



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
APRIL 1, 2013 – 5:00 P.M.

1. CALL TO ORDER

CITY CLERK'S OFFICE

2. ROLL CALL

DATE 3/29/13 TIME 2:00p

3. APPROVAL OF AGENDA

PREPARED BY Yolanda Green

4. APPROVAL OF CONSENT AGENDA

APPROVED BY [Signature]

5. APPROVAL OF MINUTES:

Regular Finance Committee Meeting – March 18, 2013

## CONSENT AGENDA

6. Bid No. 13/11/B – Santa Fe Trail Bus Shelters for Transit Division; Meridian Contracting, Inc. (Mary MacDonald)

7. Request for Approval of Grant Application and Award – Airfield Pavement Marking for Santa Fe Municipal Airport; New Mexico Department of Transportation Aviation Division. (Jim Montman)

8. Request for Approval of Amendment No. 2 to Lease Agreement – Within Burro Alley to Allow for Adjustment to Lease Premises and Allow for Sale and Consumption of Alcoholic Beverages within Lease Premises; Majed Hamdouni DBA Burro Alley Café. (Edward Vigil)

9. Request for Approval of Procurement under State Price Agreement – Pavement Marking Materials for Traffic Engineering Division; 3M Company. (Rick Devine)

10. Request for Approval of City of Santa Fe Five (5) Year Consolidated Plan 2013-2014 and 2013 Annual Action Plan. (Kim Dicome)

A. Request for Approval of Professional Services Agreements – 2013 Community Development Block Grant (CDBG); Nine (9) Various Vendors.

11. Request for Approval of Amendment No. 6 to Legal Services Agreement – Qwest Corporation v. City of Santa Fe Matter (Federal Case); Cuddy & McCarthy, LLP. (Kelley Brennan)

A. Request for Approval of Budget Increase – Insurance Claims Fund



# Agenda

FINANCE COMMITTEE MEETING  
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APRIL 1, 2013 – 5:00 P.M.

12. Request for Approval of Amendment No. 1 to Legal Services Agreement – Qwest Corporation v. City of Santa Fe Matter (State Case); Cuddy & McCarthy, LLP. (Kelley Brennan)

13. Request for Approval of a Resolution Amending the *Procedures for Appeal Under Santa Fe City Code Section 14-3.17* to Allow Members of Land Use Boards from which an Appeal has Been Taken to Testify in Response to Questions from Members of the Governing Body. (Councilor Bushee) (Kelley Brennan)

**Committee Review:**

Public Works (approved)

03/25/13

City Council (scheduled)

04/10/13

Fiscal Impact - No

14. Request for Approval of an Ordinance Relating to Requirements for City Contractors; Amending the City of Santa Fe Purchasing Manual to Establish a New Provision to Prohibit Discrimination. (Councilors Bushee and Ives) (Jamison Barkley)

**Committee Review:**

City Council (request to publish)

04/10/13

City Council (public hearing)

05/08/13

Fiscal Impact - No

15. Request for Approval of an Ordinance Relating to Requirements for City Contractors; Amending the City of Santa Fe Purchasing Manual to Require Certain City Contractors to Provide Equal Employment Benefits. (Councilor Bushee) (Jamison Barkley)

**Committee Review:**

City Council (request to publish)

04/10/13

City Council (public hearing)

05/08/13

Fiscal Impact – Yes

16. Request for Approval of an Ordinance Relating to Benefits for Domestic Partners; Creating a New Section 19-3.8 SFCC 1987 to require that the City of Santa Fe Provide Domestic Partner Benefits for all Full-Time Permanent Employees of the City of Santa Fe. (Councilor Bushee) (Jamison Barkley)



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CITY COUNCIL CHAMBERS  
APRIL 1, 2013 – 5:00 P.M.

**Committee Review:**

City Council (request to publish) 04/10/13  
City Council (public hearing) 05/08/13  
Fiscal Impact – No

17. Request for Approval of an Ordinance Relating to the City of Santa Fe Fire Department; Amending Section 2-10.3 SFCC 1987 to Grant the Fire Chief the Full Authority to Sign Agreements with Landowners for the Purpose of Implementing Fire Hazard Mitigation Activities. (Councilor Trujillo) (Greg Gallegos)

**Committee Review:**

Public Safety (approved) 03/19/13  
City Council (request to publish) 04/10/13  
City Council (public hearing) 05/08/13

Fiscal Impact – No

18. Request for Approval of an Ordinance relating to Human Rights; Creating a New Article 6-18 SFCC 1987 to Establish the City of Santa Fe Human Rights Commission. (Councilor Bushee) (Jamison Barkley)

**Committee Review:**

City Council (request to publish) 04/10/13  
City Council (public hearing) 05/08/13

Fiscal Impact – Yes

19. Request for Approval of a Resolution Relating to the 2013/2014 Budget; Directing the City Manager to Explore the Options for Expanding the City of Santa Fe Legislative Services Office During the 2013/2014 Budget Process and Provide such Options to the Governing Body for Consideration. (Councilors Rivera, Dimas and Bushee) (Melissa Byers)

**Committee Review:**

City Council (scheduled) 04/10/13

Fiscal Impact – Yes



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
APRIL 1, 2013 – 5:00 P.M.

20. Request for Approval of a Resolution Relating to the Health, Safety and Welfare of the Residents of the City of Santa Fe; Encouraging Santa Fe Businesses that Sell Firearms to Include a Trigger Lock with Every Firearm Sold and Encouraging Gun Owners to Keep Trigger Locks on all Firearms in their Possession and Stored Safely Away from Children. (Councilors Rivera, Trujillo, Dimas and Bushee) (Chief Rael)

**Committee Review:**

Public Safety (approved)

03/19/13

City Council (scheduled)

04/10/13

Fiscal Impact – No

**END OF CONSENT AGENDA**

**DISCUSSION**

21. Request for Approval of an Ordinance Authorizing the Issuance and Sale of the City of Santa Fe, New Mexico Gross Receipts Tax Refunding Revenue Bonds, Series 2013A in an Aggregate Principal Amount of \$12,135,000 for the Purpose of Defraying the Cost of Refunding, Paying and Discharging the Outstanding City of Santa Fe, New Mexico Gross Receipts Tax Improvement Revenue Bonds, Series 2006; Providing that the Bonds will be Payable and Collectible from the Gross Receipts Tax Revenues Distributed to the City; Establishing the Form, Terms, Manner of Execution and other Details of the Bonds; Authorizing the Execution and Delivery of a Bond Purchase Agreement and an Escrow Agreement; Providing for Redemption of the Series 2006 Bonds; Approving Certain other Agreements and Documents in Connection with the Bonds; Ratifying Action Previously taken in Connection with the Bonds; Repealing all Ordinances in Conflict Herewith; and Related Matters. (Helene Hausman)

**Committee Review:**

City Council (request to publish)

04-10-13

City Council (public hearing)

05-08-13

Fiscal Impact - Yes

22. Request for Approval of an Ordinance Authorizing the Issuance and Sale of the City of Santa Fe, New Mexico Subordinate Lien Gross Receipts Tax Refunding Revenue Bonds, Series 2013B in an Aggregate Principal Amount of \$14,195,000 for the Purpose of Defraying the Cost of Refunding, Paying and Discharging the



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
APRIL 1, 2013 – 5:00 P.M.

City's Outstanding New Mexico Finance Authority Loan (Parking Structure) Dated March 28, 2006, Providing that the Bonds will be Payable and Collectible from the Gross Receipts Tax Revenues Distributed to the City; Establishing the Form, Terms, Manner of Execution and Other Details of the Bonds; Authorizing the Execution and Delivery of a Bond Purchase Agreement; Providing for Prepayment of the NMFA Loan; Approving Certain other Agreements and Documents in Connection with the Bonds; Ratifying Action Previously taken in Connection with the Bonds; Repealing all Ordinances in Conflict Herewith; and Related Matters. (Helene Hausman)

**Committee Review:**

City Council (request to publish)

04-10-13

City Council (public hearing)

05-08-13

Fiscal Impact – Yes

23. Status of Police Department Programs. (Chief Raymond Rael)

24. OTHER FINANCIAL INFORMATION:

A. Status of Market Station Project. (Isaac Pino)

25. MATTERS FROM THE COMMITTEE

26. 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, April 1, 2013**

<b><u>ITEM</u></b>	<b><u>ACTION</u></b>	<b><u>PAGE</u></b>
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	1
APPROVAL OF CONSENT AGENDA	Approved [amended]	2
CONSENT AGENDA LISTING		2-3
APPROVAL OF MINUTES: REGULAR FINANCE COMMITTEE MEETING – MARCH 18, 2013	Approved	3
<b><u>CONSENT CALENDAR DISCUSSION</u></b>		
REQUEST FOR APPROVAL OF CITY OF SANTA FE FIVE (5) YEAR CONSOLIDATED PLAN 2013- 2014 AND 2013 ANNUAL ACTION PLAN	Approved w/direction to staff	3-10
REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENTS – 2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); NINE (9) VARIOUS VENDORS	Approved w/direction to staff	3-10
REQUEST FOR APPROVAL OF AMENDMENT NO. 6 TO LEGAL SERVICES AGREEMENT – QWEST CORPORATION V. CITY OF SANTA FE MATTER (FEDERAL CASE); CUDDY & McCARTHY, LLP	Approved	10
REQUEST FOR APPROVAL OF BUDGET INCREASE – INSURANCE CLAIMS FUND	Approved	10
REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO LEGAL SERVICES AGREEMENT – QWEST CORPORATION V. CITY OF SANTA FE MATTER (STATE CASE); CUDDY & McCARTHY, LLP	Approved	10

**ITEM****ACTION****PAGE**

REQUEST FOR APPROVAL OF A RESOLUTION  
AMENDING THE PROCEDURES FOR APPEAL  
UNDER SANTA FE CITY CODE SECTION 14-3.17  
TO ALLOW MEMBERS OF LAND USE BOARDS  
FROM WHICH AN APPEAL HAS BEEN TAKEN  
TO TESTIFY IN RESPONSE TO QUESTIONS  
FROM MEMBERS OF THE GOVERNING BODY

Withdrawn by Sponsor

11-15

REQUEST FOR APPROVAL OF AN ORDINANCE  
RELATING TO REQUIREMENTS FOR CITY  
CONTRACTORS; AMENDING THE CITY OF  
SANTA FE PURCHASING MANUAL TO  
ESTABLISH A NEW PROVISION TO PROHIBIT  
DISCRIMINATION

Approved a/a

15-17

REQUEST FOR APPROVAL OF AN ORDINANCE  
RELATING TO REQUIREMENTS FOR CITY  
CONTRACTORS; AMENDING THE CITY OF  
SANTA FE PURCHASING MANUAL TO  
REQUIRE CERTAIN CITY CONTRACTORS TO  
PROVIDE EQUAL EMPLOYMENT BENEFITS

Postponed to 04/15/13

17-24

REQUEST FOR APPROVAL OF AN ORDINANCE  
RELATING TO BENEFITS FOR DOMESTIC  
PARTNERS; CREATING A NEW SECTION  
19-3.8 1987, TO REQUIRE THAT THE CITY OF  
SANTA FE PROVIDE DOMESTIC PARTNER  
BENEFITS FOR ALL FULL-TIME PERMANENT  
EMPLOYEES OF THE CITY OF SANTA FE

Approved [amended] w/direction

24-29

REQUEST FOR APPROVAL OF AN ORDINANCE  
RELATING TO THE CITY OF SANTA FE FIRE  
DEPARTMENT AMENDING SECTION 2-10.3  
SFCC 1987, TO GRANT THE FIRE CHIEF THE  
FULL AUTHORITY TO SIGN AGREEMENTS  
WITH LANDOWNERS FOR THE PURPOSE OF  
IMPLEMENTING FIRE HAZARD MITIGATION  
ACTIVITIES

Approved [amended]

29-31

REQUEST FOR APPROVAL OF AN ORDINANCE  
RELATING TO HUMAN RIGHTS; CREATING A  
NEW ARTICLE 6-18 SFCC 1987, TO ESTABLISH  
THE CITY OF SANTA FE HUMAN RIGHTS  
COMMISSION

Postponed to 04/15/13

32-33

**ITEM****ACTION****PAGE**

REQUEST FOR APPROVAL OF A RESOLUTION  
RELATING TO THE 2013/2014 BUDGET,  
DIRECTING THE CITY MANAGER TO EXPLORE  
THE OPTIONS FOR EXPANDING THE CITY OF  
SANTA FE LEGISLATIVE SERVICES OFFICE  
DURING THE 2013/2014 BUDGET PROCESS  
AND PROVIDE SUCH OPTIONS TO THE  
GOVERNING BODY FOR CONSIDERATION BYERS)

Approved

33-34

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END OF CONSENT CALENDAR DISCUSSION

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**DISCUSSION**

REQUEST FOR APPROVAL OF AN ORDINANCE  
AUTHORIZING THE ISSUANCE AND SALE OF  
THE CITY OF SANTA FE, NEW MEXICO GROSS  
RECEIPTS TAX REFUNDING REVENUE BONDS,  
SERIES 2013A IN AN AGGREGATE PRINCIPAL  
AMOUNT OF \$12,135,000, ETC.

Approved

34-35

REQUEST FOR APPROVAL OF AN ORDINANCE  
AUTHORIZING THE ISSUANCE AND SALE OF  
THE CITY OF SANTA FE, NEW MEXICO  
SUBORDINATE LIEN GROSS RECEIPTS TAX  
REFUNDING REVENUE BONDS, SERIES  
2013B IN AN AGGREGATE PRINCIPAL AMOUNT  
OF \$14,195,000, ETC.

Approved

35

STATUS OF POLICE DEPARTMENT PROGRAMS

Postponed to 04/15/13

36

OTHER FINANCIAL INFORMATION  
STATUS OF MARKET STATION PROJECT

36

MATTERS FROM THE COMMITTEE

Introduction of Resolution

36

ADJOURN

36

Melessia Helberg, Stenographer



**MINUTES OF THE  
CITY OF SANTA FE  
FINANCE COMMITTEE  
Monday, April 1, 2013**

**1. CALL TO ORDER**

A meeting of the City of Santa Fe Finance Committee was called to order by Chair Carmichael A. Dominguez, at approximately 5:00 p.m., on Monday, April 1, 2013, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

**2. ROLL CALL**

**MEMBERS PRESENT:**

Carmichael A. Dominguez, Chair  
Councilor Patti J. Bushee  
Councilor Christopher Calvert  
Councilor Bill Dimas  
Councilor Peter N. Ives

**OTHERS ATTENDING:**

Teresita Garcia, Department  
Yolanda Green, Finance Department  
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 to these minutes by reference. The original Committee packet is on file in the Finance Department.**

**3. APPROVAL OF AGENDA**

Teresita Garcia said Item #13, under Committee Review, was disapproved by the Public Works Committee.

Councilor Bushee asked for a copy of the minutes from the Public Works Committee where this item was disapproved.

**MOTION:** Councilor Dimas moved, seconded by Councilor Ives, to approve the agenda, as amended.

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

#### 4. APPROVAL OF CONSENT AGENDA

Councilor Bushee asked to be added as a cosponsor of Item #17.

**MOTION:** Councilor Calvert moved, seconded by Councilor Ives, 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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A proposed amendment to Item #20, Trigger Locks, proposed by the Public Safety Committee, is incorporated herewith to these minutes as Exhibit "1."

6. **BID NO. 13/11/B – SANTA FE TRAILS BUS SHELTERS FOR TRANSIT DIVISION, MERIDIAN CONTRACTING, INC. (MARY MacDONALD)**
7. **REQUEST FOR APPROVAL OF GRANT APPLICATION AND AWARD – AIRFIELD PAVEMENT MARKETING FOR SANTA FE MUNICIPAL AIRPORT; NEW MEXICO DEPARTMENT OF TRANSPORTATION AVIATION DIVISION. (JIM MONTMAN)**
8. **REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO LEASE AGREEMENT – WITHIN BURRO ALLEY TO ALLOW FOR ADJUSTMENT TO LEASE PREMISES AND ALLOW FOR SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN LEASE PREMISES; MAJED HAMDOUNI DBA BURRO ALLEY CAFÉ. (EDWARD VIGIL)**
9. **REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – PAVEMENT MARKING MATERIALS FOR TRAFFIC ENGINEERING DIVISION; 3M COMPANY. (RICK DEVINE)**
10. ***[Removed for discussion by Councilor Bushee]***
11. ***[Removed for discussion by Councilor Ives]***
12. ***[Removed for discussion by Councilor Ives]***
13. ***[Removed for discussion by Councilor Ives]***
14. ***[Removed for discussion by Councilor Calvert]***
15. ***[Removed for discussion by Councilor Ives]***

16. *[Removed for discussion by Councilor Ives]*
17. *[Removed for discussion by Councilor Calvert]*
18. *[Removed for discussion by Councilor Ives]*
19. *[Removed for discussion by Councilor Bushee]*
20. REQUEST FOR APPROVAL OF A RESOLUTION RELATING TO THE HEALTH, SAFETY AND WELFARE OF THE RESIDENTS OF THE CITY OF SANTA FE; ENCOURAGING SANTA FE BUSINESSES THAT SELL FIREARMS TO INCLUDE A TRIGGER LOCK WITH EVERY FIREARM SOLD AND ENCOURAGING GUN OWNERS TO KEEP TRIGGER LOCKS ON ALL FIREARMS IN THEIR POSSESSION AND STORED SAFELY AWAY FROM CHILDREN (COUNCILORS RIVERA, TRUJILLO, DIMAS AND BUSHEE). (CHIEF RAEL) Committee Review: Public Safety (approved) 03/19/13; and City Council (scheduled) 04/10/13. Fiscal Impact – No.

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**END OF CONSENT AGENDA**

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**5. APPROVAL OF MINUTES: REGULAR FINANCE COMMITTEE MEETING – MARCH 18, 2013.**

**MOTION:** Councilor Bushee moved, seconded by Councilor Dimas, to approve the minutes of the Regular Finance Committee Meeting of March 18, 2013, as presented.

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

**CONSENT CALENDAR DISCUSSION**

10. REQUEST FOR APPROVAL OF CITY OF SANTA FE FIVE (5) YEAR CONSOLIDATED PLAN 2013-2014 AND 2013 ANNUAL ACTION PLAN. (KIM DICOME)
  - A. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENTS – 2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); NINE (9) VARIOUS VENDORS.

Councilor Bushee said this is a big report and thought it deserved a little bit of questioning, commenting she had hoped to get Ron Pacheco here from the County to talk about what is or isn't happening to Civic housing in the County.

Councilor Bushee said on page 10, it says the City has exceeded its Emergency Shelters and Transitional Living Facilities, and we were able to double what the consolidated plan had indicated was our goal, although we didn't exceed our other goals.

Councilor Bushee pointed out the report indicates approximately 5,200 residents need, but are not receiving, treatment for drug or alcohol abuse.

Councilor Bushee noted on page 94 it says, that "....a main emphasis of the consolidated plan is to increase affordable housing opportunities for extremely low and very low income populations using a variety of program interventions such as: providing rental assistance, supporting the development of rental units, continuing down payment, counseling and training for low-income homebuyers and providing support services for low-income homeowners, including refinancing, foreclosure prevention and home repair." Councilor Bushee asked if there has been progress in terms of contractors to the City to offer those programs, in particular foreclosure prevention, noting the group to whom we are contracting currently is working out. She asked Ms. Dicome if there are organizations in place to offer any or all of those potential intervention ideas or components.

Ms. Dicome said CDBG has a contract with Homewise for 2012-2013, but they haven't spent any of the money, so that will continue through next year.

Councilor Bushee asked the reason they haven't spent any of that money.

Ms. Dicome said Homewise is still drawing down funds for the previous year, but they have been extremely active. She said the procedure has been changed to reimburse when construction is done, not at the beginning when there was a loan. She wants to make sure we pay for what is actually being constructed..

Councilor Bushee asked if we need to tweak how we are allocating funds.

Ms. Dicome said no, because they didn't give anyone rehab money for 2013-2014.

Councilor Bushee asked if we are happy with counseling and down-payment assistance, commenting her sense is we really weren't doing a lot in the last year.

Ms. Dicome said Homewise has done quite a bit with down-payment assistance, but that is with its program funds, and Homewise, Housing Trust and Habitat have been allocated funds for 2013-2014, depending on what the actual allocation is, and all of the \$800,000 for the Affordable Housing Trust Fund has been reserved and almost ½ of it has been spent. She said no one got down-payment assistance through CDBG, because we knew the \$800,000 would be available, reiterating that all 3 entities were involved in the allocation of \$800,000, and allocated funds for 2013-2014 for down-payment assistance.

Councilor Bushee asked if anyone is developing rental units.

Ms. Dicome said the Stagecoach Inn is in the process for low income rental, noting currently there are 16 units. She is unsure how many units are in Village Sage and Villa Alegre, noting those are relatively new and each one of those are rental units.

Councilor Bushee asked about rental assistance.

Ms. Dicome said it does provide rental assistance, and said Ms. Ladd can provide those details.

Councilor Bushee since there are no new sources of funding, she wants to see what is out there and if we can leverage anything.

Alexandra Ladd said, "We are a grantee of HUD for the Shelter Plus Care Program, so we have, I believe, it's 7 grants in place, and basically the City's role is to pass through the funding to the non-profits which issue it as a project based rental. The Village Sage and LifeLink have a project based grant that they allocate, so they subsidize the rent themselves, and then the tenant pays what they can afford, based on 1/3 of their income. They also have tenant-based vouchers, like a Section 8 voucher, which can be used at a privately owned rental around town. The Housing Trust has one specifically for people living with HIV/AIDS. LifeLink's is for folks with mental illness and other co-occurring disorders and St. Elizabeth's has one as well. It's all federal funds from HUD. And we're working to establish a revenue stream to fund a rental voucher which would be administered through one of our non-profit partners to meet the needs of the very very low income renters."

Councilor Bushee asked the total resources to the program being developed.

Ms. Ladd said the Federal money is \$1 million annually, the Shelter Plus Care Money.

Councilor Bushee asked if we have a way to get those funds to the people that need it as we develop the program.

Ms. Ladd said the rental voucher program that they will establish, will be partnered with one or more of the non-profits which currently as doing a rental voucher program so we don't have to reinvent the wheel or create a new system for doing it. She said they have all the income certification programs in place, the support services in place, so it actually becomes the rental voucher. She said it isn't just a subsidy that's handed out, noting that's a critique that can be made of public housing vouchers, but it's actually tied into a whole program and treatment plan, so it becomes part of the establishment of a person's individual independence, as a goal. She said it is limited in time.

Councilor Bushee asked how people access the funds, such as the Santa Fe ROC, and would you be counseling people there and directing them toward these resources.

Ms. Ladd said the services providers would do the counseling and referrals. She said, "If LifeLink were administering a voucher for us, and somebody came to the ROC, and the staff there knew they were good candidates, then they would refer them to LifeLink. And I bring up LifeLink, because they have the contract for all of Northern New Mexico to do the Recovery Act Funds which were used for emergency rental assistance. They have all of the infrastructure set up to provide the services."

Councilor Bushee asked if the \$1 million is for all of New Mexico.

Ms. Ladd said the Shelter Plus Care Program is just the City of Santa Fe, that's our 7 grants.

Councilor Bushee asked Ms. Ladd if she thinks we can get those funds into the hands of those that need it.

Ms. Ladd said it's getting out right now, noting each of the partner agencies provide their portion.

Councilor Bushee would like to see an accounting.

Ms. Ladd said she can provide an accounting of each of those grants, noting it is audited every month. They give us a bill and we go through it, noting it's got a copy of each tenant's jacket, the booking on their end which we review, then we pay it and get reimbursed from HUD. She said there are several checks and balances.

Councilor Bushee said she would like a quarterly accounting to see to whom, and how the Shelter Plus Care funds are being paid by the 3 partner agencies and the City

Councilor Bushee referred to the Homelessness Strategy, noting it is a very laudable goal to prevent individuals and families from becoming homeless again, and wants to know that have aggressive strategies.

Ms. Ladd said if Hank Hughes were here he could speak to this very eloquently. The best way to prevent homelessness is to prevent it in the first place, and where they are going in establishing rental services and rental support for people in a very low income category. She said some of these people don't have disabilities, and have jobs. They are perfectly functioning people, but they are economically vulnerable because their incomes are so little – it's one major car repair, layoff, hours shortened and they can fall right out of the system.

Councilor Bushee said it's a good idea, she just wants to know we have ways to get money out to the people.

Ms. Ladd said the strength of the Shelter Plus Program and any voucher program, is that it is not just anyone walking off the street; they're linked into a program and a set of services, and they have a relationship with the person administering the voucher to them. The landlords have relationships to the administering agencies, so there is a lot of support there which is really important.

Councilor Bushee said that brings her to the whole anti-poverty strategy, because we have just about tapped out the affordable housing fund, and the crux of it is to fund a local housing voucher program, modify the Santa Fe Home Program so the rental requirement is relevant to the housing needs in the community. She wants details, and she doesn't know how to get those.

Ms. Ladd said those details would come out in the program development and in the amendments to the regulations. In terms of HUD, the purpose of the consolidation plan is to talk about how we're spending federal money. HUD wants to know that there are corresponding resources and programs in place to support the allocation of federal money.

Councilor Bushee said she doesn't mean the plan, she wants her to follow up. She understands staff wants us to just pass the plan along. She said, "I'm pointing out things, because it was the same when we got the whole plan to end homelessness, everything sounded wonderful. And then we put some money toward the new shelter and the day programs, but I've only seen homelessness increase in this part of the world. And again, I'm looking for failures, successes, potential future sources of funding. And then it gets me to the one area where I want to just spend a moment, and I don't know to get there later, and it doesn't have to be for this report. But this whole civic housing RAD conversion project to renovate... again, I have only seen so far what they did on West Alameda, which is lovely, physically. But, my recollection of how things went there is a lot of the folks on Section 8 were moved out of those homes. I don't know how many moved back in. I get calls all the time and I don't really know to refer people, that there's no more Section 8. How do I access this housing, so that's why I was asking about the whole rental assistance program. It feels like we're getting more gentrified and beautified, but I don't know that we are serving that population. So these are all follow-up things for me. I understand we don't have a failing agency, it's all good on paper. I just want to know that we are making real meaningful changes for people that need that help."

Ms. Ladd said, "To put it into perspective, public housing has been cut every single year for the last 15 years."

Councilor Bushee said just as CDBG funds have been cut.

Councilor Bushee said resources are shrinking, she understands that. She is wondering if there are things on the horizon where we can seek funding. She doesn't want to just pass a plan and say, "Okay, good, we took care of the problem."

Ms. Ladd said in terms of public housing, Ed Romero, the Director, is applying for the Rental Assistance Demonstration Project [RAD Project] which is a brand new initiative from HUD for that very reason. She said he has thousands and thousands and thousands of capital needs for every one of his units, noting all of the units are 40-60 years old. She said for some sites, he estimates \$60,000 is needed per unit to bring them to modern standards. She said this program allows him to re-capitalize this projects to bring in low income housing tax credits, so he will be accessing more resources.

Councilor Bushee said, "But we don't have a lot to say about their program. We confer with the Mayor and appoint their Board, and then I never hear back, other than I hear from individuals who want resources, whether Section 8, rental assistance, people that are on the edge."

Ms. Ladd said they get those calls every single day.

Councilor Bushee said these are her questions. She said, "I know we've done what we can in terms of the new shelter and the day programs, but it's a drop in the bucket. I know you know that. I'm just bringing this up wondering how we get the message to Washington or wherever it is."

**MOTION:** Councilor Bushee moved, seconded by Councilor Dimas, to approve Item #10.

**DISCUSSION:** Councilor Calvert said on page 10 of the Plan Executive Summary, Section 4, summary of citizen participation process and consulting process, and it says, "Three public hearings on the plan will be held during the following meetings, " and the first one listed is this one this evening, which is not a public hearing.

Ms. Dicome said, "I think they mean by a public hearing that this agenda is published on the website."

Councilor Calvert said he doesn't believe you can quibble over the definition of public hearing. He said, "I think if you state in your plan that you are going to have a public hearing, our definition of a public hearing is something you notice and that you have to allow the public to interact on. So, I think you need to reschedule this for the next Finance Committee meeting with the Chair's consent."

Chair Dominguez said he has no problem scheduling it, but does this qualify what you are required to do in terms of a public hearing.

Ms. Dicome said she doesn't have to have 3 public hearings, only 1 public hearing. She said if action is delayed on this, then "everything is done backtracking from when it has to be submitted to HUD."

Councilor Calvert said if we schedule it at the next Finance Committee meeting it won't delay anything.

Ms. Ladd said, "The HUD requirement is the one public hearing."

Councilor Calvert said he understands that, but you have stated in this plan of yours, that you will have 3 public hearings.

Ms. Ladd said, "I think that's just a misstatement and it needs to be a public meeting."

Councilor Calvert said that's not what it says.

Ms. Ladd said it is a draft plan, and she is glad he pointed this out, because they can change this, because it still needs to go out for 30 days for public comment and the public hearing. She said it is very much a work in progress, and they will change and clarify that statement.

Councilor Calvert said he would appreciate if she would coordinate Terrie Rodriguez who is working on some homeless issues with the veteran community, and wants to include what she is doing as well.

Ms. Dicome said, "Yes. We are in communication and coordination with Terrie."

Chair Dominguez said, with regard to the public outreach, the citizen participation process, she is saying they reached out to a total of 403 residents, including employees.

Ms. Dicome said that was through the survey.



Chair Dominguez asked if there was a goal or a number that gave her a good sense of.... outside of the requirement was there some goal that was being pursued to get a sense of what the Community really was talking about.

Ms. Ladd said, "The community survey was done as part of the housing needs assessment. In order to be statistically relevant, I think a survey has to have a fairly high response, in comparison to the entire population. But given that we had very recent census data, we didn't feel like we needed to... plus, we didn't have the budget, because surveys to that extent are extremely expensive to do. So we really were trying to get more of a feel the heartbeat of what the community was thinking on these issues. One of the things where we did go the extra mile, is that we hired a Spanish interpreter to visit immigrant owned business and speak to Spanish speakers, and we got a really good response."

Chair Dominguez asked if she is comfortable with that amount, 403.

Ms. Ladd said she is comfortable, noting they aren't determining any statistical needs on that, and they are using the census data for statistical analysis. She said, "But we are comfortable in saying this is how our community feels about affordable housing and what they say their needs are. And it helps to put some of the quantitative data, some of the statistical numbers into perspective."

Chair Dominguez said, "So, I suppose you're not going to continue that effort throughout the rest of the public process."

Ms. Ladd said the survey itself is closed, but we go through an extensive advertising process to let people know where they can access the plan either through the website, the library or community centers. They are absolutely welcome to make comments which are incorporated into the plan as appropriate. When they turn the final plan into HUD, they have to list all the comments and talk about how they were addressed.

Chair Dominguez said he wants to be clear about what the Community wants to do with what you have indicated as public hearings. What is the HUD requirement – that you have one public hearing.

Ms. Ladd said, "HUD doesn't have a very extensive requirement for the public participation, sadly. We were going over and above the requirement. So there's one public hearing, which would be the City Council hearing that would be right before the plan is due to HUD, because HUD then has to have a 45 day review period to make sure it is in place by July 1, 2013, by the start of our fiscal year."

Chair Dominguez asked if it was her intention to fulfill the requirement through the City Council.

Ms. Ladd said, "Yes. This was just a vocabulary.... we wanted HUD to know that we discussed the plan in public meetings, that notice was given, that the plan would be at these public hearings."

Chair Dominguez said then what you really meant to say was 3 public meetings.

Ms. Ladd said yes, but the last one is a public hearing and it will be noticed as a public hearing and conducted as a public hearing.

Chair Dominguez said he will leave this to the Committee, but it appears there are some time constraints.

**VOTE:** The motion was approved on a voice vote, with Councilor Calvert, Councilor Dimas and Councilor Ives voting in favor of the motion, no one voting against, and Councilor Bushee absent for the vote.

**MOTION:** Councilor Calvert moved, seconded by Councilor Dimas, to approve Item #10(A).

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

**11. REQUEST FOR APPROVAL OF AMENDMENT NO. 6 TO LEGAL SERVICES AGREEMENT – QWEST CORPORATION V. CITY OF SANTA FE MATTER (FEDERAL CASE); CUDDY & McCARTHY, LLP. (KELLEY BRENNAN)**  
**A. REQUEST FOR APPROVAL OF BUDGET INCREASE – INSURANCE CLAIMS FUND**

Councilor Ives said he removed this item to recuse himself from participation.

**MOTION:** Councilor Calvert moved, seconded by Councilor Dimas, to approve Item #11.

**VOTE:** The motion was approved on a voice vote, with Councilor Calvert, Councilor Dimas and Chair Dominguez voting in favor of the motion, no one voting against, Councilor Bushee absent for the vote, and Councilor Ives recused.

**MOTION:** Councilor Calvert moved, seconded by Councilor Dimas, to approve Item #11(A).

**VOTE:** The motion was approved on a voice vote, with Councilor Calvert, Councilor Dimas and Chair Dominguez voting in favor of the motion, no one voting against, Councilor Bushee absent for the vote, and Councilor Ives recused.

**12. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO LEGAL SERVICES AGREEMENT – QWEST CORPORATION V. CITY OF SANTA FE MATTER (STATE CASE); CUDDY & McCARTHY, LLP. (KELLEY BRENNAN)**

Councilor Ives said he removed this item to recuse himself from participation.

**MOTION:** Councilor Calvert moved, seconded by Councilor Dimas, to approve this request.

**VOTE:** The motion was approved on a voice vote, with Councilor Bushee, Councilor Calvert and Councilor Dimas, no one voting against, and Councilor Ives recused.

**13. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING THE PROCEDURES FOR APPEAL UNDER SANTA FE CITY CODE SECTION 14-3.17 TO ALLOW MEMBERS OF LAND USE BOARDS FROM WHICH AN APPEAL HAS BEEN TAKEN TO TESTIFY IN RESPONSE TO QUESTIONS FROM MEMBERS OF THE GOVERNING BODY (COUNCILOR BUSHEE). (KELLEY BRENNAN) Committee Review: Public Works (disapproved 03/25/13; and City Council (scheduled) 04/10/13. Fiscal Impact – No.**

Councilor Ives said he understands that the only language proposed to be changed is in new Paragraph 10, and asked if this is correct.

Ms. Brennan said this is correct.

Councilor Ives said there have been reservations expressed with regard to having a member of one of the Boards act in this capacity. He said he has spoken about the fact that when there is an appeal from a district court ruling, you have real parties in interest who carry an appeal forward, so you have a pro and a con, two sides, that continue to present all relevant evidence on behalf of those two sides. He said, "The language here provides that, '... a member of a land use board may testify in response to questions from members of the Governing Body.' Do you see any distinction or relevant distinction between asking a person in that capacity to respond to questions as opposed to being an advocate for a particular position."

Ms. Brennan said, "Councilor, I find it difficult to make a distinction, because I think that when answering a question, it is very easy to take a position, or express a position. As you know, my concern is about the impartiality of a tribunal. I believe that lower boards are appointed or approved by the Council as a whole, and that I think, at least the appearance of an impropriety would occur. If a member of a lower board testified before you, I think that, as I said before, I think you might love that person, or hate that person, or not care about that person, but I think that they would be perceived by others as having undue influence on the Council. For me, it's a question of a Constitutional right to an impartial tribunal. And, as you know, the City Attorney has opined that it's not permissible."

Councilor Ives said, "What if, as opposed to a member of one of these boards, there was a position or an opportunity created for an advocate on behalf of the board to be present, say, before this Governing Body when an appeal comes before it, by way, again, of trying to ensure that there is the opportunity to hear advocates on both sides of an issue, as opposed to just one, with the record being functionally the only advocate for the position taken below."

Ms. Brennan said, "Councilor, I think there are advocates in the community that frequently speak, as I mentioned before, I think certainly the preservation community shows up frequently and comments on things in which they have an interest. I think there are planning groups and social services groups that also have representatives. Neighborhood associations have representatives. I have never seen an appeal, and I've seen a lot now, where if there is an interest in the community there is not comment. I would also say that staff does represent the City interest, sometimes that is the corporate interest of the City which may sometimes conflict with boards below. And I will also say that the minutes and the findings are an excellent way for board members and commission members to express why they made the decision they did on the public record."

Councilor Dominguez said, "On that point, Councilor Bushee."

Councilor Bushee said, "Again, I'm not on Public Works, so I didn't hear what your legal concerns are. I know I read Geno's opinion a long time ago, but this language was provided to me by our former City Attorney. And I've spoke with many other city attorneys who have opined differently, and I'm not trying to get into any kind of territorial situation here. But what I found, and this came up for me, I keep trying to remember which appeal, maybe it was the Hilton, I think, where... we don't get verbatim minutes. And so I didn't have the details I needed to really understand what transpired at the H-Board."

Responding to Councilor Bushee, Councilor Ives said, "I had asked whether or not there might be a means of finding some other party, not a member of a board or commission who could act functionally as an advocate, and Kelley was responding that, to some degree, that function is performed by staff."

Councilor Bushee said, "Minutes, is what she had said."

Councilor Ives said, "There is language in here which is troubling to me, which might be argued to reflect on the impartiality of the Governing Body in an instance where it concerns an appeal, which is the purportedly question, needs to be functionally restricted to matters that don't impeach the record below. And that's a little bit of the language that I actually do have a problem, because I think we're free, because it is a *de novo* in the various instances to really go wherever our questioning leads us. Hopefully, it's sensible and on that material."

Councilor Bushee said, "And on that, let me just say that Councilor Ives and I have been trying to get together to talk about this, we've had a few phone communications. So I put in the language as it was submitted to both of us. And in the discussion, I was happy, I told you to remove the impeach language. Again, I'm just trying to understand the legal concern that there is an appearance of impropriety on the part of subordinate boards. Because I don't know how it is any more undue influence on the Council, than say an activist that everybody knows and respects and represents more than just their opinion."

Ms. Brennan said, "Councilor, I suppose that's in the mind of the beholder. I think that the guarantee of an impartial tribunal is one of the most important guarantees under the federal and State Constitutions and there is significant case law about it. If you believe that it would not create an appearance of impropriety to have deciding members of a land use board that decided a case, to come and advocate or speak to the Council about their decision, I suppose that that would be okay. I think that it is questionable."

Councilor Bushee said, "I'm actually looking... I don't care so much about their individual opinions, although I don't feel I can bind them Constitutionally. I think they have the right to come and talk to us. In most cases, it's *de novo*. It's brand new information. All I want to know are the details that I may not be able to glean from the minutes."

Ms. Brennan said, "If I may speak to the issue of the minutes. Again, if the board or commission members feel that the minutes do not reflect the proceeds, and their reasons for making decisions, they have an opportunity at every meeting to correct the minutes of the previous meeting, and they do do so."

So I would say that that is, while they are not verbatim minutes, I do think the minutes very accurately reflect the proceedings. I think that members of bodies may want to articulate further what they did not articulate at a meeting, again, and just to speak briefly, so long as the member does not impeach the record below. I can't speak for Frank, I believe he included that language, because I expressed concern about the Council remanding the case to the land use board that decided the matter. I don't think that would address that problem, but that is why it is there."

Councilor Bushee said, "For years, at least for the 19 years I have served on this Council, we have had the chairs, in particular, available for questions from boards, usually the H-Board or what have you. I don't know why that changed under this particular City Attorney. And I have found... in the particular instance I'm recalling, and again it's vague, there are situations where there might have been compromises offered, and I'm not seeing them specifically in the minutes. The members of the board are being very careful about directly communicating with me, knowing this is an appeal, and I can't ask the questions of someone who is not in the room, or in the room, but not allowed to speak."

Councilor Bushee continued, "This is a grave concern of mine. I would like to find a way around this, and we're back to that Harry Truman, you know, you want a one armed lawyer, because it's always on the one hand and on the other hand. Because, you know, I've got attorneys, you know, I'm not going to try to be an attorney tonight and quote any of them, but they find this, our current practice not at all copacetic, so I would like to find that line down the middle where we can actually get the information we need. We do not get verbatim minutes. If the City wants to start spending money and every Committee hearing get verbatim minutes, and I take the time to read all those minutes. I see the short cut here, and I'm not sure I understand the legal concern. And I know that's very subjective."

Ms. Brennan said, "I don't know how to express it otherwise than I already have. I will certainly say that in the time I've been here, I've only seen one instance of a board member attempting to testify on something material in an appeal. And I do not think that fared well. I remember Councilor Ortiz criticizing the member from a lower body coming up and testifying before the Council. That's the only case I remember."

Councilor Bushee said, "I don't agree with their opinion."

Ms. Brennan said, "I can say that's the only case in the 5 years I've been here doing appeals that I have seen."

Councilor Bushee said, "But it was, again, the same as having individuals just come down here and give us their opinion. We write their name down and go okay."

Ms. Brennan said, "That would be part of the public hearing."

Councilor Bushee asked, "What if we put parameters around this and just, you know... I want to be able to ask questions. Was there a compromise offer. Was there an alternative to this that we don't have the details on."

Ms. Brennan said, "Councilor, I think staff can answer those questions. There is always staff available to answer questions for the City, in preparing the staff report, and usually has a very thoroughgoing knowledge of the case. "

Councilor Bushee said, "I don't know any other way to..."

Chair Dominguez asked Councilor Ives if he has anything further and he said, no.

Chair Dominguez asked Councilor Bushee if she has anything else and she nodded no.

Chair Dominguez said, "One of the things that I was concerned about was the idea is that it looks like something that might be struck if this moves forward, is so long as the member does not impeach the record below. Can a member intentionally impeach the record, and if that happens, what are the potential consequences. And, are there any consequences to that for them for intentionally impeaching the record."

Ms. Brennan said, "Chair Dominguez, as I say, I believe that Frank included this language in response to a discussion, we had..."

Chair Dominguez asked, "Frank who."

Councilor Bushee said, "Frank Katz, former City Attorney."

Ms. Brennan said, "Frank Katz. I believe Councilor Bushee said he drafted this, because I expressed a concern that the Council can, and has, remanded cases to Boards, and that information might be offered that would change the record below. It might, if it weren't remanded, affect the decision in a different way. I can't honestly say what he was speaking to here. I believe that's what he was attempting to do."

Chair Dominguez said, "Well, I'll just say that we have to be very careful with this, because attorneys love this kind of stuff. They make lots of money with this. So, Councilor Bushee, it sounds like you're..."

**WITHDRAWAL OF THE BILL BY THE SPONSOR:** Councilor Bushee said I'm going to make a motion to withdraw this, and work on it with Councilor Ives, and I'll have my attorney call your attorney.

Ms. Brennan said, "We've spoken about it a number of times Councilor."

Councilor Bushee said, "Well I'll get more of my attorneys to talk to your attorneys."

Chair Dominguez said, "So this item is being withdrawn completely. Well I guess it was already disapproved by Public Works. Okay, we'll just pull it completely, and that way, it's already died at Public Works anyway."

Councilor Bushee said, "I'll introduce it again."

Chair Dominguez thanked Ms. Brennan.

**14. REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO REQUIREMENTS FOR CITY CONTRACTORS; AMENDING THE CITY OF SANTA FE PURCHASING MANUAL TO ESTABLISH A NEW PROVISION TO PROHIBIT DISCRIMINATION (COUNCILORS BUSHEE AND IVES). (JAMISON BARKLEY) Committee Review: City Council (request to publish) 04/10/13; and City Council (public hearing) 05/08/13. Fiscal Impact – No.**

Councilor Calvert said he pulled this in conjunction with Item #15. He said in Item #14, on page 1, line 24, Section 1.6.1 talks about "prohibiting discrimination in the provision of employee benefits," which is what he thought Item #15 was all about. He asked if it is intentionally redundant, trying to be sure it's clear and we're repeating it in this one as well as the one on point which is #15.

Ms. Barkley said, "No. It's a drafting error. I noticed it on the way down here. I think that there ought to be an amendment to strike the phrase on page 1, line 24, Section 1.6.1, "in the provision of employee benefits." She said that should be in the next item.

**MOTION:** Councilor Calvert moved, seconded by Councilor Dimas, to approve this request with the amendment to strike the language on page 1, line 24, Section 1.6.1 "in the provision of employee benefits."

**DISCUSSION:** Councilor Dimas asked, with regard to changing the Purchasing Manual to prohibit discrimination, if we don't have anything on discrimination already in place.

Ms. Barkley said there is nothing in the Purchasing Manual that governs the activity of contractors.

Councilor Dimas asked if we have ever had a "problem with contractors discriminating that you know of."

Ms. Barkley said she can't speak to that.

Chair Dominguez asked Mr. Rodarte to speak to this.

Robert Rodarte said, "To my recollection, I haven't had any kind of situation related to this, any situation in RFPs or bids.

Councilor Dimas said, "I can't understand why this wouldn't be a part of the Manual already. Is it because we've never had a problem with it and it wasn't necessary."

Mr. Rodarte said, "We have a non-collusion, non segregated in there. We have EEO. All those forms are in there. It's maybe a matter of a little bit of language we need to change, but I think all the forms we have that we have in the Purchasing Manual, related to bids and RFPs would cover just about every category that you're talking about."

Councilor Dimas said, "Basically, this is pretty redundant to what we already pretty much have then."

Mr. Rodarte said he would leave it to Legal counsel to make that determination.

Chair Dominguez asked Ms. Barkley to speak to that.

Councilor Dimas said, "Let's get an attorney's opinion again, because there will be another attorney somewhere that will say just the exact opposite."

Ms. Barkley said she hopes they will wait until she leaves the room.

Councilor Dimas said, "Having served in my previous position, I used to hear different attorneys positions. You can put a spin on it, however you want to put it, and another attorney will put another spin on it, and it will make just as much sense. I'm just wondering why we're doing this, basically."

Ms. Barkley said, "Well, it's an important thing. As you look around the country and look at other municipalities and the handbooks they use. And certainly, if you look at the City's Employment Manual, there is an explicit prohibition of discrimination. In the judgment of some, it deserves to be explicitly stated rather than just to be sort of implied with attachments. So, that would be what I would say. It certainly holds some force to have it in this Section 1.6, will be right at the front of the Purchasing Manual. And I believe that it represents the importance that the City puts on this topic."

Councilor Dimas, referring to page 2, Section 1.6.3 Enforcement, Subsection 2(a), said he is unsure if there are any kinds of rules or regulations according to this, which provides "Disqualification of the contractor from bidding on or being awarded a City contract for a period of up to five years." He asked if this an arbitrary number, 5 years, because that seems to him to be a very long time to prevent a contractor from being able to bid again.

Ms. Barkley said, "Robert Rodarte might address this. I believe the way the manual currently reads is that a contractor can be disqualified for periods of 6 months up to 3 years, so this is going to quite a bit more strict than what we're used to. Certainly, you might entertain an amendment. Where this language came from was from a model ordinance, another ordinance that I looked at."

Councilor Calvert said it is discretionary, because it says "up to five years," so it could be anywhere from six months to five years per the other language."

Ms. Barkley said, "Right. And if you look at the section, there is no mandatory disqualification, so it would be up to the City Manager's discretion or his designee's discretion, as to which of the enforcement mechanisms he might choose, given the circumstances of the violation."

Councilor Dimas said, "So the original part of this was six months to 3 years."



Ms. Barkley said, "No. What I'll say is that the manual that we currently use has just a general provision that states that we have the authority, I think the language, is to disbar contractors for 6 months at a time, up to 3 years for general violations of the contract and of good practices."

Mr. Rodarte said, "The language we currently use for disbarment is based on the State Procurement Statutes. It does specify that we have the option to go in and disbar someone for a period of 90 days, to be reviewed every 90 days. So, if you have an ongoing situation, we have that right to come and ask for approval from you all to let us disbar somebody for 90 days. Now, there's a Senate bill out there right now that is at the Governor's desk for signature, that might make some changes related to disbarment. I don't have that Senate bill here in front of me, but Judy Amer and myself are working on that as we speak, to be ready in the event that this particular language is approved."

Councilor Dimas said then it is "subject to change by the State." He said these are all of his questions.

Councilor Ives said, "I'm trying to reconcile what I've heard. On the one hand, we're saying 6 months up to a maximum period of 3 years, but we've also heard 90 days subject to review after 90 days. Are both of those then there?"

Mr. Rodarte said, "Let me clarify that. It is 90 days. It has to be brought back every time for approval. In other words, they base it on an ongoing case. If you put it for longer than that, the case might close and might be in the favor of the defendant, whatever. We don't want to hold them back. That's the way it's written to offset the 90 days, revisited every 90 days."

Councilor Ives asked, "Are we free, or are we shackled by the State provisions in this regard?"

Mr. Rodarte said no. We have the right to come up with our own in this respect."

Councilor Calvert asked if we can be more restrictive, and Mr. Rodarte said yes.

Mr. Rodarte said, "I do understand that the Senate bill currently being reviewed, has a lot more options that are going to be a lot tougher."

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

- 15. REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO REQUIREMENTS FOR CITY CONTRACTORS; AMENDING THE CITY OF SANTA FE PURCHASING MANUAL TO REQUIRE CERTAIN CITY CONTRACTORS TO PROVIDE EQUAL EMPLOYMENT BENEFITS (COUNCILOR BUSHEE). (JAMISON BARKLEY) Committee Review: City Council (request to publish) 04/10/13; and City Council (public hearing) 05/08/13. Fiscal Impact – Yes.**

Councilor Ives said he is trying to make sure he understands the effect this bill if passed as written. He said, "On the one hand it says that contractors and subcontractors of the City shall offer employment benefits to domestic partners. Have we established a procedure to determine whether or not contractors

and subcontractors to the City define what a domestic partner is, and do we have any way to get that information and how do we enforce this without that type of knowledge."

Ms. Barkley said, "The best way to do it would be to include a definition of domestic partner in the Ordinance so the contractor would be bound by what the City determines is a domestic partnership. That would be a lot neater than relying on each individual contractor."

Councilor Ives said he understands, as a matter of Human Resources Policy, there is a mechanism in place for determining domestic partnerships, and asked Ms Barkley to describe that process.

Ms. Barkley said, "We have a policy definition and if you give me a moment, I'll dig it out. This definition of Domestic Policy according to the provision of City benefits is, "Two individuals who live together in a long term relationship of indefinite duration. There must be an exclusive, mutual commitment, similar to that of marriage, and the partners must agree to be financially responsible for each others welfare and share financial obligations."

Councilor Calvert asked how that is evidenced.

Councilor Ives said, "We require the filing of an affidavit."

Ms. Barkley said, "And we have a template, Affidavit of Domestic Partnership. It comes as an attachment to that policy, and essentially it states the language that I just read. Each partner signs it. They put their social security numbers. They say, we're unmarried, we share the same primary residence, we have done so for 12 months, we meet the age requirements for marriage in New Mexico. We're not related by blood. We are jointly responsible for the common welfare of each other and share financial obligations. And if I could just finish. The couple is required to provide 3 of a list of documents, and the list includes a joint lease or mortgage, a joint credit card statement, a joint bank account, a joint bill, joint automobile registration, joint ownership of a tangible major asset having a value exceeding \$20,000, a will with the partner as the beneficiary, a document demonstrating the partner as the beneficiary for life insurance or pension or a durable power of attorney."

Councilor Calvert, "On that point. If they don't have evidence of any of those, as in some marriages where people keep things separate. Does that mean they can't qualify if they can't provide any of those."

Ms. Barkley said, "Yes. As the policy stands, they are required to provide the City with 3 of those documents, so if they didn't have 3 of those documents, then ostensibly, they wouldn't meet the requirements and they wouldn't be defined, for our purposes, as a domestic partnership."

Councilor Ives asked, "Have we done any analysis of the impact this would have on those people who actually do contract with the City. Do we have any feedback from that group of stakeholders in City business at this point in time."

Ms. Barkley said, "We do not."

Councilor Ives said this certainly seems to be somewhat significant in terms of what we may be requiring our contractors and subcontractors to go through. And I do have more questions, but on that point.

Councilor Dimas asked, "Are there any insurers out there right now that don't insure domestic partners, to your knowledge. The reason I'm asking this question is we're requiring that City contractors obviously carry medical insurance. And with the medical insurance that covers the employees also covers the domestic partners. I wonder if there are any of these contractors who may have medical insurance that don't cover domestic partners, and how we would evaluate a City contractor like that. Because it says on here that they're disqualified if they don't do that."

Councilor Bushee said, "I don't think we require contractors, if they don't provide insurance, to provide domestic....."

Councilor Calvert said that wasn't his question. They provide insurance, but they may not provide it for domestic partners.

Councilor Dimas said, "What I'm saying is there may not be a provision in their particular insurance policy that will cover domestic partners, as we're saying here."

Councilor Calvert said they're providing insurance but their policy doesn't cover that.

Councilor Dimas asked, "And is that fair to the City contractor, because his insurance does do that. Does he have to go out and buy another insurance policy that will do that. So, what do we do with that particular City contractor. Then is he not allowed to bid on a project because of that."

Chair Dominguez said, "Jamison, go ahead and take your best shot."

Ms. Barkley said, "I couldn't speak to whether there are local insurers that don't provide domestic partnership coverage. I just don't know."

Mr. Rodarte said, "You're saying that if we have a possible bidder that does not carry the insurance that we're talking about here. If they do not have that, do we disqualify them. Is that what you're asking."

Councilor Dimas said yes.

Mr. Rodarte said, "So, if we have that language in place in the submittal requirements, just like we do EEO, and non-segregated and things like that. If we have that in there as a specific piece that says it's a requirement of the submittal, and if it's not in there that would be terms for disqualification. If it's in the other language in definitions or something that says something like, 'we are asking that you have this,' it's not a required submittal. We're just telling them 'can you have it.' But, it's got to be specified in the bid documents, identifying that as a requirement of the submittal. Or, we can disqualify them. Just like a

subcontractor listing in the EEO, if they don't have it, they know they will be out if they don't submit that stuff."

Councilor Dimas said, "Just a comment. That's what I was afraid of when I read this, and why I wanted to ask that question."

Councilor Bushee said she has questions. She said, "But I want to remind everyone, after the CWA went down, I introduced this and everybody signed on, except for one Councilor. But what I want to explain, at least verbally that night, what I want to explain, do we currently require contractors of the City to provide health benefits."

Ms. Barkley said, "I don't believe we do."

Councilor Bushee said, "This Ordinance, at least as I asked it to be written, would only require of those contractors of the City that already offer insurance or health care benefits to their employees, to seek to extend those to domestic partners."

Ms. Barkley said, "Right. All the Ordinance does is essentially make the provision of benefits to spouses and to domestic partners equal. So if a company isn't providing health insurance to the spouses of its employees, then that situation is not changed by this Ordinance."

Councilor Bushee said, "And it's anything over \$50,000. It's not the smaller businesses."

Ms. Barkley said, "Indeed."

Councilor Bushee said, "In terms of the amount. So, generally speaking, and I'm happy to build in a review or some kind of thing to gauge... because right now we have no understanding of who might fall under this. And I'm also happy to build in some other guidelines or criteria. But the idea was to try and equalize the offering of health benefits, if they are offered, not to go beyond."

Councilor Calvert said, on that point. Section 1.7.6 Enforcement, provides, "The City Manager or his designee shall have the authority to: 1. Adopt rules and regulations in accordance with this Ordinance, establishing standards and procedures for effectively carrying out this ordinance." He said, he would amend that language to provide that "The City Manager will adopt rules." He said we need to make this clear, and not make it discretionary. He thinks we need to adopt some rules and regulations on how this is going to be implemented, because it might get a little tricky, and that should be a "must do" thing and not a discretionary thing.

Councilor Bushee said that is friendly to her and asked who made the motion.

Chair Dominguez said there is no motion on the floor.

**MOTION:** Councilor Bushee moved, seconded by Councilor Calvert for purposes of discussion, to approve this request with an amendment to Section 1.7.6 to amend language on line 21 as follows: ..."The City Manager or his designee shall ~~have the authority to...~~"

**DISCUSSION:** Councilor Ives said, "One question, following up on the provisions within the City of Santa Fe Administrative Manual under Policy 2500-5-2, dealing with the extension of benefits to domestic partners of employees, under Section 5.1, it provides that, "Beginning July 1, 2002, the City will provide health and dental insurance coverage to domestic partners of employees who meet the criteria." He said there is no such limitation in the proposed form of ordinance, although Councilor Bushee said the intent was with regards to health. Do we really mean if an employer provides life insurance, or disability insurance or anything else that..."

Councilor Bushee said, "Nope."

Councilor Ives said, presumably another amendment would be direct this specifically to health.

Councilor Bushee said the origin was when we were seeking to have the unions, one of their proposals was, to offer these rich benefits and it was primarily health care, and the idea was to make that equal across the Board, that was all. She said many communities do this, but it is generally limited to health. She said, "And not everybody offers health care period. It's usually the larger companies, and they're usually going to have national carriers who offer domestic partner benefits."

Councilor Ives said his next questions are on 1.7.3 Scope. He said it provides, "The requirements of this ordinance shall apply to those portions of a contractor's operations that occur: a. Within the City; b. On real property outside of the City...; or c. Anywhere that work related to a City contract is being performed." He said, "On one hand it seemed to start off being geographically based, and then it shifted to be wherever services might be provided, which could be anywhere in the country, anywhere in the world. And, I wanted to make sure I was understanding who you are trying to capture with this."

Councilor Calvert said, "What that meant to me is you've got places like the Buckman Diversion Treatment Plant and stuff which is not within the City, but it's a City operation. So you would want those people included. I shouldn't bring that one, because that's a separate bodies of employees and stuff. But similar to that, some of the things we have aren't physically... the golf course is not truly within the City limits. It's on BLM land or something like that. So those things where it is a City operation that isn't functionally within the City limits."

Councilor Ives said, "In prior meetings, we talked about repairs to police vehicles that might be performed in Albuquerque or up in Denver. Do we really mean to impose these requirements on contractors that might be out of state, or far removed from Santa Fe. Again, I'm just trying to understand what the intent is here, because it's not crystal clear to me."

Ms. Barkley said, "I guess I hear two questions, and I'll take them in reverse order. The first is whether we intend to affect, or the language of the ordinance intends to affect companies that are outside of Santa Fe. And the answer to that question would be that it intends to affect any contractor where the amount of the

contract is \$50,000 or over, wherever that may be. In terms of Section 1.7.3, I hear you point as being that essentially Subsection 3 is so broad that it swallows up Subsections 1 and 2, so maybe, depending on the will of the Committee, the answer to that might just be to strike Subsections 1 and 2 and leave the Scope so that it reads 'Anywhere that work related to city contract is being performed.' And again, that is contingent upon the cost of the contract being \$50,000 or more."

Councilor Ives said on that point, another question he had in 1.7, which says, "Both contractors and subcontractors shall offer employment benefits, except where the total contract amount is less than \$50,000." He said, "You might find yourself, or I imagine we frequently do with local subcontractors whose participation in a larger contract is under the \$50,000 threshold. And Robert, if I'm mischaracterizing anything here, chime in. So again, we might have a 2-3 person subcontractor who all of a sudden, we are requiring that small business to provide insurance benefits to domestic partners, presuming they do to some employee there at the business. Is that the intent."

Ms. Barkley said, "Let me see if I can understand the question, Mr. Chairman, Councilor Ives. I think the pivotal phrase there would be 'under the contract.' And in the case of a subcontractor, one might argue that the contract is their contract with their general, not the larger umbrella contract, the general contract potentially with the City. So that would be where I think we would determine whether the contract with the sub and the general is \$50,000 more, and whether therefore they had to provide the benefit."

Councilor Ives said, "That makes it more palatable from my perspective, I'm not sure it says that currently, but."

Councilor Bushee said "Why don't you clarify it."

Councilor Calvert said, "I think this hints the needs for the adoption of rules and regulations governing this, so it is clear."

Ms. Barkley asked, "If I can just interrupt Mr. Chair, did I get some direction to some redrafting on that point, or will we discuss that later."

**FRIENDLY AMENDMENT:** Councilor Ives said the notion would be to amend it so that the \$50,000 threshold would apply both at the contractor level and the subcontractor level. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND THE SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE COMMITTEE.**

Councilor Bushee said she is okay with raising the threshold, if that's needed. She said, "The idea is not to try to capture every little mom and pop [business], and most of them don't actually bid on contracts with the City in many cases, much to our dismay."

Councilor Ives said part of his point is not to create disincentives, noting we have created incentives with the local preference and using local people.

Chair Dominguez said it's just clarification. There are no amendments that need to be made.

Councilor Ives said he would like to clarify it in that regard in the body of the Resolution and the change to the Purchasing Manual, rather than leaving it for the Procurement Code drafting.

Councilor Dimas said, "For me, at this point, I'm not ready to vote on this, and would probably abstain, because I would like to see this clarified a little bit better than what it is. And not completely redone, but take the suggestions and the amendments that have made and put them all together before we actually vote on this, maybe at the next Finance Committee meeting."

Chair Dominguez said, "One of the things that we could make sure is that those rules and regulations are brought back for approval by the Governing Body as well, so that staff can go forward with what this says, but that the details will be brought back for approval."

Councilor Ives said, "Just on that point, and the point which I raised earlier, which we don't really have any feedback from the business community, from the contracting community on this. Certainly before we act on it at Council, given our recent experience with other matters that haven't been, if you will, vetted across the community of stakeholders, it be helpful to have some response or impact or information from the community we purport to be imposing this upon."

Councilor Calvert said, "Perhaps a pass through BQL or something like that."

Councilor Calvert said, "Two questions, one explicit. And it's under 1.7.1 Condition Precedent, lines 24-25, it says, 'The City shall reject an entity's bid or proposal, or terminate the contract if the City determines that the entity will not or is not in compliance or is being used for the purpose of evading the intent of this Ordinance.' I understand that the ordinance, if it passes, will have an effective date. Does this mean it only applies moving forward from this date. Does this apply to existing contracts that precede the effective date of this, if it was determined that entity is not in compliance."

Ms. Barkley said, "While the Ordinance doesn't address that point explicitly, I should think we would have a big problem on our hands if we attempted to govern all of the contracts that are already in place."

Councilor Calvert said, "I would too, but when it says 'will not' or 'is not,' it sort of makes it a gray area there, so maybe we just make it clear in that this will only apply... some language in here, even at the end here, along with Section 2 Effective Date, 'This applies only to contract that come after this date.' I just think that makes it clearer."

Councilor Calvert said, "The other question. I've been trying to follow some of the discussion, but what I'm not clear on is what was the answer to the question: If the contractor does provide health insurance, but its carrier does not provide this type of coverage, are they disqualified for that reason."

Chair Dominguez said, "Yes. That's the way I read it."

Councilor Calvert said he wants to know what the intent is here, and what this ordinance states in this regard. "So, what does it say in that regard, in your opinion, Jamison."

Ms. Barkley said, "We always learned that the text speaks for itself, and it really doesn't matter what any one person thinks about it, but if I was put on the spot, I would potentially agree with the Chairman, that it may require that companies with insurance policies who don't extend to domestic partners would be disqualified. I would think that would be, if we are going to get input from businesses and insurers, I would think that would be one of the first questions that we would have."

Councilor Calvert said, "If that is the answer, my concern is the unintended consequences of people dropping coverage so they don't have to worry about that. If they don't offer coverage at all, then they don't have to worry about that disqualification."

Ms. Barkley said, "Indeed."

Chair Dominguez said, "It looks like there is some work do be done."

Councilor Bushee said, "We can have it back here if you'd rather. I don't know how else to get the kind of insurances, the survey, I don't know how..."

Councilor Calvert said, "If I may, I would be comfortable with it going to the Business and Quality of Life Committee and then come to this Committee, to see if there were suggestions or comments."

Councilor Bushee said, rather than going to the BQL Committee, she would rather have public hearings here, if that is the case.

Chair Dominguez said we can do that as well, and in the meantime we can ask staff to do some of the research, and give us the pros and cons, and try to anticipate some unintended consequences.

#### **WITHDRAWAL OF THE MAIN MOTION BY MAKER TO MAKE A NEW MOTION.**

**NEW MOTION:** Councilor Bushee moved, seconded by Councilor Ives, to postpone this item to April 15, 2013, for a public hearing, with direction to staff to bring forth any amendments that time.

**DISCUSSION:** Councilor Ives said the FIR attached didn't list a fiscal impact, but said, "It is anticipated that contractors will pass the cost of insuring their employees' domestic partners along to the City, so that contract prices for the affected contracts may increase. He would like to ask the Purchasing Staff to weigh in on the Fir with a little more detail as to whether we do anticipate a fiscal impact and what that might be.

Councilor Calvert said we might ask input from the Risk Management staff as well.

Councilor Bushee would like staff to review some of the larger contracts to understand who this would impact, and if they offer insurance, and if so, do they offer domestic partner benefits, to see "if there is a friendly survey way to gather some of that information before the 15<sup>th</sup>.

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



**16. REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO BENEFITS FOR DOMESTIC PARTNERS; CREATING A NEW SECTION 19-3.8 1987, TO REQUIRE THAT THE CITY OF SANTA FE PROVIDE DOMESTIC PARTNER BENEFITS FOR ALL FULL-TIME PERMANENT EMPLOYEES OF THE CITY OF SANTA FE (COUNCILOR BUSHEE). (JAMISON BARKLEY) Committee Review: City Council (request to publish) 04/10/13; and City Council (public hearing) 05/08/13. Fiscal Impact – No.**

Councilor Ives said the policy in the H.R. Manual under Employee Benefits, is limited to health and dental insurance coverage. He said he is looking for clarity as to what benefits are required under the draft ordinance as opposed to what we currently are doing which is health and dental.

Ms. Barkley said she believes the intention was to mirror the policy that is in place, with some minor changes that we can get into, but that would mean the effect of Ordinance would be limited, and should be explicitly limited to health and dental coverage. She asked Councilor Bushee if this is correct.

Councilor Bushee said we never had this discussion, but what this is, is codifying what we currently do and have done for 10 years or so, and we just did it administratively. She said the change right now, that I know of, that Jamison and I have spoken of, is that we want to make it include the children, which it currently did not. But again, H.R. has given us figures that it's a very minimal impact. In fact, when we first did this administratively, that was the big hue and cry, well this will cost so much and it turned out it didn't. And as you know, domestic partner is not just same sex gender. This is certainly for anybody that is not currently married and can claim a domestic partner and their family members, so we're going to include that. But I guess I never thought to explore... I know when you sign up as a City employee you get a small life insurance policy. I didn't know if that should extend there. Again, in terms of, can we do that, or how does that work."

Ms. Barkley said, "We could definitely do that."

Councilor Bushee asked if we do that now, how does that work for people that are married.

Ms. Barkley said, "I'm going to just take a stab at this, and I don't know if there's anyone in H.R., oh Vicki is here, so I won't."

Councilor Bushee said, "I don't know... I don't think this extends as far as leave or any of that, but we've had employees, for instance who have children, but they had the children, it wasn't their partners. I don't know how it all works.

Vicki Gage, Human Resources. Director, said, "The types of benefits that we offer employees, the benefit is primarily offered to the employee. In the instance of life insurance, we can check to see if the domestic partner can pick up the life insurance and coverage separate from the employee. Right now, we do offer that for employee's spouses, where the employee can pick up a certain amount of life insurance, and can also pick up life insurance on their child or their spouse. And I can check to see if our life insurance carrier would allow us to pick up... if the domestic partner can also pick up and be covered."

Ms. Gage continued, "The way it works right now is if the employee who has the domestic partner has life insurance, then most likely they named the domestic partner as the beneficiary, but aside from that, if the domestic partner is able to also pick up a certain amount just on their own, just as spouses do. I can check to see if that is possible.

Councilor Bushee said then spouses are allowed to pick up some as well, is that what you're saying, and Ms. Gage said yes.

Councilor Bushee said she would like to explore that option as this moves forward.

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

**DISCUSSION:** Councilor Ives said the current policy in Section 6.4(A) provides that "dependents of the non-employee domestic partner [inaudible because of noise overlay] for the purpose of receiving benefit coverage."

Councilor Bushee said this is what we're talking about changing.

Councilor Ives asked if they are covered.

Councilor Bushee said no, unless they're dependents on tax returns.

Ms. Gage said, "The children of the domestic partner, who do not fit the legal definition as a child for the employee are currently not covered."

Councilor Ives said then the follow-up question is what is the definition of a child for an employee.

Ms. Gage said the actual child, adopted child, if they are the legal guardian, or stepchildren.

Councilor Ives said there was no fiscal impact, but if we're going to be talking to the insurers about extending a host of various types of benefits, I cannot imagine, in this day and age that there is not a fiscal impact.

Chair Dominguez asked if this increases our insurance rates.

Ms. Gage said, "We did look at that, and we feel that it would have a minimal impact. Current, we have 1,250 employees who signed up with the insurance, and with their dependents it is about 3,200 covered members. Out of that, we have 57 people with domestic partners. So the potential of those 57 domestic partners bringing their children into the plan, it would be less than 1%.

Chair Dominguez said the FIR says the policy would not increase the fiscal impact, and I just heard you say it would be minimal, and if it is minimal, what is that dollar amount.

Ms. Barkley said, "The FIR was drafted so that the Ordinance would just mirror the policy that we had in place, which would essentially codify just the extension of health and dental benefits to the domestic partners of employees, which we already do by policy. And that's where we get the no fiscal impact. I was told by Vicki that we pay every year about \$350,000, the City does, that's the City's portion of the coverage for domestic partners, and the amount that Vicki was just speaking about, this 1% of the total claims costs, would be the amount it would increase if we covered the children. 1% of \$16 million which comes out to \$160,000."

Chair Dominguez said then that's basically the fiscal impact.

Ms. Barkley said, "That would be the fiscal impact, assuming... if you don't consider the \$350,000 as a fiscal impact, because again, that's something we've expended for 10 years.

Councilor Ives said that is for the medical and dental, but if we expand the coverage to cover other types of insurance benefits, presumably then you will submit a new FIR to reflect that.

Ms. Barkley said, "Right. If we start entertaining life insurance coverage and so forth, that would be an increased cost presumably."

Councilor Bushee said but they would have to have children.

Ms. Gage said, "That's correct."

Councilor Bushee said we could survey the domestic partners now and get an accurate count since there are 57 of them.

Ms. Gage said, "And that would be if all of them added children. When this question was posed to me, we didn't have the opportunity to get an actuarial done, but just because it's a small population..."

Councilor Bushee would like to get the number refined in terms of fiscal impact and can we have an answer from the insurance carrier if they could offer, as they do for married couples, the limited life insurance policy and what that would cost. She said it doesn't cost us anything right now.

Ms. Gage said, "That's correct. Right now, the City doesn't pay any portion of the life insurance premium for the spouses."

**FRIENDLY AMENDMENT:** Councilor Bushee would like to amend her motion to get the fiscal impact of coverage for children, and information from the insurance carrier to get the cost of limited life insurance. **THE AMENDMENT WAS FRIENDLY TO THE SECOND AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE COMMITTEE.**

Ms. Gage said the life insurance is paid by the insured and currently costs the City nothing to provide, because the City pays no portion of the life insurance for spouses.

Councilor Bushee said this is to codify what we've been doing, and the extension of it in the previous item. She said, "It's just to point out again, the benefits that are conferred automatically, that people don't recognize and understand. She said at the federal level, there are 1,138 benefits that are offered automatically if you fill out a license to get married and it costs you \$25. And if you are unable to do that currently, you are discriminated against essentially, and you have less opportunities and benefits. Simply to find out that children or dependents of domestic partners that we employ aren't currently covered unless they are defined as such for federal tax purposes. This is a good awareness exercise. All of these pieces of legislation and new policies came about as we explored our HRC's municipal index which said we did not rate very well. We were pretty low, and so we're picking up on things that we found that the Code did not offer, including the one before on discrimination. We have all sorts of great language in our Charter and we just didn't back it up with our Code, so that's where we're trying to go."

Councilor Bushee continued, "And I understand the concerns people had about how this will impact business. I would like to know that information, too. I'm not trying to force anything. I'm happy tweaking something if it is burdensome or adds too many costs. I just really want this package to move along with a statement that Santa Fe cares about everybody and wants to treat them equally, whether there are our employees or contractors of ours."

Councilor Calvert said in the previous discussion, Ms. Barkley had a definition and conditions for proof of domestic partnership, and asked if that is in another policy that helps govern this, or do we need to repeat that language here.

Ms. Barkley said, "That actually was... I read that from the Domestic Partnership Policy that the City has in place that allows to provide these benefits."

Councilor Calvert said, "We have a definition in here, but it doesn't have those conditions that you stated previously."

Ms. Barkley asked if that is the provision of the documents, and Councilor Calvert said yes.

Councilor Calvert said, "What you're saying though, is that that policy would govern this Ordinance amendment."

Ms. Barkley said, "Yes, essentially. We should reference the policy, but I would assume that H.R. would proceed essentially, business as usual under this policy, with some certain changes that have been discussed, the children, the life insurance, etc."

Councilor Calvert said, "Maybe we should just put as referenced in the... some reference there in B where we have that definition, just so it's clear, and if somebody needs to get the full condition of that, or justification, they will have it. I think that somebody that reads this – H.R. will know that – but somebody that just reads this, may not know that without that reference. So I think that would be a helpful addition, that reference."

Councilor Calvert asked, "What is anticipated with C then. Is this just tweaking some existing things, or if

it's existing policy, but we may add life insurance, is that where C comes in, where it says, 'Human Resources Department shall adopt policies for implementation of this ordinance, as practicable.' We are only seeking to tweak things, if we add some coverages, otherwise, we already have it covered. Right."

Ms. Barkley said, "Yes."

**CLARIFICATION OF MOTION BY CHAIR:** Chair Dominguez said this is a motion for approval, with a friendly amendment, and with direction to staff.

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

Chair Dominguez asked if staff is clear with the direction, and they said they are clear.

- 17. REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO THE CITY OF SANTA FE FIRE DEPARTMENT AMENDING SECTION 2-10.3 SFCC 1987, TO GRANT THE FIRE CHIEF THE FULL AUTHORITY TO SIGN AGREEMENTS WITH LANDOWNERS FOR THE PURPOSE OF IMPLEMENTING FIRE HAZARD MITIGATION ACTIVITIES (COUNCILOR TRUJILLO AND COUNCILOR BUSHEE). (GREG GALLEGOS) Committee Review: Public Safety (approved) 03/19/13; City Council (request to publish) 04/10/13; and City Council (public hearing) 05/08/13. Fiscal Impact – No.**

Councilor Bushee asked to be added as a cosponsor.

Councilor Calvert said he has a question for Ms. Amer. He said he was going to amend this Ordinance anyway, and although it isn't exactly on the point of this amendment, it is on the point of this Ordinance. He said the caption would have to be changed to add this amendment which would grant access authority to the Fire Department in response to emergencies to use private driveways, roads or alleyways. He said many cities have adopted such a provision so the Fire Department can respond in the most expeditious way without having to worry about easements and such. He asked Ms. Amer to speak to this because she has researched this issue.

Ms. Amer said, "This is an issue that Councilor Calvert and I have discussed previously. I do not have anything drafted right now, because I just found out this afternoon that Councilor Calvert wanted to include it in this Ordinance. I think it's something that we could draft. The only issue I see is that particular change went to Public Safety without this amendment, so I think it would have to go back to Public Safety again."

Councilor Calvert said Public Safety meets on the 16<sup>th</sup>.

Ms. Amer said it would then have to come back to Finance again.

Councilor Calvert said, "Well, no I don't think so. I think it could go here first and then to Public Safety."

Chair Dominguez said this has been approved by Public Safety, and Councilor Calvert said yes.

Ms. Amer said, "But not with this amendment, and this amendment was never noticed."

Councilor Calvert said, "Right. No, what I'm saying is we could, well, we could add this amendment now. I don't think the noticing, since this isn't a public hearing, isn't that critical. If we wanted to, we could add it here, it could go back to Public Safety, and then it wouldn't have to come back here, because we will have seen this."

Councilor Dominguez said if we move this forward, you can ask for your amendments to be heard at the next Committee, or does it go to the Council.

Councilor Calvert said it is going to Council for a Request to Publish, noting there is lots of time.

Chair Dominguez said then you want to add your amendments at Council.

Councilor Calvert said, "No, I want to add them now. And then it could go to Public Safety and they could weigh-in on the amendment in the meantime."

Chair Dominguez said, however, we don't have Councilor Calvert's amendment.

Councilor Calvert said he doesn't have specific language, but what he said is the gist of the amendment. He said in Sections A and B, we are granting certain authorities to the Fire Department in conjunction with fighting a fire and responding to an emergency. The amendment just grants another authority which is access authority using private driveways, roads or alleys, or whatever specific language that legal wants to put on it. He is offering that amendment now, with the specific legal language to follow.

**MOTION:** Councilor Calver moved, seconded by Councilor Dimas to approve this request, with specific legal language to follow, to the effect that the City is granting access authority to the Fire Department to use driveways, roads or alleys, with direction that the bill go back to the Public Safety Committee and from there to the City Council.

**DISCUSSION:** Chair Dominguez asked Ms. Amer if she understands the amendment.

Ms. Amer said, "Yes. But, my only point of clarification is that it would just be for fire prevention. If you want it for all emergency access vehicles..."

Councilor Calvert said, "This Ordinance is only on fire, and it will apply only to fire trucks and ambulances, that's it."

Ms. Amer said, "Ambulances relating to the fire fighting part."

Councilor Calver said, "You could do emergency medical."

Ms. Amer said, "Well, then I don't know if you could put it in the Fire Code."

Councilor Calvert said, "Look at provision B, which says, 'The fire department shall have full and complete authority in connection with the provision of prehospital emergency medical services.' I think it fits quite well within this Ordinance."

Ms. Amer said, "If it were a fire truck, but there are certain ambulances that are not fire trucks *per se*. There's private ambulance services. Essentially, what I'm saying is, if we put it in the Fire Code, we can have it government Fire Department emergency vehicles."

Councilor Calvert said, "I agree."

Chair Dominguez said, "That's what he wants. Mr. Gonzales, any comment."

Councilor Bushee said she thought the Fire Department has this authority now.

Councilor Calvert said, "It's not explicit, and I want to be explicit, so there is no question."

Rey Gonzales, Fire Marshal, said he can't speak to that issue, and he here to talk about the fuel reduction."

**CLARIFICATION OF THE MOTION:** Chair Dominguez said, "The motion is to approve, with some additional language that should be reviewed by Public Safety and then straight on to City Council."

Ms. Amer said, "Upon researching it, we never had any explicit language that actually allowed it. There wasn't actually any language in the International Fire Code, and other cities in order to have that authority have Ordinances or entered into easements."

Councilor Bushee said, "This isn't going to get Montano Street riled up. I just want to make sure."

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

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Councilor Bushee said the Chair and Councilor Dimas have to leave, and everyone wants to hear the updates on Public Safety, but not tonight, and would like to postpone that item to the next meeting.

**MOTION:** Councilor Bushee moved, seconded by Councilor Dimas, to reconsider the previous approval of the agenda, to postpone item #23 to the next meeting of the Committee on April 15, 2013, and to approve the agenda as amended.

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

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*Chair Dominguez departed the meeting and Councilor Bushee assumed the duties of the Chair*

**18. REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO HUMAN RIGHTS; CREATING A NEW ARTICLE 6-18 SFCC 1987, TO ESTABLISH THE CITY OF SANTA FE HUMAN RIGHTS COMMISSION (COUNCILOR BUSHEE). (JAMISON BARKLEY). Committee Review: City Council (request to publish) 04/10/13; and City Council (public hearing) 05/08/13. Fiscal Impact – Yes.**

Councilor Bushee said she and Ms. Barkley have had different discussions. She said the City doesn't have a Human Rights Commission, and there is no recourse by contractors of the City who are discriminated against. She said they wonder if we want a hybrid Human Rights Commission which, like the State's, can deal with discrimination. She doesn't view human rights commissions as just dealing with LGBT community issues. She doesn't want a 15 member Commission, commenting it would be difficult to find 15 people to serve, and she asked Ms. Barkley to see if the members could be appointed County-wide, and that each Councilor could appoint a member of the commission. She would like to postpone it to change a few things, but she would like to get input this evening.

Councilor Ives said he would like to expand this beyond the LGBT community, and make it perform this function across the whole realm of human rights issues that potentially will face the City. He would like to be more specific on meeting times, rather than "shall meet as necessary." He suggested saying quarterly to give them a target. He said the effort is to resolve some of the issues that have been identified, in terms of the City's human rights record, and perhaps require an annual report to the Council.

Councilor Bushee said her initial instruction had been to "see it as the State's." she doesn't know how often they meet, and said we can look at that. She said sometimes it is the initial review body for claims and charges, but she doesn't want to be its only function. She said it is written somewhat like the Immigration Committee. She wants Committee input with regard to each Councilor and the Mayor appointing a member, and to explore if it could include County residents, so there is a large pool from which to choose. She wants it to cover more than just LGBT issues.

Councilor Ives likes what is in the bill in terms of diversity of ages, economic backgrounds, life experiences, commenting he thinks this is very constructive. He said we may or may not hit that mark, of the Governing Body are the only ones appointing members by nomination. He would like the committee to be small enough to be effective.

Councilor Bushee noted the Mayor has difficulty in filling Committees, so she was trying to give him a little help.

Councilor Calvert said he has no problem with the Commission, other than in the past we've been looking to reduce the number of committees. He would like to give direction to the City Manager, and this Committee during the budget process, to look at all of the committees and commissions, and make sure we absolutely need all the ones we already have. He said the budget is flat and the State is pulling funds from the City, so we need to look at these and the staff support.



Councilor Calvert said, more specifically, page Section B, line 9, provides, "The Commission shall meet as necessary to accomplish its purpose..." He said we need to put balance on this. He said perhaps providing they would meet once a month to start, would be good, noting that can be changed if needed.

Councilor Calvert supports decreasing the Commission from 9 to 15, noting a large number makes it difficult to get a quorum.

Councilor Calvert said on page 2, line 16, it provides, "... residing in the city or annexation areas two or three..." He said District 3 might "pretty much go away."

Councilor Bushee said this follows the language of the Immigration Committee, and said it isn't necessary to have geographic areas in the Resolution.

Robert Romero, City Manager, asked if these duties could be assigned to the Human Services Commission, the group that meets to establish the allocation of human resources dollars. He said it is just a thought to use an existing committee to serve the purpose.

Councilor Calvert reiterated he would like to look at all the committees to see where there are committees which regularly have problems meeting quorums, commenting that is an indication to him that there is either a lack of participation or enthusiasm for that particular subject. He said, "That's all I would say on that."

**MOTION:** Councilor Bushee moved, seconded by Councilor Calvert, to postpone this item to the next meeting of the Committee on April 15, 2013.

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

\*\*\*\*\*

Councilor Bushee said Councilor Dimas said, with regard to Item 24A Status of Market Station Project, that the Chair specifically asked for that report, but he isn't going to be here. She asked if the Committee wants to hear that this evening. She said the Chair didn't asked that it be postponed.

Councilor Bushee said we have the information, and we will not hear it.

\*\*\*\*\*

*Councilor Dimas departed the meeting*

19. **REQUEST FOR APPROVAL OF A RESOLUTION RELATING TO THE 2013/2014 BUDGET, DIRECTING THE CITY MANAGER TO EXPLORE THE OPTIONS FOR EXPANDING THE CITY OF SANTA FE LEGISLATIVE SERVICES OFFICE DURING THE 2013/2014 BUDGET PROCESS AND PROVIDE SUCH OPTIONS TO THE GOVERNING BODY FOR CONSIDERATION (COUNCILORS RIVERA, DIMAS AND BUSHEE). (MELISSA BYERS). Committee Review: City Council (scheduled) 04/10/13. Fiscal Impact – Yes.**

Councilor Bushee said we are considering a flat budget. She said as proposed to the City Attorney, it was whether he had anybody else that could help us. She said they have called in some of the attorneys to help. She said there are 3 people already in the Attorney's Office who have in the past performed some of these functions. She said one was moved to Public Records. She would like a report from Mr. Zamora or the City Manager that is a full time thing for her. She said there is an Office Manager and another Paralegal who might assist her. She said she really wants to see a Trails Coordinator.

Councilor Calvert said this is a request for the City Manager to consider this. He said all of the functions are available, and perhaps there are others which could be considered during the budget. He has no problem with the Resolution as worded, but that doesn't mean they will get another position, or that we're not going to ask people to take on other duties as necessary. We have several of these "in the hopper" for the budget session, and we'll be looking at all options to meet some of our needs.

Councilor Bushee asked if it would be possible to contract with someone such as Jeanne Price to cover some of the work. She said Melissa does needs help. She though perhaps there was somebody in-house that could do that.

Councilor Calvert said, in an era of flat budgets and decreasing revenue, another option would be to have less legislation.

**MOTION:** Councilor Ives moved, seconded by Councilor Calvert, to approve this request.

**VOTE:** The motion was approved on a voice vote, with Councilor Calvert, Councilor Bushee and Councilor Ives voting in favor of the motion, none voting against, and Councilor Dimas absent for the vote.

\*\*\*\*\*

#### **END OF CONSENT CALENDAR DISCUSSION**

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#### **DISCUSSION**

21. REQUEST FOR APPROVAL OF AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF SANTA FE, NEW MEXICO GROSS RECEIPTS TAX REFUNDING REVENUE BONDS, SERIES 2013A IN AN AGGREGATE PRINCIPAL AMOUNT OF \$12,135,000 FOR THE PURPOSE OF DEFRAYING THE COST OF REFUNDING, PAYING AND DISCHARGING THE OUTSTANDING CITY OF SANTA FE, NEW MEXICO GROSS RECEIPTS TAX IMPROVEMENT REVENUE BONDS, SERIES 2006; PROVIDING THAT THE BONDS WILL BE PAYABLE AND COLLECTIBLE FROM THE GROSS RECEIPTS TAX REVENUES DISTRIBUTED TO THE CITY; ESTABLISHING THE FORM, TERMS, MANNER OF EXECUTION AND OTHER DETAILS OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT AND AN ESCROW AGREEMENT; PROVIDING FOR REDEMPTION OF THE SERIES 2006 BONDS; APPROVING CERTAIN OTHER AGREEMENTS AND DOCUMENTS IN CONNECTION WITH THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION WITH THE BONDS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND RELATED MATTERS. (HELENE HAUSMAN). Committee Review: City

**Council (request to publish) 04/10/13; and City Council (public hearing) 05/08/13. Fiscal Impact – Yes.**

*Items #21 and #22 were combined for purposes of presentation and discussion, but were voted upon separately.*

A copy of *Finance Committee 04/01/13 – 2013A – 2013B Refunding Bond Presentation* is incorporated herewith to these minutes as Exhibit "2."

Ms. Hausman reviewed the information in Exhibit "2." Please see "2" for specifics of this presentation.

**MOTION:** Councilor Calvert moved, seconded by Councilor Ives, to approve Item #21, Tax Refunding Revenue Bonds, Series 2013A.

**VOTE:** The motion was approved on a voice vote, with Councilor Calvert, Councilor Bushee and Councilor Ives voting in favor of the motion, no one voting against, and Chair Dominguez and Councilor Dimas absent for the vote.

- 22. REQUEST FOR APPROVAL OF AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF SANTA FE, NEW MEXICO SUBORDINATE LIEN GROSS RECEIPTS TAX REFUNDING REVENUE BONDS, SERIES 2013B IN AN AGGREGATE PRINCIPAL AMOUNT OF \$14,195,000 FOR THE PURPOSE OF DEFRAYING THE COST OF REFUNDING, PAYING AND DISCHARGING THE CITY'S OUTSTANDING NEW MEXICO FINANCE AUTHORITY LOAN (PARKING STRUCTURE) DATED MARCH 28, 2006, PROVIDING THAT THE BONDS WILL BE PAYABLE AND COLLECTIBLE FROM THE GROSS RECEIPTS TAX REVENUES DISTRIBUTED TO THE CITY; ESTABLISHING THE FORM, TERMS, MANNER OF EXECUTION AND OTHER DETAILS OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT; PROVIDING FOR PREPAYMENT OF THE NMFA LOAN; APPROVING CERTAIN OTHER AGREEMENTS AND DOCUMENTS IN CONNECTION WITH THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION WITH THE BONDS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND RELATED MATTERS. (HELENE HAUSMAN). Committee Review: City Council (request to publish) 04/10/13; and City Council (public hearing) 05/08/13. Fiscal Impact – Yes.**

**MOTION:** Councilor Calvert moved, seconded by Councilor Ives, to approve Item #22, Refunding Revenue Bonds, Series 2013B.

**VOTE:** The motion was approved on a voice vote, with Councilor Calvert, Councilor Bushee and Councilor Ives voting in favor of the motion, no one voting against, and Chair Dominguez and Councilor Dimas absent for the vote.

**23. STATUS OF POLICE DEPARTMENT PROGRAMS. (CHIEF RAYMOND RAE)**

This item is postponed to the Finance Committee of April 15, 2013.

**24. OTHER FINANCIAL INFORMATION**

**A. STATUS OF MARKET STATION PROJECT. (ISAAC PINO)**

Councilor Calvert said we have a nice report, and asked if there will be a discussion, or is it "just for us to read and enjoy."

Teresita Garcia said it is for Committee to read and it will be on the Agenda for the next meeting.

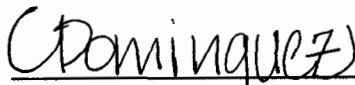
**25. MATTERS FROM THE COMMITTEE**

*A copy of Finance Committee meeting of April 1, 2013, Bills and Resolutions Scheduled for Introduction by members of the Governing Body is incorporated herewith to these minutes as Exhibit "3."*

Councilor Bushee introduced a Resolution recognizing the life saving work done by New Mexico Donor Services and proclaiming April 2013 as Donate Life Month. A copy of this Resolution is incorporated herewith to these minutes as Exhibit "4."

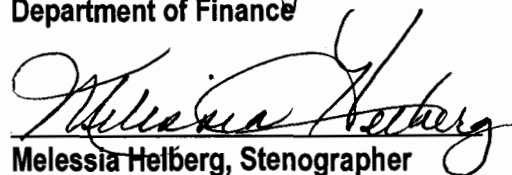
**26. ADJOURN**

There was no further business to come before the Committee, and the meeting was adjourned at approximately 7:15 pm.

  
Carmichael A. Dominguez, Chair

**Reviewed by:**

  
Department of Finance

  
Melessia Helberg, Stenographer

ITEM # 20

**CITY OF SANTA FE, NEW MEXICO**  
**PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2013-\_\_**  
**(Trigger Locks)**

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**Mayor and Members of the City Council:**

**We propose the following amendment to Resolution No. 2013-\_\_:**

On page 1, line 23, *insert* the following:

“**WHEREAS**, on April 24, 2006, the Federal Child Safety Lock Act of 2005 was enacted to amend the Federal Gun Control Act by making it generally unlawful for "any licensed importer, manufacturer, or dealer to sell, deliver, or transfer any handgun to any person, other than another licensee, unless the transferee (buyer) is provided with a secure gun storage or safety device for that handgun; and"

Respectfully submitted,

\_\_\_\_\_  
Public Safety Committee

ADOPTED: \_\_\_\_\_  
NOT ADOPTED: \_\_\_\_\_  
DATE: \_\_\_\_\_

\_\_\_\_\_  
Yolanda Y. Vigil, City Clerk

*Exhibit "1"*

FINANCE COMMITTEE 04/01/13 -  
2013A 2013B REFUNDING BOND PRESENTATION

Issue Date	Refunding Series	Bonds/Loans	Rate Change		Net PV Interest Savings	Remaining Term	Savings Ave./Yr.
			Original Issue	New Issue			
<b><u>Non-Refunding Bonds:</u></b>							
04/07/2008	2008 GRT CIP	\$20 mill CIP; \$8.7 Convention Center	3.25%-5.25%	-	-	-	-
06/10/2008	2008 GO	\$20 mill Parks projects	3.75%-5.00%	-	-	-	-
11/01/2010	2010 GO	\$10.3 mill Parks projects	2.00%-4.00%	-	-	-	-
12/16/2012	2012C	\$4.685 mill Market Station condo purchase	2.00%-5.00%	-	-	-	-
Est. 7/23/13	2013 GO	\$12 mill Parks projects	est. 3.75%	-	-	-	-
<b><u>Refunding Bonds:</u></b>							
12/18/2008	2008B Refunding	1997A & 1999 GRT Bonds	4.875% - 6.00%	3.21% TIC*	\$958,969 (4.14%)**	4 years	\$246,598
12/14/2010	2010A Refunding	2002 GRT bonds	4.25% - 5.25%	1.30-% TIC	\$686,338 (4.51%)	5 years	\$140,926
12/14/2010	2010B Refunding	Railyard NMFA #7 & 15A loans	3.03% - 4.50%	3.31% TIC	\$658,599 (5.57%)	16 years	\$71,126
03/01/2012	2012A Refunding	2004 GRT bonds + \$22 mill new CIP	3.375% - 5.00%	1.52% TIC	\$1,270,723 (8.83%)	7 years	\$191,859
03/01/2012	2012B Refunding	1997B Wastewater Variable Rate bonds	3.50% ***	2.09% TIC	\$1,089,695 (6.85%)	11 years	\$110,348
Est. 6/18/13	2013A Refunding	2006 GRT CIP bonds	4.00%-5.00%	est. 1.34%	\$628,230 (5.77%)	7 years	\$93,600
Est. 6/18/13	2013B Refunding	NMFA Railyard Parking Garage Loan - 30 yr	3.83%-4.49%	est. 3.38%	\$1,304,380 (9.35%)	23 years	\$82,800
<b><u>Future Refundings Under Consideration - Larger Bonds/Loans:</u></b>							
Orig. 03/28/2006	?	NMFA Convention Center Loan - \$42.2 mill	3.75%-4.75%	Hurts capacity of GRT financing to roll it into a subordinate GRT pledge; currently lodger's tax pledge.			
Orig. 2/14/2006	?	2006D Refunding Water Bonds - \$17.7 mill		Not eligible to be advance refunded - have to wait until call date - 6/1/2017. (Refunded 1995A Water bonds & 3 NMFA water loans.)			
Orig. 12/15/2009	?	2009 A&B Water bonds - \$59.97 mill: Tax Exempt (\$18.08 mill) BABs term bonds (\$41.98 mill)	2.00%-5.00% 6.00%-6.20%	Have to wait until call date - 6/1/2020.			

\* TIC = true interest cost, or effective rate.

\*\* 3.5% minimum of the amount being refunded to be cost effective to do.

\*\*\*based on historical variable interest rates

Exhibit "2"



**FINANCE COMMITTEE MEETING OF  
APRIL 1, 2013  
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION  
BY MEMBERS OF THE GOVERNING BODY**

<b>Mayor David Coss</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Patti Bushee</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
	A RESOLUTION RECOGNIZING THE LIFE SAVING WORK DONE BY NEW MEXICO DONOR SERVICES AND PROCLAIMING APRIL 2013 AS DONATE LIFE MONTH.	Council – 4/10/13
<b>Councilor Chris Calvert</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Bill Dimas</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Carmichael Dominguez</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Peter Ives</b>		
<b>Councilor Chris Rivera</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Ron Trujillo</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Wurzbarger</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>

Introduced legislation will be posted on the City Attorney's website, under legislative services (<http://www.santafenm.gov/index.asp?nid=320>). If you would like to review the legislation prior to that time or you would like to be a co-sponsor, please contact Melissa Byers, (505)955-6518, [mdbyers@santafenm.gov](mailto:mdbyers@santafenm.gov).

**CITY OF SANTA FE, NEW MEXICO**

**RESOLUTION NO. 2013-\_\_\_\_**

**INTRODUCED BY:**

Councilor Patti Bushee

**A RESOLUTION**

**RECOGNIZING THE LIFE SAVING WORK DONE BY NEW MEXICO DONOR SERVICES AND PROCLAIMING APRIL 2013 AS DONATE LIFE MONTH.**

**WHEREAS**, National Donate Life Month provides an opportunity to honor the generosity of New Mexicans who have saved the lives of others through their gift of organ, eye or tissue donation; and

**WHEREAS**, more than 117,000 men, women and children including 715 New Mexicans are now waiting for an organ transplant on the national organ transplant list, and over one-million Americans will need a tissue transplant this year; and

**WHEREAS**, the number of patients in need of life-saving transplants is much greater than the number of available donations, and over 7,000 people died last year on the national waiting list; and

**WHEREAS**, one individual's decision to be a donor can save up to nine patients in need of an organ transplant and enhance the lives of up to 50 people in need of a tissue transplant; and

**WHEREAS**, New Mexicans are generous, compassionate people, willing to help others in



1 need and are urged to register as organ, eye and tissue donors on their driver's license, ID card or  
2 online and NMdonor.org.

3 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**  
4 **CITY OF SANTA FE** that the Governing Body recognizes the lifesaving work done by New Mexico  
5 Donor Services and proclaims April 2013 as donate life month.

6 PASSED, APPROVED, and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2013.

7  
8 \_\_\_\_\_  
9 DAVID COSS, MAYOR

10 ATTEST:

11  
12 \_\_\_\_\_  
13 YOLANDA Y. VIGIL, CITY CLERK

14 APPROVED AS TO FORM:

15  
16 \_\_\_\_\_  
17 GENO ZAMORA, CITY ATTORNEY

18  
19  
20  
21  
22  
23  
24  
25 *M/Melissa/Resolutions 2013/Organ Donation*