



Agenda

Finance Committee Meeting
May 4, 2009 – 5:15 pm
City Council Chambers

ALL MEMBERS OF THE GOVERNING BODY HAVE BEEN INVITED TO ATTEND THIS MEETING

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

APRIL 20, 2009

CITY CLERK'S OFFICE

DATE 5/1/09 TIME 1:25 pm

SIGNED BY Yolanda Green

RECEIVED BY [Signature]

CONSENT AGENDA:

- 6. BID OPENINGS:
 - A. BID NO. 09/28/B – CANYON ROAD POWER PLANT (WATER HISTORY MUSEUM) AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; LOCKWOOD CONSTRUCTION COMPANY (CHIP LILIENTHAL)
 - 1. REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND
 - B. BID NO. 09/35/B – PROCUREMENT AND INSTALLATION OF EIGHT (8) BIO-SELECTOR BASIN SUBMERSIBLE MIXERS; JAMES, COOKE & HOBSON, INC. (LUIS OROZCO)
 - C. BID NO. 09/36/B – CHEMICAL FOR WASTEWATER TREATMENT PROCESS FOR WASTEWATER MANAGEMENT DIVISION; POLYDYNE, INC. (LUIS OROZCO)
- 7. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – LANDSCAPE DESIGN SERVICES FOR SANTA FE COMMUNITY CONVENTION CENTER; DESIGN OFFICE (CHIP LILIENTHAL)
- 8. REQUEST FOR APPROVAL OF PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – INSTALLATION OF AIR CONDITIONING UNIT AT POLICE DEPARTMENT MAIN FACILITY; CAC, INC. (CHIP LILIENTHAL)



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9. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – CITY HALL FIRE ALARM SYSTEM UPGRADE; HEI, INC. (CHIP LILIENTHAL)
10. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – POLICE VEHICLE AND SPECIAL USE VEHICLE EQUIPMENT FOR POLICE DEPARTMENT (CHIEF ERIC JOHNSON)
 - A. CDW, INC.
 - B. GRAYBAR ELECTRIC
 - C. FIRST IN, INC.
11. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – FIFTY-TWO (52) BALLISTIC BODY ARMOR FOR POLICE DEPARTMENT; KAUFMAN’S WEST, LLC (CHIEF ERIC JOHNSON)
12. REQUEST FOR APPROVAL OF DONATION OF TWO (2) CITY AMBULANCES TO NEEDY COMMUNITY OR ORGANIZATION (CHIEF CHRIS RIVERA)
13. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – TRAFFIC SIGNAL EQUIPMENT FOR STREETS DIVISION; ECONOLITE CONTROL PRODUCTS, INC. (RICK DEVINE)
14. REQUEST FOR APPROVAL OF PROCUREMENT UNDER FEDERAL PRICE AGREEMENT – ONE DUMP TRUCK FOR WASTEWATER MANAGEMENT DIVISION; RUSH TRUCK CENTER (BRYAN ROMERO)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – WASTEWATER ENTERPRISE FUND
15. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – PROJECT MANAGER FOR HOPEWELL-MANN MULTI-PURPOSE COMMUNITY CENTER; SANTA FE CIVIC HOUSING AUTHORITY (DAVID CHAPMAN)
16. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO GRANT AGREEMENT – 2008 NEW MEXICO LEGISLATIVE GENERAL FUND PROJECTS; STATE OF NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION LOCAL GOVERNMENT DIVISION (DAVID CHAPMAN)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND



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17. SANTA FE MUNICIPAL AIRPORT (JIM MONTMAN)
 - A. REQUEST FOR APPROVAL OF GRANT APPLICATION AND AWARD – TAXIWAY F RELOCATION; NEW MEXICO DEPARTMENT OF TRANSPORTATION, AVIATION DIVISION
 - B. REQUEST FOR APPROVAL OF TASK ORDER 36 – TAXIWAY F CONSTRUCTION OBSERVATION AND MATERIALS TESTING; MOLZEN-CORBIN & ASSOCIATES
 - C. REQUEST FOR APPROVAL OF TASK ORDER 37 – TAXIWAY F BIDDING AND CONSTRUCTION ADMINISTRATION SERVICES; MOLZEN-CORBIN & ASSOCIATES
18. REQUEST FOR APPROVAL OF 2009 STREETS MAINTENANCE PROGRAM (DAVID CATANACH)
19. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – REPAVING AND SLURRY SEAL TREATMENT PROJECTS – 2009 SUMMER PAVEMENT MAINTENANCE PROGRAM (DAVID CATANACH)
 - A. CUTLER PAVING, INC.
 - B. ASSOCIATED ASPHALT & MATERIALS
 - C. IPR, LTD
20. REQUEST FOR APPROVAL OF UNDERGROUND EASEMENT AGREEMENT – PORTION OF TRACT WITHIN BACA RAILYARD SITE FOR NEW MEXICO SCHOOL FOR THE DEAF; PUBLIC SERVICE COMPANY OF NEW MEXICO (EDWARD VIGIL)
21. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – PLANNING, DESIGN AND ENGINEERING SERVICES FOR RAILYARD PROJECT; SANTA FE RAILYARD COMMUNITY CORPORATION (ROBERT SIQUEIROS)
22. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING EXHIBIT I, ‘MOUNTAINOUS OR DIFFICULT TERRAIN BOUNDARY’, OF CHAPTER 14 SFCC 1987 (COUNCILOR CALVERT) (JEANNE PRICE)



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Committee Review:

Planning Commission (Approved)	April 16, 2009
Public Works Committee (Approved)	April 27, 2009
City Council (Request to Publish)	May 13, 2009
City Council (Public Hearing)	June 10, 2009

Fiscal Impact – No

- 23. REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING THE HISTORIC GREEN BUILDING CODE TASK FORCE (COUNCILOR WURZBURGER) (KATHERINE MORTIMER)

Committee Review:

City Business & Quality of Life (Approved)	April 15, 2009
Historic Design Review Board (Approved)	April 28, 2009
Sustainable Santa Fe Commission (Scheduled)	April 30, 2009
Public Works Committee (Scheduled)	May 11, 2009
City Council (Scheduled)	May 13, 2009

Fiscal Impact – No

- 24. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING ARTICLE 24-4 SFCC 1987, THE SANTA FE TRAFFIC OPERATIONS PROGRAM OR “STOP”, REGARDING VIOLATIONS OF THE TRAFFIC CODE DETECTED BY A CAMERA OR SPEED DEVICE (COUNCILOR TRUJILLO) (ANTHONY ROBBIN)

Committee Review:

Public Safety Committee (Approved)	April 21, 2009
Public Works Committee (Approved)	April 27, 2009
City Council (Request to Publish)	May 13, 2009
City Council (Public Hearing)	June 10, 2009

Fiscal Impact – Yes

- 25. REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING A COMMUNITY GARDEN PROGRAM FOR CITY PARKS AND ADOPTING RELATED POLICIES (COUNCILORS DOMINGUEZ, CHAVEZ AND BUSHEE) (FABIAN CHAVEZ)



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Committee Review:

Public Works Committee (Guidelines approved)	April 6, 2009
Public Works Committee (Scheduled)	May 11, 2009
City Council (Scheduled)	May 13, 2009

Fiscal Impact – Yes

26. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 1-3.2 SFCC 1987 TO INCREASE THE JUDICIAL EDUCATION FEE FROM \$2.00 TO \$3.00 TO REFLECT STATE LAW; DESIGNATING THE USE OF THE CORRECTIONS FEE TO REFLECT STATE LAW; AND REPLACING THE TRAFFIC SAFETY FEE OF ONE DOLLAR (\$1.00) WITH A PUBLIC SAFETY FEE OF FIVE DOLLARS (\$5.00) WITH THE USE OF SUCH PUBLIC SAFETY FEE BEING DESIGNATED TO THE POLICE DEPARTMENT (COUNCILOR TRUJILLO) (JUDGE ANN YALMAN)

Committee Review:

Public Safety Committee (Approved)	April 21, 2009
Public Works Committee (Approved)	April 27, 2009
City Council (Request to Publish)	May 13, 2009
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Fiscal Impact –Yes

27. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO DEVELOP CREATIVE STRATEGIES TO ENCOURAGE LOCAL COMPANIES TO BID ON CITY PROJECTS (COUNCILORS WURZBURGER AND ORTIZ) (ROBERT ROMERO)

Committee Review:

City Business & Quality of Life Committee (Approved)	April 15, 2009
Public Works Committee (Scheduled)	May 11, 2009
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Fiscal Impact –No

END OF CONSENT AGENDA



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DISCUSSION:

28. OTHER FINANCIAL INFORMATION
29. MATTERS FROM THE COMMITTEE
30. 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, May 4, 2009**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved	1
APPROVAL OF CONSENT AGENDA	Approved [amended]	2
CONSENT AGENDA LISTING		2-4
APPROVAL OF MINUTES: APRIL 20, 2009	Approved	5
<u>CONSENT AGENDA DISCUSSION</u>		
REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING ARTICLE 24-2 SFCC 1987, THE SANTA FE TRAFFIC OPERATIONS PROGRAM OR "STOP," REGARDING VIOLATIONS OF THE TRAFFIC CODE DETECTED BY A CAMERA OR SPEED DEVICE	Approved	5-9
<u>DISCUSSION</u>		
OTHER FINANCIAL INFORMATION	Information/discussion	9
MATTERS FROM THE COMMITTEE	Information/discussion	9
ADJOURNMENT		10

**MINUTES OF THE
CITY OF SANTA FE
FINANCE COMMITTEE
Monday, May 4, 2009**

1. CALL TO ORDER

A meeting of the City of Santa Fe Finance Committee was called to order by Councilor Rebecca Wurzburger, Acting Chair, at approximately 5:15 p.m., on Monday, May 4, 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 Carmichael A. Dominguez
Councilor Rebecca Wurzburger

MEMBERS EXCUSED:

Councilor Miguel Chavez

OTHER COUNCILORS ATTENDING:

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 Dominguez, to approve the agenda, as published.

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

4. APPROVAL OF CONSENT AGENDA

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

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

CONSENT AGENDA

6. BID OPENINGS:

- A. **BID NO. 09/28/B – CANYON ROAD POWER PLANT (WATER HISTORY MUSEUM) AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; LOCKWOOD CONSTRUCTION COMPANY. (CHIP LILIENTHAL)**
 - 1. **REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND.**

- B. **BID NO. 09/35/B – PROCUREMENT AND INSTALLATION OF EIGHT (8) BIO-SELECTOR BASIN SUBMERSIBLE MIXERS; JAMES, COOKE & HOBSON, INC. (LUIS OROZCO)**

- 7. **REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – LANDSCAPE DESIGN SERVICES FOR SANTA FE COMMUNITY CONVENTION CENTER; DESIGN OFFICE. (CHIP LILIENTHAL)**

- 8. **REQUEST FOR APPROVAL OF PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – INSTALLATION OF AIR CONDITIONING UNIT AT POLICE DEPARTMENT MAIN FACILITY; CAC, INC. (CHIP LILIENTHAL)**

- 9. **REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – CITY HALL FIRE ALARM SYSTEM UPGRADE; HEI, INC. (CHIP LILIENTHAL)**

- 10. **REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – POLICE VEHICLE AND SPECIAL USE VEHICLE EQUIPMENT FOR POLICE DEPARTMENT. (CHIEF ERIC JOHNSON)**
 - A. **CDW, INC.**
 - B. **GRAYBAR ELECTRIC**
 - C. **FIRST IN, INC.**

- 11. **REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – FIFTY-TWO (52) BALLISTIC BODY ARMOR FOR POLICE DEPARTMENT; KAUFMAN’S WEST, LLC. (CHIEF ERIC JOHNSON)**

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 - B. **ASSOCIATED ASPHALT & MATERIALS**
 - C. **IPR, LTD.**
20. **REQUEST FOR APPROVAL OF UNDERGROUND EASEMENT AGREEMENT – PORTION OF TRACT WITHIN BACA RAILYARD SITE FOR NEW MEXICO SCHOOL FOR THE DEAF; PUBLIC SERVICE COMPANY OF NEW MEXICO. (EDWARD VIGIL)**

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22. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING EXHIBIT 1, "MOUNTAINOUS OR DIFFICULT TERRAIN BOUNDARY," OF CHAPTER 14, SFCC 1987 (COUNCILOR CALVERT). (JEANNE PRICE) Committee Review: Planning Commission (Approved) April 16, 2009; Public Works Committee (Approved) April 27, 2009; City Council (Request to Publish) May 13, 2009; and City Council (Public Hearing) June 10, 2009. Fiscal Impact – No.
23. REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING THE HISTORIC GREEN BUILDING CODE TASK FORCE (COUNCILOR WURZBURGER). (CATHERINE MORTIMER). Committee Review: City Business & Quality of Life (Approved) April 15, 2009; Historic Design Review Board (Approved) April 28, 2009; Sustainable Santa Fe Commission (Scheduled) April 30, 2009; Public Works Committee (Scheduled) May 11, 2009; and City Council (Scheduled) May 13, 2009. Fiscal Impact – No.
24. *[Removed for discussion by Councilor Dominguez]*
25. REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING A COMMUNITY GARDEN PROGRAM FOR CITY PARKS AND ADOPTING RELATED POLICIES (COUNCILORS DOMINGUEZ, CHAVEZ AND BUSHEE). (FABIAN CHAVEZ). Committee Review: Public Works Committee (Guidelines approved) April 6, 2009; Public Works Committee (Scheduled) May 11, 2009; City Council (Scheduled) May 13, 2009. Fiscal Impact – Yes.
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END OF CONSENT AGENDA

5. APPROVAL OF MINUTES: APRIL 20, 2009

MOTION: Councilor Dominguez moved, seconded by Councilor Calvert, to approve the minutes of the meeting of April 20, 2009, as presented.

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

Chair Ortiz arrived at the meeting

CONSENT CALENDAR DISCUSSION

- 24. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING ARTICLE 24-2 SFCC 1987, THE SANTA FE TRAFFIC OPERATIONS PROGRAM OR "STOP," REGARDING VIOLATIONS OF THE TRAFFIC CODE DETECTED BY A CAMERA OR SPEED DEVICE (COUNCILOR TRUJILLO). (ANTHONY ROBBIN). Committee Review: Public Safety Committee (Approved) April 21, 2009; Public Works Committee (Approved) April 27, 2009; City Council (Request to Publish) May 13, 2009; City Council (Public Hearing) June 10, 2009. Fiscal Impact – Yes.**

Councilor Dominguez said this ordinance reflects the legislation which was passed by the Legislature, and Captain Robbin said this is correct.

Councilor Dominguez asked who pays for the hearing officer for a hearing.

Captain Robbin City said the District Judge appoints the hearing officer and the City is responsible for contracting and paying for the hearing officer out of the fund, and it will be a 50-50 split with the State

Councilor Dominguez asked if these costs have been incorporated into the Police Department Budget.

Captain Robbin said that is a separate budget from the fund which is created to pay any expenses.

Councilor Dominguez asked, for example, if he gets a citation and he appeals it, who pays for the appeal if the appeal is upheld.

Captain Robbin said if it is appealed and it goes to District Court, and a hearing officer or someone to represent the City is needed at the District Court, the City would be responsible for representation in a District Court trial.

Councilor Dominguez said this was touted as being cost neutral to the City, and that the program will pay for itself. He said the appeal officer has to be paid by somebody and that's the City.

Councilor Calvert said the costs are paid from the proceeds.

Councilor Dominguez said that's assuming that there are adequate proceeds to pay for it.

Councilor Calvert said these costs are paid as overhead and deducted from the proceeds, and then there is a 50-50 split with the State.

Councilor Dominguez said the City gets funds for the appeal officer at the front end, so we set aside money from the citation for that officer, and then the contractor gets its portion, assuming the citation is legitimate.

Captain Robbin said this is correct.

Councilor Dominguez said the vendor is paid based on the number of citations which are issued and satisfied. He asked, if there are less citations satisfied, who pays for the hearing to determine that.

Captain Robbin said then we are at a negative revenue.

Councilor Dominguez said there is the potential for negative revenue, although not likely, but we are betting on more citations and less appeals.

Captain Robbin said they didn't anticipate negative revenue, and it is all based on positive revenue. The program would pay for the hearing officer, but he doesn't anticipate negative revenue.

Councilor Dominguez said then the City would have to pay. He said the desire is to issue less citations and more safety. If there are less citations, the contractor doesn't get money, the State doesn't get money and the City doesn't get money, but somebody still has to pay for an appeal and the City will have to pay for that appeal. Therefore, it isn't cost neutral in that situation.

Councilor Calvert asked if the contractor has ever experienced this circumstance in any of the other cities.

Darren Kolack, Redflex, said in New Mexico about 1% of the citations are contested. He said if the City goes into the red, if zero citations are issued there will be zero contested. He said it was always the City working with, and paying for the hearing officer, and that didn't change with the passage of 519, and that just changes who appoints the hearing officer and who hears the cases.

Councilor Calvert said those costs come out of the fund before we split them with the State, so it's pretty much assured that it would be covered.

Councilor Dominguez said it would be covered, because of the number of citations. However, philosophically it defeats the purpose. He said for the company to stay in business, we have to have more citations, and for the City to pay for the hearing officers, we have to have a certain number of citations.

Councilor Calvert said this is correct, but the business model is predicated on the fact that over time, the citations do decrease if this is an effective deterrent for running red lights.

Councilor Dominguez said he hasn't seen that data, and there is a lot of data which shows the opposite.

Chair Ortiz said when we approved this contract this law hadn't been passed, and there was a provision in the contract which said if there is a substantial change to either our City ordinance or to the State law, it gives us the ability to reopen and look at that contract. He asked, given that this State law has been passed, and the City no longer appoints the hearing officer and half of our fines go to the State, if this allows us a second look into the contract.

Frank Katz said he believes that it does.

Chair Ortiz said then we can reopen the contract to talk about the kinds of expenditure issues being discussed.

Mr. Katz said yes. He said previously, the income from fines paid Redflex first, then the hearing officer and the City used the balance of the funds for DWI related activities. The only difference now is that the City only gets ½ of the fees with the other ½ going to the State.

Chair Ortiz said then in the original contract, Redflex was sitting in first position to get its money before the City pays for the expenses of the program, and now ½ of the money goes to the State automatically, then pay Redflex, then the hearing officer and whatever is left over goes to the City.

Mr. Katz said this isn't correct. He said under the new law, Redflex is paid first, then the hearing officer is paid, and then the balance is split between the City and the State.

Chair Ortiz said then Redflex is paid before the hearing officer, and Mr. Katz said that was always the case.

Chair Ortiz said, then because there has been a substantial change, we can reopen the contract. He said he had problems with the contract previously, and would like to reopen the contract. He asked Mr. Kolack if Albuquerque and Las Cruces fall under the provisions of the State law, so the hearing officer is paid after Redflex is paid in both Albuquerque and Las Cruces.

Mr. Kolack said the full expenses of operating the program typically would be paid in the order mentioned by Mr. Katz.

Chair Ortiz said he isn't asking "typically," he is asking, in particular for Albuquerque and Las Cruces, if the payment arrangements for payment of hearing officers is the same as proposed in Santa Fe, and Mr. Kolack said this is correct for both Albuquerque and Las Cruces.

Councilor Dominguez said, as he understands, the contractor gets its portion and then the hearing officer. He asked how do we know how much to budget for a hearing officer.

Mr. Katz said we don't know, and it depends on the number of hearings done by the hearing officer in a particular time period.

Councilor Dominguez said then that gets eaten up by the number of people who request a hearing.

Mr. Katz said this is the same as before, noting if a lot of people requested hearings, we would have spent a lot of money on a hearing officer.

Councilor Dominguez said the City probably doesn't want people to appeal, noting we aren't supposed to consider this in terms of revenue. However, since we're talking about costs which might be incurred by the City, we don't want people to appeal, because that could potentially eat into the funds for the hearing officer.

Mr. Katz said he doesn't think this is the reason we don't want people to appeal. He said the reason we don't want people to appeal is because we don't issue marginal citations.

Councilor Dominguez said we're basing a lot of the financial numbers on hope, although we all hope for the best. However, the reality is that the more appeals we have, the more chance there is to eat up the funds.

Mr. Katz said this is correct, but the determining factor is how clear we are in issuing citations, and that we issue citations in cases only where there is a clear violation. If we issue citations in doubtful cases, we will encourage people to appeal and it will eat into our money. We have control over that. Our Police Department will decide when to issue a citation, and so they have some control.

Councilor Dominguez said, or we could hope that people don't review it, don't really know their rights and don't appeal.

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

INITIAL VOTE: The motion was defeated for lack of a majority vote as follows: Councilors Calvert and Wurzbarger voting in favor of the motion, and Chair Ortiz and Councilor Dominguez voting against.

CONTEST OF CHAIR'S VOTE: Councilor Calvert said the Chair can't vote in this circumstance.

Chair Ortiz asked Mr. Katz if he can vote on this issue.

Mr. Katz said no. He said he could vote under Robert's Rules of Order, but we don't have Robert's Rules, and we have what mirrors what the Mayor can do. The Mayor can vote only if it would make the action happen.

Chair Ortiz then withdrew his vote.

FINAL VOTE: The motion was approved on a voice vote with Councilors Calvert and Wurzburger voting in favor of the motion, Councilor Dominguez voting against and the Chair registering his objection to the motion for the record.

Responding to the Chair, Ms. Price said the dates for action on this ordinance are included on the Agenda under Item 24.

END OF CONSENT CALENDAR DISCUSSION

DISCUSSION

28. OTHER FINANCIAL INFORMATION:

Chair Ortiz thanked Captain Robbin and Councilor Trujillo for attending the meeting. He thanked Mr. Katz for attending and wished him a happy birthday.

29. MATTERS FROM THE COMMITTEE

Councilor Wurzburger said Item #27 was approved this evening which directs staffs to develop creative strategies to encourage local companies to bid on City projects. She said this is reported as no fiscal impact, but the purpose of the ordinance is so it would have a positive impact on the City. She said we need to move beyond analyzing our bills from the perspective of only what it would cost in terms of staff, or O&M. In the future she would like to work with staff in this regard.

Mr. Millican said, "I think some of that discussion will have to be qualitative and it may be difficult to quantify, but I'll look at the FIRs with that thought in mind."

Chair Ortiz asked if it is more difficult to quantify than the deferred maintenance we're going to have on the College of Santa Fe project, commenting that if we can do that, we can do this.

Mr. Millican said that is easier to quantify than "some of this stuff," because you would have to look at the positive impacts on the economy as well as that the taxpayers would pay more for products and services in some cases.

Councilor Wurzburger believes it is a matter of clarifying assumptions.

Councilor Calvert asked to be added as a cosponsor.

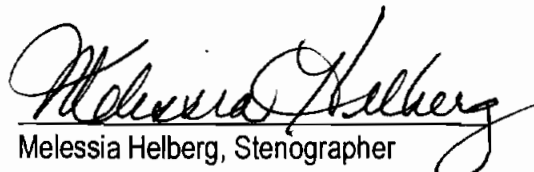
30. ADJOURNMENT

There was no further business to come before the Committee, and having completed its Agenda, the meeting was adjourned at 5:35 pm.

Matthew E. Ortiz, Chair

Reviewed by:

David N. Millican, Director
Department of Finance



Melessia Helberg, Stenographer