



Agenda

Finance Committee Meeting
January 22, 2008 – 5:15 pm
City Council Chambers

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 1-18-08 TIME 3:05

SERVED BY Yolanda Green

RECEIVED BY [Signature]

JANUARY 2, 2008

INFORMATIONAL AGENDA:

6. REPORT ON ITT PURCHASES AND SAVINGS (THOMAS WILLIAMS)
7. UPDATE ON ENERGY CONSERVATION (NICK SCHIAVO)
8. REPORT ON AUTHENTICITY RESOLUTION (SABRINA PRATT)

CONSENT AGENDA:

9. REQUEST FOR APPROVAL OF PROCUREMENT UNDER FEDERAL PRICE AGREEMENT – FLOWMASTER SERIES WATER VALVE EXERCISER FOR WATER DIVISION; VERMEER SALES SOUTHWEST (SHANNON JONES)
10. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – WATER METERS AND SERVICE PARTS FOR WATER DIVISION; H.D. SUPPLY WATERWORKS, LTD (SHANNON JONES)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – WATER ENTERPRISE FUND
11. REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO AGREEMENT BETWEEN OWNER AND ARCHITECT – POLICE MAIN FACILITY RENOVATIONS; LLOYD & ASSOCIATES, ARCHITECTS (CHIP LILIENTHAL)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND
12. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO GRANT AGREEMENT – 2007 GENERAL FUND PROJECTS APPROPRIATION FOR ZONA DEL SOL YOUTH CENTER; STATE OF NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION (DAVID CHAPMAN)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND



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13. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – ON CALL ENGINEERING SERVICES (RFP #08/19/P) (DESIRAE LUJAN)
 - A. WILSON & COMPANY, INC.
 - B. GANNETT FLEMING WEST, INC.
 - C. THE LOUIS BERGER GROUP, INC.
14. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 3 – ADDITIONAL ITEMS FOR RODEO ROAD/RICHARDS AVENUE INTERSECTION IMPROVEMENT PROJECT; A.S. HORNER, INC. (PETER MANZANARES)
15. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – PLAN, DESIGN AND DEVELOPMENT OF BOTANICAL GARDEN ON CITY OWNED LAND; THE SANTA FE BOTANICAL GARDEN (BOB SIQUEIROS)
16. REQUEST FOR APPROVAL OF PROJECT AGREEMENT – SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (S.T.E.P.) FOR POLICE DEPARTMENT; NEW MEXICO DEPARTMENT OF TRANSPORTATION, TRAFFIC SAFETY BUREAU (CHIEF ERIC JOHNSON)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE FROM GRANT REVENUES – GENERAL FUND
17. REQUEST FOR APPROVAL OF BUDGET INCREASE FOR FEDERAL FORFEITURE SHARING FUND FOR POLICE DEPARTMENT (CHIEF ERIC JOHNSON)
18. REQUEST FOR APPROVAL OF AGREEMENT – GEM ELECTRIC VEHICLE REPORTING ON VEHICLE'S ENERGY USE; STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT (NICK SCHIAVO)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND
19. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – NORTHWEST QUADRANT PROJECT SERVICES; DESIGN WORKSHOP, INC. (KATHY MCCORMICK)
20. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO LEASE AGREEMENT – CITY USE OF ST. FRANCIS SCHOOL PLAYGROUND FOR PUBLIC PARKING; THE ROMAN CATHOLIC CHURCH, ARCHDIOCESE OF SANTA FE/ST. FRANCIS CATHEDRAL BASILICA PARISH (WALTER ROYBAL)
21. REQUEST FOR APPROVAL OF AMENDMENT NO. 11 TO PROFESSIONAL SERVICES AGREEMENT – NORTH RAILYARD INFRASTRUCTURE IMPROVEMENTS; SANTA FE RAILYARD COMMUNITY CORPORATION (FRANK ROMERO)



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22. REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO LEGAL SERVICES AGREEMENT – CITY OF SANTA FE HOSPITAL TANK REHABILITATION SERVICES FOR WATER DIVISION; SHEEHAN, SHEEHAN & STELZNER, P.A. (FRANK KATZ)
23. REQUEST FOR APPROVAL OF CONTRACT – ADVERTISING FOR STORM WATER MANAGEMENT; COMCAST CABLE (P.J. DOOLITTLE)
24. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – FOOD PREPARATION AND DISTRIBUTION SERVICES FOR CITY COMMUNITY SERVICES AGREEMENT; KITCHEN ANGELS, INC. AND THE FOOD DEPOT (WILLIAM TALLMAN)
25. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON FEBRUARY 27, 2008 AN ORDINANCE AMENDING SECTION 14-5.6 SFCC 1987 THE ESCARPMENT OVERLAY DISTRICT, REGARDING LANDSCAPE SCREENING IN ORDER TO BETTER COORDINATE WITH FIRE PROTECTION PURPOSES (COUNCILORS CALVERT AND BUSHEE) (WENDY BLACKWELL)
26. REQUEST FOR APPROVAL OF A RESOLUTION TO OBLIGATE THE CITY OF SANTA FE TO LEASE 2,500 AC-FT OF THE CITY'S SAN JUAN-CHAMA PROJECT WATER TO THE BUREAU OF RECLAMATION IN EXCHANGE FOR THE BUREAU OF RECLAMATION GRANTING A WAIVER TO THE CITY TO THE CARRY-OVER STORAGE PROVISION TO ALLOW THE CITY'S 2007 SAN JUAN-CHAMA WATER TO REMAIN IN HERON RESERVOIR THROUGH SEPTEMBER 30, 2008 (COUNCILOR CHAVEZ) (CLAUDIA BORCHERT)
27. REQUEST FOR APPROVAL OF WATER RIGHTS PURCHASE AGREEMENT – ACQUISITION OF WATER RIGHTS IN NAMBE-POJOAQUE-TESUQUE BASIN; JERRY A. AND HELEN A. SHELburn (DALE LYONS)
28. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON FEBRUARY 27, 2008 AN ORDINANCE AMENDING SECTION 7.2 OF EXHIBIT A OF CHAPTER 22 SFCC 1987 TO CORRECT WAIVERS TO THE WASTEWATER UTILITY EXPANSION FEE FOR AFFORDABLE HOUSING (COUNCILOR WURZBURGER) (KATHY MCCORMICK)

DISCUSSION:

29. REQUEST FOR APPROVAL OF SECOND QUARTER BUDGET ADJUSTMENT REQUESTS (CAL PROBASCO)
30. REQUEST FOR APPROVAL OF FY 06/07 CLOSE-OUT AND RE-APPROPRIATION OF GENERAL FUND AVAILABLE CASH BALANCES CONTINGENT ON JANUARY LEGISLATIVE ACTION (KATHRYN RAVELING)
 - A. SUMMARY REPORT ON LEGISLATIVE ACTIONS FOR PAY



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31. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON MARCH 26, 2008 AN ORDINANCE APPROVING AND RATIFYING AN ORDINANCE OF THE SANTA FE SOLID WASTE MANAGEMENT AGENCY WHICH AUTHORIZES EXECUTION AND DELIVERY OF (1) A LOAN AGREEMENT BY AND BETWEEN THE AGENCY AND THE NEW MEXICO ENVIRONMENT DEPARTMENT IN THE AMOUNT OF \$2,000,000 AND (2) A LOAN AGREEMENT BY AND BETWEEN THE AGENCY AND THE NEW MEXICO FINANCE AUTHORITY IN THE AMOUNT OF \$1,000,000, EACH FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EXTENDING, ENLARGING, BETTERING, REPAIRING OR OTHERWISE IMPROVING OR MAINTAINING SOLID WASTE DISPOSAL EQUIPMENT, EQUIPMENT FOR OPERATION AND MAINTENANCE OF SANITARY LANDFILLS, SOLID WASTE FACILITIES OR AND COMBINATION OF THE FOREGOING; AND RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH (RANDALL KIPPENBROCK)
32. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON FEBRUARY 27, 2008 AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY OF SANTA FE, NEW MEXICO GROSS RECEIPTS TAX IMPROVEMENT REVENUE BONDS, SERIES 2008, IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$34,000,000 FOR THE PURPOSE OF DEFRAYING THE COST OF PUBLIC PROJECTS RELATED TO PUBLIC UTILITIES, PUBLIC WORKS, PARKS AND RECREATION, AND COMMUNITY SERVICES; PROVIDING THAT THE BONDS WILL BE PAYABLE AND COLLECTIBLE FROM THE GROSS RECEIPTS TAX REVENUES DISTRIBUTED TO THE CITY; PROVIDING FOR THE DISPOSITION OF THE RECEIPTS DERIVED FROM THE GROSS RECEIPTS TAX REVENUES; PROVIDING THAT CERTAIN TERMS AND DETAILS OF THE BONDS WILL BE PROVIDED AND APPROVED IN A SUBSEQUENT RESOLUTION OF THE CITY; PRESCRIBING OTHER DETAILS CONCERNING THE BONDS AND GROSS RECEIPTS TAX REVENUES, INCLUDING BUT NOT LIMITED TO COVENANTS AND AGREEMENTS IN CONNECTION WITH THE BONDS AND THE FORM AND MANNER OF EXECUTION OF THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION WITH THE BONDS; AND REPEALING ALL ORDINANCES IN CONFLICT HERewith (KATHRYN RAVELING)
33. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO STUDY AND MAKE RECOMMENDATIONS TO THE GOVERNING BODY REGARDING AN INCENTIVE PROGRAM TO USE STATE OF THE ART WATER CONSERVATION TECHNOLOGY IN THE CAR WASH INDUSTRY (COUNCILORS HELDMEYER, CHAVEZ, CALVERT, BUSHEE AND WURZBURGER) (DAN RANSOM)
34. REQUEST FOR APPROVAL OF A RESOLUTION OPPOSING OIL AND GAS EXPLOITATION WITHIN SANTA FE COUNTY (COUNCILOR BUSHEE) (ROBERT GALLEGOS)
35. REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING THE ESTABLISHMENT OF A STATEWIDE TRANSIT FUND TO ASSIST LOCAL GOVERNMENTS IN FINANCING THE PROVISION OF URBAN AND RURAL TRANSIT SERVICES THROUGHOUT NEW MEXICO (COUNCILOR CHAVEZ) (JON BULTHUIS)



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36. REQUEST FOR APPROVAL OF QUADRENNIAL REVIEW OF MUNICIPAL COURT JUDGES SALARY PURSUANT TO CITY CHARTER SECTION 7.07 (CITY MANAGER GALEN BULLER)
 - A. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON FEBRUARY 27, 2008 AN ORDINANCE AMENDING SECTION 2-3.3 SFCC 1987 REGARDING THE SALARY OF THE MUNICIPAL JUDGE
37. OTHER FINANCIAL INFORMATION:
 - A. UPDATE ON GROSS RECEIPTS TAX FOR JANUARY 2008 (KATHRYN RAVELING)
 - B. INFORMATION ON PROPERTY TAX AND GROSS RECEIPTS TAX (KATHRYN RAVELING) (Repeated from Finance Committee meeting of January 3, 2008)
38. MATTERS FROM THE COMMITTEE
39. ADJOURNMENT

Interpreter for hearing impaired is available through City Clerk's Office upon 5 days notice.

**SUMMARY OF ACTION
FINANCE COMMITTEE MEETING
Tuesday, January 22, 2008**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER	Quorum	1
APPROVAL OF AGENDA	Approved	1
APPROVAL OF CONSENT AGENDA	Approved [amended]	1-2
CONSENT AGENDA LISTING		2-4
APPROVAL OF MINUTES: January 2, 2008	Approved	4
<u>INFORMATION AGENDA</u>		
UPDATE ON ENERGY CONSERVATION	Information/discussion	4-5
<u>DISCUSSION</u>		
REQUEST APPROVAL OF QUADRENNIAL REVIEW OF MUNICIPAL COURT JUDGE'S SALARY, PURSUANT TO CITY CHARTER SECTION 7.07		
REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON FEBRUARY 27, 2008, AN ORDINANCE AMENDING SECTION 2-3.3 SFCC 1987, REGARDING THE SALARY OF THE MUNICIPAL JUDGE	Approved [amended]	5-6
<u>INFORMATION AGENDA</u>		
REPORT ON ITT PURCHASES AND SAVINGS	Postponed to 02/04/08	6
REPORT ON AUTHENTICITY RESOLUTION	Information/discussion	7-9

ITEM

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CONSENT CALENDAR DISCUSSION

REQUEST FOR APPROVAL OF PROCUREMENT
UNDER STATE PRICE AGREEMENT – WATER
METERS AND SERVICE PARTS FOR WATER
DIVISION; H.D. SUPPLY WATERWORKS, LTD
REQUEST FOR APPROVAL OF BUDGET
INCREASE – WATER ENTERPRISE FUND

Approved

9-10

REQUEST FOR APPROVAL OF A RESOLUTION
TO OBLIGATE THE CITY OF SANTA FE TO LEASE
2,500 AF OF THE CITY'S SAN JUAN/CHAMA
PROJECT WATER TO THE BUREAU OF
RECLAMATION IN EXCHANGE FOR THE
BUREAU OF RECLAMATION GRANTING A
WAIVER TO THE CITY TO THE CARRY OVER
STORAGE PROVISION TO ALLOW THE CITY'S
2007 SAN JUAN/CHAMA WATER TO REMAIN
IN HERON RESERVOIR THROUGH SEPTEMBER
30, 2008

Approved [amended]

10-11

END OF CONSENT CALENDAR DISCUSSION

DISCUSSION

REQUEST FOR APPROVAL OF SECOND
QUARTER BUDGET ADJUSTMENT REQUESTS

Approved

11

REQUEST FOR APPROVAL OF FY 06/07
CLOSE-OUT AND REAPPROPRIATION OF
GENERAL FUND AVAILABLE CASH BALANCES
CONTINGENT ON JANUARY LEGISLATIVE ACTION
SUMMARY REPORT ON LEGISLATIVE
ACTIONS FOR PAY

Postponed to 02/18/08

11-14

ITEM**ACTION****PAGE**

REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON MARCH 26, 2008, AN ORDINANCE APPROVING AND RATIFYING AN ORDINANCE OF THE SANTA FE SOLID WASTE MANAGEMENT AGENCY WHICH AUTHORIZES EXECUTION AND DELIVERY OF (1) A LOAN AGREEMENT BY AND BETWEEN THE AGENCY AND THE NEW MEXICO ENVIRONMENT DEPARTMENT IN THE AMOUNT OF \$2,000,000, AND (2) A LOAN AGREEMENT BY AND BETWEEN THE AGENCY AND THE NEW MEXICO FINANCE AUTHORITY IN THE AMOUNT OF \$1,000,000, EACH FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EXTENDING, ENLARGING, BETTERING, REPAIRING OR OTHERWISE IMPROVING OR MAINTAINING SOLID WASTE DISPOSAL EQUIPMENT, EQUIPMENT FOR OPERATION AND MAINTENANCE OF SANITARY LANDFILLS, SOLID WASTE FACILITIES OR AND COMBINATION OF THE FOREGOING; AND RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH

Approved

14

REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON FEBRUARY 27, 2008, AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY OF SANTA FE, NEW MEXICO GROSS RECEIPTS TAX IMPROVEMENT REVENUE BONDS, SERIES 2008, IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$34,000,000 FOR THE PURPOSE OF DEFRAYING THE COST OF PUBLIC PROJECTS RELATED TO PUBLIC UTILITIES, PUBLIC WORKS, PARKS AND RECREATION, AND COMMUNITY SERVICES

Approved

14-15

REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO STUDY AND MAKE RECOMMENDATIONS TO THE GOVERNING BODY REGARDING AN INCENTIVE PROGRAM TO USE STATE OF THE ART WATER CONSERVATION TECHNOLOGY IN THE CAR WASH INDUSTRY

Approved a/amended

15

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
REQUEST FOR APPROVAL OF A RESOLUTION OPPOSING OIL AND GAS EXPLOITATION WITHIN SANTA FE COUNTY	Approved [amended]	15-16
REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING THE ESTABLISHMENT OF A STATEWIDE TRANSIT FUND TO ASSIST LOCAL GOVERNMENTS IN FINANCING THE PROVISION OF URBAN AND RURAL TRANSIT SERVICES THROUGHOUT NEW MEXICO	Approved	16-17
OTHER FINANCIAL INFORMATION:		
UPDATE ON GROSS RECEIPTS TAX FOR JANUARY 2008	Information/discussion	18
INFORMATION ON PROPERTY TAX AND GROSS RECEIPTS TAX	Information/discussion	18
MATTERS FROM THE COMMITTEE		18
ADJOURNMENT		18

**MINUTES OF THE
CITY OF SANTA FE
FINANCE COMMITTEE**
Tuesday, January 22, 2008

1. CALL TO ORDER

A meeting of the City of Santa Fe Finance Committee was called to order by Chair Karen Heldmeyer, at approximately 5:15 p.m., on Wednesday, January 22, 2008, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT:

Councilor Karen Heldmeyer, Chair
Councilor Christopher Calvert
Councilor Carmichael Dominguez
Councilor Matthew Ortiz
Councilor Rebecca Wurzburger

OTHERS ATTENDING:

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

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

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

3. APPROVAL OF AGENDA

MOTION: Councilor Calvert moved, seconded by Councilor Wurzburger, to approve the agenda, as presented.

VOTE: The motion was approved on a voice vote, with Councilors Calvert and Wurzburger voting for the motion, none against, and Councilors Dominguez and Ortiz absent.

4. APPROVAL OF CONSENT AGENDA

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

VOTE: The motion to approve the agenda was approved on a voice vote, with Councilors Calvert and Wurzbarger voting for the motion, none against, and Councilors Dominguez and Ortiz absent.

CONSENT AGENDA

9. **REQUEST FOR APPROVAL OF PROCUREMENT UNDER FEDERAL PRICE AGREEMENT – FLOWMASTER SERIES WATER VALVE EXERCISER FOR WATER DIVISION; VERMEER SALES SOUTHWEST. (SHANNON JONES)**
10. ***[Removed for discussion by Councilor Calvert]***
11. **REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO AGREEMENT BETWEEN OWNER AND ARCHITECT – POLICE MAIN FACILITY RENOVATIONS; LLOYD & ASSOCIATES, ARCHITECTS. (CHIP LILIENTHAL)**
 - A. **REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND.**
12. **REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO GRANT AGREEMENT – 2007 GENERAL FUND PROJECTS APPROPRIATION FOR ZONA DEL SOL YOUTH CENTER; STATE OF NEW MEXICO, DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION. (DAVID CHAPMAN)**
 - A. **REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.**
13. **REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – ON CALL ENGINEERING SERVICES (RFP #08/19/P). (DESIRAE LUJAN)**
 - A. **WILSON & COMPANY, INC.**
 - B. **GANNETT FLEMING WEST, INC.**
 - C. **THE LOUIS BERGER GROUP, INC.**
14. **REQUEST FOR APPROVAL OF CHANGE ORDER NO. 3 – ADDITIONAL ITEMS FOR RODEO ROAD/RICHARDS AVENUE INTERSECTION IMPROVEMENT PROJECT; A.S. HORNER, INC. (PETER MANZANARES)**
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16. **REQUEST FOR APPROVAL OF PROJECT AGREEMENT – SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (S.T.E.P.) FOR POLICE DEPARTMENT; NEW MEXICO DEPARTMENT OF TRANSPORTATION, TRAFFIC SAFETY BUREAU. (CHIEF ERIC JOHNSON)**
 - A. **REQUEST FOR APPROVAL OF BUDGET INCREASE FROM GRANT REVENUES – GENERAL FUND.**

17. REQUEST FOR APPROVAL OF BUDGET INCREASE FOR FEDERAL FORFEITURE SHARING FUND FOR POLICE DEPARTMENT. (CHIEF ERIC JOHNSON)
18. REQUEST FOR APPROVAL OF AGREEMENT – GEM ELECTRIC VEHICLE REPORTING ON VEHICLE’S ENERGY USE; STATE OF NEW MEXICO, ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT. (NICK SCHIAVO)
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20. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO LEASE AGREEMENT – CITY USE OF ST. FRANCIS SCHOOL PLAYGROUND FOR PUBLIC PARKING; THE ROMAN CATHOLIC CHURCH, ARCHDIOCESE OF SANTA FE/ST. FRANCIS CATHEDRAL BASILICA PARISH. (WALTER ROYBAL)
21. REQUEST FOR APPROVAL OF AMENDMENT NO. 11 TO PROFESSIONAL SERVICES AGREEMENT – NORTH RAILYARD INFRASTRUCTURE IMPROVEMENTS; SANTA FE RAILYARD COMMUNITY CORPORATION. (FRANK ROMERO)
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26. *[Removed for discussion by Councilor Calvert]*
27. REQUEST FOR APPROVAL OF WATER RIGHTS PURCHASE AGREEMENT – ACQUISITION OF WATER RIGHTS IN NAMBE/POJOAQUE/TESUQUE BASIN; JERRY A. AND HELEN A. SHELburn. (DALE LYONS)

- 28. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON FEBRUARY 27, 2008, AN ORDINANCE AMENDING SECTION 7.2 OF EXHIBIT A OF CHAPTER 22, SFCC 1987, TO CORRECT WAIVERS TO THE WASTEWATER UTILITY EXPANSION FEE FOR AFFORDABLE HOUSING (COUNCILOR WURZBURGER). (KATHY McCORMICK)**

5. APPROVAL OF MINUTES: January 2, 2008.

MOTION: Councilor Calvert moved, seconded by Councilor Wurzburger, to approve the minutes of the meeting of January 2, 2008, as presented.

VOTE: The motion to approve the agenda was approved on a voice vote, with Councilors Calvert and Wurzburger voting for the motion, none against, and Councilors Dominguez and Ortiz absent.

INFORMATION AGENDA

7. UPDATE ON ENERGY CONSERVATION. (NICK SCHIAVO)

A copy of "Energy Recommendations," dated January 22, 2008, is incorporated herewith to these minutes as Exhibit "1."

Nick Schiavo reviewed the information in Exhibit "1."

Responding to Councilor Wurzburger, Mr. Schiavo said the figures in Exhibit "1" are for all of the City buildings.

Councilor Heldmeyer asked how much it would cost to put motion sensors in the cluster of Council offices, noting that those lights are on all the time.

Mr. Schiavo said the sensors are \$100, but he doesn't know how much it would cost to install, but he will speak with Richard Fiedler about this.

Councilor Calvert would like to put a sensor in the Councilor's Conference room as well.

Responding to questions about vending machines, Mr. Schiavo said he purchased a small unit to track usage which he has plugged near two vending machines to see what kind of electricity they are using. He wants to look at the others, run the figures, have discussions with the vendors and develop a policy that by a certain date only an energy star unit, or a unit which doesn't exceed a certain level of kWhs can be used.

Councilor Calvert asked about a programmable switch which turns off at night and turns on in the morning.

Mr. Schiavo said that isn't feasible, because generally they don't have insulation, so it's like running a refrigerator with the door open, although the energy star units do have insulation. He said his concern even with the energy star vending machines, is that when the power is shut down, it might lose track of how much money it has collected. He said the ones without insulation would run constantly the next morning to make up for being off.

Chair Heldmeyer pointed out that the vending machines are contracted through the Employee Benefit Committee, and asked if that Committee had to negotiate a new contract with the vendors.

Mr. Schiavo said he was unaware of this, and he would need to look at that contract, see how long it has to run and then make a recommendation.

Chair Heldmeyer said the profits from the vending machines go to the Employees Benefit Committee.

Chair Heldmeyer said everything appears to be in the range of the City Manager's discretionary approval, and asked if he has arranged with the City Manager to do all these things. Mr. Schiavo said no, he wanted to bring it here first.

It was the consensus among the Committee to direct Mr. Schiavo to work with the City Manager to get these things done, and with regard to #4, that he work with the managers of the facilities to ensure the pool covers are done and the savings realized.

Councilor Dominguez arrived at the meeting.

Mr. Schiavo said when he spoke with the Genoveva Chavez staff, they discussed an automated system, but his research indicates that might be a mistake because those are problematic, and it is easier to do that manually.

MOTION: Councilor Wurzbarger moved, seconded by Councilor Calvert, to amend the agenda to hear Item #36 next, and to approve the agenda as amended.

VOTE: The motion was approved on a voice vote, with Councilors Calvert, Dominguez and Wurzbarger voting for the motion, none against, and Councilor Ortiz absent.

DISCUSSION

- 36. REQUEST APPROVAL OF QUADRENNIAL REVIEW OF MUNICIPAL COURT JUDGE'S SALARY, PURSUANT TO CITY CHARTER SECTION 7.07. (GALEN BULLER, CITY MANAGER)**
- A, REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON FEBRUARY 27, 2008, AN ORDINANCE AMENDING SECTION 2-3.3 SFCC 1987, REGARDING THE SALARY OF THE MUNICIPAL JUDGE.**

Mr. Buller presented information regarding this matter to the Committee from his Memorandum of January 17, 2008.

Chair Heldmeyer said she was told that it isn't true that this has to be passed prior to the election to apply to the next Municipal Judge, and that only applies to raises for the Governing Body because they vote on the raises.

Judge Yalman said she believes Article IV, Section 27 of the New Mexico Constitution governs this, and in order to increase a salary during a term of the Judge there has to be added duties. She believes this is how the Council handled things under Judge Gallegos, as opposed to a salary increase. Judge Yalman said she felt it appropriate to try and do it the way it should be done.

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

DISCUSSION: Mr. Buller said the 2007 Report to the LFC and DFA by the Judicial Compensation Commission has a current average rate for Magistrate Judges of \$77,663 annually which is a 11.4% increase which would increase the salary to \$86,548. He said he has spoken with Judge Yalman and the City Attorney's Office and he feels it would be more in keeping with the Judicial Compensation Commission's recommendation, to set the salary after the raise at \$85,000, instead of \$90,000.

AMENDED MOTION: Councilor Wurzbarger moved, seconded by Councilor Calvert to approve this request, with the amendment to increase the salary to \$85,000.

Chair Heldmeyer said currently there is a Charter amendment before the voters that the Municipal Judge should be an attorney. If that is not passed, and after four years another person is elected, and some of the duties go away, does the City have the option of lowering the salary.

Mr. Buller understands that Municipal Judge's salaries are not set by statute, and if this is so, that can be done.

VOTE: The motion was approved on a voice vote, with Councilors Calvert, Dominguez and Wurzbarger voting for the motion, none against, and Councilor Ortiz absent.

INFORMATIONAL AGENDA

6. REPORT ON ITT PURCHASES AND SAVINGS. (THOMAS WILLIAMS)

Mr. Tallman advised that Mr. Williams called in sick today and was unable to be here this evening.

Councilor Calvert said it should be possible for Mr. Williams to have someone attend on his behalf who could answer questions from this Committee.

8. REPORT ON AUTHENTICITY RESOLUTION. (SABRINA PRATT)

Sabrina Pratt presented information regarding this matter from her memorandum of January 14, 2008.

Councilor Calvert said he agrees with Ms. Pratt's conclusions given that there are federal and state programs. He believes initially, we should try to maximize the efforts of those agencies, work with them cooperatively to see if we can get what we need through them. He said his only concern with that is that it hasn't been great so far. However, if we work cooperatively, we might get better results.

Councilor Calvert said Ms. Pratt talks about opportunities within City programs on page 6, and entry points. He said what he sees are physical entry points, but he wants to emphasize websites as one of those entry points. This is an opportunity to get information to the public as soon as possible and start steering them to the opportunities before they even get to Santa Fe.

Councilor Calvert quoted from page 3, of the Memorandum, "The resolution addresses the 'traditional' arts and crafts. Our research was directed at traditional art forms, and yet please note that the question of whether Santa Fe art in general needs to be authenticated kept coming up." He doesn't know the answer, but he agrees in part. He said some of the shows in Santa Fe may feature jury pieces of art, but they aren't local and are from other places. He said if it is true that people really want to see items from Santa Fe then those shows are not giving items from Santa Fe, although it may have been authentically produced elsewhere than Santa Fe. He believes we need to discuss that, and some of the events on the Plaza which are ongoing, with regard to what we are trying to promote. If we are trying to emphasize local stuff, then we need to look at our policies regarding those shows.

Councilor Wurzbarger said this was discussed at the last meeting of the Business & Quality of Life Committee, in the context of having another event on the Plaza, and feeling strongly that additional parameters need to be developed with regard to what is shown at Plaza events. She needs Ms. Pratt's assistance in working on this, commenting that she is excited about the options she proposes, and would be supportive depending on what they develop. She said we need to get a handle on what is happening on the Plaza.

Councilor Dominguez said he has paid a lot of attention to some of these programs throughout the years, and one of the problems is that we rely on the show directors to develop criteria in determining what is authentic. He noted one of the suggestions is to have a validation stamp, or a certain mark used by the artists. He said although the Memo indicates that you aren't recommending a regulatory program to be run by the City, he believes that has to happen regarding shows that happen on the Plaza. He asked if there was an FIR on the cost for staff to do that.

Ms. Pratt said they haven't gotten that far to try to determine what the elements of the program would be and the fiscal impact.

Councilor Dominguez said what we would be doing is to take that function out of the hands of the show directors and putting it on the City to some degree.

Ms. Pratt said that is so, if the City assumed the responsibility as gatekeeper. She believes it creates a problem for the City to be jurying the artistic quality. She said in thinking about this, there are some shows on the Plaza whose function is to raise money for an organization as opposed to promoting art. There may be some general policies which could be created which would affect those shows to try to "skew" it a little, so it's not so much about the booth fee, while still making money.

Ms. Pratt said this Resolution and one of the others was interested in the overarching policy concepts. She said she can't think about that, until we deal with this. However, she sat with Jeanne Price and Melissa Byers who have put a few things in writing from that discussion, so they are starting to move forward on that.

Councilor Dominguez said some of this will drive some of the policy which was supposed to be drafted from previous legislation.

Ms. Pratt said it is tricky, because the organizations are relying on the money for very good purposes, and it is tricky as to how to develop a policy to enhance the quality of what is happening on the Plaza and still allow them to serve their clients.

Councilor Dominguez said there are some show directors who do a better job than others to ensure that the art work is of some quality, or at least organizing it so that the fine art and higher quality art is on the Plaza, and some of the other stuff is on Lincoln or elsewhere. He agrees we need to work on improving the criteria so that the quality is better.

Ms. Pratt said she believes we will get there and she feels positive about this based on conversations with many of the organizations.

Chair Heldmeyer spoke about the history of this issue. She is glad the federal and state are becoming involved, noting the State staged raids in Gallup. She said many times items are authentic, but aren't from Santa Fe. She said Councilor Chavez has been interested in placing some sort of sticker such as "made in Santa Fe," which would only go to people making items which live "around here," and that is more easily verified.

Ms. Pratt said there is a question about where "here" is, is it the City limits or a little further out.

Chair Heldmeyer said this would fit in our economic development plan which is encouraging local businesses, and spoke about Mr. Toler's research that people would rather buy one authentic piece than a lot of "schlock." She said the third level is what constitutes "good." She said when we give public space on these sales, at that point we could give guidance to these shows, and the City will really "come down on them hard," if some of their vendors are selling things which are patently unauthentic. She said the authenticity of art isn't the primary expertise of most of these non-profits. She believes we could provide guidance without having to take over the judging and the jurying.

Councilor Wurzbarger said we could require that only products could be sold that were made in Northern New Mexico, for example, and we could establish a regulatory climate.

Chair Heldmeyer said we will have to be careful how we do this, because it's probably true of the Indian Market where the vetting is done by who the people are, and there are Native Americans and Native Canadians who come for that from all over to offer their wares at Indian Market. At the last Market, she noted a great deal of items from the Pacific Northwest.

Chair Heldmeyer said the Memo indicates that Mr. Toler is working on an authentic Santa Fe Section on santafe.org, and asked if that is just for Native Americans, or if it is for other authentic Santa Fe stuff as well.

Ms. Pratt doesn't know the answer, and will get back to the Committee.

CONSENT CALENDAR DISCUSSION

- 10. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – WATER METERS AND SERVICE PARTS FOR WATER DIVISION; H.D. SUPPLY WATERWORKS, LTD. (SHANNON JONES)**
A. REQUEST FOR APPROVAL OF BUDGET INCREASE – WATER ENTERPRISE FUND.

Councilor Calvert said he is concerned with the statement in the Memo "There is no set value for this purchase request." He asked if this is one of those "as needed" things, where we set a top limit.

Robert Rodarte said the \$89,000 is budgeted into the water account for the procurement of 5/8 inch meters, and every year it averages about \$100,000, but so far he hasn't tapped into the \$89,000, because last year we were doing the Firefly program. We are within the budget of what we've been doing over the past 3-4 years.

Mr. Rodarte said the 34 large water meters are for a two-month repair program, noting that Shannon has a breakdown of these 34, and exact locations as to where they are going. He said he only had Mr. Jones budget \$200,000 on the attached BAR, which, based on conversations with him, is all they will use through June 30, 2008.

Councilor Calvert would like for the City to look at the type of water meter that might help the situation. He asked if there is anything which the people in the field are finding – trends or specific causes – which we can pinpoint. If so, we need to factor that in, including changing the Building Code with regard to the depth at which meters are placed in the future for new construction.

Councilor Ortiz arrived at the meeting

Mr. Buller said one of the questions which arose when the Fireflies were installed and we added the new plastic cover was if it placed under that. He said Shannon is finding they can't distinguish between the lids with the second liner and those that don't, and they are getting frozen meters across the board, and it doesn't seem to make a difference. However, they are putting the second lid in when replacing meters.

Mr. Buller said the consensus among those they met with today is that the frost line is down to 30 inches as the result of this week of cold weather, where we don't normally see a frost line below 24 inches, and usually it is 18 inches, so this is an extraordinarily deep frost line. He said the problem is a combination of temperatures below freezing for a long time, and not having snow cover which provides an insulating cover. That has allowed the frost line to go beneath the meters. He said the question is whether we should amend the ordinance and require going deeper. However, he said he believes we need more input from the engineering staff before going there, but he will ask them to look at that.

Councilor Calvert said it might be worth pursuing due to the nature of what is happening.

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

DISCUSSION: Chair Heldmeyer spoke about the issue of subcontractors and that we don't have control over the data base and who's calling and what has been done.

Mr. Gurule said staff met today and agreed there is a better approach. Currently, 6-7 staff from Customer Service are answering the phones between 8:00 a.m. and 5:00 p.m., and after that it goes to dispatch. He said Dispatch doesn't have access to the system, so much of the information is gathered and faxed to Shannon's crew. Shannon's crew is asking Customer Service to enter this into the billing system to generate work orders. He said Mr. Ortega has agreed to have his Customer Service staff man the phones until 10:00 p.m. today. He said they will meet tomorrow at 8:30 a.m. to determine the status of outstanding complaints. He said staff will continue to explore this issue further, and will identify an easier way to address these.

Councilor Calvert said it is very frustrating to people who call after 5:00 p.m., and they can't be told how long it will take, especially since they have been without water for some time.

Chair Heldmeyer asked Mr. Gurule to email the Councilors about what the briefing tomorrow morning accomplishes.

VOTE: The motion was approved on a voice vote, with Councilors Calvert, Dominguez and Wurzbarger voting for the motion, none against, and Councilor Ortiz abstaining.

26. REQUEST FOR APPROVAL OF A RESOLUTION TO OBLIGATE THE CITY OF SANTA FE TO LEASE 2,500 AF OF THE CITY'S SAN JUAN/CHAMA PROJECT WATER TO THE BUREAU OF RECLAMATION IN EXCHANGE FOR THE BUREAU OF RECLAMATION GRANTING A WAIVER TO THE CITY TO THE CARRY OVER STORAGE PROVISION TO ALLOW THE CITY'S 2007 SAN JUAN/CHAMA WATER TO REMAIN IN HERON RESERVOIR THROUGH SEPTEMBER 30, 2008 (COUNCILOR CHAVEZ). (CLAUDIA BORCHERT)

A copy of a proposed amendment to the Resolution submitted by staff is incorporated herewith to these minutes as Exhibit "2."

Councilor Calvert said he pulled this to correct a factual error.

Ms. Borchert said on Page 1, the 5605 should be changed to 5230, and she would like to submit the amendment to the Council which was distributed to the Committee prior to the meeting [Exhibit "2"].

MOTION: Councilor Wurzbarger moved, seconded by Councilor Calvert, to approve this request as amended.

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

END OF CONSENT CALENDAR DISCUSSION

DISCUSSION

29. REQUEST FOR APPROVAL OF SECOND QUARTER BUDGET ADJUSTMENT REQUESTS. (CAL PROBASCO)

A copy of "City of Santa Fe, BARS exceeding \$20,000, by Department," is incorporated herewith to these minutes as Exhibit "3."

Kathryn Raveling presented information regarding this matter from her Memorandum of January 17, 2008, and Exhibit "3."

Chair Heldmeyer said she and Ms. Raveling discussed allowing the City Manager to have discretion over budget adjustments up to his discretionary level, and this makes sense to her. She said this proposed ordinance change will be introduced next Wednesday and will start through the process.

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

DISCUSSION: Responding to Councilor Dominguez, Ms. Raveling said this will go to the Council at its next meeting.

Chair Heldmeyer said Councilor Wurzbarger asked her to point out that the BARs do not include the requests from the Land Use Department nor Creative Cities.

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

30. REQUEST FOR APPROVAL OF FY 06/07 CLOSE-OUT AND REAPPROPRIATION OF GENERAL FUND AVAILABLE CASH BALANCES CONTINGENT ON JANUARY LEGISLATIVE ACTION. (KATHRYN RAVELING) A. SUMMARY REPORT ON LEGISLATIVE ACTIONS FOR PAY.

Ms. Raveling presented information regarding this matter to the Committee from her Memorandum of November 15, 2007, noting the Governor signed the bill, but there were two split pay periods which had to be accommodated.

Responding to the Chair, Ms. Raveling said this does involve overtime, and there were two factors. One, it didn't allow for comp. time and it was necessary to pay the employee. Secondly, the City was required to pay overtime if an employee worked more than 40 hours, which didn't accommodate firefighters who are on a 72 and 48-hour shift, and this is where the biggest impact was. She said overtime doesn't count as PERA wages, so what was paid to the firefighters was offset by having a lower payment to PERA. She said the firefighters may lose a little PERA credit, but it shouldn't be significant since it only involved two weeks, and the firefighters wound up with more money in their pocket for the two weeks.

Councilor Ortiz asked if time of the essence, and if this has to be done now.

Ms. Raveling said no, and she was just informing the Committee of the excess cash balances in the General Fund, but the money just sits there until the Council takes action.

Councilor Calvert asked if the City should spend all of this money, given the current financial climate, or perhaps hedge our "bets" and let the money sit there.

Councilor Wurzbarger agreed with Councilor Calvert. She is very concerned about what has happened nationally, and what will happen for the City in the Legislature. She would like to wait at least until after the Legislature.

Councilor Ortiz asked if we "sit" on this now, will it become part of the mid-year budget review.

Ms. Raveling said all of these things are related to what we normally do at this time of the year and it is unusual to have this much money at the end of year, but it certainly doesn't have to be spent, and can sit until appropriated.

Responding to Councilor Ortiz, Chair Heldmeyer said she was bringing this before the Committee to see what the Committee would like to do.

Chair Heldmeyer said the things listed for which the money is being recommended, are things which were discussed in the strategic budget planning last week, and people were agreeable to some of it, but there were a lot of questions as to whether this is the only way to spend the money both for Fire and Police in particular. She said if the Committee wants a more extensive budget review that can be scheduled at the next meeting.

Councilor Ortiz asked if it would be a good exercise for this Committee and/or Finance staff to consider where this budget could be cut and consider that, and ask the Departments to show us how that could be done. He said it is difficult for him to say the City is going to pay out this amount of money for this equipment, without seeing a strategic plan, the purpose, how those funds will be spent, and without anyone from the Police or Fire Department in attendance to explain the rationale for these needs. He said

perhaps we should keep these funds in the bank for the time being and consider it as a part of the budget process beginning in April.

Ms. Raveling said the funds can be rolled into the next budget process which begins very soon. She said now she would have a balanced General Fund as well as this \$1.8 million.

Chair Heldmeyer said we have the RECC funds, and it is unclear how much of this "additional" money, if any, is due to that, because the amounts are very similar and the proposed purchases are very similar.

Ms. Raveling said none of the funds are due to the RECC money, and that is in a separate fund, and the numbers are similar coincidentally.

Councilor Ortiz said he understands a large portion of those funds were dedicated to capital and infrastructure needs for Police and Fire, and asked how this jives with that request.

Chair Heldmeyer reiterated that the expenditures are very similar, and Ms. Raveling reiterated that is coincidental.

Ms. Raveling said there has been a situation where the Police & Fire were very far behind in capital expenditures. She said they are now catching up, and this is what will catch them up and then things will be back to normal.

Councilor Ortiz said the Public Safety Tax was passed unanimously by this Council to meet the capital needs requested by Police and Fire. Following that, the RECC funds were received, and although there was some movement to put some of those in parks for public safety related things, the Council decided the highest priority is public safety and Police and Fire were given more capital funds out of that. He said this is now the third "bite at the apple," without seeing a plan.

MOTION: Councilor Calvert moved, seconded by Councilor Wurzbarger, to postpone this item to the meeting of February 18, 2008, when we will know what has happened at the Legislature, and there will be a better idea of what is happening in the economy, and the Committee can choose to act at that time, or defer action to a later date.

Friendly amendment: Councilor Wurzbarger would like both the Police & Fire Departments to come to that meeting to clarify how the first two sources of funds were expended and how the third source is proposed to be spent. **Friendly to the maker and there were no objections from the other Committee members.**

Councilor Ortiz thanked the Land Use Department for its detailed, line-item request with justification on the requests, and said Police and Fire and others requesting funds should follow the example set by the Land Use Department, saying he really likes this format.

Councilor Wurzbarger said if there is going to be a request from the Police Department it is necessary to have the strategic planning piece we have been requesting.

Chair Heldmeyer said the Police Chief is anxious to fill the 10 vacancies, because he then will be coming back to ask for another 55 positions/officers.

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

31. **REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON MARCH 26, 2008, AN ORDINANCE APPROVING AND RATIFYING AN ORDINANCE OF THE SANTA FE SOLID WASTE MANAGEMENT AGENCY WHICH AUTHORIZES EXECUTION AND DELIVERY OF (1) A LOAN AGREEMENT BY AND BETWEEN THE AGENCY AND THE NEW MEXICO ENVIRONMENT DEPARTMENT IN THE AMOUNT OF \$2,000,000, AND (2) A LOAN AGREEMENT BY AND BETWEEN THE AGENCY AND THE NEW MEXICO FINANCE AUTHORITY IN THE AMOUNT OF \$1,000,000, EACH FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EXTENDING, ENLARGING, BETTERING, REPAIRING OR OTHERWISE IMPROVING OR MAINTAINING SOLID WASTE DISPOSAL EQUIPMENT, EQUIPMENT FOR OPERATION AND MAINTENANCE OF SANITARY LANDFILLS, SOLID WASTE FACILITIES OR AND COMBINATION OF THE FOREGOING; AND RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH. (RANDALL KIPPENBROCK)**

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

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

32. **REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON FEBRUARY 27, 2008, AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY OF SANTA FE, NEW MEXICO GROSS RECEIPTS TAX IMPROVEMENT REVENUE BONDS, SERIES 2008, IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$34,000,000 FOR THE PURPOSE OF DEFRAYING THE COST OF PUBLIC PROJECTS RELATED TO PUBLIC UTILITIES, PUBLIC WORKS, PARKS AND RECREATION, AND COMMUNITY SERVICES; PROVIDING THAT THE BONDS WILL BE PAYABLE AND COLLECTIBLE FROM THE GROSS RECEIPTS TAX REVENUES DISTRIBUTED TO THE CITY; PROVIDING FOR THE DISPOSITION OF THE RECEIPTS DERIVED FROM THE GROSS RECEIPTS TAX REVENUES; PROVIDING THAT CERTAIN TERMS AND DETAILS OF THE BONDS WILL BE PROVIDED AND APPROVED IN A SUBSEQUENT RESOLUTION OF THE CITY; PRESCRIBING OTHER DETAILS CONCERNING THE BONDS AND GROSS RECEIPTS TAX REVENUES, INCLUDING BUT NOT LIMITED TO COVENANTS AND AGREEMENTS IN CONNECTION WITH THE BONDS AND THE FORM AND MANNER OF EXECUTION OF THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION WITH THE BONDS; AND REPEALING ALL ORDINANCES IN CONFLICT HERewith. (KATHRYN RAVELING)**

Ms. Raveling noted there is a Memorandum in the Committee packet explaining why the amount of the bond is as it is.

Councilor Ortiz asked if the agents and lawyers working on this get more money depending on the size of the issue, or do they get more if we do smaller, piecemeal issues.

Ms. Raveling some of it is a percentage of the bond issue and some are straight costs, such as insurance. She said the reason it is being done this way is because it is more cost effective to bundle, but she doesn't know the exact savings.

MOTION: Councilor Ortiz moved, seconded by Councilor Wurzburger, to approve this request, with the caveat that Ms. Raveling provide the amount of the savings realized by bundling the bonds by the Council meeting.

DISCUSSION: Councilor Heldmeyer asked what it means for these bonds that the stock market is tanking, and that the feds cut the prime rate by 3/4%.

Ms. Raveling said it is good for the City because the interest rates are lower.

Chair Heldmeyer asked if there is a level of interest where people don't want to buy the bonds.

Ms. Raveling said she doesn't know, but she will get more information.

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

33. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO STUDY AND MAKE RECOMMENDATIONS TO THE GOVERNING BODY REGARDING AN INCENTIVE PROGRAM TO USE STATE OF THE ART WATER CONSERVATION TECHNOLOGY IN THE CAR WASH INDUSTRY (COUNCILORS HELDMEYER, CHAVEZ, CALVERT, BUSHEE AND WURZBURGER). (DAN RANSOM)

MOTION: Councilor Calvert moved, seconded by Councilor Wurzburger, to approve this request with the proposed amendments.

DISCUSSION: Chair Heldmeyer said, for the record, despite what it said in the newspaper, it wasn't that the Public Utilities Committee wanted other conservation measures instead of recycling, the Committee wanted them in addition to recycling.

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

34. REQUEST FOR APPROVAL OF A RESOLUTION OPPOSING OIL AND GAS EXPLOITATION WITHIN SANTA FE COUNTY (COUNCILOR BUSHEE). (ROBERT GALLEGOS)

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

DISCUSSION: Councilor Calvert said Page 2, Paragraph D, provides, "Instructs the City Attorney and staff to promptly investigate, and report to the Governing Body, the City of Santa Fe's legal standing in this issue and to recommend ways in which our status and our resources can be most effectively employed to seek legal protection for our community, our environment and economic well being..." He said he assumes legal has looked at this, but he doesn't know what this entails and the burden on legal staff.

Councilor Ortiz said we can put a cap on how much time the City Attorney spends on this. However, because this is a resolution which admonishes and encourages our brethren to look at this seriously, he doesn't know what more can be done.

Friendly amendment: Councilor Ortiz would like to amend the motion to require that the FIR which addresses Item D is to be available by the Council meeting. **The amendment was friendly to the maker, and there were no objections from the other Committee members.**

Chair Heldmeyer asked what constitutes exploitation, and staff responded he doesn't know, but will get the answer.

VOTE: The motion was approved on a voice vote, with Councilors Calvert, Dominguez and Ortiz voting in favor of the motion, and Councilor Wurzbarger abstaining pending clarification of the impact on the County.

35. REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING THE ESTABLISHMENT OF A STATEWIDE TRANSIT FUND TO ASSIST LOCAL GOVERNMENTS IN FINANCING THE PROVISION OF URBAN AND RURAL TRANSIT SERVICES THROUGHOUT NEW MEXICO (COUNCILOR CHAVEZ). (JON BULTHUIS)

Mr. Bulthuis presented information to the Committee regarding this matter.

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

DISCUSSION: Councilor Calvert said he wants to make it clear that this is for the state to provide matching funds for federal funds for transit, and it is not, as he understands it, a mechanism to help fund the Rail Runner.

Mr. Bulthuis said the bill for this year hasn't been introduced, noting there is a lot of work being done with Legislators to identify the language. One of the goals by the prime author of the bill, the Executive Director of the New Mexico Passenger Transportation Association, is to bring everybody on board. He said he saw a draft which includes funding for the Rail Runner, so at this point he doesn't have the specifics about what will be introduced. He said the Rail Runner definitely is a twist this session we haven't had before.

Councilor Calvert is concerned that they are looking for a funding mechanism for operations funds for the Rail Runner for the future. He doesn't want these funds to be "sucked up" from this for that purpose. He

believes that should have been planned in another way. He said he hopes a distinction is made between the two so people will see what is actually going to transit, as opposed to the Rail Runner.

Councilor Calvert would like to amend the resolution to clarify that this is not a mechanism to fund the Rail Runner.

Chair Heldmeyer is concerned that the preferred funding mechanism is a GRT increase, because we already have a very high rate of GRT. The GRT is regressive, and the idea of raising it again, gives her pause. She hopes people are looking at funding sources other than GRTs.

Mr. Bulthuis said part of the revenue is a transfer of funds from the Vehicle Excise Tax which would roll into this fund specifically, which is 1/3 of the total revenues being collected. He said he remains concerned about who will pay the expenses which won't be in the General Fund.

VOTE: The motion was approved on a voice vote, with Councilors Dominguez, Calvert and Wurzbarger voting in favor of the motion, and Councilor Ortiz voting against.

Councilor Ortiz asked who is the sponsor of Item #36, because ordinances can't be brought forward by staff – are the sponsors the Mayor and Councilor Chavez.

Chair Heldmeyer doesn't believe Councilor Chavez is a sponsor.

Councilor Ortiz said if we don't publish notice of title at the next meeting, then the current Judge wouldn't be able to get the raise.

Mr. Buller said this is correct and the reason it is being done "backwards."

Councilor Ortiz said, although this is already done, this is a very curious request for a raise for an elected official at the end of a period in which she is running unopposed. He recalled the heat they had to take when they raised the Judge's salary the first time in 2001, which was for \$10,000, and this one is for \$25,000.

Mr. Buller said the raise was reduced to \$85,000.

Councilor Calvert said there are compensating factors such as not getting the car.

Councilor Ortiz said he believes people who might want to run for Judge would like to know the salary for an elected official prior to running. He said you don't run for office and then ask for a raise for yourself. Responding to the Chair he said he read the Memo, so he understands the justification.

Chair Heldmeyer said both Judge Yalman and herself were told, because she wasn't voting on this raise, it was something which could be considered after the election. She said a provision was found in the State Constitution which argued that this couldn't be the case, and the reason that it has to be considered now.

37. OTHER FINANCIAL INFORMATION:

A. UPDATE ON GROSS RECEIPTS TAX FOR JANUARY 2008. (KATHRYN RAVELING)

Ms. Raveling said overall, the GRTs remain at 4% over last year, but the economy is up in the air, and it will be interesting to see where this goes.

Ms. Raveling said the Lodger's Tax is up about 1% overall.

B. INFORMATION ON PROPERTY TAX AND GROSS RECEIPTS TAX. (KATHRYN RAVELING). (Repeated from Finance Committee meeting of January 3, 2008)

38. MATTERS FROM THE COMMITTEE

Chair Heldmeyer said she has two more meetings as chair of this Committee. She asked the members to let her know right away if they have informational items or issues for voting they would like on the agenda.

Chair Heldmeyer would like False Alarms on the Finance Agenda in February and for Public Safety as well. Chair Heldmeyer asked if it will be ready for the next Finance Committee which is February 4, 2008.

Responding to Mr. Tallman, Chair Heldmeyer said Councilor Calvert has requested that False Alarms come to this Committee prior to Public Safety to give him time to make recommendations to Public Safety on the 19th, and hand them out at the Council meeting on February 13th

Councilor Calvert said he would like it to go in whichever order will expedite this matter, and if possible, would like it at the next Finance Committee and then go to the Public Safety Committee.

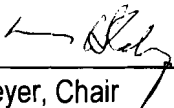
Chair Heldmeyer said on February 4th we should hear from ITT.

Mr. Tallman apologized that Mr. Williams isn't in attendance this evening, but said he will be at the meeting on February 4th, and this won't happen again.

Councilor Calvert observed that there should be a backup at ITT so somebody could attend the meeting to explain what is going on.

39. ADJOURNMENT

There being no further business to come before the Committee, and the Committee having completed its Agenda, the meeting was adjourned at 7:00 p.m.

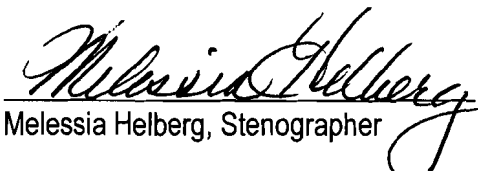


Karen Heldmeyer, Chair

Reviewed by:



Kathryn L. Raveling, Director
Department of Finance



Melessia Helberg, Stenographer