

City of Santa Fe, NM
Regular Committee
Monday, October 01, 2018
05:00 PM – Finance Committee
Council Chambers

AGENDA

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF AGENDA

4. APPROVAL OF CONSENT AGENDA

5. APPROVAL OF MINUTES

- 5a) Regular Finance Committee Meeting Minutes - September 17, 2018
Item 5a.pdf

CONSENT AGENDA

- a) Request for the Approval of a Budget Amendment Resolution in the Total Amount of \$225,000 for a New and Additional Visual Art and Museum Marketing Program from Fund Balances for Tourism Santa Fe; (Randy Randall, rrandall@santafenm.gov, 955-6209)
Item a.pdf

- b) Request for Approval of State issued Severance Tax Bond Agreement Amendment No.1 that Serves to Streamline the Reporting and Payment Process for Five Legislative Appropriated Grant Agreements: 15-0857, 15-0860, 16-A4088, 16-A2510 and 17-B4106. (David A. Chapman, Grant Administrator – Writer, dachapman@santafenm.gov, 955-6824)
Item b.1.pdf

- c) Request for Approval of Service Agreement Using NM State Price Agreement 70-000-16-00014 AJ in the Total Amount of \$100,850, Including GRT, for Repair and Maintenance of the City Land Mobile Radio System; Motorola Solutions, Inc. (Larry Worstell, ITT Infrastructure Manager, lfworstell@ci.santa-fe.nm.us, 955-5580)
Item c.pdf

- d) Request for Approval of Cooperative Purchasing Agreement for State Agencies, Local Public Bodies, and Education under NM Procurement Statute 13-1-135 between the City of Santa Fe and Sourcewell Formally Known as NJPA . (Yodel Catanach, Telecommunications Specialist, 955-5575)
Item d.pdf

- e) Request for Approval for Procurement for Hardware, Software, Software Subscriptions, and Services Using Various Procurement Contracts for Fiscal Year 2018-2019, over the Threshold Amount of \$60,000 -See Attached List. (David A. Kulb, Financial Analyst, dakulb@ci.santa-fe.nm.us, 505-955-5569 /Yodel Catanach, IT Contract Analyst, yocatanach@ci.santa-fe.nm.us , 505-955-5575)
Item e.1.pdf

- f) Request for Approval of Cooperative Purchasing Agreement for State Agencies, Local Public Bodies, and Education under NM Procurement Statute 13-1-135 between the City of Santa Fe and National IPA. (Yodel Catanach, yocatanach@ci.santa-fe.nm.us, 955-5575)
Item f.pdf

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: 09/28/2018

TIME: 2:24 PM

g) Request for Approval of a Lease Agreement for Telecommunication Use of a Proposed Replacement Light Pole to be Located at Fort Marcy Park behind Fire Station No. 1 at 200 Murales Road Consisting of Approximately 204 Square Feet of Ground Space and Associated Air Rights by Verizon Wireless (VAW) LLC. d/b/a Verizon Wireless (Sean Moody, Asset Development Manager, sxmoody@santafenm.gov, 955-6123)

Item g.pdf

h) Request for Approval of a Lease Agreement for Telecommunication Use of an Existing, City-Owned Roof Structure Located at the Santa Fe Community Convention Center at 201 W. Marcy Street Consisting of Approximately 100 Square Feet of Rooftop Space and Associated Air Rights by Verizon Wireless (VAW) LLC d/b/a Verizon Wireless (Sean Moody, Asset Development Manager, sxmoody@santafenm.gov, 955-6123)

Item h.pdf

i) Request for Approval of a Lease Agreement for Telecommunication Use of an Existing, City-Owned Parking Deck Located at the City's Parking Garage Structure at 220 W. San Francisco Street Consisting of Approximately 115 Square Feet of Parking Deck Space and Associated Air Rights by Verizon Wireless (VAW) LLC d/b/a Verizon Wireless (Sean Moody, Asset Development Manager, sxmoody@santafenm.gov, 955-6123)

Item i.pdf

j) Request for Approval of Professional Services Agreement Using Cooperative Education Services in the Amount of \$52,050 for Quarterly Cleanings of the Mechanical Roofs at Genoveva Chavez Community Center; Keers Remediation, Inc. (Jerry Schilling, Recreation Section Manager, jlschilling@santafenm.gov, 955-4075)

Item j.pdf

k) Request for Approval of an Ordinance Amending Section 9-3 SFCC 1987, the Public Campaign Finance Code, to Include a Definition for Qualified Small Contribution; Establishing a New Section Regarding Qualified Small Contributions; Establishing a New Section Mandating Matching Payments by the City; Establishing a New Section Regarding Reporting of Qualified Small Contributions and Matching Payments; and Replacing all References in Chapter 9 of Municipal Clerk to City Clerk. (Councilors Romero-Wirth, Ives and Villarreal) (Zach Shandler, Assistant City Attorney, zashandler@santafenm.gov, 955-6303)

Committee Review:

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| Ethics and Campaign Review Board (approved) | 8/23/18 |
| City Council (request to publish) | 9/12/18 |
| City Council (public hearing) | 10/10/18 |

Fiscal Impact: None

Item k.pdf

l) Request for Approval of an Ordinance Relating to the Land Development Code, Chapter 14 SFCC 1987; Amending Sections Chapter 14-10.2 and 14-10.3 to Provide Exceptions for Legal Nonconforming Single Family Dwellings; and Making Such Other Changes that Are Necessary to Carry Out the Purpose of this Ordinance. (Councilor Villarreal) (Greg Smith, Planner Supervisor, gtsmith@santafenm.gov, 955-6957)

Committee Review:

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| Planning Commission (approved) | 9/6/18 |
| Public Works Committee | 9/24/18 |
| City Council (request to publish) | 10/10/18 |
| City Council (public hearing) | 10/31/18 |

Fiscal Impact: None

Item l.pdf

m) Request for Approval of a Resolution in Support of Renewal of the County Regional Transit Gross Receipts Tax. (Councilors Romero-Wirth, Rivera, Villarreal) (Keith Wilson Transit Division Director of Administration and Grants, kpwilson@santafenm.gov, 955-2223)

Committee Review:

Public Works Committee 9/24/18

City Council 10/10/18

Fiscal Impact: None

[Item m.pdf](#)

MATTERS FROM STAFF

MATTERS FROM THE COMMITTEE

ADJOURN

Finance Committee Meeting – Index – October 1, 2018

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| Cover Page | | Page 0 |
| Call to Order | Chair Abetyta called the Finance Committee meeting to order at 5:03 pm in the City Council Chambers. A quorum was present at the time of roll call. | Page 1 |
| Approval of Agenda No changes from Staff or members. | <i>Councilor Lindell moved to approve the agenda as presented, second by Councilor Romero-Wirth, motion carried by unanimous voice vote.</i> | Page 1 |
| Approval of Consent Agenda Pulled: Councilor Romero-Wirth, g Councilor Harris, a, b, h and k Councilor Abeyta – Recused himself from #b | <i>Councilor Lindell moved to approve the consent agenda as amended, second by Councilor Harris, motion carried by unanimous voice vote.</i> | Page 1 |
| Approval of Minutes September 17, 2018 No Changes from staff or Finance Committee members. | <i>Councilor Lindell moved to approve the minutes of September 17, 2018 as presented, second by Councilor Harris, motion carried by unanimous voice vote.</i> | Page 2 |
| Consent Agenda a) Request for the approval of a budget amendment Resolution in the total amount of \$225,000 for a new and additional visual art and museum marketing program from fund balances for Tourism Santa Fe. b) Request for approval of State issued Severance Tax Bond Agreement Amendment No. 1 that serves to streamline the reporting and payment process for five legislative appropriated Grant Agreements. 15-0858, 15-0860, 16-A4088, | <i>Chair Abeyta recused himself.</i> <i>Councilor Harris moved to approve a budget amendment Resolution in the total amount of \$225,000 for a new and additional visual art and museum marketing program from fund balances for Tourism Santa Fe, second by Councilor Lindell, motion carried by unanimous voice vote.</i> <i>Councilor Harris moved to approve the State issued Severance Tax Bond Agreement Amendment No. 1 that serves to streamline the reporting and payment process for five legislative appropriated Grant Agreements. 15-0858, 15-0860, 16-A4088, 16-A2510 and 17-B4106, second by Councilor</i> | Page 2 - 12 |

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| <p>16-A2510 and 17-B4106.</p> <p>g) Request for approval of a lease agreement for Telecommunications use of a proposed replacement light pole to be located at Fort Marcy Park behind Fire Station No. 1 at 200 Murales Road consisting of approximately 204 square feet of ground space and associated air rights by Verizon Wireless (VAW) LLC d/b/a Verizon Wireless.</p> <p>h) Request for approval of a Lease Agreement for Telecommunication use of an existing, city-owned roof structure at the Santa Fe Community Convention Center at 201 W. Marcy Street consisting of approximately 100 square feet of rooftop space and associated air rights by Verizon Wireless (AW) LLC d/b/a Verizon Wireless.</p> <p>k) Request for an approval of an Ordinance amending section 9-3 SFCC 1987,</p> | <p><i>Wirth, motion carried by unanimous voice vote.</i></p> <p><i>Councilor Abeyta resumed the seat of the Chair.</i></p> <p><i>Councilor Lindell moved to approve of a lease agreement for Telecommunications use of a proposed replacement light pole to be located at Fort Marcy Park behind Fire Station No. 1 at 200 Murales Road consisting of approximately 204 square feet of ground space and associated air rights by Verizon Wireless (VAW) LLC d/b/a Verizon Wireless, second by Councilor Wirth, motion carried by unanimous voice vote.</i></p> <p><i>Councilor Harris moved to approve a Lease Agreement for Telecommunication use of an existing, city-owned roof structure at the Santa Fe Community Convention Center at 201 W. Marcy Street consisting of approximately 100 square feet of rooftop space and associated air rights by Verizon Wireless (AW) LLC d/b/a Verizon Wireless, second by Councilor Lindell, motion carried by unanimous voice vote.</i></p> <p><i>Councilor Romero-Wirth moved</i></p> | |
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Finance Committee Meeting – Index – October 1, 2018

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| the Public Campaign Finance Code, to include a definition for qualified small contributions, establishing a new section mandating matching payments by the city, establishing a new section regarding reporting of qualified small contributions and matching payments; and replacing all references in Chapter 9 of Municipal Clerk to City Clerk | <i>to postpone the Ordinance amending section 9-3 SFCC 1987, the Public Campaign Finance Code, to include a definition for qualified small contributions, establishing a new section mandating matching payments by the city, establishing a new section regarding reporting of qualified small contributions and matching payments; and replacing all references in Chapter 9 of Municipal Clerk to City Clerk for further discussion, second by Councilor Harris, motion carried 3-1 by voice vote.</i> | |
| Matters from Staff | None | Page 13 |
| Matters from the Committee | Informational | Page 13 |
| Adjourn and Signature Page | There being no further business to come before the Finance Committee the Chair called for adjournment at 6:16 pm | Page 13 |

CITY OF SANTA FE
FINANCE COMMITTEE MEETING
OCTOBER 1, 2018
5:00 PM – 6:16 PM

MINUTES

1. CALL TO ORDER

The Finance Committee of October 1, 2018 was called to order by Chair Roman Abeyta at 5:03 pm, roll call reflects a quorum.

2. ROLL CALL

COUNCILOR ROMAN ABEYTA, CHAIR
COUNCILOR CAROL ROMERO-WIRTH
COUNCILOR SIGNE LINDELL
COUNCILOR MICHAEL HARRIS

NOT PRESENT/EXCUSED:
COUNCILOR CHRIS RIVERA

OTHERS PRESENT:

Mary McCoy, Finance Director
Brad Fluetsch, Financial Planning Manager
Randy Randall, Convention Center
David A. Chapman, Grant Administrator
Keith Wilson, City of Santa Fe Transit Director
Sean Moody, Asset Development Manager
Amy McKenzie, Verizon
Zach Shandler, Legal Department
Fran Lucero, Stenographer

3. APPROVAL OF AGENDA

No changes from staff or committee.

Councilor Lindell moved to approve the agenda as presented, second by Councilor Romero-Wirth, motion carried by unanimous voice vote.

4. APPROVAL OF CONSENT AGENDA

Pull: Councilor Romero-Wirth: g, Councilor Abeyta: Recused himself from Item b, Councilor Harris, a, b, h and k

Councilor Lindell moved to approve the consent agenda as amended, second by Councilor Harris, motion carried by unanimous voice vote.

5. APPROVAL OF MINUTES

Regular Finance Committee Minutes – September 17, 2018

No changes from staff or Finance Committee members.

Councilor Lindell moved to approve the minutes of September 17, 2018 as presented, second by Councilor Harris, motion carried by unanimous voice vote.

Consent Agenda

- a) Request for the approval of a budget amendment Resolution in the total amount of \$225,000 for a new and additional visual art and museum marketing program from fund balances for Tourism Santa Fe.***

Councilor Harris: Asked for the balances on the Fund Balances for the two funds that are being drawn down, 2112 and 2113. The answer I received is that the balance in 2112 is \$1,373,610 as 7/1/2018 and the current balance is \$1,115,194. In 2113 at the beginning of the FY it had a balance of \$656,510 and current balance of \$870,155. It is always prudent to know where we stand on various funds. Councilor Harris asked for more information as to what is being proposed.

Mr. Randall: This is a new concept to run a specific marketing program to support the visual arts which would benefit both the galleries, museums and retail. The demographic of the person that buys art is a little bit different from the general demographic that we market to as a whole for the city. This will be done with a separate RFP for marketing services to engage an organization in a specific marketing plan targeting a higher end demographic and a define person who has inclination to buy and appreciate high end art. It is an experiment, it is something we haven't done before and we feel with a fund of \$250,000 or more depending on Art Gallery participation it should be a strong enough number to be able to determine if in fact we can impact that segment of our community?

Councilor Harris: Where did this idea come from, did it come out of Tourism or the Gallery Association?

Mr. Randall: It came from Tourism. Over the last several years I have had numerous conversations with both members of the Gallery Association Board of Directors and other galleries who are not in the Association. The Gallery Association is about 65-70 members so it represents about 25% of the galleries that are out there. It was an idea that we came up with and we felt we did something specific we could strengthen the galleries?

Councilor Harris: What is the distinction between the scope for the Special Use Lodger's Tax vs. the generic Lodger's Tax and advertising?

Mr. Randall: The 1% is the lodger's tax funding for the arts commission. It is 1 point of the 7 points lodger's tax we collect. Of the 5 points of lodger's tax, 2.5 points goes directly in to the marketing fund, 1 point goes out and is used for the operation of the convention center and the other 1.5 points goes to this 2113 fund. Most of those funds are budgeted to come back in and support the general marketing fund in the city. It has accrued a balance because we tend to exceed our revenues and they have exceeded are approved expenditures so it has grown a balance. Of the tourism lodger's tax funds, exclusive of the Arts Commission fund, it had the largest balance and this is why I selected that one. It is a definition within the ordinance.

Councilor Harris moved to approve a budget amendment Resolution in the total amount of \$225,000 for a new and additional visual art and museum marketing program from fund balances for Tourism Santa Fe, second by Councilor Lindell, motion carried by unanimous voice vote.

- b) Request for approval of State issued Severance Tax Bond Agreement Amendment No. 1 that serves to streamline the reporting and payment process for five legislative appropriated Grant Agreements. 15-0858, 15-0860, 16-A4088, 16-A2510 and 17-B4106.**

Chair recused himself from this item. Councilor Lindell assumed the Chair.

Councilor Harris: The spreadsheets provided, Mr. Chapman answer my questions. Scope of work, balances available for the five different grants, it is important for us to see all five. Councilor Harris said he looked particularly at the Southside transit center. I am very familiar with the list for the airport and that has the 2020 reversion date, I am more concerned about putting the number in service. The Southside Transit Center has been around a long time, can we put this money in service and what is the benchmark to say that the money is in service so it doesn't revert?

David Chapman: To be designated as encumbered it actually has to be essentially spent.

Councilor Harris: There are two groupings within this \$880,000, Parks seems clear for the purchase of trash cans, etc., where do we stand with the Southside Transit Center?

Keith Wilson: We have the 100% design plans on hand, we have the contract for the Design Engineer for these documents we will oversee the \$1 million dollar total project, most of which is coming from the FTA (Federal Transit Administration). We are working on the bid contracts, to award in January/February 2019. \$440,000 is for building renovations. I don't foresee having problems with the expenditure before the deadline. The building needs a roof.

Councilor Harris: I see now that it is for the transit center building itself.

Keith Wilson: I meet with the Project Manager from Facilities, Kurt Temple on a weekly basis.

Councilor Harris moved to approve the State issued Severance Tax Bond Agreement Amendment No. 1 that serves to streamline the reporting and payment process for five legislative appropriated Grant Agreements. 15-0858, 15-0860, 16-A4088, 16-A2510 and 17-B4106, second by Councilor Wirth, motion carried by unanimous voice vote.

Councilor Abeyta resumed the seat of the Chair.

g) Request for approval of a lease agreement for Telecommunications use of a proposed replacement light pole to be located at Fort Marcy Park behind Fire Station No. 1 at 200 Murales Road consisting of approximately 204 square feet of ground space and associated air rights by Verizon Wireless (VAW) LLC d/b/a Verizon Wireless.

Councilor Wirth: Question on aesthetics, we don't have a picture in our packets of the full view and there was a question that there would be stealth.

Sean Moody: Introduced Amy McKenzie, Consulting Engineer for Verizon and she is happy to answer questions.

Councilor Lindell asked that in the future, documents should be available prior to the meeting in the future.

Amy McKenzie: At the direction of Matt O'Reilly on this application. The application we were trying to do was to abide by the wireless ordinance to keep a stealth concealed application. To get the height that Verizon needed at Ft. Marcy Park we needed a tall structure. The only tall structure that was feasible was the ball field lights. What we did was we replace the existing light pole with an identical light pole 15 feet away, use the same lights from the ball field put them on the new tower. We were able to separate the antennas on the tower, essentially there is a

sleeve that goes from approximately 60' all the way to the ground and only the top 10' is un-sleeved so that the lights can be replaced. To the eye the light pole will be wider. It has been approved by the Planning Commission. The only thing that is going to be different is that the new light pole is going to be wider in width.

Councilor Romero-Wirth: Thank you; that answers my question.

Councilor Lindell: The only other thing that is different now is the equipment area.

Amy McKenzie: The equipment will be in a small area next to the ball field fence, chain link, slats.

Councilor Lindell: Make sure that everyone is aware that it is used as a walking path and make sure that it meets all the regulations to remain as a walking path.

Ms. McKenzie: We heard that at the ENN meetings and we moved it about 10' so that a wide walking path would remain.

Councilor Lindell: Thank you it is important to the people in that area.

Councilor Lindell moved to approve of a lease agreement for Telecommunications use of a proposed replacement light pole to be located at Fort Marcy Park behind Fire Station No. 1 at 200 Murales Road consisting of approximately 204 square feet of ground space and associated air rights by Verizon Wireless (VAW) LLC d/b/a Verizon Wireless, second by Councilor Wirth, motion carried by unanimous voice vote.

h) Request for approval of a Lease Agreement for Telecommunication use of an existing, city-owned roof structure at the Santa Fe Community Convention Center at 201 W. Marcy Street consisting of approximately 100 square feet of rooftop space and associated air rights by Verizon Wireless (AW) LLC d/b/a Verizon Wireless.

Councilor Harris: We know that not only this antenna but the one behind the fire station are clustered tightly, are they all necessary? Is the one at the convention center necessary for the emergency use? We are in the process of moving that EOC to another location. Is this installation critical for the EOC or is it routine coverage?

Ms. McKenzie: I can't speak directly to the EOC; the need in general is that it is capacity. There are too many users. It is a capacity issue vs. a satellite issue.

Councilor Harris: There will be two screens, where will they be facing?

Ms. McKenzie: They will be facing Marcy Street and Lincoln. Everything will be below the parapet wall, so the equipment won't be visible.

Councilor Harris: You are going to see the outline of that panel.

Ms. McKenzie: We will do our utmost to blend it in. The building is high and unless someone was looking directly up it won't be visible. Is it 100% visible, no.

Councilor Harris moved to approve a Lease Agreement for Telecommunication use of an existing, city-owned roof structure at the Santa Fe Community Convention Center at 201 W. Marcy Street consisting of approximately 100 square feet of rooftop space and associated air rights by Verizon Wireless (AW) LLC d/b/a Verizon Wireless, second by Councilor Lindell, motion carried by unanimous voice vote.

k) Request for an approval of an Ordinance amending section 9-3 SFCC 1987, the Public Campaign Finance Code, to include a definition for qualified small contributions, establishing a new section mandating matching payments by the city, establishing a new section regarding reporting of qualified small contributions and matching payments; and replacing all references in Chapter 9 of Municipal Clerk to City Clerk.

Zach Shandler, Legal Counsel available for questions.

Councilor Harris: I read through everything once again and the minutes showed there was a real effort in part of ERB to answer the questions for the Finance Committee. I don't have much to say differently from what I said previously which I am concerned about whether it is this or reducing the parking fees over the summer; generally concerned about drawdowns that we make from the general fund that limit our ability to meet our core obligations. I understand public financing, why it has to be there and why it has to be enhanced. I read through the ordinance and I was reminded of my own experience when I ran for office 2 ½ years ago. I started down the qualified contributions path; it was a lot of work. In my instance it wasn't really necessary. Those people who are faced with a competitive race need to make a decision on how to proceed. What do you weigh when you enter in to it, what are the factors the additional effort of

getting public financing? For so many people it is almost an ethical obligation. When it weighs in against the additional work and what it results in a lot of people are not choosing to go down that path. It is too hard to characterize the ordinances, it is very complex to do the work and be in compliance. I think there are trip hazards within the ordinance that potentially throws the candidate out of compliance through some fault or no fault of their own. There are a lot of things to balance in our lives when we are running for office and I feel like less people are going to take advantage. I think that these changes in the ordinance are going to drive people at the municipal level to take advantage of this public financing. As a Councilor I have a hard time seeing that this makes a difference, I have a hard time supporting this, monies that are drawn down from the general fund to take the next step is not what I agree with.

Councilor Lindell: I want to thank Councilor Romero-Wirth, we have discussed this topic numerous times; she is very respectful on how she has gone forward this. I have heard from a lot of people, I asked that page 30 be put in the packet; it is a public finance privately financed table of incumbents and winners identified from the year that public finance started here. It is hard for me to make generalizations, other than a couple of things. One, from this chart we can see that no incumbent has lost, we can also see that 28% of the races were unopposed and races with no incumbent, 7 out of 10 of those races were won by a candidate who did take public financing. In all the races, 10 out of 14 were won by publicly financed candidates, and those were races that did have opposition not ones that were unopposed, much like Councilor's Harris and Abeyta. By those numbers it doesn't appear to me that Public Financing is failing us. In trying to analyze this and come up with generalizations, I couldn't come up with much. I know people are concerned about the future and I know that it is popular in the country right now to address public financing issues; I just haven't seen that we are clear of what is being addressed here by the proposed legislation. I have spoken to it before, I am respectful of the group that does support this and brings it forward, and the numbers just don't come together in a way that I can support it.

Chair Abeyta: I can see the need for it in a Mayoral Race for Mayoral candidates, \$60,000 is no way enough to compete with someone who raised \$200,000+, and I can see that there might be a need for Mayoral candidates. City Council, I agree with Councilor Harris, you can knock on doors over and over, and that will be my strategy. But having not had to run a city council race and not knowing what the cost is, I can't speak to that. In speaking to another Councilor the comment was that \$15,000 was not much. I believe the limit would be \$30,000 for a city council race, what you could get for City Council.

Councilor Romero-Wirth: In a council race you would get your qualifying contributions to get you to the initial \$15,000. If we were to get the matching system back in, which it was in if you recall, it was ruled unconstitutional by the Supreme Court and so we haven't had it for a while. We are putting a system back in that meets the constitutional requirements which makes the old system untenable. You would then be allowed to raise \$100 contributions and the city would match 2 to 1 whatever you raised privately through the \$100 contributions. If you raised \$15,000 privately in \$100 contributions you would qualify for another \$30,000 in matching funds which would be a total of \$60,000.

Councilor Abeyta: I feel that is excessive for a council race. I would potentially support it for Mayoral candidates.

Councilor Romero-Wirth: I agree with you and I actually have a proposal that would change that and I will talk about it. I have heard your concerns and I have been working on this to reach a compromise. I do think it is important to have a matching system; that we put it back in as it was originally intended. We have seen big money come in for Mayoral candidates, we have seen it be raised by private candidates, we have seen it come in through PACs and publicly financed candidates and we have also see that Mayoral candidates are not choosing public financing because it is not a viable system for them. I think we do need some way for publicly financed candidates to get more money if they need to. I think this has been worked on very hard by the ERB, passed again unanimously working with the constitutional constraints to come up with something that will help our public finance system be 1) more viable, and 2) meet constitutional muster and 3) allow candidates who chose this path to have access to additional money to be more viable candidates. In the mayoral race I feel this is absolutely critical and in the council race it is true, we have not seen the outside money at the same level but I can tell you I was in a three-way race with all publicly financed candidates, we all had \$15,000, I would tend to agree with Councilor Villarreal, \$15,000 when you are running a competitive race, is not a lot of money when you are talking about postage, printing cost, newspaper ads, and I also knocked on doors every day. I also had an outside PAC, the candidate they endorsed was not me. I had no idea how much that outside candidate was going to spend. If someone had dropped a large amount of money in a mailer, I would not have had that money. I do think it is only a matter of time before we see more money in council races. I would like to see us keep control of our elections and if we have this here, and I do have a proposal that I will tell you how it will bring the amounts down from the council races. We haven't seen races in the amount of \$60,000 it was more like \$45,000. If someone had dropped a big mailer in my race I would not have had the money to respond so I do support giving publicly finance candidates that opportunity. What I would propose we do is that

we keep the initial \$15,000 and that we go to essentially a 1:1 match, raise \$100 contributions, you would only be matched by the city if you had \$7500 and the city would match you another \$7500. The total you would get from the city is \$22,500. Just in the Mayoral there is no limit of \$100 you could accept, the limit is how much the city would match. Councilor Romero-Wirth has an amendment for consideration tonight. The idea of the impact to the general fund is that we have had a public matching system in place when we first put in the ability for candidates to be publicly financed. As part of that we have been putting in \$150,000 in to our Public Financing Fund and we do that by law systematically. We are already budgeting for it. Because the Public Financing matching system was ruled unconstitutional the money has continued to grow in that fund. I do have a memo and I believe Councilor Abeyta has it and our Finance Director has it, I had asked that it be included in the packet. It gives an accounting of that fund and what we have spent out of that fund and taking out what we have spent and looking if we doubled the actual pay out if we experienced, it would be a long time and I would defer to Mary or Jim Harrington to how many years. We are looking at 2030-2029 before we would see that we would have to do something differently with regard to the commitment we are already making. I hear you on the budget impact but I do think we have already made a commitment to public financing. If we are going to make it constitutionally viable, if we are going to make it viable, if we are going to make publicly financed candidates competitive I do feel strongly that we need this and I do have this Amendment, I hear you, I agree with you, I don't mean to leave the council out. It would only be a matter of time before this money would come in, and then there would be nothing. Those people who are running and experiencing that outside money will have no recourse. I believe we should build recourse in, it is appropriate at this time. I urge you to think about this and consider it coming in and I think it is appropriate to build recourse in and I think at this time it is appropriate. I have Jim Harrington in the audience who can answer specific questions on history and also the financial impact which I'm sure the Finance Department is concerned about.

Chair: With your amendment, with the city councilors, is there language that says the candidate would not get more than \$30,000. Because you said they could raise more than the \$100 contributions.

Councilor Romero-Wirth: That is a point that I actually asked for clarification. Council candidates publicly would have access, the city of Santa Fe would pay no more than \$22,500, but in order to get \$7500 they would need to privately raise \$7,500 then they are at \$30,000. But as with the Mayoral candidate we don't prohibit them to raise more. I don't know if we can cap the amount that can be privately raised? I don't know if that is constitutionally acceptable or not.

Chair Abeyta: Right now we are capped at \$15,000.

Councilor Romero-Wirth: Right, this has to do with the amount you can raise privately. Right now the city only pays publicly financed city council candidates \$15,000.

Chair Abeyta: And you are not allowed to raise any more privately?

Councilor Romero-Wirth: You cannot raise any more privately. The only amount you can raise as a city council publicly financed is the seed money. That is it, and if you don't spend all that seed money by the time you get your publicly financed money, you have to give it back to the city.

Chair Abeyta: Without a cap or a limit, I'm concerned that you can raise \$22,500 that you get from the city and then you could raise another \$40,000 on your own and if someone takes advantage of the public financing.

Councilor Romero-Wirth: 1) You need to show that support to get this kind of money and if you don't have that broad base of support you aren't going to get this money. I would also suggest that in the event you had outside money come in and spent in amounts that we have not seen yet, if the community was outraged say at the type of negative mail drop and people wanted to respond, you would still have the ability to respond by raising private one-time \$100 contributions to respond to a bad or negative direct mail. I don't know if you could cap, that might be another thing we could add is that you could only raise \$7,500 privately and you could have that matched by the city and then your total amount is \$13,000 and that's it, I don't know if you could cut off the private fund raising, I would need to hear from legal if we can indicate the cap amount.

Jim Harrington: You can cap.

Councilor Harris: I appreciate what Councilor Romero-Wirth wants to do. I want to say the route we are going down now, this current discussion is convoluted and really gets to be very complex and there are a lot of trip hazards down the way. There is a greater danger of a candidate making an inadvertent error and that becomes part of an opponent's critique. I also think if there is an outside PAC that shows up in a council race for whatever reason, I think there would be others that would defend the opposite position that the council represents which is a coordinated effort which we know is not allowed of the candidate. You can work through a lot of different scenarios but particularly in the council races we are trying to deal with something that is not there yet. If it would get here, what would it look like with outside money? The point that I have

been making, I am not sure that I understood, the scenario I thought you were describing, if we remain at the level that the city has to budget and fund \$150,000 every year, if we doubled the draw down on the candidates that took public financing over and above the historic rate, that the fund would be healthy or financial sustainable until 2029 or 2030. That is what I thought I heard you describe. What I didn't hear is if you think it would be appropriate to cap the amount of money that is in the campaign finance fund. Correct me if I'm wrong, we have \$150,000, going in to an election cycle where we have Mayor/Council races are we required to have \$600,000, is that how it reads?

Councilor Romero-Wirth: Yes. The memo looks at how we have used the fund for the pay outs historically. If you were to look at the pay outs historically and doubled them you would not need additional money because we haven't had the matching system, because it was unconstitutional the fund has grown and given what we have averaged we have not been spending it down.

Jim Harrington, Common Cause – the memo that Councilor Romero-Wirth distributed.

Councilor Lindell: I don't have the memo.

Chair asked if this should be postponed to the next finance committee meeting, do we want to send direction to the staff to get the other information that we need or do we want to move on to the vote.

Councilor Harris: I would like to make a suggestion, I would like to get there, but this you have raised substantive issues Councilor Romero-Wirth, and I appreciate what you are bringing forward. I think you have given a lot of thought to how you balance out critiques and interest that you hear. It is hard to sort out the initial amendment and you in particular and Councilor Abeyta have talked through some of that. I am not quite sure how that would read or how that would work. I would need to look at the scenarios that are outlined in these 4 pages and review the numbers and get to a point where campaign finance fund is sustainable up to a certain point. Maybe that it is one more election cycle, it talks about, and the average cost of a 4-year cycle is over \$300,000. That tells me that contributing to the tune of \$600,000 during that 4 year cycle, with the same break of participation we will continue to build it up. I am looking for a way to keep it sustainable, also too often I have seen funds which we refer to as dead money, it sits there, that is the worst thing a governing body can do and that is what I want to avoid.

Councilor Romero-Wirth: We could absolutely, if our experience shows that we aren't spending much money, clearly the city had other needs

that we could use the money on if we aren't using it here. I would support capping it. The \$300,000 would be the maximum for a council race, if there was a year where we spent it all the way down, in a Mayoral year, you would do \$150,000 and \$150,000, it would be ok for the council, but you might need to add, I may need to ask Mr. Harrington to answer this question.

Councilor Harris: Whether it is Mr. Harrington who lives and breathes this or yourself, Councilor Romero-Wirth, we are the ones that need to be sensible about this and again I can't do it. I am willing to think through this and propose a number that should be a cap for the finance fund. The steady state average pay in a 4-year cycle is \$300,000 - \$750,000. I haven't looked at the doubling or tripling, I would think of making a proposal of something I could live with for a cap and I can't do that tonight.

Chair: Based on that number we could come up with the amendment and what we would allow for council and mayoral races as far as matches because we would be restricted by that big number that goes in the fund.

Councilor Romero-Wirth: We are already restricted; the law already says that we cannot spend more than _____ fund. If it is based on what is in the fund it would be paid out proportionately. There are a lot of protections for it not to be a run-away expenditure in the city budget.

Councilor Lindell: In races with no incumbent publicly financed candidates win 70% of the time. In races that don't have an incumbent, publicly financed candidates win 70% of the time. With all due respect we are solving a problem we don't have. Maybe we will have it in the future. The thing that concerns me more than publicly financed or privately financed candidates are two things, 1) none of us have any control on PACs coming in, secondly, 28% of our races are unopposed, and that is a problem. There are a lot of solutions, and this whole document that got handed out, I can't absorb this on the fly, it needs time to be digested. We are solving a problem we don't have now. I am not willing to support a problem that doesn't exist.

Councilor Romero-Wirth moved to table the Ordinance amending section 9-3 SFCC 1987, the Public Campaign Finance Code, to include a definition for qualified small contributions, establishing a new section mandating matching payments by the city, establishing a new section regarding reporting of qualified small contributions and matching payments; and replacing all references in Chapter 9 of Municipal Clerk to City Clerk for further discussion, second by Councilor Harris, motion carried 3-1 by voice vote.

Matters from Staff
None

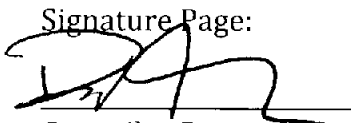
Matters from the Committee

Councilor Lindell: Asked for the status of the Storm Water Usage Report
Expect the report at the end of October, 2018.

Adjourn

There being no further business to come before the Finance Committee, the
Chair called for adjournment at 6:16 pm.

Signature Page:


Councilor Roman Abeyta, Chair


Fran Lucero, Stenographer

PHOTOSIMULATION



The included Photographic Simulation(s) are intended as visual representations only and should not be used for construction purposes. The materials represented within the included Photographic Simulation(s) are subject to change.

SITE NUMBER:

20181747224

SITE NAME:

NM4-FT MARCYS

SITE ADDRESS:

200 MURALES ROAD
SANTA FE, NM 87501

DATE:

03/29/18

APPLICANT:

VERIZON WIRELESS

CONTACT:

ANNE-MARIE MCKENZIE
BLACK & VEATCH
(913) 458-6771

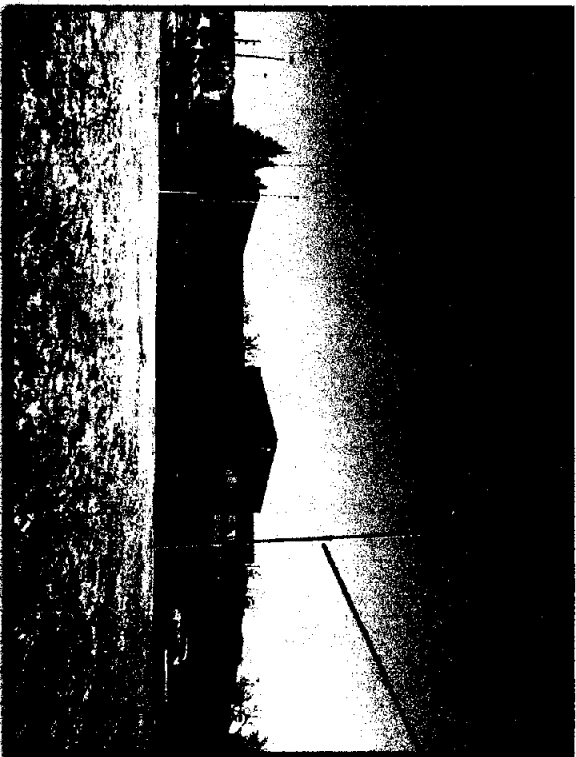
Exhibit A



BLACK & VEATCH
Building a world of different

verizonwireless

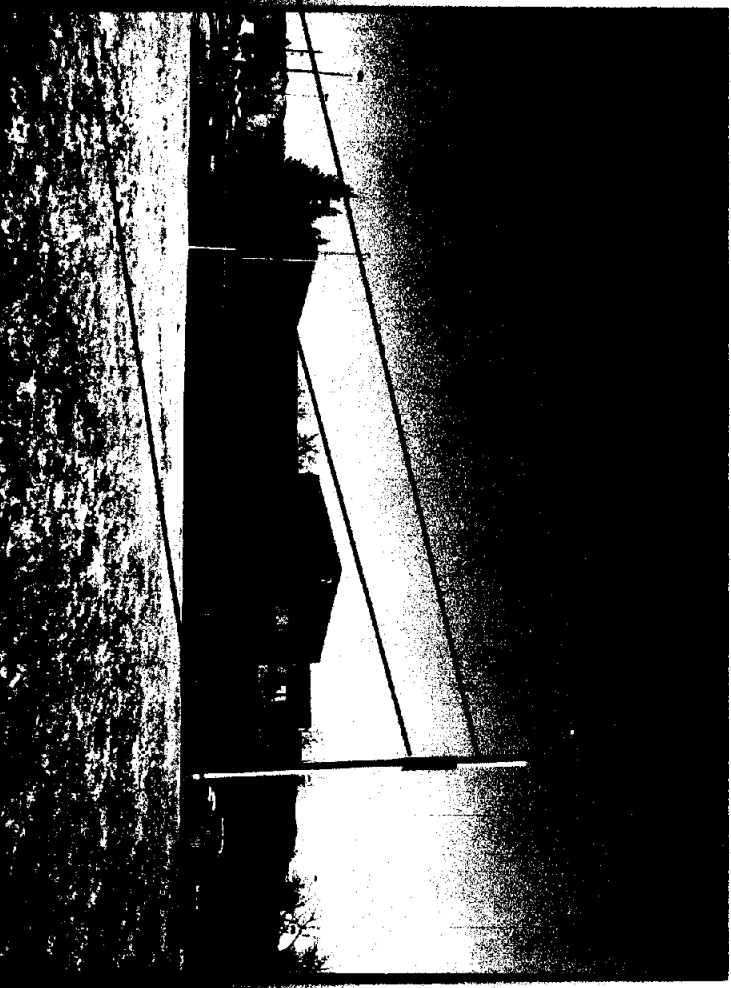
VIEW 1



EXISTING CONDITIONS

EXISTING LIGHT POLE TO
BE REMOVED AND
REPLACED

- (3) PROPOSED VERIZON
ANTENNAS PER SECTOR
- (12) PROPOSED RRHS IN
PROPOSED PERFORATED
SHROUD
- PROPOSED VERIZON
EQUIPMENT AREA



PHOTOGRAPHIC SIMULATION

BLACK & VEATCH CORPORATION – 6900 W 115TH STREET, SUITE 2292, OVERLAND PARK, KS 66211 – 913-458-2000

VIEW 2



EXISTING CONDITIONS

- (3) PROPOSED VERIZON ANTENNAS PER SECTOR
- (12) PROPOSED RRHS IN PROPOSED PERFORATED SHROUD
- PROPOSED VERIZON EQUIPMENT AREA

EXISTING LIGHT POLE TO BE REMOVED AND REPLACED



PHOTOGRAPHIC SIMULATION

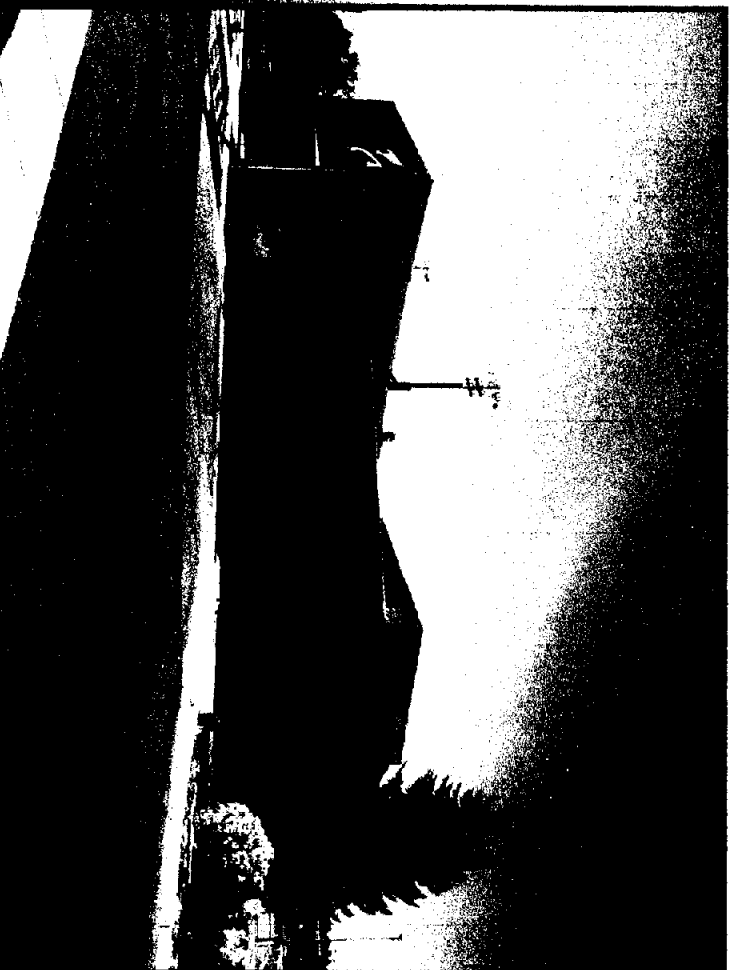
VIEW 3



EXISTING CONDITIONS

(3) PROPOSED VERIZON
ANTENNAS PER SECTOR

EXISTING LIGHT POLE TO
BE REMOVED AND
REPLACED



PHOTOGRAPHIC SIMULATION

VIEW 4



EXISTING CONDITIONS

- (3) PROPOSED VERIZON ANTENNAS PER SECTOR
- (12) PROPOSED RRHS IN PROPOSED PERFORATED SHROUD
- PROPOSED VERIZON EQUIPMENT AREA

EXISTING LIGHT POLE TO BE REMOVED AND REPLACED



PHOTOGRAPHIC SIMULATION

**CALCULATIONS OF THE POTENTIAL IMPACT OF
THE MATCHING BILL ON THE PUBLIC CAMPAIGN FINANCE FUND**

**Data on payouts to candidates in elections of 2012,
2014, 2016 and 2018:**

| | |
|--|------------------|
| Payouts from fund in 2012 election (excludes refunds from two candidates) | \$75,000 |
| Payouts from fund in 2016 election | \$76,500 |
| Average payout for judge/council elections | \$75,750 |
| Payouts from fund in 2014 election | \$285,000 |
| Payouts from fund in 2018 election | \$165,000 |
| Average payout for mayor-council elections | \$225,000 |
| Total payouts in all four elections | \$601,500 |
| Average payouts in each four-year cycle | \$300,750 |

Balances in fund assuming a doubling of average payout:

| | |
|--|------------|
| Current balance | \$496,000 |
| Deposits for FY 2019 and FY 2020 | +\$300,000 |
| Balance before election Nov 2019 or Mar 2020 | \$796,000 |
| Payouts for election Nov 2019 or Mar 2020 | -\$151,500 |
| Deposits for FY 2021 and FY 2022 | +\$300,000 |
| Balance before election Nov 2021 or Mar 2022 | \$944,500 |
| Payouts for election Nov 2021 or Mar 2022 | -\$450,000 |
| Deposits for FY 2023 and FY 2024 | +\$300,000 |
| Balance before election Nov 2023 or Mar 2024 | \$794,500 |
| Payouts for election Nov 2023 or Mar 2024 | -\$151,500 |
| Deposits for FY 2025 and FY 2026 | +\$300,000 |
| Balance before election Nov 2025 or Mar 2026 | \$943,000 |
| Payouts for election Nov 2025 or Mar 2026 | -\$450,000 |
| Deposits for FY 2027 and FY 2028 | +\$300,000 |

K - Attachment B

| | |
|--|------------|
| Balance before election Nov 2027 or Mar 2028 | \$793,000 |
| Payouts for election Nov 2027 or Mar 2028 | -\$151,500 |
| Deposits for FY 2029 and FY 2030 | +\$300,000 |
| Balance before election Nov 2029 or Mar 2030 | \$941,500 |
| Payouts for election Nov 2029 or Mar 2030 | -\$450,000 |
| Deposits for FY 2031 and FY 2032 | +\$300,000 |
| Balance before election Nov 2031 or Mar 2032 | \$791,500 |
| Payouts for election Nov 2031 of Mar 2032 | -\$151,500 |
| Deposits for FY 2033 and FY 2034 | +\$300,000 |
| Balance before election Nov 2033 or Mar 2034 | \$940,000 |

As can be seen, the balance in the fund in advance of mayoral elections declines by \$1,500 every four years. This would take the fund below \$600,000 for the first time in advance of the mayoral election of March 2940 or November 2939. In other words, if we assume a doubling of the average payouts to candidates, the fund would still not require any pre-election top-ups, and could be fully financed exclusively from the current \$150,000 annual appropriations, for the next 922 years.

Balances in fund assuming a tripling of average payout:

| | |
|--|------------|
| Current balance | \$496,000 |
| Deposits for FY 2019 and FY 2020 | +\$300,000 |
| Balance before election Nov 2019 or Mar 2020 | \$796,000 |
| Payouts for election Nov 2019 or Mar 2020 | -\$227,250 |
| Deposits for FY 2021 and FY 2022 | +\$300,000 |
| Balance before election Nov 2021 or Mar 2022 | \$868,750 |
| Payouts for election Nov 2021 or Mar 2022 | -\$675,000 |
| Deposit for FY 2023 and FY 2024 | +\$300,000 |
| Balance before election Nov 2023 or Mar 2024 | \$493,750 |
| Payouts for election Nov 2023 or Mar 2024 | -\$227,250 |
| Deposits for FY 2025 and FY 2026 | +\$300,000 |

| | |
|--|------------|
| Balance before election Nov 2025 or Mar 2026 | \$566,500 |
| Required pre-election top-up deposit | +\$33,500 |
| Payouts for election Nov 2025 or Mar 2026 | -\$600,000 |
| Deposits for FY 2027 and FY 2028 | +\$300,000 |
| Balance before election Nov 2027 or Mar 2028 | \$300,000 |
| Payouts for election Nov 2027 or Mar 2028 | -\$227,250 |
| Deposits for FY 2029 and FY 2030 | +\$300,000 |
| Balance before election Nov 2029 or Mar 2030 | \$372,750 |
| Required pre-election top-up deposit | +\$227,250 |
| Payouts for election Nov 2029 or Mar 2030 | -\$600,000 |
| Deposits for FY 2031 and FY 2032 | +\$300,000 |
| Balance before election Nov 2031 or Mar 2032 | \$300,000 |
| Payouts for election Nov 2031 of Mar 2032 | -\$227,250 |
| Deposits for FY 2033 and FY 2034 | +\$300,000 |
| Balance before election Nov 2033 or Mar 2034 | \$372,750 |
| Required pre-election top-up deposit | +\$227,250 |

This pattern then repeats indefinitely, which means that tripling the current average payouts to candidates would require either a top-up deposit of \$227,250 in advance of every mayoral election starting with the election of March 2030 (or November 2029) or an increase of \$56,812.50 in the annual appropriations to the fund starting at that time.