dominguez reiterated that he is open to suggestions.

- Councilor Maestas said, "There are only two milestones in this bill. One is to have the redistricting commission appointed by February 1st and the other is to have a final plan by June 1st. And I agree, time is of the essence here, and there's a lot that needs to occur between now and at least February 1st. But let's focus on June 1st. What is magical about that. Why can't it be August 1st. It must be tied into the campaign timeline. How absolute is June 1st."

  Mr. Shandler said, "I think September is the date you usually vote on your Resolution in it's first form. We wanted to build in time for two reasons. One, there could be litigation. Two, some candidates may declare prior to that, and they would need to know what their districts are to make the decision where they might run, or what they might run for."

- Councilor Maestas said, "The reason I bring it up is because there are no other timelines, especially for the application process. The thing that prompted me to think about this, was the companion resolution calling on folks that are interested to apply for the commission. And so, if we're going to approve that tonight, then we definitely need some kind of timeline for the application process. I know in the proposed legislation it says, 'To be determined by the City Clerk.' Unless we hold off on the Resolution calling on interested applicants to serve on the Commission. But I strongly feel we need a timeline."

- Councilor Maestas continued, "And let me explain why. I did a little research on other commissions, and I focused on California. In California, before they entertained any applications, they did a conflict of interest clearance, kind of a pre-application. You saw all the prohibitions in there. Did you guys think about having a two-stage application process where the first is kind of a conflict of interest or a disclosure form, with specific questions relating to all the prohibitions. That way, we establish and verify the prohibitions first before even considering their application. Did you guys consider that in this."

- Chair Dominguez said, "I'll answer that since I worked with staff on this and it is, again, my bill. We did. We talked about it. There has been some discussion about having a clearinghouse. It is what they do in California, and it's a very very complicated process, because you have to then identify who are going to be the qualified people to make the distinction about who can get cleared or who can apply. And so, if anything, it was an attempt to make it not so problematic, not make it more complicated that it really needed to be. So I hear you about the timeline for the City Clerk. I think that's possibly something we can work on. But in response to the second part of your question, we did consider it, and I just chose not to put it in there. Because if we can't even get to the point where we can identify the qualifications for members, we complicate it that much more by identifying what the qualifications are for that group of folks who are going to make the determination about who qualifies. Again, I remind you, the whole idea of this is to keep this as politically neutral as possible, so I chose not to go there."

- Councilor Maestas said, "I'm simply responding to the numerous prohibitions, and all those required verifications. And in what form. Let's just say we keep the prohibition that prohibits anyone [from applying] that's made a political contribution, well how do we verify that. Do they have to submit some kind of an affidavit saying, oh my honor, I've not made any contributions to any campaigns. I see that the verification process could be very rigorous. And I would hate for that to bog down this whole process, given the fact that our desire is to fully staff and appoint this Commission by February 1st. So, I think we need a timeline. If we can come up with a timeline to go with the Resolution, Zach, on the application process, with key milestones leading to February 1st, that ultimate goal, I would feel much better."

- Councilor Maestas said, "Also, I would like some secondary conditions to be added and I don't have any language at this point. But I suppose, if the Committee is open to it, perhaps I can work with the bill sponsor for some language on some secondary conditions. If you look on page 3 of the Ordinance, it's regarding considerations, principles that the Commission should consider when redistricting. I would like, and since it's a secondary consideration, it could be under part E, and those considerations are geographic boundaries. I believe if you look at our existing Council Districts, a lot of those are based on geographical boundaries, streets. Parts of my District is bounded by Cerrillos Road, St. Michaels Drive, the railroad tracks, Rodeo Road and there's no mention in here of geographic boundaries. So I would like that considered as a secondary consideration."

- Chair Dominguez asked, for clarification, if Councilor Maestas is asking that to be in part D, or if he doesn't care whether it's in part D or E.

- Councilor Maestas said, "I think the considerations under part D, I agree those are very high level principles. And I don't think considering geographic boundary is as high a level to be considered a principle."

- Chair Dominguez said, "That makes sense only because part D was actually language that came from our Charter, I believe, so it makes sense to have it in Part E."

- Councilor Maestas said, "So geographical boundaries. And this is nothing new. Other processes have considered existing political boundaries. Just as we don't want to split precincts when people get their voter cards. It we don't consider political boundaries, we might have a neighbor that is in one State House District and the person next door is in a different House District. I don't think that's getting anywhere in the area of gerrymandering. I just think the Commission should look at existing political boundaries. And this is all in the vein of minimizing confusion to the voter after the redistricting process."

- Councilor Maestas said, "And then the last consideration was that the Commission strive to approve a redistricting plan and a district that has a fairly regular shape. That terminology has been used in other redistricting. And we don't want some crazy, crazy shape. No, it can't be perfectly square, no it can't be a rectangle. And this is accepted language, that the Commission strive to approve a district that has a fairly regular shape, or at least a geographical boundary."

- Councilor Dominguez said, "That speaks to the gerrymandering that happens in lots of other place. So I'm amenable to working with staff to find language to address all that."

FRIENDLY AMENDMENT: Councilor Maestas would like to add the "secondary considerations and a timeline which would be integrated into the Resolution regarding the application process." **THE AMENDMENT WAS FRIENDLY TO THE SPONSOR AND THERE WERE NO OBJECTIONS FROM THE OTHER COMMITTEE MEMBERS.**

- Councilor Maestas said he likes the public involvement program. He said there is ambiguity in terms of who will give direction to the consultant that comes up with the options for the Commission, but he will take a wait and see approach.

FRIENDLY AMENDMENT: Councilor Maestas noted a correction on page 2 of the Resolution, packet page 18, under the first "Now Therefore Be It Resolved." On line 20 it refers to the February 1, 2015 date as a mandate in the Ordinance, and in the Ordinance it is stated as a goal on page 4 of the Ordinance. packet page 11. He asked which one you want to reconcile, or keep it as a goal, or change the Ordinance and make it hard and fast and make it a mandate. Chair Dominguez said he would change it to make it more mandatory which probably is the best thing. **THE AMENDMENT WAS FRIENDLY TO THE SPONSOR AND THERE WERE NO OBJECTIONS FROM THE OTHER COMMITTEE MEMBERS**

FRIENDLY AMENDMENT: Councilor Maestas suggested a change to the Ordinance, on page 2, line 15, under Powers and Duties of the Commission. He would like some clarifying language on adoption of the Districting Plan. Currently it provides, "The first commission established under this section shall establish a

districting plan for adjusting the boundaries of the four council districts..... but no later than June 1st." He would like to amend the language that the commission shall adopt a final districting plan by that date. He said establishing it by June 1st "is not soft, it's pretty hard, so if we could qualify that as the date to adopt a final districting plan." **THE AMENDMENT WAS FRIENDLY TO THE SPONSOR AND THERE WERE NO OBJECTIONS FROM THE OTHER COMMITTEE MEMBERS**

- Councilor Maestas said for a first cut this is a significant effort by the City. It's precedent setting and this is a great first draft, so "great job everyone."

- Councilor Trujillo said, "Going back to Councilor Lindell's issue about the $5 contribution. I don't want somebody to get on this committee who said they didn't contribute $5 to somebody's campaign, and somebody comes up and says, you might not have contributed $5 but you worked on the campaign. You were at the election office, helping out, answering phones. How would we do that. Is that going to come into play, Councilor, do you think. It's not monetary.".

- Councilor Dominguez said, "If you look at the bill, there's a part that talks about being a paid employee of a campaign, and it prohibits that. But I don't think we should go to the point that if you volunteer you are excluded – a volunteer is a volunteer. To some degree, politics is going to creep into some of this discussion, but we're going to minimize it as much as possible. If someone feels a volunteer has become unjustly political, I'm not quite sure how you would legislate that. So the intent is basically, if you're a volunteer that's one thing. Monetary contributions are held at a different standard."

- Councilor Trujillo said, "Are we going to vote on this tonight. My thing is that I do have a problem with the $5 contribution. I'm hoping we can raise that threshold.".

- Chair Dominguez said, "There was no discussion at Public Works. I think the discussion today was good. I think those are some of the things that, again, I'm open to amending some of that language. If we can get a go-pass so that we can get it... this still has to go to publish, and then we'll have the debate after that. So if we get a pass tody, I will work on the language to make sure that I address these items, especially the contributions. And then we'll have the final debate at Council, and if we want to make adjustments to it then, well we can."

- Councilor Maestas said, "Since you're talking about the commissioners. I think there was a provision in there to select an alternate for each sitting member. And that's a lot of alternates. The alternates, as I read this, are not required to attend the proceedings. But if a sitting commissioner were to leave, how would they [alternate] get up to speed. So, my suggestion would be that we select a fewer number of alternates and mandate that they attend the meetings, in the event a commissioner cannot fill his or her duty, like jury duty. There's not all these alternate jurors, there's only a few and those few have to sit through the entire trial until it gets to deliberations. And then it's announced who the alternates are. In fact, nobody even knows who is going to be an alternate until they are ready to begin deliberations."

- Councilor Maestas continued, "So I don't know, Zach, what do you think about that concept, to appoint fewer alternates, maybe a cadre of 3 or 4, but mandate that they attend. They wouldn't have a vote, but they would be mandated to attend the commission meetings and basically get all the material the commissioners have and be there, at the ready, in the event a commissioner cannot fulfil his or her duty. And that could expedite the whole process by reducing the number of alternates that we select."

  Mr. Shandler said, "We thought about that and debated it. Two reasons why we stuck with the language as proposed. One, the way it's set up in this format is that you have an alternate from a specific either District or profession. And if you just had a pool of alternates, you could have a bunch of the alternates kick-in from one District or one profession. Second, in terms of mandating alternates to attend, we thought might put a lot of pressure on the Chairperson, if someone is an alternate and they're really well read, and then [they ask], can I sit up there, can I ask a couple of questions. And suddenly you have Commission of more than initially planned, so that was the rationale. As the Chair says, we're trying to keep it as simple as possible this time, but mindful that there probably are going to be a lot of productive amendments in the next go around for lessons learned."

MOTION: Chair Dominguez moved, seconded by Councilor Rivera, to approve Item 13(A) with three friendly amendments: One is to include the geographic boundary as part of Subsection (E) on page 3, that we consider geographic boundaries and existing political boundaries and that we try to maintain fairly regular shapes; second, that on page 2, line 15 of the Ordinance, to make that language is consistent with the Resolution.

FRIENDLY AMENDMENT: Councilor Maestas suggested language on page 2, line 15, to clarify that we shall adopt a final districting plan by June 1st. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND, AND THERE WERE NO OBJECTIONS FROM THE OTHER COMMITTEE MEMBERS**

DISCUSSION: Chair Dominguez thanked staff for their work on this, and said hopefully we can get it to the point "where everyone will be semi-happy with it." He will work with staff on the $5 public contribution, saying he is thinking of separating the two and using some of our Finance Code and what it says in terms of thresholds on monetary contributions as the trigger for those.

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

MOTION: Chair Dominguez moved, seconded by Councilor Maestas, to Approve Item 13(B), with an amendment to add the timeline for the application process leading to February 1st.

DISCUSSION: Mr. Shandler said the credit goes to Melissa Byers for all the writing.

Chair Dominguez thanked Ms. Byers.

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

14. LIVING WAGE (COUNCILOR MAESTAS). (ZACHARY SHANDLER)

A. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING THE BUSINESS LICENSE ORDINANCE, SECTION 18-1 SFCC 1987 AND THE BUSINESS REGISTRATION ORDINANCE, SECTION 18-2 SFCC 1987 TO REQUIRE BUSINESSES THAT APPLY FOR A BUSINESS LICENSE OR REGISTRATION OR RENEW A BUSINESS LICENSE OR REGISTRATION TO AFFIRM THAT SUCH BUSINESSES ARE IN COMPLIANCE WITH THE LIVING WAGE ORDINANCE, SECTION 28-1 SFCC 1987.

Committee Review: Immigration Committee (approved) 10/07/14; City Business & Quality of Life (approved) 10/08/14; City Council (request to publish) 11/12/14; City Council (public hearing) 12/10/14. Fiscal Impact – Yes

Councilor Lindell asked Mr. Shandler said why is this necessary, when we already have the Ordinance, how we see this happening and how we see the enforcement..

Mr. Shandler said, "The Ordinance change will require people seeking licensure with the City or renewal, to affirmatively attest that they will comply with the Living Wage Ordinance. This is a model copy from a few other jurisdictions that also are in the leading edge of living wage matters. Practically speaking, we will redo the written form to have either a check box or a signature. And we're working with the City subcontractor or contractor who does the computerized forms, where when they apply on line which is the great majority of renewals, that they can check electronically. We are working on an aspect where they can download he poster as part of the electronic process. That's what the Ordinance does.

Councilor Lindell said the fiscal impact report is basically blank, and asked what is the cost.

Mr. Shandler said, "In terms of cost, it is my understanding that a very small number of new applicants come in with paper. The great majority of renewals are electronic, so there shouldn't be any paper cost in terms of both the written application and giving them a poster for the first time. We believe we can absorb those costs. Unstated at this time is we're working with the computer contractor to see if they can do it within the existing contract, to change the form to add the box, and we don't have confirmation at this time whether there will be additional expense for that."

Councilor Lindell asked the mechanism for City staff to perform field compliance reviews of businesses to ensure compliance with the Living Wage Ordinance, and asked Mr. Shandler to speak to this.

Councilor Maestas said, "If I could, just point of Order. I know the Chairman just stepped away. Could we just maybe discuss the Ordinance first and then move to the Resolution."

Councilor Lindell said that will be fine, and she has no further questions on the Ordinance.

Councilor Maestas said, "I'm the sponsor of this and I want to recognize some folks from *Somos un Pueblo Unido*, and I think they have some folks who are fighting for living wage enforcement, as I am. I just want to acknowledge their presence, if you don't mind just standing, *por favor*. Thank you all for coming. *Gracias*."

Councilor Maestas said, "There's really no enforcement associated with this change to the Business License. It's simply another step in filling out the application. It is a matter of changing the application. If the box isn't checked, the application is incomplete, there's no enforcement, no prosecution. It's simply an initial proactive effort by the City to remind businesses of their obligation to enforce the Living Wage. And I think the costs associated would be minimal, like going in and tweaking a website. I'm not a webmaster, but staff tells me that it's minimal. This is a very small measure to the Business License application process. It doesn't affect anything with regard to enforcement."

MOTION: Councilor Maestas moved, seconded by Councilor Lindell, to approve Item 14(A), as presented.

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

B. REQUEST FOR APPROVAL OF A RESOLUTION RELATING TO THE LIVING WAGE ORDINANCE, §28-1 SFCC 1987; DIRECTING STAFF TO EXPLORE AND RECOMMEND TO THE GOVERNING BODY A LIVING WAGE PROGRAM THAT WILL EDUCATE AND ASSIST SANTA FE BUSINESSES IN COMPLYING WITH THE LIVING WAGE REQUIREMENTS AND A MECHANISM FOR CITY STAFF TO PERFORM FIELD COMPLIANCE REVIEWS OF BUSINESSES TO ENSURE COMPLIANCE WITH THE LIVING WAGE ORDINANCE.

Committee Review: City Council (scheduled) 12/10/14. Fiscal Impact – Yes

Councilor Lindell asked Councilor Maestas what he has in mind for the enforcement part of this.

Councilor Maestas said, "The current enforcement right now is reactive. Right now, if the City is unaware of any complaints, there's really nothing to do. There's no proactive comprehensive enforcement of our Living Wage Law. And it is considered one of the most progressive living wage laws in the country. But if folks were to look deeper the actual enforcement isn't consistent with the reputation that I thin our Living Wage Law has across the country. So, this Resolution.... if you recall, when I initially introduced a change to the Business License Ordinance and the enforcement, I had sponsored an amendment to the Living Wage Law, and we called for audits. And we felt it is beyond audits, and it's not a very business-friendly term. And we felt like by picking one form of pro-active enforcement, we felt like that was too narrow-minded."

Councilor Maestas continued, "So we put a team together, and Teresita was part of that team. She has vast experience and knowledge as an auditor She said it really should be a comprehensive program that encourages businesses to become aware of the Living Wage Law, and there should be an education campaign to raise the awareness on the part of businesses to comply with the Living Wage Law. So instead of jumping right to some kind of hard compliance mechanism, we're to take a step back. And

staff is going to take 90 days, which is a long time to look at a more comprehensive Living Wage Enforcement Program, and bring recommendations back. So there is nothing binding in this. This is a no cost staff exercise. And we're already finding out that a lot of these other communities with living wage laws have these proactive, comprehensive living wage enforcement programs which is something we don't have here in the City..... we're going to take a more gradual, team approach, and come up with best practices, and we want to minimize any fiscal impact, which is a top priority of staff in considering a more diverse program for living wage enforcement."

MOTION: Councilor Lindell moved, seconded by Councilor Maestas, to approve Item 14(B), as presented by staff.

DISCUSSION: Chair Dominguez thanked Councilor Maestas for bringing this forward, noting he has had discussions with folks previously. He commended him, because this really is the way to do it, so we have legislation directing staff to do something that we collectively feel is worth-while, assuming it is unanimous. He said there will be some costs, which will be money well spent. He is looking specifically at the potential to upgrade the software for business licenses. He thinks some of that can extend to more than this effort, to other IT efforts we've all identified as being a pretty big priority in the community. We need to continue to expand that potential in Business Licensing software.

Councilor Maestas said we issue Business Licenses at the beginning of the calendar year and we are now adding a pro-active reminder. He said the CPI which determines increases or decreases to the living wage doesn't come out and take effect until March, noting we have no mechanism to inform businesses of the CPI change and the required change in the living wage as te result. This is an example of what this evaluation can do.

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

15. REQUEST FOR APPROVAL OF A RESOLUTION IN THE INTEREST OF PUBLIC SAFETY; DIRECTING PARKING DIVISION STAFF TO REMOVE FOUR PARKING SPACES ON CANYON ROAD EASTBOUND, FROM PASEO DE PERALTA TO GARCIA STREET (COUNCILORS MAESTAS AND IVES). (SEVASTIAN GURULE) Committee Review: Public Safety Committee (approved) 10/21/14; Public Works Committee (approved) 10/27/14; and City Council (scheduled) 11/12/14. Fiscal Impact – No

Councilor Trujillo said, "So. I've got some issues with this, because as you know, this came before Public Safety and Public Works a few years back. And the reason back then was there were businesses that didn't want these parking meters in front of their businesses. What I'm reading now it says, 'Whereas fire suppression response requires' this. Is this a new way to get this passed that it's needed because of safety issues. This came before us two years back and it had nothing to do with safety issues, and dealt with a few businesses that did not want this."

Councilor Trujillo continued, "And also, on that point, we had this discussion at Public Works. And I remember didn't we do like an interim thing John. I thought there was something we which was a one-way for 2-3 months. I remember Councilor Wurzburger brought it forth and then it just died. This is the same thing that has come before us once again. I really want to know if this is just a ploy to get this passed. Because when you putting in stuff like this for public safety, it better mean that there are public safety issues there. So give me some answers."

Sevastian Gurule said John Romero, Traffic Engineer, is here to speak to the traffic study that was done a couple of years ago, saying they have some statistics that show that. He said, "Just for clarification, the spaces being referenced are non-metered and there are no parking meters in that area. A petition that Councilor Maestas received, requested the removal of these spaces. Myself and my staff went out and looked at the traffic patterns in that area. Just visually, you can see there is difficulty in having parking and two-way traffic going eastbound and westbound. The petition itself asks or requests the removal of those 4 parking spaces. So, in addition, I'll ask John Romero to go ahead and provide you with more detail as to what the results were of the traffic study conducted a couple years ago."

John Romero, Traffic Engineer, said, "This is the issue that's just been brought up. So basically, like Sev said, there's not enough room for everything that's going on out there. And we basically have two choices. One, either parking and one-way traffic, or no parking and two-way traffic. So several years ago when this came forward, staff at that time recommended the parking with one-way traffic. The logic at the time was there was relatively.... there wasn't a whole lot of.... let me back up, we would have one-way eastbound. And at the time, we had done counts and roughly 70% of the cars were going eastbound on that block, 30% were going westbound. And we also thought it would be an opportunity to fix some of the sight visibility limitations at Canyon Road and Paseo de Peralta."

Mr. Romero continued, "It went to Public Works and at the time there was discussion, I believe it was either Wurzburger or Councilor Calvert, that suggested a trial of two-way traffic without parking, but that never got formalized. One thing that I had cautioned about that trial, is by removing the parking, I'm not sure per Fire Code that we could ever put it back. That's where that ended. So now, it's moving forward with just getting rid of the parking, allowing two-way traffic. It would meet the current Fire Code if we did that. The 20 feet, my understanding, isn't needed to necessarily pass an emergency response vehicle, but it's needed to operated one if a response vehicle needed to park there, they need the extra space to hook-up their hoses and manage all stuff on their tankers and stuff like that."

Councilor Trujillo said, "I understand, exactly. This is exactly what came before us. I'm not necessarily opposed to it, but it's just the wording. When I see interest of public safety, and I know it wasn't the reason it was brought to us the first time, that's where I have the concern. If we're doing this because of sight view and we want to move this, that's how it should be worded. But if you're going to add public safety, is this truly a public safety issue. I want to know if there have been accidents there, that the Fire Department has stated this is something we definitely needed. If they're going out on the limb and saying this is because of fire suppression, there have been accidents there, we need to do this, I'm all for it if it's a public safety issue. But to have it read like this, and knowing.... and being on the Council, I saw this come before us and I know what the other issue was the last time. I just want clarification that this truly is indeed a public safety issue."

Mr. Romero said, "In my opinion, doing this would have a public safety and a traffic safety benefit. I'm not sure if there is an issue that's been quantified, but it does have a benefit for both public safety, emergency response and traffic safety."

Chair Dominguez said, "I had the same reaction as Councilor Trujillo. However, it sounds to me, is it safe to say, that you all have gone back and re-evaluated the whole scenario, based on a piece of legislation Councilor Maestas has brought forward." He noted that Councilor Maestas can speak to the intent in terms of its relation to public safety.

Councilor Maestas said he was told these parking spaces are grandfathered-in, and if we to try to create them today, they would be in violation of the Fire Code. He said this was one of the primary motivations for making this a fire safety issue. He said they did look at a more permanent fix, but the participation on the petition and the participating business were more localized and concentrated on the parking spaces in question. So he wanted to stay away from a solution which impacted more interested parties and businesses, than those that came forward and wanted these parking spaces removed.

Councilor Maestas said these parking spaces are near the intersection of Paseo de Peralta and Canyon Road, where there is parking and two-way traffic. He doubts a fire engine has the proper turning radius to even get through there, much less access the businesses adjacent to the subject parking spaces. He thinks it's an intersection safety issue as well as an issue of fire department access. These spaces are grandfathered-in and wouldn't meet the Fire Code today, and this was the compelling reason for the Resolution.

Councilor Trujillo said he understands, and if this is the motivation bring the Fire Department when we have the vote, telling us this is something we need to do because of access for fire trucks, "You've got my vote on it. I'm going to say it again, I know where this came from 3-4 years ago, I know the reasons behind it, and the way it's worded brings it into question for me."

MOTION: Councilor Maestas moved, seconded by Councilor Lindell, to approve this request.

DISCUSSION: Councilor Maestas said perhaps when the Fire Department comes over, perhaps you could superimpose the turning radius of a designed vehicle, maybe it should be a fire engine, to show whether or not it can navigate entering onto Canyon Road with two-way traffic and the two parking spaces occupied. He said it would be good to show everyone that prior to the vote.

Councilor Trujillo would like to amend the motion to give direction to staff to have the assessment done by John Romero and the Fire Department, and the Fire Marshal needs to be at the Council meeting when we work on this.

Chair Dominguez said, "We don't need to make that as part of the motion or a friendly amendment, but just give direction to staff to get the Fire Department to provide us with a memo, and if the City Manager feels they need to be here for the discussion, then he can have that conversation with Councilor Trujillo.

Councilor Trujillo said, "That works."

Councilor Rivera said he heard Mr. Romero say there are two options. One was to leave the spaces and create a one-way from Paseo to Garcia, or Paseo to Delgado, or, secondly, to get rid of the spaces and keep the two-way traffic. He asked if these are the two options being considered, because those aren't mentioned.

Mr. Romero said, "No, right now, there's not two options presented. Back when we initially looked at it, and before staff presented it to the Public Works Committee, I had two options I thought were valid. And the one I chose at that time was the one-way based on what I explained. But this is a valid option, and this solves what the primary problem is in this area, is there is not enough room on that street for everything that is going on. When we went out there in the past, we noticed, that in order for cars to pass each other, one would have to ride up onto the sidewalk to get around. That is the type of stuff that was going on."

Councilor Rivera said if that was your option initially, do you know the reason it wasn't accepted as a clear option at that time.

Mr. Romero said, "Councilor Rivera, there was a lot of public opposition to it."

Councilor Rivera asked if it was public opposition to making it a one-way.

Mr. Romero said it was opposition to making it a one way, at that time.

Councilor Trujillo said, "There was public opposition, and I assumed it was going to come back to the Council, because it was Councilor Wurzburger's Resolution. It never made its way back. It just died, because I don't think we ever had a vote on it."

Councilor Rivera asked if the two options are still viable.

Councilor Trujillo said the discussion we had was the on-way traffic.

Councilor Maestas said, "The history was the discussion. I had to know the history before I decided to tackle this."

Mr. Gurule said former Councilor Heldmeyer has information about this, having been on the Council at that time. He asked if she can speak to this issue and Chair Dominguez said yes..

Former Councilor Heldmeyer said, "The reason the one-way was not accepted is that that area of Canyon Road is... Canyon Road itself is mostly businesses. But the people on the sides of Canyon Road, there's still a lot of residences there from those two blocks, especially going whatever direction that is. And when this was considered the first time, there were a lot of public meetings, not just the businesses, but the residents as well. And they didn't want a one-way, because it would have increased traffic on their residential street and it would have made it much harder for them to get out of their houses. So that's why the idea was to keep that two-way. And that is independent of whether or not there were parking places there, but that's why it was kept two-way."

Councilor Rivera said, "I'm still unsure how a fire truck is going to get there, even an ambulance, with even two-lane traffic. So I imagine it will be better than it is right now, but I'd be interested to hear what the Fire Department has to say."

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

16. REQUEST FOR APPROVAL OF A RESOLUTION DECLARING THE GOVERNING BODY'S ONGOING SUPPORT FOR THE HOMELESS COMMUNITY, LOCAL BUSINESSES AND ESTABLISHED RESIDENTIAL NEIGHBORHOODS; DIRECTING STAFF TO ANALYZE AND REPORT BACK TO THE GOVERNING BODY ON THE OVERALL OPERATION OF THE ONE-STOP FOR HOMELESS SERVICES AND WINTER SHELTER (LOCATED AT 2801 CERRILLOS ROAD AND WHETHER THE SHELTER SHOULD BE EXPANDED OR RELOCATED TO MEET THE ONGOING NEEDS OF THE HOMELESS COMMUNITY (COUNCILOR RIVERA, COUNCILOR MAESTAS AND COUNCILOR DOMINGUEZ). (TERRIE RODRIGUEZ). Committee Review: Public Works Committee (approved) 10/27/14; and City Council (scheduled) 11/12/10/14. Fiscal Impact – No.

DISCLOSURE: *Councilor Trujillo said, "Being that my wife, Amber Trujillo, serves on the Board for the Interfaith Shelter, and being that I also volunteer there, I believe it is a conflict of interest on my part, I am going to recuse myself from the discussion. I did hear this at Public Works last Monday, but as you know, as the Chair, I did not vote, so I did hear that. But I just believe I should recuse myself, so I'm going to leave this discussion."*

Chair Dominguez said, "You don't have to leave Councilor Trujillo, just make it duly noted on the record."

Councilor Trujillo said, "I duly noted. I'm keeping my mouth shut for this whole discussion and have at it."

Councilor Rivera said there was discussion at Public Works, and a Substitute Resolution was prepared, which is in the Committee packet, but it wasn't reflected in the caption on the agenda, because that language stayed the same. He said it is a reworked and substitute Resolution of what was presented at Public Works.

Councilor Rivera continued, "Some of the highlights of the Substitute Resolution, in the heading is:

"...Directing staff to convene meetings with agencies who provide services to the homeless and thereafter, analyze and report back to the Governing Body on the overall operation of the One-Stop For Homeless Shelter Services and Winter Shelter located at 2801 Cerrillos Road.

So the initial language was discussing possible relocation, this removes that. In the last Whereas, it just continues to mention that same language, and then in the Be It Further Resolved, again just reiterates to

convene meetings with other agencies, evaluate the current management structure. Basically, it's been 5 years since we had a contract with them, and I believe that contract is up for renegotiation."

Councilor Rivera continued, "So again, asking staff to evaluate the current management structure and then to provide recommendations to the Governing Body. To collaborate with the community ICS and service providers, again to evaluate the shelter in the short time, to see if we currently are meeting the needs for this winter season. And then evaluate whether the shelter meets the long term needs for the homeless community. And I've asked staff to report back to the Governing Body within 60 days with their findings."

MOTION: Councilor Rivera moved, seconded by Councilor Maestas, to approve this request.

DISCUSSION: Councilor Maestas asked to be added as a cosponsor, commenting this is a good bill.

Terrie Rodriguez said, "What I would just like to clarify, is that there is an existing contract with the Interfaith Community Shelter every year, and those contracts come up in response to an RFP process that is approved at budget time. So there is a current contract with the Interfaith Community Shelter to provide services. As well as, the piece you're referring to is the lease for the facility. That is the contract that is on the City Manager's desk for approval. So I think there are two contracts. One is for the actual lease for the facility and the other is for the services that are provided."

Councilor Rivera said, "Then the one that is up for discussion is the Lease Agreement."

Ms. Rodriguez said that is correct.

Councilor Rivera said, "So Melissa we can clarify that language as this progresses or moves forward, that would be perfect. Thank you Terrie."

Chair Dominguez asked staff to add him as a cosponsor.

VOTE: The motion was approved on a voice vote, with Councilors Lindell, Maestas and Rivera voting in favor of the motion, no one voting against, and Councilor Trujillo recused..

17. REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 52ND LEGISLATURE – STATE OF NEW MEXICO – FIRST SESSION, 2015 (MAYOR GONZALES). (BRIAN SNYDER) Committee Review: Public Utilities Committee (scheduled) 11/05/14; Public Works Committee (scheduled) 11/10/14; and City Council (scheduled) 11/12/14. Fiscal Impact – No.

A Memorandum dated November 3, 2014, to the Mayor and Councilors, from Melissa Byers, Legislative Priorities, regarding New Mexico Municipal League (NMML) Resolutions (14/15), is incorporated herewith to these minutes as Exhibit "3."

A copy of *Legislative ICIP Priorities*, entered for the record by staff, is incorporated herewith to these minutes as Exhibit "4."

Chair Dominguez said this is a continuation of the discussion at Finance, Public Works and City Council this past Wednesday.

Mr. Pino said, "What we're prepared to talk about tonight are those projects that our Lobbyist suggests what might sell to the Legislature. So I'm going to pass around a list that I emailed you earlier today [Exhibit "4"]. Some of you might have seen it, others might not, but I'll give it to you for reference and turn the floor over to Mark Duran.

Mark Duran, City Lobbyist, said the Committee have been a little frustrated with the process and deservedly so, because it has been complex. He said part of that is that we submitted our list differently for so many years, and it has changed this year. He spoke about the process in the past in terms of appropriations. He said then we were deferring mostly to the Mayor's priorities or no concluded priorities whatsoever. He said we would get into the Session without documented priorities and varying priorities would come without approval from a formal body like this one, and it became disparate as to what the priorities are. He said, "For any confusion in bringing this process forward as officially as possible, Mr. Chairman I take responsibility for that. I think that with your suggestions and some of the things staff has done, we're now getting to a better process that is front of you now, and one that we will be able to take advantage of for years in the future."

Mr. Duran continued, "And with that, Mr. Chairman, you have a list of legislative priorities that you asked us specifically to break down, which I would like to go over in a second. Before we do that, if I could, in terms of the big Resolution we're working on, several of the items already have draft language in it to address some of the things which have come up in Public Works or the prior Council meeting. And that is Councilor Maestas that we work on any unencumbered capital outlay funds for potential reauthorization. That language is being included in the Resolution, and we already are drafting a letter that will go to our Santa Fe Legislative delegation, talking to them about how we would like to work with them about any freed-up monies that potentially could go to our priorities. Also, the Mayor asked there be a placeholder in the Resolution in the event something arose later that became a priority, and if it was outside this Resolution, there still would be the potential for another passage of another resolution which would continue to effect our legislative priorities. So just a placeholder item.

Mr. Duran continued, "Also there are a bunch of resolutions you received from Melissa Byers on the New Mexico Municipal League. There is going to be language, 'Therefore be it Resolved, that any of the Municipal League Resolution that impact the City of Santa Fe positively could be advanced by the City's lobbying team. And then finally, Mr. Chairman, you specifically asked that maybe we should communicate with our Legislators to see if they have Citywide priorities. And we are in the process of putting that letter out to our Legislators now. So with that, I think we've included a number of items in the Resolution as it has come in the form of recommendations for the Resolution."

Mr. Duran noted there is a two-page list before the Committee. He thanked staff for the great work they've done in assembling this spread sheet [Exhibit "4"]. He is prepared to talk about the list and a further breakdown of the list if the Committee would like.

Chair Dominguez said, for clarification, what is in the packet is different from what we received at Council last week, and asked if this is correct. He said the one he has from the City Council labeled *Working Draft 10/28/14*, is mostly capital with a couple of other items.

Mr. Duran said, "It's the full Resolution, the one that's labeled *Working Draft 10/28/14*."

Chair Dominguez said his question is, if that is different from what is in the packet.

Ms. Byers said, "So the one that I handed out at Council last week is pretty similar to what you have in the packet. The only difference is that we added one more Resolution to the things you've adopted, and that was at Councilor Maestas's suggestion, and that was about Safe Staffing for Nurses, on page 6 of the packet. I just added in Section 5 on Page 6. That's the only difference. Everything was in the Resolution we handed out at the Council, and that also includes the recommendations that you and Councilor Rivera, recommended for District 3. And then the water projects that I got from Public Utilities staff on page 5. Those were included in what was handed out last week. In your packet, with the Resolution there are several exhibits, the water projects, the Water Trust Board applications and then the copies of all the resolutions that are referenced in the working draft."

Chair Dominguez said then this will be one piece legislation with all of it included when it goes to Council.

Ms. Byers said, "That's the goal, so this Resolution will go to Public Utilities on Wednesday. So the goal after this evening is for me to do a matrix or something like that which will have Finance Committee recommendations for the capital outlay projects, and that way Public Utilities Committee can say, no we want to add some other project or whatever, but they can see what Finance has done. And then, again when it goes to Public Works next Monday, they'll have the Finance Committee recommendations and Public Utilities recommendations, and then thereafter, by the time it goes to Council it will have all 3 Committees and hopefully their [inaudible],"

Chair Dominguez asked when this will go to the Council.

Ms. Byers said, "It will go to Council on November 12th, so that's why we labeled it Working Draft, so when it goes to Public Utilities Committee on Wednesday, it will be the November 5th Working Draft. So we can incorporate whatever happens here tonight and also have a summary matrix that shows what this Committee has done.

Chair Dominguez asked if this has to be published, and Ms. Byers said no, it is a Resolution.

Chair Dominguez said, presumably, it will be approved by the City Council either on November 12th or December 10th.

Ms. Byers said the goal is to have it done by November 12th, but if the Council hasn't reached an agreement at that point, it would be December 10th, noting the meeting with the Legislative Delegation is on December 17th.

Chair Dominguez said, "Just so the Committee knows, Mark, I'm hopeful we can get it out of this Committee and on to the others for approval, but at the very least we have until December 20, 2014, to get this approved by the Council. Are you okay with that."

Mr. Duran said, "Yes."

Chair Dominguez said, "I think what I would like to do is to have two separate discussions. One about capital and the other about all of the other legislative issues that are in there. The reason I want to do that is because we've had some confusion about the ICIP list has been generated, and all that stuff you talked about earlier. I am not sure what the intention of the Committee is, but Councilor Maestas, since he sits on the Municipal League Board, are municipalities just accepting the entire list from the League, or are they actually having debate on each of those items. Because I don't want to go down that road necessarily."

Councilor Maestas said, "No, in our last [League] Board meeting, the Board met to actually identify the top priorities out of all the Resolutions. And it's on the front page of *The Municipal Reporter*. But, Mr. Chairman, my recommendation, the Mayor asked me to take the lead on this effort, is not to reference any of the Municipal League Resolutions. Because all the Resolutions we passed are League priorities, so my recommendation would be to maybe stick to our own Resolutions, knowing that they are also League priorities. And there are some conflicts, quite frankly, between some of the League Resolutions and one of ours with regard to tax policy. And that's why I want to avoid just saying we should make a blanket reference support for all the other Resolutions passed by the Municipal League. I would avoid that. I do have a recommendation to add just one, but we can have that discussion later."

Chair Dominguez said, "The reason I bring that up is because, as the Finance Committee, one of the priorities should be the Hold Harmless, and I think it is consistent with the recommendation of the Municipal League, correct. As a Finance Committee, we haven't taken a formal position on that particular issue or what the language looked like, but I think it's pretty consistent with what the League is coming up with."

Councilor Maestas said our Resolution was a compilation of all the tax-related issues that have been on the books by the League. However, the League's latest legislation, Bill 22 on page 3 of the handout from Melissa, they're asking to bring back the tax on food and medicine. I know Councilor Bushee in the initial discussion was not in support of it, and "quite frankly I'm not in support of it either, because it goes against our ultimate desire to get full and comprehensive reform of gross receipts tax policy." He said the political realities are obvious.

Chair Dominguez said, "Last year we had a list of legislative priorities that were approved, outside of capital or ICIP which this Committee should consider. I know we don't have that now. Again, I think what I would like to is, because I think one of the priorities from this Committee should be some language on the provisions of the Hold Harmless, maybe not. It's something we had last year and I think it would be helpful because that is really one of the big things we have regarding the finances. Whether or not anything happens at the Legislature or whether or not anyone wants to pick it up is another story. But I think, in terms of statements and priorities, it is important for the Committee to have that memorialized somehow."

Chair Dominguez said, "Let's transition over to other legislative priorities. And just for the record, it is on the agenda as establishing City of Santa Fe Legislative Priorities for consideration, not just Public Works or ICIP projects."

Mr. Duran said he appreciates that the Chair and Councilor Rivera have submitted their priorities for District 3. He said perhaps as a placeholder, we might want to put those aside as I explain this. He said, "What we want to try to do is to come up with the top 5 Citywide priorities, that eventually, I would hope would be the top Citywide priority. I'm then going to work with the Santa Fe Legislative Delegation as we've done in the past. And saying, instead of giving you many disparate priorities, we've giving you one priority that, with your help, we think we could move the project and advance it right away. Then there is a smaller amount of money, after they combine a bunch of their money to give us, hopefully, around $1 million which we've been successful landing in the past. Then, I take your individual District priorities and go to those individual Legislators that overlap your District priorities, and say, what are you thinking. Can you give $75,000 here, can you give $100,000 here, or $125,000 here. It's a much smaller monetary gain to do that with the Legislature."

Mr. Duran continued, "So I noticed, and I'll take responsibility for this Mr. Chairman, you and Councilor Rivera promptly did your priorities. They're big dollar items. We can advance those, and I am thinking strategically that if those were smaller dollar amounts, we would have a better chance at potentially getting some dollar amounts there. It doesn't have to be set in stone, those priorities, if you wanted to revisit them."

Mr. Duran continued, "In terms of the Citywide priorities, Mr. Chairman, the two pages in front of you that is a brand new spreadsheet, which you directed us to do, is to give you some help in breaking this down from a strategic point of view as to how we would sell these to the Legislators. Let's just say, and I don't want to be presumptuous with our Santa Fe Legislative Delegation. We still have to do our work in lobbying with them. But say if we were to get anywhere from $900,000 to $1.2 million for a top City of Santa Fe Legislative project. The way we've broken them down and Public Works has been great in helping to put together this list, with my suggestions and Ike's suggestions. We broke down the entire CIP list into these 9 categories: Citywide Streets and Bridges; Citywide Library Improvements; Parks; Fire, Police, Policy Public Safety; Senior Facilities; non-profit; utilities; and all other."

Mr. Duran continued saying the idea is to look for Citywide improvements which is the best way to send something to the Santa Fe Legislative Delegation in terms of the City's top 5 priorities. He said even with these breakdowns, there still are a lot of projects. He suggested the City pick stand alone projects within the categories and then add them up to see if they fall within the range of $900,000 to $1.2 million.

Councilor Maestas asked if we should vote priorities one-by-one, noting he submitted his priorities for Citywide and in his District. Do we do this now or "kick the can down the road to Council."

Chair Dominguez said, "If I'm understanding Mark correctly, he wants us to come up with the top 5 categories and then under that the individual projects. Is that right."

Mr. Duran said, "It's what I would suggest Mr. Chairman, based on the refinement of questioning to tell us what has the best chance of passing with what titles and what sell messages associated with it, for what dollar amounts. That's what I did in this spreadsheet."

Councilor Maestas said he made sure his priorities had a variety of categories, and they do fall under separate categories, noting he is confident enough to make a motion at this time if the Chair would like.

Chair Dominguez would like to have more discussion and then see if there is a motion.

The Committee commented, asked questions and took action as follows:

- Councilor Rivera said, "My question is for Ike. I assume we all submitted our top 5, or at least I hope that was done as requested. Were any of them consistent. Were there any projects that rose to the top.

  Mr. Pino said, "There were 3: Bridges, the Airport and SWAN Park."

- Chair Dominguez asked that was based on his query of all the Councilors.

  Mr. Pino said yes.

- Councilor Rivera said, "If I'm looking at it correctly, Bridges would fall under Citywide Streets and Bridges. SWAN Park would be under Parks, and Airport..... is under Facilities. So those were the 3 main ones that rose to the top."

  Mr. Pino said that was the response from 4 Councilors, yes.

- Councilor Rivera said then you haven't had responses from the other 4 Councilors and Mr. Pino said yes.

- Councilor Rivera said, "All 5 of my top priorities fit into those same categories: Citywide Streets and Bridges, Parks and Facilities. So, if we were to have a discussion on which 5 projects should be, I think we should start narrowing it down, 7 or 8 tonight on which we can have further discussion at Council. I think we should get to that and start narrowing the projects."

- Councilor Rivera continued, "The other two projects I would like to advocate for, which I think fit into the Economic Development side of it, is one Councilor Maestas brought up which was the City of Santa Gateways, which I think would provide a benefit to each of 4 Districts and would truly be a Citywide project. And the other one was from Councilor Lindell which are the City Hall Improvements which also fits into the categories we've discussed. With regard to the City Hall Improvements, this is one of the oldest buildings downtown and I think a lot of tourists see it and comment about all the beautiful architecture around, and then see this older building that still looks the same it did as when it was a school. I think I would support those two, along with the Bridges, Airport and SWAN Park."

- Councilor Lindell asked where the Gateways are located on the list, and Councilor Rivera said it is the last one on Citywide Streets and Bridges.

- Councilor Maestas said, "I'm looking for low hanging fruit. And then, hopefully, we can pick some of that fruit and get some momentum. So I'm not going to go for the controversial ones, so I'm going to go out on a limb.

MOTION: Councilor Maestas moved to designate Downtown Bridge Improvements as our top Citywide priority, which was the number 1 priority in the submitted ICIP, and that we add that to the Proposed Resolution. **THERE WAS NO SECOND TO THE MOTION.**

- Chair Dominguez asked if it is just for Downtown Bridge Improvements.

- Councilor Maestas said, "Yes. And another reason why, as you can see, it's a recurring funding priority so the need is obviously great, it's just not just an immediate...."

- Chair Dominguez said, "So what we can do is identify Citywide Streets and Bridges as a priority and pick 3 projects under it that would satisfy that category. So the 3 projects could be Downtown Bridge Improvement. I think Councilor Rivera is working on the Calle Po Ae Pi Extension and Santa Fe Gateways. And I throw that out just as an opportunity TO start. And I know you're trying to start."

- Councilor Maestas said ideally, I think you're just trying to get us going by picking categories for priorities, but eventually, we're going to have to select 1 project within those categories. There is just no way we can pick 3 projects within each category and somehow come up with the top 5, so something's got to give.

- Chair Dominguez said, "Go ahead Mark. Because I heard we could pick categories and 2 or 3 projects. Go ahead."

Mr. Duran said, "I think the idea is to remember the threshold watermark of the $900,000 to $1.2 million. If that ends up being one project. So eventually categories, and if you want to go top 5, then top 5. But then eventually, I've either done it with the Chair, I've done it with the Mayor or the City Manager, I eventually have to say someone has to put a little "1" next to this and a little "2" next to this. If you put the 1 and 2 next to it, even better. The idea would be if you went to one category, like Citywide Bridges and pick 3 or 5 projects that hit that dollar threshold, perfect. If it's one project on that dollar threshold, then perfect. Would $1.5 million make it. Yes. Because if we came in at $1 million or $1.1 million then it goes toward the projects that can be completed and that money could be quickly utilized. Otherwise, to pick $1.1 million and add a couple to it, then it pushes over $2 million and it's beyond the threshold."

- Councilor Maestas said he was looking at sheer numbers, with 3 projects for the top 5 categories, that's 15 possible projects, and that's a lot for our delegation to pursue and expect to secure funding for. If we add the whole fiscal constraint and try and stand under $2 million that will pare it down. He asked if the desire of the Committee to stay under $2 million.

- Chair Dominguez asked if the $1.2 million is the total available dollars or for each category, and not the total.

  Mr. Duran said we can do it for each category because it is reasonable, and we then would still pick a top priority. He said if the delegation comes to a different consensus, we would have options for them which are still within the dollar threshold.

- Councilor Trujillo said, "Are we going to take this one by one and eliminate something. I know Mark wants something done soon. I submitted my 5 plus my 3, so I don't know if Councilor Dimas has done the same. If we all know what priorities we have, we've always submitted to and through Mark. If we're going to go by each category which is, there are 9 categories all together, to start the ball rolling. Start with #1 do we want it, no. #10, so we want it. It may take a while but at least we'll whittle it down. That's my recommendation right now, Mr. Chair."

- Chair Dominguez suggested we get a motion to recognize the categories, so we can take some of it off the table.

MOTION: Councilor Maestas moved to adopt Citywide Streets and Bridges as our top category. **THERE WAS NO SECOND TO THE MOTION.**

- Chair Dominguez asked if we would like to do Fire, Police and Public Safety as another category and Parks as a third category.

- Councilor Trujillo asked if the motion should acknowledge the 9 categories.

- Chair Dominguez said, "No. We have to pare the 9 categories down to 5 categories."

- Councilor Lindell said, "Two of the priorities of my top 5 are in Facilities, and that would be the Airport Terminal in addition to the City Hall renovations. So 40% of my eggs are sitting in that basket."

- Councilor Maestas said so that's our second category, Facilities, so first would be Citywide Streets and Bridges, second would be Facilities.

- Councilor Rivera said, "I think, by default, we have 5 primary categories that come up immediately. When you look at Seniors and the discussion we had last time, Senior projects usually are done by bond and typically not something we do. So Seniors would be scratched-off. Non-profits would be scratched-off. Utilities, I think go through the Water Board, that would be something different. And if we scratch off the All Other, we have 5 priority categories automatically."

MOTION: Councilor Rivera moved, seconded by Councilor Maestas to identify the top five City general categories as: Citywide Streets and Bridges, Citywide Library Improvements, Parks, Fire/Police/Public Safety and Facilities.

DISCUSSION: Councilor Maestas asked if they are listed in the order of priority.

Chair Dominguez said, no, just in general. He said he doesn't think the order matters, and Mr. Duran said this is correct.

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

- Councilor Rivera said, "In considering the top priority, Councilor Maestas, I support the Downtown Bridge Improvements, although it is not a Citywide project. It's not something that we could all benefit from, even though I do support it, and takes a considerable lot of money, much larger than what Mark has talked about. So if we could look at other projects that would benefit the entire City, or smaller projects in general, I think I would be in support of that.".

- Councilor Maestas said, "My new #7 is the old #26 which is Traffic Signals, Communications, Design and Install. I picked that because it's Citywide. Ike, I presume it's Citywide, right, it's throughout the City."

  Mr. Pino indicated by nodding affirmatively that it is.

- Councilor Maestas continued, "And you can see the need. There's a recurring proposed need every year through 2020, so I'm willing to reconsider the Downtown Bridges in lieu of a lower amount project like Traffic Signals, Design and Install, #26. It's about $1.2 million lower than the 2016 estimate, and it is Citywide, so I agree with that concept."

- Chair Dominguez said, "Councilor Rivera, I know you and I had the discussion and Calle Po Ae Pi was one consideration, the other was the Agua Fria/South Meadows Intersection Improvements. I have to say, given some of the information I think we both got from Public Works, that Calle Po Ae Pi is not a reality at this time, only because of the fact that people are using that property illegally. So, then that would mean that the Agua Fria/South Meadows Improvements might be part of our... and I don't know if that's a District priority. Did we identify it as a District priority."

- Councilor Rivera said, "We have both of those as District priorities. But I agree with you on the Calle Po Ae Pi extension, and would ask to consider Agua Fria/South Meadows Intersection instead."

- Councilor Trujillo asked, "Can we do this one by one and just by a show of hands. Yes, no, yes. At least we can start something going. Downtown Bridges, how many want it."

- Chair Dominguez said Councilor Maestas has taken that project off the table.

- Councilor Trujillo said if we go one by one, we can get this done.

- Councilor Maestas said he is ready to make a motion.

MOTION: Councilor Maestas moved, seconded by Councilor Lindell, to adopt Project #26, Traffic Signals Communication Design & Install, in the amount of $370,000.

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

- Councilor Maestas suggested, "Why don't we take a stab at each category, and we'll add up whatever is adopted in each category."

- Chair Dominguez said, "I was thinking, instead of going one by one, somebody package it all together and say I make a motion that, for example, under Citywide Streets and Bridges, we do Traffic Signals, Communication, Design & Install, Old Taos Highway Pedestrian Improvements and Traffic Calming Improvements. And all 3 would add up somewhere in that threshold, instead of going through one by one."

- Councilor Maestas said he thought $2 million was our total.

  Mr. Duran said it is $900,000 to $1.2 million in each category, and then you are going to pick a category that is going to be the City's number one priority.

- Councilor Maestas said let's pick the top one in each category, strive for that, and see where it goes.

- Councilor Rivera suggested choosing 2 in each category because some are bigger than others.

- Chair Dominguez said, "Let's go ahead and remand the Traffic Signals, Communication, Design & Install, and make a motion in that category and pick two projects.

- Councilor Trujillo said, "Point of clarification. I do know, Ike, we had something going on at the DOT dealing with traffic signals, and that doesn't fall into that with the countdown, because I know we passed something earlier this year about that."

  Mr. Pino said, "No. This is a project that would have 18 signals able to communicate with each other."

MOTION: Councilor Rivera moved, seconded by Chair Dominguez for purposes of discussion, that in Citywide Streets and Bridges Improvements, the general category, that we adopt Item #26 Traffic Signals, Communication, Design & Install and the Agua Fria/South Meadows Intersection Improvements as the two top projects for that category.

DISCUSSION: Councilor Maestas said "it" has already been identified as a District priority, so I thought we were going to exclude those from consideration as Citywide priorities.

Chair Dominguez said, "Is that how you anticipate that happening Mark."

Mr. Duran said, "I think, Mr. Chairman, even if they have been identified as District priorities, personally I would suggest that you just go ahead and include them in a Citywide priority, because there's where they have the best chance of being funded. Because the Legislators have the opinion that we are going to fund a Citywide priority, you can bring us all together for one priority and then all the rest of the money is fair game for our individual Districts and constituents. If we can then get a piece of money, them still thinking that, then we try to get money from them to go to District priorities. Otherwise, I think that you could have a project fit in a City priority and then if it's that important, then have it in a District priority. And it's just telling me, that's how important the project is."

Chair Dominguez said, "So the motion still stands, Councilor Trujillo."

Councilor Trujillo said, "When I'm looking at the Citywide Streets and Bridges, I find Item #22, Item #26, Item #56 and Item #45. To me those benefit the entire City. There's nobody, not one District being prioritized over anything. So to me, those four right there stand out as Citywide priorities that would benefit each District, the entire City."

Chair Dominguez said, "It would have been even more helpful if you could have gone through the list and lined out anything that was specific to the District."

Chair Dominguez said Items #22, #26, #56 and #45 take us to the threshold.

Councilor Lindell said she would support those items identified by Councilor Trujillo.

WITHDRAWAL OF MOTION: Councilor Rivera withdrew his motion.

MOTION: Councilor Trujillo moved, seconded by Councilor Lindell, that in Citywide Streets and Bridges Improvements, that we adopt Item #22 Traffic Signing and Pavement Marketing Maintenance, Item #26 Traffic Signals, Communication, Design & Install, #23 Agua Fria/South Meadows Intersection Improvements, Item #56 Traffic Calming Improvements and #45 City of Santa Fe Gateways as our top priorities in this category.

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

- Chair Dominguez then moved to discussion of Citywide Library Improvements, commenting they are District specific.

- Councilor Trujillo suggested removing LaFarge for right now because we don't know what is going to happen with it. He is hoping we can discuss that when we have the joint meeting with the Public Schools. He is hoping they give us that property.

MOTION: Councilor Trujillo moved, seconded by Chair Dominguez for purposes of discussion, to adopt all projects under Citywide Library Improvements, with the exception of #20 LaFarge Library Renovations, which are #16 Main Library Rewire, #58 Main Library and #7 Southside Library Lightening Protection.

DISCUSSION: Councilor Maestas said the Main Library serves our population well outside the District in which is it located, so he would debate the notion that the Main Library is District specific. He said, "So I would be very much in favor of the main Library projects, and am reluctant to support projects such as #7 Southside Library Lightening Protection. But if cost is not an issue, I would support the motion. I'm not clear on the cost issues."

Mr. Pino said, "I met with the School Board last Spring. They agreed at that meeting to go ahead and give us the property, because that was on the heels of the Herrera Drive project that we cooperated with them on, so we already do."

Councilor Trujillo said, then we do have it, and Mr. Pino said yes.

Mr. Pino said, "Periodically, I inquire of the real estate person how they're coming along with putting the paperwork together. And I think because the lease runs to 2017, they have been dragging their feet. But you already have concurrence from the School Board."

Councilor Trujillo said, "That's my concern, if we have concurrence, my concern is because we don't have anything from the School Board, I thought it was still in limbo."

Mr. Pino said we don't have a deed yet.

Councilor Trujillo asked if there is a 100% guarantee that it is ours.

Chair Dominguez said, "No. We have it in concept. It's more conceptual than anything."

Mr. Pino said, "Until we have the deed, I suppose we should be cautious."

Councilor Trujillo said, "We're not having any discussions with them and that's the reason I would take it off until we have clarification from the Schools."

Chair Dominguez said the motion still stands.

VOTE: The motion was approved on a voice vote, with Councilor Maestas, Councilor Lindell and Councilor Trujillo voting in favor of the motion, no one voting against, and Councilor Rivera absent for the vote.

CLARIFICATION OF THE PREVIOUS MOTION/VOTE: *Councilor Trujillo* asked if the motion included only #16 and #58, and if we also did #7 the Southside Library Lightening Protection. *Chair Dominguez* said the motion included Items #16, #58 and #7. *Councilor Maestas* said it included everything except #20 LaFarge.

- Chair Dominguez said we will now move to consideration of projects under Parks.

  Mr. Duran said, "That could be Parks, or Parks & Recreation, or it could be Parks, Trails & Recreation. They are dissimilar enough so you could do them individually or you could group even those withing the group."

- Chair Dominguez said, "At the very least, let's label it Parks, Trails & Recreation, and whatever falls in there, falls in there however it falls in there."

- Chair Dominguez said he would speak for the SWAN Park. He said, "I think it is in the District specifically, but it helps to alleviate some of the congestion in some of the other parks around the City. And just, quite frankly, it's really an underserved part of the community and needs to happen. And we've made a significant investment in it. But that's just my two cents as the Chair."

- Councilor Trujillo said, "#5 SWAN is my top priority. You've been working on that since you got on the Council, and I think, like you've said, it's really will take a lot of pressure from a lot of the regional parks, the City parks, and like you said, it's something that's been needed on the south side and I think our delegation.... Mark I think you need to express to them, if that does get on the list of priorities, that the south side has no parks and we definitely need to have that. I definitely believe #5 should be one of the top priorities in that category."

- Chair Dominguez said, "So if I can say, just real quick for the Committee, this is going to be difficult, because I'm not quite sure... all these amounts on the list, Ike, for 2016, where did those come from."

Mr. Pino said, "Those were estimated by the user agency."

- Chair Dominguez said, "I know I've asked this before, was the assessment done by the Public Works previously, has that been part of it."

Mr. Pino said, "It has for the facility ones, the buildings, like City Hall for instance."

- Councilor Lindell said, "So we're only asking for $200,000 on the SWAN Park for this go-around, which would be equal to the amount of extra money we're paying that we approved tonight, but not quite.

Mr. Pino said the $200,000 would be used for design.

- Councilor Lindell said, "It's hard to move the ball ahead with those things. You know, one of my priorities on this would be Ft. Marcy Complex, Item #4. And between those two, we would be pushing nearly $600,000, so maybe someone else has a comment on one."

Mr. Pino said, "I would like to offer something that Councilor Bushee brought up that I thought made a lot of sense. On the Acequia Trail, when we did this list back in August, we didn't have that federal grant yet. That's why it shows $4 million. But the federal grant is for $3.5 million, asking for a 500,000 match. And it might make sense for us to try to leverage that $3.5 million with State money, since it's federal money that we're getting. And then the $500,000 that you used of City CIP money could be reallocated to something else if we're successful. Just a thought."

- Councilor Lindell said, "So if we made a match, we could get $350,000 of federal money if we came up with $500,000."

Mr. Pino said, "We could get $3.5 million and we would have enough funds to build the entire underpass."

- Councilor Lindell said, "I would ask that we consider making that and the SWAN Park the priorities in this section, and Ft. Marcy."

- Councilor Rivera said, "I know we made some recent improvements to the Ft. Marcy Complex, including the roof, and I believed we just approved the purchase of exercise equipment. What would this money be used for."

Mr. Pino said, "We still need HVAC improvements in the handball area. The roof that we fixed is over the pool. There are still other roof improvements needed over the office area. The basketball floor needs a lot of work. The deck on the swimming pool is in pretty bad shape and needs to be replaced. And some matting on some of the other floors, just to name a few of the things."

- Councilor Maestas said, "Ike, the Old Santa Fe Trail Bikeway Improvements, was this kind of the partnership with Santa Fe County, the improvement done in conjunction with their desire to widen Old Santa Fe Trail."

  Mr. Pino said it is related to it. He said, "Their proposal would get us as far as Zia Road, ultimately, from City limits to Zia Road. This was to pick more of it going further north toward Monte Sol."

- Councilor Maestas asked the estimate to get from the City limits to Zia Road, and asked if that was broken-out.

  Mr. Pino said, "No, I just got an email from Adam Leighland right before I left, and I didn't get a chance to look at it, but I have that information now."

- Councilor Maestas said, "This is a potential partnership project with Santa Fe County. It's actually a project they have initiated, but I think the estimate is still in flux, wouldn't you say Ike. Do you have maybe like a placeholder amount that would be less than $1.5 million, if we looked at a smaller section, to augment the County project."

  Mr. Pino said, "We could pick any mile-marker along the way, and call that the threshold."

- Councilor Maestas said, "The reason why, is we may not have all the money to put up initially, but I think were talking about other County facilities that we could participate in, dollar for dollar. So I think this could put the City in a better position to negotiate with the County later down the line, if the County chooses to put up money for the City and fully fund this improvement. I know that's been talked about, correct, Ike. And I think we were talking about was it West Alameda.".

  Mr. Pino said, "Yes. I met with Alan Leighland last Thursday just to see where we were on status. The Old Santa Fe Bicycle Lanes had fallen off because they [the County] thought the cost of their water project was going to be higher than it turned out to be, so now the trail is back on again. They're still interested in talking to us about a tradeoff on their share of the West Alameda drainage. In the Annexation Agreement, we agreed that whatever the drainage cost was going to be that they would pay 50% of it. And now, they've also included discussion about South Meadows Park, because POSAC, among others, has expressed an interest in taking a look at absorbing that Park into the City Park system. So they had 3 things they could talk to us about and try to leverage one way or the other."

- Councilor Maestas said he would like to include #69 Old Santa Fe Trail Bikeway Improvements.

- Chair Dominguez asked if it is possible to leave a blank.

  Mr. Pino said he recalls Mr. Leighland was talking in the neighborhood of $250,000 for the design, so we could change that $1.5 to about a quarter million, and use that for the design of the rest of portion, at least a part of it, if not all of it.

- Chair Dominguez asked the total so far.

  Mr. Duran said, "It's in the range, Mr. Chairman."

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, that in Parks, Trails and Recreation, that we accept as our top priorities #5 SWAN Park, #28 the Acequia Trail Crossing at St. Francis/Cerrillos, #69 Old Santa Fe Trail Bikeway Improvements and #4, Fort Marcy Complex.

CLARIFICATION: Chair Dominguez said for clarification if it is $500,000 for the Acequia Trail Crossing at St. Francis/Cerrillos.

Mr. Pino said yes, on #28.

Chair Dominguez said, then it's $250,000 on #69 and Mr. Pino said yes.

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

MOTION: Councilor Rivera moved, seconded by Chair Dominguez for purposes of discussion, that in Fire, Police, Public Safety, that we accept all the priorities listed with the exception of #19 Public Safety Improvements.

DISCUSSION: Chair Dominguez asked what is meant by Public Safety Improvements in this context.

Councilor Rivera said, "I'm scratching that one out."

Mr. Pino aid the Public Safety Improvements are the additional equipment, and fire and police vehicles that would be needed for annexation.

WITHDRAWAL OF SECOND TO THE MOTION: Chair Dominguez withdrew his second to the motion. **THE MOTION FAILED FOR LACK OF A SECOND.**

- Councilor Trujillo asked the location of the Police Substation, noting the only one he's seen is right on Alameda, and he just sees cars parked there. He asked, "Do we have police substations."

  Mr. Pino said the only one of which he is aware is the one on Alameda, but it does get used.

- Councilor Maestas said, "I'll take a different tack, and look more at Citywide public safety improvements. I think #21 and 57 are Citywide improvements. He said, "Even though the annexation area is not in my District, I think that is a priority so I would say #19 should be considered for adoption as a priority. For discussion purposes, I would tend to support #21, #57 and #19. They're not location specific, although #19 is in the annexation area and I'm okay with that, but I just wanted us to avoid specific capital outlay requests and focus on Citywide for this. And I think the total of those 3 is just under $1.5 million."

- Councilor Rivera said, "The only reason I was looking at just deleting public safety improvements in general, is if you look at the annexation portion, yes, it's definitely in my District, but you're looking at one fire truck, and that might be part of it, that million dollars. So I figure if we deleted that, and really at this juncture, when you're looking at Public Safety, really keeping it balanced between Fire and Police, and not strictly going just for Police projects or for Fire projects. I think when you're dealing with Fire/'Police, it's all Citywide, they all cover the entire City, so that was my logic in doing that."

- Councilor Maestas said he accepts that.

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, to accept all projects under Fire, Police and Public Safety with the exception of #19 Public Safety Improvements.

VOTE: The motion was approved on a voice vote with Councilor Lindell, Councilor Trujillo and Councilor Rivera voting in favor of the motion, and Councilor Maestas voting against.

- Chair Dominguez said under Facilities, Councilor Lindell has talked about two of her priorities, #70 and #2.

- Councilor Lindell said, "I think that #70 and #2 total $1.26 million which is within the range and I think that both are Citywide improvement projects."

MOTION: Councilor Lindell moved, seconded by Councilor Maestas, to accept Item #70 City Hall Improvements and #2 Airport Terminal Building Expansion, as our priorities in the Facilities category.

DISCUSSION: Chair Dominguez said we are in the midst of the Southside Transit Center, which takes up the $1.2 million, so there are some decisions to make here."

Mr. Pino said, "With regard to the Airport, we did get that appropriation on the Airport last year, but we didn't get the money until September. So I'm going to ask the question that will surely be asked: How much of that has been spent. There's an RFP out now, but there probably will be very little spent by the time the Session starts, so the Airport could suffer that handicap in consideration, it would seem to me."

Chair Dominguez said that makes sense.

Councilor Maestas said, "The other way around, I would see it as a benefit, that we have initial funding secured and we're moving forward with additional or subsequent phases. As long as it doesn't lapse or is in threat of lapsing, we're good."

Councilor Lindell asked, "Mr. Duran did you have a comment on that."

Mr. Duran said, "I was just going to say Councilor, that's the way of looking at a glass half full. I think from the Legislators' perspective, they're going to want to utilize money that is going to be able to spent in the fiscal year in which they are appropriating it. They're going to say, why don't we wait until next year, so when we do appropriate it, then it's going to spent. And so there is a timing question there."

Councilor Maestas said, "I think part of the criteria is that these projects are shovel-ready, and surely the Airport terminal is going to be shovel ready. Is the RFP for design, or is it actually for construction and expansion."

Mr. Pino said he believes it is for the design.

Councilor Maestas said, "I don't see any problem in pursuing that again."

Councilor Lindell said, "On the Southside Transit Center, aren't we getting a sizeable amount of money on that already. Don't we have a source of some monies on that at this point in time. Didn't we have some settlement that we were getting a sizeable amount of money toward that."

Mr. Pino said, "I was reminded by the City Manager today, that there were substantial funds already identified. Part of it is from the sale of the track to BMW, and other things of which I'm not familiar. But he seemed to think there was a good amount starting to aggregate for that particular project. I don't know exactly how much or all of the elements."

Councilor Trujillo said,"About the Airport Terminal Building, I can guarantee that the majority of people living here in Santa Fe do not use that facility. First of all, people know it's expensive to fly out of Santa Fe. I'm sorry, I'm going to drive to Albuquerque, and I'm going to spend the extra money on my family and my trip. Are we really doing this... you're talking City priorities. My priorities are the people here in this community. Are we doing this for economic development and getting tourists here. This is where I have to have the balances. We got $800,000 last year, and you're telling me now we haven't spent the money and construction hasn't started. Like you said, I really believe the Legislature is going to see that and say, 'wait a minute you have all this money and you haven't spent it. We're not going to give you money.' You have shovel ready right here. I don't have a problem with the City Hall Renovations, it is long overdue on the building. But, I do see the Southside Transit Center. Ike, you're saying we're going to get some money. Do you know exactly how much. And that, right there is another shovel ready project, we're ready to go with that one."

Councilor Trujillo continued, "Bus Stop Amenities, I guarantee you a lot more people in Santa Fe use bus stops than they do the Airport. I won't support the Airport Terminal because they already have that money, and having done the *[inaudible]* for many years. And if an entity doesn't have something ready and doesn't have the money, guess what, as the State, I'm not giving them more money until they show me a product that is done. I just feel they're going to see this, and even if the Legislature does give it, I'm pretty sure the Governor probably will veto it. So I just want you guys to be aware of that."

Councilor Maestas said, "As I study this list again, I believe Project #46 Downtown Transit Center, we have awarded an RFP for the design, correct Ike, but we have no secured construction money. So I'm willing to reconsider my support, Council Lindell, and maybe just go with both transit centers, I think, in light that the Southside Transit Center amount of $1.2 million, may be a lower amount. I don't know how accurate the $3 million is for the Downtown Transit Center, but what is compelling about it is we have a consultant that has been hired to do the design, but we have no construction money..... I don't know the status of the Southside Transit Center. Has that been designed yet."

Chair Dominguez said, "No. That's a long story."

Councilor Maestas said, "I'm familiar with the fact that there were legal issues with the location and securing the right of way for it, but I think, now that I look at this list, the Downtown Transit Center is very compelling as a priority."

Chair Dominguez asked Mr. Duran if we can deviate from the amounts on the list, given that we have submitted an ICIP list.

Mr. Duran said, "I think if we're going lower, we can."

Chair Dominguez said then we could say, for example, $1 million for Downtown and $500,000 to the South Side.

Mr. Duran indicated yes.

WITHDRAWAL OF THE MOTION: Councilor Lindell withdrew her motion, with which the second concurred.

Councilor Lindell said both the Transit centers deserve attention at this point in time.

MOTION: Councilor Lindell moved, seconded by Councilor Trujillo, that under Facilities, we accept #70 City Hall improvements, #32 Southside Transit Center and #46 Downtown Transit Center, with differing amounts of money on them, as our top priorities in this category.

DISCUSSION: Councilor Maestas suggested a proportionate decrease.

Councilor Lindell said she would suggest $200,000 for the Downtown and the Southside and retain $800,000 for the City Hall renovation.

Councilor Maestas said he was talking about a proportionate reduction for all of them.

Councilor Lindell said she is not willing to reduce the $800,000, because the City Hall is in great need of some renovations.

RESTATED MOTION: Councilor Lindell moved, seconded by Councilor Trujillo, that under Facilities, that we accept #70 City Hall improvements at $800,000, #32 Southside Transit Center and #46 Downtown Transit Center with $200,000 each, as our top priorities in this category.

DISCUSSION: Councilor Maestas said that is only $1.2 million.

Councilor Lindell said she thought that amount was where we were trying to be, and asked Mr. Duran if that is correct.

Mr. Duran said, "Yes."

VOTE: The Restated Motion was approved unanimously on a voice vote.

- Chair Dominguez said he is unsure what to do with other legislative priorities, commenting he would like to have seen what we did last year. However, at the very least, he would like the alcohol policies from last year's Legislative priorities to be a part of that, number one, and said really, the low priority for him is the hold harmless provision. He asked how the Committee would like to deal with these.

- Councilor Maestas said, "Like I said, I would encourage us to avoid incorporating any other Resolutions by reference, other than the ones we've already passed. I think if we passed Legislation, I don't know what you are referring to, but I would say that we could incorporate that if it was passed last year. There is no limitation in terms of what Resolutions we can incorporate and make a policy priority. I do want to recommend, on Melissa's list, the Memo from Melissa, on page 5, it's the Municipal League Resolution concerning Lodgers' Tax Audits Compliance. I know you have received this letter and report from the Audit Committee on their frustration with finding all these Lodgers non-compliant."

- Councilor/ Maestas continued, "I think it's been a long standing issue. You see the fiscal impact for non-compliance to us, so I would recommend we incorporate, by reference, the New Mexico Municipal League Resolution concerning Lodgers' Tax Audit Compliance. I don't know how you feel about that."

- Councilor Lindell said she agrees completely with Councilor Maestas. She said parts of the Audit Report are "jaw-dropping."

- Councilor Maestas said, "It's incredible, and they categorized all the different types of lodgers and high risk and medium risk and low risk."

- Councilor Lindell said, "There are proprietors who tell us they keep no records, which means we collect no taxes."

MOTION: Councilor Maestas moved, seconded by Councilor Rivera for discussion purposes, to incorporate, in terms of our Legislative priorities, the New Mexico Municipal League Resolution concerning Lodger's Tax Audit Compliance.

DISCUSSION: Councilor Rivera said he is looking to see if there are other Resolutions we would like to include.

Councilor Trujillo asked, "Do you want us to vote on these one by one. One I would like is #34, concerning the endorsement and efforts to maintain the Amtrak Southwest cheap passenger service. I know a lot of people in Santa Fe use Amtrak. It is cheap travel to get from here, so to me, I would like to see that as well."

Mr. Duran said, "We can incorporate the whole list. If something is a priority and important, I would prefer it get elevated to the Resolution by reference. There are 24 hours a day for those 60 days, and by having it by reference, it sure prioritizes it."

FRIENDLY AMENDMENT: Councilor Maestas suggested the Resolution include Items #34, #35 and #40, noting Resolution #35 was supported and worked on by our Transit Division and the New Mexico Public Transit Association. **THE AMENDMENT WAS FRIENDLY TO THE SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE GOVERNING BODY.**

FRIENDLY AMENDMENT: Councilor Rivera would like also to include Resolution #32 for additional EMS funding which hasn't changed in 25 years, and said it's time we start addressing changes to that. **THE AMENDMENT WAS FRIENDLY TO THE MAKER, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE GOVERNING BODY.**

FRIENDLY AMENDMENT: Councilor Lindell would like to add Resolution #6. **THE AMENDMENT WAS NOT FRIENDLY TO CHAIR DOMINGUEZ, WHO SAID THERE WILL BE A DIFFERENT VERSION IN A DIFFERENT RESOLUTION THAT CAPTURES ALL OF THE POTENTIAL ALCOHOL POLICIES, WHICH WILL BE GOING FORWARD TO THE LEGISLATURE.**

WITHDRAWAL OF THE FRIENDLY AMENDMENT: Councilor Lindell said, "In view of that, I will withdraw my request for a friendly amendment."

CONTINUATION OF DISCUSSION ON THE MOTION AS AMENDED: Councilor Maestas said, "Just by reference, they are in the Resolution, under the Policy Priority Section, on page 5 of the Resolution."

Acting Chair Lindell said the maker has agreed to those, and asked if the second has done so.

Chair Dominguez said, "Yes."

Councilor Maestas said, "It specifically states before it lists all of the Resolutions that we passed, it said that it was pursuant to the following City of Santa Fe Resolutions of the Governing Body."

Mr. Pino said, "We will rework that."

Councilor Maestas said, "Just to specify it is separate Municipal League."

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

Chair Dominguez asked if this takes care of all of our other Legislative priorities.

Councilor Maestas said, "I'm going to provide my two from my District. I'm sure, Councilor Ives and I will just have to horse trade between now and the next time."

Chair Dominguez said, "The reality is that as painful and subjective as this was, it's going to be a little bit more work, because we have other Councilors that need to be able to chime in. But we've got a good starting point. And I think you can just go ahead and submit it, Councilor Maestas and we'll kind of see where the discussion takes us."

Councilor Maestas said, "Just for the record, I want to say that I am going to submit, under Citywide Streets and Bridges, the Canyon Road Street Lighting Project and under Parks, The Water History Park and Museum. Those will be my two."

Chair Dominguez asked Mr. Duran if that is okay, and Mr. Duran said yes.

Chair Dominguez asked Mr. Duran if he has everything he needs so far.

Mr. Duran said, "Yes. Great job Mr. Chairman."

Chair Dominguez said, "Good job guys."

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END OF CONSENT CALENDAR DISCUSSION

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DISCUSSION

18. DISCUSS IMPLEMENTATION OPTIONS PROPOSED PER RESOLUTION 2014-54, REGARDING DONATED COMPUTERS FOR INDIGENT CHILDREN PROGRAM. (RENEE MARTINEZ)

Councilor Rivera said, "This is in response to a Resolution we passed in July asking for IT staff, which was then Lisa Martinez, so Lisa and Renee thank you both for coming together and getting this project off the ground.... I asked them to come up with a plan for getting computers reworked and out to some of our underprivileged children and families that may need computers. And obviously, computers are such a big need. And Councilor Dominguez, this also is in response to some of the comments we

heard from the Southside Quality Initiative Program that you have up, so this is a need that came up from many of the children and families in the area that don't have use of technology that is required for job applications, homework, and all that. And with that, I'll let you take over, Renee, and thank you and Lisa both for the great work."

Renee Martinez, IT Department Director, said, "We were asked to prepare a couple of implementation options for the program. And both options really ask that we take any retired City computers, and we take the City data and software off those computers. And then we install some free software, operating systems and a browser and we donate those computers to indigent children. And there are options for who we would partner with right in the proposal. We've just said that we can partner with the Santa Fe Public Schools. Maybe they would be the best one to identify children who would be in need of a computer. I did get tagged by Terrie Rodriguez from the Children and Youth Commission. She said they could actually be a partner to identify qualified children."

Ms. Martinez continued, "So in terms of the costs related to it, if we just donated the computers in an *ad hoc* fashion, meaning today the City does not have a refresh program for PC's. A lot of organizations will have a more formal refresh program, so that every 4 years, City computers get replaced. That's about the life span of a computer. After that, they start to break down which causes productivity programs for both the employees using the computers as well as a resource impact to IT which is responding to those failures. So, today, the City doesn't have that program. So what happens is, as PCs fail, and the Department asks IT to replace them, and if they have the budget for them. There are about 100 of those over the last 2 years, averaging about 100 PCs, that would be replaced with department budgets. "So the cost of 100 PCs is about $850 per PC, and that's already in the City budget."

Ms. Martinez continued, "The IT staff can prepare about 10 per month without impacting the regular operations of IT in supporting the departments. Above 10, we would like to go ahead and contract the work out to a local to a local provider who would do the same setup that we would to get the computers ready for donation, at about $90 per computer. Option #2 is if we implemented a City refresh program, we could have up to 350 computers available every year that would be replaced. That is approximately 1/4 of the City's computers on a regular cycle. If we establish that kind of program, which would cost about $300,000 per year, then we could have up to 350 computers every year available to donate. So those are the two implementation options we wanted to present for your discussion and consideration, and then get some guidance as to how to proceed."

Chair Dominguez asked if the $300,000 is new costs, and is really absorbed costs and staff time.

Ms. Martinez said, "No, it is new cost, so the new cost would be the $80,000 that we spend today in the budgets, then the difference between $300,000 and the $80,000. So those are new costs to the City budget."

Chair Dominguez said then the $80,000 is part of the *ad hoc*.

Ms. Martinez said, "Yes. That is what we do today in the Department, replace those that are the most critical. Actually, that's not fair to say, they don't. Sometimes the oldest computers don't get

replaced. Sometimes they'll just decide that someone needs to have a new computer and a department will ask us to replace it. Oftentimes, if that computer is usable, then we do a little 'hand me down,' where we say, okay you want to replace a two-year old computer for some reason out of the budget. We'll go ahead and buy it, but that two-year old computer is still good, so let's replace a 7-year old one. So we'll hand me down, but we still live with a lot of old computers."

Councilor Trujillo said, "So, you're saying that we don't have a criteria for replacing computers, right. We don't have a timeframe for how long we keep them."

Ms. Martinez said, "We don't."

Councilor Trujillo said, "This goes back to dealing with the fleet and equipment. I think we have needed to do this for a long time with every piece of equipment – tracking it, knowing where it is, if it's a lemon. This is something we definitely need to start working on – the criteria for how long we keep these computers. I understand keeping a few for spare parts. But I don't know how many computers we have in storage now. I do like what Councilor Rivera is doing, refurbishing and giving these computers to kids that really need them. That's a great idea and we definitely need to start doing. But the same time, if we have a computer from 1985, which I'm sure we have a few if you look hard enough, what actually is that doing for us. We can send it to auction and that revenue will come back into the General Fund. So, I'm willing to work with you guys on that. We're having the discussion at the Police Department for a vehicle replacement policy. So let's start the ball rolling, and I'll help you guys as much as I can. That's what I do at my job."

Councilor Rivera said he agrees with Councilor Trujillo, noting this program was designed "not to be cost prohibitive. Again this is to discuss implementation options."

MOTION: Councilor Rivera moved, seconded by Councilor Trujillo, to go with Option 1, to provide 50-100 computers a year based on current *ad hoc,* with direction to staff to work on establishing the refresh program, with the assistance of Councilor Trujillo, to see what we can come up in regards to that.

DISCUSSION: Chair Dominguez said kudos to Councilor Rivera, and thinks this is great. He said the Santa Fe Public Schools have promised every student a tablet or some similar thing, iPad. He said it is a great program and another way of how this Governing Body is willing to work for many of the children in our schools and community.

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

19. GENERAL BUDGET DISCUSSION (PLEASE BRING ANNUAL OPERATING BUDGET BOOKS).

Chair Dominguez asked to postpone Item #19 to the next meeting. He asked that we consider putting two items on the next agenda: A discussion about IT and a discussion about Procurement. He said by then we should have a better idea of how much information the City Manager was able to gather for all the other items he think Ms. Brennan sent to the Committee.

The members of the Committee indicated the requested information.

Chair Dominguez said then we will postpone this item to the next meeting. He said we also will try to consider IT and Procurement as well.

A. UPDATE ON FINANCE DIRECTOR

20. OTHER FINANCIAL INFORMATION

There was no Other Financial Information.

21. MATTERS FROM THE COMMITTEE

A. PAYMENT TO FIESTA COUNCIL

Councilor Maestas asked to be listed as a cosponsor on Agenda Items 13(A) and (B), regarding the Redistricting Commission, both the Ordinance and Resolution. He also would like to be a cosponsor on Item #16 regarding the One-Stop Shop for the homeless.

Councilor Maestas recognized Gilbert Romero, Fiesta Council President, who opted to stay at the meeting until we discussed the status of the payment to the Fiesta Council..

Councilor Maestas said, "I want to bring to the Committee's attention, that this body passed Resolution No. 2013-29, reaffirming its commitment to support the Fiesta Council and to compensate the Fiesta Council with Lodger's Tax funds for marketing and promotions. As we all know, we have some former Don Diegos here on the Committee. We know it's a great community event."

Councilor Maestas continued, "I'm a little troubled because we also have a PSA with the Fiesta Council, effective July 1, 2013. The copy that I received, expired on June 30, 2014. It is a PSA for $50,000 of Lodger's Tax, and it's contingent upon sufficient appropriation. And if there is not sufficient appropriation, the City must notify the contractor, the Fiesta Council, whether or not there is sufficient appropriation. And I'm aware that Lodger's Tax revenues are well above budgeted revenues. And since this payment is paid through Lodgers' Tax, I don't believe there have been insufficient appropriations. And I just want to, on the record, inquire why the Fiesta Council hasn't been paid per this PSA."

Chair Dominguez said, "Basically, per the email from Brian Snyder, the funding was not part of Tourism's budget, and Tourism failed to include it when we approved the overall budget. So I think really what it comes down to is that quite frankly, the City Manager is going to have to figure out where to get the money for the Fiesta Council, unless we want to appropriate it ourselves from somewhere else, or simply amend the overall budget to reflect that and have Tourism reduce its budget by that much. There are several ways to do it."

Councilor Maestas said, "If I may, confirm that Lodgers' Tax revenues are above budgeted revenues, and if so, it's up to this body to determine how those additional revenues will be expended."

Chair Dominguez asked if there is a timeline on this.

Councilor Maestas asked Teresita Garcia to verify whether or not Lodgers' Tax is above budget levels.

Ms. Garcia said, "I didn't know anything about this item, so I'm not familiar with where the Lodgers' tax was budgeted. But I can do a cash flow analysis and see what has come in and what was budgeted to reflect a summary of what is available in the Lodgers' Tax.

Councilor Maestas asked her to let the Committee know and Ms. Garcia said yes.

Chair Dominguez said, "I will work with the CM to figure out how we want to resolve this, whether it's that route or, I don't know. We'll figure something out. But go ahead, did you guys have a timeline on this."

Fiesta Chair Gilbert Romero said, "Yes, my understanding was we were going to get this money, so we started doing our advertising and normally what we do is submit for reimbursement. When we submitted the reimbursements, we was told there was no money. So I was kind of disappointed it wasn't there. There was last year. A new Resolution was put in by Councilor Bushee, and approved by the Council. We are in desperate need of the money."

Chair Dominguez said he will try to get it on the next agenda, noting it really up to the City Manager to decide, aside from some separate piece of legislation we have to pass to get the money allocated. He said, "I'll go sit with him and see what we can do."

Councilor Maestas said, "And I would also suggest that you pursue another Professional Services Agreement for the next year. I don't know there has been a follow-up to the one that expired at the end of June. And you should rethink the cycle of it. If it terminates on June 30th and you're incurring expenses related to promotional things and marketing. Or do you front load all your marketing that you request reimbursement for."

Mr. Romero said, "The way we do it is we do $40,000 for the fiscal year. This year 2014, it was $50,000 for the whole year. But this year, we do that, and then starting in January we try to get money for the *[inaudible]* selection, Baille de Mayo, and other things we do in the year to come up with about $10,000. So we do $40,000 to December, and then $10,000 the rest of the fiscal year."

Councilor Maestas said, "So I would get to work on the next PSA and just remind the City Manager that there is a contractual obligation to either formally notify the contract there are not sufficient appropriations, or if there are, then I think we need to decide, as the Chairman mentioned."

Mr. Romero said, "It costs us about $300,000 to put on Fiestas. We get no other money from anywhere else but the City. The City has always been supportive of a lot of things for us, the Convention Center and other things. They do a lot for us and it's greatly appreciated. But the only thing we ask from the City is the $50,000 to help us do the advertising. We ask for no money from anybody else."

Responding to Councilor Trujillo, said, "What has happened is that when we approved Tourism budget, typically what happens is that Tourism would put that amount in their budget. But apparently this year they did not. So the money has to come from somewhere."

Councilor Trujillo said this is something has always been done and has been known. He doesn't know who made the mistake, but if the money comes from Tourism, it has to reduce its coffers by $50,000. He said, "I'll say it. If we can give $50,000 to lure The Bachelor, I'm sorry, but in my opinion, this much more important to this community than that, so that's my two cents worth."

Chair Dominguez said what really needs to happen is the City Manager needs to make sure that money is budgeted appropriately, especially if there is a signed PSA. He said, "I wonder how many more of these have happened."

Mr. Romero said the Resolution provides $50,000 to the Fiesta Council, $50,000 to the Bandstand and $50,000 to The Lensic. He said the other two got their money, but the Fiesta Council did not.

Councilor Rivera said, "I keep hearing that the City Manager is going to have to find the money from somewhere. Where it should come is from is from Tourism, but that may not be the case. So some other fund may have to suffer because of a mistake Tourism made. That's where I keep reiterating the fact that if budget decisions had to come before this board, and not rest solely with the City Manager, we could help make some of those decisions. I just wanted to throw that in, Mr. Chair."

Chair Dominguez said it is part of the ongoing discussions we will have for budget.

Ms. Garcia said, "I would like to make a recommendation that if it's a contract for a multi-year, then the commitment is there and it's included in the budget. If it's a contract year by year, then it tends to get lost, because if there is no appropriation, there's no contract. So my recommendation is, at July 1st to make sure the vendor gets a PO so they understand what the City commitment is and we can catch it at the very beginning, rather than wait until they spend the money and are coming back."

Chair Dominguez said, "I think that's something the Fiesta Council needs to resolve and decide for themselves. Maybe they want to do year by year, I don't know. But, I think that's good advice."

B. INTRODUCTION OF LEGISLATION

Chair Dominguez Dominguez introduced an Ordinance on behalf of Councilor Ives as follows: A Ordinance establishing Santa Fe Public Power, an Electric Public Utility. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "5."

22. ADJOURN

There was no further business to come before the Committee, and the meeting was adjourned at approximately 8:15 p.m.

C Dominguez

Carmichael A. Dominguez, Chair

Reviewed by:

Teresita Garcia 11/24/2014

Teresita Garcia, Acting Director
Department of Finance

Melessia Helberg

Melessia Helberg, Stenographer

ITEM #13(a)

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2014-____
Independent Citizens' Redistricting Commission

Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2014-____:

1. On page 2, ***delete*** lines 8 and 9 and ***insert*** the following in lieu thereof: "by using data, including census data."

2. On page 5, line 5, after "statistician" ***insert*** ", except that if a city resident is not available, then a resident of Santa Fe county may be appointed"

3. On page 5, line 7, after "cartographer" ***insert*** ", except that if a city resident is not available, then a resident of Santa Fe county may be appointed"

4. On page 6, line 5 after "candidate" ***insert*** ", as defined in §9-2.3(G) SFCC 1987"

5. On page 6, line 11, after "who" ***insert*** "is or has registered as a lobbyist with the New Mexico secretary of State; and a person who"

Respectfully submitted,

_____
Carmichael Dominguez, Councilor

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Yolanda Y. Vigil, City Clerk

Exhibit "1"

ITEM #13(b)

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2014-____
Independent Citizens' Redistricting Commission

Mayor and Members of the City Council:

I propose the following amendment(s) to Resolution No. 2014-____:

1. On page 2, line 13 after "about" ***insert*** "such things that include, but are not limited to, demographics, statistics,"

2. On page 2, line 24, after "about" ***insert*** "such things that include, but are not limited to, demographics, statistics,"

3. On page 3, line 5, after "statistician" ***insert*** ", except that if a city resident is not available, then a resident of Santa Fe county may be appointed"

4. On page 3, line 6, after "cartographer" ***insert*** ", except that if a city resident is not available, then a resident of Santa Fe county may be appointed"

Respectfully submitted,

_____
Carmichael Dominguez, Councilor

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Yolanda Y. Vigil, City Clerk

Exhibit "2"

City of Santa Fe, New Mexico

ITEM #17

memo

Date: November 3, 2014

To: Mayor and Councilors

From: Melissa Byers, Legislative Priorities

Re: New Mexico Municipal League (NMML) Resolutions (14/15)

During the discussion of the ICIP priority projects for the City's legislative priorities resolution, at the October 29, 2014 Council meeting, the Mayor referred to the legislative priorities that have been established by the NMML. I went through and reviewed the NMML resolutions adopted and came up with the following list of resolutions adopted by the NMML that relate to legislative requests (my notations are in parentheses).

Please review and let me know if you want to consider referencing any of the resolutions in the City's legislative priorities resolution. I have noted the ones that are currently in the City's resolution. If you would like to review actual resolutions, please let me know and I can forward to you.

Res# **Title/Summary**

1 Concerning Increasing the Jurisdictional Amount of Petty Misdemeanor Offenses
Summary: The New Mexico Municipal League supports legislation to increase the dollar value of the crime of issuing worthless checks to $100.00.

2 Concerning Confirmation of Appointive Officials at the Organizational Meetings
Summary: Section 3-11-5, NMSA 1978, requires a municipality to in essence re-hire its employees after every election; the New Mexico Municipal League supports legislation to repeal Section 3-11-5, NMSA 1978

4 Concerning Personnel Records and the Inspection of Public Records Act
Summary: The New Mexico Municipal League should seek the introduction of legislation that would exempt from disclosure, the names of individuals applying for high-ranking appointive positions with municipal governments until those individuals become finalists in the recruitment process; and the legislation should also address what personal information of employees and customers of municipalities should be confidential and not subject to disclosure under the Act and which information should be released.

5 Concerning the Return to Work Provisions of the Public Employers Retirement Act
Summary: The New Mexico Municipal League urges the State of New Mexico to enact legislation that exempts law enforcement, fire service, EMS first responders, water and waste water operators, certified electric utility employees and correctional retirees from the new return to work law.

Exhibit "3"

6 Concerning the Sale, Transfer and Issuance of Liquor Licenses in New Mexico *(Councilor Dominguez??)*
Summary: the New Mexico Municipal League urges the New Mexico Legislature to study, review and make changes to the Liquor Control Act to provide a more fair, affordable, equitable and competitive environment in dealing with the sale, transfer and ownership of Retailer and Dispenser licenses in the state.

7 Concerning the Time Limit for Municipalities in a Class A County to Act on Annexation Petitions
Summary: The New Mexico Municipal League seeks legislation amending Section 3-7-17.1 NMSA 1978 to extend the time for a municipality in a Class A county to approve or disapprove an annexation petition from sixty (60) to one hundred eighty (180) days after receiving the petition.

8 Concerning Amending the Municipal Election Code to Authorize Voting Convenience Centers *(One of the City Clerk's goals)*
Summary: The New Mexico Municipal League seeks legislation to amend the Municipal Election Code to authorize the use of voting convenience centers.

9 Concerning Granting Local Governments the Option of Decriminalizing their Zoning Laws
Summary: The New Mexico Municipal League supports legislation to grant local governments the option of decriminalizing their zoning laws.

10 Concerning the Election Process where All Candidates are Unopposed
Summary: The New Mexico Municipal League supports a change in the Constitutional and statutory requirements of holding municipal elections when all the candidates for municipal office are running without opposition and there are no questions on the ballot.

15 Concerning Alternative Sources of Water Supply
Summary: The New Mexico Municipal League requests the New Mexico State Legislature to consider, under the guidance of the State Engineer and the Interstate Stream Commission Director, an appropriate funding mechanism that results in developing statewide and other viable alternatives that provide for the sustainability of water supplies

16 Concerning the Development of Numeric Nutrient Water Quality Criteria
Summary: the New Mexico Municipal League urges the Governor of New Mexico and the New Mexico Legislature to support municipalities in meeting nutrient target values in their point source discharges by identifying and planning for funding such necessary projects.

17 Concerning the Support of Municipalities in Meeting Nutrient Water Quality Permit Limitations
Summary: The NM Municipal League requests that the water conservation fee remain unchanged from the original 1993 implementing legislation creating the fee; and should NMED intend to further increase the fee, NMED should first evaluate the impacts of decreased monitoring, lack of full implementation of the current statute and increases in federal funding; and share the enabling legislation with the affected regulated community to reach a consensus prior to the legislation being introduced.

18 Concerning the Water Conservation Fee
Summary: The NM Municipal League requests that the water conservation fee remain unchanged from the original 1993 implementing legislation creating the fee

19 Concerning State Tax Policy and Its Effect on Local Governments ***(Already in our resolution – City's Resolution #2014-45)***
Summary: the New Mexico Municipal League calls on the New Mexico State Legislature to enact legislation, consistent with the *NMML Policy Statement,* during the 2015 Legislative Session to bring balance, equity and financial stability to local municipal governments and the residents they serve.

20 Concerning Telecommunications Franchise Ordinances
Summary: the New Mexico Municipal League supports legislation to allow imposition of a statewide "Telecommunications Fee" not to exceed 5% on all telecommunication providers operating within a municipality.

21 Concerning Use of State Grant Monies to Defray the Cost of Administration
Summary: The New Mexico Municipal League seek clarification through legislation that would allow state grant monies to help defray the cost of administration of grants; and the New Mexico Municipal League seek legislation that would clarify the propriety of utilizing bond proceeds to defray the cost of grant administration for projects that are funded through the issuance of debt.

22 Concerning the Local Gross Receipts Taxes on Food
Summary: The New Mexico Municipal League support legislation to return food to the gross receipts tax base for only local gross receipts tax rates, including the 1.225 of the state rate, by shifting the 1.225 to the local GRT system; and the legislation include a significant increase in the Low Income Tax Credit; and that such legislation would also repeal the Hold Harmless distribution whereby increasing the state general fund in one fiscal year rather than 17 years; and that the legislation would also repeal the new gross receipts authority of 3/8 percent for cities and counties.

23 Concerning Home Rule Municipality Taxing Authority ***(Already in our resolution – City's Resolution #2014-55)***
Summary: The New Mexico Municipal League calls on the New Mexico State Legislature to take immediate action during the 2015 session to enact legislation that would remove the taxing limitations currently imposed on home rule municipalities in order to permit home rule municipalities to have increased taxing authority.

24 Concerning the Enactment of a Municipal Telecommunications Tax Act by the New Mexico State Legislature ***(Already in our resolution – City's Resolution #2014-56)***
Summary: the New Mexico Municipal League calls on the New Mexico State Legislature to enact a Municipal Telecommunications Tax Act using the Utah Act as a model.

25 Concerning Irrevocable Trusts Set Up by Municipalities and Counties
Summary: the New Mexico Municipal League urges the legislature and governor to allow municipal and county trusts to be governed under NMSA 1978 Fiduciaries and Trusts Section 46-9A-3.

26 Concerning Revisions to the Sale or Lease of Public Property Section for Monetary Thresholds
Summary: The New Mexico Municipal League supports legislation to increase the monetary thresholds in the Municipal Sale or Lease of Property Section above the current rate of $25,000.

27 Concerning Funding for Municipal Streets, Roads, Bridges, Airports, Rail and Transit
Summary: The New Mexico Municipal League supports continued funding for critical local projects where applicable, to follow, be guided by and adhere to current state transportation

improvement plans established by Metropolitan Planning Organizations, DOT Aviation Division and Regional Planning Organizations; and that a comprehensive plan of investment for critical transportation projects be developed with municipal input and that such plan identify alternative funding resources necessary to finance such plan including matching funds and in-kind services in rural areas; and that municipalities, the Governor and the Legislature collaborate on the development of critical local transportation projects and a comprehensive investment plan.

29 Concerning the Law Enforcement Protection Fund
Summary: The New Mexico Municipal League seeks legislation to increase the distributions from the Law Enforcement Protection Fund to a level that is sufficient for law enforcement needs.

30 Concerning Amending the Sex Offender Registration and Notification Act
Summary: The New Mexico Municipal League supports amendment of the Sex Offender Registration and Notification Act to bring New Mexico into full compliance with federal law; and that the amendments to SORNA also address the subject of registered offenders living or meeting in close proximity to schools, parks or other government owned facilities frequented by children.

31 Concerning Municipal Authority to Regulate Fireworks
Summary: The New Mexico Municipal League seeks legislation to grant municipalities the authority to enact ordinances at any time regulating the sale and use of any firework, up to and including a complete ban

32 Concerning EMS Funding
Summary: The New Mexico Municipal League supports an increase to the EMS Fund Act for use by local EMS providers in the state of New Mexico

33 Concerning DWI and Traffic Enforcement on Publicly Accessible Private Property
Summary: the New Mexico Municipal League seek legislation to amend NMSA section 3-49-1(o) to remove the requirement that local law enforcement officials first secure the written permission of a landowner prior to enforcing DWI and traffic regulations on private property that is open to the public.

34 Concerning the Endorsement of Efforts to Maintain the Amtrak Southwest Chief Passenger Service Between Lamy/Santa Fe, New Mexico and Newton, Kansas
Summary: The New Mexico Municipal League calls upon the members of the legislature of the State of New Mexico to support continuation of Amtrak Southwest Chief route.

35 Concerning the Establishment of a State Transit Fund to Support Municipal and Regional Transit Capital and Operational Needs
Summary: the New Mexico Municipal League supports the efforts of the New Mexico legislature to enhance revenue for investment in transportation infrastructure across the state to include investment in public transportation fleets and associated public transportation infrastructure.

36 Concerning Merging the NM Municipal Election Code with the State Election Code
Summary: the New Mexico Municipal League urge the New Mexico Legislature to merge the Municipal Election Code into the state Election Code

37 Concerning the Support of Interest and Fee Caps on Non-Bank Lending Institutions in New Mexico ***(Already in our resolution – City's Resolution #2014-68)***

Summary: The New Mexico Municipal League urges the New Mexico Legislature and the Governor to enact inflation indexed interest and fee caps of 36% or less across all loan products offered by small loan companies and non-chartered lenders.

39 Concerning Law Enforcement and Mental Health Professionals Crisis Intervention for the Mentally Ill

Summary: the New Mexico Municipal League seek legislation to provide funding and legislative statutory support to mandate Regional Crisis Intervention Teams that would be established and utilized to further support the Law Enforcement and First Responder mission of protecting and assisting a person or persons in crisis, protecting the remainder of the New Mexico Community from the potential negative effects of contacts with those in crisis, and furthering collaborative efforts that would mitigate the amount and severity of negative contacts with those in crisis, thus avoiding further tragic loss of life.

40 Concerning Lodgers Tax Audits Compliance

Summary: the New Mexico Municipal League requests that the NM Legislature in its next session to find a means for Counties and Municipalities to penalize nonconformance with the required audit.

Legislative ICIP Priorities

1 Citywide Streets and Bridges

		Funded to date	2016	2017	2018	2019	2020	Total Project Cost	Amount Not Yet Funded	Phases
1	Downtown Bridge Improvements	0	1,500,000	2,200,000	2,200,000	1,100,000	2,200,000	9,200,000	9,200,000	Yes
10	Calle Po Ae Pi Extension	0	250,000	600,000	0	0	0	850,000	850,000	Yes
22	Traffic Signing and Pavement Marking Mntc.	0	150,000	150,000	0	0	0	300,000	300,000	Yes
23	Agua Fria/ South Meadows Intersection Impr.	0	100,000	1,300,000	0	0	0	1,400,000	1,400,000	No
24	Sandoval/Montezuma Intersection Imp.	0	50,000	500,000	0	0	0	550,000	550,000	No
25	Cerrillos Rd./ Sandoval Intersection Imp.	0	150,000	1,100,000	0	0	0	1,250,000	1,250,000	No
26	Traffic Signals Comm Design & Install	0	370,000	300,000	300,000	300,000	300,000	1,570,000	1,570,000	Yes
27	Traffic Signal Cabinet Project	0	414,000	0	0	0	0	414,000	414,000	Yes
30	Old Taos Hwy Pedestrian Improvements	0	220,000	0	0	0	0	220,000	220,000	No
31	Canyon Road Street Lighting	0	350,000	0	0	0	0	350,000	350,000	No
56	Traffic Calming Improvements	0	100,000	1,100,000	1,000,000	1,000,000	1,000,000	4,200,000	4,200,000	Yes
45	City of Santa Fe Gateways	0	100,000	0	0	0	0	100,000	100,000	No

2 Citywide Library Improvements

16	Main Library Rewire	0	250,000	0	0	0	0	250,000	250,000	No
20	La Farge Library Renovations	0	350,000	1,000,000	0	0	0	1,350,000	1,350,000	Yes
58	Main Library	0	33,000	0	0	0	0	33,000	33,000	No
7	Southside Library Lightning Protection	0	50,000	0	0	0	0	50,000	50,000	No

"A"

3 Parks

Parks	5	Southwest Activity Node Park (SWAN)	35,000	200,000	5,000,000	0	0	0	5,235,000	5,200,000	Yes
	15	Salvador Perez Park	0	250,000	0	0	0	0	250,000	250,000	No
	33	Municipal Recreation Soccer Complex	225,000	500,000	6,500,000	0	0	0	7,225,000	7,000,000	Yes
Trails	28	Acequia Trail Crossing at St. Francis/Cerrillos	0	4,000,000	0	0	0	0	4,000,000	4,000,000	No
	69	Old Santa Fe Trail Bikeway Improvements	0	1,500,000	0	0	0	0	1,500,000	1,500,000	Yes
Recreation	3	Genoveva Chavez Community Center	25,000	800,000	2,400,000	0	0	0	3,225,000	3,200,000	Yes
	4	Ft. Marcy Complex	0	378,000	0	0	0	0	378,000	378,000	No
	6	Salvador Perez Pool	20,000	70,000	0	0	0	0	90,000	70,000	No
	11	Bicentennial Pool Improvements	0	170,000	0	0	0	0	170,000	170,000	No
	53	Senior Center Outdoor Recreation	0	100,000	0	0	0	0	100,000	100,000	Yes
Individual Project	49	Water History Park & Museum	150,000	1,000,000	0	0	0	0	1,150,000	1,000,000.00	No
	52	Ft. Marcy Ball Park	0	6,600,000	0	0	0	0	6,600,000	6,600,000.00	Yes

Exhibit

4 Fire, Police, Public Safety

Fire	12	Fire Station 1 (200 Murales)	0	300,000	1,200,000	0	0	0	1,500,000	1,500,000	Yes
	18	Fire Training Facility (1130 Siler Road)	0	50,000	1,450,000	0	0	0	1,500,000	1,500,000	Yes
	50	Fire Station (SW sector/Agua Fria)	0	200,000	3,200,000	0	0	0	3,400,000	3,400,000	Yes
Police	21	Police Substations Improvements	0	250,000	1,100,000	0	0	0	1,350,000	1,350,000	Yes
	57	Police Seizure Lot	0	180,000	0	0	0	0	180,000	180,000	No
Public Safety	19	Public Safety Improvements	0	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	5,000,000	5,000,000	Yes

Legislative ICIP Priorities

5 Seniors	9	Senior Services	154,000	475,000	0	0	0	0	629,000	475,000	Yes
	17	Senior Center Improvements	164,000	98,000	0	0	0	0	262,000	98,000	No
6 Facilities	13	Municipal Court- Office Expansion	0	125,000	0	0	0	0	125,000	125,000	Yes
Facilities	14	Municipal Court- Building Renovations	0	30,000	330,000	0	0	0	360,000	360,000	Yes
	37	Bus Stop Amenities	0	500,000	500,000	500,000	500,000	500,000	2,500,000	2,500,000	Yes
	38	Environmental Srvs Equipment Maint. Shop	0	250,000	2,250,000	0	0	0	2,500,000	2,500,000	Yes
	40	Environmental Srvs. Res./Commercial/Office	0	90,000	0	0	0	0	90,000	90,000	No
	47	Transit Yard Roof Structure	0	275,000	0	0	0	0	275,000	275,000	No
	54	ITT Back up Simulcast Radio Central Site	0	100,000	900,000	0	0	0	1,000,000	1,000,000	Yes
	32	Southside Transit Center	0	1,200,000	0	0	0	0	1,200,000	1,200,000	No
	8	Carlos Ortega Teen Center Improvements	0	200,000	500,000	0	0	0	700,000	700,000	Yes
	70	City Hall Improvements	0	800,000	874,914	0	0	0	1,674,914	1,674,914	Yes
	2	Airport Terminal Building Expansion	890,000	460,000	0	0	0	0	1,350,000	460,000	Yes
Individual Project	55	Zona Teen Center	0	2,150,000	1,100,000	1,100,000	1,200,000	0	5,550,000	5,550,000	Yes
	46	Downtown Transit Center	0	3,000,000	0	0	0	0	3,000,000	3,000,000	No
7 Nonprofit	59	Southside Boys and Girls Club	0	200,000	7,000,000	300,000	0	0	7,500,000	7,500,000	Yes
	60	Rodeo Arena	430,000	200,000	30,000,000	0	0	0	30,630,000	30,200,000	Yes
	61	La Familia Center Expansion	50,000	150,000	1,000,000	0	0	0	1,200,000	1,150,000	Yes
	62	Community Center for Addictions Program	0	200,000	0	0	0	0	200,000	200,000	No
	63	Warehouse 21 Teen Center	0	100,000	0	0	0	0	100,000	10,000	No
	64	The Lensic Performing Arts Center	0	100,000	0	0	0	0	100,000	100,000	No
	65	Heros Housing	50,000	100,000	150,000	0	0	0	300,000	250,000	Yes
	66	Tierra Contenta Phase Project	200,000	2,500,000	4,390,000	0	0	0	7,090,000	6,890,000	Yes
8 Utilities	35	Hospital Tank	0	600,000	7,400,000	7,590,000	0	0	15,590,000	15,590,000	Yes
Water	36	Buckman Water Transmission Improvements	8,000,000	1,000,000	4,500,000	0	0	0	13,500,000	5,500,000	Yes
	39	Canada Well	0	11,000,000	0	0	0	0	11,000,000	11,000,000	No
	67	Storage Tank and Pump Stations	1,200,000	1,800,000	4,000,000	0	0	0	7,000,000	5,800,000	Yes
	34	Rufina St. Sewer Line Rehabilitation	0	750,000	750,000	0	0	0	1,500,000	1,500,000	Yes
Sewer	41	Waste Water Belt Press for Solids Handling	0	700,000	0	0	0	0	700,000	700,000	No
	48	Waste Water Sludge Digester	0	500,000	3,500,000	0	0	0	4,000,000	4,000,000	Yes
9 All Other	42	Bus Replacement Purchase	0	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	6,250,000	6,250,000	Yes
	43	Parking Garage Riding Sweeper	0	53,700	0	0	0	0	53,700	53,700	No
	44	Parking Access Revenue Control System	0	690,328	0	0	0	0	690,328	690,328	No
	51	ITT Financial System Hardware Platform	0	1,000,000	0	0	0	0	1,000,000	1,000,000	Yes
	68	West Alameda St. Drainage	0	500,000	3,000,000	0	0	0	3,500,000	3,500,000	Yes
		Market Station Work Space Remodel	0	0	1,700,000	0	0	0	1,700,000	1,700,000	Yes

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2014-___

INTRODUCED BY:

Councilor Peter Ives

AN ORDINANCE

CREATING A NEW CHAPTER 29 SFCC 1987 TO ESTABLISH SANTA FE PUBLIC POWER, AN ELECTRIC PUBLIC UTILITY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. A new Chapter 29 SFCC 1987 is ordained to read:

29 [NEW MATERIAL] ELECTRIC PUBLIC UTILITIES.

Section 2. A new Section 29-1 SFCC 1987 is ordained to read:

29-1 [NEW MATERIAL] SANTA FE PUBLIC POWER.

29-1.1 [NEW MATERIAL] Legislative Findings.

A. The people of Santa Fe seek electric energy supplied in a reliable, fiscally sound, and environmentally responsible manner.

B. Community safety, convenience, and prosperity all depend on the reliable delivery of electric energy.

C. The cost of electric energy is a significant portion of business and household budgets.

D. Climate change and diminishing fossil fuel supplies, combined with the high cost of

Exhibit "5"

those fuels, are significant factors that have led to the establishment of the electric utility known as Santa Fe Public Power.

E. Preserving and protecting the natural environment goes beyond producing clean energy.

F. Energy and power that is produced in an environmentally responsible manner requires that the city balance environmental factors as an integral component of planning, design, construction, and operational decisions.

29-1.2 [NEW MATERIAL] Authority.

Section 29-1 SFCC 1987 establishes an electric public utility and is adopted pursuant to the powers granted to the city of Santa Fe in Article X, § 6 of the Constitution of New Mexico; Section 3-17-1 et seq. NMSA 1978 and §3-18-1 et seq. NMSA 1978; and Sections 1.02, 2.03, 2.07 and 6.02 of the Santa Fe Municipal Charter.

29-1.3 [NEW MATERIAL] Short Title.

Section 29-1 SFCC 1987 shall be cited as the "Santa Fe Public Power Ordinance."

29-1.4 [NEW MATERIAL] Purpose.

The purpose of Section 29-1 SFCC 1987 is to establish an electric public utility owned by the city of Santa Fe. The electric public utility shall be operated in the best interests of the residents of Santa Fe by efficiently delivering affordable and reliable energy, operating in a transparent and fiscally responsible manner, generating local economic development, using cleaner energy, establishing ratepayer equity and operating under principles of responsible environmental stewardship.

29-1.5 [NEW MATERIAL] Definitions.

[To be determined if necessary].

29-1.6 [NEW MATERIAL] Establishment of Santa Fe Public Power.

An electric public utility, known as "Santa Fe Public Power" or "SFPP," is established.

A. Santa Fe Public Power shall be responsible for:

(1) Planning, developing, producing, purchasing, selling, transmitting and distributing electricity and related services.

(2) Providing electric energy that is reliable, supports economic vitality, prevents service outages and responds promptly to any service outage.

(3) Operating in a fiscally responsible manner by maintaining a billing system that is competitive with, or lower than, any investor-owned utility whose service area would include the city of Santa Fe.

(4) Reducing reliance on fossil fuels by focusing on sustainable alternatives, and seeking new opportunities for producing clean energy.

(5) Promoting ratepayer equity in all aspects of its operations by ensuring that rates charged by the utility are designed to create a fair and equitable distribution among all users of the costs, replacement, maintenance, expansion, operations of facilities, energy, and energy conservation programs for the safe and efficient delivery of electric energy to the customers of Santa Fe Public Power.

(6) Considering the effects of Santa Fe Public Power programs, policies and rates when developing programs for low-income customers.

(7) Working to reduce the environmental impact of its operations, including working to reduce the demand for electricity.

(8) Providing Prompt, friendly and effective customer service.

B. The governing body of the city of Santa Fe, or its assigns, shall operate as the governing body of Santa Fe Public Power and shall conduct its meetings in accordance with the New Mexico Open Meetings Act, Sections 10-15-1 through 10-15-4 NMSA 1978.

C. Documents produced by Santa Fe Public Power or the city of Santa Fe are subject to the Inspection of Public Records Act, Chapter 14, Article 2 NMSA 1978.

D. The role of Santa Fe Public Power as a potential utility provider for new developments in the city of Santa Fe shall be assessed for feasibility by the public utilities department.

29-1.7 [NEW MATERIAL] Powers and Duties of Santa Fe Public Power.

A. Santa Fe Public Power shall have all of the powers authorized by any applicable provisions of the New Mexico constitution, state law, the city charter, the Santa Fe City Code, and any other applicable laws or rules.

B. Santa Fe Public Power is authorized to:

(1) Sell its products and services to public and private corporations and to other consumers.

(2) Construct and operate generating plants, transmission, distribution and other facilities.

(3) Set rates and service policies and regulations.

(4) Adopt regulations governing extensions of services of the utility. The regulations shall provide the conditions under which the extensions shall be made to render them compensatory and shall provide that each extension project shall, when completed, become the property of the city whether on public or private property.

(5) Provide for refunds where advances by the person benefitted are necessary to make extensions compensatory.

(6) Enter into contracts and agreements with any public or private corporation or any individual, both inside and outside the boundaries of the city of Santa Fe and state of New Mexico for the:

(a) Use of property owned by Santa Fe Public Power, the other contracting party or jointly by both parties.

(b) Acquisition of real and personal property, rights and franchises and

the financing, construction, and operation of plants, buildings, transmission, distribution and other facilities.

(c) Operation and management of the electric system of Santa Fe Public Power, or any part thereof.

(7) Enter upon any land or water for the purpose of making surveys and exercise the right of eminent domain as provided by and in accordance with law when Santa Fe Public Power determines that public necessity or convenience requires such action.

(8) Use the ground over, under, or along any road, railway, highway, street, sidewalk, thoroughfare, alley, or waterway in the operations of the utility including the easements granted by Section 3-24-4 NMSA 1978 but shall in all cases, and subject to the applicable general regulations of the city, cause the surface of the public way to be restored to useable condition.

(9) Subject to applicable state and other laws, issue and sell utility bonds, revenue bonds or other types of indebtedness necessary to finance the acquisition, construction, improvement, and extension of utility facilities.

(10) Make expenditures to inform the public of the policies, operations, programs and plans of the utility.

29-1.8 [NEW MATERIAL] Severability.

If any subsection, sentence, clause, or phrase of this section is for any reason held to be invalid by a decision of any court of competent jurisdiction, that decision will not affect the validity of the remaining portions of the section. The governing body hereby declares that it would have passed this section and each and every subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this section would be subsequently declared invalid.

29-1.9 [NEW MATERIAL] No Conflict with Federal or State Law.

Nothing in this section is intended to create any requirement, power or duty that is in conflict with any federal or state law.

APPROVED AS TO FORM:

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KELLEY A. BRENNAN, CITY ATTORNEY

M/Melissa/Bills 2014/Santa Fe Public Power_clean