

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

April 28, 2009

Michael Anaya, Chair – District 3
Harry Montoya, Vice Chair – District 1
Kathy Holian – District 4
Liz Stefanics – District 5
Virginia Vigil – District 2

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This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 10:10 a.m. by Chair Mike Anaya, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Following the Pledge of Allegiance and State Pledge, roll was called by County Clerk Valerie Espinoza and indicated the presence of a quorum as follows:

Members Present:

Commissioner Mike Anaya, Chair
Commissioner Harry Montoya, Vice Chair
Commissioner Kathleen Holian
Commissioner Liz Stefanics
Commissioner Virginia Vigil

Members absent:

[None]

V. INVOCATION

An invocation was given by Victoria de Vargas from the Fire Department.

VI. APPROVAL OF THE AGENDA

- A. Amendments**
- B. Tabled or Withdrawn Items**

ROMAN ABEYTA (County Manager): Thank you, mx. Staff has the following amendments to today's agenda. The first being under X. Matters from the ccc, item H, a presentation by Anthony Roybal has been withdrawn. Moving to Consent Calendar, page 4 of the agenda, mx, item XII. B. 12, the memorandum of agreement between sss and Jeffrey Ludwig, the sss Surveyor, myself and the County Surveyor have been working on this. We're going to need a little more time so that item is tabled. Page 5 of the agenda, staying on the Consent Calendar, item XII. B. 17, we needed to change the amount of the

B. 17, we needed to change the amount of the expenditure of community service funds to \$712. We added an item 18 to the agenda, which is request approval to authorize the County Manager to sign a coversheet form requesting a grant to the Edward Byrne Memorial Justice Assistance program. This is with the Sheriff's Department.

Under Staff and Elected Official Items, XIII. B. 1, the resolution adopting the Santa Fe County Fire Department five-year plan, that item is tabled for another 30 days to allow us to continue to look at funding options. And those are the amendments from staff, Mr. Chair.

CHAIRMAN ANAYA: Thank you, Roman. Any amendments from the Commission?

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: I'd like to move up item X. C to first on the agenda.

CHAIRMAN ANAYA: X. C and X. D?

COMMISSIONER MONTOYA: What's the difference?

MR. ABEYTA: Mr. Chair, one's a presentation, the other's a proclamation.

CHAIRMAN ANAYA: So, yes. It would be subsequent to that, Mr. Chair.

CHAIRMAN ANAYA: Okay. No problems. Any other comments?

COMMISSIONER VIGIL: Move to approve as amended.

CHAIRMAN ANAYA: Motion to approve by Commissioner Vigil, as amended. Is there a second?

COMMISSIONER MONTOYA: Second.

CHAIRMAN ANAYA: Second by Commissioner Montoya. Any further discussion?

The motion passed by unanimous [5-0] voice vote.

VII. APPROVAL OF CONSENT CALENDAR

A. Consent Calendar Withdrawals

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: I have XII. B.1, XII. B. 2, XII. B. 13, and XII. B. 16.

CHAIRMAN ANAYA: Any other withdrawals? Hearing none, is there a motion to approve the Consent Calendar with the withdrawals.

COMMISSIONER VIGIL: So moved.

COMMISSIONER STEFANICS: Second.

CHAIRMAN ANAYA: There's a motion by Commissioner Vigil, second by Commissioner Stefanics. Any further discussion?

The motion passed by unanimous [5-0] voice vote.

XII. CONSENT CALENDAR

A. Budget Adjustments

- 1. Resolution No. 2009-79. A Resolution Requesting an Increase to the Road Projects Fund (311) to Budget Prior Fiscal Year 2008 Cash Balance (\$220,545) and an Operating Transfer from the Capital Outlay GRT Fund (213) (\$46,420) for the Paseo La Tierra Road Project (Growth Management Department)**
- 2. Resolution No. 2009-80. A Resolution Requesting an Operating Transfer from the Capital Outlay GRT Fund (213) to the Road Projects Fund (311) for the County Road 78B Road Project/\$101,346 (Growth Management Department)**
- 3. Resolution No. 2009-81. A Resolution Requesting an Increase to the General Fund (101) to Budget a Memorandum of Understanding with the U.S. Marshals Service (Byrne Grant) for Fugitive Apprehension Task Forces/\$5,824 (County Sheriff)**
- 4. Resolution No. 2009-82. A Resolution Requesting an Increase to the General Fund (101) to Budget a Memorandum of Understanding with the U.S. Marshals Service (USMS Asset Forfeiture Funds) for Fugitive Apprehension Task Forces/\$10,875 (County Sheriff)**
- 5. Resolution No. 2009-83. A Resolution Requesting an Increase to the Fire Impact Fees Fund (216)/Hondo Fire to Budget Fire Impact Fee Revenue Received for Capital Expenditure in Fiscal Year 2009/\$82,000 (Community Services Department/Fire)**
- 6. Resolution 2009-84. A Resolution Requesting an increase to the EMS – Healthcare Fund (232) to Budget Prior Year Cash Carryover to Purchase a Van for the Mobile Health Program (Community Services Department)**
- 7. Resolution 2009-85. A Resolution Requesting an Increase to the Fire Operations Fund (244) to Budget a Grant Awarded through the New Mexico Emergency Medical Services Fund Act to Purchase an Ambulance for the Hondo Fire District / \$73,000. (Community Services Department / Fire)**

B. Miscellaneous

- 1. Resolution No. 2009-___. A Resolution Amending Resolution 2006-60 and 2006-114 to Increase the Signature Authority of the County Manager (Community Services Department)**
ISOLATED FOR DISCUSSION

- 2. Request Approval of 2007 General Fund Grant Agreement Amendment No. 4 to Remove \$450,000 and Transfer to the Mortgage Finance Authority for Administration for a Total Grant Agreement Amount of \$5,950,612.74 for Phase III of the Youth Shelters (Community Services Department) ISOLATED FOR DISCUSSION**
- 3. Request Authorization to Enter into a Lighting Agreement with the New Mexico Department of Transportation (NMDOT) for Installation of Traffic Signals and Intersection Lighting On NM 599 and Northbound I-25 Ramps and NM 599 and East Frontage Road for the NM 599 Rail Runner Station (Growth Management Department)**
- 4. Request Approval of Amendment No. 2 to Contract #26-0606-PW/JC, a Professional Service Agreement, with Southwest Archaeological Consultants, Inc., to Increase Compensation by \$379,909.17 for a Total Not to Exceed \$519,032.18, for the Change of Scope of Work to Include, LA 2 Excavation, Artifact Curation, Artifact Analyses, Analyses Write Up and Preparation of Preliminary and Final Report, Required for the Agua Fria Road Improvements Project, Phase III, and to Extend the Contract Through August 31, 2011 (Growth Management Department)**
- 5. Resolution No. 2009-86. A Resolution Recognizing the Week of May 17-23, 2009 as EMS Week in Santa Fe County to Recognize the Accomplishment of All Members of the Emergency Medical Care Team, Including Emergency Dispatchers, First Responders, Firefighters, Law Enforcement Officers, Emergency Medical Technicians, and Paramedics (Community Services Department /Fire)**
- 6. Review of the Accounts Payable Disbursements Made for All Funds for the Month of March 2009 (Administrative Services Department)**
- 7. Review of the Accounts Receivables for All Funds for the Month of March 2009 (Administrative Services Department)**
- 8. Resolution No. 2009-87. A Resolution Authorizing the Surplus of Heavy Equipment in Accordance with State Statutes (Public Works/Finance Department)**
- 9. Resolution No. 2009-88. A Resolution Authorizing the Public Sale of Seized Personal Property in Accordance with State Statutes (County Sheriff/Finance Department)**
- 10. Resolution No. 2009-89. A Resolution Authorizing the Surplus of**

Fixed Assets in Accordance with State Statutes (Finance Department)

- 11. Request Authorization to Approve a Release of Guaranty Transferring Obligation of Responsibilities for the Dance Station, LLC for the Lease Agreement Between Santa Fe County and the Dance Station, LLC (Community Services Department)**
- 12. Memorandum of Agreement Between Santa Fe County and Jeffery Ludwig, Santa Fe County Surveyor (TABLED)**
- 13. Request Authorization to Enter into Agreement #29-0097-SD/JC, and Indefinite Quantity Price Agreement for Uniform's for the Sheriff's Department with Neve's Uniforms Inc., the Lowest Responsive Bidder in Response to IFB #29-0097-SD/JC; This Will Be a Four (4) Year Agreement with an Escalation Clause for Price Fluctuation (Sheriff's Department) ISOLATED FOR DISCUSSION**
- 14. Request Authorization to Enter into a New Agreement #29-0144-FD/JC, an Indefinite Quantity Price Agreement for Rescue Training Equipment for the Santa Fe County Fire Department with Holmatro Inc.; This Will Be a Four (4) Year Agreement with an Escalation Clause for Price Fluctuation Utilizing the Brand Specific Exemption NMSA 1978 sec. 13-1-166 (Community Services Department/Fire)**
- 15. Request Authorization to Accept Amendment Number One (1) to Agreement Number 28-0061-CORR/RH Between Santa Fe County and Northern New Mexico Emergency Medical Services. The Purpose of This Amendment is to Extend the Term of the Agreement through February 1, 2012. The Contractor Provides Medical Services to the Santa Fe County Adult Detention Facility and the Youth Development Program (Corrections Department)**
- 16. Request Approval of Five (5) Additional FTEs for the Assessor's Office. The Positions Include Five Appraisers to Be Funded from the Cash Balance Available in the Valuation Fund. The Permanent Funding of These Positions Will Be Re-evaluated After the First Quarter of 2010 for Continuation and Are Contingent Upon Additional Tax Billings, and Hence Increased Tax Collections. As the Needs of the Assessor's Office Are Met, a Final Audit by State Property Tax Division Will Determine the Final Staffing Count Necessary and Staff Will Be Allowed to Be Promoted from within and Any Excess Staffing Levels Will Be Eliminated. (Assessor's Office) ISOLATED FOR DISCUSSION**

17. **Request for Approval for an Expenditure of Community Service Funds in the Amount of \$712 to Support the Acequia de Potrero for Acequia Improvements (Commissioner Montoya) [Exhibit 1]**
18. **Request Approval to Authorize the County Manager Or His Designee to Sign the Coversheet: GMB Form a, Requesting the Amount of \$247,874.00 Be Awarded Through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program 2009 Application for the Region III Multi-jurisdictional Drug Task Force (Sheriff's Department) [Exhibit 2]**

VIII. APPROVAL OF MINUTES

A. February 10, 2009

COMMISSIONER STEFANICS: Mr. Chair, I move approval of the minutes of February 10, 2009.

CHAIRMAN ANAYA: Motion by Commissioner Stefanics. Second by Chairman Anaya. Any further discussion?

The motion passed by unanimous [5-0] voice vote.

B. March 31, 2009

COMMISSIONER MONTOYA: Move for approval, Mr. Chair.

CHAIRMAN ANAYA: Motion by Commissioner Montoya.

COMMISSIONER STEFANICS: Second.

CHAIRMAN ANAYA: Second by Commissioner Stefanics. Any further discussion?

The motion passed by unanimous [5-0] voice vote.

IX. MATTERS OF PUBLIC CONCERN – NON-ACTION ITEMS

CHAIRMAN ANAYA: Is there anybody in the audience that would like to come before the Commission and – come on up, Ike – and talk to us about an item that's not on the agenda?

IKE PINO: Thank you, Mr. Chair and Commissioners. I wanted to take a couple of minutes just to bring you up to date on what is going on out at Rancho Viejo. My name is Ike Pino. I'm general manager out at Rancho Viejo, 55 Cañada del Rancho. I don't want to have the newspaper be your only frame of reference, and I know that you probably

will have more than one or two constituents that might want to hear back from you on things. Commissioners, Mr. Chair, we've had a pretty good ten-year run as SunCorps-Rancho Viejo. Working jointly with the County, we've helped in the creation of the Community College District. We've been able to put about 2500 residents in 1100 homes. There's a home for the Community College, IAIA, ATC, Santa Maria de la Paz Catholic Community, the new public school. There have been a lot of good things come out of the development out in that part of the county, not the least of which was the development of a County water system.

And so I wanted to assure the Commission that as we go forward, that Rancho Viejo will continue within the tenets of the Community College District and its current entitlements, although more than likely we'll continue under a different ownership. Pinnacle West, which is our parent company, decided that they wanted to sell SunCorps Homes, which is our building division, of which we are a part. SunCorps Homes does five projects in four states. And so one scenario will be that a buyer will come and buy the project and we'll have a new owner. Or they might sell the projects individually, if that's what it comes to. But the one thing that I wanted to give you as an assurance is that this project has always been considered a legacy project by the owners of the property, the Rancho Viejo Limited Partnership, which pre-dates SunCorps by many, many years.

They want to continue Rancho Viejo, whether it's with a new owner of SunCorps Homes or whether they have to do it themselves at some point if things were to evolve that way. I have been in communication with them on a number of occasions in the past couple of weeks and they do want to continue Rancho Viejo. They want to continue what we've started, and their hope is that we can start to pick up the pace of things out there as the market increases.

And so any obligation that we have with the County in terms of bonds or things to be built or anything to be recorded will all be carried out. We have continued to progress with the project out there as if nothing were happening, although it's hard to ignore that 800-pound gorilla in the kitchen. But we continue on and we will continue on whether it's with another owner or with the Rancho Viejo Limited Partnership. And I wanted to assure the Commission and the County staff, with whom we've worked well over the last ten years, that we'll continue to work with them and be available for anything that they might need as we have in the past.

And finally, Mr. Chair, Commissioners, I just wanted to make an appeal to you again for the amendments to the affordable housing ordinance for which we've been waiting for over three years. I'm not quite sure where they are right now, and I'm not sure why they're not coming forward, but we'd sure like to see them come forward because as I've discussed with all of you individually, it will definitely enhance our ability to continue to provide affordable homes at the 30 percent level that the affordable housing ordinance requires at this point.

So anything we can do to help in that process we certainly remain available to help with. So with that, Mr. Chair, if there are any questions that the Commissioners have I'd be happy to answer them.

CHAIRMAN ANAYA: Thank you, Ike. Can we go to Commissioner Stefanics?

COMMISSIONER STEFANICS: Thank you, Mr. Chair, and thank you, Ike, for coming today. So with this change in ownership, first of all, will you be continuing to coordinate work with the County?

MR. PINO: Mr. Chair, Commissioner Stefanics, yes. We'll continue with the same team we have in place until one of two things happens. If a new owner comes in we'd hope that they'd want to continue with the same team or they could make a change at that point. But until that happens we're going to continue on with the County as we have in the past.

COMMISSIONER STEFANICS: Mr. Chair, I'd ask Ike to keep us apprised if it's not at a County Commission meeting, as changes might happen, so you might send communications to the County Manager for him to disseminate to us if you sense some immediate changes coming up that we don't have a meeting for. And on your second point, Mr. Chair, I'd like to address some of the affordable housing issues and I know other Commissioners are very committed to this as well. We did have an affordable housing meeting this morning. We are aware that MFA wanted to see more conditions or more developments in our plan, and we have asked for a draft or preliminary report back in two weeks to the Commission. So we are not hesitating about moving ahead on the affordable housing plan, and while I have that mike I would just congratulate Commissioner Virginia Vigil for just receiving an award at the state national meeting on affordable housing. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Thank you, Commissioner. Any other comments? Ike, thank you for coming before us. Anybody else want to speak on matters from the Commission? Chris, Frank.

CHRIS LUCERO: Good morning, Mr. Chair and Commissioners. My name is Chris Lucero. I am honored to be the chairman of La Visión del Valle Coalition out of Hands Across Cultures, and we are here just to update you on behalf of the BEST Youth Conference, Benevolent Enrichment Spearhead Team. A few months ago you guys, the Commission, actually passed a resolution for this youth forum, and we're just proud to say that over 250 students on both days attended this youth forum, and it is through the kind contributions of Commissioner Harry Montoya and Mr. Chairman Mike Anaya that we want to thank them personally and publicly for the efforts that you have given to this spearhead team and to the youth of our community. There was youth from Pojoaque, Estancia, Moriarty, Española, Mesa Vista, as far as Gallina and Escalante that attended this youth conference. It was a success and I know Commissioner Harry Montoya was able to attend on the first day and we are just so proud and honored that we had the backing of the Santa Fe County Commission. And we thank you for that.

CHAIRMAN ANAYA: Thank you very much, Chris. Thank you, Frank. Thank you all very much for putting that on.

ROSANNA VAZQUEZ: Good morning. I'm just here to announce I'm a

volunteer for a group called Pandemonium Productions. They do plays in Santa Fe with kids and teenagers, and this weekend and next weekend they are doing High School II and it's Friday and Saturday at 7:00 and Sunday at 2:00, and I would encourage everybody to go, including all of you behind me. It's a musical. They dance. They sing. They act, and it's actually very, very well done. And my children have been a part of it for the last four years and Commissioner Vigil's children were actually one of the starters of this show, and so I would encourage all of you to go. Thank you.

CHAIRMAN ANAYA: Thank you. Anybody else like to come forward?

X. MATTERS FROM THE COMMISSION

- C. Presentation in Recognition of the Pojoaque Elkettes Basketball Team as 2009 Class AAA State Champions (Commissioner Montoya)**
- D. A Proclamation Recognizing the Pojoaque Elkettes Basketball Team as 2009 Class AAA State Champions (Commissioner Montoya)**

COMMISSIONER MONTOYA: Thank you, Mr. Chair. I'd like to acknowledge the presence of the girls here this morning and present them with a token of Santa Fe County's appreciation for all they did in representing Santa Fe County and Pojoaque Valley High School this past year. Mr. Chair, I'd just like to read an editorial that came out in the Journal on Wednesday, March 25th. It said: Headline: Elkettes Did it Right, On and Off the Court.

How about those Elkettes? Pojoaque High School's girls basketball team capped an undefeated season last week with another win and a second straight state championship. How'd they do it? Teamwork, say the girls and their coaches. A certain special chemistry that starts with the usual stuff: talent, practice ambition. Add in the fact that several of the Pojoaque players have been playing together in other sports in various combinations for years and had an almost telepathic sense of each other's next moves. Throw in a perceptive coaching staff that guessed the importance of off-the-court stuff and make talk sessions and the sharing of their personal lives just as important as practice. And don't forget the hokey-pokey.

Post-victory last Friday credited that silly, "Put your left foot in" cross between a dance and a children's game with building undefeated championship spirit where it counts. In the locker room, before the game opening buzzer. All in all it adds up to a feeling about each other and a team that Elkettes say will outlive this year's extraordinary season. Valuable experience for life and for just about any undertaking on or off the court. Well done.

And Mr. Chair, with that I'd like to ask the Commissioners – actually, I'm going to do the proclamation, and then we'll do the presentation. And Mr. Chair, I thank you for allowing us to do this today because last week the girls – well, actually the whole school was actually on spring break so they were unable to be here for that special BCC meeting.

CHAIRMAN ANAYA: Only for you, Commissioner.

COMMISSIONER MONTOYA: Thank you. The proclamation reads:

Whereas, Santa Fe County recognized the efforts of youth in our public school system and encourages them to partake in productive activities, which are rewarding to the individual as well as to the community; and

Whereas, extracurricular activities promote character and encourage dedication and teamwork; and

Whereas, dedication and hard work result in success; and

Whereas the Pojoaque High School Elkettes are recognized for their outstanding performance in basketball, earning an exceptional undefeated record during the 2008-2009 season, with a 31-0 record; and

Whereas, the Pojoaque High School Elkettes proved their commitment and skill in competing at the New Mexico State Girls Basketball Championship Tournament, leading their team to victory for the 2009 Class AAA state basketball championship; and

Whereas, Santa Fe County recognizes the young student athletes and the coaching staff of Pojoaque High School who worked hard to play their very best this season;

Now, therefore, be it resolved that the Board of County Commissioners by this proclamation recognizes and honors the accomplishments of the Pojoaque girls basketball team.

And I move for approval of this, Mr. Chair.

COMMISSIONER VIGIL: Second.

CHAIRMAN ANAYA: Second by Commissioner Vigil. Any discussion?

The motion passed by unanimous [5-0] voice vote.

COMMISSIONER MONTOYA: Approved, adopted and passed on this day, the 28th of April, 2009. And with that, Mr. Chair, Commissioners, we could present the team with a token of our appreciation.

CHAIRMAN ANAYA: Commissioner, did you say 31 and 0?

COMMISSIONER MONTOYA: Thirty-one and zero. Okay, Mr. Chair. I'll ask the girls to come up. Jacquie Bartleson, Cheyenne Cordova, Ellen Cruz, Elizabeth Gomez, Aundria Gonzales, Nicole Gonzales, Dionna Montoya, Marissa Romero, Janelle Roybal, Audrey Smith, Kiana Vigil, Tamarra Vigil. And the managers, Christine Gomez, Angel Quintana, Amy Salazar. And the coaches, Assistants: Michelle Ortiz, not here. Fran Lopez and Joe Estrada are the other assistants. And we have with us head coach, Lanse Carter. And our athletic director, Matt Martinez.

And I'd like to recognize and ask school board member Jon Paul Romero also to come up. Girls, come on up. We're going to take a picture.

LANSE CARTER: First of all, I'd just like to thank the entire Commission for having us here today. Thank you, Mr. Montoya. This means a lot to us, a chance to come in and be recognized and to see government happening. A big thank you to all of you for

bringing us in here. Thank you.

COMMISSIONER MONTOYA: Congratulations, Coach, and here's the proclamation.

CHAIRMAN ANAYA: Good job ladies. We'll see you next year. I'd like to recognize from Los Alamos, Bill Heinbach. Bill, thanks for being here.

X. A Proclamation Recognizing National County Government Week May 3-9, 2009 (Commissioner Montoya)

COMMISSIONER MONTOYA: Thank you, Mr. Chair. This proclamation is simply to acknowledge that Santa Fe County will participate during the week of May 3rd through 9th as part of National Counties Week. This is something that is provided through the National Association of Counties which is the only organization in the country that recognizes county government and for what the work is that we do and all of our staff do on behalf of county residents. So this would be for the week again of May 3 through 9, 2009. And I move for approval.

CHAIRMAN ANAYA: Motion by Commissioner Montoya.

COMMISSIONER STEFANICS: Second.

CHAIRMAN ANAYA: Second by Commissioner Stefanics. Any further discussion?

The motion passed by unanimous [5-0] voice vote.

X. B. A Proclamation Commemorating St. Michael's High School 150th Anniversary (Commissioner Montoya)

COMMISSIONER MONTOYA: Thank you, Mr. Chair, and for the members from St. Michael's here, thank you for being here. I understand we have Brother Paul Walsh with us, Joe Dennis, who's on the board of trustees, as well as board of trustee David Blackman, and Janis Chitwood, the dean of academic affairs, and Lynette Montoya, the director of development. Thank you for being here this morning, and second to Pojoaque, St. Mike's is my second favorite school in Santa Fe County. And I have to say that because my brother and sister both graduated from there as well. So it's an honor, Mr. Chair, to read this proclamation.

Whereas, in the summer of 1859, New Mexico Archbishop requested that Christian Brothers from France come to Santa Fe to open a school for boys; and

Whereas, Brothers Hilarien, Gandulph, Geramius and Galmier Joseph arrived in the early afternoon of October 27 and set to work opening a school on Old Santa Fe Trail in an adobe hut next to the San Miguel Mission just two weeks later; and

Whereas, the first boarding student arrived on November 9th and classes began on November 22, 1859; and

Whereas, eleven years later, amidst difficult financial times, Brother Botulph Schneider arrived in Santa Fe to motivate and direct the Christian Brothers and the students; and

Whereas, his joy and enthusiasm inspired his co-laborers and they began to raise money for upgrading and developing St. Michael's High School; and

Whereas, during his thirty-six-year tenure as Director of the school, new structures were erected and the School's academic reputation grew; and

Whereas, two of those structures that remain are the present-day Lamy Building and the present-day Lew Wallace Building; and

Whereas, in 1876, St. Michael's conferred diplomas upon its first graduates; and

Whereas, the Territorial Constitutional Convention met in the Lew Wallace Building to draft the Constitution of New Mexico in 1910, and one-fourth of the Convention delegates were alumni of St. Michael's; and

Whereas, in 1926, a fire destroyed the tower and upper story of the school; and

Whereas, the damage was so extensive and estimated repairs so costly that St. Michael's faced closure; and

Whereas, the School's Director, Brother August, was walking downtown and contemplating the fate of the school, when he encountered Miguel Chavez, an alumnus and successful businessman; and

Whereas, Miguel Chavez, upon hearing of the School's difficulties, decided to finance the rebuilding of St. Michael's; and

Whereas, the St. Michael's community continued to grow over the next five decades, and by the 1960s, it had outgrown its location its location on Old Santa Fe Trail; and

Whereas, St. Michael's moved to its current Siringo Road location in 1967; and

Whereas, in 1968, the School became coeducational after the closing of Loretto Academy; and

Whereas, in the 1990s, science laboratories and new classrooms were added to St. Michael's and the Tipton Sports Center was completed; and

Whereas, a new building was added in the 2000s and improvements were made to classrooms, offices and athletic fields; and

Whereas, a statue of St. John the Baptist was recently installed at the School's front entrance; and

Whereas, St. John the Baptist de la Salle founded the Institute of the Brothers of the Christian Schools, the Christian Brothers, in 1680 in Rheims, France; and

Whereas, the son of wealth and privilege, de la Salle joined the priesthood and became committed to educating the children of poor and working-class people; and

Whereas, over time, he trained and organized a group of men to live in community and conduct the School; and

Whereas, the core principles of a Lasallian school are:

- A. faith in the presence of God;
- B. respect for all persons;
- C. quality education;
- D. concern for the poor and social justice; and
- E. a united community where diversity is respected; and

Whereas, St. Michael's High School, with a college preparatory curriculum, has, as its mission, to educate every student in a spirit of faith and academic excellence according to Roman Catholic principles in the Lasallian tradition of the Christian Brothers; and

Whereas, April 30, 2009 will be dedicated to the founders of St. Michael's High School, with the Most Reverend Archbishop Michael J. Sheehan presiding over a celebration and mass; and

Whereas, the celebration will continue with a sports achievement event that honors St. Michael's High School's long-running and successful athletic program; and

Whereas, all of Santa Fe will be invited to "Community Day" on September 27, 2009, celebrating St. Michael's One Hundred Fiftieth Anniversary in conjunction with San Miguel Fiestas and featuring tours, games and visual and performing arts; and

Whereas, an all-class reunion and gala will take place the weekend of October 9 through 11, 2009; and

Whereas, on Sunday, October 11, 2009, a mass at the St. Francis Cathedral Basilica will be held to honor the One Hundred Fiftieth Anniversary celebration;

Now, therefore, be it resolved that the Board of Santa Fe County Commissioners hereby proclaim: April 30, 2009 as "St. Michael's High School 150th Anniversary Day" throughout Santa Fe County.

Mr. Chair, I move for approval.

CHAIRMAN ANAYA: Motion by Commissioner Montoya.

COMMISSIONER HOLIAN: I'll second.

CHAIRMAN ANAYA: Second by Commissioner Holian. Any further discussion?

The motion passed by unanimous [5-0] voice vote.

COMMISSIONER MONTOYA: Mr. Chair, if we could go down and ask the representatives of St. Michaels.

BROTHER PAUL WALSH: I'm Brother Paul Walsh. I was principal at St. Michael's from 1992 until 1995, and retired into the classroom after that. I'm currently teaching a couple classes.

I've done a good deal of research on this 150 years, and I think some of most interesting stuff is how you paid your tuition. What do you think about one cow, one calf and one steer, credited to tuition at \$42.50? That's what you could pay for a steak now. This is back in the 1870s. And another was 2200 pounds of frijoles, credited at \$22.12 against a tuition of \$300.

We hope to have on our website almost every two weeks something about this school which started in 1859. So I'm happy to have been here with fellow board members and faculty and development director to accept this recognition for 150 years. I don't think we'll be back in another 150, but thank you very much.

CHAIRMAN ANAYA: Thank you, Commissioner Montoya, for bringing that forward.

X. E. A Proclamation Recognizing the Accomplishments of Judge Carol Jean Vigil (Commissioner Montoya)

COMMISSIONER MONTOYA: Thank you, Mr. Chair. As you probably know we recently lost a treasure, and I want to ask Martin Vigil if he would come forward. Martin, of course is Carol Jean's brother and Mr. Chair, this proclamation reads:

Whereas, Carol Jean Vigil was born in Santa Fe, New Mexico on October 24, 1947 ;
and

Whereas, Carol Vigil received both her bachelor's and law degrees (1977) from The University of New Mexico; and

Whereas, After passing the bar – the first Pueblo Indian woman to be admitted to the New Mexico Bar – she went to work for Indian Pueblo Legal Services, Inc.; and

Whereas, she served as assistant state attorney general under Jeff Bingaman, who is now a United States Senator, and in the mid-1980s went into private practice; and

Whereas, she served as a tribal lawyer for Tesuque Pueblo and wrote the tribal codes for Tesuque and Taos Pueblos; and

Whereas, in 1988, Carol Vigil was hired by the 1st Judicial District to be a child support hearing officer; and

Whereas, in 1994, she was named special commissioner for domestic violence and mental competency; and

Whereas, in 1995, she was named by *The New Mexican* as one of the Ten Who Made a Difference; and

Whereas, in 1998, a Judicial Pioneer, Carol Vigil was elected to New Mexico's First Judicial District, being the first Native American to be elected as a state judge in New Mexico and the Nation's first Native American female judge; and

Whereas, Carol Vigil was a loving wife, mother, daughter and sister as well as a leader and a role model for her community; and

Whereas, Carol Vigil passed away on March 27, 2009 and New Mexico has lost an invaluable citizen and a Judicial Pioneer, one whose accomplishments are part of our history and part of our future; and

Now, therefore, we the Board of Santa Fe County Commissioners hereby proclaim: April 28, 2009 "Judge Carol Jean Vigil Day" throughout Santa Fe County.

Mr. Chair, I move for approval.

COMMISSIONER VIGIL: Second.

CHAIRMAN ANAYA: Motion by Commissioner Montoya, second by Commissioner Vigil. Any further discussion?

COMMISSIONER STEFANICS: Yes, Mr. Chair.

CHAIRMAN ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'd like to just say that Judge Carol Vigil and I worked on several domestic violence projects together and she was very involved in her projects and I'm really sure the community is going to miss her. Thank you very much.

CHAIRMAN ANAYA: Any further discussion? Commissioner Vigil

COMMISSIONER VIGIL: Martin, I didn't even realize there was a relation. I wish I had known that. That connectivity would have been endearing to me because I actually worked with Judge Vigil when she was the domestic relations officer in child support enforcement issues. One word that wasn't mentioned is she was truly a trailblazer, blazed a lot of trails for women and minority women. I'll never forget her for that, and she will be missed.

CHAIRMAN ANAYA: Any further discussion?

The motion passed by unanimous [5-0] voice vote.

COMMISSIONER MONTOYA: Thank you, Mr. Chair. We could give this proclamation, and Phil Palmer, her husband couldn't be here, but Martin –

MARTIN VIGIL: Thank you, Mr. Chair and Commissioner Montoya.

X. F. Summary Updates Regarding North Central Regional Transit District Board (NCRTD) (Commissioner Stefanics)

COMMISSIONER STEFANICS: Thank you, Mr. Chair and members of the Commission. As you know I took Commissioner Montoya's seat for a period of time on this Regional Transit District Board. You have the minutes from April in your packet. We have a meeting coming up this Friday. I would like to let you know that the Regional Transit District Board has some subcommittees where a lot of the work is being done. I'm chairing the Coordination Committee so that different entities, cities and counties, can come together and talk about their concerns about how we might coordinate with the RTD, what we are already doing, how we don't want the RTD to duplicate, how we need to look at better services.

There's a Finance Committee that's asking some very hard questions about investments and the use of funds and the cost-effectiveness of routes. There's a Native American Subcommittee that Commissioner Montoya has been very involved with, and I can't remember if there's another committee. Commissioner Montoya?

COMMISSIONER MONTOYA: Marketing.

COMMISSIONER STEFANICS: Marketing Committee. And on our staff,

Andrew Jandáček has been participating with me. The RTD staff and chair of the RTD came to visit with myself and Commissioner Montoya and our County Manager, some of our staff and some of the City staff to start talking about what will happen with the GRT, what will happen about coordinating routes, etc. So one of the goals that I have is to carry forward the intent from the RPA, which is the joint City-County group that is addressing transit services, and also to make sure that the people in the county of Santa Fe will have services once there might be any transition. And we understand that there is quite a bit to work out come July 1 when the new GRT, gross receipts tax, is available. The RTD is currently running some routes and our staff and the RPA have to work out whether or not they're going to continue running it, because we will have the GRT. We will have the money. So we will need to decide if we want them to continue running those routes.

I'd be happy to answer any questions. We'll have this item on the agenda once a month so you can get the minutes and ask me any questions you want.

CHAIRMAN ANAYA: Thank you. The concern that I had and you raised it, is the duplication of efforts, and I'm glad to see that they'll be working on that. Because I wouldn't want the RPA doing what the RTD is doing.

COMMISSIONER STEFANICS: Mr. Chair, that's a great point. Right now the MPO also has to approve the transit plan. The RPA did go out to bid and is going to have a service plan developed, hopefully by July 1, so that our service plan can be dropped into the RTD's service plan as ours, and so they won't duplicate services. Steve Ross, our County Attorney was the last person to touch the contract for the individuals who will be doing – the company that will be doing the service plan. Steve, is that moving along?

MR. ROSS: Mr. Chair, Commissioner Stefanics, it didn't actually touch my hands physically; it's in my office. But I'll find out what's going on.

COMMISSIONER STEFANICS: Okay, well, just a point of clarification is that we really need those contractors to start because we need the plan done prior to July 1. So anything you can do to expedite that through your office would be great. But your issue about coordination also was so that we didn't have people getting off one bus route and standing there for two or three hours waiting for the next bus to pick them up to take them to their next destination. That's where some of the coordination needs to happen.

Santa Fe Transit is still going to occur. We're still going to be doing some of our transit services. We just need to coordinate it with the rest.

CHAIRMAN ANAYA: Thank you, Commissioner Stefanics.

MR. ROSS: Mr. Chair, Commissioner Stefanics, I just got an update on the contract. The contract is ready. All we're waiting for is the company, the contractor, to become licensed in the State of New Mexico.

COMMISSIONER STEFANICS: To become licensed? Mr. Chair and Steve, does that take days? Weeks?

MR. ROSS: Days.

COMMISSIONER STEFANICS: Okay. Thank you.

CHAIRMAN ANAYA: Thank you for the update.

X. G. Resolution No. 2009-90. A Resolution in Support of the Northern Rio Grande National Heritage Area (Commissioner Montoya) [Exhibit 3]

COMMISSIONER MONTOYA: Thank you, Mr. Chair, this information is in your packet. This is something that we had taken action on back on September 25, 2007. We had a presentation at that time by Mr. Sam Delgado, and Arnold Valdez who has been our staff person on this committee, would you like to add anything please? And Mr. Chair, this is just a resolution at this point in time.

CHAIRMAN ANAYA: A resolution?

COMMISSIONER MONTOYA: Yes. No finances attached to it.

ARNOLD VALDEZ (Senior Planner): Good morning, Mr. Chair, Commissioners. Over the last two years our planning division has been involved in various aspects of historic, cultural resource recognition, documentation and presentation efforts. We've been working with different agencies, such as the National Park Service, BLM, University of New Mexico, and we continue our efforts with the Northern Rio Grande National Heritage Area. We have made significant contributions in highlighting the history and cultural heritage of the county.

For example, two recent submissions to the Library of Congress include the documentation of La Cienega Acequia system. The first and seconded to be documented and submitted to the Library of Congress from the state of New Mexico. We are also submitting some documentation on La Bajada that we completed in conjunction with the County, National Park Service, and UNM. So as a continuation of our efforts we would like to work with the Northern Rio Grande Heritage Area. At this time I'd like to introduce Jose Villa, the director, who will provide a quick overview of the background, and then the resolution will be presented for your consideration.

COMMISSIONER MONTOYA: Thank you, Arnold.

JOSE VILLA: Thank you, Arnie. Mr. Chair, members of this Commission, I'll be very brief. First, I want to thank each and every one of you for your service to the people of Santa Fe County. And now we would like you to help us, because this is a three-county national heritage area, the first in the Rockies in the nation. And we would like to keep involved with you in determining what things are of value and what experiences our people have had in the three-county area that gives us a distinctive landscape and background, and that makes us the Northern Rio Grande National Heritage Area. And then to thank the participation of the staff, Arnie and other staff of the County Planning Department in helping us with our management plan.

But to explain that briefly I would like to introduce our associate director, Dr. Glenna Dean. Thank you very much.

CHAIRMAN ANAYA: Thank you.

GLENNA DEAN: Good morning. Mr. Chair, members of the Commission, I'm Glenna Dean. I'm the associate director of the Northern Rio Grande National Heritage

Area. We're based in Española. We have been holding public meetings in the three counties, actually for a number of years, but most recently throughout the month of March. I've met several of you at either our meetings or the Santa Fe County growth management meetings, and I'm very pleased to see that our mission overlap almost 100 percent. It's just wonderful.

The National Congress, the US Congress designated the Northern Rio Grande National Heritage Area in 2006 for some of the very reasons that are on this mural behind you. We are directed to preserve and protect cultural traditions, pristine resources and diverse communities in the three counties. Toward that end we are to work with tribes, communities residents, agencies of government, to form partnerships that allow all of us to work together to achieve common goals. We are directed by Congress to work with communities and residents that they feel of importance to themselves. So we are community-based and community-driven. We are looking for input from communities and residents and government and planning people for helping us to focus our efforts in working with communities, and we look forward to counting Santa Fe County among our partners as we move forward in this endeavor. And we look forward very much to having an official designee from the County on our board of directors to help us achieve that goal. I'll stand for questions.

CHAIRMAN ANAYA: Thank you, Glenna. Commissioner Vigil.

COMMISSIONER VIGIL: Thank you, Glenna. Always happy to support these kinds of initiatives. My specific question is how many acres does this involve? Has that been designated?

DR. DEAN: Mr. Chair, Commissioner Vigil, it's really more expressed in miles. It's 10,000 square miles.

COMMISSIONER VIGIL: Okay. And have the boundaries been identified for this already and they're mapped?

DR. DEAN: Mr. Chair, members of the Commission, the boundaries are the county boundaries of Santa Fe, Rio Arriba and Taos counties.

COMMISSIONER VIGIL: But it's sort of –

DR. DEAN: Well, it's just angular. But it runs from Edgewood to the Colorado border, basically from the oil and gas fields in western Rio Arriba County, almost to, say, Eagle Nest.

COMMISSIONER VIGIL: Is this a different designation than what the federal government has designated the Galisteo Preservation Area, the Glorieta Battlefield area?

DR. DEAN: These units are contained within our area. They're kind of confusing concepts. They're not necessarily in conflict, but what's happened – there's also a new one coming along, the Rio Grande del Norte Conservation area. That was being introduced by Senator Bingaman in Congress. These address different ownerships of federal land. The one introduced by Senator Bingaman is for BLM land. The Galisteo Basin Initiative is largely for private land but also for some BLM land, and then there's ours, which encompasses federal national forest land, BLM, Bureau of Reclamation, Corps of Engineers, the State Trust Lands, all kinds of things.

The differences between these various actions are, I think, largely financial. We, in our legislation, because Congress designates all of these counties and every square inch within them as being contributing towards the national heritage area. We are – once our management plan is approved next year we stand to receive up to \$1 million a year for ten years to work with communities and agencies and residents and tribes to bring community projects to fruition. That is a more solid funding base than the Galisteo Basin Initiative has been, although they did receive recently \$500,000.

Our designation carries financing with it from the very beginning. We intend to be a clearinghouse with communities and these other heritage designated areas, but we see ourselves as a coordinator as opposed to in conflict with these other designations. Does that answer your question?

COMMISSIONER VIGIL: It does. Are there any other areas in the state of New Mexico that are designated national heritage?

DR. DEAN: Not at this time.

COMMISSIONER VIGIL: This will be the first.

DR. DEAN: Yes, ma'am. This is the first.

COMMISSIONER VIGIL: Thank you, Mr. Chair. Thank you.

COMMISSIONER MONTOYA: Mr. Chair, move for approval.

CHAIRMAN ANAYA: There's a motion by Commissioner Montoya. Is there a second?

COMMISSIONER HOLIAN: Second.

CHAIRMAN ANAYA: Second by Commissioner Holian. Discussion?
Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I was going to try to make a few comments in spite of my voice. I just wanted to thank you, Glenna. I attended the meeting in Glorieta and there were only – there weren't that many people there, but as you very wisely said, the people who needed to be there were there, and we just had this wonderful discussion about the history and culture of the area. It was actually a real highlight for me.

I also just wanted to make one other comment and point out that I think this, that the Northern Rio Grande National Heritage Area is only of four, is it? In the whole western United States?

DR. DEAN: In the Rocky Mountain West.

COMMISSIONER HOLIAN: In the Rocky Mountain West. So I just think it's such an honor and we really owe our congressional delegation a big thanks for this. So thank you very much.

DR. DEAN: Thank you.

CHAIRMAN ANAYA: And I met with Dan and David, Dan Valerio yesterday. And we spent all morning talking about the heritage in Stanley at our ranch.

DR. DEAN: Wonderful.

CHAIRMAN ANAYA: So I enjoyed that very much.

The motion passed by unanimous [5-0] voice vote.

X. I. Presentation Given by Anne Oandasan, (North Central New Mexico Economic Development District Transportation Planner) to Cover the Services That RPO and North Central Can Provide (Commissioner Montoya)

COMMISSIONER MONTROYA: Thank you, Mr. Chair. I will turn it right over. And thank you for coming, Anne. I know you couldn't make it last week. But thank you.

ANNE OANDASAN: Good morning, Mr. Chair and Commissioners and audience members. My name is Anne Oandasan and I'm the current transportation planner for the Northern Pueblos RPO through the North Central New Mexico Economic Development District. And my presentation today will consist of services that Santa Fe County is eligible to receive through the North Central Economic Development District.

North Central was established through a joint powers agreement in 1967 that encompassed Colfax, Los Alamos, Mora, Rio Arriba, San Miguel, Sandoval, Santa Fe, and Taos counties. The goals were to stimulate economic growth and orderly development through multi-county planning and investment, pooling of resources and tapping into key local leadership. The focus then being community development processes and establishing a framework for long-term and short-term economic expansion.

So in order to reach these goals, North Central provides a variety of services. For example there's the Economic Development Administration, which is also known as EDA. Now, this is not a grant that North Central provides, however, it is a grant that we do administrate. For example, I'm responsible for administrating the EDA and IAD grants for the Okey Owingeh Airport. Another service that North Central provides is the Area Agency on Aging, which is affectionately called Triple A, and this program provides social services, health services and referrals, outreach, transportation, in-home services, community and legal services, recreation, daycare, counseling, respite care, volunteer services to individuals that are 61 years and older. And these services are provided in 21 different counties.

Another service provided by North Central is the revolving loan fund, and this is a loan that targets independent business owners. It's a low interest loan, and any type of business from a dog groomer to a dentist's office is eligible for funding. Another service provided is the state in-grant aid, and again, this is not a grant that North Central provides, however, it is a grant that North Central receives in order to provide technical and advisory services. So for example, of the technical and advisory services provided, it would be assistance with your ICIP, and basically sometimes our entities have turned over which necessitates assistance with their ICIPs and sometimes we have entities that have multiple departments involved in their ICIP, depending on how large or small the project is. Therefore

we can provide coordination as well as technical and advisory support services.

Another service provided by North Central is regional water and wastewater planning. We currently have a planner who also has a background in water resource management. So she can provide technical as well as planning assistance with water and wastewater. And another service provided through North Central is the Northern Pueblos RPO. Now the Regional Planning Organization assists with regional planning within the northern New Mexico area and we facilitate the advancement of transportation projects to the STIP. We also provide training free of charge. We also serve as a hub of communication for strategic planning, not just for issues that focus upon transportation but issues that affect the rural areas, which the majority of the membership is in the rural areas within the Northern Pueblos RPO. And with that said, I stand for questions.

CHAIRMAN ANAYA: Any questions of Anne? Commissioner Stefanics.

COMMISSIONER STEFANICS: How does this group interface with all the other regional entities, such as the RTD?

MS. OANDASAN: The Regional Transportation District – at this point I'm not sure how we directly interface with them. That's a question that's never been asked before, to tell you the truth, Commissioner.

COMMISSIONER STEFANICS: The reason I think it's important for any resources or any planning around transportation and what might affect us and the tribes and the pueblos and the outlying communities, that's exactly what the Regional Transportation is working on. So we all, the City, the County, the RTD, are all in the process of developing a service plan that would take us forward. And so perhaps your agency should also be at the table with us.

MS. OANDASAN: Actually, when you say Regional Transportation District, are you referring to the North Central RTD?

COMMISSIONER STEFANICS: Yes, I am.

MS. OANDASAN: Yes. We are part of their mechanism. We do attend their board meetings. We do participate in assisting them, for example in the last election when they were dealing with the tax percentages, we assisted with the educational campaign. However, when it comes to the plans, the North Central RTD does all of its own plans independently of us. But the members of the North Central RTD are also members of the NTRPO, and then participation with the North Central RTD does seem to be autonomous from the NTRPO.

COMMISSIONER STEFANICS: Mr. Chair, I think I just got more confused. So if the RTD is doing a service plan, the City and the County are doing a service plan that's going to hopefully be incorporated, then what would be the role of the Economic Development District in relation to this service plan, and founding and new routes and continued routes?

MS. OANDASAN: North Central itself would not be directly involved in that. The way the North Central would be involved in that would be through the Northern Pueblos RPO. Now, if the North Central RTD wanted to bring its plans to the RPO for whatever

reason – for educational assistance, for strategic planning, that is a welcomed option. However, the North Central RTD does function autonomously from the NTRPO.

COMMISSIONER STEFANICS: So, Mr. Chair, what I'm really asking is what could the collaboration be? We're talking about how we can't all operate in silos, so what could there be done together?

MS. OANDASAN: Well, of course strategic planning, shared investments, possibly, but it would really depend on what North Central RTD would want from the Northern Pueblos RPO as the North Central RTD does not participate in the RPO meetings, therefore the NTRPO is limited in what it can provide to the North Central RTD. But the opportunities are endless.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Thank you, Mr. Chair. I think Commissioner Stefanics brings up some excellent points. I think that for whatever reason, NCRTD haven't been attending the NTRPO for the specific reason now being I was on the Tribal Advisory Committee for the NCRTD and we were trying to coordinate the services with the Pueblos within Santa Fe County to make sure that maybe some existing routes, new routes, are all considered as part of our developing a new service plan. That went out the window when I was involuntarily excommunicated from that committee. So now I think we need to look at how the NPRPO may be part of the Santa Fe County service plan. I think that's really what Commissioner Stefanics is getting at, because we really need that participation. I've met individually with each of the Pueblos. They're all willing to participate in whatever we can do to get your participation also and maybe help. Or maybe if we go to your NPRPO meetings, maybe that's where it's done.

But I think maybe we need to talk – Jack Kolkmeier is sitting in the back. You know Jack, right?

MS. OANDASAN: Yes, I do.

COMMISSIONER MONTOYA: He and Andrew are the ones that are working on coordinating this. So I really welcome the participation from the NPRPO because I think you have a lot to already give us, that's already there. Things that you're already doing. We don't have to go and try and reinvent the wheel to come up with another service plan specifically for the Pueblos. So Mr. Chair, I don't have any other questions, but Anne, again thank you for being here this morning, and I look forward to the relationship that we need to have with the NPRPO.

MS. OANDASAN: Thank you.

CHAIRMAN ANAYA: Okay. Thank you very much for coming and giving us that presentation.

MS. OANDASAN: Thank you. Have a good day.

X. J. Presentation by Nationwide Retirement Solution (County Clerk)

COMMISSIONER MONTROYA: Mr. Chair, I just wanted to welcome Paul Lium, JoAnn Garcia. Paul is with Nationwide, as is Jeff Francis, and also with us is JoAnn Garcia, who is with the Deferred Comp program for the State of New Mexico for PERA. So I'll hand it over to you all.

CHAIRMAN ANAYA: Thank you for being here, JoAnn. And sorry that you guys were here last time. You stayed late and we didn't hear you, so now's your time. How long is your presentation? Five minutes? Okay.

COMMISSIONER VIGIL: Mr. Chair, we actually had a presentation from Nationwide less than a year ago when I think the transition occurred. Are you all new staff? Because I don't recall seeing you.

JOANN GARCIA: Well, actually, Mr. Chair, Commissioner Vigil, I've been with the State of New Mexico PERA for almost eight years now. Jeff Francis is with Nationwide Retirement Solutions. He's been with them for about two years in New Mexico.

COMMISSIONER VIGIL: So are there other companies that are doing the deferred comp for PERA besides Nationwide? Okay. It was Nationwide that was here. I'll have to look at my notes to find out who they were because they also gave us a presentation. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Okay, Joann, go ahead.

MS. GARCIA: Thank you. Good morning, Mr. Chair and members of the Commission. I want to first of all thank you for the opportunity to allow us the time to be here. My name is JoAnn Garcia. I am the manager for the Deferred Compensation program for the State of New Mexico and with me here are Jeff Francis and Paul Lium with Nationwide Retirement Solutions.

The State of New Mexico deferred compensation plan is a voluntary tax-deferred supplemental retirement plan that is made available to the State of New Mexico employees, and that includes State, County, City, educational institutions and special districts. In 2003 the State of New Mexico partnered with Nationwide Retirement Solutions to provide education to our employees about the importance of saving for retirement. Nationwide also provides enrollment and they provide record keeping services for the plan. So since 2003 we have seen a growth in the plan from 13,000 participants to almost 16,000 participants. We have also seen an increase in contributions to participants' accounts. This is largely due to the efforts by Nationwide and the representatives.

Nationwide has a local office in Santa Fe as well as representatives that cover the State of New Mexico. I want to turn this over to Jeff Francis who's program director for Nationwide Retirement Solutions.

CHAIRMAN ANAYA: Okay. Thank you.

JEFF FRANCIS: Mr. Chair, members of the Commission, thank you for this opportunity. I truly do appreciate it. As a county resident, I also appreciate your time and the work that you have to do here, day in and day out. So with that, I will not take up much of

your time, but truly for one, I wanted to just extend a hand of appreciation to the County Clerk for the opportunity to be here today, and also for the legacy that she's trying to create within her office with her staff. A deferred comp program as ours takes leadership. It takes champions from within to make it successful. And we went in, Paul Lium and myself to meet with her staff, we met with about 14 folks in the Clerk's office, all of which, only two were currently saving for retirement. By the time we walked out, 11 new enrollees had signed up to take that right step forward and save for deferred comp. And it was via the leadership of Valerie Espinoza bringing us in.

With that, I'm asking you for the same kind of leadership, the same kind of championship to create a legacy here within the County of Santa Fe for your employees and staff. The numbers are scary. Only about one-third will retire with financial freedom. One-third. That's not saying they're rich; that's just saying they're able to pay their bills. Those kinds of numbers are startling and the need why it takes championship and leadership to have a program be successful, because it needs the voice from within. I represent Nationwide but you represent the County, you represent the staff. And it takes the folks, the directors and the elected officials to make this kind of program successful, to create an environment of retirement saving. Because at the end of the day, if you're retiring and you're going to have somebody make 25 or 30 percent less, are you truly able to retire? Are you truly able to pay your bills. And the fact is many County, City and State employees retire far before they're Social Security eligible.

So again, if you're retiring at age 50, you might have to wait 15 or 17 years before your Social Security were to kick in, or Medicare were to kick in. How do you bridge that gap? And that's why there's such an importance for retirement saving, for your employees to be able to save their dollars, directly out of their paycheck into a bucket of money that's there for them upon separation of service. And I highlight separation of service because deferred comp is very different as compared to other retirement programs. It's not tied to 859 ½. In fact, deferred compensation, a 457-B program is available to only public sector employees, governmental employees to save their dollars tax-deferred, and it's available to them upon separation of service. So it's not tied to that 859 ½, so it truly recognizes the culture within public service and the ability to be able to retire sooner and have access to your funds, because frankly, it wouldn't make a lot of sense to have to wait 15 or 17 years, or ten years, before you could touch your retirement.

And what Nationwide does is provide education enrollment services but also guidance. Because I could not step in, neither could Paul, into many of the roles that your staff here in the County provides, the valuable services they provide to residents like me, but what I can do is help them save for retirement and provide that guidance. When you're looking at a benefits package, retirement is number two on their wish list. It's healthcare, and then retirement. So this is a program that can help you retain employees and attract employees and also help those employees retire.

So what I gave you is a sampling of some of our marketing materials just to kind of see what your folks in the County are seeing. For one, the red booklet is our enrollment

booklet, and it talks a little bit about the program. It talks about the need to save money and help them as far as design their asset allocation. I also included a program that talks about taking a long-term view, because our markets have been tumultuous, and there's a lot of concern out there today as far as where our markets are going. So that's another important piece of it. They know of a 401k and they know of an IRA, but what is a 457? And this is just the public sector's version of that 401k. And then I included another piece that talks about the State of New Mexico deferred comp program in general terms. What is this benefit that they have to offer?

So with that, I thank you for this opportunity to come in front of you today. Paul Lium has been serving the Santa Fe County and northern New Mexico for about 10 years here, so many employees know him frankly as the moneyman, when they come in to see him. With that I turn it over to any questions you may have, and again, I truly appreciate this opportunity.

CHAIRMAN ANAYA: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. How many different investment vehicles do you have and what kinds? Are they mutual funds? Or others?

MR. FRANCIS: That's a great question, Commissioner Holian. What you're dealing with is a mutual fund product mainly. There are 17 core options and then life cycle portfolios that rounds out an investment menu of 22 options. But then beyond that we also have a self-directed brokerage option, which opens up the universe of mutual funds, opens up the universe of exchange traded funds, individual stocks, bonds, things of that nature. So it's really designed for the beginning investor that maybe only can save ten dollars a paycheck, up to the person that's far more senior, maybe, has lots of dollars that they've saved, and they want to get into more sophisticated investment opportunities, like buying individual securities. And the individual security platform, that self-directed brokerage option, is partnershiped with Schwab.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Thanks. I think I got my most recent statement from Nationwide. I am a participant. Our Treasurer, Victor Montoya, who is also a representative PERA had you before us, and I think there was a strong push at that time to move forward with that. But let me just ask you this. When I looked at my statement, is it possible for me to have less than what I've contributed in my statement account at this point in time with the economic climate? And if that is the case, do I have the ability to redistribute the allocation of the contributions I make, to invest it, perhaps, in not as aggressive accounts, that might be a little more conservative? How much flexibility to participants in this deferred comp plan have, and how much empowerment do they have? And how well educated are they with regard to that?

Because my understanding of previous deferred comp plans that have been voluntary through PERA, or through ERA, through whatever participants I was with, and the actuality of that is I think investors or participants do not have the full extent of knowledge that they need to be able to make decisions for whether to do mid-cap, small cap, foreign investments,

those kinds of things? Does you plan allow for the participants to make those decisions?

MR. FRANCIS: Mr. Chair and Commissioner Vigil, absolutely. And what you're asking there is the beast of burden I feel every day. How do I reach out to approximately 16,000 participants to provide that guidance and that education? And that's why we have a staff of six here in New Mexico, a local office in Santa Fe. I have a representative within the City of Las Cruces, one within the City of Albuquerque. Paul Lium is here within Santa Fe to provide both an urban rural strategy, not only within the county but within the state. When it comes to your investment options the market has been absolutely tumultuous. Last year the market was up 38 percent on the Dow Jones, approximately. This year the market currently – I'm not sure where it is this morning, but as of yesterday's close the Dow was down about 8 percent again this year.

However, if you watched the markets over the last six or seven weeks, they've actually rebounded quite a bit, almost 20 percent. So when it comes to retirement planning, it's absolutely a long-term venture. And you do have the ability to diversify, as you mentioned, everything from international to large, small mid-cap holdings, to bond holdings, to even a cash account. There's something called the New Mexico stable value account for those that are either a) they don't have the risk tolerance if you will for the ups and downs of the market, or b) for those that have a shorter time horizon. And it currently has a yield of three percent. So it's an interest-bearing account where you can put your dollars.

When it comes for participants in making those selections, they have 24/7 opportunity if you will, via on-line, over the phone, through my local staff, my office here in Santa Fe, which is obviously key for your constituent base here and employees. The ability to reach out and sit down with a local rep, but also they're getting those quarterly statements. So they have plenty of touch-point opportunities, and our job is to sit down with folks and help them and guide them through this process. Absolutely, and Commissioner Vigil, I would extend my hand to you if you would like to have that opportunity, I'd be happy to come meet with you and review your account, as I would any member of the staff of the County of Santa Fe.

COMMISSIONER VIGIL: Thank you. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Thank you. Any other comments? If not, we want to thank you all for doing a little presentation for us. Thank you very much.

MR. FRANCIS: Thank you.

XI. APPOINTMENTS/REAPPOINTMENTS/RESIGNATIONS

A. Appointment to the Maternal & Child Health Planning Policy, Tanya Montoya (Community Services Department)

COMMISSIONER VIGIL: Move to approve, Mr. Chair.

COMMISSIONER MONTOYA: Second.

CHAIRMAN ANAYA: Motion by Commissioner Vigil, second by Commissioner Montoya. Any discussion?

The motion passed by unanimous [4-0] voice vote. [Commissioner Holian was not present for this action.]

XI. B. Appointment to the Health Policy & Planning Commission Rick Adesso, District III and Tanya L. Montoya, MCH Representative (Community Services Department)

COMMISSIONER VIGIL: Move to approve.

COMMISSIONER STEFANICS: Second.

CHAIRMAN ANAYA: Motion by Commissioner Vigil, second by Commissioner Stefanics. Any further discussion?

The motion passed by unanimous [4-0] voice vote. [Commissioner Holian was not present for this action.]

XI. C. Reappointment to the Maternal & Child Health Planning Council, Jacqueline Baca (Community Services Department)

COMMISSIONER VIGIL: I'm happy to move to approve.

CHAIRMAN ANAYA: Motion by Commissioner Vigil.

COMMISSIONER MONTOYA: Second.

CHAIRMAN ANAYA: Second by Commissioner Montoya. Any further discussion?

The motion passed by unanimous [4-0] voice vote. [Commissioner Holian was not present for this action.]

XI. D. Reappointments from the Health Policy & Planning Commission, Dan Burke (District 2), Arturo Gonzales (Behavioral Health Community Provider), Erika Campos (Local Hospital), Valery Henderson (NM Department of Health), Lydia Zepeda-Jennings (District 4), Melissa Manlove (Edgewood Community), Larry A. Martinez (District 1), Dr. Frantz Melio (Medical Physician), A. Terrie Rodriguez (Youth & Family Services Division Director), Beverly Russell (District 5) and John (Jack) White (Healthcare Worker/Union Representative) (Community Services Department)

COMMISSIONER STEFANICS: Mr. Chair, I've move approval of those reappointments.

COMMISSIONER VIGIL: Second.

CHAIRMAN ANAYA: Motion by Commissioner Stefanics, second by Commissioner Vigil. Any discussion?

The motion passed by unanimous [4-0] voice vote. [Commissioner Holian was not present for this action.]

CHAIRMAN ANAYA: Thank you very much, Steve. You talk to much, Steve.

XI. E. Appointments to the Road Advisory Committee, Garry Onstott as the Alternative Member to Area 5, Thomas Pogue as the Member to Area 6, Ivan Pato as the Member to Area 7 and Chris Mayrant as the Member to Area 15, within Commission District III, IV and V (Growth Management Department)

COMMISSIONER VIGIL: Move to approve.

COMMISSIONER STEFANICS: Second.

CHAIRMAN ANAYA: There's a motion by Commissioner Vigil, second by Commissioner Stefanics. Any further discussion?

The motion passed by unanimous [4-0] voice vote. [Commissioner Holian was not present for this action.]

XII. B. 1. Resolution No. 2009-91. A Resolution Amending Resolution 2006-60 and 2006-114 to Increase the Signature Authority of the County Manager (Community Services Department)

COMMISSIONER MONTOYA: Thank you, Mr. Chair. As you may recall, this was before us last month I believe it was. What's changed in terms of what was presented before us last month, to this particular resolution?

PAUL OLAFSON (Community Services Department): What had happened last month was we had several versions that we've been editing and working through and the version that had appeared in the packets wasn't the final version that appears in this packet. And so it was tabled to allow for those corrections to be made and we've brought you a clean document for this meeting.

COMMISSIONER MONTOYA: So what were those changes specifically? Because I know last month we had – was it \$750,000 or something like that?

MR. OLAFSON: Mr. Chair, Commissioner Montoya, it was similar. I think it was more grammatical in wording to get it all straight. The general concept is that the County Manager would be allowed to have signatory authority on contracts and agreements up to

\$250,000. After that the Board of County Commissioners would approve contracts over \$250,000, and would approve any change-order to contracts over ten percent of contracts approved by the Board of County Commissioners, and thirdly, the County Manager would have signatory authority through a single order or a series of orders up to \$750,000 on larger projects, provided it did not exceed that ten percent threshold.

I believe the concept was the same; it was just getting the document as clean as possible to bring forward.

COMMISSIONER MONTOYA: So it's being increased to \$750,000 from what?

MR. OLAFSON: Currently I believe the threshold is \$50,000 or ten percent of the total contract.

COMMISSIONER MONTOYA: That's a pretty significant change, isn't it? I don't know that I'm real comfortable with that to be honest with you. Unless you can convince me otherwise.

MR. ABEYTA: Mr. Chair, Commissioner Montoya, it is a significant change. The original amounts we were talking about were even higher, and I personally didn't feel comfortable signing anything that was greater than \$750,000. Because I think after that I think it does get to be a large amount. And so I was comfortable with \$750,000 but if you wanted to lower the amount I would be okay with that also.

COMMISSIONER MONTOYA: I guess – what's the need for this? What's driving this?

MR. OLAFSON: Mr. Chair, Commissioner Montoya, what's happened is we've gone into many projects and the current thresholds are somewhat low, and we're actually keeping the same ten percent on the total value, and that \$750,000 only goes to a contract that would be large enough to have a ten percent above \$750,000, which there's only maybe one or two projects out there that would have that kind of dollars to it. The majority of our projects are of a million dollars, plus or minus, or less, \$300,000, \$250,000. But we have such a volume of agreements and processes going through the County, the one idea was if we get these contracts above \$100,000, which I think actually I misspoke. It's not \$50,000, it's \$100,000 for signatory authority currently, to \$250,000, that would alleviate some of the paperwork and the processes that go through the Board of County Commissioners, and secondly it would allow for some of the contracts to move in a timely fashion. And all of the contracts would still be reported to the Board and would be logged on a monthly basis, which I believe is already happening.

So the Board would be made aware of the contracts and the actions that were being taken, but it wouldn't be a burden with them on your agendas. And secondly, some of the smaller contracts could – they would have to go through the procurement process and the legal review process before they would go for a signature, but the last step of going through the Board process might alienate some time constraints on getting activities moving. So then the change from the signatory authority of a \$50,000 limit, or ten percent, which I believe is the current limit, up to \$250,000 and up to \$750,000, which is allowing for the larger projects

where you are going to have change-orders where those changes are going to be somewhat large, it would allow for those orders to be processed and moved while still being reported and acknowledged at the Board level. That was the concept that we were approaching to do this.

COMMISSIONER MONTOYA: Mr. Chair, Paul, I think you're taking away part of our responsibility and that's oversight. When we do have these change-orders I think it is our responsibility to make sure that we do approve those and to take that responsibility away in terms of checks and balances, I'm not sure that I'm real comfortable with that. Might want to come back in a year and a half when I'm gone. I don't know at this point.

Mr. Chair, Roman, these – I don't know. I feel real uncomfortable. Particularly with – we have the courthouse project. That's a huge project that we have coming up. Signature authority up to \$750,000 – we may have a change-order that may exceed that just in one fell swoop. I don't know, Mr. Chair. I would maybe suggest – maybe if we're going to have signature authority that we limit it to projects that are, as you said, a million dollars or less. But have some parameters as to how we would determine whether the dollar amount needs to go up.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Thank you. I'm sort of tending to lean towards looking this with a little bit more information. I made some inquiries with some members of the Association of Counties as to what signatory authority most County Managers have, and I guess there's a variety. And it seems to me that really the need for this came up because they're project-specific. So I think I'd like to get some more information on this with regard to what projects. I do believe the judicial complex at this point in time is the most compelling project that we need to identify. But I also am feeling very strongly about the judicial complex and the issues that are being brought up with it to be brought back to the Commission for continued discussion with regard to how to move forward. This may be six of one, half a dozen of the other. Perhaps it would create a benefit to allow more signatory authority based on the fact that this is a project we need to move forward.

But I would like to see, Paul, some comparisons to similar projects throughout the state, similar Class A counties with regard to the signatory authority, because this is a large amount and as our manager said, he's okay with a lesser amount. Was there a particular need for a \$750,000 signatory authority on this?

MR. OLAFSON: Mr. Chair, Commissioner Vigil, no. We were just going through the math and the balances. And we did compare to Dona Ana and Bernalillo and other counties in the state. And we can provide that. I think that might be informative to show.

COMMISSIONER VIGIL: I think it would because similar counties have gone through this. They've had to build a judicial complex and I believe there's quite a few projects in Dona Ana County. And I think it's good to gauge that. So I would recommend that that information be brought forth to us. And I want to support our County Manager in every way we can and give him the authority because we have an incredible trust in our

County Manager. But I want to make sure that we are making an objective decision with as much information as we can possibly have. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I look at this a little differently. I do think that our County Manager, or Community Services Director and our project staff need to keep moving ahead on projects. And while I have no problem in agreeing to a decrease in the \$750,000 amount, the amount that we currently have really does restrict our staff in doing their day-to-day jobs. And I would assume, and I would clarify, if it's not clear, that any legal issues that would come out of any project and any change-orders would always come to the Board of County Commissioners. And if there's not a legal problem, that we do entrust them to do the day-to-day work.

So, Mr. Chair, I have no problem in looking at a different amount of money but I believe that what we currently have does not really support the staff in doing their work. Thank you.

CHAIRMAN ANAYA: Any other comments? Okay. Is there –

COMMISSIONER MONTROYA: Mr. Chair, move to table.

COMMISSIONER VIGIL: Second.

CHAIRMAN ANAYA: There's a motion to table by Commissioner Montoya and a second by Commissioner Vigil.

The motion to table passed by majority 3-2 voice vote with Commissioners Vigil and Montoya voting against.

COMMISSIONER VIGIL: Mr. Chair, point of order. I don't think we actually took action on B. 1. We just took action on a motion to table. So I think we need to consider B. 1. Is that correct, Steve?

MR. ROSS: You moved to table.

COMMISSIONER VIGIL: The motion to table passed? Oh, I'm sorry. I didn't hear our bronchitis candidate.

CHAIRMAN ANAYA: It was three to two. It helped to know what the outcome of the vote was. I would like to, before we go there, reconsider this for \$500,000. And I don't know whether or not that would create a benefit, Roman. I don't – the tension I'm feeling is that I don't want this expression of a table to hurt any particular project. And I know that it's inclusive of grants and things of that nature and things that we receive that don't need to come before us. My question to you, Roman, would be would a \$500,000 limit create a benefit? Would that –

MR. ABEYTA: Mr. Chair, Commissioner Vigil, my discussion and instinct was we've got to back and lower the amount and maybe \$500,000 is a more reasonable amount than \$750,000. And that certainly would be better than what we have now, and this is something we could look at over the next six months or nine months and if we feel that \$750,000 would be more appropriate than \$500,000 then we could always bring it back. But I

would probably have brought back \$500,000 to you in a month.

COMMISSIONER VIGIL: Okay. Is it appropriate, Steve, for me to make a motion to approve item B. 1 for \$500,000, or now that we've tabled it do we have to wait – can I motion to reconsider the tabling? What do I need to do here?

MR. ROSS: Mr. Chair, Commissioner Vigil, procedurally how you would attack that is ask for – make a motion to reconsider the tabling, and then go back onto the main item.

COMMISSIONER VIGIL: I would move that we reconsider the tabling of the motion.

COMMISSIONER MONTOYA: Second.

CHAIRMAN ANAYA: Motion by Commissioner Vigil and second by Commissioner Montoya to reconsider the motion to table, to take it off the table and put it back on the table.

The motion to reconsider passed by unanimous [5-0] voice vote.

COMMISSIONER VIGIL: Okay, given the discussion that we've had, Mr. Chair, I move that we give authority to our County Manager under item B. 1 to be limited to \$500,000.

CHAIRMAN ANAYA: There's a motion by Commissioner Vigil.

COMMISSIONER MONTOYA: Second.

CHAIRMAN ANAYA: Second by Commissioner Montoya. Any further discussion? I'm glad to see that we brought that off the table so we can move these projects forward. Commissioner Montoya

COMMISSIONER HOLIAN: And again, I like your recommendation, Roman, that we be updated on this and this in no way reflects my confidence in you.

COMMISSIONER VIGIL: Same here.

The motion to approve item XII. B. 1 as amended passed by unanimous [5-0] voice vote.

XII. B. 2. Request Approval of 2007 General Fund Grant Agreement Amendment No. 4 to Remove \$450,000 and Transfer to the Mortgage Finance Authority for Administration for a Total Grant Agreement Amount of \$5,950,612.74 for Phase III of the Youth Shelters (Community Services Department)

COMMISSIONER MONTOYA: Mr. Chair, there was a transfer on this project and we cleaned up all the math, right, Paul? In terms of discrepancies and all that? And the transfer of \$450,000 to the Mortgage Finance Authority for the Youth Shelters

Project. My question is why did that happen?

MR. OLAFSON: Mr. Chair, Commissioner Montoya, that was a request per the Youth Shelters. I believe it was part of their funding stream to get the Youth Shelter, and by moving under the Mortgage Finance Authority they were able to access and leverage additional funding, because this is called transitional, or not transitional – I believe it's a longer-term housing for indigent youth, and there were other funding mechanisms that could be attached to this project if it were through the MFA rather than through the County. So they requested to have this transfer made to assist them in completing their project.

COMMISSIONER MONTOYA: Okay, so right now then we don't have any responsibility in terms of oversight?

MR. OLAFSON: Mr. Chair, Commissioner Montoya, if this was agreed, then no we don't. And we don't have the responsibility to take care of that. That's a separate building from the other facilities and it won't be the County's responsibility in any manner.

COMMISSIONER MONTOYA: Okay. All right. Move for approval.

CHAIRMAN ANAYA: Motion by Commissioner Montoya.

COMMISSIONER VIGIL: Second.

CHAIRMAN ANAYA: Second by Commissioner Vigil. Any further discussion?

The motion passed by unanimous [5-0] voice vote.

XII. B. 13. Request Authorization to Enter into Agreement #29-0097-SD/JC, and Indefinite Quantity Price Agreement for Uniforms for the Sheriff's Department with Neve's Uniforms Inc., the Lowest Responsive Bidder in Response to IFB #29-0097-SD/JC; This Will Be a Four (4) Year Agreement with an Escalation Clause for Price Fluctuation (Sheriff's Department)

COMMISSIONER MONTOYA: Thank you, Mr. Chair. On this particular item, it was referenced that there was price specifications on Exhibit A. I did not have an Exhibit A. So I did not know what prices we were agreeing to on this contract. Maybe I'm the only one that didn't have it.

JAMES CHAVEZ (Procurement Division): Here's Exhibit A right here, Commissioner.

COMMISSIONER VIGIL: I have a question.

CHAIRMAN ANAYA: I also didn't have that information in my packet. Does it comply with all procurement requirements?

MR. CHAVEZ: Yes, it does, Mr. Chair, Commissioner. I was the senior buyer for this particular invitation for bid for the Sheriff's Department. We sent the bid package to nine vendors and we had two responses. One was Neve's Uniforms. The other was from a

Colorado Springs company that was considered non-responsive because they did not send uniform samples as requested in the IB packet. So Neve's Uniforms was the only responsive bidder. The sample clothing was sent to the Sheriff's Department for review and approval, and then I was given the letter by email from Evelyn Vigil from the Sheriff's Department saying that the Sheriff did agree to award this particular bid to Neve's Uniforms.

CHAIRMAN ANAYA: Any questions?

COMMISSIONER VIGIL: Who do we give the old uniforms? Do the officers keep them and – Ron, you've had many a uniform.

RON MADRID (Sheriff's Department) Mr. Chair, members of the Commission, the older uniforms are usually – we have an evidence person that takes care of all our equipment and she usually reassigns them, sends them out, unless they're really in bad shape then we discard them.

COMMISSIONER VIGIL: And reassigns them to whom and sends them out to whom?

MAJOR MADRID: To new officers coming in.

COMMISSIONER VIGIL: Oh, okay. I see. Okay. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Thank you, Commissioner Vigil. Any other comments? Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Chair, on page 3 under E, payment of invoices, did I read that correctly in that if we do not pay it in time then we add an additional 1.5 percent late payment to the contractor?

MR. ROSS: Mr. Chair, Commissioner Montoya, that's actually statutory. That's correct. If we don't pay in 30 days we have to pay a point and a half per month.

COMMISSIONER MONTOYA: To any contractor?

MR. ROSS: Any contract.

COMMISSIONER MONTOYA: Okay, so my question to that is how often does that happen, in terms of penalty payments, not just the Sheriff's Department but overall, if that's the standard.

MR. CHAVEZ: That would be a question for the Accounts Payable Division. I have no idea.

COMMISSIONER MONTOYA: Okay. Here comes accounts payable.

TERESA MARTINEZ (Finance Director): I don't have a solid answer for you. It does happen though. Typically, we will be called before we pay but it is a requirement and we try to – we created an accounts payable work group and we've had monthly by monthly meetings for about the last six, seven months to address late payments to vendors. So I think we've taken care of a good part of the problems we were having with some of our very specific vendors. So we wrap up our A/P training now in May, but it does happen. I can't tell you how much but I could research that if you'd like.

COMMISSIONER MONTOYA: If you could, I'd like to see that information. So then, this is just on the amount invoiced, not on the overall contract.

MS. MARTINEZ: Mr. Chair, Commissioner Montoya, that's correct. The

amount invoiced.

COMMISSIONER MONTOYA: Okay. And then my last question, on those prices, those are going to be kind of steady for the next four years?

MR. CHAVEZ: Mr. Chair, Commissioners, what we've done in the past in this type of award for price payments was we would award the contract for one year at a time, the option to renew one year at a time, not to exceed four years. Because the fact that the vendors cannot hold their prices more than a year.

COMMISSIONER MONTOYA: Oh, okay.

MR. CHAVEZ: Manufacturers, prices would increase and have to pass their price increase on to the County. So we're trying to avoid having to amend the contract for extension on the yearly basis. We decided to make it just a four-year agreement and then at the time they have a manufacturer's price increase they can request a price increase from the County. That's how we decided to do it this time.

COMMISSIONER MONTOYA: And if it's just like an exorbitant amount then you'd –

MR. CHAVEZ: It can be reviewed by the Attorney's office. They need a request of formal price increase. It goes to the Attorney's office for review.

COMMISSIONER MONTOYA: Okay. Thank you, Mr. Chair. Move for approval.

CHAIRMAN ANAYA: Motion by Commissioner Montoya.

COMMISSIONER STEFANICS: Second.

CHAIRMAN ANAYA: Second by Commissioner Stefanics. Any further discussion?

The motion passed by unanimous [4-0] voice vote. [Commissioner Holian was not present for this action.]

- XII. B. 16. Request Approval of Five (5) Additional FTEs for the Assessor's Office. The Positions Include Five Appraisers to Be Funded from the Cash Balance Available in the Valuation Fund. The Permanent Funding of These Positions Will Be Re-evaluated After the First Quarter of 2010 for Continuation and Are Contingent Upon Additional Tax Billings, and Hence Increased Tax Collections. As the Needs of the Assessor's Office Are Met, a Final Audit by State Property Tax Division Will Determine the Final Staffing Count Necessary and Staff Will Be Allowed to Be Promoted from within and Any Excess Staffing Levels Will Be Eliminated. (Assessor's Office)**

COMMISSIONER MONTOYA: Thank you, Mr. Chair. I guess my question on this would be – and maybe not so much a question because I think it's really covered in

the memo that Roman gave us here. This is something that the Assessor had requested and I guess what I'm requesting and just kind of highlighting on this particular request for approval is that we are going to hopefully see an increase in the appraisals and the assessments and the collections that we get as a result of this. Roman, you have in here a two-year assessment period. Do you think that's sufficient?

MR. ABEYTA: Mr. Chair, Commissioner Montoya, I believe it is. Remember, his original request was for eight FTEs. So we're doing five but I think within two years we should know even with five whether or not it's made a difference. He may argue that it would be better if he had eight rather than five but I think five employees over two years, we should see an impact to our budget, a positive impact, hopefully.

COMMISSIONER MONTOYA: Okay. And that's what I really would expect, because we're investing in this, so on the return for investment I would expect that we would see an increase in our collection. So I certainly want to make that clear that those are the expectations that this Commission has now that we're adding an addition five FTEs, in addition to noting that this is something that the Commission takes very seriously in terms of needing to look at whatever can be done. So I know it's been mentioned in the past but some of us have deaf ears. But I certainly think that this is an indication that this Commission is very serious about this. With that, Mr. Chair, I move for approval.

CHAIRMAN ANAYA: Motion by Commissioner Montoya, second by Chairman Anaya. Any further discussion?

The motion passed by unanimous [5-0] voice vote.

[The Commission recessed for lunch from 12:00 to 1:30.]

CHAIRMAN ANAYA: Okay, we're going to go ahead and call this meeting back to order.

X. OTHER MATTERS FROM THE COMMISSION

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Nothing at this time.

CHAIRMAN ANAYA: None? Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I do have a couple of things. First of all, often times I think we forget that we have video viewers, so I want to thank them for tuning in, and if they have any problems with viewing or hearing our meetings, if they would please let us or staff now. Secondly, May Day is coming up so I wanted to wish everyone a happy May Day. Anthony Roybal was out of town so that's why we withdrew his presentation, but it's very relevant to the discussions that we have about weatherization. It's only for low-income people. And I wanted to give this to you all so that if you wanted to pass this on to your staff to make available to constituents for free

weatherization to low-income people in their homes. They replace windows, doors, air conditioning, heating, and Energy Star appliances. So it is a rather good deal for those individuals to qualify.

I continue to receive several emails, probably two to three a day, regarding the solar assessment districts. I understand Commissioner Holian and some staff are going to be working on this and I truly appreciate the efforts on that. District 5, I'm going to be holding townhall meetings throughout the district in May and early June and we will publicize those.

The other issue I wanted to bring up is the County courthouse, and I wanted to make sure that the County Commission is very concerned about remediation, quality of water, parking, the proper use of tax dollars, and that when these items have been brought to our attention we have all paid attention to them, so I just felt it was worth mentioning that. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Thank you, Commissioner Stefanics and I was just asked about the weatherization program for lunch, so now I have something to give to them. Thank you for bringing that up. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I just also wanted to second what Commissioner Stefanics said about the County courthouse, that we are committed to making sure it's safe and that the remediation will be complete.

I also wanted to bring out that the Civil War Glorieta Pass Battlefield is going to be reopened as a national historical park, and there's going to be a grand opening celebration for June 13 and 14 where there will be guided tours and living history demonstrations. And they have a new 2 ½ mile hiking trail now where you can explore the site. And so I think this is really an exciting thing for our county. Thanks.

CHAIRMAN ANAYA: Thank you, Commissioner. Commissioner Montoya, we're on Matters from the Commission. You're up.

COMMISSIONER MONTOYA: I can't think of anything right now.

CHAIRMAN ANAYA: Good. You want me to come back to you? I too want to express my concern about the courthouse. I think this Commission is very concerned about it and we're just waiting to hear from our special meeting that we're going to have on the 5th, Cinco de Mayo. We'll probably have some chips and salsa here. But we'll wait to hear the concerns and we'll take action as necessary. Commissioner Montoya, do you have any other comments?

COMMISSIONER MONTOYA: Mr. Chair, I guess I'd just echo what you said. I know that I think that unfortunately the perception may be that we aren't taking this seriously in terms of the impact that it's having. I can assure the public out there that we are looking at this very seriously and want to do what we can to remediate the situation. I think staff has responded in a favorable manner in terms of the action that Roman's taken so I want to thank Roman for that.

I just wanted to mention that this Friday Rio Arriba County is having their groundbreaking of their new senior center so I want to extend an invitation to the other Commissioners as well. This is the facility that could potentially be taking over for the

services that are currently held at the Bennie Chavez Community Center, so we're looking at that and I know that Rita Maes has been working with their senior director to make sure that the transition is smooth between the two facilities. So I just want to extend that invitation, this Friday at 2:00. Thank you, Mr. Chair. That's all I've got.

CHAIRMAN ANAYA: Back to what Commissioner Stefanics had mentioned with the weatherization assistance program, how can people get an application to our listening audience?

COMMISSIONER STEFANICS: Mr. Chair, I believe that we could ask Stephen Ulibarri to put this on our website. It is available in English and in Spanish, and again, low-income individuals who rent or own can apply for weatherization in our county, which includes caulking, new windows, new doors, furnaces, air conditioning, Energy Star appliances. If they qualify it would be a great asset to them. Thank you.

CHAIRMAN ANAYA: Thank you.

XIII. STAFF AND ELECTED OFFICIALS' ITEMS

A. Administrative Services Department

1. Review and Discussion of the Quarterly Finance Report (Administrative Services Department)

MS. MARTINEZ: I have before you my standard letter of gloom and doom if you will. A little bit better, though. If you look at property tax collection through the month of March, we're doing about seven percent better than what we collected in the prior year and about three percent better than what we budgeted. If we look at the prior year collections, those are slightly down. We anticipate those will be down to the tune of about \$600,000 for the entire year and we're budgeting that shortfall next fiscal year as well, so we'll assume a shorter level on the prior year collections.

GRT, we're actually looking a little bit better with regards to the April collections. March and February were about 16 percent down. April collections were eight percent under budget so it's looking a little bit better. I was downtown this weekend; there was a lot of foot traffic. I don't know what was going on but there were a lot of people in the downtown area, so that's helped us with GRT collections. We're still thinking that there will be a flat budget or maybe two to three percent under budget for gross receipts tax collections for this fiscal year.

Specific to next fiscal year we're going to anticipate a ten percent downturn and we'll just set the budget at a lesser rate of ten percent for next fiscal year. And we will anticipate a four percent increase in property tax collections for next fiscal year compared to our normal five to six percent increase. So right now, a little bit better. Not the best. We'd love it to be at-budget or better.

Corrections is doing really well. We have 28 beds at the juvenile facility today. Eighteen of those are paying beds. Total population at the adult facility is about 444 and

inmates from MDC are fluctuating between 28 and 50. So that's a little bit better than what we've been bringing to you before. Corrections will probably use about \$1 million under cash balance this fiscal year, versus the \$2 million that we were predicting. So it's looking a little bit better than it was a few months ago. And I'll stand for any questions.

CHAIRMAN ANAYA: Questions of Teresa. Hearing none, thank you, Teresa for your report. I heard a lot of foot traffic downtown: good.

XIII. B. Community Services Department

2. Presentation and recommendation by the Fire Department to purchase the New Mexico Laborer's Training Facility in southern Santa Fe County to be used as a Training Facility. (Community Services Department)

STAN HOLDEN (Fire Chief): Thank you, Mr. Chair, Commissioners. If you recall, in March we came before the Commission to present this for the first time and the Commissioners had some questions that they wanted follow-up on, and so we have gone out and done that and we've addressed some of the questions directly to Commissioners who had concerns. But one of the thing that Commissioner Holian had, I believe, questions about whether or not we had contacted neighbors, and we have a letter here that was sent to and hand-delivered to the neighbors in the area. *[Exhibit4]*

Mr. Chair, there are about 12 homes in or around what is presently the New Mexico Laborers Training Facility. The closest are right across the street. There are three mobile homes directly across the street from the facility on the east side of Martin Road and these letters were hand-delivered to all 12 residents in the area and we conveyed to them what we were proposing to utilize the facility for, and that we were going to be before the Commission again today if they had any concerns, or they could contact me. And to date we have no such contact from any of the residents in that area. There's also two homes just to the north of the very northern boundary of this facility, which presently there are no development on that piece of property. Just to the north there are three homes and we also delivered this letter in envelopes to those three homes and no one has contacted us. So I don't know that that doesn't mean that they have concerns, but the concerns have not been expressed.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Stan, could you just refresh my memory. This funding is coming from where again?

CHIEF HOLDEN: Mr. Chair, Commissioner Montoya, it's from a \$1.5 general obligation bond that was sold in November of 2008, I believe, and was just recently closed on, so the monies are available for expenditure.

COMMISSIONER MONTOYA: Okay.

CHIEF HOLDEN: Additionally, Mr. Chair, there were some questions

regarding potential memorandums of understanding or agreement with other jurisdictions to utilize the facility once we have it up and running and certainly the Fire Department is more than willing to share this facility with adjacent municipalities and county jurisdictions. We've been in contact in the past, as we reported at the last meeting, that the City of Moriarty Fire Department, the Torrance County Fire Department, San Miguel County Fire Department, Rio Arriba County Fire Department and Los Alamos County Fire Department had all expressed interest with us in utilizing this facility.

The City of Santa Fe has full-time firefighters; they have no volunteers. So most of their training is conducted on duty. And they do not wish to leave the immediate city jurisdiction or boundary in order to conduct training, which is understandable. But in our mission, as you all know, the majority of our personnel are volunteers. So that's one of the primary focuses that we had in trying to choose a facility that was in Santa Fe County and readily accessible for volunteers to work at. And we believe that this site allows such operation for our volunteers.

I believe Commissioner Stefanics had questions about operational expenses, specifically staffing. We have current staff. We have an EMS training officer. We have a fire training captain. We have a lieutenant in fire training, and we also will utilize contract trainers from other organizations, and we'll also bring in other contract personnel, even from the State Fire Academy when necessary, and some other jurisdictions who will provide their fire officers who are instructors to train at the facility, once we get the training facility up and running.

So with that, Mr. Chair, we're happy to stand for any additional questions or concerns. Oh, there was one other. Commissioner Stefanics also had a question about the – I believe it was Commissioner Stefanics – about the water rights. There are 12 acre-feet of water rights that come as part of this purchase and we have written a letter to Estevan Lopez requesting a prioritization of those water rights. The letter that we have on file is from the 1990s. So I would not believe that those water rights would be a priority water right, as you were requesting.

CHAIRMAN ANAYA: Okay. Is there any other questions of the chief?
Hearing none, what's the pleasure?

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I move approval of item XIII. B. 2,
Recommendation by the Fire Department to purchase the New Mexico Laborers Training Facility in southern Santa Fe County to be used as a training facility.

COMMISSIONER HOLIAN: Second.

CHAIRMAN ANAYA: Motion by Commissioner Stefanics, second by Commissioner Holian. Any further discussion?

The motion passed by unanimous [5-0] voice vote.

CHIEF HOLDEN: Thank you, Commissioners.

CHAIRMAN ANAYA: When will it be open?

CHIEF HOLDEN: Mr. Chair, we'll have to get with the County Attorney and begin negotiations with the owners through their realtor and I would imagine it's going to take two or three months just to wrap that up, and we'll have to obviously come back before the Commission to seek approval at that time for the amount.

CHAIRMAN ANAYA: Thanks, Chief.

CHIEF HOLDEN: Thank you.

XIII. C. Growth Management Department

1. Request Authorization to Publish Title and General Summary of an Ordinance Amending Ordinance 2005-5, Solid Waste Ordinance (Growth Management Department) [Exhibit 5]

CHAIRMAN ANAYA: Now, we are just asking to publish title and general summary. I don't think we need to get into big details on it right now, because we're going to have one or two public hearings. Correct?

MR. MARTINEZ: Mr. Chair, this ordinance amendment would require only one public hearing.

CHAIRMAN ANAYA: One public hearing. Okay. So do you want to say some brief comments on what this ordinance is about and then we'll go to the Commission.

MR. MARTINEZ: Mr. Chair, Commissioners, the Board directed Public Works to amend language in the existing Solid Waste Ordinance to allow residents residing in incorporated areas of the county to be able to use our facility. So that's one of the proposed language changes, allowing residents residing in the incorporated areas to use our facility.

Another direction we were given was to evaluate the fee structure and to provide options to the Board to possibly increase these fees, potentially getting to an enterprise fund. So basically, that's what we're here today for is to request authorization to publish title and general summary.

CHAIRMAN ANAYA: Okay. Any questions from the Commission? Commissioner Holian and then Commissioner Stefanics.

COMMISSIONER HOLIAN: Robert, can you tell me, do the Waste Management trucks only go to Caja del Rio, or do they sometimes go to the transfer stations?

MR. MARTINEZ: Mr. Chair, Commissioner Holian, we do not accept, the County does not accept large commercial waste. They go directly to Caja del Rio.

COMMISSIONER HOLIAN: So it would only be very small commercial businesses or haulers?

MR. MARTINEZ: Mr. Chair, Commissioner Holian, mainly just small, residential type of businesses. Home occupations.

COMMISSIONER HOLIAN: Okay. Thanks.

CHAIRMAN ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. On the last time that we considered this, we were looking at a possible 10-visit, or individuals, then possible 10 visits, then a jump to unlimited, and then it was commercial, I believe. So now we're at we eliminated the ten visits and we went to 20?

MR. MARTINEZ: Mr. Chair, Commissioner Stefanics, I'm going to let Olivar Barela, the solid waste manager, respond to your questions regarding the options.

COMMISSIONER STEFANICS: Thank you.

OLIVAR BARELA (Solid Waste Manager): Mr. Chair, members of the Board, we've got three scenarios, options in front of you, I hope, in the pie charts. One scenario was to step up the fee structures. The 24-trip option, first year at \$75, second year \$150, and \$230, \$230 being the fully funded enterprise fund. Okay? Option 2 was to move the 24-trip residential fees to \$230, and finally, the formal adoption of 3 – I should mention that option 2 and option 1 are both contingent on that we would make and sell 10,000 permits. Now that's a huge assumption because right now, at \$35 we're selling about that number of fees right now. About 9,000 at \$35 so I don't know if we're going to meet that at \$230.

Finally, option 3. This was thought out as maybe an option to be assessing the residents of the county a \$75 fee, and that would also make the enterprise funding. This would be only for the residents that live outside of the incorporated areas. It would include this option for those citizens living inside incorporated areas, that fee would go probably down to about \$37.

Now, this of course would take a little bit more work as far as how we're going to implement it and collect it and those kinds of things. I know that our neighbors to the north at North Central have that proscriptive right and every citizen is billed. However, I can tell you that they've got about \$2 million outstanding to collect. So even though it looks like a simple thing to do it, we would still have to collect it. Anyway, briefly, what we've got in the proposal, as I mentioned, is the options for consumers in the incorporated areas to be able to purchase a 24-trip permit at \$230 trip, or one trip at \$10, or a bag permits, five bag permits at \$5 each. This basically would open up the ability for all residents in the county to be able to utilize our services at one level or another, be it a small person that would only use a couple of bags of one a month or whatever, and those who would use it regularly would be at that 24-trip scenario.

This summary actually just basically is a starting point, if you will, for some of the ideas we have for our fee structure. I'm open for questions, Mr. Chair.

CHAIRMAN ANAYA: What was the first scenario again. Tell me the steps.

MR. MARTINEZ: Mr. Chair, let me respond to Commissioner Stefanics's question. She had a question on the 10-trip card versus the one-trip. The reason we went to the one-trip card was in the event that this does go up to \$230 per year, we felt that somebody that just needs to go to the transfer station once or twice in the year would have to buy a ten-trip permit. So we backed it down to a one-trip permit that would be equitable or prorated based on the \$230. So a one-trip permit would cost about \$8 to \$20 per trip, and you can buy

as many of those as you like. So if somebody wanted to go two or three times a year they could buy three of these as opposed to buying a ten-trip pass and not be wasting money that they didn't need to spend.

COMMISSIONER STEFANICS: I think after you answer the chairman's questions I'll have more questions later, because I have some comments.

CHAIRMAN ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Robert, I would just like to also get you to comment on how people can buy these permits so that people know all the different options that they have.

MR. MARTINEZ: Mr. Chair, Commissioner Holian, there'll be several ways to purchase these permit. You can do it through the mail. We can have these available at the satellite offices – one down south in Edgewood and one up north in Pojoaque. They would be able to purchase them at our office or even here at the Treasurer's office.

CHAIRMAN ANAYA: Okay, tell me again the first. And I know we're going to rehash these over and over again, but tell me again the first scenario you said, 24 tickets.

MR. BARELA: That is a step-up option. We step up the fees. The first year stepping it up to \$75 for the 24-trip option. The second year stepping it up to \$115, the third year finally stepping it up to the \$230 option which would bring it up to the enterprise fund.

CHAIRMAN ANAYA: Okay, and the second one was 24 punches for \$230.

MR. BARELA: That's correct. Straight up.

CHAIRMAN ANAYA: The third one was assess everyone in the county, or charge everybody in the county \$75, but if we're going to include the incorporated areas we would charge everybody and it would come to \$37.

MR. BARELA: That's correct, sir.

CHAIRMAN ANAYA: Is there anything that we pay for in the city that we don't receive services for?

MR. BARELA: No, sir.

CHAIRMAN ANAYA: Okay. Questions? Any other questions?
Commissioner Holian, then Commissioner Montoya.

COMMISSIONER HOLIAN: Do we have to choose one of the options today?

CHAIRMAN ANAYA: No.

MR. MARTINEZ: Mr. Chair, Commissioner Holian, no. We are just requesting authorization to publish title and general summary.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Regarding the options, I think just to clarify your question on option 2, it doesn't say 24 trips but unlimited.

MR. MARTINEZ: Mr. Chair, Commissioner Montoya, there were a couple of versions that went out. And that's another option for you to decide. Whether we make it a 24 trip or whether we make it unlimited trips.

COMMISSIONER MONTOYA: Do I have the most current version?

MR. MARTINEZ: What does yours say? 24 trips?

COMMISSIONER MONTOYA: Option 2, unlimited trips, \$230.

MR. MARTINEZ: The most current was 24 and then it was decided to change it back to unlimited. So those are two options that you can choose next month when we have the public hearing, whether you think it should be unlimited or a 24 trip.

COMMISSIONER MONTOYA: And then, I haven't seen this but I have seen what was in my packet. Is there any relevance to what's in my packet to what's –

MR. MARTINEZ: Mr. Chair, Commissioner Montoya, the only thing that changed from what you received this morning as opposed to what's in the packet is the 24 trip versus unlimited. That's the only change. Everything else is the same.

COMMISSIONER MONTOYA: Okay, well, that was my question regarding what's in my packet here is there's an unlimited trip permit for \$226.25.

MR. MARTINEZ: Mr. Chair, Commissioner Montoya, the latest one that we handed out this morning is what's accurate, the 24 trip for \$230.

COMMISSIONER MONTOYA: So there is no unlimited.

MR. MARTINEZ: Mr. Chair, Commissioner Montoya, that is something that we would like you guys to decide at the public hearing, whether, if we're going to raise the fee, do we want to open it up to unlimited trips or do we want to regulate it to 24 trips a year or per-permit. Because these individuals could conceivably buy two or three 24-punch cards a year.

COMMISSIONER MONTOYA: Yes. Well, let me clarify. On this, it's unlimited, and then there's 24. Now you're saying it's no longer unlimited here; it's only 24.

MR. MARTINEZ: Mr. Chair, Commissioner Montoya, this morning it was changed to 24 based on some requests that we got to make it the 24 trip. So what we're proposing is a \$230 annual fee, whether you decide to make it unlimited trips or 24 trips. Those are two options that you can decide later on. But originally it was decided unlimited, but then at the last moment it was changed to 24. And these are just options. They're nothing that we're asking you to decide today.

COMMISSIONER MONTOYA: I need to read my new material, Mr. Chair.
Thank you.

CHAIRMAN ANAYA: Okay. Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, Roman, when do we need a decision on this in order to make it effective?

MR. ABEYTA: Mr. Chair, Commissioner Stefanics, to make the July 1 deadline for printing the new cards, we would need a decision in 30 days.

COMMISSIONER STEFANICS: Thirty days from now?

MR. ABEYTA: Yes.

COMMISSIONER STEFANICS: And is it intended, Mr. Chair, that in two weeks we would have a public hearing?

MR. ABEYTA: Mr. Chair, Commissioner Stefanics, no. The public hearing would be in 30 days.

COMMISSIONER STEFANICS: Mr. Chair, my concern is that when you

offer options at a public hearing it becomes very confusing for what the public is coming to respond to. And if we as a group indicated what it is we wish to see or what we think the constituents want then we'd have a better sense of telling them what to go away with. Now, maybe I'm in the minority here but I think that offering the public three options is going to lead to some confusion.

For example, on option 2, the 24 trip, \$230, are you saying there's no single sale?

MR. MARTINEZ: Mr. Chair, Commissioner Stefanics, no. There would also be the option for single permit sales at the rate of \$8 or \$10. We have proposed a \$10 one per permit.

COMMISSIONER STEFANICS: Okay. But this says non-county residents and residents residing within incorporated areas, \$10 per trip.

MR. MARTINEZ: Mr. Chair, Commissioner Stefanics, the one-trip permit would be available to county residents and non-county residents.

COMMISSIONER STEFANICS: Okay, so –

MR. MARTINEZ: Basically, what's happening is we're eliminating the language that says non-county or residents within an incorporated area. So everybody would be eligible, whether they live in an incorporated area or in the unincorporated area. They'd be eligible for the \$230 punch card per year, and the bag tags, and the one-trip permit.

COMMISSIONER STEFANICS: Okay, so Mr. Chair, that's what I wanted to clarify. All three of these options include the one-trip permit that could be purchased as many times as possible.

MR. MARTINEZ: Mr. Chair, Commissioner Stefanics, that is correct.

COMMISSIONER STEFANICS: And Mr. Chair, Robert, are these available to purchase at the transfer station?

MR. MARTINEZ: Mr. Chair, Commissioner Stefanics, no. We do not collect money at the transfer stations.

COMMISSIONER STEFANICS: Okay. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Okay. So is there a motion to authorize title and general summary? Go ahead.

COMMISSIONER HOLIAN: I would like to move to publish title and general summary of an ordinance amending Ordinance 2005-5, Solid Waste Ordinance, and I guess I would like to suggest a specific plan that people can use as a starting point for discussion, so I guess that would be sort of an amendment to this. So my suggestion is, I like the idea of the 24 pass, in other words, option 2, in here, which is \$230 for a 24-trip pass, and of course to keep the \$10 option per pass, and I am also proposing that we have free recycling, no pass for recycling because I think that makes a statement that we want people to do more recycling, and also it actually does save money if people recycle, because it's only \$15 a ton to take things to BuRRT, as opposed to \$32 a ton, I think, to take things to Caja del Rio. So I really would like to encourage more recycling. That's my suggestion.

CHAIRMAN ANAYA: Is there a second?

COMMISSIONER VIGIL: Mr. Chair, I would like to second the motion but

only to the specifics of the publication of title and general summary, and the discussion that you had should be a part of the ordinance recommendation. So that's how my motion would be seconded.

CHAIRMAN ANAYA: So the motion that you seconded would only apply to the publish title and general summary and not to the other \$230 –

COMMISSIONER VIGIL: Right. There's no recommendation.

CHAIRMAN ANAYA: Do you agree with that?

COMMISSIONER HOLIAN: I can live with that.

CHAIRMAN ANAYA: Okay. So we've got a second. Any further discussion?

COMMISSIONER VIGIL: I have some discussion.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Have we spoken with Randall Kippenbrock with regard to this and with the State Solid Waste Department?

MR. MARTINEZ: Mr. Chair, Commissioner Vigil, no, we've not spoken with NMED. They don't regulate rates. We have talked with Randall at Caja. They're looking at raising their rates also, plus they're also – I believe it was approved, that they're going to be closing on Sundays.

COMMISSIONER VIGIL: You know, I want to make sure that we have the appropriate amount of information from the appropriate sources on this and that we're not just moving towards creating an enterprise fund. Because we start creating that focus and it's very likely that residents' needs sort of might spill over. I would like the next report or a part of the ordinance report to include information from our specialty people in this area, Randall – whoever you think that might be. I would go to Randall Kippenbrock because he has a degree, an advanced degree in this area. Are we going in the right direction here? Is this appropriate? He is well versed in all of the issues in solid waste and I think it would be good to get his recommendation on this. And then when we last considered this, we also consulted with the state with regard to what their recommendation was. It might be they do have the opportunity to have sort of a bird's-eye view on what the entire state is doing with regard to increasing fees, because those reports do go to them. So I'd like some more information from them also.

MR. MARTINEZ: Mr. Chair, Commissioner Vigil, we can do that.

COMMISSIONER VIGIL: Thank you.

CHAIRMAN ANAYA: And then did you include any solid waste fees from other counties, Robert?

MR. MARTINEZ: Mr. Chair, yes we do have those handy, if you'd like to get them now.

CHAIRMAN ANAYA: Just for when we have our meeting. Okay, Victor, did you have a comment?

VICTOR MONTOYA (County Treasurer): Mr. Chair, we were dealing with the solid waste – Mr. Chair and Commissioners, I collect probably 80, 85 percent of the fees and I get probably 85, 90 percent of the complaints. I think that if you leave it at \$235, I'm

going to be bogged down in complaints from the public because the fees went up so dramatically. I just want to point that out. I collect – the satellite offices don't get the amount of people coming in to buy permits, but I get bogged down in trying to answer the questions regarding what solid waste does. People are already asking for permits right now. I have no idea when the permits are going to be available and it just seems to me that I should be included if I have to be collecting some of the money, or most of the money off this program. It's very hard on my staff to try to be there and collect property taxes, collect refuse permits, sell refuse permits, and I don't have a problem with doing it but I just feel that information has to flow down to my office to tell me when I can expect to do these things. Thank you.

CHAIRMAN ANAYA: Okay. Thank you, Victor. I think he brings up a good point. You have people coming in and they want to ask questions. What's the money good for? What's it used for? And then Victor's staff is just saying, I don't know. I don't know. I don't think that's a good idea. So we need to somehow coordinate that. Okay. Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Chair, I was just going to say something in relation to that. Some of us were here, and for those of you who weren't, when we increased this, what was it? Three years ago? From \$25 to \$35, my phone didn't stop ringing in my district. And if we're looking at going from \$35 to \$250, I'll let you guys answer my phone for me. Because it's going to be worse than what it was three years ago. And I understand that we need to make an increase, whether we like it or not. The reality is we're functioning with such a huge deficit, but let's not do it on the backs of the people that can barely afford a \$35 permit right now.

MR. MARTINEZ: And Mr. Chair, Commissioner Montoya, this is an option for discussion. In the public hearing, if the Commission decides to raise it \$10 or \$25, it's up to the Commission. This is just something that we provided for you all as a starting point. And ten years ago it used to be \$3.

COMMISSIONER MONTOYA: I remember. That was a deal.

CHAIRMAN ANAYA: Go ahead.

COMMISSIONER STEFANICS: Mr. Chair, I do know that we're not making enough money to cover these costs. I do know that Randall Kippenbrock at SWMA was saying that the City and the County were going to have an extra fee assessed to them. I do know that the State Environment Department was going to levy extra fees, they had raised extra fees against all of our dumps and transfer stations, or our solid waste operations. So the fees are coming down the line, and while we may not go to the break-even point, I think we do have to raise it. So the question is, what can the residents live with? Could our residents live with double what they're paying now? And if they can, that would take \$35 to \$70. But if they can, would we not come back next year and do the same thing? And would we continue to have a loss? And it sounds like, if we're truly going to take into account all residents in all incomes, we're never going to make enough money to cover this. So then we probably just need to accept that fact and figure out where we're going to draw down money from and if we're going to give up one service for another. But I'm truly – I understand that we have

various classes who could afford to pay for various things in our county and I think we just need to be aware that if we keep it low, how are we going to pay for the deficit? Thank you.

CHAIRMAN ANAYA: One more comment, Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, I'd also like to make the comment that it seems we had free solid waste dumping in this county now for years and years. We really have not paid the true costs of what we have been doing. And the land that is available for depositing this waste is going to disappear someday. So I really think we need to put in a fee structure that somehow encourages people to produce less waste, and also and to recycle more. And we have to take that into consideration, and we have to work out a fee schedule that doesn't reward people for dumping more, but rewards them for dumping less.

CHAIRMAN ANAYA: And one more comment and then I'll call for the question. I want to know, when we have this meeting, I want to know what our property taxes – where our money goes and what that is for. Because I know there's people out there including myself that want to know. I pay for property taxes; shouldn't that help me in solid waste?

The motion passed by unanimous [5-0] voice vote.

XIII. C. 2. Request Authorization to Publish Title and General Summary of an Ordinance Amending Ordinance No. 2003-01, Regulating Procedures for Working in, Disturbing and Repairing County Property and Rights-of-Way (Growth Management Department)

MR. MARTINEZ: Mr. Chair, this is an ordinance that regulates contractors excavating and working in county rights-of-way. We were directed to revisit the fee structure, compare it to other counties in the state, and that's why we're here today requesting to publish title and general summary, so we can have a public hearing in May to raise the fee for contractors to work in the County rights-of-way.

CHAIRMAN ANAYA: Is there a motion?

COMMISSIONER MONTOYA: So moved.

CHAIRMAN ANAYA: Motion by Commissioner Montoya.

COMMISSIONER HOLIAN: Second.

CHAIRMAN ANAYA: Second by Commissioner Holian. Any further discussion?

The motion passed by unanimous [5-0] voice vote.

XIII. C. 3. Update Status Report and Presentation by Santa Fe County Arts, Culture and Entertainment (ACE) Task Force (Economic Development) (Growth Management Department)

JACK KOLKMEYER (Land Use Administrator): Good afternoon, Mr. Chair. Thank you for providing us an opportunity this afternoon to speak to you briefly about the Arts Culture and Entertainment Task Force, also known as ACE. In your packet you have a cover memo from us. You also have a brief power point presentation, which I'm going to go over with you in just a second, and also a recent study inventory of major venues and events and infrastructure that was conducted by Southwest Planning and Marketing for us during this past half year.

What's not in your packet and will be forthcoming a little bit later is also a community survey that is being currently conducted in La Cienega by Camille Bustamante for us.

I'd like to first off thank Duncan Sill, the economic development planning staff who's been the chief staff person in organizing this really interesting undertaking over the last six months, and remind you that the current structure of the ACE Task Force consists of Shaun Parrish, who is the chair of the group, he's speak to you for a couple of minutes here in just a little bit. Also Lara Morrow, who's the vice chair and she has an arts organization background. Lucie Duranceau-Church, also with an arts organization background is a member. We have artist Maggie Muchmore who's been on the group since the very beginning. We have two musicians who participate in the group, Amado Abeyta and Busy McCarroll from Cerrillos. Jason Hool who's also here from Santa Fe Studios has been a member of the group as well. Two original members, Scott Hutton from Media Broadcasting had to resign for personal reasons and Beverly Garcia also resigned early on and she was replaced by José Varela López.

The ACE Task Force as we call it was created on June 24, 2008 by Resolution 2008-111 to better coordinate, in fact even to better understand the County's situation related to arts activities throughout the county and especially as they relate to community development and economic development, which we think is really key to the success of these kind of activities over the coming years.

On August 26th we created the first group of members to the task force. In fact, with the exception of two they've been with us now from the very beginning. Since that time the task force has been meeting regularly to address the goals that were adopted in the resolution that you passed, and to also engage a very diverse group of local community stakeholders as partners in this. We've met with folks from La Cienega, Madrid, Cerrillos, Chimayo, over the past couple of months to really gain an understanding of the kind of activities that go on throughout the county. And in addition to that, we've also met with a group such as the Lodgers' Tax Advisory Board, known as LTAB, to understand what their role in the arts has been, in relation to the things that we want to accomplish.

I'm going to go through the power point with you in just a moment but before I do

that I'd like to introduce Mr. Shaun Parrish to share a couple of his thoughts on our activities for you. Thank you.

SHAUN PARRISH: Thanks for having me. I'm glad to be here and appreciate the efforts that you have made last year to help us adopt this ACE Task Force. I want to expressly appreciate Mr. Anaya specifically for supporting us and Commissioner Montoya for his help in shepherding this effort. We have found overwhelming support from the private and commercial sector with what we're doing. We hope that our efforts bring something fun for you guys to listen to, when we get to bring and present that to you. Our goals can be realized with further support. We've been doing this now for about ten months and all we here is, welcome, welcome, come in. And our basic goals are to create infrastructure in support of what we've found to be our best resource and that's the people of this county. And they're interested in being involved and they all live in your districts and are excited to here from us. So you're about to hear about most of the data that we've put together and what our goals are for the next six months till we come back and see you, which may be sooner. But I just appreciate you giving me this opportunity to chair this task force and we're really enjoying it. Thank you.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Mr. Kolkmeier, and whoever can answer this. One of the impetuses for this, the creation of this task force was the 599 rail station stop. There was some joint City-County staff meetings with regard to an art project that should be implemented there. Has that been part of the discussions of this task force, and if so, where are we going with that?

MR. KOLKMEYER: Commissioner Vigil, we'll get to that as I go through the power point included in this discussion. Yes. Our purpose again, just to be clear, for being here today is to simply let you know the work that we've done so far. We will be back in the latter part of the summer with very specific recommendations that we'd like to go forward with, one of them being for you to consider with us whether the task force should be converted into an Arts Commission like the City's. So this is just to update you today on the work that we've done and to get your feedback on some of the projects.

CHAIRMAN ANAYA: How long is this?

MR. KOLKMEYER: It will be about ten minutes.

CHAIRMAN ANAYA: Is that picture taken on Rowe Mesa?

MR. KOLKMEYER: I took that picture up on Ojo de la Vaca. Thank you for recognizing the general direction. As we stated, the ACE Task Force was created by Resolution 2008-111, and these are its goals: to better coordinate community development efforts, activities related to arts, culture and entertainment, to recommend policy, projects and actions related to arts, culture and entertainment, to identify resources, existing programs, and to examine these activities and their relationship to county economic development.

The mission statement created by the group is to support collaborative arts, culture, and entertainment activities to advance coordinated community and economic development.

The approach that we decided to take after only probably about a month or two of

meetings was that we would have regular meetings, that we would seek as much community input and participation as we could, and to assess and analyze the role of the County in particular. There's lots of activities that go on throughout the county but the critical question that was raised by not only members of the group but members of the various communities about what role can the County play.

We decided to use three principles as we move forward, and those were principles, of partnerships, information, and leadership. What partnerships needed to be created to really move forward with the mission of this group, what information did we need, and who were the real leaders in the community in terms of arts, culture and entertainment activities?

The next step as a group was to identify community needs related to arts, culture and entertainment, and two really important things became clear fairly quickly. That the success of arts, culture and entertainment activities, no matter where they are, really depended on how well organized the community was and what infrastructure was available to the communities to undertake the kinds of activities that they wanted to participate in. The first fruitful meetings that we had too, I also want to thank Martin Vigil from Public Safety who came and attended a number of our meetings and really pointed out the important role that public safety plays, particularly as events start to get larger and larger.

The community organization piece was particularly important to understand what local decision making, facilitation, and participation existed in the communities that we had discussions with, and regarding infrastructure, what was already built there, what might need to be enhanced as time goes on, and which would be the communities that were able to move forward with us at this time. And public safety also being an important aspect of that.

The group, after lots of meetings and deliberations decided that the most expedient way to work all this would be to propose a couple of pilot projects that the group could do all the initial background work and move forward, and bring back to the Board for your opinions and thoughts on these types of pilot projects, and then moving forward from there. So after a number of discussions that talked about Chimayo and Galisteo and Madrid and La Cienega and Eldorado and Pojoaque and all the different activities that were going on, the group felt that it would be most advantageous, given the principles that we were working with, to focus on two communities, Madrid and the La Cienega Corridor. Pilot projects would serve as models and help us to define actions, infrastructure needs, programs and resources, not only for these two communities, but for other communities as we move forward.

Madrid became very interesting in these discussions because they already have a very vibrant arts community there. There are lots of community resources there, including the ballpark, the grandstand, galleries, there's a greenway that we, the County helped purchase through our open space program. They have a community plan. They have existing County investments, particularly in things like public restrooms that Chairman Anaya was involved in helping them obtain. Some community members attended the ACE Task Force meetings and we began a discussion about roles of the arts, culture and entertainment specifically in that community. And consequently, we've had meetings with NMEDD, particularly about their Main Street program, as Madrid really fits well into the possibility of undertaking a

Main Street program which we might be able to use to help that community things like lighting and public facilities for that community. Again, the approach, the applied principles of partnership, information and leadership were extremely important.

The question of course that comes to mind is we now need to go back in and meet with the community of Madrid and work towards what would be the role of the County as we moved forward. Initially we think that an important role would be to help them acquire a Main Street program for that community but put together a very integrated arts, culture and entertainment program specifically for that community, integrating things like the ballpark, that we now own a portion of with the other activities in town. Thank you.

The next project that came up that the group is very enthusiastic about, as was the community of La Cienega, was the whole corridor there, and the number of really interesting things that have taken place in La Cienega over the past few years. In particular, on the subject of infrastructure, we're now engaged in discussions about the role of the County water system to the community of La Cienega. There's major facilities there in the horse park, Las Golondrinas, Sunrise Springs and of course Santa Fe Downs. And most importantly, as La Cienega is really a gateway community, is the location of the 599 Rail Runner location there right now that Commissioner Vigil was referring to before, not only for the potential that that place for bringing people into that community and taking them out, for that matter, but also for focusing on the possibility of an Arts in Public Places program at the Rail Runner stop, as well as major activities in arts, culture, music, entertainment and agriculture that that community would like to be engaged in.

There are many cultural institutions already there. They have a community plan, existing County investments, Las Golondrinas, Sunrise Springs, the Downs, as I mentioned, are major pieces of the infrastructure, but one of the things that the community kept bringing up to us was the rural role of agriculture as a cultural feature of that community, and as we get into now formulating a program for La Cienega we want to begin dialogue with the community to talk about things such as a major farmers market that can be located in that community, as well as an arts and crafts fair and other activities, and the role also of such major facilities as the Downs. The principles of partnership, information and leadership and the role of the County have been integral in our discussions with them.

Our next steps, for the next several months we're going to be involved in very detailed and specific discussions with the community of Madrid and also La Cienega to talk about all of the things that might be looked at in terms of action programs, including the Main Street program, options for eco-tourism, art in public places such as the art at the 599 Rail Runner station, and what resources we have available in the communities already or which we might need to generate to address infrastructure and community organization and needs, and to solidify the partnerships, not only with the communities but with other groups such as LTAB, Main Street, and other stakeholders that have already come forward in these activities with us. Again, also making sure to define the role of the County.

So what we will do next, over the next couple of months, is go into begin activities in Madrid and La Cienega and there develop a model arts, culture and entertainment program

with very specific recommendations that we would bring back to you at that time to discuss how we would go forward with them and whether you think those are good ideas. One of the questions that has come up as we have worked through these kinds of activities has been well, why did we just choose these two communities again over others? We have others on the list, particularly Chimayo, Cerrillos, Eldorado and Pojoaque. But what the group decided, why they decided to focus on these two communities first off was because of the number of activities that are already going on in these two communities and again, the importance of the infrastructure that's there and maybe easier to enhance and redevelop as we move forward.

That is the presentation that we have for you today and we'll be happy to answer any specific questions. Duncan, did you want to make a specific comment about the question that Commissioner Vigil brought up about what the City and the Arts in Public Places for the Rail Runner project? Do you have information on that?

DUNCAN SILL (Economic Development): Mr. Chair. Commissioners, in regards to the collaboration between the City and the County, County staff, with our Community Services Department has engaged with the Arts Commission staff in the City to develop the work related to that particular station, and the task force in the near future will try to find a way to participate in that process. That is a minor undertaking right now but there is a potential to develop into something that's a little bit more comprehensive. So I'll provide you with an update as we learn more details about that.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Duncan, you might answer this question too. In the stimulus package are there any funds for communities and arts?

MR. SILL: Mr. Chair, Commissioner Stefanics, there are several ways of looking at that. The NEA has some for direct distribution. Unfortunately, those monies are designated to abate the danger of non-profit organizations from job loss. And those grant amounts are minimal. The City, I understood, is trying to obtain some of that money and there's not a whole lot of resources available through the stimulus package. Plus you have that money coming into the state that directly goes to the State Arts Commission staff. There are other opportunities through competitive grants through the stimulus that may be appropriate for community development and infrastructure improvements. I'm at the same time looking at those potentials right now in regard to things that are related to farming and ag activities. So hopefully we can bring in resources that would help our local communities to structure those activities.

COMMISSIONER STEFANICS: Mr. Chair and Jack or Duncan, are the Main Street projects strictly supported by state funds or is it also federal funds?

MR. KOLKMEYER: I believe the program is a state program. I'm not sure if the funding also comes from federal funds as well, Duncan? Yes. Some of it does, but their administered through the state.

COMMISSIONER STEFANICS: So I guess, Mr. Chair, Duncan, are there stimulus monies available for Main Street? Because it seems to me, the way you described it,

Jack, is two potential Main Street programs.

MR. SILL: Mr. Chair, Commissioner Stefanics, the potentiality is there for two Main Street programs and maybe even a third one is Chimayo or some other communities develop the capacity to take one these types of initiatives. Chimayo actually has been approached by –

COMMISSIONER STEFANICS: Mr. Chair, my question is, is there federal stimulus money for Main Street money for projects?

MR. SILL: No, there isn't directly.

COMMISSIONER STEFANICS: Okay. That's the question. Thank you.

CHAIRMAN ANAYA: Okay. Thank you all for the presentation. We look forward to hearing more about it. Thank you all for participating and helping out the County.

XIII. C. 4. Sustainable Growth Plan Update (Growth Management Department)

MR. KOLKMEYER: Thank you, Mr. Chair. This is very brief because as you know the last significant activity for the growth management plan was the charette wrap-up reports that we did on the 14th and 15th, in Pojoaque, the Community College, Galisteo and Edgewood. They were again very successful. We didn't have the turnout that we did for the actual charettes but the attendance was really very good. The report was really well received, and so now we are preparing to move forward. We have an outline of the growth management plan as has been worked out for the moment. That's the second page in the handout that we gave to you.

But I just wanted to talk about a couple of really I think important things that again, kind of came up as a result of the charette report for us all to think about and consider as we move forward with the initial draft of the growth management plan. There are five things that really come up over and over again, as we've gone through the charettes and the growth management workshops, and I guess they're sort of in order of importance here as I wrote them down and went back through the notes. But one is over and over again, we've heard of the need to tie water availability and water resources to land use. We heard that everywhere we went, no matter whether it was in El Norte or in Estancia. Particularly making sure that higher density development patterns are tied to water systems and water availability as we move into the future.

Secondly, there's a continuing concern for more effective and better community involvement and communication. All of you have heard that; I've had some feedback from some of you about where we're moving with the community involvement program and I have a couple of comments to make on that in just a second.

Thirdly, increased support for local agriculture and renewable energy as part, particularly as they relate to local groundwater resources. But again, even looking back at the 1999 growth management plan, where there was concern for the importance of agriculture, it

really was more vocal this time, that we really need to help communities some way to be able to stimulate agriculture, particularly in the smaller traditional communities.

Fourth, diversification of housing types was a really, really big discussion again all the way through. So that we just don't have subdivisions of large-lot housing and only residential uses only, but for diversification of housing types ranging from apartments to smaller lot options and also for a mixture of land uses to be involved in future developments.

And finally, better enforcement of codes. We heard code enforcement issues come up over and over again, and not only about code enforcement issues such as junk vehicles and litter and those kinds of things but pointed at the fact that the County should do a better job of enforcing its codes. And of course you've heard from Dr. Freilich who's commented on how difficult some of our code is to understand, so there are problems that we hope to overcome as we move forward to creating the growth management plan, and then the creation of a new Land Development Code.

I know there's been a lot of concern about where we're headed with community planning, so I wanted to just briefly go over what we're thinking about right now. We've come to a consensus as staff that there's a really good way that we can move forward and we're going to initiate a number of community meetings over the next two to four weeks to really sit down with the communities who have been really vocal about wanting to be more involved in community planning, to go over some of the ideas we have with some of the ideas that we've heard from the communities, and really come up with a really terrific community planning process.

At the moment, we think there are four steps in this. The first step was we need to go back and get communities organized again in a way that makes sense, not only to them, but also to us, recognizing now that local development review committees have some problems, and we want to work primarily through a Planning Commission. We want to go back and designate communities that were established in the 19880 and 1999 general plans as traditional communities and also recognize the ones who have done plans and ordinances, sit down with them, rediscuss what representation means to them, how are different groups and entities truly representative of communities and recognize them again in some formal way.

We also want to be able to go and let organizations such as homeowners associations, who haven't been recognized as traditional communities, be registered in some way so that if they want information about a public hearing or some activity in the county, we'll be able to do that directly through the Planning Division in real immediate communication with them. But get as many different groups and communities organized and respond to them the best we can.

The second step would be to work with them groups and communities to establish real strategic work programs with them. We've had many comments from communities saying, well, we want to do a community plan. But when we sit down and we talk to them, well what do you want to a plan about? The answer will be, well, we want roads fixed. Or, we want trash picked up in a better way. We don't need to do community plans with those groups, but what we need to do is to establish a very, very effective work program with them

so that we know what issues they need to resolve, and then we can figure out through the County Manager's office and in working very closely with other departments how we can best solve some of those issues.

And that would lead to the third and the fourth steps, would be that we want to figure out a really good implementation of community projects process, so that the community says, we're having a problem with graffiti, or we're having a problem with such and such. We've been able to really figure out a good way to be able to work with them to get them through the system of the County for a very effective resolution to their problems, including involving them in the capital improvements program, if what they need in their community requires some kind of budget or fiscal assistance.

And then finally, to have some kind of monitoring system. When we did the 1999 growth management plan again, we had these wonderful lists of things. We accomplished some of them. We created the open space program. We created the Community College District, but we really weren't able to monitor all of the things that the communities really wanted at that time to effectively be able to go back and help them with problem solving. We're going to take another shot at that and work really, really carefully with the communities to try to figure out what the best way for us to do that is.

Schedule-wise, we're looking at having a draft of the growth management plan to you some time in late July or early August. So that's where we are right now. Any questions? I'll be happy to answer. Thank you.

CHAIRMAN ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. Jack, a couple of meetings ago we heard from, in the public testimony section of the County Commission meeting, we heard from a group that wanted to create a community organization. Since then I've gotten some letters from individuals that aren't in necessarily traditional communities that want to be recognized as well. You alluded to some of this just now as you were talking. Do you have a recommendation for – or do you have a few ideas about what might be an appropriate structure for some of that to happen?

MR. KOLKMEYER: Commissioner Stefanics, yes. What we're heading toward is we're going to recognize, we're calling them right now community planning organizations, CPOs, for lack of a better term at the moment. That can be a traditional community. That can be a group of 23 subdivisions from the greater Eldorado area, or it could even be a consortium of a number of other groups, which is I think maybe what you're alluding to, that one group that's been meaning to try to pull a number of groups together. We think that by looking at them as community planning organizations, it doesn't matter like it has in the past whether they're a traditional community or contemporary community, we'll deal with them all as communities and bring them together under the same structural framework. So it won't leave anybody out. It won't matter whether they're traditional groups, contemporary groups, combinations of them, we'll accommodate them. They'll just have to put together some kind of work program for us saying this is what they want to accomplish.

COMMISSIONER STEFANICS: Thank you. Mr. Chair and Jack, can you

foresee how they would be formalized in the new growth management ordinance? Or is it too soon to tell?

MR. KOLKMEYER: Well, I think the way that you would formalize them again, that's still open to discussion, but in terms of how we might – we need to figure out some way to recognize these groups without colliding with the Land Development Code, for example in that process piece. But we think right now that these groups could come together, form themselves however they want with their own by-laws, but they could be recognized through our resolutions through the Board. That way they would have some official type of recognition and that wouldn't interfere with any ordinances that would come down later through the Land Development Code. The registered groups would just simply be registered for information and they could do that right through the Planning Department.

We have to make sure – we still have some conversations yet to go with Mr. Ross, our Attorney, and Dr. Bob Freilich to make sure that these kinds of things go forward. But the groups want some kind of recognition. They've told us that. I think they've told all of you that. And we figure that since a resolution doesn't have the same force as law, that still may be the best way to do that. But we're working through that question.

COMMISSIONER STEFANICS: Thank you, Mr. Chair.

CHAIRMAN ANAYA: Any other comments? Commissioner Montoya.

COMMISSIONER MONTOYA: Just a comment in terms of the need for agriculture, and I'll say it specifically for the Pojoaque Valley area, and that's that in order to maintain that type of livelihood and that type of lifestyle, the Aamodt settlement needs to be completed in order to ensure that groundwater rights are part of what these people are wanting in terms of that type of a lifestyle. The way the Aamodt is currently moving forward in the settlement it guarantees that right. So that is just something that I wanted to underscore. I know that a lot of the people who have gone through the charettes were actually there to oppose the Aamodt and the wastewater system. So they don't want water or wastewater taken care of. But then regardless of where that is that, the Aamodt settlement ensures the agricultural lifestyle for the Pojoaque Valley. So as we move forward just make sure that we take that into consideration.

MR. KOLKMEYER: Thank you, Commissioner Montoya. We've seen that collision not only in Pojoaque but also in discussions about the County's water system related to La Cienega. And that's a really, really valid question. If we want to preserve springs and acequias we need to get people off wells. I think that our approach to this right now is let's just go into the communities and engage them in dialogue, all sides. Sit down. How can we best bring this to fruition at this point, not back away from the challenge anymore. So in the next couple weeks we're probably going to have some more heated debates and we'll keep you posted on how that dialogue goes. But that's an incredibly important point.

CHAIRMAN ANAYA: Thank you, Jack.

XIII. D. Matters from the County Manager

1. Update on Various Issues

MR. ABEYTA: Mr. Chair, I have one item. Commissioner Stefanics, you had been requesting that we broadcast our County Commission meetings via radio. We've been in contact with KSFR. A couple of issues have been brought to light, the first being that one of our meetings during the month is today's administrative meeting and they have program already during the day, so it's looking like what we can do is broadcast the public hearing BCC meeting that we have once a month. So we might not be able to get both our BCC meetings broadcast but we could probably do the public hearing meeting we have the second Tuesday of every month.

That's one issue. The other issue is cost or the uncertainty of cost, because they don't have a specific charge. They work off of donation. So what we're trying to figure out with them is what would be the appropriate donation to make to them in order to get it broadcast. But we're getting closer to narrowing that cost down and hopefully we could potentially have our meetings broadcast starting in May. So maybe we can do the first public hearing in May and get them broadcast every month thereafter. But it looks like we'll just do the public hearing BCC meetings once a month.

CHAIRMAN ANAYA: What about webcasts?

MR. ABEYTA: We are currently getting close to webcasting all of our meetings we should be able to do that within the next 30 to 60 days also.

CHAIRMAN ANAYA: And what about KSWV radio?

MR. ABEYTA: We haven't contacted them. I know – we'll contact them and see what they can do. Also KVSA. But we know that the City of Santa Fe already broadcasts on KSFR so we thought we'd start there because they have the experience with that.

CHAIRMAN ANAYA: You might want to just ask. Any other comments?
Commissioner Vigil.

COMMISSIONER VIGIL: Roman, did you have any discussions with them with regard to whether or not there was a listening audience out there for these? And ancillary to that, do we have any information as to whether or not there's a viewing audience? I do get comments that people do view it but I think there are marketing benchmarks that most of these, at least Comcast or the public government access channel do. I don't know if KSFR does that.

MR. ABEYTA: Mr. Chair, Commissioner Vigil, we know with KSFR because they do broadcast the City meetings, that there is an audience with them that's already been established. So we feel pretty confident that KSFR would be a wise investment as far as our broadcasting via radio our BCC meeting.

COMMISSIONER VIGIL: Do we have a sense of how much of an audience that would be?

MR. ABEYTA: Mr. Chair, Commissioner Vigil, no, but we could ask if they have numbers or some kind of –

COMMISSIONER VIGIL: Yes, it would be good to know what those discussions would bring forth with that and it would be good to find out that kind of information for the viewing audience too, in the public access channel.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'd like to thank the County Manager for giving me credit for this but it really was our chair who brought this up. But it does affect many individuals who live out in the County, because they don't really get to access certain stations that it's broadcast on. Thank you.

CHAIRMAN ANAYA: Thank you.

MR. ABEYTA: That's all I have, Mr. Chair.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Just a question. Roman, we had discussed the insurance RFP. Is that coming on the next agenda?

MR. ABEYTA: Mr. Chair, that will be on the last meeting in May.

COMMISSIONER MONTOYA: Last meeting in May. Okay. I can remember. Okay. Thanks.

XIII. E. Matters from the County Attorney

1. Consideration and Approval of Request to Annex 371 Acres Outside the Presumptive City Limits Near the City of Santa Fe Municipal Airport (Legal Department)

MR. ROSS: Mr. Chair, members of the Commission, we've received a request from Richard and Shirley Cook for our permission to allow them to submit a petition for annexation to the City of Santa Fe. The reason they've asked us for permission is because the City and the County of course have a settlement agreement concerning annexation and that agreement precludes annexation outside of the presumptive city limits that are identified in that very extensive agreement, without City-County approval. So that's why this request has come to the County.

There's some materials here and I think there's some people, Mr. Hoefl, Mr. Sena, to talk in more detail about the proposal. Essentially, where the property is, if you take a look at this colored map that's in your packet you'll see that there's a kind of large purple outline. And to orient you, that's the City municipal airport. And then off to the right are some colors and some zoning designations. Essentially, the lower part of that is Tierra Contenta. So where this parcel sits, it's identified in red crosshatching. It's essentially between Tierra Contenta which is the City of Santa Fe and the City's airport, which is also the City of Santa Fe. With that I'll turn it over to the applicants for more questions.

CHAIRMAN ANAYA: Do we have any questions of the applicant?

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Are you sure you really want to go into the city? That's all. Yes or no.

SCOTT HOEFT: Scott Hoeft, Santa Fe Planning Group. That's a tough call on our part, but yes. We feel it would serve the property better. The presumptive city limits map already shows a portion of the site within the City of Santa Fe in the phase 1 annexation area, and so at that stage we started talking with Mr. Ross and Mr. Katz to determine our course of action which was to remove that portion, or to just get the balance of the site into the City of Santa Fe. And so we opted to go to the City of Santa Fe. And so from this point forward, the first step is to get your consent and then we would have to go through the normal processes, through the City of Santa Fe: annexation, rezoning, general plan amendment.

COMMISSIONER MONTOYA: Mr. Chair, I move for approval.

CHAIRMAN ANAYA: There's a motion by Commissioner Montoya.

COMMISSIONER STEFANICS: I'll second.

CHAIRMAN ANAYA: Second by Commissioner Stefanics. Any further discussion?

The motion passed by unanimous [5-0] voice vote.

- XIII. E. 2. Request authorization to publish title and general summary of an Ordinance Establishing Reasonable Fees for Copies of Certain Electronic Data Contained in County Databases; Establishing Reasonable Fees for Copies of Data, Documents or Products Generated by a Geographic Information System; Defining Terms; Disclaiming Warranties for Information Provided; Providing for Fee Waivers for Public Agencies; Providing for Severability (Legal Department)**

MR. ROSS: Mr. Chair, Rachel is going to handle this one.

RACHEL BROWN (Deputy County Attorney): Mr. Chair, I'm here before you to request authorization to publish title and general summary to the electronic data fee ordinance. You should have the ordinance in front of you, and I passed out over the lunch break the exhibit which was supposed to be attached that actually identifies the fees that would be imposed for access to County databases and GIS data in response to public requests for access to the data.

There is a state statute that requires that we make our databases and GIS data available to the public, and it also requires that if we are going to charge for that access the charges have to be established by ordinance, and there are parameters placed on the County as to what the fees can be. So I've worked with the Finance Department and GIS to come up with justifiable fees that we could charge. And I'll stand for questions.

CHAIRMAN ANAYA: Any questions? So this is for people that want to come get information from the County, we want to establish some fees so that we can charge them, so that we're not just giving it to them?

MS. BROWN: Right. And this is for access to our databases where there is public record information contained in the databases and for access to the electronic data in the GIS system.

CHAIRMAN ANAYA: Do you think we can charge enough to take care of our solid waste fees? Any questions or Rachel? Commissioner Vigil.

COMMISSIONER VIGIL: Thanks for doing this Rachel. I assume this is consistent across the board from any department for requests for public records, correct?

MS. BROWN: This is for all databases maintained by the County, that contain public information. It's not department-specific. And so the fees are based on the source of the data, which department maintains it, and they are calculated based on the hourly rate of pay of the employee who would be responsible for generating a copy of the database, as well as costs associated with hardware and software, and any materials we might need to actually create the copy for the public.

COMMISSIONER VIGIL: Rachel, do we have to actually – and maybe this is for Roman – do we have to actually acquire a new software to fulfill the requirements of this?

MR. ABEYTA: Mr. Chair, Commissioner Vigil, no. It's existing software that we have. It just gives us a consistent amount to be charging the public when they make the request.

COMMISSIONER VIGIL: Is there someone specifically in our Finance Department who will be charged with assessing these fees?

MR. ABEYTA: Mr. Chair, Commissioner Vigil, the way it will work is that each department will have a copy of the new fee schedule so that when somebody makes a request that their department can handle they'll refer to the fee schedule and then send the individual down to the Treasurer's office with the appropriate amount to charge.

MS. BROWN: If I can elaborate on that, Mr. Chair, Commissioner Vigil. The ordinance actually requires that the requests come in, either to Robin Gurule, who handles all the public records requests at this time, or the GIS Department, if it's specific to the GIS data.

COMMISSIONER VIGIL: Okay. What if somebody comes and needs some information and they can't afford it? Do we have an alternative for that? Or is that something that perhaps we need to discuss? Because there are times that people need public information and they can't afford some of these.

MS. BROWN: The way the ordinance is drafted right now the County Manager has authority to waive fees for government entities but not for individuals.

COMMISSIONER VIGIL: Okay.

MS. BROWN: And there would be issues of anti-donation which would arise if we –

COMMISSIONER VIGIL: I'm talking about indigent. If someone was indigent and needed information, I'm wondering if that would be something that we could get

some more information on and maybe amend the policy later. I like the policy the way it is but I've worked in enough agencies where people come in and say, you know what – I need these records. I can't pay \$26 for them.

MS. BROWN: I can certainly do research prior to the public hearing on the ordinance, and if it's possible to propose language that will address that I will.

COMMISSIONER VIGIL: I would like us to consider that option. I don't want to open the opportunity for these rules and regulations to be manipulated in any way, but I do know that there are people out there who have access to needing public records who can't afford them. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair and thank you, Commissioner Vigil, for bringing that up, because I do think that that is a consideration. Rachel, this only relates to databases and maps. It doesn't relate to individual copies that would be requested from various departments throughout County government?

MS. BROWN: Are you referring, Commissioner Stefanics, to copies of documents generally, or copies of the data?

COMMISSIONER STEFANICS: Copies of documents.

MS. BROWN: Copies of documents are dealt with through a different state statute. Well, the same state statute but a different portion of it and are not addressed through this ordinance. This ordinance is specifically data.

COMMISSIONER STEFANICS: Mr. Chair and Roman, are we currently charging the same standardized fee throughout all of County for documents? Copies of documents?

MR. ABEYTA: Mr. Chair, Commissioner Stefanics, I would say that we probably aren't. This is something that we have discussed amongst staff, but I would say that we probably aren't.

COMMISSIONER STEFANICS: So, Mr. Chair and Roman, if we're going to do this ordinance, shouldn't we put that in this ordinance?

MR. ABEYTA: Mr. Chair, Commissioner Stefanics, that probably is a good idea, good suggestion.

COMMISSIONER STEFANICS: Steve, you were going to say something?

MR. ROSS: Mr. Chair, Commissioner Stefanics, of course Ms. Gurule works in my office and we have a standardized policy that's posted, in fact, outside my office, for copies of different things, and that's on the website today. And they are minimal charges, like 50 cents a page, things like that. So to the extent that requests come into my office they are charged the same no matter what the request is. I think what Roman is alluding to is the Sheriff's Office may provide copies that we're not aware of. Perhaps the jail. As long as they come through the normal process through the records custodial they're charged a minimal fee as set forth in the Public Records Act.

COMMISSIONER STEFANICS: So Mr. Chair and Steve, are you saying that no department in County government would give out copies of anything without going

through a request for public records through you?

MR. ROSS: No, but they certainly can come through the records custodian and be guaranteed –

COMMISSIONER STEFANICS: But they don't have to.

MR. ROSS: They don't have to. And I know some, particularly the newspaper will go to different departments and get documents, just given to them, and that's certainly an option for people. But if somebody wants to be assured that they're going to get a document and that somebody's going to review it and make sure that they have all the right documents and they have an opportunity, a formal opportunity to sit down and review them then they go to the records custodian. We're seeing more and more traffic through Robin of requests for documents.

COMMISSIONER STEFANICS: Thank you, Steve. Mr. Chair, what I'm getting at is I'm wondering if we should have something standardized so that one department doesn't charge a quarter, another 50 cents, another a dollar for a page, and that our County looks like we've thought this out. Thank you.

CHAIRMAN ANAYA: Did you get your direction?

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: This price list is just for databases, internet hardcopy – not individual hardcopies, like a Xerox copy?

MS. BROWN: Chairman Anaya, Commissioner Montoya, if you look under the first paragraph in the fee schedule at the bottom it says the cost of each page printed from an electronic database will be 50 cents, and that's on this first page right here.

COMMISSIONER MONTOYA: Oh. See I didn't read fifty cents. I was looking for numbers.

MS. BROWN: I can add numbers if you like.

COMMISSIONER MONTOYA: Okay. The other only comment that I have is that right now we're looking at about a \$70,000 decrease in what's generated by copies currently by GIS data and that sort of thing. Is that going to have an impact on our budget in any way, in terms of that net loss?

MR. ABEYTA: Mr. Chair, Commissioner Montoya, it will, but it would be – we'd have to do the analysis. I don't think it would be that significant because I don't know that we're generating that every single year but we'll analyze that before we bring the ordinance back.

COMMISSIONER MONTOYA: Because even though we're – and then this is essentially what the state is recommending in terms of a fee schedule?

MS. BROWN: Mr. Chair, Commissioner Montoya, the state statutes require that if we are going to charge any fee at all it has to be based on an ordinance that we've adopted. They give the parameters of what the ordinance fees would be but they don't actually calculate the fees for the County. And currently any fees that we're charging are not pursuant to an ordinance.

COMMISSIONER MONTOYA: Okay. That's all I have, Mr. Chair. Thank you.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: I'd like to move for approval.

COMMISSIONER MONTOYA: Second.

CHAIRMAN ANAYA: Move to publish title and general summary, Commissioner Vigil motion, seconded by Commissioner Montoya. Any further discussion?

The motion passed by unanimous [5-0] voice vote.

XIII. E. 3. Executive Session

a. Pending and Threatening Litigation

c. Discussion of the Purchase, Acquisition or Disposal of Water Rights

CHAIRMAN ANAYA: What do you want to talk about, Steve?

MR. ROSS: Mr. Chair, I have four brief matters to discuss. We can either take them up today in closed session or move it to the next meeting. There's nothing critical. I leave it up to you. If we do go in, we need to discuss pending or threatened litigation and discussion of purchase, acquisition, disposal of water rights.

COMMISSIONER VIGIL: Mr. Chair, I move we go into executive session for the purposes as stated by our Attorney.

COMMISSIONER MONTOYA: Second.

CHAIRMAN ANAYA: There's a motion by Commissioner Vigil, seconded by Commissioner Montoya.

The motion passed by unanimous [5-0] roll call vote with Commissioners Holian, Montoya, Stefanics, Vigil and Anaya all voting in the affirmative.

CHAIRMAN ANAYA: We are now in executive session. How long do you think?

MR. ROSS: No more than half an hour, Mr. Chair.

[The Commission met in executive session from 3:07 to 4:34.]

CHAIRMAN ANAYA: Is there a motion?

COMMISSIONER STEFANICS: Mr. Chair, I move that we come out of executive committee where we discussed pending and threatened litigation, and discussion of the purchase, acquisition of real property or water rights.

CHAIRMAN ANAYA: Is there a second?

COMMISSIONER VIGIL: Second.

CHAIRMAN ANAYA: Motion, and a second by Commissioner Vigil. Any further discussion?

The motion passed by unanimous [5-0] voice vote.

XIV. ADJOURNMENT

Chairman Anaya declared this meeting adjourned at 4:35 p.m.

Approved by:

Board of County Commissioners
Mike Anaya, Chairman

ATTEST TO:

VALERIE ESPINOZA
SANTA FE COUNTY CLERK

Respectfully submitted:

Karen Farrell, Wordswork
227 E. Palace Avenue
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