



CITY CLERK'S OFFICE
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Independent Salary Commission

AGENDA

Wednesday, May 24, 2017
6:30 p.m.

City Council Chambers
City Hall
200 Lincoln Ave.

1. Call to Order
2. Roll call
3. Approval of Agenda
4. Approval of Minutes: May 17, 2017 meeting
5. Public Comment (limited to 3 minutes per individual or organization)
6. Discussion of compensation data and public comment as they relate to the duties of the Independent Salary Commission pursuant to 6-19.2(B) of the Santa Fe City Code, Ord. No 2016-43, Section 2.
7. Motions and vote on full time mayor's salary pursuant to 6-19.2(B) of the Santa Fe City Code, Ord. No 2016-43, Section 2.
8. Adjournment

PERSONS WITH DISABILITIES IN NEED OF ACCOMODATIONS, CONTACT THE CITY CLERK'S OFFICE AT 505-955-6520, FIVE (5) WORKING DAYS PRIOR TO THE MEETING DATE

INDEX – INDEPENDENT SALARY COMMISSION – MAY 24, 2017

Cover Page		0
Call to Order / Roll Call	Roll call constitutes a quorum. Meeting was called to order by the Chair at 6:30 pm in the City Council Chambers, Santa Fe, New Mexico. Roll call reflects a quorum.	1
Approval of Agenda	<i>Mr. Wallerstein moved to approve the Agenda as provided, second by Mr. Smith, motion carried by unanimous voice vote.</i>	1
Approval of Minutes, May 17, 2017	<i>Mr. Hochberg moved to approve the minutes of May 17, 2017 as presented, second by Ms. Boniface, motion carried by unanimous voice vote.</i>	1
Public Comments	Each individual is named in the minutes, presentation limited to 3 minutes per person.	1-6
Commissioner Discussion	Informational:	6-9
Motions:	<p><i>Mr. Hochberg moved to set the base salary at \$100,000 for the new Mayor in 2018, second by Ms. Flatt.</i></p> <p><i>The Chair commented that this is beyond the low range of the salary; he would support \$110,000 as a base salary. The reason for that is that we look at the mandate that we were given by the City Council and the comparable salaries, and comparable salaries are above \$110,000. The public debate had before the Charter Review Commission and before the City Council during the election of 2014, is that the city needed leadership, it needed competent leadership, it needed to have a salary that was commensurate with the qualifications. I would offer a Friendly Amendment to Mr. Hochberg to move that number to \$110,000.</i></p> <p><i>Mr. Hochberg: With all due respect Mr. Chair, he did not accept the Friendly Amendment.</i></p> <p><i>Roll Call Vote:</i> <i>Commissioner Hochberg – Yes</i> <i>Commissioner Lopez – No</i> <i>Commissioner Boniface – No</i> <i>Commissioner Flatt – Yes</i> <i>Commissioner Wallerstein – No</i> <i>Commissioner Smith – No</i></p> <p><i>Motion failed: 4-2</i></p> <p><i>Mr. Smith moved to support the Commission reconvening again after the first year of the Mayor's term to consider and to review how things are progressing and whether any action needs to be taken regarding the Mayor's Salary, second by Ms. Lopez roll call vote, motion carried 6-1.</i></p>	10-11

INDEX – INDEPENDENT SALARY COMMISSION – MAY 24, 2017

	<p><u>Roll Call Vote</u> Commissioner Hochberg – No Commissioner Lopez – Yes Commissioner Boniface – Yes Commissioner Flatt – Yes Commissioner Wallerstein – Yes Commissioner Smith – Yes Commissioner Hultin – Yes</p>	
Motions and vote on full time mayor's salary pursuant to 6-19.2(B) Code. Ordinance No. 2016-43. Section 2.	<p>Mr. Wallerstein moved that the salary be \$110,000, second by Mr. Smith, Roll Call Vote, 4 in the affirmative, 3 in the negative, motion carried at \$110.000.</p> <p><u>Roll Call Vote:</u> Commissioner Hochberg – No Commissioner Lopez – No Commissioner Boniface – Yes Commissioner Flatt – No Commissioner Wallerstein – Yes Commissioner Smith – Yes Chair Hultin – Yes</p>	12
Adjournment	<p>There being no further business to come before the Independent Salary Commission, the meeting was adjourned at 7:50 pm</p>	12
Signature Page		12

Independent Salary Commission

Wednesday, May 24, 2017
6:30 p.m. – 7:50 p.m.
Santa Fe City Council Chambers
Santa Fe, New Mexico

1. Call to Order

Mr. Paul Hultin, Chair for the Independent Salary Commission called the meeting to order at 6:30 pm in the City Council Chambers, Santa Fe, New Mexico. Quorum is reflected in roll call.

Roll Call:

Paul F. Hultin, Chairman
Linda Wilder Flatt
Shannon Moore Boniface
Stephen Hochberg
Shannon Lopez
Andy Wallerstein
Bill Smith

Not Present:

Others in Attendance:

Lynette Trujillo, HR Director
Dan Chacon, Santa Fe New Mexican
Audience and Presenters noted in the content of the minutes.
Fran Lucero, Stenographer

2. Approval of Agenda

Mr. Wallerstein moved to approve the Agenda as provided, second by Mr. Smith, motion carried by unanimous voice vote.

3. Approval of Minutes, May 17, 2017

Mr. Hochberg moved to approve the minutes of May 17, 2017 as presented, second by Ms. Boniface, motion carried by unanimous voice vote.

4. Public Comments (limited to 3 minutes per individual or organization)

The Chair opened the meeting with information from the May 17, 2017 meeting where they held a public comment segment of the agenda. There were 20 individuals who provided comments and 13 additional comments were submitted via e-mail and shared with the commissioners by Ms. Trujillo, HR Director. 9 additional comments were received regarding the wording on the ballot. The ballot is included in the handout and the language is in the record. The commissioners are aware of those comments.

At the May 17, 2017 there were despairing comments made to the Commissioners. We understand that there is disagreement on the information presented. There has been additional information posted to the city website. The Chair asked that everyone practice due respect to the Commissioners during this meeting.

The Chair reiterated the history. (Exhibit A-B-C) The Handouts – history of Charter Amendment 9, Page 6-7, County – we have presented this information for clarity for percentage and for a dollar number for benefits, page 8 is a summary for 2008 of salaries greater than \$74,000.

The process we are in now was created when Charter Amendment 9 was approved in the Municipal 2014 election. Charter Amendment 9 changed the Charter of Santa Fe which in affect is the constitution of the City of Santa Fe to go for the City Manager form of Government to a full-time Mayor/CEO form of Government. There was a Charter Review Commission that held 26 hearings over a period of 14 months to receive input from the citizens of Santa Fe. The residents throughout the city recommended that Charter Amendment 9 be placed on the ballot. The City Council approved that; it was on the ballot and was approved by 58% of the voters until the Governing Body created a commission, the Independent Salary Commission that would be empowered to set the salary for the full time Mayor. The Charter Amendment 9 provided that the initial salary of the full-time salary of \$74,000 dollars until the City Council passed an Ordinance creating the Independent Salary Commission that would be empowered to set the salary of the full time Mayor. The City Council unanimously adopted the Ordinance that created the Independent Salary Commission; and it provided in Section B. that the Independent Salary Commission was to consider the salaries of other public executives within the County of Santa Fe, including the Santa Fe County Manager, Superintendent of Santa Fe Public Schools, and in addition the Commission is to look at data from cities of comparable size in the region, cost of living, and diversity within the region. The primary criteria are that they have the same form of government.

The Charter Review Commission was created in November 2012. As a Home Rule City, it is required to review the Charter every 10 years. Each of the 8 City Councilors appointed a member and the Chair also made an appointment. The City Council accepted the recommendation of the Charter Review Commission for placement on the 2014 ballot. (Read from the Charter)

The Independent Salary Commission held 6 meetings, 2 of which were public hearings. All meetings have been opened to the public and the minutes reflect any and all actions, filed in the City Clerk's office.

The Chair asked the audience if they commented at the meeting of May 17, 2017 to please refrain from presenting this evening and requested that people present with respect and to respect the Commissioners.

Public Hearing

Gloria Mendoza, Santa Fe

I want to apologize and say that we are sorry you wasted your time doing this. I would like to ask Mr. Paul Hultin and Mr. Wallerstein to recuse themselves from this meeting and any votes regarding this issue for the simple reasons that they gave a lot of money to the Strong Mayor in 2014 and after you gave that money you were selected by Mayor Javier Gonzales to serve on this commission. I have seen picture of other members out there dancing and partying with Mayor Javier Gonzales, and I feel that there is a conflict of interest of 1/2 of you on this commission. I can't believe that you can sit here all high and mighty; especially you Mr. Hultin, you are an attorney, and you should know better than that and for that reason we have put in an injunction at the Supreme Court. To save face, you should recuse yourself and show the people in Santa Fe that you shouldn't be here and let this meeting be changed over to the city council or put on the table until 2018. It is disgusting that you would allow yourselves to be puppets, we went through the same thing with the soda tax and the people spoke. People will speak, it isn't like people like you, who the hell do you think you are. This town is owned by the people, who the hell do you guys think you are to through things down are throat. And those people from the last meeting should be able to speak, this is America and they can speak to whomever and whenever they want in any government they want.

The Chair said that they have not seen any law suit; I understand that the law suit has been turned over to the city attorney. I have heard from the City Attorney and he has said there is no reason for us not to proceed with the meeting. We will proceed.

Lovelace Johnson, 303 E. Buena Vista, Santa Fe, NM

I am here in support of common sense, in support of all the citizens who have been fighting for common sense; we are requesting that you all consider factors of common sense when you consider the salary increase for the Mayor. We are concerned that there are appearances of conflict of interest with your relationship with the Mayor. The Chair should exclude himself, as there is a conflict of interest, which is ethical. It is unfathomable to me that our Mayor, that there is no process in place to prevent the obvious conflict of interest. Let us just say what it is corruption. I echo the request from the previous speaker, that if you have an obvious conflict of interest in this process, you should recuse yourself. We will not abandon common sense; we will not let this corruption stand. We would ask that you not pay a Mayor of 70,000 people more than a Governor of the State of New Mexico, it is absurd. If you want to say it publicly or not, certainly in your heart, than you need to use common sense. If the Mayor of Atlanta makes less than the numbers you have been bouncing around, that is a city of a few million people, certainly you know. Please recuse yourself if you have a conflict of interest and restore ethics to the process of the city. Stipulate that the person who appointed you skips a term before he gets the money.

Michael Gallegos, Contenta Ridge, Santa Fe, NM

I am confused as to why we are here today. I was reading the Charter and it specifically states that this commission cannot be made until March 12, 2018. Until that time it says that the Council sets the salary for the Mayor. Also, I have an HR background, I would say that the Mayor's data you provided research on; I did a quick comparison through the internet and the Mayors you have are outliers. I looked at states and cities like ours and the ones listed are definitely outliers. Thank you.

Audience: Ms. Mendoza: We are educated, yes, and informed.

Roger Rael, 1299 Vegas Verde, Santa Fe, NM

I am the individual who brought the motion to the Supreme Court this afternoon. Upon my investigation, I have learned that the actions you are taking are unethical; I am asking you to recuse yourself from any decisions related to this process this evening. Furthermore, as Ms. Mendoza indicated earlier, you are attempting to limit the rights of citizens guaranteed us under Amendment 1 of the Constitution of the United States. One specific area that has gotten me very angry is the recall of the process of the Santa Fe Charter 3.03 Section C, Recall of Your Mayor. Your Mayor will not be recalled in the 1st or 4th year of his term of office. What does that mean, that you can only recall your Mayor in his 2nd - 3rd year of office? That is infringement on your 1st Amendment. It doesn't say submit your grievances at certain times of the year, fall-winter your rights are not during a certain period of time. The mentality of this board and the way it their business is appalling. I can't believe that there are elected officials who have trusted you to do the right thing which is to protect the interests of the citizens under the constitution rights. I have been the solo local today who has exercised my rights but you will see in the next upcoming days more people bringing suit against the city of Santa Fe with constitutional violations of our rights under the Constitution of the United States of America. I believe that it is in the best interest of everyone that you adjourn this meeting and you contact your city attorney and let him know that we are going to pursue this and if he would like to have a day in court we will have a day in court. We are tired, we are done with the lack of respect of our traditional values, we are tired of being let down and that is why we are here tonight. I can't believe some of the things we found in here. You didn't even post this meeting on the website, you didn't abide by the Open Meeting's Act within 72 hours. I am totally ashamed of you.

Yvonne Chicoine, Chairman of the Santa Fe County Republican Party:

The Chair acknowledged that Ms. Chicoine had presented at the last meeting. Mr. Rael from the audience spoke that her 1st Amendment rights were being violated.

Ms. Chicoine proceeded: Thank you for agreeing to hear me Mr. Chairman and members of the commission. Under the current charter, Section 6.02 Section C, the governing body by ordinance should fix the annual salary of the Mayor, and it continues. That language does not change until March 12, 2018, and only after March 12, 2018 is there direction for an appointment of the Independent Salary Commission. If one looks at the language of this Ordinance creating this Salary Commission, it relies on the Amendment and the language of the Charter that has not yet taken affect. By virtue of that if one follows a logical stream, the salary to be set by the Salary Commission was set by Charter Amendment 9 and doesn't go in to effect until March 18, 2018. The City Council until that time had under the Charter Amendment to create an Ordinance ordering the Commission to set the Mayor's salary. As such, Ordinance 16 relied on Amendment 9 that doesn't go in to effect until March 12, 2018. Hence, the Ordinance creating this commission with a possible or clear reading of the law, this Commission is not constitutionally correct. Thank you.

Stephanie Benineto:

I want to raise a couple of different issues that I spoke to you the last time. The Charter amendment that allowed the Mayor to vote every time rather than in the case of a tie, I believe is a conflict in having a Mayor that is a Chief Executive Officer. The issues that have been raised on the constitutional powers so you have a Chief Executive Officer in the legislature on a regular basis, not like the Vice President that gets to break ties in the Senate. I think this is a constitutional problem especially since the Mayor now pretty much appoints these people in higher positions, and the City Council pretty much rubber stamps them. At that point only the Mayor can fire them and why are you going to hear criticism of your own appointments and there is no other alternative to perhaps getting rid of people in the executive branch who might be incompetent but the Mayor for political reasons may not admit. I think there needs to be a better division if people are getting a restraining order, this is strong problem of division of powers and it is giving the Mayor way too much power. Thank you.

Jim Williamson, 6525 Winding Ridge, Santa Fe, NM

The Chair noted for the record that Mr. Williamson addressed the commission at the last meeting. This is to inform the commission that the Opening Meetings Act requires 72 hours for posting of the agenda. There is no Agenda posted to the website which makes you in violation of NMSA standards. Currently without the mayor we have 6 employees making over 6 figures. The Mayor is asking for a salary 5 xs over, our assets that need to be used to bull parts. We are people and we are in charge.

You are violating the first amendment.

The Chair asked Ms. Trujillo if the meeting is posted. Ms. Trujillo said that it is posted and we should proceed with the meeting.

Fred Flatt – My wife was asked by the City Clerk to become a part of this Commission. She being a Neighborhood Activist was asked to do this. Being a civic minded person; she accepted to joining this commission. I don't know if people know this, but I once filed a grievance so we are not exactly buddy-buddy with the Mayor. These people are trying to do a job; I have attended a couple of their meetings. They are doing the best they can. This is just insane. I have come to defend this group, this Commission was given a steaming plate of dog crap, and right now there is a Mayor, City Manager and Assistant City Manager. Under the new system will there not be an Assistant City Manager.

Ms. Marquez – She is the only one that we trust.

Roman Garcia, 996 Avenida de las Campanas, Santa Fe, NM

If I was sitting up there I would be embarrassed, as a former Navy Veteran of 22 years and a past County Manager, I know corruption when I see it. You should have some respect for yourselves, and for the citizens of this you.

Mary Shrubin: *Let the record show that I was at the past meeting was cutoff of my comments and I would like to finish tonight to summarize.*

I would like to have the city consider have a Mayor who is more of a team leader with all of the department heads and Manager. I would like to have an organization that is less than a pyramid, a king at the top of the hill but more of a plaza where opportunities are more equal, networking,

communication in working at a level of gravity. A salary study has been ordered by the Governing Body asking to be completed by 2018 and hopefully it will advise us how to upgrade our skill sets for the next 5-10 years. This commission was not tasked to compile a list of the job duties of the current city manager and current deputy city manager, or cost allocation for these positions, or their office or staff expenses. I think this will be up to the candidates for the election time period that we are entering. I think the Mayor should do so the same in disclosing this information to the voters and residents of the city so the candidates for the Mayor's position can be honest and have integrity and the people can be informed. I would also like to know why the Commission did not offer any comparable cities or nearing states like Arizona, Oklahoma, Kansas and Nebraska. I lastly would encourage all candidates with integrity to address these issues moving forward to the election. Clearly this commission is not able to fulfill our needs, Thank you.

Audrey Starback, 118 W. Berger Street, Santa Fe, NM

If there isn't a proper ordinance before your team and the Charter doesn't allow this, you should not go forward. You should honor the laws of this city and not go on with this meeting. They took out the fluoride out of our water at a meeting where they followed the letter of the Law. They said at the City Council that they could not amend it. But the the legislature of NM, we follow the Constitution and we can amend things like that meeting and we wouldn't have fluoride in the water if they had allowed us to go forward with the duly voted Ordinance. We don't have a duly ordered Ordinance that should be the end of the story, especially since there is an injunction.

The Chair Closed the Public Hearing – 7:10 pm

5. Discussion of compensation data and public comment as they relate to the Independent Salary Commission pursuant to the 6-19.2(B) of the Santa Fe No. 2016-43, Section 2.

The Chair asked each Commissioner to make a comment regarding the proposed salary that they are considering tonight.

Mr. Smith

I have appreciated the input from the 6 meetings we have had and the robust participation from the community, which is absolutely vital. What I would say is even if I believe in the democratic process and if there is a legal angle to be pursued and it is the right angle, and then let's see where you end up. (Audience interruption) *Commissioner Smith asked that they be kind and allow him to speak.* I support what you are doing, (Audience: *No you don't. I just said that I do.*) However what I think is important is that we have been given a task and the city has told us that despite the movements to pursue a legal angle on this, we are here to make a decision. That is what we are going to do tonight. What I would say and we realize through all of this is that despite the differences, we all have aspirations to have a well elected Mayor and well rounded city. That is at lease what binds us together, I hope. In 2014 the voters clearly decided that when they vote to approve this ordinance and to create a Strong Mayor. I believe that is where we are headed and have been tasked in that direction and we have ben tasked to create a salary. The data that we looked at has been very interesting, I also want to thank the New Mexican for the coverage that they have provided. I think we have been given a task to create a salary, and with the discussion and data that we have, we are to recommend a salary. I don't know if I would refer to it as a steaming plate of crap as Mr. Flatt said, but we have been given a difficult task to set a Mayor's salary given there is no organizational structure here and it creates a challenge for us. We have

talked a lot about it, and at this point from my perspective as we look at this, is to say that it is not our task and it is no longer a parameter for where we set a salary for the Mayor and it is less than the City Manager, that is the right thing to do. The Mayor and the City Council will have to figure out the organizational structure. Whatever we do tonight is going to necessitate the Council and the new Mayor looking at the data and the salaries of employees that should be looked at as well, it was a little shocking in terms of the salaries that people are being made. That should be part of the on-going discussion as well. Where does that leave us? Our belief from the beginning, looking at all of the jurisdictions that we took in to account, including that each of us did our own research with what has been published with other jurisdictions including Arizona. I believe then and I believe now that the cities are the best examples for us to follow, showing a strong CEO/Mayor style, population, etc. I think Utah should be considered, that guides me down to \$120,000 area.

(Audience: Way too much, you forgot culture.)

Mr. Wallerstein

I would agree with a lot of what Bill just said so I won't repeat it. I want to read the duty that again, we were charged with. "Commission should set the salary for the Mayor by comparing the salaries of other officials within the county of Santa Fe including the Santa Fe County Manager, the City of Santa Fe Public Superintendent of Schools, etc., this is where we started this process. We have all learned a lot, we listened to all of you and compared numbers. I am a believer, this is part art and part science, we tried to balance the numbers we received looking at the forms of government and full time Mayor, we looked at the size of the budget, we eliminated some that didn't meet our comparison, Utah had higher amounts. I do support a salary of \$120,000 - \$130,000 - I think \$175,000 is more than we should approve. This is a transition and whatever side we are on, a lot of us feel that management from the last decades would be much better. We know that our government could be better and 60% of our voters have expressed their approval of \$74,000. I want a better form of government with a new Mayor that can take our city to higher places which is what we all want for our citizens. That is where I stand.

Ms. Marquez: I just want to say that we would like it at \$74,000 until the new election takes place and let them figure it out at the time if they want to raise it or not.

Linda Flatt: Good evening, first of all I want to thank you all for coming and expressing yourselves. I was selected to be a part of this Commission as the neighborhood representative as I am involved in the neighborhoods a lot. I am a community activist and I want to thank you for taking the time to be a part of an important decision. Having your input has been vital and it has made a difference and it has made a difference for me. I have heard your frustration and I understand. I believe that everyone on the commission have heard your comments and want to do the best job we can to come up with a good salary for the new Mayor in 2018. When we first were trying to come up with a salary range we studied the data and information that had been gathered. I expressed that I believed the range should be \$100,000 - \$130,000. But after discussion with the commission I went along with a higher range to use as a starting point to show the public. All of us on this commission have taken this very seriously and have worked hard. We looked at the data carefully for any gaps that needed to be researched for the best result. With that being said, this is where I stand. The Mayor, who is a public servant is elected by a popular vote and requires no qualifications. A CEO is hired and needs to meet or exceed the expectations of that position and therefore should be paid more than an elected individual. At this

time the city does have some high salaries and it seems to be very top heavy to me. This Charter Amendment is a big step in taking our government to a better form. During this transition for the next couple of years will be a learning experience for all of us involved. There may be mistakes and changes while striving for the best for the best city that we can have. It will take a while with everyone working together. I am asking all of you, the citizens of Santa Fe to maintain a watchful eye, to ask questions of the candidates, to find out what kinds of qualifications they have, and you vote for the best qualified Mayor in 2018. But then, to continue and monitor the successes and perhaps the operation of the new system if things are off course. You the public, the citizens of Santa Fe are the most important part of this whole process. Therefore after much debate, I feel that the salary for the new Mayor should not be more than \$100,000. And as we move forward, I would highly recommend, and ***I would like to go on record, that we as the Commission, reconvene again after the first year of the Mayor's term to review how things are progressing and whether any action needs to be taken regarding the Mayor's Salary.*** Thank you.

Stephen Hochberg

Thank you all for coming, and those that came for both meetings, and for the information that received that put a slant on our information. I am not paid to show up, we are all citizens of Santa Fe we all live here, so whatever the collective decision is we all live in this community. I have also heard comparisons to Mayors in NY – many live in mansions, comparisons to Governor Salary. I was impressed from the beginning. I don't see why the new Mayor would need a full time City Manager and Assistant City Manager, and if they need more than one body because a person can't be in multiple places at a specific time, they should reduce the salary and the salary of the Mayor. Unfortunately the Salary Commission of the Mayor, which is us and people talked about power of what we can do and what we cannot do, we clearly do not have power to restructure the whole city government.

Audience: Ms. Mendoza – but you do have the power to suggest.

Excuse me; I think we all learned in early grade we don't interrupt each other. I understand also that many people have said everyone is talking about a particular individual, the Mayor. We don't know who the Mayor will be when this salary comes in. Those who know the Mayor is going to be and are certain about it can let us know, the future is ahead of us and we don't know. Our salary indication is about a Mayor not about the existing Mayor or future new Mayor. I want to attract a good person, I want a lot of good people who are unable to have private wealth who would take a full time job as our Mayor, and work hard. Since the general public is very much against our salary range proposals and since credible arguments have been made regarding other cities, the fact that elected officials is not know with the differentiation between them; I judiciously noted that the New Mexican said that the Mayor shouldn't have a higher salary than anyone else looking at federal government and they cited Albuquerque is not the highest paid official. Taking all of that in to consideration, and I also take in to consideration although I think frankly that being legally cognizant that some people were confused that they were voting for \$74,000 – so I do think that people could say in good conscience that they didn't understand. Taking that in to consideration as well I think that the base salary should be set, as Ms. Flatt said, at \$100,000.

Shannon Lopez

Good evening ladies and gentlemen, I am a lifelong Santa Fean and an employee of the Santa Fe Chamber of Commerce. I was asked to serve on this commission to bring a perspective, not only as a lifelong community member but as an organizational representative, which continues to support change and growth. The task that we were charged with was taunting which was not popular based on the proposed salary. I was open to my respected commissioners on the salary that they felt the Mayor should be compensated with. As Commissioners we considered the amount and position from a part-time to a full-time Mayor. We examined the analysis of information which was presented to us to bring forward a recommendation. Unfortunately I was unable to concur with my fellow commissioners to set the salary range which was proposed to the community. During this time, I did not hold this as a point of contention so we could move forward to public comment. The primary feedback I received from the community and the business community is what enabled me to respectfully disagree with the salary range and that we put in place a more reasonable salary based on the objective with the tasks of the Mayor as a Public Service. We should be respectful of each others opinions and have an open dialogue during our conversations so we can move Santa Fe forward. Whether it reflects our personal opinions and thoughts, I respect and thank my colleagues for their professionalism and I believe we served our positions as outlined. For these reasons I choose to have my salary recommendation at \$90,000.

Audience: Ms. Mendoza – Way to go Shannon.

Shannon Boniface

Thank you for your comments this week and last week. I am human resources professional and look at salaries across the board for all types of positions all the way up to CEO's. We did our homework on what the Charter Amendment asked us to do. There were a lot of cities in the surrounding areas and we can't look at cities that have populations much higher than us. We also had to take in to account form of governments because not every Mayor is a Strong Mayor and that reflects in the salaries. *(Pause: Audience interruptions). That Chair again reiterated that respect and decorum and to allow the Commission to do its job and to allow them to speak.*

Ms. Boniface: I agree with what my fellow commissioners have said about the salaries in the City of Santa Fe. We have no jurisdiction of that. I think the range for our new Mayor, and this is not Javier based on the comments made earlier; should be \$110,000 to \$130,000.

Chair, Mr. Hultin

I was appointed as the Chair of this group, we have worked openly and collectively listening respectfully and I do acknowledge that when we set the salary range that Shannon Lopez suggested a lower salary range that the group was looking at. Since that time we have received additional data and the data we were relying on at that time and input from the public. I echo the comments of others that public input was entered as part of the process and is valuable information. I won't reiterate the comments of the other commissioners as I feel they were comprehensive in the process and being thorough and serious. I was involved in the Charter Amendment campaign for a full-time Mayor. I worked in a non-partisan environment to change the form of government and one of the reasons was to create a strong form of city government. There have been a lot of city managers in three Mayoral city governments and the average time of service for those city managers was 22 months. As the minutes have reflected, it was approved by the voters. This will be a vote by appointed officials for elected officials, all of this has been

approved by the City Council, it was unanimous by the City Council, and we feel we are acting pursuant to a public mandate, and with that my view is that the salary should be in the range of \$110,000 - \$120,000.

With that, everyone has spoken, I will entertain a motion.

Ms. Shannon Lopez moved to set the salary range for the new Mayor. No second.

Mr. Smith, can I ask for the input from those of you who are below \$110,000, what would be the expectation of the next Mayor or the City Council dealing with this. Would it be fine for the Mayor to make less money than these other city employees?

Mr. Hochberg: New Mexicans thought at the time that this would be acceptable. No public comment, to the contrary in the last two sessions have said differently. I wanted to say about my fellow Commissioner, Shannon Lopez, since the first meeting said she did not like the high numbers and said she would go forward for sake of discussion. She also made a clear distinction that an elected official is different than a city employee or a corporation; she clearly made that distinction and said that an elected official is a public servant. My concern then and now, and that is why I am slightly higher on my recommendation, is that I don't want to discourage individuals who might run and are making a higher salary than our recommendation not consider the position as Mayor. I would like for it to be a sufficient enticement, that is my only disagreement with Commissioner Lopez' point of view.

Mr. Hochberg moved to set the base salary at \$100,000 for the new Mayor in 2018, second by Ms. Flatt.

The Chair commented that this is beyond the low range of the salary; he would support \$110,000 as a base salary. The reason for that is that we look at the mandate that we were given by the City Council and the comparable salaries, and comparable salaries are above \$110,000. The public debate had before the Charter Review Commission and before the City Council during the election of 2014, is that the city needed leadership, it needed competent leadership, it needed to have a salary that was commensurate with the qualifications. I would offer a Friendly Amendment to Mr. Hochberg to move that number to \$110,000.

Mr. Hochberg: With all due respect Mr. Chair, he did not accept the Friendly Amendment.

Roll Call Vote:

Commissioner Hochberg – Yes

Commissioner Lopez – No

Commissioner Boniface – No

Commissioner Flatt – Yes

Commissioner Wallerstein – No

Commissioner Smith – No

Motion failed: 4-2

Mr. Smith stated that he liked the idea presented by Ms. Flatt about reconvening: (as stated by Ms. Flatt: *(I would like to go on record, that we as the Commission, reconvene again after the first year of the Mayor's term to review how things are progressing and whether any action needs to be taken regarding the Mayor's Salary)*). Mr. Smith stated that he feels there will be a sense of support if there is a point of check-in as described.

Mr. Hochberg objected to this request, the Independent Salary Commission is not a life commission and will not have the authority to act on this request. It is our civic duty to set a salary now and go home as regular citizens once this task is completed. Now you are asking us to come back, with what guidelines?

Mr. Wallerstein asked the chair if this is permissible. The Chair stated that under Statute, Section 6-2(A) says that the Commission will have the sole power to set the Mayor's salary once every 4 years.

Mr. Hochberg asked the question, how long is the term for this Commission?
The Chair stated that the term for each commissioner is 4 years from the date appointed.

Mr. Smith moved to support the Commission reconvening again after the first year of the Mayor's term to consider and to review how things are progressing and whether any action needs to be taken regarding the Mayor's Salary, second by Ms. Lopez roll call vote, motion carried 6-1.

Roll Call Vote

Commissioner Hochberg – No

Commissioner Lopez – Yes

Commissioner Boniface – Yes

Commissioner Flatt – Yes

Commissioner Wallerstein – Yes

Commissioner Smith – Yes

Chair Hultin – Yes

Discussion: Mr. Smith said the reason he asked for it is he feels more comfortable now for a lower salary in fact if there is a moment for check in to ask how it is going. That is good responsive government and Ms. Flatt said; that was the whole idea.

Ms. Flatt moved that the base salary be \$100,000, dies for lack of a second and motion was previously made at this amount.

Mr. Wallerstein stated that this is a transition in our city government. It is evident that no one is satisfied with the past government operation and this is a chance for change. This is the charge that the Commission has been given.

Please allow the commissioners to speak as we have requested.

6. Motions and vote on full time mayor's salary pursuant to 6-19.2(B) Code. Ordinance No. 2016-43. Section 2.

Mr. Wallerstein moved that the salary be \$110,000, second by Mr. Smith, Roll Call Vote, 4 in the affirmative, 3 in the negative, motion carried at \$110,000.

Roll Call Vote:

Commissioner Hochberg – No

Commissioner Lopez – No

Commissioner Boniface – Yes

Commissioner Flatt – No

Commissioner Wallerstein – Yes

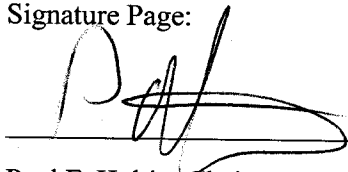
Commissioner Smith – Yes


Chair Hultin – Yes

7. Adjourn

There being no further business to come before the Independent Salary Commission, the Chair called for adjournment at 7:50 pm

Signature Page:



Paul F. Hultin, Chair

Fran Lucero, Stenographer