



Agenda

FINANCE COMMITTEE MEETING
CITY COUNCIL CHAMBERS
SEPTEMBER 20, 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 9-16-10 TIME 1:50

SERVED BY Yolanda Green

RECEIVED BY [Signature]

AUGUST 30, 2010

CONSENT AGENDA

6. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – SIX (6) VEHICLES FOR PARKS DIVISION; BOB TURNER FORD (ROBERT RODARTE)
7. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – WATER METERS AND SERVICE EQUIPMENT AND SUPPLIES FOR WATER DIVISION; HD SUPPLY WATERWORKS; ALBUQUERQUE WINNELSON AND BAKER UTILITY SUPPLY (ROBERT RODARTE)
8. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 2 – SOUTHSIDE LIBRARY-PLAZA; LOCKWOOD CONSTRUCTION COMPANY (CHIP LILIENTHAL)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND
9. REQUEST FOR APPROVAL OF AMENDMENT NO. 5 TO MEMORANDUM OF AGREEMENT – TRAILS AND OPEN SPACE PROJECTS; SANTA FE COUNTY (LEROY PACHECO)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND
10. REQUEST FOR APPROVAL OF GRANT AGREEMENT – NEW MEXICO LEGISLATIVE 2009 SPECIAL SESSION APPROPRIATIONS FOR LA FAMILIA MEDICAL CENTER; STATE OF NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION LOCAL GOVERNMENT DIVISION (DAVID CHAPMAN)



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A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND

11. REQUEST FOR APPROVAL OF COOPERATIVE AGREEMENT – PARTNERSHIP BETWEEN THE SCHOOL DISTRICT AND THE CITY FOR SHARED RESOURCES AND SERVICES; SANTA FE PUBLIC SCHOOLS (ISAAC PINO)
12. REQUEST FOR APPROVAL OF LEASE AGREEMENT – FISCAL AGENT FOR SANTA FE ONE STOP HOMELESS COALITION; INTERFAITH COMMUNITY SHELTER GROUP (ISAAC PINO)
13. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – NATURAL GAS SERVICES AND DISTRIBUTION TO CITY WIDE FACILITIES; BP ENERGY COMPANY (NICK SCHIAVO)
14. REQUEST FOR APPROVAL OF PROCUREMENT – LED LIGHTING RETROFITS AT SANDOVAL PARKING GARAGE (RFP #10/31/P); INFINILUX, INC. (NICK SCHIAVO)
15. REQUEST FOR APPROVAL OF GRANT AGREEMENT – JUVENILE SERVICES FOR COMMUNITY SERVICES DIVISION; STATE OF NEW MEXICO CHILDREN, YOUTH AND FAMILIES DEPARTMENT (RICHARD DEMELLA)

A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND

16. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – ONE VACTOR TRUCK FOR WASTEWATER MANAGEMENT DIVISION; PETE’S EQUIPMENT, INC. (BRYAN ROMERO)
17. REQUEST FOR APPROVAL OF AGREEMENT – SERVICES FOR FISCAL YEAR 2010/2011 NUTRITION, IN-HOME SUPPORT SERVICES, TRANSPORTATION, ETC. FOR SENIOR DIVISION; NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT NON-METRO AREA AGENCY ON AGING; (RON VIALPANDO)

A. REQUEST FOR APPROVAL OF BUDGET INCREASE – SENIOR WELLNESS PROGRAM FUND

18. REQUEST FOR APPROVAL OF BUDGET INCREASE FOR FEDERAL FORFEITURE SHARING FUND FROM CASH BALANCE (POLICE CHIEF ARIC WHEELER)



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19. REQUEST FOR APPROVAL OF SUPPORT SERVICES AGREEMENT – LAND USE, POLICE AND FIRE DEPARTMENT SYSTEMS SUPPORT SERVICES; SUNGARD PUBLIC SECTOR, INC. (CARYN FIORINA)
20. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE AND FEDERAL PRICE AGREEMENTS – ITT SERVICES AND EQUIPMENT FOR CITY DEPARTMENTS; VARIOUS VENDORS (THOMAS WILLIAMS)
21. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 3 TO AGREEMENT – TRANSMISSION AND DISTRIBUTION SYSTEM REHABILITATION PROJECT; TLC PLUMBING AND UTILITY (STEPHANIE REYNOLDS)
22. REQUEST FOR APPROVAL OF LEGAL SERVICES AGREEMENT – QWEST CORPORATION; CUDDY & MCCARTHY, LLP (KELLEY BRENNAN)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – INSURANCE CLAIMS FUND
23. REQUEST FOR APPROVAL OF WATER RIGHTS PURCHASE AGREEMENT – CITY OF SANTA FE TO PURCHASE WATER RIGHTS; HINKLE, HENSLEY, SHANOR & MARTIN, LLP AND AGORA II LLC (MARCOS MARTINEZ)
24. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – CITY'S WATERSHED MANAGEMENT PROJECT SERVICES FOR WATER DIVISION; SANTA FE WATER ASSOCIATION (DALE LYONS)
25. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – CITY'S WATERSHED MANAGEMENT PROJECT AND WATER RESOURCE ANALYSES SERVICES; AMY C. LEWIS (DALE LYONS AND CLAUDIA BORCHERT)
26. REQUEST FOR APPROVAL OF A RESOLUTION COMMITTING TO A WORKPLACE OF MUTUAL RESPECT FOR ALL CITY OF SANTA FE EMPLOYEES (COUNCILOR ROMERO) (VICKI GAGE)

Committee Review:

City Council (scheduled)

9/29/10

Fiscal Impact – No



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FINANCE COMMITTEE MEETING
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27. CONSIDERATION OF THE FOLLOWING RESOLUTIONS WITH THE RECOMMENDATION OF ONE RESOLUTION TO THE GOVERNING BODY: (COUNCILOR CALVERT) (BRIAN SNYDER)

- A. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING THE CITY'S ADMINISTRATIVE PROCEDURES FOR WATER DEMAND OFFSET REQUIREMENTS TO INCLUDE A WATER LOAN TRANSFER PROGRAM

Fiscal Impact – No

- B. REQUEST FOR APPROVAL OF A RESOLUTION ALLOCATING THREE ACRE FEET OF AVAILABLE WATER FROM THE CITY'S EXISTING WATER SUPPLY TO LUNA LAUNDRY TO BE LOCATED AT 3138 RUFINA STREET

Fiscal Impact - Yes

- C. REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE TRANSFER FOR LUNA LAUNDRY'S CURRENT USAGE AT 7620 BACA LANE OF THREE ACRE FEET OF WATER TO LUNA LAUNDRY'S NEW LOCATION AT 3138 RUFINA STREET

Fiscal Impact – Yes

Committee Review:

Public Utilities (approved substitute concept)	8/4/10
Finance Committee (approved)	8/16/10
City Council (postponed)	8/25/10
Public Works Committee (scheduled)	9/13/10
City Council (scheduled)	9/29/10

28. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING RESOLUTION NO. 2010-16 EXHIBIT A, GUIDELINES FOR THE CITY'S REBATE PROGRAM FOR THE INSTALLATION/RETROFIT OF EFFICIENT WATER CONSERVATION TECHNOLOGIES (COUNCILOR CALVERT) (DAN RANSOM)

- A. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING REQUIREMENTS FOR THE WATER CONSERVATION REBATE PROGRAM FOR HOME OWNER ASSOCIATIONS AND CONDOMINIUM ASSOCIATIONS WITH WATER MASTER METERS (COUNCILOR ROMERO) (BRIAN SNYDER)



Agenda

FINANCE COMMITTEE MEETING
CITY COUNCIL CHAMBERS
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Committee Review:

Public Utilities (approved)	9/1/10
Water Conservation (approved item 28; did not approve item 28 A)	9/14/10
City Council (scheduled)	9/29/10

Fiscal Impact – No

29. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING THE CITY MANAGER TO LOCATE FUNDING IN THE AMOUNT OF \$40,000 FOR FUNDING THE SPANISH ROYALTY VISIT AND THE MEXICAN PRESIDENTIAL VISIT, EVENTS PLANNED BY SANTA FE 400TH ANNIVERSARY, INC. (COUNCILORS ORTIZ AND TRUJILLO)

Committee Review:

City Council (scheduled)	9/29/10
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Fiscal Impact – Yes

END OF CONSENT AGENDA

DISCUSSION

30. **(PUBLIC HEARING)**
UPDATE AND REQUEST FOR APPROVAL OF PLAZA ROUNDTABLE COMMITTEE RECOMMENDATIONS (SEVASTIAN GURULE)
31. REQUEST FOR APPROVAL OF CONSIDERATION TO FILL VACANT POSITIONS (ROBERT ROMERO)
32. UPDATE ON 2010 SUMMER YOUTH PROGRAM AND REQUEST FOR APPROVAL OF PROPOSED SLIDING FEE SALE FOR SUMMER 2011 (EDITH MARTINEZ) (Postponed at Finance Committee meeting of August 30, 2010)
33. REQUEST FOR APPROVAL OF THE REALLOCATION OF EXISTING CIP FUNDS AND RELATED BUDGET TRANSFERS (ISAAC PINO)
34. REQUEST FOR APPROVAL OF LEASE AGREEMENT – PROPERTY ADJACENT TO GENOVEVA CHAVEZ COMMUNITY CENTER; YOUTHWORKS, INC. (KATE NOBLE)



Agenda

FINANCE COMMITTEE MEETING
CITY COUNCIL CHAMBERS
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35. OTHER FINANCIAL INFORMATION:
 - A. UPDATE ON GROSS RECEIPTS TAX RECEIVED IN SEPTEMBER 2010 (FOR JULY 2010 ACTIVITY) AND LODGERS' TAX RECEIVED IN AUGUST 2010 (FOR JULY 2010 ACTIVITY) (KATHRYN RAVELING)
 - B. UPDATE AND CLARIFICATION ON AUDIT FINDINGS (KATHRYN RAVELING)
 36. MATTERS FROM THE COMMITTEE
 37. 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, September 20, 2010**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	1-2
APPROVAL OF CONSENT AGENDA	Approved [amended]	2
CONSENT AGENDA LISTING		2-4
APPROVAL OF MINUTES: – AUGUST 30, 2010	Approved	4
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF AMENDMENT NO. 5 TO MEMORANDUM OF AGREEMENT – TRAILS AND OPEN SPACE PROJECTS; SANTA FE COUNTY	Approved	4-5
REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND	Approved	4-5
REQUEST FOR APPROVAL OF COOPERATIVE AGREEMENT – PARTNERSHIP BETWEEN THE SCHOOL DISTRICT AND THE CITY FOR SHARED RESOURCES AND SERVICES; SANTA FE PUBLIC SCHOOLS	Approved w/condition	5-7
REQUEST FOR APPROVAL OF LEASE AGREEMENT – FISCAL AGENT FOR SANTA FE ONE STOP HOMELESS COALITION; INTERFAITH COMMUNITY SHELTER GROUP	Approved	8–9
REQUEST FOR APPROVAL OF BUDGET INCREASE FOR FEDERAL FORFEITURE SHARING FUND FROM CASH BALANCE	Approved	10
REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – CITY'S WATERSHED MANAGEMENT PROJECT SERVICES FOR WATER DIVISION; SANTA FE WATER ASSOCIATION	Approved [amended]	10-12

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
REQUEST FOR APPROVAL OF A RESOLUTION COMMITTING TO A WORKPLACE OF MUTUAL RESPECT FOR ALL CITY OF SANTA FE EMPLOYEES	Approved	12-13
CONSIDERATION OF THE FOLLOWING RESOLUTIONS WITH THE RECOMMENDATION OF ONE RESOLUTION TO THE GOVERNING BODY:		
REQUEST FOR APPROVAL OF A RESOLUTION AMENDING THE CITY'S ADMINISTRATIVE PROCEDURES FOR WATER DEMAND OFFSET REQUIREMENTS TO INCLUDE A WATER LOAN TRANSFER PROGRAM	Approved [amended]	13-20
REQUEST FOR APPROVAL OF A RESOLUTION ALLOCATING THREE ACRE FEET OF AVAILABLE WATER FROM THE CITY'S EXISTING WATER SUPPLY TO LUNA LAUNDRY TO BE LOCATED AT 3138 RUFINA STREET	No action	13
REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE TRANSFER FOR LUNA LAUNDRY'S CURRENT USAGE AT 7620 BACA LANE OF THREE ACRE FEET OF WATER TO LUNA LAUNDRY'S NEW LOCATION AT 3138 RUFINA STREET	No action	13
REQUEST FOR APPROVAL OF A RESOLUTION AMENDING RESOLUTION NO. 2010-16 EXHIBIT A, GUIDELINES FOR THE CITY'S REBATE PROGRAM FOR THE INSTALLATION/ RETROFIT OF EFFICIENT WATER CONSERVATION TECHNOLOGIES	Approved	20-21
REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING REQUIREMENTS FOR THE WATER CONSERVATION REBATE PROGRAM FOR HOMEOWNER ASSOCIATIONS AND CONDOMINIUM ASSOCIATIONS WITH WATER MASTER METERS	Approved	20-21

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
<p>REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING THE CITY MANAGER TO LOCATE FUNDING IN THE AMOUNT OF \$40,000 FOR FUNDING THE SPANISH ROYALTY VISIT AND THE MEXICAN PRESIDENTIAL VISIT, EVENTS PLANNED BY SANTA FE 400TH ANNIVERSARY, INC. ***** END OF CONSENT CALENDAR DISCUSSION *****</p>	Approved w/conditions	21-22
<u>DISCUSSION</u>		
<p><u>PUBLIC HEARING</u> UPDATE AND REQUEST FOR APPROVAL OF PLAZA ROUNDTABLE COMMITTEE RECOMMENDATIONS</p>	No action/direction to staff	22-31
<p>REQUEST FOR APPROVAL OF CONSIDERATION TO FILL VACANT POSITIONS</p>	Approved	31
<p>UPDATE ON 2010 SUMMER YOUTH PROGRAM AND REQUEST FOR APPROVAL OF PROPOSED SLIDING FEE SALE FOR SUMMER 2-011</p>	Approved [amended]	32-33
<p>REQUEST FOR APPROVAL OF THE REALLOCATION OF EXISTING CIP FUNDS AND RELATED BUDGET TRANSFERS</p>	No action/direction to staff	33-35
<p>REQUEST FOR APPROVAL OF LEASE AGREEMENT – PROPERTY ADJACENT TO GENOVEVA CHAVEZ COMMUNITY CENTER; YOUTHWORKS, INC.</p>	Approved [amended]	35-38
<u>OTHER FINANCIAL INFORMATION:</u>		
<p>UPDATE ON GROSS RECEIPTS TAX RECEIVED IN SEPTEMBER 2010 (FOR JULY 2010 ACTIVITY) AND LODGERS' TAX RECEIVED IN AUGUST 2010 (FOR JULY 2010 ACTIVITY)</p>	Information/discussion	38
UPDATE AND CLARIFICATION ON AUDIT FINDINGS		38
MATTERS FROM THE COMMITTEE	Information/discussion	38
ADJOURNMENT		39

**MINUTES OF THE
CITY OF SANTA FE
FINANCE COMMITTEE**
Monday, September 20, 2010

1. CALL TO ORDER

A meeting of the City of Santa Fe Finance Committee was called to order by Chair Matthew E. Ortiz, at approximately 5:00 p.m., on Monday, September 20, 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 Wurzbarger

OTHER COUNCILORS ATTENDING:

Councilor Ronald S. Trujillo

OTHERS ATTENDING:

Kathryn Raveling, Finance Director
Yolanda Green, Finance Division
Melessia Helberg, Stenographer.

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

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

3. APPROVAL OF AGENDA

Ms. Raveling asked to pull the following items from the Consent Agenda:

- a. Item #22 because this action/Resolution is no longer needed; and
- b. Item #25 because additional information is needed.

MOTION: Councilor Wurzbarger 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 Dominguez 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. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – SIX (6) VEHICLES FOR PARKS DIVISION; BOB TURNER FORD. (ROBERT RODARTE)
7. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – WATER METERS AND SERVICE EQUIPMENT AND SUPPLIES FOR WATER DIVISION; HD SUPPLY WATERWORKS; ALBUQUERQUE WINNELSON AND BAKER UTILITY SUPPLY. (ROBERT RODARTE)
8. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 2 – SOUTHSIDE LIBRARY-PLAZA; LOCKWOOD CONSTRUCTION COMPANY. (CHIP LILIENTHAL)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND.
9. *[Removed for discussion by Councilor Bushee]*
10. REQUEST FOR APPROVAL OF GRANT AGREEMENT – NEW MEXICO LEGISLATIVE 2009 SPECIAL SESSION APPROPRIATIONS FOR LA FAMILIA MEDICAL CENTER; STATE OF NEW MEXICO, DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION. (DAVID CHAPMAN)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.
11. *[Removed for discussion by Councilor Dominguez]*
12. *[Removed for discussion by Councilor Bushee]*
13. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – NATURAL GAS SERVICES AND DISTRIBUTION TO CITY WIDE FACILITIES; BP ENERGY COMPANY. (NICK SCHIAVO)

14. REQUEST FOR APPROVAL OF PROCUREMENT – LED LIGHTING RETROFITS AT SANDOVAL PARKING GARAGE (RFP #10/31/P); INFINILUX, INC. (NICK SCHIAVO)
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17. REQUEST FOR APPROVAL OF AGREEMENT – SERVICES FOR FISCAL YEAR 2010/2011 NUTRITION, IN-HOME SUPPORT SERVICES, TRANSPORTATION, ETC., FOR SENIOR DIVISION; NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT NON-METRO AREA AGENCY ON AGING. (RON VIALPANDO)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – SENIOR WELLNESS PROGRAM FUND.
18. *[Removed for discussion by Councilor Bushee]*
19. REQUEST FOR APPROVAL OF SUPPORT SERVICES AGREEMENT – LAND USE, POLICE AND FIRE DEPARTMENT SYSTEMS SUPPORT SERVICES; SUNGARD PUBLIC SECTOR, INC. (CARYN FIORINA)
20. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE AND FEDERAL PRICE AGREEMENTS – ITT SERVICES AND EQUIPMENT FOR CITY DEPARTMENTS; VARIOUS VENDORS. (THOMAS WILLIAMS)
21. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 3 TO AGREEMENT – TRANSMISSION AND DISTRIBUTION SYSTEM REHABILITATION PROJECT; TLC PLUMBING AND UTILITY. (STEPHANIE REYNOLDS)
22. REQUEST FOR APPROVAL OF LEGAL SERVICES AGREEMENT – QWEST CORPORATION; CUDDY & MCCARTHY, LLP. (KELLEY BRENNAN)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – INSURANCE CLAIMS FUND.
This item was removed from the Agenda for consideration because this action is no longer needed.
23. REQUEST FOR APPROVAL OF WATER RIGHTS PURCHASE AGREEMENT – CITY OF SANTA FE TO PURCHASE WATER RIGHTS; HINKLE, HENSLEY, SHANOR & MARTIN, LLP AND AGORA II, LLC. (MARCOS MARTINEZ)
24. *[Removed for discussion by Councilor Bushee]*

25. **REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – CITY'S WATERSHED MANAGEMENT PROJECT AND WATER RESOURCE ANALYSES SERVICES; AMY C. LEWIS. (DALE LYONS AND CLAUDIA BORCHERT)**
This item was removed from the Agenda because additional information is needed and it isn't ready for presentation.

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

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

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

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

END OF CONSENT AGENDA

5. APPROVAL OF MINUTES: – AUGUST 30, 2010.

MOTION: Councilor Bushee moved, seconded by Councilor Dominguez, to approve the minutes of the Regular Finance Committee Meeting of August 30, 2010, as presented.

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

CONSENT CALENDAR DISCUSSION

9. **REQUEST FOR APPROVAL OF AMENDMENT NO. 5 TO MEMORANDUM OF AGREEMENT – TRAILS AND OPEN SPACE PROJECTS; SANTA FE COUNTY. (LEROY PACHECO)**
A. REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND

Councilor Bushee asked if it is meant to include the Gonzales Trail and the River Trail in this amendment, noting it was included at RPA.

Mr. Pacheco said the River Trail is on a different agreement so it has its own separate agreement, which didn't need to be amended because it was approved at the RPA.

Councilor Bushee asked what is being done on the Gonzales Trail here.

Mr. Pacheco said that particular amendment is to include the additional funding.

Councilor Bushee said she doesn't see the Gonzales Trail approved here.

Mr. Pacheco said the agreement is defined to include the connection of Gonzales Road Trail to the Dale Ball Trail system, which is an additional \$258,400.

Mr. Pacheco said all of the additional funds are for the Dale Ball Trail Foothills system which is defined to include the Gonzales Road Trail.

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

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

11. REQUEST FOR APPROVAL OF COOPERATIVE AGREEMENT – PARTNERSHIP BETWEEN THE SCHOOL DISTRICT AND THE CITY FOR SHARED RESOURCES AND SERVICES; SANTA FE PUBLIC SCHOOLS. (ISAAC PINO)

Councilor Dominguez referred to the Agreement which was in the Public Works Committee packet, noting the Agreement in the Finance Committee packet eliminated language that was stricken in the Public Works packet, noting one has to do with enterprise facilities. He noted it is regarding the indoor use facility, but it wasn't removed for the outdoor use facility, and asked why it was kept on one and not in the other, noting he is looking at page 5, Item #3, which states, "Facilities will be offered to the District at a discounted rate (in the case of enterprise facilities) or at no cost, where possible." He asked why "enterprise facilities" is still in the agreement.

Mr. Pino said this is an oversight and can be removed. He said there are a number of things which need to be revised from the version the schools sent back in July. He met with Mr. Romero and they agreed to delete things which weren't applicable any more, such as "enterprise funds," or "deputy city managers," and things like that.

Councilor Dominguez thanked Councilor Ortiz as one of the original authors of the agreement along with him when he [Dominguez] was serving on the Board of Education. He said a question which arose often is how the City of Santa Fe sees the charter schools, which technically are public schools, but sometimes aren't part of the public schools which are included in the agreement. He asked if we need to add language to the agreement which articulates exactly how the City will treat charter schools.

Mr. Pino said if we want to specify something for charter schools, it should be in this agreement, because there are no references whatsoever to charter schools in the agreement.

Councilor Dominguez recommended that staff develop that language before this goes to Council so we are very clear how the District sees charter schools and how the City will treat charter schools.

Mr. Pino asked Councilor Dominguez if he would like the language from the schools' perspective in terms of how they are to be treated in this agreement.

Councilor Dominguez said he would like for the agreement to include language as to how the District recognizes charter schools, and whether or not we want to include them in the agreement.

Councilor Dominguez said the District has capital funds, and how they spend those is their business. He asked, as it pertains to the City of Santa Fe and the potential effluent line in the southern part of the City, Tierra Contenta specifically, were there discussions as to whether the School District agrees to allocate some funds for that infrastructure. He said, if we were to get funds to construct that effluent line, he would not like for the school not to have the funds to connect to the effluent line.

Mr. Pino said he became involved in the discussions in the Spring, and during the time he has been involved, there has been no discussion about an effluent line in the context of this agreement.

Councilor Dominguez asked if the School has approved this agreement.

Mr. Pino said the School Board voted to approve this Agreement at its meeting on July 20, 2010.

Councilor Dominguez said the School District and the City are talking about how to use Alvord. He said one of his concerns is to ensure money is allocated in the appropriate locations within the community. He asked if there was any discussion about the School District using some of the money it receives from the City to improve things such as the Sweeney Soccer Fields, or Cesar Chavez Park where existing conditions need to be improved, and that may be a potential funding source for that.

Mr. Pino said staff currently working on the lease agreement for Alvord, which should be forthcoming in the next two weeks. He said there is no language whatsoever that ties back to the improvements he mentioned.

Councilor Dominguez asked if it would be wise to include that in this MOU.

Mr. Pino said he believes this is mixing apples and oranges, noting the agreement is around services, and the other deals with capital expenditures. He said perhaps we could do it with an associated separate agreement which could become an appendix in this MOU.

Councilor Dominguez said we will be doing a big grand opening on the Power Plant Park in the next few days, and asked if Sweeney or Cesar Chavez were part of the parks fund.

Mr. Pino said he doesn't know.

MOTION: Councilor Dominguez moved, seconded by Councilor Bushee, to approve this request, with the condition that staff provide the answers to the questions asked by the Committee by the time it goes to the City Council.

DISCUSSION: Councilor Dominguez commented that the City and School District have been doing these kinds of agreements for decades, and believes everyone needs to be commended for this.

Councilor Bushee said would like staff to make changes on page 4 of the Agreement in #12 with regard to transportation for the Summer Youth Program, to say it won't exceed \$40,000.

Councilor Bushee, referring to page 2 of the agreement under "2. Indoor Facility Use," said paragraph 1 provides: "...Facilities will be offered to the City at no cost; however, custodial overtime fees and/or fees for security services are not subject to waiver by the District." She would like similar language in the City's agreement around the use of its pools and other facilities.

Mr. Pino said Councilor Calvert talked about that at the Public Works Committee, and that change will be made.

Councilor Bushee, referring to page 2 of the agreement under "3. Outdoor Field Use," paragraph 1 provides, "The District agrees that the City will have priority access to its athletic fields, tennis courts and basketball courts for recreational programs...." She asked if this is *quid quo pro* for something else, or if it is outright.

Mr. Pino said he wouldn't call it *quid pro quo*, because they don't have the facilities or resources for that type of maintenance.

Councilor Bushee, referring to page 4 of the agreement, "12. Santa Fe Public Transit System," said she understood the City adopted a Resolution saying the City would provide free bus rides for anyone under 18, but doesn't recall that Resolution including free buses for field trips, summer programs and/or after school programs as outlined in the last sentence. She asked how that came to be included in the agreement, and asked the number of times we have allowed that and the associated costs. She noted we can recover some of these funds from the RTD, but wants to understand how it is being utilized.

Mr. Pino said he doesn't have that information off the "top of my head," but he will provide that information before it goes to the City Council.

Councilor Bushee asked, regarding the fee coordination for purchase of services, for Genoveva Chavez and the MRC, how the amount of the fees are decided. Is it based on a policy decision, or does it allow the City Manager or Superintendent to decide those costs. She wants it based on an equitable arrangement.

Mr. Pino said the fees are based on actual estimated costs for the particular service.

Councilor Bushee asked if there is a reason we don't do this in maintaining fields and courts.

Mr. Pino said it is done on a case-by-case basis, because we don't know what would be the requested level of services.

Councilor Bushee wants some accounting so we know "what we're up against."

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

12. REQUEST FOR APPROVAL OF LEASE AGREEMENT – FISCAL AGENT FOR SANTA FE ONE STOP HOMELESS COALITION; INTERFAITH COMMUNITY SHELTER GROUP. (ISAAC PINO)

Councilor Bushee said the Memorandum indicates the participation of Kim Shanahan, and asked if that means the Homeowners Association.

Mr. Pino said he has talked with Mr. Shanahan and attended a meeting where he appealed to Santa Fe Area Homebuilders Association, it would imply that Association.

Councilor Bushee asked if the Association will be providing In-kind labor.

Mr. Pino said Mr. Shanahan has asked for that, and is hoping to get that kind of participation from the Association.

Councilor Bushee said we initially were considering using \$1 million from CIP reserves, and asked if this is still the case, and will those funds be used for the purchase as well as the tenant improvements.

Mr. Pino said he is unsure whether a decision has been made as to the source of funds, commenting that there are issues about the CIP bond and how we will generate those funds moving forward.

Councilor Bushee asked the current plan for these funds. She understood the purchase was pending and asked for an update.

Mr. Raveling said there is a Resolution which provided the City would advance the funds from its CIP/GRT, and it would be reimbursed when the bond issue is done. She said the reimbursement resolution is in place.

Councilor Bushee asked how much is for the purchase and for the tenant renovations.

Ms. Raveling said the total is \$1 million, so it will depend on the final purchase price.

Mr. Pino said \$750,000 is for the purchase and \$250,000 will go toward the building renovation.

Councilor Bushee, referring to the budget on page 22 of the packet, asked if the \$50,000 City Grant is from the City or another entity.

Mr. Pino said the budget on page 22 was provided by the Group. He said the City did provide \$50,000 to the Human Services Committee at budget time.

Councilor Bushee said she received an email from Susan Odiseos that they will not be operating for a full year, therefore they will not need the amount of money needed for 12 months of operation. She

said she is trying to come up with \$15,000 for the Youth Shelters which we failed to fund. She asked if there are funds available which the Group won't be using.

Mr. Pino said he believes, from his discussions with them, that the \$50,000 allocated to them is fully intended to be used. He said they will be running the winter shelter as they did in the past, commenting this is because of the time necessary to get this done. They will focus on installing a sprinkler system which the City will require now that we own the building. He said he was speaking with Ms. Odiseos earlier when the phones "died" at City Hall, but she was explaining that nothing would be needed beyond the \$50,000 from the City for this year.

Councilor Bushee said page 4 of the lease says, "provide for free services," and then for "some services at reduced fees." She asked what is meant by "reduced fees."

Guy Grunquist, Finance Committee Chair for the Shelter Group, and a member of the management team, said he also represents the Shelter on the One Stop Coalition. Mr. Grunquist said this is the first time he's seen this language, but the services provided to their guests are provided free of charge, and no fees are charged from the guests, so perhaps the language on "reduced fees" can be stricken from the lease. He said it probably is part of the boilerplate that just didn't get deleted.

Councilor Bushee said she wants to be sure that everything is still free, and Mr. Grunquist said, "Absolutely."

Councilor Bushee said, with regard to the neighborhood issues mentioned in Ms. Odiseos's email, she would like to know if there is any way the City can work another arrangement for some sort of security patrol to give neighbors a better sense that things are being taken care of. She asked if any thought has been given to this.

Mr. Pino said they haven't yet gone to the neighbors, so they haven't discussed specific items such as a security patrol. However, there is an amendment to the agreement with the Shelter Group that anything which comes as the result of neighborhood input and is ultimately approved by the City Council, will become part of the services. So, if security of any type which is mutually agreed upon becomes a part of the agreement moving forward, there is language which makes that part of the agreement.

Councilor Bushee believes it would be worth exploring those costs if it will give the neighborhood assurance.

Councilor Bushee presumes that the remaining cost of renovation as listed in the packet at \$332,000 will come from elsewhere than from the City.

Mr. Pino said, "That's our expectation, and we've had that discussion and that's correct."

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

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

18. REQUEST FOR APPROVAL OF BUDGET INCREASE FOR FEDERAL FORFEITURE SHARING FUND FROM CASH BALANCE. (POLICE CHIEF ARIC WHEELER)

Councilor Bushee said she was glad to see more funding, and asked if there is even more funding.

Chief Wheeler said there is, and he met with the DEA last week in Albuquerque, and they are looking to acquire more funding from the seizures and forfeitures and collaboratively solve some of the crime problems we have. He said he believes this administration has done a really good job in reaching out to our Federal partners. He will be meeting on Wednesday with the new area agent in charge of the FBI, noting he has met with the Santa Fe agent. He will continue to try to get more federal funding.

Councilor Bushee asked if the City's DWI Forfeiture Fund has surplus funds, and if those could be funneled back into the Police Department.

Chief Wheeler said, "Yes we can use them that way. It's along the lines of the federal forfeiture and there's a lot of stipulated guidelines and you have to be sure you're staying within certain parameters, and there is a whole book they provide to us that tells what we can and cannot do. Right now, the way the DUI Forfeiture is written, it has to go back into DUI programs, but that's something we could look at, as far as language, and make those amendments so it's just general police that we can use it for."

Responding to Councilor Bushee, Chief Wheeler said they are having small discussions regarding the use of seized vehicles, and he has met with legal to overcome hurdles to use the vehicles for undercover use prior to going to auction. Once the vehicles are "burned" and everyone knows they are undercover police vehicles, they could move to a new set of vehicles.

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

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

24. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – CITY'S WATERSHED MANAGEMENT PROJECT SERVICES FOR WATER DIVISION; SANTA FE WATER ASSOCIATION. (DALE LYONS)

A Memorandum dated September 17, 2010, with attachment, to the Finance Committee from Dale Lyons, Water Resource Coordinator, regarding Explanation of Watershed Management Project Finances and Anticipated Contract Expenses, is incorporated herewith to these minutes as Exhibit "1".

Chair Ortiz said Mr. Lyons sent out an email on this particular item on Friday [Exhibit "1"].

Councilor Bushee asked if anything was shifted, with regard to the school outreach.

Mr. Lyons reviewed the information in Exhibit "1" saying he wants to review the budget as it stands today, and get Committee direction. Please see Exhibit "1" for specifics of this presentation.

Councilor Bushee asked about the other questions which were raised about trying to address the other population.

Mr. Lyons said they are adding schools and the number of schools and students they can reach, which includes schools on the south side of town.

Councilor Bushee said there were concerns at the Public Utilities Committee with regard to whether the Watershed Association was the group to do the outreach, noting this has change completely, and asked how he wants to address the other concerns.

Mr. Lyons said the utility billing inserts and brochures included in the bills will describe what is to be done, and those go out to all utility customers. There will be public meetings, facilitated by a professional facilitator – 12 public meetings over 3 years – which will be done in all major areas of town.

Councilor Bushee asked if we are comfortable that the Watershed Association is the group to do this as a sole source.

Mr. Lyons said the reason they have decided the Watershed Association is the best to do this is because they've been our partner in developing the Watershed Management Plan, noting they drafted the education and outreach plan. The Association has a history of doing education and outreach for the previous forest thinning project, noting it was done on a shoestring budget with funds they raised and not with public funding. He said the Association has a lot of experience in doing this kind of work.

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

DISCUSSION: Councilor Wurzbarger said she wants to reinforce what Councilor Bushee has said. He specific comment at PUC was with respect to it being elitist and the notion is not just putting information in the billings. The idea was how to open this area, not only to school students, but to adults who would have an interest in experiencing and learning, so support can be built about what we have to do. She said she still doesn't see that, although it may be implied, and she wants this to be part of the record in an amendment so that it is very clear that we are interested in expanding who has access and hands-on knowledge about what is happening. She said taking the tour gives a different perspective than something in the bills that says here is what we are doing.

Mr. Lyons suggested that we target the south and west side of town for the public hikes and in our advertisement, and not the east and north side of town.

Councilor Bushee would like to see the recruitment plan from the Watershed Association, noting the point is to move it beyond the same people, whether they live on the east, west, north or south side of Santa Fe.

FRIENDLY AMENDMENT. Councilor Bushee would like to amend the motion to see the recruitment plan from the Watershed Association, noting the point is to move it beyond the same people, whether they live on the east, west, north or south side of Santa Fe. **THE AMENDMENT WAS FRIENDLY TO THE MAKER, AND THERE WERE OBJECTIONS BY THE OTHER COUNCILORS.**

Councilor Romero said there was a particular reason for the closing of the watershed. She said we are not talking about an educational component going beyond the usual participants to include schools. She asked if the public involvement plan indicates how the youth will be incorporated, noting the original intent in closing the watershed which was so that no damage shall be done to an area which provides 35% of our water. She asked what the public plan will look like to include bringing children to an area that provides 35% of our water.

Mr. Lyons said the kinds of things we will be teaching kids in the watershed falls under the category of education which is specifically allowed under the 1932 Closure Order. He said they are trying to engender some appreciation among students for their water resources, where it comes from and how to protect it.

Councilor Romero asked if the motion includes going beyond the east side, but expanding to schools.

Mr. Lyons said the education and outreach plan includes schools and adults, so there is an adult hiking component where 12-15 adults can tour the watershed with the Forest Service and City Water personnel to look at the reservoirs, the water supply system. There is a separate component for kids within classes and in the watershed.

Councilor Bushee said we continue to receive emails from our Wildland Interface Specialist, and asked if they will have input on the prescribed burns, and if they will discuss the City's proscriptions and such for the watershed.

Mr. Lyons said they will continue to service our conduit of information about burns. In addition, because the Forest Service is short-staffed, it is possible they can't do all the work they intend. However, we may be able to do that with our own City crews. He is discussing with Porfirio the possibility of extending his crew for two weeks to work with Forest Service crews, so the grant money would be used to cover these costs of training and assisting Forest Service crews to do more work.

Mr. Lyons said they need clarification from the Municipal Finance Authority that grant funding can be used to pay our own staff as a matching component for the grant. He hasn't received an answer yet.

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

Chair Ortiz noted Mr. Lyons' Memo was sent to the wrong Committee members, and Mr. Lyons said it was sent to the Committee members which are listed on the website, so it's the City's website that needs to be updated. He apologized that it went to the wrong members.

26. REQUEST FOR APPROVAL OF A RESOLUTION COMMITTING TO A WORKPLACE OF MUTUAL RESPECT FOR ALL CITY OF SANTA FE EMPLOYEES (COUNCILOR ROMERO). (VICKI GAGE) Committee Review: City Council (scheduled) 9/29/10. Fiscal Impact – No.

Responding to Councilor Bushee, Ms. Gage said there is no cost to the City for the training, and it will be done in-house.

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

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

27. **CONSIDERATION OF THE FOLLOWING RESOLUTIONS WITH THE RECOMMENDATION OF ONE RESOLUTION TO THE GOVERNING BODY: (COUNCILOR CALVERT). (BRIAN SNYDER)**
- A. **REQUEST FOR APPROVAL OF A RESOLUTION AMENDING THE CITY'S ADMINISTRATIVE PROCEDURES FOR WATER DEMAND OFFSET REQUIREMENTS TO INCLUDE A WATER LOAN TRANSFER PROGRAM. Fiscal Impact – No.**
 - B. **REQUEST FOR APPROVAL OF A RESOLUTION ALLOCATING THREE ACRE FEET OF AVAILABLE WATER FROM THE CITY'S EXISTING WATER SUPPLY TO LUNA LAUNDRY TO BE LOCATED AT 3138 RUFINA STREET. Fiscal Impact – Yes.**
 - C. **REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE TRANSFER FOR LUNA LAUNDRY'S CURRENT USAGE AT 7620 BACA LANE OF THREE ACRE FEET OF WATER TO LUNA LAUNDRY'S NEW LOCATION AT 3138 RUFINA STREET. Committee Review: Public Utilities (approved substitute concept) 8/4/10; Finance Committee (approved) 8/16/10; City Council (postponed) 8/25/10; Public Works Committee (scheduled) 9/13/10; City Council (scheduled) 9/29/10. Fiscal Impact – Yes.**

Chair Ortiz said the Public Works Committee approved this in concept.

Councilor Bushee asked if that would be approval of Option A.

Councilor Wurzbarger said she recalls that Public Works gave direction to staff to develop Option A, from which options B and C could follow.

Councilor Bushee recalled that direction was given at the City Council.

Councilor Bushee said Option A is the only one she would consider, but she thought there was the possibility that there were 20 additional companies that could fall in line after this one. She asked if this could be changed to be a "straight-up loan," because this gentleman said he needed it to buy a building.

Mr. Snyder said this basically is a loan, but we want to verify that we aren't "double dipping or double counting" the water, and the reason it is a loan. He said if the existing owner has a tenant on the property that had similar use and water type, then this person would have to pay back the loan, so there would be no double accounting of water. He said after a year, if the existing owner did not fill his property, then Luna Laundry would not have to repay the loan.

Councilor Bushee said this is the part she doesn't like, if there are twenty-odd business that want to do this. And now that we have staff tracking this, she would rather it be a loan, and asked if this was something which was considered.

Mr. Snyder said in a typical situation, a developer would bring the required amount of water needed for the water budget.

Councilor Bushee said we are giving them the gift of time to purchase the needed infrastructure, and such, and we aren't worrying about the new use. She said it never made sense to her – the other way.

Mr. Snyder his concern is that there could be double counting in the system, and we could be looking at more water being used than what we actually have with the potential of 20 other businesses.

Councilor Bushee said this is a brand new facility in the City, the other one is in the County which Luna Laundry doesn't own, and the owner of that property will be renting it to someone and there will be some use, although it may not be a laundry.

Mr. Snyder asked if she is speaking of a loan of money or a loan of water rights.

Councilor Bushee said, "It's pretty much a loan of water rights from the water bank that gets paid for. What's missing from your proposal is that he has to pay it back. It's not a gift, it's a loan."

Mr. Snyder said Resolution A does talk about paying back. He said the provision about which she is speaking, provides that if the current owner doesn't get a tenant within a year, then Luna Laundry doesn't have to pay it back.

Councilor Bushee said, "Yes. That's the part I want you to take out. Do you have any problems taking that out."

Mr. Snyder said no.

MOTION: Councilor Bushee moved, seconded by Councilor Wurzbarger, for purposes of clarification and discussion, to approve Resolution A, if we remove the part that we can't just straight up loan it to them.

DISCUSSION: Chair Ortiz said this has come to this Committee twice, and asked if the Applicant, who is in the position of a potential developer, has provided any additional information that we would give such special attention to his application, or that we would provide him with this special dispensation, other than any other potential developer who is in this queue. He asked why we are "bending over backwards" for him and why we can't just have him go through the process required by ordinance now.

Mr. Snyder said we do have an Ordinance which makes requirements, and at the last several meetings Councilor Calvert has discussed what it is believed that Luna Laundry will bring to the table. There is no new information. He said Luna Laundry does bring an economic benefit of \$500,000 into the City limits

and approximately 14 jobs. He has invested in his water system with some conservation measures to reduce his water usage by 70%.

Chair Ortiz noted this information has been provided previously and Mr. Snyder said yes, the exact same information has been provided previously.

Councilor Wurzbarger asked Councilor Bushee to clarify what she is proposing, asked if it would mean striking the last two sentences.

Councilor Bushee said, "I think so, and then, there's the 3rd paragraph on page 1."

Councilor Wurzbarger said then it would just be a loan to be repaid, without clarification as to when and how. She asked Councilor Bushee her other suggestion on page 1.

Councilor Bushee said, "It was on the 3rd paragraph on the first page, there is a similar language, I think. But again, I was just coming to.... where they say, "...the first location may retain a similar use for 12 months..." maybe it's not the right... maybe it's only on the last page. But, I would just leave it up to staff to come up with an amended version that pretty much just makes it a loan, which is what I had.... we never did really see this at PUC again. I think we saw it at Council and we said come back with something that's a policy that might apply to all the other business that might want to get in line for this."

Councilor Wurzbarger said, "Then the concept for this would be to further discuss this. Is that what we're doing policy-wise is setting up the option of a loan to facilitate the economic development of businesses that are already using the water... I mean that is a criteria, or maybe not."

Councilor Bushee said, "Any business."

Councilor Wurzbarger said, "Then it's any business that may not want to do the water rights options by outright purchase. We are setting up a loan option for them, is that correct?"

Councilor Bushee said that is what she was looking for.

Councilor Romero said then in the A part of the request, the requirement is to include a water loan transfer program. She asked if what Councilor Bushee just suggested will "murky it up" with not clarifying that it is a water loan versus a monetary loan.

Councilor Bushee said it has never been a monetary loan.

Councilor Romero said she is referring to what is written on our agenda, where it indicates "a water loan transfer program." She asked if what is proposed is really different from what she thinks Councilor Calvert was proposing.

Mr. Snyder said he understood Councilor Bushee to say was to "take 3 afy from our water bank, assuming there are water rights in the water bank, and over a period of 10 years as proposed by Public Works, that

those water rights would be repaid monetarily to the City.” He said this is his understanding of what is being discussed. Whereas, what is before the Committee in proposed Resolution A involves an exchange of money from the standpoint that there is a 10-year period, and the applicant would be paying toward that loan for the first year at some set amount – basically transferring water from one property to another. He said what is being proposed is not a transfer of water, it is just a flat-out loan of water to that property from our water bank.

Councilor Wurzbarger said she is now unclear. She said the way she interpreted this, whether it is 10 years or whatever, we are loaning the water at a financial cost, of no interest. And, whether they’re paying monthly or annually or whatever, the water will come back. It is helping businesses that don’t have the capital to go out and buy the rights now to repay them on credit with no interest. She said it is like a land contract in buying a house. It’s not free. It is a combination of the water and the financial components. It’s buying on credit, and at the end the water rights can be bought with the money that’s accumulated over time so they are replaced. This is the concern we’ve repeatedly discussed – about double-dipping. She thinks this resolves it, but it has to be clear that it has both components. She said she doesn’t care what the payback is or how it is done.

Mr. Snyder said he said he understood it to be Item 27(C) which is the first Resolution staff brought to the Committee a number of months ago, where we’re taking water from the water bank, transferring water from the water bank with a payment attached to that, where previously there was no payment attached because of the economic benefit and the other items.

Councilor Bushee said, “Whatever version it is.”

Councilor Wurzbarger said the details have to be worked out – are the water rights costs set in year one or year ten, for example. She said she is comfortable in moving forward with a policy that allows this as a mechanism for moving a company forward.

Councilor Bushee agreed, saying other businesses might avail themselves of this if we had it worked out, and that’s what she wanted before this goes to Council.

Councilor Wurzbarger said, “Now, we’re setting up something that’s much broader than the 24, because we’re not tying this to some issue that it’s property B. You know, we’re not thinking of A or B, we’re only talking about this one deal, and not tying it to what happened before, or what could happen in the future on a particular piece of property. Which means, just to take it one step further to make sure we’re all thinking together, conceptually you could just have a developer that’s just building houses that wants to come in, and why couldn’t they do that. They’re a business. They couldn’t possibly do the development at this point in time and the water rights transfer is what is preventing them from doing that. Would this law, as we’re currently discussing it, not apply to them.”

Councilor Bushee said, “Yes. We’re looking at possible unintended consequences. It would be far worse if we were giving it away. I think everybody would get in line.”

Councilor Wurzbarger said, "Yes, but this relates to Councilor Ortiz's question about, is the policy we're interested in crafting solely tied to current use, existing billing and those 20, or is it broader. That's my question."

Councilor Bushee said we can still put in the part about double-demand, you just don't get free water.

Councilor Wurzbarger said perhaps Marcos [Martinez] has something on this.

Councilor Romero asked if we are talking about changing the procedures, which is part of the implementation and going with 27(C).

Mr. Snyder said, "I view it as almost 27(C) with the financial loan component."

Councilor Romero said, "That's what I wanted to get on the record, was to be clear that, given the discussion, that we are recommending that the procedures be changed to allow this type of situation. It would be a one-time thing, which is this approval of Item C, which is the... I'm just wanting to be sure we're on track with that."

Councilor Wurzbarger said, "I'm not sure. I see 1, 2,3. I don't see A, B, C. So, help me out."

Chair Ortiz said it is a matter of semantics. On the Agenda, it's listed as 27(A), (B) and (C), and it's listed in the staff packet as 27(1), (2) and (3). He said Item (3) in the Staff Memo corresponds to Item (C) which is the last Resolution in the packet.

Councilor Wurzbarger said she recalls (C) is a flat out transfer without financial consequences, while Item (A) has a financial consequence.

Mr. Snyder said, "That is correct, and why I view Item (C) as the one with the loan component that is being discussed here tonight. It is a water right transfer from our water bank with a loan payback period."

Councilor Bushee said, "Even though I made this motion, I have to say, I'm concerned, that what I think we need is a policy before a special exception. And we've been trying to work with this one particular business and we may want a policy that helps businesses come to the City or stay in the City and not double-demand... but I don't know if we're there yet. I mean, I don't want to open the floodgate, so to speak. I mean we only have so many water rights in the water bank, but I am concerned that we not give away water as one person.... I don't know, I feel like we're a cart before the horse thing here."

Councilor Dominguez said this was heard at Public Works two weeks ago,] and his main concern was why we weren't amending [Chapter] 25 to come up with a comprehensive or overall policy.

Councilor Dominguez said, "Although I appreciate the efforts that are being made tonight to clarify that, I'm still uncomfortable with the process, and the fact that we've kind of used this particular applicant to invoke a process. And, I'm just kind of having trouble with that. I would rather, and I know that there's some time constraints that the applicant has... but I would rather, and it makes it to me, a lot fairer, even if we look at

the policy, and amend the policy versus.... I guess some would see it as a special exception. So, I'll be consistent with my vote."

Chair Ortiz said, "Then there's a motion and a second. Do we have any more clarity in what action or direction we need to take. If we go with the direction that is being proposed, or was being proposed by Councilor Bushee and is being proposed by Councilor Wurzbarger, then we would pass Resolution A, and then we would pass either B or C. Is that the action that staff is asking us to take. Or are we being asked to pass all three in unison to accomplish the goal that's been outlined. Or, can we just pass one Resolution and move forward."

Mr. Snyder said, "The request from staff was to bring back options. We brought back 3 options, A, B, C or 1, 2, 3, and we would request that one of those be selected and moved forward."

Chair Ortiz said then it's one or none, and Mr. Snyder said yes.

Chair Ortiz said, "If we say none, then this applicant isn't going to receive the special or preferential treatment and he's got to do what everyone else has got to do. He's a developer, for purposes of our ordinance, unless we amend the ordinance, as has been suggested, by going through an amended ordinance change in Chapter 25."

Councilor Bushee said, "Councilor Wurzbarger you don't want me to withdraw my motion. You want to continue to talk about it."

Chair Ortiz said, "Then what we have from staff now is a choice. They presented us with three different options. What are the wishes of the Committee."

Councilor Wurzbarger said, "It appears to me that 27(A), which is a Request for approval of a resolution amending the City's Administrative Procedures, accomplishes what we're talking about. First, we do 27(A) and then, if we do (A) and it actually says what we've been talking about, but is not talking about Luna Laundry, Luna Laundry can come back and apply under (A).

Councilor Bushee said then you're talking about a loan and not a "freebie."

Councilor Wurzbarger said she isn't changing anything. It is a loan.

Councilor Bushee said Councilor Wurzbarger just mentioned developers getting in line to avail themselves of this opportunity, and asked if we really want to go in this policy direction, or are we letting the "tail wag the dog here."

Councilor Wurzbarger said as long as the loan is tied to an economic development objective, whether it is housing, a laundry or something else, it would make sense to her. She said the criteria would have to be developed as to how we make decisions.

Councilor Bushee asked if we can run this through the Planning Division and the lawyers one more time, commenting she is concerned we might be doing something we will regret.

Councilor Dominguez said he understands the intent, and economic development is important. However, when we change policy or administrative procedures, it is different than having a debate on a natural ordinance. He is missing the public debate we usually have for these kinds of things. He said this is his problem, and you can "skin a cat so many ways."

COUNCILOR BUSHEE WITHDREW HER MOTION. Councilor Bushee said, "I'm going to withdraw my motion."

Chair Ortiz said there is now no motion and asked the pleasure of the Committee.

MOTION: Councilor Wurzbarger moved, seconded by Councilor Bushee, to direct staff to develop an ordinance change that does an analysis and provides the possibility of a loan option to the requirement which we currently have, which is only the purchasing of water rights, of bringing water rights to the table. So, whatever section that is, I would like to direct staff to come up with an option for us to consider."

DISCUSSION: Chair Ortiz asked if Councilor Wurzbarger if she would like to restate her motion to approve Item 27(A), with the recommendation in Item 27(A) that you also do an ordinance amendment so that you get both ends of it at one time, the administrative regulations.

Councilor Wurzbarger said she would like to give direction to staff, to do both an ordinance change and requisite administrative procedures, and not specific to any particular project.

Councilor Romero said when this was brought forward initially, it was only amending the procedures. She said the ordinance brings forward a "can of worms." The procedures aren't changing the policy, "what it is is the ordinance. We're looking to change how the ordinance is implemented through the procedures."

Responding to Councilor Romero, Councilor Wurzbarger said an inherent part of her motion picks up what Councilor Dominguez and Councilor Bushee were saying, with respect to the notion of revisiting the policy through an ordinance revision and related and appropriate administrative procedures.

Councilor Romero asked Mr. Snyder his thinking if we choose go to in this direction.

Mr. Snyder said his thinking is that it could address the needs of a larger group of developers.

Councilor Romero said, then by doing this, we're opening it to a larger group of developers, and not just narrowing it just to Luna Laundry.

Mr. Snyder said yes, because we are providing a different type of mechanism for bringing water rights or water to the City for development type purposes.

Councilor Romero said, "Then that does affirm it is opening a can of worms, rather than keeping it to the narrow... they've already used 3 afy, it's just transferring it. What's been recommended is opening it up to all development."

Councilor Wurzbarger said no.

Chair Ortiz said Councilor Romero is asking for policy advice from staff on something on which we're just given direction to staff, and we are proposing an ordinance. He thinks the "can of worms," was opened when this particular applicant who is a developer, requested a special permission which no one else had requested, and began the process. He said the question isn't whether an ordinance change opens "a can of worms," it goes to whether an ordinance amendment provides for a larger public discussion of the "can of worms" that already has been opened. He said this is his sense.

Councilor Romero said she wasn't looking for policy direction from staff. She said it sounds as if her fellow Councilors are talking about a developer of subdivisions, rather than a business that currently is doing business. She asked if "you are calling that business a developer."

Chair Ortiz said, "He is a developer if he's coming forward with an application for the use, and they're over the 3 afy limit. For the purposes of planning and water rights they are a developer. We're giving them an exception and they are a developer. They're trying to develop a business within the City limits that they have in the County, but they're a developer. They're just like any other applicant that comes through the process."

Councilor Romero said the business is being moved from Baca to Rufina, and they're still within the City.

Mr. Snyder said they are moving from Baca Lane which is in the County, to Rufina which is in the City.

Chair Ortiz said both proposed uses are currently on the City system, and Mr. Snyder said this is correct.

RESTATEMENT OF THE MOTION BY THE CHAIR WITH CONCURRENCE OF THE MAKER AND SECOND: Councilor Wurzbarger moved, seconded by Councilor Bushee, to approve Item 27(A), with direction to staff, that in addition to the Resolution, they are to do an analysis and develop amendments to Chapter 25 which addresses the direction implicitly given in Item 27(A) – an ordinance change which provides the possibility of a loan option of purchasing water rights, and prepare administrative procedures, both without respect to any specific project.

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

- 28. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING RESOLUTION NO. 2010-16 EXHIBIT A, GUIDELINES FOR THE CITY'S REBATE PROGRAM FOR THE INSTALLATION/ RETROFIT OF EFFICIENT WATER CONSERVATION TECHNOLOGIES (COUNCILOR CALVERT). (DAN RANSOM)**
- A. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING REQUIREMENTS FOR**

THE WATER CONSERVATION REBATE PROGRAM FOR HOMEOWNER ASSOCIATIONS AND CONDOMINIUM ASSOCIATIONS WITH WATER MASTER METERS (COUNCILOR ROMERO). (BRIAN SNYDER)

Committee Review: Public Utilities (approved) 9/1/10; Water Conservation (approved item 28; did not approve Item 28(A) 9/14/10; and City Council (scheduled) 9/29/10. Fiscal Impact – No.

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

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

29. **REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING THE CITY MANAGER TO LOCATE FUNDING IN THE AMOUNT OF \$40,000 FOR FUNDING THE SPANISH ROYALTY VISIT AND THE MEXICAN PRESIDENTIAL VISIT, EVENTS PLANNED BY SANTA FE 400TH ANNIVERSARY, INC. (COUNCILORS ORTIZ AND TRUJILLO). Committee Review: City Council (scheduled) 9/29/10. Fiscal Impact – Yes.**

Councilor Bushee asked where we are getting the money to pay for this, noting she understands he wants the visit in November.

Councilor Ortiz said he introduced this Resolution based on the representation by the Mayor that he met with the Governor and the State would pay half the cost. He asked if there is someone here from the 400th who can address this issue.

Leslie Lujan said she is a Board Member with the Santa Fe 400th, and she is the liaison to the Governor's Office. She just spoke to the Governor's office, and they did confirm that \$30,000 would be provided for the royal visit and \$10,000 for the visit of President Felipe Calderon under the auspices of the 400th celebration.

Councilor Bushee asked the source of funds to pay for these visits.

Councilor Ortiz said this is a Resolution directing staff to find these funds, noting he doesn't expect staff to do the work until we adopt the Resolution.

Mr. Romero said the other funds, \$200,000, came from the Lodger's Tax reserve, and he believes we can get these funds from that reserve as well.

MOTION: Councilor Bushee moved, seconded by Councilor Wurzbarger, to approve this request, upon written confirmation from the State that they will fund the visits, and with conditional approval, that the funds will be allocated and spent only if the visits are made and that the source of the City's share will come from the Lodger's Tax reserve.

DISCUSSION: Councilor Wurzbarger asked if this is tied to the El Hilo exhibit, or if this is another kind of visit. Responding to Councilor Bushee, Councilor Wurzbarger said this is the event in October when the archives are being released from Seville, Spain and people are coming from around the world. It was her understanding the visits would be in conjunction with that event.

Eric Lujan said they did try to select those dates for the visit by the Royal House from Spain. They do have the Ambassador from the General Consul in Houston and the Ambassadors from Spain to the United States coming for the El Hilo event. He said the Royal family and President of Mexico are scheduled to visit the documents at the Palace of the Governors and the other exhibits at the Folk Art Museum during their visit.

Mr. Lujan said we have been asked to create an itinerary for a visit by the Royal family for 3 days and the President of Mexico for one day only.

Mr. Lujan said the Governor has asked the President of Mexico to come on a specific date and that will be well after the statewide election. He reiterated that everyone worked to have the Royal family visit during the El Hilo exhibit, but it just wasn't possible due to scheduling conflicts.

Councilor Wurzbarger clarified that this isn't her event, and it is sponsored by the City in conjunction with the museum and the State of New Mexico, and lots of other people, noting many people have been working on all of this for several months to have the visit coincide with El Hilo documents.

Mr. Lujan said the Royal house mentioned to them that they would like to keep the two visits separate, and didn't want to detract from the El Hilo exhibit.

DIRECTION TO STAFF: Councilor Romero said there was a question from an audit finding, and she would like to give direction to staff to include how the City will comply with the audit findings in terms of contracts and to affirm that the 400th organization is following the contractual procedure as recommended by the audit..

CLARIFICATION OF THE MOTION BY THE CHAIR: Chair Ortiz said there is a motion to approve this request with two amendments and direction to staff.

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

END OF CONSENT CALENDAR DISCUSSION

DISCUSSION

**30. PUBLIC HEARING
UPDATE AND REQUEST FOR APPROVAL OF PLAZA ROUNDTABLE COMMITTEE
RECOMMENDATIONS. (SEVASTIAN GURULE)**

**Comments, Questions and Statements by the Committee
prior to the Public Hearing**

Chair Ortiz said these recommendations have received no recommendation either positive or negative from the Public Works Committee, and Mr. Gurule said this is correct.

Chair Ortiz said his sense is that we take no action at this Committee and we get a recommendation from Public Works. He said a number of these recommendations really come to public use and not to financial issues. He understands the recommendations are before this Committee because of an outcry by some of the members of the Roundtable to move this forward to Council.

Mr. Gurule said he understands that the Public Works Committee recommended that it move forward to the Finance Committee before going to the Governing Body.

Councilor Dominguez said there was some discussion at Public Works as to whether it followed the flow to go on to the Finance Committee, and it was decided that was at the discretion of the Finance Committee Chair, but it was not getting a recommendation from Public Works unless a member of the Governing Body introduced legislation addressing specific issues from the Roundtable recommendations.

Chair Ortiz said this is an item that is moving forward without a resolution or sponsorship by the Mayor and/or City Councilors.

Chair Ortiz said this item is listed as a public hearing and he can take comment this evening from the public.

Statement for the record by Councilor Ronald S. Trujillo: Councilor Trujillo said he came to this meeting to address some issues which arose, noting the Mayor and Council received a letter dated August 24, 2010, and Councilor Trujillo read that letter into the record as follows:

Dear Mayor Coss:

It came to our attention Monday night, during discussion of the recommendations of the Plaza Roundtable at the meeting of the Public Works Committee, that three of the Councilors voting – Chavez, Dominguez and Trujillo – have direct ties to organizations that financially benefit from the use of the grassy area at the Plaza. We would have liked a serious discussion on whether these Councilors should have recused themselves from voting because of this conflict of interest should take place. We believe that a determination should be made before a vote this next week in the Finance Committee as the same issues will arise.

Sincerely,

John Dressman and the Downtown Merchants Association

Councilor Trujillo said he is speaking only for himself. He said he has no ties whatsoever to any organization. He said at age 16 he was chosen to portray Don Diego de Vargas and that is the only time he has been associated with the Fiesta Council. He has never served as a member of the Fiesta Council. He disclosed that he is a member of Caballeros de Vargas which uses the stage during the Entrada. He said the Caballeros have never financially benefitted from Fiestas at all.

Councilor Trujillo said he responded to Mr. Dressman and the Merchants as well as to the newspapers, going down all of the listed items, and he has no conflict of interest in this matter. He said he will not be recusing himself from discussing or voting on this matter.

Councilor Dominguez said all City Councilors are honorary members of the Fiesta Council. He said he had the honor and privilege to portray Don Diego de Vargas in 2000. He said the Fiesta Council is the fundraising arm for Fiestas for the City of Santa Fe. He said he will not recuse himself from participating in any debate on any of these matters.

Councilor Romero said she didn't get a copy of the letter and is somewhat surprised it didn't go to everyone.

Public Hearing

Speaking to the Request

Chair Ortiz gave everyone 2½ minutes to speak to the issue

Herman Lovato, President of SF Fiesta, Inc., thanked the Governing Body, the administrative staff and countless City employees who helped to make Fiestas a success this year. He said each and every one of the members of the Governing Body are honorary members of the Fiesta Council, and it was a proclamation of September 16, 1692, which established Fiestas, based on a promise made by Don Diego de Vargas on September 14, 1692. He said the main interest of the Fiesta Council is ensuring that all of the events associated with Fiesta remain on the Plaza. He said people come to Santa Fe to participate in cultural tourism, not to shop. He said that can be anything from visiting the many art galleries, participating in the architecture, the food and the events such as Fiesta and other festivities. He said anywhere you travel in the world where the Spaniards were, there is a Plaza. He said Plaza is another term used to describe a City square, noting the word means field. He said all Spanish plazas have something in common – a cathedral, an administrative center which in Santa Fe it is the Palace of the Governors and a court of law. He said they are not sure what the roundtable has recommended, because it hasn't always been communicated to the Council. They want to be sure they can preserve the right of the Fiesta Council to continue to execute its events on the Plaza. There are four annual events each year sponsored by the Council – two pre-Fiesta shows, the Fine Arts & Crafts Market on Labor Day weekend and the Fiesta itself.

Mr. Lovato said for 299 years the Fiestas have occurred on the Plaza, noting the proclamation of 1712 is very specific and states that vespers, masses, and processions through the Main Plaza. The

proclamation states, "We oblige in the manner with which we are empowered all those who could succeed us in this illustrious City Council." So, the City Council of 1712 made a commitment on behalf of future City Councils, that Fiestas would remain on the Plaza and would be celebrated annually in September.

Jane Gabaldon said she is not a member of any organization and is here is a local citizen. She is here because our ancestors must be "turning in their graves." They built this Plaza for us to use locally, to congregate and enjoy, and Fiestas is a festivity we all enjoy, to come to the Plaza to see our friends we haven't seen all year long. She said it is a shame that anyone would put a stop to Fiestas.

Lorencita Ortiz Lujan, said she is a native Santa Fean, born and raised in Santa Fe. She said to learn that someone wants to take Fiestas away from the Plaza is defeating the purpose of having a Plaza, because that's where we all gather and have gathered for years. She said she was in the royal court in 1955. She does not appreciate the Roundtable trying to take our culture from us.

Deborah Sparks said she is a native of Santa Fe, and a member of the Fiesta Council. She is here tonight to express her concern with the Roundtable proposal. It concerns her that there is the possibility that they will be limited as to the activities they can have on the Plaza. She said the Fiesta Council worked very hard this year to bring the local community back to the Plaza for Fiestas. She said they received so many comments this year from the locals, thanking them for bringing Fiestas back to the people. She said they were enjoying Fiestas, spending money at the local food booths as well as in the shops downtown. She thanked Councilor Romero for responding earlier to her email. She said we do need to look at the protection of the grass and trees, but she is concerned about Councilor Calvert's comment about the stress this causes the downtown merchants. She asked about the stress to local vendors who will lose income, commenting if they lose their income, they won't pay their bills which will impact the total economy year-round and not just during Fiestas and other large events.

Albert "Gabby" Montoya, said he is a past President of the Fiesta Council. He said it was the forefathers of some of the Councilors who wrote and passed the proclamation to hold Fiestas on Plaza. He thanked the Governing Body for all of their help to the Fiesta Council. He said as previously stated, all of the members of the Governing Body are honorary members of the Fiesta Council. He said the Roundtable is a good idea, but the makeup of the membership is pro-merchant, and very few representatives from other organizations.

Kevin Romero, member of the Fiesta Council and Caballeros de Vargas. Mr. Romero said he read the comment in The New Mexican regarding the item suggesting that certain City Councilors recuse themselves in this matter. He said, as a citizen, he finds that offensive because to imply that our City Councilors can't be objective simply because they are honorary members of the Council, or implying that they get a direct benefit, without getting the known facts is incorrect. He knows several City Councilors very well and find them to be upstanding and fine. He said, with regard to some of the recommendations from the Roundtable, he believes the common sense approach wasn't taken with regard to the total fees for the event. He said the Roundtable might be misunderstanding how much money is made by the organizations to cover expenses. He said to limit the Council to only one event on the Plaza is something

that has never happened. He said we have held Fiestas for 298 years. He said the merchants need to be aware that these things happen at the same time each year and should work with the community, not ask the community to work with them.

Corrine Lovato said she has resided in Santa Fe for 35 years, and has been on the Plaza daily because this is the place where, at one time, Santa Feans used to hang-out in large numbers, commenting you don't see that much any more. She always enjoys the activities on the Plaza, and believe this is what makes Santa Fe a City Different. She said all of us are connected in some way, noting she is a native New Mexican. She said to change the Fiestas so only one event could occur on the Plaza is a disservice to all the people who work so faithfully to keep Santa Fe the community it is. She asked the Committee not to allow the Roundtable to limit Fiestas to one event on the Plaza.

Marilyn Bayne said there has been a great deal of misunderstanding about what is actually in the recommendations made by the Roundtable. She said some of it is confusing, noting she was confused about the use of the grass on the plaza. She said the recommendation was that the grass should be for the people, which is an acknowledgment of the importance of being able to sit on the grass, eat a fajita, relax, play frisbee or whatever. She is concerned if there was a misinterpretation of that, and if she is incorrect, she would like the Roundtable to correct her. There was a concern about the use of heavy trunks that sit on the grass for a long time which kills the grass and the roots of the trees which is something for concern. She said the 2006 Santa Fe Cultural Landscape Report is something everyone should read. She said the Report was agreed upon by the Federal Government through its Department of the Interior and the National Parks Services. It was agreed to by the State, through its Historic Preservation Division and by our own Historic Design Review Board. It was approved unanimously by our own City Council in 2006. She said many of the things discussed arose in this Landscape Report, noting it is a guide to help us for just such situations as this one. It reinforces the need for the Plaza to remain a gathering place. Ms. Bayne said we need to remember this is an historic landmark and on the National Registry of Historic Places, which means there are certain things we can and cannot do. She saw nothing in the recommendations which goes against this, and believes the Committee needs clarity. She suggested that the Committee and the public go to the Roundtable and ask them to clarify certain portions of its recommendations. She asked the Council not to vote this evening. She asked people to read pages 57-81 in the Cultural Landscape Report which should reassure everyone.

Rick Martinez disclosed that he is a member of the Roundtable. He said the Roundtable had a hard time on what events go on the Plaza, but at no point did the Roundtable think about getting rid of events. He said there were recommendations to move events to the Railyard which the Roundtable refused, because it couldn't handle the event. He said the problem they had were the arts and crafts fairs on the Plaza – Challenge New Mexico, Girls, Inc., and the Fiestas Arts & Crafts Fair. He said they have a definition distinguishing between traditional and non-traditional events on the Plaza, noting the traditional events are Indian Market, Spanish Market and Fiestas. He said the problem was how to limit the use of the grass and such on the Plaza. He said Spanish Market wants to keep their events on the Plaza so their children could play on the grass and they could watch over them, and they are happy with that. He said the Roundtable wants to assure care for the grass and nobody is being kicked off the Plaza, and Fiestas will stay on the Plaza. He said they want to figure-out a way to spread the arts and crafts booths around the Plaza. They want to keep the booths off the grass on the Plaza. He said the traditional events need to

stay on the Plaza. He said Girls, Inc., has agreed to stay off the grass, as well as the Fiesta Council and Indian Market said it might stay off the grass.

Mary Chavez, member of the Plaza Roundtable, said she wants to reiterate that some of their recommendations may have been misread. She said the Roundtable spent 1½ years in numerous meetings and open meetings with the event coordinators talking about what we really wanted to accomplish. She said the Roundtable wants to keep the booths off the grass, although they can remain around the Plaza area and streets, while keeping the grass for the use of the public during Fiestas. She said there was a bit of misconception of how it was read. She said they don't want to eliminate these events. Ms. Chavez said her family is 14th generation in Santa Fe, so it is important to her that Fiestas, the Indian Market and Spanish Market remain. They are wanting to preserve the grass so people can enjoy it.

Tony Lopez, 14th generation Santa Fean. He said the Roundtable has done an excellent job and should be applauded. He is an alternate member to the Roundtable. He said the hub of our beautiful City is the Plaza and it belongs to everyone who lives here and who comes here. He believes we should take great pride in our Plaza. He thanked Ms. Bayne for her comments about the Plaza being on the National Register and for how it should be used. He understands, as an alternate member of the Roundtable that there are no commendations to limit use, because he would have "fought" any such proposal. He thanked and applauded the Mayor and Councilors for what they do on behalf of the citizens..

Victor Romero said his family has been in Santa Fe for generations, and his plea is to say how important it is to continue fiestas on the Plaza for future generations. He said he doesn't want us to "drop the ball" and let that happen. It is important to him and the rest of Santa Fe to keep Fiestas on the Plaza.

The Public Hearing was Closed

Chair Ortiz said, There are Plaza Roundtable Recommendations ["Recommendations"] which, if read broadly, could be construed to mean that there is some limitation on events that have been happening over time. I do take exception that the Roundtable itself did not make any other recommendations except for keeping the grass healthy and clean. I've got over 12 recommendations. Some of them have to do with small events becoming large. I have items that talk about a juried process for certain items for all uses on the Plaza. So, there is more to the recommendations than just what has been represented as, 'All we were concerned about is making sure the grass is taken care of.' That's clearly not the case from what we see on the first page. And I will also state that some of these recommendations as they come up, there specifically is pointed out that if there are Councilors who want to make these changes, we could propose ordinances and go through a public process that would spell out the policy implications of some of these recommendations."

Chair Ortiz continued, "I am still puzzled as to why these recommendations from this particular Roundtable got the attention and the ability to move forward, really, absent a resolution or ordinance."

Councilor Bushee said, "They haven't. They're here."

Chair Ortiz said, "We don't have to take this to Council, right. This is just information for the community and then Councilors can take some of these, or all of these and say, yes, I'm going to sponsor an Ordinance that puts in place item 4(b), or yes, I'm going to float a resolution that talks about item 8. Right."

Mr. Gurule said the Resolution does state that the Roundtable will make recommendations to the Governing Body for possible consideration, regarding the care and use of the Plaza.

Chair Ortiz said, "The manner in which those recommendations are carried forward and the manner in which we put those into action still has to be through a City process, a resolution or through an ordinance process. We couldn't say, as a committee, that we move in favor of item 3, and then adopt that and it becomes City policy. We still have to have action, because there's an action column on this, and most of these require Code amendments."

Mr. Gurule said this is correct. He said it was suggested to staff to bring these forward at the Committee level so that we can have an opportunity to review them, discuss them, provide staff with additional information and finalize them before they go to the Governing Body.

Councilor Wurzbarger said she had expected a presentation with a rationale for each of the "mini items," and public comment on not just one or two. She would like a process where the Committee gives a report with an explanation where there is lack of clarity, and the reason they made that recommendation. She said she can't go forward with a resolution or an ordinance until she has a better understanding of the recommendations. She would like to propose that it go back to Public Works to have that detailed review of the recommendations, and then public input on more than 1 or 2 of the recommendations.

Mr. Gurule said a presentation was made to the Public Works Committee from a member of the Plaza Roundtable which described, in detail, its methodology in making these recommendations.

Councilor Romero, a member of the Public Works Committee, said she wants to reaffirm that there was a presentation at the Public Works Committee. She said, "We did hear the different ideas. The step that was missing was, I think, Councilor Calvert put forward, looking at the report that was presented, he pulled out of it that there was actual recommendations that could go to ordinance development. There was some recommendations that were commentary, and there were some that couldn't even be done. Like there was the recommendation to use the Railyard in a particular way. So, there was a step that could be done at Public Works to take this report to another level. Suggestion to even reconvene the task force or the Roundtable. But I will say that didn't get any traction at Public Works, because we've asked volunteers to give 1½ years of their time, so to reconvene that task force wasn't a part of the discussion, but it seems Councilor Wurzbarger may be leaning toward another cutting of the recommendations to put them categories. And Sev, thank you, because I think you followed the recommendation which was putting this into this matrix. But, just to answer Councilor Wurzbarger's point of view, there was the presentation, there was that cut, but there was one more cut that needed to be made so it actually made a little more sense, so we could say these are the resolution or ordinance changes... but you've got that in here. But that next

level of discussion... Public Works.. we sent it on, maybe prematurely, and maybe we could take it back. But, I just wanted you to know, Councilor Wurzburger that there was a lot of discussion on the report at Public Works."

Chair Ortiz asked Councilor Dominguez if he would take this back at Public Works, noting he heard this as Councilor Wurzburger's recommendation.

Councilor Dominguez said he is somewhat reluctant to do so, only because there are a broad range of issues which touch a number of things which need to be addressed. He said the suggestion at Public Works was if any Councilor wants to make a code amendment which didn't have much of an impact, they could bring it forward via a Code amendment or resolution to the Governing Body. He said he is reluctant to take it back because the discussion could last a long, long, long time, and the Plaza Roundtable is ready for reappointment or even dissolution.

Councilor Wurzburger said that puts the burden on those of us who aren't on Public Works, who are on the Finance Committee. She couldn't go forward and say she supports any of the recommendations, commenting that the idea of limiting Plaza events to one per group, won't go anywhere. However, there is a lot more in the recommendations. However, the recommendations do give us the basis for engaging a larger number of people and how we want to use the Plaza.

Councilor Bushee questioned whether the chart is accurate, and said she is becoming less and less a fan of task forces. She said if the charge isn't clearly focused, we don't use the information in a constructive way. She suggested that some of the things in the matrix are contradictory. She is hearing they wanted to talk mostly about the grass and the trees. However, #3 of the recommendation says some of the events are reluctant to use streets off the Plaza. She said if the point was to save the trees and grass, we need to know, for example, if Indian Market can be accommodated without using the grass. She said Fiestas were great this year, because everything left the grass open for the people to use and it was really nice. She said this is a great aim, but questions whether it can be achieved for every event.

Councilor Bushee said there are a few things in the Recommendations that aren't possible, such as sending events to the Railyard for fee-free events, because the Railyard Corp., will insist on payment. She doesn't know that item 4(c) is feasible – that all events should bear all their costs. She pointed out that there are many Resolutions for individual events. The City uses its discretion with the larger events with regard to who pays and how often. She is concerned about sending this back to Public Works. She said Councilors can choose those, if any, they would like to pursue. She said if the goal is to protect the grass and trees, it sound like that aim is already achieved, based on the commentary this evening. She is unsure Indian Market can avoid using the Plaza. She said she knows this doesn't make the downtown merchants happy. However, people who want to move the three big events probably shouldn't be in business on the Plaza. She said the 3 big events bring a lot of money to the City. She is unsure what will come from this. She doesn't want the Roundtable to feel its work was for naught. She is happy to sponsor legislation, for example, to get more toilets in the Plaza area if somebody will tell her how we can do that.

Councilor Bushee said if we are keeping off the grass and protecting the trees to the best of our ability, she believes the Roundtable has achieved the mission given to them. She sees nothing else which would generate another ordinance or resolution.

Councilor Romero reiterated that these are not fully vetted recommendations, and need to be redone. She believes our choices are to thank the Roundtable for its hard work and time on this effort. If we want them to do more, we need to thank them and reconvene them to another Roundtable which she doesn't believe has traction. Another choice would be for staff to take the recommendations from Finance and bring back another set of fully refined recommendations. Or, Public Works can create a task force to work with staff to further refine these recommendations, and bring those back to the Finance Committee. She said as it stands now, we can't move forward with any of them. She believes if these are "honed down and fully vetted," we might have something on which this Committee could act. She said this is a great first cut, but it needs to be refined so the actions which need to be taken are clear.

Mr. Gurule said the enabling Resolution provides that the Roundtable recommendations will come before the Governing Body for implementation in 2011. He said one of the discussions at Public Works was that any legislation which would impact any of the major events would have to be adopted quickly so the organizations can prepare for the changes, and send the recommendations to the artisans which participate in their events.

Councilor Dominguez agreed with Councilor Romero that it is important to thank the Roundtable for the work they have done, because they spent a lot of time going to the Plaza, visiting some of the shows, how things operate as well as having some lively discussions. His concerns about the recommendations were the fiscal impacts to the City and the impact of limiting them to set-up booths and such off the grass.

Councilor Dominguez said his concern about re-creating the task force or forming a subcommittee is that if you read between the lines, it wasn't just about saving grass. If that was the case, then it would have been a much more narrow set of recommendations. He said the Plaza merchants continue to use that as a reason for the debate about how the events were impacting their businesses, hence the recommendation that some of the sales of goods be juried and such. He said it really wasn't about the grass, it was just an excuse to limit the potential impact these events were having on the business. He would support a Councilor presenting specific recommendations and having a debate about that. However, he can't support the recommendations as presented this evening.

Chair Ortiz said Recommendation 6(c), provides, "... everyone deeply dislikes the use of chains or ropes to close portions of the plaza, their use should be minimized and made aesthetically one with the design of the Plaza." So, if the concern is with the grass and caring for the grass, this recommendation from the Roundtable seems to be inconsistent. He said the process the City has for rehabilitating the grass is to limit access to the grass.

Chair Ortiz said he finds some of the recommendations are non-starters because we're already rehashed them. For example, the idea of the electric box on the northeast corner at the proposed cost of \$750,000 to move it – we've given our recommendation on this and this recommendation should be removed.

Chair Ortiz said the City continues to try to provide rest rooms within walking distance of the Plaza, but we have been unable to find the space and allocation. He said we all agree this needs to be done, but we fail to find where these should be, or how to fit them into existing City Services. He said the Library and parking structure come to his mind, both of which are within a block of the Plaza. He asked if we have done any plans along these lines. He said this was discussed when we were developing the Convention Center and parking, and the "convention center raised hackles about having public access for the Civic Center."

Chair Ortiz said his sense is that there is an unanimous consensus among the Committee that the Roundtable fulfilled its charge and it was done according to the direction given; and on the implementation/recommendation side that Councilors need to bring forward some of these Code amendments to be acted upon in the usual manner. He said how that is done, and who gets that done, is up to the individual Councilors.

Chair Ortiz said his advice to parties interested in this matter is to watch for introductions of resolutions or ordinances to address some of the 16 recommendations, and subsequent committee hearings and action. He suggested staff provide copies of the two page matrix of recommendations.

No action was taken regarding this agenda item.

31. REQUEST FOR APPROVAL OF CONSIDERATION TO FILL VACANT POSITIONS. (ROBERT ROMERO)

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

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

32. UPDATE ON 2010 SUMMER YOUTH PROGRAM AND REQUEST FOR APPROVAL OF PROPOSED SLIDING FEE SALE FOR SUMMER 2-011. (EDITH MARTINEZ). (Postponed at Finance Committee meeting of August 30, 2010.

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

DISCUSSION: Councilor Bushee wants to see us move more toward sustainability, noting it will be heavily subsidized. She wants to see a trend in moving toward activities which promote healthy lifestyles, and would like more of the field trips to be in Santa Fe. She hopes the sliding fee gets us closer to helping to defray the costs. She wants staff to continue to analyze the percentage of the participants who live within

the City limits, and the percentage living outside the City limits. She said we want to be sure we have options in the event that the financial situation is the same as last year.

Councilor Dominguez said there is an increase in projected revenues for the next 4-5 years, which is part of what we were trying to accomplish. He asked if there is any way to ensure that the increase in fees is earmarked for the Summer Youth Program so we can enhance this already great program.

Chair Ortiz said all of the fees collected should go to the cost of the program.

FRIENDLY AMENDMENT: Councilor Dominguez said he would like the increase in fees to be used, where possible, to create new or additional programs, so there is a funding mechanism to do this. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER COUNCILORS.**

Councilor Romero asked how the residence of participants is identified and how the income is identified.

Mr. Pino said it is all verified at registration, noting the free lunch program is also a reference to verify income, because that is how the address is verified.

Councilor Wurzbarger said this is of concern to her, noting we shouldn't just go by the address, but we should also consider if the parents work for the City. She said one policy question would counter the other for her – we should be supporting the people who work for the City of Santa Fe who can't afford to live here.

Chair Ortiz asked Councilor Wurzbarger if her direction to staff is to develop criteria that provide an incentive to employees whose children are in the Summer Recreation Program, whether or not they live in the City.

Councilor Wurzbarger said she was speaking to Councilor Romero's observation about data collection. She said if we're collecting information on addresses, then we also need to collect information on where their parents work, and these two pieces of information need to be evaluated together.

Chair Ortiz said his sense is that if we can build-in a program within the module on healthy lifestyles or physical fitness, we can collect that information which should put us in a position to apply for grants at the federal level through a public/private partnership.

Mr. Pino said the City did participate in that, and by rotating all of the increased funds directly back into the program, the staff will be able to program more of this into the daily activities which has the net effect of keeping the kids in Santa Fe more often and involved in outdoor activities.

Councilor Romero said we have a Healthy Lifestyles Task Force that will be reporting soon, and that could help with grants. She also introduced a Resolution on No Child Left Inside, to get more kids outside to create healthy lifestyles, and there may be grants related to that initiative.

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

33. REQUEST FOR APPROVAL OF THE REALLOCATION OF EXISTING CIP FUNDS AND RELATED BUDGET TRANSFERS. (ISAAC PINO)

Isaac Pino presented information regarding this matter from the spreadsheet in the Committee packet, noting this is an attempt to move balances where needed.

Chair Ortiz asked what the \$500,000 for the GCC is to do.

Mr. Pino said it is for additional roof repair.

Chair Ortiz said he thought when we approved the installation of the two de-humidifiers last year that we covered that in the amount of \$375,000, noting that was an emergency procurement. He asked what is this additional repair.

Mr. Pino said it is for additional roof repair, separating the warm air from the cool air, which causes vapor.

Chair Ortiz said he thought this was done previously,

Mr. Pino said this is work in addition to work that was done before, commenting they could use even more money, but this probably will get us where we need to be, at least temporarily.

Chair Ortiz asked if we need to have a discussion item on what still needs to be done on the GCCC, and Mr. Pino said he would be happy to get that information.

Councilor Wurzbarger said she prefers not to get this kind of information incrementally, and would like a presentation in terms of the total scope of the problem and what is being recommended.

Chair Ortiz asked staff to give a ranking on this list in terms of the immediacy of the need as well as the priority, both as to stripping balances in the first column and the proposed balances in the second column in terms of a timeline. He said he hopes some of these allocations haven't already been done, or expenditures made based on the assumption that this will be approved.

Councilor Bushee said there are a few which can be done right away, such as Paseo de Vistas.

Mr. Pino said such things as the ongoing City facility improvements, any of the ongoing things with respects to Parks, or Parks and Median Maintenance and such need to keep moving forward, noting these are the big amounts which have taken the "lion's share" of the recommended allocation, two of which are the Municipal Facility Repair and Parks & Median Maintenance.

Councilor Bushee said she thought we could take some of the Parks Bond funds to improve, i.e. maintain, to address the shortfall in Median Maintenance. She understood a lot of the Median Maintenance was to be done under the Median Adoption program. She said every year we have issues with funds for Parks and Median Maintenance. She said Fabian Chavez said a lot of what he does is for prairie dog relocation. She said we can't continue "robbing Peter to pay Paul," especially if the costs just continue to increase.

Councilor Bushee asked if Councilors in the district are willing to completely strip funding for the Tino Griego Teen Center.

Councilor Ortiz said he might be willing to do that if there are funds for paving rehabilitation.

Councilor Bushee said the Teen Center was designed and we promised the teens we would build it, and that was to save funds on transporting teens.

Chair Ortiz said if we are going to have an allocation in the next CIP bond, we could see some of these things have a chance for completion. It is a matter of deciding whether this immediate list fits in those larger goals.

Councilor Bushee asked if we want to wait on this, because at this point, we don't know if we will have a CIP bond.

Chair Ortiz said that was what he was saying to Mr. Pino – does this Committee want another vetting from staff on the immediacy and priority of things on this list, and what we can or cannot give up.

Councilor Bushee doesn't want to see the Dog Park stripped, noting they always need something there.

Chair Ortiz asked what is the Barrio de la Canada entranceway project.

Councilor Bushee said they got money from the State.

Chair Ortiz said we need to have a larger discussion on any of these items on the list.

Councilor Wurzbarger respectfully requested that staff reformat this list in the direction suggested by Councilor Ortiz, and bring it back to the next meeting, unless there is something which can't wait for two weeks.

Councilor Bushee wants more information on the big ticket items.

Mr. Pino said staff can provide the back story on all of the proposed shifts in the next two weeks. He said staff is still evaluating what the size of the CIP bond might be. He said we know, for example, that the Tino Griego Teen center is going to cost more than \$4 million to build, and that could be half of the entire bond issue.

Chair Ortiz said the background becomes more clear in the discussion of the amount of the CIP bond issue.

Councilor Wurzbarger asked when we will be hearing information on the proposed CIP bond.

Councilor Dominguez said that will be sometime in October or November.

Ms. Raveling said it will depend on our revenues, and right now the GRT is flat. She said another alternative is to find another funding source for some of the things we're funding from the ½% CIP/GRT fund, otherwise, there are no funds.

Councilor Dominguez said the idea is that we would have a more clear idea of the revenue by November.

Councilor Romero likes the idea of staff listing projects by immediacy and priority. She would add another criteria which is the possibility of future funding for a project. She indicated Senator Wirth had indicated he is looking for an appropriation for the City on some of the items.

Mr. Pino said the one thing that has immediacy is the GCCC roof, because this needs to be done while we have good weather.

There was no action on this item, and the Committee gave direction to staff to bring this back to the next meeting along with the answers to their questions.

34. REQUEST FOR APPROVAL OF LEASE AGREEMENT – PROPERTY ADJACENT TO GENOVEVA CHAVEZ COMMUNITY CENTER; YOUTHWORKS, INC. (KATE NOBLE)

A copy of an email dated September 16, 2010, from Superintendent Bobbie Gutierrez to Kate Noble, regarding the Schools commitment to help Youthworks to relocate its current classrooms and office space, indicating SFPS will donate the portable classrooms to YouthWorks and have the portables moved to the Genoveva Chavez property, indicating the Board of Education supports this effort. A copy of the email is incorporated herewith to these minutes as Exhibit "2."

A map of YouthWorks Community Projects, May 2009 through September 2010, is incorporated herewith to these minutes as Exhibit "3."

Chair Ortiz said this was brought up at City Council, and was sent back through the Committee process. He said, because this is in his District, he asked for particular information to be provided by YouthWorks as follows: (1) The projects they have been doing and where they are located; and (2) What, if any, consideration will be given to shielding if they are going to be placing heavy equipment. He said today an issue arose with regard to the quality of work or workmanship done by YouthWorks at the San Miguel Mission.

Ms. Noble said YouthWorks has prepared a map of the projects completed in the past 16 months [Exhibit "3"].

Chair Ortiz asked, with regard to shielding, what kinds of heavy equipment they will be putting on the site, which would determine the shielding.

Ms. Noble said no heavy equipment is planned, it is mostly the portables which are the issue. She said a Youth Conservation grant application has been submitted by YouthWorks and there should be an answer by the end of November. She said there is \$70,000 for maintenance and beautification of the property in the grant, so some of that would go for vegetation to shield the portables.

Melynn Schuyler, Director, YouthWorks, said the only heavy equipment they would need would be just clearing the property sufficient to move in the portables. She said it is hoped to design it in a campus situation, so a lot of the activity will happen internally and not exposed to the road, and the young people won't be on the roadside.

Responding to the Chair, Ms. Noble said there will be 8 portables, noting these are different portables from Pinon Elementary Schools, which have been surplus by the schools, so they will be donating the portables from YouthWorks. These are some of the newest portables the School has and in the best condition. She noted an email from Superintendent Gutierrez has been handed out [Exhibit "2"].

Councilor Romero said property they were using in La Madeira had portables, and asked if there were others.

Ms. Schuyler said there was nothing else there and they brought in a bathroom portable, and they worked out of that property with no water or rest rooms for 1½ years, with upwards of 70 kids per day. She said that is a much smaller piece of property abutting the School campus next to residential on a very busy corner, and they worked very hard to accommodate the neighborhood to improve the property. She said the young people dug and placed all of the irrigation by hand. She said they are operating a job-training program, so every piece of work they can do in executing that program is what they "shoot for."

Councilor Romero asked if there were any complaints from the neighbors of the La Madeira property.

Ms. Schuyler said when they first moved in they didn't put up a sign fast enough on the corner. She said people didn't know who they were, so they canvassed the neighborhood with flyers about what they were doing. She said they really garnered support, and the neighbors would stop by and help with the garden. The priest across the street lent them classrooms when there were too many to fit in the portables. It is a cooperative operation, but it takes outreach to let the neighbors know they are there to assist and be a part of the neighborhood.

Councilor Romero asked the difference in size between the old and new facility.

Ms. Schuyler said they were on ½ acre at La Madeira and the new property is 1½ acres, although some of it is off site parking for the GCCC which they won't be inhabiting after 4:00 p.m.

Councilor Bushee quoted from paragraph 4 on page 1 of the Memorandum, "In lieu of rent, Youthworks, Inc., will provide services to the City." She said the memorandum indicates some of the services will be on GCCC property cutting weeds, picking up trash, graffiti removal, trail maintenance and such.

Responding to Councilor Bushee, Ms. Noble said there are two contracts with Youthworks, the Economic Development contract up to \$160,000 and the River Restoration Project at \$100,000.

Councilor Bushee said she would like financial accountability in terms of who does what, who they report to, how the work is verified, and such.

Ms. Noble said the in-kind services are detailed in Exhibit B to the Lease, noting there are two sections, the first about the general economic development and workforce services near the bottom of the page.

Councilor Bushee asked who pays for the tenant improvements mentioned in B on page 2, because it's not clear.

Ms. Noble said that is all done by YouthWorks.

Councilor Bushee asked if this comes off in rent credit.

Ms. Noble said all of the services are added up to be rent credit, and what is detailed in Exhibit B totals about \$141,000 annually, and the tenant improvements are included in that, noting \$38,000 is the amount for tenant improvements.

Councilor Bushee would like that to be categorized separately, and Ms. Noble said she will do so.

Responding to Councilor Bushee, Ms. Noble said the amount of the services is calculated in terms of what YouthWorks planned to do to the property and what it does for community in general. The value of the land of \$21,000 was derived from comparable real estate in the area and the cost of a land lease. She said the \$141,000 is set out in Exhibit B beginning at the bottom of the page.

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

FRIENDLY AMENDMENT: Chair Ortiz asked to amend the motion to provide that as a part of the lease, YouthWorks will meet with the neighborhood, agree to listen to their concerns and address whatever additional work needs to be done, and asked Ms. Schuyler if they would agree, and Ms. Schuyler said absolutely. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND AND THERE WERE NO OBJECTIONS BY THE OTHER COMMITTEE MEMBERS.**

Councilor Dominguez would like a list of the specific tenant improvements, and that the City do more to provide what we can.

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

35. OTHER FINANCIAL INFORMATION:

A. UPDATE ON GROSS RECEIPTS TAX RECEIVED IN SEPTEMBER 2010 (FOR JULY 2010 ACTIVITY) AND LODGERS' TAX RECEIVED IN AUGUST 2010 (FOR JULY 2010 ACTIVITY). (KATHRYN RAVELING)

Chair Ortiz said then the GRTs are still flat and trending low, and Ms. Raveling said the news could be better, but it could be worse, noting there is a one month lag in Lodger's Tax and a two month lag in GRTs.

B. UPDATE AND CLARIFICATION ON AUDIT FINDINGS. (KATHRYN RAVELING)

36. MATTERS FROM THE COMMITTEE

Chair Ortiz said Mr. Pino said the Committee will be seeing a proposed lease on Alvord in two weeks.

Chair Ortiz said, regarding the Audit finding, it is a minor finding, and really just a notation. He said as it relates to contractual services, it should apply to all contracts which the City has with non-profits, and they should be held to some procurement standard. He said if it is applicable to the 400th Anniversary group, it seems to him it could apply to all non-profits receiving funds from the City – in terms of procurement practices and such. He said this is worth discussion as we move forward.

Chair Ortiz asked the status of the budget process.

Ms. Raveling said they are very close to closing out the last fiscal year, which is a very complicated process, and she apologizes that isn't quite timely. She would prefer to report on the status of the budget process at the 2nd meeting in October if at all possible.

Chair Ortiz said then there will be a report on October 18, 2010, at which time we will have the August GRTs from the State.

Councilor Romero said Mr. Rodarte indicated at a previous meeting he would be presenting items regarding procurement, and asked the status.

Mr. Rodarte said he will have items for presentation at the next meeting.

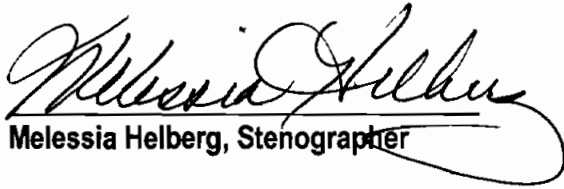
37. ADJOURNMENT

There was no further business to come before the Committee, and the meeting was adjourned at approximately 8:00 p.m..

Matthew E. Ortiz, Chair

Reviewed by:

**Kathryn L. Raveling, Acting Director
Department of Finance**



Melessia Helberg, Stenographer