

**City of Santa Fe, NM
Regular Committee
Monday, May 20, 2019
05:00 PM – Finance Committee
Council Chambers**

AMENDED

AGENDA

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF AGENDA

4. APPROVAL OF CONSENT AGENDA

5. APPROVAL OF MINUTES

a) Budget Hearings- Special Finance Committee Minutes - April 23, 2019
[Item a.pdf](#)

b) Regular Finance Committee Minutes - April 29, 2019
[Item b.pdf](#)

6. PRESENTATION

a) AON Benefits Presentation. (AON Consultant)
[Item 6a.pdf](#)

7. CONSENT AGENDA

a) Request for Approval of a Budget Amendment Resolution for the Quarter Ending March 31, 2019 (Third Quarter); (Andy Hopkins, Finance, Senior Budget Analyst, 955.6177, (ajhopkins@santafenm.gov)
[Item a.pdf](#)

b) Request for Approval of Amendment No. 1 to Professional Services Agreement in the Amount of \$53,883.57, Including Gross Receipts Tax, for Annual Inspection, Cleaning and Repair of Structural Firefighting Personal Protective Equipment -Turnout Gear; Fire W.I.R.E. (Brian Moya, Health and Safety Officer, bjmoya@santafenm.gov, 955-3511)
[Item b.pdf](#)

c) Request for the Approval of Amendment No. 1 for the Term extension from 06/30/2019 to 06/30/2020 for Developing a Plan in Santa Fe, for the 21st Century Library System, Godfrey's Associates, Inc. (Jeffery Donlan, jpdonlan@santafenm.gov, 505-955-6788)
[Item c.pdf](#)

d) Request for Approval of an Advertising Services Contract in the Amount of \$74,027.38 inclusive of NMGR for Advertising Services for the Environmental Services Division; Hutton Broadcasting. (Michaela Beggins, Environmental Services Program Manager, mkbeggins@santafenm.gov, 955-2227)
[Item d.pdf](#)

e) Request for Approval of Change Order No. 2 to the Original Construction Agreement in the Amount of \$536,585.85 inclusive of NMGR for the Wastewater Management Division Anaerobic Digester Project –CIP # 950; Bradbury Stamm Construction. (Alan MacGregor, Engineering Supervisor, asmacgregor@santafenm.gov, 955-4623)

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q) Request for Approval of Amendment No. 1 to the Professional Services Agreement in the Amount of \$25,122, Inclusive of NMGR for Payment of Audit Certification Fees Associated With Ameresco's Scope of Work to the New Mexico Energy, Minerals and Natural Resources Department (EMNRD for the CIP #646A, Energy Conservation Measures (ECM'S) and Associated Work Project Contract; Ameresco Inc. (Jason M. Kluck, PW Project Administrator, jmkluck@santafenm.gov, 955-9537)

Item q.pdf

r) Request for Approval of a Contract for Construction Services Using New Mexico State Price Agreement #50-000-15-00072 in the Total Amount of \$329,781.21 Inclusive of NMGR, for Parking Lot Rehabilitation, Using GRF Funds Appropriated by the City Council in 2018 for Work at the City of Santa Fe's Genoveva Chavez Community Center (GCCC) Located at 3221 Rodeo Road; GM Emulsion, LLC. (Curt E. Temple, Public Works Project Administrator, cetemple@santafenm.gov, 955-5935)

Item r.pdf

s) Request for Approval of Human Services Committee Funding Recommendations in the Total Amount of \$1,900,000 for FY 2019-2023; Various Local Non-Profit Organizations. (Julie Sanchez, Program Manager Youth and Family Services Division, jjsanchez@santafenm.gov, 955-6678)

Item s.pdf

t) Request for Approval and Recommendation of Award for Professional Services Agreement in the Amount of \$108,183.73 Exclusive of NMGR for the Airport Road Traffic Signal Optimization/Progression Analysis; Lee Engineering. (John Romero, PW Engineering Division Director, jjromero1@santafenm.gov, 955-6638)

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u) Request for Approval of a Professional Services Agreement in the Total Amount of \$1,600,000 for Advertising Agency of Record With Vladimir Jones (Randy Randall, TSF Executive Director, rrandall@santafenm.gov, 955-6209)

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v) Request for Approval of a Professional Services Agreement in the Amount of \$100,000 for Marketing Services, \$50,000 to be Funded by Santa Fe County; Northern New Mexico Air Alliance (NNMAA). (Randy Randall, TSF Executive Director, rrandall@santafenm.gov, 955-6209)

Item v.pdf

w) Request for Approval of Professional Services Agreement in the Amount of \$150,000 for CRM Software; Tempest/iDSS Global LLC. (Randy Randall, TSF Executive Director, rrandall@santafenm.gov, 955-6209)

Item w.pdf

x) Request for Approval to Amendment No. 1 and Amendment No. 2 to Contract #2018-19-60026 to Increase the Amount by an Additional \$171,508 from the North Central New Mexico Economic Development District, Non-Metro Area Agency on Aging (Gino Rinaldi, Senior Services Director earinaldi@santafenm.gov, 955-4710)

Item x.pdf

y) Request for Approval to Enter into an Agreement in the Amount of \$80,325 plus Applicable Gross Receipts Tax for the Rental of Seventeen (17) Reserved Parking Spaces on a Monthly Basis at the Water Street Municipal Lot at the Rate of \$131.25 per Space per Month, for Three Years; Hotel St. Francis. (Noel Correia, Parking Division Director, npcorreia@santafenm.gov, 955-6611)

Item y.pdf

z) Request for Approval of a Lease of the Garson Studios of the Midtown Campus to Garson Studios Santa Fe, LLC. (Sean Moody, Asset Development Manager, sxmoody@santafenm.gov, 955-6213)

Item z.pdf

aa) Request for a Resolution Recognizing the Need for Coordination of Assistance for Immigrants in Need of Humanitarian Assistance Arriving in New Mexico; Adopting a Strategy to Assist; and Reaffirming the City of Santa Fe's Commitment to Being a Welcoming Community. (Mayor Webber, Councilors Villarreal and Ives) (Kyra Ochoa, Community Services Department Director, krochoa@santafenm.gov, 955-6603)

Fiscal Impact: None

Committee Review:

Immigration Committee

5/7/19

City Council

5/29/19

Item aa.pdf

ab) Request for Approval of an Ordinance Amending and Repealing Various Sections of the Election Code, Section 9-1 SFCC 1987, to Accommodate Recent Changes in State Law Governing Local Elections; and Enacting a New Provision of the Election Code to Authorize Either the City Clerk or the Ethics and Campaign Review Board to Adopt Rules Applying the Code. (Councilor Romero-Wirth) (Yolanda Vigil, City Clerk, yyvigil@santafenm.gov, 955-6327; Marcos Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)

Fiscal Impact: None

Committee Review:

Public Works Committee

5/6/19 (approved)

City Council (Request to Publish Notice)

5/8/19 (scheduled)

City Council (Public Hearing)

5/29/19 (scheduled)

Item ab.pdf

ac) Request for Approval of an Ordinance Amending Section 11-13 to Increase Transparency Regarding Competitive Sealed Proposals and Competitive Sealed Qualifications Based Proposals, and to Amend Citations to State Statutes. (Councilors Lindell, Villarreal, and Rivera) (Marcos Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)

Fiscal Impact: None

Committee Review:

Public Works Committee

5/28/19 (scheduled)

City Council (Request to Publish Notice)

5/29/19 (scheduled)

City Council (Public Hearing)

6/26/19 (scheduled)

Item ac.pdf

ad) Request for Approval of an Ordinance Amending Section 9-3.5 9-3.8, and 9-3.9 SFCC 1987 Regarding the Public Campaign Finance Code, Adjusting the City's Qualification Process for Public Financing to Reflect Recent Changes in State Law (Councilor Romero-Wirth) (Yolanda Vigil, City Clerk, yyvigil@santafenm.gov, 955-6502; Marcos Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)

Fiscal Impact: None

Committee Review:

Council (Notice of Public Hearing) (Scheduled)

05/08/19

Finance Committee (Scheduled)

05/20/19

Council (Public Hearing) (Scheduled)

05/29/19

Item ad.pdf

ae) Request for Approval of an Ordinance Authorizing the Execution and Delivery of a Loan Agreement By and Between the City of Santa Fe and the New Mexico Finance Authority, Evidencing a Special, Limited Obligation of the City to Pay a Principal Amount Not to Exceed \$23,800,000, for the Purpose of Defraying the Cost of Refunding, Paying, and Refinancing the 2009 Loan Agreement Dated September 14, 2009 with the New Mexico Finance Authority (College of Santa Fe Acquisition); Providing for the Payment of the Loan Agreement from Certain Gross Receipts Tax Revenues Distributed to the City; Providing that the Loan Agreement Will Constitute a Subordinate Lien Upon the Pledged Gross Receipts Tax Revenues; Providing for the Distributions of Gross Receipts Tax Revenues from the Taxation and Revenue Department to be Redirected to the New Mexico Finance Authority or its Assigns Pursuant to an Intercept Agreement for the Payment of Principal and Interest Due on the Loan Agreement; Delegating Authority to the Mayor or, in the Mayor's Absence, the City Manager or Finance Director, to Approve the Final Principal Amount, Interest Rates and Other Details of the Loan Agreement Within the Parameters Set Forth in this Authorizing Ordinance, and to Execute and Deliver a Pricing Certificate Reflecting the Final Terms of the Loan Agreement; Ratifying Actions Heretofore Taken; Repealing all Action Inconsistent with this Ordinance; and Authorizing the Taking of Other Actions in Connection with the Execution and Delivery of the Loan Agreement and Intercept Agreement. (Mayor Webber and Councilors Ives) (Bradley Fluetsch, Cash and Investment Manager, bjfluetsch@santafenm.gov, 955-6885)

Fiscal Impact: \$470,000 in savings per year for 17 years.

Committee Review:

Public Works Committee

4/22/19 (approved)

City Council (Request to Publish Notice)

4/24/19 (approved)

City Council (Public Hearing)

5/29/19 (scheduled)

Item ae.pdf

af) Request for Approval of an Ordinance Amending Section 25-4.3 SFCC 1987 Regarding the Commercial Water User Rebate Program to Ease the Application and Rebate Administration Process, and to Clarify Certain Sections of the Code. (Councilor Romero-Wirth) (Andrew Erdman, Water Resource Coordinator, paerdmann@santafenm.gov, 955-4204)

Fiscal Impact: None

Committee Review:

City Council (Request to Publish Notice)

4/24/19 (approved)

Public Utilities Committee

5/1/19 (approved)

City Council (public hearing)

5/29/19 (scheduled)

Item af.pdf

ag) Request for Approval of An Ordinance Amending Section 9-2.4 to Remove Reference to a Repealed State Law; and Repealing Section 9-2.17. (Councilor Romero-Wirth) (Yolanda Vigil, City Clerk, yyvigil@santafenm.gov, 955-6327; Marcos Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)

Fiscal Impact: None

Committee Review:

Public Works Committee

5/6/19 (approved)

City Council (Request to Publish Notice)

5/8/19 (scheduled)

City Council (Public Hearing)

5/29/19 (scheduled)

Item ag.pdf

ah) Request for Approval of a Resolution Approving the Design and Installation Plan for Banners Along Guadalupe Street between Paseo de Peralta (South) and West Alameda. (Councilor Ives) (Liz Camacho, Economic Development and Communication Administrator, excamacho@santafenm.gov, 955-6042)

Fiscal Impact: None

Committee Review:

Public Works Committee

5/6/19 (approved)

Economic Development Advisory Committee

5/8/19 (scheduled)

City Council

5/29/19 (scheduled)

[Item ah.pdf](#)

MATTERS FROM STAFF

MATTERS FROM THE COMMITTEE

ADJOURN

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: May 17, 2019

TIME: 2:39 PM

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Fiscal Impact: None

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Fiscal Impact: None

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Fiscal Impact: None

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Finance Committee (Scheduled)	05/20/19
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Revenues from the Taxation and Revenue Department to be Redirected to the New Mexico Finance Authority or its Assigns Pursuant to an Intercept Agreement for the Payment of Principal and Interest Due on the Loan Agreement; Delegating Authority to the Mayor or, in the Mayor's Absence, the City Manager or Finance Director, to Approve the Final Principal Amount, Interest Rates and Other Details of the Loan Agreement Within the Parameters Set Forth in this Authorizing Ordinance, and to Execute and Deliver a Pricing Certificate Reflecting the Final Terms of the Loan Agreement; Ratifying Actions Heretofore Taken; Repealing all Action Inconsistent with this Ordinance; and Authorizing the Taking of Other Actions in Connection with the Execution and Delivery of the Loan Agreement and Intercept Agreement. (Mayor Webber and Councilors Ives) (Bradley Fluetsch, Cash and Investment Manager, bjfluetsch@santafenm.gov, 955-6885)

Fiscal Impact: \$470,000 in savings per year for 17 years.

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Fiscal Impact: None

Committee Review:

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Public Utilities Committee	5/1/19 (approved)
City Council (public hearing)	5/29/19 (scheduled)

Item af.pdf

ag) Request for Approval of An Ordinance Amending Section 9-2.4 to Remove Reference to a Repealed State Law; and Repealing Section 9-2.17. (Councilor Romero-Wirth) (Yolanda Vigil, City Clerk, yyvigil@santafenm.gov, 955-6327; Marcos Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)

Fiscal Impact: None

Committee Review:

Public Works Committee	5/6/19 (approved)
City Council (Request to Publish Notice)	5/8/19 (scheduled)
City Council (Public Hearing)	5/29/19 (scheduled)

Item ag.pdf

ah) Request for Approval of a Resolution Approving the Design and Installation Plan for Banners Along Guadalupe Street between Paseo de Peralta (South) and West Alameda. (Councilor Ives) (Liz Camacho, Economic Development and Communication Administrator, excamacho@santafenm.gov, 955-6042)

Fiscal Impact: None

Committee Review:

Public Works Committee	5/6/19 (approved)
Economic Development Advisory Committee	5/8/19 (scheduled)
City Council	5/29/19 (scheduled)

Item ah.pdf

ai) Request for a Resolution Recognizing the Need for Coordination of Assistance for Immigrants in Need of Humanitarian Assistance Arriving in New Mexico; Adopting a Strategy to Assist; and Reaffirming the City of Santa Fe's Commitment to Being a Welcoming Community. (Mayor Webber, Councilors Villarreal and Ives) (Kyra Ochoa, Community Services Department Director, krochoa@santafenm.gov, 955-6603)

Fiscal Impact: None

Committee Review:
Immigration Committee
City Council
Item ai.pdf

5/7/19
5/29/19

MATTERS FROM STAFF

MATTERS FROM THE COMMITTEE

ADJOURN

RECEIVED AT THE CITY CLERK'S OFFICE
DATE: May 16, 2019
TIME: 4:10 PM

**SUMMARY OF ACTION
FINANCE COMMITTEE
CITY HALL/ CITY COUNCILOR CHAMBERS
MONDAY, MAY 20, 2019, 5:00 PM**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER		1
ROLL CALL	QUORUM	1
APPROVAL OF AGENDA	APPROVED	1-2
APPROVAL OF CONSENT AGENDA	APPROVED	2
<u>APPROVAL OF MINUTES</u>		
BUDGET HEARINGS SPECIAL FINANCE COMMITTEE MINUTES, APRIL 23, 2019	APPROVED	2
REGULAR FINANCE COMMITTEE MINUTES, APRIL 29, 2019	APPROVED	2
<u>PRESENTATION</u>		
AON BENEFITS PRESENTATION	INFORMATION/DISCUSSION	2-6
<u>CONSENT AGENDA</u>		
REQUEST FOR APPROVAL OF A BUDGET AMENDMENT RESOLUTION FOR THE QUARTER ENDING MARCH 31, 2019 (THIRD QUARTER)	APPROVED ON CONSENT	6
REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$53,883.57, INCLUDING	APPROVED ON CONSENT	6

**GROSS RECEIPTS TAX, FOR ANNUAL
INSPECTION, CLEANING AND REPAIR
OF STRUCTURAL FIREFIGHTING
PERSONAL PROTECTIVE EQUIPMENT
TURNOUT GEAR; W.I.R.E.**

**REQUEST FOR THE APPROVAL OF
AMENDMENT NO. 1 FOR THE TERM
EXTENSION FROM 6/30/2019 TO
6/30/2020 FOR DEVELOPING A PLAN IN
SANTA FE , FOR THE 21ST CENTURY
LIBRARY SYSTEM, GODFREY'S
ASSOCIATES, INC.**

APPROVED

6-8

**REQUEST FOR APPROVAL OF
ADVERTISING SERVICES CONTRACT
IN THE AMOUNT TO OF \$74,027.38
INCLUSIVE OF NMGR FOR ADVERTISING
SERVICES FOR THE ENVIRONMENTAL
SERVICES DIVISION, HUTTON
BROADCASTING.**

APPROVED

8-10

**REQUEST FOR APPROVAL OF CHANGE
ORDER NO. 2 TO THE ORIGINAL
CONSTRUCTION AGREEMENT IN THE
AMOUNT OF \$536,585.85 INCLUSIVE OF
NMGR FOR THE WASTEWATER
MANAGEMENT DIVISION ANAEROBIC
DIGESTER PROJECT - CIP # 950;
BRADBURY STAMM CONSTRUCTION.**

APPROVED

10-11

**REQUEST FOR APPROVAL OF
AMENDMENT NO. 3 TO PROFESSIONAL
SERVICES AGREEMENT IN AN
INCREASED AMOUNT OF \$50,000
EXCLUSIVE OF NMGR AND TIME
EXTENSION FOR FIELD AND DRAFTING
SERVICES; LOUIE CORDOVA, LLC.**

APPROVED ON CONSENT

12

**REQUEST FOR APPROVAL OF
AMENDMENT NO. 1 TO PROFESSIONAL
SERVICES AGREEMENT IN THE
AMOUNT OF \$500,000 EXCLUSIVE OF**

APPROVED ON CONSENT

12

**NMGRT FOR ON-CALL ENGINEERING
SERVICES FOR UTILITY PROJECTS;
AECOM TECHNICAL SERVICES, INC.**

REQUEST FOR APPROVAL OF CHANGE ORDER NO. 2 TO THE ORIGINAL CONTRACT IN THE AMOUNT OF \$1,626,562.50 INCLUSIVE OF NMGRT, FOR PRIORITY LINE REPLACEMENTS PROJECT - CIP #3054 FOR FY 19/20; SUB SURFACE CONTRACTING, INC.	APPROVED ON CONSENT	12
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REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO THE ORIGINAL CONTRACT NO. 16-0704 IN THE AMOUNT OF \$216,625.00 INCLUSIVE OF NMGRT, FOR THE CITY WIDE WATER UTILITY PAVEMENT RESTORATION FOR FY 19/20; TLC PLUMBING AND UTILITY, INC.	APPROVED	12-13
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REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$172,758.00 EXCLUSIVE OF NMGRT, FOR THE FY 19/20 PHASE I ENGINEERING AND PERMITTING/PRELIMINARY DESIGN EVALUATION FOR REUSE PIPELINE FROM PASEO RAE L WWTP TO RIO GRANDE; CAROLLO ENGINEERS, INC.	APPROVED	13-14
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REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE ORIGINAL SERVICE AGREEMENT NO. 19-0115 IN THE AMOUNT OF \$189,765.63 INCLUSIVE OF NMGRT FOR EMERGENCY REPAIR FOR OPERATIONS AND MAINTENANCE CIP # 956 FOR FY 19/20; ALPHA SOUTHWEST, INC.	APPROVED ON CONSENT	14
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REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$100,000 EXCLUSIVE OF	APPROVED ON CONSENT	14
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NMGRT; OFFICE OF ARCHEOLOGICAL STUDIES.

REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$1,763,023.50 EXCLUSIVE OF NMGRT, FOR SECURITY SERVICES FOR THE WATER DIVISION, UTILITY BILLING DIVISION AND PARKS AND RECREATION DEPARTMENT; CHAVEZ SECURITY.	APPROVED	14-16
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REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$700,000 EXCLUSIVE OF NMGRT FOR DATABASE, DEVELOPMENT AND TRAINING AND SUPPORT SERVICES AND TO EXTEND THE TERM; MOUNTAIN RIVER CONSULTING.	APPROVED	16
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REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$148,000 EXCLUSIVE OF NMGRT, FOR FINANCIAL SERVICES FOR FY 19/20; FINANCIAL CONSULTING SOLUTIONS GROUP, FORMERLY JMA MUNICIPAL ADVISORS, INC.	APPROVED	16-17
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REQUEST FOR APPROVAL OF FY 19-20 CYFD CONTRACT AGREEMENT 20-690-300-16738 IN THE AMOUNT OF \$197,580 FOR ALTERNATIVE TO DETENTION PROGRAMS.	APPROVED ON CONSENT	17
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REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$25,122, INCLUSIVE OF NMGRT FOR PAYMENT OF AUDIT CERTIFICATION FEES ASSOCIATED WITH	APPROVED ON CONSENT	17
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**AMERESCO'S SCOPE OF WORK WITH
THE NEW MEXICO ENERGY, MINERALS
AND NATURAL RESOURCES
DEPARTMENT (EMNRD FOR THE CIP #646A,
ENERGY CONSERVATION MEASURES
(ECM'S) AND ASSOCIATED WITH WORK
PROJECT CONTRACT; AMERESCO INC.**

**REQUEST FOR APPROVAL OF A CONTRACT APPROVED ON CONSENT 17
FOR CONSTRUCTION SERVICES USING NEW
MEXICO STATE PRICE AGREEMENT
#50-000-15-00072 IN THE TOTAL AMOUNT
OF \$329,781.21 INCLUSIVE OF NMGR, T,
FOR PARKING LOT REHABILITATION,
USING GR T FUNDS APPROPRIATED BY
THE CITY COUNCIL IN 2018 FOR WORK
AT THE CITY OF SANTA FE'S GENOVEVA
CHAVEZ COMMUNITY CENTER (GCCC)
LOCATED AT 3221 RODEO ROAD; GM
EMULSION, LLC.**

**REQUEST FOR APPROVAL OF HUMAN SERVICES COMMITTEE FUNDING
RECOMMENDATIONS IN THE TOTAL
AMOUNT OF \$1,900,000 FOR 2019-2023;
VARIOUS LOCAL NON-PROFIT
ORGANIZATIONS. APPROVED ON CONSENT 17-18**

**REQUEST FOR APPROVAL AND RECOMMENDATION OF AWARD FOR
PROFESSIONAL SERVICES AGREEMENT
IN THE AMOUNT OF \$108,183.73
EXCLUSIVE OF NMGR T FOR THE AIRPORT
ROAD SIGNAL OPTIMIZATION/
PROGRESSION ANALYSIS; LEE
ENGINEERING. APPROVED ON CONSENT 18**

**REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT
IN THE TOTAL AMOUNT OF \$1,600,000
FOR ADVERTISING AGENCY OF RECORD
WITH VLADIMIR JONES APPROVED ON CONSENT 18**

REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$100,000 FOR MARKETING SERVICES; \$50,000 TO BE FUNDED BY SANTA FE COUNTY; NORTHERN NEW MEXICO AIR ALLIANCE (NNMAA)	APPROVED ON CONSENT	18
REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$150,000 FOR CRM SOFTWARE; TEMPTTEST/IDSS GLOBAL, LLC.	APPROVED ON CONSENT	18
REQUEST FOR APPROVAL TO AMENDMENT NO. 1 AND AMENDMENT NO. 2 TO CONTRACT #2018-19-60026 TO INCREASE THE AMOUNT BY AN ADDITIONAL \$171,508 FROM THE NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT, NON-METRO AREA AGENCY ON AGING.	APPROVED ON CONSENT	18
REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT IN THE AMOUNT OF \$80,325 PLUS APPLICABLE GROSS RECEIPTS TAX FOR THE RENTAL OF SEVENTEEN (17) RESERVED PARKING SPACES ON A MONTHLY BASIS AT THE WATER STREET MUNICIPAL LOT AT A RATE OF \$131.25 PER SPACE PER MONTH, FOR THREE YEARS; HOTEL ST. FRANCIS.	APPROVED	18-20
REQUEST FOR APPROVAL OF A LEASE OF GARSON STUDIOS OF THE MIDTOWN CAMPUS TO GARSON STUDIOS SANTA FE, LLC.	PULLED FROM AGENDA	20
REQUEST FOR A RESOLUTION RECOGNIZING THE NEED FOR COORDINATION OF ASSISTANCE FOR IMMIGRANTS IN NEED OF HUMANITARIAN	POSTPONED	20-26

**ASSISTANCE ARRIVING IN NEW MEXICO;
ADOPTING A STRATEGY TO ASSIST;
AND REAFFIRMING THE CITY OF
SANTA FE'S COMMITMENT TO BEING
A WELCOMING COMMUNITY.**

REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING AND REPEALING VARIOUS SECTIONS OF THE ELECTION CODE, SECTION 9-1 SFCC 1987, TO ACCOMMODATE RECENT CHANGES IN STATE LAW GOVERNING LOCAL ELECTIONS; AND ENACTING A NEW PROVISION OF THE ELECTION CODE TO AUTHORIZE EITHER THE CITY CLERK OR THE ETHICS AND CAMPAIGN REVIEW BOARD TO ADOPT RULES APPLYING THE CODE.	APPROVED ON CONSENT	26
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REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 11-13 TO INCREASE TRANSPARENCY REGARDING COMPETITIVE SEALED PROPOSALS AND COMPETITIVE SEALED QUALIFICATIONS BASED PROPOSALS, AND TO AMEND CITATIONS TO STATE STATUTES.	DENIED	26-30
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REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTIONS 9-3.5, 9-3.8 AND 9-3.9 SFCC 1987 REGARDING THE PUBLIC CAMPAIGN FINANCE CODE, ADJUSTING THE CITY'S QUALIFICATION PROCESS FOR PUBLIC FINANCING TO REFLECT RECENT CHANGES IN STATE LAW.	APPROVED ON CONSENT	30
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REQUEST FOR APPROVAL OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BY AND BETWEEN THE CITY OF SANTA FE AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A	APPROVED ON CONSENT	30-31
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SPECIAL, LIMITED OBLIGATION OF THE CITY TO PAY A PRINCIPAL AMOUNT NOT TO EXCEED \$23,800,000 FOR THE PURPOSE OF DEFRAYING THE COST OF REFUNDING, PAYING AND REFINANCING THE 2009 LOAN AGREEMENT DATED SEPTEMBER 14, 2009 WITH THE NEW MEXICO FINANCE AUTHORITY (COLLEGE OF SANTA FE ACQUISITION); PROVIDING FOR THE PAYMENT OF THE LOAN AGREEMENT FROM CERTAIN GROSS RECEIPTS TAX REVENUES DISTRIBUTED TO THE CITY; PROVIDING FOR THE DISTRIBUTIONS OF GROSS RECEIPTS TAX REVENUES FROM THE TAXATION AND REVENUE DEPARTMENT TO BE REDIRECTED TO THE NEW MEXICO FINANCE AUTHORITY OR ITS ASSIGNS PURSUANT TO AN INTERCEPT AGREEMENT FOR THE PAYMENT OF PRINCIPAL AND INTEREST DUE ON THE LOAN AGREEMENT; DELEGATING AUTHORITY THE MAYOR OR, IN THE MAYOR'S ABSENCE, THE CITY MANAGER OR FINANCE DIRECTOR, TO APPROVE THE FINAL PRINCIPAL AMOUNT, INTEREST RATES AND OTHER DETAILS OF THE LOAN AGREEMENT WITHIN THE PARAMETERS SET FORTH IN THIS AUTHORIZING ORDINANCE, AND TO EXECUTE AND DELIVER A PRICING CERTIFICATE REFLECTING THE FINAL TERMS OF THE LOAN AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS ORDINANCE; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT AND INTERCEPT AGREEMENT.

**REQUEST FOR APPROVAL OF AN
ORDINANCE AMENDING SECTION 25-4.3
SFCC 1987 REGARDING THE COMMERICAL**

APPROVED ON CONSENT

31

**WATER USER REBATE PROGRAM TO
EASE THE APPLICATION AND REBATE
ADMINISTRATION PROCESS, AND TO
CLARIFY CERTAIN SECTIONS OF THE
CODE.**

REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 9-2.4 TO REMOVE REFERENCE TO A REPEALED STATE LAW; AND REPEALING SECTION 9-2.17.	APPROVED ON CONSENT	31
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REQUEST FOR APPROVAL OF A RESOLUTION APPROVING THE DESIGN AND INSTALLATION PLAN FOR BANNERS ALONG GUADALUPE STREET BETWEEN PASEO DE PERALTA (SOUTH) AND WEST ALAMEDA.	APPROVED ON CONSENT	31
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MATTERS FROM STAFF	NONE	31
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MATTERS FROM THE COMMITTEE	NONE	32
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ADJOURN	ADJOURNED	21
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**FINANCE COMMITTEE
CITY HALL/ CITY COUNCILOR CHAMBERS
MONDAY, MAY 20, 2019, 5:00 PM**

1. CALL TO ORDER

The meeting of the Finance Committee, was called to order by Councilor Roman Abeyta, Chair, at 5:00 pm on Monday, May 20, 2019 at City Hall in the City Council Chambers, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT

Councilor Roman Abeyta, Chair
Councilor Christopher Rivera
Councilor Signe Lindell
Councilor Michael Harris
Councilor Carol Romero-Wirth

MEMBERS ABSENT

OTHERS PRESENT

Councilor Peter Ives
Mary McCoy, Finance Department Director
Christina Keyes, Finance Department
Bernadette Salazar, Human Services Director
Elizabeth Martin, Stenographer

3. APPROVAL OF AGENDA

Ms. McCoy said she would like to remove item Z because it was already heard by the Governing Body.

Chair Abeyta said he would like move the presentation until after we hear the consent items that are pulled so the staff for those items can leave.

MOTION A motion was made by Councilor Harris, seconded by Councilor Rivera, to approve the agenda as amended.

VOTE The motion passed unanimously by voice vote.

4. APPROVAL OF CONSENT AGENDA

Councilor Romero-Wirth pulled item C for discussion.

Councilor Harris pulled items C, E, J, M, O, AA and AC for discussion.

Councilor Lindell pulled items D, L, N and Y for discussion.

Councilor Rivera said his items have already been pulled.

MOTION A motion was made by Councilor Harris, seconded by Councilor Rivera, to approve the consent agenda as amended.

VOTE The motion passed unanimously by voice vote.

5. APPROVAL OF MINUTES

**A) BUDGET HEARINGS - SPECIAL FINANCE COMMITTEE MINUTES
APRIL 23, 2019**

MOTION A motion was made by Councilor Harris, seconded by Councilor Lindell, to approve the minutes of April 23, 2019 as presented.

VOTE The motion passed unanimously by voice vote.

**B) REGULAR FINANCE COMMITTEE MINUTES
APRIL 29, 2019**

MOTION A motion was made by Councilor Rivera, seconded by Councilor Lindell, to approve the minutes of April 29, 2019 as presented.

VOTE The motion passed unanimously by voice vote.

6. PRESENTATION

**AON BENEFITS PRESENTATION
Todd Burley**

(This item was heard at the end of the agenda)

Mr. Burley reviewed his presentation which was included in the packet.

Councilor Harris asked where does AON fit on page 4.

Mr. Burley said we do not fit. We help the City decide on options.

Councilor Romero-Wirth asked how many cities are self funding in this.

Mr. Burley said generally most large cities are self insured as claims are more predictable. For those with 100 or fewer employees it does not make sense. There is too much risk on smaller government employees.

Councilor Romero-Wirth asked do we save money as we are self insured.

Ms. McCoy said yes. Administrative costs are reduced.

Councilor Harris said this says funding rates are set by AON. Is it a contingency.

Mr. Burley said contingency is called in the industry average risk change. Funding rates are set by AON in the sense that when he sets the funding there is no margin in those rates. It is a 50/50 proposition as to if funding covers the plan.

Councilor Harris asked how do you arrive at the \$250,000 employer liability.

Mr. Burley said it is largely based on group size and demographics.

Councilor Rivera asked what is in it for Cigna.

Mr. Burley said that is explained on slide 7. Cigna builds into their contract a stop loss premium of a 10% to 20% profit.

Councilor Harris said so if everything works out maybe they make 10% to 15%, but they also make administrative fees. Is that a percentage of the premium.

Mr. Burley said under fully insured arrangement Cigna would build in a 5% profit and a few percent for risk margin. Under the self insurance process they build in 1% for the administrative fee. It is about \$100,000 in profit.

Councilor Rivera asked why would 8% be out of pocket when our plan covers both name brand and generics. Why would anything be out of pocket.

Mr. Burley said the co-pay is 8%. That is what is out of pocket.

Councilor Rivera asked no members pay full price.

Mr. Burley said no, just the co-pays.

Councilor Harris said on the high cost claimants that is limited by stop loss. Is that correct.

Mr. Burley said that road does not take stop loss reimbursements. High cost claimants are not on this chart. These are those that were over \$50,000.

Councilor Rivera asked is it common that your richer plans have more usage.

Mr. Burley said yes, that particularly effects physician visits and pharmacy.

Councilor Rivera said a couple of years ago things like massages went into that category. Did that go down.

Mr. Burley said we implemented medical necessity for massages and limited them to 24 per year, however, they are still significant higher than the bench marks.

Councilor Harris said he is more interested in the numbers on diabetes.

Mr. Burley said New Mexico and other states in the southwest generally have significantly higher rates of diabetes that what you see nationwide.

Ms. Salazar said on massages we discovered some medical providers are counting massage therapy as physical therapy and there is no co-pay for that.

Chair Abeyta asked what is next step

Ms. McCoy said we would love to hear your thoughts and direction for next steps forward. We were to bring recommendations for Reserve levels during the budget hearings. We want to add in a level of support for years so we don't have to increase the employee portion. We are still doing the calculations on that and will bring that forward as a Resolution to codify those calculations in the coming weeks. We will be engaging with the Finance Committee and the Employee Benefits Committee as well as we go out for RFP for FY 20/21 for a four year contact for the self insured plan. If there is any desire to change from self insured to fully insured we can look into that or can proceed forward with the AON recommendations. We can do further presentations as well. Any significant policy changes the Committee would like to see we would like to hear about that and work on it with AON.

Chair Abeyta said what concerned him during budget hearings was the potential penalties we would have to pay because we have such a rich plan. He would like to hear more about that and what we have to do to bring our plan into compliance.

Councilor Romero-Wirth said also the probability of when and if. Is there someone at the Federal level interested in pursuing this.

Chair Abeyta asked and does that have to do with our President. What is the likelihood of that happening.

Councilor Romero-Wirth asked what are the circumstances that would have to happen to make that happen.

Mr. Burley said the current consensus is that they will wait until the election year and push this back two years. This was to go into effect in 2018. In 2015 it was pushed back for implementation to 2020. In 2017 we pushed to 2022. His guess is during the election year it will get pushed back. Many people think it won't ever be implemented, but we can't take that chance. That is why we need to start looking into benefit changes in FY 21. FY 23 for you. None of us want to make drastic plan changes in one year. It gives us time to start implementing smaller changes.

Councilor Harris said he very much appreciates this level of information. He thinks this is something that needs to be done annually. He has no reason, based on this presentation, to believe that we should not stay with the self insured plan. It is working reasonably well for us. Who is on the Employee Benefits Committee.

Ms. Salazar said the Union President of each of the three Unions, Finance and HR.

Councilor Harris asked if you looked at the benchmarks and tried to work towards that does that make sense.

Mr. Burley said a lot of the reason behind the City of Santa Fe benchmarks being so high is the level of benefits the City has. Most benefit plans are at the 80% level. The City of Santa Fe is at 95%. Some of it is demographics. You are older and male. At the last presentation we showed benchmarks specific to municipalities. He thinks those are the benchmarks you want to move toward. Not these.

Councilor Lindell asked we have a future presentation on recommendations and have a discussion on these. It seems like staying self insured is where we should stay.

Chair Abeyta said you are the experts. You need to tell us what things we should be looking for and make recommendations and tell us why.

Ms. McCoy said staying with self insured is prudent due to cost and it is prudent to set a Reserve level we can maintain. That is our recommendation.

Chair Abeyta said it would be helpful if the Unions understood that we have this rich plan, but here are the cons to it. Such as a higher cost of living increase not being an option. Let them know the impact of low co-payments so they see the bigger picture.

Ms. McCoy said correct. The City portion of health insurance increased over

60% over last five years. We need to look at slowly changing the plan and set Reserve levels to ensure that the City is able to sustain a self insured plan and not have to revert to a more costly fully insured plan.

Chair Abeyta said take advantage of those Benefit Committee meetings to educate them as you are educating us.

Ms. Salazar said we agree with you. We just met with them last week and gave them a presentation. We will continue with those meetings throughout the year.

Chair Abeyta said thank you.

7. CONSENT AGENDA

A. REQUEST FOR APPROVAL OF A BUDGET AMENDMENT RESOLUTION FOR THE QUARTER ENDING MARCH 31, 2019 (THIRD QUARTER) Andy Hopkins

Approved on consent.

B. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$53,883.57, INCLUDING GROSS RECEIPTS TAX, FOR ANNUAL INSPECTION, CLEANING AND REPAIR OF STRUCTURAL FIREFIGHTING PERSONAL PROTECTIVE EQUIPMENT - TURNOUT GEAR; W.I.R.E. Brian Moya

Approved on consent.

C. REQUEST FOR THE APPROVAL OF AMENDMENT NO. 1 FOR THE TERM EXTENSION FROM 6/30/2019 TO 6/30/2020 FOR DEVELOPING A PLAN IN SANTA FE , FOR THE 21ST CENTURY LIBRARY SYSTEM, GODFREY'S ASSOCIATES, INC. Kyra Ochoa

Councilor Romero-Wirth asked Ms. Ochoa to walk her through the plan. It has been a year and a half and we are still on this.

Ms. Ochoa said it is underway, but has been delayed getting underway. The delay was due to the Friends of the Library, who support the library and the cost of this study, suggested that they be involved in the study. It was a lengthy negotiation. Now we have another MOA around the Friends and the City. Also we have an acting Division Director who has been working hard to get this going. We are underway in getting the consultants the data they need. Godfreys and Associates has been to Santa

Fe three times and have done three focus groups. They have compiled that data and are working on a draft report and will report back to her in June. We hope to present the report and their findings to Council in late August or September.

Councilor Romero-Wirth asked will this extend to June of next year.

Ms. Ochoa said best case should be that we have the finished project in September. She can do a shorter amendment if we have to change the contract. It is Customary to extend for a year.

Councilor Romero-Wirth asked how does looking for a new Director impact this. Is that imminent.

Ms. Ochoa said we ae advertising currently for a new Division Director. That person's hiring process takes quite a while. She expects that person will come on as the initial findings are compete. We have had several glimpses into that as we go. In terms of interviewing this person their vision being in line with the planning study will be important. Unfortunately if we are able to have the input of the new Division Director it will be minimal realistically.

Councilor Romero-Wirth asked is it better to hire for the person to be in line with study or be hired and carry the vision.

Ms. Ochoa said she thinks the Department has a vision and the staff and Commission have a vision and it is the job of Godfreys to figure out what and how that works together and the overall vision. It is not their vision. So far that is what is happening. They have had some good input from a broad section of the community. The new Division Director and who that person is will be very important and it is important that their vision will be compatible and aligned with what the community has expressed through this study. The State Librarian came and did a visioning session with our staff. She is hopeful that the hiring of the Director and the compilation of the report will come together at a nice time. She thinks it is good.

Councilor Harris said you did send the results of the exercise with the State Librarian to us. He reviewed it. He is pleased that Councilor Romero-Wirth is asking about the timing. When he first read this he was disappointed. If we can hold to late August or early September he is okay with that.

Councilor Romero-Wirth asked once the study comes back will there be another public outreach with the final study.

Ms. Ochoa said yes once we have the final study the consultant will present it to City Council and we will do public presentations of the findings.

Councilor Rivera asked on page 9 of the packet number 22, the reporting

requirements, have those been happening and to whom.

Ms. Ochoa said yes they are presented to Jeff Donlan and she reviewed them as well. We have had one report and will have another in May.

Councilor Rivera asked it is possible to include the Council in those reports.

Ms. Ochoa said she is happy to share them with Councilors.

Councilor Rivera said it would be nice to keep up with them.

MOTION A motion was made by Councilor Romero-Wirth, seconded by Councilor Harris, to approve the request.

VOTE The motion was passed unanimously by voice vote.

D. REQUEST FOR APPROVAL OF ADVERTISING SERVICES CONTRACT IN THE AMOUNT TO OF \$74,027.38 INCLUSIVE OF NMGR FOR ADVERTISING SERVICES FOR THE ENVIRONMENTAL SERVICES DIVISION, HUTTON BROADCASTING. Michaela Begging

Councilor Lindell said she appreciated the table she sent to her. She has some concerns. Last years budget was \$21,000. Why did we see a need for it to go to \$74,000.

Ms. Begging said it is \$74,000 over a period of two years. The primary reason is the video production. We moved some of the money we were spending with another video production company to Hutton.

Councilor Lindell asked do you have a copy of the grid you gave me.

Ms. Begging said yes.

Councilor Lindell said in 52251 we have \$31,854 for radio. In 52272 we have \$35,000. That is divided between three radio stations.

Ms. Begging said correct.

Councilor Lindell asked is this a separate additional amount of money.

Ms. Begging said no, it is out of the two funding sources.

Councilor Lindell asked so Hutton is getting \$58,000 and the other two combined are getting a total of \$20,000.

Ms. Begging said correct. Hutton has the largest reach and the best stations.

Councilor Lindell said she would like to see this put together as more of an overall marketing plan as to how these monies are split up and what the actual bigger picture is for marketing.

Ms. Begging asked do you have an example of what you would like to see. This is part of a comprehensive marketing plan. Santa Fe has a larger contingent of radio listeners than most cities.

Councilor Lindell said she does not know the location of some of their screen stations.

Ms. Begging said that is in the packet on page 23. There are 36 screens.

Councilor Lindell asked so the added funding is to give us a presence on these screens.

Ms. Begging said part of it. Those videos will then come back to Environmental Services as marketing material that we can use on line and on the website. They will be our property.

Councilor Lindell said she would like to see an overall marketing plan, what our focus is and what we are trying to promote. How it is comprehensive.

Ms. Sitton said she will be working with Ms. Begging to put that together and will bring that back to you.

Councilor Lindell said there are two different areas here. There is \$48,482 on both of them. There is nearly \$100,000 with the New Mexican a year.

Ms. Begging said yes, on line, digital and promotions and sponsorships.

Councilor Lindell asked do we find that the budget on 52273 is decreasing annually.

Ms. Sitton said it is not decreasing annually. Actually it has increased annually. It is starting to level out. We have three years of data since it started. Those funds have not been budgeted. We will see how it is coming in.

Councilor Lindell asked is it \$100,000 annually.

Ms. Sitton said closer to \$200,000 annually.

Councilor Lindell asked does it go back to General Fund.

Ms. Sitton said it does not and that is by Ordinance. It can only go back to waste reduction.

Councilor Lindell asked so we have a lot of money sitting there.

Ms. Sitton said there are other things coming from the bag fee aimed at bringing you brown bag and waste reduction.

Councilor Romero-Wirth asked is there a demographic you are targeting and do you know when you are reaching them.

Ms. Begging said we reach almost all demographics through radio. Social media is included for the youngest demographic who may not be listening to radio. Nationally 90% of adults listen to radio in the morning.

Councilor Romero-Wirth said she thinks radio has a broad reach and this community also reads the newspaper so it is important to do outreach through these multimedia items. Do you change your messaging for younger people.

Ms. Begging said it does vary. We have exciting ideas, especially with children.

Councilor Romero-Wirth said she was thinking about young adults and maybe those that are branching out into their first house.

Ms. Begging said we have plans for that demographic as well.

MOTION A motion was made by Councilor Rivera, seconded by Councilor Harris, to approve the request.

VOTE The motion passed unanimously by voice vote.

E. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 2 TO THE ORIGINAL CONSTRUCTION AGREEMENT IN THE AMOUNT OF \$536,585.85 INCLUSIVE OF NMGRT FOR THE WASTEWATER MANAGEMENT DIVISION ANAEROBIC DIGESTER PROJECT - CIP # 950; BRADBURY STAMM CONSTRUCTION. Alan MacGregor

Councilor Harris asked the third belt filter press was not part of the original contract is that correct.

Mr. MacGregor said that is correct. We were going to put off the additional presses. During the project we discovered pricing was very favorable for a variety of reasons.

Councilor Harris asked was a belt filter press part of the original scope of work.

Mr. MacGregor said no. It is a separate project for the belt filter press.

Councilor Harris asked is that the result of the change order for the design.

Mr. MacGregor said correct.

Councilor Harris said it is interesting that the tariffs on China helped the price. Why did Bradbury and Stamm have a statement of values about the belt filter press.

Mr. MacGregor said he has only been with this project since the first press was added. When we bid the project there was one new press in it. We will have three presses. This change takes out one original and replaces it with a new one. So two new ones and one older press.

Mr. Jones said it was two projects. The digester project went out for design and bid. The next project was the addition of the third belt. That went out for a design contract. The same design firm got both. We grouped them together as one contractor for both projects.

Councilor Harris asked so the second project had the third press.

Mr. MacGregor said correct. It is a newer design. This will be a completely newer design for both new presses.

Councilor Harris said he likes the idea that one of the older presses will be stripped down for parts and available to overhaul the presses. How much money was identified as a contingency for this.

Mr. MacGregor said 10% on \$14.5 million.

Councilor Harris asked so this is well within our contingency.

Mr. MacGregor said yes it is.

MOTION A motion was made by Councilor Harris, seconded by Councilor Rivera, to approve the request.

VOTE The motion passed unanimously by voice vote.

- F. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT IN AN INCREASED AMOUNT OF \$50,000 EXCLUSIVE OF NMGR AND TIME EXTENSION FOR FIELD AND DRAFTING SERVICES; LOUIE CORDOVA, LLC.
Dee Beingessner**

Approved on consent.

- G. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$500,000 EXCLUSIVE OF NMGR FOR ON-CALL ENGINEERING SERVICES FOR UTILITY PROJECTS; AECOM TECHNICAL SERVICES, INC. Bill Schneider**

Approved on consent.

- H. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 2 TO THE ORIGINAL CONTRACT IN THE AMOUNT OF \$1,626,562.50 INCLUSIVE OF NMGR, FOR PRIORITY LINE REPLACEMENTS PROJECT - CIP #3054 FOR FY 19/20; SUB SURFACE CONTRACTING, INC.
Bill Huey**

Approved on consent.

- I. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO THE ORIGINAL CONTRACT NO. 16-0704 IN THE AMOUNT OF \$216,625.00 INCLUSIVE OF NMGR, FOR THE CITY WIDE WATER UTILITY PAVEMENT RESTORATION FOR FY 19/20; TLC PLUMBING AND UTILITY, INC. Brian Snyder**

Councilor Lindell said she is bringing this up on most contracts. The repairs, we do guarantee them for two years. Do we make sure we keep track of the repairs and check with them within the period to make sure they are satisfactory and acceptable. Can we put a note on whoever is doing that and make sure they keep a good track on repairs.

Mr. Snyder said he will work with Public Works on that.

Councilor Rivera asked how many different cities do these kind of projects that require pavement to be redone.

Mr. Snyder said any group who does a pavement cut. We use it for water main breaks and Public Works uses it for roads that fail etc.

Councilor Rivera asked are there any other Departments.

Mr. Snyder said no. Outside the City there is PNM and others.

Councilor Rivera asked so they have to get permission from the City do tear up the streets.

Mr. Snyder said they do have to get permits.

Councilor Rivera said we probably don't have any say in who they get to review the repairs.

Mr. Snyder said they are publicly bid.

Councilor Rivera asked do companies like PNM have the two year warranties as well.

Mr. Snyder said his understanding is anyone who comes into the City for a pavement cut has to provide that for two years.

MOTION A motion was made by Councilor Lindell, seconded by Councilor Rivera, to approve the request.

VOTE The motion passed unanimously by voice vote.

J. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$172,758.00 EXCLUSIVE OF NMGR, FOR THE FY 19/20 PHASE I ENGINEERING AND PERMITTING/PRELIMINARY DESIGN EVALUATION FOR REUSE PIPELINE FROM PASEO RAEL WWTP TO RIO GRANDE; CAROLLO ENGINEERS, INC. Bill Schneider

Councilor Harris said he understands what is driving this. It expands what we have already looked at. A lot of voices want to make sure all alternatives are pursued. He did not see mention made about the aquifer in the vicinity of the Buckman wells. Are they going to pursue that.

Mr. Schneider said we are working on that. We thought it would bring the best value to the City to do that work under a different contract with Shoemaker and Associates and will bring that forward along with the other four alternatives for the public

forums.

Mr. Schneider said the target is the Buckman wells numbers 10 through 13. The newest wells.

Councilor Harris asked why Shoemaker instead of Corrello.

Mr. Schneider said Shoemaker has 2 experts in this kind of work and brought the best expertise.

Councilor Harris asked is there a level of peer review embedded in this process from Shoemaker or someone else.

Mr. Schneider said our intent is that we have an independent firm, Hazen Engineers, who would be on standby if we feel we need third party review.

Councilor Harris asked so it is anticipated, but not by Shoemaker necessarily.

Mr. Schneider said yes.

MOTION A motion was made by Councilor Harris, seconded by Councilor Rivera, to approve the request.

VOTE The motion passed unanimously by voice vote.

K. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE ORIGINAL SERVICE AGREEMENT NO. 19-0115 IN THE AMOUNT OF \$189,765.63 INCLUSIVE OF NMGR T FOR EMERGENCY REPAIR FOR OPERATIONS AND MAINTENANCE - CIP # 956 FOR FY 19/20; ALPHA SOUTHWEST, INC. Bill Huey

Approved on consent.

L. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$100,000 EXCLUSIVE OF NMGR T; OFFICE OF ARCHEOLOGICAL STUDIES. Paul Duran

Approved on consent.

M. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$1,763,023.50 EXCLUSIVE OF NMGR T, FOR SECURITY SERVICES

**FOR THE WATER DIVISION, UTILITY BILLING DIVISION AND PARKS
AND RECREATION DEPARTMENT; CHAVEZ SECURITY.
Rick Carpenter**

Councilor Harris said he was surprised to read that Parks is in here. It is a matter of convenience he imagines. The figures are daunting. It is over three fiscal years. He noticed the guard at the Water Division at San Mateo. Why are we doing that.

Mr. Carpenter said we believe it is important to have a guard there. A lot of cash is handled there and they interact with a lot of customers. Having that presence there we feel is necessary.

Councilor Harris said he was surprised.

Mr. Carpenter said there have been no real incidents it is just the potential for that. We have a lot of cash. It is a good idea.

Councilor Harris asked the second security service is at the Railyard for Parks. He read a portion of the justification including incidents at the Park.

Mr. Thompson said there have been instances of everything you see there. Three rapes within a mile of the community room in the last three months. The incident was brought to our attention. We included this language as a reason to have the walk through at night. We did not have the walk through and have added that to the contract.

Councilor Lindell said she is unclear on this contract. Page 1 of the packet reads that it is an increase in compensation. \$587,000 is that the increase annually.

Mr. Carpenter said there is not an increase in the annual amount. We are increasing it to add an additional three years to the contract.

Councilor Harris asked the walk around at the Railyard Park, what level of security person will conduct those.

Mr. Thompson said we have chosen a type 3 security guard who is licensed to carry fire arms and will have the direct ability to contact public safety agencies. They will carry a side arm and will travel to the end of the park and back and remove any people there doing anything illegally.

Councilor Harris said he agrees if we are experiencing these types of things.

MOTION A motion was made by Councilor Harris, seconded by Councilor Romero-Wirth, to approve the request.

VOTE The motion passed unanimously by voice vote.

- N. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$700,000 EXCLUSIVE OF NMGR FOR DATABASE, DEVELOPMENT AND TRAINING AND SUPPORT SERVICES AND TO EXTEND THE TERM; MOUNTAIN RIVER CONSULTING. Shannon Jones**

Councilor Lindell asked is this a company we have been working with for a long time on this with.

Mr. Jones said yes it is.

Councilor Lindell asked can you say a bit more about this. This has been going on for a long time.

Mr. Jones said Mountain River is the service provider for the new system. They are the regional experts in the software application.

Councilor Lindell asked where is it located.

Mr. Jones said they have a local office in Santa Fe.

Councilor Lindell said the contract before had a lot of travel in it.

Mr. Jones said this one does not.

Councilor Lindell said we have been working on the new utility billing system for a very long time and an awful lot of money.

Mr. Jones said they are the support for the existing system.

MOTION A motion was made by Councilor Rivera, seconded by Councilor Harris, to approve the request.

VOTE The motion passed unanimously by voice vote.

- O. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$148,000 EXCLUSIVE OF NMGR, FOR FINANCIAL SERVICES FOR FY 19/20; FINANCIAL CONSULTING SOLUTIONS GROUP, FORMERLY JMA MUNICIPAL ADVISORS, INC. Shannon Jones**

Councilor Harris asked is the same personal going to be assigned to Santa Fe.

Mr. Jones said yes, Jason Mumm is still our consultant.

Councilor Harris said their certification of insurance does not show professional liability, but they are required to have it. Please follow up with them on that.

MOTION A motion was made by Councilor Harris, seconded by Councilor Lindell, to approve the request.

VOTE The motion passed unanimously by voice vote.

P. REQUEST FOR APPROVAL OF FY 19-20 CYFD CONTRACT AGREEMENT 20-690-300-16738 IN THE AMOUNT OF \$197,580 FOR ALTERNATIVE TO DETENTION PROGRAMS. Julie Sanchez

Approved on consent.

Q. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$25,122, INCLUSIVE OF NMGRF FOR PAYMENT OF AUDIT CERTIFICATION FEES ASSOCIATED WITH AMERESCO'S SCOPE OF WORK WITH THE NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT (EMNRD FOR THE CIP #646A, ENERGY CONSERVATION MEASURES (ECM'S) AND ASSOCIATED WITH WORK PROJECT CONTRACT; AMERESCO INC. Jason Kluck

Approved on consent.

R. REQUEST FOR APPROVAL OF A CONTRACT FOR CONSTRUCTION SERVICES USING NEW MEXICO STATE PRICE AGREEMENT #50-000-15-00072 IN THE TOTAL AMOUNT OF \$329,781.21 INCLUSIVE OF NMGRF, FOR PARKING LOT REHABILITATION, USING GRT FUNDS APPROPRIATED BY THE CITY COUNCIL IN 2018 FOR WORK AT THE CITY OF SANTA FE'S GENOVEVA CHAVEZ COMMUNITY CENTER (GCCC) LOCATED AT 3221 RODEO ROAD; GM EMULSION, LLC. Curt E. Temple

Approved on consent.

S. REQUEST FOR APPROVAL OF HUMAN SERVICES COMMITTEE FUNDING RECOMMENDATIONS IN THE TOTAL AMOUNT OF \$1,900,000 FOR 2019-2023; VARIOUS LOCAL NON-PROFIT

ORGANIZATIONS. Julie Sanchez

Approved on consent.

- T. REQUEST FOR APPROVAL AND RECOMMENDATION OF AWARD FOR PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$108,183.73 EXCLUSIVE OF NMGRT FOR THE AIRPORT ROAD SIGNAL OPTIMIZATION/PROGRESSION ANALYSIS; LEE ENGINEERING. John Romero**

Approved on consent.

- U. REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT IN THE TOTAL AMOUNT OF \$1,600,000 FOR ADVERTISING AGENCY OF RECORD WITH VLADIMIR JONES Randy Randall**

Approved on consent.

- V. REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$100,000 FOR MARKETING SERVICES; \$50,000 TO BE FUNDED BY SANTA FE COUNTY; NORTHERN NEW MEXICO AIR ALLIANCE (NNMAA) Randy Randall**

Approved on consent.

- W. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$150,000 FOR CRM SOFTWARE; TEMPTTEST/IDSS GLOBAL, LLC. Randy Randall**

Approved on consent.

- X. REQUEST FOR APPROVAL TO AMENDMENT NO. 1 AND AMENDMENT NO. 2 TO CONTRACT #2018-19-60026 TO INCREASE THE AMOUNT BY AN ADDITIONAL \$171,508 FROM THE NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT, NON-METRO AREA AGENCY ON AGING. Gino Rinaldi**

Approved on consent.

- Y. REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT IN THE AMOUNT OF \$80,325 PLUS APPLICABLE GROSS RECEIPTS TAX**

FOR THE RENTAL OF SEVENTEEN (17) RESERVED PARKING SPACES ON A MONTHLY BASIS AT THE WATER STREET MUNICIPAL LOT AT A RATE OF \$131.25 PER SPACE PER MONTH, FOR THREE YEARS; HOTEL ST. FRANCIS. Noel Correia

Councilor Lindell asked how full is this lot typically. How many total spaces.

Mr. Correia said the total number of spaces is 156. On average 60% are reserved for monthly parking. The rest are assigned for public parking. They have allocated spaces to these monthly parkers from 7:00 am to 10:00 am then they revert to regular spaces.

Councilor Lindell said 156 spaces, 60% monthly parking, this is requesting 15% so we would have 75% reserved.

Mr. Correia said correct. Reserved from 7:00 am to 10:00 am for employees of the businesses around the lot. If they are not used after 10:00 am they become public parking.

Councilor Lindell said so the pass people have to enter the lot by 10:00 am.

Mr. Correia said correct.

Councilor Lindell asked on any given day how many spaces are available to tourists and locals.

Mr. Correia said out of the 60%, 50% of those.

Councilor Lindell asked in our other parking garage do we have the same kind of set up.

Mr. Correia said no. Sandoval and the Railyard garage have 404 spaces each. The Convention Center lot has 520 spaces. The demand at the Railyard is 55% for monthly parking occupancy. Demand is not as high there. The Convention Center has lots of spaces and higher occupancy now due to the building of the new County building.

Councilor Lindell asked what is the demand at the Sandoval garage.

Mr. Correia said public demand is very, very high especially when there are Lensic events. We have not had issues so far.

Councilor Lindell asked would it make any sense because St. Frances is a block and a half from Sandoval, to put these spaces at Sandoval. What gives us the greatest flexibility for others to park in these lots.

Mr. Correia said the Water Street lot makes the most sense now. Sandoval is busy in the summer and with events.

Councilor Lindell asked so these spaces are 24 hours spaces.

Mr. Correia said yes.

Councilor Lindell asked do we know how much the St. Frances charges per night to park there.

Mr. Correia said he is not sure they charge their guests. If they do he does not know the rate.

Councilor Harris said he heard recently a plan to install restrooms in the Water Street lot.

Mr. Correia said yes.

Councilor Harris asked how many spaces will be lost.

Mr. Correia said 22 to 23, but we are going to reconfigure the parking lot and will gain back 12 spaces.

Councilor Harris said that is a fair trade off for public restrooms.

Councilor Lindell asked what is our time frame commitment on this.

Mr. Correia said we have a three year commitment. The language in the contract says that either party can terminate or modify it with 30 days notice.

MOTION A motion was made by Councilor Harris, seconded by Councilor Rivera, to approve the request.

VOTE The motion passed unanimously by voice vote.

**Z. REQUEST FOR APPROVAL OF A LEASE OF GARSON STUDIOS OF THE MIDTOWN CAMPUS TO GARSON STUDIOS SANTA FE, LLC.
Sean Moody**

Pulled from the agenda as it was already heard by City Council.

AA. REQUEST FOR A RESOLUTION RECOGNIZING THE NEED FOR COORDINATION OF ASSISTANCE FOR IMMIGRANTS IN NEED OF

**HUMANITARIAN ASSISTANCE ARRIVING IN NEW MEXICO;
ADOPTING A STRATEGY TO ASSIST; AND REAFFIRMING THE CITY
OF SANTA FE'S COMMITMENT TO BEING A WELCOMING
COMMUNITY. Kyra Ochoa**

Councilor Harris said in the FIR he was struck by the sentence "does not include funding, but future expenditures may be supported by the policy statements made in the Resolution." He has never seen that before. What does that mean.

Ms. McCoy said this means the policy statements in the Resolution could provide the basis for any future appropriations brought forward to this Committee.

Councilor Harris said to seems to anticipate expenditures.

Ms. McCoy said we are aware of the conditions in neighboring cities, Las Cruces and Albuquerque. They have brought forward funding to their city.

Councilor Harris asked this is a policy statement.

Ms. McCoy said if the logistical operations of Border Patrol and Customs does drop off asylum seekers here without notice it may require the City to have to have funds to provide food and clothing and coordination.

Councilor Harris said the policy statements are in the "Be It Further Resolved" section of the Resolution, is that correct.

Ms. McCoy said yes.

Councilor Lindell said on that page, page 4, she is struck that on number 2 it is personnel and resources as available and on number 3 it is dedicating support, but does not have the "as available" phrase. That is a bit uncomfortable because it is not a very good definition on what this is.

Councilor Harris said he knows what the intent is. Without having a definition it seems like there should be money identified. We just went through the budget. It would have been good to know how much money we could potentially have to have available to support these efforts.

Ms. Ochoa said she and David Silver are monitoring the situation in Las Cruces and Albuquerque. It is a very rapidly changing situation. As to appropriations there are best estimates of what they are going to need. If we need to do intake and provide services here in Santa Fe that is hard to define. In terms of dollar amounts she would have to defer to Director McCoy.

Councilor Harris said they are on the front lines. We are want to provide support

needed for a best effort as well.

Ms. McCoy said we will be happy to bring that to the Finance Committee at the next meeting so everyone is in the know as to how we would proceed if Santa Fe becomes a pit stop for buses in route or other scenarios as well.

Councilor Romero-Wirth said it would be helpful to understand what other resources can be brought to bear here. Is the State going to help. Are there private resources of people interested in helping. It would be good to have a sense of how that would happen. It is important to know the depth of our ability.

Ms. Ochoa said we can do a full presentation on this if need be. The Community Foundation, at the request of the Mayor, set up a fund and have collected \$12,000 from the community so far. She was on a call today with Mayors from around the country struggling to understand if Border Patrol would be bringing asylum seekers to their communities despite their distance from the border. The information changes day to day.

Councilor Romero-Wirth asked is that why we are doing the Resolution since we can't put a hard dollar on it and are generally supportive being a Sanctuary City.

Ms. Ochoa said she thinks that is correct. Currently she and David Silver spend five to ten hours a week on this issue. If that increases we may have to get extra help. It is unfolding rapidly. The intent is to establish the issue timely and it may be time sensitive if we have to suddenly respond to Border Patrol bringing migrants to our community as they did in Las Cruces. It seems unlikely, but we need to be ready.

Councilor Romero-Wirth asked why aren't we coming forward with a proposal with money attached to it. Come forward with what is needed to do what we need to do to support our values.

Ms. Ochoa said because of the committee process of having to go through two committee presentations and present to Council, if we presented a time sensitive issue we might not be able to respond quickly enough.

Councilor Romero-Wirth said it seems we need to appropriate a pool of money to do the things we may have to do. This will not give you direct authority or money.

Ms. McCoy said the evolution of this has developed over the last month from Santa Fe not knowing if we would be receive asylum seekers to the Community Foundation setting up the fund to support other communities and as a pit stop. Tomorrow may be completely different. We are prepared to use our authority up to \$60,000 to deploy resources right away. We have thought of what we could do in that regard. Kyra, David and the Mayor have been meeting with organizations on this as well. It is a rapidly evolving situation. If it exceeds \$60,000 we will come to the

Governing Body with a plan.

Councilor Romero-Wirth said so in essence this is just supporting your ability to use your authority up to \$60,000.

Ms. McCoy said correct and it sets forward the policy guidelines for staff resources. We would set up a separate fund and track how tax payer dollars are being spent.

Councilor Romero-Wirth asked do we have a sense of what we can afford.

Ms. McCoy said we are closing out the year now and will have a better understanding of that then and where we are at the end of the year. We will know more about that in the next months.

aid it is too open ended for him. Clearly work is being done by Ms. Ochoa, Mr. Silver and the Mayor. We all saw the Mayor's statement and we accepted the municipal responsibility. The responsibility on the part of the Finance Committee is to get a higher level of information than we have here. If we adopt this Resolution the City Manger has the ability to spend up to \$60,000 and that is already in place. That is the emergency response system. He is sure you have some sense of what might be available. Are these the policy statements in this Resolution and if so, what kind of money can we anticipate to support these statements. This needs more work. Work on the situation and don't let that go. He really thinks while you are doing that work there needs to be further work to clarify what this means.

Councilor Rivera said this talks about neighboring communities. Does that mean Albuquerque or Las Cruces as well.

Ms. Ochoa said it refers to both. There are two streams of people coming. One to El Paso and then to Albuquerque and one from the border to Las Cruces.

Councilor Rivera asked what about El Paso.

Ms. Ochoa said we were not sure if it made sense to assist outside of our state so we did not consider El Paso as a neighboring city.

Councilor Rivera said you have been working on this for some time. You talked about resources. What are other communities doing as far as resources to assist.

Ms. Ochoa said essentially we would be mobilizing organizations and coordinating them to do the work they are already doing and expand it to assist migrants who need help. Most would be here for 24 to 48 hours. There would need to be mobilization of donations of food, clothing, Spanish speaking volunteers and transportation to the airport and other sites. There would be a need for places for people

to be checked out medically and get a meal and help to make travel arrangements. Most have sponsors in other parts of the country.

Councilor Rivera asked are Albuquerque and Las Cruces doing this within their own communities.

Ms. Ochoa said they are primarily doing this within their own communities.

Councilor Rivera said regarding the FIR, he agrees with Councilors Harris and Romero-Wirth that it would have been good to have the anticipated money in this as well as the time you and David have spent included in the FIR as well. It would have been at least a starting point of where we are at with the fiscal impact. A starting point of where we are at with the fiscal impact we are already having and where it might go.

Ms. Ochoa said she will note that.

Councilor Ives said he knows a lot of this originated because the administration in Las Cruces and Albuquerque reached out across the state as welcoming cities to participate together to address the needs of asylum seekers. Albuquerque is a primary transportation hub in this. This represents people in significant need. We don't expect people flocking to Santa Fe because we are not a transportation hub. We want to be prepared to assist and coordinate our citizens who want to volunteer and assist. This says the City has a unique role in organize activities throughout our community. How can we help in this process. It is a humanitarian effort. People are not being dropped off here at this time.

Ms. Ochoa said that is correct. There are people seeking and eligible for asylum here in Santa Fe that may need assistance as well. The intent is to communicate we are in a moment in time here seeing an increase in asylum seekers and how we will respond.

Councilor Ives said he doesn't think this measure should be held up to add fiscal responsibility. You heard from the Finance Director that if this heads down the road to a significant fiscal impact we will hear more from the Finance Department which is appropriate in its time. We are in the right position to coordinate efforts at this time. He urges you to keep moving it forward. It is important to who we are as a City.

Councilor Harris said we are already doing it. We are doing what the Mayor outlined at the end of April. Cities on the front line, Las Cruces and Albuquerque, underwent exercises to identify financial resources. This Resolution does not do that. We need to have greater thought and discipline going into what this means and looking into financial resources available. We will continue to work on it. If money needs to be allocated there is \$60,000 there. It can be drawn on without coming to any Committee or the Governing Body.

Councilor Romero-Wirth asked can we un-check the box that says check here if there is no fiscal impact.

Ms. McCoy said we can do that and provide an estimate as to staff time. This is a constantly evolving process for us to be able to respond to the needs. Weighing these needs together with the needs we have seen during the budget process from weeds to stormwater. We will come back to this Committee to report on money spent, when it was spent or if there is a need to allocate funding and what it will be spent on. We have a process to set up another fund and track it as we did with flooding last July.

Councilor Romero-Wirth said we could hold an emergency Council meeting if suddenly we had a crisis and provide funding to handle a crisis.

Ms. McCoy said yes, that is a tool we have at our disposal. Other communities have spent funds on travel costs, food, water and medical supplies.

Chair Abeyta said while we are going through this exercise of getting the Resolution through the Committee it would be helpful to have scenarios for us to consider and prepare for. What this scenario would cost and this is where we would fund it if it came to that. That is what is our mission in his view.

Councilor Romero-Wirth said the \$60,000 does not need our approval. You can spend the \$60,000 on shelter and another \$60,000 on food with the authority of the City Manager and the Finance Director and not have to include us.

Ms. McCoy said that would not be our intention. Our intention would be to use the \$60,000 by the authority of the City Manager to immediately address the emergency situation. Council would need to weigh in beyond that. Shelter, food, medical care, medical supplies and water are ongoing expenses.

MOTION A motion was made by Councilor Harris, seconded by Chair Abeyta, to postpone consideration of this Resolution until day certain of the next Finance Committee meeting in order to get a higher level of information as to how we would provide the resources and personnel in support of asylum seekers passing through town and those who potentially would reside here.

Councilor Harris said also he would like information on an emergency declaration. It is within the ability of the Mayor's office to deal with an immediate situation should it arise that it could go beyond \$60,000.

Councilor Lindell asked when is this scheduled for Council.

Ms. McCoy said May 29th.

Councilor Lindell said with this motion we would not get this until the end of June. That is postponing it a month.

Councilor Rivera said he doesn't think anyone is opposed to this. We are saying you can already do the emergency responses. We want to look at the next level. We have a shelter that closes during the summer time. Could that be used as a low cost solution. He would like some idea of the thought process going forward. These are tough questions.

Councilor Romero-Wirth said if you look at the wording there, there is not anything here committing us to anything. There is another side that says let it go, but we need to be more in the loop of what is happening. She is not sure it has to be postponed to address the concerns we have expressed.

Councilor Harris said when you bring a Resolution to Finance Committee this is what you need to expect. We could move this forward and request more information at Council next week, but we are the appropriators. It seems like we should be much more involved.

Chair Abeyta called the question.

VOTE The motion passed on a voice vote of 4 yes and 1 no. Councilors Abeyta, Lindell, Rivera and Harris voted yes with Councilor Romero-Wirth voting no.

AB. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING AND REPEALING VARIOUS SECTIONS OF THE ELECTION CODE, SECTION 9-1 SFCC 1987, TO ACCOMMODATE RECENT CHANGES IN STATE LAW GOVERNING LOCAL ELECTIONS; AND ENACTING A NEW PROVISION OF THE ELECTION CODE TO AUTHORIZE EITHER THE CITY CLERK OR THE ETHICS AND CAMPAIGN REVIEW BOARD TO ADOPT RULES APPLYING THE CODE. Yolanda Vigil, Marcos Martinez

Approved on consent.

AC. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 11-13 TO INCREASE TRANSPARENCY REGARDING COMPETITIVE SEALED PROPOSALS AND COMPETITIVE SEALED QUALIFICATIONS BASED PROPOSALS, AND TO AMEND CITATIONS TO STATE STATUTES. Marcos Martinez

Councilor Harris said he thinks it is very interesting to read the community impact

that suggests there could be a number of issues by putting the information out in a premature fashion. It could lead to protests, unfair competitive advantage and other reasons. What is your take on the down sides of making proposals available.

Mr. Martinez said the City Attorney's office attempted to discuss the potential pros and cons in the narrative in the packet. The potential for increased protests is based on perceived inequity in the process. The first appeal is to the City Council. If City Council has advance knowledge there is no ability to fairly judge the protest. The chance that the City would get as good a deal as they would otherwise is a factor because the private sector has the ability to learn of confidential negotiations with entities. There are times when respondents to the proposals have wanted their proposal to be confidential to competitors.

Councilor Harris said in his time on Council he can only think of one situation. It was a mess. It got very personal in many ways. Personally he thinks we are asking for qualification based proposals. It is not always the least dollar amount. He thinks there are some real issues here. Have you talked to people within the State on their take on changing this.

Mr. Martinez said he has not spoken to the State of New Mexico on this issue. This is State law. He did a literature search and certainly confidentiality is the rule up until the award is made final. In prior incarnations of the City procurement rules proposals were then supposed to be confidential until an award is made. When Council makes the award they become public records.

Councilor Harris said he thinks this creates too many situations that would not be necessarily fair and equitable and time consuming.

Councilor Rivera asked until Ms. McSherry got here how have we been doing this process.

Mr. Martinez said in 2018 the City adopted the State Procurement Code. These provisions were in effect at this time. He does not know to what extent they were rigorously applied. They were also in the prior City Procurement Manual.

Councilor Rivera said so the language was there, but we were not following it.

Mr. Martinez said he was not aware of any requests for the proposals, but since Ms. McSherry became City Attorney there has been one request.

Councilor Rivera said the process of confidentiality would have limited the Marty Sanchez discussions as well.

Mr. Martinez said the proposals are confidential until the award is final.

Councilor Rivera said the way we have been doing it is you have sealed bids delivered to purchasing then opened by the City and a committee is put together to discuss the proposals and that is the process. Really it is a sealed bid until the City becomes involved in it. Transparency comes into play when we are doing an award and we ask what it was that made one company stand out more than another. That is what he is looking for in the Transparency process. What scores were given in each category. He does not see anything wrong with that. The only problem he might see is it lets people know who actually was doing the scoring. He doesn't have a problem with the rest of it.

Chair Abeyta said this came as the result of questions recently and legal telling us we have to go into Executive Session on those questions. This is an attempt to keep us from going into Executive session on these.

Councilor Rivera asked wasn't it also on not getting separate packets.

Chair Abeyta said maybe. He just remembers the Executive Session.

Councilor Harris said he appreciates what Councilors Rivera and Lindell said about making informed decisions. That was the last discussion. He understands what you are trying to accomplish here. He is just concerned there will be unintended consequences for the City.

Councilor Harris said without this language the way it could work is to not go through proposals where the committee does individual scoring and discuss maybe the interviews. The interview process often makes the difference. Then put that together. The information would be confidential until it goes to the Governing Body. At that time the Governing Body could look at the scores etc. It is the committee process that you are concerned about.

Mr. Martinez said on qualification based proposals scores are confidential until the award is final. Proposals are also confidential as well. That is why there is an exception in the Open Meetings Act for an Executive Session to discuss the proposals. Once the award is made it can come out.

Councilor Romero-Wirth said we would know under these changes who is scoring the RFPs.

Chair Abeyta said after the Chief Procurement Officer approves a recommended awardee. After the Council approves it.

Councilor Romero-Wirth asked do the people who score these things change.

Mr. Martinez said yes. The departments establish their own committees to review a proposal.

Councilor Romero-Wirth asked what is the chance for unethical things to happen or be influenced in the scoring.

Chair Abeyta said it would not because it happens before it comes to Council.

Councilor Romero-Wirth asked do we give up our ability to negotiate.

Councilor Harris said under G the information is released and goes through the committee process. We can award the contract, but can't say, without the possibility of a major protest, discuss committee discussions and change to another firm. Rather than do that we could only choose not to award.

Mr. Martinez said he agrees.

Councilor Harris said spending a bit of time in Executive Session is a better way to go.

Councilor Rivera said in the Marty Sanchez issue we went with another company.

Mr. Martinez said there are certain deadlines a protest has to make. They have 15 days to protest and have to allege something specifically in the process that effected their rights.

Councilor Rivera said some of these RFPs are pretty large documents. Is 15 days enough time.

Mr. Martinez said he thinks so. An interested competitor would need to lodge their right to protest within that time. That is all they have to do.

Councilor Rivera asked how long would the original award be held up.

Mr. Martinez said it allows the contract to continue under protest, but a written response from the Chief Procurement Officer is required and the person making the protest can ask for a hearing before Council. Then it goes to District Court.

Councilor Romero asked in the meantime work could continue.

Mr. Martinez said it could be that an injunction could be lodged against the awardee to delay the work.

Councilor Ives asked under the State Procurement Code do all those proposals become public information at any time.

Mr. Martinez said at the time of an award.

Councilor Ives asked even trade secret information.

Mr. Martinez said if the proposal has information specifically marked confidential or trade secret that part of the proposal is protected and remains protected.

MOTION A motion was made by Councilor Lindell, seconded by Councilor Rivera, to approve the request.

VOTE The motion did not pass on a voice vote of 3 no and 2 yes. The no votes were Councilors Harris, Romero-Wirth and Abeyta. The yes votes were Councilors Lindell and Rivera.

MOTION A motion was made by Councilor Harris, seconded by Chair Abeyta, to deny the request.

Chair Abeyta said he thinks we are better off going into Executive Session with questions on how the recommendation was made. He is supporting the existing practice.

VOTE The motion passed on a voice vote of 3 yes and 2 no. The yes votes were Councilors Harris, Romero-Wirth and Abeyta. The no votes were Councilors Lindell and Rivera.

AD. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTIONS 9-3.5, 9-3.8 AND 9-3.9 SFCC 1987 REGARDING THE PUBLIC CAMPAIGN FINANCE CODE, ADJUSTING THE CITY'S QUALIFICATION PROCESS FOR PUBLIC FINANCING TO REFLECT RECENT CHANGES IN STATE LAW. Yolanda Vigil, Marcos Martinez

Approved on consent.

AE. REQUEST FOR APPROVAL OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BY AND BETWEEN THE CITY OF SANTA FE AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL, LIMITED OBLIGATION OF THE CITY TO PAY A PRINCIPAL AMOUNT NOT TO EXCEED \$23,800,000 FOR THE PURPOSE OF DEFRAYING THE COST OF REFUNDING, PAYING AND REFINANCING THE 2009 LOAN AGREEMENT DATED SEPTEMBER 14, 2009 WITH THE NEW MEXICO FINANCE AUTHORITY (COLLEGE OF SANTA FE ACQUISITION); PROVIDING FOR THE PAYMENT OF THE LOAN AGREEMENT FROM CERTAIN GROSS RECEIPTS TAX REVENUES DISTRIBUTED TO THE CITY; PROVIDING FOR THE DISTRIBUTIONS OF GROSS RECEIPTS

TAX REVENUES FROM THE TAXATION AND REVENUE DEPARTMENT TO BE REDIRECTED TO THE NEW MEXICO FINANCE AUTHORITY OR ITS ASSIGNS PURSUANT TO AN INTERCEPT AGREEMENT FOR THE PAYMENT OF PRINCIPAL AND INTEREST DUE ON THE LOAN AGREEMENT; DELEGATING AUTHORITY THE MAYOR OR, IN THE MAYOR'S ABSENCE, THE CITY MANAGER OR FINANCE DIRECTOR, TO APPROVE THE FINAL PRINCIPAL AMOUNT, INTEREST RATES AND OTHER DETAILS OF THE LOAN AGREEMENT WITHIN THE PARAMETERS SET FORTH IN THIS AUTHORIZING ORDINANCE, AND TO EXECUTE AND DELIVER A PRICING CERTIFICATE REFLECTING THE FINAL TERMS OF THE LOAN AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS ORDINANCE; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT AND INTERCEPT AGREEMENT. Brad Fluetsch

Approved on consent.

AF. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 25-4.3 SFCC 1987 REGARDING THE COMMERCIAL WATER USER REBATE PROGRAM TO EASE THE APPLICATION AND REBATE ADMINISTRATION PROCESS, AND TO CLARIFY CERTAIN SECTIONS OF THE CODE. Andrew Erdmann

Approved on consent.

AG. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 9-2.4 TO REMOVE REFERENCE TO A REPEALED STATE LAW; AND REPEALING SECTION 9-2.17. Marcos Martinez

Approved on consent.

AH. REQUEST FOR APPROVAL OF A RESOLUTION APPROVING THE DESIGN AND INSTALLATION PLAN FOR BANNERS ALONG GUADALUPE STREET BETWEEN PASEO DE PERALTA (SOUTH) AND WEST ALAMEDA. Liz Camancho

Approved on consent.

8. MATTERS FROM STAFF

None

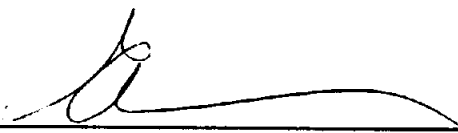
9. MATTERS FROM THE COMMITTEE

None.

10. ADJOURN

There being no further business before the Committee the meeting adjourned at 8:15 pm.



Councilor Roman Abeyta, Chair

Elizabeth Martin, Stenographer