



Agenda

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FINANCE COMMITTEE MEETING

FEBRUARY 16, 2009

5:15 P.M.

CITY COUNCIL CHAMBERS

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

RECESS

SPECIAL MEETING OF THE GOVERNING BODY FEBRUARY 16, 2009 CITY COUNCIL CHAMBERS

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. INVOCATION
- D. ROLL CALL
- E. APPROVAL OF AGENDA
- F. DISCUSSION AND REQUEST FOR APPROVAL OF DIRECTION TO STAFF REGARDING THE FISCAL YEAR 2008/2009 GENERAL FUND BUDGET, THE FORECAST OF FINANCIAL RESULTS FOR FISCAL YEAR 2009/2010 AND FISCAL YEAR 2013/14 AND REGARDING THE POLICES AND ISSUES TO BE ADDRESSED IN THE FISCAL YEAR 2010/11 BUDGET (DAVID MILLICAN)
- G. ADJOURNMENT

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5. APPROVAL OF MINUTES:

FEBRUARY 2, 2008

MATTERS FROM THE COMMITTEE:

6. UPDATE ON REVIEW OF PROFESSIONAL AND PERSONAL SERVICES CONTRACTS
(ROBERT RODARTE)

CONSENT AGENDA:

7. BID OPENINGS:

A. BID NO. 09/18/B – POLICE DEPARTMENT RENOVATIONS – PHASE II AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; LOCKWOOD CONSTRUCTION COMPANY (CHIP LILIENTHAL)

B. BID NO. 09/19/B – PATRICK SMITH PARK RENOVATION AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; HEADS UP LANDSCAPE CONTRACTORS (BEN GURULE)

1. REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND

8. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – MATERIALS TO MAINTAIN CITY STREETS; J & H SUPPLY COMPANY (RANDY BLAKE)

9. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO LEGAL SERVICES AGREEMENT – LEGAL SERVICES; ART MICHAEL, ESQ. (FRANK KATZ)

10. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – MEETING FACILITATION AND PROCESS MANAGEMENT FOR LONG RANGE PLANNING DIVISION; JENKINS GAVIN DESIGN AND DEVELOPMENT, INC. (REED LIMING)

11. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO MEMORANDUM OF UNDERSTANDING – RAIL RUNNER PROJECT; MID-REGION COUNCIL OF GOVERNMENTS (ROBERT ROMERO)



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12. REQUEST FOR APPROVAL OF WATER RIGHTS PURCHASE AGREEMENT – MIDDLE RIO GRANDE CONSERVANCY DISTRICT; ESTATE OF RAMONA JARAMILLO (DALE LYONS)
13. REQUEST FOR APPROVAL OF BUDGET ADJUSTMENTS FOR WATER, WASTEWATER AND SOLID WASTE DIVISIONS (MAYA MARTINEZ)
14. REQUEST FOR APPROVAL OF JOINT POWERS AGREEMENT – SANTA FE COUNTY DAY REPORTING PROGRAM; COUNT OF SANTA FE (RICHARD DEMELLA)
15. REQUEST FOR APPROVAL OF QUARTERLY INVESTMENT REPORT AS OF DECEMBER 31, 2008 (HELENE HAUSMAN)
16. REQUEST FOR CONCEPT APPROVAL OF SALE OF REAL ESTATE AND VACATION OF RIGHT-OF-WAY DESIGNATION – PROPERTY LOCATED AT 644 W. SAN FRANCISCO STREET; JAMES A. SLEEPER (EDWARD VIGIL)
17. NEIGHBORHOOD STABILIZATION PROGRAM (MELISSA COLLETT DAILEY)
 - A. REQUEST FOR APPROVAL OF GRANT AWARD
 - B. REQUEST FOR APPROVAL OF STAFF RECOMMENDATIONS FOR FUNDING ALLOCATION
 - C. REQUEST FOR APPROVAL TO AUTHORIZE CITY MANAGER TO EXECUTE THE CONTRACTS WITH OUR HOUSING PARTNERS BASED ON OUTLINED GUIDELINES
 - D. REQUEST FOR APPROVAL TO AUTHORIZE CITY MANAGER TO APPROVE DIRECT PURCHASE OF LAND OR HOMES BY OFFICE OF AFFORDABLE HOUSING
18. REQUEST FOR APPROVAL OF A JOINT RESOLUTION SUPPORTING HEALTHY LIFESTYLES THROUGH EARTH KNOWLEDGE AND SUSTAINABLE PRACTICES FOR SANTA FE YOUTH (COUNCILOR CALVERT, MAYOR COSS, COUNCILORS WURZBURGER, BUSHEE, ROMERO, DOMINGUEZ AND TRUJILLO) (KATHERINE MORTIMER)

Committee Review:

Children and Youth Commission (No Action)
Sustainable Santa Fe Commission (Approved)
Public Works Committee (Approved)
City Council (Scheduled)

January 27, 2009
January 29, 2009
January 9, 2009
February 25, 2009

Fiscal Impact – No



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19. REQUEST FOR APPROVAL OF A RESOLUTION RECOGNIZING AND SUPPORTING THE EFFORTS OF THE SANTA FE CIVIC HOUSING AUTHORITY TO CONSTRUCT AND OPERATE THE HOPEWELL-MANN MULTI-PURPOSE COMMUNITY CENTER (COUNCILOR DOMINGUEZ) (ROBERT ROMERO)

Committee Review:

Public Works Committee (Approved)
City Council (Scheduled)

February 9, 2009
February 25, 2009

Fiscal Impact – Yes

20. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO PREPARE THE NECESSARY DOCUMENTS TO COMPLETE THE DONATION OF APPROXIMATELY FIVE ACRES OF VACANT CITY OWNED LAND LOCATED ADJACENT TO THE SANTA FE NATIONAL CEMETERY TO THE NATIONAL CEMETERY ADMINISTRATION, DEPARTMENT OF VETERANS AFFAIRS (COUNCILOR BUSHEE AND MAYOR COSS, COUNCILORS TRUJILLO, CALVERT, ROMERO AND DOMINGUEZ) (JACK HIATT)

Committee Review:

Public Works Committee (Approved)
City Council (Scheduled)

February 9, 2009
February 25, 2009

Fiscal Impact – Yes

21. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 23-5.4 SFCC 1987 TO INCLUDE THE PROHIBITION OF BOOTHS OR TABLES OR SIMILAR OBJECTS ON THE GRASSED AREAS OF THE PLAZA PARK (COUNCILORS CALVERT AND BUSHEE) (FABIAN CHAVEZ)

- A. REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING A PLAZA ROUND TABLE AND DIRECTING STAFF TO WORK WITH THE PLAZA EVENT ORGANIZERS TO MITIGATE THE IMPACTS OF PLAZA EVENTS (COUNCILOR CALVERT) (FABIAN CHAVEZ)

Committee Review:

Public Works Committee (Approved)
City Council (Request to Publish)
City Council (Public Hearing)

February 9, 2009
February 25, 2009
March 25, 2009

Fiscal Impact – Yes



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22. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 12-6-5.8 REGARDING TURNING AND STOPPING MOVEMENTS AND REQUIRED SIGNALS; SECTION 12-6-12.18 REGARDING PROHIBITED ACTIVITIES WHILE DRIVING; SECTION 12-6-13.15 REGARDING INJURIOUS MATERIALS ON CITY STREETS; SECTION 12-9-9 REGARDING DESIGNATED DISABLED PARKING SPACES; SECTION 12-12-20 REGARDING THE VEHICLE IMMOBILIZATION (BOOT) PROGRAM; THE TRAFFIC VIOLATION PENALTY ASSESSMENT SCHEDULE; AND THE PARKING VIOLATION PENALTY ASSESSMENT SCHEDULE ALL OF THE CITY OF SANTA FE UNIFORM TRAFFIC CODE (COUNCILOR TRUJILLO) (ERIC JOHNSON)

Committee Review:

Public Safety Committee (Approved)
Public Works Committee (Approved)
City Council (Request to Publish)
City Council (Public Hearing)

January 22, 2009
February 9, 2009
February 25, 2009
March 25, 2009

Fiscal Impact – Yes

23. REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING AND APPROVING SUBMISSION OF AN EXECUTED AGREEMENT TO THE DEPARTMENT OF THE ARMY FOR DESIGN AND CONSTRUCTION FINANCIAL ASSISTANCE FOR THE CANYON ROAD WATER TREATMENT PLANT UPGRADES (COUNCILORS WURZBURGER, ROMERO AND CALVERT) (BRYAN SNYDER)

Committee Review:

Public Works Committee (Approved)
City Business & Quality of Life (Approved)
Public Utilities Committee (Approved)
City Council (Request to Publish)
City Council (Public Hearing)

August 25, 2008
November 19, 2008
December 3, 2008
January 14, 2009
February 11, 2009

Fiscal Impact – Yes

- A. REQUEST FOR APPROVAL OF AGREEMENT – DESIGN AND CONSTRUCTION ASSISTANCE FOR THE CANYON ROAD WATER TREATMENT PLANT UPGRADES; DEPARTMENT OF THE ARMY (BRYAN SNYDER)

1. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND

END OF CONSENT AGENDA



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DISCUSSION:

24. OTHER FINANCIAL INFORMATION:

25. ADJOURN

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

**SUMMARY OF ACTION
FINANCE COMMITTEE MEETING
Monday, February 16, 2009**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
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APPROVAL OF CONSENT AGENDA	Approved [amended]	2
CONSENT AGENDA LISTING		2-4
APPROVAL OF MINUTES: FEBRUARY 2, 2009	Approved	5
<u>CONSENT CALENDAR DISCUSSION</u>		
BID OPENINGS		
BID NO. 09/19/B – PATRICK SMITH PARK RENOVATION AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; HEADS UP LANDSCAPE CONTRACTORS	Approved	6-6
REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – MEETING FACILITATION AND PROCESS MANAGEMENT FOR LONG RANGE PLANNING DIVISION; JENKINS GAVIN DESIGN AND DEVELOPMENT, INC.	Postponed to 03/02/09	6
REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 23-5.4 SFCC 1987, TO INCLUDE THE PROHIBITION OF BOOTHS OR TABLES OR SIMILAR OBJECTS ON THE GRASSED AREAS OF THE PLAZA PARK	Not approved	7
REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING A PLAZA ROUND TABLE AND DIRECTING STAFF TO WORK WITH THE PLAZA EVENT ORGANIZERS TO MITIGATE THE IMPACTS OF PLAZA EVENTS	Approved	7-8

END OF CONSENT CALENDAR DISCUSSION		

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
<u>MATTERS FROM THE COMMITTEE</u>		
UPDATE ON REVIEW OF PROFESSIONAL AND PERSONAL SERVICES CONTRACTS	Information/discussion	8-10
<u>DISCUSSION</u>		
OTHER FINANCIAL INFORMATION	Information/discussion	10-11
ADJOURNMENT		11

**MINUTES OF THE
CITY OF SANTA FE
FINANCE COMMITTEE
Monday, February 16, 2009**

1. CALL TO ORDER

A meeting of the City of Santa Fe Finance Committee was called to order by Chair Matthew E. Ortiz, at approximately 5:15 p.m., on Monday, February 16, 2009, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT:

Councilor Matthew E. Ortiz, Chair
Councilor Christopher Calvert
Councilor Miguel Chavez
Councilor Rebecca Wurzbarger

MEMBERS EXCUSED:

Councilor Carmichael A. Dominguez

OTHER GOVERNING BODY MEMBERS ATTENDING:

Mayor David Coss
Councilor Patti J. Bushee
Councilor Rosemary Romero
Councilor Ronald S. Trujillo

OTHERS ATTENDING:

David Millican, 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 Wurzbarger, to approve the agenda, as presented.

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

4. APPROVAL OF CONSENT AGENDA

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

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

CONSENT AGENDA

7. BID OPENINGS:

A. BID NO. 09/18/B – POLICE DEPARTMENT RENOVATIONS – PHASE II AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; LOCKWOOD CONSTRUCTION COMPANY. (CHIP LILIENTHAL)

B. *[Removed for Discussion by Councilor Chavez]*

8. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – MATERIALS TO MAINTAIN CITY STREETS; J & H SUPPLY COMPANY. (RANDY BLAKE)

9. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO LEGAL SERVICES AGREEMENT – LEGAL SERVICES; ART MICHAEL, ESQ. (FRANK KATZ)

10. *[Removed for discussion by Councilor Ortiz]*

11. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO MEMORANDUM OF UNDERSTANDING – RAIL RUNNER PROJECT; MID-REGION COUNCIL OF GOVERNMENTS. (ROBERT ROMERO)

12. REQUEST FOR APPROVAL OF WATER RIGHTS PURCHASE AGREEMENT – MIDDLE RIO GRANDE CONSERVANCY DISTRICT; ESTATE OF RAMONA JARAMILLO. (DALE LYONS)

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17. NEIGHBORHOOD STABILIZATION PROGRAM. (MELISSA COLLETT DAILEY)
 - A. REQUEST FOR APPROVAL OF GRANT AWARD.
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19. REQUEST FOR APPROVAL OF A RESOLUTION RECOGNIZING AND SUPPORTING THE EFFORTS OF THE SANTA FE CIVIC HOUSING AUTHORITY TO CONSTRUCT AND OPERATE THE HOPEWELL-MANN MULTI-PURPOSE COMMUNITY CENTER (COUNCILOR DOMINGUEZ). (ROBERT ROMERO) Committee Review: Public Works Committee (Approved) February 9, 2009; City Council (Scheduled) February 25, 2009. Fiscal Impact – Yes.
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21. *[Removed for discussion by Councilor Ortiz]*

22. **REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 12-6.5.8 REGARDING TURNING AND STOPPING MOVEMENTS AND REQUIRED SIGNALS; SECTION 12-6.12.18 REGARDING PROHIBITED ACTIVITIES WHILE DRIVING; SECTION 12-6.13.15 REGARDING INJURIOUS MATERIALS ON CITY STREETS; SECTION 12-9.9 REGARDING DESIGNATED DISABLED PARKING SPACES; SECTION 12-12.20 REGARDING THE VEHICLE IMMOBILIZATION (BOOT) PROGRAM; THE TRAFFIC VIOLATION PENALTY ASSESSMENT SCHEDULE; AND THE PARKING VIOLATION PENALTY ASSESSMENT SCHEDULE, ALL OF THE CITY OF SANTA FE UNIFORM TRAFFIC CODE (COUNCILOR TRUJILLO). (ERIC JOHNSON). Committee Review: Public Safety Committee (Approved) January 22, 2009; Public Works Committee (Approved) February 9, 2009; City Council (Request to Publish) February 25, 2009; City Council (Public Hearing) March 25, 2009. Fiscal Impact – Yes.**
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- A. **REQUEST FOR APPROVAL OF AGREEMENT – DESIGN AND CONSTRUCTION ASSISTANCE FOR THE CANYON ROAD WATER TREATMENT PLANT UPGRADES; DEPARTMENT OF THE ARMY (BRYAN SNYDER)**
1. **REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.**

END OF CONSENT AGENDA

***RECESS FOR SPECIAL COUNCIL MEETING – 5:19 P.M. TO 7:40 P.M. –
FINANCE COMMITTEE RECONVENED AT 7:41 P.M***

MEMBERS PRESENT:

Councilor Matthew E. Ortiz, Chair
Councilor Christopher Calvert
Councilor Miguel Chavez
Councilor Rebecca Wurzbarger

MEMBERS EXCUSED:

Councilor Carmichael A. Dominguez

OTHER GOVERNING BODY MEMBERS ATTENDING:

Councilor Patti J. Bushee

OTHERS ATTENDING:

David Millican, Finance Director
Yolanda Green, Finance Division
Melessia Helberg, Stenographer.

5. APPROVAL OF MINUTES: FEBRUARY 2, 2009

MOTION: Councilor Calvert moved, seconded by Councilor Chavez, to approve the minutes of the meeting of February 2, 2009, as presented.

VOTE: The motion was approved on a voice vote with Chair Ortiz, Councilor Calvert and Councilor Wurzbarger voting in favor of the motion and Councilor Chavez abstaining.

Councilor Wurzbarger departed the meeting

CONSENT CALENDAR DISCUSSION

7. BID OPENINGS

**B. BID NO. 09/19/B – PATRICK SMITH PARK RENOVATION AND AGREEMENT
BETWEEN OWNER AND CONTRACTOR; HEADS UP LANDSCAPE CONTRACTORS.
(BEN GURULE)**

Councilor Chavez said he pulled this because we are contracting with more companies from Albuquerque than of Santa Fe, and asked if we've done enough outreach to our local companies. He said we've talked about the local preference and trying to keep money in the local economy, and about increasing the local reference. He said Mr. Rodarte may have suggestions as to other ways we can do this.

Chair Ortiz asked Mr. Romero if we need to award this contract now, or if it could wait to give staff time to come up with different procurement rules to allow, and make easier, the ability of local contractors to bid on this kind of work. He understands part of the problem is that the local contractors often are too small and have insufficient insurance to meet the bid requirements.

Robert Romero said this is a \$200,000 contract, noting staff has been working on this for two years. He said there is \$28 million left in the Parks Bond Fund. He thinks we should move forward on this because it is important. He said he has been talking with local contractors, but just can't get them to bid, especially on landscaping, noting most of the big landscaping businesses have collapsed. He understands a group is trying to form a company that can bid on some of these projects. He said there is an implementation plan to deliver all of the projects. He said we have to spend these funds, and he is concerned if we are going to slow this process.

Councilor Chavez said he wanted to use this opportunity to have the other discussion, but he doesn't want to slow down projects. He noted that the nearest bidder on the project is from Espanola.

This tells him the economy is fluid and he wants to capture as much work here as possible.

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

DISCUSSION: Councilor Ortiz told Robert Rodarte if he has issues or ideas as to how to improve the ability of local contractors to bid, that is a different discussion we need to have in terms of amendments to the Procurement Manual, or changes in Code.

Robert Rodarte would like to bring this to the next Finance Committee, noting for the next Finance Committee meeting he does have some ideas to propose which might help with local vendors.

Chair Ortiz would like Councilor Chavez and Mr. Rodarte to come up with proposed language/changes and introduce it at next week's Council meeting. He will put that on the agenda so we're moving toward an action item.

Councilor Chavez said he introduced a resolution previously, directing staff to amend the local ordinance. He said Mr. Rodarte is saying there might be another way, and asked the Chair if he wants all of it rolled into that.

Mr. Rodarte said he would prefer that the Committee first hear him at the Finance Committee, noting there are interesting changes, and everybody might not agree. He would like to discuss it first before taking this to Council.

VOTE: The motion was approved on a voice vote [Absent: Councilor Wurzbarger].

10. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – MEETING FACILITATION AND PROCESS MANAGEMENT FOR LONG RANGE PLANNING DIVISION; JENKINS GAVIN DESIGN AND DEVELOPMENT, INC. (REED LIMING)

Chair Ortiz said he has questions about this, and wants to postpone it to the next Finance Committee meeting so we can address that issue.

MOTION: Chair Ortiz moved, seconded by Councilor Chavez, to postpone this item to the Finance Committee meeting of March 2, 2009.

VOTE: The motion was approved on a voice vote [Absent: Councilor Wurzbarger].

21. **REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 23-5.4 SFCC 1987, TO INCLUDE THE PROHIBITION OF BOOTHS OR TABLES OR SIMILAR OBJECTS ON THE GRASSED AREAS OF THE PLAZA PARK. (COUNCILORS CALVERT AND BUSHEE). (FABIAN CHAVEZ).**

- A. **REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING A PLAZA ROUND TABLE AND DIRECTING STAFF TO WORK WITH THE PLAZA EVENT ORGANIZERS TO MITIGATE THE IMPACTS OF PLAZA EVENTS (COUNCILOR CALVERT). (FABIAN CHAVEZ)**

Committee Review: Public Works Committee (Approved) February 9, 2009; City Council (Request to Publish) February 25, 2009; City Council (Public Hearing) March 25, 2009.

Fiscal Impact – Yes.

Chair Ortiz said he pulled as the result of discussion with Councilor Dominguez.

Chair Ortiz said he opposes Item 21, the Ordinance, but he is in favor of Item 21(A), the Resolution, which establishes the Roundtable. He said the Resolution probably will be adopted in advance of the ordinance, and hopefully the Roundtable will develop a solution which might obviate the need for the ordinance.

MOTION: Councilor Calvert moved, seconded by Councilor Chavez for purposes of discussion, to approve the Ordinance as amended at the Public Works Committee.

DISCUSSION: Councilor Bushee, noting she is a cosponsor, said this doesn't have to be an Ordinance change and can be the policies and procedures which come out of the roundtable discussion which would be her preference.

Councilor Calvert, noting he is the sponsor, said the policies and procedures might come from the Roundtable, as well some of the other groups who are working on this. He would like to motivate the Roundtable to participate, and if there isn't any motivation they may choose not to participate and come up with recommendations to change the *status quo*.

Councilor Bushee said staff can come up with policies and procedures as well. She said some of the minutiae discussed at the meeting don't apply to an ordinance – whether or not the crowd should stand on the sidewalk, etc. She said she believes the "Ordinance stuff" limits the discussion.

Councilor Bushee said she supports the concept, and supports Fabian Chavez completely in trying to bring us to the recognition that soil compaction is happening and damaging the Plaza and trees beyond the grass every year. She wanted the awareness, but the resolution can take different forms.

VOTE: The motion failed to pass on a voice vote, with Councilor Chavez voting *against* the motion and Councilor Calvert voting against. The resulting vote was a tie, with Chair Ortiz voting against the motion to break the tie vote, and defeating the motion.

EXPLAINING HIS VOTE: Councilor Chavez said he seconded for purposes of discussion, but he is against the ordinance.

MOTION: Chair Ortiz moved, seconded by Councilor Calvert, to approve Item 21(A), the Resolution. .

DISCUSSION: Councilor Chavez believes there is interest and motivation, and people attended the Public Works Committee meeting. He believes those people will stay engaged, because they have a vested interest in what happens on or around the Plaza. He hopes more benefit will come from the Resolution than the proposed ordinance.

VOTE: The motion was approved on a voice vote [Absent: Councilor Wurzbarger]

END OF CONSENT CALENDAR DISCUSSION

MATTERS FROM THE COMMITTEE

6. UPDATE ON REVIEW OF PROFESSIONAL AND PERSONAL SERVICES CONTRACTS. (ROBERT RODARTE)

Chair Ortiz said this Committee gave Mr. Robert Rodarte what appeared at the time to be a Herculean task, which is as we thought. He said now that we see it in place, he has three questions. The first is how these contracts will be folded into some of the reductions we are considering, and believes we will need to have input from the Department Directors. The second is that some of these contracts, even on their face, appear to overlap in terms of the actual contractor and the work being done. He asked if we can eliminate some of these contracts just by weeding out this duplication. The third is if there will be some sort of filter for these contracts, now that we have the master list. He said we need to know which are recurring, which ones we can't get out of, which are completely discretionary, and what contracts we have that impact the General Fund more than other funds.

Councilor Chavez said we could argue that some contracts can be done in house, but because there is a reduction in staff, it is easier to contract. He said other contracts, for example provide repairs of the Water Distribution to the City, and we don't have the staff to do these things in-house. He wants to differentiate between these two kinds of contracts.

Chair Ortiz said we need to know what contracts can be absorbed in house, and that's something to be done department by department and not for the Finance Department to decide.

Mr. Millican said we need to build into the budget process a discussion with departments about these contracts, and he may ask the department to assist with the categorization. He said in Robert Rodarte's Division, there are two people helping him and a bunch of warehouse people. He said, with the

help of Jeanne Price and Melissa Byers, Mr. Rodarte was able to produce this list with a great deal of effort. The work of implementing and analyzing is going to fall largely on Mr. Rodarte and some people in Finance. He will build this into the process, and Mr. Rodarte will help to design the process in a way that works for him.

Councilor Chavez said it seems we are locked into contracts for legal services, noting we don't have legal staff to do some of the work.

Chair Ortiz said the list of contracts from Legal doesn't seem to jive with the list of contractors in the packet. He said now that Finance has developed the template for the master contract list, the responsibility falls on the departments to make sure all their contracts are included and the amounts and categories are complete. He said we could go through and delete contracts, but he believes that is a department by department function.

Councilor Calvert said the departments need to add any missing contracts to the list, and believes we need establish a contract limit to discourage departments from failing to add a contract.

Chair Ortiz said in the future, this Committee won't be so involved in the minutiae of contracts, but we will be establishing a budget amount for contractual services, and we need a range for that from the department.

Councilor Calvert said some contracts on the list are from last year and those need to be removed. He said the response that "we're not the only party to a contract," is a different category and getting out of those would bring a lot of problems. He observed that getting out of some of these contracts might cost more than the balance of the worth of the contract and/or the legal costs to do so. He isn't saying this is a filter, but we need to consider this factor when we look at the list.

Councilor Chavez said there is another category of funding recommendations for Children & Youth Commission grants, and he thinks we need to look at these closely.

Mr. Rodarte said all of the contracts aren't on the list. He noted he covered the period from July 1, 2007 through last month, and if a contract was approved June 15, 2007, it won't show here, but it could have a four year term and still be active. He said the only way to get an accurate list is to have each department to break out its contracts. He said we need answers as to whether we can cut back or to bring something in-house from the department directors. He said agrees that the Enterprise Funds should have to go through the same exercise, and saying they could have the opportunity to put funds back into reserves.

It was the consensus among the Committee members to give direction to staff that the task for the Finance Department is to relay this master list to each department with direction to ensure that all current and open contracts are on the list, and any missing contracts will be added to the list, and any contracts which have expired will be removed from the list.

Mr. Millican said the intent of the Committee is clear and staff can work out the administrative details of how that happens and what incentives we need to be sure the list is complete.

DISCUSSION

24. OTHER FINANCIAL INFORMATION:

A copy of "City of Santa Fe Total Gross Receipts Taxes Collected," dated February 16, 2009, with attachments, is incorporated herewith to these minutes as Exhibit "1."

Mr. Millican said, with regard to Lodger's Tax, cash is down 53%, but year to date the Lodger's Tax is down 13%. He said at the end of January, staff had to close postings early as we moved over to the new finance system, and some revenue which should be posted in January was posted in early February. He said, "When we adjusted that, we corrected for it." He said Lodger's Tax revenues are of concern, with several hotels showing a 35% reduction in revenue and a 30% decline in occupancy. He said he will be watching this closely, noting this is the first data element that convinced staff it is important to jump to the minus ten percent (-10%) planning model. Mr. Millican said the 12% decline in GRTs confirmed this.

Chair Ortiz asked, if the Lodger's Tax amounts continue on this track, if there will be impacts or problems with the Convention Center.

Mr. Millican said staff will be doing an analysis to show how Lodger's Tax affects the debt obligations for the Convention Center.

Chair Ortiz said he is speaking not only of the debt obligations, but the commitments to staffing and promotional.

Mr. Millican said because of the debt, the Center is subject to reverse leverage operating against it, and he is working with and has met with Mr. Toler on this.

Responding to the Chair, Mr. Millican said the Convention Center and Lodger's Tax, are examples of items/divisions/departments which staff proposes to hear early in the budget process, because these are more distant from the General Fund. He noted the General Fund is going to be most affected by the uncertainty we face in this process.

Councilor Chavez asked if the downturn in the Lodger's Tax could be due to a delay in people sending their portion of the Lodger's Tax.

Mr. Millican said that is quite possible. When people are facing tough times, they often delay the remittance of their tax, and that could impact both the Lodger's Tax and the GRT revenues.

Chair Ortiz said there also could be a shift from monthly reporting to quarterly.

Mr. Millican said that is a possibility as well. However, it is expensive and risky not to pay taxes, and that means you're pretty desperate. Responding to Councilor Chavez, Mr. Millican said the City imposes significant penalties on late Lodger's Tax, and the late fees and penalties imposed by the State for late payment of GRTs are as well.

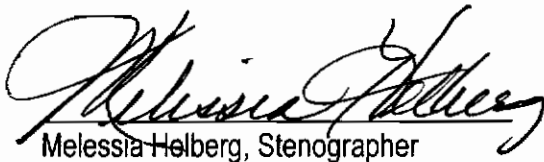
25. ADJOURNMENT

There being no further business to come before the Committee, and the Committee having completed its Agenda, the meeting was adjourned at 8:15 pm.

Matthew E. Ortiz, Chair

Reviewed by:

David N. Millican, Director
Department of Finance



Melessia Helberg, Stenographer