

CITY CLERK'S OFFICE  
DATE 9/15/17 TIME 2:19  
City of Santa Fe, NM SERVED BY Carolynn Roikal  
Regular Committee RECEIVED BY SSS  
Monday, September 18, 2017  
05:00 PM – Finance Committee  
Council Chambers

**AGENDA**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. APPROVAL OF AGENDA**

**4. APPROVAL OF CONSENT AGENDA**

**5. APPROVAL OF MINUTES**

- a) Regular Finance Committee Meeting -- August 21, 2017  
Item 5a.pdf

**6. CONSENT AGENDA**

- a) Request for Approval of a Professional Services Agreement in the Amount of \$48,000 for Work-Flow Solutions, Shelf-Ready Content and Customized Services; Midwest Tape "Hoopla". (Patricia Hodapp)  
Item 6a.pdf

- b) Request for Approval of a Memorandum of Agreement in the Amount of \$150,000 for One-Time Emergency Funding for One (1) Year to Support Collaborative Funding for Enhanced Social Detoxification Services; Santa Fe County. (Julie Sanchez)  
Item 6b.pdf

- c) Request for Approval of Memorandum of Agreement in the Amount of \$60,000 for Navigation and Social Services through the Mobile Integrated Health Office; Santa Fe County. (Andres Mercado)  
Item 6c.pdf

- d) Request for Approval of a Letter of Agreement in the Amount of \$150,000 to Support the Mobile Integrated Health Office's Navigation and Social Service Programs; Molina Healthcare of New Mexico. (Andres Mercado)  
Item 6d.pdf

- e) Request for Approval of Exempt Procurement and Procurement Under State and Federal Price Agreements in an Amount Above \$50,000 for City-Wide Hardware, Software and Support Services for ITT Department FY 2017-18; Various Vendors. (David Kulb)  
Item 6e.pdf

- f. Request for Approval to Procure Replacement Vehicles and Equipment via the NM State Price Agreement # 70-000-16-00002 for the Wastewater Management Division; Don Chalmers Ford and Sewer Equipment of America. (Jerry Tapia)

- i. Replacement Sewer Rodder Truck for FA# 26273 from Don Chalmers Ford for the Wastewater Management Division in the Amount of \$46,879.00.

ii. Replacement Rodder Equipment for the New Sewer Rodder Truck from Sewer Equipment of America in the Amount of \$67,300.00.

iii. Replacement Truck for FA# 51002 from Don Chalmers Ford for the Wastewater Management Division in the Amount of \$27,137.00.

Committee Review:

Public Utilities Committee	9/6/2017
Finance Committee (Scheduled)	9/18/2017
City Council (Scheduled)	9/27/2017

Item 6f.pdf

g. Request for Approval to Procure a Vehicle via the NM State Price Agreement # 70-000-16-00002 in the Amount of \$26,652.00 for the Wastewater Management Division; Brad Francis Car Company. (Luis Orozco)

Committee Review:

Public Utilities Committee	9/6/2017
Finance Committee (Scheduled)	9/18/2017
City Council (Scheduled)	9/27/2017

6g.pdf

h. Request for Approval to Procure Two (2) F-350's and One (1) F-250 via the NM State Price Agreement# 70-000-16-00002 in the Amount of \$116,092.00 for the Water Division's Transmission and Distribution Section; Don Chalmers Ford. (Randy Lopez)

Committee Review:

Public Utilities Committee	9/6/2017
Finance Committee (Scheduled)	9/18/2017
City Council (Scheduled)	9/27/2017

6h.pdf

i. Request for Approval to Procure Disc Filter Panels and Parts in the Amount Over \$50,000 Exclusive of NMGRF for the Wastewater Treatment Plant; Veolia Water Technologies. (Efren Morales)

Committee Review:

Public Utilities Committee	9/6/2017
Finance Committee (Scheduled)	9/18/2017
City Council (Scheduled)	9/27/2017

6i.pdf

j) Request for Approval to Use Cooperative Educational Services (CES) Contract in the Amount of \$27,936.17 Excluding Gross Receipts Tax for Construction Observation /Professional Engineering Services, CIP #438B – Acequia Trail Structure Crossings at Kathryn Avenue and Onate Place; Souder Miller & Associates. (Leroy Pacheco)

Committee Review:

Finance Committee (Scheduled)	09/18/17
Council	09/27/17

Item 6j.pdf

## k) Santa Fe Municipal Airport

- i. Request for Approval and Ratification of New Mexico Department of Transportation (NMDOT) Grant Agreement No. SAF-17-09 in the Amount of \$65,800 for a Total Amount Including City Share of \$73,111
- ii. Request for Approval of KSA Task Order No. 8 in the Amount not to Exceed \$72,563 Inclusive of Gross Receipts Tax
- iii. Request for Approval of Budget Amendment Resolution. (Cameron Humphres)

Item 6k.pdf

## l) Santa Fe Municipal Airport

- i. Request for Approval and Ratification of New Mexico Department of Transportation (NMDOT) Grant Agreement No. SAF-17-08 in the Amount of \$257,158 for a Total Amount Including City Share of \$285,732
- ii. Request for Approval of KSA Task Order No. 9 in the Amount not to Exceed \$21,662.50 Inclusive of Gross Receipts Tax
- iii. Request for Approval of Budget Amendment Resolution. (Cameron Humphres)

Item 6l.pdf

- m) Request for Approval of Two (2) Budget Amendment Resolutions in the Amounts of \$184,289 and \$200,000 to Reappropriate Non CIP Projects into Correct Fund . Business Unit /Line Item. (Cameron Humphres)

Item 6m.pdf

## n) Request for Approval of 2017 State of New Mexico Severance Tax Bonds

- i. Request for Approval of Capital Appropriation Project Agreement in the Amount of \$67,000 -Identified as Project No. 17-B4105; Dance Barns aka National Dance Institute (NDI)
- ii. Request for Approval of Capital Appropriate Project Agreement in the Amount of \$135,000 – Identified as Project No. 17-B4106; Santa Fe Farmers Market
- iii. Request for Approval of Associated Budget Amendment Requests (David Chapman)

Item 6n.pdf

- o) Request for Approval to Procure a Replacement Vehicle from Bruckner Truck Sales and Utility Bed and Accessories from Construction Truck Equipment LLC for a Total Amount of \$84,195. (Randy Blake)

Item 6o.pdf

- p) Request for Approval of Amendment No. 1 to Professional Services Agreement in the Amount of \$15,000 per Year Starting with FY 17/18 for up to Four Years - Maintenance of the Municipal Recreation Complex Irrigation Pump System; Greenworks Enterprises, Inc. (Jennifer Romero)

Item 6p.pdf

- q) Request for Approval of Budget Amendment Resolution in the Amount of \$153,000 - River Conservation Funds for the Implementation of Rain Garden / Bio Infiltration Basin Projects. (Melissa McDonald)

Item 6q.pdf

- r) Request for Approval of a Resolution Directing the City Manager to Explore the Possibility of Forming a Public/Private Partnership Between the City of Santa Fe and the Santa Fe Business Community for the Purpose of Developing and Implementing a Long Range Master Streetscape Improvement Plan to Improve the Appearance of All Major Entry Corridors and Main Arterials Within the City of Santa Fe. (Councilors Harris, Lindell, Ives and Rivera) (Richard Thompson)

Fiscal Impact: None

Committee Review:

Parks and Recreation Commission (Approved)

08/15/17

Public Works Committee

09/11/17

City Council

09/27/17

Item 6r.pdf

s) Request for Approval of a Resolution Repealing Resolution 2002-40 That Adopted the Airport Master Plan; and Adopting a New Airport Master Plan. (Councilors Ives, Maestas and Harris) (Cameron Humphres)

Fiscal Impact: Expenditures - FY 17/18 = \$10,707,778; FY 18/19 = \$13,870,000

Revenue - FY 17/18 = \$10,707,778; FY 18/19 = \$13,870,000 from Federal/State Grants, Bond and Cash/PFC

## Committee Review:

Occupational Tax Advisory Board (Approved)	08/22/17
Public Works Committee (Scheduled)	09/11/17
Economic Development Advisory Committee (Scheduled)	09/13/17
City Council (Scheduled)	09/27/17

Item 6s.pdf

t) Request for Approval of a Resolution Directing the City Manager to Undertake A Feasibility Study to Explore Development of Free Walls for Street Artists on Municipal Properties; and Presenting the Study to the Governing Body Within 90 Days of Adoption of This Resolution. (Councilors Ives and Lindell) (Debra Garcia y Griego / Richard Thompson)

Fiscal Impact: None

## Committee Review:

Arts Commission	09/11/17
Parks and Recreation Committee	09/19/17
Public Works Committee	09/25/17
City Council	09/28/17

Item 6t.pdf

u) Request for Approval of Resolution Adopting the 2019-2023 Senior Infrastructure Capital Improvements Plan (ICIP) for Mary Esther Gonzales Senior Center. (Mayour Gonzales) (Eugene Rianldi)

Fiscal Impact: None

## Committee Review:

City Council (Scheduled) 09/27/17

Item 6u.pdf

v) Request for Approval of a Resolution Requesting That the New Mexico Environment Department Rescind the Revised Los Alamos National Labs Cleanup Order and Halt any Planned Expanded Plutonium Pit Production

Until Safety and Cleanup Issues Are Resolved; Requesting That the United States Department of Energy Improve Surface and Groundwater Monitoring and Reconsider the Plutonium Pit Production Mission at Los Alamos National Laboratory; and Directing the City Clerk to Transmit Copies of This Resolution to Associated Parties. (Councilors Villarreal and Maestas) (Jesse Guillen)

Fiscal Impact: None

Committee Review:

Finance Committee (Postponed)  
City Council

08/21/17  
09/27/17

Item 6v.pdf

w) Request for Approval of a Resolution in Opposition to the Nuclear Weapons Agenda of the Current Administration; Calling on the Congressional Delegation to Condemn the Rhetoric and Agenda; and Supporting the Restricting First Use of Nuclear Weapons Act of 2017. (Councilor Villarreal) (Jesse Guillen)

Fiscal Impact: None

Committee Review:

Finance Committee (Postponed)  
Finance Committee (Postponed)  
City Council

08/21/17  
09/05/17  
09/27/17

Item 6w.pdf

x) Request for Approval of Budget Amendment/Increase FY 17/18 in the Amount of \$55,465 for UCS Operating Budget and \$223,773 for Water Operating Budget to Continue to Fund Open Purchase Orders for Council Approved Ongoing Contracts in the Operating Budgets of Each Division; Various Vendors. (Shannon Jones)

Item 6x.pdf

## 7. DISCUSSION

a) Request for Discussion and Approval of 2016-2017 Consolidated Annual Performance Evaluation Review (CAPER) for HUD CDBG Funds Expended in 2016-17. (Alexandra Ladd)

Item 7a.pdf

b) Request for Discussion and Approval of the Assessment of Fair Housing (AFH) and Associated Research as Required by HUD's Community Development Block Grant (CDBG) Program and the New Mexico Mortgage Finance Authority. (Alexandra Ladd)

Item 7b.pdf

c) Discussion and Approval of Quarterly Financial Performance Report as of June 30, 2017. (Adam Johnson)

Item 7c.pdf

## 8. PUBLIC HEARING

a) Request for Approval of an Ordinance Amending Subsection 23-5.3 SFCC 1987 Regarding Plaza Artists/Artisans; Licenses; Requirements; Selection Process; Conditions of Operations; and Amending Subsection

23-5.5 SFCC 1987 to Increase Plaza Pushcart Vendor License Terms to Five Years. (Councilors Lindell and Villarreal) (Sevastian Gurule)

Fiscal Impact: None

Committee Review:

Public Works Committee 09/11/17

City Council (request to publish) 09/13/17

City Council (public hearing) 10/11/17

Item 8a.pdf

**9. MATTERS FROM THE COMMITTEE**

**10. MATTERS FROM STAFF**

- a) Review: Cash Handling Policy Draft (Christina Keyes)

Item 10a.pdf

**11. EXECUTIVE SESSION**

**12. ADJOURN**

Finance Committee Meeting – Index – September 18, 2017

Cover Page		Page 0
Call to Order	The Chair, City Councilor Carmichael Dominguez at 5:00 pm, called the regular meeting of the City of Santa Fe Finance Committee to order. A quorum is reflected in Roll Call.	Page 1
Approval of Agenda	<p>ITEM F. – After Don Chalmers Ford add: DBA Power Ford</p> <p>Mr. Johnson asked for postponement of Item V and W to next Finance Committee meeting.</p> <p>Councilor Harris recommended that Item 8A be heard after Consent and prior to Discussion.</p> <p><b><i>Councilor Harris moved to approve the agenda as amended, second by Councilor Lindell, motion carried by unanimous voice vote.</i></b></p>	Page 1
Approval of Consent Agenda	<p><b>Consent Agenda Items to be pulled: B, C, E, J, M, Q and X</b></p> <p><b><i>Councilor Lindell moved to approve the Consent Agenda pulling, B, C, E, J, M, Q and X, second by Councilor Harris, motion carried by unanimous voice vote.</i></b></p>	Page 2
Approval of Minutes August 21, 2017	<b>Regular Finance Committee meeting –</b>	Page 1-2

	<p><b>August 21, 2017</b>  <b>No changes from staff.</b></p> <p><i>Councilor Ives moved to approve as presented, second by Councilor Lindell, motion carried by unanimous voice vote.</i></p>	
<p>Consent Agenda:  Request for Approval of a Memorandum of Agreement in the Amount of \$150,000 for One-Time Emergency Funding for One (1) Year to Support Collaborative Funding for Enhanced Social Detoxification Services; Santa Fe County. (Julie Sanchez)</p> <p>Request for Approval of Memorandum of Agreement in the Amount of \$60,000 for Navigation and Social Services through the Mobile Integrated Health Office; Santa Fe County. (Andres Mercado)</p> <p>Request for approval of Exempt Procurement and Procurement under State and Federal Price Agreements in an amount above \$50,000 for city-wide Hardware, Software and Support Services for ITT Department FY 2017-18; various vendors.</p>	<p><i>Councilor Harris moved to approve Memorandum of Agreement in the Amount of \$150,000 for One-Time Emergency Funding for One (1) Year to Support Collaborative Funding for Enhanced Social Detoxification Services; Santa Fe County, second by Councilor Lindell, motion carried by unanimous voice vote. Let the record reflect that the Chair voted yes.</i></p> <p><i>Mr. Harris moved to approve the Memorandum of Agreement in the Amount of \$60,000 for Navigation and Social Services through the Mobile Integrated Health Office; Santa Fe County, second by Councilor Ives, motion carried by unanimous voice vote.</i></p> <p><i>Councilor Harris moved to approve the Exempt Procurement and Procurement Under State and Federal Price Agreements in an Amount Above \$50,000 for City-Wide Hardware, Software and Support Services for ITT Department FY 2017-18; Various Vendors, second by Councilor Lindell,</i></p>	<p>Page 2-12</p>



<p>Request for Approval to use Cooperative Educational Services (CES) Contract in the amount of \$27,936.17 excluding Gross Receipts Tax for Construction Observation /Professional Engineering Services, CIP #438B – Acequia Trail Structure Crossings at Kathryn Avenue and Onate Place; Souder Miller &amp; Associates.</p>	<p><i>motion carried by unanimous voice vote.</i></p> <p><b><i>Councilor Harris moved to approve the Use Cooperative Educational Services (CES) Contract in the Amount of \$27,936.17 Excluding Gross Receipts Tax for Construction Observation /Professional Engineering Services, CIP #438B – Acequia Trail Structure Crossings at Kathryn Avenue and Onate Place; Souder Miller &amp; Associates, second by Councilor Lindell, motion carried by unanimous voice vote.</i></b></p>	
<p>Request for approval of two (2) Budget Amendment Resolutions in the amounts of \$184,289 and \$200,000 to re-appropriate non-CIP Projects into correct fund. Business Unit /Line Item.</p>	<p><b><i>Councilor Harris moved to approve request for approval of two (2) Budget Amendment Resolutions in the amounts of \$184,289 and \$200,000 to re-appropriate non-CIP Projects into Correct fund. Business Unit /Line Item, second by Councilor Ives, motion carried by unanimous voice vote.</i></b></p>	
<p>Request for approval of Budget Amendment Resolution in the amount of \$153,000 – River Conservation Funds for the implementation of Rain Garden/Bio Infiltration Basin Projects.</p>	<p><b><i>Councilor Ives moved to approve Budget Amendment Resolution in the amount of \$153,000 – River Conservation Funds for the implementation of Rain Garden/Bio Infiltration Basin Projects, second by Councilor Villarreal, motion carried by unanimous voice vote.</i></b></p>	

Finance Committee Meeting – Index – September 18, 2017

<p>Request for Approval of Budget Amendment/Increase FY 17/18 in the Amount of \$55,465 for UCS operating budget and \$223,773 for Water Operating Budget to continue to fund open Purchase Orders for Council approved ongoing contracts in the operating budgets of each Division; various vendors.</p>	<p><i>Councilor Harris moved to approve Budget Amendment/Increase FY 17/18 in the amount of \$55,465 for UCS Operating Budget and \$223,773 for Water Operating Budget to continue to fund open purchase orders for Council approved ongoing contracts in the operating budgets of each Division; various vendors, second by Councilor Ives, motion carried by unanimous voice vote.</i></p>	
<p><b>Discussion</b> Request for discussion and approval of 2016-17 consolidated annual performance evaluation review (CAPER) for HUD CDBG funds expended in 2016-17</p> <p>Request for Discussion and Approval of the Assessment of Fair Housing (AFH) and associated research as required by HUD's Community Development Block Grant (CDBG) Program and the New Mexico Mortgage Finance Authority.</p>	<p><i>Councilor Ives moved to approve the 2016-2017 Consolidated Annual Performance Evaluation Review (CAPER) for HUD CDBG Funds Expended in 2016-17, second by Councilor Harris, motion carried by unanimous voice vote</i></p> <p><i>Councilor Ives moved to approve the Assessment of Fair Housing (AFH) and Associated Research as Required by HUD's Community Development Block Grant (CDBG) Program and the New Mexico Mortgage Finance Authority, second by Councilor Harris, motion carried by unanimous voice vote.</i></p>	<p>Page 12 - 14</p>
<p><b>Public Hearing</b> Request for approval of an Ordinance Amending Subsection 23-5.3 SFCC 1987 regarding Plaza Artists/Artisans; Licenses;</p>	<p><i>Councilor Lindell moved to approve Ordinance Amending Subsection 23-5.3 SFCC 1987 Regarding Plaza Artists/Artisans;</i></p>	<p>Page 14 - 26</p>

Finance Committee Meeting – Index – September 18, 2017

Requirements; Selection Process; Conditions of Operations; and Amending Subsection 23-5.5 SFCC 1987 to increase Plaza Pushcart Vendor License terms to five years. (Councilors Lindell and Villarreal) (Sevastian Gurule)	<b><i>Licenses; Requirements; Selection Process; Conditions of Operations; and Amending Subsection 23-5.5 SFCC 1987 to Increase Plaza Pushcart Vendor License Terms to Five Years to forward to council, second by Councilor Villarreal.</i></b>  <b><i>Vote: Councilor Harris abstained. Three in favor. Motion passed.</i></b>	
<b>Matters from the Committee</b>	<b><i>None</i></b>	Page 26
Matters from Staff	Informational	Page 26 - 27
Executive Session	None	Page 27
Adjourn	There being no further business to come before the Finance Committee the Chair called for adjournment at 8:30 pm	Page 27
Signature Page		Page 27

**City of Santa Fe, NM  
Regular Committee  
Monday, September 18, 2017  
5:00 pm – 8:30 pm – Finance Committee  
Council Chambers**

**MINUTES**

**1. CALL TO ORDER**

Councilor Carmichael Dominguez, Chair called the Finance Committee meeting to order at 5:00 pm in the City Council Chambers. A quorum is reflected in roll call.

**2. ROLL CALL**

**Councilor Carmichael Dominguez  
Councilor Signe Lindell  
Councilor Michael Harris  
Councilor Peter Ives  
Councilor Rene Villarreal**

**Others Present:**

**Chris Sanchez, Community Services Department  
Julie Sanchez, Community Services Department  
Melissa McDonald, River and Watershed Coordinator  
Andres Mercado, Firefighter/EMT  
David Kulb, IT Financial Analyst  
Leroy Pacheco, PE, River, Watershed & Trails Section  
Shannon Jones, BDD Facility Manager  
Alexandra Ladd, Housing Special Projects Manager  
Sylvia Barela, Recovery Center, Santa Fe County  
Rachel O'Connor, Executive Director, Community Services, Santa Fe County**

**Fran Lucero, Stenographer**

**3. APPROVAL OF AGENDA**

ITEM F. – After Don Chalmers Ford add: DBA Power Ford

Mr. Johnson asked for postponement of Item V and W to next Finance Committee meeting.

Councilor Harris recommended that Item 8A be heard after Consent and prior to Discussion.

***Councilor Harris moved to approve the agenda as amended, second by Councilor Lindell, motion carried by unanimous voice vote.***

**4. APPROVAL OF CONSENT AGENDA**

**Consent Agenda Items to be pulled: B, C, E, J, M, Q and X**

*Councilor Lindell moved to approve the Consent Agenda pulling, B, C, E, J, M, Q and X, second by Councilor Harris, motion carried by unanimous voice vote.*

**5. APPROVAL OF MINUTES**

**Regular Finance Committee meeting – August 21, 2017**

**No changes from staff.**

*Councilor Ives moved to approve as presented, second by Councilor Lindell, motion carried by unanimous voice vote.*

**6. CONSENT AGENDA**

a) Request for Approval of a Professional Services Agreement in the Amount of \$48,000 for Workflow Solutions, Shelf-Ready Content and Customized Services; Midwest Tape "Hoopla".

b) Request for Approval of a Memorandum of Agreement in the Amount of \$150,000 for One-Time Emergency Funding for One (1) Year to Support Collaborative Funding for Enhanced Social Detoxification Services; Santa Fe County. (Julie Sanchez)

Councilor Harris made reference to Page 25-26 in the packet, minutes from Human Services Committee says that Christus St. Vincent's as part of this program will put in for funding \$700,000 and also in the same minutes he read that it was \$400,000 and asked for clarification.

Julie Sanchez: The official amount is \$487,000 from Christus.

Councilor Harris said that he also read that it was anticipated the program would require \$1.1 million dollars. How does that break down between city, county and Christus?

Ms. Sylvia Barela, Executive Director of the Recovery Center for Santa Fe County: The program is a \$1.1 million dollar program. Christus St. Vincent's is paying \$487,000, Santa Fe County is paying \$300,000 and the remainder of funds they are hoping to bill some services through Medicaid and that will make up the difference.

Councilor Harris: Assuming this is approved you would need to come up with approximately \$160,000.

Ms. Barela responded that it is doable.

Councilor Harris said that he knows there is a lot of recovery centers and programs and everyone acknowledges the importance of the program. It is his understanding that the recovery center will now be managing the sobering center for this program, is that correct?

Ms. Barela: That is correct.

Councilor Harris asked if they would be doing this at their current facility.

Ms. Barela responded that they would not be doing it from the current facility they will be at the current location of 2252 Galisteo Street and taking over operation of that facility.

Councilor Harris asked if there is anything they would like to add to the program. He would like to know more specifics of the program and perhaps changes at the Recovery Center.

Ms. Barela: The Recovery Center took over operations of the Detox Center on July 1<sup>st</sup>, and some of the changes that they have implemented is an increase in the counseling services that are happening at the location; assessments, individual therapy and group therapy and they are continuing the 12-step meetings. Ms. Barela stated that a Registered Nurse will manage the program and clients will be able to utilize detox medications while they are in the program, including saboxon for opiate detox. They have the ability to transition clients from the detox program into residential treatment if they are interested into out patient and even in to housing as the Recovery Center operates that spectrum of services. They also have a Physician who comes in to the program once a week and meets with clients and they are doing this with collaboration with Santa Fe County and the hospital to continue to try to improve access to services with continuing care when the clients moved from detox in to residential treatment and other types of treatment that are being offered.

Councilor Harris: So volunteers operate the Sobering Center, correct? If someone chooses to be there it is on a volunteer basis.

Sylvia Barela: Correct.

Councilor Lindell: Councilor Harris asked a lot of the questions that she had, an additional question, what is the capacity of the Recovery Center?

Sylvia Barela: The capacity is 15, 10 beds for men and 5 for women.

Councilor Lindell asked if they run at capacity most of the time.

Ms. Sylvia Barela: They are currently running at an average of 10-12 in capacity.

Councilor Lindell appreciates the work in this program. These are resources that are very clearly changing people's lives. A question for Chris Sanchez, we are looking at \$150,000 at this point in time; tell me about where we are on the budget for this and how can we make this a sustainable commitment.

Chris Sanchez: We do have the money in reserves that we can pull out and help assist with this funding. Because we are a grant funded operation we would request as we moved forward that they put in a proposal for operations just like the rest. We were approached by the Mayor and City Manager to help assist this because it is such a significant need in our community, but moving forward we would need to be assured that they would need to apply through the application process. We do have the budget to sustain us for this piece.

Councilor Lindell stated that Recovery Santa Fe, this Saturday at the Railyard from noon to 4:00 pm, it is the 4<sup>th</sup> annual. This is a program that she participates in all year long and hopes that people will show up and support them; it is a worthwhile activity in this city. Thank you.

Councilor Ives: He is surprised that the average amount is only 10-12, is there a reason you do not run full?

Sylvia Barela: Thank you for the question, we screen more individuals that are coming in to the program, which augments the level of care to a medically monitored detox. Unfortunately at this point, the level of care we are offering is such that we cannot detox all of the individuals who seek services from us. Some individuals have to be referred to Albuquerque for medically monitored detox. One of the things we are seeking and working towards with county and city is increasing that level of care.

Councilor Ives: The detox guide information in packets talks about the 5 different levels of detoxification levels of care, where do you fall in that scale and what are you trying to bring in.

Sylvia Barela: We do utilize the ASAM level of care in determining if an individual meets criteria to come to this program. They are currently a social detox and they are moving towards medically monitored detox.

Councilor Ives: It certainly goes through the increasing levels of potential service from ambulatory detoxification without extended on site detoxification with extended on site clinically managed residential detoxification which sounds like the level they are at currently. It does talk about medically monitored inpatient detoxification and medically managed intensive inpatient detoxification. Are you looking at the 4<sup>th</sup> or the 4<sup>th</sup> and 5<sup>th</sup> levels in the facility?

Sylvia Barela: We are looking to the 4<sup>th</sup> level. The first 2 levels refer to outpatient detox where the individual may meet with the physician but the goes home to detox. They are currently providing the 3<sup>rd</sup> level and hope to increase to the 4<sup>th</sup> level. The 5<sup>th</sup> level is what you would encounter if the individual needed to be hospitalized to detox.

Councilor Ives asked who can provide level 5 in Santa Fe?

Sylvia Barela: No one in Santa Fe provides that level, it would need to be a hospital and right now individuals needing that level of detox are referred to Albuquerque UNM and Presbyterian.

Chair Dominguez directed his question to Mr. Sanchez: This is interesting, do we have an MOU with Santa Fe County? What we are being asked to do is make a transfer of money, there is a contract included correct?

Mr. Sanchez answered, that is correct, there is an MOA attached.

Chair Dominguez: Has SF County agreed?

Mr. Sanchez: In part, yes, they have helped the city construct it so we could meet the requirement and they could meet their requirements.

Chair Dominguez: Is their commitment for \$300,000?

Ms. Sanchez: Yes that is correct.

Chair Dominguez: It is a good thing that we created some reserve money in Human Services. Where does the source of funding come from?

Mr. Sanchez: Our source of funding comes from GRT, 2% to the Human Services Committee.

Rachel O'Connor: The funding for Santa Fe County comes from the State of NM through the alcohol excise tax to the County specifically for detox services.

Chair Dominguez: Is that local money or throughout the state?

Ms. O'Connor: Yes sir.

Chair Dominguez: So the \$300,000 that the county is supposed to be using is not just for county residents it is coming from all over the state.

Ms. O'Connor: The funding comes from the state of New Mexico through the DWI funding specifically to the county to be spent on detox.

Chair Dominguez: Is there any money from the local that we are getting for detox?

Ms. O'Connor: Not specifically on this grant, there may be some additional funds later that we have discussed and we also are providing the building to Santa Fe Recovery Center.

Chair Dominguez: I know that there is a validator that is happening right now, is that money being used for these purposes?

Ms. O'Connor: There has been discussion of taking this model to a higher level should the GRT pass.

Chair Dominguez: It hasn't been decided yet?

Ms. O'Connor: That is correct.

Chair Dominguez: Who would be managing this contract? Would it be Santa Fe County?

Mr. Sanchez: That is correct.

Chair Dominguez: If GRT gets approved would Santa Fe County absorb that?

Ms. O'Connor stated that the county oversees the contracts that come from the state funds. Alex Munoz, Behavioral Health Manager will oversee the contract.

Chair Dominguez asked if this GRT gets approved, will the state be paying for any of the administrative costs or we just don't know that yet.

Ms. O'Connor: We don't know that yet.

***Councilor Harris moved to approve Memorandum of Agreement in the Amount of \$150,000 for One-Time Emergency Funding for One (1) Year to Support Collaborative Funding for Enhanced Social Detoxification Services; Santa Fe County, second by Councilor Lindell, motion carried by unanimous voice vote. Let the record reflect that the Chair voted yes.***

c) Request for Approval of Memorandum of Agreement in the Amount of \$60,000 for Navigation and Social Services through the Mobile Integrated Health Office; Santa Fe County. (Andres Mercado)



Councilor Harris asked who the navigators are for the MIHO program. Is the \$60,000 for an additional social worker?

Mr. Mercado stated that Navigators is a fairly broad term, it is kin to case manager/case worker where it doesn't require a level of certification. The individuals that are working with the 911 system typically have quite a few challenges that they are facing. They have a difficult time figuring out where to go for services. Navigator is a fairly broad term it is not have a technical definition, they are individuals working in the community at the community health level, EMT level, caseworker level that help individuals navigate the intake system.

Councilor Harris: The \$60,000 that is being proposed, is that for additional social worker, is that what I understand, primarily?

Mr. Mercado: That is correct. We currently have an inter-disciplinary team made up of part of are group who work with the inter-disciplinary team that includes a physician, pharmacist and a social worker. The social worker is the one individual in the group that has been working the hardest to provide oversight and support for us. Most of the individuals seeking service have primarily social issues so this would increase our capacity on the social work site to provide move and better services.

Councilor Harris: The cost associated with this can be greater than the \$60,000 to be received from the County, the cost to the program. How do you analyze that?

Mr. Mercado: The cost to the MIHO are many, can you be clearer as to how we determine cost.

Councilor Harris: \$60,000 is coming from the County to the City basically for additional personnel, the social worker, amongst other things. In terms of your operating costs, are your operating costs for the MIHO program increased greater than \$60,000 that you are receiving.

Mr. Mercado: The current social worker who we have on contract has a contract for \$32,000 a year largely funded through a previous reimbursement from the County which was not contract based as this one is, it was based on reimbursement. So the health care assistance program works with those who meet certain income criteria and the County had been supporting us with the money that had been set aside for indigent folks in Santa Fe that were served by the Fire Department. We were being funded at \$25,000 a year in the past, the contract with the social worker was \$32,000 so we had to pull money from other donations and other income to cover that difference. With the new contract of \$60,000 the old contract of \$25,000 will dry up and goes away. Now we will have a total budget of \$60,000 for social work and we are not going to surpass that budget, it will not increase our costs.

Councilor Harris: Does MIHO operate in the city limits?

Mr. Mercado said yes, almost exclusively. Operations are heavily concentrated within the city and they do not exclude folks who may live in Santo Domingo Pueblo or somewhere else. The service that they provide is primarily in the city and they focus on folks who are having concerns.

Councilor Harris: Does Santa Fe County Fire Department have a similar program to MIHO or are they going to be developing such?

Mr. Mercado: City of Santa Fe Fire Department is the leader in the State with integrated health. We have spoken to Ms. O'Connor and Chief Sperling, they do not have a program operating as of yet. They are working with the county on a pilot program around senior issues.

Chair Dominguez: Congratulations, you have brought this along way from when it was first conceived and moving forward we would like to know how the private and public sector can work together. What is the next step in terms of making this sustainable?

Mr. Mercado: We have come along way with the support of the governmental entities and Chief Lichtenberg from the Santa Fe Fire Department. Where we see it going, I would love to see where the SFFD has a mission drive allocation. What I mean by that is if of the fire department is to protect life and safety of the City of Santa Fe that look at what is actually hurting our community members and to determine how we allocate our resources. We need to look at what is hurting our population, there are medical and behavioral health issues. The days of burning buildings and infernos are behind us, we have fires and we are ready to respond to them. But we are at the point where 85% of incoming calls medical calls, 25% of those calls are behavioral health related and I would like to show value to the City Council and to community members and most importantly to the tax payers on how we are investing their money well in a system that works for them and to reassure that the SFFD is here to protect them at their time of need. We have an advisory group with statistics of how many patients we have served, status of each, age, gender, city council district, etc. for the two programs we have in place, CONNECT and the LAWSON which follows up with every single individual that we served and attempted to provide them services and training. The next step along with the whole concept of mission driven resource allocation is to show how we can create even more value within the fire department after considering all the information from the field. Present year to date. We are going to pilot a response experiment to see what it would look like to put 2 EMT's and a paramedic on an emergency SUV and have a real time component on these programs, CONNECT and the high utilizers and also start looking at the model.

Chair Dominguez: This is a general fund expense?

Mr. Mercado: Some can bill Medicaid, low acuity for the two EMT'S; San Diego Fire is general fund. The best of both worlds is to provide service, decrease the cost increase the revenue.

Chair Dominguez: Do you see this becoming more of a regional or private service.

Mr. Mercado: The future of the fire department is we need to respond to falls, medical calls, emergency room needs for the private sector. This is bigger than the fire department; we are focusing on the internal pivot.

Councilor Harris Dialogue answered my question. Congratulations to Mr. Mercado,

***Mr. Harris moved to approve the Memorandum of Agreement in the Amount of \$60,000 for Navigation and Social Services through the Mobile Integrated Health Office; Santa Fe County, second by Councilor Ives, motion carried by unanimous voice vote.***

Councilor Ives: Congratulations, when this started with a local focus, compliments to you to continue the MIHO program evolve so it has better impact. We are moving forward and the report shows that you are moving forward, the number that is served through the program. My hope with the great thinking you are doing with this program and allocation of resources that you can demonstrate how significant it will be.

d) Request for Approval of a Letter of Agreement in the Amount of \$150,000 to Support the Mobile Integrated Health Office's Navigation and Social Service Programs; Molina Healthcare of New Mexico.

e) Request for approval of Exempt Procurement and Procurement under State and Federal Price Agreements in an amount above \$50,000 for city-wide Hardware, Software and Support Services for ITT Department FY 2017-18; various vendors. (David Kulb, IT Financial Analyst)

Councilor Harris: 2<sup>nd</sup> page and long list of vendors. This is a carry over from a discussion we had last night about NMSurf which I asked the question and was told that we continue to do service with NMSurf, I don't see them on this list? Do they fall within this contract? Acronym: CNSP

Mr. Kulb: No sir.

Councilor Harris will research further before it goes to the governing body.

***Councilor Harris moved to approve the Exempt Procurement and Procurement Under State and Federal Price Agreements in an Amount Above \$50,000 for City-Wide Hardware, Software and Support Services for ITT Department FY 2017-18; Various Vendors, second by Councilor Lindell, motion carried by unanimous voice vote.***

f. Request for Approval to Procure Replacement Vehicles and Equipment via the NM State Price Agreement # 70-000-16-00002 for the Wastewater Management Division; Don Chalmers Ford and Sewer Equipment of America.

- i) Replacement Sewer Rudder Truck for FA# 26273 from Don Chalmers Ford for the Wastewater Management Division in the Amount of \$46,879.00.
- ii) Replacement Rodder Equipment for the New Sewer Rodder Truck from Sewer Equipment of America in the Amount of \$67,300.00.
- iii) Replacement Truck for FA# 51002 from Don Chalmers Ford for the Wastewater Management Division in the Amount of \$27,137.00.

g. Request for Approval to Procure a Vehicle via the NM State Price Agreement # 70-000-16-00002 in the Amount of \$26,652.00 for the Wastewater Management Division; Brad Francis Car Company.

h. Request for Approval to Procure Two (2) F-350's and One (1) F-250 via the NM State Price Agreement# 70-000-16-00002 in the Amount of \$116,092.00 for the Water Division's Transmission and Distribution Section; Don Chalmers Ford.

i. Request for Approval to Procure Disc Filter Panels and Parts in the Amount Over \$50,000 Exclusive of NMGRF for the Wastewater Treatment Plant; Veolia Water Technologies.

j. Request for Approval to use Cooperative Educational Services (CES) Contract in the amount of \$27,936.17 excluding Gross Receipts Tax for Construction Observation /Professional Engineering Services, CIP #438B – Acequia Trail Structure Crossings at Kathryn Avenue and Onate Place; Souder Miller & Associates. (Leroy Pacheco)

Councilor Harris: SMA is not responsible for any testing it isn't falling in their contract, how is the testing being handled?

Mr. Pacheco: Testing and observation is included in the construction contract as a lump sum reimbursable. We do the testing, and it is reimbursed by the contractor.

Councilor Harris: I thought that was the answer and personally feel that this is a bad practice. Councilor Harris will continue conversation with Councilor Ives; he feels that the testing should be taken off of the general contract. Councilor Harris proposed that this be reviewed by Councilor Ives in the Public Works committee.

***Councilor Harris moved to approve the Use Cooperative Educational Services (CES) Contract in the Amount of \$27,936.17 Excluding Gross Receipts Tax for Construction Observation /Professional Engineering Services, CIP #438B – Acequia Trail Structure Crossings at Kathryn Avenue and Onate Place; Souder Miller & Associates, second by Councilor Lindell, motion carried by unanimous voice vote.***

- k) Santa Fe Municipal Airport
  - i. Request for Approval and Ratification of New Mexico Department of Transportation (NMDOT) Grant Agreement No. SAF-17-09 in the Amount of \$65,800 for a Total Amount Including City Share of \$73,111
  - ii. Request for Approval of KSA Task Order No. 8 in the Amount not to Exceed \$72,563 Inclusive of Gross Receipts Tax
  - iii. Request for Approval of Budget Amendment Resolution.
- l) Santa Fe Municipal Airport
  - i. Request for Approval and Ratification of New Mexico Department of Transportation (NMDOT) Grant Agreement No. SAF-17-08 in the Amount of \$257,158 for a Total Amount Including City Share of \$285,732
  - ii. Request for Approval of KSA Task Order No. 9 in the Amount not to Exceed \$21,662.50 Inclusive of Gross Receipts Tax
  - iii. Request for Approval of Budget Amendment Resolution.
- m) Request for approval of two (2) Budget Amendment Resolutions in the amounts of \$184,289 and \$200,000 to re-appropriate non-CIP Projects into correct fund. Business Unit /Line Item. (Cameron Humphrey)

Chair Dominguez: Why are they presented together? It is cleaner to have them separate.

Mr. Johnson: This is the way they were presented to previous committee. You can take action on them separately and I can assure that they are listed separately for Council.

Chair Dominguez said he did not know if this is the pleasure of this committee but he would prefer to have them separate.

Councilor Harris: I would like to understand the adjustments. There isn't a lot of background, it seems to just wash out.

Mr. Johnson: That is correct, the airport manages various proceeds and moves those budgets, and they have about seven funds under their operation. This action moves those budgets from; the

first one moves from its existing balance from existing grant which has been appropriated and second one moved from operating account to CIP account.

Chair Dominguez: We are closing and re-appropriating?

Mr. Johnson: Yes that is correct.

Councilor Harris: The second case being the adjustment.

Mr. Johnson: It shows the \$200,000 from the operating fund, these are the grants from NMDOT and NM Reliance.

***Councilor Harris moved to approve request for approval of two (2) Budget Amendment Resolutions in the amounts of \$184,289 and \$200,000 to re-appropriate non-CIP Projects into Correct fund. Business Unit /Line Item, second by Councilor Ives, motion carried by unanimous voice vote.***

Chair Dominguez: Is there any benefit to separate for council. Mr. Johnson will proceed to separate.

- n) Request for Approval of 2017 State of New Mexico Severance Tax Bonds
  - i. Request for Approval of Capital Appropriation Project Agreement in the Amount of \$67,000 – Identified as Project No. 17-B4105; Dance Barns aka National Dance Institute (NDI)
  - ii. Request for Approval of Capital Appropriate Project Agreement in the Amount of \$135,000 – Identified as Project No. 17-B4106; Santa Fe Farmers Market
  - iii. Request for Approval of Associated Budget Amendment Requests (David Chapman)
- o) Request for Approval to Procure a Replacement Vehicle from Bruckner Truck Sales and Utility Bed and Accessories from Construction Truck Equipment LLC for a total amount of \$84,195.
- p) Request for Approval of Amendment No. 1 to Professional Services Agreement in the amount of \$15,000 per year Starting with FY 17/18 for up to four years – Maintenance of the Municipal Recreation Complex Irrigation Pump System; Greenworks Enterprises, Inc.
- q) Request for approval of Budget Amendment Resolution in the amount of \$153,000 – River Conservation Funds for the implementation of Rain Garden/Bio Infiltration Basin Projects. (Melissa McDonald)

Councilor Harris: These various rain gardens, are they like the ones on West Alameda and is this what is being proposed?

Melissa McDonald: That is correct.

Councilor Harris: How many do you think you can construct with \$153,000. It seems that it changed from \$25,000 to \$50,000. How many rain gardens similar to the ones on West Alameda can be constructed.

Melissa McDonald: It varies depending on the conditions and how much water is needed so it changes case by case. These are also grouped in series, the ones we are projecting are a series of gardens.

Councilor Harris: I assume you have done the calculations on how much you will be able to collect. You provided an analysis before you build these rain gardens.

Melissa McDonald: Absolutely, when a project is spec'd, the contractor and the city both calculate what would be collected.

Councilor Harris would like to know the amount of raingarden series for \$153,000. It is a large amount of money and it would be nice to be able to quantify it. What is being proposed is to go from Business Unit 5317 fund balance in to the River Conservation Fund.

Mr. Johnson clarified that 5317 is the number of the fund and the business unit itself is 52389.

Councilor Harris: Where is the money coming from. Mr. Johnson: 5317

Melissa McDonald: The 5317 is the check off box that voluntarily contributes the money from citizens and the city matches it dollar for dollar.

Mr. Johnson: It is not going anywhere it is going from fund balance into the budget.

Chair Dominguez: What is the balance in that fund for year-to-year since 2013.

Mr. Johnson will research this question.

***Councilor Ives moved to approve Budget Amendment Resolution in the amount of \$153,000 – River Conservation Funds for the implementation of Rain Garden/Bio Infiltration Basin Projects, second by Councilor Villarreal, motion carried by unanimous voice vote.***

r) Request for Approval of a Resolution directing the City Manager to explore the possibility of forming a public/private partnership between the city of Santa Fe and the Santa Fe business community for the purpose of developing and implementing a long range master streetscape improvement plan to improve the appearance of all major entry corridors and main arterials within the city of Santa Fe.

s) Request for Approval of a Resolution Repealing Resolution 2002-40 that adopted the Airport Master Plan; and Adopting a New Airport Master Plan.

t) Request for Approval of a Resolution Directing the City Manager to undertake Feasibility Study to explore development of Free Walls for Street Artists on Municipal Properties; and Presenting the Study to the Governing Body within 90 days of adoption of This Resolution.

u) Request for Approval of Resolution Adopting the 2019-2023 Senior Infrastructure Capital Improvements Plan (ICIP) for Mary Esther Gonzales Senior Center.

v) Request for Approval of a Resolution Requesting that the New Mexico Environment Department rescind the revised Los Alamos National Labs Cleanup Order and halt any planned expanded Plutonium Pit Production until safety and cleanup issues are resolved; requesting that the United States Department of Energy improve surface and groundwater monitoring and

reconsider the Plutonium Pit Production Mission at Los Alamos National Laboratory; and directing the City Clerk to transmit copies of this Resolution to associated parties.

w) Request for Approval of a Resolution in Opposition to the Nuclear Weapons Agenda of the current administration; calling on the Congressional Delegation to condemn the rhetoric and agenda; and supporting the restricting first use of Nuclear Weapons Act of 2017.

x) Request for Approval of Budget Amendment/Increase FY 17/18 in the Amount of \$55,465 for UCS operating budget and \$223,773 for Water Operating Budget to continue to fund open Purchase Orders for Council approved ongoing contracts in the operating budgets of each Division; various vendors. (Shannon Jones)

Councilor Harris: Main question I have; are the cash balances, are those cash balances within the water division?

Shannon Jones: Yes that is correct.

Councilor Harris: Are any of these monies associated with resolving the utility billing system, software upgrade?

Shannon Jones: Some of the firms are names that will come up as we transition. Unfortunately these are contracts for the day-to-day operational functions for the billing system.

Councilor Harris: None of these money reflect the amendment to the contract for the software upgrade, is that correct?

Mr. Jones: That is correct.

***Councilor Harris moved to approve Budget Amendment/Increase FY 17/18 in the amount of \$55,465 for UCS Operating Budget and \$223,773 for Water Operating Budget to continue to fund open purchase orders for Council approved ongoing contracts in the operating budgets of each Division; various vendors, second by Councilor Ives, motion carried by unanimous voice vote.***

## **7. DISCUSSION**

a) Request for discussion and Approval of 2016-2017 Consolidated Annual Performance Evaluation Review (CAPER) for HUD CDBG funds expended in 2016-17. (Alexandra Ladd)

Capere report is done every year, it essentially reports to HUD how we report CDBG funds.

Ms. Ladd: You will see that the complete draw down did not take place; we are delayed as we didn't get word from HUD. Reprogrammed funds will be allocated to present projects. HUD requirement is that all program funding be spent before they issue new money.

Councilor Harris: Note – programming, I need to have a break out session to better understand the source of program income vs. entitlement. Programmatically we are doing so well and I heard you say entitlements will roll back in to the fund. Request specific discussion. Also, Page 6 of the packet, under goals and outcomes, can you provide more information.

Councilor Ives: The timing that you mentioned, both the reports cover July 1 to June 30th, is it 30 days. I need to digest Item 7a and 7b and would like to get together with Councilor Harris.

***Councilor Ives moved to approve the 2016-2017 Consolidated Annual Performance Evaluation Review (CAPER) for HUD CDBG Funds Expended in 2016-17, second by Councilor Harris, motion carried by unanimous voice vote***

Ms. Ladd noted that they have to report in 90 days. They will report before they submit the plan.

Chair Dominguez asked if the carry over money has been expended.

Alexandra Ladd: There are different practices.

b) Request for Discussion and Approval of the Assessment of Fair Housing (AFH) and associated research as required by HUD's Community Development Block Grant (CDBG) Program and the New Mexico Mortgage Finance Authority. (Alexandra Ladd)

This report is due to HUD at the beginning of October, before next consolidation plan is turned in to HUD, which we submit every 5 years. This is for the CDBG and we have to show compliance for the Fair Housing Act. The initial study was very limited to how it described discrimination, AFH goes beyond, this looks at housing opportunity through a bigger lens, it doesn't just show the individual it show, resources, and its historical information and that we have been more integrated. We don't have concentrations of poverty overall we are doing well. We know people who hold vouchers and can't use them because the housing is too expensive. If you look at the report the colors represent all of the opportunities.

You will recognize the current programs that we are striving for, we don't know what is going to happen to federal funding, and we need to commit to implement a full spectrum of housing support and programming.

Councilor Ives: Met the people from BBC, Rocky Mountain Land Institute in Denver, very glad that this is out and available. In terms of funding at the federal level, week before last travelled to the National League of Cities who is a strong advocate of the CDBG funding across the nation, Congress will be hearing that word.

What is the total amount of money we get?

Ms. Ladd: \$548,360.00.

Councilor Ives noted that Eugene, Oregon gets millions of dollars and we should look at hopes of expanding the allocation under CDBG.

Chair Dominguez: Did annexation hurt or help?

Ms. Ladd: I think it was neutral; it didn't push us over any threshold. If anything it benefits us, rents went up.

***Councilor Ives moved to approve the Assessment of Fair Housing (AFH) and Associated Research as Required by HUD's Community Development Block Grant (CDBG) Program and the New Mexico Mortgage Finance Authority, second by Councilor Harris, motion carried by unanimous voice vote.***

Chair Dominguez asked about the trends report? Can we put this in the Santa Fe Trends report?



Ms. Ladd said that they would look further in to this request.

c) Discussion and approval of Quarterly Financial Performance Report as of June 30, 2017.  
(Adam Johnson)

## 8. PUBLIC HEARING

a) Request for approval of an Ordinance Amending Subsection 23-5.3 SFCC 1987 regarding Plaza Artists/Artisans; Licenses; Requirements; Selection Process; Conditions of Operations; and Amending Subsection 23-5.5 SFCC 1987 to increase Plaza Pushcart Vendor License terms to five years. (Councilors Lindell and Villarreal) (Sevastian Gurule)

Public Hearing:

Martha Wright: I am one of the artists on the Santa Fe Plaza, and I have been there for 40 years, I am a silversmith and jeweler. My son and daughter help me due to my arthritis in my hands. Back then we weren't called Artist we were called vendors. I have taken great pride in the art that I and my family produce. I feel that 10 to 35 would be more beneficial. We are there during all types of weather, we have lived here all our lives, we vote here, I don't know what else we can do.

Ben Chavez: Vendor since 1984, 33 years. I am not in favor of changing the point system. We have made the program a success and have worked hard to make it successful. I don't think the points should be dropped I am in favor of the jurying, I brought in my table and equipment to show that I produce my own work. Some of the vendors who said they didn't know the jury they had already spoken to the jury. I would like to be present from a silversmith, I would like to see that the city get rid of the jurors, and if there has be a jury they should be outside of Santa Fe.

Cliff Mills: I am a photographic artist on the plaza and I have been there for over 20 years, I come out rain or snow, this is what I have done for over 20 years. I have problems with the jurying process, I would propose to come to my studio gallery and watch me demonstrate the many techniques. I have a problem with the point system, we came in to this program believing that if we were good and we did our work that we would be given a certain amount of points and good score. Now it is apparently going to be taken away from us. We are going to be given 10% of our composite score which I think is way too low and really not fair.

Amber Trujillo: I feel that the changes in the ordinance are very unfair. Taking the family out is not fair. You talk about caring about community, a dad teaches his son how to make jewelry. We learn from the family, they don't have anywhere to go, they sit there when it rains and snow. You are now only allowing one member of the family to show which is ridiculous. I think you need to look at what they have put in to the city coffers through the years. Some of them have been there for over 30 years, look at what they have put in to the GRT. Who says that the new vendors are going to contribute as much as those that are there now. These are vendors who been loyal to the city for years. I think this ordinance is terrible, the way it was written and how you are looking at it. It was worse to send Sevastian out to tell them what was going to happen. He is blaming the Councilors, just tell the people the truth. If you want them out, then tell them with the right reasons not just blaming them. Disappointed in the ordinance process.

Claudia Chavez, native Santa Fean, I grew up downtown by the Guadalupe Church and my parents still live there. I have been shopping with the vendors for many years. Always in my heart I wanted to be in this progra and I have been in the program now for 10 years, I am a rotator. I want to say thank you to Sevastian, Isabella, Councilor Lindell and Councilor Villarreal for working on this proposed ordinance. I am for changing the rotators from 7 to 6 that would help our livelihood out there right now. Bringing it back up to 7 would be difficult for me so I would like to keep it at 6, by doing that you would eliminate the portrait. The point system, in the first draft you wanted to completely eliminate the points and that was harsh. We all said what we had to say and the compromise came up with was much too low. I think 10% was very low, 2.5% is low for the rotators to move up to a space. I agree with the jury process, we all show

and make our own work, you don't know which way juries are going to go. I want the bonus points they are there for my job security. I have been accepted to many prestigious shows and yet turned down by less prestigious shows so you never know which direction a jury is going to go. For me personally I want the bonus points as they are there for my job security. Thank you very much.

Diane Martinez, 27 year plaza vendor with an individual license and 3 years before that as a rotator. The city of Santa Fe is known for its compassion towards people. We are asking for the same consideration for us vendors. I would like to leave the ordinance as it is. It has been 20 years in the works, the points have been proven, other government programs do give point so please leave it as it is. We earned these points and we should be allowed to keep these points. The way it is now is punitive. We earned these points, they were not a gift, we are the ones out there in the rain and snow. I know where every bathroom is, I know where the best margaritas are, I know where to go get a good lunch. We are your first line ambassadors, we represent the city and we have done it well? I have repeat customers that come from all over the world. We heard there isn't a turn over, there is a large turnover. In the last jurying we had 3 vendors leave. Everyone of us has a following, we bring people back to Santa Fe. Another thing I heard was that there isn't a turnover, there is large turnover. In the last 5-years we have 3 vendors gone and those spaces haven't been fulfilled. We are asking that the city keep the promise you made to us. In the ordinance we wrote to you asking that our license would be approved, now you want to pull the points. Everyone of us is a senior citizen, this is our life and we based it on promises made by the city. I am hoping that you will take that in to consideration. In the ordinance it said that as long as we all performed and did our job our licenses would automatically be renewed. That was pulled out the last jurying session.

Sally Jane - I am a rotator and have been in the plaza for 10 years. I am a jeweler and can speak about the jewelry. I am glad you are looking at the point system. It is nice to have some points because what happens which you have been out there, I have been there for 10 years. You quit doing some of the shows to make a living knowing you can be downtown. Having points is nice, however the full time people have had about 50% put back on their points. It makes it almost impossible for someone like me to get a full time space. Someone made a perfect score last year, but didn't get a full time space because she didn't get any points. I feel it is more fair to reduce the points. One of the problems and I am only speaking for the jewelers. We have jewelers out in the plaza that are selling items from over seas. They didn't make them, they claim to make them. I know for a fact that they don't. These points are protecting people who have been out there for years cheating and it is promoting a culture of cheating out in the plaza and I would like to see it be more fair. Come to my studio, I can show you my rocks, I will make things for you and I can show you how I do my work, I think that is the way we should be juryed, thank you. Assure that it is fair and honest.

Roque Garcia - I have been a food vendor for 35 years, the first proposal was in 1982 and 1983. We don't have points but I like that you have come out with 5 years which is the best for us. We pay \$3000 a year for 6 months we are there, most of us. I can't make it on my social security. Out of the year we have 8 events, I lose days to sell - 24 to 25 days a year. Fiestas we lose 3-days. 4th of July 2-days. Years past we use to be able to setup. We have been supporting our families with our business, \$3000 is too much. The Mayor was going to look in to this if we could pay 1/2 the fee for 6 months. This is the lowest year we have had for tourism. Muchas gracias.

Andrea Tate de Caldera - I would appreciate if you would pass the 5 year permit and the GRT paperwork so we don't have to send in our private things in. That is why I am here, to support the 5 year and the new changes you propose.

Pam - Plaza Artist, Once in a Blue Moon, we create custom leather and eclectic jewelry. We are professional artists from Copenhagen, Denmark and have been in the program for 25 years working our way through the initial collective at that time represented all its members. Went through the rotating program when 2 days a week is all we had. We got our individual license 15 years ago and that was when the first comprehensive jurying process began for the program. That was when art work and the points began to balance itself out instead of the license be handed out to everybody. We believe that it is imperative to reconsider the direction and consequences of the proposed ordinance change. We are asking you to reject this ordinance it is punitive and perhaps self-serving. It is morally inconceivable for its local artist to shift radically. Proposals for changes, the first most destructive is:

1. Percentage points from 10% to 50% in the jurying process. We feel that the proposal is punitive, unreasonable, morally and ethically challenged. It is 80% less when you calculate it. As a compromise we feel that the point system is valid and significant and therefore we propose a 30% difference, which is taking 50% down to 35%, rotators from 25% to 17.5%. So we are going from your suggestion of 80% less than 50 to 30% less than 50. I feel that is reasonable. It still gives those who have been there for many years credit for what they have contributed to the community and to the program itself.
2. Agree with the jurying process to bring it to the studios, but it must be important to connect the dots and that is that even though we can make something is that what we are selling on the plaza.

*(Chair Dominguez did request the proposed changes in writing.)*

Chair Dominguez: Thank you for coming up with potential solutions as well.

Gloria Mendoza: This is not my first rodeo. Almost every time there is a new administration the person handling the plaza always seems to think that they owe other people favors to get in to being a vendor, and then they throw in people who are divisive or try to make trouble for all of the vendors except for themselves. You know what Ms. Lindell I know you sponsored this and I am going to tell you something, this is not a circus. I want to cry having to come up here to beg for them after they have been there almost all of their lives just trying to make a living. You cannot turn your back on these people, and I don't care what color they are or where they came from. Nobody seems to bother the Indians under the portal. Everything is ok for them, but you see Hispanics and Anglo's that live in this town local, pay taxes, buy everything here in this town, you don't even have a fricken bathroom for them, what a shame. How would you like to hold your piss all day long? You disrespect the people, the people who have lived here almost all of their lives. You disrespect them, but you get people come from NY and other places and you are all kissy. They are not a circus, they are not animals and you are mistreating them. Leave them alone, give them their points. I read your ordinance and it sucks. Give them back their points. Jury them the way they should be juried. Look at the people you are putting to jury, put me then. You are picking people off the street to come and jury. These people have worked all of their lives here in this plaza, pick me. You look at all these people smoking on the plaza, marijuana, who checks them, and to charge Roque \$3,000 a year when he works 6 months out of the year, that is ridiculous. Where is your ordinance? Who is throwing all the marijuanos out of there? What are you thinking, they don't live on the east side, well they don't. I want to see a bathroom out there for them and I want to see that ordinance thrown in the trash I don't even know what it is doing in Finance. You know what it is doing here, because "she" put it here. And you're so disconnected from this community you're going out this next election, Lindell.

Chair Dominguez: Thank you so much for your time.

Palam - Food Vendor: I benefit from this regulation after waiting for many years to be a food vendor. I think it is a good thing it just needs to have certain things balanced for what we pay and use the space for during the year. First, I would like to see if it is possible for some of the events when it is contracted out, if there is a non-profit organization and they are not paying for use of the plaza, I may be assuming that. They charge \$900 for Labor Day and the same for Fiestas. I pay my year round fee and I would like to suggest that you ask the regular vendors who are there all year long that they be allowed to only pay 50% of that fee. In the case of Challenge New Mexico is also a non-profit organization, we should get a 50% of the fee. Regarding the menu we are considering instead of a 3-yr contract it would be a 5-year contract. The menu is my suggestion to change every 6 months or once a year not to compete with what the other food vendors already have. Food is like music, it evolves, it changes. If we can comply with providing food that represents the cultural background and heritage of NM, maybe we can be allowed to change our menu every 6-month or every year. Every vendor has their own rock n' roll, we don't want to compete. Setup, takes a whole day for us, if we could leave at 2 pm vs. 12 noon, I appreciate the presence of the police department this year in the plaza.

Patrica Wyatt: I am a painter, on the plaza for 17 years, started in a cooperative space I am now in the rotator and on the merit of my work, in 2016 I was awarded a full time license. I am asking that you certainly contemplate a compromise in terms of percentage that go to both the rotating and the full time licenses. I think 10% is very harsh and feels punitive. I think that we all want to work together, people want to make a living and show their art work. I certainly do, myself. I do shows on the plaza, I do Arts and Craft shows outside of Santa Fe, I support Girls Inc., I support Saturday Artist Market, etc., I am asking that you think about the people that are affected by the changes in the ordinance, and consider please a compromise so that we continue in a fair way to meet the public and share our artwork.

Christina Mendiola – I have been a plaza vendor for many years out there. I am very proud of the bonus points that I have earned and I don't think it is fair for them to be taken away or cut down too low. I enjoy being out there and working with the other vendors. I support every thing that they have all said, please consider letting us have our bonus points.

Aaron Martinez: Changing the bonus points is not good for us because we work hard being out there. I could have gone to work for the state but I chose to be a vendor with the passion of creating with stones, metals. I invested all my money to buy my tools, buiding a shop. Every 5years when we have to get rejuriyed my health shows the stress. We barely make enough to pay our rent, the economy is down. There are times when I need to seek help for food. All of this strees is unncecasry for us, it is making a lot of the vendors sick. Most of us have dedicated our lives to this, I have been out there for more than 25 years. I have gotten my degrees to be able to improve my work. We are ambassadors for the city, we do this from our heart, we do it because we are fulfilling our lives to follow our passion. When they look for me I send them to shops and food places. It takes a certain individual to be out there, we get rained on, take in to consideration that we chose to do this job and we sacrifice a lot of money. I see new people come in to the program and they think they have what it takes to be in it, I kind of know who is going to make and who is not; it takes a certain individual to be out there. Take in to consideration that we chose to do this job and this means a lot to us. Please keep the bonus points for us.

Michelle Chism: Potter and silk maker, I am in the rotating program. I really think that eliminating the bonus points is very punitive. We rely on longevity being out there year after year. We have earned the right to get the bonus points and I would like to keep them. I would like the ordinance to remain as is.

Janet Armijo: I have been there for 5 years, I feel very blessed to be in this program. I demonstrate daily I do tin work. All the tourists come by and are happy to see that I am doing the work right at my table. I retired from the city. The people that have been out there forever, God Bless their souls because as soon as it gets cold, I am out. I got a pension so I can leave when I want. I like telling them how tin work came to Santa Fe. I will never want an individual license so I will never challenge them for that because I don't want to be out there that often. But I do love being out there and telling them what I do and how tin work came in to this area. Martha doesn't want to come up, but she wanted you to know that her and Juanita have even gone to jail for this program. Thank you very much.

Steve Schmall: My fiance is involved, I like the new ordinance I think that at 50% it is almost impossible for someone to get in it. Maybe there could be a compromise for at least the net 5-years for transition, it is a ery big transition. To get people in, and locked in creates a hierarchy which creates a clickish atmosphere. There are people who own their spot or if you have rotators that leave to do another show, the spot will stay empty. If you don't get new blood in there instead of 50 years when someone passes away, you are stuck with a hierarchy that creates a system where you are not creating art. You want to embellish your art, people want to see art. If you have someone who scored 50% and can beat someone out who has 100%, you are bsically giving someone a failing grade and sending away the new person who can bring new blood. They are not getting an opportunity to make a commitment to this.

Gloria Mendoza: By the way he is not a vendor.

K. Levy – Vendor for 16 years, I sell my paintings. I find it very interesting, I meet little people who love my art. I find that very interesting. They buy my art, they come back 10 years later as grown up people and ask if I remember them. I find it wonderful for them to remember me and come back. In terms of the

ordinance, I leave it up to you who know what to do with it. I do want to say, I think I provide an appreciation for the arts for little people and they spend their pennies and sometimes I give the things, just because I appreciate their appreciation.

Chair Dominguez: Martha do you want to close it out?

Martha Wright: No, Janet said what I wanted to say.

Willy Saiz: Plaza Vendor, I have been selling on the plaza for a long time, for me it is ok, sometimes you can't make a lot of money but you still have to go. I would like them to keep the program the way it is. It makes it easier to go in to the next year. That is about all I have to say.

**Public Hearing Closed:**

Chair said that everything comes to the Finance Committee., it was not one particular Councilor that made this happen, everything comes to the Finance Committee. Councilor Villarreal requested a public hearing because there was no one from the public that wanted to speak at Public Works, they were given another opportunity at Public Works. This is coming up because it is part of the cycle.

Sevastian Gurule: Thanks Isabella Sharp for her hard work and assistance in this program. (Exhibit A). We are here in this process because we are at the end of a license term which gives us an opportunity to review the ordinance and make necessary changes that have been brought up throughout the term of the license. That is the opportunity as we end one cycle and start another one. I would like to answer a couple of questions that were brought up here.

1. The ordinance amendment itself is not taking away any rights from the family members. Ref: Page 4 – line #13, “only one plaza artisan shall be allowed per immediate family member”, that has been part of this ordinance for the last 25 years. It has not changed, it is not new language, it has been there for as long as I have been a part of this program for 20 years. It is not taking anything away from any immediate family member. That language exists and has been there from the beginning of time. The ordinance also says, Page 3, line 18, “an applicant who is listed as a primary member on a deceased license holder’s license application for 5 consecutive years may apply for the individual license, if the applicant can demonstrate that he/she was the as a primary maker of the artwork,” the family member has the opportunity to apply for the license and can get the points awarded to them if they can demonstrate that they have been part of the original license. That language has not been taken out. That language is not changing, Mr. Chair.

Also, over the 20 years there has been large concerns about artisans/artists making their work and not making their work, what is the city going to do, how are they going to investigate. We have tried over 20 years to improve the jury process, improve the ordinance as far as conditions and operations. In fact the jury process itself. Initially when I worked on this ordinance, it was city staff who were the jurors 20 years ago. We looked at who could be jurors with this experience, we worked with SFCC and some of those who lost their licenses personally sued professors and SFCC said they would never participate in this again. In this particular case we have met with vendors 15 times on the subject matter. 10 of them have been with artists/artisans in different categories with the license categories that they have. The city is trying to make a good faith effort to work with the artisans and that has been true over the years. We have had jurors outside of Santa Fe County, and we had to try to solicit folks who lived in Albuquerque and Rio Rancho to be part of the jury as there was a question of conflict of interest. That posed to be very challenging and it was very costly to the City of Santa Fe. Most recent jurying were artist/artisans that were approved and sell and demonstrate their work here at the community gallery at the Convention Center. We were given a list of those artisans and we interviewed 20 of them and cut it down to 5. We made a good effort to make sure that there was a well representation to include; jewelers, ceramicist, photographers, 2 dimensional artist, we try to do our best to get the best qualified jurors. I am a musician it is likely I may know other musicians, to find an artist/artisan locally who doesn't know another fellow artist is quite challenging. The question really is, how can

we, the city assure in our ability that there is not a conflict of interest. We try to do a process that is fair and just for all. Is it a perfect system, probably not, but it is probably one of the best ones that we have had. I would also like to answer the question on fee structures themselves. Matt O'Riley who is the City Property Manager assisted us 3 years ago in reviewing the plaza area and came up with a formula according to the statistics and was able to come up with a number per square foot. The artist/artisans use 42 sq. ft. right now, and the push cart vendors use 96 sq. ft. This current code amendment is not including or proposing any type of fee increase for any of the programs which includes the artist/artisans as those fees are remaining the same. It is also important to mention that the changes that are being proposed in regards to the NM Taxation and Revenue requirement is changing for the push cart from the previous or existing ordinance requires them to actually file their actual submittals to the city of Santa Fe and through much discussion with the artist/artisan the proposal that came from the artist/artisan was could they get a letter of good standing and provide that on an annual basis. Councilor Villarreal, in listening to their concerns asked that it be included in the code amendment and that is also being carried over to the push cart vendors as well.

Sebastian: Handouts: Applicant #3, their jury score was 19.2 and perfect score is 20. If you look at the final score which takes in to consideration the bonus points, takes this applicant to a final score of 25.92. Applicant # 7 had a jury score of 18.8 with 19 years of license history with the city, their final score was 28.2. The interesting fact is if you look at applicant #1 had a perfect 20 and had no bonus points assigned to them as they are not eligible to receive, and yet ranked #14. Applicant #2 had a jury score of 19.8, but their final score was 21.29 again ranking them #12. If you look at applicant 6 for example, jury score of 19 with a final score of 19 because they are not eligible for any bonus points. This was in license term (2008-2012). If you look at the 2nd page for term (2013-2017), you look at applicant #4 – jury score of 18.8 – final ranking of 28.20, applicant #7, jury score of 16.8 but their final score was 25.20 compared to applicant #1 who received a jury score of 19.6 and a final score of 24.01. You look at applicant #2 jury score of 18.6 but a final ranking of 25.25. I mention these because the city of Santa Fe is not trying to be punitive in any way, shape or form; we are trying to develop a program that is fair for everybody who wants to participate in this program and like most programs throughout the country; when artist/artisans are going through a jury process they are judged off the merits of their art work.

I mention this because the city of Santa Fe is not trying to be punitive, artisans throughout the country are judged based on their artwork. This is one element that the city can use their ordinance based on their work.

Sebastian, I am not saying that you should not be commended for your work, but it is set to be fair for every one, I am not trying to discredit anyone. Our job is to look for what is fair. Fully judged and award the license on the merit of your work. This is one element that the city can use this ordinance for, to be able to provide answers to those questions whether or not the artist/artisan is doing their work. This ordinance is not to affect those artists/artisans individuals but for anyone else that wants to apply for this program. This program as the city has so many others has to develop a process that is fair and concise and is equal to everyone who wants to participate in this program.

Chair Dominguez – This is part of the cycle. Thank you to Sebastian and Isabella for your time on this program, there is no perfect system. I want to thank the sponsors that brought this up as it is part of the cycle. The rewrite wasn't easy but it is something we need to do as policy makers. I would encourage my colleagues not just on the Finance Committee but the entire City Council to come up with potential solutions for this.

Councilor Lindell: Thank you for coming tonight. We had 15 meetings on this topic, 10 with the Artisans and meetings where every councilor was invited to come, and we have had a lot of discussion about it. I think that what you said and what we have talked about is that we have an obligation to encourage the best use of this space in a fair manner, which necessitates the admittance of this program based on merit and quality of work. I know that is what we worked at

and we came up with some compromises of things we initially proposed and I think the big sticking point for everybody is the point system. I know that the proposal is to go from 50% to 10%, however in allowing a new person in to this program, there are other points that are not based on longevity that are available to existing vendors that would not be available to an applicant. Is that not true, Sevastian?

Sevastian: That is absolutely correct. Page #9 – Item D: This is only for those who hold a license at time of application. It says: Evaluations that are performed by the city of Santa Fe in accordance with subsection 23-5.3H FCC shall be included as part of the selection criteria. The maximum points for this is 10 points. The code has very specific requirements for conditions of operation and Isabella is out quite often looking at that. What we do and we will be meeting here with all of the licensed vendors, artists/artisans and go over and review their history. Have their been concerns, have their been complaints. All complaints that are filed we actually respond to in writing so that there is written documentation. The actual documentation that we will provide to the jury panel is this vendor, artist/artisan is in good standing with the City of Santa Fe program and that is either a yes or no. It is up to the juror to be able to look at that and earn up to 10 points. A new applicant, say I was to retire today and I wanted to participate in this program, I don't hold that license, I don't have that history, so I wouldn't be eligible for those points. This code does not only provide for those additional points for existing license holders, no new applicant to this program can apply for an individual license. The code is very specific, you have to have had a rotator license or participated in the collective before you are eligible to apply for an individual license.

Councilor Lindell: Thank you, those are important points because, the total a person can get from a jury is 100. A person can get 100 points and can get 10%, additionally they can get 10 points based on the criteria we were just talking about. In reality, a person who is in this program can get essentially a 20% push over someone who has not been in the program. The point being that it is not just open to applicants walking in to your offices that say, I want to be a part of this program, this looks like a really great idea. The point is that only people who have a rotator license or a collector license can even have an opportunity at an individual license. Is that right?

Sevastian: That is correct.

Councilor Lindell: That is an important point because it isn't like they are talking about people who are just walking in off the street and asking for one of these licenses and in reality the bonus points available to people in the business program is really 20% and not the 10% that we have been talking about.

Sevastian: Clarification, the 100 point maximum does include the city evaluation. That is part of the 100 so a person could get a maximum with a perfect score of 110.

Councilor Lindell: But a new person maximum score would be 90 and someone who has been there would have a possible score of 110.

Councilor Ives: I am looking at the 2013-2017 document, I noticed that the category as licensed individual, you have various number of years. Almost half of them are at 50%, and in most of the shortest time frame you have 50% for 15 years and some people have been licensed for 20 or 22 and received no longevity. Presumably served for 22 years with an individual license. Am I reading that correct, reference applicant #18.

Sevastian: This was for license term 2013-2017, the applicant itself wasn't eligible to receive any bonus points based on the license type that they held at the time of application. They had a collective license and were not eligible for bonus points.

Councilor Ives: I noticed that most who received the 50% bonus indicated for number of years licensed, observed were in the Rotator category.

Sevastian: That is correct, they were in the individual category.

Councilor Ives, in terms of the jury process folks have addressed the juried numbers from a low of 15.8 to 20, so a variance of about 22% but everyone is scoring in the 75% in the juried work. Is that something that is held consistently over the years that the jury process has been utilized.

Sevastian: Yes, it has held consistently.

Councilor Ives: One of the folks that addressed during the public meeting said that there are spaces that may be left open on days during the vending season and I believe Saturday was mentioned. Do we know how and why folks are or are not there and how often, do we have any statistics on that?

Sevastian: We do know who the artist/artisan that they are referring to, swwe do have information. Primarily when there are other shows that are taking place, it has been brought up during meetings that we have had with Councilor Villarreal and Councilor Lindell. One of the proposals to address that are currently the code now says that if an individual is not going to be set up they may contaact another artist/artisan. Now the code is revised to say that they shall and the code requires them to do this and we have to work out a process on how that is going to happen. The code says that the individual shall contact the rotators first. The rotators licensed in that category hadve the first opportunity within a certaintime frame and if no one responds than it is opened up to the collective. The motivation here is to make sure that every space on the plaza is filled to capacity. The challenge that we face is that this normally happens on a Saturday or Sunday when I don't have a person on the plaza to monitor. However I think a good faith effort has been made in this area as detailed above.

Councilor Ives: In terms of occupying the space year round and obvioulsy we face some harsh conditions in the winter, what are the requirements placed upon people to be present working in those less than opportune times.

Sevastian – The code right now requires vendors artists/artisans to be there March through October. Taking in to consideration inclement weather that we frequently get in the winter times, there is not a requirement for them to be out there at specific times November thru February. Come the busy season they are required to be there 20 days per month, 6 hours perday between March-October, that is for the individual. Rotators don't have individual spaces assigned to them, their requirement is a little less: 12 days per month with a minimum of 6 hours. (Nov – Feb) not required to be there.

Councilor Harris: Section H which has to do with the Enforcement, language has not changed since the last rewrite. How many licenses have been terminated in the last 5 year period?

Sevastian: Within the last 5-year term there have been 4 artists/artisans that have relinquished their license meaning they have turned it in themselves. There has not been one in the artist/artisan category that we have not pursued any enforcement on in that program. There were 2 push cart vendors in this term that we used the enforcement mechanism ultimately recognizing that if their license is revoked they can never apply for this program again. Before we got to that stage of revoking their licenses they relinquished it.

Councilor Harris: Attrition is the result of 4 going away and no one was terminated, has anyone been cited? I am trying to get at history, are there any circumstances or complaints that have come forward say being manufacture, not being made by the family members or whatever it may be. How strict do we enforce this program?

Sevastian. There have been several complaints during this license term, we require those complaints to come in writing, we have not had to suspend a license yet because the violation



itself was corrected within the allotted time allowed by ordinance. We do have a suspension of a push cart license category due to non-compliance with code and we are in the process of pursuing either the second suspension or a full revocation of the license in the push cart category. Complaints come in to us quite frequently but I am yet to receive a substantive complaint. We have not had formal complaints from the artisans, we have had two complaints from the Attorney General's Office, and an additional complaint, but it did not refer to this program.

Councilor Harris: The section that you quoted that has to do with page 9 – Evaluations, 23.5H which refers to City Staff enforcement language in the ordinance. The 10 points that are available, is that all or nothing? What kind of latitude does the staff have within this language.

Sevastian: These points are actually assigned by the jury panel itself. The city staff does not score any of the applications themselves.

Councilor Harris: It is a selection that you cited that should accrue to the benefit of the people that have been there over time. On page 9, evaluations that have been performed by city staff in accordance with sub-section 23-53H shall be included as part of the selection criteria at 10 points.

Sevastian: That selection criteria, this is a document that we provide as part of the application that goes to the jury panel for the jury panel to review and historically since 2007, it has been jury panel that assigns anywhere from 0-10 points on the document that the city put together. The document we have as far as the evaluation itself states; is this vendor in good compliance or if they are not in compliance have there been complaints, have they been resolved, have they met all of the other qualifications and conditions of their operation. That document is provided to the jury panel and the jury panel assigns the points.

Councilor Harris: It seems to me if they are in good standing and we aren't just talking about Tax and Rev and the state of New Mexico, they have been a good vendor and they have done everything they were supposed to do in the program it seems like they should just get those 10 points. I did hear Councilor Lindell say that potentially that if they can get 10 points here and 10 points the way the ordinance is revised. Potentially this diminishes the longevity of what is available to them, if in fact the jury really makes the determination on these points or not.

Sevastian: Historically, in 2007 we attempted to remove the bonus points themselves. Again at the point in time at the 11th hour the decision last minute it was decided to keep them there. This idea here of this evaluation actually came from comments after several meetings with the artist/artisans. As a compromise with them, it was said, if you are going to take points at least can we have some form of points assigned to us for showing our work within this program. I can't recall the specific meeting but it came from the artist/artisans recommendations. They stated you can perform evaluations on us.

Councilor Harris: It seems to me in this regard that if city staff is doing the evaluation then city staff should assign the points. City staff is in the best position to know what their performance has been historically. I should say that I think there has to be some middle grounds, the 50 points that has been there historically is more than necessary but also the 10 being proposed is too low and I don't know what the correct number is. How do you propose to jury the next round.

One of the things that I heard is that during the jury process proposed vendors are asked to just submit their work, not really talk about what has gone in to it. I really do think it is a legitimate argument that the applicants made, and I heard this on Saturday, that they are Ambassadors. They have been there for a long time, they are providing real world information to people who are in town. In that venue I believe that dialog is important. Those who are already vendors, the ambassador role is important and I would think that the juror would want to know how they represent their work. I think that the jury process needs to be looked at closely, and I don't see that addressed here. I can appreciate the fact that it has been problematic over time, and sometime people don't want to do it for whatever reason but I do have to believe in this calendar there has to

be a way to equitably judge the quality of the work. I know it may be more time for the juror, but can they go to the individual studio to observe, it sound like a good idea but it takes more time.

Sevastian: Historically, during the jury proess each vendor has up to 45 minutes with the jury panel and what we have suggested to the artist/artisan is that we basically set aside 30 minutes for the applicant to share and demonstrate how they would best sell their product to the jury panel. We leave the last 15 minutes for questions and answers. The artist/artisan submits 6 original applications, each juror gets an original application, no photos or black and whites, they get a full representation of what the applicant wants to submit to be reviewed. Those jury members have that application a week in advance before the process takes place so they have time to review, time to write questions down if necessary. Sevastian explained the process. The jury members are artist/artisans that show their work at the community gallery and the plan is to use them again this year and repeat the same process. There is a change in the Code Amendment that says they may demonstrate their art work to the jury panel and now it says they shall demonstrate their work to the jury panel. Ssuggestion is to change from "could to shall" show the work. We go to each studio so they demonstrate their work. When we go to the applicant's studio they demonstrate their work. If there is a complaint or evidence they want to bring forward they should bring forward for us to investigate.

Councilor Harris said tht he agreed with that and if there is a formal complaint it has to be a provable defensible position. What I heard you say is that there is ample opportunities for them to show and discuss the process and various things.

Councilor Villarreal: We were talking about the jury process, that is a hard point in this ordinance that has never been solidified as being completely objective. Any time you get humans involved it becomes subjective and I think that is the hard part. We were talking about in all the meetings we had with vendors, we met with staff, we met with Councilors to work out details because it is complex. We talked a few weeks ago about the jury process; instead of having jurors vote at the moment when they see the applicant and they show and talk about their work, they don't vote at that moment. We were talking about seeing all applicants and then you vote. You than have a better idea of everybody that has applied individually. Is that a possibility? Sevastian, you had mentioned that they voted at the time they showed their work in front of the jurors and the jurors voted at that moment.

Sevastian: That was a recommendation that came from another one of the City Councilors. Right now the jury panel after the presentation is made by the applicant will have their score sheets and they will assign their scores according to the criteria as they see appropriate. They turn in that score sheet over to City staff and they go on to the next one. What is being proposed is actually having all of the applicants provide their demonstration and then have the jury panel score each application after they have reviewed everybody. It was an idea that was reviewed about 15 years ago, and I believe the advice we received from legal at the time was that we could be potentially facing stronger or more litigation because it is true scoring where you are comparing the scoring from one artist to the other artist and not so much jurying the artwork itself. Anything is possible, we would need to be very careful how we devise that jury selection process to assure that the city of Santa Fe doesn't have any greater liability.

Councilor Villarreal would like to look at that option. I am trying to look at having a proess where people feel that they are equitably judged and evaluated. In that regard I am sharing the process that I have been a part of. I want the jury process to be more clear for everybody and even though it is human developed that they feel it is a process they can live with. In regards to the qustions, we aren't chnging anything for the food vendors, this would allow them 5 years vs. 3 years. We all recognize that you all, the artist/artisans have been tenured and have longevity; in my opinion you have merit and that is why a lot of you have gotten in there. I actually think the point system, the bonus points, we can change that and I am willing to look at something else but I don't think that 50% makes sense. When you look at the numbers and people have scored well, they are tenured people, artists who have been doing this for a long time. The onles that actually did get in,

they were juried in, they scored well and those artisans that did well, we need to look at a process that is equitable across the board. There are people who have lived here for a very long time and want to start selling, there are people like that. We need to look at that continuum. I have faith in a lot of you getting back in based on your artistic skills, it is a privilege to have a license. We know that you work really hard to get back in to the process. How many in the last 5-10 years have you seen people just drop out because they couldn't handle it?

Sevastian: In this license term, there have been 5 that have relinquished their licenses because they chose not to.

Councilor Villarreal: Line 20 we are not changing anything about family members. They may be reading the section wrong, can you explain that language. Penalty or perjury for the art or craft...

Sevastian: That is new language and what is saying is that the applicant themselves are declaring under penalty or perjury, that they or the family members are the makers of the wares.

Councilor Villarreal: There was a statement about the Ordinance from 1987 that has been amended.

Sevastian: It has been amended about 4 times.

Councilor Villarreal: There was a statement that the city promises it would automatically renew the license for the artist. Can you explain what has happened since then.

Sevastian: I will have to go back and look at the exact language and I do have a compilation of all ordinances that have passed.

Councilor Villarreal: Since then there have been different reiterations of that year to date.

Sevastian: My understanding of all the code revisions is that initially back in 1987, and I think credit would be given to Ms. Wright, Ms. Padilla and Mrs. Mendiola, when they were first trying to get some type of a program together. My understanding was that there were a very few artist/artisans at that time that wanted to participate in this program. As that evolved and it grew, there was a large number of folks there and I believe the Council at that time tried to protect those who were previously licensed and devised the bonus point system, primarily to allow additional points for the artist/artisans themselves to have those additional points that would give them an edge over time. I believe that since then, it has been going on and has been part of the Ordinance, it was probably in the early 90's where the bonus points were put forward.

Councilor Villarreal: My point is that 1987 set the language but it is somewhat antiquated now that there have been changes. My point about 1987 is that things have evolved and changed since there is more interest for vendors. I wanted to understand the historical changes and why they happened. I don't think we look at the licenses, it is a right and a privilege for all the hard work that they do. Personally I am offended when they bring up race and class because we don't see it that way. I personally, growing up here, don't see it that way. It is really hard to hear someone make accusations that we make changes because we have people we want to do favors for. That is not how I work. It upsets me to hear that and we are offended by those statements. The way I see it is we are looking for better ways to make it more equitable in our city to be able to sell, so people can sell in a very prestigious place, downtown. I don't want to be part of that conversation that is very offensive.

Chair Dominguez: Thank you very much Councilor Villarreal for your statements because it is very true. We should all be so emotional as Councilor Villarreal whenever those sort of things come up. Fortunately it is going to be the tone or it could be the tone of the upcoming election. Q: Do you have a list of those who complain, and I would like a list with names and what they are

complaining about. If I am reading this correctly without this point change there are some vendors who could potentially lose their spots.

Sevastian: Mr. Chair, that is correct.

Chair Dominguez: Without this point change there are current vendors who could potentially lose their spots so we can go back to 1987, I wish I knew what the changes were from 5 years ago, I would like to see that as well. It is not that easy when people come up and throw out things that are false and not fair to the vendors, nor to the members of the governing body; this is not fair to the public. The statements need to be fair. When it comes to family members, if you want to divide and concur, than you can start throwing things out if you like. As Councilor Villarreal said, we are policy makers, we are here to look at the letter of the law and try to be as fair as possible.

Councilor Ives: I echo the comments of Councilor Villarreal in terms of we as a committee and governing body make decisions. Simply issues do not enter my mind and I join you in expressing regret and dismay with the level of discourse. Looking briefly at the jury selection process and the comments I heard from the vendors; there is not much change to that provision and I am looking at page 7 in the Ordinance where it picks up Procedures for Licenses Selection and describes selecting a jury panel no less than 5 members of the public that are artists/artisans that have specialist knowledge of art or crafts representing a broad spectrum of artistic media in any jury process where you are going on the merit of the work. Having people with experience is going to be critical, jury panel members are prohibited from serving in they are related to the applicants, pretty clear conflict of interest. If they have a conflict of interest under the city of Santa Fe Code of Ethics Ordinance and there is additionally a jury panelmember shall be fair or impartial during the jury panel process. Having picked jury's in my career as an attorney you want to pick people who have these attributes and I do not see immediate fault in them and I can't understand the juried process. District Judges will always ask, is there anything that could prevent you from making a fair and impartial decision in this matter based on what is presented to you. I know people are complaining about that but I look at the scores from the jury process, and I look at those provisions and they seem fairly well crafted. Really the only change is that it says, the jury shall evaluate applications according to the following selection criteria where there are actually human means to assess the applicants originality and creativity and they are allocated 30 points for that and currently the 30 points is designation in Ordinance B, Technique, Craftsmanship and Production Methodology. Focusing on originality, creativity craftsmanship basically for the majority of points they are awarded by the jury and those seem to be the types of attributes that anybody wanting to be an artisan would be wanting to show. It talks about an interview with the applicant where the applicant will be asked to demonstrate their submission of the art work to the jury panel; so the interview is not simply limited to how the craft is applied but whatever interaction it is. Comment to Councilor Harris point, it seems that there is an opportunity to assess the applicant in terms of their capacity to potentially be an Ambassador on behalf of the City of Santa Fe. Councilor Ives continued to read this section in its entirety. As I look at that criteria against where the jury is called to evaluate applicants, I do not see immediate fault in them. I struggle to understand the hesitancy and complaints of the jury process. You are selecting people who have experience in the craft and in the arts who are asked to be fair and impartial during deliberations and they have criteria in which to select people in or at least those processes in which I have been involved in the juried process. I spent many years working with the Council for the Arts and we ran the contemporary side of Spanish Market for many years. A lot of that is reflected in the same approach for process of selecting Artisans to be able to present their work here in Santa Fe. I like the jury process and the rankings are 75% and 78% and above so it doesn't seem to penalize anyone who is part of the process. Thank you Mr. Chair.

Councilor Harris: This has to do with Insurance, this is something I talk about constantly, no matter who is in front of this body. Is every vendor required to have a current certificate of insurance. Directed to Mr. Sevastian Gurule: I would like for you to go back and determine that all current vendors have a current certificate of insurance that is consistent with the language found in (page 5) and also I would like to know if any notices have been extended to vendors for not

keeping an active/current certificate of insurance. I am having a hard time doing the math on page 2 where it says a total of 20 licenses may be issued for 16 spaces. I get to the count for the spaces; we have 11 individual licenses, 6 rotating licenses = 17 and then we have 2 collective licenses which makes it 19. I don't know how you get to 20.

Sevastian Gurule: We will make that correction.

Chair Dominguez: We appreciate the work that you do. Thank you

***Councilor Lindell moved to approve Ordinance Amending Subsection 23-5.3 SFCC 1987 Regarding Plaza Artists/Artisans; Licenses; Requirements; Selection Process; Conditions of Operations; and Amending Subsection 23-5.5 SFCC 1987 to Increase Plaza Pushcart Vendor License Terms to Five Yearsto forward to council, second by Councilor Villarreal.***

***Vote: Councilor Harris abstained. Three in favor. Motion passed.***

If Public Works wants to have another public hearing there is still time before it goes to City Council. Public hearing is on October 11, 2017.

## **9. MATTERS FROM THE COMMITTEE**

### **10. MATTERS FROM STAFF**

a) Review - Cash Handling Policy Draft (Christina Keyes)

Ms. Keyes has been working on cash handling policy separate from the audits. We needed to update the policy brought it tonight for feedback. We will add site specifics we don't intend to ask for approval, it is an administrative action. We felt that since this has not been reviewed for 10 years, we will place on next agenda.

Chair Dominguez: Are you looking for advice from the Council. Are you looking for direction

Mr. Johnson: We go out and look at the best practices and other model policies, we are not looking for direction but would like feedback if you see something that is missing.

Chair Dominguez: Postpone Item 7c to next meeting and table #10.

***Councilor Ives moved to postpone Item 7c to next meting, second by Councilor Harris, motion carried by unanimous voice vote.***

Councilor Ives: Confused on the cash handling, on the audit it was reported that policy would be developed and brought forward in December and that Parks would come in on the contract and process, what are the time frame or cash.

Calendar: Ms. Kerr – Mr. Johnson 's is the city wide policy, we would look at site specifics for point of sale, we would want to capture that nuance this serves at the draft and we would like for it to be the document for the city and we are ahead of the December date.

Chair would like to see different viewpoints, curious about what is really happening on the ground. The policy is important but I would like to hear the fiscal impact.

Mr. Johnson: POS systems, ERP we need to see if it meets the needs of the city of Santa Fe, Parks has a POS but it also serves as a scheduling, we will get the answer of the POS throughout the city.

Quarterly Financial, additional investment information in the report. We broke out the budget by department and we intend to do this in the future. Report for the quarterly doesn't change.

Mr. Johnson: Comp and Class Funding Analysis: Departments – spread out throughout the city. This is an estimate.  
Departments were spelled out.

Chair will discuss more information.

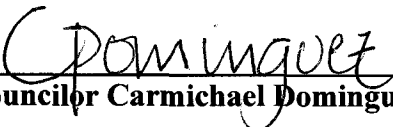
## **11. EXECUTIVE SESSION**

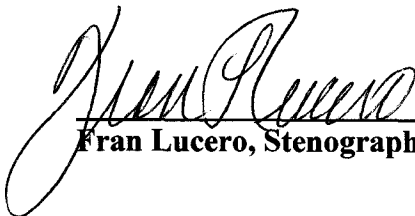
None

## **12. ADJOURN**

There being no further business to come before the Finance Committee meeting, Chair called for adjournment at 8:30 pm.

**Signature Page:**

  
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**Councilor Carmichael Dominguez, Chair**

  
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**Fran Lucero, Stenographer**

# 2008/2012 License Term

## Individual License Category

Vendor Name	Jury Avg.	# of Years Licensed as Individual	Allowed Longevity Percentage Base On License Years Individual to	# of Years Licensed as Rotator	Allowed Longevity Percentage Base On License Years Rotator to Individual	Total Additional Longevity Points	Final Score	Rank
Applicant 1	20	0	0.0%	0	0.0%	0.000	20.00	14
Applicant 2	19.8	0	0.0%	0	7.5%	1.485	21.29	12
Applicant 3	19.2	13	35.0%	0	0.0%	6.720	25.92	6
Applicant 4	19	18	50.0%	0	0.0%	9.500	28.50	1
Applicant 5	19	0	0.0%	0	7.5%	1.425	20.43	13
Applicant 6	19	0	0.0%	0	0.0%	0.000	19.00	15
Applicant 7	18.8	19	50.0%	0	0.0%	9.400	28.20	2
Applicant 8	18.8	25	25.0%	2	3.8%	5.425	24.21	8
Applicant 9	18.6	10	25.0%	2	6.0%	5.766	24.37	7
Applicant 10	18.4	6	6.7%	9	13.0%	3.617	22.02	10
Applicant 11	18	17	50.0%	0	0.0%	9.000	27.00	3
Applicant 12	17.8	14	50.0%	0	0.0%	8.900	26.70	4
Applicant 13	17.6	18	50.0%	0	0.0%	8.800	26.40	5
Applicant 14	15.8	17	50.0%	0	0.0%	7.900	23.70	9
Applicant 15	14.6	19	50.0%	0	0.0%	7.300	21.90	11
Applicant 16	13.2	5	25.0%	8	4.5%	3.894	17.09	16

Exhibit A

# 2013/2017 License Term

## Individual License Category

Vendor Name	Jury Avg. Total	# of Years Licensed as Individual	Allowed Longevity Percentage Base On License Years Individual to Individual	# of Years Licensed as Rotator	Allowed Longevity Percentage Base On License Years Rotator to Individual	Total Additional Longevity Points Individual to Individual	Total Additional Longevity Points Rotator to Individual	Final Score	Rank	
Applicant 11	20.00	22	50.0%	10.00	0	0.0%	0.00	10.000	30.00	1
Applicant 9	19.30	15	50.0%	9.65	2	5.0%	0.97	9.650	29.92	2
Applicant 3	19.00	18	50.0%	9.50	0	0.0%	0.00	9.500	28.50	3
Applicant 14	19.00	22	50.0%	9.50	0	0.0%	0.00	9.500	28.50	4
Applicant 4	18.80	23	50.0%	9.40	0	0.0%	0.00	9.400	28.20	5
Applicant 12	17.80	19	50.0%	8.90	0	0.0%	0.00	8.900	26.70	6
Applicant 15	17.00	24	50.0%	8.50	0	0.0%	0.00	8.500	25.50	7
Applicant 7	16.80	24	50.0%	8.40	0	0.0%	0.00	8.400	25.20	8
Applicant 10	16.80	11	31.7%	5.90	9	22.5%	4.19	5.896	28.68	9
Applicant 13	15.80	23	50.0%	7.90	0	0.0%	0.00	7.900	23.70	10
Applicant 18	18.80	22	0.0%	0.00	0	0.0%	0.00	0.000	18.80	11
Applicant 2	18.60	2	0.0%	0.00	14	35.0%	6.51	6.510	25.11	12
Applicant 1	19.60	0	0.0%	0.00	9	22.5%	4.41	4.410	24.01	13
Applicant 17	19.60	0	0.0%	0.00	5	12.5%	2.45	2.450	22.05	14
Applicant 16	16.80	5	0.0%	0.00	13	32.5%	5.46	5.460	22.26	15

Exhibit A