



# Agenda

FINANCE COMMITTEE MEETING  
AND CONTINUED BUDGET HEARINGS  
CITY COUNCIL CHAMBERS  
MAY 18, 2009 – 5:15 PM

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

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF AGENDA

4. APPROVAL OF CONSENT AGENDA

5. APPROVAL OF MINUTES:

MAY 4, 2009 STUDY SESSION – FY 09/10 OPERATING BUDGET REVIEW

MAY 4, 2009 REGULAR FINANCE COMMITTEE MEETING

CITY CLERK'S OFFICE

DATE 5/18/09 TIME 2:20 PM  
Yolanda Green  
JSG CS

**CONSENT AGENDA:**

6. BID OPENINGS:

A. BID NO. 09/31/B – ONE TOP LOADING RECYCLING BODY FOR SOLID WASTE MANAGEMENT DIVISION; HIGH MESA ENVIRONMENTAL, LLC (BILL DEGRANDE)

B. BID NO. 09/32/B – ONE EIGHT YARD SIDE LOADING REFUSE PACKER BODY FOR SOLID WASTE MANAGEMENT DIVISION; CLARK TRUCK & EQUIPMENT CO. (BILL DEGRANDE)

1. REQUEST FOR APPROVAL OF BUDGET INCREASE – SOLID WASTE ENTERPRISE FUND

C. BID NO. 09/34/B – TAXIWAY F RECONSTRUCTION AT SANTA FE MUNICIPAL AIRPORT; SALLS BROTHERS CONSTRUCTION (JIM MONTMAN)

1. REQUEST FOR APPROVAL OF GRANT APPLICATION AND AWARD – FEDERAL STIMULUS PROGRAM FOR TAXIWAY F RECONSTRUCTION; U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION

7. REQUEST FOR APPROVAL OF FY 2009/2010 FUNDING RECOMMENDATIONS FOR CHILDREN AND YOUTH COMMISSION GRANTS (35 CONTRACTS) (LYNN HATHAWAY)



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8. REQUEST FOR APPROVAL OF JOINT POWERS AGREEMENT – OPERATIONAL NEEDS FOR SOBERING CENTER; SANTA FE COUNTY (TERRIE RODRIGUEZ)
  - A. REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT – CRISIS RESPONSE PROJECT FUND
9. REQUEST FOR APPROVAL OF PROCUREMENT UNDER FEDERAL PRICE AGREEMENT – REPLACE ADMINISTRATION BUILDING ROOF AT WASTEWATER TREATMENT PLANT; WEATHER PROOFING TECHNOLOGIES, INC. (KATHLEEN GARCIA)
10. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – ONE FORD CAB & CHASSIS FOR SOLID WASTE MANAGEMENT DIVISION; BOB TURNER’S FORD COUNTRY (BILL DEGRANDE)
  - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – SOLID WASTE ENTERPRISE FUND
11. REQUEST FOR APPROVAL OF ADJUSTMENT TO COVER COSTS OF PROJECTED DEFICITS IN CURRENT FISCAL YEAR BUDGET FOR GASOLINE, DIESEL, OVERTIME AND EQUIPMENT REPAIR FOR SOLID WASTE MANAGEMENT DIVISION (MAYA MARTINEZ AND BILL DEGRANDE)
12. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – SECURITY SERVICES AT THE WATERSHED, STORAGE TANKS AND WELL SITES FOR WATER DIVISION; CHAVEZ SECURITY, INC. (MICHAEL GONZALES)
13. REQUEST FOR APPROVAL OF STATE OF NEW MEXICO GOVERNMENTAL SERVICES AGREEMENT – SANTA FE RIVER RESTORATION AND TRAIL PROJECT; STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT (RACHEL FRIEDMAN)
14. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 3 – FIRE STATION NO. 3; SAMCON, INC. (CHIP LILIENTHAL)
15. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – ELEVEN (11) VEHICLES AND ONE REEL MASTER 5510 MOWER FOR PARKS DIVISION; BOB TURNER’S FORD COUNTRY AND SIMPSON NORTON CORPORATION (FABIAN CHAVEZ)



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16. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO LEASE AGREEMENT – PROPERTY LOCATED AT SANTA FE MUNICIPAL AIRPORT; SANTA FE AIR CENTER, LLC SUCCESSOR IN INTEREST TO CAPITAL AVIATION OF SANTA FE, INC. (JIM MONTMAN)
17. REQUEST FOR APPROVAL OF LEASE AGREEMENT – PORTION OF CITY PROPERTY ALONG EASTERLY BOUNDARY OF AGUA FRIA ELEMENTARY SCHOOL LOCATED AT 3160 AGUA FRIA FOR DEVELOPMENT OF PARKING AREA BY THE SANTA FE PUBLIC SCHOOLS (EDWARD VIGIL)
18. REQUEST FOR APPROVAL OF 2009 CDBG ANNUAL ACTION PLAN AND CDBG CONTRACTS (MELISA DAILEY)
  - A. SANTA FE RECOVERY
  - B. SANTA FE COMMUNITY HOUSING TRUST
  - C. HOMEWISE, DOWN PAYMENT ASSISTANCE
  - D. HOMEWISE, REHAB
19. REQUEST FOR APPROVAL OF COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDING JUNE 30, 2008 (To be presented at the Finance Committee meeting of June 15, 2009) (TERESITA GARCIA)
  - A. REQUEST FOR APPROVAL OF STATE OF NEW MEXICO AUDIT CONTRACT – AUDIT SERVICES FOR FISCAL YEAR ENDING JUNE 30, 2009; ATKINSON & CO.
20. REQUEST FOR APPROVAL OF AMENDED AND RESTATED LEASE AGREEMENT – PROPERTY LOCATED AT SANTA FE MUNICIPAL AIRPORT; SANTA FE AIR CENTER, LLC SUCCESSOR IN INTEREST TO SANTA FE FLIERS, INC. (JIM MONTMAN)
  - A. REQUEST FOR APPROVAL OF LEASE AGREEMENT – CITY OWNED LAND 1.57 ACRES LOCATED AT SANTA FE MUNICIPAL AIRPORT; SANTA FE AIR CENTER, LLC
  - B. REQUEST FOR APPROVAL OF AN ORDINANCE RATIFYING A LEASE OF APPROXIMATELY 1.57 ACRES OF LAND OWNED BY THE CITY OF SANTA FE LOCATED AT THE SANTA FE MUNICIPAL AIRPORT (COUNCILOR TRUJILLO (JIM MONTMAN)



# Agenda

**Committee Review:**

Public Works Committee (Approved)	May 11, 2009
City Council (Request to Publish)	May 27, 2009
City Council (Public Hearing)	June 24, 2009

***Fiscal Impact – Yes***

C. REQUEST FOR LANDLORD (CITY) APPROVAL OF “SECOND SUPPLEMENTAL CONSENT AND ESTOPPEL” FOR THE BENEFIT OF U.S. BANK NATIONAL ASSOCIATION

21. REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE ANNUAL 4<sup>TH</sup> OF JULY SANTA FE VINTAGE CAR CLUB SHOW ON LINCOLN AVENUE FROM PALACE AVENUE TO FEDERAL PLACE AND ON MARCY STREET FROM LINCOLN AVENUE TO SHERIDAN STREET (COUNCILORS TRUJILLO, CHAVEZ AND ROMERO) (SEVASTIAN GURULE)

**Committee Review:**

Public Works Committee (Approved)	May 11, 2009
City Council (Scheduled)	May 27, 2009

***Fiscal Impact – No***

22. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO WORK WITH THE COUNTY OF SANTA FE TO INITIATE EFFORTS TO CREATE A RENEWABLE ENERGY FINANCING DISTRICT IN ACCORDANCE WITH THE SOLAR ENERGY IMPROVEMENT SPECIAL ASSESSMENT ACT AND THE RENEWABLE ENERGY FINANCING DISTRICT ACT (COUNCILORS CALVERT, WURZBURGER, ORTIZ AND BUSHEE) (NICK SCHIAVO)

**Committee Review:**

Public Utilities Committee (Approved)	May 6, 2009
Public Works Committee (Approved)	May 11, 2009
City Council (Scheduled)	May 27, 2009

***Fiscal Impact – No***

- A. REQUEST FOR APPROVAL OF A RESOLUTION DECLARING THE INTENTION OF THE CITY OF SANTA FE TO FORM A RENEWABLE ENERGY FINANCING DISTRICT PURSUANT TO THE NEW MEXICO RENEWABLE ENERGY FINANCING DISTRICT ACT (COUNCILOR ORTIZ)



# Agenda

23. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 14-8.10 SFCC 1987 ESTABLISHING THE PURPOSE OF THE SIGN CODE; ESTABLISHING REQUIREMENTS FOR ELECTRONIC MESSAGING SIGNS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY (COUNCILOR ROMERO) (JEANNE PRICE)

**Committee Review:**

Planning Commission (Denied but recommended alternative)	March 19, 2009
Historic Design Review Board (Approved)	March 24, 2009
Public Works Committee (Approved)	May 11, 2009
City Council (Request to Publish)	May 27, 2009
City Council (Public Hearing)	June 24, 2009

- A. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 14-8.10 SFCC 1987 ESTABLISHING THE PURPOSE OF THE SIGN CODE; PROHIBITING ELECTRONIC MESSAGING SIGNS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY (PLANNING COMMISSION) (JEANNE PRICE)

***Fiscal Impact – No***

24. REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING AND ADOPTING SUBMISSION OF AN EXECUTED CAPITAL COOPERATIVE AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT) FOR THE 2008 LEGISLATIVE APPROPRIATION FOR THE PLANNING, DESIGN, ENGINEERING AND CONSTRUCTION OF A WATER LINE AND A SEWER LINE FOR THE 2400 BLOCK OF AGUA FRIA IN SANTA FE COUNTY (COUNCILOR CHAVEZ) (STAN HOLLAND)

**Committee Review:**

Public Utilities Committee (Approved)	May 6, 2009
City Council (Scheduled)	May 27, 2009

***Fiscal Impact – Yes***

- A. REQUEST FOR APPROVAL OF BUDGET INCREASE – WASTEWATER ENTERPRISE FUND



# Agenda

25. REQUEST FOR APPROVAL OF AN ORDINANCE REPEALING SECTIONS 14-8.11(G)(3), 14-8.13, 14-8.16 AND 14-8.17 SFCC 1987 REGARDING ANNUAL WATER BUDGET, WATER RIGHTS TRANSFER REQUIREMENTS AND WATER BANKING; CREATING A NEW SECTION 14-8.13 SFCC 1987 REGARDING DEVELOPMENT WATER BUDGET REQUIREMENTS, A NEW ARTICLE 25-9 SFCC 1987 REGARDING THE CITY WATER BUDGET, A NEW ARTICLE 25-10 SFCC 1987 REGARDING THE CITY WATER BANK, A NEW ARTICLE 25-11 SFCC 1987 REGARDING THE WATER RIGHTS TRANSFER PROGRAM, AND A NEW ARTICLE 25-12 SFCC 1987 REGARDING THE WATER CONSERVATION CREDIT PROGRAM; MAKING SUCH OTHER RELATED CHANGES AS ARE NECESSARY (COUNCILOR WURZBURGER) (FRANK KATZ)

**Committee Review:**

Planning Commission (Approved)	March 16, 2009
Public Utilities Committee (Approved)	May 6, 2009
Public Works Committee (Approved)	May 11, 2009
City Council (Request to Publish)	May 27, 2009
City Council (Public Hearing	June 24, 2009

***Fiscal Impact – Yes***

26. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING THE IRRIGATION EFFICIENCY PROGRAM GUIDELINES AND AUTHORIZING REBATES FOR THE INSTALLATION/RETROFIT OF EFFICIENT IRRIGATION HARDWARE (COUNCILOR CALVERT) (DANIEL RANSOM)

**Committee Review:**

Public Utilities Committee (Approved)	May 6, 2009
City Council (Scheduled)	May 27, 2009

***Fiscal Impact – Yes***

**END OF CONSENT AGENDA**

**EXECUTIVE SESSION**

27. DISCUSSION OF NEGOTIATIONS ON PURCHASE OF COLLEGE OF SANTA FE PURSUANT TO NMSA 1978 §10-15-1(H)(8) (FRANK KATZ)



# Agenda

## **DISCUSSION:**

28. OTHER FINANCIAL INFORMATION:

- A. REQUEST FOR APPROVAL OF SANTA FE INVESTMENT PORTFOLIO AS OF MARCH 31, 2009 (HELENE HAUSMAN AND DAVID MILLICAN)
- B. UPDATE ON GROSS RECEIPTS TAX REPORT FOR MAY 2009 AND LODGERS' TAX REPORT FOR APRIL 2009 (DAVID MILLICAN)

## **RECESS**

29. CONTINUATION OF BUDGET HEARINGS:

QUALITY OF LIFE SERVICES  
LAND USE

PUBLIC WORKS AND ASSET ACQUISITION AND MAINTENANCE SERVICES  
PUBLIC WORKS:

ENGINEERING  
STREETS  
BUILDINGS  
ASD FLEET

GOVERNANCE AND ADMINISTRATIVE SUPPORT

CITY COUNCIL/MAYOR  
CITY MANAGER  
CITY ATTORNEY  
CITY CLERK  
FINANCE  
HUMAN RESOURCES  
ITT  
RISK MANAGEMENT

30. MATTERS FROM THE COMMITTEE

31. ADJOURN

**CONTINUATION OF BUDGET REVIEW HEARINGS ON WEDNESDAY, MAY 20, 2009 AT 5:15 P.M.**

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

**SUMMARY OF ACTION  
FINANCE COMMITTEE MEETING  
Monday, May 18, 2009**

<b><u>ITEM</u></b>	<b><u>ACTION</u></b>	<b><u>PAGE</u></b>
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved	1-2
APPROVAL OF CONSENT AGENDA	Approved [amended]	2
CONSENT AGENDA LISTING		2-4
<b><u>APPROVAL OF MINUTES</u></b>		
MAY 4, 2009 STUDY SESSION – FY 09/10 OPERATING BUDGET REVIEW	Approved	5
MAY 4, 2009 REGULAR FINANCE COMMITTEE MEETING	Approved	5
<b><u>CONSENT CALENDAR DISCUSSION</u></b>		
REQUEST FOR APPROVAL OF FY 2009/2010 FUNDING RECOMMENDATIONS FOR CHILDREN AND YOUTH COMMISSION GRANTS	Approved	5
REQUEST FOR APPROVAL OF LEASE AGREEMENT – PORTION OF CITY PROPERTY ALONG EASTERLY BOUNDARY OF AGUA FRIA ELEMENTARY SCHOOL, LOCATED AT 3160 AGUA FRIA FOR DEVELOPMENT OF PARKING AREA BY THE SANTA FE PUBLIC SCHOOLS	Approved	6-7
REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE ANNUAL 4 <sup>TH</sup> OF JULY SANTA FE VINTAGE CAR CLUB SHOW ON LINCOLN AVENUE FROM PALACE AVENUE TO FEDERAL PLACE AND ON MARCY STREET FROM LINCOLN AVENUE TO SHERIDAN STREET	Approved	7



<b><u>ITEM</u></b>	<b><u>ACTION</u></b>	<b><u>PAGE</u></b>
REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO WORK WITH THE COUNTY OF SANTA FE TO INITIATE EFFORTS TO CREATE A RENEWABLE ENERGY FINANCING DISTRICT IN ACCORDANCE WITH THE SOLAR ENERGY IMPROVEMENT SPECIAL ASSESSMENT ACT AND THE RENEWABLE ENERGY FINANCING DISTRICT ACT	Approved	8
REQUEST FOR APPROVAL OF A RESOLUTION DECLARING THE INTENTION OF THE CITY OF SANTA FE TO FORM A RENEWABLE ENERGY FINANCING DISTRICT, PURSUANT TO THE NEW MEXICO RENEWABLE ENERGY FINANCING DISTRICT ACT	Approved	8-10
REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 14-8.10 SFCC 1987, ESTABLISHING THE PURPOSE OF THE SIGN CODE; ESTABLISHING REQUIREMENTS FOR ELECTRONIC MESSAGING SIGNS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY	Approved	10-12
REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 14-8.10 SFCC 1987, ESTABLISHING THE PURPOSE OF THE SIGN CODE; PROHIBITING ELECTRONIC MESSAGING SIGNS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY (PLANNING COMMISSION)	No action	12

**ITEM****ACTION****PAGE**

REQUEST FOR APPROVAL OF AN ORDINANCE  
REPEALING SECTIONS 14-8.11(G)(3), 14-8.13,  
14-8.16 AND 14-8.17 SFCC 1987, REGARDING  
ANNUAL WATER BUDGET, WATER RIGHTS  
TRANSFER REQUIREMENTS AND WATER BANKING;  
CREATING A NEW SECTION 14-8.13 SFCC 1987,  
REGARDING DEVELOPMENT WATER BUDGET  
REQUIREMENTS, A NEW ARTICLE 25-9 SFCC  
1987, REGARDING THE CITY WATER BUDGET,  
A NEW ARTICLE 25-10, SFCC 1987, REGARDING  
THE CITY WATER BANK, A NEW ARTICLE 25-11  
SFCC 1987, REGARDING THE WATER RIGHTS  
TRANSFER PROGRAM, AND A NEW ARTICLE  
25-12 SFCC 1987, REGARDING THE WATER  
CONSERVATION CREDIT PROGRAM; MAKING  
OTHER RELATED CHANGES AS ARE  
NECESSARY  
DISCUSSION: Back to PW

Postponed to 06/15/09

13

**EXECUTIVE SESSION**

DISCUSSION OF NEGOTIATIONS ON PURCHASE  
OF COLLEGE OF SANTA FE, PURSUANT TO  
NMSA 1978, §10-15-1(H)(8)

Approved

13-14

MOTION TO COME OUT OF EXECUTIVE SESSION

Approved

14

**DISCUSSION****OTHER FINANCIAL INFORMATION:**

REQUEST FOR APPROVAL OF SANTA FE  
INVESTMENT PORTFOLIO AS OF  
MARCH 31, 2009

No action necessary

14

UPDATE ON GROSS RECEIPTS TAX  
REPORT FOR MAY 2009 AND LODGERS'  
TAX REPORT FOR APRIL 2009

No action

14-15

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**RECESS**

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<b><u>ITEM</u></b>	<b><u>ACTION</u></b>	<b><u>PAGE</u></b>
<b><u>CONTINUATION OF BUDGET HEARINGS</u></b>		
<b>QUALITY OF LIFE SERVICES</b>		
<b>LAND USE</b>	<b>Information/discussion</b>	<b>15-21</b>
<b>PUBLIC WORKS AND ASSET ACQUISITION</b>		
<b>AND MAINTENANCE SERVICES PUBLIC WORKS</b>	<b>Information/discussion</b>	<b>21-23</b>
<b>ENGINEERING</b>	<b>Information/discussion</b>	<b>23</b>
<b>STREETS</b>		<b>23</b>
<b>BUILDINGS</b>		<b>23</b>
<b>ASD FLEET</b>		<b>23</b>
<b>GOVERNANCE AND ADMINISTRATIVE SUPPORT</b>		
<b>CITY COUNCIL/MAYOR</b>	<b>Information/discussion</b>	<b>23</b>
<b>CITY MANAGER</b>	<b>Information/discussion</b>	<b>24-26</b>
<b>CITY ATTORNEY</b>	<b>Information/discussion</b>	<b>26-27</b>
<b>CITY CLERK</b>	<b>Information/discussion</b>	<b>27-28</b>
<b>FINANCE</b>	<b>Information/discussion</b>	<b>28-29</b>
<b>HUMAN RESOURCES</b>	<b>Information/discussion</b>	<b>29</b>
<b>ITT</b>		<b>29</b>
<b>RISK MANAGEMENT</b>		<b>29</b>
<b>MATTERS FROM THE COMMITTEE</b>	<b>Information/discussion</b>	<b>30-31</b>
<b>ADJOURN</b>		<b>32</b>

**MINUTES OF THE  
CITY OF SANTA FE  
FINANCE COMMITTEE  
Monday, May 18, 2009**

**1. CALL TO ORDER**

A regular meeting of the City of Santa Fe Finance Committee was called to order by Chair Matthew E. Ortiz, at approximately 5:15 p.m., on Monday, May 18, 2009, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

**2. ROLL CALL**

**MEMBERS PRESENT:**

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

**OTHER COUNCILORS ATTENDING:**

Councilor Patti J. Bushee

**OTHERS ATTENDING:**

David Millican, Finance Director  
Yolanda Green, Finance Division  
Melessia Helberg, Stenographer.

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

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

**3. APPROVAL OF AGENDA**

Yolanda Green noted that Items 6(B), 10 and 10(A) were approved at previous meetings, were placed on the agenda in error and should be removed from the agenda.

Councilor Calvert noted for the record, that Committee packet information for Items #16 and #17 are reversed in the packets.

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

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

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

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

**VOTE:** The motion was approved on a voice vote, with Councilors Calvert, Dominguez and Wurzbarger voting in favor of the motion, none against, and Councilor Chavez abstaining.

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#### **CONSENT AGENDA**

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#### **6. BID OPENINGS:**

- A. BID NO. 09/31/B – ONE TOP LOADING RECYCLING BODY FOR SOLID WASTE MANAGEMENT DIVISION; HIGH MESA ENVIRONMENTAL, LLC. (BILL DeGRANDE)
- B. *[This item was placed on the Agenda in error and was removed]*
- C. BID NO. 09/34/B – TAXIWAY F RECONSTRUCTION AT SANTA FE MUNICIPAL AIRPORT; SALLS BROTHERS CONSTRUCTION. (BILL MONTMAN)
  - 1. REQUEST FOR APPROVAL OF GRANT APPLICATION AND AWARD – FEDERAL STIMULUS PROGRAM FOR TAXIWAY F RECONSTRUCTION; U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION.

#### **7. *[Removed for discussion by Councilor Calvert]***

#### **8. REQUEST FOR APPROVAL OF JOINT POWERS AGREEMENT – OPERATIONAL NEEDS FOR SOBERING CENTER; SANTA FE COUNTY. (TERRIE RODRIGUEZ)**

- A. REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT – CRISIS RESPONSE PROJECT FUND.

#### **9. REQUEST FOR APPROVAL OF PROCUREMENT UNDER FEDERAL PRICE AGREEMENT – REPLACE ADMINISTRATION BUILDING ROOF AT WASTEWATER TREATMENT PLANT; WEATHER PROOFING TECHNOLOGIES, INC. (KATHLEEN GARCIA)**

#### **10. *[This item was placed on the Agenda in error and was removed]***

11. REQUEST FOR APPROVAL OF ADJUSTMENT TO COVER COSTS OF PROJECTED DEFICITS IN CURRENT FISCAL YEAR BUDGET FOR GASOLINE, DIESEL, OVERTIME AND EQUIPMENT REPAIR FOR SOLID WASTE MANAGEMENT DIVISION. (MAYA MARTINEZ AND BILL DeGRANDE)
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15. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – ELEVEN (11) VEHICLES AND ONE REEL MASTER 5510 MOWER FOR PARKS DIVISION; BOB TURNER'S FORD COUNTRY AND SIMPSON NORTON CORPORATION. (FABIAN CHAVEZ)
16. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO LEASE AGREEMENT – PROPERTY LOCATE AT SANTA FE MUNICIPAL AIRPORT; SANTA FE AIR CENTER, LLC SUCCESSOR IN INTEREST TO CAPITAL AVIATION OF SANTA FE, INC. (JIM MONTMAN)
17. *[Removed for discussion by Councilor Calvert]*
18. REQUEST FOR APPROVAL OF 2009 CDBG ANNUAL ACTION PLAN AND CDBG CONTRACTS. (MELISA DAILEY)
  - A. SANTA FE RECOVERY
  - B. SANTA FE COMMUNITY HOUSING TRUST
  - C. HOMEWISE, DOWN PAYMENT ASSISTANCE
  - D. HOMEWISE, REHAB
19. REQUEST FOR APPROVAL OF COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDING JUNE 30, 2008( To be presented at the Finance Committee meeting of June 15, 2009). (TERESITA GARCIA)
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20. REQUEST FOR APPROVAL OF AMENDED AND RESTATED LEASE AGREEMENT – PROPERTY LOCATED AT SANTA FE MUNICIPAL AIRPORT; SANTA FE AIR CENTER, LLC, SUCCESSOR IN INTEREST TO SANTA FE FLIERS, INC. (JIM MONTMAN)

A. REQUEST FOR APPROVAL OF LEASE AGREEMENT – CITY OWNED LAND, 1.57 ACRES, LOCATED AT SANTA FE MUNICIPAL AIRPORT; SANTA FE AIR CENTER, LLC.

B. REQUEST FOR APPROVAL OF AN ORDINANCE RATIFYING A LEASE OF APPROXIMATELY 1.57 ACRES OF LAND OWNED BY THE CITY OF SANTA FE, LOCATED AT THE SANTA FE MUNICIPAL AIRPORT (COUNCILOR TRUJILLO). (JIM MONTMAN)

Committee Review: Public Works Committee (Approved) May 11, 2009; City Council (Request to Publish) May 27, 2009; and City Council (Public Hearing) June 24, 2009. Fiscal Impact – Yes.

C. REQUEST FOR LANDLORD (CITY) APPROVAL OF “SECOND SUPPLEMENTAL CONSENT AND ESTOPPEL” FOR THE BENEFIT OF U.S. BANK NATIONAL ASSOCIATION.

21. *[Removed for discussion by Councilor Calvert]*

22. *[Removed for discussion by Councilor Calvert]*

23. *[Removed for discussion by Councilor Calvert]*

24. REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING AND ADOPTING SUBMISSION OF AN EXECUTED CAPITAL COOPERATIVE AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT) FOR THE 2008 LEGISLATIVE APPROPRIATION FOR THE PLANNING, DESIGN, ENGINEERING AND CONSTRUCTION OF A WATER LINE AND A SEWER LINE FOR THE 2400 BLOCK OF AGUA FRIA IN SANTA FE COUNTY (COUNCILOR CHAVEZ). (STAN HOLLAND) Committee Review: Public Utilities Committee (Approved) May 6, 2009; and City Council (Scheduled) May 27, 2009. Fiscal Impact – Yes.

A. REQUEST FOR APPROVAL OF A BUDGET INCREASE – WASTEWATER ENTERPRISE FUND.

25. *[Removed for discussion by Councilor Calvert]*

26. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING THE IRRIGATION EFFICIENCY PROGRAM GUIDELINES AND AUTHORIZING REBATES FOR THE INSTALLATION/RETROFIT OF EFFICIENT IRRIGATION HARDWARE (COUNCILOR CALVERT). (DANIEL RANSOM) Committee Review: Public Utilities Committee (Approved) May 6, 2009; and City Council (Scheduled) May 27, 2009. Fiscal Impact – Yes.

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#### END OF CONSENT AGENDA

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**5. APPROVAL OF MINUTES:**

**MAY 4, 2009 STUDY SESSION – FY 09/10 OPERATING BUDGET REVIEW  
MAY 4, 2009 REGULAR FINANCE COMMITTEE MEETING**

**MOTION:** Councilor Calvert moved, seconded by Chair Ortiz, to approve the minutes of the May 4, 2009 Study Session and the May 4, 2009 meeting, as submitted.

**VOTE:** The motion was approved on a voice vote, with Councilors Calvert and Wurzbarger voting in favor of the motion, none voting against, Councilor Dominguez abstaining, and Councilor Chavez absent.

**CONSENT CALENDAR DISCUSSION**

**7. REQUEST FOR APPROVAL OF FY 2009/2010 FUNDING RECOMMENDATIONS FOR CHILDREN AND YOUTH COMMISSION GRANTS (35 CONTRACTS). (LYNN HATHAWAY)**

Councilor Calvert said in the previous budget study sessions, we indicated that we didn't like the City Manager's recommendation to cut the allocation from 3% to 2.55%.

Chair Ortiz asked if he would like to postpone this item, pending the final resolution of the Budget. His question is how it would affect the appropriations which have been made by the Children & Youth Commission if we move it to 3%, and if we were to restore this percentage, perhaps it would be better to have it as part of the budget and specifically designate this change.

*Councilor Chavez arrived at the meeting.*

Councilor Calvert would like to hear from Ms. Hathaway.

Mr. Millican said when the process was started, the Children & Youth Commission believed it had a 3% allocation, which was reduced about 15%, and set an allocation target based on that. When there was a further reduction, rather than reducing the planned allocation, they decided to use fund balances and adjust in the subsequent year. He understands this allocation "is pretty much the allocation they would have had to deal with at the reduced revenue level, as opposed to the reduced allocation level, but, if you do move from 2.55 to 3%, that would help replenish the fund balance and give them more flexibility in future years."

Councilor Calvert said then is a 3% budget allocation as it is, and Ms. Hathaway said this is correct.

**MOTION:** Councilor Calvert moved, seconded by Councilor Wurzbarger, to approve this allocation request.

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



**17. REQUEST FOR APPROVAL OF LEASE AGREEMENT – PORTION OF CITY PROPERTY ALONG EASTERLY BOUNDARY OF AGUA FRIA ELEMENTARY SCHOOL, LOCATED AT 3160 AGUA FRIA FOR DEVELOPMENT OF PARKING AREA BY THE SANTA FE PUBLIC SCHOOLS. (EDWARD VIGIL)**

Councilor Calvert said he asked Ms. McCormick to contact him and discuss whether these two lots would be usable for affordable housing.

Mr. Vigil said he briefly spoke with Ms. McCormick, and because of the configuration and size, he believes it wouldn't be practical to use them for affordable housing.

Ms. McCormick said she looked at the map, but hasn't looked at the property. She understands this is a parcel of 40,000 sq. ft. to which the City has granted access to the School District, noting it will be improved for a parking lot. She said Habitat might be interested in putting a house there, but because of its configuration, she can't say definitely whether or not she believes this is a decent housing request.

**MOTION:** Councilor Calvert moved, seconded by Councilor Wurzbarger, to postpone this request to the Finance Committee meeting of June 6, 2009, pending the receipt of the requested information.

**DISCUSSION:** Councilor Chavez asked if part of the reason we're postponing is to see if Habitat or someone else might be interested in building, and Councilor Calvert said yes. Councilor Chavez said that might serve a purpose, but part of the reason we were leasing this to the school was to deal with some of the congestion along the Agua Fria corridor at Agua Fria and Larragoite Schools, and our discussions about designing access points to these schools for safety. He believes this will help the schools in that endeavor, which would go further than trying to "pigeon-hole" two housing units next to a school parking lot. Although it possibly could be done, he doesn't think it is a good place for those units, and he is against the motion to postpone.

Councilor Dominguez noted Exhibit F in the packet, which is an agreement for the lease which has been signed, dated July 12, 2006. He asked how that agreement impacts this particular lot. He would not support voting to postpone this if it is a matter of getting these details now. He said if we can work out this detail, we may not need to postpone this.

Mr. Vigil said this is included in the packet to remind the Committee that the Council granted the Public Schools access to this land in 2006, and a portion of this land is already utilized for an access driveway to the School. He said the likelihood of the City granting additional exits off the Richards Avenue extension will require some hard and heavy thinking.

Councilor Calvert said they could exit from our easement which we granted previously.

Councilor Dominguez said he won't support the motion, although he appreciates the effort to get additional affordable housing, saying this is an attempt to alleviate the existing congestion. He said putting affordable housing here would potentially increase congestion, and he will vote against the motion.

Councilor Calvert said he went to the site this weekend and looked at the real estate the District has dedicated to parking and traffic, and there is more real estate at that school than at many other schools, such as Gonzales which has a concentric circle design to accommodate both the parents and buses on the same real estate without expanding. He believes they have plenty of property, but they want to take the easier solution which is to spread out more. He said we have an agreement with the School District in the Northwest Quadrant, and there was no interest in affordable housing. He believes it is not unrealistic to see if this parcel has potential, and we should look at that, because we have done this previously on several lots we own, such as the one in District 2 on Gomez and Peralta, etc. If there is the potential, he thinks it is well worth doing.

**VOTE:** The motion failed to pass on a voice vote, with Councilors Wurzbarger and Calvert voting in favor of the motion, Councilors Chavez and Dominguez voting against, and the Chair voting against to break the tie.

**MOTION:** Councilor Chavez moved, seconded by Councilor Dominguez, to approve this request, as noted in Public Works.

**VOTE:** The motion was approved on a voice vote, with Councilor Chavez and Dominguez voting in favor of the motion, Councilors Wurzbarger and Calvert voting against, and the Chair voting in favor to break the tie.

21. **REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE ANNUAL 4<sup>TH</sup> OF JULY SANTA FE VINTAGE CAR CLUB SHOW ON LINCOLN AVENUE FROM PALACE AVENUE TO FEDERAL PLACE AND ON MARCY STREET FROM LINCOLN AVENUE TO SHERIDAN STREET (COUNCILORS TRUJILLO, CHAVEZ AND ROMERO). (SEVASTIAN GURULE)**  
**Committee Review: Public Works Committee (Approved) May 11, 2009; and City Council (Scheduled) May 27, 2009. Fiscal Impact – No.**

Councilor Calvert asked Sevastian Gurule if there was communication between the two interested parties on this. Responding to Councilor Chavez, he said he is asking staff if they are aware of any discussions between the proponents of this project and the downtown merchants directly.

Mr. Gurule said he spoke this afternoon with John Dressman, a member of the Downtown Merchants Association, and he said there are two Marcy Street merchants who belong to the Association. He said they were asked if they had interest or concern, and to date no concerns have been expressed. He did tell Mr. Dressman it would be heard by Finance this evening and then move forward, and invited them to attend and hear the decision, but Mr. Dressman isn't present.

**MOTION:** Councilor Chavez moved, seconded by Councilor Dominguez, to approve this request.

**VOTE:** The motion was approved on a voice vote with Councilors Chavez, Dominguez and Wurzbarger voting in favor of the motion, and Councilor Calvert voting against.

22. **REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO WORK WITH THE COUNTY OF SANTA FE TO INITIATE EFFORTS TO CREATE A RENEWABLE ENERGY FINANCING DISTRICT IN ACCORDANCE WITH THE SOLAR ENERGY IMPROVEMENT SPECIAL ASSESSMENT ACT AND THE RENEWABLE ENERGY FINANCING DISTRICT ACT (COUNCILORS CALVERT, WURZBURGER, ORTIZ AND BUSHEE). (NICK SCHIAVO).**  
**Committee Review:** Public Utilities Committee (Approved) May 6, 2009; Public Works Committee (Approved) May 11, 2009; City Council (Scheduled) May 27, 2009. Fiscal Impact – No.

**MOTION:** Councilor Calvert moved, seconded by Councilor Wurzbarger, to approve the request in Item 22.

**VOTE:** The motion was approved on a voice vote, with Councilors Calvert, Dominguez and Wurzbarger voting against and Councilor Chavez abstaining.

Councilor Dominguez noted he asked to be added as a sponsor of this Resolution.

- A.. **REQUEST FOR APPROVAL OF A RESOLUTION DECLARING THE INTENTION OF THE CITY OF SANTA FE TO FORM A RENEWABLE ENERGY FINANCING DISTRICT, PURSUANT TO THE NEW MEXICO RENEWABLE ENERGY FINANCING DISTRICT ACT. (COUNCILOR ORTIZ).**

Councilor Ortiz explained that this Resolution, as opposed to the previous Resolution saying we want to initiate our best efforts with the County, actually tries to create the District.

Councilor Calvert said it's not that he has a problem with this, it is just that Item 22 asks us to work with the County to get a sense of how it is moving forward, and if it is moving expeditiously in the best interest of the City and the County. He said Councilor Ortiz's presupposes, to a certain extent, this isn't going to happen. He doesn't want to commit staff resources until we have a better understanding if this is the case.

Chair Ortiz said this is a fair characterization, although it isn't the right one. He said his Resolution creates the district, and doesn't presuppose anything the County will do or not do, and creates the district for the City. He said the Resolution in Item 22 is just an intention to work with the County to come together and see if it is willing to create a district in some point in the future. Item #22 is about intention and #22(A) is about action. If the Committee wants to delay the action for the intention, he is okay with that.

Councilor Chavez said he abstained from voting on the earlier Resolution, because he is unsure where the District is, and exactly what the City and the County are expecting staff to do. He said on some resolutions we can worry about staff time, but not on others, but for him it is all equal. He said the district reminds him of the North Central Regional Transportation District which is a larger entity than just the City and County, and what he believes this district speaks to. He said you really can't have one without the other, whether you work on one piece now and one later, it is still staff time, and it might be time well spent in both cases. He said if staff is going to do this, perhaps they should do the work on both resolutions at

the same time. He said this explains the differences and similarities between the two and brings it full circle.

Councilor Wurzbarger agrees with Councilor Chavez. She said she would hate to think that by voting for 22, she had eliminated 22(A). It is very important for the City of Santa Fe, itself, to say it is going to work on this, and will work with the County, but it is moving forward. She said in taking this position there is no reason we can't do both, and sit and find out where the County is, and how we might cooperate together.

**MOTION:** Councilor Wurzbarger moved, seconded by Councilor Chavez, to approve the request in 22(A) as stated for the rationale discussed.

**DISCUSSION:** Councilor Dominguez supports the motion. He said he, Mr. Schiavo and Ms. Price have discussed the infrastructure and whether we have the infrastructure which would support moving in this direction, and asked if we need to include language which indicates the infrastructure will be provided. He would hate to create a district with everything in place, without the ability to deliver some of these efficiencies.

Mr. Schiavo said the County's intention in moving forward now is to set it up for the entire County and hire an outside firm to run the program for it. If the City were doing it on its own, we would need more infrastructure, more staff and a system to handle the applications and do the bonding.

Councilor Calvert asked Mr. Schiavo to explain the difference between what the City would be under Item 22(A) Senator Wirth's proposal, and what would be done under Representative Egolf's proposal, on a County-wide basis.

Mr. Schiavo said, at this point, it looks like the County is leaning toward Senator Wirth's bill, which calls for the issuance of bonds. He said Brian Egolf's bill works with private sector funds. Senator Wirth's deals with a wider range of renewable energy, and also calls for the generation of a board, under Item 9, "The district will be governed by a district board, composed of members of the governing body, or five directors to be appointed by the governing body." He believes this is more cumbersome. He said in other states, the counties and/or municipalities are running them. He said to date, many districts have been set up, but no one has done any bonding – borrowed money. The way they are set up, you have to do a taxable bond at the current interest or 7-9% interest, and there has been no interest in the programs. However, this doesn't mean we shouldn't move forward to set up a program if the interest rates decrease in the future.

Chair Ortiz said it appears Mr. Schiavo gave his opinion on Senator Wirth's bill, and not the mechanism that the city and the county have to go through to set this up. He said we can't do anything over and above the law. Mr. Schiavo said this is correct.

Chair Calvert said the city and county can only operate under Wirth's bill. If we both created a district, would there be overlap, and would the County exclude the City as part of its district and would there be a lot of duplication of effort. He said both would have to coordinate with the County Assessor to get it on the property tax rolls.

Councilor Chavez said Resolution #22, which was just passed, directs staff to go down that path, and ask those questions and find the answers. He said #22(A) is just another layer of that, establishing a District. If you want this to happen you need both, noting he will support both, but not one or the other.

Chair Ortiz asked Councilor Calvert if he still wants to ask questions, even though the Resolution we just adopted directs staff to get the very answers he is seeking.

Councilor Calvert reiterated he would like to see what happens on #22, before directing staff to pursue #22(A).

Mr Katz said, to clarify, the Wirth bill requires an ordinance, not a resolution, and we don't have an ordinance before the Committee. Both Resolutions ask staff to look at this issue, draft what is necessary and bring the pros and cons to the Committee.

Councilor Wurzbarger asked if we adopt #22(A), if his office would work in conjunction with Mr. Schiavo to draft what is necessary to do this, and how long would that take.

Mr. Katz said this is correct, and he estimates staff could have this to the Committee next month.

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

- 23. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 14-8.10 SFCC 1987, ESTABLISHING THE PURPOSE OF THE SIGN CODE; ESTABLISHING REQUIREMENTS FOR ELECTRONIC MESSAGING SIGNS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY (COUNCILOR ROMERO). (JEANNE PRICE) Committee Review: Planning Commission (Denied but recommended alternative) March 19, 2009; Historic Design Review Board (Approved) March 24, 2009; Public Works Committee (Approved) May 11, 20-09; City Council (Request to Publish) May 27, 2009; and City Council (Public Hearing) June 24, 2009.**

Chair Ortiz said this ordinance hasn't gone to the Council for a request to publish.

Councilor Calvert thought we were working on a more comprehensive ordinance. He said although staff said there is some urgency, but he is unsure it is so urgent that we wouldn't move forward with more comprehensive rework of the sign ordinance in general.

Chair Ortiz understands this is coming forward with an alternate version from the Planning Commission, and asked if the urgency is from staff or the Planning Commission.

Ms. Price said it is coming from staff.

Mr. Katz said City sign ordinances often are subject to attack from advertising companies that want to take advantage of the effectiveness of electronic signs which are incredibly effective, therefore incredibly profitable. He said there often are infirmities in City Ordinances which will be "dug into." So, it is of

concern to make the City ordinances stronger, lest that occur here, and this is a matter which should be handled right away. He said the other aspects of the sign code can come later.

Responding to Councilor Chavez, Ms. Price said the bill on holiday tree off site advertising is scheduled for a public hearing at the last meeting in May.

Responding to Councilor Chavez, Chair Ortiz said this is another instance of piecemealing the sign ordinance, instead of doing it all together as a bundle.

Councilor Chavez asked how specific this is to messaging.

Ms. Price said it is very specific, and refers only to new technology signs which have "reader things" going by and "blinking/flashing" kind of stuff. She said Councilor Romero's bill, which staff is proposing, has specific language that they can't change the message more than once a day, and has standards for the intensity of the light and such. She said the Planning Commission alternative is to prohibit them outright.

Councilor Chavez said this creates the argument that this is something which needs to be done now, but sometimes it doesn't work to wait and do everything at one time. He said these signs are new and would add a new element to the streetscape and something we want to question now, before things are approved. He supported this at Public Works.

**MOTION:** Councilor Chavez moved, seconded by Councilor Dominguez for purposes of discussion, to approve the staff's version of the ordinance.

**DISCUSSION:** Responding to Councilor Chavez, Ms. Price said the Land Use staff is supporting the first version of the ordinance because we do see a lot of these and many businesses want them, but we do want to regulate them more clearly than in the past. The Planning Commission saw it as favoring bigger, non-local businesses, because these kinds of signs are extremely expensive, and the Planning Commission thought if we were really supporting small businesses, the plainer signs are more in keeping with the community.

Councilor Wurzbarger said she calls that the recent issue, in terms of bringing SOFA, is the concern about not having external signage, and asked if that is related and what is the status of that issue.

Ms. Price said the Community Convention Center went to the Planning Commission some time back, and asked about having an electronic message board to announce the various events occurring there. After discussion with the H-Board, the Convention Center withdrew its application and is not going to do this. She said #23 prohibits electronic messaging in the H-districts, and 23(A) prohibits electronic messaging everywhere, regardless of size and intent.

Councilor Wurzbarger said she is uncomfortable with that until she speaks with staff again. She said it was a critical issue as negotiations were being done with the SOFA event, which is an important event.

Councilor Calvert said at Public Works, we discussed that there is an emphasis on public safety with the red light cameras, and some of the prohibitions in using cell phones, and these electronic messaging machines are another distraction to driver's attention, which is contrary to the other things we've been trying to do. He said he agrees with the Planning Commission's motion that this will favor the big bucks, and out of town businesses over local business because of the expense. He would recommend that we adopt the Planning Commission's version with an amendment which allows governmental entities an exemption on that prohibition. He said those are different kinds of signs for information and not trying to get you to buy something. He believes Mr. Katz is going to say that won't fly constitutionally.

Mr. Katz said the intention of the staff's recommendation is to permit electronic signs, noting gas stations have them indicating the price of gas, as well as movie theaters. He said the GCCC has an electronic sign which is changed once a day to announce events. He said the intention is to be sure that there are none of "pulsing, moving whatever. It can be, instead of, you know, having the letters in pink, they're lights. But this is the aspect that we were trying to limit it to."

Councilor Calvert asked if the staff's proposal provides that the sign can be changed only once a day, and Ms. Price said yes.

Councilor Dominguez said then it won't allow scrolling, and it has to be one message, and Ms. Price said yes.

Councilor Chavez said then the frequency and size will be part of permit process and the message will stay longer and it won't be scrolling on the screen as often.

Mr. Price said the sign can't scroll and they have to have a message up for one 24 hour period.

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

**EXPLAINING HER VOTE:** Councilor Wurzbarger said she will say yes, explaining that it is unconstitutional to do the other, but she believes we need to work out a solution, so when we have an event at the Convention Center that our citizens want to attend, but didn't know about it, we can let them know. She said we should have some way to get this information out.

**EXPLAINING HIS VOTE:** Councilor Chavez said if we do it for one, we have to do it for everyone, and part of the reason the ordinance is before us, and he would question that rationale a little, but doesn't believe that is part of this discussion.

**A. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 14-8.10 SFCC 1987, ESTABLISHING THE PURPOSE OF THE SIGN CODE; PROHIBITING ELECTRONIC MESSAGING SIGNS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY (PLANNING COMMISSION). (JEANNE PRICE).**

**Fiscal Impact – No.**

No action was taken on this item.

25. **REQUEST FOR APPROVAL OF AN ORDINANCE REPEALING SECTIONS 14-8.11(G)(3), 14-8.13, 14-8.16 AND 14-8.17 SFCC 1987, REGARDING ANNUAL WATER BUDGET, WATER RIGHTS TRANSFER REQUIREMENTS AND WATER BANKING; CREATING A NEW SECTION 14-8.13 SFCC 1987, REGARDING DEVELOPMENT WATER BUDGET REQUIREMENTS, A NEW ARTICLE 25-9 SFCC 1987, REGARDING THE CITY WATER BUDGET, A NEW ARTICLE 25-10, SFCC 1987, REGARDING THE CITY WATER BANK, A NEW ARTICLE 25-11 SFCC 1987, REGARDING THE WATER RIGHTS TRANSFER PROGRAM, AND A NEW ARTICLE 25-12 SFCC 1987, REGARDING THE WATER CONSERVATION CREDIT PROGRAM; MAKING OTHER RELATED CHANGES AS ARE NECESSARY (COUNCILOR WURZBURGER). (FRANK KATZ) Committee Review: Planning Commission (Approved) March 16, 2009; Public Utilities Committee (Approved) May 6, 2009; Public Works Committee (Approved) May 11, 2009; City Council (Request to Publish) May 27, 2009; and City Council (Public Hearing) June 24, 2009. Fiscal Impact – Yes**

Councilor Calvert said he pulled this item, first because we wanted to spend the majority of this meeting on the budget, and secondly there are still a number of unresolved issues, and there no urgency to move this forward. It will be going back to Public Works another time.

**MOTION:** Councilor Calvert moved, seconded by Councilor Chavez, to postpone this item to the Finance Committee meeting of June 15, 2009.

**DISCUSSION:** Chair Ortiz would like to schedule this item for a public hearing when it comes back to this Committee.

Councilor Wurzbarger said she will be absent on June 15, 2009, but she can have her final say on it at the Council. Chair Ortiz said this is going back to Public Works on June 8, 2009.

Responding to Mr. Katz, Chair Ortiz said it can stay on the Council Agenda as a request to publish and we'll have a hearing after it is published.

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

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**END OF CONSENT CALENDAR DISCUSSION**  
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### **EXECUTIVE SESSION**

27. **DISCUSSION OF NEGOTIATIONS ON PURCHASE OF COLLEGE OF SANTA FE, PURSUANT TO NMSA 1978, §10-15-1(H)(8). (FRANK KATZ)**

**MOTION:** Councilor Wurzbarger moved, seconded by Councilor Calvert, that the Committee go into executive session for the discussion of negotiations on purchase of College of Santa Fe, pursuant to NMSA 1978 §10-15-1(H)(8)



**VOTE:** The motion was approved on the following roll call vote:

**For:** Councilor Calvert, Councilor Chavez, Councilor Dominguez and Councilor Wurzburger.

**Against:** None.

The Committee went into executive session at 6:00 p.m.

*Councilor Bushee arrived at the meeting*

**MOTION:** At 7:25 p.m., Councilor Chavez moved, seconded by Councilor Wurzburger, to go back into regular session, stating that the only item discussed was the item on the agenda and no decisions were made, noting that Councilor Bushee and Mayor Coss, as well as staff, were present in the Executive Session.

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

### **DISCUSSION**

#### **28. OTHER FINANCIAL INFORMATION:**

##### **A. REQUEST FOR APPROVAL OF SANTA FE INVESTMENT PORTFOLIO AS OF MARCH 31, 2009. (HELENE HAUSMAN AND DAVID MILLICAN)**

Mr. Millican said this gives a graphic view of what is happening to interest rates, which is pretty grim.

Chair Ortiz said although this is indicated as a request, no action is necessary on this item.

##### **B. UPDATE ON GROSS RECEIPTS TAX REPORT FOR MAY 2009 AND LODGERS' TAX REPORT FOR APRIL 2009. (DAVID MILLICAN)**

A copy of a packet of information regarding the GRTs for May 2009 and the Lodgers' Tax Report for April 2009, is incorporated herewith to these minutes as Exhibit "1."

Mr. Millican reviewed the information in Exhibit "1," noting this comparison was to a month last year when we received a very large allocation, and he added an additional page to help explain the anomaly last May, and this year's receipts. He said the forecast anticipates a 5% drop in 2010 below 2007, and doesn't see the steep rate of decline to continue, based on the economic forecast showing the recovery beginning in late 2009/early 2010. He believes the numbers support the estimate of 5% below 2007 which is built into the budget projection.

Chair Ortiz said you have to go back to 2004 to find a lesser amount.

Responding to Councilor Chavez, Mr. Millican said the warm season trend for GRTs is stronger than the cold season trend, noting the bad economic news hit in September/October, and he expects the bad news that didn't affect last summer will be reflected this summer. He also expects that the second half of the year will start to stabilize, and if the things he's seeing in the economy continue to play out, which indicates stabilizing, he expects a slight 1% growth over the prior year. This is consistent with the national and New Mexico state forecast for economic performance in the economy in New Mexico.

## **29. CONTINUATION OF BUDGET HEARINGS:**

*Stenographer's Note: The following information is incorporated by reference, from the Special Finance Committee Study Session of May 14, 2009:*

- (1) A copy of a packet of information prepared by the City Manager and the Finance Director containing information regarding the formation of the budget is incorporated herewith to these minutes as Exhibit "1";
- (2) A copy of the "Annual Operating Budget, Fiscal Year 2009-2010, Proposed by the City Manager," is incorporated herewith to these minutes by reference. Copies can be obtained from the Finance Department; and
- (3) A copy of the "Budget Development Report [Green Book]" is incorporated herewith to these minutes by reference. Copies can be obtained from the Finance Department.

A copy of a proposed organizational chart for the Community Services Department, is incorporated herewith to these minutes as Exhibit "2."

A copy of an organizational chart for the proposed Recreation Division in Public Works, is incorporated herewith to these minutes as Exhibit "3."

A copy of the organizational chart for the Community Facilities Division, is incorporated herewith to these minutes as Exhibit "4."

A copy of "Budget Development Retirement Contracts," is incorporated herewith to these minutes as Exhibit "5."

Chair Ortiz noted there was a 3 page Memorandum in the Council boxes from Human Resources about the status and work on the classification & compensation study, and the schedule of getting it complete, but not the information on the study.

Councilor Ortiz noted a Special Events Matrix prepared by the City Manager's Office on the proposed costs, was also in the Council boxes.

## **A. QUALITY OF LIFE SERVICES**

### **1) LAND USE**

Mr. Hiatt reviewed the information in his Memorandum of May 6, 2009, which is in the Committee packets [page 46 of Exhibit "1" from the meeting of 05/14/09, as referenced above].

The Committee commented, asked questions and made suggestions as follows:

- Chair Ortiz asked if all of the vacant positions have been utilized for the savings. Mr. Hiatt said no, noting vacancies have occurred since then, the Neighborhood Planner, and he has filled the Engineer Tech position. He said he used 6 of the 9 positions which were authorized by the Council last fall. Three were transferred into permanent FTEs. There were 7 positions, including the Engineer Tech position which he filled..
- Chair Ortiz said the memo doesn't reconcile with the actual budget document which recommends a budget of \$4.4 million, with a difference of \$328,000, and not the cut of \$842,000 he proposed. He asked if it is all out of the General Fund. Mr. Hiatt said there are a few grants in Historic Preservation, but for the most part it is from the General Fund. Chair Ortiz said there needs to be significant cuts from those departments which are almost completely reliant on the General Fund. He asked if a reconciliation needs to occur between the numbers in the budget and the numbers in the Department memorandum.
- Mr. Millican said the current base budget has been reduced. The 2008-2009 budget at \$4.729 million was already reduced as the result of actions which took place to save money during this FY. So, the comparison is the reduced budget. Chair Ortiz said the comparison point is the 15% reduction of the budget for the next FY.

*Councilor Wurzbarger departed the meeting*

- Chair Ortiz said then the original budget was \$5.8 and it was reduced to \$4.7. Mr. Millican said this is correct, noting when things slowed down, staff dramatically put the brakes on for this year.
- Councilor Bushee asked if the FTEs were based on the increase in fees. Mr. Hiatt said there are two positions. One position in Historic which was vacated by death, and the Associate Engineer position which he hasn't been able to fill and he has been using contracts to cover that. He said he will be happy to take the additional reduction if necessary. Mr. Millican said the actual net between revenues and expenditures for FY 2010 is less than the expected level for 2009, so there were reductions from the adopted budget for FY 2009 and in net support in 2010. He said you won't see the \$800,000 cut in this schedule, because this schedule has already seen the reductions which were proposed and adopted by the Council in FY 2009.

- Councilor Bushee asked if fees were generated to pay for the positions that were filled. Mr. Hiatt said yes for the three temporary positions which were transformed into permanent FTEs. He said, although the fees have increased over last year because of the rate increase, the number of permits are down 20-22%.
- Councilor Calvert said, regarding Impact Services, it indicates it is proposed to increase turnaround time from three days to a week. Mr. Hiatt said that would be five working days, which is an estimate of what one engineer can do with the building review. Councilor Calvert asked how this jives with some of the issues he mentions, such as annexation, plan amendments, etc., or will those make it worse. Mr. Hiatt said annexation will increase the decrease in service levels beyond that. Councilor Calvert asked if he had this position, could he fill it. Mr. Hiatt said yes, noting part of the problem in filling this position, came from a recognition by the Finance Department that this position wasn't originally financed in Land Use, and was transferred. It is the internal accounting where we find things that need to be corrected.
- Councilor Calvert asked if there is hope that perhaps annexation might generate additional funds to help fund some of these positions. Mr. Hiatt said he hasn't finished the revenue projections in the proposed annexation. However, if the trend in the local economy continues, we will see an increase in the fees which were authorized last year. Mr. Millican said there will have to be an increased level of development activity for staff to be justified and we will be careful about adding staff until we are sure it is a stable trend. Mr. Hiatt said, since there is contingency for the Council and the City Manager to agree to fund other positions deemed critical, he is sure he will approach the Manager to fund some critical positions.
- Chair Ortiz said the budget discusses having four people in historic preservation, and asked if this includes the vacant Division Director position. Mr. Hiatt said currently there are 6 positions, including the Division Director position and one vacancy in December due to a death.
- Chair Ortiz asked if two of the employees in the budget listing four employees for historic preservation are in another part of the department. Mr. Hiatt said those positions are on the organizational chart in that fashion. Chair Ortiz noted page 118 indicates 4 employees for Historic Preservation, and asked if one is in administration. Mr. Hiatt said formerly an administrative assistant in administration was listed when she was a temporary employee, but there currently are six positions in Historic Preservation. He noted the schedule for Historic Preservation is only for the General Fund.
- Chair Ortiz asked other sources of funding for Historic Preservation, noting it indicates a grant of \$6,500 for Historic Preservation. Mr. Hiatt believes all positions are funded from the General Fund and he will have to reconcile with Andy and Ivy Vigil. Chair Ortiz said then you are anticipating two vacancies, and the two vacancies in Historic Preservation were eliminated, noting pages 92 and 93 of the "green budget book" indicates six positions. Mr. Hiatt said he proposed that only one position be eliminated.

- Chair Ortiz asked if the Division Director which budgeted for Historic Preservation has been removed. [Ms. Vigil's response here was inaudible].
- Councilor Chavez asked if the Neighborhood Planner position is proposed to be eliminated. Mr. Hiatt said no, it is vacant.
- Councilor Dominguez asked Mr. Hiatt to complete Councilor Bushee's question about whether the positions were filled based on fees. Mr. Hiatt said there was an arrangement as we went through this process that we wouldn't fill the positions all at once, and that we would wait and see how much money was collected and try to fill positions and the money became more justified, but there was never a dollar amount. Councilor Dominguez asked if this has been done. Mr. Hiatt said yes, it was done in conjunction with the City Manager and the Finance Director, noting no positions were filled until they acknowledged that the increase in fees had substantially supported the new positions.
- Councilor Dominguez said the increase in fees was also to promote and provide efficiencies, and asked if those efficiencies will be gone with some of what is in the memorandum. Mr. Hiatt said they have provided some efficiencies, not all of which involve people. He said they have introduced the interactive voice response team which has provided better service for inspections and permits, and allows contractors and inspectors to communicate without having to do as much in person communication, which saves 1 to 1½ hours per inspector. This system isn't operating to its fullest capability because it's not being used as much by the contractors as need them to use it.
- Councilor Dominguez asked how the efficiencies will happen, even with the reductions. Mr. Hiatt said he isn't entirely optimistic about that, and some obvious painful things will happen, because we won't have as many people doing more work in the next year.
- Chair Ortiz asked if more people are doing less work. Mr. Hiatt said he doesn't believe the decrease in the number of permits really translates that much in terms of a decrease in work. He said a single-family permit is easier than an add-on to a house, and we're seeing those kinds of things. [Chair Ortiz's remarks here are inaudible] Chair Ortiz noted that the permits are down 20-21%, but there are more employees because of the fee increase. Mr. Hiatt said there aren't more people in the permit division, and one position will be eliminated which hasn't been filled. He said, regarding the Council authorized expansion along with the fees, only three positions have translated into people which are support positions – administrative assistant, property manager and a support person in technical review who was keeping track of all of the financial guarantees.
- Councilor Bushee said her understanding that the fee increase was premised in delivering permit review more quickly, but now we are going to lower efficiencies. Mr. Hiatt said he understands that premise. However, they have been able to increase efficiencies and provide better service with the existing staff. He was anticipating improving services, especially going into the annexation process. We are anticipating adding 10,000 acres to the City which will be a large task. He said when the fees were increased, we were looking at those positions which would have improved the services, which haven't been filled.

- Councilor Bushee asked if it will take longer to approve engineering plans. Mr. Hiatt said if we lose the position, as anticipated, we will have to fall back on contractual services to meet our operational decreases, noting those have been severely reduced. He said if, as the Chairman points out, that "we have a lower nut to hit," he is hopeful to put those funds into contractual services or fill an engineer association position, or successfully petition the Council and the City Manager that we need that position. Councilor Bushee asked if he will fill the gap somehow. Mr. Hiatt said he has a contingency plan.
- Councilor Bushee said, regarding the Division Director in Historic, Mr. Hiatt lists vacant positions in his Memorandum on page 48, and Historic Planner Technician Senior is listed, and asked if this is the Division Director position. Mr. Hiatt said no. This is the position vacated by the death of an employee in December. Councilor Bushee asked where is the Division Director position. Mr. Hiatt said it is authorized, but not filled, it is on the organizational chart. Chair Ortiz said it is a vacant position which has been fully funded. Mr. Hiatt said it isn't fully funded until the Manager and the Finance Director tell him he can fill it. Chair Ortiz pointed out that it isn't fully funded until the Council approves the budget. He said the third contingency is to take that position and put those funds into positions in areas which serve the public directly.
- Councilor Bushee said it seems that the Historic Division Director should be listed as a vacant position, and asked where are these "hidden" positions which aren't being filled. Chair Ortiz said there is a list of positions in the Memorandum, and the positions recommended for continued funding and those which staff was willing to eliminate – it is on page 6 of the Memorandum.
- Councilor Chavez asked about reauthorizing the Neighborhood Planner, and putting that position in Permit & Review. Mr. Hiatt asked if he is suggested moving this position to permits and retitle the position. Councilor Chavez said yes. Mr. Hiatt said he doesn't think the service in the permit division is suffering right now, but we will really suffer in Current Planning once the annexation begins, and he needs all the resources there. He said they are recommending eliminating one of the Senior Planners to meet the 15% reduction, and it will only become more difficult for the Current Planning people in the future.
- Councilor Chavez proposed using the funding for the Senior Planner position to fund the Neighborhood Planner position.
- Chair Ortiz said all of these possibilities will be the subject of our Committee deliberations on Wednesday.
- Chair Ortiz said the only position listed in the vacant positions which are funded, is the Land Use Planner Senior position, at about \$31 an hour, and asked if this is the Historic Division Director position. Mr. Hiatt said no. Chair Ortiz said this is the only position proposed to be funded from his department and the others are eliminated. Mr. Hiatt said they didn't do PAs necessarily on the authorized positions because they didn't have the money or okay from the City Manager or the Finance Director.

- Chair Ortiz said then the Historic Division Director is in the budget, but not funded. Mr. Hiatt said it is authorized, but not created. Chair Ortiz asked if funds are available for other positions. Ms. Ivy said the position was established, but a person was acting in it as Acting Division Director, and the reason it's not considered vacant. It is technically there. She will double check to be sure.
- Councilor Dominguez said he has questions about the Historic Division Director, but he will hold those until the information is available. He expressed concern that information isn't being presented by staff as clear and complete.
- Councilor Dominguez asked, currently, how long it takes an annexation to go through the City internal bureaucracy. Mr. Hiatt said there is one which took about 16 weeks, which will be done when they submit the mylars today and tomorrow, noting the mylars only need to be signed. He doesn't consider this to be an unreasonable time frame. In the past, it has taken as long as three years, and there has been a backlog for a long time.
- Councilor Dominguez asked, under the current proposal, if there will be sufficient internal efficiencies to expedite this process. Mr. Hiatt said he will look at this, and he will include this in future performance standards, and look for ways to increase that. He doesn't think it will be helpful to eliminate a Senior Planner position. He said not only the Current Planning staff works on annexation, noting Technical Review does as well.
- Chair Ortiz asked Mr. Hiatt his thoughts about moving Code Enforcement to Public Safety, a "broken window" concept other communities are using where Code Enforcement becomes the first contact to detect and weed out criminal elements which are negatively affecting the neighborhood. Mr. Hiatt understands the concept, and the goal. However, their role is much greater, noting that the Short Term Rental people are in Code Enforcement. Chair Ortiz said it is said there is a huge crime element among people renting short term rentals. Mr. Hiatt said he understands the first response and contact. He said he probably would not be in favor of that, but would like to give it more thought. He noted that Code Enforcement assists Historic Preservation in its enforcement issues, noting Code Enforcement people assist in many other ways.
- Mr. Buller said, with regard to the reason the vacancies aren't showing, in last year's budget this body authorized eight positions, but not to be created until the fees were received. He said he did an evaluation at mid-year and determined sufficient fees had been received to fund three positions, so PAs were created for those three positions, which are filled. PAs were never created for the other five positions, because the fees were never received. As a result, there are no anticipated vacant or anticipated eliminated positions because they were never created. He said the Historic Division Director position was never created, because the fees were not received. Mr. Hiatt corrected that there were nine positions. Mr. Buller clarified that the Historic Division Director position isn't one of the nine positions. Responding to Councilor Chavez, Mr. Hiatt said the Neighborhood Planner isn't one of those positions.
- Chair Ortiz said the Historic Division Director is in the organizational chart on page 19 [Exhibit "1" from the meeting of 05/14/09, as referenced above]. He asked if the Committee wants to

eliminate this position, or convert it to another position, are the funds available. Ms. Ivy said the position was not established, so there is no position, therefore no funds. Mr. Buller said it was his understanding the position would be established only if fees were available.

## **B. PUBLIC WORKS AND ASSET ACQUISITION AND MAINTENANCE SERVICES PUBLIC WORKS:**

Chair Ortiz noted that the Community Facilities Division was created along with the new Recreation Division, to accomplish a more horizontal structure, which moves the responsibilities of Property Control and Custodial into Public Works. The balance of the functions will be going to the new Administrative Services Division.

The Committee commented, asked questions and made suggestions as follows:

- Chair Ortiz asked if Public Works will now be providing custodians to the Convention Center. Mr. Romero said there are 22 custodians which work out of property control, with 4 at GCC and staff at the Convention Center do their own custodial work. He needs to look at the best and most efficient way to provide custodial service. He said Mr. Toler would like for him to assume custodial services, but he doesn't know whether this will be done.
- Mr. Romero reviewed the organization chart, noting there is only one supervisor for the 22 custodians which is a problem. He said he is moving toward whoever builds it, maintains it.
- Councilor Chavez said he understood Mr. Toler was having difficulty in getting a female custodian for the womens restroom. He said regarding the exterior, there is a contract to do landscaping at the Community Center, and a question was raised with regard to maintenance once the landscaping is done, and Mr. Toler was hoping Parks would do that maintenance. Mr. Romero said they are down 20-30 people. He said one area is the roof gardens which are very specialized and Parks. He doesn't know how fair it is to pile more and more on Parks. He said if we take care of the Convention Center, everything else will get behind.
- Councilor Chavez said if we ask Parks to do this, we would want to fund one position in Parks and one in Custodial to deal with that facility. If we don't hire staff, we will continue to do outside contracts. He doesn't know what is the best way to do this, but it doesn't make sense to do landscaping at the new Convention Center if we don't know who's going to do ongoing maintenance and what the cost would be. Mr. Romero said Parks probably could handle the exterior, but his concern is the rooftop gardens and what expertise is needed. He doesn't know who is doing that currently. Councilor Chavez would like Fabian Chavez to look at those and make suggestions to maintain them.
- Councilor Calvert said he thought the principle behind the Community Facilities Division was to avoid specifically assigning a person to a facility, and that we were building in flexibility and redundancy. Mr. Romero said this is correct, and this is one of the efficiencies that he wants to



explore: does it make sense to have one person at one building all day, or to send a group of 3 persons to do 3-4 buildings. This will allow coverage when someone is sick or on leave. He needs to look more closely as to how this would operate, but he is thinking this might be a way to be more efficient and move people around as needed.

- Councilor Dominguez asked if the 22 custodians includes the 4 custodians at the GCCC. Mr. Romero said no, but if we did include those, we would have 26. He said the Convention Center does not have custodians, and the people who work there do the custodial work. Councilor Dominguez asked how you determine the number of custodians which are needed for a facility. Mr. Romero said the GCCC will need somebody all day long, and the reason those weren't moved into this area. He will look at regions of city to determine coverage, but he's not at that level of detail. Councilor Dominguez said then they will be able to be assigned wherever they are needed. Mr. Romero said private custodial services work as a team and go from one to another, and this is what he's considering.
- Chair Ortiz asked if there are follow-up questions on community services.
- Councilor Chavez would like the information he requested on the community gallery in the Convention Center. Ms. Rodriguez said she will print that memorandum and put in the Council boxes tomorrow. He said the questions he has about the Community Gallery have to do with the revenue generated and staff time. She said the total amount of revenue generated is \$17,233 since it opened and the \$8,228 went to the gallery, and commissions of \$9,004 went to the artists. Councilor Chavez asked the funding for the position which isn't in the Arts Commission.
- Councilor Chavez said, as a policy matter, we need to discuss the commission fee charged to the artists and craftsmen, noting currently there is no policy..
- Councilor Calvert said Children & Youth will not be cut as deeply as proposed. When this was discussed, he suggested deeper cuts be made at the GCCC to offset that reduction. He asked the status of that discussion.
- Chair Ortiz said he and the other members of the Commission have suggestions for the offset of cuts as well. He suggested Councilor Calvert ask Mr. Romero where efficiencies can be realized at the GCCC for the dollar amount of the reduction in cuts to the Children & Youth Division.
- Councilor Chavez asked if there has been discussion on additional cuts at the GCCC. Ms. Rodriguez said the current cuts will get them pretty lean. She said the GCCC has always had the idea that its charge is to make money, and in order to make money you need to spend money. She said they had events budgeted for a certain amount of funds, and they base their budget on this perspective. She said further cuts would require them to look at the cuts in the anticipated income as well.

- Councilor Dominguez asked what was the discussion on libraries. Ms. Rodriguez said the Libraries are being cut by the rest of the Department to meet the 15% reduction, and the cuts were less than 3% for the Southside and the main library, which were books. The hours of service will not be cut.
- Councilor Bushee noted the landscaping is not finished at the Southside library. Mr. Romero will investigate.

## **1) ENGINEERING**

Mr. Romero said the project management fees are being moved to project costs. He said for years the locals were charged directly to projects. He said a lot of those were moved into full time status, but were being paid from the CIP/GRT fund, and he is proposing to move this back.

- 2) STREETS**
- 3) BUILDINGS**
- 4) ASD FLEET**

## **C. GOVERNANCE AND ADMINISTRATIVE SUPPORT**

### **1) CITY COUNCIL/MAYOR**

Chair Ortiz said each Councilor has \$3,500 in discretionary funds and asked the amount of the Mayor's discretionary funds. [Response is inaudible]. Chair Ortiz asked if the Councilors' discretionary pool was cut. Mr. Gurule said he doesn't remember any cuts, although they looked at cutting some of the travel and subscriptions.

Chair Ortiz said a 10% cut on the Councilors' pool, that would be approximately \$3,000.

Chair Ortiz asked if the Mayor has monies separate from the City Councilors.

Cal Probasco said he has a full budget in Business Unit 12001 on pages 71 and 72 of the green book, which includes travel, registration and the NMML membership dues and dues in the National League of Cities. He said the largest line item is the General Liability Department assessment which is paid for the Mayor's and Councilors' activities.

Chair Ortiz asked what is "communications," and Mr. Probasco said he believes that is for cell phones.

Chair Ortiz reiterated that he wanted to cut the pay of the Governing Body, but was told this couldn't be done. He believes that if other departments are actually getting cuts, we need to make cuts in our department as well. He said he will make that proposal.

## 2) CITY MANAGER

Chair Ortiz and Councilor Bushee commented that there is no memorandum from the City Manager, and asked if the City Manager's memorandum is Sebastian Gurule's Memorandum of May 6, 2009, on page 26 Mr. Buller said it is.

The Committee commented, asked questions and made suggestions as follows:

- Chair Ortiz asked if the Emergency Management position filled, and who it is. Mr. Gurule said yes, it is Joyce Purley. She is full time, but her position is grant funded at a 50-50 match.
- Chair Ortiz asked how many PIO positions there are. Mr. Gurule said there is one position, and in the office Laura is the primary PIO. He said Carla Lopez is a PIO, but her primary functions are dealing with the website, providing assistance with multimedia and backup services to Laura Banish. Chair Ortiz said Ms. Banish is leaving in July or August and Mr. Gurule said this is correct. Chair Ortiz asked the number of positions in multimedia. Mr. Gurule said three, Carla Lopez, Maria Clokey and Joe Anaya.
- Councilor Bushee asked if the PIO position is going to be filled. Mr. Buller said any vacancies after July 1, 2009, automatically go away. 25% of the value of those positions are put into a fund, and as we find critical positions, he will come back to this body and ask that they be recreated.
- Chair Ortiz asked who is the ombudsman. Mr. Gurule said there is no one in that position. He said at one time that position was filled by Carlos Martinez, but when he and Julie Berman retired last fiscal year, the budget from those two positions were used to fund four positions. Chair Ortiz asked if those four positions will go away in July. Mr. Gurule said there is no Ombudsman position, but there is a Constituent Services Specialist, a Constituent Services representative. He said the two other positions were filled by Mia and Maria Clokey who was paid by the Water Division in the previous fiscal year.

Chair Ortiz noted previously we had two internal auditors, but there is only one. Mr. Gurule said the Internal Auditor's position is filled by Richard Mares, and with the proposed ASD organizational chart, this position is proposed to be moved from the City Manager's Office to Finance. Mr. Millican said the second position is not budgeted and has already been eliminated, and Mr. Mares will be part of ASD working on audit and business systems.

- Chair Ortiz said the two public defenders are funded out of the City Manager's Office on contract. Mr. Gurule said two public defenders are being funded this year, but the second public defender's contract will be terminated. Funds are set aside in the event we need to hire someone on a very short, temporary basis when the public defender is ill or on vacations.
- Chair Ortiz said the posture all along, in terms of not eliminating positions, the rationale given is that we are not going to reduce services to the public. He said one of the ways this office is getting to budget cuts is by precisely eliminating services to the public. Another proposal was to eliminate

the City's support for the public radio station, KSFR, but not cut positions, or the well organized press releases which come out of City Hall, but to cut public radio which a segment of the population would not like at all. He asked the status of KSFR. Mr. Gurule said staff looked at the scope of services in the KSFR contract during the budget reduction process, noting the City paid \$62,500 at \$2,604 per Council meeting. He realizes public radio is important, but they were being fiscally responsible.

- Chair Ortiz said then in being fiscally responsible, it is better to keep the PIO positions and all the positions in the City Manager's office, as opposed to provide for public radio. Mr. Gurule said the service to the City is to air the evening session for the Council. He said the scope of services also requires training sessions and training services at Santa Fe Public Schools and Charter Schools. He understands they are only providing services to Monte del Sol School. He said if the Council would like, staff can negotiate a lesser contract with public radio. Chair Ortiz asked if there have been any discussions with KSFR, and Mr. Gurule said no. Chair Ortiz said then we were just going to cut them blind without telling them their contract was going to get cut, noting the proposal is to cut it entirely. He said one of his constituents who serves on the KSFR Board, told him that his understanding in speaking with the Mayor is that their funding is protected, so there is some miscommunication.
- Mr. Buller said the Finance Department did not recommend this cut, so it isn't in the budget, and is only in Mr. Gurule's memorandum. Mr. Millican said it was identified to get to the 10%, but it wasn't fully implemented.
- Chair Ortiz asked then where is the 10% cut. Mr. Gurule said staff identified \$61,000 for the 10% cut, and staff said it could do this through furloughs within the department. After looking at our essential requirements and our obligations to the community, we feel all the positions are critical and essential, and found it difficult to identify a particular position to eliminate. He said there was one meeting with KSFR a few months ago, and told them we were looking at the budget, and we were required to cut 10%, and they understood this. However, we did not tell them this was a proposal, and staff was waiting for direction from this body. Chair Ortiz said if we are asking other grantees to take cuts, it is reasonable to ask KSFR to take a similar cut.
- Councilor Bushee asked if we are giving money to the Community College for television services. Mr. Gurule said some funding is still being provided. He said the pay channels from Comcast require funds for public access, education and government, and the contract with the Community College is to provide public access and education program. Councilor Bushee asked if there is wiggle room to make cuts, because we have our own government channel. Mr. Gurule said the budget for public access was proposed to be cut \$22,739 during the budget process. He said it is proposed to reduce our operation budget by \$7,594. Councilor Bushee asked what the City is paying the Community College for public access. Mr. Gurule said currently it is \$105,00 for public access television. He said last year, the City cut 1/3 of the operating budget for the Community College. Staff considered whether or not the City would be interested in providing public access and education programs, but felt it wouldn't be in the best interest of the City, and decided to continue the contract with the Community College.

- Councilor Bushee asked Mr. Anaya's overall budget for running the Government Channel. Mr. Gurule said it is \$205,068, which includes contracts with KSFR and the College. Councilor Bushee said Mr. Anaya delivers a lot on very little money, and asked how to reduce the contract with the others which aren't producing the same volume. Mr. Gurule said this could be done through negotiation.
- Chair Ortiz said the Council would set the budget, and they would accept it or not. Mr. Gurule said he was referring to negotiating the scope of services. Councilor Bushee said she doesn't support furloughs for any department, and wants to cut the contracts equitably.
- Chair Ortiz said, for the record, once Laura Banish leaves the City, that position should be eliminated. He said there is no reason to have three PIOs. Mr. Gurule said Ms. Lopez is a hybrid and is also well versed in constituent services. He believes it is critical to have a PIO, and Ms. Lopez's role right now is focusing on the website and assisting with the Government Channel and she is only a backup to the PIO. Chair Ortiz said then the Governing Body gets the backup and the Mayor gets the first string. Mr. Gurule said the Governing Body gets all of our services, and we will provide everything possible.
- Councilor Calvert said then we will try to negotiate changes to the contract. Chair Ortiz said yes.

### 3) CITY ATTORNEY

The Committee commented, asked questions and made suggestions as follows:

- Councilor Bushee asked if paralegals do work other than supporting the six Assistant City Attorneys, and she presumes Council Services are Jeanne Price and Melissa Byers. Mr. Katz said Irene is the office manager, but also does a portion of contract review, along with Jeri Bowen. They both do legal assistance work, although Ms. Bowen does more of that. He said Irene manages purchasing, supplies and budget stuff. There are four paralegals, one at the Court.
- Councilor Bushee asked if contracts are being cut, because it appears that positions are not being cut. Mr. Katz said a \$45,000 contract line item is being cut, and there a \$15,000 reduction in personnel costs, because Maureen Reed is working part time through the first half of the next year. There are 5 3/4 positions in the Attorney's office. Two attorneys are being funded by the Water Department Budgets – Marcus Martinez and Bill Cassel – and Mr. Cassel has taken over work which was being done by a contract attorney, particularly the Aamodt settlement.
- Councilor Bushee asked why the City has to be so involved with Aamodt. Mr. Katz said because it affects the City, and the Buckman Wells have an impact on the Tesuque River, the Pojoaque River and the Nambe River which impacts the tribes which is all part of the accounting of the water in that area. He said Kelly Brennan does land use and she is more than full time.

- Councilor Bushee said she thought Mr. Cassel would also be a land use attorney. Mr. Katz said no, that was never anticipated.
- Councilor Calvert said Mr. Katz's memorandum says, "Most of the attorneys already work over 40 hours a week, and evening meetings and excessive work loads. They take comp time for some portion of the excess hours worked." He asked, regarding the comp policy in general, is this across all levels, or do we say someone is compensated at a certain level which includes meetings and such. Do we want to have a position or salary level which includes meetings and doesn't award comp time. Chair Ortiz asked when attorneys started getting comp times. Mr. Katz said as long as he's been here.
- Ms. Kuebli said the comp policy has been around for quite a number of years, and is in the rules and there is a clarification in the City Manager policy which describes how it has done, noting it goes back to Isaac Pena, then David Sena and then Ron Curry.
- Chair Ortiz said perhaps we need to develop a policy which provides that City Manager policies should be approved by the Council, so we are aware of all these benefits.
- Councilor Bushee asked if department heads earn comp time. Ms. Kuebli said no. The only ones who are exempt from the comp time for FLSA exempt positions would be the City Manager, and the department heads do not get comp time. It is her recommendation to the City Manager that we examine this. Councilor Calvert said, because of the economy, we might have to temporarily suspend this policy.

#### **4) CITY CLERK**

The Committee commented, asked questions and made suggestions as follows:

- Councilor Calvert said in Yolanda Vigil's Memorandum, #5, Impacts to Other Departments, it discusses, "Land Use Department would be responsible for outsourcing their over-size maps and plans for preparation and microfilming." He asked if this is in the Land Use budget to pick up somehow. He asked if we want to perpetuate microfilming, or if we want to move into the 21<sup>st</sup> Century and do something more efficient, and more easily retrievable. Ms. Vigil said if they eliminate or reduce one of the positions at the Record Center, it would be necessary to have PLU prepare its items for microfilming or go to a more modern method of doing this. She said currently, her office pays for the outsourcing and that would stay in the City Clerk's budget. Councilor Calvert asked if Planning is aware of the proposal and if it is in the Land Use budget. Ms. Vigil said no, and she was hoping not to make personnel cuts and implement these measures.
- Councilor Calvert said this might be a place to tap into the contingency and increase productivity in the process.

- Chair Ortiz asked the cost of the upgrading to realize savings. Ms. Vigil said she hasn't looked at any equipment, but perhaps Darlene Martinez or another staff in Land Use may have done so, because they are looking for additional storage for the mylars and plats – physical storage space. She said currently they are filming the building permits and the accompanying maps and plans. She said PLU has been backlogged and staff has been trying to get them up to date. She said there is a possibility of getting this caught up if done in house, and save the cost of outsourcing.
- Chair Ortiz asked if there are other steps which could result in capital investment with funds from the contingency – by spending money we would save money and get a newer way of doing this. It would also make Land Use more efficient in catching up to Yolanda's office. He said we would be eliminating steps in a process we've been using for some time and making it 2-3 steps, not 5-6. Ms. Vigil said if they purchased equipment and were scanning their records for storage, that would eliminate the need for hard copy storage and prepping and microfilming. She said it probably would be necessary to have a server dedicated just to this.
- Councilor Calvert asked if we have the time to do something like this, or are we going to have to "soldier on" with the old process, and the reason he mentioned the contingency.

## 5) FINANCE

Councilor Calvert referred to the Memorandum from Peter Ortega, Utility Billing Director, which indicates a contract for a hearing officer. He asked if this is an area where we should be pooling across departments that need hearing officers.

Mr. Millican said he would have to research this.

Responding to the Chair, Ms. Kuebli said sometimes there is a hearing officer at the level of employee discipline.

Mr. Millican said this is for disputed bills.

Mr. Buller said there was one personnel matter which required a hearing officer, and suggested this person talk to the hearing officer to see if there were funds in the budget and if he would be interested in that, but doesn't know if that was done.

Councilor Calvert, quoting from Mr. Ortega's Memo talking about budget reductions, "This also includes sacrificing an electronic image filing system that would store documents digitally. This was a wish for Utility Billing to store customer documents/files... it was determined that this would cover the cost of all required equipment. I will ask that a portion of this amount (approximately \$25,000) to be carried forward to FY2009/2010 to expand our current filing cabinets."

Mr. Millican noted Utility Billing's filing cabinets are pretty spectacular. He said one of the things he will be doing in connection with Administrative Services is to develop a strategic plan which looks at

document imaging systems, and the new finance system is designed to integrate with document imaging systems. It is a big system, and we need to get the appropriate levels of storage and technology.

Councilor Calvert said, rather than uniform clothing, an ID badge could fulfill the need.

Mr. Millican said in walking around peoples houses and in their yards it is good for people to be able to know they are dealing with uniformed personnel.

## **6) HUMAN RESOURCES**

Chair Ortiz said he is surprised to see there are a fair amount of employees which are tasked and budgeted for the Police Department. However, he understood her officer handles all of the HR/Personnel issues, and asked if there is a difference in what HR people do and those in the Police Department.

Ms. Kuebli said Lois Amador, Human Resources Supervisor, is the person assigned to the Police Department, noting HR handles all personnel action, benefits, recruitment, testing, and coordinate interviews and monitor the testing. She said she isn't familiar with the origins of the positions in the Police Department. She said in the Human Resources Department, there are 15 employees, 12 full time and 3 part time. She said the three part time positions are a Human Resources Specialist, an EEO compliance administrator and a recruitment technician.

Chair Ortiz asked if the 3 benefit administrators are included in the 12 full time, and Ms. Kuebli said there are two benefit administrators in the Department.

Ms. Kuebli said there was a benefits manager at one time, and the reason it is showing up under that section.

Chair Ortiz asked if this is one of the positions proposed to be eliminated.

Ms. Kuebli said no positions are proposed to be eliminated, and they were able to meet the 10% goal without affecting personnel.

Chair Ortiz said there isn't a memorandum in the packet for Human Resources.

Ms. Kuebli said she prepared a memo, but doesn't know why it isn't in the packet. Mr. Millican said this will be provided on Wednesday.

## **7) ITT – will be under Finance.**

## **8) RISK MANAGEMENT – will be under Finance**



### 30. MATTERS FROM THE COMMITTEE

- Councilor Chavez asked about the list of contracts. Mr. Millican said Robert Rodarte is working on the list assembled by Jeannie Price and Melissa Byers which is hard to analyze. The intent is to get something out tomorrow before the Wednesday meeting, otherwise it will be delivered on Wednesday. Mr. Millican said this is the list of active contracts.
- Councilor Dominguez said he hasn't heard much about what we're doing to make sure we are collecting outstanding debt, such as business licenses, and if we are doing a good job collecting funds. Mr. Millican said this budget does not contain significant revenue resulting from rate increase or fee increases, except utility rates. The big collection efforts are in utility billing, ambulance billing and business tax. Staff is following up on businesses that didn't renew this year. Councilor Dominguez asked if there has been a reduction in the outstanding debt. Mr. Millican will have to research this.
- Mr Millican said staff may be looking at positions with a focus on analysis of revenue and on sources of revenue in a more organized way. Chair Ortiz asked if he is talking about a Collection Manager. Mr. Millican said essentially yes, and he will come back with more detail. Chair Ortiz asked if this is a position which is critical to our organizations at this point. Mr. Millican said it is believed the position will pay for itself.

Mr. Buller asked who the Chair would like to attend Wednesday's meeting.

Chair Ortiz said on Wednesday, the Committee will be making recommendations on Department budgets and approve or disapprove the budgets, noting he has a list of positions that he believes can be eliminated without impacting services to the public. If the departments want to justify those positions and create an argument for continuing these positions, then they need to be here.

Chair Ortiz asked what will happen with DFA if the budget isn't turned in on June 1<sup>st</sup>, if it can't be finished on Wednesday.

Mr. Millican said he spoke with DFA, and there is a regulation with no exception which might result in an audit finding. He said DFA said it would prefer a good budget to a bad one which has to be amended extensively. He said DFA asked us to let them know when a budget will be adopted, and they'll try to work with us. He said the worst thing which would happen would be an exception in the annual report that we did not submit a budget by the deadline.

The Committee discussed the format on Wednesday and the information needed. Chair Ortiz said Councilor Wurzbarger may have questions on the compensation study on Wednesday. Chair Ortiz said he anticipates we will get no new information. He said if there are no comments, then we can take motions on department budgets, alphabetically or take those items which don't have a lot of questions. Chair Ortiz said we already have approved the reorganizations, but if there are changes which need to be made to any of those three we've discussed, we need to do those on Wednesday.

Ms. Kuebli said at some point she believes we should have a discussion on the benefits plan, noting there is an 11.3% increase in benefits. Responding to the Chair, Ms. Kuebli said at this point it is not budgeted, because we're coming in at zero. Mr. Millican said there will be no increase in total cost.

Ms. Kuebli said the reality is that there will be an increase by the health care provider, but she has other ways to address this to mitigate the increase. There is a zero percent increase on total compensation.

Responding to the Chair, Mr. Millican said the "simple version" of the implementation is that the City would contribute the same for health care next year that it contributed this year. The employees will either pick up the difference or shift to a different plan coverage.

Chair Ortiz asked if this has been discussed with the bargaining units.

Ms. Kuebli said she has been meeting with the Benefits Committee for months, and the three units are part of this, and they have told us there is no option because it has to go through negotiations and it is part of the negotiation process at this point.

Ms. Kuebli said she has information that demonstrates they will be able to reduce the potential increase by making small adjustments which do not affect bargaining unit or current City employees. She would like to talk about this at some point, saying she was prepared to do it this evening.

Chair Ortiz asked if this Committee has a Memorandum on this.

Mr. Millican said it has been identified through the series of reports to Council describing the balancing measure, as no increase in total count. He said it was shifted into negotiation and is among those things being negotiated.

Councilor Calvert said we heard there would be no increase in compensation, but we didn't hear about the 11.3% increase.

Mr. Millican said this was discussed in the past as one of the cost drivers. Staff has been looking at a variety of ways to tackle this issue in a way that balances the effects on City employees.

Chair Ortiz asked if there are other benefit issues.

Councilor Calvert said we have the issues of sick leave and such.

[Chair Ortiz's remarks here are inaudible] Mr. Millican said all of those issues were put in a box which said these need to be negotiated with the objective that there is no increase in total cost.

**25. ADJOURN**

There was no further business to come before the Committee, and having completed its Agenda, the meeting was adjourned at 9:45 p.m.

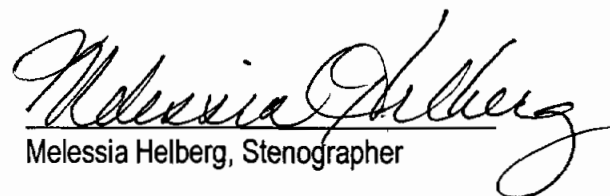
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Matthew E. Ortiz, Chair

Reviewed by:

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David N. Millican, Director  
Department of Finance



Melessia Helberg, Stenographer