



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
FEBRUARY 15, 2016 – 5:00 P.M.

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

CITY CLERK'S OFFICE

DATE 2/11/16 TIME 4:05 p  
SERVED BY Yolanda Blier  
RECEIVED BY [Signature]

## CONTINUATION OF BUDGET DISCUSSION

5. Update on Budget Development Process. (Oscar Rodriguez)

## CONSENT AGENDA

6. Request for Approval of Bid No. 16/23/B – LED Countdown Pedestrian Head Installation at Various Intersections and Agreement between Owner and Contractor; M.W.I., Inc. (Rick Devine)
7. Request for Approval of a Budget Increase from Cash Balance for Additional Preventative Maintenance and Repair of Residential and Commercial Collection Units for the Environmental Services Division in the Amount of \$242,802. (Lawrence Garcia)
8. Request for Approval of Professional Services Agreement – Collaborative Arts Marketing Program for Arts Commission; Museum of New Mexico Foundation. (Debra Garcia y Griego)
9. Request for Approval of a Resolution Requesting Staff to Develop a Land Use Facilitation Program Based on the Highly Successful Albuquerque Model. (Councilor Bushee) (Lisa Martinez and Noah Berke)

### **Committee Review:**

Public Works Committee (approved)  
Planning Commission (approved w/amendment)  
City Council (scheduled)

01/11/16  
02/04/16  
02/24/16

Fiscal Impact – No



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
FEBRUARY 15, 2016 – 5:00 P.M.

10. Request for Approval of a Resolution Amending Resolution 2014-96 to Direct Staff to Coordinate Free Transportation and Parking Options for Patients and Volunteers by the Mission of Mercy Program Sponsored by The New Mexico Dental Foundation. (Councilors Ives and Trujillo) (Noel Correia, Jon Bulthuis and David Silver)

**Committee Review:**

Public Works Committee (approved)

02/08/16

City Council (scheduled) 02/24/16

Fiscal Impact – Yes - Expenditures = \$170 for personnel Revenue Loss = \$11,160 (\$1,000 in firebox loss; \$10,160 in parking meters and garage)

11. Request for Approval of a Resolution Directing Staff to Develop a Plan to Sponsor and Implement a "Performance Encore" in October, 2017. (Mayor Gonzales and Councilor Ives) (Randy Randall)

**Committee Review:**

Public Works Committee (approved)

01/25/16

Occupational Tax Advisory Board (approved w/amendment)

01/26/16

Arts Commission (scheduled)

02/08/16

City Business Quality of Life Committee (no quorum)

02/10/16

City Business Quality of Life Committee (scheduled)

02/17/16

City Council (scheduled)

02/24/16

Fiscal Impact – No

12. Request for Approval of a Resolution Directing Staff to Use the Water Enterprise Fund to Repay in Full the Balance of the 2006 Water Capital Outlay Bond in the Amount of Thirty-Three Million Six-Hundred Thousand Dollars. (Councilor Maestas) (Oscar Rodriguez)

**Committee Review:**

Public Utilities Committee (approved w/amendment)

02/03/16

City Council (scheduled)

02/24/16

Fiscal Impact – No - Resolution directs that staff take all necessary actions to defease the remaining debt the City issued in 2006 help acquire the water company and make other capital investments. It further directs that the City use water enterprise fund reserves to pay off the remaining balance. Ample reserves are available for this and there would be no impact to utility's operations or capital program.



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
FEBRUARY 15, 2016 – 5:00 P.M.

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## **END OF CONSENT AGENDA**

13. MATTERS FROM THE COMMITTEE

14. ADJOURN

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

**SUMMARY OF ACTION  
FINANCE COMMITTEE MEETING  
February 15, 2016**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved	2
APPROVAL OF CONSENT AGENDA	Approved [amended]	2
CONSENT AGENDA LISTING		2-3
<u>CONTINUATION OF BUDGET DISCUSSION</u>		
UPDATE ON BUDGET DEVELOPMENT PROCESSs	Information/discussion	3-10
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF BID NO. 16/23/B – LED COUNTDOWN PEDESTRIAN HEAD INSTALLATION AT VARIOUS INTERSECTIONS AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; M.W.I., INC.	Approved	10-12
REQUEST FOR APPROVAL OF A BUDGET INCREASE FROM CASH BALANCE FOR ADDITIONAL PREVENTATIVE MAINTENANCE AND REPAIR OF RESIDENTIAL AND COMMERCIAL COLLECTION UNITS FOR THE ENVIRONMENTAL SERVICES DIVISION IN THE AMOUNT OF \$242,802	Approved	12-13
REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – COLLABORATIVE ARTS MARKETING PROGRAM FOR ARTS COMMISSION; MUSEUM OF NEW MEXICO FOUNDATION	Approved	13-115
REQUEST FOR APPROVAL OF A RESOLUTION REQUESTING STAFF TO DEVELOP A LAND USE FACILITATION PROGRAM BASED ON THE HIGHLY SUCCESSFUL ALBUQUERQUE MODEL	Postponed for 6 months [amended]	15-20

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
REQUEST FOR APPROVAL OF A RESOLUTION AMENDING RESOLUTION 2014-96 TO DIRECT STAFF TO COORDINATE FREE TRANSPORTATION AND PARKING OPTIONS FOR PATIENTS AND VOLUNTEERS BY THE MISSION OF MERCY PROGRAM SPONSORED BY THE NEW MEXICO DENTAL FOUNDATION	Approved	20-22
***** END OF CONSENT CALENDAR DISCUSSION *****		
MATTERS FROM THE COMMITTEE	Information/discussion	22-25
ADJOURN		25

**MINUTES OF THE  
CITY OF SANTA FE  
FINANCE COMMITTEE  
Monday, February 15, 2016**

**1. CALL TO ORDER**

A meeting of the City of Santa Fe Finance Committee was called to order by Chair Carmichael A. Dominguez, at approximately 5:00 p.m., on Monday, February 15, 2016, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

**2. ROLL CALL**

**MEMBERS PRESENT:**

Carmichael A. Dominguez, Chair  
Councilor Signe I. Lindell  
Councilor Joseph M. Maestas  
Councilor Christopher M. Rivera

**MEMBERS EXCUSED:**

Councilor Ronald S. Trujillo

**OTHERS ATTENDING:**

Oscar S. Rodriguez, Director, Finance Department  
Kelley Brennan, City Attorney  
Teresita Garcia, Finance Department  
Yolanda Green, Finance Department  
Melessia Helberg, Stenographer.

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

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

**3. APPROVAL OF AGENDA**

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

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

**4. APPROVAL OF CONSENT AGENDA**

Chair Dominguez noted corrections in captions as follows: Item #10 under Fiscal Impact, it should be "farebox" not "firebox," and on Item #12 under Fiscal Impact it should be "decrease" instead of "defease."

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

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

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**CONSENT AGENDA**  
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6. *[Removed for discussion by Councilor Maestas]*
7. *[Removed for discussion by Councilor Lindell]*
8. *[Removed for discussion by Councilor Lindell]*
9. *[Removed by Councilor Rivera]*
10. *[Removed for discussion by Councilor Rivera]*
11. **REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO DEVELOP A PLAN TO SPONSOR AND IMPLEMENT A "PERFORMANCE ENCORE," IN OCTOBER 2017 (MAYOR GONZALES AND COUNCILOR IVES). (RANDY RANDALL). Committee Review: Public Works Committee (approved) 01/25/16; Occupational Tax Advisory Board (approved w/amendment) 01/26/16; Arts Commission (scheduled) 02/08/16; City Business Quality of Life Committee (no quorum) 02/10/16; City Business Quality of Life Committee (scheduled) 02/17/16; and City Council (scheduled) 02/24/16. Fiscal Impact – No.**

12. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO USE THE WATER ENTERPRISE FUND TO REPAY IN FULL THE BALANCE OF THE 2006 WATER CAPITAL OUTLAY BOND IN THE AMOUNT OF THIRTY-THREE MILLION SIX HUNDRED THOUSAND DOLLARS (COUNCILOR MAESTAS). (OSCAR RODRIGUEZ). Committee Review: Public Utilities Committee (approved w/amendment) 02/03/16; and City Council (scheduled) 02/24/16. Fiscal Impact – No. Resolution directs that staff take all necessary actions to ~~defease~~ decrease the remaining debt the City issued in 2006, help acquire the water company and make other capital investments. It further directs that the City use water enterprise fund reserves to pay of the remaining balance. Ample reserves are available for this and there would be no impact to utility's operations or capital program.

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**END OF CONSENT AGENDA**  
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**CONTINUATION OF BUDGET DISCUSSION**

5. UPDATE ON BUDGET DEVELOPMENT PROCESS. (OSCAR RODRIGUEZ)

*A copy of Projected Budget Balance after applying FRAMEWORK (using Nov. 30 data), is incorporated herewith to these minutes as Exhibit "1."*

Mr. Rodriguez reviewed the information in Exhibit "1." Please see Item #1 for specifics of this presentation. Mr. Rodriguez noted projections are based on November 2013 data, and it will be a moving target to the budget with periodic updates to the data.

*The Committee commented and asked questions as follows:*

- Chair Dominguez said he wants to clarify the Hold Harmless issue for the public. He said essentially, the State took revenue away from the City, gave us a model for which we could have collected that revenue, and then took the revenue away from us again via the approval at the Legislature two years ago. The Legislature now is trying to limit our authority on the GRTs with some of the recent legislation.

Mr. Rodriguez said the Legislature's view is if the City adopts the tax, then the City doesn't need that revenue and it stays with the State. If we raise the GRT on the non-Hold Harmless increment, then the City can use it to make up for the loss of the \$11 million we will lose eventually over the next 15 years. He said the State allows for a referendum to "call back the tax increase on the other one." He said 1/3 of the citizens can present a petition for referendum calling for a vote on the GRT, commenting this is always the case in Santa Fe. He said, "There is no possibility for a referendum on the Hold Harmless GRT if enacted."

- Chair Dominguez asked Councilor Maestas the position of the Municipal League on HB 233.



- ▶ Councilor Maestas said the League is well aware of HB 233, which is a full-blown tax reform bill, but it's packed with too many changes. He said the last time we they were briefed by the League, it probably wasn't going anywhere,
- ▶ Chair Dominguez asked if the League has taken a position on that bill.
- ▶ Councilor Maestas said the counties that enacted the Hold Harmless GRT are making a windfall that far exceeds what the counties lost. He said this bill would limit that revenue and equalize the gain in relation to the lost. He said this wasn't in the original bills, but that is one of the main equity portions of HB-233. He said many of the Counties have moved quickly to bond on that GRT which will protect that revenue. He doesn't know whether Santa Fe County has bonded its GRT increment.
- ▶ Chair Dominguez said all of this will have some impact on the decision that we make in terms of what direction that we want to go.

Mr. Rodriguez said there were a number of bills, but those didn't pass. The conversation at the Legislature was that if the GRT is increased by a certain amount, the State immediately will reduce the transfers to local governments. If City were to raise its GRT to 3/8%, the State would stop making the transfers immediately, and not wait for 15 years to stop those payments.

Mr. Rodriguez continued, saying the Legislators' thought is that if a municipality raises its GRTs by a certain amount which produces above what is lost, over time there would be a break-even point and "you would be slightly behind," but in a meantime it is a windfall and the "State needs that windfall for itself at this point."

Mr. Rodriguez noted there are options, but each option come with its conditions. The League has said that the acceleration horizon for Cities adopting the Hold Harmless gross receipts tax increase, will continue at least for now.

- ▶ Chair Dominguez said he understood the original intention by the State in recovering the revenue was for transportation.

Mr. Rodriguez said no, noting there was a proposal to transfer money from the Gasoline Tax which goes to the municipalities to be used for counties.

- ▶ Chair Dominguez noted that chart isn't in the packet.

Mr. Rodriguez said that was sent to the Committee via email.

- ▶ Chair Dominguez said in the future when Mr. Rodriguez sends something via email to the Committee to also send a copy to Yolanda Green to put in the Committee packet.

Mr. Rodriguez said it was more for background information regarding the options, reiterating that each options has its benefits and consequences. He would like direction/clarification from the sponsors of the legislation in terms of which GRT is going to be adopted. He said staff will be bringing both forward for consideration unless this Committee indicates otherwise.

- ▶ Chair Dominguez said there has been no discussion by the Committee in this regard, noting he has mixed feelings. He would like to give the public the opportunity to impose a referendum on the GRT, but conversely, part of the trouble we're experiencing isn't self-inflicted, but are due to the unfunded mandates handed down by the State. He is unsure at this point, where he wants to go, commenting he is leaning more toward the Hold Harmless increment, and "dare the State to take that away from us again, or take it away in a different form." He said, after all, that is part of the reason the City is in its current budgetary situation.

- ▶ Councilor Rivera asked how much the City currently gets from the State for Hold Harmless.

Mr. Rodriguez said it is about \$10 million a year.

- ▶ Councilor Rivera asked how long that will continue.

Mr. Rodriguez said it is being reduced by \$700,000 annually for the next 15 years.

- ▶ Councilor Rivera asked, if the City were to implement the 1/8% Hold Harmless GRT, would the State cut out all Hold Harmless funding.

Mr. Rodriguez said at this point, that is the conversation by the Legislators, but it doesn't seem to be prospering, noting the Municipal League is in opposition to those bills. They're telling us that might not happen in this Legislative Session, but that's the conversation and it will happen sometime in the future.

- ▶ Chair Dominguez asked if this is true for all increments of the GRTs which are enacted by the City.

Mr. Rodriguez said the City adopted its GRT many years ago, but for sure the next two increments will be subject to that policy.

- ▶ Councilor Maestas said the Committee had a discussion about current trends, projected year-end expenditures and revenues. He asked to what extent we will use that information for the next budget. Will we keep the same budget level for revenue and expenditures, but look at actual and projected as the basis for setting the budget.

Mr. Rodriguez said the GRT is coming in about 3% higher than budgeted. He said, at the same time, expenditures appear to be up to 5% below budgeted. He said there will be a budget adjustment resolution to recognize the actual revenues and expenditures. He said if the balance is

greater than we are budgeting for capital improvements and the 10% reserves, staff will identify that to the Committee as a balance above and beyond what was budgeted. He said the expenditure level will tie itself to the lower figure.

- ▶ Councilor Maestas said then we won't create additional cuts, we will use the experience of the current budget, and the \$4 million in cuts is factored into it.

Mr. Rodriguez said yes, commenting that in a way we've been on this program for 6 months.

- ▶ Councilor Maestas asked when will we see a summary of all of these, including \$4 million in cuts, or will we get a summary of the cuts when we move into the budget to equal a 5% reduction.
- ▶ Chair Dominguez said he will work with the administration to get information to the Committee as it rolls out, in a format that will allow staff to continue to work and do what they need to do so they can move forward without us jumping to conclusions.

Mr. Rodriguez reiterated he will be using these opportunities to bring the Committee that information. He said, "It will be really hard to prepare a budget before we prepare a budget."

- ▶ Councilor Maestas said that information is very important in terms of our assumptions based on projected actuals, commenting there should be a standing agenda item discussing additional reductions above and beyond what we expect to be in this budget that would reflect the 5% reduction in expenditures.

Mr. Rodriguez said he understands, noting these are projections through the end of the year, and the lack of carry-forwards and new procedures in place make it difficult to do that. He said he would caution that these are projections and contain one-time expenditures – revenues and expenditures. He said it is staff's intent to bring a budget which includes these things.

- ▶ Councilor Maestas asked the reason we are insisting on a 10% reserve when all we need is 1/12 or 8.3%. He said we are trying to avoid the need for new taxes, and asked the reason we wouldn't just go for 1/12 for now, and when we are on more sound footing we can go with the ideal 10%.

Mr. Rodriguez said 1/12 is what is required by law and is the bare bones minimum, and we need more than that. He would recommend building to a 15% reserved, because when you are this close to the edge you are going to count on these reserves. He said the reason the City hasn't run into more rough waters is because of the \$90 million in the water reserves which provided a lot of the liquidity the organization needed and there was a good cushion. He said as we get better at planning, perhaps the idea of running a little leaner might make sense. However, if we bring our cash reserve too low, there might be time we couldn't pay our bills. He said all kinds of things can happen. He said it's not just a matter of having it in the budget, it is a matter of having the liquidity for the organization. He would strongly recommend reserves of 10% at a minimum. He said the policy adopted by the Council is 10%.

- ▶ Councilor Maestas said his only point is that it is a guideline, and we're trying to avoid tax increases. He doesn't think we should make the situation worse voluntarily, and said he understands it is aspirational, but it should be a matter of policy, and we need to take action as to whether to go with the 1/12 or the 10%.
- ▶ Chair Dominguez pointed out that this Committee took formal action to establish a 10% reserve as a part of the approval of last year's budget. He said if we want to change the reserve for the upcoming budget, we can always entertain new policy dictating our management of the City's reserves. It is a policy decision.
- ▶ Mr. Rodriguez said the Financial Management Policy that you approved about two months ago had that figure in it, so staff is going by that. That is the policy direction that you gave to the staff in bringing the budget forward.
- ▶ Councilor Maestas said, "But we do have that latitude, and I think it's one of the things in play if we want to really reduce the impact for now, we could go with the 1/12. We have investment income which to a certain degree, a portion of it is liquid if we have an emergency, but the 1/12 is a restricted reserve we can't touch."
- ▶ Councilor Lindell asked the dollar amount difference between the 10% and the 1/12.

Councilor Maestas said 10% would be \$7 million and 1/12 would be \$5.81 million, so a difference of about \$1.2 million. He reiterated he thinks this should remain on the table

- ▶ Chair Dominguez said we can look at it, and it's a good conversation to have, but he would hope this Committee would ensure we have a reserve that is adequate for today and for the future, so we can leave that to future Governing Bodies. It has been a hefty reserve that we have been able to rely on for a number of years. He said, "I think we should be strategic about it, but we shouldn't forget about the future, and that's part of the strategy and the discussion we'll have."
- ▶ Councilor Maestas said in his plan for balancing the budget, he added all of the franchise fees and he gets a total of \$5.96 million.

Mr. Rodriguez said that is correct, noting it contains the \$1.2 million he suggested that we assess to the Wastewater and Solid Waste to cover the free service. This is a step in being transparent. He said, "To be clear, it's something I mentioned to you. We get free service. The General Fund is not charged for Wastewater and Solid Waste services, and we estimate that is a total of \$1.2 million. I'm recommending that practice change and that they charge for those services, so everything is made whole on both sides, so we charge a franchise fee, an equal amount."

- ▶ Councilor Maestas said then it is a slight modification to the framework, "You're incorporating my recommendation to add the...."

Mr. Rodriguez said, "Yes, it's a good idea."

- ▶ Councilor Maestas said, "Regarding the Stormwater, the street maintenance from Stormwater is not \$1.5 million. If you look at the break-out in the report, the breakout for Streets is \$924,000."

Mr. Rodriguez said on the left side the figure is correct, so there is a slight deficit.

- ▶ Councilor Maestas said the over-spending is about \$300,000.

Mr. Rodriguez said it is about \$298,000.

- ▶ Councilor Maestas said, "So you're adding that, but is there over-spending on the Streets side as well. Because it's 3. It's the Stormwater system, the Streets and then Parks. There's 3 components."

Mr. Rodriguez said yes, and he has added them for those purposes. He said, "The point I'm making is if you add it to this against the resources that the framework brings into play, it balances that out. What we're doing is generating resources to pay for operations in Stormwater so the revenue from Stormwater can be more readily used to do projects. This is freeing resources to do capital. We shouldn't be putting our capital money into operations, and this is a way to use one-time money for one-time costs to build things."

Mr. Rodriguez continued, "And to add a little bit about the ending balance. You all understand that if we were to take money, cash, that ended up being the ending balance at the end of the year, that would have to be treated as one-time money. So the idea of taking that cash from that balance to pay for ongoing operations would just be a continuation of the practice that got us into this situation in the first place. So I would only be recommending that if you are going to spend some of that money from the ending balance, that it be done for one-time things as in capital, which you approved in the CIP already."

- ▶ Councilor Maestas said in his framework, he recommended a higher level of fee increases, noting this framework calls for only \$2.5 million. He said Mr. Rodriguez gave the Committee a list of funds with projected year-end deficits of about \$3.8 million, many of which are fee based funds. He wants to start working on this now.

Mr. Rodriguez said, "We are working on these now and that will be part of the budget proposals you will get."

- ▶ Councilor Maestas asked if it will be consistent with the funds that are bleeding every year.

Mr. Rodriguez said the biggest fees that are bleeding are the Fire Property Tax Fund at \$293,000 and we're spending \$293,000 more than that fund brings in. There is the Police GRT Tax Fund where we're spending \$400,000 more than that fund produces. He said, "This is what happened. Years ago, when the City established the Fire & Police Tax, at that time, the thinking was there would be one time or equipment purchases out of those bills. A lot of those one time expenditures came out of these funds. When the City was facing a lot of stress as the result of the recession,

there was a rush to put a lot of operating things into those funds. As time went on, the waivers, the overtime and whatever went on, those funds ended up spending more on a regular basis than the money that was being brought in, so we can't charge very much other than raising the Police GRT. Or the Fire Property Tax Fund – it would be hell to get out of those.”

Mr. Rodriguez said one of the biggest deficits is in the operations and maintenance which are the funds they normally would use to pay for bonds, the revenue stream we rely on to issue bonds. He is going to put the fee increases, wherever they come from, to go into the General Fund to bring those operations out of deficit. So the Southside Library is a straight ahead part of the operating budget and not part of this fund.

- ▶ Councilor Maestas said perhaps when we look at fees, to have a proposed fee structure for enterprises that would fully fund the enterprise, and then perhaps have a recommended fee that wouldn't fully pay for the enterprise so we can have a sense of what the fees would have to be to make this self-sufficient according to the guidelines. And then what are the existing fees and what is a realistic recommended fee to make sure we make the most informed decision. He would like to address fees and any additional cuts we can make first, which he thinks would be our due diligence as we go into the budget hearings.

Mr. Rodriguez said the things most eligible for that would be like the Golf Course and the MRC.

- ▶ Councilor Maestas said Mr. Bulthuis came before the Committee, and he thinks Mr. Bulthuis just retained a consultant to help us to develop a new fee structure for the Airport. He asked if that will be developed timely for incorporation in the budget and reflect a budget-neutral operation. He said most of the Airport funds are losing money .

Mr. Rodriguez said, “We are negative almost \$500,000 – that's money that's being tied-over by the cash pool. I can't answer that question, because I'm not involved in the negotiations there, and I'm sure it doesn't help that the Transportation Director isn't here.”

- ▶ Councilor Maestas would like an update on that, and recalled that he brought that up when we took the option, but he wasn't given a clear answer, and wants to know if we can bank on that.

Mr. Rodriguez said at the next meeting, he will provide a list of the funds so we can all see the areas where that kind of strategy would work.

- ▶ Councilor Maestas asked about the E1 ERP Financial Software, noting we are overspent almost \$600,000, and asked what we will see in the next budget, and if that will be one of the few departments that sees a little bump.

Mr. Rodriguez said the idea of what the ERP is all about, is erasing those kinds of costs. You will see, in the next two meetings, that they will come to the Committee with a BAR to balance all of these. So the Council says don't try to collect fees any more, or we'll just call those a frustrated transfer or we'll pay for them. Again, he's just waiting to see what is the ending balance, so we

could take some of the ending balance to pay for these things from the past. In some cases, it's quite substantial such as in the case of the MRC. He thinks there's a case to be made that the \$700,000 of accumulated deficit has to be recognized and taken from reserves, one way or another, and they will be coming to the next meeting with a plan for that.

- ▶ Councilor Maestas asked if this is something we can expect, regarding the year-end deficits in the Insurance Claims Fund at \$600,000 in the hole, although it probably varies. He asked if we have seen a consistent deficit at that level.

Mr. Rodriguez said, "I disagree that it's a deficit from the previous year. So it will always be operating there at a deficit. And the only way out of that is just better risk management. Last year's deficit is charged to the departments this year as part of their allocation."

- ▶ Councilor Maestas asked Mr. Rodriguez if there will be policy recommendations from his office in this regard, and Mr. Rodriguez said yes.
- ▶ Chair Dominguez said we need to be sure we have behaviors in place to reduce that liability in place – everything that need to be a process – by the election.
- ▶ Councilor Maestas believes we need to work on a lot of the cuts and possibly the fee increases as a first priority, then see where we are. He is pleased to see that we are going to use the projected end-of-year budget for expenditures as the next budget. So we're going to permanently contract the budget without any draconian cuts which he thinks is a good thing.

Mr. Rodriguez said it is too early at this point to say you won't feel the cuts.

Chair Dominguez said he will continue to work with staff. He said the election is coming up, and the Mayor will be making his appointments, commenting he doesn't know if he will be the Chair of Finance. We need to ensure there is a process in place for the Finance Committee as well as the rest of the Governing Body and feels that will start to take-off as we get past the next round. He thanked Mr. Rodriguez for all the information he provided for the meeting.

### **CONSENT CALENDAR DISCUSSION**

#### **6. REQUEST FOR APPROVAL OF BID NO. 16/23/B – LED COUNTDOWN PEDESTRIAN HEAD INSTALLATION AT VARIOUS INTERSECTIONS AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; M.W.I., INC. (RICK DEVINE)**

Councilor Maestas said the list of intersections isn't in the packet.

Staff said it's in the bid book which is about 250 pages, and it is in the supplemental technical specifications.

Councilor Maestas asked the number of intersections we are talking about here.

Staff said he doesn't have that information with him, but estimates it is about 84 intersections.

Councilor Maestas said the Sandoval/Montezuma connection next to the Courthouse doesn't have the pedestrian signals, and asked if that is one of the intersections that will get the pedestrian LED.

Staff said that is not one of the intersections, because the underground infrastructure doesn't have the conduit, or this would have been done a long time ago. This is the reason there are no pedestrian heads there because there isn't capacity to run cable to fit them to pick them up.

Councilor Maestas said when we discussed this, it was moved into the CIP, but it is 2-3 years out, and when the Courthouse was built, the County wasn't interested in modernizing the signalized intersections around the Courthouse. It is a traffic generator, and doesn't know the reason we can't move up these two intersections on the southern corner points of the Courthouse.

Staff said he can get an estimate to do that, commenting that is a major rebuild.

Councilor Maestas said it meets the manual of uniform traffic control devices, but there are no traffic markings, or pedestrian signal heads, and we're moving forward with 84 intersections, and he doesn't believe those two intersections aren't a priority to assist pedestrians to cross the street. He said, "I'm going to keep harping on this, and if you could take it back to staff that we somehow need to come up with a solution, or get CIP funds, any kind of funds, even if we have to phase it. I don't think waiting 2-3 years is acceptable. I think we need to move those up, because I've had many folks to complain over the difficulty of crossing the street. And some schools send kids there to cross the street." He said he will support the request, but thinks these two intersections should be in the top 84, and need to be on the radar for traffic.

Staff said it would be easy for staff to get an estimate for the two intersections as to what it would take to upgrade them.

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

**DISCUSSION:** Chair Dominguez said then this is all money coming from the State and staff said yes.

Chair Dominguez asked if these intersections are in the CIP budget.

Councilor Maestas said he thinks one is listed for 2-3 years out, but doesn't know the status of the other one, noting John Romero says it is as much of a priority as the one at Montezuma and Sandoval.

Chair Dominguez asked if the State "go off that priority that... who establishes... does the City establish the priorities to use State money, or is the State just taking our list and prioritizing it themselves."



Staff said these funds were appropriated to upgrade all of our signals to the 2009 MUTCDC standards, and the other intersections will bring up all of the signal heads to standards, but these two intersections didn't have signal heads as Councilor Maestas pointed out, so it wasn't on the list.

Councilor Maestas said there is a lot of Federal discretionary safety funding and we need to work closely with the MPO to see if we can find federal funds to get these moved up on the priority listing.

Councilor Maestas said in the future, he would like to know the location of each signal and in which District they are located.

Chair Dominguez asked if the intersections are on the City's CIP list. He doesn't know where the State is getting it's list.

Staff said we gave them the information and estimates to come up with this project.

Chair Dominguez said he agrees that there is increased pedestrian traffic, and we need to do what we can in this regard.

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

**7. REQUEST FOR APPROVAL OF A BUDGET INCREASE FROM CASH BALANCE FOR ADDITIONAL PREVENTATIVE MAINTENANCE AND REPAIR OF RESIDENTIAL AND COMMERCIAL COLLECTION UNITS FOR THE ENVIRONMENTAL SERVICES DIVISION IN THE AMOUNT OF \$242,802. (LAWRENCE GARCIA)**

Councilor Lindell asked how we could have underestimated this so badly.

Lawrence Garcia said we have older equipment, and they were borrowing money from Wastewater at one point to buy trucks. There were a number of trucks that were purchased and they were older, and little by little they have been purchasing trucks from their operating budget, and moving slowly to replace all of the trucks. He spoke about vehicle failures which put them over budget. He feels they are moving forward to repair and replace vehicles so there will be no shortfalls.

Councilor Lindell asked the age of the vehicles.

Mr. Garcia said there is one at auction that is a 1996 vehicle, another with a blown motor which is 10 years. The life expecting in the industry for solid waste equipment is 7-10 years, depending on the application. They have a few trucks that are past their life expectancy at this point.

Councilor Lindell asked the cost of a new truck.

Mr. Garcia said about \$350,000, about \$100,000 more than the shortfall. They are looking to purchase 4 additional trucks next year to help in the drive to upgrade the fleet to reduce maintenance. They also are looking at a program for preventative maintenance, and other areas where they can control the cost.

Councilor Lindell said this is almost \$250,000, and not the kind of thing we look forward to seeing.

Mr. Garcia agreed, saying he wasn't looking forward to presenting this today. He said it's unfortunate, and they need to make sure the trucks are safe and operable on a daily basis.

Councilor Lindell asked if some of the trucks could not be repaired and be replaced, if it would be a better use of our money. She doesn't think it is worth repairing a 1996 truck.

Mr. Garcia said minimal repairs have been made to that truck to bring it along because of the need to have it there. He said they are evaluating all equipment, and some of the older equipment went to auction. However, we still need to cover the services.

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

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

**8. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT –  
COLLABORATIVE ARTS MARKETING PROGRAM FOR ARTS COMMISSION; MUSEUM OF  
NEW MEXICO FOUNDATION. (DEBRA GARCIA Y GRIEGO)**

Councilor Lindell wants to know more about the program, and the reason someone else is the fiscal agent.

Ms. Garcia y Griego said this is the second year of the collaborative Arts Marketing Program, with the idea to foster organizations working together to create events to attract tourists, in keeping with the Lodgers's Tax which is the source of the funding. Organizations need to come in with a minimum of two eligible partners under existing guidelines, 501(C)(3) nonprofit arts organizations doing programming in Santa Fe County. The idea is to come together on a project united with a common theme, geography, time of year, media and such. She said these funds are strictly for marketing and program. We funded 3 last year, and there is an increase in the number of organizations to be funded this year through the program.

Ms. Garcia y Griego said the Museum of New Mexico Foundation serves as the fiscal agent for the State museums, and the reasons the applications are coming under the Foundation. She said since it is set up this way, it has the administrative backbone to do it, including the accounting, so it was the obvious choice for these two projects.

Ms. Garcia y Griego said, in terms of accountability and reporting, before the final funds are disbursed, we pay for services only after rendered and they would submit a final report including the areas of the audience, the reach of the marketing materials, how many impressions were made, how many social media impressions were made, as well as a detailed accounting of the expenses.

Councilor Lindell said the packet indicates 2016 Collaborative Arts Marketing with project summaries. She asked if these are all on-going things.

Ms. Garcia y Griego said these are all projects approved for funding and the contracts under \$50,000 are moving through the approval process, so they are still in Legal. She said these two, because the combined total is \$90,000, comes to the City Council for approval. All projects are pending and have to be completed in terms of marketing and promotion by the end of the current fiscal year, noting it is for a full fiscal year.

Councilor Lindell asked the number of responses to the RFP.

Ms. Garcia y Griego said there were 9 Applicants, 3 were not recommended for funding and 6 were recommended for partial funding. She said the recommendation for partial funding was because, often, the Applicant was including expenses not directly tied to marketing and promotion in accordance with the Lodgers' Tax, so the contract amounts were reduced to meet those. In the case of these two, all expenses are eligible under the Lodgers' Tax, so they were funded for the full amount.

Councilor Lindell asked if there is a cap on available funds to each.

Ms. Garcia y Garcia said yes, it was a \$50,000 cap.

Councilor Lindell said and these two got \$45,000 each.

Ms. Garcia y Griego said that is correct.

Councilor Lindell asked if there is a certain pot of money to disburse for such projects each year.

Ms. Garcia y Griego said the \$150,000 was allocated for this program, specifically in the [inaudible] pool.

Councilor Lindell asked who decides on the \$150,000.

Ms. Garcia y Griego said it was [inaudible], in consultation with the Arts Commission, determining last year when the funding amounts were made at the beginning of the fiscal for the major program, how much they wanted to set aside for this program.

Councilor Lindell said she assumes there is no carry-over if it isn't all spent.

Ms. Garcia y Griego said, "It is the Lodgers' Tax Fund, so yes, it would revert back to the cash balance in that fund."

Councilor Lindell said on Lowrider Summer we are contributing \$45,000, and the most anybody else is contributing is \$15,000, and assumes this is the ask from them.

Ms. Garcia y Griego said it is the ask they came to us for. The budgets that are presented in these documents are strictly related to this section of the marketing and promotion. So in addition to those expenses, they've obviously incurred all of the expenses for presenting the exhibit for the Territorial, and the State Department of Cultural Affairs, Marketing Division provides a tremendous amount of in-kind that is not necessarily quantified in those budgets you're looking at.

Councilor Lindell would like to see the metrics when this comes back to us, and if it's data that's really useful to us, and if we can figure out anything from it. She commenting this is quite a lot of money at \$150,000.

Chair Dominguez said as time goes on and on, we are becoming more of a data base driven organization, which is important in the decisions we make which is good. Technology is one of the things that will help make that happen.

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

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

**9. REQUEST FOR APPROVAL OF A RESOLUTION REQUESTING STAFF TO DEVELOP A LAND USE FACILITATION PROGRAM BASED ON THE HIGHLY SUCCESSFUL ALBUQUERQUE MODEL (COUNCILOR BUSHEE). (LISA MARTINEZ AND NOAH BERKE) Committee Review: Public Works Committee (approved) 01/11/16; Planning Commission (approved w/amendment) 02/03/16; and City Council (scheduled) 02/24/16. Fiscal Impact – No.**

Councilor Rivera said the caption says "highly successful Albuquerque model," but people in Albuquerque don't necessarily agree or call it that, and asked the source of that language.

Jesse Guillen, City Attorney's Office, said he had included different language, but Councilor Bushee asked for this replacement in the Resolution.

Councilor Rivera asked if she based that on fact, or if it was just her opinion, commenting he assumes it is based on her opinion.

Mr. Guillen said he assumes its an opinion based on who she spoke with about the program.

Councilor Rivera asked Ms. Martinez about the Albuquerque model and the pros and cons of that model.

Lisa Martinez, Land Use Director, said the City of Albuquerque currently is undergoing significant changes to its process, which includes a series of meetings with staff and the public over the course of last year to review pieces of the program that are successful and those that need reworking. She said she has attended 2-3 meetings to find out about some of the issues, and they are struggling with a lot of issues we are. They are looking to streamline the process and make things more smooth for homeowners, architects and contractors – all the things we're working on as well. She said they told her they were supposed to be looking at Santa Fe's process and management. So there have been dialogues back and forth in this regard. She said we are all in the same place – looking for improvements and looking different pieces.

Councilor Rivera said it seems to create more steps in an already cumbersome process, and asked Ms. Martinez if she agrees.

Ms. Martinez said it's certainly another step in the process, because this is in addition to the City's ENN process, noting Albuquerque doesn't have that provision. There definitely is benefit to bringing in a facilitator or someone to help discuss the really complicated issues related to development, especially those where there is a lot of controversy. She said balancing input and meetings might be the best use for funds for the controversial projects coming up.

Councilor Rivera said on page 3 of the FIR, #3, says, *'The Resolution has no fiscal impact. However, the bill/ordinance that the resolution calls for staff to develop will have a fiscal impact.'* He asked what is anticipated in terms of a facilitator and everything else that would go along with the bill/ordinance change.

Ms. Martinez said usually facilitator rates are by the hour. She said Albuquerque issues contracts through its City Attorney's office, so Land Use staff aren't involved in the process and can't be accused of picking their favorite person to oversee the meeting, so there is a clear separation. She said the overall cost, depending for a 2 hour meeting would be \$200 to \$300.

Councilor Rivera said it is still necessary for staff to answer technical questions, or questions about the Code.

Ms. Martinez said that is important, but the City does that already currently.

Councilor Rivera said he understands what Councilor Bushee is trying to do and asked if it could be incorporated into the existing process.

Ms. Martinez said yes, noting currently the ENN meetings run smoothly and are about 2 hours long, but if the process becomes difficult, a facilitator might be beneficial.

Councilor Rivera asked if we know when Albuquerque will be finishing its recommendations and moving forward on its implemented plans.

Ms. Martinez said Albuquerque was scheduled to be finished with the public meetings last night, but she believes they have extended the public process for two months, but can't remember the exact dates. She said it will probably will be complete sometime in the summer.

Councilor Rivera said he can't support the proposal as is, but if it fails to pass, he would like to continue the discussion on it. He would like Ms. Martinez to track when Albuquerque gets started to see how the new changes are implemented so we can learn from their process before moving forward with any major changes to our process.

Ms. Martinez said staff is watching this carefully, and whether or not it passes, we still need to streamline the way we do things all the way around, and not just for Land Use. They are outlining where they can remove unnecessary steps. She said the new system won't accommodate our existing processes, and we need to look at other models to see if there are better and more simple way of doing things.

Councilor Rivera said there is some feeling during an ENN that it's basically the developer telling you what you are going to propose and there is no real input from neighbors that would change what the developer is trying to do. There has to be more public participation and the public input needs to be taken more seriously.

Ms. Martinez said they continue to look for ways to ensure everybody feels that their concerns have been heard and addressed.

Councilor Maestas said he agrees with Councilor Rivera. He thinks our process can use improvement, but Albuquerque's facilitated process isn't in the same context as ours with the ENN. He said any citizen can request the facilitated meeting, and although it says it is optional, it really won't be optional and will be a regular part of the process. He said he thinks the ENN is good, it is ours and a process for the developer to make a presentation. He said a lot of the proposed development is still very conceptual and fundamental and it's early enough in the process to make changes in response to neighborhood concern. However, there could be a place for a facilitated session between the ENN and the Planning and Zoning action. He said at that point, there still isn't that much investment in the design, and if the neighbors aren't happy with the changes since the ENN, there will be more detail in the proposal. However, it doesn't really represent a significant financial commitment on behalf of the developer.

Councilor Maestas continued, saying what he is saying is that we are Santa Fe and we're unique, and he thinks we are a very deliberative City when it comes to issues, people aren't afraid to express themselves. He would prefer that staff look at Albuquerque's process and make recommendations of how we can amend our process, and the process evaluation could entail some improvements apart from facilitated meetings between the developer and concerned citizens and neighborhoods. He appreciates Councilor Bushee looking to good models, but thinks the context of Albuquerque's model isn't the same as ours. He applauds Councilor Bushee, but he wants staff to look at this to see if there are elements of this facilitated process we can incorporate into ours.

Councilor Maestas continued saying we're going to be updating our General Plan, and people are going to start getting used to more developments coming up, and people will be less inclined to resist and be more inclined to participate in the process if it is inclusive, even if there is a facilitated component like this. He said before we adopt this, even though it is optional, we need a step before adoption where we ask staff to look at the process for any parts we can incorporate into our own process. He wants to take a step back, let staff evaluate the process and make recommendations before we just jump into this.

Councilor Lindell said she doesn't disagree. She said this is just requesting approval for staff to develop a Land Use Facilitation program, but doesn't know if it needs to be based on "the highly successful Albuquerque model." She said apparently it wasn't successful sufficiently and Albuquerque is changing its program. She doesn't want to see this go away and become lost, and believes it is important.

Councilor Lindell continued, saying people have called this an Early Neighborhood Notification Negotiation, and she is unsure what this is. She said we are making a concerted effort to have fees cover the cost of the program, so whatever the cost of these facilitated meetings might be, we need to collect a fee from someone for that. She said it doesn't seem reasonable that one person could put this process into motion, and more typically is a neighborhood or homeowners association or something like that.

Councilor Lindell continued, saying she is very very supportive of this conceptually, but thinks the problem is with the caption which needs work. She would like for this to come back to this Committee within 90 days for us to start looking at it again, but doesn't know if the Councilors would be agreeable. She asked if Albuquerque's new procedure is ready for use.

Ms. Martinez said it isn't complete, reiterating that Albuquerque is seeking additional public input, but that should be done in the next 1-2 months.

Councilor Lindell said she wants to make sure this doesn't die or we forget about it, commenting, "I think it has real value."

Councilor Maestas said perhaps we can make some language changes and make it a staff exercise to look into it to see if there is any merit to incorporating elements that would help our own process. He wants to take action, but make it a staff exercise instead of adopting it as policy to incorporate into our Land Use Code. He can't see us adopting this policy intact, but he can see us making modifications to make it work for the City. He asked Mr. Guillen if we can come up with language to direct staff to study the facilitation program and make recommendations, and asked Ms. Martinez how much time staff would need to do that.

Chair Dominguez said he doesn't think we need to amend the language, commenting we can direct staff to come back in 30-90 days with specific recommendations in consideration of this proposal. This is one way to continue the dialogue.

Chair Dominguez said he would caution the Committee and the public that facilitators don't work for free, and we have to be very careful about the fiscal implications. This is, once again, one of those policies we could put in place that increases the costs of operating in the City. We need to explore the costs and who will pay the costs, or if it will be part of the City's budget. He said 180 days from now will be in August. He said this legislation relies on neighborhood associations or wealthy individuals to ask for mediation. He said this doesn't even deal with the people who are impacted by development many times which are communities in poverty who don't have associations or the funds, or an organization to request mediation.

Chair Dominguez continued, saying he loves the intent, and it is good anytime we can resolve any issues before they get to the Governing Body. However, like his colleagues, he has concerns about some of the details. He said, "Whereases, to me, are findings of fact. They are factual statements. And these seem to be more like guidelines. And I don't know if the guidelines came from Albuquerque, or guidelines that Councilor Bushee and staff worked on. Jesse are these Albuquerque's guidelines."

Mr. Guillen said, "Most of this was developed.... it was coming mostly from Albuquerque. I think that's where most of the language came from."

Chair Dominguez reiterated that to him, Whereases are usually findings of fact, and these seem to be more like guidelines that need a lot of work.

Councilor Rivera said the Planning Commission approved this with amendments, and asked staff what those amendments were.

Ms. Martinez said all of the proposed amendments approved by the Planning Commission are listed on packet pages 3 and 4.

Councilor Rivera said he doesn't find those in the packet.

Ms. Martinez said one of the most significant changes proposed is to make sure there is language stating that the program is separate from the Early Neighborhood Notification. They wanted to make sure that residents are included in the process, '*Residents and registered associations....*' so they wouldn't have to be a formally defined homeowners association or neighborhood group.

Councilor Rivera said it was approved by Public Works on January 11, 2016, and Planning Commission approved it with a slew of amendments. He asked if it now goes back to Public Works prior to going to the Council, since it has to be approved by two of the major committees before it can go forward to the Council.

Mr. Guillen said since the Planning Commission technically is an advisory committee, the amendments would have to be approved by this Committee for them to be adopted, noting they currently are not adopted as new language.



Councilor Rivera asked if we were to move to deny tonight, would the original bill still go to Council since it has been approved by Public Works.

Mr. Guillen said he believes that is correct, but he will have to double check with Yolanda Vigil.

Councilor Rivera said then we will see this before the full City Council anyway. He said he is still not in favor of the bill, he just wondered about the amendments and how it will work since Public Works approved it before the Planning Commission made all of its amendments.

Chair Dominguez said this Committee can send it back to Public Works or to the Planning Commission. He thinks this is a great start and a good attempt to move in the direction he believes we all want to go. However, he doesn't feel the legislation is ready for prime time. He said, like Councilor Lindell, he would like to see it 'live,' a little longer before letting it die. We don't have to send it to the Governing Body right away for approval."

Councilor Maestas said the ENN is meant to take staff into the field when the developer meets with the neighborhoods at a location of their choosing, so it already is independent of City staff. He would think the facilitation program, if adopted, would be consistent with that. He thinks the developer should pay for the facilitation services, noting the City could provide a list of approved facilitators and they would have to choose someone from the list. He thinks the developer stands to benefit from this process. He said he would insist on that if we decide to incorporate something like this in the bill.

**MOTION:** Councilor Rivera moved, seconded by Councilor Maestas, to postpone this request for 6 months, with a request to staff to keep an eye on Albuquerque's model, see what changes they have made, and come back to this Committee in 6 months with proposed changes based on what was learned from the Albuquerque model.

**FRIENDLY AMENDMENT:** Councilor Maestas would like to include a specific staff request that if they see merit in it to provide recommendations to this Committee. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND THERE WERE OBJECTIONS BY THE OTHER MEMBERS OF THE COMMITTEE.**

**FRIENDLY AMENDMENT:** Chair Dominguez would like staff, in making recommendations, to focus on communities in poverty, especially minority communities, which may be more costly because of the translation that needs to happen, outreach above and beyond what is acceptable in the rest of the City – general language like that. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE COMMITTEE.**

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

10. **REQUEST FOR APPROVAL OF A RESOLUTION AMENDING RESOLUTION 2014-96 TO DIRECT STAFF TO COORDINATE FREE TRANSPORTATION AND PARKING OPTIONS FOR PATIENTS AND VOLUNTEERS BY THE MISSION OF MERCY PROGRAM SPONSORED BY THE NEW MEXICO DENTAL FOUNDATION. (COUNCILOR IVES AND COUNCILOR TRUJILLO). (NOEL CORREIA, JON BULTHUIS AND DAVID SILVER). Committee Review: Public Works Committee (approved) 02/08/16; and City Council (scheduled) 02/24/16. Fiscal Impact – Yes. Expenditures = \$170 for personnel revenue loss - \$11,160 (\$1,000 in firebox farebox loss; and \$10,160 in parking meters and garage)**

Councilor Rivera said most of his questions are for Transit, and there is no one here to answer those questions. He does have a question for Parking. He said it is his understanding from people who have worked on this in other cities, that this brings a significant number of people to the City so that the underground parking may not accommodate all those attending. He asked the plan for additional, free parking.

Noel Correia, Director, Parking Division, said the plan takes care of parking underground, on the street, and the Railyard Parking Garage as well. He said the estimate was for 500 cars per day. He believes between the Convention Center Garage, the Railyard Garage and on-street parking, there 500 cars will have sufficient parking.

Councilor Rivera asked how people will know to go to the Railyard parking garage as opposed to the Convention Center.

Mr. Correia said he doesn't have an answer, but his understanding is there will be notification when the program is sent out to people, as to which Garages are available with a map and which streets have on-street free parking.

Councilor Rivera asked if he will be bagging the on-street meters.

Mr. Correia said they will be bagging them to make sure the spaces are available for this project and others don't park in those spaces.

Councilor Rivera noted on page 3 of the FIR there is personnel at \$170, and asked if this is for Parking personnel or Transit personnel.

Mr. Correia said it is for Transit.

Councilor Rivera said that seems extremely low in consideration of the number of people anticipated to attend, and it looks like Transit will be hit pretty hard. He said without Transit in attendance, he can't ask the rest of his questions.

Chair Dominguez said this is one of those things that is very good for our community and Northern New Mexico, but it costs money to do this. He said in budget discussions he would like for the community recognize that the services we provide to them are exceptional. There is always room for improvement,

but it is programs like this that make him proud to be a resident of this community and to provide these things for our citizens and for those of all of Northern New Mexico.

Councilor Rivera said he just wants accurate numbers in the FIR, and he isn't 100% sure that we have those.

Chair Dominguez asked if timing is an issue, and if we want to move it forward and ask Mr. Rodriguez to be sure we get the requested information. Or do we want to deny it.

Responding to a question from Councilor Rivera, Mr. Correia said the Transit Division has been transferred under the Public Works Department, Isaac Pino, Director.

**MOTION:** Councilor Rivera moved, seconded by Chair Dominguez, to approve this request and ask Mr. Pino to review the FIR and let the Committee know the plan for Transit, and the estimated costs.

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

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**END OF CONSENT CALENDAR DISCUSSION**

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**13. MATTERS FROM THE COMMITTEE**

A copy of Bills and Resolutions scheduled for introduction by members of the Governing Body, for the Finance Committee meeting of February 15 2016, is incorporated herewith to these minutes as Exhibit "2."

Chair Dominguez said, with regard to the iPad implementation, he would recommend that we do not fully implement it until after the budget discussion, and/or after the new members are appointed to the Committee. He said there is still work to be done on it, and we need a day of training.

Councilor Rivera said this is a better system for him to use than strictly just the iPad, so he can highlight and do other things, and he would like to continue to do that.

Chair Dominguez said he doesn't want to set an expectation that we are completely paperless by any certain time, noting he gets emails on the iPad to approve "that I can't even approve." He doesn't know if it's software or what. He said "I would actually like for mine to be able to work on my laptop and not on my iPad, because it's harder to see the numbers."

Mr. Rodriguez said the iPad has better graphics capability than the average PC.

Councilor Lindell said Marco has offered to do training, and rather than individual training, she asked him to put together the FAQs which she thinks is more efficient, and any training should be for more than 2 or 3 individuals.

Councilor Maestas said he will adjust to the iPad. He thinks it is a good thing. He said it would be good if it would facilitate emails as we are reviewing the information to get a lot done between meetings. He said a good start would be the FAQs, and in training in how to use all of the "bells and whistles."

Chair Dominguez said he would like to be able to embed emails on a specific topic to that folder.

Councilor Rivera asked Marco if there is a way to delete the information from November 30<sup>th</sup>, commenting he can show him after the meeting.

Councilor Rivera said in looking at items to remove, Items #6-10 on the Finance Committee Agenda differed from what were on the Agenda. He wants Marco to find a way to fix that part.

Councilor Rivera asked what we are going to do about hiring summer staff for the Summer Program with the Schools. The process starts now for summer positions, and he is unsure how that will be handled in the budget, but thinks decisions need to be made by the City Manager for some of these programs because the budget spans fiscal years.

Chair Dominguez said this year's summer programs are already budgeted. He said this is one of the reasons he is reluctant to look too deeply into expenditures and revenues, because we don't know what the Summer Program will bring. He heard the CYFD was going to mandate an increase in adults to youth supervision, which means more FTEs, but doesn't know how many more. He also doesn't know if that is true or not. He said there may be a reduction in summer youth program opportunities next year.

Mr. Rodriguez said the plan was to bring Mr. Carter to the Committee to discuss that, because his Department is the one that is more affected by our not paying for his operations through bond proceeds. He has been requested to develop different scenarios to accomplish those programs. He said, "That cut is actually going to affect him even this Spring. So we're asked him to work up a presentation for possibly an amendment for this fiscal year.

Chair Dominguez said that budget is already set.

Mr. Rodriguez said some of the positions were coming from capital, and Mr. Carter is working on a presentation for this year.

Responding to the Chair, Councilor Rivera said he was speaking of all programs, even those in Parks & Recreation, which typically begin the process of hiring in January/February and we're to that point already.

Councilor Maestas said he would like a status update on the 2010 Bond Audit, noting the deliverable was to be February 16, 2016, to the State Auditor. He said he presumes we have submitted our responses to the findings.

Mr. Rodriguez said no, because we haven't had all of the findings. We received some this weekend and staff is working on them, and he expects the balance of the findings tomorrow. He noted there will be an exit conference with the auditors and the State Auditor on Thursday.

Councilor Maestas said there is a provision in the contract that if there is any evidence of criminal wrong-doing, it would go on a different track. He said it sounds like it's on track, assuming there are no criminal findings.

Mr. Rodriguez said, "I think that would be a fair conclusion at this point."

Councilor Maestas said he has constituents who are asking questions about this, and asked when it will be released.

Mr. Rodriguez said it will be released the week before the election.

Chair Dominguez asked Councilor Maestas to attend the exit conference on his behalf.

Councilor Maestas said he would, if it works with his schedule.

Mr. Rodriguez said he will send him the particulars of the meeting.

Councilor Maestas asked, regarding the iPad, if we can have the word files included, because we may need to make amendments. He presumes everyone's iPad has programs where we can make amendments, but the attachments are pdf, read only. He said we can make notes, but it would be cleaner if we could make track changes.

Mr. Rodriguez said doing that would add a whole new part to the assembling of the agenda and would make it more complicated and the deadlines would be pushed back and a lot of staff would have trouble with that. He said his request would be, respectfully, that when you get a document where you might want to make changes, that you just notify staff, and we'll include the Board file. That would be much easier.

Councilor Maestas said he would emphasize that we look first at efficiencies and fees. He wants to see what is on the table and identify the category so we can work on parallel tracks.

Mr. Rodriguez said staff is time stressed right now and he wants to work on the budget. He said the more work they spend on budget preparation, the less time that will be available.

Councilor Maestas would like a personnel reporting showing the number of vacancies.

Chair Dominguez said he will work to get information to the Committee and the Governing Body. He said he would caution the Committee members to not get into micromanaging. He doesn't want to get into specific discussions, and we need to give staff and the administration the time to what they need to do. He will work with staff so we can roll-out this information sooner, rather than later.

Councilor Maestas said an HR status report on positions would be sufficient.

Mr. Rodriguez said he has asked staff to generate that report every 6 months, noting the last one was as of January 16 , 2016.

Chair Dominguez said that was a pretty large document.

Councilor Maestas asked him to resend it to him, and Mr. Rodriguez said he will do so.

Chair Dominguez said, with all respect, a true paperless board is more transparent so that others have access to everything that we have access to. It gives us the opportunity to amend things and have it flow effortlessly throughout the Committee and our process. He isn't opposed to working with it, but he will make the transition slowly.

Mr. Rodriguez said this is a significant step in the way business is done. The intention was to go full paperless by the next meeting. He said they won't print a packet unless they specifically asked for a printed packet.

Councilor Rivera said he had trouble with the agenda today.

Chair Dominguez said there always will be problems, and we have to be able to manage the technology for it to be beneficial. He wants to be as flexible as possible in implementing the new technology.

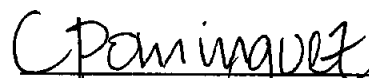
Mr. Rodriguez said we will see more efficiencies and will be easier for staff.

Chair Dominguez may said he may reschedule meeting on the 21<sup>st</sup>, so he will work with staff to make sure everybody gets proper notice.

Councilor Lindell introduced an Ordinance amending Subsection 12-9-3.9 of the Uniform Traffic Ordinance relating to ADA accessible parking violations requiring a mandatory court appearance. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "3."

#### **14. ADJOURN**

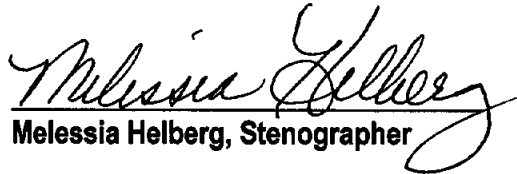
There was no further business to come before the Committee, and the meeting was adjourned at approximately 7:15 p.m.

  
Carmichael A. Dominguez, Chair

Reviewed by:

A handwritten signature in black ink, appearing to read 'Oscar S. Rodriguez', written over a horizontal line.

Oscar S. Rodriguez, Finance Director  
Department of Finance

A handwritten signature in black ink, appearing to read 'Melessia Helberg', written over a horizontal line.

Melessia Helberg, Stenographer

# Projected Budget Balance after applying FRAMEWORK (using Nov. 30 data)

	Deficit	New Resources
<b>Shifted Costs</b>		
Total Opers & Mntc Paid from CIP*	6,588,541	4,722,740 \$4 M Cuts <sup>1</sup> + \$704,998 from fee incr <sup>4</sup> + \$17,742 from tax incr <sup>3</sup>
Salaries Charged to Enterprise Funds	1,196,383	1,200,000 Water Franchise Fee <sup>2</sup> + \$260,000 from tax increase <sup>3</sup>
Street Maintenance from Storm Water	1,556,459	1,556,459 Tax increase <sup>3</sup>
Free Wastewater Service	900,000	900,000 Wastewater Franchise Fee
Free Solid Waste Service	260,000	260,000 Solid Waste Franchise Fee
<b>Deficit Funds</b>		
Oper & Mntc from CIP GRT Fund (incl So. Library)	1,795,002	1,795,002 Fee increases <sup>4</sup>
Fire Property Tax	293,281	293,281 Tax increase <sup>3</sup>
Police GRT Tax	404,354	404,354 Tax increase <sup>3</sup>
Total Other Deficit Funds	608,164	608,164 Tax increase <sup>3</sup>
Sunset of PILOT	3,800,000	3,800,000 Water Franchise Fee <sup>2</sup>
Next Increment of Hold Harmless	660,000	660,000 Tax increase <sup>3</sup>
		1,500,000 Net Extra GRT growth
<b>BALANCE</b>	<b>18,062,184</b>	<b>362,184 Estimated more cuts(odd backs) needed</b>

\*From CIP

<sup>1</sup> Total \$4 M cuts from approved Framework

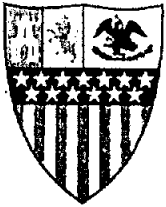
<sup>2</sup> 12% of gross rate revenue = \$4.7 M

<sup>3</sup> Part of \$3.8 M from approved Framework

<sup>4</sup> Total of \$2.5 M from approved Framework

Exhibit "1"





**FINANCE COMMITTEE MEETING OF**  
**February 15, 2016**  
**BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION**  
**BY MEMBERS OF THE GOVERNING BODY**

<b>Mayor Javier Gonzales</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Patti Bushee</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Bill Dimas</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Carmichael Dominguez</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
Maestas		
<b>Councilor Peter Ives</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Signe Lindell</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
	AN ORDINANCE AMENDING SUBSECTION 12-9-3.9 OF THE UNIFORM TRAFFIC ORDINANCE RELATING TO ADA ACCESSIBLE PARKING VIOLATIONS REQUIRING A MANDATORY COURT APPEARANCE.	Public Works Committee – 2/22/16 City Council (Request to Publish) – 2/24/15 Finance Committee – 2/29/16 City Council (Public Hearing) – 3/30/16
<b>Councilor Joseph Maestas</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Chris Rivera</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>

Councilor Ron Trujillo		
Co-Sponsors	Title	Tentative Committee Schedule

Introduced legislation will be posted on the City Attorney's website, under legislative services. If you would like to review the legislation prior to that time or you would like to be a co-sponsor, please contact Jesse Guillen, (505) 955-6518, [jbg Guillen@santafenm.gov](mailto:jbg Guillen@santafenm.gov) or Rebecca Seligman at (505) 955-6501, [rxseligman@santafenm.gov](mailto:rxseligman@santafenm.gov) .

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2016-\_\_

3 INTRODUCED BY:

4  
5 Councilor Signe I. Lindell

6  
7  
8  
9  
10 AN ORDINANCE

11 AMENDING SUBSECTION 12-9-3.9 OF THE UNIFORM TRAFFIC  
12 ORDINANCE RELATING TO ADA ACCESSIBLE PARKING VIOLATIONS  
13 REQUIRING A MANDATORY COURT APPEARANCE.

14  
15 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

16 Section 1. Subsection 12-9-3.9 of the Uniform Traffic Ordinance (being Ord.  
17 #2011-4 (as amended)) is amended to read:

18 12-9-3.9 PARKING IN DESIGNATED ADA ACCESSIBLE PARKING  
19 SPACES.

20 A. It is unlawful for any person to park a motor vehicle not carrying registration  
21 plates or a placard indicating disability in accordance with Section 66-3-16 NMSA 1978 and  
22 Section 3-51-46 NMSA 1978 in a designated accessible parking space for persons with  
23 significant mobility limitation or in such a manner as to block access to any part of a curb cut  
24 designed for access by persons with significant mobility limitations. Any person who violates  
25 this section shall be subject to [~~a mandatory court appearance and~~] a fine[;] of not less than two

1 hundred fifty dollars (\$250) or more than five hundred dollars (\$500). Failure to properly display  
2 a parking placard or special registration plate issued pursuant to Section 66-3-16 NMSA 1978 is  
3 not a defense against a charge of violation of Subsection A of this section (66-7-352.5 NMSA  
4 1978)

5 B. It is unlawful for any person to stand or stop a motor vehicle not carrying  
6 registration plates or a placard indicating disability in accordance with Section 66-3-16 NMSA  
7 1978 and Section 3-51-46 NMSA 1978 in a designated accessible parking space for persons with  
8 significant mobility limitation. Any person who violates this section shall be subject to [a  
9 ~~mandatory court appearance and~~] a fine[;] of not less than two hundred fifty dollars (\$250) or  
10 more than five hundred dollars (\$500). Failure to properly display a parking placard or special  
11 registration plate issued pursuant to Section 66-3-16 NMSA 1978 is not a defense against a  
12 charge of violation of Subsection A of this section (66-7-352.5 NMSA 1978).

13 C. It is unlawful for any person to use a designated accessible parking space for  
14 persons with significant mobility limitation for the purpose of receiving or discharging passengers  
15 or for loading or unloading if the vehicle receiving or discharging the passengers or loading or  
16 unloading does not carry registration plates or a placard indicating disability in accordance with  
17 Section 66-3-16 NMSA 1978 and Section 3-51-46 NMSA 1978. Any person who violates this  
18 section shall be subject to [a ~~mandatory court appearance and~~] a fine[;] of not less than two  
19 hundred fifty dollars (\$250) or more than five hundred dollars (\$500). Failure to properly display  
20 a parking placard or special registration plate issued pursuant to Section 66-3-16 NMSA 1978 is  
21 not a defense against a charge of violation of Subsection A of this section (66-7-352.5 NMSA  
22 1978).

23 D. As used in this section, "designated accessible parking space" means any space  
24 including an access aisle, marked and reserved for the parking of a vehicle that carries registration  
25 plates or a parking placard indicating disability in accordance with Section 66-3-16 NMSA 1978

1 and Section 3-51-46 NMSA 1978, and designated by a conspicuously posted sign bearing the  
2 international symbol of accessibility and if paved, by a clearly visible depiction of this symbol  
3 painted white on blue on the pavement of the space, except where the total number of parking  
4 spaces is four or less. Temporary accessible parking spaces may be designated by a blue hood  
5 labeled as accessible parking or in such other manner as to clearly indicate the space is for  
6 accessible parking only. "Curb cut" means a short ramp through a curb or built up to the curb  
7 designed for access by persons with disabilities. (66-7-352.5 NMSA 1978).

8 E. Any vehicle parked in violation of Subsections A, B or C of this section is  
9 subject to being towed at the expense of the vehicle owner upon authorization by law  
10 enforcement personnel or by the property owner or parking division director.

11 F. State, county and municipal law enforcement personnel, including city of Santa  
12 Fe parking enforcement officers, have the authority to issue citations for violations of §12-9-3.9  
13 in their respective jurisdictions, whether the violation occurs on public property or private  
14 property (Section 3-51-46 NMSA 1978).

15 G. A law enforcement officer may issue a citation or authorize towing of a vehicle  
16 for a violation of Section A of this section regardless of the presence of the driver (66-7-352.5  
17 NMSA 1978).

18  
19 APPROVED AS TO FORM:

20  
21 \_\_\_\_\_  
22 KELLEY A. BRENNAN, CITY ATTORNEY  
23  
24

25 *M/Legislation/Bills 2016/UTO Update*