



Agenda

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

NOVEMBER 2, 2009

CITY CLERK'S OFFICE

DATE 11-23-09 TIME 11:20

SERVED BY Yolanda Green

RECEIVED BY [Signature]

INFORMATIONAL ITEM

6. UPDATE ON CITY BUDGET PROCESS (DAVID MILLICAN)
 - A. PROPOSALS TO IMPLEMENT BUDGET BALANCING MEASURES FOR FISCAL YEAR 2009/2010
 - B. STATUS UPDATE ON THREE (3) CONDITIONS FOR NEW BUDGET MEASURES FOR FISCAL YEAR 2010/2011 INCLUDING FURLOUGH PLAN
7. UPDATE ON COMMITTEE REVIEW (DAVID MILLICAN)
8. UPDATE ON EMPLOYEE BENEFITS COMMITTEE RECOMMENDATION TO ESTABLISH AN EMPLOYEE ELECTED FLEXIBLE SPENDING ACCOUNT (JANUARY 1, 2010) (KRISTINE KUEBLI)

CONSENT AGENDA

9. BID OPENINGS:
 - A. BID NO. 10/11/B – ONE (1) LARGE TRUCK CAB AND CHASSIS FOR SOLID WASTE MANAGEMENT DIVISION; TRUCKS WEST, INC. (BILL DEGRANDE)
 - B. BID NO. 10/12/B – ONE (1) GRAPPLER LARGE ITEM COLLECTION BODY FOR SOLID WASTE MANAGEMENT DIVISION; HIGH MESA ENVIRONMENTAL, LLC (BILL DEGRANDE)
 - C. BID NO. 10/13/B – FERGUSON WELL WALL CONSTRUCTION PROJECT AGREEMENT BETWEEN OWNER AND CONTRACTOR FOR WATER DIVISION; ADVANTAGE ASPHALT & SEAL COATING, LLC (BILL HUEY)



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10. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PUBLIC ART PROFESSIONAL SERVICES AGREEMENT – ART IN PUBLIC PLACES PROGRAM AT SOUTH SIDE BRANCH LIBRARY; STATE OF NEW MEXICO DEPARTMENT OF CULTURAL AFFAIRS AND RANDY WALKER D/B/A WALKER DESIGN STUDIO (DEBRA GARCIA Y GRIEGO)
11. REQUEST FOR APPROVAL OF ADOPTION OF SANTA FE ARTS COMMISSION FY 2010/2013 WORK PLAN (SABRINA PRATT)
12. REQUEST FOR APPROVAL OF GRANT AWARD – EOD K-9 TRAINING, HAZMAT DETECTION UPGRADES AND TRAINING AND OVERTIME FOR FIRE AND POLICE (JOYCE PURLEY AND JAMES GARDNER)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND
13. REQUEST FOR APPROVAL OF CONTRACT – PROCUREMENT OF RAW FOOD PRODUCTS FOR SENIOR MEAL PROGRAM FOR SENIOR SERVICES DIVISION; NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT NON-METRO AREA AGENCY ON AGING (RON VIALPANDO)
 - A. REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT – GRANT FUND
14. REQUEST FOR APPROVAL OF GRANT AWARD – PROBATION SUPERVISION TO PERPETRATORS OF DOMESTIC/SEXUAL/DATING VIOLENCE AND STALKING FROM CASES HEARD IN SANTA FE COUNTY MAGISTRATE COURT AND FIRST JUDICIAL COURT OF VIOLENCE AGAINST WOMEN (CAROL HORWITZ)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND
15. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO MEMORANDUM OF AGREEMENT – SERVICES FOR SENIOR SERVICES DIVISION; SANTA FE COUNTY (TERRIE RODRIGUEZ)
16. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO MARTY SANCHEZ LINKS DE SANTA FE LEASE OF FOOD AND BEVERAGE SERVICE FACILITY – CONCESSION SERVICES AT GOLF COURSE; SANTA FE CONCESSION, LLC (LARRY LUJAN)
17. REQUEST FOR APPROVAL OF PLACEMENT OF BOLLARDS AT THE SANTA FE RAILYARD PROPERTY; THE TRUST FOR PUBLIC LAND (ROBERT SIQUEIROS)
18. REQUEST FOR APPROVAL OF BUDGET INCREASE FOR SANTA FE RAILYARD COMMUNITY CORPORATION (ROBERT SIQUEIROS)



Agenda

19. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT – VOICE AND DATA TELECOMMUNICATIONS PROVIDED TO CITY OFFICES FOR ITT DIVISION; QWEST COMMUNICATIONS (THOMAS WILLIAMS)
20. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – PROPERTY MANAGEMENT AND LEASE ADMINISTRATION SERVICES ON BEHALF OF THE CITY FOR COLLEGE OF SANTA FE; CSF MANAGEMENT, LLC (LEE DEPIETRO)
21. REQUEST FOR APPROVAL OF PROCUREMENT UNDER FEDERAL PRICE AGREEMENT – FALSE ALARM BILLING AND TRACKING SERVICES FOR POLICE DEPARTMENT; GTSI AND AOT PUBLIC SAFETY CORPORATION (ROBERT RODARTE)
22. REQUEST FOR CONCEPT APPROVAL OF SALE OF REAL ESTATE CONTAINING APPROXIMATELY 5071 SQUARE FEET LOCATED ALONG THE WESTERLY BOUNDARY OF 1301 CALLE JOYA; CERVANTES “BUDDY” ROYBAL AND IRENE ROYBAL (EDWARD VIGIL)
23. REQUEST FOR APPROVAL OF GRANT AWARD – U.S. DOE ENERGY AND CONSERVATION BLOCK GRANT; U.S. DEPARTMENT OF ENERGY (NICK SCHIAVO)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND
24. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – ENGINEERING AND PLANNING SERVICES FOR WATER DIVISION; AECOM TECHNICAL SERVICES, INC. (DALE LYONS)
25. REQUEST FOR APPROVAL OF A RESOLUTION CONSENTING TO THE INCLUSION OF THE MUNICIPALITY OF THE CITY OF SANTA FE WITHIN THE SANTA FE COUNTY RENEWABLE ENERGY FINANCING DISTRICT (COUNCILORS CALVERT, WURZBURGER, ROMERO AND BUSHEE) (NICK SCHIAVO)

Committee Review:

Public Utilities (approved)
Public Works (approved)
Council (scheduled)

November 2, 2009
November 16, 2009
December 9, 2009

Fiscal Impact – No



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26. REQUEST FOR APPROVAL OF A RESOLUTION RECOGNIZING AND CELEBRATING ARBOR DAY, THIS YEAR AND EACH YEAR FORWARD, AS THE LAST FRIDAY IN APRIL; AND DIRECTING STAFF TO TAKE THE NECESSARY STEPS TO QUALIFY THE CITY OF SANTA FE AS A MEMBER OF THE NATIONAL ARBOR DAYS FOUNDATION'S TREE CITY USA (TCUSA) PROGRAM (COUNCILOR CALVERT AND BUSHEE) (ROBERT WOOD)

Committee Review:

Public Works (approved)
Council (scheduled)

November 16, 2009
December 9, 2009

Fiscal Impact – Yes

- A. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING RESOLUTION NO. 2007-22 WHICH ESTABLISHED THE PARKS AND OPEN SPACE ADVISORY COMMISSION IN ORDER TO INCLUDE A SUBCOMMITTEE TO SERVE AS THE MUNICIPAL TREE BOARD (COUNCILOR CALVERT) (ROBERT WOOD)

Committee Review:

Public Works (approved)
Council (scheduled)

November 16, 2009
December 9, 2009

Fiscal Impact – No

27. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO SOLICIT NAMES OF INDIVIDUALS FOR THE PURPOSE OF RENAMING THE BOYS AND GIRLS CLUB PARK LOCATED ON ALTO STREET, ACROSS FROM THE BOYS AND GIRLS CLUB (COUNCILOR CALVERT) (FABIAN CHAVEZ)

Committee Review:

Parks & Open Space Advisory Commission (approved)
Public Works (approved)
Council (scheduled)

October 28, 2009
November 16, 2009
December 9, 2009

Fiscal Impact – Yes

28. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO APPLY FOR A SIX MONTH EXTENSION TO AN EXISTING MUNICIPAL ARTERIAL PROGRAM FUNDING AGREEMENT BETWEEN THE NEW MEXICO DEPARTMENT OF TRANSPORTATION AND THE CITY OF SANTA FE FOR THE OLD PECOS TRAIL RECONSTRUCTION PROJECT – CORDOVA ROAD TO BERGER STREET (COUNCILORS ROMERO AND WURZBURGER) (JOHN ROMERO)



Agenda

Committee Review:

Public Works (approved)
Council (scheduled)

November 16, 2009
December 9, 2009

Fiscal Impact – No

29. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTIONS 14-9.2(F)(1)(j) AND 14-9.2(H) SFCC 1987 REGARDING SIDEWALKS AND CURB AND GUTTERS IN THE CITY'S HISTORIC DISTRICTS (COUNCILORS BUSHEE AND WURZBURGER) (JEANNE PRICE)

Committee Review:

Historic Design Review Board (approved)
Planning Commission (denied)
Public Works (approved)
Council (request to publish)
Council (public hearing)

September 22, 2009
November 5, 2009
November 16, 2009
December 9, 2009
January 13, 2010

Fiscal Impact – No

30. REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AND SUBSIDY AGREEMENT ("LOAN AGREEMENT") BY AND BETWEEN THE CITY OF SANTA FE, NEW MEXICO (THE "GOVERNMENTAL UNIT") AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT TO PAY A PRINCIPAL AMOUNT OF NO MORE THAN FORTY-TWO THOUSAND FOUR HUNDRED TWENTY DOLLARS (\$42,420), TOGETHER WITH INTEREST, COSTS OF ISSUANCE AND ADMINISTRATIVE FEES THEREON, AND TO ACCEPT A LOAN SUBSIDY OF NO MORE THAN NINETY-EIGHT THOUSAND NINE HUNDRED EIGHTY DOLLARS (\$98,980), **FOR THE PURPOSE OF FINANCING THE COSTS OF MODIFICATION OF THE ELECTRICAL SYSTEM AT THE BUCKMAN DIRECT DIVERSION SURFACE WATER PROJECT TO PROVIDE FOR A PLANNED PHOTOVOLTAIC SYSTEM**; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF, ADMINISTRATIVE FEES AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY FROM THE PLEDGED REVENUES; SETTING A MAXIMUM INTEREST RATE FOR THE LOAN; APPROVING THE FORM OF AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT [PROJECT NO. 2378-ADW] (COUNCILOR CALVERT) (DALE LYONS)



Agenda

Committee Review:

Public Utilities (concept approval)
Public Utilities (scheduled)
Council (scheduled)

November 4, 2009
December 2, 2009
December 9, 2009

Fiscal Impact – Yes

A. REQUEST FOR APPROVAL OF DRINKING WATER STATE REVOLVING FUND LOAN AGREEMENT [NO. 2378-ADW]; NEW MEXICO FINANCE AUTHORITY (DALE LYONS)

1. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND

31. REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AND SUBSIDY AGREEMENT ("LOAN AGREEMENT") BY AND BETWEEN THE CITY OF SANTA FE, NEW MEXICO (THE "GOVERNMENTAL UNIT") AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT TO PAY A PRINCIPAL AMOUNT OF NO MORE THAN ONE HUNDRED SIXTY-SIX THOUSAND SIX HUNDRED FIFTY DOLLARS (\$166,650), TOGETHER WITH INTEREST, COSTS OF ISSUANCE AND ADMINISTRATIVE FEES THEREON, AND TO ACCEPT A LOAN SUBSIDY OF NO MORE THAN THREE HUNDRED EIGHTY-EIGHT THOUSAND EIGHT HUNDRED FIFTY DOLLARS (\$388,850), **FOR THE PURPOSE OF FINANCING THE COSTS OF A PROJECT CONSISTING OF UPGRADES TO THE CITY'S WATER UTILITY SYSTEM, INCLUDING A MICRO-HYDROELECTRIC GENERATION PROJECT**; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF, ADMINISTRATIVE FEES AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY FROM THE PLEDGED REVENUES; SETTING A MAXIMUM INTEREST RATE FOR THE LOAN; APPROVING THE FORM OF AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT [PROJECT NO. 2382-ADW] (COUNCILOR CALVERT) (DALE LYONS)

Committee Review:

Public Utilities (concept approval)
Public Utilities (scheduled)
Council (scheduled)

November 4, 2009
December 2, 2009
December 9, 2009

Fiscal Impact – Yes



Agenda

A. REQUEST FOR APPROVAL OF DRINKING WATER STATE REVOLVING FUND
LOAN AGREEMENT [NO. 2382-ADW]; NEW MEXICO FINANCE AUTHORITY
(DALE LYONS)

1. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND

32. REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AND SUBSIDY AGREEMENT ("LOAN AGREEMENT") BY AND BETWEEN THE CITY OF SANTA FE, NEW MEXICO (THE "GOVERNMENTAL UNIT") AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT TO PAY A PRINCIPAL AMOUNT OF NO MORE THAN THIRTY-SEVEN THOUSAND EIGHT HUNDRED SEVENTY-FIVE DOLLARS (\$37,875), TOGETHER WITH INTEREST, COSTS OF ISSUANCE AND ADMINISTRATIVE FEES THEREON, AND TO ACCEPT A LOAN SUBSIDY OF NO MORE THAN EIGHTY-EIGHT THOUSAND THREE HUNDRED SEVENTY-FIVE DOLLARS (\$88,375), **FOR THE PURPOSE OF FINANCING THE COSTS OF A PROJECT CONSISTING OF UPGRADES TO THE CITY'S WATER UTILITY SYSTEM, INCLUDING INSTALLATION OF A WATER HARVESTING DEMONSTRATION PROJECT**; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF, ADMINISTRATIVE FEES AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY FROM THE PLEDGED REVENUES; SETTING A MAXIMUM INTEREST RATE FOR THE LOAN; APPROVING THE FORM OF AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT [PROJECT NO. 2389-ADW] (COUNCILOR CALVERT) (DALE LYONS)

Committee Review:

Public Utilities (concept approval)
Public Utilities (scheduled)
Council (scheduled)

November 4, 2009
December 2, 2009
December 9, 2009

Fiscal Impact – Yes

A. REQUEST FOR APPROVAL OF DRINKING WATER STATE REVOLVING FUND
LOAN AGREEMENT [NO. 2389-ADW]; NEW MEXICO FINANCE AUTHORITY
(DALE LYONS)

1. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND



Agenda

33. REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AND SUBSIDY AGREEMENT ("LOAN AGREEMENT") BY AND BETWEEN THE CITY OF SANTA FE, NEW MEXICO (THE "GOVERNMENTAL UNIT") AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT TO PAY A PRINCIPAL AMOUNT OF NO MORE THAN NINETY THOUSAND NINE HUNDRED DOLLARS (\$90,900), TOGETHER WITH INTEREST, COSTS OF ISSUANCE AND ADMINISTRATIVE FEES THEREON, AND TO ACCEPT A LOAN SUBSIDY OF NO MORE THAN TWO HUNDRED TWELVE THOUSAND ONE HUNDRED DOLLARS (\$212,100), **FOR THE PURPOSE OF FINANCING THE COSTS OF A PROJECT CONSISTING OF UPGRADES TO THE CITY'S WATER UTILITY SYSTEM, INCLUDING A REBATE PROGRAM TO PROMOTE WATER CONSERVATION TECHNOLOGIES;** PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF, ADMINISTRATIVE FEES AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY FROM THE PLEDGED REVENUES; SETTING A MAXIMUM INTEREST RATE FOR THE LOAN; APPROVING THE FORM OF AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT [PROJECT NO. 2389-ADW] (COUNCILOR CALVERT) (DALE LYONS)

Committee Review:

Public Utilities (concept approval)
Public Utilities (scheduled)
Council (scheduled)

November 4, 2009
December 2, 2009
December 9, 2009

Fiscal Impact – Yes

- A. REQUEST FOR APPROVAL OF DRINKING WATER STATE REVOLVING FUND LOAN AGREEMENT [NO. 2389-ADW]; NEW MEXICO FINANCE AUTHORITY (DALE LYONS)

1. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND

34. REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT ("LOAN AGREEMENT") BY AND BETWEEN THE CITY OF SANTA FE, NEW MEXICO (THE "GOVERNMENTAL UNIT") AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT TO PAY A PRINCIPAL AMOUNT OF NO MORE THAN ONE HUNDRED SEVENTY-THREE THOUSAND SIX HUNDRED NINETY-FOUR DOLLARS (\$173,694), TOGETHER WITH INTEREST, COSTS OF



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ISSUANCE AND ADMINISTRATIVE FEES THEREON, **FOR THE PURPOSE OF FINANCING THE COSTS OF A PROJECT CONSISTING OF UPGRADES TO THE CITY'S WATER UTILITY SYSTEM, INCLUDING INSTRUMENTATION OF PUMPING SITES TO MONITOR ENERGY USAGE**; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF, ADMINISTRATIVE FEES AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY FROM THE PLEDGED REVENUES; SETTING A MAXIMUM INTEREST RATE FOR THE LOAN; APPROVING THE FORM OF AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT [PROJECT NO. 2392-DW] (COUNCILOR CALVERT) (DALE LYONS)

Committee Review:

Public Utilities (concept approval)
Public Utilities (scheduled)
Council (scheduled)

November 4, 2009
December 2, 2009
December 9, 2009

Fiscal Impact – Yes

A. REQUEST FOR APPROVAL OF DRINKING WATER STATE REVOLVING FUND LOAN AGREEMENT [NO. 2392-DW]; NEW MEXICO FINANCE AUTHORITY (DALE LYONS)

1. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND

35. REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AND SUBSIDY AGREEMENT ("LOAN AGREEMENT") BY AND BETWEEN THE CITY OF SANTA FE, NEW MEXICO (THE "GOVERNMENTAL UNIT") AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT TO PAY A PRINCIPAL AMOUNT OF NO MORE THAN TWENTY-THREE THOUSAND SIX HUNDRED FORTY-TWO DOLLARS (\$23,642), TOGETHER WITH INTEREST, COSTS OF ISSUANCE AND ADMINISTRATIVE FEES THEREON, AND TO ACCEPT A LOAN SUBSIDY OF NO MORE THAN FIFTY-FIVE THOUSAND ONE HUNDRED SIXTY-FOUR DOLLARS (\$55,164), **FOR THE PURPOSE OF FINANCING THE COSTS OF A PROJECT CONSISTING OF UPGRADES TO THE CITY'S WATER UTILITY SYSTEM, INCLUDING INSTRUMENTATION OF PUMPING SITES TO MONITOR ENERGY USAGE**; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF, ADMINISTRATIVE FEES AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY FROM THE PLEDGED REVENUES; SETTING A MAXIMUM



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INTEREST RATE FOR THE LOAN; APPROVING THE FORM OF AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT [PROJECT NO. 2393-ADW] (COUNCILOR CALVERT) (DALE LYONS)

Committee Review:

Public Utilities (concept approval)

Public Utilities (scheduled)

Council (scheduled)

November 4, 2009

December 2, 2009

December 9, 2009

Fiscal Impact – Yes

END OF CONSENT AGENDA

EXECUTIVE SESSION

36. DISCUSSION OF THREATENED LITIGATION OF NEW MEXICO COMMUNITY DEVELOPMENT LOAN FUND PURSUANT TO NMSA 10-15-1(H)(8) (FABIAN TRUJILLO AND FRANK KATZ)

DISCUSSION

37. REQUEST FOR APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT (CDBG) – MANAGEMENT OF SANTA FE BUSINESS REVOLVING LOAN FUND; NEW MEXICO COMMUNITY DEVELOPMENT LOAN FUND (FABIAN TRUJILLO)
38. REQUEST FOR APPROVAL OF CONSIDERATION TO RE-ESTABLISH POSITIONS IN FY 2009/2010 BUDGET (KRISTINE KUEBLI)
39. UPDATE AND REQUEST FOR APPROVAL OF PARKS MASTER PLAN (ROBERT ROMERO)



Agenda

40. OTHER FINANCIAL INFORMATION:

- A. UPDATE ON CITY OF SANTA FE INVESTMENT PORTFOLIO AS OF SEPTEMBER 30, 2009 (HELENE HAUSMAN)
- B. UPDATE ON GROSS RECEIPTS TAX REPORT FOR NOVEMBER 2009 AND LODGER'S TAX REPORT FOR OCTOBER 2009 (DAVID MILLICAN)

41. MATTERS FROM THE COMMITTEE

42. ADJOURN

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520 five (5) working days prior to meeting date.

**SUMMARY OF ACTION
FINANCE COMMITTEE MEETING
Monday, November 30, 2009**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	1-2
APPROVAL OF CONSENT AGENDA	Approved [amended]	2
CONSENT AGENDA LISTING		2-8
APPROVAL OF MINUTES: NOVEMBER 2, 2009	Approved	8
<u>INFORMATIONAL ITEM</u>		
UPDATE ON CITY BUDGET PROCESS PROPOSALS TO IMPLEMENT BUDGET BALANCING MEASURES FOR FISCAL YEAR 2009/2010.	Information/discussion	8
STATUS UPDATE ON THREE (3) CONDITIONS FOR NEW BUDGET MEASURES FOR FISCAL YEAR 2010/2011, INCLUDING FURLOUGH PLAN	Information/discussion	9-11
UPDATE ON COMMITTEE REVIEW	Information/discussion	11-12
UPDATE ON EMPLOYEE BENEFITS COMMITTEE RECOMMENDATION TO ESTABLISH AN EMPLOYEE ELECTED FLEXIBLE SPENDING ACCOUNT (JANUARY 1, 2010)	Information/discussion	12
<u>EXECUTIVE SESSION</u>		
DISCUSSION OF THREATENED LITIGATION OF NEW MEXICO COMMUNITY DEVELOPMENT LOAN FUND, PURSUANT TO NMSA §10-15-1(H)(8) (7)	To Council w/o recommendation	13
REQUEST FOR APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT (CDBG) – MANAGEMENT OF SANTA FE BUSINESS REVOLVING LOAN FUND; NEW MEXICO COMMUNITY DEVELOPMENT LOAN FUND	To Council w/o recommendation	13-15

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT – VOICE AND DATA TELECOMMUNICATIONS PROVIDED TO CITY OFFICES FOR ITT DIVISION; QWEST COMMUNICATIONS	Postponed to 01/04/2010	15-16
REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – PROPERTY MANAGEMENT AND LEASE ADMINISTRATION SERVICES ON BEHALF OF THE CITY FOR COLLEGE OF SANTA FE; CSF MANAGEMENT, LLC	Approved w/direction to staff	16-20

END OF CONSENT CALENDAR DISCUSSION		

<u>DISCUSSION</u>		
REQUEST FOR APPROVAL OF CONSIDERATION TO RE-ESTABLISH POSITIONS IN FY 2009/2010 BUDGET	Approved [amended]	20-25
UPDATE AND REQUEST FOR APPROVAL OF PARKS MASTER PLAN	Approved	25-27
<u>OTHER FINANCIAL INFORMATION</u>		
UPDATE ON CITY OF SANTA FE INVESTMENT PORTFOLIO AS OF SEPTEMBER 30, 2009	Information/discussion	27
UPDATE ON GROSS RECEIPTS TAX REPORT FOR NOVEMBER 2009 AND LODGERS' TAX REPORT FOR OCTOBER 2009	Information/discussion	27
MATTERS FROM THE COMMITTEE	Information	27
ADJOURN		27

**MINUTES OF THE
CITY OF SANTA FE
FINANCE COMMITTEE**
Monday, November 30, 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, November 30, 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 Carmichael A. Dominguez
Councilor Rebecca Wurzbarger

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

A copy of an email to Yolanda Green and David Millican from Jeanne Price, dated November 30, 2009, regarding Agenda Items 32 and 32(A), with handwritten notation on Agenda Item #36, is incorporated herewith to these minutes as Exhibit "1."

Mr. Millican said there are two errata corrections. On Items 32 and 32(A) it should be 2383 and the appropriate statute cite on Item #36 is 10-15-1(H)(7).

Councilor Wurzbarger would like to move Item #36 Executive Session and the related Item #37 to be heard immediately following Item #8, and prior to discussion of items removed from Consent.

MOTION: Councilor Wurzbarger moved, seconded by Councilor Calvert, to approve the agenda, as amended.

VOTE: The motion was approved on a voice vote [Absent for the vote: Councilor Dominguez]

Councilor Dominguez arrived at the meeting

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

9. BID OPENINGS:

- A. **BID NO. 10/11/B – ONE (1) LARGE TRUCK CAB AND CHASSIS FOR SOLID WASTE MANAGEMENT DIVISION; TRUCKS WEST, INC. (BILL DeGRANDE)**
 - B. **BID NO. 10/12/B – ONE (1) GRAPPLER LARGE ITEM COLLECTION BODY FOR SOLID WASTE MANAGEMENT DIVISION; HIGH MESA ENVIRONMENTAL, LLC. (BILL DeGRANDE)**
 - C. **BID NO. 10/13/B – FERGUSON WELL WALL CONSTRUCTION PROJECT AGREEMENT BETWEEN OWNER AND CONTRACTOR FOR WATER DIVISION; ADVANTAGE ASPHALT & SEAL COATING, LLC. (BILL HUEY)**
- 10. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PUBLIC ART PROFESSIONAL SERVICES AGREEMENT – ART IN PUBLIC PLACES PROGRAM AT SOUTH SIDE BRANCH LIBRARY; STATE OF NEW MEXICO DEPARTMENT OF CULTURAL AFFAIRS AND RANDY WALKER D/B/A WALKER DESIGN STUDIO. (DEBRA GARCIA Y GRIEGO)**
- 11. REQUEST FOR APPROVAL OF ADOPTION OF SANTA FE ARTS COMMISSION FY 2010/2013 WORK PLAN. (SABRINA PRATT)**
- 12. REQUEST FOR APPROVAL OF GRANT AWARD – EOD K-9 TRAINING, HAZMAT DETECTION UPGRADES AND TRAINING AND OVERTIME FOR FIRE AND POLICE. (JOYCE PURLEY AND JAMES GARDNER)**
- A. **REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.**

13. REQUEST FOR APPROVAL OF CONTRACT – PROCUREMENT OF RAW FOOD PRODUCTS FOR SENIOR MEAL PROGRAM FOR SENIOR SERVICES DIVISION; NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT NON-METRO AREA AGENCY ON AGING. (RON VIALPANDO)
 - A. REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT – GRANT FUND
14. REQUEST FOR APPROVAL OF GRANT AWARD – PROBATION SUPERVISION TO PERPETRATORS OF DOMESTIC/SEXUAL/DATING VIOLENCE AND STALKING FROM CASES HEARD IN SANTA FE COUNTY MAGISTRATE COURT AND FIRST JUDICIAL COURT OF VIOLENCE AGAINST WOMEN. (CAROL HORWITZ)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.
15. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO MEMORANDUM OF AGREEMENT – SERVICES FOR SENIOR SERVICES DIVISION; SANTA FE COUNTY. (TERRIE RODRIGUEZ)
16. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO MARTY SANCHEZ LINKS DE SANTA FE LEASE OF FOOD AND BEVERAGE SERVICE FACILITY – CONCESSION SERVICES AT GOLF COURSE; SANTA FE CONCESSION, LLD. (LARRY LUJAN)
17. REQUEST FOR APPROVAL OF PLACEMENT OF BOLLARDS AT THE SANTA FE RAILYARD PROPERTY; THE TRUST FOR PUBLIC LAND. (ROBERT SIQUEIROS)
18. REQUEST FOR APPROVAL OF BUDGET INCREASE FOR SANTA FE RAILYARD COMMUNITY CORPORATION. (ROBERT SIQUEIROS)
19. *[Removed for discussion by Councilor Calvert]*
20. *[Removed for discussion by Councilor Ortiz]*
21. REQUEST FOR APPROVAL OF PROCUREMENT UNDER FEDERAL PRICE AGREEMENT – FALSE ALARM BILLING AND TRACKING SERVICES FOR POLICE DEPARTMENT; GTSI AND AOT PUBLIC SAFETY CORPORATION. (ROBERT RODARTE)
22. REQUEST FOR CONCEPT APPROVAL OF REAL ESTATE CONTAINING APPROXIMATELY 5071 SQUARE FEET LOCATED ALONG THE WESTERLY BOUNDARY OF 1301 CALLE JOYA; CERVANTES "BUDDY" ROYBAL AND IRENE ROYBAL. (EDWARD VIGIL)
23. REQUEST FOR APPROVAL OF GRANT AWARD – U.S. DOE ENERGY AND CONSERVATION BLOCK GRANT; U.S. DEPARTMENT OF ENERGY. (NICK SCHIAVO)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.
24. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – ENGINEERING AND PLANNING SERVICES FOR WATER DIVISION; AECOM TECHNICAL SERVICES, INC. (DALE LYONS)

25. REQUEST FOR APPROVAL OF A RESOLUTION CONSENTING TO THE INCLUSION OF THE MUNICIPALITY OF THE CITY OF SANTA FE WITHIN THE SANTA FE COUNTY RENEWABLE ENERGY FINANCING DISTRICT (COUNCILORS CALVERT, WURZBURGER, ROMERO AND BUSHEE). (NICK SCHIAVO. Committee Review: Public Utilities (approved) November 2, 2009; Public Works (approved) November 16, 2009; and Council (scheduled) December 9, 2009. *Fiscal Impact – No.*
26. REQUEST FOR APPROVAL OF A RESOLUTION RECOGNIZING AND CELEBRATING ARBOR DAY, THIS YEAR AND EACH YEAR FORWARD, AS THE LAST FRIDAY IN APRIL; AND DIRECTING STAFF TO TAKE THE NECESSARY STEPS TO QUALIFY THE CITY OF SANTA FE AS A MEMBER OF THE NATIONAL ARBOR DAYS FOUNDATION'S TREE CITY USA (TCUSA) PROGRAM (COUNCILORS CALVERT AND BUSHEE). (ROBERT WOOD) Committee Review: Public Works (approved) November 16, 2009; and Council (scheduled) December 9, 2009. *Fiscal Impact – Yes.*
- A. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING RESOLUTION NO. 2007-22 WHICH ESTABLISHED THE PARKS AND OPEN SPACE ADVISORY COMMISSION IN ORDER TO INCLUDE A SUBCOMMITTEE TO SERVE AS THE MUNICIPAL TREE BOARD (COUNCILOR CALVERT). (ROBERT WOOD). Committee Review: Public Works (approved) November 16, 2009; and Council (scheduled) December 9, 2009. *Fiscal Impact – No.*
27. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO SOLICIT NAMES OF INDIVIDUALS FOR THE PURPOSE OF RENAMING THE BOYS AND GIRLS CLUB PARK LOCATED ON ALTO STREET ACROSS FROM THE BOYS AND GIRLS CLUB (COUNCILOR CALVERT). (FABIAN CHAVEZ) Committee Review: Parks & Open Space Advisory Commission (approved) October 28, 2009; Public Works (approved) November 16, 2009; and Council (scheduled) December 9, 2009. *Fiscal Impact – Yes.*
28. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO APPLY FOR A SIX MONTH EXTENSION TO AN EXISTING MUNICIPAL ARTERIAL PROGRAM FUNDING AGREEMENT BETWEEN THE NEW MEXICO DEPARTMENT OF TRANSPORTATION AND THE CITY OF SANTA FE FOR THE OLD PECOS TRAIL RECONSTRUCTION PROJECT – CORDOVA ROAD TO BERGER STREET (COUNCILORS ROMERO AND WURZBURGER). (JOHN ROMERO) Committee Review: Public Works (approved) November 16, 2009; and Council (scheduled) December 9, 2009. *Fiscal Impact – No.*
29. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTIONS 14-9.2(F)(1)(j) AND 14-9.2(H) SFCC 1987, REGARDING SIDEWALKS AND CURB AND GUTTERS IN THE CITY'S HISTORIC DISTRICTS (COUNCILORS BUSHEE AND WURZBURGER). (JEANNE PRICE) Committee Review: Historic Design Review Board (approved) September 22, 2009; Planning Commission (denied) November 5, 2009; Public Works (approved) November 16, 2009; Council (request to publish) December 9, 2009; and Council (public hearing) January 13, 2010.

30. AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AND SUBSIDY AGREEMENT ("LOAN AGREEMENT"), BY AND BETWEEN THE CITY OF SANTA FE, NEW MEXICO (THE "GOVERNMENTAL UNIT") AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT TO PAY A PRINCIPAL AMOUNT OF NO MORE THAN FORTY TWO THOUSAND FOUR HUNDRED TWENTY DOLLARS (\$42,420), TOGETHER WITH INTEREST, COSTS OF ISSUANCE AND ADMINISTRATIVE FEES THEREON, AND TO ACCEPT A LOAN SUBSIDY OF NO MORE THAN NINETY EIGHT THOUSAND NINE HUNDRED EIGHTY DOLLARS (\$98,980), *FOR THE PURPOSE OF FINANCING THE COSTS OF MODIFICATION OF THE ELECTRICAL SYSTEM AT THE BUCKMAN DIRECT DIVERSION SURFACE WATER PROJECT TO PROVIDE FOR A PLANNED PHOTOVOLTAIC SYSTEM*; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF, ADMINISTRATIVE FEES AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY FROM THE PLEDGED REVENUES; SETTING A MAXIMUM INTEREST RATE FOR THE LOAN; APPROVING THE FORM OF AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT [PROJECT NO. 2378-ADW] (COUNCILOR CALVERT). (DALE LYONS) Committee Review: Public Utilities (concept approval) November 4, 2009; Public Utilities (scheduled) December 2, 2009; and Council (scheduled) December 9, 2009. *Fiscal Impact – Yes.*
- A. REQUEST FOR APPROVAL OF DRINKING WATER STATE REVOLVING FUND LOAN AGREEMENT [NO. 2378-ADW]; NEW MEXICO FINANCE AUTHORITY. (DALE LYONS)
1. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.
31. AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AND SUBSIDY AGREEMENT ("LOAN AGREEMENT"), BY AND BETWEEN THE CITY OF SANTA FE, NEW MEXICO (THE "GOVERNMENTAL UNIT") AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT TO PAY A PRINCIPAL AMOUNT OF NO MORE THAN ONE HUNDRED SIXTY SIX THOUSAND SIX HUNDRED FIFTY DOLLARS (\$166,650), TOGETHER WITH INTEREST, COSTS OF ISSUANCE AND ADMINISTRATIVE FEES THEREON, AND TO ACCEPT A LOAN SUBSIDY OF NO MORE THAN THREE HUNDRED EIGHTY EIGHT THOUSAND EIGHT HUNDRED FIFTY DOLLARS (\$388,850), *FOR THE PURPOSE OF FINANCING THE COSTS OF A PROJECT CONSISTING OF UPGRADES TO THE CITY'S WATER UTILITY SYSTEM, INCLUDING A MICRO-HYDROELECTRIC GENERATION PROJECT*; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF, ADMINISTRATIVE FEES AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY FROM THE PLEDGED REVENUES; SETTING A MAXIMUM INTEREST RATE FOR THE LOAN; APPROVING THE FORM OF AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT [PROJECT NO. 2382-ADW] (COUNCILOR CALVERT). (DALE LYONS) Committee Review: Public Utilities (concept approval) November 4, 2009; Public Utilities

(scheduled) December 2, 2009; and Council (scheduled) December 9, 2009. *Fiscal Impact – Yes.*

A. REQUEST FOR APPROVAL OF DRINKING WATER STATE REVOLVING FUND LOAN AGREEMENT [NO. 2382-ADW]; NEW MEXICO FINANCE AUTHORITY. (DALE LYONS)

1. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.

32. AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AND SUBSIDY AGREEMENT ("LOAN AGREEMENT"), BY AND BETWEEN THE CITY OF SANTA FE, NEW MEXICO (THE "GOVERNMENTAL UNIT") AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT TO PAY A PRINCIPAL AMOUNT OF NO MORE THAN THIRTY SEVEN THOUSAND EIGHT HUNDRED SEVENTY FIVE DOLLARS (\$37,875), TOGETHER WITH INTEREST, COSTS OF ISSUANCE AND ADMINISTRATIVE FEES THEREON, AND TO ACCEPT A LOAN SUBSIDY OF NO MORE THAN EIGHTY EIGHT THOUSAND THREE HUNDRED SEVENTY FIVE DOLLARS (\$88,375), *FOR THE PURPOSE OF FINANCING THE COSTS OF A PROJECT CONSISTING OF UPGRADES TO THE CITY'S WATER UTILITY SYSTEM, INCLUDING INSTALLATION OF A WATER HARVESTING DEMONSTRATION PROJECT*; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF, ADMINISTRATIVE FEES AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY FROM THE PLEDGED REVENUES; SETTING A MAXIMUM INTEREST RATE FOR THE LOAN; APPROVING THE FORM OF AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT [PROJECT NO. (COUNCILOR CALVERT)]. (DALE LYONS) Committee Review: Public Utilities (concept approval) November 4, 2009; Public Utilities (scheduled) December 2, 2009; and Council (scheduled) December 9, 2009. *Fiscal Impact – Yes.*

A. REQUEST FOR APPROVAL OF DRINKING WATER STATE REVOLVING FUND LOAN AGREEMENT ~~2389~~ 2383-ADW]; NEW MEXICO FINANCE AUTHORITY. (DALE LYONS)

1. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.

33. AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AND SUBSIDY AGREEMENT ("LOAN AGREEMENT"), BY AND BETWEEN THE CITY OF SANTA FE, NEW MEXICO (THE "GOVERNMENTAL UNIT") AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT TO PAY A PRINCIPAL AMOUNT OF NO MORE THAN NINETY THOUSAND NINE HUNDRED DOLLARS (\$90,900), TOGETHER WITH INTEREST, COSTS OF ISSUANCE AND ADMINISTRATIVE FEES THEREON, AND TO ACCEPT A LOAN SUBSIDY OF NO MORE THAN TWO HUNDRED TWELVE THOUSAND ONE HUNDRED DOLLARS (\$212,100), *FOR THE PURPOSE OF FINANCING THE COSTS OF A PROJECT CONSISTING OF UPGRADES TO THE CITY'S WATER UTILITY SYSTEM, INCLUDING A REBATE PROGRAM TO PROMOTE WATER CONSERVATION TECHNOLOGIES*; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF, ADMINISTRATIVE FEES AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY

FROM THE PLEDGED REVENUES; SETTING A MAXIMUM INTEREST RATE FOR THE LOAN; APPROVING THE FORM OF AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT [PROJECT NO. 2389-ADW] (COUNCILOR CALVERT). (DALE LYONS) Committee Review: Public Utilities (concept approval) November 4, 2009; Public Utilities (scheduled) December 2, 2009; and Council (scheduled) December 9, 2009. *Fiscal Impact* – Yes.

A. REQUEST FOR APPROVAL OF DRINKING WATER STATE REVOLVING FUND LOAN AGREEMENT [NO. 2389-ADW]; NEW MEXICO FINANCE AUTHORITY. (DALE LYONS)

1. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.

34. AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AND SUBSIDY AGREEMENT (“LOAN AGREEMENT”), BY AND BETWEEN THE CITY OF SANTA FE, NEW MEXICO (THE “GOVERNMENTAL UNIT”) AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT TO PAY A PRINCIPAL AMOUNT OF NO MORE THAN ONE HUNDRED SEVENTY-THREE THOUSAND SIX HUNDRED NINETY-FOUR DOLLARS (\$173,694), TOGETHER WITH INTEREST, COSTS OF ISSUANCE AND ADMINISTRATIVE FEES THEREON, *FOR THE PURPOSE OF FINANCING THE COSTS OF A PROJECT CONSISTING OF UPGRADES TO THE CITY’S WATER UTILITY SYSTEM, INCLUDING INSTRUMENTATION OF PUMPING SITES TO MONITOR ENERGY USAGE*; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF, ADMINISTRATIVE FEES AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY FROM THE PLEDGED REVENUES; SETTING A MAXIMUM INTEREST RATE FOR THE LOAN; APPROVING THE FORM OF AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT [PROJECT NO. 2392-DW] (COUNCILOR CALVERT). (DALE LYONS) Committee Review: Public Utilities (concept approval) November 4, 2009; Public Utilities (scheduled) December 2, 2009; and Council (scheduled) December 9, 2009. *Fiscal Impact* – Yes.

A. REQUEST FOR APPROVAL OF DRINKING WATER STATE REVOLVING FUND LOAN AGREEMENT [NO. 2392-ADW]; NEW MEXICO FINANCE AUTHORITY. (DALE LYONS)

1. REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.

35. AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AND SUBSIDY AGREEMENT (“LOAN AGREEMENT”), BY AND BETWEEN THE CITY OF SANTA FE, NEW MEXICO (THE “GOVERNMENTAL UNIT”) AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT TO PAY A PRINCIPAL AMOUNT OF NO MORE THAN TWENTY THREE THOUSAND SIX HUNDRED FORTY TWO DOLLARS (\$23,642), TOGETHER WITH INTEREST, COSTS OF ISSUANCE AND ADMINISTRATIVE FEES THEREON, AND TO ACCEPT A LOAN SUBSIDY OF NO MORE

THAN FIFTY FIVE THOUSAND ONE HUNDRED SIXTY FOUR DOLLARS (\$55,164), *FOR THE PURPOSE OF FINANCING THE COSTS OF A PROJECT CONSISTING OF UPGRADES TO THE CITY'S WATER UTILITY SYSTEM, INCLUDING INSTRUMENTATION OF PUMPING SITES TO MONITOR ENERGY USAGE*; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF, ADMINISTRATIVE FEES AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY FROM THE PLEDGED REVENUES; SETTING A MAXIMUM INTEREST RATE FOR THE LOAN; APPROVING THE FORM OF AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT [PROJECT NO. 2393-ADW] (COUNCILOR CALVERT). (DALE LYONS) Committee Review: Public Utilities (concept approval) November 4, 2009; Public Utilities (scheduled) December 2, 2009; and Council (scheduled) December 9, 2009. *Fiscal Impact – Yes.*

END OF CONSENT AGENDA

5. APPROVAL OF MINUTES: NOVEMBER 2, 2009

MOTION: Councilor Calvert moved, seconded by Councilor Wurzbarger, to approve the minutes of the Regular Finance Committee Meeting of November 2, 2009, as presented.

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

INFORMATIONAL ITEM

6. UPDATE ON CITY BUDGET PROCESS. (DAVID MILLICAN)

A. PROPOSALS TO IMPLEMENT BUDGET BALANCING MEASURES FOR FISCAL YEAR 2009/2010.

Chair Ortiz said there is nothing in the packet for this item, noting the Committee was also supposed to get a report on the restructuring efforts.

Mr. Millican said he has no handouts, but he will ask "at the end" if Committee members want to look at some of the material on restructuring.

B. STATUS UPDATE ON THREE (3) CONDITIONS FOR NEW BUDGET MEASURES FOR FISCAL YEAR 2010/2011, INCLUDING FURLOUGH PLAN.

1. Contingency Plans

Mr. Millican reviewed the information in the packet with regard to the GRTs. He noted that YTD the GRTs are about 1.3% below budget. He said the Council established a condition of approval for FY 2009-2010, that contingency plans would be prepared without using reserves. He said if there is no improvement in December/January, staff will prepare a contingency plan as to how to respond to the difference. He said a furlough plan will take about two months to implement and will produce less savings as we move through the year. He said staff will be looking at a variety of options for the Council to consider in January to reduce spending, and how that impacts the 2010/2011 budget. The GRTs are generally consistent with the forecast for a weak first half, but we need to look at this very carefully as we move into the second half of the budget year.

2. Reductions in Contract amounts

Mr. Millican said staff has not kept a running total of this amount, noting an example is the agreement by Wells Fargo to reduce the Banking Services Contract by 10%. He said Purchasing has been working with vendors to see that we get a best and final offer before going to award, which has resulted in savings on a number of bids.

3. Restructuring Report to be provided to the Council

Mr. Millican said the Restructuring Report was submitted to the Committee in October, and that went forward with two issues. One is the long term issue to help us improve the organization and get it ready to absorb some of the services inherent in the annexation being pursued. Secondly, if there are severe revenue declines we will have to move into service prioritization.

Mr. Millican said the restructuring process has been launched. On November 20, 2009, several four-person peer review teams, consisting of employees from various departments have been formed and trained, noting each of the four-person teams has a union representative. In addition to training the teams, they also trained the department liaison staff in the eight focus areas to be examined during the process. He said "they" have asked that a union representative also participate in the process for the departments to be reviewed. He said the work done with the teams on November 20, 2009, was a combination of training and the beginning of the process. He said teams were trained in the approach, what is to be done, the analytical framework and the use of various tools to be used in interviewing, prioritizing and negotiating to make them more effective in working with the departments.

Mr. Millican said each of the four teams will work on four areas, and beginning January 4, 2010, this Committee will hear from two teams at each meeting, with recommendations for specific organizational areas. He said the objective will be for 4-5 important changes which should be made, to hear the Committee's response to those suggestions and for feedback on things which might be of concern.

Mr. Millican said the teams have not focused on Public Safety because those reports came to this Committee in October. The teams will not be focusing on Public Works or Housing and Community Services, because those departments moved forward with the restructuring process last year.

Mr. Millican said staff presented a proposed timetable, but because of its duties in the first part of the year, the Finance & Administration report will come later in the process.

Chair Ortiz said it is his hope and direction to staff that the Committee wants these reports, in writing, in a memo/matrix form, with specific recommendations and cuts which have been identified and recommended by the teams. He appreciates that the Restructuring Committee is working on a plan for the long term, but he said cuts may need to be made in this fiscal year.

Mr. Millican said it will be necessary to integrate the process of service prioritization with the Restructuring Committee, because they are related, but the budget reduction may not completely flow from the service improvement.

Chair Ortiz said these processes can inform each other and are complementary functions.

Responding to Councilor Wurzbarger, Mr. Millican said a ballpark figure for a 8-9% reduction from last year in GRTs would be a city-wide reduction of \$4 million, of which \$2.5 million is from the General Fund.

Councilor Calvert said he had hoped for more information at this meeting, and is concerned that this process may be behind schedule. He said he definitely wants all of the information well in advance of the next meeting.

Mr. Millican said the Committee packets usually go out on the Wednesday before the meeting on the following Monday. He said additional information is being prepared and staff will be giving revenue forecasts for next year.

Chair Ortiz said additional information can be sent to members via email without waiting to go out in the Committee meeting packet. He said the emails to the Committee and the information provided prior to the meeting can be included in the packet as validation of what was sent via email.

Chair Ortiz asked that all of the requested information be submitted in memo form.

Responding to Councilor Chavez, Mr. Millican said the presentations on restructuring will begin on January 4, 2009, and continue at each Finance Committee meeting through February 2010.

Councilor Dominguez said reorganization is part of the plan, and asked if there is a master calendar for all of the things to be done, and certain presentations to be made. He said, like Councilor Calvert, he had expected more information at this meeting.

Mr. Millican said the calendar was presented in the first restructuring presentation, and he can resend this to the Committee.

Councilor Dominguez asked that it also include the timetable for the planning of the 2010/2011 budget and how it is associated with restructuring and prioritizing.

Chair Ortiz said he anticipates mid-year adjustments will be made at the last Council meeting in February 2010, and prior to the election in March 2010.

Mr. Millican said it is anticipated that there will be more budget decreases than increases, noting the mid-year adjustments will be developed after the City receives the January GRT check.

Councilor Ortiz said by February, we will have received the GRTs for December, which is half of our revenue, we will know whether the current budget projections are correct, and whether we will need the contingency plans to be brought to the Committee.

Mr. Millican said the reports will be as of December 31, 2009.

Chair Ortiz, with the consensus of the Committee, directed staff to prepare a timeline of these events and email that to this Committee before the meeting on January 4, 2010.

Councilor Dominguez asked staff also to include overall picture of what they are anticipating, and the Committee correct that if that needs to happen.

Councilor Wurzbarger said then in January 2010, "the specific recommendations will be tied to money, rather than some generic priorities, but you are starting the process with a minimum of \$2.5 million as the amount we need to address and you will be providing recommendations on that."

Mr. Millican said if they continue to see 8-9% declines in the December payment, and perhaps more importantly in the January payment, then staff will have to present a contingency to get through the rest of the year without using reserves, noting this was the condition attached by the Committee.

Councilor Wurzbarger would like a response from staff with specific suggested cuts – she wants to see the numbers and something definitive in line with the current forecast of a reduction of up to \$2.5 million.

7. UPDATE ON COMMITTEE REVIEW. (DAVID MILLICAN)

Chair Ortiz said this was a request to show the cost, and staff has submitted the stenographer costs, but there is no cost for City staff time. He would like the Departments to provide an estimate of the staff time which is used to staff committees – a rough estimate would be okay.

Mr. Millican said he wasn't able to assemble the complete labor estimate, noting they also need the estimates for other departments that participate on the committees.

8. UPDATE ON EMPLOYEE BENEFITS COMMITTEE RECOMMENDATION TO ESTABLISH AN EMPLOYEE ELECTED FLEXIBLE SPENDING ACCOUNT (JANUARY 1, 2010). (KRISTINE KUEBLI)

Ms. Kuebli said she is here to provide a brief update from the Committee that is working on this issue.

Chair Ortiz noted there is no Memorandum in the packet, and asked Ms. Kuebli if this went through the labor relations committee.

Ms. Kuebli said this is a report from the Employee Benefits Committee which has representatives from all three unions.

Chair Ortiz asked if this is the subject of negotiations that we discussed.

Ms. Kuebli said this is an update. In July, as part of the employee benefits package, the Committee and Council approved establishing a flexible spending account which are contributions from employees – pre-taxed dollars. The program has been established. However, they were unsuccessful because of the short recruitment period, and didn't get enough people to sign up for the program. The Benefits Committee asked that we reconsider it and provide an enrollment period for sign-up at the beginning of January. She said they will do what they can administratively. They have to create plan documents that describe the medical care spending account. The benefits are to the employees with pre-taxed dollars, and the City also saves on every reduction in taxable income. She said they are going to try to move forward with this.

Councilor Calvert asked if the open enrollment will be preceded with an advertising campaign, so the employees might better understand how it works and how it can benefit them.

Ms. Kuebli said yes, noting there was a campaign in the fall, but only 86 people indicated interest. They will be doing another campaign in December to get more employees. She said the choices which employees make about medical spending accounts will have an impact if they decide to change plans. If they take a little risk and move down to one of the other plans, they can protect themselves by putting away these savings.

Responding to Councilor Chavez, Ms. Kuebli said since they were unsuccessful in getting sufficient interest for a July 1, 2009 Plan, the Committee would like them to try one more time for a January 2010 effective date. She said they will spend their time on this in the month of December.

EXECUTIVE SESSION

36. DISCUSSION OF THREATENED LITIGATION OF NEW MEXICO COMMUNITY DEVELOPMENT LOAN FUND, PURSUANT TO NMSA §10-15-1(H)(8) (7). (FABIAN TRUJILLO AND FRANK KATZ)

Chair Ortiz said he doesn't see a City Attorney in attendance, therefore he doesn't believe we should move this into Executive Session. He asked if the City Attorney knew about this item on the agenda.

Ms. McCormick said she spoke with Mr. Katz earlier today and told him she would be here, so he was not staying for the Executive Session.

Chair Ortiz asked if there is a time sensitivity on this item.

Ms. McCormick said staff hoped to have Council direction as to how to proceed at the Council meeting on December 9th.

Chair Ortiz suggested Committee could move this forward to the Council, or take action on Item #37 without going into Executive Session.

Ms. McCormick said it would be fine to provide staff direction without going into executive session, but staff probably would request an Executive Session at the City Council because of the potential suit.

MOTION: Councilor Chavez moved, seconded by Councilor Calvert, to move Item #36 forward to the City Council without recommendation.

DISCUSSION: Councilor Chavez would like information in the packet prior to executive session.

Chair Ortiz said copies of the litigation letter can be provided

Ms. McCormick said the cover memorandum and the contract are part of the Committee packet, but not the litigation letter.

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

37. REQUEST FOR APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT (CDBG) – MANAGEMENT OF SANTA FE BUSINESS REVOLVING LOAN FUND; NEW MEXICO COMMUNITY DEVELOPMENT LOAN FUND. (FABIAN TRUJILLO)

Fabian Trujillo requested approval for this retroactive services contract, for services provided September 2008 through April 2009 without a contract, and retroactive approval for up to \$70,000 because of the litigation letter.

Councilor Wurzbarger said Mr. Trujillo is aware that the Business & Quality of Life Committee [BQL] has expressed concern for over a year about this contract, for the reasons he stated in the memorandum – the 30% ratio between managing the money and giving money to people who need it. She asked, in view of the ongoing concerns expressed by the BQL Committee, how we get to a situation seven months later where we find that we don't have a contract. She said staff acknowledges the services were provided, but she wants to understand the staff involvement in monitoring this contract which led to this situation. She said, with few exceptions, this Committee assiduously has avoided approving contracts after the fact, noting those approved were within a month or two. However, this is seven months after the fact and she wants an explanation.

Mr. Trujillo said he made a grievous error in his administration of this contract and accepts full responsibility. He said he was looking to do the RFPs during that time frame, but he let the time frame get away before an RFP for the contract was issued. He said it is a very complex contract, and there were issues in coming to an agreement with the evaluation committee, so it took longer than anticipated. He said they "were considering what the BQL was doing." He reiterated that he takes full responsibility for what has happened with this contract, and he apologized to the Committee for allowing this to happen.

Councilor Wurzbarger said Mr. Trujillo, in his memorandum, makes reference to a retroactive contract, but he refers to another contract. She asked if the requested \$40,000 will bring everything current, or extend the contract for five more months. She asked staff to explain the nature of the proposal before the Committee this evening.

Mr. Trujillo said the proposal is to pay them for the seven months they were not paid. He said during the timeframe the contract expired, "we negotiated a contract for \$35,000 for six months. He said one of the issues was that we were negotiating the amount of this contract, noting the original amount was roughly \$120,000 for a year. He said he is proposing to pay them for the seven months during which they performed these services without pay and without a contract. He noted that an interim contract was negotiated for six months for \$5,700 per month.

Councilor Wurzbarger said that was an interim contract that was negotiated verbally and it is not a written contract.

Mr. Trujillo said it was an interim, written contract for \$35,000, beginning in April 2009, expiring on October 31, 2009. In August 2009, an RFQ was issued for another contract, and a new contract with a different contract was awarded which began on November 1, 2009, noting the services being performed at this time are loan services.

Councilor Wurzbarger said, "My third question, that I want to make clear for the record, is that any approval of the agreement, not contract, this retroactive payment, would be the end of that relationship. Is that correct. Would you please answer for the record."

Mr. Trujillo said, "Yes, yes, it was."

Councilor Wurzbarger said, "The services that must be provided to service the contract... I mean to service the loan are being done by another firm now."

Mr. Trujillo said, "Yes, that is correct Councilor."

Councilor Chavez asked if this portion of the CDBG funding will go into the Small Business Revolving Loan Fund, and Mr. Trujillo said yes. Councilor Chavez asked, for this round of loan approvals, if this contract included in the interim agreement and the \$70,000.

Mr. Trujillo said it was just for loan services, making loans and marketing the Loan Fund, the program itself.

Councilor Wurzbarger said she is uncomfortable in making a decision on a verbal agreement which has been in process for seven months, and to retroactively agree to pay something for which we didn't have a written contract. She also wants to seek Counsel's advice on this.

MOTION: Councilor Wurzbarger moved, seconded by Councilor Calvert, to move this item forward to the next Council meeting without recommendation.

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

CONSENT CALENDAR DISCUSSION

19. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT – VOICE AND DATA TELECOMMUNICATIONS PROVIDED TO CITY OFFICES FOR ITT DIVISION; QWEST COMMUNICATIONS. (THOMAS WILLIAMS)

Councilor Calvert said Mr. Williams' Memorandum states, "I anticipate that the City will add more services throughout the fiscal year." He asked what those services are, commenting that if anything, they should look to cuts and not increases. He said the Memorandum talks about Water Division administration, but he understands the Division has its own budget. He asked if this is for an additional \$600,000 on top of the existing budget.

Mr. Millican said it is the baseline budget for telecommunications services, generally.

Chair Ortiz asked why we are doing this now, if it isn't an increase to what we currently been paying to Qwest for the phones, and Mr. Millican said he doesn't know..

Chair Ortiz asked if this is time sensitive, and Mr. Millican said no, it can be postponed.

MOTION: Councilor Calvert moved, seconded by Councilor Wurzbarger, to postpone this Agenda item to the first Finance Committee meeting in January.

DISCUSSION: Councilor Chavez noted there is a copy of the Sole Source Declaration signed by the Purchasing Director in the packet.

Chair Ortiz said there is no question about how this could be justified as a sole source.

Councilor Chavez said the service may need to be enhanced or increased, or whatever.

Councilor Calvert quoted from Mr. Williams' Memorandum of September 21, 2009, to Robert Rodarte, "However, ITT is currently in negotiations with Time Warner Telecom and other Competitive Local Exchange Carriers (CLEC) to provide some of the City's telecommunications needs."

Chair Ortiz questioned why we would authorize a sole source now if we are trying to get a better deal, when the Memo says perhaps it's not justified.

Mr. Millican said he can only speculate and he will follow up with Mr. Williams. He said the Qwest payment would not take the form of a contract because it is treated as a public utility as opposed to a separate provider.

Robert Rodarte said Mr. Williams correctly budgeted for "71 correctly," but he didn't bring it during that period for approval as a sole source. "Now he's up to almost \$50,000 for the year in payments, so I made him come for approval. I'm not going to approve anything until he sails past the.... until he gets approval on the sole source memo."

Chair Ortiz said this is another situation where there is a request for a contract after the fact.

Mr. Rodarte said, "This is a continuing thing and he had funding left from last year."

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

20. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – PROPERTY MANAGEMENT AND LEASE ADMINISTRATION SERVICES ON BEHALF OF THE CITY FOR COLLEGE OF SANTA FE; CSF MANAGEMENT, LLC. (LEE DePIETRO)

A copy of "College of Santa Fe Bids, Property Management and Lease Administration Services, including Project Management," entered for the record by Lee DePietro, is incorporated herewith to these minutes as Exhibit "2."

Chair Ortiz asked who is CFS Management, LLC.

Ms. DePietro said it is a single member newly formed LLC. The single member is the SFRCC [Santa Fe Railyard Community Corporation].

Chair Ortiz said then the City will be paying the SFRCC through this newly formed LLC for managing the College of Santa Fe.

Ms. DePietro said yes.

Chair Ortiz asked if this was part of the financing package which approved by the City of Santa Fe.

Ms. DePietro said yes. She said we budgeted for these services within the entire framework of the financing.

Chair Ortiz asked if this is being justified as a sole source or if an RFQ was issued and this was the winning bid.

Ms. DePietro said yes. An RFP was issued in September, seven responses were received and this is the selected contractor.

Chair Ortiz said if this information had been in the packet it would have answered his questions.

Councilor Wurzbarger said it is important to know who is the CSF Management, LLC.

Ms. DePietro said the sole member is the Santa Fe Railyard Corp., which was chosen as the result of an RFP process..

Councilor Calvert said he asked that question at the last meeting, and to include this kind of information would expedite this process.

Councilor Wurzbarger said she still is confused as to who's doing the work. She said this is a rather large contract, and she doesn't know who is doing it, who is being funded, and if, and how it impacts the Railyard Corporation.

Ms. DePietro said the people who will be performing the property management and construction project management as well as the oversight all are in Santa Fe, were identified in a follow-up meeting with the top two bidders.

Councilor Wurzbarger asked if Robert Lockwood is the contractor on this – she wants to know the names of the people involved.

Ms. DePietro said Lockwood has been retained by Laureate and is performing overall general contractor services at the College. She said Sean Moody has been hired by CSF Management to provide project management/construction management services. She said the individuals have been identified who will be providing services.

Councilor Wurzbarger said she wants staff to provide the names of the people providing the services.

MOTION: Councilor Wurzburger moved, seconded by Councilor Chavez, to postpone this item to first Finance Committee meeting in January 2010.

DISCUSSION: Councilor Chavez said then Councilor Wurzburger wants the names of all the principals which are part of CSF Management, LLC.

Ms. DePietro said they have that information and can furnish it to the Committee.

Councilor Wurzburger said she is asking further clarification of the relationship between the Railyard and this group, and how the one activity may affect the other, saying she believes this is a legitimate question for those who have been involved with the Railyard for a number of years.

Chair Ortiz said he believes she can get the answer to the first answer now, but he doesn't know how she could get the answer to the second question.

Councilor Calvert said perhaps we could clear this up if we ask the Executive Director of the SFRCC.

Chair Ortiz said it isn't this Committee's practice to put people/contractors on the firing line in this manner.

Councilor Wurzburger said there is a motion to postpone on the procedural issue that we don't have the information in the packet that we need to make this decision, not even knowing who the group is.

Councilor Chavez said an RFP went out to the public, but there was no criteria put in place that said...

Chair Ortiz said Councilor Chavez can't say that because we don't have the criteria in the packet. He said if there was an RFP he is sure there was criteria, although we don't know what that was.

Councilor Chavez said he was going to say that the criteria probably didn't say one could bid on it but the other couldn't. It was an open RFP, and we got seven responses.

VOTE: The motion was defeated on a voice vote, with Councilors Wurzburger and Chavez voting in favor of the motion, Councilors Calvert and Dominguez voting against. The resulting vote was a tie, and Chair Ortiz voted against to defeat the motion.

Chair Ortiz said Councilor Wurzburger asked what is the relationship between this organization, CSF Management, LLC, who is being awarded the bid and the Santa Fe Railyard Corporation.

Ms. DePietro said CSF Management, LLC, is a newly formed, limited liability company, that has a sole member which is the Santa Fe Railyard Corporation. There is a new board of directors and staff has been identified to provide the services within the contract.

Councilor Wurzburger asked if the Board of the Railyard Corporation is also the Board for the new LLC.

Ms. DePietro said there is a single member which is the Railyard Corporation, and there is an eight member Board of Directors with the newly formed LLC.

Councilor Wurzbarger asked again if the Board members are the same for both organizations.

Ms. DePietro said some are and some aren't.

Chair Ortiz asked who are the actual persons involved in the actual services that are proposed to be funded by the City, the individuals.

Ms. DePietro said the individual who will provide construction management services is Mr. Sean Moody. A woman will be hired to provide property management services, and she has her name, but will have to search for it, and Richard Chozski will be performing the oversight for these two functions.

Responding to the Chair, Councilor Wurzbarger said this answers her questions.

Councilor Chavez asked if the property management person is Sandy Brice who does property management for the Railyard.

Ms. DePietro said it is a different individual.

Chair Ortiz said then this money was budgeted in the financing plan for the College of Santa Fe.

Ms. DePietro said it was budgeted in the financing plan. Subsequently, there was a conversation with Laureate regarding the \$15 million deferred maintenance plan, and "we have agreed that we will fund a portion of the \$200,000 out of that capital plan as well. So, they'll be able to use some money for project management on their side and we will be able to use it for this PSA as well."

Chair Ortiz asked if this is something which is agreeable or allowable under the language approved by the City Council.

Ms. DePietro said yes, this is her understanding.

Chair Ortiz said asked, if we're using money which has been set aside for deferred maintenance for what is operation and maintenance fees on both sides, if this will shrink the money available for deferred maintenance.

Ms. DePietro said it will shrink it by \$200,000 per year.

Mr. Millican said it will shrink it by \$200,000 per year for the 3-year construction period.

Chair Ortiz asked if it is only for 3 years, or is it for the duration of the lease.

Ms. DePietro said the capital plan is a 3-year plan, so construction services or project management services would not go beyond that 3-year plan.

Councilor Chavez asked if that is executed in the PSA.

Ms. DePietro said the PSA was executed for only one year and we indicated we would like to review it as a staff before we go into any other future years.

MOTION: Councilor Wurzbarger moved, seconded by Councilor Chavez, to approve this request, with the comment that she wants a copy of the more traditional bid package provided prior to the Council meeting which explains who are the seven bidders, and such, and that Exhibit A Scope of Services be included as well.

DISCUSSION: Ms. DePietro said Exhibit A is incorporated into the PSA and Exhibit B is the Lease Agreement which she didn't put into the package because it is a huge document.

Councilor Chavez said then all of that language is incorporated into the version of the PSA which is before this Committee, and Ms. DePietro said it is.

Ms. DePietro distributed copies of the summation of the bids to provide these services [Exhibit " "]

Councilor Wurzbarger said she still would like this handout to be included in the packet when this goes to the City Council, so we don't have similar discussions by those not on this Committee who read the information in the packet.

Councilor Chavez said perhaps Exhibit A won't be needed if this information is in the packet.

Chair Ortiz said there has to be some other amount of detail, either the scoring, or something else which also has to follow this handout. He said it appears the successful bidder wasn't the lower cost. He asked if the local preference is applied.

Ms. DePietro said the local preference is indicated on page 2 [Exhibit "2 "], and only three bidders submitted with a local preference.

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

END OF CONSENT CALENDAR DISCUSSION

38. REQUEST FOR APPROVAL OF CONSIDERATION TO RE-ESTABLISH POSITIONS IN FY 2009/2010 BUDGET. (KRISTINE KUEBLI)

Chair Ortiz asked, in this time of record levels of inactivity in the Land Use Department, why we're

thinking about reestablishing positions there, and why can't existing staff be reassigned to cover some of the work which is necessary.

Ms. Kuebli explained the request and said the Land Use Director can speak better to this issue *[Ms. Kuebli's remarks here are for the most part inaudible because somehow she turned off the microphone]*.

Chair Ortiz asked if the Technical Review Coordinator is Charlie Gonzales' position.

Matthew O'Reilly, Director, Land Use Department, said yes.

Chair Ortiz reiterated his question about why we're looking to re-establish positions in the Land Use Department.

Mr. O'Reilly said, with regard to the Technical Review Coordinator, this area in the Technical Review Division has been under-staffed for quite a long time. Mr. Gonzales was doing the work of 1½ people. He said a lot of the work done by this position has to do with projects which already are under construction and are existing, and not related to new permits *per se*. However, there is a review function performed by the position in looking at permits, noting even the smallest permit has technical review which *must* be done. He said this is a critical position in a very small Division. The hope is that this is a real opportunity to get someone from the private sector, given the work slowdown.

Chair Ortiz asked if there is anyone in the Department with the necessary level of skills, education and knowledge which could be moved into this position, given that it requires knowledge of existing projects which have been in the City process for some time.

Mr. O'Reilly said, "No, in my opinion."

Chair Ortiz asked Mr. O'Reilly to speak to the Office Manager position.

Mr. O'Reilly said this position is the only office manager position for the Land Use Department and functions as the Office Manager for all 5 Divisions in the Land Use Department, noting there are no other office manager in the Divisions, reiterating this is a critical position.

Chair Ortiz asked if there is current capacity among the administrative staff who could move into this position for a 10-15% increase to save the bulk of the funds, in lieu of establishing a new position.

Mr. O'Reilly said this currently is an option. He would like to advertise the position. However, they do have someone in mind who could step in, temporarily, to fill these roles, but this individual does have other duties within the Department.

Councilor Chavez said part of the argument has some merit in that there is a downturn in the general economy – construction is down, and there is less activity on one level. However, there is another level of activity which could be a missed opportunity and that would be on a smaller scale, for example, a

person trying to get a permit to build a wall or shed. He said we need a user-friendly system to meet these needs, or we will discourage some people from seeking permits for the smaller projects, and will do the project without a permit which isn't always the best way to proceed. The City doesn't capture revenue from that activity, plus the City doesn't know the quality of that project.

Councilor Dominguez said at the bottom of Ms. Kuebli's Memorandum of November 9, 2009, there is an indication to put All Library Positions on the list to be reestablished, and asked if there are other positions on that list.

Ms. Kuebli said these aren't the only positions on the list. She said current positions on the list are the Senior Services and Transit positions, and this is an addition to that.

Councilor Chavez asked if the funds for each of the positions requested are already in the Department budgets, and Ms. Kuebli said yes.

Councilor Chavez asked, in the event the positions aren't approved, if the other option would be to do outside contracting for these services.

Ms. Kuebli said this is an option, as well as to have existing staff absorb some of the functions, but not at the level of the technical capabilities which Mr. Gonzales had.

Councilor Chavez said there would be budget savings through outside contracts because of benefits, but questioned whether there would be quality.

Ms. Kuebli said she has another concern when the City starts hiring contractors who look like employees, because the City can run afoul of the IRS regulations regarding independent contractor status.

Councilor Chavez said outsourcing also gets close to privatization.

Councilor Wurzbarger said she is concerned, given the finances we heard earlier, that each time we make one of these decisions we dig a deeper hole for ourselves when we reevaluate the financial situation in January and February 2010. She said we are still hopeful that somehow November and December GRTs will turn around. She has no doubt that the positions are needed. However, she is uncomfortable in making a decision at this point, and believes this can wait until the next meeting.

MOTION: Councilor Wurzbarger moved to postpone this request to January 19, 2010, the second Finance Committee meeting in January, 2010, with a request to staff not to bring additional requests until we get the information we need to make decisions regarding the financial situation of the city. **THE MOTION DIED FOR LACK OF A SECOND.**

Chair Ortiz asked which positions are time sensitive or are needed to fill a critical/sensitive position.

Ms. Kuebli said the Financial Analyst is a critical position, noting there currently are three vacancies for Financial Analyst in the Finance Section.

[Chair Ortiz's remarks here are inaudible because his microphone was turned off.] The Chair said something about the three vacancies speak to the fact that it isn't a critical position because there are other positions which fulfill this function and it isn't a critical function.

Ms. Kuebli said what Teresita is saying is that they have existing people already covering vacancies, and they are asking for this one position, because it is the position which actually reconciles the City bank accounts and it is critical. She said Mr. Millican also can speak to this.

Chair Ortiz asked if Ms. Kuebli is saying that all of the positions are time sensitive or critical to the organization.

Ms. Kuebli said no, but she will answer the question as it relates to safety, compliance and criticality, and there are three which stand out for her. She said, based on her understanding of the more than 100 hours the GCCC is open, unless we address changes in how we deliver service, based on her understanding of the memorandum, it is a safety issue and it is creating the possibility of excess overtime and compensatory time. The other area is the Project Specialist which deals with Special Revenue, and she understands this position affects the compliance of the Federal Water Protection Act, noting the Department cut 50% of its contract services in the Department budget. And, those contracted services are expected to be assigned partially to this position. She said Mr. O'Reilly already has addressed the needs of the Land Use Department. She said, "I think the administrative position, as much as I support the request here for the office manager, it's being requested to be reduced to an Administrative Assistant which already presents savings. I think that Kathy, unfortunately, I think we can probably wait another month with that position and give it time to see what happens for January. So, if you're asking me to pick, I probably would have to pick those positions."

Chair Ortiz's remarks here are for the most part inaudible.

Responding to the Chair, Ms. Kuebli said in the Library she has a temporary solution to help the Library, so she isn't asking to fill those positions this evening.

Councilor Chavez said then Ms. Kuebli has eliminated the Financial Analyst request and the Office Manager request.

Ms. Kuebli said no, she thinks we need to move forward to fill the Financial Analyst position. She said, "The Fitness Technician, I will tell you, as much as I think it is a safety issue, we cannot prolong it, we have a temporary currently filling that job. So, if we have to postpone the Fitness Technician, we can do that, because there is a temporary employee filling that job. The Project Specialist is a Special Revenue and has to do with compliance issues. The office manager... Matt already spoke to that... Technical Review, and the Office Manager for Housing, I would suggest that we could postpone it a month until we get another report in to see where we stand. It does leave a department without administrative support."

MOTION: Councilor Chavez moved, seconded by Councilor Calvert, for purposes of discussion, to approve re-establishment of the positions of Financial Analyst, Project Specialist for Public Works Department, Office Manager for Land Use Department and the Technical Review Coordinator for the Land Use Department.

CLARIFICATION ON THE MOTION: Councilor Calvert asked Councilor Chavez if the motion includes the Fitness Technician. Councilor Chavez said his motion was to approve the Financial Analyst, Project Specialist, Office Manager and Technical Review Coordinator in Land Use, but it did not include the Fitness Technician in Public Works nor the Office Manager in Community Development.

Responding to Councilor Calvert, Ms. Kuebli said she has a temporary solution for the libraries.

Councilor Dominguez asked about the solution for the library.

Ms. Kuebli explained the dilemma, which is that when a Librarian or Library Technician position becomes it is filled by a part time Library Technician which creates another vacant position, noting they are hiring only from internal sources. They constantly have to come back to the Committee to request another Technician. She is working with Ms. Hodapp to have temporary employees available who are non-benefitted, and who can be let go at any time, to fill in the gaps, although this can't continue for very long.

Pat Hodapp further explained the dilemma in the Library Division, and said there are 60 hours of staff time each week which are unfilled, noting they are open 177 hours a week.. She said the administration works nights and weekends as well, and sometimes there is no administrative person on site.

Councilor Dominguez said then approving this position will mean you get away from the thing that is happening now, and Ms. Kuebli said this is correct.

Councilor Dominguez said he wants to see consistent, full staffing in the Libraries, to provide what he believes is a critical service.

Responding to Councilor Dominguez, with regard to the Fitness Technician, and Ms. Kuebli said it is the same situation as that in the Library.

Councilor Dominguez asked if there is really a safety issue in terms of filling the position of Fitness Technician.

Unidentified staff said they have been able to fill the position as a temporary position, but those last for only 90 days. He said there is always the potential of some level of injury, and staff has to work together to lift heavy equipment throughout the day. He said they are working to provide coverage, but it is still a temporary position.

FRIENDLY AMENDMENT: Councilor Dominguez would like also to include All Library positions in the motion, but not the Fitness Technician. **THE AMENDMENT WAS NOT FRIENDLY TO THE SECOND.**

MOTION TO AMEND: Councilor Dominguez moved, seconded by Councilor Chavez, to amend the motion to include approval for All Library positions in the main motion.

DISCUSSION: Councilor Chavez asked the dollar amount of the amendment.

Ms. Hodapp said the part time technicians are hired at \$10.93 an hour for 20 hours, and a part librarian is hired at \$18 an hour for 20 hours.

Chair Ortiz said that is roughly \$160,000 per year for 3 positions.

Ms. Hodapp said this is correct, pointing out that these funds are already in the budget and this isn't new money.

Chair Ortiz said although it isn't new money, once the money goes away and we have to make cuts or order furloughs or lay-offs, we've made these decisions and the money is gone.

FRIENDLY AMENDMENT: Councilor Chavez would like to amend the Motion to include the following financial information: Part time technicians are hired at \$10.93 an hour for 20 hours, and a part time librarian is hired at \$18 an hour for 20 hours, at an estimated \$160,000 per year for the 3 positions **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND AND THERE WERE NO OBJECTIONS BY THE OTHER COUNCILORS.**

VOTE ON THE MOTION TO AMEND: The motion to amend, as amended, was defeated on a voice vote, with Councilors Dominguez and Chavez voting in favor of the motion and Councilors Calvert and Wurzbarger voting against. The resulting vote was a tie, and the Chair voted against, thus defeating the Motion to Amend.

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

39. UPDATE AND REQUEST FOR APPROVAL OF PARKS MASTER PLAN. (ROBERT ROMERO)

Responding to the Chair, Robert Romero said there were no changes to the 2008 Parks Bond Implementation Plan Update at the Public Works Committee.

[STENOGRAPHER'S NOTE: Mr. Romero spoke about something which was distributed to the Councilors prior to the meeting, but was not entered for the record.] He said the projects which have been completed are highlighted in green and they indicate whether there is a balance or if they went over the budget. He said were two projects where they went over the project "a few thousand bucks."

Mr. Romero said, currently, they are \$200,000 under budget, based on what has been completed. He said the Public Works Committee felt that we should wait until we are done and then come up with a process on how to reallocate whatever funds remain after "we build what is here."

Chair Ortiz said he understands we have done this twice. He said this Committee process allows Councilors the ability to shift priorities within the Plan, with a gentleperson's agreement that funds will be shifted within the Councilor's District, and not across Districts.

Chair Ortiz said it indicates that Pueblos del Sol is in Committee for the change order, but we haven't seen it, and asked when that will be done. He said the hoop on the pole at the basketball court still hasn't been installed, noting the concrete court was poured when it was still warm enough to play basketball.

Mr. Romero said he will check on this, commenting that he understood it was either on the way or in the yard.

Chair Ortiz asked when this Committee will approve the change order so this can get done.

Mr. Romero said currently he is working with the engineer and the ADA people to ensure that we have an acceptable design for the Trail, and he will get an update on that as well.

Councilor Calvert asked "did we say we wanted it back at Public Works because we also wanted the update on the trail part as well."

Mr. Romero said he will be bringing Trails to Public Works separately in the future.

Councilor Chavez asked if this item will go to the City Council.

Chair Ortiz said this always has been done only by the Committee, unless the Council requests to approve it. He said the only time this went to the Council was when we made changes to some of the dollar amounts. He said the last time it came to this Committee, the members had questions and shifted work "on this park, not on that park," and it was just direction to staff and we never took it to the next level.

Councilor Calvert said we asked for an update on the Northwest Sector, which isn't reflected here.

Mr. Romero said that is also considered as Trails and they are working on that update, and will come to the Committee in the Trails update in the near future.

Chair Ortiz said action on that will require six votes by the Council.

MOTION: Councilor Chavez moved, seconded by Councilor Calvert, to approve the update as presented, with direction to staff as discussed..

DISCUSSION: Councilor Dominguez said we are spending "tons" of money on these park improvements and he hopes Mr. Romero is working to program these parks so we can start using them.

Mr. Romero said he is working actively with Recreation and he will give an update at the January meeting.

Chair Ortiz said this request came with a specific request by Councilor Romero for updates every six months.

Councilor Dominguez said a six month update will be fine, and it isn't necessary to update the Committee in January.

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

40. OTHER FINANCIAL INFORMATION:

A. UPDATE ON CITY OF SANTA FE INVESTMENT PORTFOLIO AS OF SEPTEMBER 30, 2009. (HELEN HAUSMAN)

Mr. Millican said, in making investments, the City is very challenged by the interest rate environment. He said the City is holding a "very short position," because the amount we are paid for extending the maturity of the investments is not enough of a premium. He said if inflation kicks in as a result of the Stimulus money, the City would want to be able to invest in higher interest rate bonds, because interest rates are tending to zero. Responding to the Chair, Mr. Millican said this trend hasn't been seen on the national level. He said if this goes on for very long, the City will start making investments in "sub one percent federal treasuries," but he is trying to avoid that right now and hold for a while.

B. UPDATE ON GROSS RECEIPTS TAX REPORT FOR NOVEMBER 2009 AND LODGERS' TAX REPORT FOR OCTOBER 2009. (DAVID MILLICAN)

Chair Ortiz would like Mr. Millican to send an email to the Committee when the GRTs and Lodger's Tax are received in December, and include a copy of the email in the January Committee packet to refresh our memory.

41. MATTERS FROM THE COMMITTEE

Responding to Councilor Calvert's question about Item #38, Mr. Millican said the Committee should see these with City Manager/Human Resources recommendation signed.

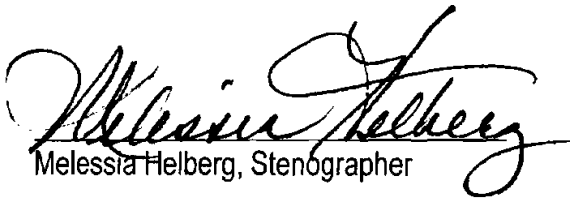
41. ADJOURN

There was no further business to come before the Committee, and the meeting was adjourned at 7:00 pm.

Matthew E. Ortiz, Chair

Reviewed by:

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