



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
AUGUST 1, 2011 – 5:00 PM

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

JULY 18, 2011

CITY CLERK'S OFFICE

DATE 7/29/11 TIME 11:30 am

SERVED BY Yolanda Green

RECEIVED BY Tina Domenech

## CONSENT AGENDA

6. REQUEST FOR APPROVAL OF MAINTENANCE AGREEMENT – MAINTENANCE AND REVIEW SERVICES AT SANTA FE COMMUNITY CONVENTION CENTER; YEAROUT SERVICE, LLC (DARLENE GRIEGO)
  - A. REQUEST FOR APPROVAL OF BUDGET ADJUSTMENTS – CONVENTION CENTER FUND
7. REQUEST FOR APPROVAL OF FIRST AMENDMENT TO TITLE 1 SCENIC PROGRAM GRANT AGREEMENT TO EXTEND TERM – DEVELOPMENT OF EL CAMINO REAL NATIONAL SCENIC BYWAY TRAIL; NEW MEXICO DEPARTMENT OF TRANSPORTATION; NEW MEXICO TOURISM DEPARTMENT (BRIAN DRYPOLCHER)
8. REQUEST FOR CONCEPT APPROVAL OF LEASE AGREEMENT – BURRO ALLEY RIGHT-OF-WAY FOR OUTDOOR SEATING APPURTENANT TO BURRO ALLEY CAFÉ AT 207 W. SAN FRANCISCO STREET; MAJED HAMDOUNI (EDWARD VIGIL)
9. REQUEST FOR APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT – FY 2011/2012 CDBG ALLOCATION; UNITED SOUTH BROADWAY CORPORATION (KYM DICOME)
10. REQUEST FOR APPROVAL OF A RESOLUTION REQUESTED THAT THE NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT), IN THE INTEREST OF PUBLIC SAFETY, EXPEDITE THE NM 599/CR 62 INTERCHANGE PROJECT (COUNCILOR CHAVEZ) (KEITH WILSON)



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
AUGUST 1, 2011 – 5:00 PM

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**Committee Review:**

Public Works (no quorum)  
City Council (scheduled)

07/25/11  
08/10/11

Fiscal Impact – No

***END OF CONSENT AGENDA***

**DISCUSSION**

11. REQUEST FOR APPROVAL OF CONSIDERATION TO FILL VACANT POSITIONS (ROBERT ROMERO)
12. REQUEST FOR APPROVAL TO PROCEED WITH DRAFTING A RESOLUTION TO FORMALIZE CASH POLICIES FOR VARIOUS FUNDS (KATHRYN RAVELING) (Postponed at Finance Committee meeting of July 5, 2011)
13. OTHER FINANCIAL INFORMATION
14. MATTERS FROM THE COMMITTEE
15. ADJOURN

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

SUMMARY OF ACTION  
FINANCE COMMITTEE MEETING  
Monday, August 1, 2011

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved	2
APPROVAL OF CONSENT AGENDA	Approved [amended]	2
CONSENT AGENDA LISTING		2
APPROVAL OF MINUTES: JULY 18, 2011	Approved	3
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF MAINTENANCE AGREEMENT – MAINTENANCE AND REVIEW SERVICES AT SANTA FE COMMUNITY CONVENTION CENTER; YEAROUT SERVICE, LLC.	Approved	3-4
REQUEST FOR APPROVAL OF BUDGET ADJUSTMENTS – CONVENTION CENTER FUND	Approved	3-4
REQUEST FOR APPROVAL OF FIRST AMENDMENT TO TITLE 1 SCENIC PROGRAM GRANT AGREEMENT TO EXTEND TERM – DEVELOPMENT OF EL CAMINO REAL NATIONAL SCENIC BYWAY TRAIL; NEW MEXICO DEPARTMENT OF TRANSPORTATION; NEW MEXICO TOURISM DEPARTMENT	Approved w/condition	4
REQUEST FOR APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT – FY 2011/2012 CDBG ALLOCATION; UNITED SOUTH BROADWAY CORPORATION	Approved w/conditions	5-7
*****		
END OF CONSENT CALENDAR DISCUSSION		
*****		

<b><u>ITEM</u></b>	<b><u>ACTION</u></b>	<b><u>PAGE</u></b>
<b><u>DISCUSSION</u></b>		
REQUEST FOR APPROVAL OF CONSIDERATION TO FILL VACANT POSITIONS	Approved	7-8
REQUEST FOR APPROVAL TO PROCEED WITH DRAFTING A RESOLUTION TO FORMALIZE CASH POLICIES FOR VARIOUS FUNDS	Approved	8
OTHER FINANCIAL INFORMATION	None	8
MATTERS FROM THE COMMITTEE	None	8
ADJOURN		9

**MINUTES OF THE  
CITY OF SANTA FE  
FINANCE COMMITTEE**  
Monday, August 1, 2011

**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, August 1, 2011, 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

**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**

**MOTION:** Councilor Wurzbarger moved, seconded by Councilor Romero, to approve the agenda, as amended.

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

**4. APPROVAL OF CONSENT AGENDA**

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

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

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**CONSENT AGENDA**

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6. *[Removed for discussion by Councilor Bushee]*
7. *[Removed for discussion by Councilor Bushee]*
8. **REQUEST FOR CONCEPT APPROVAL OF LEASE AGREEMENT – BURRO ALLEY RIGHT-OF-WAY FOR OUTDOOR SEATING APPURTENANT TO BURRO ALLEY CAFÉ AT 207 W. SAN FRANCISCO STREET; MAJED HAMDOUNI. (EDWARD VIGIL)**
9. *[Removed for discussion by Councilor Bushee]*
10. **REQUEST FOR APPROVAL OF A RESOLUTION REQUESTING THAT THE NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT), IN THE INTEREST OF PUBLIC SAFETY, EXPEDITE THE NM 599/CR 62 INTERCHANGE PROJECT (COUNCILOR CHAVEZ). (KEITH WILSON) Committee Review: Public Works (no quorum) 07/25/11; and City Council (scheduled) 08/10/11. Fiscal Impact – No.**

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**END OF CONSENT AGENDA**  
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**5. APPROVAL OF MINUTES: JULY 18, 2011**

**MOTION:** Councilor Dominguez moved, seconded by Councilor Romero, to approve the minutes of the Regular Finance Committee Meeting of July 18, 2011, as presented.

**VOTE:** The motion was approved on a voice vote, with Councilors Dominguez, Romero and Wurzbarger voting in favor of the motion, no one voting against, and Councilor Bushee abstaining.

**CONSENT CALENDAR DISCUSSION**

**6. REQUEST FOR APPROVAL OF MAINTENANCE AGREEMENT –  
MAINTENANCE AND REVIEW SERVICES AT SANTA FE COMMUNITY  
CONVENTION CENTER; YEAROUT SERVICE, LLC. (DARLENE GRIEGO)  
A. REQUEST FOR APPROVAL OF BUDGET ADJUSTMENTS –  
CONVENTION CENTER FUND.**

Councilor Bushee asked Judith Amer, Assistant City Attorney the reason the indemnification language was stricken from the agreement.

Ms. Amer said indemnification language would be stricken where the City would agree to indemnify the contractor, but if the contractor has agreed to indemnify the City, that language shouldn't be stricken. She said she would need to review that contract to be sure.

Councilor Bushee said it "looks like it was for our protection." She said it says, "In the event the contractor must commence legal action in order to recover any amount payable under this agreement, customer shall pay contractor all court costs and attorneys fees..." She wants to be sure the correct language has been stricken.

Ms. Amer said, "If the City is the customer, the City shouldn't be agreeing to indemnify the contractor."

Councilor Bushee said, "The City is the customer. Never mind. That's fine."

Councilor Bushee asked Ms. Griego if a local contractor ever “applied” for this work.

Ms. Griego said the software that manages the system is proprietary and so we're pretty much stuck with them.

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

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

**7. REQUEST FOR APPROVAL OF FIRST AMENDMENT TO TITLE 1 SCENIC PROGRAM GRANT AGREEMENT TO EXTEND TERM – DEVELOPMENT OF EL CAMINO REAL NATIONAL SCENIC BYWAY TRAIL; NEW MEXICO DEPARTMENT OF TRANSPORTATION; NEW MEXICO TOURISM DEPARTMENT. (BRIAN DRYPOLCHER)**

Councilor Bushee asked the source of the match, noting it is on County property and asked if the County ever provided any match.

Brian Drypolcher said he doesn't know the exact source of the match, noting this goes back to a 2003 grant agreement that we're renewing, commenting he didn't anticipate the need for an FIR for the extension of the term, which is basically what this is doing.

**MOTION:** Councilor Bushee moved, seconded by Councilor Dominguez, to approve this request with the condition that before this goes to Council, staff provide an FIR which delineates the source of the matching funds.

**DISCUSSION:** Chair Ortiz said he recalls this was on the RPA list in terms of the match.

Councilor Bushee said that isn't in the packet, and what she was trying to find.

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



**9. REQUEST FOR APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT – FY 2011/2012 CDBG ALLOCATION; UNITED SOUTH BROADWAY CORPORATION. (KIM DICOME)**

Councilor Bushee said the City hired the Community Housing Trust to set up the program, and asked if it was successful.

Chair Ortiz said he asked about this previously because it never went out for the bid. He said the Housing Trust was to provide assistance, and these funds are to help people get out of foreclosure.

Councilor Bushee asked where the office of United South Broadway is located.

Ms. Dicome there was a grant to the Affordable Housing Trust of 18,000 for assistance.

Councilor Bushee said it was originally \$50,000.

Ms. Dicome said this is a local attorney who approached the Housing Trust asking if it wanted to be involved in this kind of program and it did not. She said the Attorney then went to United South Broadway in Albuquerque which is where people were going from Santa Fe. She said United South Broadway is going to pay for office space, and the City is only paying her salary. She said the attorney will be located in Santa Fe and it will be for people living in Santa Fe.

Chair Ortiz said his concern was that this didn't go out to bid and that a lot of lawyers are doing this as part of the First Judicial District's program, and are doing the work pro bono. However, this attorney "latched onto" a non-profit and got CDBG funds.

Responding to Councilor Bushee, Ms. Dicome said United South Broadway is a non-profit.

Councilor Bushee said she recalls that there was \$50,000 from CDBG and the Housing Trust was going to do this program, and wants to know how that program is doing. She wants this to come back with information on what was spent with the Housing Trust.

Chair Ortiz said he recalls the CDBG funding was approved after a public hearing, and believes this is a ministerial action.

Councilor Bushee said she has no problem with this person's initiative and a legal component probably is helpful. However, she is concerned about whether the other program is doing its job.

Ms. Dicome said she knows nothing about CDBG funding for a foreclosure program with the Housing Trust. The only one of which she is aware is the Affordable Housing Trust Fund which was funded last year at \$18,000, which has helped 3 people at \$3,500 each.

Councilor Bushee said the funding may have shrunk, but the original request was \$50,000.

Ms. Dicome said that may be. However, this is a little different. She said the Housing Trust was helping people out financially. These funds are for legal and counseling advice.

Councilor Bushee said she has concerns and the "whole thing seems to be fractioned."

Councilor Romero said she understands "it's a vessel holding the funding. And my guess is that they couldn't find someone local who would have been able to do something like this." She said, for clarification, the services are being provided locally by a local person, and this will help people to get services here, and not in Albuquerque.

Ms. Dicome agreed, saying people will no longer have to go to Albuquerque, unless they choose to do so. The idea is to offer the service here in Santa Fe.

Councilor Romero said, then this is an administrative question before us, because the CDBG already has been approved, and this is to move forward to provide services. She asked who would provide the services if this lawyer doesn't.

Chair Ortiz said it would be provided by the bar in the First Judicial District, because there already is such a program.

Ms. Dicome said this lawyer was doing pro bono work here and decided that she wanted to take this on full time, so she is no longer with the law firm she was with at the time. She said this is only a one-year program to see how this works.

Chair Ortiz said the fee is reasonable, and the contract indicates that she will represent 50 clients at \$50,000, which is about \$1,000 each.

**MOTION:** Councilor Wurzbarger moved, seconded by Councilor Romero, to approve this request with the condition that “we have a report a year from now that clarifies what service she provided locally as compared to what services were provided, both by the Housing Trust and this group that you reference, the pro bono work, that we put the burden on the contractor and staff to provide that information.”

**CLARIFICATION OF THE MOTION:** Councilor Wurzbarger said, “My motion says for one year with a one-year evaluation that reports on those three variables.”

**FRIENDLY AMENDMENT:** Councilor Romero asked to amend the motion to provide for a six-months evaluation, commenting one year is the end of the contract, and she would like a report before that time. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE COMMITTEE.**

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

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**END OF CONSENT CALENDAR DISCUSSION**

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**DISCUSSION**

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

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

**DISCUSSION:** Chair Ortiz noted there is an associated pay increase of 75¢ per hour, noting this is a reclassification.

Councilor Bushee clarified that the request for Recreation Supervisor is to reestablish a position and it isn't a reclassification.

Mr. Romero said it is just a vacant position.

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

**12. REQUEST FOR APPROVAL TO PROCEED WITH DRAFTING A RESOLUTION TO FORMALIZE CASH POLICIES FOR VARIOUS FUNDS (KATHRYN RAVELING). (Postponed at Finance Committee meeting of July 5, 2011).**

Chair Ortiz said this was considered at a previous meeting where Councilor Bushee was absent, but the Committee decided to postpone action until Councilor Bushee was in attendance.

Councilor Bushee said she is appreciative of the information provided by Ms. Raveling, particularly on how other communities locally and nationally have handled this issue, commenting it is exactly the information she wanted. She agrees with staff's recommendation that this go back to the enterprises and other departments for input. She asked if staff will come back with a final recommendation, and Ms. Raveling said that is correct.

**MOTION:** Councilor Bushee moved, seconded by Councilor Romero, to approve this request, and that it come back to this Committee for final action.

**DISCUSSION:** Councilor Bushee would like to be a cosponsor of any Resolution coming from this request.

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

**13. OTHER FINANCIAL INFORMATION:**

There was no Other Financial Information.

**14. MATTERS FROM THE COMMITTEE**

Chair Ortiz said he won't be here for the meeting of August 15, 2011, and asked Councilor Wurzbarger to preside at that meeting.

**15. ADJOURN**

There was no further business to come before the Committee, and the meeting was adjourned at approximately 5:25 pm.

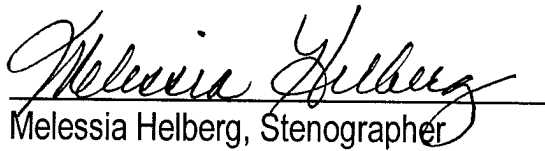
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Matthew E. Ortiz, Chair

Reviewed by:

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Kathryn L. Raveling, Director  
Department of Finance



Melessia Helberg, Stenographer