



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
JULY 5, 2011 – 5:00 PM

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

JUNE 20, 2011

CITY CLERK'S OFFICE

DATE 7-1-11 TIME 1:45 pm

SERVED BY [Signature]

RECEIVED BY [Signature]

## CONSENT AGENDA

6. BID OPENINGS:
  - A. BID NO. 11/41/B – FISCAL YEAR 2011/2012 SANITARY SEWER LINE REHABILITATION PROJECT AND AGREEMENT BETWEEN OWNER AND CONTRACTOR FOR WASTEWATER MANAGEMENT DIVISION; SAMCON, INC. (STAN HOLLAND)
    1. REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND
7. REQUEST FOR APPROVAL OF PARKING DIVISION'S PROPOSED AMNESTY PROGRAM (SEVASTIAN GURULE)
8. REQUEST FOR CONCEPT APPROVAL OF LEASE AGREEMENT – BURRO ALLEY RIGHT-OF-WAY FOR OUTDOOR SEATING APPURTENANT TO NEW RESTAURANT AT 31 BURRO ALLEY; RICHARD MONTOYA, MANAGER FOR BOKUM BURRO ALLEY, LLC (EDWARD VIGIL)
9. REQUEST FOR APPROVAL OF MEMORANDUM OF AGREEMENT – FY 2011/2012 SANTA FE TRAIL RIDEFINDERS PROGRAM (JON BULTHUIS)
10. SANTA FE MUNICIPAL AIRPORT (JIM MONTMAN)
  - A. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – ENGINEERING, ARCHITECTURAL AND PLANNING SERVICES; MOLZEN-CORBIN & ASSOCIATES, INC.



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
JULY 5, 2011 – 5:00 PM

- B. REQUEST FOR APPROVAL OF TASK ORDER 40 THROUGH 48 – ENGINEERING, ARCHITECTURAL AND PLANNING SERVICES; MOLZEN-CORBIN & ASSOCIATES, INC.
- C. REQUEST FOR APPROVAL OF TASK ORDER 17 MODIFICATIONS – RUNWAY PAVEMENT MARKING DESIGN; MOLZEN-CORBIN & ASSOCIATES, INC.
- 11. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – OPERATE AND MAINTAIN ANIMAL SHELTER; SANTA FE ANIMAL SHELTER (POLICE CHIEF RAY RAE)
- 12. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENTS – AFFORDABLE HOUSING SERVICES FOR FISCAL YEAR 2011 (NICK SCHIAVO AND MELISA DAILEY)
  - A. HOME WISE
  - B. SANTA FE COMMUNITY HOUSING TRUST
- 13. REQUEST FOR APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACTS – FY 2011/2012 CDBG ALLOCATION FOR FOUR (4) PROJECTS (KIM DICOME)
  - A. HOMEWISE
  - B. SANTA FE COMMUNITY HOUSING TRUST
- 14. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – PUBLIC RELATIONS SERVICES FOR SANTA FE CONVENTION AND VISITORS BUREAU; LOCAS COMMUNICATIONS, INC. (JAMES BRADBURY)
- 15. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – WEBSITE MANAGEMENT AND SOCIAL MEDIA MARKETING SERVICES FOR SANTA FE CONVENTION AND VISITORS BUREAU; STUDIOX, INC. (JAMES BRADBURY)
- 16. REQUEST FOR APPROVAL OF REALLOCATION OF PARKS BOND FUNDS (FABIAN CHAVEZ)



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
JULY 5, 2011 – 5:00 PM

17. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING ARTICLE 18-4 SFCC 1987 TO REQUIRE CORE RECYCLERS, PRECIOUS METALS DEALERS AND TRANSIENT PRECIOUS METALS DEALERS TO OBTAIN A CITY BUSINESS LICENSE; AND TO REQUIRE PERSONS LICENSED UNDER ARTICLE 18-4 SFCC 1987 TO COMPLY WITH REGULATIONS REGARDING THE SALE OR PLEDGE OF COPPER, CATALYTIC CONVERTERS, PRECIOUS METALS AND OTHER ITEMS AS MAY BE DESIGNATED BY RESOLUTION OF THE GOVERNING BODY (COUNCILORS CALVERT AND TRUJILLO) (MELISSA BYERS)

**Committee Review:**

Public Safety (approved)	06/21/11
City Business and Quality of Life (scheduled)	07/12/11
City Council (request to publish)	07/13/11
City Council (public hearing)	08/10/11

Fiscal Impact – Yes

18. REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING THE NEW MEXICO LITTER CONTROL AND BEAUTIFICATION ACT OF 1985 WHICH PROVIDES PUBLIC FUNDS IN THE FORM OF GRANTS FOR THE PURPOSE OF ENHANCING LOCAL LITTER CONTROL AND BEAUTIFICATION PROGRAMS (COUNCILOR TRUJILLO) (GILDA MONTANO)

- A. REQUEST FOR APPROVAL OF GRANT AGREEMENT 12-418-6011-0050 – NEW MEXICO CLEAN & BEAUTIFUL GRANT FUNDING FISCAL YEAR 2011/2012 (GILDA MONTANO)

**Committee Review:**

Public Utilities (scheduled)	07/06/11
City Council (scheduled)	07/13/11

Fiscal Impact – Yes

19. ZIA RAIL RUNNER EXPRESS STATION (FINANCE COMMITTEE) (KEITH WILSON)

- A. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING TABLE 22 (PAGE 23) OF THE CITY OF SANTA FE IMPACT FEES CAPITAL IMPROVEMENTS PLAN REGARDING PLANNED MAJOR ROAD IMPROVEMENTS AND ADDING “ZIA STATION INFRASTRUCTURE IMPROVEMENTS” AND “ZIA ROAD INTERSECTION IMPROVEMENTS” AS ELIGIBLE PROJECTS TO RECEIVE “ROAD” IMPACT FEES



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
JULY 5, 2011 – 5:00 PM

- B. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO SUBMIT A REQUEST TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION TO OPEN THE ZIA STATION FOR RAIL RUNNER EXPRESS SERVICE

**Committee Review:**

Public Works (scheduled)

07/11/11

City Council (scheduled)

07/13/11

Fiscal Impact – No

***END OF CONSENT AGENDA***

**DISCUSSION**

20. AMENDING THE SANTA FE ELECTION CODE, ARTICLE 9-1 SFCC 1987 AND THE PUBLIC CAMPAIGN FINANCE CODE, ARTICLE 9-3 SFCC 1987 TO ENCOURAGE PARTICIPATION IN PUBLIC CAMPAIGN FINANCING BY ADVANCING THE PRE-ELECTION TIMETABLE; REPEALING SECTIONS 9-3.12 AND 9-3.13 SFCC 1987 REGARDING MATCHING FUNDS; AMENDING SECTION 6-16.7(B) SFCC 1987; AND MAKING SUCH OTHER CHANGES ARE NECESSARY (COUNCILOR CALVERT) (YOLANDA VIGIL AND GENO ZAMORA)

**Committee Review:**

City Council (request to publish)

07/13/11

City Council (public hearing)

08/10/11

Fiscal Impact – Yes

21. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 11-2.2 SFCC 1987 AND CREATING NEW SECTION 11-2.6 SFCC 1987 LIMITING GENERAL FUND PERSONNEL COSTS (COUNCILOR ORTIZ) (KATHRYN RAVELING)

**Committee Review:**

City Council (sent back to Finance Committee)

05/25/11

Finance Committee (postponed)

06/20/11

City Council (request to publish)

07/13/11

City Council (public hearing)

08/10/11

Fiscal Impact – Yes



# Agenda

FINANCE COMMITTEE MEETING  
CITY COUNCIL CHAMBERS  
JULY 5, 2011 – 5:00 PM

- 
22. REQUEST FOR APPROVAL TO PROCEED WITH DRAFTING A RESOLUTION TO FORMALIZE CASH POLICIES FOR VARIOUS FUNDS (KATHRYN RAVELING)
  23. OTHER FINANCIAL INFORMATION
  24. MATTERS FROM THE COMMITTEE
  25. 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  
Tuesday, July 5, 2011**

<b><u>ITEM</u></b>	<b><u>ACTION</u></b>	<b><u>PAGE</u></b>
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	2
APPROVAL OF CONSENT AGENDA	Approved [amended]	2
CONSENT AGENDA LISTING		2-4
APPROVAL OF MINUTES: JUNE 20, 2011	Approved	4
<b><u>CONSENT CALENDAR DISCUSSION</u></b>		
REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – PUBLIC RELATIONS SERVICES FOR SANTA FE CONVENTION AND VISITORS BUREAU; LOCAS COMMUNICATIONS, INC.	Approved w/condition	5-6
REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – WEBSITE MANAGEMENT AND SOCIAL MEDIA MARKETING SERVICES FOR SANTA FE CONVENTION AND VISITORS BUREAU; STUDIO X, INC.	Approved w/condition	6
<b><u>ZIA RAIL RUNNER EXPRESS STATION:</u></b>		
REQUEST FOR APPROVAL OF A RESOLUTION AMENDING TABLE 22 (PAGE 23) OF THE CITY OF SANTA FE IMPACT FEES CAPITAL IMPROVEMENTS PLAN REGARDING PLANNED MAJOR ROAD IMPROVEMENTS AND ADDING “ZIA STATION INFRASTRUCTURE IMPROVEMENTS” AND “ZIA ROAD INTERSECTION IMPROVEMENTS” AS ELIGIBLE PROJECTS TO RECEIVE “ROAD”IMPACT FEES	Postponed to 07/18/11	7
REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO SUBMIT A REQUEST TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION TO OPEN THE ZIA STATION FOR RAIL RUNNER EXPRESS SERVICE	Postponed to 07/18/11	7

**ITEM****ACTION****PAGE****DISCUSSION**

AMENDING THE SANTA FE ELECTION CODE, ARTICLE 9-1 SFCC 1987 AND THE PUBLIC CAMPAIGN FINANCE CODE, ARTICLE 9-3 SFCC 1987, TO ENCOURAGE PARTICIPATION IN PUBLIC CAMPAIGN FINANCING BY ADVANCING THE PRE-ELECTION TIMETABLE; REPEALING SECTIONS 9-3.12 AND 9.3.13 SFCC 1987, REGARDING MATCHING FUNDS; AMENDING SECTION 6-16.7(B) SFCC 1987; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY

Approved

8-10

REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 11-2.2 SFCC 1987, AND CREATING NEW SECTION 11-2.6 SFCC 1987, LIMITING GENERAL FUND PERSONNEL COSTS

Approved [amended]

10-11

REQUEST FOR APPROVAL TO PROCEED WITH DRAFTING A RESOLUTION TO FORMALIZE CASH POLICIES FOR VARIOUS FUNDS

Postponed to 07/18/11

11

OTHER FINANCIAL INFORMATION

None

11

MATTERS FROM THE COMMITTEE

None

12

ADJOURN

12

**MINUTES OF THE  
CITY OF SANTA FE  
FINANCE COMMITTEE**  
Tuesday, July 5, 2011

**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 5:00 p.m., on Tuesday, July 5, 2011, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

**2. ROLL CALL**

**MEMBERS PRESENT:**

Councilor Matthew E. Ortiz, Chair  
Councilor Carmichael A. Dominguez  
Councilor Rosemary Romero

**MEMBERS EXCUSED:**

Councilor Patti J. Bushee  
Councilor Rebecca Wurzbarger

**OTHER GOVERNING BODY MEMBERS ATTENDING:**

Councilor Christopher Calvert

**OTHERS ATTENDING:**

Kathryn Raveling , 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**

Chair Ortiz said staff is pulling items #7 and #16. He said Item #7 will be postponed to the next meeting and Item #16 will be postponed to the first meeting in August.

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

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

**4. APPROVAL OF CONSENT AGENDA**

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

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

\*\*\*\*\*

**CONSENT AGENDA**

\*\*\*\*\*

**6. BID OPENINGS:**

- A. **BID NO. 11/41/B – FISCAL YEAR 2011/2012 SANITARY SEWER LINE REHABILITATION PROJECT AND AGREEMENT BETWEEN OWNER AND CONTRACTOR FOR WASTEWATER MANAGEMENT DIVISION; AMCON, INC. (STAN HOLLAND)**
  - 1. **REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND.**

**7. REQUEST FOR APPROVAL OF PARKING DIVISION'S PROPOSED AMNESTY PROGRAM. (SEVASTIAN GURULE)**

Removed and postponed to the meeting of July 18, 2011

**8. REQUEST FOR CONCEPT APPROVAL OF LEASE AGREEMENT – BURRO ALLEY RIGHT-OF-WAY FOR OUTDOOR SEATING APPURTENANT TO NEW RESTAURANT AT 31 BURRO ALLEY; RICHARD MONTOYA, MANAGER FOR BOKUM BURRO ALLEY, LLC. (EDWARD VIGIL)**

9. REQUEST FOR APPROVAL OF MEMORANDUM OF AGREEMENT – FY 2011/2012 SANTA FE TRAIL RIDEFINDERS PROGRAM. (JON BULTHUIS)
10. SANTA FE MUNICIPAL AIRPORT (JIM MONTMAN)
  - A. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – ENGINEERING, ARCHITECTURAL AND PLANNING SERVICES; MOLZEN-CORBIN & ASSOCIATES, INC.
  - B. REQUEST FOR APPROVAL OF TASK ORDER 40 THROUGH 48 – ENGINEERING, ARCHITECTURAL AND PLANNING SERVICES; MOLZEN-CORBIN & ASSOCIATES, INC.
  - C. REQUEST FOR APPROVAL OF TASK ORDER 17 MODIFICATIONS – RUNWAY PAVEMENT MARKING DESIGN; MOLZEN-CORBIN & ASSOCIATES, INC.
11. REQUEST FOR APPROVAL OF TRANSFER OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – OPERATE AND MAINTAIN ANIMAL SHELTER; SANTA FE ANIMAL SHELTER. (POLICE CHIEF RAY RAE)
12. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENTS – AFFORDABLE HOUSING SERVICES FOR FISCAL YEAR 2011. (NICK SCHIAVO AND MELISA DAILEY)
  - A. HOME WISE
  - B. SANTA FE COMMUNITY HOUSING TRUST
13. REQUEST FOR APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACTS – FY 2011/2012 CDBG ALLOCATION FOR FOUR (4) PROJECTS. (KIM DICOME)
  - A. HOME WISE
  - B. SANTA FE COMMUNITY HOUSING TRUST
14. *[Removed for discussion by Chair Ortiz]*
15. *[Removed for discussion by Chair Ortiz]*
16. REQUEST FOR APPROVAL OF REALLOCATION OF PARKS BOND FUNDS. (FABIAN CHAVEZ)  
Removed and postponed to the meeting of August 1, 2011

17. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING ARTICLE 18-4 SFCC 1987, TO REQUIRE CORE RECYCLERS, PRECIOUS METALS DEALERS AND TRANSIENT PRECIOUS METALS DEALERS TO OBTAIN A CITY BUSINESS LICENSE; AND TO REQUIRE PERSONS LICENSED UNDER ARTICLE 18-4 SFCC 1987, TO COMPLY WITH REGULATIONS REGARDING THE SALE OR PLEDGE OF COPPER, CATALYTIC CONVERTERS, PRECIOUS METALS AND OTHER ITEMS AS MAY BE DESIGNATED BY RESOLUTION OF THE GOVERNING BODY (COUNCILORS CALVERT AND TRUJILLO). (MELISSA BYERS) Committee Review: Public Safety (approved) 06/21/11; City Business and Quality of Life (scheduled) 7/12/11; City Council (request to publish) 07/13/11; and City Council (public hearing 08/10-/11. Fiscal Impact – Yes.
18. REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING THE NEW MEXICO LITTER CONTROL AND BEAUTIFICATION ACT OF 1985, WHICH PROVIDES PUBLIC FUNDS IN THE FORM OF GRANTS FOR THE PURPOSE OF ENHANCING LOCAL LITTER CONTROL AND BEAUTIFICATION PROGRAMS (COUNCILOR TRUJILLO). (GILDA MONTANO)
- A. REQUEST FOR APPROVAL OF GRANT AGREEMENT 12-418-6011-0050 – NEW MEXICO CLEAN & BEAUTIFUL GRANT FUNDING FISCAL YEAR 2011/2012. (GILDA MONTANO)
- Committee Review: Public Utilities (scheduled) 07/06/11; and City Council (scheduled) 07/13/11. Fiscal Impact – Yes.
19. *[Removed for discussion by Councilor Romero]*

\*\*\*\*\*

**END OF CONSENT AGENDA**

\*\*\*\*\*

**5. APPROVAL OF MINUTES: JUNE 20, 2011**

**MOTION:** Councilor Romero moved, seconded by Councilor Wurzbarger, to approve the minutes of the Regular Finance Committee Meeting of May 31, 2011, as presented.

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

## **CONSENT CALENDAR DISCUSSION**

### **14. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – PUBLIC RELATIONS SERVICES FOR SANTA FE CONVENTION AND VISITORS BUREAU; LOCAS COMMUNICATIONS, INC. (JAMES BRADBURY)**

Chair Ortiz asked why we are doing an increase to the original amount of the contract, and secondly, he would like a list of the deliverables produced by this contractor.

James Bradbury said the contract was amended last year, noting additional funds were added last year which were \$37,500 from the County and \$37,500 from the City, which brought the contract to \$200,000.

Chair Ortiz said actually it was \$186,000, and he understands those were a one-time infusion of funds from the County for services done 5 days ago – the end of the fiscal year. He asked the reason we would go back to a larger amount if, in fact, the County funds have disappeared, and asked if there is any reason we shouldn't go back to the original amount. Secondly, given the City's budget issues, why can't there be a further reduction of the original amount of the contract, \$125,000.

Mr. Bradbury said staff felt it was very important to have an adjunct agency in New York, Lou Hammond, which has done a lot of good work for the City over the past year, and we are still working with him. He said, "We settled in with the \$165,000 number to accommodate what we need to pay him in New York, plus what we need to pay Locas."

Chair Ortiz asked about a list of deliverables for these funds. He said 4-5 years ago, we asked for actual deliverables to be provided to us before agreeing to any kind of extension. He said he hasn't seen a list of deliverables as outlined in the contract. He said, "In particular, I'm looking for proof of deliverables for Items #4 through #8 of the contract." He said he will oppose this contract, and hopes staff will bring those deliverables when this comes forward to the Council.

Mr. Bradbury said part of the deliverables was to hit \$4 million, which Mr. Hammond has done this year.

Chair Ortiz said this is true, but there are other deliverables in #4 through #8 and he wants to see actual deliverables for those.

**MOTION:** Councilor Wurzburger moved, seconded by Councilor Romero, to approve this request subject to the provision of the information at the City Council meeting which has been requested by the Chair.

**VOTE:** The motion was approved on a voice vote with Councilors Romero and Wurzburger voting in favor of the motion, and Chair Ortiz voting against.

**15. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – WEBSITE MANAGEMENT AND SOCIAL MEDIA MARKETING SERVICES FOR SANTA FE CONVENTION AND VISITORS BUREAU; STUDIO X, INC. (JAMES BRADBURY)**

Chair Ortiz would like to see a list of the deliverables before we approve this contract, noting there are 24 items of deliverables in the contract. He said some of the deliverables haven't been done, noting, for example, he doesn't believe our website has all of the features being promised in this contract, and he wants to see those before he votes to approve this contract.

Councilor Wurzburger said she was just in a meeting with the website people and they are in the process of making changes, and although those changes haven't been made, they have been given direction by a committee to make those changes.

Chair Ortiz said this is an amendment to a contract we've already paid to a contractor for work performed, and we should see a list of what work has been done for the money we've spent before we give them more money.

**MOTION:** Councilor Wurzburger moved, seconded by Chair Ortiz, to approve this request subject to the provision of the information at the City Council meeting which has been requested by the Chair.

**VOTE:** The motion was approved on a voice vote with Councilors Romero and Wurzburger voting in favor of the motion, and Chair Ortiz voting against.

19. ZIA RAIL RUNNER EXPRESS STATION (FINANCE COMMITTEE). (KEITH WILSON)
- A. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING TABLE 22 (PAGE 23) OF THE CITY OF SANTA FE IMPACT FEES CAPITAL IMPROVEMENTS PLAN REGARDING PLANNED MAJOR ROAD IMPROVEMENTS AND ADDING "ZIA STATION INFRASTRUCTURE IMPROVEMENTS" AND "ZIA ROAD INTERSECTION IMPROVEMENTS" AS ELIGIBLE PROJECTS TO RECEIVE "ROAD" IMPACT FEES.
  - B. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO SUBMIT A REQUEST TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION TO OPEN THE ZIA STATION FOR RAIL RUNNER EXPRESS SERVICE. Committee Review: Public Works (scheduled) 07/11/11; and City Council (scheduled). Fiscal Impact – No.

Councilor Romero said she believes there is a legal issue to which we need a response before acting on these requests.

**MOTION:** Councilor Romero moved, seconded by Chair Ortiz, to postpone this item to the next meeting of the Finance Committee.

**DISCUSSION:** Chair Ortiz asked Marcos Martinez if he has a written legal opinion.

Mr. Martinez said he does not have a legal opinion from the City Attorney's office in writing at this time.

Chair Ortiz said then this postponement will allow you to provide a written legal opinion to the Finance Committee members, and the other Governing Body members who were implicated in the letter.

Mr. Martinez said, "Will do."

**VOTE:** The motion was approved on a voice vote with Councilor Romero and Chair Ortiz voting in favor of the motion, no one voting against and Councilor Wurzbarger abstaining.

\*\*\*\*\*  
**END OF CONSENT CALENDAR DISCUSSION**  
\*\*\*\*\*

## **DISCUSSION**

20. **AMENDING THE SANTA FE ELECTION CODE, ARTICLE 9-1 SFCC 1987 AND THE PUBLIC CAMPAIGN FINANCE CODE, ARTICLE 9-3 SFCC 1987, TO ENCOURAGE PARTICIPATION IN PUBLIC CAMPAIGN FINANCING BY ADVANCING THE PRE-ELECTION TIMETABLE; REPEALING SECTIONS 9-3.12 AND 9.3.13 SFCC 1987, REGARDING MATCHING FUNDS; AMENDING SECTION 6-16.7(B) SFCC 1987; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY (COUNCILOR CALVERT). (YOLANDA VIGIL AND GENO ZAMORA). Committee Review: City Council (request to publish) 07/13/11; and City Council (public hearing) 08/10/11. Fiscal Impact – Yes.**

Chair Ortiz said when this bill was initially introduced, it was being done with the intended purpose of giving \$1 per person for either the City Council District or the Mayor's race. However, the numbers don't reflect our current census, and asked Yolanda Vigil, City Clerk, if she has an opinion about increasing the dollar amount. He said he will have 16,547 people in his District. He said he is the original drafter of the Public Campaign Finance Code, and recalls putting \$15,000 per district with \$60,000 for the Mayor and Municipal Judge races. He noted the amount for the Municipal Judge was reduced to \$15,000. He asked if we need to amend that number upwards, or would that cause problems in the public campaign financing fund.

Yolanda Vigil said she has no opinion as to whether it should be increased, noting there is . \$450,000 in the fund for the 2012 election.

Chair Ortiz said in the Code it says we are required to have \$600,000 in the fund for the 2014 election, so presumably some of that \$450,000 will be held over for 2014.

Councilor Calvert said the amount put into the fund was based on the fact that we would be doing matching, but that provision is being removed because of the Supreme Court decision. He said we may not need as much money as we thought initially. However, he thinks it won't make a lot of difference whether it is \$14,000 or \$15,000 or \$16,000.

Chair Ortiz asked if it will make a difference in the Municipal Judge's race which is a City-wide race, where we only give \$15,000 to those participating candidates, and Councilor Calvert said it might.

Chair Ortiz asked if the provision is meant to exclude candidate challenges to the office of Municipal Judge, and Councilor Calvert said no.

Chair Ortiz asked if there was some rational given for limiting the funding for the Municipal Judge race – from \$60,000 to \$15,000.

Ms. Vigil said she doesn't recall the reason it was decreased.

Councilor Calvert said that wasn't a part of this change – they didn't make this change.

Chair Ortiz said, however, the whole provision is up, and we can make any change we want.

Ms. Vigil said it was included in the original bill, but she doesn't recall the reason for the \$15,000, noting Frank Katz, former City Attorney, was staffing the Committee at that time.

Councilor Calvert said the title of the bill says basically what we're doing. He said, "We're obviously trying to move up the date when they give the money to make it more effective, and a successful program. The voters said they wanted us to do public financing, so I'm taking that to heart and trying to make it work the best way possible. And I think, according to the way it was originally set up, if they didn't get the money until January, there would be a lot less participation and less likely that people would participate. So, I'm trying to make it so it is a reasonable effort to make this provision work. So, that's advancing the pre-election timetable."

Councilor Calvert continued, "And then there are certain things, you know, repealing the part about matching funds. That's been a Supreme Court decision. We're complying with that. And then, there's another one, and I probably shouldn't bring it up, but I'm going to any way. One of the things that's going on, and there is a legal opinion by our City Attorney that says our City Charter does not allow for write-in candidates."

Chair Ortiz said, "We've always allowed for write-in candidates."

Councilor Calvert said, "Well, he's saying that the City Charter doesn't address that, and so, we're taking out the provisions from the Election Code that pertain to write-in candidates until we get a charter amendment. That's not my opinion, that's Geno's opinion. But, that's one of the things that's in here – taking out all of the references to write-in candidates. And, trust me, I understand what you're saying, because I had a write-in-candidate as one of my opponents. But, I guess, according to Geno that should not have happened according to our charter, which in our Election Code is not in agreement with the Charter. So, he's saying if we want to have write-ins, we have to amend the Charter, which means we wouldn't be able to do that for this next election, but you would be able to put that question on the ballot in this next election."

Ms. Vigil said, "For clarification, I believe where the City Attorney is coming from, is that the Charter requires nominating petitions, and we have to submit nominating petitions to get on the ballot. That's what the language says, therefore he is saying, because they have not provided nominating petitions, we can't allow write-in candidates to be on the ballot."



Chair Ortiz said as he reads the Code, there is no prohibition against third party candidates to give or to make statements of endorsement for or against a candidate, even candidates that are participating in public financing, and asked Ms. Vigil if this is correct.

Ms. Vigil said, "I believe that is correct."

Councilor Romero said the ordinance changes the election timetable, and asked Ms. Vigil to review the election timeline.

Ms. Vigil noted the timetable on page 25 of the Committee packet, and reviewed the timeline. Please see the timeline for specifics of this presentation.

Councilor Wurzbarger asked Ms. Vigil to clarify what would happen in the event that there were not sufficient funds to proceed. Is there language in the Code, and do you divide the money among the total candidates and distribute the funds *pro rata*. Or, do we pay the full amount, and then the Council has to deal with finding the funds.

Chair Ortiz said it will be distributed *pro rata* among the total number of candidates.

Councilor Calvert said candidates have to gather the required number of petition signatures, as well as to get a \$5 contribution from a certain number of people, which is meant to weed out the less serious candidates.

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

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

21. **REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 11-2.2 SFCC 1987, AND CREATING NEW SECTION 11-2.6 SFCC 1987, LIMITING GENERAL FUND PERSONNEL COSTS (COUNCILOR ORTIZ).** (KATHRYN RAVELING) Committee Review: City Council (sent back to Finance Committee) 05/25/11; Finance Committee (postponed) 06/20/11; City Council (request to publish) 07/13/11; and City Council (public hearing) 08/10/11. Fiscal Impact – Yes.

Chair Ortiz noted this is his bill, and there is an amendment sheet changing it from 8 years to 4 years.

Chair Ortiz asked Councilor Romero if her questions were answered by staff.

Councilor Romero said they were, and she had asked to postpone to this meeting so it could be amended. However, her sense is that it would be hard to amend, so she will be voting against it. She thanked the Chair for the additional time to look at possible amendments.

**MOTION:** Councilor Wurzburger moved, seconded by Chair Ortiz, to approve this request with the amendments.

**FRIENDLY AMENDMENT:** Chair Ortiz said we can bring this back at mid-year for discussion to give Councilor Romero another shot at amending the bill. **THE AMENDMENT WAS FRIENDLY TO THE SECOND AND THERE WERE NO OBJECTIONS BY THE OTHER COUNCILORS.**

**VOTE:** The motion was approved on a voice vote, with Councilor Romero voting against the motion, Councilor Wurzburger voting in favor. The resulting vote was a tie, and Chair Ortiz voted in favor of the motion to break the tie.

**22. REQUEST FOR APPROVAL TO PROCEED WITH DRAFTING A RESOLUTION TO FORMALIZE CASH POLICIES FOR VARIOUS FUNDS. (KATHRYN RAVELING)**

Chair Ortiz said this is in response to a request by Councilor Bushee who is not here, commenting that other Councilors introduced this policy at budget, but it was Councilor Bushee who asked for this to be on the agenda.

**MOTION:** Councilor Romero moved, seconded by Councilor Wurzburger, to postpone discussion of this matter until the next Finance Committee meeting.

**DISCUSSION:** Councilor Wurzburger would like to request a staff analysis about what we need

Chair Ortiz said a Resolution was introduced, but Councilor Bushee said it wasn't detailed sufficiently, and wanted more information which is contained in this Resolution. He asked if the Councilors want to have that discussion now.

Councilor Wurzburger and Councilor Romero said no.

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

**23. OTHER FINANCIAL INFORMATION:**

There was no other financial information.

**24. MATTERS FROM THE COMMITTEE**

There were no matters from the Committee.

**25. ADJOURN**

There was no further business to come before the Committee, and the meeting was adjourned at 5:40 pm.

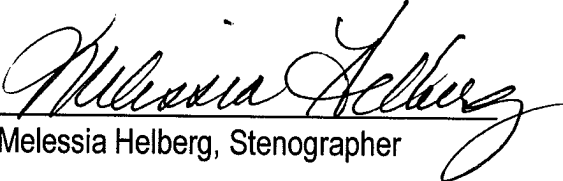
---

Matthew E. Ortiz, Chair

Reviewed by:

---

Kathryn L. Raveling, Director  
Department of Finance



Melessia Helberg, Stenographer