



Agenda

FINANCE COMMITTEE MEETING
CITY COUNCIL CHAMBERS
SEPTEMBER 6, 2011 – 5:00 PM

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

CITY CLERK'S OFFICE

DATE 9-1-11 TIME 2:15 pm

SERVED BY Yolanda Green

RECEIVED BY [Signature]

AUGUST 22, 2011

CONSENT AGENDA

6. BID OPENINGS:
 - A. BID NO. 11/38/B – SANTA FE RIVER – EL PARQUE DEL RIO RENOVATIONS AND IMPROVEMENTS AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; NAMBE PUEBLO HEALTHCARE SERVICES D/B/A NAMBE CONSTRUCTION (BRIAN DRYPOLCHER)
 - B. BID NO. 12/02/B – ON CALL SERVICES FOR ROADWAY & TRAILS CONSTRUCTION SERVICES AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; H.O. CONSTRUCTION, INC. AND TLC PLUMBING & UTILITY (LEANN VALDEZ)
7. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE AND COOPERATIVE AGREEMENTS – EMERGENCY VEHICLE EQUIPMENT AND INSTALLATION FOR POLICE DEPARTMENT; WIRELESS ADVANCED COMMUNICATIONS AND MHQ OF NEW MEXICO (POLICE CHIEF RAYMOND RAE)

Committee Review:

City Council (postponed)

08/30/11

8. REQUEST FOR APPROVAL OF 2011 SEVERANCE TAX BOND FUND CAPITAL APPROPRIATION PROJECT AGREEMENT – PLAN, DESIGN, CONSTRUCT AND FURNISH GENOVEVA CHAVEZ COMMUNITY CENTER; STATE OF NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION (DAVID CHAPMAN)



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9. REQUEST FOR APPROVAL OF SANTA FE TRAILS (SFT) DISADVANTAGE BUSINESS ENTERPRISE PROGRAM POLICY – FEDERAL FINANCIAL ASSISTANCE; U.S. DEPARTMENT OF TRANSPORTATION (DAVID CHAPMAN)
10. REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING – DAY REPORTING PROGRAM FOR COMMUNITY SERVICES DIVISION; SANTA FE COUNTY (RICHARD DEMELLA)
11. REQUEST FOR APPROVAL OF PROCUREMENT OF SOFTWARE, HARDWARE, LICENSES AND MAINTENANCE AGREEMENT – CITY’S HR/PAYROLL SYSTEM AND ENTERPRISE ONE; INSIGHT SOFTWARE, INC. (VINCENT MONTOYA)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – ½% CIP GRT FUND
12. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING TABLE 37, PAGE 36 OF THE CITY OF SANTA FE IMPACT FEES CAPITAL IMPROVEMENTS PLAN AND LAND USE ASSUMPTIONS, 2007-2012 REGARDING PLANNED PARK IMPROVEMENTS ADDING “SALVADOR PEREZ PARK” TO BE ELIGIBLE TO RECEIVE IMPACT FEE FUNDING (COUNCILORS DOMINGUEZ, ROMERO AND WURZBURGER) (FABIAN CHAVEZ)

Committee Review:

Capital Improvements Advisory Committee (approved)	07/14/11
Public Works (approved)	08/29/11
City Council (scheduled)	09/14/11

Fiscal Impact – Yes

13. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING, AS CITY POLICY, THE LA TIERRA TRAILS MASTER PLAN FOR USE BY THE CITY AS A GUIDE FOR DEVELOPMENT OF CITY WILDERNESS TRAILS AND OPEN SPACE IN THE NORTHWEST QUADRANT (COUNCILOR BUSHEE AND CALVERT) (LEROY PACHECO)

Committee Review:

Parks and Open Space (approved)	08/16/11
Bicycle and Trails	08/25/11
Public Works (approved)	09/06/11
City Council (scheduled)	09/14/11

Fiscal Impact – Yes



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14. REQUEST FOR APPROVAL OF AN ORDINANCE APPROVING A LEASE BETWEEN THE CITY OF SANTA FE AND MAJED HAMDOUNI D/B/A BURRO ALLEY CAFE FOR APPROXIMATELY 700 SQUARE FEET OF CITY OWNED LAND LOCATED WITHIN THE BOUNDS OF THE BURRO ALLEY RIGHT OF WAY FOR OUTDOOR SEATING AND SERVICE AREA APPURTENANT TO RESTAURANT AT 207 W. SAN FRANCISCO ST. (COUNCILOR ORTIZ) (EDWARD VIGIL)

Committee Review:

Public Works (approved)	08/29/11
City Council (request to publish)	09/14/11
City Council (public hearing)	10/12/11

Fiscal Impact – Yes

15. REQUEST FOR APPROVAL OF AN ORDINANCE APPROVING A LEASE BETWEEN THE CITY OF SANTA FE AND BOKUM BURRO ALLEY LLC FOR APPROXIMATELY 900 SQUARE FEET OF CITY OWNED LAND LOCATED WITHIN THE BOUNDS OF THE BURRO ALLEY RIGHT OF WAY FOR OUTDOOR SEATING AND SERVICE AREA APPURTENANT TO RESTAURANT AT 31 BURRO ALLEY (COUNCILOR ORTIZ) (EDWARD VIGIL)

Committee Review:

Public Works (approved)	08/29/11
Council (request to publish)	09/14/11
Council (public hearing)	10/12/11

Fiscal Impact – Yes

16. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING TABLE 50, PAGE 45 OF THE CITY OF SANTA FE IMPACT FEE CAPITAL IMPROVEMENTS PLAN AND LAND USE ASSUMPTIONS, 2007-2012 SO THAT “PLANNED FIRE/EMS IMPROVEMENTS” INCLUDE ARCHITECTURAL PLANNING AND DESIGN SERVICES FOR THE EXPANSION OF FIRE STATION #4 AS BEING ELIGIBLE TO RECEIVE IMPACT FEES (COUNCILOR TRUJILLO AND MAYOR COSS) (BARBARA SALAS)

Committee Review:

Public Safety (approved)	08/16/11
Public Works (scheduled)	09/12/11
City Council (scheduled)	09/14/11

Fiscal Impact – Yes



Agenda

FINANCE COMMITTEE MEETING
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END OF CONSENT AGENDA

DISCUSSION

17. REQUEST FOR APPROVAL OF REALLOCATION OF PARKS BOND FUNDS
(FABIAN CHAVEZ)
18. OTHER FINANCIAL INFORMATION
19. MATTERS FROM THE COMMITTEE
20. 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, September 6, 2011

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	1-2
CONSENT AGENDA LISTING		2-3
APPROVAL OF MINUTES: AUGUST 22, 2011	Approved	4
<u>CONSENT CALENDAR DISCUSSION</u>		
BID OPENINGS:		
BID NO. 11/38/B – SANTA FE RIVER – EL PARQUE DEL RIO RENOVATIONS AND IMPROVEMENTS, AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; NAMBE PUEBLO HEALTHCARE SERVICES D/B/A NAMBE CONSTRUCTION	Approved	4-5
BID OPENINGS:		
BID NO. 12/2/B – ON CALL SERVICES FOR ROADWAY & TRAILS CONSTRUCTION SERVICES AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; H.O. CONSTRUCTION, INC., AND TLC PLUMBING & UTILITY	Approved	5-6
REQUEST FOR APPROVAL OF A RESOLUTION AMENDING TABLE 37, PAGE 36, OF THE CITY OF SANTA FE IMPACT FEES, CAPITAL IMPROVEMENTS PLAN AND LAND USE ASSUMPTIONS, 2007-2012 REGARDING PLANNED PARK IMPROVEMENTS ADDING “SALVADOR PEREZ PARK” TO BE ELIGIBLE TO RECEIVE IMPACT FEE FUNDING	Approved	7-8

END OF CONSENT CALENDAR DISCUSSION		

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

REQUEST FOR APPROVAL OF REALLOCATION
OF PARK BOND FUNDS

Postponed to 10/17/11

8-25

OTHER FINANCIAL INFORMATION

None

25

MATTERS FROM THE COMMITTEE

Information/discussion

25-26

ADJOURN

26

**MINUTES OF THE
CITY OF SANTA FE
FINANCE COMMITTEE**
Tuesday, September 6, 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, September 6, 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 Patti J. Bushee
Councilor Carmichael A. Dominguez

MEMBERS EXCUSED:

Councilor Rosemary Romero
Councilor Rebecca Wurzbarger

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

Ms. Raveling said staff would like to postpone Item #7 to the next meeting. She noted that Item #13 there was an incorrect, the Public Works Committee approved that item on 08/29/11.

Councilor Bushee asked what is the holdup on Item #7.

Ms. Raveling said she spoke with Robert Rodarte who thought it was ready to go, but the Police Department had other issues.

Councilor Bushee asked that the Memo she requested from Thomas Williams be in the packet with Item #7 comes back to the Committee.

MOTION: Councilor Bushee moved, seconded by Councilor Dominguez, to approve the agenda, as amended.

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

4. APPROVAL OF CONSENT AGENDA

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

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

CONSENT AGENDA

6. BID OPENINGS:

A. *[Removed for discussion by Councilor Bushee]*

B. *[Removed for discussion by Councilor Bushee]*

7. **REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE AND COOPERATIVE AGREEMENTS – EMERGENCY VEHICLE EQUIPMENT AND INSTALLATION FOR POLICE DEPARTMENT; WIRELESS ADVANCED COMMUNICATIONS AND MHQ OF NEW MEXICO. (POLICE CHIEF RAYMOND RAE). Committee Review: City Council (postponed) 08/30/11)**
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11. REQUEST FOR APPROVAL OF PROCUREMENT OF SOFTWARE, HARDWARE, LICENSES AND MAINTENANCE AGREEMENT – CITY’S HR/PAYROLL SYSTEM AND ENTERPRISE ONE; INSIGHT SOFTWARE, INC. (VINCENT MONTOYA)
A. REQUEST FOR APPROVAL OF BUDGET INCREASE – ½% CIP GRT FUND.
12. *[Removed for discussion by Councilor Bushee]*
13. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING, AS CITY POLICY, THE LA TIERRA TRAILS MASTER PLAN FOR USE BY THE CITY AS A GUIDE FOR DEVELOPMENT OF CITY WILDERNESS TRAILS AND OPEN SPACE IN THE NORTHWEST QUADRANT (COUNCILORS BUSHEE AND CALVERT). (LEROY PACHECO) Committee Review: Parks and Open Space (approved) 08/16/11; Bicycles and Trails (08/25/11; Public Works (approved) 09/06/11; and City Council (scheduled) 09/14/11. Fiscal Impact – Yes
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END OF CONSENT AGENDA

5. APPROVAL OF MINUTES: AUGUST 22, 2011

MOTION: Councilor Bushee moved, seconded by Councilor Dominguez, to approve the minutes of the Regular Finance Committee Meeting of August 22, 2011, as presented.

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

CONSENT CALENDAR DISCUSSION

6. BID OPENINGS:

A. BID NO. 11/38/B – SANTA FE RIVER – EL PARQUE DEL RIO RENOVATIONS AND IMPROVEMENTS, AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; NAMBE PUEBLO HEALTHCARE SERVICES D/B/A NAMBE CONSTRUCTION. (BRIAN DRYPOLCHER)

Councilor Bushee when she read through the packet, the Memorandum indicated that the winning bidder, Nambe Construction had made an error in the calculation in Alternate #3, but didn't understand how that altered the bid, because the original bid wasn't included, so she couldn't see the change.

Eric Martinez said Mr. Drypolcher could best answer this question.

Bryan Drypolcher said the award was based on the assessment of the base bid and Nambe Construction had the lowest base bid. He said in looking at the deductive alternates, it was very clear they had made a typo error on Deductive Alternate #3. He said they conferred and they confirmed there was an error which lessened the amount of the bid, because #3 was "way high." However, the City isn't pursuing Deductive Alternate #3, so it really doesn't enter into the equation.

Councilor Bushee asked if all of the bids have contingency fees that bump up the total, and Mr. Drypolcher said yes.

Councilor Bushee asked if Nambe is still the low bidder, and Mr. Drypolcher said yes.

Councilor Bushee recalls the sidewalks along that stretch of the River in the downtown are in bad shape, and asked if part of the bid will make the trail function.

Mr. Drypolcher said it is a mixed bag. A lot of the walkway is in good shape, but there is a strip from Don Gaspar to Paseo which is in very bad shape and we will be renovating that portion of the sidewalk.

Councilor Bushee asked if the sidewalks can be widened, noting that is the trail and pedestrian amenities and you can't ride a bicycle there. She asked if there is a chance to widen anything.

Mr. Drypolcher said in this area the sidewalk will be a little wider, but it still will be sidewalk width. It's not a bicycle trail width.

Councilor Bushee said some of the BTAC members would like to make Alameda some form of a bicycle boulevard, but there are stretches which aren't passable. She said with the traffic congestion it's hard for people to walk and get around.

Mr. Drypolcher said the current plans were reviewed by BTAC. He said what they're considering downtown is bicycles on the street, and that spot "is an example from Don Gaspar up to Paseo the opportunity to get the width in there that's really appropriate for a bikeway. It's the Design Team's feeling, Public Works feeling, and also from our time we put in with BTAC, that that's not necessarily a good spot to look for an off-road bicycle facility."

Councilor Bushee said, "I just wanted to be sure you were going to improve the sidewalks to start with, but I just also thought if there was any thought given so that bikes and pedestrians could both interact somehow on that river trail."

Mr. Drypolcher said they looked at that and didn't see an opportunity for an off road bicycle facility at that location.

MOTION: Councilor Bushee moved, seconded by Councilor Dominguez, to approve this request.

DISCUSSION: Councilor Dominguez said, for the record, this is the lowest bid, but hopefully the quality of work is adequate or the best we can get. He asked, "What is it about this contractor you think is going to provide that quality work."

Mr. Drypolcher said, "I've been meeting with the Parks Division to kind of look at the record, in particularly the landscape sub on this project. We've also been talking with our landscape architect on the project, and with the projects managers and with Parks Division... in fact, we met about this today.... and just going to look at, with me as project manager, with people like Ben Gurule of the Parks Division and with the coverage from our landscape architect to be out there and just have the best possible supervision we can from the City side and the Design Team side to get the quality we're looking for from the contractor."

Councilor Dominguez said, "These are the people who understand the industry better than I, so I just hope the low bid doesn't equate to a lower quality."

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

6. BID OPENINGS:

- B. BID NO. 12/2/B – ON CALL SERVICES FOR ROADWAY & TRAILS CONSTRUCTION SERVICES AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; H.O. CONSTRUCTION, INC., AND TLC PLUMBING & UTILITY. (LEANN VALDEZ).**

Councilor Bushee said two different companies put in separate bids and now they are getting the bid as a team.

Eric Martinez said they are awarding two separate construction agreements, noting they are not put together as a team. The reason is to offer the City a choice in contractors. If one is unavailable, or can't meet a timeline, this gives us the option to go with the other contractor.

Councilor Bushee said then you don't have to go with the low bidder in this instance because the second one is the next highest.

Mr. Martinez said, "Correct. It's the first and second. We included language in the request for bids that the City has the option to create a multiple award and that's what we chose to do. The two lowest bidders were responsive, and their prices were reasonably within one another, so the City felt comfortable doing that."

Councilor Bushee suggested Mr. Martinez including clarifying language in the packet before this goes to Council.

MOTION: Councilor Dominguez moved, seconded by Councilor Bushee, to approve this request.

DISCUSSION: Councilor Dominguez noted all 4 bidders were from Albuquerque. He asked if there is any local contract work to be done.

Mr. Martinez said it will depend who they choose to sub-consult with if need be. He said they usually get their concrete and asphalt from LaFarge here in Santa Fe.

Responding to Councilor Bushee, Mr. Martinez said the City has awarded this contract previously, but had to go out to bid because the contract expired.

Councilor Dominguez asked who had the previous contract.

Mr. Martinez said H-O Construction and Advantage Asphalt.

Councilor Dominguez said H-O is from Albuquerque and Advantage Asphalt is local and Mr. Martinez said this is correct.

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

12. **REQUEST FOR APPROVAL OF A RESOLUTION AMENDING TABLE 37, PAGE 36, OF THE CITY OF SANTA FE IMPACT FEES, CAPITAL IMPROVEMENTS PLAN AND LAND USE ASSUMPTIONS, 2007-2012 REGARDING PLANNED PARK IMPROVEMENTS ADDING "SALVADOR PEREZ PARK" TO BE ELIGIBLE TO RECEIVE IMPACT FEE FUNDING (COUNCILORS DOMINGUEZ, ROMERO AND WURZBURGER). (FABIAN CHAVEZ)**
Committee Review: Capital Improvements Advisory Committee (approved) 07/14/11; Public Works (approved) 08/29/11; and City Council (scheduled) 09/14/11. Fiscal Impact – Yes

Councilor Bushee said it appears that Public Works adopted Councilor Calvert's amendment to reimburse the CIP Fund from the Park Bond.

Councilor Dominguez said there were questions about whether there were sufficient funds allocated.

Fabian Chavez said at the last Public Works Committee meeting, Councilor Calvert asked if the parking lot improvements were in the original bond dollars and they weren't. He said Councilor Calvert asked, at the end when all parks are built-out, he would like to consider an amendment to repay the impact fee back from the Parks Bond funds which remained.

Councilor Bushee said it appears that "you are actually spending more on the projects than was originally anticipated."

Mr. Chavez said the vast majority of the parks costs are coming in very close to budget. He said there are some things we have and haven't done as we move through the individual projects. He said there also are payroll and maintenance expenses. He said, "We have been able to do the minimum in these projects up to this point."

Mr. Chavez said, "I think we'll be able to do everything we said we would do for the voters with the original budget."

Councilor Bushee said, "I guess I'm just not understanding the thinking of taking what is essentially an improvement for ingress and egress in a parking lot and storm retention out of the Parks Bond money, even if it were available, rather than impact fees. And I thought the original intention of making the changes to this was so that you could receive impact fee funding, and it seems appropriate to me for that to be spent on these items. I guess I wanted to know, A,, if this does include Calvert's amendment, and I would, at this point, not having much more information, would speak against that if it's just infrastructure improvements around drainage in a parking lot."

Councilor Bushee continued, "I see the amendment in there. I don't see what action was taken in terms of an amendment."

Councilor Dominguez said the Committee approved it with the amendment.

Mr. Chavez said, "It was improved by the impact fee, it was approved by Public Works, with the

amendment, should there be funding available, if there's funding available that a consideration be given when all the projects are done to replacing the Parks Impact Fee funding. That was Councilor Calvert's amendment."

Councilor Dominguez said Mr. Chavez is correct. It is really contingent on whether funds are available. He said he thinks the idea was that it is specific to a park, and the question was "why wasn't that necessarily part of the programming in the Parks Bond. And the Committee felt because it was park specific, if there was money in the Parks Bond it could be paid for that way."

Councilor Bushee said, "Only because you're the sponsor of this thing, wouldn't you suggest that staff had us amend the Impact Fee Ordinance to include the Salvador Perez improvements because it qualified for impact fees. Doesn't it sort of make it moot if there is money available."

Councilor Dominguez said yes, but he doesn't think there will be.

MOTION: Councilor Bushee moved, seconded by Councilor Dominguez, to approve this request without the amendment.

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

END OF CONSENT CALENDAR DISCUSSION

DISCUSSION

17. REQUEST FOR APPROVAL OF REALLOCATION OF PARK BOND FUNDS (FABIAN CHAVEZ)

Chair Ortiz recognized Betty Booth, Chair of the Parks Commission, who is in attendance, and thanked the Parks Commission for its work.

The committee commented, asked questions and made suggestions as follows:

- Chair Ortiz asked, "In the next fiscal year, where we are paying for the River & Watershed Coordinator out of the Parks Bond, and now we're going to have a contract analyst coming out of the Parks Bond, so who is that."

Mr. Chavez said this Jackie Gonzales in his office who handles all of the Parks Bond paperwork.

- Chair Ortiz said she wasn't in the budget last year or this year, but she is proposed to be in the budget in the next fiscal year, and asked if this is a budget issue.

Mr. Chavez said there were discussions last year during the budget to do this as a way to meet budget.

- Chair Ortiz asked if the Engineer-Supervisor is tasked with doing nothing but Parks Bond work.

Mr. Chavez said this is correct, noting she does all of the in-house design and reviews documents in preparation of technical cut sheets.

- Chair Ortiz said this was approved by Public Works, and then went to the Parks Commission so it could look at and refine the list before it came to us. He said what is being proposed is a reallocation of Parks Bond moneys as proposed in the two attachments.
- Councilor Bushee asked what happens with these positions once the bond money is no longer available.
- Mr. Chavez said in the past, in better economic times, we've been able to roll-over people from one set of projects to another. He understands once the Parks/Trails/Open Space money is gone, the work of these positions is finished. He said the City also could decide to keep these positions to work on other projects.
- Councilor Bushee said it seems, on average, each District is over what was approved by about \$500,000. She said, for example, the Bicentennial Pool was proposed at \$16,000, but the expenditures are about \$60,000. She asked where they are shifting funds from, noting the only project as budgeted was the NWQ Open Space and Trails.
- Chair Ortiz said that is over budget as well.

Mr. Chavez said, "We are looking at all projects we're working on, have been working on, or currently are working on, and plan to work on for the next 18 months. And what we have that recurs for each one of these projects, even if finished, is a portion of the project manager or supervising engineer if it's a trails project, or an analyst or person on the maintenance crew that still has to be funded from projects that are on the books. Even though a project might have been completed, we still have to perform maintenance on those projects. So what we try to do is to take a look at what are the actual costs for salaries, and that's what you have on the second page, from history, knowing that we're paying these people so far. [and] extrapolate that and project that forward. And now, we're asking to reallocate enough funding so in all of the projects there is enough money to finish construction of the project and meet the salary payroll for these folks and the maintenance crews."

- Councilor Bushee said, "Then you're saying the projects aren't over budget, we're squeezing in positions in this Parks budget for each of these projects."
- Mr. Chavez asked for a specific example.

- Councilor Bushee said the one that stood out in District 1 was Alto Bicentennial Outdoor Pool – approved was \$815,875, proposed is \$59,909.

Mr. Chavez said this is correct. He said, "Again, what we're trying to do there is meet payroll, because some of these projections are meeting the payroll for payrolls that already were expended out during the life of the project, so we're trying to reflect that."

- Councilor Bushee said \$16,000 worth of improvements must not have been a lot of what's going to happen there. She said, "Are you telling me now we're taking the money to pay the lifeguards we didn't pay for through the budget process."

Mr. Chavez said, "No, that's not correct. We actually did more than \$15,000 worth of improvements at that park when it was completed. So, if we take a look at the completed amount, and Ben's going to get that for me, what we actually spent at that park, that reflects the actual payroll for the construction of that park, and then the design that went into it and the continued maintenance."

- Councilor Bushee said then continued maintenance doesn't mean a lifeguard, it means someone maintaining a park.

Mr. Chavez said this is correct.

- Councilor Bushee said she doesn't know what they did to Bicentennial Park.

Mr. Chavez said the Alto Bicentennial Pool is coming on line in March 2012. He said that is the exterior landscape work step.

- Councilor Bushee said in District 2, Atalaya Park is approved at \$36,000, and proposed is \$80,000, which is more than double what was approved.

Mr. Chavez said that Park hasn't been completed, so they had to project forward the salaries for maintenance, design and construction.

- Councilor Bushee asked if he is saying the cost of construction has increased, or just that salaries have been incorporated.

Mr. Chavez said this reflects the incorporation of all the salaries of the project managers, engineers and maintenance people. He said a lot of the figures which are quite large are because "we are having to capitalize all these projects." He said that has to include the cost of any maintenance work done or to be done and the laborers who are part of the project.

- Councilor Bushee said she thought this bond was about construction and not maintenance.

Mr. Chavez said this is correct. He said during the first year, before we knew the costs of maintenance and construction at each park, we had to pay these people every two weeks. He said we were inadvertently paying for people doing maintenance at the parks, and we legally have to show that as part of the capitalization. He said the accountants have directed that all of the maintenance, construction or design costs – what we are doing currently and in the future – is included in the cost of the construction for capitalization purposes. He said this is a requirement by the City Finance and State procurement.

- Councilor Bushee asked from where the funds are being shifted.

Mr. Chavez said all of the reallocations are from the entire pool of money.

- Councilor Bushee said she would like staff to prepare a direct correlation – from, to and amount of decrease/increase/what was done for each park. She doesn't see "where you're cutting and pasting."

Mr. Chavez said the spread sheet was in the Public Works packet.

- Councilor Bushee said she didn't get the spread sheet.

Mr. Chavez said that sheet shows how they propose to complete the projects by reallocating funds from one project to another. He said not all of the money is proposed to come from Parks.

- Councilor Bushee reiterated that sheet isn't in her packet for this meeting. She said she has black and white copies and she can't read the numbers.

Mr. Chavez said it is on page 6 of the packet.

Mr. Gurule reviewed the figures via power point, but was inaudible because he was away from the microphone.

- Councilor Bushee said, for example for Paseo del Sol, she would have liked to have seen a detail of what was being done with the additional \$44,000 and where those funds came from. She said this "gets to be a hard to follow shell game about where money comes from." She wants to be sure the voter approved projects are done and not eliminated. She asked Mr. Chavez if his staff has increased since the approval of the bond – the staff that does the maintenance on these projects.

Mr. Chavez said maintenance staff has not increased, but they have moved more of the project managers to help manage the projects. He said they also have taken on the task of doing more of these projects in-house. He said originally when they were pulling payroll out to pay for the project managers and maintenance people, in some cases they pulled more payroll from a park than they should.

Mr. Chavez said in looking at the project they evaluated whether they do the minimum promised to the voters. He said, "We feel we can do that by reallocating, again this is your page 6, it isn't in color... what we would propose to do would be to cover it by some of the balances we have in Parks and Trails." He said for example the original budget for the Acequia Trail Crossing was \$1.7 million, but we won't need the entire amount.

- Councilor Bushee asked if there will be some kind of crossing.

Mr. Chavez said it will be an at-grade crossing.

- Councilor Bushee noted there already is an at-grade crossing which is "risk your life to cross St. Francis."

Robert Romero said, on that project, "the original bond that went out to build the trail along Richards Avenue to the Community College at \$1.7 million, after the vote and after the Parks Bond was approved, BTAC recommended that we don't so that project. So they moved this \$1.7 million to the pedestrian overpass. That was never enough for that project. It's probably going to be \$4 million to \$5 million to do an overpass or an underpass. So, that was never in the original bond. And I think when the voters voted, they didn't vote on specific projects, they voted on Parks and Trails."

- Councilor Bushee said, "I know some of the Councilors did. I know it was Councilor Chavez's effort to put money toward...."

Mr. Romero said, "I know. That's the only project that changed from the original list that we prepared before it went to a vote. That project originally was the Richards Avenue Trail, and that was eliminated in lieu of this after the vote was done."

- Councilor Bushee said, "Okay, but can you not concur that no acequia trail crossing is going to get built with a budget of \$700,000. You might as well take that money out and wipe out that project if that's what your intention is, because I'm not going to build an overpass with that little money, or an underpass. And we're had hearings and hired contractors. So what. We're going to design it and never build it."

Mr. Romero said, "We'd never have enough money to build it, even with this."

- Councilor Bushee said, "Well, we had \$3 million from the Governor and we didn't build it. We put it to other trails."

Mr. Romero said he doesn't recall that.

- Councilor Bushee said, "Yes we did. Bill Richardson. Remember. And then the Highway Department went and said we're going to redesign the highway right here for a stretch, so we put it on hold. That crossing has been punted for so long, that essentially now is to say that we're

having an at-grade crossing at St. Francis to connect two pieces of the Railyard means you're never going to..."

Mr. Romero said, "That doesn't mean never. What I think it means is in the future, we would need more funding to actually build the overpass or underpass. This \$1.7 million which came from the original idea to build a trail to the Community College is never going to be enough."

- Councilor Bushee asked what was originally projected for the crossing – more than \$1.7 million or \$1.7 million.

Mr. Romero said way back it was projected to cost \$3 to \$5 million.

- Councilor Bushee said, "I mean in this bond."

Mr. Romero reiterated, "Again, this project was never part of the original bond. It wasn't part of the bond."

- Councilor Bushee asked Mr. Romero if he is sure.

Mr. Romero said, "I'm positive. I can pull out everything from the first day. That was never part of the original bond."

- Councilor Bushee said, "I'll just go back to the basic intention of shifting moneys. We're also taking the Museum Hill Trail, which I guess has lost some steam too, and it's down to half a million dollars. Is that correct?"

Mr. Romero said this is correct.

- Councilor Bushee said, "Then this underground crossing to St. Francis budget, is that different, the \$2.5 million. What is that. Is that the one we're talking about over by the Zia that we're doing."

Mr. Romero said this is correct, noting it is costing more than the budget.

- Councilor Bushee said then the money is coming from elsewhere.

Mr. Romero said, "All of these on this right side, still add up to that thirty million. Do you see that. So, some of these are going down and some of them are going up. If you look at the District totals, you'll see that the District totals originally were \$9 million. Now, they're up to \$10.5 million. If you look to the Regional Park totals, they're originally \$18 million, now they're \$19.9 million."

- Councilor Bushee said she's trying to get a handle on this staffing, maintenance piece to see what projects aren't going anywhere.

Mr. Romero said every project that is on the list will be built. He said the only one which won't, which was added later, is the pedestrian crossing at St. Francis and Cerrillos. Every other project is going to be built, or is built. He said, "There's not going to be one project that is left out. Is that correct Fabian."

Mr. Chavez said, "That's correct."

- Councilor Bushee said, "I don't know that it was made clear at BTAC that there would be no attempts at really having an above ground or an underground crossing at St. Francis."

Mr. Romero said, "I don't think that's what we're saying. We're saying that...."

- Councilor Bushee said, "You were just saying you're going to take all the money out of it."

Mr. Romero said, "There is \$757,000 left, and I believe that can be used for design. I think the at-grade improvements have already made, and I don't think they cost close to that."

- Councilor Bushee said, "I've seen the at-grade crossing and they're not adequate."

Mr. Romero said, "They were only \$150,000, so there is still \$500,000 left of this to be used for design or something else on that project."

- Councilor Bushee said the whole shifting of staff isn't clear to her – project by project – why that's being done.

Mr. Romero said, "During the budget process, the past 2-3 years, one of the proposals we made was to move people like Dan, Jackie, Leroy Pacheco, all of these people out of the General Fund and then cover them through the Parks Bond, because that's what they're doing right now. And that was approved through the budget process."

- Councilor Bushee said that has been done from the CIP bonds in the past, but only minimally. She wants to know if "the two lawyers sitting here," are the ones who gave the legal okay to do this.

Mr. Romero said, "This is something that has been done almost since the beginning of the Parks Bond."

- Councilor Bushee said, "I'm just concerned that we're taking administrative costs and sticking them into projects where we will get less bang for our buck as what we promised the voters. So, at some point we might go to them again and ask for another parks bond and I want to make sure we've done this. And we were told at the beginning, at least as I remember, when Councilor Ortiz first brought this forward that we could have minimal use of this bond for anything but construction."

- Chair Ortiz said we were told that by Ms. Raveling who then, in the subsequent budget when we had to bring in the River and Watershed coordinator, changed the tune, and then we started funding it out of the Parks Bond. Some of us have been having that fight at Finance for a period of years, is this sort of shifting of costs that were promised to other positions. And so, when I started this questioning by saying, who is this Contract Analyst, you can see at least for this year, and proposed for next year, \$560,000 are going specifically for soft costs. Those are soft people who are not doing anything in the Parks. They're just overseeing projects. One of those positions, I've always said I don't know what they do but cater to that watershed, that River Commission to take water and just send it down the River for free. So."
- Councilor Bushee said, "Okay. Let's have the lawyers tell us that this is something that they are blessing. Honestly, I'm having heartburn with this. It doesn't feel real clear, or clear enough to me anyway."
- Mr. Zamora asked Councilor Bushee what is her specific question.
- Councilor Bushee said, "Well, this shifting of positions. Because down the road this bond money goes away and these positions you know, I presume, people want to keep. City government usually doesn't shrink itself very much. And so, you know, that's \$600,000 in what would be General Fund Costs, generally speaking, that have crept into these bonds."

Mr. Zamora said, "The question posed in the bond to the public that was voted upon was monies for the following purpose: *to acquire land and to improve public parks, trails and open space for recreational purposes*. Where you go to for guidance on this is both the State Constitution as well as case law and Attorney General's Opinions giving guidance on that, which concludes that you can pay the salaries of employees to fulfill those purposes articulated in the bond. So again, for the purpose of *acquiring land, improving land, public parks, trails and open space for recreational purposes*. And the interpretation working on that is quite liberal which is, if you're pulling a weed you're improving that land. If you are repainting, you are improving. So the standard for improving as used in this bond language is quite wide open, and as the Legal Department has reviewed it, the activities that have been done under this bond have fit within the question that went to the public and was approved by the public."

- Councilor Bushee said, "Councilor Ortiz brought it forward and a lot of us even worked with former TPL staff to really try to define, because the concern had been, in the long run, well how do you maintain all these additions and improvements. And Fabian just stood up and said we really haven't given him more staff, and what we've done is move some expensive administrator positions over to this budget. I only see a projection through FY 2012/13. How long do you expect to want to do this."

Mr. Romero said, "Again. That's correct. Once this bond is over, we either have to find another source, or lay-off or do something else. You are correct. This has gone through the budget process. This was a way for us to help the General Fund the last few years, and these salaries will

be covered to the end of 2012-2013. At that time, we'll have to make a decision whether we can find another source to cover these salaries, or these positions go away. But you are correct, we'll have to figure something out at that time."

- Councilor Bushee said she doesn't know if Councilor Dominguez's Committee [Public Works] voiced any of these concerns, but "I'm going to have to vote against this today."
- Councilor Dominguez said, "It seems to me that what staff is saying is that everything we told the voters we were going to do, specific to each park, is getting done. Everything... if you look at the Parks Master Plan and it says, '3 benches at Park X,' that is getting done. So I just want to make sure that the constituency knows that what we said we were going to do, we have basically done, with regard to the construction and improvements of these parks."

Councilor Dominguez continued, "But some of the questions I have, I guess are... Well, let me just ask this. Fabian talked about how this seems like it is just an accounting issue, and these line items and payroll and that kind of thing. What happens if this reallocation doesn't get approved. The Parks will still get built."

Mr. Chavez said, "That is correct. These Parks will get built, whether or not another bond follows."

- Councilor Dominguez said, "No. I'm not asking whether another bond follows. I'm asking if this reallocation doesn't get approved, what happens then.'

Mr. Chavez said, "If this reallocation doesn't get approved, we don't have the correct amounts of money in either construction/and or labor. So, to move forward and make things balance for the accountants, and to capitalize the projects, we're making an attempt now to make sure we have enough money that is in the big pool, in the big pot, in the correct little pots, so when we go to pay construction costs, or we go to pay for salaries, or we go to pay for design or consulting, that we can pull the money from that pot for accounting purposes."

- Councilor Dominguez asked again, "Will we be able to fulfill the obligations that we've made to the constituents."

Mr. Chavez said that's correct.

- Councilor Dominguez said, "Even if we don't approve this reallocation."

Mr. Chavez said, "Not if we don't approve this reallocation."

Teresita Garcia said, "What was happening, is that when we first went to approve the bond issue, we only included material and equipment for each bond issue. Then what we did was to set aside the money within the \$30 million for payroll. Which means that they had a group of people that would help build and improve these parks, instead of contracting it out to a contractor, which would save money for the City. So, what we had was a fund with just the material and equipment, and

then we had a separate fund for labor. So when we approved the budget, we only approved the material and equipment."

Ms. Garcia continued, "So now what we have to do, is to match the payroll, the people that we pay, to each project so we can value the project accurately. And that's what Fabian is trying to do at this point, is move those payrolls to the appropriate..."

- Councilor Dominguez said, "Is that why some parks have a larger amount... Councilor Bushee brought up Rancho del Sol, and this was a \$20,000 increase."

Ms. Garcia said, "This is correct, because there might have been more labor associated with that park, because the labor was not budgeted at the same time that we approved this budget. We budgeted a separate pot of money for labor to be allocated as they were going to each park."

- Councilor Bushee commented it is at least three times the cost.
- Councilor Dominguez said he sort of understands or he is trying to understand what Ms. Garcia is saying. He said, "Perhaps if it was presented in a different way, I don't know what that way is, maybe it would be a little bit clearer. But what I think I hear is that in the budget were capital bricks and mortar, but that we used some in-house labor to actually put those bricks and mortar together. And so that is why the amount from what was approved was increased, but it's not that clear. It's not written like that in this. And so, I think if it was written differently, I think maybe we would be able to understand it a little bit more."
- Councilor Dominguez said, "I have a couple more questions, Mr. Chair."
- Chair Ortiz said it seems to him, what we are doing is a Budget Adjustment Resolution for the General Fund to account for the positions that we placed into the Parks Bond. He asked Ms. Raveling to explain since it is her Department that is requesting them to go through this exercise, and explain the reason we are doing this.

Ms. Raveling said, "They are trying to say that the cost of some of the projects included in-house labor, and so that is what's going to be allocated to those. It wasn't known at the beginning how much of that would be in-house labor. And now that they have seen it and come this far on each of the projects, then they're acknowledging that in-house labor. "

Chair Ortiz said they're not just including the in-house labor, the temporary workers who provide maintenance, build parks and such, they are including the other positions that we see on page 2, which are causing confusion or realization on the part of Councilor Bushee that there are costs that are being imbedded into this that were not specifically geared toward the actual construction of parks or trails. This is where she's coming from. He said when Fabian is saying the accountants, that's Ms. Raveling's Department asking him to capitalize those expenses.

Chair Ortiz said, "What he [Chavez] is telling us, is that these positions that we have approved over the past 3 fiscal years, that those costs now have to be included within the summary of all of the different projects that we have within the bond, and all of those costs have been accounted for within all of the increases that we see. Is that right."

Ms. Raveling said yes, and they have to be allocated to specific projects.

- Chair Ortiz said, "Then the confusion Councilor Bushee expresses now, is she can't see what the cost is for any trail in any district, is in part because maybe there was a cost over-run. Maybe there were increased personnel costs in that particular fund, or maybe there was just the capitalization of these other positions that have no relations to any of these projects, but these are just internal staff people. In other words, it's Councilor Bushee's staff person for her BTAC Committee, it's the River and Watershed Coordinator position. It's now going to be Jackie. It's Ben. It's Fabian. Those costs have been put into the bond, and once the bond is over, then those positions are either going to be eliminated, not likely given the current composition of the Governing Body, or more likely, they'll be put into some other enterprise fund. Is that right."

Ms. Raveling said, "Some of the people actually were doing these projects, but they were being paid from the ½ % CIP-GRT, which that fund also has issues. So this was, I think, not an attempt to save money out of these projects, but to actually acknowledge where these people were working at this point now that the G.O. Bond was issued. And they've changed their focus to some of the other operations that they've been doing, and are putting full time into the G.O. Bond projects."

- Chair Ortiz said, "Then some of these positions, like the question Councilor Bushee and I had, when we had this first budget issue come up on the River and Trails Supervisor, we asked the question: what exactly does this position do and who are they going to be working for. Now, two years later, we can say they're being paid out of the Parks Bond. If they're not doing 100% out of the Parks Bond, then they would have an issue – that they're doing something else for the River Commission, or doing any other kind of stuff, and they're not being funded out of some other source, well then, we could direct Robert to redirect those positions to do nothing but Parks Bond work. That's really the only position I see that has any kind of outside Parks Bond responsibilities. The rest of these people, you can see an argument that they're doing nothing but Parks Bond. And in the case of the BTAC person, that funding is coming from the Parks Bond as well."
- Councilor Bushee asked if that is the Projects Administrator, and Chair Ortiz said yes, that's Leroy, the Engineer Supervisor.
- Chair Ortiz said, "We made this mistake before. We're being told by the Department that they are being told by the accountants, that's Kathryn. It's not Teresita, it's Kathryn, who has to give us the explanation for where these finances are and how that's explained."
- Councilor Dominguez said it might be more clear if there was a better way to explain this, and he will leave it to the City Manager, staff and Chair if they want to go there.

- Councilor Dominguez said he understood a contingency was built into each park and into each district.

Mr. Romero said there is a contingency in each project, not per District. He said, because of the contingency we were able to fund these positions, as approved by the City Council, from the Parks Bonds. He said these are the actual costs for each project including materials, labor, maintenance, construction, design and management.

- Councilor Dominguez said he understood that we approved some of the salaries in the budget process. He hoped that some of those contingency funds could be reallocated to other parks at the discretion of the Governing Body.

Mr. Romero said that still could happen.

- Chair Ortiz said that can happen only on projects where they haven't begun, such as the Northwest Trail. Some of parks have been built, and all we are doing here is capitalizing the costs into those projects. He said the only opportunity for true reallocation are from those parks which are scheduled but yet to be completed.

- Councilor Bushee said, "Unless we don't do this."

Mr. Romero said, "If we hadn't chosen to use this funding to pay for these positions..."

- Councilor Bushee said, "You're asking us to do this."

Mr. Romero said the Council has already approved that for this fiscal year as part of the budget approval.

- Councilor Dominguez said then there is no contingency money left in any park which is complete.

Mr. Romero said there could be when everything is complete, but not right now.

- Chair Ortiz said, "The question could be I think, Councilor Dominguez, is the point that you're driving at is, could you give me a listing of those funds or those projects in which there are available balances for a particular project. Are there project funds available in any particular line item, and have that discussion. In which case, I would rely on the Parks Commission, Chair Booth and the rest of the Commission to give their input on that, because they are on the ground so to speak and they have seen every park."
- Councilor Dominguez said, "That does make sense Mr. Chair. If I look at this list, every park is the proposed amount above the approved."

Mr. Romero said, "If we hadn't added these costs, this would be a \$2 million fund balance that you could use toward some other construction, but you chose to use them to cover these expenses and it's eating up that fund balance."

Responding to Councilor Dominguez, Mr. Romero said, "If you look at page 4, in 2009-2010, we used \$384,000, in 2010-2011 we used \$478,000 and in 2011-2012 another \$559,000. He said this is per year. It's \$2 million."

- Chair Ortiz said, "2/3 of the contingency is about 10%."

Mr. Romero said, "If we had not gone this route, if the General Fund or CIP Fund had been more flush, and we could have funded these through those, there would be \$2 million to reallocate. But, we chose to go this route."

- Councilor Dominguez said we chose to go only to 2011.

Mr. Romero said through 2011-2012, this fiscal year.

- Councilor Dominguez said if we had chosen not to do it in 2012-2013, there would be about \$560,000 in contingency money, and Mr. Romero said yes.
- Councilor Dominguez said then the obligations to the constituency will be completed if we don't approve the reallocation.

Mr. Romero said, "We have to approve the reallocation just to cover these first three years."

- Responding to Councilor Dominguez, Mr. Romero said, "All of the positions were either General Fund or CIP, but as we went through budget and were trying to balance the budget, this was the way we were able to cut \$500,000 from the General Fund. So, when we had our gap every year, this is what helped us to cut \$500,000 from the \$8 million gap."
- Chair Ortiz said, "I remember when we first did it, I was in favor of the 3 positions of Ben, Fabian and one other, and I didn't like the River and Watershed Coordinator being there. I thought it was a political position. So now to see it continue, I mean this is the prospect. This is what we have."
- Councilor Bushee said that position originally was funded through a grant – Bryan Drypolcher's position.
- Chair Ortiz said, "No. Never. We thought about it. You and I were the only ones who spoke against that position in that fiscal year."
- Councilor Bushee said, "I was told, when we first brought on that position, maybe before it was even Bryan, there was some grant, State grant or some grant money."

Mr. Romero said he doesn't recall.

- Councilor Bushee asked why does it need to creep up – we're creeping it up every year by about \$100,000.

Mr. Romero reiterated, "That's what the Council chose to do to help balance the gap when we did the budget."

- Councilor Bushee asked if he is saying the Contract Analyst has to be in this list.

Mr. Romero said, "Again. This year when we balanced the budget we said we were going to use \$559,000 from the Parks Bond to pay these peoples' salaries instead of paying it out of the General Fund. So, let's just say in Parks, we cut \$80,000 out of Parks personnel, it's because we're paying for that person out of this budget.

- Councilor Bushee asked for an example.

Mr. Romero said, "A quick example. We probably paid... we bought materials and paid labor to build that park. As the years have gone by, maintenance guys have gone there to maintain it, and we paid some of those guys. Then we had to add the proportionate share of all these people here to that park. So, let's just say we added the proportionate share of all these administrative people to that park and that's how that got up that high. And when Ilona, who worked for Kathryn came to us and said, we need to capitalize this correctly, this is how we have to do it so we can capitalize it correctly for the parks. For example, if we had just gone in and asked for materials and labor, that would have been it. But, because we chose to pay for all these other people and want to continue to do maintenance, we're accounting for exactly how we spent the money and who is there. And every day we account for who works in every park. So that's how we can look at each one of them."

- Councilor Bushee asked about the Archuleta property. She said it now has a budget of \$74,000, with an approved amount of \$30,000, but nothing has happened there.

Mr. Romero said the construction is going to happen next January-February 2012.

- Councilor Bushee asked if the price doubled because of these administrative costs, or "if you are actually going to do something there."

Mr. Romero said, "Again, yes, we're going to do something, and we added the administrative costs and all the other costs."

- Councilor Bushee said, "My only other frustration on this crossing on St. Francis is that you've gone out now, I don't know how many meetings I've attended on that crossing, what people would

prefer. We were almost were about to go for... let a design on the artist for what it was going to look like. And now, we're back to, oh, it's only going to have a budget of \$500,000, and it's never going to get built."

Mr. Romero said there's a budget of \$757,000.

- Councilor Bushee said, "No, you just told me \$200,000."

Mr. Romero said, "Again, we spent \$150,000 on the at-grade improvements and there will be \$500,000 left for design or..

- Councilor Bushee said, "The at-grade was seen as temporary and it's not all that much of an improvement."

Mr. Romero said, "Again, you're correct, but this wasn't part of the original plan, and this \$1.7 million wouldn't have been enough to build it either."

- Councilor Bushee asked where he got that figure, the \$1.7 million, saying she thought it was part of a plan.
- Chair Ortiz said, "We took it away from the Richards Trail which was \$1.7 million, and gave it to the crossing, thinking we would get some amount of money from the State or CIP, and nothing happened. It bogged down."
- Councilor Bushee said, "And now we're down to nothing. And then the Museum Hill, and I know and I'm also still concerned that doubled. I don't even think it's going to carry the kind of pedestrian traffic we think. It's a culvert underneath. It got more expensive because you moved the location for it. Is there a reason."

Mr. Romero said, "We went through a design process, a public process."

- Councilor Bushee said we're basically not going to so Museum Hill, commenting she thought that was a lot of money anyway.
- Mr. Romero said that's going to cost \$500,000, which isn't going to cost as much as they thought.
- Councilor Bushee said, "The creep seems creepier to me. That's all. It's just gone more than I ever anticipated."
- Councilor Dominguez asked when he was speaking previously about maintenance, if he was speaking about maintenance on the improvements or maintenance in general.

Mr. Romero said we really are just improving and maintaining each park. He said over the life of the bond, he has had them go out and cut weeds, or do what they need to do to keep the park looking like it is.

- Councilor Dominguez said it would be helpful to get more detail. He said, "Well, I would just like to see, so Park X was allocated this much, and originally it was for bricks and mortar and it increased by \$5,000 to pay for this, and it increased another \$2,000 to pay for that, or whatever the case may be. I don't know. That detail might be helpful."
- Chair Ortiz said, "One of the things I know, is if we ask for detailed summaries of each project and each line item, this Parks staff will be able to produce it and be able to cost it out for every project so every particular project on every particular line will have an explanation of the particular cost. I have every confidence that this Department can certainly provide that, if that's what the Committee wants to have."
- Chair Ortiz asked if there is a time sensitivity to this matter.

Mr. Romero said no. He said, "We're just trying to capitalize and make sure in the end that the funding is allocated in the right place when we capitalize it. Don't you think so, Kathryn. Some of it might go in the negative right now. They're all budgeted right now by project, so let's just say one was funded originally for \$10,000 with the labor, and we know we spent \$20,000 now, so they're just all in the negative. So it's something we'd have to fix at the right time."

Mr. Raveling said, "I think there's a little bit more to it. You have a certain time period to spend bond money without having to potentially rebate some of it back. And my understanding is, because we keep ragging on them to get the money spent on public works, and they keep saying they're waiting for this to get approved, we're waiting for that to get approved. So I think there is a little bit of concern on not spending this money because non-approval on this item."

Chair Ortiz said if we bring it back, we would have to bring it back with some direction. He asked if the Committee would like to see those numbers, reiterating the Department can produce those numbers, and you can see how some of these over-runs have happened.

Chair Ortiz said, "You would be able to see, on those projects which have not been done, where there would be true reallocation and this decision, a decision that happened in this fiscal year, can be revisited potentially. It sets up problems for the last fiscal year that hasn't been approved, so it's still subject to Council approval, FY 2012-2013. To say we have to do something now, the only thing I think we have to do legally is capitalize those expenses we have already approved in our budget for FY 2009 and FY 2010. The issues in FY 2011, we could revisit, potentially at mid-year, and FY 2012 is still up in the air. So, there is still room to wiggle. It's not like this is a *fair accompli*. But if you wanted more information and you wanted to see those numbers broken down, this Department can give it to you, and they can show you where those expenses have been building."

Councilor Bushee said she would like to see other scenarios where we are going to reconsider FY 2010-2011 and 2011-2012, in terms of this capitalization. She said, "I honestly don't think that's the direction we originally intended to go, to have it keep going up. And I understand the budget concerns, but it just seems... you know the one concern I have project-wise as disappearing is the overpass, and I know you say it didn't originally include that, but we've had many times trying to make that happen. The more we reduce it down to no funds, it's never going to be a possibility. So I don't know if you'll ever come up with money to reallocate. You know, this seems to have replaced the CIP Reallocation which was always what we called lovingly, the 'loaves and fishes fund.' It seemed when we couldn't figure out how to pay for something, we went there. And now it seems the Parks Bond has become that."

Chair Ortiz said it is his sense, without the Parks Bond, the Parks Department would be barely functional. The reason why we are doing what we are doing what we are in the parks these days is precisely because of this Parks Bond. The reason why we have new parks, and the reason we have relatively better parks now than we did 4 years ago is precisely because of this bond issue, and the work of the Parks Commission.

Mr. Romero said, "One thing I'd like to say is, with the exception you brought up tonight regarding the River and Trails Coordinator, I think every single dollar has been spent in the parks, and I think it shows. And to everybody behind me's credit, the parks look great and it's how we've done it. And we've tried to follow the direction of the Council, and we're just trying now to clear up the books and clean up the books. I think they speak for themselves. And these guys and gals have worked really hard to make it look like it does. And you're right. You know we've had that problem and will continue to have problem if we don't get another bond or allocate more money to keeping these workers out there maintaining these parks."

Councilor Bushee said, "Well, it's not like they were able to increase their boots on the ground. I mean they've done a lot."

Mr. Romero agreed, noting we have the extra contingency funds, because they've worked hard to build this in-house for half the cost of a contractor.

Councilor Dominguez said this is something they said they would be doing from the beginning – looking at each project to see what could be done in-house. His concern is he would like to get more information, but what it really comes down to is that if we don't find another funding source, people potentially could lose their jobs. He said juggling everything to provide maintenance is part of the challenge.

Mr. Romero said we need to make sure we are covered until the end of 2013, and at that time, we will have to determine a way to maintain these parks and what to do with the 4-5 people.

Councilor Bushee wants to figure it out now.

Mr. Romero said, "Again, there's funding in here to do it now, and if that's what the Council chooses, then we can try."

Councilor Bushee said there's the funding to do that if we choose to do this reallocation.

Mr. Romero said these people will be working on these parks until that time, and that's when we'll complete the construction of these parks. So, if you want us to start looking at how to fund these 5-6 people another way they will work on that, but these people still will be doing this work between now and the end of FY 2012-2013.

MOTION: Councilor Bushee moved, seconded by Councilor Dominguez for purposes of discussion, for staff "to come back with the detail in terms of an explanation of the increase park by park, and also an alternative to using the Parks Bond money to fund these positions by the next, I don't know how much time you need."

DISCUSSION: Councilor Dominguez would like for it to go to Public Works as well to "take one cut" at it. He said, "When it came to Public Works previously, we were bogged down in discussion of where the wood was coming from. I'd like for it to go to Public Works if it's possible, Mr. Chair."

Chair Ortiz asked, in terms of getting the detail requested by this Committee, how long will it take, and would you be ready to go to Public Works next week, and then to Finance.

Mr. Romero said to do this accurately, it will take some time to generate the requested information.

After further discussion, it was the consensus among the Committee to postpone this item to the Finance Committee meeting of October 17, 2011, with the item going first to the Public Works Committee on October 11, 2011, and to the City Council for approval on October 26, 2011.

Councilor Bushee asked Mr. Romero what they will do in the meantime.

Mr. Romero said, "We will continue to what we are doing."

CHAIR'S SUMMARY OF THE MOTION: Chair Ortiz said there is a motion and second to postpone this item to the Finance Committee meeting of October 17, 2011, with direction to staff, and to go back to Public Works with additional information.

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

18. OTHER FINANCIAL INFORMATION:

There was no other financial information.

19. MATTERS FROM THE COMMITTEE

Councilor Dominguez said he will be gone to take his son to college the week of October 11, 2011.

Councilor Bushee said she wants to make sure that FIRs are in the packet, and in terms of contracts, information so it is very clear who the low bidder was, perhaps even seeing the votes for particular contracts, commenting this information used to be in our packets and now it is variable.

Ms. Raveling said we do FIRs for Resolutions and Ordinances, not for contracts. If you want that to be done, that is a change in policy.

Councilor Bushee said in the past when she served on Finance, she would get info on who voted and how they voted when there was a committee around a bid. She would see who the low bidder was, and how the bid was scored. However, she doesn't always get this any more. She said there was no FIR on the fiscal impact for the Convention Center. She is asking for as much information as possible.

Ms. Raveling said, "Then you're not necessarily saying a Fiscal Impact Report, you're just saying in general you want the fiscal impact."

Councilor Bushee said yes, and she wants to see what those impacts are. She shouldn't have to ask what is the fiscal impact when it is an issue before the Finance Committee.

Ms. Raveling said, "We can be more aware of that."

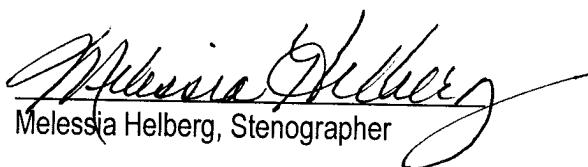
20. ADJOURN

There was no further business to come before the Committee, and the meeting was adjourned at 6:30 pm.

Matthew E. Ortiz, Chair

Reviewed by:

Kathryn L. Raveling, Director
Department of Finance



Melessia Helberg, Stenographer