



Agenda

FINANCE COMMITTEE MEETING
CITY COUNCIL CHAMBERS
JUNE 1, 2010 – 5:00 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 5/27/10 TIME 2:55 pm

SERVED BY [Signature]

RECEIVED BY [Signature]

MAY 11, 2010 SPECIAL FINANCE COMMITTEE STUDY SESSION FY 10/11
OPERATING BUDGET REVIEW
MAY 17, 2010 REGULAR FINANCE COMMITTEE MEETING

CONSENT AGENDA

6. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT TO AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – DESIGN/BUILD SERVICES TO THE DECTRON UNITS AT GCCC; M & E ENGINEERING INC. (MARTIN VALDEZ)
7. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – PAVEMENT RESURFACING; CUTLER REPAVING INC. (DAVID CATANACH)
8. REQUEST FOR APPROVAL OF A LEASE AGREEMENT – CANYON ROAD PARKING LOT; ROMAN SALAZAR (WALTER ROYBAL)
9. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – SECURITY SERVICES; CHAVEZ SECURITY (WALTER ROYBAL)
10. REQUEST FOR APPROVAL OF 2010/2011 1% LODGERS' TAX FUNDING RECOMMENDATIONS – ARTS COMMISSION COMMUNITY ARTS PROMOTION PROGRAM (RFP 10/21/P); VARIOUS VENDORS (DEBRA GARCIA Y GRIEGO)
11. REQUEST FOR APPROVAL OF PROJECT AGREEMENT – PURCHASE EQUIPMENT; NEW MEXICO DEPARTMENT OF TRANSPORTATION (POLICE CHIEF ARIC WHEELER)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND



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12. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT TO AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – PROVIDE TECHNICAL APPLICATION SUPPORT SERVICES; MIKE LANCASTER (CARYN FIORINA)
13. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT TO AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – PROVIDE TECHNICAL APPLICATION SUPPORT SERVICES; KEVIN YEAMAN (CARYN FIORINA)
14. REQUEST FOR APPROVAL OF LEGAL SERVICES AGREEMENT – REPRESENT CITY IN LEGAL MATTERS; SHEEHAN, SHEEHAN & STELZNER (BILL CASSEL)
15. REQUEST FOR APPROVAL OF A RESOLUTION DECLARING THE MONTH OF APRIL EACH YEAR AS “NEWBORN MONTH” AND DIRECTING STAFF TO ASSIST THE UNIVERSITY OF PHOENIX AND PRESBYTERIAN MEDICAL SERVICES IN ARRANGING FOR AN ANNUAL BABY SHOWER FOR “NEWBORNS IN NEED” (COUNCILOR ORTIZ) (JEANNE PRICE)

Committee Review:

Council (Scheduled)

6/09/10

Fiscal Impact – No

16. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 1-3.2 SFCC 1987 REGARDING THE IMPOSITION OF MUNICIPAL COURT FEES AND SECTION 12-6-12.2 OF THE CITY OF SANTA FE UNIFORM TRAFFIC CODE REGARDING PENALTIES FOR OPERATING A MOTOR VEHICLE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS (COUNCILOR WURZBURGER) (JUDGE YALMAN)

Committee Review:

Council (Request to Publish)

6/09/10

Council (Public Hearing)

7/28/10

Fiscal Impact - Yes

17. REQUEST FOR APPROVAL OF AN ORDINANCE REPEALING CHAPTER 27 SFCC 1987 AND CREATING A NEW CHAPTER 27 SFCC 1987 REGARDING TELECOMMUNICATIONS SERVICES (KELLEY BRENNAN)



Agenda

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Committee Review:

Council (Request To Publish)	5/12/10
Public Works (Approved)	5/24/10
Public Utilities (Scheduled)	6/02/10
Council (Public Hearing)	6/09/10

Fiscal Impact - Yes

18. REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING APPROVAL OF THE DOWNTOWN PARKING AND TRANSIT PROGRAM (COUNCILOR WURZBURGER) (JON BULTHUIS)

Committee Review:

Transit Advisory (Denied)	4/06/10
Public Works (Approved)	4/12/10
Finance (Remand to TAB)	4/19/10
Transit Advisory (Revised/return to Finance Committee)	5/04/10
Parking Advisory (Approved)	5/18/10
Council (Scheduled)	6/09/10

Fiscal Impact - Yes

19. REQUEST FOR APPROVAL OF A RESOLUTION NAMING THAT PORTION OF THE CITY'S RAIL TRAIL BETWEEN SIRINGO ROAD AND ZIA ROAD AND THE FUTURE EXTENSION OF THE TRAIL, UNDER ST. FRANCIS DRIVE CONNECTING TO ST. MICHAEL'S DRIVE IN HONOR OF GAIL RYBA (COUNCILOR BUSHEE, MAYOR COSS, COUNCILORS ROMERO, CALVERT, CHAVEZ, DOMINGUEZ, ORTIZ, TRUJILLO AND WURZBURGER) (ROBERT SIQUEROS)

Committee Review:

Public Works (Approved)	5/24/10
Bicycle and Trails (Scheduled)	5/27/10
Council (Scheduled)	6/09/10

Fiscal Impact - No

20. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING CITY STAFF TO WORK WITH THE SANTA FE PUBLIC SCHOOLS TO DRAFT AN UPDATED JOINT POWERS AGREEMENT (COUNCILOR ROMERO) (ROBERT ROMERO)



Agenda

FINANCE COMMITTEE MEETING
CITY COUNCIL CHAMBERS
JUNE 1, 2010 – 5:00 PM

Committee Review:

Public Works (Approved)
Council (Scheduled)

5/24/10
6/09/10

Fiscal Impact - No

21. REQUEST FOR APPROVAL OF A RESOLUTION APPROVING A WAIVER OF THE SANTA FE HOME PROGRAM REQUIREMENTS FOR PHASE A-1 OF THE ARTYARD PROJECT LOCATED WITHIN THE RAILYARD UPON THE FULFILLMENT OF CERTAIN CONDITIONS (MAYOR COSS, COUNCILORS BUSHEE, WURZBURGER AND ROMERO) (MELISSA DAILEY)

Committee Review:

Public Works (Scheduled)
Council (Scheduled)

6/07/10
6/09/10

Fiscal Impact – No

22. REQUEST FOR APPROVAL OF A RESOLUTION APPEALING TO THE ALL INDIAN PUEBLO COUNCIL TO SAVE THE PAOLO SOLERI AMPHITHEATER LOCATED ON THE SANTA FE INDIAN SCHOOL CAMPUS (COUNCILOR BUSHEE) (JEANNE PRICE)

Committee Review:

Council (Scheduled)

6/09/10

Fiscal Impact - No

END OF CONSENT AGENDA

DISCUSSION

23. OTHER FINANCIAL INFORMATION:
- A. REQUEST FOR APPROVAL OF LEASE SPACE OPTION (ROBERT ROMERO)
24. MATTERS FROM THE COMMITTEE
25. ADJOURN

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, June 1, 2010**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
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
<u>APPROVAL OF MINUTES:</u>		
MAY 11, 2010, SPECIAL FINANCE COMMITTEE STUDY SESSION FY 10/11 OPERATING BUDGET REVIEW	Approved	4
AND MAY 17, 2010 REGULAR FINANCE COMMITTEE MEETING	Approved	4
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT TO AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – DESIGN/BUILD SERVICES TO THE DECTRON UNITS AT GCCC; M & E ENGINEERING, INC.	Approved/w direction to staff	4-5
REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – SECURITY SERVICES; CHAVEZ SECURITY	Approved	6
REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT TO AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – PROVIDE TECHNICAL APPLICATION SUPPORT SERVICES; KEVIN YEAMAN	Approved	6-7
REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT TO AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – PROVIDE TECHNICAL APPLICATION SUPPORT SERVICES; KEVIN YEAMAN	Approved	7

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 1-3.2 SFCC 1987, REGARDING THE IMPOSITION OF MUNICIPAL COURT FEES AND SECTION 12-6.12.2 OF THE CITY OF SANTA FE UNIFORM TRAFFIC CODE, REGARDING PENALTIES FOR OPERATING A MOTOR VEHICLE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS	Approved [amended]	7
REQUEST FOR APPROVAL OF AN ORDINANCE REPEALING CHAPTER 27 SFCC 1987, AND CREATING A NEW CHAPTER 27 SFCC 1987, REGARDING TELECOMMUNICATIONS SERVICES	Move forward w/o recommendation	7-8
REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING APPROVAL OF THE DOWNTOWN PARKING AND TRANSIT PROGRAM	Approved [amended]	9-12
REQUEST FOR APPROVAL OF A RESOLUTION APPROVING A WAIVER OF THE SANTA FE HOME PROGRAM REQUIREMENTS FOR PHASE A-1 OF THE ARTYARD PROJECT LOCATED WITHIN THE RAILYARD UPON THE FULFILLMENT OF CERTAIN CONDITIONS ***** END OF CONSENT CALENDAR DISCUSSION *****	Approved	13
<u>DISCUSSION</u>		
<u>OTHER FINANCIAL INFORMATION:</u>		
REQUEST FOR APPROVAL OF LEASE SPACE OPTION	Approved w/direction to staff	14-16
MATTERS FROM THE COMMITTEE	None	17
ADJOURN		17

**MINUTES OF THE
CITY OF SANTA FE
FINANCE COMMITTEE
Tuesday, June 1, 2010**

1. CALL TO ORDER

A meeting of the City of Santa Fe Finance Committee was called to order by Acting Chair Rebecca Wurzburger, at approximately 5:00 p.m., on Tuesday, June 1, 2010, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT:

Councilor Matthew E. Ortiz, Chair
Councilor Patti J. Bushee
Councilor Carmichael A. Dominguez
Councilor Rosemary Romero
Councilor Rebecca Wurzburger

MEMBERS EXCUSED:

OTHERS ATTENDING:

Kathryn Raveling , Acting Finance Director
Laura Vigil, 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

A Memorandum, with attachments, dated June 1, 2010, to the Finance Committee, from Barbara Boltrek, Claims Administrator, Office of Risk Management & Safety, regarding Request for Approval – Renewal of Comprehensive Insurance Program Coverage submitted by Willis – RFP #’04/23/P, is incorporated herewith to these minutes as Exhibit “1.”

Ms. Raveling noted she distributed a Memorandum from Barbara Boltrek on the insurance [Exhibit "1"]. She understands it can't be added to the agenda, or discussed, but it does need to be moved forward to the City Council meeting. She said it was planned to take it to the Council at the last meeting in June, but that would leave us without coverage for 8-10 hours, and Mark Allen doesn't want that exposure. She said she needs to move it forward to the Council.

Acting Chair Wurzbarger thanked Ms. Raveling for the information, but it's not an agenda item and we can't do anything about it.

Ms. Raveling said with regard to Item #16 on Consent, during the budget approval process, Councilor Ortiz moved to split the fees 2/3 to the Detention Center and 1/3 to the Municipal Court, and this language isn't included, so this items needs to be removed from consent and amended.

Councilor Bushee asked to pull Item #19 from the Consent Agenda and postpone it to the Finance Committee meeting of July 19, 2010.

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

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

4. APPROVAL OF CONSENT AGENDA

MOTION: Councilor Romero moved, seconded by Councilor Bushee, to approve the following Consent Agenda as amended.

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

CONSENT AGENDA

6. *[Removed for discussion by Councilor Bushee]*

7. **REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – PAVEMENT RESURFACING; CUTLER REPAVING, INC. (DAVID CATANACH)**

8. **REQUEST FOR APPROVAL OF A LEASE AGREEMENT – CANYON ROAD PARKING LOT; ROMAN SALAZAR. (WALTER ROYBAL)**

9. *[Removed for discussion by Councilor Bushee]*

10. REQUEST FOR APPROVAL OF 2010/2011 1% LODGERS TAX FUNDING RECOMMENDATIONS – ARTS COMMISSION COMMUNITY ARTS PROMOTION PROGRAM (RFP 10/21/P); VARIOUS VENDORS (DEBRA GARCIA Y GRIEGO)
11. REQUEST FOR APPROVAL OF PROJECT AGREEMENT – PURCHASE EQUIPMENT; NEW MEXICO DEPARTMENT OF TRANSPORTATION. (POLICE CHIEF ARIC WHEELER)
A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.
12. *[Removed for discussion by Councilor Bushee]*
13. *[Removed for discussion by Councilor Bushee]*
14. REQUEST FOR APPROVAL OF LEGAL SERVICES AGREEMENT – REPRESENT CITY IN LEGAL MATTERS; SHEEHAN, SHEEHAN & STELZNER. (BILL CASSEL)
15. REQUEST FOR APPROVAL OF A RESOLUTION DECLARING THE MONTH OF APRIL EACH YEAR AS “NEWBORN MONTH,” AND DIRECTING STAFF TO ASSIST THE UNIVERSITY OF PHOENIX AND PRESBYTERIAN MEDICAL SERVICES IN ARRANGING FOR AN ANNUAL BABY SHOWER FOR “NEWBORNS IN NEED” (COUNCILOR ORTIZ). (JEANNE PRICE)
Committee Review: Council (Scheduled) 06/09/10. Fiscal Impact – No.
16. *[Removed for discussion by Councilor Bushee]*
17. *[Removed for discussion by Councilor Bushee]*
18. *[Removed for discussion by Councilor Bushee].*
19. REQUEST FOR APPROVAL OF A RESOLUTION NAMING THAT PORTION OF THE CITY’S RAIL TRAIL BETWEEN SIRINGO ROAD AND ZIA ROAD, AND THE FUTURE EXTENSION OF THE TRAIL, UNDER ST. FRANCIS DRIVE CONNECTING TO ST. MICHAEL’S DRIVE IN HONOR OF GAIL RYBA (COUNCILOR BUSHEE, MAYOR COSS, COUNCILORS ROMERO, CALVERT, CHAVEZ, DOMINGUEZ, ORTIZ, TRUJILLO AND WURZBURGER). (ROBERT SIQUEIROS) Committee Review: Public Works (Approved) 5/24/10; Bicycle and Trails (Scheduled) 5/27/10; and Council (Scheduled) 6/9/10. Fiscal Impact – No.
This Item is postponed to the next meeting at the request of Councilor Bushee
20. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING CITY STAFF TO WORK WITH THE SANTA FE PUBLIC SCHOOLS TO DRAFT AN UPDATED JOINT POWERS AGREEMENT (COUNCILOR ROMERO). (ROBERT ROMERO) Committee Review: Public Works (Approved) 5/24/10; Council (Scheduled) 6/09/10. Fiscal Impact – No.
21. *[Removed for discussion by Councilor Bushee]*

22. **REQUEST FOR APPROVAL OF A RESOLUTION APPEALING TO THE ALL PUEBLO COUNCIL TO SAVE THE PAOLO SOLERI AMPHITHEATER, LOCATED ON THE SANTA FE INDIAN SCHOOL CAMPUS (COUNCILOR BUSHEE). (JEANNE PRICE) Committee Review: Council (Scheduled) 6/09/10. Fiscal Impact – No.**

END OF CONSENT AGENDA

5. **APPROVAL OF MINUTES: MAY 11, 2010, SPECIAL FINANCE COMMITTEE STUDY SESSION FY 10/11 OPERATING BUDGET REVIEW; AND MAY 17, 2010 REGULAR FINANCE COMMITTEE MEETING.**

MOTION: Councilor Dominguez moved, seconded by Councilor Romero, to approve the minutes of the Special Finance Committee Study Session on May 11, 2010, as presented.

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

MOTION: Councilor Dominguez moved, seconded by Councilor Romero, to approve the minutes of the Regular Finance Committee Meeting of May 17, 2010, as presented.

VOTE: The motion was approved unanimously on a voice vote

CONSENT CALENDAR DISCUSSION

6. **REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT TO AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – DESIGN/BUILD SERVICES TO THE DECTRON UNITS AT GCCC; M & E ENGINEERING, INC. (MARTIN VALDEZ)**

Councilor Bushee is concerned about the way the City does procurement, noting this is a sole source procurement. She asked the amount the City Manager can approve without taking it to the Council.

Ms. Raveling said \$50,000.

Councilor Bushee asked why this is before this Committee, noting the original contract was for \$12,000 but the amendment is for \$50,000.

Ms. Raveling said it is before this Committee because there is a procurement rule that if a contract starts out less than \$50,000, but the amendment makes it over \$50,000, it has to go through the committee approval process.

Councilor Bushee asked why it was thought originally we would need \$12,000, but are now amending it for another \$50,000.

Martin Valdez said a number of studies have been done to determine the cause of the water intrusion and condensation issues at GCCC. He said the City has hired forensic architects and other experts. He said they brought in a Mechanical Engineer because it is a mechanical system. He said M & M came in and verified the issues reported in the previous studies, and identified a plan to move forward which was part of the initial scope of services. He said they have a 5-step plan to resolve the issues and get the de-humidifier units operating to initial design capacity, and that will be done as a design/build.

Councilor Bushee asked if this could have become a second new contract and have gone directly through the City Manager, so there is no amendment which is 4 times larger than the original contract. She is having trouble with these amendments, but apparently Legal is directing staff to conduct procurement this way.

Ms. Raveling said they try hard not to circumvent the procurement rules so it doesn't come to the Council, but when there is any doubt, staff will bring it forward.

Councilor Bushee asked the reason it has to be done with an amendment, if it can be a new contract to do the work, saying it appears staff is trying to avoid the procurement process.

Councilor Wurzbarger asked if there is a legal opinion in this regard.

Councilor Bushee said Legal is telling them to do this by amendment.

Councilor Wurzbarger said then we have a legal opinion.

Councilor Bushee said she will keep flagging these contract amendments, and said, "I'm going to need somebody to tell me that this is really how you want to keep doing this, and Item #9, I think, emphasizes it even more."

Councilor Dominguez would like to have these put on the Public Works Committee agenda.

MOTION: Councilor Bushee moved, seconded by Councilor Dominguez, to approve this request, with direction to staff that we want some discussion at Public Work of how we can avoid having amendments which are greater than the original contract.

DISCUSSION: Councilor Romero asked if the \$12,000 was for the analysis and developing the plan.

Mr. Valdez said this is correct, it is the first step.

Responding to Councilor Romero, Councilor Dominguez said he is working with staff on the schedule, but in terms of this issue, the discussion probably will be after the July 12th discussion on CIP.

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

Chair Ortiz arrived at the meeting.

9. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – SECURITY SERVICES; CHAVEZ SECURITY. (WALTER ROYBAL)

Councilor Bushee pointed out that this is the 3rd amendment on this PSA. She said, “And maybe it’s just the way Legal is advising them to do these annual, multi-year contracts. But, it’s an amendment for over half a million dollars. And I understand that we don’t have that many operators that deliver this service, and they are going to RFP next year, which I’m grateful for. And, I’m not questioning the service that’s delivered, I’m just really concerned that maybe it’s just a technicality here in you calling things amendments. But, in the past, we didn’t do amendments for that much money.”

Ms. Raveling said every year the City amends the contract for the additional year.

Councilor Bushee said, “I understand and they’re usually, what, three-year contracts now. My understanding is it could have been a five-year renewal without even coming through back to Council. And, the only point in that is that it’s good for these to put out to RFP at least every three years, I think, especially if you have one company delivering that service throughout the City in all departments, as not to say a monopoly, but they’re pretty much the only one delivering the service. I guess, just for your sake, of how you do this procurement, I guess you’ll discuss it at Public Works and we’ll hear more about.... maybe you could just... year one, year two, year three... I guess it just seems like... anyhow..”

MOTION: Councilor Bushee moved, seconded by Councilor Dominguez, to approve this request, because it is going to RFP next year.

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

12. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT TO AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – PROVIDE TECHNICAL APPLICATION SUPPORT SERVICES; KEVIN YEAMAN. (CARYN FIORINA)

Councilor Bushee said she pulled this item because the Memo says Councilor Romero made an amendment that it would be at no further cost to the City, and she doesn’t understand how that can be done. She quoted from page 2 of the Memorandum, “Caryn: Geno will not approve agreements with Yeaman or Lancaster. He suggests that you place them in the packet as a redline and explain to the governing body what the recommendations are from the Contractors....” Councilor Bushee asked what this means, noting these aren’t big contracts.

Ms. Fiorina said when Finance Committee approved these contractors two weeks ago, Councilor Romero wanted to add language: “The contractor shall fix the system in its entirety at no additional cost to

the City.” She said the contractors agreed, but requested additional language be added to the contract which would say as long as they knew the [inaudible] was on the City side and there were no outstanding software issues at Oracle, and if any of these items came up that the City would have to prioritize those in writing, and the item was in the scope of service. She tried to do this as a Memo to the contract, but Mr. Zamora said it is better to put this in the contract as an amendment.

MOTION: Councilor Bushee moved, seconded by Councilor Romero, to approve this request.

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

13. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT TO AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – PROVIDE TECHNICAL APPLICATION SUPPORT SERVICES; KEVIN YEAMAN. (CARYN FIORINA)

MOTION: Councilor Bushee moved, seconded by Councilor Wurzbarger, to approve this request.

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

16. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 1-3.2 SFCC 1987, REGARDING THE IMPOSITION OF MUNICIPAL COURT FEES AND SECTION 12-6.12.2 OF THE CITY OF SANTA FE UNIFORM TRAFFIC CODE, REGARDING PENALTIES FOR OPERATING A MOTOR VEHICLE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS (COUNCILOR WURZBURGER). (JUDGE YALMAN). Committee Review: Council (Request to Publish) 06/09/10; and Council (Public Hearing) 07/28/10. Fiscal Impact – Yes.

Responding to Councilor Bushee, Ms. Raveling said Jeanne Price drafted the proposed ordinance, and in reviewing it, it was noted that Chair Ortiz had proposed that it would be split with 2/3 to go to Corrections and 1/3 to the General Fund for the Courts, and this language needs to be added to this proposed ordinance.

MOTION: Councilor Bushee moved, seconded by Councilor Romero, to approve this request, with the amendment that 2/3 of the fee will go to corrections and 1/3 will go to the General Fund for the Municipal Court.

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

17. REQUEST FOR APPROVAL OF AN ORDINANCE REPEALING CHAPTER 27 SFCC 1987, AND CREATING A NEW CHAPTER 27 SFCC 1987, REGARDING TELECOMMUNICATIONS SERVICES. (KELLEY BRENNAN) Committee Review: Council (Request to Publish) 5/12/10; Public Works (Approved) 5/24/10; Public Utilities (Scheduled) 6/02/10; and Council (Public Hearing) 6/09/10. Fiscal Impact – Yes.

Chair Ortiz said this will be heard tomorrow in the Public Utilities Committee.

Councilor Bushee said she received emails from the Santa Fe Complex. She asked if their idea of a master plan of coverage and a master plan is one and the same.

Ms. Brennan said she believes so, but they may have a more technical view.

Councilor Bushee said we need to get the baseline of the current coverage in the City for wireless, and she doesn't know the status of that request. [The majority of Councilor Bushee's remarks here are inaudible because the microphone was turned away from her.] She asked how long it will take to get that baseline coverage and how we will pay for it.

Ms. Brennan said she received a number of comments which she is reviewing, and, in relation to what they find, will recommend some amendments to the bill. And if they don't recommend amendments, they will explain the reason they think it is unnecessary.

Councilor Bushee asked the timeline on the coverage plan.

Ms. Price said it is the master plan, and she is preparing a draft for introduction on June 9, 2010, the next meeting it can be done. She said the master plan that City staff has been moving toward, is part of the coalition, so that is kind of a different master plan than what would be needed for these individual franchise servers.

Councilor Bushee wants to call it something different.

Councilor Wurzbarger said it is different to have the baseline information on what we have, from having a master plan for where you are going. She understood Councilor Bushee to be asking historically for the base line, and Councilor Bushee said, "I am."

Councilor Bushee said she also is trying to determine what they're asking for in a master plan, and this also deals with fiber optics.

Ms. Brennan said "they" have a more expansive view of the master plan, but she believes it would build on that base line.

Councilor Bushee again asked the timing and who will pay.

MOTION: Councilor Bushee moved, seconded by Councilor Romero, to move this request forward to the City Council with no recommendation.

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

- 18. REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING APPROVAL OF THE DOWNTOWN PARKING AND TRANSIT PROGRAM (COUNCILOR WURZBURGER). (JON BULTHUIS). Committee Review: Transit Advisory (Denied) 4/06/10; Public Works (Approved) 4/12/10; Finance (Remand to TAB) 04/19/10; Transit Advisory (Revised/return to Finance Committee) 5/04/10; Parking Advisory (Approved 5/18/10; Council (Scheduled) 6/09/10. Fiscal Impact – yes**

Councilor Bushee said, while she appreciates Councilor Wurzbarger's efforts to formalize this process, she found the proposed Program to be unwieldy, because there is a lot "in here that you want me to approve as an overall package." She presumes this has been to Public Works and Parking Advisory Committees, but there are no minutes from those Committees. She said it went to the Transit Advisory Committee.

Chair Ortiz noted the Committee Review information is on the agenda.

Councilor Bushee said she saw that, but her point is that this quite comprehensive, noting there are things, for example on pages 5 or 9; and that she doesn't want to take the time here to start striking things on her own. She quoted from page 5, "The Parking Division will enter into negotiations with the Archdiocese to operate the 600-space underground parking garage, once the project is complete." She said this is a giant unknown and doesn't want the City involved at this time, because it may not happen.

Councilor Bushee quoted from page 5, "The Parking Division has reviewed the Saint Michaels Drive "Vision of the Future," for St. Michael's Drive, "and identify possible sites for a mixed use of parking, affordable housing and retail use." She said, "This is really beyond what I've known Bill Hon.... you know, he's got a lot on his plate. There's just a lot of things in here that I don't.... I don't want to deny this, but I don't want to approve it."

MOTION: Councilor Bushee moved to deny this request, seconded by Councilor Romero for purposes of discussion.

DISCUSSION: Councilor Romero noted she has some of the same issues as raised by Councilor Bushee, including the negotiations with the Archdiocese. She said, referring to page 10, the amount of funding from the RTD mentioned in #4 is not known at this time. She would like to come up with language so we can send this back somewhere so it can be further reviewed and edited – send it to the right Committees and staff.

Chair Ortiz asked if Councilors Bushee and Romero have proposed language.

Councilor Bushee said this feels like micro-management of the department, such as the requirement on page 3 in #3 to run 120 radio spots per month over seven (7) different stations within Santa Fe and Albuquerque over a twelve-month period."

Councilor Wurzbarger said, as a point of clarification, this is not her plan, and this was developed by staff between Parking and Transit, over a one-year period. This certainly isn't micromanaging. She received the Plan with a request for a sponsor from staff, to which she agreed.

Councilor Bushee said she asked staff if this was their product, and "this came out of that task force and I understand, and that's why we're here trying to formalize it." Councilor Bushee said, "For instance, not anywhere... I mean, there are probably like five resolutions we've already approved that deal with the multi-modal, that deal with the RFPs for bicycle rental, the flex cars and all that, and there are plenty of directives that staff has already had from the Council as to how to do this. And now, it's just sort of reworded into a sort of micro version of management. And so, I'm just saying, you know, normally, we don't see five-year plans out of parking like this... and I just am having still some heartburn over how this is put together. It's just.... and, if I'm approving this, which I'm not saying it's not bad to have staff, you know, reviewing these things. But, now we're looking at a plan that I have to agree with, because I'm going to approve all of it, and I can't and I don't, so I won't be supporting this, if staff has to take this forward."

VOTE: The motion was defeated on a voice vote, with Councilor Bushee and Councilor Romero voting in favor of the motion, Councilor Dominguez and Councilor Wurzbarger voting against, and Chair Ortiz voting against the motion to break the tie vote.

MOTION: Councilor Wurzbarger moved, seconded by Councilor Dominguez, to approve the Plan, and move it forward and request that Councilors provide any specific language or deletions.

DISCUSSION: Councilor Wurzbarger said this been through all the Committees, and there is another opportunity to bring to the Council any specific language or deletions.

CLARIFICATION: Councilor Dominguez asked if the action is to approve the Resolution supporting approval of the Plan and not the Plan itself.

Chair Ortiz said we are endorsing it, without micromanaging.

Councilor Bushee, quoting from page 3/7, said the language provides that staff has to run 120 radio spots, and asked if we have the budget for that, and asked to strike this provision.

Jim Montman said, as the about to be Transportation Director, he can say he is not familiar with plan, and if the 120 spots deal with parking, or transit or the entire plan. He said Mr. Bulthuis had a conflict and couldn't attend this meeting.

Councilor Bushee said it will be done with Hutton Broadcasting.

Mr. Hon said we had a contract with Hutton Broadcasting, and were promoting on 7 different promotions, and were going to carry that through. However, that advertising has been cut from the budget for the next fiscal year.

FRIENDLY AMENDMENT: Councilor Bushee asked to strike Paragraph 3 on page 3/7 of the draft as follows: ~~As there is a need for increased public awareness with regard to parking and transportation, the Parking Division contracted with Hutton Broadcasting to run 120 radio spots per month over seven (7) different stations within Santa Fe and Albuquerque over a twelve-month period. Radio commercials included information on where to park, what parking services are currently available and information related to The Santa Fe Pick-Up shuttles.~~ **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND AND THERE WERE NO OBJECTIONS BY THE OTHER COUNCILORS.**

CONTINUATION OF DISCUSSION ON THE MAIN MOTION AS AMENDED: Councilor Bushee asked if there is anything in particular that you are doing, but are unable to do because of financial constraints.

Mr. Hon said no, noting he put this together over the past year, and things have changed. The funding fell through for the Archdiocese for the parking lot the City was to manage. They also took off the table the meeting with the Montezuma Lodge to try to negotiate an underground parking lot behind the temple. He said working with staff on St. Michael's drive to find peripheral parking and transit stops are things that we can do and should stay in for the future.

Councilor Bushee asked if he applied for a grant for \$400,000 for the Park and Ride, and Mr. Hon said yes.

Councilor Bushee asked if he plans for the design and structure of the Marion Hall project.

Mr. Hon said is also off the table. He said a lot came off the table because of the economic condition and changes.

Responding to Councilor Bushee, Mr. Hon said the City was approached about the County project, and can stay on the table, and staff will continue to work with the County.

FRIENDLY AMENDMENT: Councilor Bushee asked to strike the bullet at the bottom of 4 and the top of page 5 as follows: ~~The Parking Division will provide assistance as needed in the planning and design of the parking structure associated with the Marion Hall Project; and Currently there is one new construction project within the downtown area that will include parking – the County Courthouse. The Parking Division has been involved in discussions to operate this facility once construction is completed.~~ **THE AMENDMENT WAS FRIENDLY TO THE MAKER SO LONG AS IT IS NO LONGER RELEVANT, AND TO THE SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER COUNCILORS.**

CONTINUATION OF DISCUSSION ON THE MAIN MOTION AS AMENDED:

Councilor Bushee asked we can strike the language in the Four-Year Plan, on the Archdiocese to operate the 600 space underground parking garage.

Mr. Hon said we still have a contract with, and lease parking from, the Archdiocese, noting the lease ends in 2013. He said we are in the process of renewing that contract, and going into another 10 years. He said we possibly could be operating that facility if the Archdiocese were to get financing to get that program "off the ground."

FRIENDLY AMENDMENT: Councilor Romero suggested amending bullet #3 under the Four Year Plan as follows: The Parking Division staff will enter into negotiations, along with other staff, negotiate with the Archdiocese to operate the 600-space underground parking garage, once the project is complete. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER COUNCILORS.**

Councilor Bushee asked about the language in bullet #5.

Mr. Hon said he would refer that to Community Development Economic Development Division, noting this was in regard to St. Michael's Drive.

Councilor Bushee don't know if we are going to fund the St. Michael's vision for the future.

Chair Ortiz said this is in the four-year plan.

Councilor Bushee asked to reword the last two bullets on page 5/9 under the Four-year plan.

FRIENDLY AMENDMENT: Councilor Romero suggested amending the 4th ast bullet as follows: The Parking Division ~~has reviewed~~ will review the St. Michael's Drive "Vision of the Future" designs and will work with staff regarding any questions they may have related to parking as it moves forward. **THE AMENDMENT WAS FRIENDLY TO THE MAKER.**

DISCUSSION ON THE PROPOSED AMENDMENT BY THE SECOND: Councilor Dominguez doesn't want to limit it to the St. Michael's Drive Vision of the Future, because the legislation giving staff direction to work on that also includes Airport Road, and wants it to be consistent with that. **THE AMENDMENT WAS FRIENDLY TO THE SECOND.**

FRIENDLY AMENDMENT TO THE PREVIOUS FRIENDLY AMENDMENT: Councilor Wurzburger suggested adding another bullet which includes Airport Road as well, as follows: The Parking Division will review the Airport Road design and will work with staff regarding any questions they may have related to parking as it moves forward. **THE FRIENDLY AMENDMENT TO THE PREVIOUS FRIENDLY AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER COUNCILORS..**

Councilor Bushee said she would like to take more time with Jon Bulthuis on the transit issue.

VOTE: The motion, as amended, was approved on a voice vote, with Councilor Dominguez, Councilor Romero and Councilor Wurzburger voting in favor of the motion, no one voting against, and Councilor Bushee abstaining from the vote. Chair Ortiz noted that an abstention is counted as a vote in favor of the prevailing motion to approve, as amended.

21. **REQUEST FOR APPROVAL OF A RESOLUTION APPROVING A WAIVER OF THE SANTA FE HOME PROGRAM REQUIREMENTS FOR PHASE A-1 OF THE ARTYARD PROJECT LOCATED WITHIN THE RAILYARD UPON THE FULFILLMENT OF CERTAIN CONDITIONS (MAYOR COSS, COUNCILORS BUSHEE, WURZBURGER AND ROMERO). (MELISSA DAILEY). Committee Review: Public Works (Scheduled) 6/07/10; Council (Scheduled) 6/09/10. Fiscal Impact – No.**

Councilor Bushee said she pulled this item because she heard it wasn't going to Public Works and was going to the Land Use Subcommittee, and she has questions.

Ms. Brennan clarified that this is a different Resolution.

Ms. Price said the action to take this to the Subcommittee was a request from staff for approval of an alternate means of compliance, which they didn't do, and are bringing it forward as a Resolution from the Mayor instead. .

Chair Ortiz asked why a clarification is needed, when it says on the Agenda this is scheduled to be before Public Works on June 7, 2010, and asked the Public Works Chair to comment.

Councilor Dominguez said there was a a request at the last Public Works Committee meeting to postpone this item, but it was a different agenda item.

Ms. Brerinan said it was a different agenda item, and it actually was withdrawn before that, commenting she believes it was a miscommunication.

Councilor Dominguez said this proposed Resolution, however, will be on the Public Works Committee agenda on June 7, 2010.

Councilor Bushee noted there is no fee-in-lieu in extreme hardship on page 2 between lines 9 and 15 where it discusses extreme hardship.

Ms. Daily there is more than one way to have a variance to the Santa Fe Homes Program. There can be an alternative means of compliance, for example. She said this is for a waiver, which is an alternate means of compliance and the City can exact a fee, which is required for a hardship.

Councilor Wurzbarger said she presumes this isn't going to the Land Use Subcommittee, and Chair Ortiz said no.

MOTION: Councilor Bushee moved, seconded by Councilor Wurzbarger, to approve this request.

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

END OF CONSENT CALENDAR DISCUSSION

DISCUSSION

23. OTHER FINANCIAL INFORMATION:

A. REQUEST FOR APPROVAL OF LEASE SPACE OPTION. (ROBERT ROMERO)

Robert Romero said the City leases approximately 20,000 sq. ft. in the Federal Building and 10,000 sq. ft. at the First Interstate, so we need something in the neighborhood of 30,000 sq. ft.

Mr. Romero said he is hearing from the economist on the Siler Road Project, because lease rates are so low right now, and because of the difficulty in funding, he is not recommending that the City build anything in the near future – 5-10 years. He said we need to get a lease agreement for at least 5 years until conditions become more favorable.

Mr. Romero said most of the ones on the list of Office Space Options, are 3,000 sq. ft. spaces. The two that are large are Alvord School and Market Station. He received an email this weekend from the schools asking if we are interested in Alvord, and from preliminary discussions, the school is looking at a lease rate of approximately \$10 per sq. ft. He said currently the City is paying \$25 per sq. ft. at the Federal Building, and about the same at First Interstate, noting those two spaces aren't included on the list.

Councilor Bushee asked Mr. Romero when he will have the costs to renovate if we narrow down to a space which fits our needs.

Mr. Romero said he will have to look at floor plans, noting Alvord was renovated recently. He said there is parking, and in preliminary discussions, the School thinks the City could downsize the playground and turn that into parking. He would ask, since we are paying rent, that the City negotiate some of the needed tenant improvements into any agreement.

Councilor Bushee understands the playground is two levels, and we would need access to that from somewhere else.

Mr. Romero said he hasn't looked at the details. However, he can look at the details and look at the available space.

Councilor Bushee said there is limited access for drop off and parking, but believes that it could be accessed from the Railyard. She said this is about the only space which comes close to our needs in terms of size and price.

Councilor Romero asked the proposed savings in consolidating space at Alvord, and Mr. Romero said it would be approximately \$200,000 annually. He told the Schools that there needs to be a significant savings.

Councilor Romero said she understands the schools will be consolidating the playground equipment with other schools and would not leave playground equipment at Alvord, which would provide more space for parking.

Councilor Dominguez asked, with regard to Alvord, if the same departments which are in rental space currently would be moved to that space, or there is another thought, and asked the current parking need for those departments.

Mr. Romero said he still has to do an analysis. He said Matthew O'Reilly would like to have his staff on the same floor and within earshot. He said he would like to move everyone from the Federal Building to Alvord. He said Parking could be moved to Alvord, or into the space currently being occupied by Land Use. He said he needs to do a thorough analysis. However, he would guess it would be a combination of people in the Federal Building, and those in First Interstate, and look at whether the space would accommodate what Mr. O'Reilly would like to do.

Councilor Dominguez asked if Mr. Romero will consider moving other departments or division with a high traffic volume.

Mr. Romero said no. He said Mr. O'Reilly wants to do a lot of cross-training and to ensure that customer service is optimized.

Councilor Dominguez said all of these things are being considered.

Mr. Romero said yes, but he will need to look at the floor plan and determine what would work, and then bring that back to this Committee.

Councilor Dominguez asked Mr. Romero if he has any idea how the School plans to spend the rental proceeds from the City, and Mr. Romero said no. Councilor Dominguez asked if the City could earmark those funds, for example, for athletics or another purpose.

[Chair Ortiz's remarks here are inaudible.]

Mr. Romero said he will explore earmarking.

Councilor Wurzbarger said this is great idea. She said we have been hearing an argument for space at the Railyard, noting one of the community arguments is that there would be foot traffic all across the Railyard. An advantage of Alvord, is that people could walk to the Railyard and have lunch or shop, and believes it meets that need. She likes the cost of the space at Alvord, and appreciates Mr. Romero's efforts in finding affordable lease space downtown.

Chair Ortiz said it appears the Committee is leaning toward Alvord which is Item #20. He asked if the rental rate includes or considers remodeling costs for the tenant, as well as a consideration of a parking plan. He said once we get those details, we can see if this makes sense from a financial standpoint, which he believes it does.

Chair Ortiz said an ENN would be needed for the neighborhood to talk about the plan, the tentative plans to move Land Use to Alvord, and the parking accommodations for the worst case scenario.

Chair Ortiz noted we should be out of First Interstate by the end of this month, and asked when we need to move on some of this.

Mr. Romero said there is a large warehouse at Siringo where we stockpile things we purchase, and that day and age has passed. He is looking to move some of the facilities design people into that space to be close to the facilities maintenance.

Mr. Romero said we have to give 120 days notice on the federal lease, and he will do that as soon as a decision is made. He said we have to be out of First Interstate by the end of this month.

Chair Ortiz said then we have some time, but if we want to move quickly, there is a 4 month notice.

MOTION: Councilor Romero moved, seconded by Councilor Dominguez, to approve Option #20, with direction to staff to pursue the concerns expressed by the Committee this evening.

DISCUSSION: Councilor Bushee said she wants more information before voting, such as the term of the lease, parking and such, noting Mr. Romero hasn't gone to the site to look at how this could work. She believes this motion is slightly premature, although it's the only thing that looks good on paper. She asked if it will be of concern in the future that staff will be parking in the Railyard parking facility, noting this was a concern in considering the space at the Railyard – that staff would fill the parking facility down the road.

Mr. Romero said this is very preliminary and we can analyze all of the ideas and come back to this Committee.

CLARIFICATION OF THE MOTION: Councilor Romero said it is to approve moving forward and looking at Option #20, and to address the Committee's concerns, including parking, and to discuss what a Lease Agreement would be with the Public Schools and whether it would include tenant renovation.

RESTATED MOTION: Councilor Romero moved, seconded by Councilor Dominguez, to approve the options that staff has presented with direction to staff to pursue, in particular Option #20, and to pursue the concerns which were expressed by the Committee to staff.

FRIENDLY AMENDMENT: Councilor Bushee would like to add that staff will pursue the term of the lease, how to address parking concerns, and what departments will be moved to Alvord, traffic, egress and ingress and such. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND, AND TO COUNCILOR WURZBURGER AS RESTATED BY COUNCILOR BUSHEE, AND THERE WERE NO OBJECTIONS BY THE OTHER COUNCILORS.**

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

24. MATTERS FROM THE COMMITTEE

There were no matters from the Committee.

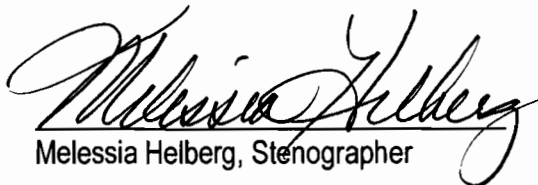
25. ADJOURN

There was no further business to come before the Committee, and the meeting was adjourned at 6:15 pm.

Matthew E. Ortiz, Chair

Reviewed by:

Kathryn R. Raveling, Acting Director
Department of Finance



Melessia Helberg, Stenographer