



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
AUGUST 30, 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 8-26-10 TIME 2:35

SERVED BY Yolanda Green

RECEIVED BY [Signature]

AUGUST 16, 2010

## CONSENT AGENDA

6. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – HYDROLOGY AND WATER PLANNING CONSULTANT SERVICES IN SUPPORT OF CITY'S WATERSHED MANAGEMENT PROJECT; AMY C. LEWIS (DALE LYONS)
7. REQUEST FOR APPROVAL OF LEASE AGREEMENT – SATELLITE TICKET OFFICE IN SANTA FE COMMUNITY CONVENTION CENTER; LENSIC PERFORMING ARTS CENTER D/B/A TICKETS SANTA FE BOX OFFICE (EDWARD VIGIL)
8. REQUEST FOR APPROVAL OF A JOINT RESOLUTION URGING NEW MEXICO'S CONGRESSIONAL DELEGATION TO SUPPORT IMMEDIATE CONGRESSIONAL ACTION TO AUTHORIZE LEGISLATION ALLOWING PROPERTY ASSESSED CLEAN ENERGY PROGRAMS (PACE) (COUNCILORS BUSHEE, ROMERO AND WURZBURGER) (NICK SCHIAVO)

### Committee Review:

Public Works (approved)	8/23/10
Public Utilities (scheduled)	9/1/10
City Council (scheduled)	9/15/10

Fiscal Impact - No

9. REQUEST FOR APPROVAL OF A RESOLUTION APPROVING A JOINT POWERS AGREEMENT ESTABLISHING THE REGIONAL COALITION OF LANL COMMUNITIES; AUTHORIZING THE MAYOR TO EXECUTE THE JOINT POWERS AGREEMENT WITH CERTAIN REVISIONS RECOMMENDED OR



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
AUGUST 30, 2010 – 5:00 PM

REQUESTED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION OR OTHER PARTIES TO THE JOINT POWERS AGREEMENT; AND SUPPORTING A ONE-TIME COMMITMENT OF \$40,000 FOR THE COALITION (MAYOR COSS AND COUNCILOR ROMERO)

- A. REQUEST FOR APPROVAL OF A JOINT POWERS AGREEMENT ESTABLISHING THE REGIONAL COALITION OF LANL COMMUNITIES BY AND AMONG THE INCORPORATED COUNTY OF LOS ALAMOS, THE CITY OF SANTA FE, SANTA FE COUNTY, THE CITY OF ESPANOLA, RIO ARriba COUNTY, THE TOWN OF TAOS AND TAOS COUNTY

Committee Review:

City Council (scheduled)

9/15/10

Fiscal Impact - Yes

10. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 23-4.2 SFCC 1987 REGARDING SOLICITATION ON PUBLIC PROPERTY; CREATING A NEW ARTICLE 20-2 SFCC 1987 REGULATING PANHANDLING ON PUBLIC PROPERTY; CREATING A NEW ARTICLE 20-3 SFCC 1987 REGULATING PANHANDLING ON PRIVATE PROPERTY; AND AMENDING SECTION 18-8.10 SFCC 1987 REGARDING BUSINESS LICENSE FEES (COUNCILOR TRUJILLO) (JEANNE PRICE)

Committee Review:

Public Safety (approved)

8/17/10

Public Works (scheduled)

9/13/10

City Council – request to publish (scheduled)

9/15/10

City Council – public hearing (scheduled)

10/13/10

Fiscal Impact - Yes

11. REQUEST FOR APPROVAL OF AN ORDINANCE REPEALING 18-3 SFCC 1987; AND CREATING A NEW ARTICLE 18-3 SFCC 1987 REGARDING SOLICITATION ON PRIVATE PROPERTY WITHIN THE CITY OF SANTA FE (COUNCILOR TRUJILLO) (JEANNE PRICE)
- A. REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING FEES ASSOCIATED WITH THE CITY'S SOLICITATION ORDINANCE (ARTICLE 18-3 SFCC 1987)



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
AUGUST 30, 2010 – 5:00 PM

## Committee Review:

Public Safety (approved)	8/17/10
Public Works (scheduled)	9/13/10
City Council – request to publish (scheduled)	9/15/10
City Council – public hearing (scheduled)	10/13/10

Fiscal Impact - Yes

12. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW SECTION 14-5.2(N) SFCC 1987 REGARDING THE APPLICABILITY OF SPECIAL PROVISIONS AND STANDARDS OF HISTORIC DISTRICT AND LANDMARK REQUIREMENTS TO COUNTY AND SANTA FE PUBLIC SCHOOLS CAPITAL OUTLAY PROJECTS (COUNCILOR ROMERO, MAYOR COSS, COUNCILORS CALVERT AND DOMINGUEZ) (JEANNE PRICE)

## Committee Review:

Historic Design Review (approved)	8/10/10
Public Works (approved)	8/23/10
City Council – request to publish (scheduled)	9/15/10
Historic Design Review (scheduled)	9/28/10
City Council – public hearing (scheduled)	10/13/10

Fiscal Impact - No

13. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 2-1.11 SFCC 1987 TO REMOVE THE DESIGNATION OF A CITY COUNCILOR AS PARLIAMENTARIAN; AND AMENDING 2-5.1 SFCC 1987 REGARDING THE DESIGNATION OF CITY ATTORNEY AS THE PARLIAMENTARIAN (COUNCILOR BUSHEE) (GENO ZAMORA)

## Committee Review:

Ethics & Rules (scheduled)	8/25 and 8/31/10
City Council – request to publish (scheduled)	9/15/10
City Council – public hearing (scheduled)	10/13/10

Fiscal Impact – Yes



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
AUGUST 30, 2010 – 5:00 PM

14. REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING THE BISHOPS LODGE ROAD PEDESTRIAN AND CONCRETE BOX CULVERT IMPROVEMENTS PROJECT FUNDED THROUGH A MUNICIPAL ARTERIAL PROGRAM COOPERATIVE AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION (COUNCILOR CALVERT) (ERIC MARTINEZ)

Committee Review:

Public Works (scheduled)	9/13/10
City Council (scheduled)	9/15/10

Fiscal Impact - Yes

- A. REQUEST FOR APPROVAL OF MUNICIPAL ARTERIAL PROGRAM COOPERATIVE AGREEMENT – IMPROVEMENTS TO BISHOPS LODGE ROAD; NEW MEXICO DEPARTMENT OF TRANSPORTATION (LEANN VALDEZ)
- B. REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND

***END OF CONSENT AGENDA***

**DISCUSSION**

15. REQUEST FOR APPROVAL OF COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDING JUNE 30, 2009 (TERESITA GARCIA) (To be presented at Finance Committee meeting of August 16, 2010) (Postponed at Finance Committee meeting of August 16, 2010)
16. REQUEST FOR APPROVAL OF 2012/2016 INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP) (ISAAC PINO)
- A. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING AN INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP) (COUNCILOR DOMINGUEZ) (ISAAC PINO)

Committee Review:

Public Works (approved)	8/23/10
City Council (scheduled)	8/25/10

Fiscal Impact – Yes



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
AUGUST 30, 2010 – 5:00 PM

17. REQUEST FOR APPROVAL TO FILL VACANT POSITIONS (ROBERT ROMERO)
18. UPDATE ON 2010 SUMMER YOUTH PROGRAM AND REQUEST FOR APPROVAL OF PROPOSED SLIDING FEE SALE FOR SUMMER 2011 (EDITH MARTINEZ)
19. REQUEST FOR APPROVAL OF COLLECTIVE BARGAINING AGREEMENT BETWEEN CITY OF SANTA FE AND AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) FOR 2010/2011 (MIKE KELLY)
20. OTHER FINANCIAL INFORMATION:
  - A. UPDATE ON CITY OF SANTA FE'S INVESTMENT PORTFOLIO AS OF JUNE 30, 2010 (HELENE HAUSMAN)
21. MATTERS FROM THE COMMITTEE
22. 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, August 30, 2010

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved	1
APPROVAL OF CONSENT AGENDA	Approved [amended]	2
CONSENT AGENDA LISTING		2-3
APPROVAL OF MINUTES: AUGUST 16, 2010 REGULAR FINANCE COMMITTEE MEETING	Approved	3
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF A LEASE AGREEMENT – SATELLITE TICKET OFFICE IN SANTA FE COMMUNITY CONVENTION CENTER; LENSIC PERFORMING ARTS CENTER D/B/A TICKETS SANTA FE BOX OFFICE	Approved	3-4
REQUEST FOR APPROVAL OF A RESOLUTION APPROVING A JOINT POWERS AGREEMENT ESTABLISHING THE REGIONAL COALITION OF LANL COMMUNITIES; AUTHORIZING THE MAYOR TO EXECUTE THE JOINT POWERS AGREEMENT WITH CERTAIN REVISIONS RECOMMENDED OR REQUESTED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION OR OTHER PARTIES TO THE JOINT POWERS AGREEMENT; AND SUPPORTING A ONE-TIME COMMITMENT OF \$40,000 FOR THE COALITION	Sent to BQL	4-6
REQUEST FOR APPROVAL OF A JOINT POWERS AGREEMENT ESTABLISHING THE REGIONAL COALITION OF LANL COMMUNITIES BY AND AMONG THE INCORPORATED COUNTY OF LOS ALAMOS, THE CITY OF SANTA FE, SANTA FE COUNTY, THE CITY OF ESPANOLA, RIO ARRIBA COUNTY, THE TOWN OF TAOS AND TAOS COUNTY	Sent to BQL	4-6

**ITEM**

**ACTION**

**PAGE**

REQUEST FOR APPROVAL OF AN ORDINANCE  
AMENDING SECTION 23-4.2, SFCC 1987, REGARDING  
SOLICITATION ON PUBLIC PROPERTY; CREATING A  
NEW ARTICLE 20-2 SFCC 1987 REGULATING  
PANHANDLING ON PUBLIC PROPERTY; CREATING A  
NEW ARTICLE 20-3 SFCC 1987, REGULATING  
PANHANDLING ON PRIVATE PROPERTY; AND  
AMENDING SECTION 18-8.10 SFCC 1987 REGARDING  
BUSINESS LICENSE FEES

Remand to Public Safety

6-8

REQUEST FOR APPROVAL OF AN ORDINANCE  
REPEALING 18-3 SFCC 1987; AND CREATING  
A NEW ARTICLE 18-3 SFCC 1987 REGARDING  
SOLICITATION ON PRIVATE PROPERTY  
WITHIN THE CITY OF SANTA FE

Approved [amended]

8-10

REQUEST FOR APPROVAL OF A  
RESOLUTION ESTABLISHING FEES  
ASSOCIATED WITH THE CITY'S  
SOLICITATION ORDINANCE (ARTICLE  
18-3 SFCC 1987)

Approved

8-10

REQUEST FOR APPROVAL OF AN ORDINANCE  
CREATING A NEW SECTION 14-5.2(N) SFCC 1987,  
REGARDING THE APPLICABILITY OF SPECIAL  
PROVISIONS AND STANDARDS OF HISTORIC  
DISTRICT AND LANDMARK REQUIREMENTS TO  
COUNTY AND SANTA FE PUBLIC SCHOOLS CAPITAL  
OUTLAY PROJECTS

Approved [amend. committee review] 10

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END OF CONSENT CALENDAR DISCUSSION

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**DISCUSSION**

REQUEST FOR APPROVAL OF COMPREHENSIVE  
ANNUAL FINANCIAL REPORT FOR FISCAL YEAR  
ENDING JUNE 30, 2009

Information/discussion

11-12

REQUEST FOR APPROVAL OF 2012/2016  
INFRASTRUCTURE CAPITAL IMPROVEMENTS  
PLAN (ICIP)

Approved

12-13

REQUEST FOR APPROVAL OF A  
RESOLUTION ADOPTING AN  
INFRASTRUCTURE CAPITAL  
IMPROVEMENTS PLAN (ICIP)

Approved

12-13

<b><u>ITEM</u></b>	<b><u>ACTION</u></b>	<b><u>PAGE</u></b>
REQUEST FOR APPROVAL TO FILL VACANT POSITIONS	Approved [amended]	13
UPDATE ON 2010 SUMMER YOUTH PROGRAM AND REQUEST FOR APPROVAL OF PROPOSED SLIDING FEE SCALE FOR SUMMER 2010	No action	13-16
REQUEST FOR APPROVAL OF COLLECTIVE BARGAINING AGREEMENT BETWEEN CITY OF SANTA FE AND AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) FOR 2010/2011	Approved w/condition	16-18
<b><u>OTHER FINANCIAL INFORMATION:</u></b>		
UPDATE ON CITY OF SANTA FE'S INVESTMENT PORTFOLIO AS OF JUNE 30, 2010	Information/discussion	18
MATTERS FROM THE COMMITTEE	Information/discussion	19
ADJOURN		19



**MINUTES OF THE  
CITY OF SANTA FE  
FINANCE COMMITTEE**  
Monday, August 30, 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 Monday, August 30, 2010, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

**2. ROLL CALL**

**MEMBERS PRESENT:**

Councilor Patti J. Bushee  
Councilor Carmichael A. Dominguez  
Councilor Rosemary Romero  
Councilor Rebecca Wurzburger

**MEMBERS EXCUSED:**

Councilor Matthew E. Ortiz, Chair

**OTHERS ATTENDING:**

Kathryn Raveling , Acting Finance Director  
Yolanda 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**

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

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

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

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

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

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#### **CONSENT AGENDA**

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6. **REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – HYDROLOGY AND WATER PLANNING CONSULTANT SERVICES IN SUPPORT OF CITY’S WATERSHED MANAGEMENT PROJECT; AMY C. LEWIS. (DALE LYONS)**
7. *[Removed for discussion by Councilor Bushee]*
8. **REQUEST FOR APPROVAL OF A JOINT RESOLUTION URGING NEW MEXICO’S CONGRESSIONAL DELEGATION TO SUPPORT IMMEDIATE CONGRESSIONAL ACTION TO AUTHORIZE LEGISLATION ALLOWING PROPERTY ASSESSED CLEAN ENERGY PROGRAMS (PACE) (COUNCILORS BUSHEE, ROMERO AND WURZBURGER). (NICK SCHIAVO) Committee Review: Public Works (approved) 8/23/10; Public Utilities (scheduled) 9/1/10; and City Council (scheduled) 9/15/10. Fiscal Impact – No.**
9. *[Removed for discussion by Councilor Bushee]*
10. *[Removed for discussion by Councilor Romero]*
11. *[Removed for discussion by Councilor Romero]*
12. *[Removed for discussion by Councilor Romero]*
13. **REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 2-1.11 SFCC 1987 TO REMOVE THE DESIGNATION OF A CITY COUNCILOR AS PARLIAMENTARIAN; AND AMENDING 2-5.1 SFCC 1987 REGARDING THE DESIGNATION OF CITY ATTORNEY AS THE PARLIAMENTARIAN (COUNCILOR BUSHEE). (GENO ZAMORA) Committee Review: Ethics & Rules (scheduled) 8/25 and 8/31/10; City Council – Request to Publish (scheduled 9/15/10; and City Council – Public Hearing (scheduled) 10/13/10. Fiscal Impact – Yes.**
14. **REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING THE BISHOP’S LODGE ROAD PEDESTRIAN AND CONCRETE BOX CULVERT IMPROVEMENTS PROJECT FUNDED THROUGH A MUNICIPAL ARTERIAL PROGRAM COOPERATIVE AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION (COUNCILOR CALVERT). (ERIC MARTINEZ).**

- A. REQUEST FOR APPROVAL OF MUNICIPAL ARTERIAL PROGRAM COOPERATIVE AGREEMENT – IMPROVEMENTS TO BISHOPS LODGE ROAD; NEW MEXICO DEPARTMENT OF TRANSPORTATION. (LEANN VALDEZ)
- B. REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND.  
Committee Review: Public Works (scheduled) 9/13/10; and City Council (scheduled) 9/14/10.  
Fiscal Impact – Yes.

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**END OF CONSENT AGENDA**

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**5. APPROVAL OF MINUTES: AUGUST 16, 2010 REGULAR FINANCE COMMITTEE MEETING.**

**MOTION:** Councilor Bushee moved, seconded by Councilor Romero, to approve the minutes of the Regular Finance Committee Meeting of August 16, 2010, as presented.

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

**CONSENT CALENDAR DISCUSSION**

**7. REQUEST FOR APPROVAL OF A LEASE AGREEMENT – SATELLITE TICKET OFFICE IN SANTA FE COMMUNITY CONVENTION CENTER; LENSIC PERFORMING ARTS CENTER D/B/A TICKETS SANTA FE BOX OFFICE. (EDWARD VIGIL)**

Councilor Bushee said some of the material is incomplete for several items, noting there is no monetary figure for this item, and this should be included, even if there is no cost.

Acting Chair Wurzbarger said the amount of the lease is \$10 and is on packet page 6.

Councilor Bushee asked if this agreement is similar to the one in the Lensic, and is here for convenience of the visitors.

Mr. Vigil said yes, it is established according to provide service to the patrons of the Civic Center.

Councilor Wurzbarger said this is a long promised location to be in the Convention Center, and understanding that they will continue to sell their tickets, but will sell tickets for other events as well.

Councilor Bushee said then there will be nothing at the Lensic, and Councilor Wurzbarger said there will continue to be something at the Lensic.

Councilor Bushee noted the City has an arrangement with the Lensic with the agreement that the City also would house someone there, and if that is happening.

Darlene Griego said they actually have had a location at the Convention Center for more than a year, noting it has been staffed three days a week, and is ongoing. This request is to renew the lease. She said everything stays at the Lensic as before.

Councilor Bushee asked the term of the lease, and Mr. Vigil said it is for 10 years with an option to renew for an additional 10 years.

Councilor Bushee asked if the City is allowed to do a 10-year lease, and Mr. Vigil said this is what was requested, noting 99 years is the maximum. .

Acting Chair Wurzburger asked legal to comment.

Marcos Martinez said there is no clear limitation on terms for leases, and Mr. Vigil is correct in stating that the outer boundary is 99 years for a lease.

Councilor Bushee said the 99 year limit is for land leases which banks want, but is there a term for these kinds of leases.

Mr. Martinez said the term of the lease is up to the negotiating parties.

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

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

**9. REQUEST FOR APPROVAL OF A RESOLUTION APPROVING A JOINT POWERS AGREEMENT ESTABLISHING THE REGIONAL COALITION OF LANL COMMUNITIES; AUTHORIZING THE MAYOR TO EXECUTE THE JOINT POWERS AGREEMENT WITH CERTAIN REVISIONS RECOMMENDED OR REQUESTED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION OR OTHER PARTIES TO THE JOINT POWERS AGREEMENT; AND SUPPORTING A ONE-TIME COMMITMENT OF \$40,000 FOR THE COALITION (MAYOR COSS AND MAYOR ROMERO).**

**A. REQUEST FOR APPROVAL OF A JOINT POWERS AGREEMENT ESTABLISHING THE REGIONAL COALITION OF LANL COMMUNITIES BY AND AMONG THE INCORPORATED COUNTY OF LOS ALAMOS, THE CITY OF SANTA FE, SANTA FE COUNTY, THE CITY OF ESPANOLA, RIO ARRIBA COUNTY, THE TOWN OF TAOS AND TAOS COUNTY.**

**Committee Review: City Council (scheduled) 9/15/10. Fiscal Impact – Yes.**

Councilor Bushee said the repealer on page 3 of the Ordinance provides: "All prior actions of the City taken in connection with the Agreements, the Preliminary Official Statement, and the Official Statement inconsistent with the provisions of this Resolution...." She said she doesn't know what any of the capitalized things are, and there is no summary in the packet.

Councilor Bushee said she wants more information, and does this go before the Economic Development Committee, and so forth. She said there are too many unanswered questions for her to vote for approval.

**MOTION:** Councilor Bushee moved, seconded by Councilor Dominguez, to send this to the Business and Quality of Life Committee, and then back to this Committee, directing staff to get all of the necessary information in the packet before it comes back to this Committee.

**DISCUSSION:** Councilor Romero said it really doesn't need to come back to this Committee, it only needs to go to the BQL.

Councilor Bushee said her motion is that it will come back to this Committee, commenting she doesn't have all the information and can't discuss it this evening.

Chair Wurzbarger said she agrees this should go to the BQL, especially since the BQL is in the process of looking at how much money we have. She would like to see the JPA when this comes back. She is comfortable with the Resolution that we will cooperate. She said there is a precedent for this in terms of the RDC. She wants further information on what the JPA would be, as well as a budget for how the \$40,000 would be spent.

Councilor Romero said this has been in the works since November, noting the Mayor had asked Councilor Wurzbarger to be part of the team which attends meetings, noting Councilor Dominguez has been asked as well. Currently, Robert Romero or Geno Zamora attends if she or the Mayor can't attend. She would like more Councilors to be involved. She said there is a budget which should be included when this goes to the BQL. She asked staff to be sure to include the letters of support from the Congressional Delegation and others, as well as the budget, when this comes back to Finance, so it is clear that Taos, Rio Arriba and Santa Fe have all agreed. She said this already has gone through Santa Fe County.

Councilor Wurzbarger said she spoke with Commissioner Vigil at Santa Fe County today and the County hasn't agreed to the \$40,000. She said we need to know what we are agreeing to, other than mutually supporting one another.

Councilor Romero said, for record, the share which was apportioned in each of the counties was what was allocated, and the \$50,000 for Santa Fe County and City will be split, and the County's portion would be \$10,000, and the balance of \$40,000 from the County, as requested in this JPA and what will be covered for the \$40,000 will be in the JPA.

Councilor Bushee said it gives her even more heartburn to learn that the County is spending \$10,000 and the City \$40,000.

Councilor Bushee said she is more concerned about the Repealer portion, and wants all of the things mentioned to be in the packet when this comes back to the Council.

Councilor Romero said this will give staff more time to work on this, commenting she doesn't believe it is ready for prime time at this point.

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

10. **REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 23-4.2, SFCC 1987, REGARDING SOLICITATION ON PUBLIC PROPERTY; CREATING A NEW ARTICLE 20-2 SFCC 1987 REGULATING PANHANDLING ON PUBLIC PROPERTY; CREATING A NEW ARTICLE 20-3 SFCC 1987, REGULATING PANHANDLING ON PRIVATE PROPERTY; AND AMENDING SECTION 18-8.10 SFCC 1987 REGARDING BUSINESS LICENSE FEES (COUNCILOR TRUJILLO). (JEANNE PRICE). Committee Review: Public Safety (approved) 8/17/10; Public Works (scheduled) 9/13/10; City Council – request to publish (scheduled) 9/15/10; and City Council – public hearing (scheduled) 10/13/10. Fiscal Impact – Yes.**

Councilor Romero said she has several questions and her sense is that they won't be answered here.

**MOTION:** Councilor Romero moved to remand this item back to the Public Safety Committee. **THE MOTION DIED FOR LACK OF A SECOND.**

Councilor Bushee said there is a letter in the packet from Hank Hughes, and asked if we currently are, or will be issuing a license for panhandlers.

Ms. Price said it is proposed to charge a \$10 permit fee, noting she understands the Coalition for Homelessness has some concerns.

Councilor Bushee said then the main change is that the City is going to require a license, and asked if that emulates the busking license, and Ms. Price said yes.

Councilor Bushee asked if there would be criteria for the license.

Ms. Price said this is correct, noting the Public Safety Committee suggested there be some sort of identification that they were official panhandlers which they could show. She said they were trying to control the time, place and manner of panhandling.

Responding to Councilor Bushee, Ms. Price said this isn't a lot different from how other communities handle panhandling.

Councilor Bushee asked who enforces the ordinance, and Ms. Price said the City Police would be the enforcers.

Councilor Wurzbarger said, with regard to missing information, she wants to know the genesis of this bill, and who was concerned, commenting she is inferring it is the Police Department. She asked the the rationale for this law.

Deputy Chief Anaya said this bill didn't come from the Police Department. He said currently, panhandling or solicitation in any form is illegal. This was an avenue to allow people to panhandle by giving them a license or permit to do so.

Councilor Romero asked if the Public Safety Committee which brought the bill forward, asked if that Committee met with the homeless or homeless advocates.

Deputy Chief Anaya said yes, me met with the groups and discussed the bill at great length with them.

**MOTION:** Councilor Romero moved, seconded by Councilor Wurzbarger, to remand this item back to the Public Safety Committee, and ask them to work even more closely with the Coalition to End Homelessness, the Mayor's Blue Ribbon Task Force and others to get answers to the many questions.

**EXPLAINING HER MOTION:** Councilor Romero said a lawsuit was filed by he ACLU against the City of Albuquerque, although she doesn't know the status of that lawsuit. She said more work needs to be done on this bill, and she can't support the bill as currently written.

**DISCUSSION:** Councilor Bushee said she has additional comments to be addressed to the Public Safety Committee. She is concerned that this creates an enforcement nightmare for the Police Department. She would like the Police Department free to do as much as it can in view of the high incidence of property crimes. She hasn't thought of panhandling as an inordinate problem in this community.

Councilor Bushee asked if we strictly enforce the existing ordinance, and if this is a high priority for the Police Department.

Deputy Chief Anaya said it isn't a high priority. He said typical when they have to deal with panhandlers it is because of a complaint of aggressive panhandling or they are in the middle of a median and someone is concerned with their safety. He said they have to response to the call for service and at that time take

action. However, they aren't actively searching for panhandlers, commenting that they have "bigger fish to fry."

Acting Chair Wurzbarger said she is hearing that Councilor Bushee would like the Police to come back with this information as well as a clarification of how this bill works, who it would benefit, and how it wouldn't detract from other responsibilities of the Police Department, noting this information isn't in the packed.

Councilor Bushee said Sevastian Gurule does the busking permitting, or oversees it as an administrative matter, and it doesn't involve the Police per se, but wants to understand how it will be managed.

Deputy Chief Anaya said it will be handed just like busking. He said there is a warning for the first offense. He said Mr. Hughes has suggested we provide them with a pamphlet on this law, which could be part of the warning.

Acting Chair Wurzbarger said these are the kinds of things that aren't in the Committee packet.

Councilor Bushee asked who administratively issues these permits, and what are the hours.

Deputy Anaya said the permits will be issued at the City Hall, just like a buskers license.

Councilor Bushee is concerned we may be over-regulating, noting she understands it is completely prohibited now.

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

11. **REQUEST FOR APPROVAL OF AN ORDINANCE REPEALING 18-3 SFCC 1987; AND CREATING A NEW ARTICLE 18-3 SFCC 1987 REGARDING SOLICITATION ON PRIVATE PROPERTY WITHIN THE CITY OF SANTA FE (COUNCILOR TRUJILLO). (JEANNE PRICE)**
  - A. **REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING FEES ASSOCIATED WITH THE CITY'S SOLICITATION ORDINANCE (ARTICLE 18-3 SFCC 1987)**  
**Committee Review:** Public Safety (approved) 8/17/10; Public Works (scheduled) 9/13/10; City Council – Request to Publish (scheduled) 9/15/10; and City Council – Public Hearing (scheduled) 10/13/10. Fiscal Impact – Yes.

Councilor Wurzbarger said she would like a definition of solicitation

Ms. Price said it is in the bill, lines 14-18 on page 3 and lines 1-18 on page 4.

Acting Chair Wurzbarger asked if this focuses on people going around neighborhoods selling magazines, vacuum cleaners, oranges and such. She said there are people such as magazine salesmen, who want to sell door to door, noting currently it is completely prohibited. She said it is dangerous to outlaw immediately, so the City is trying to set up rules for these people to get a license and operate.

Councilor Romero asked if this could exclude children selling candy in their neighborhood to raise money for their school.

Ms. Price said they understand this, and it is excluded from the ordinance, although they have to comply with basic rules, such as they can't go at night, and can't be aggressive, but they don't have to get a license or insurance. She said there is an amendment sheet to correct the cross reference. She said if people are campaigning and asking for money, that would fall within this exemption. However, just going door-to-door to collect petitions or to campaign fall under freedom of speech and aren't addressed at all.



Councilor Romero asked about the Sierra Club and other such organizations that go door to door leaving information on where to mail contributions – and asked if that is solicitation.

Ms. Price said that would be solicitation for political or charitable purposes, which are excluded, but must comply with hours of operation and must not become aggressive.

Councilor Bushee said she has put out door knockers in campaigns in the evening and asked if that is allowed.

Ms. Price said it is not allowed after sunset if you are soliciting funds. However political campaigning is completely unregulated.

Responding to Councilor Bushee, Ms. Price said it is clear, because of recent court cases, that we have to allow people to go door-to-door in some manner, and this Ordinance defines the manner of doing this. She said this work was done completely with the City's prosecutor. She said a background check is done, and if constituents are nervous, they can post a "No Soliciting" sign, and the solicitors can't go to their door. The Public safety Committee recommended we come up with something to give a way.

Councilor Bushee asked if the background checks could be done in a way which doesn't burden the police to do all of this.

Deputy Chief Anaya said it won't overburden the Police Department, noting they send the background checks and fingerprints to the State Police and DPS, which is the reason it takes 90 days, noting the time was of some concern. He said enforcement really won't be difficult, because when constituents call the councilors, they also call the Dispatch Center. He said there has been a rash of people pretending to be solicitors who are walking the neighborhoods to see who's home and then break into houses. He said the calls from the neighbors help quite a bit. This Ordinance requires us to keep a copy of the license, along with a photo ID which also is helpful. He said because of the background checks, these people will be reputable. He said, "We're all for this."

Councilor Bushee asked if an auto sticker can be created to indicate these people are fully licensed solicitors through the City, and Deputy Chief Anaya said this is a good idea if they are inclined to put a sticker on their vehicle. She would like to issue a press release when the stickers are available.

Deputy Chief Anaya said a considerable press release will be sent out, because a lot of people value privacy and don't want solicitors coming to their house. He said a lot of people will want to post no soliciting signs.

Responding to Councilor Bushee, Deputy Chief Anaya agreed that people are leery, especially in view of the increase in property crimes.

Councilor Romero said there is nothing in the bill about kids selling candy after dark, when most are accompanied by their parents.

Deputy Chief Anaya said it is a public safety issue, and when people are wandering around after dark, you don't know if they're diving in alleyways and in bushes. He said we don't know their intent, commenting that the background checks will help a lot. He said even with a parent, it can be a dangerous situation.

**PROPOSED AMENDMENT:** Councilor Romero wants to be sure the kids can go to homes at night when their parents can come with them, especially in the winter. Councilor Romero would like to amend the ordinance in this regard.

**MOTION:** Councilor Bushee moved, seconded by Councilor Dominguez, to approve the proposed ordinance, as amended by Councilor Romero.

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

12. **REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW SECTION 14-5.2(N) SFCC 1987, REGARDING THE APPLICABILITY OF SPECIAL PROVISIONS AND STANDARDS OF HISTORIC DISTRICT AND LANDMARK REQUIREMENTS TO COUNTY AND SANTA FE PUBLIC SCHOOLS CAPITAL OUTLAY PROJECTS (COUNCILOR ROMERO, MAYOR COSS, COUNCILORS CALVERT AND DOMINGUEZ). (JEANNE PRICE). Committee Review: Historic Design Review (approved) 8/10/10; Public Works (approved) 8/23/10; City Council – Request to Publish (scheduled) 9/15/10; Historic Design Review (scheduled) 9/28/10; and City Council – public hearing (scheduled) 10/13/10. Fiscal Impact – No.**

Councilor Romero would like to note a correction. She said the Public Works Committee amended the committee review so that this doesn't go the HDRB on September 28 2010, but would go from this Committee to the Council.

**MOTION:** Councilor Romero moved, seconded by Councilor Dominguez, to approve the proposed ordinance, noting that Public Works excluded the hearing proposed on August 23, 2010.

**DISCUSSION:** Councilor Bushee asked if the HDRB is okay with that.

Councilor Dominguez said the HDRB wanted it back to see any changes, but there have been no changes.

Councilors Bushee and Wurzbarger asked to be added as cosponsors of the bill

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

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**END OF CONSENT CALENDAR DISCUSSION**

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## **DISCUSSION**

**15. REQUEST FOR APPROVAL OF COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDING JUNE 30, 2009. (TERESITA GARCIA). (To be presented at Finance Committee meeting of August 16, 2010). (Postponed at Finance Committee meeting of August 16, 2010).**

A copy of a power point presentation prepared by Martin Mathisen, CPA, is incorporated herewith to these minutes as Exhibit "1."

A copy of a letter dated July 12, 2010, to the Finance Committee from Atkinson and Company, is incorporated herewith to these minutes as Exhibit "2."

A copy of the Comprehensive Annual Financial Report for the year ended June 30, 2009, is incorporated herewith to these minutes by reference, and copies are on file in and copies can be obtained from the City Finance Department.

Marty Mathisen, partner, Atkinson & Co., Ltd., introduced his colleague Morgan Browning, CPA, who is the manager on this job.

Mr. Mathisen presented information from Exhibits "1 " and "2."

Responding to Chair Wurzburger, Mr. Mathisen, said LGIP is the Local Government Investment Pool where City money is invested with the State for local governments. It is supposed to be invested in very safe investments, noting the loss is small – 5-6% of the investment.

Mr. Mathisen look at all of the Finance Committee notes and formed a very favorable impression of an extensive budget process in which the Committee and Council participated which is very good.

Chair Wurzburger said there are several findings, asked Robert Romero and Kathryn Raveling to go through those and report back to the Finance Committee, particularly with regard to the need for additional financial staff, and clarification on the prior findings. She said the big issues are the \$900,000 on the impact fees, \$450,000 on workers compensation and \$726,000 debt service total transfers out, and she would like an explanation of what happened here.

It was the consensus among the Committee to proceed as recommended by Councilor Wurzburger.

*Acting Chair Wurzburger departed the meeting and  
Councilor Dominguez assumed the duties of the Chair.*

Councilor Romero asked for a report back to the Committee on the contract violations, how it was resolved, as well as on what is being done about parking. She asked what is being done to handle the IT issues which are recurring again and again.

Acting Chair Dominguez said we will need to talk to Chair Ortiz about when this will be back on the Committee agenda, noting no action is necessary for this agenda item.

16. **REQUEST FOR APPROVAL OF 2012/2016 INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP). (ISAAC PINO)**  
A. **REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING AN INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP) (COUNCILOR DOMINGUEZ). (ISAAC PINO)**  
**Committee Review: Public Works (approved) 8/23/10; and City Council (scheduled) 8/25/10. Fiscal Impact – Yes.**

Isaac Pino presented information regarding this matter from the materials in the Committee packet, noting, although it is an extensive list, it does set-up the City for infrastructure requests when we meet with our legislative delegation.

Responding to Councilor Dominguez, Mr. Pino said there have been no changes to the list.

Councilor Bushee said an Intersection Improvement at Grant/Paseo de Peralta of \$800,000 is listed for her District on page 15, but she doesn't understand.

Robert Romero said this was on the list from the days of building the Convention Center, and at the time Mr. Nitzel thought that might be necessary. However, it doesn't appear now that major changes need to be done. He said it can be deleted from the list.

Councilor Bushee said the Esperanza Shelter is listed on page 7 for \$1.2, and said she thought they had built their new building. She understands this is on the list in case the City becomes the fiscal agent. She asked if we have achieved any of these, such as the Zona Teen Center.

Mr. Pino said staff verified all of the information, noting he will double check the list. He said the Esperanza Shelter has not yet been built.

Councilor Romero agrees with the broader goals. She said at Public Works, the Committee questioned Councilor Trujillo's request for Senior Centers, and thought those were being removed from the list because there are no funds for long-term Senior Centers.

Mr. Pino said Councilor Trujillo wanted to leave those on the list.

Councilor Dominguez said the discussion was that it doesn't hurt to leave them on the list just in case things might change.

Responding to Councilor Romero, Mr. Pino said he doesn't think it hurts to leave these on the list.

Acting Chair Dominguez said Councilor Chavez had questions about the naming of the effluent line on the list, and Mr. Pino said it now has the correct name.

Mr. Pino, responding to the Chair, said the total cost is \$35 million.

Councilor Romero said we should narrow this quickly after meeting with the Legislators, but she doesn't have much hope about funding.

Mr. Pino said there isn't a big pool of money, but it never hurts to make a request.

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

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

**17. REQUEST FOR APPROVAL TO FILL VACANT POSITIONS. (ROBERT ROMERO)**

Robert Romero asked to remove the first item, the Community Services Director, for now, noting he wants to do more work on that.

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

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

**18. UPDATE ON 2010 SUMMER YOUTH PROGRAM AND REQUEST FOR APPROVAL OF PROPOSED SLIDING FEE SCALE FOR SUMMER 2010. (EDITH MARTINEZ)**

Councilor Bushee requested a weekly schedule of activities. She asked if there is an amount which parents have to supplement with these fees.

Mr. Pino said it is all on the list, noting it was color coded so they could look at week-by-week.

Mr. Pino said the update of the Summer Program is in the packet for their information. He said during the budget process, staff was asked to come to this Committee in 60 days and propose a sliding fee scale. He said Terrie Rodriguez and Edith Martinez have proposed a sliding fee scale and Ms. Rodriguez is here to talk about this.

Terrie Rodriguez presented information from pages 6 and 7 of the packet, noting the vast number of participants earned between \$16,000 and \$36,000, noting there is not a high income level for participants.

Ms. Rodriguez said staff is providing the option to charge a flat fee again this year, the City would generate \$157,600, which wouldn't be generated on a sliding scale. She said her recommendation is for a flat fee, based on the previous experience with a sliding scale and the issues associated with income

verification which is problematic, and they could achieve a higher portion of the subsidy. She there already is a system in place with the schools and they would work from that.

Responding to Councilor Dominguez, Ms. Rodriguez said they have worked with a flat budget for 10 years.

Councilor Dominguez likes the sliding fee scale because an increase could be significant in low income households.

Responding to Councilor Dominguez, Ms. Rodriguez said they spoke with the Schools and the Schools assured her they would have access to the necessary information. She said if the amount is doubled, there would be a payment plan for participants, noting only 4 people asked for reduced or waived fees.

Councilor Bushee thanked Ms. Rodriguez for the schedule. She is glad this program is moving toward more education, reading and such.

Councilor Bushee asked about the 25-30 field trips to Albuquerque, and the numbers decrease with the cost of the activity. She is concerned there is an exclusive group of kids who have the money to make these trips. She asked if there is a way to cut down on some of the out of town field trips and encourage use of local facilities and museums.

Ms. Rodriguez said the partnership with the schools allows them to use the large buses through an MOA with the schools where the schools pay the drivers and half the cost. Each site gets one field trip to Albuquerque each week. She said they do try to keep the trips to the museums, noting the State Museum in Santa Fe was very accommodating to the group. She said they have tried to make it affordable, noting they give the kids a reduced rate. She said this is the opportunity for some kids to go to the museums to Cliff's and other places in Albuquerque, noting it is too costly for most kids to go individual. She said kids aren't required to go on the field trips and child care is provided at other sites. She said they paid for every zoo field trip and for a movie trip for every child.

Councilor Bushee said she is trying to keep costs down, and to encourage the kids to see what we have to offer in Santa Fe. She asked where the children are taken to swim, and Ms. Rodriguez said Bicentennial Pool. She asked if the GCCC doesn't have offerings for the kids.

Ms. Rodriguez said the GCCC ice rink has offered to let the kids skate for an hour for a reduced amount and also provide lessons. However, a lot of the kids were getting injured, so they may not do this in the next year. She said if we do, she would get a parental form from the parents that they are interested in having their kids ice skate. She said swimming is more affordable because it's free at Bicentennial, Salvador Perez and Ft. Marcy.

Councilor Bushee said she would like to see the program directed toward educational activities as well as some recreation, noting the kids eat at a lot of fast food restaurants, commenting it is probably more affordable.

Councilor Rodriguez said Appleby's was very accommodating this year, providing a \$1 meal on Wednesday, and while on that side of town, they took the kids to a \$1 movie.

Councilor Bushee asked Ms. Rodriguez if people are willing to absorb an increase, rather than going through income verification and Ms. Rodriguez said yes.

Ms. Rodriguez said they can't make a dent on this program for it to be affordable.

Councilor Bushee asked if they can work on reducing the costs.

Ms. Rodriguez said the costs are for staff, and the City is recognized as one of the largest youth employers in New Mexico.

Councilor Bushee asked our costs as compared to other communities.

Ms. Rodriguez said she doesn't have the costs, but can contact them and get that information. She said they do keep a certain staff-to-child ratio to ensure safety and compliance with Children, Youth and Family recommends for child care.

Responding to Councilor Bushee, Ms. Rodriguez said the training from FACT is to incorporate arts and crafts into the daily work, rather than just the trip to FACT. She said we pay \$20,000 to FACT to provide weekly trips. She said they train our people to do arts and crafts, and incorporate local arts in staff, and early childhood people with arts and crafts interest. She said arts and crafts is a relatively large piece of the daily work.

Responding to Councilor Bushee, Ms. Rodriguez said the kids do go to the museums, noting they were unable to bring the kids to the Community Gallery this year. She said one of the big hits this summer were the cooking classes. She said there were two gardens at two of the site. Councilor Bushee noted the program "Cooking with Kids," also might be utilized.

Councilor Bushee reiterated she would like staff to look at the cost side of the program.

Councilor Romero said we are given two choices, noting Councilor Wurzbarger indicated to her before leaving the meeting, that the option of raising the rates \$20 per week was the most palatable to her, which brings the costs more into line with other programs. Councilor Romero said she agrees.

Councilor Romero said her encouragement is that the program be more in line with our policy, and it seems the program is moving in that direction – Healthy Lifestyles and No Child Left Inside – the live and play locally perspective. She suggested staff continue to work on efficiencies to make the program more economical, given the tight financial times. She cautioned alignment with the public schools, given its current financial situation. She would like to see us use local facilities such as the Rail Runner and our bus system.

Ms. Rodriguez said they do a lot of outside activities for the older children at Monica Roybal. The children age 8-12, went to Hyde Park. She said the older kids go out a lot more, but because of the additional risk, it is necessary to do additional training.

Responding to Councilor Bushee, Ms. Rodriguez said the teens rode the Rail Runner to go to an Isotopes game. However, it is problematic to get all of the kids in the same place on the Rail Runner.

Acting Chair Dominguez said he will defer to the Chair to when this will be on the agenda to decide whether or not a sliding scale is the course to take, noting direction to staff to provide cost analysis from other locations, and that we are in alignment with policy, when this comes back.

**19. REQUEST FOR APPROVAL OF COLLECTIVE BARGAINING AGREEMENT BETWEEN CITY OF SANTA FE AND AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) FOR 2010/2011. (MIKE KELLY)**

Mike Kelly presented information regarding this matter. He said negotiations are complete after 7 months, and the contract was ratified on July 28, 2010, by AFSCME members, noting they negotiated 16 of 37 articles, with slight changes, as listed in the Memorandum which is in the Committee packet. One of the issues is that they had TA'd on the holiday agreement, prior to the Council approving the budget with the holiday reductions.

Mr. Kelly said the options are to:

- a) approve the contract and hope they find money not to have the two holidays as furlough;
- b) approve the contract, and the Governing Body would give us direction to look for other days besides holidays; and
- c) the Governing Body would not approve the contract, and give AFSCME direction to go back and negotiate this one item.

Lynn Montoya said he has no comment and is here to answer questions.

Councilor Bushee asked when we will know about furloughs, and asked if the 4 hours to employees for Fiestas is budgeted every year.

Ms. Raveling said if we achieve a certain level of GRTs, the Council will look at no furloughs.

Councilor Bushee asked if the 4 hours for Fiesta could be part of the furloughs.

Ms. Raveling said they are looking at the furloughs for the early part of next year, noting they are trying to postpone as much as possible to give recovery a chance.

Responding to Councilor Bushee, Robert Romero said during the budget process, direction was given to staff for furloughs to be on holidays, but there are provisions for the City to enact a furlough which



would have to be on non-holidays. Or, if we want to stick completely with the way the budget was prepared, the Council could deny approval and ask the two teams to go back and negotiate the holiday issues. He said the two groups tried to reopen this issue, but it wasn't mutually agreeable, so by the ground rules it was TA'd. He reiterated the options.

Mr. Montoya said what the City Manager said is exactly right. He said we are already past that process when you implemented yours on furloughs. The question as to whether to go back and reopen the article, but we couldn't do it, based on our ground rules. To reopen the article would be breaking the ground rules which means we would have to start the process all over again. He said they didn't do that, and moved forward hoping it could be discussed this evening. He said they still moved forward with the contract and we're not here to negotiate the contract. We are here to see if you want to move it forward to Council. He said it's just not right to deny it and send it back to negotiate this issue, because we would be negotiating the contract "with you and it's totally out of your realm."

Councilor Bushee said if we approved one you haven't agreed to, which we did during the budget, at some point we will be in conflict. She asked how to reconcile this to move this forward.

Mr. Kelly said during the negotiating process, we go article by article as they come up or are agreed to come up in the process. He said once you have that signed-off article, it's pretty much tucked away for the duration. He said we negotiated that particular article ahead of when that item came up in the budget in that particular way. He said the problem is, if we were to open the Tentative Agreement which we had signed, it opens the door to day all articles can be reopened and we would have perpetual negotiations, and no final agreement. He said AFSCME's legal counsel advised that, once they signed off on that article during negotiations, it is tentatively binding until there is a final product. The Council made the determination during budget that holidays would be the choice for furloughs, after that was agreed to. He said the ground rules prohibited them from opening that up.

Mr. Kelly said if you approve the contract as is, knowing we could look for a different way to accomplish those two furlough dates, not on a holiday.

Councilor Bushee said the Council was unanimous that the furlough should be on a holiday. She doesn't want a miscommunication now and wants it to move forward.

Acting Chair Dominguez said they want us to approve with the option to furlough other than on holidays, noting the entire Council needs to vote on this issue.

Mr. Romero said the idea behind furloughing on a holiday, is that it would have the least impact on the public because we aren't at work that day. He said the negotiations started before the budget process, and this wasn't in the minds of either the union or management. He was unaware they had TA's on this when it was brought forward.

Councilor Bushee asked if the 4 hours for Fiesta can be thrown in the mix.

Mr. Romero said this is impossible for this year, because the furlough language provides a minimum notice to union employees of 20 days.

Councilor Bushee asked when we address the furlough issue.

Mr. Romero said it is hoped to address that issue at mid-year, November-December, during the budget process, noting he is looking at ways to get the \$500,000.

Councilor Bushee asked, if we approve this agreement, are we saying there will be furloughs.

Mr. Romero said at mid-year, Council could give direction that furloughs will be on other days and not on holidays.

**MOTION:** Councilor Bushee moved, seconded by Councilor Romero, to approve this request, with the condition that we address the furlough at mid-year, and this approval does not means we have made a decision with regard to holidays and non-holidays.

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

## **20. OTHER FINANCIAL INFORMATION:**

### **A. UPDATE ON CITY OF SANTA FE'S INVESTMENT PORTFOLIO AS OF JUNE 30, 2010. (HELENE HAUSMAN)**

Helene Hausman presented information from her Memorandum of August 23, 2010, to Kathryn L. Raveling, Finance Director, which is in the Committee packet. Please see this Memorandum for specifics of this presentation Ms. Hausman noted that tables were added to the report. She said we ended the year fairly close to budget, but can't say what will happen with the \$2.2 million she budgeted for this year.

Responding to Councilor Romero, Ms. Hausman said Wells-Fargo is a zero because, as of June 30, 2010, we had no CD with that bank, although it is our Fiscal Agent.

Councilor Bushee asked if there is a higher rates for public funds.

Ms. Hausman said they can, but right now banks are not making loans and not taking more public funds.

Responding to Councilor Bushee, Ms. Hausman said she doesn't believe the economy will turn around until 2012.

## 21. MATTERS FROM THE COMMITTEE

Councilor Bushee said there aren't always Memorandums in the packet which spell out monetary issues.

Ms. Raveling said it appears the Committee isn't getting enough information and she will be bringing that up at the Staff meeting. She said she believes it would be helpful for the Committee to have a Memorandum on Resolutions regarding background, what it would do, etc.

Councilor Romero suggest we go to a paper list for the Finance Committee, because they don't have much information and the flash drives make it easier.

Councilor Bushee said, "Don't make me a list and I'm turning in my laptop. I haven't used it in forever."

## 22. ADJOURN

There was no further business to come before the Committee, and the meeting was adjourned at approximately 7:00 pm.

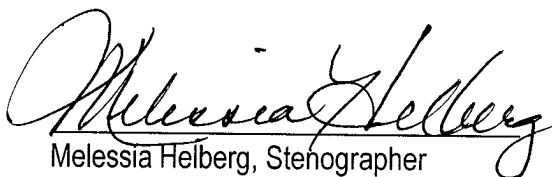
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Matthew E. Ortiz, Chair

Reviewed by:

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Kathryn L. Raveling, Acting Director  
Department of Finance



Melessia Helberg, Stenographer