



# Agenda

Finance Committee Meeting  
May 5, 2008 – 5:15 pm  
City Council Chambers

**ALL MEMBERS OF THE GOVERNING BODY HAVE BEEN INVITED TO ATTEND  
THIS MEETING**

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

CITY CLERK'S OFFICE

DATE 5-1-08 TIME 3:40

SERVED BY Zolanda Green

RECEIVED BY [Signature]

APRIL 14, 2008 SPECIAL FINANCE COMMITTEE MEETING  
APRIL 21, 2008 REGULAR FINANCE COMMITTEE MEETING  
APRIL 23, 2008 SPECIAL FINANCE COMMITTEE MEETING

**MATTERS FROM THE COMMITTEE**

**PROPOSED RESOLUTIONS AND ORDINANCES: (WITH NO FISCAL IMPACT)**

6. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JUNE 11, 2008 AN ORDINANCE AMENDING SECTIONS 14-9.10(H)(28)(e) AND 14-8.10(H)(29) SFCC 1987 REGARDING PRICE REDUCTION SIGNS IN HISTORIC DISTRICTS (COUNCILOR BUSHEE) (DAVID RASCH)

**Committee Review:**

Historic Design Review Board (Approved)	April 8, 2008
Business & Quality of Life Committee (Approved)	April 7, 2008
Public Works Committee (Approved)	April 28, 2008

**PROPOSED RESOLUTIONS AND ORDINANCES: (WITH FISCAL IMPACT)**

7. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JUNE 11, 2008 AN ORDINANCE CREATING A NEW SECTION 14-6.2(F) SFCC 1987 ESTABLISHING REQUIREMENTS REGARDING ELECTRIC FACILITIES AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY (COUNCILOR CHAVEZ) (NICK SCHIAVO)



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- A. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING THE ELECTRIC FACILITIES PLAN AS AN AMENDMENT TO THE CITY OF SANTA FE GENERAL PLAN (COUNCILOR CHAVEZ) (NICK SCHIAVO)
- B. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING A FEE SCHEDULE FOR THE REVIEW OF APPLICATIONS FOR ELECTRIC FACILITIES (COUNCILOR CHAVEZ) (NICK SCHIAVO)

**Committee Review:**

Planning Commission (Approved)	June 21, 2007
Historic Design Review Board (Approved)	January 8, 2008
Public Works Committee (Approved)	April 28, 2008

**CONSENT AGENDA:**

- 8. BID OPENINGS:
  - A. BID NO. 08/33/B – LA FARGE BRANCH LIBRARY IMPROVEMENTS; GEW MECHANICAL, INC. (CHIP LILIENTHAL)
- 9. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – CIVIC CENTER MAGNATTACH (DANCE) FLOOR; MITY-LITE, INC. (CHIP LILIENTHAL)
- 10. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT BETWEEN OWNER AND ARCHITECT – GENOVEVA CHAVEZ COMMUNITY CENTER; AUTOTROPH, INC. (PETER GREENE)
  - A. REQUEST FOR APPROVAL OF REIMBURSABLE EXPENSES
  - B. REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT – PROJECT FUND
- 11. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – SECURITY SERVICES AT GCCC; CHAVEZ SECURITY, INC. (LIZ ROYBAL)
- 12. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – PHASE II OF ENERGY AUDIT; MECHANICAL AND ELECTRICAL ENGINEERING, INC. (NICK SCHIAVO)



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- 13. REQUEST FOR APPROVAL OF PROCUREMENT UNDER FEDERAL PRICE AGREEMENT – TWO (2) FIRE ENGINES FOR FIRE DEPARTMENT; FIRST IN, INC. (CHARLIE VELARDE)
- 14. REQUEST FOR APPROVAL OF CONTRACTS FOR EMPLOYEE BENEFIT COVERAGES (RFP #08/30/P) (KRISTINE KUEBLI)
  - A. BASIC AND SUPPLEMENTAL LIFE INSURANCE; UHC SPECIALTY BENEFITS
  - B. LONG TERM AND SHORT TERM DISABILITY; STANDARD PLAN I
- 15. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT – PROVIDE THIRD PARTY ADMINISTRATIVE SERVICES FOR CITY'S HEALTH INSURANCE PROGRAM; UNITED HEALTHCARE INSURANCE COMPANY (KRISTINE KUEBLI)
- 16. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO CONTRACT – SENIOR COMPANION PROGRAM SERVICES; STATE OF NEW MEXICO AGING AND LONG-TERM SERVICES DEPARTMENT (RON VIALPANDO)
  - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND
- 17. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO LEASE AGREEMENT – ANNUAL FAIR MARKET RENTAL VALUE; LA FAMILIA MEDICAL CENTER (DAVID CHAPMAN)
- 18. REQUEST FOR APPROVAL OF RAIL RUNNER STATION LOCATIONS AND TRAFFIC CONTROL PLAN; NEW MEXICO DEPARTMENT OF TRANSPORTATION AND MID REGION COUNCIL OF GOVERNMENTS (ROBERT ROMERO AND TIM HARRIS)
  - A. NEW MEXICO DEPARTMENT OF TRANSPORTATION PROPOSED SOUTH CAPITAL RAIL RUNNER STATION
  - B. NEW MEXICO DEPARTMENT OF TRANSPORTATION PROPOSED ZIA ROAD RAIL RUNNER STATION
  - C. TRAFFIC CONTROL FOR THE RAIL RUNNER CONSTRUCTION



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19. REQUEST FOR APPROVAL OF A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF SANTA FE, NEW MEXICO DECLARING ITS OFFICIAL INTENT TO REIMBURSE ITSELF WITH THE PROCEEDS OF THE FUTURE TAX-EXEMPT BORROWING FOR CAPITAL EXPENDITURES AND PAID TO PURCHASE 14 ACRES OF VACANT LAND; IDENTIFYING THE CAPITAL EXPENDITURES AND THE FUNDS TO BE USED FOR SUCH PAYMENT; AND PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH (KATHRYN RAVELING)

## DISCUSSION

### CONTINUATION OF BUDGET REVIEW HEARINGS:

20. A. FIRE DEPARTMENT  
B. POLICE DEPARTMENT
21. ADJOURNMENT

**CONTINUATION OF BUDGET REVIEW HEARINGS WILL BE ON MONDAY, MAY 19, 2008 AT 5:15 P.M.**

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

**SUMMARY OF ACTION  
FINANCE COMMITTEE MEETING  
Monday, May 5, 2008**

<b><u>ITEM</u></b>	<b><u>ACTION</u></b>	<b><u>PAGE</u></b>
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	1-2
APPROVAL OF CONSENT AGENDA	Approved [amended]	2
CONSENT AGENDA LISTING		2-3
APPROVAL OF MINUTES:		
April 14, 2008 Special Finance Committee Meeting	Approved	3-4
April 21, 2008 Regular Finance Committee Meeting	Approved	3-4
April 23, 2008 Special Finance Committee Meeting	Postponed to 05/19/08	4
MATTERS FROM THE COMMITTEE	None	4
<b><u>PROPOSED RESOLUTIONS AND ORDINANCES:</u></b> <b>(WITH NO FISCAL IMPACT)</b>		
REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING JUNE 11, 2008, AN ORDINANCE AMENDING SECTIONS 14-9.10(H)(28)(e) AND 14-8.10(H)(29) SFCC 1987, REGARDING PRICE REDUCTION SIGNS IN HISTORIC DISTRICTS	Approved a/a	4-5
<b><u>PROPOSED RESOLUTIONS AND ORDINANCES:</u></b> <b>(WITH FISCAL IMPACT)</b>		
REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JUNE 11, 2008, AN ORDINANCE CREATING A NEW SECTION 14-6.2(F) SFCC 1987, ESTABLISHING REQUIREMENTS REGARDING ELECTRIC FACILITIES AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY	Approved	5-7
REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING THE ELECTRIC FACILITIES PLAN AS AN AMENDMENT TO THE CITY OF SANTA FE GENERAL PLAN	Approved	7

<b><u>ITEM</u></b>	<b><u>ACTION</u></b>	<b><u>PAGE</u></b>
REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING A FEE SCHEDULE FOR THE REVIEW OF APPLICATIONS FOR ELECTRIC FACILITIES	Approved [amended]	7-8

#### **CONSENT CALENDAR DISCUSSION**

REQUEST FOR APPROVAL OF RAIL RUNNER  
STATION LOCATIONS AND TRAFFIC CONTROL  
PLAN; NEW MEXICO DEPARTMENT OF  
TRANSPORTATION AND MID REGION COUNCIL  
OF GOVERNMENTS

NEW MEXICO DEPARTMENT OF  
TRANSPORTATION PROPOSED SOUTH  
CAPITAL RAIL RUNNER STATION

Approved [amended] 8-18

NEW MEXICO DEPARTMENT OF  
TRANSPORTATION PROPOSED ZIA  
ROAD RAIL RUNNER STATION

Approved [amended] 8-18

TRAFFIC CONTROL FOR THE RAIL  
RUNNER CONSTRUCTION

To PWC w/o recommendation 8-18

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END OF CONSENT CALENDAR DISCUSSION

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#### **DISCUSSION**

#### **CONTINUATION OF BUDGET REVIEW HEARINGS**

FIRE DEPARTMENT

Information/discussion 18-23

MUNICIPAL COURT

Information/discussion 23-24

POLICE DEPARTMENT

Information/discussion 24-35

ADJOURNMENT

35

**MINUTES OF THE  
CITY OF SANTA FE  
FINANCE COMMITTEE  
Monday, May 5, 2008**

**1. CALL TO ORDER**

A meeting of the City of Santa Fe Finance Committee was called to order by Chair Matthew E. Ortiz, at approximately 5:15 p.m., on Monday, May 5, 2008, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

**2. ROLL CALL**

**MEMBERS PRESENT:**

Councilor Matthew E. Ortiz, Chair  
Councilor Christopher Calvert  
Councilor Miguel Chavez  
Councilor Carmichael A. Dominguez

**MEMBERS EXCUSED:**

Councilor Rebecca Wurzbarger

**OTHERS ATTENDING:**

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

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

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

**3. APPROVAL OF AGENDA**

Ms. Raveling said Item 13 should be a request to purchase two ambulances, and not fire engines.

Councilor Chavez said after talking to staff, regarding Item #7(A) and (B), there seems to be a need to clarify the language of how the title is worded for publication.

Chair Ortiz said this has been approved by all of the Committees and he isn't inclined to send it back to the Committees.

Councilor Chavez said he would rather question that now before it goes to the Council, saying this is the last juncture to correct a few things which he believes was an oversight.

Chair Chavez said we will note that there needs to be a change to the title on Item 7(A) and (B) and consider that when the Committee considers this item.

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

VOTE: The motion was approved on a voice vote [absent: Councilor Dominguez].

#### **4. APPROVAL OF CONSENT AGENDA**

Councilor Calvert said he believes Item #18 needs to be removed, questioning how this was placed on consent.

Councilor Chavez said it could be on consent if we agree with the request.

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

VOTE: The motion was approved on a voice vote [absent: Councilor Dominguez].

Responding to Councilor Chavez, Chair Ortiz said he can second a motion when there is a bare quorum in attendance.

#### **CONSENT AGENDA**

##### **8. BID OPENINGS:**

**A. BID NO. 08/33/B – LA FARGE BRANCH LIBRARY IMPROVEMENTS; GEW MECHANICAL, INC. (CHIP LILIENTHAL)**

##### **9. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – CIVIC CENTER MAGNATTACH (DANCE) FLOOR; MITY-LITE, INC. (CHIP LILIENTHAL)**

##### **10. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT BETWEEN OWNER AND ARCHITECT – GENOVEVA CHAVEZ COMMUNITY CENTER; AUTOTROPH, INC. (PETER GREENE)**

**A. REQUEST FOR APPROVAL OF REIMBURSABLE EXPENSES.**

**B. REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT – PROJECT FUND.**

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17. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO LEASE AGREEMENT – ANNUAL FAIR MARKET RENTAL VALUE; LA FAMILIA MEDICAL CENTER. (DAVID CHAPMAN)
18. *[Removed for discussion by Councilor Calvert]*
19. REQUEST FOR APPROVAL OF A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF SANTA FE, NEW MEXICO, DECLARING ITS OFFICIAL INTENT TO REIMBURSE ITSELF WITH THE PROCEEDS OF THE FUTURE TAX-EXEMPT BORROWING FOR CAPITAL EXPENDITURES AND PAID TO PURCHASE 14 ACRES OF VACANT LAND; IDENTIFYING THE CAPITAL EXPENDITURES AND THE FUNDS TO BE USED FOR SUCH PAYMENT; AND PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH. (KATHRYN RAVELING)
5. APPROVAL OF MINUTES:  
APRIL 14, 2008 SPECIAL FINANCE COMMITTEE MEETING  
APRIL 21, 2008 REGULAR FINANCE COMMITTEE MEETING  
APRIL 23, SPECIAL FINANCE COMMITTEE MEETING.

Councilor Chavez noted he did not attend the April 23<sup>rd</sup> meeting.

Chair Ortiz said because Councilor Chavez didn't attend the Special Meeting on April 23, 2008, he can't vote, and therefore there wouldn't be a quorum voting on these minutes. He asked that the approval of these minutes be postponed to the next meeting.

MOTION: Councilor Calvert moved, seconded by Councilor Chavez, to approve the minutes of the Special; Finance Committee of April 14, 2008, and the Regular Finance Committee meeting of April 21, 2008, as presented.

VOTE: The motion was approved on a voice vote [absent: Councilor Dominguez].

### **MATTERS FROM THE COMMITTEE**

There were no matters from the Committee.

### **PROPOSED RESOLUTIONS AND ORDINANCES: (WITH NO FISCAL IMPACT)**

6. **REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING JUNE 11, 2008, AN ORDINANCE AMENDING SECTIONS 14-9.10(H)(28)(e) AND 14-8.10(H)(29) SFCC 1987, REGARDING PRICE REDUCTION SIGNS IN HISTORIC DISTRICTS (COUNCILOR BUSHEE). (DAVID RASCH) Committee Review: Historic Design Review Board (Approved), April 8, 2008; Business & Quality of Life Committee (Approved), April 7, 2008; Public works Committee (Approved), April 28, 2008.**

Councilor Calvert said he asked staff to provide a visual representation of the one point of contention which is the request for the increased size. He said Historic Design Review Board and Business and Quality of Life Committee did not vote in favor of the larger signs, and they are requesting to keep it at the existing, smaller size. He said what was requested is the larger sign. He said he is inclined to go along with the other committees' recommendation. He said the signs are intended to catch someone's eye as they walk by, but not "halfway across town."

MOTION: Councilor Calvert moved, seconded by Councilor Ortiz, to approve the proposed Ordinance amendment with the amendments proposed by the H-Board and the Business and Quality of Life Committee.

DISCUSSION: Responding to Councilor Chavez, Mr. Rash said the 18 x 24 size currently is allowed, and they wanted to go with the maximum of six square feet, noting what they mocked-up is 2 x 3 feet.

Chair Ortiz said then we are going from larger to smaller.

Mr. Rasch said no, the 18 x 24 size is what is currently in the Code. The amended Ordinance proposes a larger sign, but two Committees didn't recommend the larger sign.

Responding to Councilor Chavez, Chair Ortiz said one Committee wanted the larger sign, but two committees wanted to keep it as is.

Councilor Chavez said Public Works didn't approve the larger sign, but moved the Ordinance forward with the larger sign for discussion. However, the other two committees were specific to stay with the smaller sign.

Councilor Chavez asked if the signs are to be used for a limited time frame.

Mr. Rasch said yes. The number of times per year has been increased from four to six, and any 8½ x 11 signs do not need a permit.

VOTE: The motion was approved on a voice vote [absent: Councilor Dominguez].

#### **PROPOSED RESOLUTIONS AND ORDINANCES: (WITH FISCAL IMPACT)**

- 7. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JUNE 11, 2008, AN ORDINANCE CREATING A NEW SECTION 14-6.2(F) SFCC 1987, ESTABLISHING REQUIREMENTS REGARDING ELECTRIC FACILITIES AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY (COUNCILOR CHAVEZ). (NICK SCHIAVO)**

**Committee Review:** Planning Commission (Approved), June 21, 2007; Historic Design Review Board (Approved), January 8, 2008; Public Works Committee (Approved), April 28, 2008.

Councilor Chavez said the concept of the Facilities Plan is something we've discussed through the years at Public Utilities, Finance and Public Works Committees. He said the Fee Schedule is also something we have been trying to catch up on. He understands more clarification is needed to the title of Items A and B. He asked Mr. Schiavo to speak to the changes.

Mr. Schiavo said the one item which is missing is the Amendment to Chapter 14, which for some reason on this agenda it was omitted. There is an amendment to the General Plan and the Resolution to adopt the Fee Schedule, but the Amendment to Chapter 14 is missing.

Mr. Schiavo said Melissa Byers just clarified that all of the language is there. He said although it was listed as three separate items on the last agenda for Public Works, it actually is included in Item #7, and there are two sub-items, so he believes it is all there.

Councilor Chavez asked if we can clarify the language.

Chair Schiavo reviewed the language, saying it includes all items.

Councilor Ortiz said there is request for approval to publish the Facilities Plan which is the

ordinance amendment to Chapter 14, and there are two resolutions. One is to adopt it as a part of the General Plan, and the other is the administrative fee schedule.

Mr. Schiavo presented information regarding this matter and reviewed the proposed Ordinance amendments, which are in the Committee packet. He noted the proposed changes reflect suggestions from the Historic Design Review Board and a question from Councilor Bushee at Public Works.

Chair Ortiz said he is concerned that PNM doesn't have to do a public process for its facilities, particularly on page 7, Items (E) and (F), and on page 8, Items (A)(1) and (2). He recalled the PNM projects which have gone through a public process, including the line transmission through Zafarano and Nava Adé to connect to the substation. He understands that was an upgrade of PNM's line capacity through its existing line, and under these provisions, those kinds of things wouldn't even be required to go through administrative approval as long as no more than 10 feet of pipe is added.

Mr. Schiavo said the way the Facility Plan currently is being handled, if it was a transmission or distribution line, both would go through Planning. It became clear to both the utility and him that greater review needs to be done. So, a transmission line would go before the Council, noting Paragraph 9(A).

Councilor Ortiz said that language says, "transmission facilities, except for those described in Paragraphs 7 and 8."

Mr. Schiavo said this would be for existing transmission lines, if, for some reason PNM had to raise them for some reason.

Chair Ortiz said if they don't need to raise them, what about replacing double lines with a single pole with more lines on it. He doesn't think the height was more. He asked under that analysis, if it would have to go through Governing Body Review.

Mr. Schiavo said his interpretation is, for the addition of another circuit, that would substantially change what is there, and that would need to come back through Planning and City Council if it was transmission.

Chair Ortiz said the line replacement which was proposed and approved for Yucca required a public hearing, but (8)(a)(ii) provides "Relocation of electric structures within 50 feet of the current site, other than those to accommodate pole replacement for maintenance or to provide clearance for public improvements."

Mr. Schiavo said in this particular case, and in many cases, the City and the State ask PNM to move utilities during a construction project, or other project. In the interest of keeping things moving, rather than moving them through a long process, this would allow the utility to jog the pole within 50 ft. of where they currently are.

Chair Ortiz said DOT went through with PNM and got a utility relocation approval through the Planning Commission. Under this provision, if we approve this plan, that kind of relocation approval would not happen. DOT would just go through an administrative review and approval.

Mr. Schiavo said in that case the movement they made was in excess of 50 feet, and it was also in excess of three poles.

MOTION: Councilor Chavez moved, seconded by Councilor Calvert, to approve the request for approval to publish notice of public hearing on June 11, 2008.

DISCUSSION: Chair Ortiz said when we were talking with PNM about doing the Franchise Agreement, PNM committed to a long range facilities master plan, and asked if that will come as an amendment to the Franchise Agreement.

Mr. Schiavo said that is part of this Facilities Plan and he can provide a copy of what PNM is calling its ten-year plan. The priorities of projects do change, and he believes that is updated every six months.

VOTE: The motion was approved on a voice vote [absent: Councilor Dominguez].

**A. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING THE ELECTRIC FACILITIES PLAN AS AN AMENDMENT TO THE CITY OF SANTA FE GENERAL PLAN (COUNCILOR CHAVEZ). (NICK SCHIAVO)**

MOTION: Councilor Chavez moved, seconded by Councilor Calvert, to approve this resolution.

VOTE: The motion was approved on a voice vote [absent: Councilor Dominguez].

**B. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING A FEE SCHEDULE FOR THE REVIEW OF APPLICATIONS FOR ELECTRIC FACILITIES (COUNCILOR CHAVEZ). (NICK SCHIAVO)**

MOTION: Councilor Calvert moved, seconded by Councilor Chavez, to approve this resolution.

DISCUSSION: Chair Ortiz asked Mr. Schiavo how he arrived at these numbers.

Mr. Schiavo said that was brought up at PUC. Since then, he has spoken with other states with facility plans. Both Wisconsin and Minnesota have similar plans, and actually are charging slightly more than our request. At the time, Robert Gallegos said he couldn't remember how he developed those numbers, but they come almost directly from our current development review fee schedule.

Councilor Chavez asked if it would be possible to have a review process so we review these fees within the Facilities Plan.

Mr. Schiavo said he spoke with Ms. Price who told him annually, legal routinely looks at our fees, so if approved, these fees also would be reviewed annually.

Councilor Chavez said at one point we were looking for specific language for an ordinance or resolution, and asked if we would like to add specific language, asking if Ms. Price weren't here would that still be done.

Chair Ortiz said we could put a time review of 6-18 months, or we could send it to the CIP Advisory Committee.

Councilor Chavez said he thought that Committee was responsible for impact related fees.

Chair Ortiz said it also looks at general fees, but believes Councilor Chavez has a legitimate concern.

**Friendly amendment:** Councilor Calvert would like to amend the ordinance to add a paragraph which allows for an annual review of the fee schedule. **The amendment was friendly to the second.**

*Councilor Dominguez arrived at the meeting*

Chair Ortiz updated Councilor Dominguez on the issue being discussed and the motion to be voted on.

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

### **CONSENT CALENDAR DISCUSSION**

18. REQUEST FOR APPROVAL OF RAIL RUNNER STATION LOCATIONS AND TRAFFIC CONTROL PLAN; NEW MEXICO DEPARTMENT OF TRANSPORTATION AND MID REGION COUNCIL OF GOVERNMENTS. (ROBERT ROMERO AND TIM HARRIS)
  - A. NEW MEXICO DEPARTMENT OF TRANSPORTATION PROPOSED SOUTH CAPITAL RAIL RUNNER STATION.
  - B. NEW MEXICO DEPARTMENT OF TRANSPORTATION PROPOSED ZIA ROAD RAIL RUNNER STATION.
  - C. TRAFFIC CONTROL FOR THE RAIL RUNNER CONSTRUCTION.

*Items 18 (A), (B) and C) were combined for purposes of discussion and voting.*

Councilor Chavez said he removed this from consent, noting this was sent back to go through the committees, and believes it should be discussed by this Committee.

Chair Ortiz said this was supposed to be at the end of the agenda, after Police and Fire, but doesn't know how it got on the Consent Agenda.

Chair Ortiz said at City Council, we were given a packet of information including the commitment of the DOT at that time, and Mr. Romero has provided DOT with his list of comments. The Council had heard from staff that staff wasn't in a position to comment on those. He asked Mr. Romero if he has had an opportunity to look at the commitments from DOT, if he is in agreement with those, and if he has additional conditions as the project moved forward.

Mr. Romero said what he understood from the Council meeting was that there is a concern about when, if and how the improvements at Zia and St. Francis and at Galisteo would be made. He said the developer, DOT and MR COG are here and have a response to that concern, so we can start there.

Councilor Chavez said at some point we will identify a dollar amount and the gap between the project commitment, and then separate other off site improvements to existing infrastructure.

Mr. Romero said in his preliminary meetings with the DOT and the developer, it was always made clear to us that either the DOT or the developer would do the platform, and also would make the improvements at Zia/St. Francis and Rodeo/Galisteo. They had also committed to that verbally, and they are going to respond to that now.

**Merritt Brown, representing the group which will be the developers of the Zia Station.** He said it is difficult to understand the "chicken or the egg" situation. He said last December the DOT identified their site as a future station, and since that time they have been doing lots of studies and planning. They are hopeful by mid-June they will have a full application to City staff with their preliminary plans, rezoning applications and everything. They've had discussions with members of the Public Works and planning staff, but the specifics of their design aren't to a level at this time where they can say what the road network will be. A lot will depend on the traffic generated, the associated land use, and that will dictate the public improvements to Zia/St. Francis and, what would be required if there is backup traffic down Galisteo toward Rodeo Road.

Mr. Brown said, "We are going on record as saying we are going to be paying and doing, you know, our fair share. There are infrastructure problems, that all of you know in this town that go beyond the scope of where we are, that are generated all over the City." He said their approval will be tied to a specific plan and they will be in discussions at that time of what is being built right now, what will come in the future and such.

Mr. Brown said his understanding, and their hope is that the DOT in the construction of the tracks to date builds the platform where the station will be. There's not a lot of discussion of where that platform can go for a variety of geometric reasons. He said then the understanding would be that the train doesn't stop at that station until there is a Land Use Plan upon which everyone is agreement upon. He said they believe the DOT can do the platform, and don't think it is wise to do any improvements to the traffic situation until you know what we will be doing there at the same time.

Councilor Ortiz said this sounds consistent with what he remembers of the MPO discussions we had on the train locations.

Councilor Chavez said the station location at Zia has been discussed generally as not a park and ride, and will be more a stop and ride. He asked Mr. Brown if his plan would include parking.

Mr. Brown said it would include parking.

Councilor Chavez noted the parking for the proposed development would have to comply with parking requirements.

Mr. Brown said it probably will be a phased development. He said the neighborhood, and most of the people at MPO were very clear that they did not want to create a park and ride, but a few parking spaces have to be dedicated. Once they design the project, they will have a few parking spaces set aside right at the outset and "that'll be on our dime."

Councilor Chavez asked how many acres we are discussing.

Mr. Brown said it's combined, and runs from arroyo to arroyo, and he estimates it at 20-21 acres.

Councilor Chavez asked Mr. Romero if there is a way to look at other similar projects to at least develop a ballpark dollar amount to make the improvements to the intersections.

Mr. Romero said he has looked at that, and estimates it at \$500,000 for the signal at Galisteo and Rodeo, and the extension of the turning lane and improvements on Zia. He said we don't know exactly what those will be. He said if the development was not going to happen and the City had to extend the turning lanes and build the signal, he believes it could cost about \$500,000.

Chair Ortiz asked if this is the understanding by the DOT of their commitment – to put in the platform and the developer will be responsible for the improvement around the platform.

Mr. Brown said that is correct.

Councilor Ortiz said if this is approved, that can be memorialized so everyone is clear whose responsibility is what for that site – the City, the DOT and the developer.

Mr. Brown said absolutely.

Chair Ortiz asked, in terms of the commitment from the DOT, if staff has had a chance to review those commitments.

Mr. Romero said staff has reviewed them, and for the most part if you look at staff's list on pages 2 and 3 of the packet, almost everything from Traffic Operations down is what they have committed to, and believes we will be fine if that can be memorialized in an MOU. He said there are still questions regarding the capital and O & M investment in the transit and downtown shuttle systems.

Chair Ortiz said he met today with a representative from the Regional Transit District who told him the State is committed to working with the City and the County to resolve the issue which developed at last week's County Commission meeting. He talked about a mediation or mediation effort which would bring all the parties together and work out a financial plan. He asked if the State is committed to that, asking Mr. Guerrerortiz if the State will be paying for the mediation.

Patricio Guerrerortiz, Deputy Secretary, said they had the first meeting today, and they are committed to facilitate the conversation as much as possible and provide any information the participants may need.

Chair Ortiz said Mr. Valencia raised the possibility of coordinating the Northern Regional Transit District with some of the items still in dispute between the City and the DOT – the downtown shuttle and the transit connections which would need to take place. He asked Mr. Guerrerortiz if he remains hopeful that the mediation process will arrive at a solution.

Mr. Guerrerortiz said the first step to decide what kind of governing body will exist for the Rail Runner to take care of connectivity, but he doesn't know how that relates.

Chair Ortiz said the possibility was suggested to him that the Regional Transit District potentially could fund or do the connection through an agreement with Santa Fe Trails for the traffic coming from Edgewood and Eldorado, for example, and perhaps merge that or connect it at the Zia/St. Francis stop. There also was talk that the City was going to extend the bus service to the Community College, with eventual connection to 599 to pick up that area, as well as transit or bus connections for the northern regional partners to connect the 599 station. He said these are expansions on our system, and asked if the City was going to foot the bill. He said Mr. Valencia told him they are going to work a connection so it is sort of a Northern Transit District, the Railrunner District and the other regional partners to fill in the gaps. This was the most promising news he's heard to overcome the shortfalls he believes will exist.

Councilor Chavez said in some cases, we really aren't expanding in a technical sense, we may be realigning some of our routes to provide for this kind of activity. He said the Santa Fe Community College route is already in place. He said the Chair is correct that all of these details are being discussed and it is part of the service plan which was developed to determine, if we were to do the gross receipts, what level of GRT would provide those services. He said it wasn't the wish list, it was based on ridership and current trends. Also, the notion of double taxation and the two competing for funding and service, all of those details will be worked out.

Chair Ortiz said the State is participating in that mediation and he remains hopeful about that.

*[Mr. Guerrerortiz's response here was inaudible because the microphone was turned off at the podium for some reason.]*

Councilor Calvert said we've already discussed B. With regard to A, Councilor Romero had a concern about the pedestrian and bicycle connectivity at the proposed South Capital station. He asked if this can be addressed.

Mr. Bluett said he will be attending a meeting following this one, and that is one of the discussion items.

Chair Ortiz said most of the southwest side of Santa Fe comes through two arterials and a third which will act as one – Siringo, Zia and Rodeo Road. He said under the proposed traffic control plan, you propose to close two of those three streets for two months. This presents significant problems for his constituents and those who live in Tierra Contenta. He asked how the traffic control schedule can be adjusted so at all times two of the two streets are open.

Mr. Romero said Zia will operate like Richards and Rodeo Road operated during that construction. There will be two lanes open in each direction.

Chair Ortiz said there are partial closures on Zia and Rodeo at the same time, with both being closed completely in the evening. He said that can't happen.

*[Mr. Romero's remarks here are inaudible because the microphone were off.]*

Chair Ortiz said on page 7 it says that there will be full closure at night, the same at Rodeo.

Mr. Romero said that is correct, but during the day, during peak hours, 7-7, there will be two lanes open in each direction.

Chair Ortiz said Rodeo doesn't have the kind of traffic volume that Zia Road has. He asked what he is going to tell his constituents who are going home at night when the lane is packed. He said they will go to Rodeo Road which will still be one lane.

*[Mr. Romero's remarks here are inaudible because the microphone was off.]*

Mr. Romero said he tried to balance it the best way possible. He said they wanted to be sure they left as many lanes as possible open during the day, and close at night. He said he asked them not to close two intersections next to each other. He said there will be a time when both Siringo and Rodeo will be closed.

Councilor Ortiz said during June either Zia and Rodeo will be closed, with Siringo the only road open, and in the latter part, Siringo and Rodeo Road will be closed with Zia the only street open. He said these are the only streets that those who live on the south side can use to get to any place in the City. He said while it is good this will be done when School is out, he still wants to see more ability to have more of those streets open, because the reality is this is now people get into town. He said this is going to be a traffic nightmare this summer for his side of town at night and even during the day.

Mr. Romero said there will be one lane in each direction on Rodeo Road during the day, just like it is now.

Chair Ortiz asked the definition of "night time."

Mr. Romero said the streets will close at 7:00 p.m., and he is asking them to be through by 3:00 a.m., so that by the peak morning traffic time if there is a problem they will have 3-4 hours to resolve it. He said we've done this before, and it seems to have worked. He said it does say 7:00 p.m. to 7:00 a.m., but that's in the event of an emergency, and we want them out by 7:00 a.m., but their schedule is to wrap up between 3:00 a.m. and 5:00 a.m.

Chair Ortiz said if we approve this plan, we're giving them authority to shut the road at 7:00 p.m.

Mr. Romero said this is correct. He said if they don't work at night, it will extend the day work for almost two months at each intersection. He felt this was a fair compromise so they would be out during the day as soon as possible. He said there are some things which have to be done at night.

Chair Ortiz asked what is being done with Cerrillos Road, what is the construction schedule.

Mr. Romero said he doesn't think the contractor requested it, but if he did, we may have allowed it.

Chair Ortiz asked if this was requested by the contractor, or if the State wanted to work at night.

Mr. Romero said the State has to do some things at night, but it was also something he thought made more sense than having Zia Road under construction from May to September, reiterating the duration of work at each intersection will be cut quite a bit by working at night. He said when he talked to them, the intent was to get them in and out as soon as possible, and that during peak hours we have good traffic flow. He said the traffic during the Richards/Rodeo project, because they adjusted the signal timing and everything moves. He said there is no question there will be traffic delays, but it could be a lot worse, and we're making them have two lanes in each direction at that intersection.

Councilor Chavez asked if this schedule will be different from that used for the phase for the Richards/Rodeo work.

Chair Ortiz said he doesn't recall much night work along Richards and Rodeo.

Mr. Romero said this work won't be as loud as the work done on the rail line near the interstate, but it is typical intersection work.

Councilor Ortiz said it is intersection work and working at night, there will be lights and such. He said the Rodeo Road intersection isn't so bad because of the setbacks. On Zia Road there are Candlelight Homes, and once into the City there will be tons of lights. He asked if consideration was given to doing it all during the day. Mr. Romero said they talked about that, and they said they could do it. However, staff was thinking that you wouldn't want ongoing construction from May until September. He said he will ask again, saying it's something we asked for. He said it was his decision and input.

Councilor Ortiz said then we will gain three weeks by working at night, noting under the Plan on 11, the block ends on August 18, 2008.

Mr. Romero said if we don't do it this way, Zia Road will begin May 12<sup>th</sup> and it would go to September 1<sup>st</sup>, so there would be construction on Zia every day through the entire summer. He said being able to work at night, there would be less impact during the day, but they can continue to work at night when there's less traffic and get out more quickly.

Chair Ortiz asked which intersection does not have an impact on a public school, and could they begin with those now, and after school is out, work on the others. He said Rodeo Road doesn't have a potential school impact, while Zia Road does.

Councilor Chavez said he hears three impacts: the impact on flow of traffic either day or night, the impact on the homeowners with night work as well as on those at home during the day and the impact on schools.

Mr. Romero said another factor they tried to balance is that this summer the DOT is repaving St. Francis Drive from Hickox to Alamo which will impact Cerrillos. He said people will be frustrated this summer with Cerrillos Road being under construction, this construction, what the DOT is going to do and our paving projects. He said we felt it made more sense for them to get in and out as quickly as possible, but leave as many lanes available as possible during the peak hours.

Chair Ortiz said Councilor Chavez summarized exactly his concerns in these three areas. He asked how this plan mitigates to the best extent possible those three areas of concern. He asked how, for example, someone in Bellamah is going to get to and from work.

Mr. Romero said we are proposing detour signing to take them to the major arterials and keep them out of residential areas. However, if you want them to work during the day, that's a possibility.

Councilor Chavez asked if there could be a strategic way to approach the work so it doesn't impact schools, perhaps by condensing the time frame using the night as part of the clock you would alleviate the impact on schools if it could be done before the next school year.

Chair Ortiz said the proposal is that they are asking to close full time at night, 7:00 p.m. to 7:00 p.m., saying he isn't inclined to give permission for 7:00 p.m. Then, they propose to close part time during the day, and asking both chunks of that for all of these streets. He doesn't see any of these streets where they aren't asking for both night and day closures.

Mr. Romero said the intent was to finish more quickly, reiterating if we want them to work just during the day, he believes they would accommodate that, although there may be some areas where they may have to work at night. If this is the direction, he will go back and look at that.

Councilor Calvert said we won't be able to do this without some impacts, and seems this plan certainly addresses the school impact by getting everything done before school starts.

Chair Ortiz said if we had adopted this last week, it would have directly impacted the schools, and Zia Road would have been closed next week.

Councilor Calvert said the schools already are shut down by May 16, 2008. He said the construction at night won't be pleasant for those affected.

Chair Ortiz said night construction is not pleasant for anybody.

Councilor Calvert said he believes this is a reasonable compromise given the situation, saying it isn't perfect.

Chair Ortiz asked a "reasonable compromise as compared to what." He said he is thinking of himself as potential driver, a potential resident impacted by the nighttime construction.

Councilor Calvert said as compared to stringing it out longer which definitely will impact the schools a lot more, and will impact the traffic during the peak hours a lot more, which is what he is comparing it to.

Councilor Dominguez said, given his experience as a School Board member, the beginning of the school year is brutal, so the further away you can move construction, detours and such, the better. He said he has the same sentiments as Councilor Calvert in that it is going to be tough. However, considering the input an engineer has given to this, he respects that.

Chair Ortiz said wouldn't it be incumbent on us to say, as part of the traffic control plan, that we identify certain streets that do not need to be closed as critical to the schools – Zia Road, Siringo Road, Alarid, San Mateo – that directly transfer traffic to a school. Schools are on those streets.

Councilor Calvert said there are no schools on that part of Alarid.

Chair Ortiz said then these streets need to be done before school starts, and we can prioritize that. However, unless information is being brought forward by the contractor or engineer that there is no way those intersections can be completed before school starts, why do they need to construct at night. He asked has this rationale been tested.

Mr. Romero reiterated he can go back and ask them to redo the schedule, and tell them to redo this schedule and work during the day with no closures at night, with work complete by the time school opens, and see what the impacts are.

Councilor Chavez asked if there also could be a scenario to split the difference, because we're talking about eliminating any night work. He said Mr. Romero indicated there may be a reason or a rationale to do some of the work, even at a minimum, at night. He asked if he could do another plan which has a partial closure on some of the streets, with some night work. He said we can condense the schedule only so many days, and having some night work is a way to do that. He wants to leave that open as an option. He believes we could give conceptual approval, with the conditional language that we review the project, and if there is a problem, then we change it.

Chair Ortiz wants to leave that open is well. He said in balancing the need to condense and the need to get this done before school starts, we have to be sensitive to those people who potentially might be impacted by nighttime construction. He said night work would be okay on St. Michael's or Second Street or San Mateo, but on the neighborhood streets, Alarid, Alta Vista, Zia and Rodeo you have to be sensitive on night construction. He asked who wants to sleep with the windows closed in the middle of the summer because of the light and noise.

Mr. Romero said he can look at other options and come back with the pros and cons. He said some of these intersections are having significant grade changes, and it is safer for everyone to do it at night by closing the whole intersection.

Chair Ortiz pointed out that grade changes also means moving earth which means dump trucks, and dump trucks means noise and noise equals problems.

Chair Ortiz said this doesn't necessarily have to come back to this Committee, noting it will go to Public Works, saying we can move it forward without recommendation, and he'll get another shot at City Council.

MOTION: Councilor Chavez moved, seconded by Councilor Dominguez, to approve items 18(A) and 18 (B).

DISCUSSION: Councilor Calvert asked Mr. Blewett, if this is approved, if he is still committed to working with the neighbors and Councilor Romero to mitigate the connectivity for bicyclists and pedestrians.

Mr. Blewett said, "Absolutely, and in fact I'd like to start right now."

FRIENDLY AMENDMENT: Chair Ortiz would like to amend the motion that the approval is contingent upon the State continuing to work with the City, and potentially the Northern Region Transit District to work on the gaps which are identified in terms of the operation and maintenance as well as capital costs on the connectivity to the transit system, and this approval is contingent on that working together as well. **The amendment was friendly to the maker and second, with Councilor Chavez stating further that the Northern Regional Transportation District really did not try to draw a distinction between the City and the County, and really looked at it as a County right, noting there is one Commissioner and Councilor representing the County.**

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

Councilor Chavez said, with regard to 18(C), it seems that we are having more heartburn on the night construction.

Chair Ortiz said this is a concern along certain segments which about the residential neighborhoods.

Councilor Chavez said there are different components of the Plan which will be done during the day.

Mr. Romero believes so. He said staff is going to have to do quite a bit of work on this between now and Monday, and clarified what staff is being asked to do. He understands the Committee wants staff to try to minimize nighttime construction.

Councilor Chavez asked if it would be reasonable to sever the daytime activity from the proposed nighttime activity, and let the project move forward in the areas which can be done in the day, and then have more debate about the night schedule.

Chair Ortiz said there is a problem with that, noting this is the only alternative we have been given. He asked if the State or its contractor can develop a plan which does all construction during the day, but can complete it before school starts. If they can't, what areas would they prioritize in terms of nighttime construction. Where are there going to be grade changes which will require night construction. Where do they want the night construction to occur, and can they mitigate the effect of the night construction for those intersections directly adjacent to residential neighborhoods. These are the questions from this discussion.

Mr. Blewett said compressing the schedule and focusing on day construction is a possibility, but believes it will only work if they are allowed to do some pretty significant closures during the day. He said they will go back and talk this out, commenting the reason they "ended up where we did was," in trying to keep streets open and functioning during the day, minimizing the impacts to the daytime traffic. He said the "pickle" is leaving everything open during the day while compressing the schedule.

Councilor Dominguez said typically when detours, alignments and schedules are created, certain things are considered, such as safety, and on some roads you consider how many lanes to close and whether construction should be done in the day or at night and how to control the traffic. He is hearing there should also be another component about impacts on neighbors. He said this schedule appears to be based on time and trying to get the job done as quickly as possible with the intent to have the least amount of impact. He asked if the impact on neighbors and night operations were part of the discussion when the schedule was created, or was it purely to condense the time.

Mr. Romero said the project will impact neighborhoods by making it inconvenient to get home if you have to take a detour, as well as the noise keeping people up at night. He said they discussed this, but in the end, he and his staff felt the most important thing was to have the least amount of impact on the 50,000 cars a day on St. Francis Drive, for example. He said they also are concerned about safety. He said they felt it was more safe to do the work at night, but it will have a bigger impact on the neighborhoods to close the roads. He said they tried to balance these things, but it can be worked different ways and they can look at something in between.

Councilor Dominguez cautioned that when time constraints are placed on projects, sometimes we compromise the safety of the construction workers as well as the surveyors and others involved. He

realizes time is an issue, and not that we should extend or condense the time, but we do need to consider it as it relates to safety.

Mr. Romero said it really wasn't our concern that they finish as quickly as possible, but it was more a concern that it doesn't impact people driving the roads every day and will call us every day. He said precedent has been set in the City on the major arterials of doing work at night and not closing the roads, and it seems safer to do certain things at night.

Councilor Chavez agreed that in focusing on time you can jeopardize safety, but it also jeopardizes the quality of work, and we need to give contractors adequate time to do quality work. He said the impact will be the same and the inconvenience about the same either for night or day construction.

Responding to Councilor Chavez, Chair Ortiz said we can move item 18(C) without recommendation and keep the package moving forward to Public Works on Monday if he prefers.

MOTION: Councilor Chavez moved, seconded by Councilor Calvert, to move item 18(C) forward to the Council without recommendation, with direction to staff to pursue other options.

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

Councilor Calvert asked if the things listed in the letter on page 2 about transit and parking downtown shuttle is included in what Councilor Ortiz added about connectivity.

Chair Ortiz said yes.

Councilor Calvert said we are still sort of "here and there" on that.

Mr. Romero said he agrees.

Chair Ortiz pointed out that it was a conditional approval.

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

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#### **DISCUSSION**

#### **CONTINUATION OF BUDGET REVIEW HEARINGS**

#### **19. A. FIRE DEPARTMENT.**

The Committee commented and/or asked questions and staff responded as follows:

1. *Why are three battalion chiefs needed.* Chief Rivera said this has been in the strategic plan since they started strategic planning. He said they definitely involved the union in decision about how to spend the money.
2. *If the Chair were to ask the union if it endorses the Chief's plan for three battalion chiefs as the position expansion, the union would agree?* Chief River said Dave Jenkins the Union President is here and will answer any questions. He said they have worked together with the unions and they are behind the plan because we are addressing this for safety reasons. There is one Battalion Chief [BC] on the north side, and when the "white shirts" go home, he's the only one on duty, which is a lot for one "white shirt" to deal with in one day. He detailed the duties of the BC in responding to an incident. The National Institute for Occupational Safety & Health (NIOSH) has said lack of command presence is one of the main causes of firefighter fatality, because there is no one to make critical decisions in a timely manner. He would rather have two people, rather than one person, making decisions – a command by committee-type presence.
3. *Why can't these goals be accomplished by restructuring or reorienting the command structure with the current chiefs.* Chief Rivera said it would be necessary to put chiefs on 24 hour positions, saying the Department isn't top heavy. It would also cost a lot more money to put an Assistant Chief on 8-hour pay.
4. *There are three divisions: Operations, Administrative Services and Support Services, and there are chiefs over all of these services. There is the equivalent of a BC in the Fire Prevention Section.* Chief Rivera said this is correct, this is Barbara Solis. *There are two commanders for eight employees in Administrative Services Division.* Chief Rivera said this is correct. *In operations division, there is a Chief in charge of operations and three Battalion Chiefs.* Chief Rivera said this is correct but it is for 140 positions. *In Support Services there is a Chief and a command person for training and one for fleet.* Chief Rivera said this is correct, he is a Fleet Administrator, but not in the command structure.  
  
*For two divisions with 16 positions there are four command persons, and for the other division there are two command persons for 134.* Chief Rivera said if the question is if he can do things more efficiently, he will say this is the way fire departments are operated across the country, and it typically doesn't work for these to intermingle. He said these three divisions have always been set up in the command structure, even when much smaller.
5. *It was expected there would be a request to address the state of the emergency response vehicles.* Chief Rivera said the request in today's agenda was for two ambulances although it was listed for two fire engines. Currently, there are five staffed ambulances. He said the old ambulances won't be retired and will be put in reserve status and will be used occasionally. Chief Velarde said the ambulances to be replaced have about 90,000 miles, and will be placed in reserve, to be used for special events. The old ambulances purchased were rechassis. The desire is to replace them now while they will be good for reserve.

6. *When have we looked at expanding the ambulance fees, and are the ambulance fees dedicated specifically to the Fire Department.* Ms. Raveling said the fees go into the General Fund.
7. *How much does the City get annually in ambulance fees.* Ms. Raveling said it is \$1 million approximately. Chief Rivera said the collection rate is 40-50% of the fees billed.
8. *The City could consider, as a stream of revenue, dedicating the fees collected for emergency services to be used for emergency services.* Chief Rivera said he worked with the union to develop this plan.
9. *What is the overtime budget for the Fire Department.* Chief Rivera said currently there is a \$1.185 million budget for overtime, which has been paid as follows: \$129,701 YTD for FLSA pay, \$136,193 YTD for worked holidays, \$229,934 YTD for holidays straight. So, of the \$1.1 million budget, we have almost no control over about half of it. He said with regard to the other half, no matter how many people you hire, you will always have people on FMLA, on injury, and sick. The union positions, captain, engineers, paramedics are specialized positions. If one is out, the position has to be filled and pay the higher salary to the people who come in and fill those positions. Some of the overtime is paid for special events, and to staff a brush stroke during the dry and windy season, noting they put an extra unit to drive into the watershed, up Hyde Park Road, Wilderness Gate for added protection. A small portion of the overtime is discretionary for special events, patrolling the watershed.
10. *[Councilor Chavez asked two questions here, but were inaudible because his microphone was off]* Chief Rivera responded that they feel it is the Department's responsibility to cover the watershed and some of the areas in Hyde Park. He said the Department typically doesn't travel to the south side unless called to help the County in any way, so they typically just patrol in the watershed area.
11. *An outside firm provides security for the watershed. Could the Department coordinate the patrolling of the watershed with that company?* Chief Rivera said the patrolling the Department does is done in a specialized vehicles, a four-wheel drive with a pump, compressed air foam system and such, so if something happens they can respond quickly.
12. *The overtime appears to be an integral part of the department and the budget and appears to be locked in.* Chief Rivera recalled when Chief Lardy was with the City, he promised that if he was allowed to hire 20 people that he would cut the budget in half, and it backfired and he wasn't able to do it. Chief Rivera said doesn't believe this can be done, and said the overtime it is a part of doing business.
13. *Do you consider the Fire Department to be fully staffed.* Chief Rivera said they are very close, thanks to the 16 firefighters which came back. He said there have been fire engines with four people and we'd never been to that stage. He said, however, there are 13 people in the department who can retire at any time, and 20 people by the end of next year. He said it is going to be a matter of keeping up with retirements now.

14. *Did you consider the Department fully staffed last year.* Chief Rivera said no.
15. *Compare the overtime budgets from last year to this year.* Chief Rivera said the overtime budget is the same. He said last year they didn't spend the entire overtime budgeted, but this year it may be more close because they are short in the engineer position, so every day they are hiring somebody to fill that spot, typically at time and a half since last July. This is a critical position which has been using a lot of overtime funding.
16. *If you increase staff, part of it to meet minimum shift requirements, why isn't there some reduction in overtime?* Chief Rivera said there are adequate firefighters which isn't the issue. He said they don't have 50 Captains, 50 driver-operators nor 50 paramedics. When they are short in one of those positions they have to be covered.
17. *Why aren't more people qualified for those key positions, and has an analysis been done with regard to cross-training as a way to save overtime?* Chief Rivera said he is doing a version of this right now, noting there are two extra captains per shift and two extra engineers per shift. He said if he was to do more than that, it would have to be negotiated with the union. He said to keep up with FMLA and people on injury or who just had surgery, there are situations where he is paying time and a half to fill the specialized positions. He said this could be explored as part of the collective bargaining agreement, but he couldn't guarantee that it would cut the overtime. He said for all the specialty positions the City is paying extra money for, the more people you hire, the more the FLSA goes up, the worked holidays increase, and the not worked holiday increases.

Chair Ortiz advised Chief Rivera that all departments are being asked to answer three questions when they come back to the Committee for final budget approval which are: (1) what efficiencies can you find within your department in the next fiscal year; (2) the cost or potential savings of those efficiencies; and (3) how can you continue to better serve the public in light of the answers to questions 1 and 2 above.

Councilor Chavez asked on what are the efficiencies based.

Chair Ortiz said these are efficiencies based on whatever the department thinks they can be efficient at.

Councilor Chavez asked if a range of savings was given to the departments.

Chair Ortiz said we started to do that, but two of the Committee members were convinced that the City Manager and department directors know their departments best, and from the ground up can work to find the efficiencies among themselves, and we didn't tell them what that range should be.

Councilor Chavez asked if the efficiencies must result in a savings.

Chair Ortiz said they may now, reiterating the questions which were asked of all departments, and he hopes some departments find efficiencies, otherwise it would be our jobs to find those efficiencies for them. It is based on whatever criteria the department believes is most important.

Councilor Chavez said he is unsure in asking this to be done whether we will short change the public, because we also have to provide the level of service we're providing now or are expected to provide.

Chair Ortiz said this is exactly the summary it took the Committee 45 minutes to reach.

Chief Rivera said he understood that creative ways to save money was desired.

Councilor Chavez said we have also discussed strategic planning and a desk to desk audit, but it doesn't seem we are giving the direction which will produce the desired results.

Chair Ortiz said he agrees, but he was outvoted by the committee. He was ready to give specific direction, and instead it was decided to hear from the City Manager, department directors and staff because they can find the criteria and identify those efficiencies, and just "lopping off" positions, or giving direction on budgeted amounts is not the way to go. He looks forward to the response.

Chief Rivera said it was suggested to look where it is top-heavy. He said everyone in the department are in classified positions, except for himself, which is something for him to consider when trying to develop any plan.

Councilor Chavez asked if those classified positions are part of the collective bargaining.

Chief Rivera said anyone in a white shirt isn't part of the collective bargaining, but classified positions have certain protections and privileges. He is the only one who is exempt in the Fire Department.

Councilor Calvert asked if any of this was calculated in the fees which will be charged for short term rentals.

Chief Rivera said he has looked at borrowing a position from Planning & Land Use. He said the Fire Department has an annual requirement to inspect all of the short term rentals, while Planning & Land Use only has a one time requirement. He said Planning & Land Use recognizes the Fire Department will be doing this on an annual basis, noting there are considerably more than they thought there would be. He also lost Inspector Marquez who is running for County Commission. He said this put them behind and it was necessary to do some temporary things, but it is considerably more work for the four inspectors we have now.

Councilor Calvert asked, when Inspector Marquez returns, will the additional position still be needed.

Chief Rivera said yes, it was requested before Mr. Marquez left.

Chair Ortiz said it is his understanding that the program pays for the cost of the program, so to the extent the Fire Department needs a position, he understands we are looking to the fees generated by the program to pay for this position.

Councilor Calvert understood it the same way, saying he doesn't think this is what is happening.

## **B. POLICE DEPARTMENT**

### **Municipal Judge**

Chair Ortiz said before we begin the Police Department budget discussion, he would like to hear from Judge Ann Yalman.

Judge Yalman introduced Marcella Tafoya, Paul Biederman and Brian Parkel, Executive Director, from Millennium Treatment who run the Drug Court. She noted that it is really a DWI Court.

Judge Yalman said 95% of the people in Drug Court are second or third DWI Defendants, and she refers as many as possible. She said it is an extremely successful program for the people who complete it. She said the cost of the program is \$52 per week, with the defendants paying \$22 and the County Indigent Fund has been paying \$30, so the City hasn't been paying anything. However, they have been notified, effective immediately, that the County Indigent Fund will no longer contribute any funds. She said she spoke with the Mayor who referred her to Kathryn Raveling. She is requesting \$40,000 for the program out of the Police Department budget.

Councilor Calvert asked Judge Yalman how she measures success of the program.

Judge Yalman said they don't come back, commenting no one she's sent who has graduated has come back to her Court.

Councilor Calvert asked if the Program would pay for itself in the sense the City won't have to spend funds to apprehend people and run them through the process.

Judge Yalman said there would be savings in terms of lives, saying when you consider the value of a life, it more than pays for itself. She suggested perhaps requesting funds from the next Legislature.

Responding to the Chair, Ms. Raveling said there are some cash balances available in the Police RECC Property Tax Fund which can be used to fund this program, noting any unexpended funds at the end of the year can be carried forward.

Chair Ortiz asked if this funding is intended to be bridge funding, and the City will work next year to find a continuing source of funding other than cash reserves.

Judge Yalman said she doesn't know, but she intends to continue to search for alternative funding for the program.

Chair Ortiz said it is his understanding that Judge Yalman will work with the City, Millennium, the State and County to try to secure funding on a long term basis.

Judge Yalman agreed, saying she believes this is a good idea.

Responding to the Chair, Judge Yalman said the request is for \$40,000, to continue to fund the program, noting Ms. Raveling made the calculations.

Responding to the Chair, Ms. Raveling said she doesn't believe it will be necessary to do a BAR, saying she will just take it out of this year's funds.

Chair Ortiz asked Ms. Raveling to work with the Judge to prevent any gap in funding for the program.

### **Police Department**

The Committee commented and/or asked questions and staff responded as follows:

1. *Are the responses to all of the questions which were asked at the Special meeting on April 14, 2008, in the packet?* Chief Johnson responded that he prepared a supplement to the Plan that should have been included in the Committee packet which answers those questions.
2. *Request that the Chief discuss the overtime budget for the Police Department, with comment that this information was requested previously, but doesn't seem to be addressed specifically in the information provided.* Chief Johnson said the current overtime budget is approximately \$1.517 million, of which approximately \$1.369 has been spent, and with some reimbursements for private overtime and such, the overtime budget is approximately 86% spent right now. He noted that the majority of the overtime is spent to fill minimum staffing levels, court, training, special events, things of that nature, so. The biggest event of the year is Fiestas which is a huge hit on the overtime budget.
3. *Does the Police Department have the same situations as the Fire Department, such as FLSA and other mandatory overtime pay?* Chief Johnson said the same laws generally apply, noting that Lieutenants and above are not eligible for overtime, so the ones receiving overtime are Sergeants and below, all of whom are members of the collective bargaining unit.
4. *The question on overtime is different for Police than Fire, because the Fire Department is on 24 hour shifts and the Police are on 10 hour shifts, and most of the Police overtime is for the events that you have to do, other activities and to cover minimum staffing.* Chief Johnson said this is correct, and spoke about overtime situations created by the required annual in-service training. He noted the training officer does everything possible to minimize the overtime, such as getting as many officers as possible into training on common days.
5. *If we changed to 8 hour shifts, we would get more officers on the streets.* Chief Johnson said it really wouldn't, and would become a union issue immediately. He said in going to 8 hour shifts, the officers most affected would be graveyard officers, noting some of the days off are spent in court, as well as just sleeping.

6. *Why did Albuquerque go to 8 hour shifts?* Chief Johnson said they're about 100 officers short right now, and the officers are unhappy with the eight-hour shifts, noting that this Department is beginning to be contacted by Albuquerque officers because they like our working conditions. He said the recruiting efforts right now are based on the fact that we work ten hour shifts and things of that nature. He reiterated that eight-hour shifts just aren't feasible and he wouldn't support them.
7. *We have the ability to put more officers on the street, but that plan isn't feasible. Why isn't it feasible? Officer morale? Or what?* Chief Johnson said it's definitely an officer morale issue, and going to eight hours shifts is going to bust morale, and you're going to see officers bailing and going to work for the departments that do have the ten hour shifts. It is a huge, huge morale issue.

Councilor Ortiz said, and yet, you could foresee a possibility where, if we went to eight hour shifts, then potentially there would be less requests for days off or comp. time or maybe even overtime, because you'd have more officers per shift. Councilor Ortiz said Chief Johnson said part of the reason we pay so much in overtime is because we always have to get to minimum standards. If there were 13-14 officers per shift on an eight-hour schedule, you would have less overtime needs because we wouldn't have to fill people into overtime on eight hour shifts.

Chief Johnson said if you go to eight hour shifts, especially those people that work the graveyard and the late hours, we're still going to be in the same predicament, because you're going to start seeing people call in sick more often. The fact of the matter is that the overtime, just like the Fire Chief said, is part of the cost of doing business in the line of work that we're in. He said you can't predict, for example, how many court cases are going to come up a year, or the number of ongoing investigations, things of that nature.

8. *Are detectives working 8 hour shifts?* Chief Johnson said no, they work ten hour shifts.
9. *In increasing the number of patrol officers per shift, is there going to be a decrease in overtime? Presumably if you have more of a pool, then you won't have to pay as much overtime.* Chief Johnson said he can't say there would be because all of the other factors will be in play for overtime – training, court, a major incident. He said he can't control what's going to happen throughout the year, and overtime in general is hard to predict.
10. *Overtime in the Police Department has remained pretty consistent for the past three years, but in previous years when there were a low number of officers or even when the Department was fully staffed, there is the same amount of overtime, and the same amount of overtime is projected once all of these new positions are filled.*

The Committee discussed the staffing of the Police Department per shift, and agreed it is difficult to understand exactly how this is done, and expressed concern that even with the new officers there would only be an increase of two officers per shift.

11. *What will the police officers be doing during proactive time other than being visible? What is proactive time and what does that mean.*

12. *What were the community's priority in establishing the Vision Plan, and how exactly were they established. Saying to reduce crime is too broad and specific answers are needed? [Noted this was asked at the previous meeting]*
13. *How are you going to fund the plan, other than grants which are on the decrease, property tax and red light cameras if adopted? ?* Chief Johnson said proactivity is being visible, deterring crime, checking for things that are happening such as graffiti, residential burglaries, suspicious people handing out in the neighborhood and other things police are trained to recognize. Chief Johnson said funding will be difficult. The red light camera program might bring money, but the idea is public safety and if it does what it is supposed to do it stops the red light runners, reduces crashes and there will be less revenue from fines. The DWI forfeiture program is being held up until we find an impound lot that is adequate. We don't know what's going to happen with these things. Once we get a new President we'll know the extent of the grants funding cuts. A lot of money is being cut in the drug enforcement area. The reality is that we probably are going to be relying on the property tax. The new COPS program is geared more toward technology, cameras and such and not for personnel funding.

Councilor Dominguez commented that the Police Department needs to be proactive, but if we don't have a secure source of funding, we may be giving the public false hope that we're going to fulfill the objectives of the plan without knowing how that plan is going to be funded.

14. *Why do we have a police officer on the Plaza downtown?* Chief Johnson said the Plaza is a City park and that is one of the areas that generates the highest number of complaints for a park setting. This has been in place for over twenty years.
15. *Having a police officer downtown seems to place an emphasis on a certain sector of the community, but there is a need to address more than just downtown. How does the plan address this broad perspective.* Chief Johnson said he already is working on adjusting resources internally, such as developing the street crimes unit using existing resources. He said patrolling is important, noting it is difficult to catch someone doing graffiti from a patrol car. He believes we need police in plain clothes working undercover assignments to catch people responsible for these kinds of crimes. He said the Department is back in full swing of doing narcotics investigating again, and such, which are all proactive activities.
16. *Does the plan focus just on patrol?* Chief Johnson said yes and that's where we're lacking. However right now, we can't take people from other areas to beef up the patrol position. The only way we can do that is to address this plan and get the additional positions. It is going to be an expensive venture. He believes his job as Chief of Police is to bring these issues forward, saying he doesn't have all the answers for funding, the reality is, a big portion of the request has to come from property tax.
17. *What are the community's priorities and how were those established?* Chief Johnson said we're starting to see an increase in the gang activity in Santa Fe and the associated graffiti.

Chair Ortiz pointed out that there is nothing in the Plan or the supplement which addresses that problem or indicates this is on the radar, which we need if we're going to be aggressive with this funding request.

Chief Johnson said this is the reason he's telling the Committee about this, and proactivity in these areas is a major thing. There's no enforcement in these areas right now because the police are running from call to call.

18. *What does proactivity mean?* Chief Johnson said being proactive is being out in your neighborhoods, being visible, looking for the suspicious activity that's taking place, being out at nighttime in your business areas.

Councilor Dominguez said he doesn't necessarily want more proactivity downtown, with all due respect to the downtown businesses. He said he does want more help to deal with truancy.

Chief Johnson said these are the things officers can do during their tour of duty – looking for the kids that are truant, that are out in the neighborhoods breaking into vehicles, breaking into homes. These officers, during the course of their duty, can stop in at the schools, check in with the schools to see if they're having any problems. They can do all these things without having to station a person at the school full time, if we can get enough officers to get them in their assigned areas where they're not being pulled from one area to go across town to handle another call.

19. *Is the time allocated and your proactive goal going to accomplish that?* Chief Johnson said it is a good start. He spoke about the successful recruiting efforts, and of the number of people who can retire over the next three years. He said over the last six years, the Department has lost eighty-seven officers for various reasons, thirty-six of whom have retired within the past six years, sixteen in the last two years, noting eight are eligible for retirement this year. He said since he's been Chief, forty-four officers have resigned for various reasons to go to different agencies because of working conditions, better pay, things of that nature.

20. *Do you have officers in the department like Willie Angel and Jimmy Huero who, in the past, established relationships with the community youth, both good and bad?* Chief Johnson said he has one gang officer and one vacant position in that area. The type of gang activity we're seeing now is a little different than when those officers were working with the youth, and being at the school before classes and during certain times of the day after school looking for problems that were taking place around the schools. He said the Juvenile Section deals with those issues, pointing out that the town has grown larger.

21. *Do you think we should revisit the issue of splitting the City into two districts? Have you done internal or external analysis as to whether or not reshifting and going back to one district will actually put more officers on the street, and result in citywide coverage? Have you looked at that?* Chief Johnson said when we had the district split, it was split into two parts of the city, north and south, with an imaginary line down the center of town. The only thing it did is to make it harder on each district, depending on what was happening at the time, because the officers were not

crossing that boundary to go handle calls for service. Things were left pending in that district for the oncoming shift to do. He said we're still assigning officers to all nine areas of the city. The difference is that they're not restricted right now. If we have an emergency on the south side, we're going to officers from the north side to address that emergency.

22. *If there is not an emergency, a north side officer will stay patrolling on the north side of town, and there isn't a Citywide district..* Chief Johnson said this is correct. He said it is up to the shift commander to monitor and oversee things and make sure that if we have an emergency that the south side commander or the north side commander isn't saying they're not going to take care of that call.
23. *If people call in sick or don't go to work, does the Department send, for example north district officers to the south district, or do we call people in and pay them overtime to fill the south district.* Chief Johnson said the minimum staffing levels have to be met, so we have to have that number of officers on the street. So, if we have two people who call in sick and we cannot meet the minimum staffing levels for that day, yes, then we call in two people on overtime.
24. *Has the Department reexamined the district split as an option?* Chief Johnson said yes.
25. *What is your recommendation in this regard?* Chief Johnson said the district split could work with the additional officers, saying at the time of the district split the minimum staffing level was ten officers.

Councilor Dominguez observed that things really aren't equal, because there are different criminal components which need more resources in different districts, and he doesn't understand how that works.

Chief Johnson said this is one of the reasons they did away with that imaginary line, because that's what was happening.

Councilor Dominguez said but that is only in an emergency.

Chief Johnson said this is correct, but there are still nine areas which have to be covered. The difference is if we have a real emergency, we're not holding anybody back, we're telling our commanders to get somebody there and get these calls handled. The reality is, the calls for service are still happening in these other areas, but we try to address that with the other resources we have, as far as running special operations with investigations, things of that nature.

Councilor Chavez reviewed the different parts of the plan and made comments. He said the comstat data will help with intervention and with the concept of community policing and neighborhood watch and those kinds of things. He said obviously, being proactive is the opposite of being in a reactionary mode, and we want to get out of that reactionary mode, so the next mode that you can be in is this proactive, and how you do this can be many different ways or programs. He believes if we want to hold our police officers accountable for the truancy, then we also need to keep our School Board and School

Board members, past and current, accountable for that truancy problem, because it's not only a police problem, it's the Police Department's problem to fix.

Councilor Chavez said gang intervention might be a different situation, because maybe the gang members aren't going to be regulars at school, right? They're going to have dropped out, or may be older than school age.

Councilor Chavez said it seems to him that we're discussing a dependable source of revenue, but believes we did that about 2 ½ years ago when we identified that revenue source for our park improvements, and that revenue source unfortunately, happens to be property tax. He doesn't see any other dependable source at this point in time.

Councilor Chavez said after the Public Safety meeting that was held at the Genoveva Chavez Center, there did seem to be some level of support for increasing property tax for public safety. He believes if public education is part of that we could sell that to the public. He said the concerns of the citizens during the last election cycle were for increased safety in the neighborhoods, observing that public safety seems to be on the minds of many of the public.

Councilor Chavez said everything he asked about is in the Plan, and although the details aren't all spelled out, the concept is fairly well laid out. He said we can debate the funding source, but he would lean more toward the property tax than the general fund, or even the red light camera program. He spoke about the situation in Albuquerque with the red light camera program.

Chief Johnson said Albuquerque really did pass enormous fines and such. But this program proposes that the fine is going to be the same as if you were stopped by an officer, which is \$51. He said we need to be realistic and educate the community with a very aggressive public awareness campaign on the issue.

Councilor Chavez believes we should try the program for public safety, but it isn't something we can depend on indefinitely to product revenue

26. *How long has the Police Department been at severely understaffed levels?* Chief Johnson said probably 8-10 years.

Councilor Calvert observed that it appears that the number of calls or the number of priority one calls hasn't changed all that much over the years. He is concerned that we're going to add all these people to get back to where we were in 2002. And that's our goal? He said that doesn't seem to be much of a push. He is trying to understand how we're going to justify this proposal in terms of presenting it to the public.

27. *Is the goal that our response time, with the addition of 45 new personnel, is going to be only as good as the response times were in 2002?* Chief Johnson said it will be a combination of things. He said Ken Martinez from the RECC is looking at the actual way calls currently are prioritized. He said he and the Sheriff need to come to agreement on that because they work off the same CAD

system and such. They met last week and are looking at making some changes to the ways calls are prioritized. He said for the past month, they have been tracking alarms separately to try to determine the impact on response times since alarm calls are now a priority one, and what would be the impact on response time in changing the priority on alarm calls, with the exception of certain alarms. Chief Johnson said those numbers are a bit conservative and believes the Department can do a better job.

Councilor Calvert requested the City Manager to continue the work which was being done on false alarms, and would like him to send the two "candidates" through City Legal, and then we could choose one and believes this would really relieve the Police Department from responding to alarm calls.

The Committee again discussed the issue of minimum staffing, and what we can expect from the additional officers, and how that is going to assist the patrolling effort with only 18 of the 45 going to patrol, and why only two officers per shift would be added with the 45 additional officers.

Deputy Chief Wheeler explained that the Department runs two opposing shifts. If we're actually allocating four new officers, two of them go to a set of days off of Tuesday, Wednesday, Thursday off, and then the other ones go to a Friday, Saturday, Sunday off. There is one day of overlap where they'll actually overlap each other. All the resources ... the majority of the officers that we're looking at right now are all going to be allocated to the patrol field

Chair Ortiz suggested the department could prepare a spreadsheet which shows the existing positions, alongside the proposed positions, observing that he also is confused

Deputy Chief Wheeler said there are three shifts – day shift, graveyard and swing. He said, for example if 12 officers are being added to patrol, and there are three shift, it is important to remember that the department works 24/7, and there are two squads, each with three shifts.

Chair Ortiz reiterated that it would be helpful for the Department to prepare a visual representation of scheduling for the Committee so we can understand why 12 new officers will result in only two more officers per shift.

Deputy Chief Wheeler said he would prepare the requested document and provide it to the Committee.

Chief Johnson said he can provide one of our schedules to show you what the shifts look like.

28. *What is the busiest day and shift?* Chief Johnson said it is usually the Monday day shift.
29. *Would it be possible to put out false calls to throw off the criminals who are watching and listening to police activities, such as is done in the military.* Chief Johnson said they've changed call codes and such, and tried installing devices to block scanners. However, within a short time somebody would develop something to defeat that. He said criminals and burglars carry scanners and listen,

and know when all of the officers are tied up on a call. He said this is another reason more officers are needed.

30. *Would it be possible to constantly change things like they do in the military, and to put out false information to throw the criminal element off?* Chief Johnson said no, but it would probably work if there were enough officers on the street that weren't already responding to calls. He said a false call could be sent out if there were enough officers in that area to wait for the bad guy to come in, but right now, we're responding from call to call. And, you know, when your officers are visible in the neighborhoods and the business districts that in itself is a deterrent.
31. *Would this be possible to use some of these strategies once the additional officers are on board?* Chief Johnson said he is using different strategies at this point, commenting that patrol is not the only function of a police department, and there is an investigation section as well. Two years ago, during Christmas they ran very successful sting operations. He said he most definitely will be doing different things, using different strategies as the staffing increases.

Chair Ortiz said he is hearing the Committee say that what we're trying to suggest to you and to really the administration is that it is just not enough just to say you want more officers and more officers will make you more proactive and less reactive, we get that. What we want to hear, is some acknowledgment, or some understanding, that there are certain areas about which the public, the community and this Council want to hear more specifics and want to see more programs – either in terms of the number of officers you're going to put to this particular issue, or goals that you have in a particular issue. And you have heard some of them here tonight.

Chair Ortiz said Councilor Dominguez talked about youth programs, and the Chief talked about those as well and admitted that there is going to be shortfalls in gang prevention funding and the tie between graffiti defacement and gangs, and how to address that. We've also heard about the issues of residential burglaries and sexual assaults. All of these are components are that we want to see addressed in this plan, and we want to know your plan for using the additional resources requested to address, mitigate, and hopefully, stop some of these areas of crime which are of growing concern within our community.

Chair Ortiz said it is not enough for you to tell the Committee that the Police Department is going to be more proactive and the only way the Department is going to be more proactive is to fund more police officers, without being told where those police officers are going to be assigned. These are the kinds of things on which we want to hear details, without even getting into other areas that aren't addressed.

Councilor Ortiz noted that the Animal Control Division has more direct contact with the public, but that isn't addressed in the plan. He said everyone loves their pets, and some people who don't have kids, love their pets more than people love their kids. He sees nothing addressing positions in Animal Control, no expansion positions.

Chair Ortiz said these are the kinds of deficiencies the Committee sees in the plan. You hear from all of us that it is good to be proactive, and supporting community policing is a good idea, and we support community policing. However, we want to hear specifics. We don't want to hear that your priority over the next three years is "to prevent crime through community preventive policing, increasing neighborhood patrols, community education and participation, self initiated enforcement and voluntary compliance with the law." He said these general categories don't address the very specific problems that he and Councilor Chavez heard about on the campaign trail. People want answers to specific questions: How is my neighborhood going to be safe? How am I going to be comfortable walking at night if I'm a female, if I'm elderly, if I'm an elderly female? How are we going to address this issue with all of these punks doing tags on our walls? Those specific questions are the questions that we're asking you as our expert to give us answers to, answers that we don't see in your strategic plan. And I think that's what we want to hear from you. That's what we want to see in this, so that we can support it.

Chair Ortiz said Councilor Chavez mentioned the property tax as a reliable source of funding, which was used to pay for the park improvements. He said some of the things which were done to get the Parks Improvement Bond passed can help the Police Department with its proposed property tax increase to pay for the public safety request. For one thing, to the extent possible, you need to be up front with the problems that you've identified, and tie the money increase that you're looking for to that particular, specific answer. He believes that would bring more success and more public support.

Chair Ortiz said he heard from his constituents after the Public Safety meeting that they want more police, but they're not sure about doing this with property taxes. They asked what they got for the last property tax increase. They all support public safety, but want us to do more out of the General Fund. They asked if they are always going to be hit with increased property taxes each time more police officers are needed. They asked what these new police officers are going to do for them, in their homes, in their neighborhoods and on the street. He said this Committee is struggling with the answers to those questions. The Committee would like those questions to be answered in the strategic plan before it approves the Police Department budget.

Chair Ortiz said this administration has been good in getting its message out and about answering specific questions. He reiterated that we want those specific public safety questions answered. How are you going to relate to and deal with sexual assaults in our community? How are you going to deal with the rising gangs and how that relates to graffiti, and how are you going to address cleaning up both of those problems? How are you going to address taking drugs off the streets? All of these questions, pretty general questions, need some kind of answer. He said the public doesn't want to hear "just give us more officers and we'll be more proactive and we'll have more people on patrol." He observed that we can put more officers on the street by going to eight-hour shifts, but the Chief has said this is something we can't do.

Chair Ortiz said once you answer those questions, he believes the Police Department will find more support here and in the public for the rate of increase that you're requesting, and perhaps for even more money. But, until those questions get answered, we're always going to be in the position of having to ask these sorts of questions. And the only thing we're giving to the public is not the specific answer to the problem, but just a general response – more, more, more.

Chair Ortiz said those are the questions that you have to answer, and this Committee would like to see before we approve your budget in two weeks. If you're not capable of doing that, then we need to at least have a game plan – when can you have these answers. He said 2½ years ago, inartfully, we asked those kinds of questions, and asked for this strategic plan, and it's coming to us two years after the fact. This is as clear a summary as he can give as to what he believes the concerns are.

Chair Ortiz said a projected staffing plan for all these positions would be very helpful, and might answer some of the questions. He would like the comstat numbers and more details on how much community policing resources are going to be needed. He would like a response to Councilor Dominguez's proposal for an increased commitment from the Police Department to youth activities. This additional information would be helpful from his perspective.

Chair Ortiz said he believes the Graffiti Task Force is coming forward with information, and an additional request for law enforcement and cleanup staff. I think that would be helpful information to get from the Police Department.

Chair Ortiz said public safety, from all of our perspectives, is a work in progress. And, to the extent that your Department can help us, you are helping the community, you're calming the different concerns that are out there.

Chief Johnson said he believes a lot of those answers are in the plan, and have been answered in past studies which have been provided to this Committee and the Council.

Chair Ortiz said he can respect if Chief Johnson's answer to him is that he has already answered his questions and he just needs to read the packet.

Chief Johnson said, "In all fairness Councilor if you, being one of our biggest critics of law enforcement, if you would attend meetings, such as Public Safety meetings, when we ...where we do our presentations, where we have our different areas of the Department to answer these questions for you, you know we wouldn't be sitting here going round and round. And, I apologize for the frustration, but, you know that's where we're at. I don't know how many different ways I can answer these questions for you."

Chair Ortiz said he respects the commitment and the work the Chief has done to gather people and to talk about public safety issues. He said, "I can tell you in no uncertain terms that my criticism is not of the Police Department, the rank and file and the people who are out there risking their lives. My concern, growing concern, is that, at the top there is not the kind of focus, in terms of leading this Department past a status quo mentality. And so, if you think that that's a criticism of law enforcement in general, I can tell you, as a victim of crime in this city, that your Department has gone head and shoulders to address those concerns. I can tell you that in doing the drive... the drive throughs that I've done with the police force, that that job is absolutely amazing in terms of the level of dedication that people need. But, when it comes to the leadership of the Department, and moving this Department past the status quo of the last thirty or forty years, I do have concerns. And, if your answer is that all of the answers to all of those questions that you've heard from all of these Committee members and from other Councilors are contained within the materials that you've presented and that you can't present any more, that we've tapped you out,

I can respect that. And then, we'll go from there, because our job is really to find the monies and to answer our constituent concerns. And if this all the information that we can expect from staff, then this is all the information we can expect from staff, I can respect that."

Chief Johnson said the reality is that the Department needs more police officers, and that's a fact. He said, "We're running these people ragged. And when it's all over, all said and done, you know you're going to have to answer to your constituents, because they are not getting the service that they deserve in this community. And you know we're busting our rear ends to accomplish these things, and you know if you have concerns about the leadership ability of the Police Department, well you're wrong, because our leadership in the Police Department does great things, and we've done a lot of accomplishments in the last two years. And, like I say, I don't know what else to tell you at this point."

Councilor Dominguez requested an organizational chart with positions and the names of those in those positions and their titles – a position specific work chart. He commented that Carl More did one of the huge flow charts and something of that nature would be okay as well.

Councilor Calvert said we've been talking about the strategic plan and he doesn't think there was ever a question of increasing officers. However, we haven't touched on the source of funding for that request, and he hoped as the Finance Committee we could do that. He doesn't want to go further this evening because of the hour.

Councilor Calvert said he would like to point out that there appears to be funds for reallocation from the 2008 CIP bond in the neighborhood of \$1.6 million, according to Mr. Romero. These are funds from the Trails City Wide and from Water Management and Turf Rehabilitation which Mr. Romero believes might be duplicative of funding which is included in the Parks Bond. He thinks we could use those funds, and we need to look at that in terms of our priorities, and not what requests have come forward to this point. He would like us to develop a list of priorities and use it to reallocate those monies.

Chair Ortiz said that's probably a germane discussion. However, because the Police Department proposes to use the money for ongoing funding of positions, and this would be a one-time funding source, we would be in a position of searching for funding next year. He said it has not been the position of this Committee, except in the case of an emergency or something else coming up, to fund what could amount to recurring positions with nonrecurring funds.

Councilor Calvert said he isn't suggesting using these to pay the whole bill, but we could look at funding capital expenditures, the police vehicles for the officers and those kinds of things and see what we could offset with these funds.

Chair Ortiz said he agrees with him. He said we have not discussed to this point, nor has it been addressed, ways to improve efficiencies in public safety using enhanced technologies being used by other municipalities. He said, for example, maybe we won't need as many police officers if we put surveillance cameras in all of the parks, or perhaps we could have more efficiencies if we had a computer system which did staffing, or other things. We haven't discussed how to utilize technology by spending capital funds to reduce personnel costs.

Councilor Calvert said he agrees, although he certainly not recommend that the Department ease up on its recruiting efforts at all. He believes we need to continue to look for efficiencies, but believes, for example, changing our policy on alarm calls won't be felt immediately. He believes we do need 15 additional officers in the first year, but we need to look at other things in the long term and whether we really need the full 45 officers. Perhaps we can whittle down that number slightly.

## 20. ADJOURNMENT

Councilor Dominguez apologized to staff saying he did receive the binder at the DOT, but it was given to the wrong person or misplaced.

Chair Ortiz said at the May 19<sup>th</sup> meeting the Committee will be approving the department budgets, and if departments will be submitting supplemental requests, those need to come to this Committee sooner than later.

There being no further business to come before the Committee, and the Committee having completed its Agenda, the meeting was adjourned at 8:45 pm.

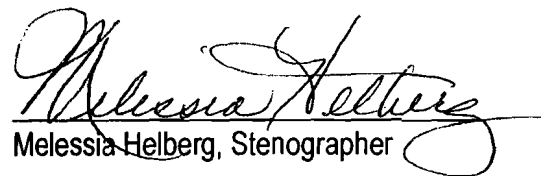
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Matthew E. Ortiz, Chair

Reviewed by:

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Kathryn L. Raveling, Director  
Department of Finance



Melessia Helberg, Stenographer