



Agenda

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**FINANCE COMMITTEE MEETING
CITY COUNCIL CHAMBERS
JANUARY 17, 2012 – 5:00 P.M.**

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

JANUARY 3, 2012

INFORMATIONAL ITEM

6. UPDATE ON AFFORDABLE HOUSING STATISTICS (MELISA DAILEY)

CONSENT AGENDA

7. BID OPENINGS:
 - A. BID NO. 12/13/B – ON CALL ROADWAY LIGHTING INFRASTRUCTURE MAINTENANCE SERVICES AND CONSTRUCTION AGREEMENT; M.W.I., INC. (RICK DEVINE)
 - B. BID NO. 12/14/B – FY 11/12 CITY WIDE WATER UTILITY PAVEMENT RESTORATION CONTRACT; TLC PLUMBING & UTILITY (BILL HUEY)
8. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – SANTA FE RIVER ECOSYSTEM RESTORATION INITIATIVE; WILDEARTH GUARDIANS, INC. (BRIAN DRYPOLCHER)
9. REQUEST FOR APPROVAL OF SERVICES AGREEMENT – PARATRANSIT SERVICES TO ELIGIBLE SANTA FE COUNTY RESIDENTS; ST. VINCENT HOSPITAL D/B/A CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER (JON BULTHUIS)



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10. REQUEST FOR APPROVAL OF GRANT AWARD – SANTA FE PLACE TRANSIT CENTER; U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL TRANSIT ADMINISTRATION (DAVID CHAPMAN)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND
11. REQUEST FOR APPROVAL OF FOUR (4) CHANGE ORDERS – CANYON ROAD WATER TREATMENT PLANT PHASE 3 – RESIDUALS MODIFICATIONS AND IMPROVEMENT PROJECT; FOUR (4) VENDORS (ROBERT JORGENSEN)
 - A. BOGAN BROTHERS
 - B. TRIAD BUILDERS OF NEW MEXICO, INC.
 - C. MCDADE-WOODCOCK, INC.
 - D. R.L. LEEDER CO.
 1. REQUEST FOR APPROVAL OF BUDGET INCREASE – WATER TREATMENT PLANT FUND
12. REQUEST FOR APPROVAL OF BUDGET INCREASE – ESSENTIAL EMERGENCY MEDICAL SUPPLIES FOR REMAINDER OF THE FISCAL YEAR FOR FIRE DEPARTMENT (JAN SNYDER)
13. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – CUSTOM REQUEST FOR PROPOSAL (RFP) PROGRAMMING AND MODIFICATION SERVICES FOR CITY OF SANTA FE; MOUNTAIN RIVER CONSULTING, INC. (CARYN FIORINA)
14. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW SUBSECTION 28.8 OF THE CITY OF SANTA FE PURCHASING MANUAL (“PURCHASING MANUAL”) TO ESTABLISH PROVISIONS FOR COMMUNITY WORKFORCE AGREEMENTS PURSUANT TO ARTICLE 9.02 OF CITY CHARTER AND SECTION 11-13 SFCC 1987 (MAYOR COSS, COUNCILORS DOMINGUEZ, ROMERO AND TRUJILLO) (ROBERT RODARTE)

Committee Review:

Public Works (approved)	01/09/12
City Council (request to publish)	01/25/12
City Council (public hearing)	02/29/12

Fiscal Impact – No



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15. SANTA FE RIVER TARGET FLOW (MAYOR COSS) (BRIAN DRYPOLCHER AND CLAUDIA BORCHERT)

- A. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW ARTICLE 25-13 SFCC 1987 REGARDING THE SANTA FE RIVER TARGET FLOW FOR A LIVING RIVER INITIATIVE
- B. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING ADMINISTRATIVE PROCEDURES FOR THE SANTA FE RIVER TARGET FLOW ORDINANCE, ARTICLE 25-13 SFCC 1987

Committee Review:

Public Utilities (approved)	01/04/12
Public Works (approved)	01/09/12
City Council (request to publish)	01/25/12
City Council (public hearing)	02/29/12

Fiscal Impact – Yes

16. REQUEST FOR APPROVAL OF A RESOLUTION GRANTING CITY STAFF THE AUTHORITY, IF FEASIBLE, TO PREPARE ONE OR MORE AGREEMENTS BETWEEN THE CITY OF SANTA FE (“CITY”), THE SANTA FE RAILYARD COMMUNITY CORPORATION (“SFRCC”) AND SANTA FE TEEN ARTS CENTER, WAREHOUSE 21 (“W21”) TO PERMIT W21 TO APPLY THE EXCESS IN-KIND SERVICES IT PROVIDES, IN LIEU OF CASH, AS RENT TO OFFSET GROUND SUBLEASE PAYMENTS TO SFRCC THAT ARE IN ARREARS AND FOR FUTURE GROUND LEASE PAYMENTS AND TO FORGIVE AMOUNTS DUE TO THE CITY FROM SFRCC ON ACCOUNT OF SUCH OFFSETS (COUNCILOR CHAVEZ) (BOB SIQUEIROS)

Committee Review:

Public Works (approved)	01/09/12
City Council (scheduled)	01/25/12

Fiscal Impact – Yes

17. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 18-1.4 SFCC 1987 REGARDING LICENSE APPLICATION SUBMITTAL REQUIREMENTS FOR ALARM INSTALLATION COMPANIES AND ALARM MONITORING COMPANIES; AMENDING VARIOUS SECTIONS OF ARTICLE 20-5 SFCC 1987 REGARDING ALARM SYSTEMS AND FALSE ALARM REDUCTION; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY (COUNCILOR CALVERT) (GILLIAN FOLMAR-ALESSIO)



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Committee Review:

Public Safety (approved)	11/15/12
Public Works (approved)	11/28/12
Finance Committee (postponed)	12/05/12
Finance Committee (postponed)	01/03/12
City Council (request to publish)	01/25/12
City Council (public hearing)	02/29/12

Fiscal Impact – No

END OF CONSENT AGENDA

DISCUSSION

18. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO BEGIN THE PROCESS FOR THE CITY OF SANTA FE TO ACQUIRE ST. CATHERINE'S INDUSTRIAL INDIAN SCHOOL CAMPUS FOR THE PUBLIC PURPOSES OF HISTORIC PRESERVATION, PROMOTING ARTS EDUCATION IN THE CITY AND LEASING THE PROPERTY TO THE NEW MEXICO SCHOOL FOR THE ARTS, A NEW MEXICO STATE CHARTER SCHOOL (MAYOR COSS) (ROMERO ROMERO)

Committee Review:

Finance Committee (approved)	01/03/12
Public Works (approved)	01/09/12
City Council (sent back to Finance)	01/11/12

Fiscal Impact - No

19. REQUEST FOR APPROVAL OF CONSIDERATION TO FILL VACANT POSITIONS (ROBERT ROMERO)
20. OTHER FINANCIAL INFORMATION:
- A. UPDATE ON ENTERPRISE FUND "REIMBURSEMENT" TO GENERAL FUND (DR. MELVILLE MORGAN)



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- B. UPDATE OF GROSS RECEIPTS TAX REPORT RECEIVED IN JANUARY 2012 (FOR NOVEMBER 2011 ACTIVITY) AND LODGERS' TAX REPORT RECEIVED IN JANUARY 2012 (FOR DECEMBER 2011 ACTIVITY) (DR. MELVILLE MORGAN)

21. MATTERS FROM THE COMMITTEE

22. ADJOURN

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

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FINANCE COMMITTEE
January 17, 2012

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20. Other Financial Information		
A. Update on Enterprise Fund Reimbursements	Report	16-17
B. Update of GRT Revenues received in January & Lodgers' Tax received in January	Report	17
21. Matters from the Committee	None	17
22. Adjournment	Adjourned at 6:40 p.m.	17

MINUTES OF THE
CITY OF SANTA FÉ
FINANCE COMMITTEE

January 17, 2012

1. CALL TO ORDER

A regular meeting of the City of Santa Fé Finance Committee was called to order by Chair Matthew E. Ortiz at approximately 5:00 p.m. on Tuesday, January 17, 2012 in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fé, New Mexico.

2. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Councilor Matthew E. Ortiz, Chair
Councilor Patti J. Bushee
Councilor Rebecca Wurzbarger

MEMBERS ABSENT:

Councilor Carmichael Dominguez [excused]
Councilor Rosemary Romero [excused]

OTHERS PRESENT:

Dr. Melville L. Morgan, Director, Finance Department
Ms. Yolanda Green, Finance Division
Mr. Carl Boaz, Stenographer

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

3. APPROVAL OF AGENDA

Chair Ortiz said the agenda should be amended with Agenda item 14 stricken and 6B Update on Library Hours added to the agenda.

Councilor Wurzbarger moved to approve the agenda as amended. Councilor Bushee seconded the motion and it passed by unanimous voice vote.

4. APPROVAL OF CONSENT AGENDA

Chair Ortiz requested to remove #15 for discussion.

Councilor Bushee requested to remove # 8 and #9 for discussion.

Councilor Wurzbarger said #14 needed to go to City Business and Quality of Life Committee.

Councilor Wurzbarger moved to approve the Consent Agenda as amended. Councilor Bushee seconded the motion and it passed by unanimous voice vote.

5. APPROVAL OF MINUTES – January 3, 2012

Councilor Bushee said Ms. Monaco Hnasko was misspelled in various places beginning on page 22ff.

Councilor Wurzbarger moved to approve the minutes of January 3, 2012 as amended. Councilor Bushee seconded the motion and it passed by unanimous voice vote.

4. APPROVAL OF CONSENT AGENDA

Councilor Bushee apologized but wanted #17 pulled for discussion.

Councilor Bushee moved to amend the Consent Agenda to remove # 17 for discussion. Councilor Wurzbarger seconded the motion and it passed by unanimous voice vote.

Councilor Bushee moved to approve the Consent Agenda as amended. Councilor Wurzbarger seconded the motion and it passed by unanimous voice vote.

INFORMATIONAL ITEM

6. UPDATE ON AFFORDABLE HOUSING STATISTICS (MELISA DAILEY)

Ms. Dailey presented the update. At the last meeting Councilor Dominguez had asked the location of properties where Affordable Housing loans had been made. She shared a display on how it was broken out by Council districts and showing the Affordable Housing statistics.

She said the total assistance including money going to Habitat for Humanity, Homewise and Santa Fé Community Housing Trust (79 loans since FY 2009) was \$1.3 million for down payment assistance.

The other information was on foreclosure programs. There were two summaries - one with the Housing Trust and the other with United South Broadway.

Councilor Wurzbarger asked based on last case the Committee heard on the Homewise request and discussion on why they were not able to fill certain units, if there was any information on the changing needs in the community. It appeared to no longer be a problem. It was difficult to get a group that was

thought to have a great need.

Ms. Dailey thought the change in the market and the change they did in the Santa Fe homes programs meant they didn't have an affordable housing requirement in the 80% AMI category because more affordable homes were on the market. Some of them might still go to Homewise and the Housing Trust to get income certified for down payment assistance but were still buying market rate homes. Homewise had half of them as already existing units. Besides Old Las Vegas the biggest development was Centex homes that were still selling.

Councilor Wurzbarger asked if they still had a need and if she could provide an up to date definition of what our affordable housing needs were now. The City tried in the past to get Homewise to say how many were on the waiting list. The last time they did it was 2007.

Ms. Dailey said they were updating it based on the 2010 census survey. That study cost around \$50,000 so they were looking at an abbreviated update without the surveys and looking at the real estate market.

Councilor Wurzbarger asked if that would be the scope of work coming to the committee.

Ms. Dailey had not planned to do that but just update the housing needs assessment as previously written so it would be comparable.

Councilor Wurzbarger asked if that meant staff were going to do it.

Ms. Dailey said no. They were looking at bids now to get an idea of what the cost would be.

Councilor Wurzbarger asked her to please bring that back here before issuing the RFP.

Chair Ortiz asked what the difference was between allocation and program income.

Ms. Dailey explained that the allocation was the amount received from CDBG that was allocated on July 1 each year. Program income was from money received back from loans if, e.g., they sold the house, the subsidy would go back into the fund for reuse.

Chair Ortiz asked if that remained with the nonprofit to reuse. Ms. Dailey agreed.

Chair Ortiz asked what the terms of agreement were with entities on unspent monies.

Ms. Dailey said the HUD requirement was that the money had to be spent.

Ms. Dailey said the amount at the end of the year was a small amount. That was tracked through the HUD system to track CDBG. It was done automatically.

Chair Ortiz noted that Homewise showed \$107,000 unspent in 2009, yet still the City gave out an allocation the next year. He asked what it was used for.

Ms. Dailey said that \$107,000 was from 2008. The allocations for CDBG happened in February.

Chair Ortiz concluded there might be carry over. Ms. Dailey agreed.

Chair Ortiz asked if they could only apply them to the AH homes.

Ms. Dailey said it was for anyone under 80%AMI regardless of the home, whether market or AH.

Chair Ortiz asked if the Housing Trust had a partnership with Tierra Contenta. Ms. Dailey agreed.

Chair Ortiz asked if Homewise had an agreement with Centex.

Ms. Dailey said both Homewise and Housing Trust could sell Centex homes.

Chair Ortiz asked if they had 3rd party agreements to promote them.

Ms. Dailey said it was through the City and the developers paid about \$250 to the City to help get an affordable buyer into the home.

Chair Ortiz thought the prices were much lower now than 2-3 years ago. He asked if they nonprofits had third party agreements with the developers.

Ms. Dailey didn't know but agreed to ask them.

Councilor Bushee noted on page 8 that 112 Affordable buyers were assisted with home ownership. She asked if that meant staff dealt directly with them instead of referring them to one of the nonprofit partners. She asked if staff helped them complete the contract.

Ms. Dailey said the contractors did income certification and helped them clean up their credit.

Councilor Bushee wanted to know exactly how the unspent bond money would be used.

Ms. Dailey clarified that the 112 buyers were under 80% AMI and 141 included all incomes. She was sure some received assistance from both trust funds and CDBG. Staff did not ever administer those. The contractors decided who would receive them and staff reviewed the AMI. In invoicing, staff checked all of that. If it was a HOP home, staff did help get the lien in place because all liens were held here.

Councilor Bushee asked if the CIP bond funds could also be used for solar. She wondered, since the need was lessened, if the City could spend that money in 2 years.

Ms. Dailey said they had \$800,000 and spent \$1.3 million already and were not through 2011 FY yet.

Councilor Bushee asked if they expected to use that money then. Ms. Dailey agreed.

Councilor Bushee thought it was \$1 million and part was for solar.

Ms. Dailey said \$800,000 was what she was told and the rest was taken away for something else.

Councilor Bushee couldn't find any statistics on foreclosures since the City began the counseling program.

Ms. Dailey said they have had 6 on the Santa Fé homes or HOP.

Councilor Bushee asked how many foreclosures overall in the city proper there had been since starting the counseling program not just through the Housing Trust. She explained she was trying to get the entire picture on foreclosures.

Ms. Dailey said the rate was going up and getting worse but didn't have the full statistics.

Councilor Bushee said they didn't need to build more but to put people in foreclosed homes. They received \$1 million from the feds to get only six into homes.

Ms. Dailey said the City purchased 16 through that program. It was a big process to purchase foreclosed homes. They were on the radar for buyers to purchase. If people were familiar with the South Broadway program they could fight to keep their homes instead of helping someone else to buy them.

Councilor Bushee understood we counsel them but might need to do more.

Ms. Dailey said South Broadway actually helped them get legal assistance and go to court.

Councilor Bushee said some banks found it easier to keep present owners in those homes. She was trying to get a better picture.

Councilor Wurzbarger said part of doing an up to date assessment was to have a clearer picture on the supply side. She heard Ms. Dailey saying they didn't have the picture on foreclosures and that she would be coming back with that information.

Councilor Bushee thought if they were not spending Down Payment assistance funds in timely way, maybe the City could use some of it to help people keep their homes.

Ms. Dailey said the Housing Trust had helped only 4 people. The problem might be just no marketing and no one knew that was available.

Councilor Bushee thought maybe they could have a session just on foreclosures with the partners present.

Ms. Dailey said a representative from South Broadway could represent that well.

Councilor Bushee suggested the City might also consider buying a stock of foreclosed homes. It might

be time to shift from more construction to this. She didn't know the mechanisms yet.

Ms. Dailey said they could use Down Payment assistance money to buy foreclosed homes.

Councilor Bushee wondered if other communities might have more aggressive procedures that Santa Fe could consider.

Councilor Wurzbarger asked when the Committee might get the report on needs and supply side.

Ms. Dailey said they were getting estimates on the cost. She thought they could have it by May but she could bring the scope of services earlier. She was fairly far into getting someone under contract.

Chair Ortiz asked what they would do.

Ms. Dailey said they would do the data analysis of the census and the American Community Survey, BBER and economic data.

Councilor Wurzbarger wanted to see the scope of work and it sounded like Ms. Dailey had that done. Councilor Bushee agreed.

Councilor Bushee asked her to make sure rental assistance was included as part of the picture.

Ms. Dailey agreed.

B. Library Hours Agenda.

Ms. Pat Hodapp reported that due to staff losses, transfers and illness, the libraries were down on hours to 324 hours a week until they could fill the positions. La Farge would be temporarily closed on Saturdays for approximately four months. They were working hard to fill the staff positions. They were skilled positions. We cannot do temporary hires because they had to have background and skills to do the work. One of them was the interlibrary loan coordinator. The hours would be re-established as soon as they got these staff positions filled. She added that the Library Board had approved the Saturday closure.

Councilor Bushee asked if there were doing much online lending.

Ms. Hodapp said they had 1,200 loans a year and 1,700 borrowers a year.

Councilor Bushee asked if that service would continue.

Ms. Hodapp said it was on hiatus until they found new staff.

CONSENT AGENDA

7. BID OPENINGS:

A. BID NO. 12/13/B ON CALL ROADWAY LIGHTING INFRASTRUCTURE MAINTENANCE SERVICES AND CONSTRUCTION AGREEMENT, M.W.L., INC. (RICK DEVINE)

B. BID NO. 12/14/B FY 11/12 CITY WIDE WATER UTILITY PAVEMENT RESTORATION CONTRACT; TLC PLUMBING & UTILITY (BILL HUEY)

10. REQUEST FOR APPROVAL OF GRANT AWARD – SANTA FÉ PLACE TRANSIT CENTER, U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL TRANSIT ADMINISTRATION (DAVID CHAPMAN)

A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND

11. REQUEST FOR APPROVAL OF FOUR (4) CHANGE ORDERS – CANYON ROAD WATER TREATMENT PLANT PHASE 3 – RESIDUALS MODIFICATIONS AND IMPROVEMENT PROJECT; FOUR (4) VENDORS (ROBERT JORGENSEN)

A. BOGAN BROTHERS

B. TRIAD BUILDERS OF NEW MEXICO, INC.

C. McDADE-WOODCOCK, INC.

D. R. L. LEEDER CO.

1. REQUEST FOR APPROVAL OF BUDGET INCREASE – WATER TREATMENT PLANT FUND

12. REQUEST FOR APPROVAL OF BUDGET INCREASE – ESSENTIAL EMERGENCY MEDICAL SUPPLIES FOR REMAINDER OF THE FISCAL YEAR FOR FIRE DEPARTMENT (JAN SNYDER)

13. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – CUSTOMER REQUEST FOR PROPOSAL (RFP) PROGRAMMING AND MODIFICATION SERVICES FOR CITY OF SANTA FÉ; MOUNTAIN RIVER CONSULTING, INC. (CARYN FIORINI)

14. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW SUBSECTION 28.8 OF THE CITY OF SANTA FÉ PURCHASING MANUAL (“PURCHASING MANUAL?” TO ESTABLISH PROVISIONS FOR COMMUNITY WORKFORCE AGREEMENTS PURSUANT TO ARTICLE 9.02 OF CITY CHARTER AND SECTION 11-13 SFCC 1987 (MAYOR COSS, COUNCILORS DOMINGUEZ, ROMERO AND TRUJILLO) (ROBERT RODARTE)

Committee Review:

Public Works (approved)	01/09/12
City Council (request to publish)	01/25/12
City Business & Quality of Life	02/14/12
City Council (public hearing)	02/29/12
Fiscal Impact – No	

END OF CONSENT AGENDA

16. This item was stricken from the agenda under Approval of the Agenda.

CONSENT ITEMS PULLED FOR DISCUSSION:

8. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT - SANTA FÉ RIVER ECOSYSTEM RESTORATION INITIATIVE WILDEARTH GUARDIANS, INC. (BRIAN DRYPOLCHER)

Councilor Bushee explained she wanted discussion because it must be a fairly old agreement since some staff identified in it were no longer with the City.

Mr. Drypolcher said the transition of staff at the City didn't matter. They were well within the terms of the grant over this summer. The grant was on track and this contractor was ready to perform as planned.

Councilor Bushee asked if they also had the skills to do the infiltration galleries.

Mr. Drypolcher clarified that this one was just for plantings and they did have extensive experience.

Councilor Bushee asked if the Committee would see the infiltrations soon.

Mr. Drypolcher said the Committee already did.

Chair Ortiz - isn't it strange - Wild earth had a conflict of interest. An argument on river flows was that we need to have the water to preserve the plantings. >>>

Mr. Drypolcher - I'm not an expert on conflict of interest. But this was put into place before the target flow.

Chair Ortiz- I could show campaign from 2004 and 2006.

Councilor Bushee moved to approve the request. Councilor Wurzbarger seconded the motion and it passed by unanimous voice vote.

9. REQUEST FOR APPROVAL OF SERVICES AGREEMENT - PARATRANSIT SERVICES TO ELIGIBLE SANTA FÉ COUNTY RESIDENTS; ST. VINCENT HOSPITAL, D/B/A CHRISTUS ST.

VINCENT REGIONAL MEDICAL CENTER (JON BULTHUIS)

Councilor Bushee understood the City had a contract. She asked Jon what the history was.

Mr. Bulthuis said that had been the same thing with the county for many years.

Councilor Bushee asked how the service delivery was Mr. Bulthuis said it was going well.

Chair Ortiz said the only complaints in the past 12 years were from county residents. That should be a compliment to paratransit

Councilor Bushee moved to approve the request. Councilor Wurzbarger seconded the motion and it passed by unanimous voice vote.

15. SANTA FÉ RIVER TARGET FLOW (MAYOR COSS) (BRIAN DRYPOLCHER AND CLAUDIA BORCHERT)

A. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW ARTICLE 25-13 SFCC 1987 REGARDING THE SANTA FÉ RIVER TARGET FLOW FOR A LIVING RIVER INITIATIVE

B. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING ADMINISTRATIVE PROCEDURES FOR THE SANTA FÉ RIVER TARGET FLOW ORDINANCE, ARTICLE 5-24 SFCC 1987

Committee Review:

Public Utilities (approved)	01/04/12
Public Works (approved)	01/09/12
City Council (request to publish)	01/25/12
City Council (public hearing)	02/29/12
Fiscal Impact - Yes	

Chair Ortiz asked if this superseded or complement the ordinance already passed. The ordinance and administrative regulations talked about it in a different way.

Mr. Drypolcher asked if he meant the water emergency. Chair Ortiz agreed.

Mr. Drypolcher said page 5, line 8 specifically referenced it.

Chair Ortiz said page 8 was what he was talking about.

Mr. Drypolcher explained that there were amendments out of Public Works and this was the amended version. It was in Section 8 of the target flow ordinance.

Chair Ortiz asked what the difference in language was from 13.5.

Mr. Drypolcher said the primary difference came out of Public Works and had to do with making a more explicit statement regarding reductions in flow in dry years. Public Works wanted that actually in the bill, not just administrative procedures. When the yield falls below 75% the City would scale down by that percentage. They also amended with a required annual report to the Governing Body. It had been only in administrative procedures but Public Works wanted that in the ordinance as well. Those were the two primary changes. There was a very small change to the resolution where we deleted reference to 100/ac/ft/year so that flows could be reduced below that. Administrative procedures remained the same.

Councilor Wurzbarger asked if Mr. Zamora was present. (He wasn't.)

Councilor Wurzbarger had the same question. She could not correlate it with 25.6 and asked if they couldn't put this as part of 25.13.7. She wanted to add that as an amendment - to explicate 25.5.6 so they didn't have to chase it down.

Chair Ortiz said 13.5 was the actual provision on what the target flow had to be. It was not permissive. 7 talked about the water emergency management plan. That was not in the ordinance. Maybe that was the discretion of water staff. It seemed like this ordinance supplanted the previous ordinance but in the Q&A that Ms. Borchert did, which was very good, he didn't see the answer on tracking the ordinance and administrative regulations. He asked if there was a way to amend that.

Mr. Drypolcher said he could do that with help from Melissa Byers. They just wanted to make sure the emergency was clear.

Councilor Wurzbarger moved to forward this with the additions mentioned. Councilor Bushee seconded the motion and asked for a mocked up bill with amendments by the time it gets to Council.

Councilor Wurzbarger asked if the River Flow Manager was a different position from water staff.

Mr. Drypolcher said he was currently the River and Water Shed Coordinator.

Chair Ortiz asked for this to be copied to the River Commission Chair.

Mr. Drypolcher said in his experience over the years the River Commission was a volunteer group and they had asked him to keep them well informed and this would acknowledge that responsibility.

Chair Ortiz didn't know of any other volunteer groups that got copied on all communications. That was on page 12. He asked how this was different from the annual report on page 14 of administrative procedures. There was already an annual report.

Mr. Drypolcher clarified it was a matter of administrative procedures' weight being outweighed by the ordinance. It was greater security for the annual review.

Chair Ortiz asked if the Water Dept was comfortable with these numbers. Mr. Drypolcher agreed.

Chair Ortiz asked if it would reduce potential expense when the City got the solar system on line.

Mr. Drypolcher wasn't sure.

Ms. Borchert said the solar facility statement should not be there. It wasn't the City's solar facility. It was a BDD facility. It would have to be an exceptional year for BDD not to deliver 32 ac/ft to the City. It was very close to the maximum in our first year. Even if the Rio Grande was dry for a month or so and they could not divert, they could still take more in other months. They could call for it in a way that made sense for our needs. The pumping was strictly how much they took out. She added that there would almost always be some electrical costs.

Councilor Wurzburger to approve with the changes discussed. Councilor Bushee seconded the motion and it passed by unanimous voice vote.

17. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 18-1.4 SFCC 1987 REGARDING LICENSE APPLICATION SUBMITTAL REQUIREMENTS FOR ALARM INSTALLATION COMPANIES AND ALARM MONITORING COMPANIES; AMENDING VARIOUS SECTIONS FO ARTICLE 20-5 SFCC 1987 REGARDING ALARM SYSTEMS AND FALSE ALARM REDUCTION; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY (COUNCILOR CALVERT) (GILLIAN FOLMAR-ALESSIO)

Committee Review:

Public Safety (approved)	11/15/12
Public Works (approved)	11/28/12
Finance Committee (postponed)	12/05/12
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City Council (request to publish)	01/25/12
City Council (public hearing)	02/29/12
Fiscal Impact - No	

Chair Ortiz referred to the memo provided on their desks.

Councilor Bushee asked if Chief Folmar-Alessio met with more alarm providers.

Chief Folmar-Alessio agreed and also met with the Executive Director of their association. He was prepared to address those questions if the Committee wanted to address him directly.

Councilor Bushee said okay. She was still hearing from some that were not thrilled. He pointed out that they were here amending an ordinance that was in effect for only a short time.

Chief Folmar-Alessio said they worked from 2009-2010 to get it in effect. At that time there were lots of problems and worked to get it online to March 2011. It had gone into operation September 2010.

Councilor Bushee wanted to make sure the 3rd party administrative piece was necessary and that there

was not some profit motive behind it. She had heard from people who had them installed and serviced but had gone away for the weekend and gotten \$1,000 of false alarm charges.

Chief Folmar-Alessio said the way they worked on the 3rd party administrator was to look at the cost/benefit analysis compared to third party and that was defined in the scope. They imported electronics into a format for the city in accordance with requirements and imported all 911 tagged calls and handled all financial transactions.

Councilor Bushee asked how many households were in the 4,472 false alarms. She wanted to get a fuller picture. She was not opposed to tweaking the ordinance and at least it would refund if they won the appeal. It seemed fairly burdensome. She asked to get a sense on the concept and to know the ordinance was working and to be assured that the third party was really necessary. Albuquerque didn't even use a third party administrator.

Mr. Vic Buonocol (E.D. of the association) gave his background - engineering degree and started a couple of alarm companies and retired. The New Mexico Alarm Association was a 5-01(c) 6 non-profit. They worked with a Councilor in Albuquerque to get it organized. Last year they put over \$1 million into the pot.

Whatever the community wanted for structure they should get. Albuquerque felt it was more effective to have city employees run it. He met with her yesterday. They have 4 people working on it. Probably 2-3 in Santa Fé would be more than adequate. In Santa Fé alarm dealers feel some distance from the City and that was the source of some problems. In Albuquerque there was a break in period but once through that everything went smoothly. The decision wasn't the Association's to make but the Santa Fé community.

Councilor Bushee said she was hearing from those in the alarm business how they thought third party was not the way to go.

Chair Ortiz felt there was a general sense here that administration itself was distanced or the ordinance itself was unwieldy.

Mr. Buonocol thought the ordinance was well balanced in general and going the right direction. He had recommended to Albuquerque to take a look at the Santa Fé ordinance. Theirs had a lot to be desired.

Councilor Bushee said from those false alarms and users' fees there was \$300,000 collected. She was still looking for third party costs.

Chair Ortiz understood the administrator took half.

Chief Folmar-Alessio clarified that it was 32% off the top. She noted that 5% of the population had alarms and 3% of those were repeat offenders in the statistics. Fees from companies and City fines totaled \$450,000.

Councilor Bushee asked where the statistics on how well the ordinance had helped were shown.

Chief Folmar-Alessio said Document 3 showed how it had improved and quoted from it. They were seeing a decrease even though the ordinance had been poorly administered. Hopefully the amendments would help that. They wanted to get to that point either through third party or by the city staff.

Councilor Wurzburger moved to approve with a condition that in six months a report was submitted on how much money was made and how much false alarms had decreased. Councilor Bushee seconded the motion.

Chair Ortiz said regarding the appellate process that he was told by a constituent that she had to pay \$50 to appeal and if she lost she would lose that \$50 plus the fine.

Chief Folmar-Alessio said that was one thing that would be changed in the amendment. The only cost if lost would be \$40 for administrative cost.

Chair Ortiz asked if a third of that went to the third party administrator.

Chief Folmar-Alessio said no because they had already received their share. There were three hearing officers to administer the process and she wanted to move that under the contract. There were few restrictions on that money so she would like to use it for training, PSAs, and the costs of hearing officers. The goal was to reduce false alarms. The fees would remain the same but the number of fines hopefully would go down. In the amendment, the alarm company was responsible for the fines if they didn't inform their customers. The Department did an analysis of officers' time and found the cost in salary alone for false alarms was \$94,598. The cost to citizens was \$104,000. So the changes in the ordinance would cut the cost to the taxpayers. That was a powerful figure.

Councilor Bushee asked what the Department did with the \$279,000.

Chief Folmar-Alessio said they had not used any of it. The charge to them was to manage their money better on how it impacted taxpayers.

Councilor Bushee said they were actually putting more paperwork burden on the companies. She believed alarms were a big deterrent to criminal burglary.

Chief Folmar-Alessio agreed. The Association had worked very well with the police on how to do it.

Councilor Bushee asked if it had proved to be a deterrent.

Mr. Buonocol thought people would accept the things associated as long as they had the security. They needed to work on the cause and not just the symptoms. 77% of false alarms were user error so it needed to be focused on training and force the companies to do the training. He would like to see that left in.

Secondly, regarding the companies being responsible for fines - there were some things that the company could not control. You couldn't fine someone when they had no control over the problem.

Chair Ortiz said there was a motion to approve with condition to report in six months. There were no

other amendments.

Councilor Bushee asked that the Association come to Council for the public hearing.

The motion passed by unanimous voice vote.

DISCUSSION

18. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO BEGIN THE PROCESS FOR THE CITY OF SANTA FÉ TO ACQUIRE ST. CATHERINE'S INDUSTRIAL INDIAN SCHOOL CAMPUS FOR THE PUBLIC PURPOSES OF HISTORIC PRESERVATION, PROMOTING ARTS EDUCATION IN THE CITY AND LEASING THE PROPERTY TO THE NEW MEXICO SCHOOL FOR THE ARTS, A NEW MEXICO STATE CHARTER SCHOOL (MAYOR COSS) (ROBERT ROMERO)

Committee Review:

Finance Committee (approved)	01/03/12
Public Works (approved)	01/09/12
City Council (sent back to Finance)	01/11/12
Fiscal Impact – No	

Chair Ortiz noted the letter from New Mexico School for the Arts (NMSA) [attached as Exhibit 1].

Mr. Zamora said this was the letter of intent he had referred to at the last Finance Committee meeting.

Councilor Wurzbarger moved to forward the resolution with the two conditions: 1 - financial plan and 2 - not using city funds. She hoped the financial plan would follow.

Councilor Bushee seconded the motion.

Councilor Bushee asked if the fields for the cemetery were included.

Councilor Wurzbarger said it did include that.

Councilor Bushee asked if this came from Mr. Zamora.

Dr. Morgan said that was proposed by Councilor Dominguez.

Councilor Wurzbarger added to her motion the motion to not include B. Councilor Bushee agreed.

Chair Ortiz asked if she would you be willing to include state status report on the buildings?

Councilor Wurzbarger said she would.

Chair Ortiz thought their assessment showed a \$20 million value.

Mr. Zamora was not sure the assessment existed.

Chair Ortiz knew that whether formal or informal, that had to have been done when they went through the historic status on those buildings.

Councilor Bushee said she wanted clarification on the nuns' cemetery on the property. She presumed the actual negotiations would go into executive session but would like the financial plan discussed in public.

Councilor Wurzbarger added that the resolution could be forwarded but if there was no financial plan, it would come back to Finance. She asked the Finance Director and Mr. Zamora about when the plan could be put on the Finance Committee agenda.

Dr. Morgan said he had done the research and believed he and Mr. Zamora could have it put together by the next meeting.

Chair Ortiz said the Council could do the executive session.

Mr. Zamora said he would put executive session on the agenda for the final meeting of January. He added that if it was coming back to Finance that would delay it going to Council in January.

Councilor Wurzbarger highly supported the school but needed information on how to finance it. So she preferred to have it come back to Finance at the next meeting and then go to Council.

Chair Ortiz understood the resolution could go forward and then in the next Finance Committee meeting deal with the finance plan. Councilor Wurzbarger agreed.

The motion passed by unanimous voice vote.

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

Mr. O'Reilly announced the vacancy in technical review as Wendy Blackwell had moved on to the State.

Councilor Wurzbarger asked if it needed to be a full time position since Ms. Blackwell's work over the years was now done on the plan - on the flood plain with the committee over last three years.

Mr. O'Reilly said FEMA had undertaken to study more arroyos and staff were working on finalizing that now. He talked with FEMA staff in Denton Texas today. Ms. Blackwell was the Flood Plan Administrator that included reporting to FEMA and handling issues here. Those didn't occupy 100% of time but full time was required by federal regulations.

Councilor Wurzbarger understood people were doing triple duty and had made major progress on a plan and saw him arguing somewhat effectively that it needs to be full time.

Mr. O'Reilly added that she had escarpment review, the water budget office, permit review and development review.

Councilor Wurzbarger moved for approval. Councilor Bushee seconded the motion and it passed by unanimous voice vote.

20. OTHER FINANCIAL INFORMATION:

A. UPDATE ON ENTERPRISE FUND "REIMBURSEMENT" TO GENERAL FUND (DR. MELVILLE MORGAN)

Chair Ortiz said the report was in the packet and was illuminating. You could see an increase over time in money taken out for utilities. He asked if that was purely a function of balancing the budget or something else.

Mr. Romero said in speaking with Kathryn Raveling during her exit interview that it was done on the back of a napkin. He asked Dr. Morgan to research what other communities did and thought they were coming up with something that was fair and better.

Chair Ortiz said the city had to justify pulling out 6% from the enterprise fund and could not exceed that. He understood in the last few years that had gone up to 9 or 10% without justification. In the Water fund they had shifted over utility work that used to be in Finance. Now there were 1.5 positions in the City Attorney's office paid for by the water utility. He asked what kind of justification they could have going forward to show how they did that.

Dr. Morgan said he really couldn't answer what happened before him but other municipalities and organizations followed the OGA principles and managed it in such a way that it was a proportion of number of employees. It had to be logical and easily understood that the pieces of this allocation could justify the use of funds. And he had a proposal all worked out. Some of them would go up and some would go down but all were grounded in logic.

Chair Ortiz said they would have this discussion at the next Finance Committee meeting because he would draft a resolution.

Dr. Morgan respectfully asked that they keep this discussion open.

Councilor Bushee excused herself from the meeting at 6:35, thus losing a quorum.

Councilor Wurzbarger had a big question on 2008-2010 and appreciated the thoughtfulness of his response. She needed to know the actual expenses. She agreed they needed a cap based on the numbers.

B. UPDATE OF GROSS RECEIPTS TAX REPORT RECEIVED IN JANUARY 2012 (FOR NOVEMBER 2011 ACTIVITY) AND LODGERS' TAX REPORT RECEIVED IN JANUARY 2012 (FOR DECEMBER 2011 ACTIVITY) (DR. MELVILLE MORGAN)

Chair Ortiz noted they were up.

Dr. Morgan focused on the yellow boxes in the report. It was significant how close the actual target of budget was to actual. They were up against budget by \$2 million and up \$1.8 million over last year. He cautioned that they were 7 months or about 59% through budget and would have one more good month (December was usually good and historically the 2 lowest were in March and April.)

21. MATTERS FROM THE COMMITTEE

There were no matters from the Committee.

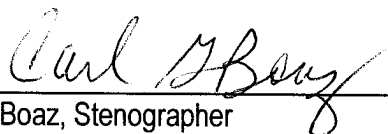
22. ADJOURN

The meeting adjourned at 6:40 pm.

Approved by:

Matthew E. Ortiz, Chair

Submitted by:



Carl Boaz, Stenographer