



Agenda

FINANCE COMMITTEE MEETING
CITY COUNCIL CHAMBERS
AUGUST 19, 2013 – 5:00 P.M.

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

CITY CLERK'S OFFICE

DATE 8/15/13 TIME 10:45a
SERVED BY Yolande Green
RECEIVED BY [Signature]

Regular Finance Committee Meeting – August 5, 2013

CONSENT AGENDA

6. Bid No. 13/20/B – Three (3) Side Loading Compressed Natural Gas (CNG) Recycling Collection Units for Environmental Services Division; Bruckner Truck Sales. (Cindy Padilla and Lawrence Garcia)
7. Request for Approval of Procurement under Cooperative Price Agreement – Two (2) Compressed Natural Gas (CNG) Commercial Rear-Loading Collection Units for Environmental Services Division; Roberts Truck Center. (Cindy Padilla)
 - A. Request for Approval of Budget Increase – Environmental Services Fund
8. Request for Approval of Amendment No. 2 to Professional Services Agreement – Water Conservation Marketing and Outreach Plan and Implementation; PK Public Relations. (Laurie Trevizo)
9. Request for Approval of Procurement under State Price Agreement – Library Books, Materials and Services for Library Division; Baker & Taylor, Inc. (Patricia Hodapp)
10. Request for Approval of Amendment No. 1 to Legal Services Agreement – Legal Services for City's Application to Re-Permit the City's Northwest Well and Return Flow/Discharge Credit for Water Division; Stein & Brockmann, P.A. (Marcos Martinez and Nick Schiavo)



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11. Request for Approval of Professional Services Agreement – Engineering Services at North Railyard Development including Extension of Alcadesea Street, Railyard Plaza and Camino De La Familia; Santa Fe Railyard Community Corporation. (Robert Siqueiros)
 - A. Request for Approval of Budget Increase – Santa Fe Railyard Project Fund
12. Request for Approval of Memorandum of Agreement – School Cross Guard Program; Santa Fe Public Schools. (John Romero)
13. Request for Approval of Lease Agreement – Parking of Service Vehicles and Storage of Material on City Alley located along the Southerly Boundary of 1549 Sixth Street by the Property Owners and their Tenants; Wayne S. Colmer and Robert L. Colmer 1998 Revocable Inter Vivos Trust and Colmer Development Company. (Edward Vigil)
14. Request for Approval of Housing and Urban Development (HUD) 2012/2013 Consolidated Annual Performance Evaluation Review (CAPER) for Community Development Block Grant (CDBG). (Kym Dicome)
15. Request for Approval of Grant Award – Veterans Transportation Community Living Initiative Discretionary Grant Section 5309; U.S. Department of Transportation, Federal Transit Administration. (David Chapman)
 - A. Request for Approval of Budget Increase – Grant Fund
16. Request for Approval of a Resolution Directing the City of Santa Fe Human Resources Department to Implement a Veterans' Hiring Initiative Policy for the Purpose of Increasing Opportunities for Veterans to Obtain City Employment. (Councilor Dimas) (Vicki Gage)

Committee Review:

City Council (scheduled)

08/27/13

Fiscal Impact – No

17. Request for Approval of a Resolution Directing Staff to Draft Amendments to the City Code and the Established Policies and Procedures Related to the Establishment of a Permitted Use in Certain Zoning Districts for Farm Stands and Urban Agriculture Including the Conditions under which such Uses would



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be Permitted; and Directing Staff to Collaborate with Local Non-Profit Organizations to Develop a Local Farm Stand Plan so the Residents of Santa Fe will have the Ability to Purchase Fresh Produce From Community Gardens and Orchards. (Councilor Bushee) (Katherine Mortimer)

“Note: This Caption may be amended in Accordance with the Substitute Resolution in the Packet.”

Committee Review:

Sustainable Santa Fe Commission (approved)	07/16/13
Food Policy Council (approved)	07/25/13
Public Works Committee (approved)	08/12/13
City Council (scheduled)	08/27/13

Fiscal Impact - No

18. Request for Approval of a Resolution Amending the Amount of Designated Impact Fee Capital Improvements Plan (IFCIP) Funding for the Design and Construction of the Herrera Drive Extension Roadway Improvements and Paseo Del Sol Extension Roadway Improvements; Authorizing the Expenditure of such Funding for the Roadway Improvements; and Authorizing the City of Santa Fe to Enter into a Memorandum of Agreement with the Board of Education of the Santa Fe Public School District (SFPS) so that SFPS will be the Designated Fiscal Agent for the Road Improvement Projects. (Mayor Coss, Councilors Dominguez and Rivera) (Isaac Pino)

Committee Review:

Capital Improvement Advisory (approved)	08/08/13
Public Works Committee (approved)	08/12/13
City Council (scheduled)	08/27/13

Fiscal Impact – Yes

19. Request for Approval of an Ordinance Relating to the Sale and Consumption of Alcohol on City Property; Amending Section 23-6.2 SFCC 1987 to Authorize the Sale and Consumption of Beer Only in the Areas Designated for Concessions and Seating at Fort Marcy Ballpark in Accordance with State and Local Laws and Regulations. (Councilor Trujillo and Mayor Coss and Councilor Wurzbarger) (Alfred Walker)



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Committee Review:

Public Safety (approved)	07/16/13
Public Works (approved)	07/29/13
City Council (request to publish)	08/27/13
City Council (public hearing)	09/25/13

Fiscal Impact – No

END OF CONSENT AGENDA

DISCUSSION

20. Discussion on Draft 2015/2019 Infrastructure Capital Improvements Plan (ICIP). (Isaac Pino)
21. OTHER FINANCIAL INFORMATION:
 - A. Update on Data Center Audit Report. (Liza Kerr)
 - B. Update on Phase II Annexation. (Reed Liming)
 - C. Update on Budget Implementation. (Marcos A. Tapia)
 1. Status of Union Negotiations. (Vicki Gage)
 - D. Update of Gross Receipts Tax Report Received in August 2013 (for June 2013 Activity) and Lodgers' Tax Report Received in August 2013 (for July 2013 Activity). (Marcos A. Tapia)
22. MATTERS FROM THE COMMITTEE
23. ADJOURN

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

**SUMMARY OF ACTION
FINANCE COMMITTEE MEETING
Monday, August 19, 2013**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
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 – AUGUST 5, 2013	Approved	3
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – WATER CONSERVATION MARKETING AND OUTREACH PLAN AND IMPLEMENTATION; PK PUBLIC RELATIONS	Approved	3-4
REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO LEGAL SERVICES AGREEMENT – LEGAL SERVICES FOR CITY'S APPLICATION TO RE-PERMIT THE CITY'S NORTHWEST WELL AND RETURN FLOW/DISCHARGE CREDIT FOR WATER DIVISION; STEIN & BROCKMANN, P.A.	Approved	4-5
REQUEST FOR APPROVAL OF MEMORANDUM OF AGREEMENT – SCHOOL CROSS GUARD PROGRAM; SANTA FE PUBLIC SCHOOLS	Approved w/amendment	5-6
REQUEST FOR APPROVAL OF HOUSING AND URBAN DEVELOPMENT (HUD) 2012/2013 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REVIEW (CAPER) FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)	Approved	6
REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING THE CITY OF SANTA FE HUMAN RESOURCES DEPARTMENT TO IMPLEMENT A VETERANS' HIRING INITIATIVE POLICY FOR THE PURPOSE OF INCREASING OPPORTUNITIES FOR VETERANS TO OBTAIN CITY EMPLOYMENT	Approved	7-8

ITEM

ACTION

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REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO DRAFT AMENDMENTS TO THE CITY CODE AND THE ESTABLISHED POLICIES AND PROCEDURES RELATED TO THE ESTABLISHMENT OF A PERMITTED USE IN CERTAIN ZONING DISTRICTS FOR FARM STANDS AND URBAN AGRICULTURE INCLUDING THE CONDITIONS UNDER WHICH SUCH USES WOULD BE PERMITTED; AND DIRECTING STAFF TO COLLABORATE WITH LOCAL NON-PROFIT ORGANIZATIONS TO DEVELOP A LOCAL FARM STAND PLAN SO THE RESIDENTS OF SANTA FE WILL HAVE THE ABILITY TO PURCHASE FRESH PRODUCE FROM COMMUNITY GARDENS AND ORCHARDS

Postponed w/direction to staff

8-9

REQUEST FOR APPROVAL OF A RESOLUTION AMENDING THE AMOUNT OF DESIGNATED IMPACT FEE CAPITAL IMPROVEMENTS PLAN (IFCIP) FUNDING FOR THE DESIGN AND CONSTRUCTION OF THE HERRERA DRIVE EXTENSION ROADWAY IMPROVEMENTS AND PASEO DEL SOL EXTENSION ROADWAY IMPROVEMENTS; AUTHORIZING THE EXPENDITURE OF SUCH FUNDING FOR THE ROADWAY IMPROVEMENTS; AND AUTHORIZING THE CITY OF SANTA FE TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE BOARD OF EDUCATION AND THE SANTA FE PUBLIC SCHOOL DISTRICT (SFPS) SO THAT SFPS WILL BE THE DESIGNATED FISCAL AGENT FOR THE ROAD IMPROVEMENT PROJECTS

Approved w/direction to staff

9-10

REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO THE SALE AND CONSUMPTION OF ALCOHOL ON CITY PROPERTY; AMENDING SECTION 23-6.2 SFCC 1987, TO AUTHORIZE THE SALE AND CONSUMPTION OF BEER ONLY IN THE AREAS DESIGNATED FOR CONCESSIONS AND SEATING AT FORT MARCY BALLPARK IN ACCORDANCE WITH STATE AND LOCAL LAWS AND REGULATIONS

Approved [amended]

10-14

END OF CONSENT CALENDAR DISCUSSION

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

DISCUSSION ON DRAFT 2015/2019
INFRASTRUCTURE CAPITAL IMPROVEMENTS
PLAN (ICIP)

Direction to staff

15-16

OTHER FINANCIAL INFORMATION

UPDATE ON DATA CENTER AUDIT REPORT

Information/discussion

17

UPDATE ON PHASE II ANNEXATION

Information/discussion

17-18

UPDATE ON BUDGET IMPLEMENTATION

Information/discussion

18-20

STATUS OF UNION NEGOTIATIONS

Information/discussion

20-23

UPDATE OF GROSS RECEIPTS TAX REPORT
RECEIVED IN AUGUST 2013 (FOR JUNE 2013
ACTIVITY) AND LODGERS' TAX REPORT
RECEIVED IN AUGUST 2013 (FOR JULY 2013
ACTIVITY)

Information/discussion

23

MATTERS FROM THE COMMITTEE

None

23

ADJOURN

23

**MINUTES OF THE
CITY OF SANTA FE
FINANCE COMMITTEE
Monday, August 19, 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, August 19, 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

MEMBERS EXCUSED:

OTHERS ATTENDING:

Marcos A. Tapia, Finance Department
Yolanda Green, Finance Division
Melessia Helberg, Stenographer.

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

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

3. APPROVAL OF AGENDA

Mr. Tapia said on Item #19, the request to publish should be changed to 08/27/13.

MOTION: Councilor Calvert 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 would like to add her name as cosponsor to Items #16 and #18.

MOTION: Councilor Calvert moved, seconded by Councilor Dimas, to approve the following Consent Agenda, as amended.

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

CONSENT AGENDA

6. **BID NO. 13/20/B – THREE (3) SIDE LOADING COMPRESSED NATURAL GAS (CNG) RECYCLING COLLECTION UNITS FOR ENVIRONMENTAL SERVICES DIVISION; BRUCKNER TRUCK SALES. (CINDY PADILLA AND LAWRENCE GARCIA)**
7. **REQUEST FOR APPROVAL OF PROCUREMENT UNDER COOPERATIVE PRICE AGREEMENT – TWO (2) COMPRESSED NATURAL GAS (CNG) COMMERCIAL REAR-LOADING COLLECTION UNITS FOR ENVIRONMENTAL SERVICES DIVISION; ROBERTS TRUCK CENTER. (CINDY PADILLA)**
 - A. **REQUEST FOR APPROVAL OF BUDGET INCREASE – ENVIRONMENTAL SERVICES FUND.**
8. ***[Removed for discussion by Councilor Bushee]***
9. **REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – LIBRARY BOOKS, MATERIALS AND SERVICES FOR LIBRARY DIVISION; BAKER & TAYLOR, INC. (PATRICIA HODAPP)**
10. ***[Removed for discussion by Councilor Bushee]***
11. **REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – ENGINEERING SERVICES AT NORTH RAILYARD DEVELOPMENT INCLUDING EXTENSION OF ALCADESA STREET, RAILYARD PLAZA AND CAMINO DE LA FAMILIA; SANTA FE RAILYARD COMMUNITY CORPORATION. (ROBERT SIQUEIROS)**
 - A. **REQUEST FOR APPROVAL OF BUDGET INCREASE – SANTA FE RAILYARD PROJECT FUND.**
12. ***[Removed for discussion by Councilor Calvert]***

13. REQUEST FOR APPROVAL OF LEASE AGREEMENT – PARKING OF SERVICE VEHICLES AND STORAGE OF MATERIAL ON CITY ALLEY LOCATED ALONG THE SOUTHERLY BOUNDARY OF 1549 SIXTH STREET BY THE PROPERTY OWNERS AND THEIR TENANTS; WAYNE S. COLMER AND ROBERT L. COLMER 1998 REVOCABLE INTER VIVOS TRUST AND COLMER DEVELOPMENT COMPANY. (EDWARD VIGIL)
14. *[Removed for discussion by Councilor Bushee]*
15. REQUEST FOR APPROVAL OF GRANT AWARD – VETERANS TRANSPORTATION COMMUNITY LIVING INITIATIVE DISCRETIONARY GRANT SECTION 5309; U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL TRANSIT ADMINISTRATION. (DAVID CHAPMAN)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.
16. *[Removed for discussion by Councilor Dimas]*
17. *[Removed for discussion by Councilor Calvert]*
18. *[Removed for discussion by Councilor Calvert]*
19. *[Removed for discussion by Councilor Calvert]*

END OF CONSENT AGENDA

5. APPROVAL OF MINUTES: REGULAR FINANCE COMMITTEE MEETING – AUGUST 5, 2013

MOTION: Councilor Calvert moved, seconded by Councilor Bushee, to approve the minutes of the regular Finance Committee meeting of August 5, 2013, as presented.

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

CONSENT CALENDAR DISCUSSION

8. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – WATER CONSERVATION MARKETING AND OUTREACH PLAN AND IMPLEMENTATION; PK PUBLIC RELATIONS. (LAURIE TREVIZO)

Councilor Bushee said we just did an amendment in March 2013, and now we're doing another one for \$25,000, and asked the reason we didn't do one contract for \$50,000. She said she doesn't like to amend a contract for the same amount or more.

Ms. Trevizo said staff would like to take over the role of marketing and outreach of the water conservation program, and it was a little premature to do that right now. She said Amendment No. 1, was for all of the copy for the website and it cost a little more than what was anticipated.

Councilor Bushee asked the difference between the two amendments.

Ms. Trevizo said the second \$25,000 is to maintain the momentum we've achieved over the summer, and the new website and print material are out and it is achieving that same momentum. She said they will be looking at climate change, those pieces, and they are working with Claudia Borchert and the update on the Long Range Water Supply Plan and how to market that to the community. They also have a new Ordinance on commercial rebates and there will be a campaign associated with that.

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

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

10. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO LEGAL SERVICES AGREEMENT – LEGAL SERVICES FOR CITY'S APPLICATION TO RE-PERMIT THE CITY'S NORTHWEST WELL AND RETURN FLOW/DISCHARGE CREDIT FOR WATER DIVISION; STEIN & BROCKMANN, P.A. (MARCOS MARTINEZ AND NICK SCHIAVO)

Councilor Bushee said she had hoped to hear from Marcos Martinez, noting her questions are along the lines of those she had for Ms. Trevizo.

Councilor Bushee said it's interesting they are hiring Stein and Brockmann to prosecute applications. She asked if this is a 50-50 split in the work load in terms of the Northwest well and the second half, the pursuit of return flow for La Cienega effluent. She asked the reason we can't do the first part in-house.

Judith Amer, Assistant City Attorney, said she doesn't know the answer to the question.

Brian Snyder, City Manager, said he worked on this project for a while and there is a tremendous amount of effort that has gone into this project already, and there are a lot of appeals and processes with the Office of the State Engineer. He said this is the reason they made a conscious decision that the City didn't have sufficient internal staff and staff time to handle that work load. He said they had hired Stein & Brockmann, and believes this is an amendment to that contract to continue the work they already have started.

Councilor Bushee asked if half of the \$100,000 is for the first effort of the Northwest Well protests.

Mr. Snyder said it is more probably 75% toward the first effort and 25% toward the second effort. He said the second effort has been on-going, noting this is a new process and the State doesn't have this process in place, and the City is working closely with the OSE and Stein & Brockmann to create this process so we can get return flow and discharge credit on the Santa Fe River..

Councilor Bushee said, then the Northwest Quadrant well protests are still that active, and it sounds like this might take years.

Councilor Calvert said the explanation, which was clarified at the Public Utilities Committee, is that this firm is being hired for its legal expertise and not its technical expertise.

Mr. Snyder said Marcos Martinez does do a portion of this work, so Stein & Brockmann doesn't do all of the work, noting it supports the work and does some of the heavy lifting where we can't handle it in-house.

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

VOTE: The motion was approved on a voice vote with Councilors Ives, Calvert and Dimas voting in favor of the motion and Councilor Bushee voting against.

12. REQUEST FOR APPROVAL OF MEMORANDUM OF AGREEMENT – SCHOOL CROSS GUARD PROGRAM; SANTA FE PUBLIC SCHOOLS. (JOHN ROMERO)

Councilor Calvert said this was discussed at Public Works, and in the packet it says, "Approved with Amendments," however the amendments aren't in the packet. He said that amendment that was made by Public Works is on packet page 8 as follows: "B. The City shall pay SFPS for half its documented costs incurred in administering the Program in an amount of not to exceed one hundred seven-five thousand dollars and zero cents...."

MOTION: Councilor Calvert moved, seconded by Councilor Ives, to approve this request with the aforementioned amendment.

DISCUSSION: Chair Dominguez asked Mr. Pino if the amendment will be ready for the Council meeting.

Mr. Pino said yes. He said Councilor Calvert had requested additional information on what was actually spent in the first year, last year. He said they actually spent \$217,347, so they will be amending the MOU language to reflect the City's share at \$108,673.

Chair Dominguez said then they were more efficient by letting the Public Schools administer the program.

Councilor Calvert said that's "if you're comparing apples to apples." He understands that some of the level of service was also lessened, so they didn't cover everything to the same extent that we did.

Chair Dominguez asked how it was lessened.

Mr. Pino said it was lessened three different ways. He said there were 4 cross guards at Carlos Gilbert for the four main arteries to cross kids, and it was reduced to two. Secondly, many times they would use teachers or staff. And the third was they cut their hours from three to two, so that wound up costing them a lot less.

Chair Dominguez asked about impacts to Mr. Pino's staff in terms of coordination and such.

Mr. Pino said they never bothered staff and ran the program on their own.

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

14. REQUEST FOR APPROVAL OF HOUSING AND URBAN DEVELOPMENT (HUD) 2012/2013 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REVIEW (CAPER) FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG). (KYM DICOME)

Councilor Bushee asked how the foreclosure program has worked out with the changes, and asked if the same attorney is dealing with it.

Ms. Dicome said it is the same local attorney under the New Mexico Consumer Protection Center. She said she didn't apply for CDBG this year, but she is getting funding from the General Fund to continue doing foreclosure, education and legal services.

Councilor Bushee asked the numbers.

Ms. Dicome said the minimum she was to serve was 35, and she served 43, so she exceeded the minimum requirements. She said it takes an incredible amount of time working with the mortgage companies, noting it took the attorney almost a year with one person and they re-did the loan and she stayed in her home. She said it is important and they will continue to fund it. She said the attorney does have a contract with the City under the General Fund with Affordable Housing. She said she has to be part of an organization and it can't be a single practitioner.

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

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

16. **REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING THE CITY OF SANTA FE HUMAN RESOURCES DEPARTMENT TO IMPLEMENT A VETERANS' HIRING INITIATIVE POLICY FOR THE PURPOSE OF INCREASING OPPORTUNITIES FOR VETERANS TO OBTAIN CITY EMPLOYMENT (COUNCILOR DIMAS AND COUNCILOR BUSHEE, COUNCILOR CALVERT, COUNCILOR IVES AND COUNCILOR DOMINGUEZ). (VICKI GAGE) Committee Review: City Council (scheduled) 08/27/13. Fiscal Impact – No.**

Councilor Dimas said the Resolution is self-explanatory, and asked for permission from the Chair for the Deputy Secretary of the New Mexico Department of Veterans Services.

Deputy Secretary Alan Martinez said the Department has worked with Councilor Dimas, and worked this to mirror the program in Albuquerque. He said traditionally, the unemployment rate among veterans is much higher than the general public. He said this does not guarantee a job for the veteran, but guarantees the veteran will get a chance to interview for a job. The jobs still will be given to the best qualified applicant, but this does give the veteran the opportunity to interview for the job. He said they stand in full support of the Resolution and thanked Councilor Dimas for bringing this forward.

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

DISCUSSION: Councilor Dimas asked how the certification works.

Sandra Perez, Human Resources, said it is a relatively simple form. It just asks them if they are a veteran, and if so are you honorably discharged veteran or honorably discharged disabled veteran. They will then attach a copy of their DD2-14, if not, they will submit the certification at application, and provide a copy of their DD2-14 at the time of the interview. She said it is easier than changing the application form. She said it brings better attention to it, and there is a better success rate in collecting data, and so track the data including the process.

Councilor Bushee said we need police officers and it seems this would lend experience somehow.

Ms. Perez said, once adopted, they will notice it on the web and in place. She said within a month they will be doing on-line applicant open houses, and will be working with Jody Porter's office to do PSA, and will work with the local veterans office.

Councilor Bushee would like Councilor Dimas and someone from the H.R. and the Police Department put special attention to trying to fill the vacant police positions.

Councilor Ives said on page 2, Section 2, line 8, it says, "Upon review of a veteran's application, the HRD shall verify that the veteran applicant has an honorable discharge from the military or verify that the applicant is a member of the National Guard or Reserve who has successfully completed basic training." He said he wants to verify that this in accordance with veterans preference, noting having served and been honorably discharged is slightly different than being in the reserves..

Ms. Perez said it absolutely is the distinction and it is in alliance and compliance with State law, and the definitions mirrors that in addition.

Councilor Dimas said we are mirroring the Albuquerque law, and in Albuquerque, 40% of the veterans interviewed are hired, and he is hoping we can do the same in Santa Fe.

Councilors Calvert, Bushee, Ives and Chair Dominguez asked to be added as cosponsors.

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

17. **REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO DRAFT AMENDMENTS TO THE CITY CODE AND THE ESTABLISHED POLICIES AND PROCEDURES RELATED TO THE ESTABLISHMENT OF A PERMITTED USE IN CERTAIN ZONING DISTRICTS FOR FARM STANDS AND URBAN AGRICULTURE INCLUDING THE CONDITIONS UNDER WHICH SUCH USES WOULD BE PERMITTED; AND DIRECTING STAFF TO COLLABORATE WITH LOCAL NON-PROFIT ORGANIZATIONS TO DEVELOP A LOCAL FARM STAND PLAN SO THE RESIDENTS OF SANTA FE WILL HAVE THE ABILITY TO PURCHASE FRESH PRODUCE FROM COMMUNITY GARDENS AND ORCHARDS (COUNCILOR BUSHEE). (KATHERINE MORTIMER)** "Note: This caption may be amended in accordance with the Substitute Resolution in the Packet." **Committee Review:** Sustainable Santa Fe Commission (approved) 07/16/13; Food Policy Council (approved) 07/25/13; Public Works Committee (approved) 08/12/13; and City Council (scheduled) 08/27/13. **Fiscal Impact – No.**

Councilor Bushee said she would like to remove this and postpone it. She said we are just trying to have a dialogue about this issue and how to make this work in Santa Fe, noting there is always a need to strike a balance between commercial activity and residential zoning categories, while promoting urban agriculture. She would like to see an ongoing debate.

Councilor Bushee noted that this is not a public hearing. She asked everyone to direct their dialogue to the Food Policy Subcommittee, noting they want input from everybody, so we can try to work this out. She said this was done to bring this issue forward through the Sustainable Santa Fe Commission and the Food Policy Council, to try to see what Santa Fe needs and what will work in Santa Fe. She said this is not a zoning or anything like that right now, this is simply kicking off the dialogue. She would like to redirect this back to the Food Policy Council which is about to launch a food plan this fall.

MOTION: Councilor Bushee moved, seconded by Councilor Calvert, to postpone this item, until the Food Plan is ready to go, noting she is proposing the following amendments to the Resolution to be part of the debate:

Page 1, line 20, amend as follows: "... FRESH NON-GMO PRODUCE..."

Page 2, line 19, amend as follows: "...produce grown from non-GMO seed for start at the..."

Page 2, line 23, amend as follows: "...Commission, Home Grown New Mexico and the Santa Fe Farmers Market and..."

Page 2, line 25, amend as follows: "...fresh non GMO produce..."

DISCUSSION: Councilor Bushee asked everybody to please keep the debate alive.

Catherine Mortimer, Chair, Food Policy Council, said she would like to add that people who are interested in engaging in the development of the Food Plan, which will incorporate all of this and other topics, that she is willing to take peoples' email addresses and get them hooked into this process for public forums.

Councilor Bushee said Sustainable Santa Fe has a blog, noting there is a button at the city's current webpage at the bottom on the left for sustainable issues. Councilor Bushee said, "I think we'd better let the experts on the subcommittee direct this a little bit better.

Councilor Calvert said, "Catherine. I would ask as part of what they do, the Food Policy Council, when they're doing this is to hopefully define some of these terms too, because I think everybody's got a different opinion of what some of these terms mean. And so I think if you're going to have a meaningful discussion, first you have to define the terms so that everybody starts at the same place and then you can move forward in that discussion."

Councilor Bushee asked Ms. Mortimer to be sure the CSA's [Community Supported Agriculture] fall in the debate as well.

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

- 18. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING THE AMOUNT OF DESIGNATED IMPACT FEE CAPITAL IMPROVEMENTS PLAN (IFCIP) FUNDING FOR THE DESIGN AND CONSTRUCTION OF THE HERRERA DRIVE EXTENSION ROADWAY IMPROVEMENTS AND PASEO DEL SOL EXTENSION ROADWAY IMPROVEMENTS; AUTHORIZING THE EXPENDITURE OF SUCH FUNDING FOR THE ROADWAY IMPROVEMENTS; AND AUTHORIZING THE CITY OF SANTA FE TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE BOARD OF EDUCATION AND THE SANTA FE PUBLIC SCHOOL DISTRICT (SFPS) SO THAT SFPS WILL BE THE DESIGNATED FISCAL AGENT FOR THE ROAD IMPROVEMENT PROJECTS (MAYOR COSS, COUNCILORS DOMINGUEZ AND RIVERA AND BUSHEE). (ISAAC PINO). " Committee Review: Capital Improvement Advisory (approved) 08/08/13; Public Works Committee (approved) 08/12/13; and City Council (scheduled) 08/27/13. Fiscal Impact – Yes.**

Councilor Calvert said there aren't problems with this proposal, but they would like to have it considered in conjunction with some negotiation about La Farge Library and that piece of property. He said we haven't had the County [School Board?] to the table with it's issue by itself. He thinks with this motivation they might be more interested in talking and negotiating with the City about the La Farge Library and that piece of property.

MOTION: Councilor Calvert moved, seconded by Councilor Bushee, to approve this request, with direction to staff "to engage in that process in conjunction with this particular resolution.

DISCUSSION: Chair Dominguez said he is in favor, noting that both he and Councilor Bushee have asked for a joint meeting with the School Board, and asked if that meeting has been scheduled and/or if there has been any communication from the Governing Body to make that happen.

Mr. Tapia said he doesn't know.

Councilor Calvert said this should give an incentive.

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

19. **REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO THE SALE AND CONSUMPTION OF ALCOHOL ON CITY PROPERTY; AMENDING SECTION 23-6.2 SFCC 1987, TO AUTHORIZE THE SALE AND CONSUMPTION OF BEER ONLY IN THE AREAS DESIGNATED FOR CONCESSIONS AND SEATING AT FORT MARCY BALLPARK IN ACCORDANCE WITH STATE AND LOCAL LAWS AND REGULATIONS (COUNCILOR TRUJILLO AND MAYOR COSS AND COUNCIL WURZBURGER). (ALFRED WALKER) "**
Committee Review: Public Safety Committee (approved) 07/16/13; Public Works Committee (approved) 07/29/13; City Council (request to publish) ~~08/14/13~~ 08/27/13; and City Council (public hearing) 09/11/13. Fiscal Impact – No.

Councilor Calvert said he looked for the FIR about this, but he didn't see any figures. He said his understand that to full this, extra fencing will be required at Ft. Marcy. He said this particular is only a need for the Pecos League and he wants them to pay for the fencing.

Chair Dominguez asked Ms. Amer to comment on whether the Pecos League will pay for this.

Judith Amer, Assistant City Attorney, said it is her understanding that the Pecos League would be responsible for the temporary fencing. She said it would be a Council decision as to whether or not to make permanent fencing for the entire field as a future CIP project. However, right now, it would be temporary fencing provided by the Pecos League.

Councilor Calvert said, "Whatever is needed for their games to provide for the Ordinance amendment, they must pay for it. Right."

Ms. Amer said this is correct.

Councilor Bushee said there is a piece of railing that is missing at the park.

Mr. Tapia asked if Councilor Bushee is referring to the hand railing to be installed on the two ends, and Councilor Bushee said yes. He said currently they are identifying City funds for this purpose.

Councilor Bushee said it appears uniformed security guards are not present, and asked "what's the story." She said every time there is an event at the Convention Center they are required to have a certain number of security guards, and asked why this does not apply in this situation.

Ms. Amer said the original Resolution just stated "security guards," not "uniformed security guards." So, the Pecos League asked if they could be employees of the vendor selling the alcohol, and the City Manager agreed to that, so that is in the agreement as of this year. However, it is something that can be changed right now with what we are doing.

Councilor Bushee asked if there are any other scenarios where we allow the vendor of the alcohol sales to do the policing.

Ms. Amer said she isn't familiar with all the alcohol sales on City facilities.

Councilor Bushee would like to require the appropriate number of uniformed security guards, noting this falls under best practices which we have agreed to follow, and would like to make that amendment.

Chair Dominguez asked if there is a State law in this regard.

Ms. Amer said, "Alfred Walker wrote a memorandum to the Finance Committee dated July 24, 2013, updated July 30, 2013, and he says that removing the beer garden would nullify this requirement of the agreement, but the City could require some other security arrangement in any future agreement. A Special Dispenser Permit is required for the vendor at Fuego games. State regulations only require the applicant for a Special Dispenser Permit to state in the application to Alcohol & Gaming, the number of people expected and the security which will be provided. If the Director does not deem the security sufficient, the Director may deny the permit. Alfred further states that he did not find any regulations or guidelines which the Director of Alcohol & Gaming Division would rely on in determining under what conditions security would or would not be sufficient. As noted, the City may require any security it desires to be part of the lease."

MOTION: Councilor Bushee moved, seconded by Councilor Dimas, to approve this request, with an amended agreement that requires an appropriate number of uniformed security guards, as one of the best practices, given that this is City owned property and this is our policy.

DISCUSSION: Chair Dominguez asked if the best practices were enforced last year.

Ms. Amer said this is a question she can't completely answer because she hasn't been present at the games.

Chair Dominguez said the question is whether these best practices were enforced, which were a part of last year's agreement.

Mr. Snyder said, "I don't have an answer to that question, if they were enforced or not, but I could find out the answer for you."

Chair Dominguez asked Mr. Snyder to so do. He said we're recognizing that we aren't in a prohibition state, but we really want to encourage people to use best practices when it comes to the use or the consumption of alcohol. He said, "This legislation wasn't brought up willy-nilly. It was really the result of the community coming together to say we were going to take these kinds of things seriously. I would hope that these best practices were indeed implemented and enforced last year, and from here on in. And so, I think the question really is how seriously is the community going to take the issue and the consumption of alcohol when it comes to best practices. And so those best practices are really important for the community to experience."

FRIENDLY AMENDMENT: Councilor Calvert would like to amend the motion to reflect that the Pecos League will be paying for the temporary fencing. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE COMMITTEE.**

CONTINUATION OF DISCUSSION: Councilor Calvert said he understands the motion and Alfred's letter. He said the State specifies what the requirements are to the special dispenser, and Mr. Walker said we can require any security we want as a part of the Fuego Lease. He asked, if we say we want uniformed security there for the dispensing of alcohol, will that get us in conflict with State law, and are the costs of security going to be paid by the dispenser or by the League.

Responding to Councilor Calvert, Chair Dominguez said any security requirements outside of the State requirement for the dispenser will be paid by the League, not the dispenser. He asked if this is clear to the maker and second of the motion. The maker and second said yes.

Councilor Bushee also would like a clarification of which office is responsible for enforcement of best practices on City owned land.

Mr. Snyder said he will follow up on this, noting he has heard no complaints that they weren't enforced. However, he wants to make sure before going on record saying that we upheld the best practices.

Councilor Bushee asked Mr. Snyder to ask legal counsel to review this before it goes to the City Council to make sure there is a way to emphasize and enforce the best practices.

Chair Dominguez said he believes this is written as if the City Manager will enforce lease and these will be built into the agreement.

Ms. Byers said, "If that's what you want, we can say that the agreement will be amended to reflect what was just discussed. But I believe Councilor Bushee wanted an amendment to the Ordinance. Is that correct."

Councilor Bushee said, "Well the agreement really."

Chair Dominguez said, "The League has a lease agreement with City, and there is a requirement in the agreement that they follow the Ordinance, and that would include best practices. And so the City Manager, via the lease, is required to make sure that the lease is enforced."

Ms. Amer said, "You're correct. It's really not a lease, it is a permit, but that being said, it is a permit that has an operating agreement lease component to it. It's just for the season, and it does incorporate the Ordinance and the Resolution by reference. Therefore, if they do not do those best practices, they would be in violation of the agreement. As to the issue of whether or not they violated it, we need more information from City staff who actually are present at the games."

Responding to Councilor Bushee, Ms. Amer said, "And the agreement actually covers everything that you're talking about."

Chair Dominguez said it isn't just for the League, it is for any sale or consumption of alcohol at that park, because the park actually has the exemption."

Ms. Amer said, "As I recall, the Ordinance is for minor league professional baseball games at Ft. Marcy Park."

Councilor Calvert said Mr. Walker's letter refers to the lease with Fuego.

Councilor Ives asked if he can get a copy of the permit for the Pecos League.

Ms. Amer said she can get him a copy of the permit, noting the Resolution and the Ordinance are attached to the permit.

Councilor said he wants clarity, as this moves forward, on what their intentions are.

Ms. Amer said, "The Resolution states that there will be security at the beer garden. If you're getting rid of the beer garden you can still require security, even though you're not having the beer garden any more. You can just require security for the entire park facility."

Councilor Calvert asked, "Are you saying, in effect, that the whole stadium become a beer garden, and therefore security still applies."

Councilor Ives said, given this was such a specific construct to begin with, probably the better rule is that we're just talking about the former caged area, but there may not be necessarily an intent to eliminate security from the picture..

Ms. Amer said, "To that point, if you want there to be security without the beer garden, but for the whole park, then you need to make sure that is clear in whatever you're drafting."

Councilor Calvert said, "Given all that discussion that we just had, should there be at least the permit agreement, or whatever, going along with this Ordinance amendment, so that we're all clear as to what is being required or not."

Ms. Amer said, "That really is your choice. The last time this all came to be, that wasn't the way it was, but that doesn't mean that you couldn't do it that way this time."

Councilor Calvert said, "You're saying that we left it to the City Manager to administer that permit. Right. But what's in the Ordinance is one thing, and then what's in the permit is separate... at least to see what the amended permit is going to look like that the City Manager is going to rule on or give his permission for. Because I think, as we were discussing that the permit, if we're talking about extra security perhaps, and stuff like that, that's where that's going to end up being. Right. Not in the Ordinance."

Ms. Amer said, "As I said last time, it was specified in the Resolution and the Ordinance, and then the permit was drafted based on the Resolution and the Ordinance."

Councilor Calvert said, "Right. But if we're saying we want to see, as Councilor Bushee said, she wanted to see the possibility of uniformed security and we're not going to put that in the Ordinance, then where is it going to show up and are we going to see it anywhere before it gets approved."

Councilor Bushee asked if it would take too long to put it in the Ordinance.

Councilor Calvert said, "I think what you're talking about is something you're enforcing on the League, just like the security fencing requirement and it's sort of something that is more part of the permit than the Ordinance itself."

Chair Dominguez said, "I think what we really need to make sure, City staff, is that we have that, at least when it gets to Council, that we have that agreement, so we can at least make sure that the intent is articulated somewhere, somehow. I will say, just in terms of best practices, and I'm not going to necessarily make too much of an issue of this, but best practices really isn't 12 oz. Beverages, it's something else. Having said that, it is what it is, that's what's being proposed in front of us, and I don't hear anything to change it."

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

END OF CONSENT CALENDAR DISCUSSION

DISCUSSION

20. DISCUSSION ON DRAFT 2015/2019 INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP). (ISAAC PINO)

Mr. Pino reviewed the information in the packet noting there can be no broad categories and we will have to be specific. He said the list in the packet represents the top 3 choices among the departments, which is almost 70 projects. He said the request is for the members of this Committee to identify their priorities. He said they will be coming back to the Committee with those priorities identified. He said the priorities don't have to be on the list to be added by the Committee. He said the Committee will then pare the list to 4 or 5 priority projects when we meet with our lobbyists.

The Committee commented and asked questions as follows:

- Chair Dominguez asked what happened at Public Works with the list.

Mr. Pino said the Public Works Committee accepted its homework assignment and asked for additional information which has been provided. He said that information is included in the Packet.

- Chair Dominguez said typically this Committee doesn't approve the list until it is approved by the Public Works Committee, and asked the Committee to comment.
- Councilor Calvert said the Memo of August 12, 2013, shows the schedule for the consideration of this list. He said the Public Works Committee took the information provided by Mr. Pino, along with the additional detail. He said it is the intent of the Public Works Committee, at the next meeting, to come up with a final draft for consideration, to make sure we keep to this schedule. He said this would be his recommendation to this Committee, saying he doesn't know if the Finance Committee wants to do this "on the spot" tonight. He said the Public Works Committee chose to take the list home, study it, and then have the serious discussion at the next meeting with regard to the priorities.
- Councilor Bushee said that sounds like a good way to go, although she does have questions. She asked if the Northside Transit Center still is in the offing.

Mr. Pino said yes, only if it were legislatively funded.

- Councilor Bushee said then it is something we still want to pursue, and Mr. Pino said yes.
- Councilor Bushee said the only one she doesn't see is the \$750,000 in improvements to Ft. Marcy, and asked if that should be called out.
- Councilor Calvert said the Ft. Marcy Complex is in the middle of the page.

- Councilor Bushee asked if the Murales Fire Station is for an upgrade to the facility, and Mr. Pino said yes.
- Chair Dominguez asked Mr. Pino how general and broad does he want the projects to be, noting "Youth Soccer Complex, versus just Soccer Complex." He asked if there is a preference, does it matter.

Mr. Pino in that particular case, he doesn't think it matters. He said what they want to know is where, and if it is an existing facility. Responding to the Chair, Mr. Pino said it has to be location specific.

- Chair Dominguez said then those in pink, the non-profits, will still be added in, or if they are to be taken off the list submitted to the State.

Mr. Pino said they will be shown on the list, because the non-profits rely on the City to help sponsor that legislation. He said these are the ones which were on the list for the last two years as priorities.

- Chair Dominguez asked if we can find out how much the non-profits have spent on the pass-through of the City.

Mr. Pino said David Chapman keeps the report and he'll make sure that is update.

- Councilor Ives said the Public Works Committee did ask for an update on the timing and the amounts given to the organizations, and hopes to have that before the next Public Works Committee meeting.
- Councilor Calvert asked if we can remove people from the list. He said some have received funding in the past, but are they in need of future funding. He said they probably need operational money and that isn't what this is about.
- Chair Dominguez said he is more interested in whether an organization is serious about a facility and if it is in a working document or a plan.
- Councilor Bushee said she doesn't see the North Side Transit Center, noting we had a plan at one time and got a lease from the State to do a multi-modal transit center at the Railyard and she still sees the worth of that. She said, additionally, constituents have wanted pedestrian amenities on Old Taos Highway.
- Councilor Ives said Mr. Pino talks about identifying the top 5 priorities in his Memo, and asked if that is the goal for the next Public Works Committee for purposes of moving the process forward.

Mr. Pino said that is correct.

21. OTHER FINANCIAL INFORMATION

A. UPDATE ON DATA CENTER AUDIT REPORT. (LIZA KERR)

Liza Kerr, Internal Auditor, said the report has been presented to the City Manager last week, and he still needs to review and approve the report. She said once that happens, the report will move through the system.

Chair Dominguez asked when that will happen.

Ms. Kerr said she is unsure of the date, because it depends on when he finishes his approval.

Mr. Snyder said he received the report on Thursday. He said there are a number of things on his desk he needs to review and he is not willing to commit to a date, but it is a priority to get it done. He wants to make sure he reviews it thoroughly and has an understanding of the process. He said, "I hope it to be in the near future."

B. UPDATE ON PHASE II ANNEXATION. (REED LIMING)

Reed Liming, Director, Long Range Planning Division, reviewed the information in his Memorandum of August 19, 2013, which is in the Committee packet.

Councilor Bushee would like a map to be included with each mailing. She said then this process will be completed in January 2014.

Mr. Liming said yes, they are looking for this to be effective January 1, 2014, and that is what they anticipate will be in the Ordinance when it comes to Council. He will send a packet to all Councilors so they can see exactly what the public will be receiving in their letter.

Councilor Bushee said BTAC [Bicycle and Trails Advisory Committee] will be taking up some kind of *quid pro quo* that the County Public Works Director wants to discuss – a trail in exchange for something else which will be an annexation piece off West Alameda. She doesn't know what staff deals with that.

Councilor Calvert said he thought we already did all of the horse trading.

Councilor Bushee said they are trying to do some more. She would like the appropriate staff person to be present to answer those questions on Wednesday evening, noting the County Public Works Director will be attending.

Mr. Snyder said he has asked someone from Parks and Trails to attend that meeting, and he will verify that.

Councilor Bushee wants that person to be able to talk about numbers.

Mr. Snyder said that is his understanding and he will follow-up on that.

Councilor Bushee said, "So Reed, before this goes to Council, just make sure there is an accompanying map every time you raise this up, because I get calls and questions all the time about, well, am I in this area, and when are you guys really going to do it, for good or bad, they at least want the information."

Mr. Liming said he will do so.

Chair Dominguez said then are no significant budget implications for notification of the open house.

Mr. Liming said no, the staff will handle that, and it will be an informal open house. As people come in, they can ask questions and have conversations. It won't be a formal type of set up.

Chair Dominguez asked if the County will be participating in this process.

Mr. Liming said they don't know, but they will invite them. He said, "I don't know what their proclivity will be for being there."

Cindy Padilla, Director, Environmental Services Division, said she will be giving a full update at the next Finance Committee and Public Utilities Committees. She noted she will work to attend the public meetings.

C. UPDATE ON BUDGET IMPLEMENTATION (MARCOS A. TAPIA)

Marcos Tapia, Finance Department Director, reviewed the information in the packet. Please see this information for specifics of this presentation. Mr. Tapia noted a copy has been provided to all of the Department Directors.

Chair Dominguez asked if we are on track with the overtime budget, and if we are filling positions.

Mr. Tapia said changes are being made to streamline the process, noting some of the overtime for people on standby when they weren't being used, has been stopped.

Mr. Snyder said each of the departments and divisions monitor the overtime on a regular basis to ensure we are in line with the budget. He said we are only 1½ months into the fiscal year, commenting anyone who has exhausted the overtime budget at this point there is a very large problem, because there is still 10 ½ months.

Mr. Snyder said all positions which become vacant are looked at – what function they serve within the Division's department, is the function still relevant, and if the position can be used differently to accomplish something more efficiently. He said each one goes through that analysis, commenting there

are some "slam dunk positions that we just need," which don't go through that exhaustive process. He said they take the recommendations from the division and the department into high consideration.

Chair Dominguez asked if all the transfers to balance the budget have happened.

Mr. Snyder said those have been done, but every vacancy hasn't been filled, reiterating it goes through a process. All of those transfers have been complete.

Chair Dominguez asked about involuntary transfers and how those are going, specifically the position at recreation he discussed with Mr. Snyder.

Mr. Snyder said that transition is going smoothly, and he has heard no complaints.

Chair Dominguez said they have received emails on custodial work, and asked if there is sufficient staff to deal with those issues.

Mr. Snyder said he has received those emails. He said there was a change in approach during the budget process which was approved by the Governing Body. He revisited that and he looks at that on a case by case basis. He said in some situations he has brought in emergency hires to help out, and in others they are giving custodians specific roles to be sure we keep the facilities clean. He said each facility is being evaluated. It is our goal to be sure we have enough custodians at the facilities to keep them looking fresh for the customers.

Responding to Councilor Dominguez, Mr. Snyder said if he is speaking of the AFSCME contract there is an ability for management to reassign staff, noting that was part of a previous contract negotiation and is in the contract. He asked Nick Lovato to comment.

Nick Lovato, President, AFSCME Local 3999, said, "I don't have the contract with me, but the article states that.... the employee can request to get transferred. But if the City Manager and the Director decide to move somebody else, as long as it's not done arbitrarily... arbitrarily is if they're moving them for, like you were saying, if he was a bad employee and stuff like, that's the only way. We lost that language in there. If the employee didn't agree to go, then the union wouldn't agree with management's move, but we don't have that language in there any more. That was part of the arbitration that we lost, so a lot of language changed in the contract."

Councilor Bushee said one of the promises we exacted from Robert before he left, is that you would keep open Bicentennial Pool. You had to close because of some kind of technical difficulty, mechanical failure. She said, "Are you going to keep Bicentennial Pool not for lack of staffing to Labor Day."

Mr. Snyder said the Bicentennial Pool open until Labor Day. There was a broken pipe last week in the Maintenance Room that was fixed within the day and reopened the next day. He said they are in the process of ensuring there staffing in place to keep it open beyond Labor Day to meet some request for lap swimming for two hours in the morning the week after Labor and then there is a doggie dip the Thursday after Labor Day. He said, "To answer your question, yes."

1. STATUS OF UNION NEGOTIATIONS. (VICKI GAGE)

Mr. Snyder said the existing AFSCME contract expires June 30, 2014, and management anticipates coming to Council in September to get direction on management objectives for the negotiations, and starting negotiations in September/October. He said there was a change in leadership on the Union side last year, noting as a result they had to restart negotiations. He wants to talk to Mr. Lovato about how to approach that. He said his plan is to begin negotiations in September per the contract. Mr. Snyder said there are some reopeners of the contract this year which resulted in keeping the existing language, which was signed off in June 2013. The next step is renegotiating every article within the contract, slated to begin in September.

Mr. Snyder said the current Police Officers Association [POA] contract expired June 30, 2013. He said non-contract negotiations occurred, but did not end in ratification of the existing contract. He understands that their management and union are scheduling a meeting to go back and continue discussions.

Mr. Snyder said the Santa Fe Firefighters Association contract expires June 30, 2015. He said reopeners of existing articles for this fiscal year have not started and he understands there is a tentative agreement between management and the union to possibly not do reopeners for 2013/2014, and just move right into the 2014/2015 fiscal year and begin reopeners on that.

Chair Dominguez said the Firefighters Association President was unable to be here today.

Adam Gallegos, President, POA, said the City Manager is correct in reporting that the contract negotiations were concluded, but not until after the beginning of the fiscal year, noting this is the third year the negotiations were not completed until after the fiscal year. He said it was taken to ratification, and the contract was defeated by a 6-1 margin. He said we talked about recruiting, but we need to talk about retention, and if we don't address retention, recruiting will never catch up. He said the issue they've seen in the POA is that contract negotiations should start immediately at the onset of the fiscal year, but it never happens. He said we didn't start in November, and they don't get to the nitty gritty until March or April which is budget time. He said this is the reason they don't get anything done until after the fiscal year starts, so everything is applied retroactively. He said they are constantly told, "well this is the pie, so you guys have to work within the pie." He understands, but asked if this is really negotiating or just dragging it out until we get to the time when we have no choice but to try to finish it up. This has been the experience for the past 3 years.

Officer Gallegos said we talked about Albuquerque's recruiting and they have put aside the \$25,000 signing bonus, and are making it a \$5,000 signing bonus with a \$5,000 retention bonus at the end to try to keep their people. He said it will be implemented in phases, noting this is the result of working with the APOA. He said bringing in laterals and new recruits is important, but retention is equally important if not more important. He said a 6-1 margin of defeat speaks volumes, and he won't get into the specifics. He said we are no longer competitive, noting the Sheriff's Office has caught up to us.

Councilor Bushee said she read that Albuquerque is pursuing changes at the Legislature regarding retirement and PERA to help in recruiting and retention. She asked if there is anything there we can build in and/or consider.

Officer Gallegos said SB-27 the PERA bill which was passed, was a monumental type of legislation, and he doesn't believe there are many legislators willing to revisit the PERA any time soon.

Councilor Bushee asked if the issue is that we're not competitive or are we looking at benefits.

Officer Gallegos said the benefits package is holding, noting they took a hit two years ago when the economy tanked, and they were able to reach compromise with the City. He said he believes it will come down to compensation, and compensation is attached to retention.

Councilor Bushee recalled the Council voting to be sure that we were on time with negotiations for all 3 unions, and asked Mr. Snyder to comment.

Mr. Snyder said he has no explanation, noting that was before his time as City Manager. He said we need to get in the process timely, and the contract states that will be September for the following June. He said he would do the same with Police and Fire as well to initiate contract negotiations and meet. He said the process of negotiation is time intensive, and if you don't start early enough or spend enough time, it is hard to get through.

Councilor Bushee asked if we should change the timing.

Chair Dominguez asked Mr. Lovato to comment regarding the timing.

Mr. Lovato said the AFSCME contract opens in September. He said, as Adam said, for the past 3 years, we never got to negotiate in September. It was always in June right before the finances were done and "we were stuck holding the ball. It happened for 2 years." He said this will be the first time they actually get to negotiate in September. He said in the past, the finances were done, so we couldn't negotiate anything, and we lost a lot of incentives to arbitration. He said their numbers of employees down. He said the workforce is less and they have to do more. He said the City is bringing in seasonal workers with no benefits, and "that's diminishing our Union. Out benefits and stuff like that." He said if you have kids, you won't have benefits when they come to work for the City.

Mr. Lovato said they are working on retention, which isn't happening. He said people are getting certified and then they leave, because the money is out there. He said, "The City doesn't have what it

used to have, and we're trying to bring that back. Like myself, Councilor Bushee, you say, perhaps you have to look at our employees. If you've got one employee cleaning here, he's going to have to go across town to go clean the airport, and that's kind of tough. It's one of the things we're dealing with now days."

Councilor Bushee said there is an expectation that this will be done on time, and asked Mr. Snyder to comment.

Mr. Snyder said he disagrees with something Mr. Lovato said. He said he sat on the negotiating team 3 years ago when we did the whole contract. They began negotiations in September/October/November, and Nick was elected in November. He said by the time they got up to speed, they had to restart negotiations, noting everything they had TA'd on was taken off the table, and they started over from scratch. He said we did start negotiation for the last contract in September. He said his concern is that the elections are in November, which is out of his and Nick's hands. He said if there is a "changing of the guard in union leadership," and we've already negotiated, and we have to start over, that creates a challenge. He said, on the AFSCME contract, we talk about non-financial articles first, and then talk about financial. He said, "Nick's correct and Adam as well. We've had a pie, and the pie is set, as to what is available, and we have to work within that pie. So it's a matter of beginning negotiations there knowing the end result and trying to figure out what there is to give or take. And there may not be much to give or take. But the reality is, the pie is set for us when we go into the negotiations as to what the budget is."

Councilor Bushee said she wants to be able to trust the numbers, noting last year there was a surprise in the numbers, and we started the budgeting process handicapped with a shortfall. She said there are certain benefits that she hopes we really revisit again, and which should be maintained. She expressed frustration that she can't speak to the specifics. She is hoping there is a timeframe better suited to make sure the negotiations happen on time.

Mr. Lovato said the reason they were so late in negotiations, is because Mr. Romero kept telling them he had to get direction from the Council. He said they sent a letter in February requesting to start negotiations, "and he was waiting for direction from the Council. That was his answer all the time."

Councilor Bushee said her direction was to get the negotiations done on time.

Chair Dominguez said we will want to give direction to staff to continue to work on negotiations.

Councilor Dimas said Mr. Lovato spoke about direction from the Council. He asked Mr. Snyder if there is kind of automatic direction or does there have to be a direct order from the Council to start negotiations.

Mr. Snyder said he understands there is Council direction, typically done in executive session, direction to the management team on the parameters for the negotiation, and all the Councilors can provide that direction to the management team. He thinks this is what Mr. Lovato was referencing with Mr. Romero waiting for that direction directly from the Council. He said it is a matter of scheduling an executive session and getting direction sooner, rather than later, and beginning the process. It is his hope to start getting that direction in September.

Councilor Dimas said all of us want it happen within the time frame so that it gets done before benefits that are lost and there is nothing left to negotiate. He said we need to look at this and perhaps change direction, how we do it and so forth. He said when there is a leadership and you're already in negotiation, there is a negotiating team already in place. And, even if there is a change in leadership, wouldn't the President still be a part of that team, whether or not the President was re-elected.

Mr. Lovato said the negotiation has to be done by December, because the new group would start in December. If it goes beyond December, then the same people would be negotiating "because that's what I'm going to put in place with the new membership that comes in if I don't win."

Councilor Dimas said then shouldn't make any difference if there is a change in leadership.

Mr. Lovato said when he took over, it was already past September. [Mr. Lovato's remarks here are inaudible]. He said if it goes past December, it will be up to the next board to keep the same people on there or restart the negotiations, or take over the negotiations.

Councilor Dimas asked if it is the same for the POA.

Officer Gallegos said they work differently in terms of negotiations. He said he, as the President, stepped away from the negotiations, and allowed other members of the union to do that. He said no matter what changes happen, labor or management, as long as there is communication and the opposing sides accept it, it can be a flawless transition.

Councilor Dimas said Mr. Romero told him some of the benefits that were lost, probably could be gotten back, because a lot don't cost the City any money. He asked, once we are back in negotiations, if some of those things could be discussed and perhaps reinstated that are in this category.

D. UPDATE OF GROSS RECEIPTS TAX REPORT RECEIVED IN AUGUST 2013 (FOR JUNE 2013 ACTIVITY) AND LODGERS' TAX REPORT RECEIVED IN AUGUST 2013 (FOR JULY 2013 ACTIVITY). (MARCOS A. TAPIA)

Mr. Tapia said there was a slight increase, noting we aren't back to the numbers of 2007 and 2008, but we are getting there. This is the reason for the flat budgeting. He said these are good signs in looking at the overall projections. This is a good trend and hopes it continues.

22. MATTERS FROM THE COMMITTEE

There were no matters from the Committee.

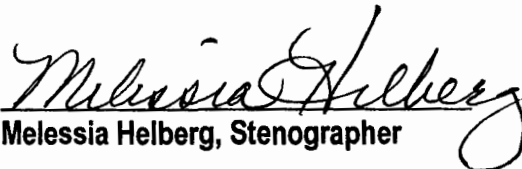
23. ADJOURN

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

Carmichael A. Dominguez, Chair

Reviewed by:

**Marcos A. Tapia, Director
Department of Finance**


Melessia Helberg, Stenographer