



Agenda

Finance Committee Meeting
City Council Chambers
August 3, 2009 – 5:15 pm

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

CITY CLERK'S OFFICE

DATE 7-31-09 TIME 2:30 pm

SERVED BY Yolanda Green

RECEIVED BY Jocasta y. n. p.

JULY 20, 2009

INFORMATIONAL ITEM

6. UPDATE ON CITY BUDGET PROCESS (DAVID MILLICAN)
 - A. PROPOSALS TO IMPLEMENT BALANCING BUDGET MEASURES FOR FISCAL YEAR 2009/2010
 - B. STATUS UPDATE ON THREE (3) CONDITIONS FOR NEW BUDGET MEASURES FOR FISCAL YEAR 2010/2011
7. UPDATE ON SFRTC FIBER INFRASTRUCTURE PROJECT (FABIAN TRUJILLO/JUAN TORRES)

CONSENT AGENDA

8. BID OPENINGS:
 - A. BID NO. 09/22/B – CANYON ROAD WATER TREATMENT PLANT RESIDUALS MODIFICATIONS AND IMPROVEMENTS AND AGREEMENTS BETWEEN OWNER AND CONTRACTOR FOR WATER DIVISION (BRIAN SNYDER)
 1. TRIAD BUILDERS, INC.
 2. BOGAN BROTHERS
 3. RL LEADER
 4. MCDADE-WOODCOCK, INC.
 - B. BID NO. 09/38/B – EAST APRON RECONSTRUCTION AT SANTA FE MUNICIPAL AIRPORT; ALBUQUERQUE ASPHALT, INC. (JIM MONTMAN)
 1. REQUEST FOR APPROVAL OF GRANT APPLICATION – FEDERAL AIRPORT IMPROVEMENT PROGRAM FOR RECONSTRUCTION OF EAST APRON; FEDERAL AVIATION ADMINISTRATION



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2. REQUEST FOR APPROVAL OF GRANT AWARD – RECONSTRUCTION OF EAST APRON AT SANTA FE MUNICIPAL AIRPORT; FEDERAL AVIATION ADMINISTRATION
- C. BID NO. 09/40/B – SANTA FE WAYFINDING SIGNAGE PROJECT AND CONSTRUCTION AGREEMENT; AAC CONSTRUCTION, LLC (RICK DEVINE)
 1. REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND
9. REQUEST FOR APPROVAL OF GRANT APPLICATION AND AWARD – CONSTRUCTION AND CONSTRUCTION ENGINEERING FOR RUNWAY 2-20 STRIPING AT SANTA FE MUNICIPAL AIRPORT; NEW MEXICO DEPARTMENT OF TRANSPORTATION AVIATION DIVISION (JIM MONTMAN)
10. REQUEST FOR APPROVAL OF PROCUREMENT UNDER FEDERAL PRICE AGREEMENT – AUTOMATED REFUSE CARTS FOR SOLID WASTE MANAGEMENT DIVISION; TOTER, INC. (BILL DEGRANDE)
11. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – MUNICIPAL COURT RENOVATIONS; CREATIVE INTERIORS, INC. (CHIP LILIENTHAL)
12. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – MASTER PLAN/FINANCIAL FEASIBILITY ANALYSIS FOR SILER ROAD PROPERTY AND DOWNTOWN CITY HALL AREA (RFP #09/20/P); AUTOTROPH (MARTIN VALDEZ)
 - A. REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT – WIP DESIGN/CONSTRUCTION FUNDS
13. REQUEST FOR AMENDMENT NO. 4 TO GRANT 2007 GENERAL FUND AGREEMENT – INDOOR ARTS MARKET FACILITY; STATE OF NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION LOCAL GOVERNMENT DIVISION (DAVID CHAPMAN)
 - A. REQUEST FOR APPROVAL OF BUDGET DECREASE – GRANT FUND
14. REQUEST FOR APPROVAL OF REALLOCATION OF CDBG FUNDS AND AMENDMENT TO CONSIDERATION OF 2009/2010 ANNUAL ACTION PLAN (MELISA DAILEY)
15. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – ADMINISTRATIVE SERVICES TO ENTERPRISE FOUNDATION FOR AFFORDABLE HOUSING ROUNDTABLE; ENTERPRISE COMMUNITY PARTNERS (TED SWISHER)



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16. REQUEST FOR APPROVAL OF SALE OF REAL ESTATE AND VACATION OF RIGHT-OF-WAY DESIGNATION – PROPERTY LOCATED AT 644 W. SAN FRANCISCO ST.; JAMES A. SLEEPER (EDWARD VIGIL)
17. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO SUB LEASE AGREEMENT – CONFIGURATION OF LEASED PARCEL DESIGNATED FOR A SURFACE PARKING LOT AT RAILYARD; SANTA FE RAILYARD COMMUNITY CORPORATION (EDWARD VIGIL)
18. REQUEST FOR APPROVAL OF AMENDMENT NO. 5 TO PROFESSIONAL SERVICES AGREEMENT – 2009 LEGISLATIVE APPROPRIATION FOR 400TH ANNIVERSARY OPENING EVENT ;VIVA! SANTA FE; SANTA FE 400TH ANNIVERSARY (DARLENE GRIEGO)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – 400TH ANNIVERSARY FUND
19. REQUEST FOR APPROVAL OF EMERGENCY MANAGEMENT PERFORMANCE GRANT – EMERGENCY MANAGEMENT PREPAREDNESS COORDINATOR’S SALARY AND BENEFITS; NEW MEXICO DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT (JOYCE PURLEY)
20. REQUEST FOR APPROVAL OF CONTRACT – LEASE THE USE OF SAN JUAN-CHAMA PROJECT WATER; U.S. DEPARTMENT OF INTERIOR BUREAU OF RECLAMATION (CLAUDIA BORCHERT)
21. REQUEST FOR APPROVAL OF AGREEMENT – JUVENILE SERVICES FOR COMMUNITY SERVICES DIVISION; NEW MEXICO CHILDREN YOUTH AND FAMILIES DEPARTMENT (RICHARD DEMELLA)
22. REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING – PARATRANSIT SERVICES FOR ELIGIBLE SANTA FE COUNTY RESIDENTS; COUNTY OF SANTA FE (JON BULTHUIS)
23. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 9-2.9 SFCC 1987 SPECIFYING WHAT CAMPAIGN CONTRIBUTIONS SHALL NOT BE USED FOR; AND AMENDING SECTION 9-2.14 SFCC 1987 ESTABLISHING CAMPAIGN CONTRIBUTION LIMITS (COUNCILOR ROMERO, MAYOR COSS, COUNCILOR CALVERT) (YOLANDA VIGIL)



Agenda

Committee Review:

Ethics and Campaign Review Board (no action)	June 18, 2009
Ethics and Rules Committee (Approved)	July 22, 2009
City Council (Request to Publish) (Scheduled)	August 12, 2009
City Council (Public Hearing) (Scheduled)	September 9, 2009

Fiscal Impact – No

24. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW ARTICLE 9-3 FOR THE PURPOSE OF ESTABLISHING A SYSTEM OF VOLUNTARY PUBLIC FINANCING OF CAMPAIGNS (COUNCILOR ORTIZ, MAYOR COSS, COUNCILORS WURZBURGER, BUSHEE, CALVERT AND ROMERO) (FRANK KATZ, YOLANDA VIGIL AND DAVID MILLICAN)

Committee Review:

Ethics and Rules Committee (Approved)	July 22, 2009
City Council (Request to Publish) (Scheduled)	August 12, 2009
City Council (Public Hearing) (Scheduled)	September 9, 2009

Fiscal Impact – Yes

25. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING CERTAIN PROVISIONS OF ARTICLE 6-16 SFCC 1987 REGARDING THE ETHICS AND CAMPAIGN REVIEW BOARD AS IT RELATES TO THE PUBLIC CAMPAIGN FINANCE CODE (COUNCILOR ORTIZ, MAYOR COSS, COUNCILORS WURZBURGER, BUSHEE, CALVERT AND ROMERO) (FRANK KATZ)

Committee Review:

Ethics and Rules Committee (Approved)	July 22, 2009
City Council (Request to Publish) (Scheduled)	August 12, 2009
City Council (Public Hearing) (Scheduled)	September 9, 2009

Fiscal Impact – No

26. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO CONDUCT THE NECESSARY TRAFFIC STUDY TO DETERMINE IF MID-BLOCK CROSSWALKS ARE APPROPRIATE ON CALLE ATAJO AND IF SO, DETERMINE THE APPROPRIATE FUNDING AND INSTALL THE CROSSWALKS AS PER TRAFFIC ENGINEERING STANDARDS (COUNCILOR DOMINGUEZ) (CHRIS ORTEGA)



Agenda

Committee Review:

Public Safety Committee (Approved)

July 21, 2009

Public Works Committee (Approved)

July 27, 2009

City Council (Scheduled)

August 12, 2009

Fiscal Impact – No

27. REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING THE CITY OF SANTA FE FIRE DEPARTMENT AND ITS EFFORTS IN PREPARING FOR THE OPENING OF THE CITY OF SANTA FE FIREFIGHTER HISTORY MUSEUM (MAYOR COSS) (BARBARA SALAS)

Committee Review:

Public Safety Committee (Approved)

July 21, 2009

Public Works Committee (Approved)

July 27, 2009

City Council (Scheduled)

August 12, 2009

Fiscal Impact – No

28. REQUEST FOR APPROVAL OF A RESOLUTION DECLARING SUPPORT FOR PASSAGE OF LOCAL FINANCING AND ECONOMIC DEVELOPMENT OPTIONS THAT ALLOW PUBLIC-PRIVATE PARTNERSHIPS (COUNCILOR ORTIZ, MAYOR COSS, COUNCILORS WURZBURGER AND DOMINGUEZ)

Committee Review:

Council (Scheduled)

August 12, 2009

Fiscal Impact – No

END OF CONSENT AGENDA

DISCUSSION

29. OTHER FINANCIAL INFORMATION:
- A. REQUEST FOR CONSIDERATION TO REESTABLISH POSITIONS IN FY 09/10 BUDGET (KRISTINE KUEBLI)
30. MATTERS FROM THE COMMITTEE
31. ADJOURN

**SUMMARY OF ACTION
FINANCE COMMITTEE MEETING
Monday, August 3, 2009**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	1
APPROVAL OF CONSENT AGENDA	Approved [amended]	2
CONSENT AGENDA LISTING		2-4
APPROVAL OF MINUTES: JULY 20, 2009	Approved	4
<u>INFORMATIONAL ITEMS</u>		
UPDATE ON CITY BUDGET PROCESS PROPOSALS TO IMPLEMENT BALANCING BUDGET MEASURES FOR FISCAL YEAR 2009/2010	Information/discussion	5
STATUS UPDATE ON THREE (3) CONDITIONS FOR NEW BUDGET MEASURES FOR FISCAL YEAR 2010/2011	Information/discussion	5
UPDATE ON SFRTC FIBER INFRASTRUCTURE PROJECT	Information/discussion	6
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING – PARATRANSIT SERVICES FOR ELIGIBLE SANTA FE COUNTY RESIDENTS; COUNTY OF SANTA FE	Approved [amended]	6-8
REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 9-2.9 SFCC 1987 SPECIFYING WHAT CAMPAIGN CONTRIBUTIONS SHALL NOT BE USED FOR; AND AMENDING SECTION 9-2.14 SFCC 1987 ESTABLISHING CAMPAIGN CONTRIBUTION LIMITS	Approved [amended]	8-9
REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW ARTICLE 9-3 FOR THE PURPOSE OF ESTABLISHING A SYSTEM OF VOLUNTARY PUBLIC FINANCING OF CAMPAIGNS	Sent to ECRB to return by 08/31/09	9-16

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO CONDUCT THE NECESSARY TRAFFIC STUDY TO DETERMINE IF MID-BLOCK CROSSWALKS ARE APPROPRIATE ON CALLE ATAJO AND IF SO, DETERMINE THE APPROPRIATE FUNDING AND INSTALL THE CROSSWALKS AS PER TRAFFIC ENGINEERING STANDARDS	Approved	16-17
REQUEST FOR APPROVAL OF A RESOLUTION DECLARING SUPPORT FOR PASSAGE OF LOCAL FINANCING AND ECONOMIC DEVELOPMENT OPTIONS THAT ALLOW PUBLIC-PRIVATE PARTNERSHIPS	Approved	17
***** END OF CONSENT CALENDAR DISCUSSION *****		
<u>DISCUSSION</u>		
OTHER FINANCIAL INFORMATION: REQUEST FOR CONSIDERATION TO REESTABLISH POSITIONS IN FY 09/10 BUDGET	Approved [amended]	17-18
MATTERS FROM THE COMMITTEE	Information	18
ADJOURNMENT		18

**MINUTES OF THE
CITY OF SANTA FE
FINANCE COMMITTEE
Monday, August 3, 2009**

1. CALL TO ORDER

A 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, August 3, 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

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

Mr. Millican would like to pull Item #19 from the Consent Agenda and postpone to the next meeting of the Committee on August 17, 2009

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

VOTE: The motion was approved on a voice vote [Absent: Councilor Chavez and Chair Ortiz]

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 [Absent Councilor Chavez and Chair Ortiz]

Councilor Chavez arrived at the meeting

CONSENT AGENDA

8 BID OPENINGS:

- A. BID NO. 09/22/B – CANYON ROAD WATER TREATMENT PLAN RESIDUALS MODIFICATIONS AND IMPROVEMENTS, AND AGREEMENTS BETWEEN OWNER AND CONTRACTOR FOR WATER DIVISION. (BRIAN SNYDER)**
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 - 2. BOGAN BROTHERS**
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11. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – MUNICIPAL COURT RENOVATIONS; CREATIVE INTERIORS, INC. (CHIP LILIENTHAL)
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17. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO SUB LEASE AGREEMENT – CONFIGURATION OF LEASED PARCEL DESIGNATED FOR A SURFACE PARKING LOT AT RAILYARD; SANTA FE RAILYARD COMMUNITY CORPORATION. (EDWARD VIGIL)
[This item was removed from the agenda and postponed to August 17, 2009]
18. REQUEST FOR APPROVAL OF AMENDMENT NO. 5 TO PROFESSIONAL SERVICES AGREEMENT – 2009 LEGISLATIVE APPROPRIATION FOR 400TH ANNIVERSARY OPENING EVENT. ¡VIVA! SANTA FE; SANTA FE 400TH ANNIVERSARY. (DARLENE GRIEGO)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – 400TH ANNIVERSARY FUND.
19. REQUEST FOR APPROVAL OF EMERGENCY MANAGEMENT PERFORMANCE GRANT – EMERGENCY MANAGEMENT PREPAREDNESS COORDINATOR'S SALARY AND BENEFITS; NEW MEXICO DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT. (JOYCE PURLEY)
20. REQUEST FOR APPROVAL OF CONTRACT – LEASE THE USE OF SAN JUAN-CHAMA PROJECT WATER; U.S. DEPARTMENT OF INTERIOR, BUREAU OF RECLAMATION. (CLAUDIA BORCHERT)

21. REQUEST FOR APPROVAL OF AGREEMENT – JUVENILE SERVICES FOR COMMUNITY SERVICES DIVISION; NEW MEXICO CHILDREN, YOUTH AND FAMILIES DEPARTMENT. (RICHARD DE MELLA)
22. *[Removed for discussion by Councilor Calvert]*
23. *[Removed for discussion by Councilor Calvert]*
24. *[Removed for discussion by Councilor Calvert]*
25. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING CERTAIN PROVISIONS OF ARTICLE 6-16 SFCC 1987, REGARDING THE ETHICS AND CAMPAIGN REVIEW BOARD AS IT RELATES TO THE PUBLIC CAMPAIGN FINANCE CODE (COUNCILOR ORTIZ, MAYOR COSS, COUNCILORS WURZBURGER, BUSHEE, CALVERT AND ROMERO). (FRANK KATZ)
Committee Review: Ethics and Rules Committee (Approved) July 22, 2009; City Council (Request to Publish) (Scheduled) August 12, 2009; City Council (Public Hearing) (Scheduled) September 9, 2009. Fiscal Impact – No.
26. *[Removed for discussion by Councilor Chavez]*
27. REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING THE CITY OF SANTA FE FIRE DEPARTMENT AND ITS EFFORTS IN PREPARING FOR THE OPENING OF THE CITY OF SANTA FE FIREFIGHTER HISTORY MUSEUM (MAYOR COSS). (BARBARA SALAS)
Committee Review: Public Safety Committee (Approved) July 21, 2009; Public Works Committee (Approved) July 27, 2009; and City Council (Scheduled) August 12, 2009.
28. *[Removed for discussion by Chair Ortiz]*

END OF CONSENT AGENDA

5. APPROVAL OF MINUTES:
JULY 20, 2009

MOTION: Councilor Dominguez moved, seconded by Councilor Calvert, to approve the minutes of the Regular Finance Committee Meeting of July 20, 2009, as presented.

VOTE: The motion was approved on a voice vote [Absent: Chair Ortiz].

INFORMATIONAL ITEMS

6. **UPDATE ON CITY BUDGET PROCESS (DAVID MILLICAN)**
 - A. **PROPOSALS TO IMPLEMENT BALANCING BUDGET MEASURES FOR FISCAL YEAR 2009/2010**
 - B. **STATUS UPDATE ON THREE (3) CONDITIONS FOR NEW BUDGET MEASURES FOR FISCAL YEAR 2010/2011**

Mr. Millican said there really is not a lot of new news. He said the Restructuring Committee has been working and is putting together a detailed furlough plan and a priority contingency plan for Committee review on August 17, 2009. He said staff has been contacting contractors regarding a reduction.

Responding to Councilor Chavez, Mr. Millican said staff will present a detailed furlough plan and contingency plan. He said they have split into two groups – one to look at the furlough plan and one to look at the longer range plan. He said they want to have a contingency plan ready to go if and when they see a problem. He noted that the economic news is better, but there is a concern that the recovery in employment is expected to be very slow, and possibly will take years, which will impact us for some time.

Councilor Dominguez asked if staff has started meetings with the unions.

Ms. Kuebli said she has started some interim meetings with AFSCME and its president about the possibility of moving in that direction and she is starting Labor/Management committee meetings on Tuesdays and Thursdays for the next several weeks, but she hasn't talked with them about restructuring.

Councilor Dominguez asked who is the labor representative on the restructuring committee.

Ms. Kuebli said one is Nick Schiavo. She said once they look at process, they can bring in the members of the Labor Units.

Councilor Dominguez said the idea was to have discussions about these things before we vote on them, and he encouraged her to have those discussions.

Chair Ortiz arrived at the meeting

Councilor Wurzbarger agrees with Councilor Dominguez that Ms. Kuebli might want to consider including a representative of labor to talk about the process, because they have a different perspective. She said the sooner they are involved in the process the better off we will be.

Ms. Kuebli said she will bring that up at the meeting on Wednesday and will certainly propose exactly that.

7. UPDATE ON SFRTC FIBER INFRASTRUCTURE PROJECT. (FABIAN TRUJILLO/JUAN TORRES)

Fabian Trujillo presented information regarding this matter via power point. For specifics of this presentation, please see the text which is in the Committee packet.

Chair Ortiz asked the next steps.

Mr. Trujillo said the Application would be submitted on August 1, 2009, and if it is accepted, we will provide preliminary documents in September 2009. He said staff is looking to have the public comment and information sessions on October 1, 2009, and develop the rest of this through November 2009 and January 2010, and send it through the Committee process in the first quarter 2010.

Chair Ortiz asked what happens if we don't get the money.

Mr. Trujillo said staff will look for other funding sources, noting EDA has some funding and there are other sources which he can look to..

Chair Ortiz asked the Committee's consideration, since he was running late, to amend the Consent Calendar to remove items #26 and #28 for discussion.

MOTION: Councilor Wurzbarger moved, seconded by Councilor Calvert, to reconsider the previous action to approve the Consent Agenda as amended, to remove Items #26 and #28 from the Consent Agenda for discussion, and to approve the Consent Agenda, as amended.

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

CONSENT CALENDAR DISCUSSION

22. REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING – PARATRANSIT SERVICES FOR ELIGIBLE SANTA FE COUNTY RESIDENTS; COUNTY OF SANTA FE. (JON BULTHUIS)

Councilor Calvert said Item 2(A)(b) on page 2 of the MOU provides, "The hours of operation for Santa Fe Ride shall meet or exceed that of the City bus system," saying we should delete "exceeds," in the event the City reduces its operation.

Councilor Calvert said on page 3 of the MOU there are figures for last year, this year and next year, and asked if we received anything from the County last year or this year.

Mr. Bulthuis said to his knowledge we have not received anything from the County. Responding to Councilor Calvert, Mr. Bulthuis said part of this is to get some of the money we are owed from last year.

Councilor Calvert said the Memorandum says, "The total number of trips so identified are calculated a percentage of the total number of trips delivered by the program overall (approximately 10%) to determine the fee assessment as contained in the MOU." He asked if this was done to approximate the annual fees or are we actually going to compute the annual fee based on the percentage of use by the City versus the County.

Mr. Bulthuis said they are looking to the constant figure to be paid by the County each year that's covered under the contract. He said they wouldn't be doing an evaluation of the efforts each year and changing the bills.

Councilor Calvert said if this is the case, the MOU on page 2, Section 3, provides, "Payment shall be made for services actually rendered and invoiced on a monthly basis." He asked if you have to do that if we're doing an approximation. He suggested this language should be amended for consistency. He believes at a minimum we can remove the "invoicing and administrative things."

[Councilor Chavez's remarks here are inaudible]

Councilor Calvert said he is willing to go either way, because the current structure is inconsistent – it talks about a flat fee each year, but it also talks about invoicing which makes no sense to him. He said we need to be consistent.

Responding to Mr. Bulthuis, Councilor Calvert said basing it on an average fee, invoicing on the average trips doesn't make sense to him.

[Mr. Bulthuis' remarks here are inaudible]

MOTION: Councilor Wurzbarger moved, seconded by Councilor Chavez, to approve this request, on the basis of the contract.

DISCUSSION: Councilor Chavez asked if it is the same language in the MOU.

Councilor Ortiz said his understanding from the motion, that the motion itself would amend the MOU to delete the last paragraph substitute payment as a fixed fee as a pro rata invoice on 1/4 of that.

Councilor Wurzbarger said the County would have 30 days within receipt of the invoice to make the payment.

Councilor Calvert said Section 4 says, "This Memorandum of Understanding shall expire on December 31, 2011," which is a calendar year basis and it should be on a fiscal year basis, and we need to reconcile that as well.

FRIENDLY AMENDMENT: Chair Ortiz said then Councilor Calvert would like to amend the MOU to have the current termination date coincide with the fiscal year. **THE AMENDMENT WAS FRIENDLY TO THE MAKER.**

DISCUSSION ON THE FRIENDLY AMENDMENT BY THE SECOND: Councilor Chavez asked if that is an oversight or is there a reason for that.

Mr. Bulthuis said staff wanted to be sure that invoicing happens and payment is received.

Chair Ortiz said the termination of payment doesn't coincide with the termination of the agreement, and those need to coincide.

Mr. Bulthuis said this continues through 2011, but allows them to make the payment prior to the expiration. The services will be delivered through FY 2011, but the business end of it would end at the end of calendar year 2011.

Councilor Calvert said we need to clarify that it is not for continuation of services, but only for collecting money due to the City.

Chair Ortiz asked how staff is going to collect the money that is owed for the last fiscal.

Mr. Bulthuis said there has been no agreement for the past fiscal year, but under the terms proposed by the Finance Division, we are asking them to pay for services already rendered.

Chair Ortiz asked if we are going to bill them and they are going to pay what they owe us for the last fiscal year.

Mr. Bulthuis said that is the intent, noting the County is probably reviewing it as well, and the County will need to agree to that. He said this isn't true only for the transit services, but it is true for a number of other services that the City is obliged to pay.

Councilor Wurzbarger said the City needs to move away from providing services without a contract, and would like to give that direction to staff.

THE AMENDMENT WAS FRIENDLY TO THE SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER COMMITTEE MEMBERS.

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

- 23. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 9-2.9 SFCC 1987 SPECIFYING WHAT CAMPAIGN CONTRIBUTIONS SHALL NOT BE USED FOR; AND AMENDING SECTION 9-2.14 SFCC 1987 ESTABLISHING CAMPAIGN CONTRIBUTION LIMITS (COUNCILOR ROMERO, MAYOR COSS, COUNCILOR CALVERT). (YOLANDA VIGIL)**
Committee Review: Ethics and Campaign Review Board (no action) June 18, 2009; Ethics and Rules Committee (Approved) July 22, 2009; City Council (Request to Publish) (Scheduled) August 12, 2009; and City Council (Public Hearing) (Scheduled) September 9, 2009. Fiscal Impact – No.

Councilor Calvert proposed to amend language on page 2, line 15, as follows: "The campaign treasurer or deputy campaign treasurer shall not accept anonymous donations ~~over~~ of twenty-five..."

Councilor Calvert proposed to amend language on line 17, "Records required to be kept by the campaign treasurer or deputy campaign treasurer under the terms of paragraph A items (1), (2), (3), ~~and~~ (4) and (5)..." He believes (5) needs to be included as well.

Yolanda Vigil said this is already included in Campaign Financial Report, but it is okay to include (5) in this section..

MOTION: Councilor Calvert moved, seconded by Councilor Dominguez, to approve this request, with the two amendments proposed by Councilor Calvert, and with the amendments from the Ethics and Rules Committee.

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

- 24. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW ARTICLE 9-3 FOR THE PURPOSE OF ESTABLISHING A SYSTEM OF VOLUNTARY PUBLIC FINANCING OF CAMPAIGNS (COUNCILOR ORTIZ, MAYOR COSS, COUNCILORS WURZBURGER, BUSHEE, CALVERT AND ROMERO). (FRANK KATZ, YOLANDA VIGIL AND DAVID MILLICAN)**
Committee Review: Ethics and Rules Committee (Approved) July 22, 2009; City Council (Request to Publish) (Scheduled) August 12, 2009; and City Council (Public Hearing) (Scheduled) September 9, 2009. Fiscal Impact – Yes.

A Memorandum dated August 3, 2009, to the Finance Committee from the Finance Director, regarding Public Campaign Finance – Article 9-3 SFCC 1987 – FIR issues, is incorporated herewith to these minutes as Exhibit "1."

A copy of the proposed bill dated 08/03/09, "Red line Bill with Proposed Amendments," is incorporated herewith to these minutes as Exhibit "2."

Chair Ortiz said the voters approved public financing in 2008. He said what resulted from that is an ordinance he introduced which resulted from the Public Campaign Financing Task Force. He said this bill was introduced in March 2009 and it went through the Ethics and Rules Committee last week. He said the proposal which is on the table follows the example which came out of the task force which provides, if you elect to, you can spend public monies on your campaign but you accept the limitations – for Mayor \$65,000 and Council \$15,000. He proposed in the bill that this be put into place for the upcoming Election.

Chair Ortiz said his estimate which he introduced at Ethics and Rules Committee was about \$420,000, which estimates 3 Mayor candidates qualifying for public financing at \$180,000, and 2-3 candidates for each of the Council Districts at \$45,000 at \$180,000, and the additional amount is for matching funds for candidates who are outspent by other candidates.

Councilor Ortiz noted a Memorandum from the Finance Director that talks about different amounts. He said the original amount which came out of the Task Force was \$600,000, which would be built up over time. He said the Task Force recommended not starting the public funding until 2012. However, he believes we should have something in place by the next Mayoral election in 2010. He said he does not know the source of funds, but he has some possibilities.

Chair Ortiz said another thing which came out of the Ethics and Rules Committee is the expected cost of enforcement and administration coming from the City Clerk's office, but he doesn't see those numbers, and there has to be an expense there to be considered as well.

Chair Ortiz said the advantage of using public moneys for campaigns is that it flattens the field and candidates have equal amounts of money, as well as eliminating the ability of individuals or groups to influence the campaign because of very large contributions. He said the downside is that this is a large chunk of money, in these economic times and the City's current budget constraints, to address a perception in the electoral process that this might not be the most efficient use of public resources. He said he believes the limits proposed absolutely will change the dynamics of City elections, which could be a good thing or a bad thing.

Councilor Wurzbarger asked if you do this, that the candidate can't raise money, but has to go out and spend \$15,000 in the hope they get reimbursed by the City.

Chair Ortiz said the process allows you to collect seed money – collect the \$5 contribution from the prescribed number of voters – 10% of the limit – to aid your campaign in getting the \$5 contributions which would qualify a candidate for financing. He said he thought, because it is an activity of the campaign, the funds collected in excess of the required amount should go into the campaign account. He said, once you qualify, you would have the seed money from the \$5 contribution, and then you would collect the portion to which you would be entitled under public financing.

Councilor Wurzbarger said her concern is when the candidate actually receives the funds, and what is the mechanism.

Chair Ortiz said the campaign would be condensed under this bill and the candidate would receive funds roughly two months before the election day. He said there is an advantage and a disadvantage. He said the advantage is that it condenses the work and you're not hustling money throughout the process. The disadvantage is that candidates who can't qualify within the condensed time period could run out of time. He said sometimes people send out mailings before Thanksgiving. If you elected to do this, you would be hard pressed to be able to finance that kind of operation.

Councilor Calvert said there is a period where you can start qualifying to be a candidate. He quoted from line 4, page 9 of the bill, "A candidate who wishes to be certified before the end of the qualifying period, file an application for such certification with the City Clerk..." However, line 22, page 20, provides, "Immediately upon certifying a candidate as a participating candidate the City Clerk shall disburse" the \$15,000 from the fund. He said that could be before the end of the qualifying period that a candidate could qualify, so it could be further out than two months.

Chair Ortiz said under City Code you can qualify sooner than the time allowed.

Frank Katz said one of the requirements for being a participating candidate is that you are certified as a candidate, which means that you have submitted the nominating petitions which have been certified by the City Clerk. He said that happens on the 54th day before the election, and you really can't be a participating candidate until you are a certified candidate, so it really should be "on or before the 54th day," it should be "on the 54th day" that both things would happen.

Councilor Calvert said that isn't what the bill says. He said the bill says, "Immediately upon certifying a candidate as a participating candidate." He asked if "participating" is based on getting the qualifying contributions.

Mr. Katz said the language on page 10 in the "red line" should read, "On the fifty-fourth day," because that is the day the City Clerk certifies the nominating petitions. He said you don't want to be giving money to someone who ends up not being a certified candidate.

Councilor Calvert said he agrees, because the language on line 1, page 11, provides: "...Fifteen thousand dollars (\$15,000.00) for a candidate in a contested race for the office of City Councilor." He said you won't know how many people are contesting that race until the deadline for filing.

Mr. Katz said everything comes together on day 54. He would suggest ending the qualifying period 10 days before that, to give the Clerk the opportunity to review and see whether all of the qualifying contributions are appropriate are given by people who can give qualifying contributions.

Councilor Calvert said, in effect, what happens here is that you don't get the money until the end of the deadline for filing.

Chair Ortiz said you don't get the money until you, (a) have the right number of qualifying contributions which have been certified; (a)(1) all of those were done during the right period; and (b) you are a qualified candidate and have met all of the other requirements of the Campaign Code. If you meet these conditions on the 54th day before the election, that is the day you would be entitled to the money.

Councilor Calvert said if it is not a contested race you get no funds.

Chair Ortiz said if it is not a contested race you get 10%.

Councilor Wurzbarger said she would like further clarity on the seed money. She asked, for example, what happens if you collect \$100,000 or \$50,000.

Councilor Ortiz said people would have to elect not to be part of the public financing.

Councilor Calvert said candidates who opted under public financing, would get matching funds to the extent that she collected way over the limit.

Responding to Councilor Wurzbarger, Chair Ortiz said, for example, if the Mayor has raised \$12,000 and he elects to participate in a voluntary public financing system, he is going to have to either give that money back, or he will have to elect not to participate in public financing, because he is over the amount which is required under the ordinance.

Councilor Chavez said the public was looking for additional things regarding election reform, such as instant runoff, and other things to make elections more equitable. He said he is not convinced that "fixing the money part is going to fix everything else." He said without funding it is difficult to talk about public campaign financing.

Chair Ortiz said he would work with staff to identify the funding sources and bring those options forward as a source of funding. He said although there may be personal disagreement about the priorities, the public voted overwhelming on this Charter Amendment to have some form of public financing. He said to say now that we can't do it, seems to be a disregard for the public's will in the last election.

Councilor Chavez said a referendum doesn't always present a fair and concise vision or a majority of what the public expects. He said as he pointed out earlier, he believes there are other components that the public also was expecting, and this is only one piece of that. He said he can move this forward, but there are other pieces which have been left out. He said, "Now, whether I support public financing or not, is another debate, and I think I'm already on.. I'm pretty sure, I'm on record saying that I would not participate then, nor will I participate now, because I don't think it's right and if that position goes against that referendum or what that vote is, then, so be it. But, I think my position has been pretty clear for a long time now."

Chair Ortiz said it wasn't a referendum it was a vote on a Charter Amendment.

Councilor Dominguez said his question is in regard to enforcement, and if it would be the Ethics Campaign Review Board ["ECRB"] who would be enforcing any allegations that this ordinance wasn't followed. How exactly is this going to work.

Mr. Katz said that Board is fully charged under the ordinance to do the enforcement, and to investigate any complaints of allegations that people are spending funds wrong, or getting additional funds on the side. He said the City Attorney also could intercede a complaint if someone complained to the City and it was found worthy at least of investigation.

Responding to Councilor Dominguez, Mr. Katz said this bill hasn't been to the ECRB, which is an oversight. He said it spent a long time in the Public Campaign Financing Task Force, and then came to the Council and went first to the Ethics and Rules Committee. He said the ECRB which is charged with enforcing the ordinance, has never seen it.

Councilor Dominguez said then the bill as presented to the Ethics and Rules Committee came straight from the Task Force, and asked Mr. Katz if he was a member of that Task Force.

Mr. Katz said he was the staff person for the Task Force.

Councilor Dominguez asked the rationale as to why the date initially was set for 2012 instead of for 2010.

Mr. Katz said this was discussed at length in the Task Force. The reason was financial. The Task Force wanted to allow time to build up the fund so the money would be there so we wouldn't have to sacrifice other important priorities. He said the Task Force originally wanted to start last year with a relatively small amount each year. He said in 2012 the amount needed for a Councilor/Judge race is substantially less than what is needed for a Council/Mayor race. The Task Force thought starting in 2012 would provide the time to accumulate the funds, and then start with the race which was less expensive. He said there was also the factor that this is a new ordinance for the City Clerk, the Finance Department, the ECRB and legal counsel to administer. This is the reason for suggesting starting with an easier campaign. He said council races tend to have less outside money coming in, and would be easier to do.

Mr. Katz said the Clerk, for example, would be required to confirm that the qualifying \$5 contributions are from electors in Santa Fe, and in a Mayor's race there would be 1,800 additional contributions which have to be verified as valid. He said it would be quite a substantially large increase in work for the City Clerk. Thus, the Task Force thought it would be more sensible to begin with a campaign that would be easier in terms of work load.

Councilor Dominguez said then Mr. Katz is saying that the factors for recommending 2012, are the source of revenue, and secondly to do this on a non-Mayor election year to be able to work out the details and give the City Clerk the opportunity to work on the process for the next Mayoral election.

Chair Ortiz said the Charter Amendment was clear that the public wanted to have public financing by this election cycle, and he has tried to move this forward, noting it was introduced in March 2009. However, there is the rationale expressed by the City Attorney on behalf of the Task Force.

Councilor Calvert said the public voted to have us do this, but he believes they want us to do it right as well. He said, with these amendments from Ethics and Rules, we're trying to force it into a date that doesn't fit either procedurally or financially. He reminded the Committee that he asked to put funds in the 2008-2009 budget to do this, but he was overruled on that. He said to do it now could cost anywhere from \$400,000 to \$600,000. He said doing this right means we have adequate resources to cover the possibilities the first time we do this. He said the first time we do it, we don't want to have insufficient funds and people having to take pro rata shares and then opting out, with the whole process doing "to hell in a handbasket." He believes we should be adequately funded to cover any contingencies which might arise, and to do it right so it works the way it was intended.

Councilor Calvert said also, procedurally, we're asking the City Clerk to take on a lot of extra duties which also have not been built into the budget. He said we're trying to push this and it doesn't fit. He said we don't want to do the most expensive election the first time, especially if you're trying to meet an immediate deadline. It doesn't make sense to him to try to do this, and we most assuredly will not implement it well, and we even could fail, as well as not being what the public really had intended.

MOTION: Councilor Calvert moved, seconded by Councilor Dominguez, to approve this bill, minus the amendments from the Ethics and Rules Committee.

DISCUSSION: Councilor Dominguez said some of the proposed amendments were cleanup language for the bill itself to make it consistent.

Mr. Katz said Amendment #1 is cleanup language; Amendment #2 just changed the qualifying period; Amendment #3 recognized that in fact there hasn't been any money appropriated, although you might want to leave that in, so you could start putting money in the fund; and the other Amendment deals with the date, the amount and whether the qualifying contributions stay with the candidate or go into the fund and then come back to the candidate from the fund.

Chair Ortiz said it depends on the race that we choose. It is one thing to say that the public wants to have it right, and then to say the problem with having it right is that we've never done it before – because there will always be a first time – and then the dollar amount. He said if we find a funding source we could limit funding to the Mayor's race in 2010, and not the Council races. He said there are any number of ways to slice this up to accomplish the goal of doing it now, meaning this election cycle. He said this is one way to do it which came out of the Task Force.

Chair Ortiz said, with regard to the amendments, except for the provisions which talk about the date, the rest are cleanup language. He said Councilor Calvert's concern is not having this in this election cycle because the dollars aren't there. He said if the dollars were available presumably that concern would be erased.

Responding to Councilor Dominguez, Mr. Katz said the feeling of the Task Force was that the Judge's race has not had the degree of visibility as the Mayor, although both are City-wide races, and that the Mayor is the chief executive officer of the whole City. The amendment directed that the Council adopt an ordinance within two years, not that it goes into effect within two years, "The Governing Body shall adopt by ordinance within two years after the effective date."

Chair Ortiz understands we can adopt an ordinance with an effective date in 2012 or 2014, but it seems that kind of ordinance runs counter to some of the discussion that was ongoing at the time.

Councilor Ortiz said there was some discussion at the Ethics and Rules Committee about the Judge's race, and having a higher threshold and higher dollar amount for the Judge's race, but he doesn't recall seeing that in the Task Force report. He said there was a contested, very heated Judges race in 2004, and there have been others prior to that. He said one of the consequences of having a low threshold in that race is that more people can qualify and run in the Judge's race, and there could be more candidates. He said the Municipal Judge is the only City elected official with a full time job which has the ability to sentence people to jail, and gets a much higher salary. He said to look at the importance of the Judge in the context of the Mayor is a matter of opinion and not of fact.

Councilor Wurzbarger said she is speaking against the motion. She is embarrassed, as a Councilor, that it has taken us this long to do something on this. She is appalled that in this economy that we would to look

forward to further elections. She said this is an argument to figure out how to do this now, and how to manage the staff. She said this is a public mandate. She said currently the money to fund elections comes from the community from the voters, as well as from nonprofits. She believes this is a task which can be done, and we could do it only on some of the positions. She said we have not responded to this public mandate and she is embarrassed by that.

Councilor Calvert said, given the current economic times and the City's budget, that we're asking people to take furloughs, and looking at restructuring, it is an insult to our employees for us to come up with \$600,000 out of this year's budget, as well as unrealistic. He said it is an insult to our employees that we can't pay them their full pay, but we can come up with the money another way to fund this. He said he supports this, and he wants it done as soon as possible. He reiterated that he wants to do it right so the public has confidence in the process that we set up. He is uncomfortable in moving this ordinance forward for this election for those reasons. He said additionally, the people who will enforce the ordinance haven't even reviewed the ordinance. He is concerned as to how we can do this and still be within the timeframe set out. He is for public campaign financing and he would be glad to do it and conform to the rules, but he doesn't believe we are prepared to do this in this election cycle.

Responding to Councilor Chavez, Chair Ortiz said the amendments, according to Councilor Chavez's second, are off the table in the current motion. He said there is a motion and second to accept the ordinance without the amendments. He said Councilor Chavez can withdraw his second to the motion, and we can have discussion on the amendments.

Councilor Chavez said he had comments, but he was overlooked to make those before the motion was made. He said it doesn't make sense to move forward on this because of the financial situation the City is in. He asked about the public who voted against this amendment, and asked where is their voice and if anyone is going to speak for them. He said this isn't the right time to be doing this, and without the other components which were expected of election reform, he can't vote for this ordinance. He said it also depends on how much people are willing to spend on a campaign. He said a campaign is more than how much money you spend. He said, for example, he spent less than \$10,000 on his last campaign. He said using that as a basis, then it would be only \$40,000 for 4 council races. He said the bottom line is that right now we don't have money to fund it and he can't support it.

VOTE: The motion was defeated on the following roll call vote.

For: Councilor Calvert and Councilor Dominguez.

Against: Councilor Chavez and Councilor Wurzbarger.

The resulting vote was a tie, and Chair Ortiz voted against the motion.

MOTION: Councilor Wurzbarger moved to approve the ordinance with the amendments proposed by the Ethics Committee, and directing staff to create options for funding during this campaign period. **THE MOTION DIED FOR LACK OF A SECOND.**

MOTION: Councilor Wurzburger moved to approve the ordinance with the amendments proposed by the Ethics Committee, with the exception that it apply only to the City Council races in 2010. **THE MOTION DIED FOR LACK OF A SECOND.**

MOTION: Councilor Calvert moved, seconded by Councilor Wurzburger, to move this ordinance and the amendments forward to the Ethics & Campaign Review Board for its review of the ordinance and the amendments, and then it will come back to this Committee.

FRIENDLY AMENDMENT: Councilor Wurzburger would like to amend the motion to ask that the Ethics and Campaign Review Board be asked to meet in a timely way so that this can be brought back to the Finance Committee meeting of August 31, 2009. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE COMMITTEE.**

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

Councilor Wurzburger would like staff to notify this Committee of the date the ECRB will be meeting on this issue.

26. **REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO CONDUCT THE NECESSARY TRAFFIC STUDY TO DETERMINE IF MID-BLOCK CROSSWALKS ARE APPROPRIATE ON CALLE ATAJO AND IF SO, DETERMINE THE APPROPRIATE FUNDING AND INSTALL THE CROSSWALKS AS PER TRAFFIC ENGINEERING STANDARDS (COUNCILOR DOMINGUEZ). (CHRIS ORTEGA) Committee Review: Public Safety Committee (Approved) July 21, 2009; Public Works Committee (Approved) July 27, 2009; and City Council (Scheduled) August 12, 2009. Fiscal Impact – No.**

Councilor Chavez said the reason he pulled this is because Calle Atajo needs attention and this fell through the cracks regarding our traffic calming program. He said this isn't the only mid-block crosswalk which might be needed, and spoke about others. He said a different source of funding has been identified to address some of the mid-block crossing. He said he thought a small pocket of money had been set aside to be used for safety projects which fell outside a normal traffic calming program. He said there was talk of raised crosswalks and other traffic calming devices around safety issues.

Councilor Dominguez said there was discussion as to whether it was appropriate to put crosswalks, but he wants to make things safe. He said this came up because staff has ability to decide which device would be appropriate.

MOTION: Councilor Dominguez moved, seconded by Councilor Calvert, to approve this request and keep in mind other issues as it moves forward.

DISCUSSION: Chair Ortiz asked if amendments have been prepared for these parks.

Mr. Romero said they have if they meet the criteria, but most don't, although there is a lower criteria for

parks. He will study those. However, if they don't meet the criteria, he won't recommend it. He said we can do a striped crosswalk if it meets criteria.

Councilor Chavez said sometimes the public expectations are more than we can deliver. He asked if this and others don't meet the criteria, what other safety features can we do.

Mr. Romero said he will look at the study which was done, and see what can be done.

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

- 28. REQUEST FOR APPROVAL OF A RESOLUTION DECLARING SUPPORT FOR PASSAGE OF LOCAL FINANCING AND ECONOMIC DEVELOPMENT OPTIONS THAT ALLOW PUBLIC-PRIVATE PARTNERSHIPS (COUNCILOR ORTIZ, MAYOR COSS, COUNCILORS WURZBURGER AND DOMINGUEZ). Committee Review: Council (Scheduled) August 12, 2009. Fiscal Impact – No.**

MOTION: Councilor Wurzburger moved, seconded by Councilor Calvert, to approve this request.

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

END OF CONSENT CALENDAR DISCUSSION

DISCUSSION

- 29. OTHER FINANCIAL INFORMATION:**

- A. REQUEST FOR CONSIDERATION TO REESTABLISH POSITIONS IN FY 09/10 BUDGET. (KRISTINE KUEBLI)**

A copy of a two page document listing positions recommended by staff to remain funded for the remainder of FY 2009/2010 and positions recommended by staff to be eliminated from this year's current budget, is incorporated herewith to these minutes as Exhibit "3."

Councilor Chavez said then the handout eliminates 4 positions and funds 22 positions for the 2009/2009 fiscal year, and Ms. Kuebli said this is correct.

MOTION: Councilor Wurzburger moved, seconded by Councilor Chavez move to accept the Memorandum and to approve staff's recommendation.

DISCUSSION: Ms. Kuebli presented information from her Memorandum of July 30, 2009. She said the second paragraph talks about four positions which were deleted, and there is a request to reinstate these

four positions. She said since she drafted the Memorandum, Chief Salas has withdrawn her request to reinstate the position of Fire Inspector in the Fire Department.

FRIENDLY AMENDMENT: Councilor Wurzbarger would like to amend her motion to add the positions under Item #1 on page 6 of the Memorandum, deleting the Fire Inspector – Fire Department. **THE AMENDMENT WAS FRIENDLY TO THE SECOND AND THERE WERE NO OBJECTIONS BY THE OTHER COMMITTEE MEMBERS.**

DISCUSSION: Ms. Kuebli said the request includes a third item which is approval to eliminate certain non-critical positions and to reestablish critical positions recommended by the City Manager on August 3, 2009 – to keep these positions budgeted and when they become vacant, to fill these positions.

Councilor Calvert asked Councilor Wurzbarger if she is referring to something in the packet in her motion.

CLARIFICATION OF MOTION: Councilor Wurzbarger said her motion is to accept staff's recommendation as set out in Ms. Kuebli's Memorandum dated July 30, 2009, as backup for the request in the handout [Exhibit "3"].

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

30. MATTERS FROM THE COMMITTEE

Councilor Wurzbarger thanked and complimented Robert Romero, saying she received a Memorandum from Robert with regard to having contracts broken into smaller increments to address her concern to get more local bidders.

Chair Ortiz said at the next meeting there will be a presentation from the affordable housing people, with regard to the questions asked regarding the Housing Trust, etc., cost and duplication of effort.

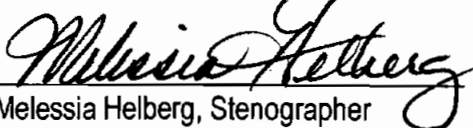
31. ADJOURNMENT

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

Matthew E. Ortiz, Chair

Reviewed by:

David N. Millican, Director
Department of Finance


Melessia Helberg, Stenographer