



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
NOVEMBER 18, 2013 – 5:00 P.M.

CITY CLERK'S OFFICE

DATE 11/15/13 TIME 11:15 am  
SERVED BY Yolanda Klein  
RECEIVED BY [Signature]

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

Regular Finance Committee Meeting – November 4, 2013

## CONSENT AGENDA

6. Bid No. 14/02/B – FY 13/14 Wastewater Management Division Sanitary Sewer Line Rehabilitation Project; Insitiform Technologies, LLC. (Stan Holland)
  - A. Request for Approval of Budget Increase – Wastewater Fund
7. Bid No. 14/14/B – Southwest Effluent Water line for Wastewater Management Division and Agreement between owner and Contractor; RMCI, Inc. (Bryan Romero)
  - A. Request for Approval of Project Contingency of 10% of Base Bid.
  - B. Request for Approval of Budget Increase – Wastewater Fund
8. Request for Approval of Amendment No. 2 to Professional Services Agreement – Hospital Tank Rehabilitation Improvements Project for Additional Bidding, Inspection and Project Management Activities (RFP #12/11/P); Narasimhan Consulting Services, Inc. (NCS) Engineers. (Bill Huey)
9. Request for Approval of Change Order No. 1 to Contract – Hospital Tank Valve Project Additional Services; Sasquatch, Inc. (Bill Huey)
10. Request for Approval of Change Order No. 2 to Contract – Hospital Tank Coating Application Project Additional Services; Guaranteed Waterproofing & Construction (GWC). (Bill Huey)
  - A. Request for Approval of Budget Increase – Water Fund



# Agenda

**FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
NOVEMBER 18, 2013 – 5:00 P.M.**

11. Request for Approval of Amendment No. 3 to Professional Services Agreement – Traffic Control and Safety Services for Water Division; Southwest Services, Inc. (Mike Moya)
12. Request for Approval of Amendment No. 2 to Agreement between Owner and Architect – Southwest Activity Node (SWAN) Park Phase I Construction Services; Surroundings Studio, LLC. (Mary MacDonald)
  - A. Request for Approval of Budget Transfer – Project Fund
13. Request for Approval of Written Determination and Procurement – Authorize use of a Design-Build Process for Construction Storm Water Improvements and Infiltration Structures adjacent to Arroyo Chamiso and Santa Fe River. (Brian Drypolcher)
14. Request for Approval of Procurement under Cooperative Price Agreement and Professional Services Agreement – Operations Maintenance Complex (OMC) Building B - Roof Retrofit; Cooperative Education Services and Roof Care. (Lisa Martinez)
15. Request for Approval of Emergency Procurement and Professional Services Agreement – Genoveva Chavez Community Center Ice Arena Mechanical Room Roof Replacements; Alpha Restoration and Construction Services, LLC. (Lisa Martinez)
16. Request for Approval of Memorandum of Understanding – Accept and Administer Funds to Advisory Council on Food Policy; City of Santa Fe and Santa Fe County. (Terrie Rodriguez)
  - A. Request for Approval of Budget Increase – Human Services Fund
17. Request for Approval of Exempt Procurement and Amendment No. 1 to Professional Services Agreement – Consulting Services and Training for ITT and Payroll; TST Consulting. (Caryn Fiorina)
18. Request for Approval of a Resolution Relating to a Request for Approval of First Quarter Budget Adjustments for Fiscal Year 2013/2014 ending September 30, 2013. (Cal Probasco)



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
NOVEMBER 18, 2013 – 5:00 P.M.

19. Request for Approval of Grant Award and Consolidated Project Agreement – Operation DWI, Operation Buckle Down and Click it or Ticket and 100 Days and Nights of Summer for Police Department; New Mexico Department of Transportation, Traffic Safety Division, Highway Safety Projects. (John Schaerfl, Deputy Chief of Police)

A. Request for Approval of Budget Increase – Grant Fund

20. Request for Approval of a Resolution Repealing Resolution No. 2007-109 and Adopting a New Resolution to Establish a Policy Related to Waivers or Reduction of Fees for Special Events or for the Use of City Facilities, Exclusive of the Santa Fe Community Convention Center. (Councilor Trujillo) (Judie Amer)

**Committee Review:**

Public Works (approved)

11/12/13

City Council (scheduled)

12/11/13

Fiscal Impact – Yes

21. Request for Approval of a Resolution Repealing Resolution 2012-33 and Adopting a New Resolution to Establish a Policy Related to the Waiver of User Fees at the Santa Fe Community Convention Center, so that on an Annual Basis each Member of the Governing Body is Authorized to have the User Fees Waived at the Santa Fe Community Convention Center, on Behalf of a Non-Profit Organization, for a One-Day Event. (Councilor Trujillo) (Judie Amer and Jim Luttjohann)

**Committee Review:**

Public Works (approved)

11/12/13

City Council (scheduled)

12/11/13

Fiscal Impact – Yes

Note: This caption may be amended pursuant to the amendment sheet in the packet.



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
NOVEMBER 18, 2013 – 5:00 P.M.

22. Request for Approval of a Resolution Relating to a Local Government Road Fund Cooperative Agreement Between the City of Santa Fe and the New Mexico Department of Transportation for Improvements to Palace Avenue Between Cathedral Place and Delgado Street; Directing Staff to Cause such Cooperative Agreement to be Executed on Behalf of the City of Santa Fe. (Councilor Calvert) (David Catanach)

**Committee Review:**

Public Works Committee (approved)	11/12/13
City Council (scheduled)	12/11/13

Fiscal Impact – Yes

23. Request for Approval of a Resolution Endorsing the Resident Assistance Demonstration (RAD) Program under the Management of the Santa Fe Civic Housing Authority for Renovation and Improvement of HUD Subsidized Housing with such Confirmation to Include Approval of a Lease Addendum based on the Presumption that each Lease is a “Ground Lease” and all Buildings, Improvements and Fixtures now or Hereafter Erected will be Owned in Fee Simple by the Santa Fe Civic Housing Authority and be Deemed Real Estate Under Local Law. (Councilor Wurzbarger) (Alexandra Ladd)

**Committee Review:**

Public Works (approved)	11/12/13
City Council (scheduled)	12/11/13

Fiscal Impact – No

24. Request for Approval of a Resolution Authorizing the Organizational Transfer of the Office of Anti-Graffiti Coordination and Abatement Program from the Police Department and Parks Division to Keep Santa Fe Beautiful, Environmental Services Division. (Councilors Dominguez, Calvert, Trujillo, Rivera and Dimas) (Cindy Padilla)

**Committee Review:**

Public Utilities (approved)	11/06/13
City Council (scheduled)	12/11/13

Fiscal Impact – No



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
NOVEMBER 18, 2013 – 5:00 P.M.

25. Request for Approval of Budget Increase for City-Wide ITT Communications; CenturyLink. (Lisa Martinez and Marcos Tapia)

## **END OF CONSENT AGENDA**

### **DISCUSSION**

26. OTHER FINANCIAL INFORMATION:
- A. Update on Collection Fees. (Robert Rodarte)
  - B. Update on Gross Receipts Tax Report received in November 2013 (for September activity) and Lodgers' Tax Report received in November 2013 (for October 2013 activity). (Marcos Tapia)
27. MATTERS FROM THE COMMITTEE
28. 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, November 18, 2013

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved	2
APPROVAL OF CONSENT AGENDA	Approved [amended]	2
CONSENT AGENDA LISTING		2-5
APPROVAL OF MINUTES: REGULAR FINANCE COMMITTEE MEETING – NOVEMBER 4, 2013	Approved	5
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING – ACCEPT AND ADMINISTER FUNDS TO ADVISORY COUNCIL ON FOOD POLICY; CITY OF SANTA FE AND SANTA FE COUNTY	Approved	6-7
REQUEST FOR APPROVAL OF BUDGET INCREASE – HUMAN SERVICES FUND	Approved	6-7
REQUEST FOR APPROVAL OF EXEMPT PROCUREMENT AND AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – CONSULTING SERVICES AND TRAINING FOR ITT AND PAYROLL; TST CONSULTING	Approved	7-9
REQUEST FOR APPROVAL OF BUDGET INCREASE FOR CITY-WIDE ITT COMMUNICATIONS; CENTURYLINK	Approved	9
*****		
END OF CONSENT CALENDAR DISCUSSION		
*****		

<b><u>ITEM</u></b>	<b><u>ACTION</u></b>	<b><u>PAGE</u></b>
<b><u>DISCUSSION</u></b>		
<b><u>OTHER FINANCIAL INFORMATION:</u></b>		
UPDATE ON COLLECTION FEES	Information/discussion	10-14
UPDATE ON GROSS RECEIPTS TAX REPORT RECEIVED IN NOVEMBER 2013 (FOR SEPTEMBER ACTIVITY) AND LODGERS' TAX REPORT RECEIVED IN NOVEMBER 2013 (FOR OCTOBER 2013 ACTIVITY)	Information/discussion	14-15
MATTERS FROM THE COMMITTEE	Information/discussion	15-16
ADJOURN		16

**MINUTES OF THE  
CITY OF SANTA FE  
FINANCE COMMITTEE**  
Monday, November 18, 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, November 18, 2013, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

**2. ROLL CALL**

**MEMBERS PRESENT:**

Carmichael A. Dominguez, Chair  
Councilor Bill Dimas  
Councilor Peter N. Ives

**MEMBERS EXCUSED:**

Councilor Patti J. Bushee  
Councilor Christopher Calvert

**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**

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

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

**4. APPROVAL OF CONSENT AGENDA**

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

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

\*\*\*\*\*  
**CONSENT AGENDA**  
\*\*\*\*\*

6. **BID NO. 14/02/B – FY 13/14 WASTEWATER MANAGEMENT DIVISION SANITARY SEWER LINE REHABILITATION PROJECT; INSITIFORM TECHNOLOGIES, LLC. (STAN HOLLAND)**
  - A. **REQUEST FOR APPROVAL OF BUDGET INCREASE – WASTEWATER FUND.**
7. **BID NO. 14/14/B – SOUTHWEST EFFLUENT WATER LINE FOR WASTEWATER MANAGEMENT DIVISION AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; RMCI, INC. (BRYAN ROMERO.**
  - A. **REQUEST FOR APPROVAL OF PROJECT CONTINGENCY OF 10% OF BASE BID.**
  - B. **REQUEST FOR APPROVAL OF BUDGET INCREASE – WASTEWATER FUND**
8. **REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – HOSPITAL TANK REHABILITATION IMPROVEMENTS PROJECT FOR ADDITIONAL BIDDING, INSPECTION AND PROJECT MANAGEMENT ACTIVITIES (RFP #12/11/P); NARASIMHAN CONSULTING SERVICES, INC. (NCS) ENGINEERS. (BILL HUEY)**

9. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 1 TO CONTRACT – HOSPITAL TANK VALVE PROJECT ADDITIONAL SERVICES; SASQUATCH, INC. (BILL HUEY)
10. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 2 TO CONTRACT – HOSPITAL TANK COATING APPLICATION PROJECT ADDITIONAL SERVICES; GUARANTEED WATERPROOFING & CONSTRUCTION (GWC). (BILL HUEY)
  - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – WATER FUND.
11. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – TRAFFIC CONTROL AND SAFETY SERVICES FOR WATER DIVISION; SOUTHWEST SERVICES, INC. (MIKE MOYA)
12. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO AGREEMENT BETWEEN OWNER AND ARCHITECT – SOUTHWEST ACTIVITY NODE (SWAN) PARK PHASE I CONSTRUCTION SERVICES; SURROUNDINGS STUDIO, LLC. (MARY MacDONALD).
  - A. REQUEST FOR APPROVAL OF BUDGET TRANSFER – PROJECT FUND.
13. REQUEST FOR APPROVAL OF WRITTEN DETERMINATION AND PROCUREMENT – AUTHORIZE USE OF A DESIGN-BUILD PROCESS FOR CONSTRUCTION STORM WATER IMPROVEMENTS AND INFILTRATION STRUCTURES ADJACENT TO ARROYO CHAMISO AND SANTA FE RIVER. (BRIAN DRYPOLCHER)
14. REQUEST FOR APPROVAL OF PROCUREMENT UNDER COOPERATIVE PRICE AGREEMENT AND PROFESSIONAL SERVICES AGREEMENT – OPERATIONS MAINTENANCE COMPLEX (OMC) BUILDING B – ROOF RETROFIT; COOPERATIVE EDUCATION SERVICES AND ROOF CARE. (LISA MARTINEZ)
15. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – GENOVEVA CHAVEZ COMMUNITY CENTER ICE ARENA MECHANICAL ROOM ROOF REPLACEMENTS; ALPHA RESTORATION AND CONSTRUCTION SERVICES, LLC. (LISA MARTINEZ)
16. *[Removed for discussion by Councilor Ives]*
17. *[Removed for discussion by Councilor Ives]*
18. REQUEST FOR APPROVAL OF A RESOLUTION RELATING TO A REQUEST FOR APPROVAL OF FIRST QUARTER BUDGET ADJUSTMENTS FOR FISCAL YEAR 2013/2014 ENDING SEPTEMBER 30, 2013. (CAL PROBASCO)

19. REQUEST FOR APPROVAL OF GRANT AWARD AND CONSOLIDATED PROJECT AGREEMENT – OPERATION DWI, OPERATION BUCKLE DOWN AND CLICK IT OR TICKET AND 100 DAYS AND NIGHTS OF SUMMER FOR POLICE DEPARTMENT; NEW MEXICO DEPARTMENT OF TRANSPORTATION, TRAFFIC SAFETY DIVISION, HIGHWAY SAFETY PROJECTS. (JOHN SCHAEFL, DEPUTY CHIEF OF POLICE)  
A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.
20. REQUEST FOR APPROVAL OF A RESOLUTION REPEALING RESOLUTION NO. 2007-109 AND ADOPTING A NEW RESOLUTION TO ESTABLISH A POLICY RELATED TO WAIVERS OF REDUCTION OF FEES FOR SPECIAL EVENTS OR FOR THE USE OF CITY FACILITIES, EXCLUSIVE OF THE SANTA FE COMMUNITY CONVENTION CENTER (COUNCILOR TRUJILLO). (JUDIE AMER) Committee Review: Public Works (approved) 11/12/13; and City Council (scheduled) 12/11/13. Fiscal Impact – yes.
21. REQUEST FOR APPROVAL OF A RESOLUTION REPEALING RESOLUTION 2012-33 AND ADOPTING A NEW RESOLUTION TO ESTABLISH A POLICY RELATED TO THE WAIVER OF USER FEES AT THE SANTA FE COMMUNITY CONVENTION CENTER, SO THAT ON AN ANNUAL BASIS, EACH MEMBER OF THE GOVERNING BODY IS AUTHORIZED TO HAVE THE USER FEES WAIVED AT THE SANTA FE COMMUNITY CONVENTION CENTER, ON BEHALF OF A NON-PROFIT ORGANIZATION, FOR A ONE-DAY EVENT (COUNCILOR TRUJILLO). (JUDIE AMER AND JIM LUTTJOHANN) Committee Review: Public Works (approved) 11/12/13; and City Council (scheduled) 12/11/13. Fiscal Impact – yes. Note: This caption may be amended pursuant to the amendment sheet in the packet.
22. REQUEST FOR APPROVAL OF A RESOLUTION RELATING TO A LOCAL GOVERNMENT ROAD FUND COOPERATIVE AGREEMENT BETWEEN THE CITY OF SANTA FE AND THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO PALACE AVENUE BETWEEN CATHEDRAL PLACE AND DELGADO STREET; DIRECTING STAFF TO CAUSE SUCH COOPERATIVE AGREEMENT TO BE EXECUTED ON BEHALF OF THE CITY OF SANTA FE (COUNCILOR CALVERT). (DAVID CATANACH) Committee Review: Public Works (approved) 11/12/13; and City Council (scheduled) 12/11/13. Fiscal Impact – yes.

23. REQUEST FOR APPROVAL OF A RESOLUTION ENDORSING THE RESIDENT ASSISTANCE DEMONSTRATION (RAD) PROGRAM UNDER THE MANAGEMENT OF THE SANTA FE CIVIC HOUSING AUTHORITY FOR RENOVATION AND IMPROVEMENT OF HUD SUBSIDIZED HOUSING WITH SUCH CONFIRMATION TO INCLUDE APPROVAL OF A LEASE ADDENDUM BASED ON THE PRESUMPTION THAT EACH LEASE IS A "GROUND LEASE," AND ALL BUILDINGS, IMPROVEMENTS AND FIXTURES NOW OR HEREAFTER ERECTED WILL BE OWNED IN FEE SIMPLE BY THE SANTA FE CIVIC HOUSING AUTHORITY AND BE DEEMED REAL ESTATE UNDER LOCAL LAW (COUNCILOR WURZBURGER). (ALEXANDRA LADD)  
Committee Review: Public Works (approved) 11/12/13; and City Council (scheduled) 12/11/13. Fiscal Impact – no.
24. REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE ORGANIZATIONAL TRANSFER OF THE OFFICE OF ANTI-GRAFFITI COORDINATION AND ABATEMENT PROGRAM FROM THE POLICE DEPARTMENT AND PARKS DIVISION TO KEEP SANTA FE BEAUTIFUL, ENVIRONMENTAL SERVICES DIVISION (COUNCILORS DOMINGUEZ, CALVERT, TRUJILLO, RIVERA AND DIMAS). (CINDY PADILLA) Committee Review: Public Works (approved) 11/12/13; and City Council (scheduled) 12/11/13. Fiscal Impact – no.

25. *[Removed for discussion by Councilor Ives and Councilor Dimas]*

\*\*\*\*\*  
END OF CONSENT AGENDA  
\*\*\*\*\*

5. APPROVAL OF MINUTES: REGULAR FINANCE COMMITTEE MEETING – NOVEMBER 4, 2013.

**MOTION:** Councilor Ives moved, seconded by Councilor Dimas, to approve the minutes of the Regular Finance Committee Meeting of November 4, 2013, as presented.

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

## **CONSENT CALENDAR DISCUSSION**

- 16. REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING – ACCEPT AND ADMINISTER FUNDS TO ADVISORY COUNCIL ON FOOD POLICY; CITY OF SANTA FE AND SANTA FE COUNTY. (TERRIE RODRIGUEZ)**
- A. REQUEST FOR APPROVAL OF BUDGET INCREASE – HUMAN SERVICES FUND.**

Councilor Ives said the Memo on this didn't capture all of the history, noting it referenced an event in 2008 and then suddenly jumped to the present day. However, the MOA did recount some of it back and forth over time.

Councilor Ives, referring to page 3, said the sixth "WHEREAS" provides, "WHEREAS, ON May 9, 2013, the County and the City entered into a MOU, which expired on June 30, 2013.." He asked if it is correct that we entered into an MOU for less than two months.

Mr. Pino said he doesn't know, although that is what is suggested in the language.

Chair Dominguez recalled that we did, but is unsure of the circumstances.

Councilor Ives asked if this is the City's \$8,500 which we are doing annually.

Councilor Ives said the seventh "WHEREAS" provides, "WHEREAS, the compensation to paid by the City to Farm to Table is \$10,000," and asked the source of the \$10,000, and if it was intended to increase the \$8,500 to \$10,000 in this instance.

Mr. Pino said he is unsure he can answer that question. He recalls that \$10,000 is the benchmark, but it never reached that amount.

Mr. Tapia said \$10,000 is referenced as \$10,000 for the compensation in the contract and in the PSA.

Councilor Ives said the County contributes \$8,500 and the City \$10,000 annually, and the source of the \$18,500.

Councilor Ives said Exhibit C lists the Reporting Requirements, and asked if we are getting all of the required reports on the program, somebody is reviewing those reports and ensuring we are informed. He presumes the Food Policy Council would want that information and it may go to the Council to be incorporated into the Food Plan.

Mr. Pino said staff is actively following it, noting Terrie Rodriguez is a part of the Committee, and follows it on a regular basis.

Councilor Ives requested a copy of the Food Plan be put in his box.

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

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

**17. REQUEST FOR APPROVAL OF EXEMPT PROCUREMENT AND AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – CONSULTING SERVICES AND TRAINING FOR ITT AND PAYROLL; TST CONSULTING. (CARYN FIORINA)**

Councilor Ives said it is unclear exactly when this agreement was put in place.

Ms. Fiorina said it is part of the upgrade of the system which happened in 2008.

Councilor Ives said then this has been ongoing for 5 years. He said it sounds as if there were issues with the reporting last year, and this is an effort to fix those problems to make sure we are up to date on our training and have staff which are fully capable of using the system to do the required reporting.

Ms. Fiorina said yes, noting there updates at the end of every year which are issues, and there will be training on the updates so staff knows how to complete those every year.

Councilor Ives there is a paragraph in the Memo which provides, "This contract will also include an additional 40 hours needed to complete development on the original contract for TST for the budget position control project." He said he has no idea what that means.

Ms. Fiorina said the initial contract was with Finance to implement budget position control reporting which is used for the budgeting process. The hours to complete that project were underestimated, and a part of that is included in this contract. She said the budget position control allows projections to be made for budgeting purposes for vacant positions, and different other salary increases.

Councilor Ives asked why this hasn't been done for 5 years.

Ms. Fiorina said it has been done, but through an Excel spreadsheet, and now it will automate it with the Enterprise 1 Financial application.

Councilor Ives said when the City Manager was here with the pay raise information and said it took 30 days to prepare the spreadsheet showing union, non-union and other matters. What she is saying that this module will allow us to key in what kind of report we want to generate that automatically and instantly, rather than spending 30 days of several peoples' time to generate that report.

Ms. Fiorina said this is correct.

Chair Dominguez asked much does the additional 40 hours cost the City.

Ms. Fiorina said it is approximately \$5,600. It is in finance and part of the Enterprise-1 operating system.

Chair Dominguez said then the 40 hours is in addition to the original.

Ms. Fiorina said that is correct. The 40 hours is in addition to the original contract of \$49,000, plus the \$5,600 to complete the budget position control.

Councilor Ives noted the Memo provides that TST consulting qualifies under Section 18:L of the City Purchasing Manual. He would like a new copy of the Purchasing Manual with all updates.

Councilor Ives asked Mr. Rodarte if he is okay with the compliance with the new provisions and changes in the law.

Mr. Rodarte said the updated Purchasing Manual is posted on the intranet.

Councilor Ives said he has difficulty using the intranet to find documents.

Mr. Rodarte said he will email it to Councilor Ives after the meeting.

Mr. Rodarte said to answer the second part of Councilor Ives' question, he discussed this with Ms. Fiorina, and there is a critical need to have this company continue doing this process. He said it is at \$83,000, and exceeded the \$50,000 threshold. He said they made the call using exempt, for which it qualifies, and it wasn't competitively issued as an RFP. He spoke with Ms.

Fiorina, and we are going to keep this company rolling, and we will RFP to see who else is out there that can do this kind of work. He said they will explain this in the meetings tomorrow and on Wednesday, and it will be one of the power point sections tomorrow. He said we are okay on this one.

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

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

**25. REQUEST FOR APPROVAL OF BUDGET INCREASE FOR CITY-WIDE ITT COMMUNICATIONS; CENTURYLINK. (LISA MARTINEZ AND MARCOS TAPIA)**

Councilor Ives asked how we make a \$438,186 error.

Mr. Tapia said he believes the previous City Manager wanted "to do and fall in line" with the way we were doing procurement systems and/or our cell phones. These were in the department level and the directors wanted control of that, and each department was billed. He said CenturyLink was taken from the departments into the ITT budget. He said of the \$764,000 spent annually on 3 different contracts, we budgeted only \$326,000 in that line item for CenturyLink. He said the good news is that received an additional \$489,000. He said this will not happen again, but it was a mistake, it happened. He said during the budget the Finance Committee and the City Manager will decide whether to consolidate all costs under ITT or to have them in each department.

Councilor Ives said he looks forward to the recommendations in this regard.

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

**DISCUSSION:** Chair Dominguez asked the source of the funding.

Mr. Tapia said it is from the General Fund.

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

\*\*\*\*\*

**END OF CONSENT CALENDAR DISCUSSION**

\*\*\*\*\*



## **DISCUSSION**

### **26. OTHER FINANCIAL INFORMATION:**

#### **A. UPDATE ON COLLECTION FEES. (ROBERT RODARTE)**

Mr. Rodarte presented information from his Memorandum of November 14, 2013, with attachments, which is in the Committee packet. He noted the timetable for the RFP is indicated in the Memorandum, as requested, noting he took the information from the canceled RFP and went verbatim with minor changes. Mr. Rodarte reviewed the timetable.

*The Committee commented and asked questions as follows:*

- Councilor Ives quoted from packet page 14, Item #6, “Accept for collection and engage in diligent collection efforts for all referred accounts regardless of the amount of the account.” He said that implies that at some point in time, we will decide accounts to refer to collections. He asked Mr. Rodarte to describe that process.

Mr. Rodarte said, based on feedback from the past RFP, the process was to try to be as professional as possible and no hard core collections. He said in the previous submittals the companies identified the types of collections they want to do, and most want to do things within the last 360. He said the scale slides tremendously after that. The goal is to collect everything we possibly can. He doesn't know the numbers for collection, but it is workable, if the Governing Body wants to do it – the percentages go from 15% to 24%, while they want 25% of the overall amount for things over 2-3 years. He thinks what we go for is at the complete discretion of the Governing Body as we move forward. He said we will get better information once we receive the proposals.

- Councilor Ives said he is curious as to whether there is some *de minimus* level at which collections are useful and functional.
- Councilor Ives said he would hope the Governing Body would consider, as part of the process, ensuring that the City's website has a functional and useful payment location. He would like to see a button at the website which says, “If you owe the City anything pay here,” and people can click on that button and identify the nature of the charge. He wants to incentivize people to use that, noting Albuquerque doubles the amount of parking fines after a period of time and then triple the fine. He would like something which indicates that after two weeks the fine is doubled, after three weeks it's tripled and you have to go to court pay court costs. He said, hopefully, if we do this in a user friendly way, we will see a large

uptick of collections. He understands after time they are sent to a collections agency, and then subsequently a recommendation to file suit, which will be at the City's discretion.

- Chair Dominguez said there could be a payment center at the Library. He thinks we should give people as much opportunity to pay the debt as possible. He said he is hopeful that whoever is chosen, there is a human component to it, so we aren't "beating people to death" to pay, especially in view of the economic challenges in our City, state and nation.

Mr. Rodarte said the collection process at the Library is a soft collection program, and we're looking for that same kind of process. He said we will piggyback off one that fits perfectly with the City.

- Chair Dominguez said there should be a procedure/process for people to let us know how they are being treated. He said some of the collection agencies are interested only in collecting the fee. He said there are always glitches and issues that need to be resolved individually. He asked if it turns out it is not a legitimate collection, if that will be part of the contract as well.

Mr. Rodarte said we have mediation services for that process for collections for Cry Wolf and Redflex. He said he will go back and look at his Scope of Work, and see if something can be integrated. He said he can add an addenda onto the Scope of Work and add it to the website so we can get feedback from the ones that are submitting proposals.

- Councilor Dimas asked if a determination ever was made on parking tickets specifically, to make those a civil rather than criminal matter.

Mr. Rodarte said, "That's beyond my pay grade, Councilor Dimas, I have no idea."

- Councilor Ives said Sev Gurule has been looking at the various options, and believes we're at the point we can make a decision on that.
- Councilor Dimas said the limitation on collections should be within the 6 month rule once they are given a citation. He said they have to enter a plea for the rule to start running. He said if they haven't shown up at all, it could go forever, noting there is no statute of limitation on that. He said the Court could be issuing bench warrants for those citations. It will be interesting to see how we switch from criminal to civil, noting it has to be a civil liability for it to be collected by a collections agency. He said we will have to examine that closely before we "go off on a tangent." He said we have a large amount of money due in parking fines.

- Chair Dominguez said perhaps Mr. Tapia can figure it out and get an answer to some of these questions.

Mr. Tapia said this is something for Legal and he can deal with that with Legal. He said a public debt is always owed, and can't be written-off or fall under the statute of limitations. He said we do soft collections here at the City, because these are constituents. He said they are talking about collecting from people who have moved, which can't be found and it's been 3 plus years – they are looking at collections on those. He said he was unaware we couldn't use a collection agency on these because these are criminal. He thought we could use this company to do that kind of stuff.

- Councilor Dimas said perhaps he could be wrong, but he doesn't think a criminal matter can't go to collections.
- Councilor Ives said Mr. Tapia was in the early meetings in looking at modifying how the City handles its parking violations, and in engaging the City Attorney, he will be the point person on that.
- Councilor Dimas said when the Pueblo of Pojoaque Tribal Police issue a traffic citation it is a civil citation, not criminal and doesn't go on the person's record, and they can do that. Here, he believes people have to see Judge Yalman for a parking citation. He said we could change parking violations to be civil citations rather than criminal and we wouldn't have that worry.
- Mr. Tapia said people have so long to pay a parking ticket, or else they have to go to Judge Yalman.
- Councilor Ives recalled there are complicating issues in going to civil citations, because of a provision in State Code requiring a 50% reimbursement of citations to the State under the Uniform Traffic Code. He said they didn't want to see 50% of the revenue going back to the State and we're doing all the work. He said, "Marcus should have some of that information in the City Attorney's Office."
- Chair Dominguez would like to get answers to these questions as soon as practicable.

Mr. Tapia said he will speak with Kelly Brennan, and he believes he can get the answers by the Finance Committee meeting on December 2, 2013.

- Chair Dominguez asked if any of this gets in the way of the RFP.

Mr. Tapia said yes, it will.

Mr. Rodarte said he can add an addenda to the RFP so we can do the changes.

- Chair Dominguez asked if we would be looking at the last part of January 2014 to take action at the Committee level.

Mr. Rodarte said it is difficult to get a quorum of the Committee during the holidays, but he believes it can be done by the end of January 2014.

- Councilor Ives quoted from Item #28, from packet page 16, "Maintain in effect an errors and omissions insurance policy in the amount of \$500,000 to protect against errors and omissions by the Collector or any of its officers, agents of employees." He asked under the Fair Debt Collections Practices Act if we are happy with the \$500,000.

Mr. Rodarte asked if he is wanting a \$2 million minimum, noting that will cut out half the bidders and we are then dealing with only the big companies. There are a lot of qualified, smaller companies that won't have that coverage.

- Councilor Ives asked Mr. Rodarte to check with the City Attorney's Office to see if they are satisfied with that as an appropriate amount to protect the City against any derivative suits. He also would like to add the City as an additional insured under their insurance policy. However, he questioned whether that can be done for errors and omissions.
- Chair Dominguez said, "It's fair to ask Legal these questions." He cautioned the Committee that if we start to meddle in the limits, that could get us into some trouble.
- Chair Dominguez asked if we want this item back here at the Finance Committee. He said the risk, if we bring it back to the Committee, is that there will be more questions, and it could delay the RFP process.

Mr. Tapia said we can go forward with the RFP. He said we can put it back 2-3 weeks if the Governing Body would like to add an addenda to it.

Councilor Ives said this hasn't gone before Council.

Mr. Rodarte said it will go to the Council on December 11, 2013, after that, it would be in January.

Chair Dominguez said then you don't want action today, you want action at the next Finance Committee.

Mr. Rodarte said he can make the changes, noting everything is doable, with the exception of the change from a criminal to a civil citation. He said, "I would like to make these changes and then let it take its course."

Chair Dominguez said then this will be on the agenda for the Finance Committee meeting of December 2, 2013.

**B. UPDATE ON GROSS RECEIPTS TAX REPORT RECEIVED IN NOVEMBER 2013 (FOR SEPTEMBER ACTIVITY) AND LODGERS' TAX REPORT RECEIVED IN NOVEMBER 2013 (FOR OCTOBER 2013 ACTIVITY). (MARCOS TAPIA)**

Mr. Tapia said the GRT is up about \$2,489,000 over the last fiscal year, but it is not back to the 2007-2008 levels. He said next month we will know how the federal shutdown impacted the City, which will be the "true tell," and the potential for that if it happens again.

Chair Dominguez said then the \$2.4 million doesn't include the action we took earlier with ITT.

Mr. Tapia said it has no impact on that.

Mr. Tapia said the Lodgers' Tax collections don't go hand-in-hand with the GRT's. However, the difference in collections tells him we are having more retail and other items, such as home sales, from which we are receiving GRTs. He they did see an increase in Lodgers' Tax this period, but the previous ones were down.

Councilor Ives said on packet page 6, it shows the GRT analysis by category which is interesting. He asked about the Professional Scientific Technical which is a large figure which shows an increase of 17.18%, and asked what is included in that.

Mr. Tapia said staff has been trying to meet with Taxation and Revenue and determine what is in each of the categories, and he doesn't have that information. He will continue to seek this information.

Chair Dominguez asked if there is an indication that what is happening at the hospital could /impact the City.

Mr. Tapia said the only thing he knows is that they may be looking at another hospital coming in which would be able to employ some of these people. His concern with the process is why they do these things right before Christmas.

Chair Dominguez said then there is no information about the impact from the layoffs.

Mr. Tapia said he has no further information at this time.

Councilor Ives said he actually would like to hear from the people at hospital. He has heard that the hospital sent some \$21 million from Santa Fe to Christus in Texas. He said they somehow missed out from some \$70 million funds through indigent service compensation. He is struggling to make sense of the large dollar amounts. He will report back to the Committee if he hears anything further.

## **27. MATTERS FROM THE COMMITTEE**

Councilor Ives reminded staff he is still hoping to see a big spreadsheet on SWAN park, to help him to understand the context of the entire project in dealing with smaller portions of the whole project.

Chair Dominguez said we have the reports which were given to POSAC, and asked if that is what he wants.

Councilor Ives doesn't know what was given to POSAC.

Chair Dominguez said, then let's start there with the report which was given to POSAC.

Councilor Ives said part of his problem is SWAN Park has been in the City process for an extended period of time, and he's only seen pieces here and there. He doesn't have an understanding of the context of the whole.

Chair Dominguez asked staff to prepare a summary with a spreadsheet, with the effluent line monies included.

Chair Dominguez will start doing a mid-year budget review in January. He will talk with Mr. Tapia about the formatting/designing of that for the Committee.

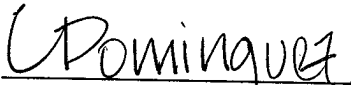
Mr. Tapia said he has been preparing a one-page summary for all departments – revenue and expenditures. It will show you what you approved, what has changed, what has been expensed and the revenue received to date.

Chair Dominguez said he will meet with Mr. Tapia next month, so he can present something at the last meeting in January.

Chair Dominguez requested that Mr. Rodarte prepare a summary of everything that has happened in terms of collections – what has happened to date and a summary of outstanding collections. He wants that for the next Finance Committee meeting.

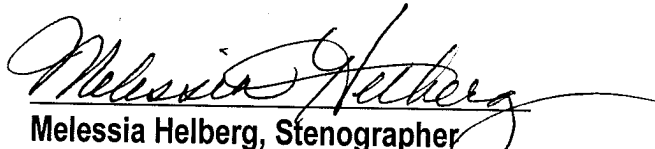
## **28. ADJOURN**

There was no further business to come before the Committee, and the meeting was adjourned at approximately 6 p.m.

  
Carmichael A. Dominguez, Chair

**Reviewed by:**

  
Marcos A. Tapia, Director  
Department of Finance

  
Melessia Helberg, Stenographer