

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

July 28, 2009

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

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

July 28, 2009

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 10:15 a.m. by Commissioner Virginia Vigil, 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 Virginia Vigil
Commissioner Liz Stefanics
Commissioner Kathleen Holian

Members absent:

Commissioner Mike Anaya
Commissioner Harry Montoya

COMMISSIONER VIGIL: I'd like to welcome Pablo Sedillo from Jeff Bingaman's office. Thank you for being here.

Before we get started I just want to make mention that our Road Advisory Committee has lost a very dedicated member and participant of that committee. His name is Henry John Claycamp, Jr. We have all received emails regarding his passing. He served on the committee since 2007. He was from the Stanley area and we extend our condolences to the family and want them to know how appreciate we have been for his volunteerism to Santa Fe County. Services are actually being conducted today and I appreciate that Mr. Claycamp was a committed community member. So we'd just like to have a moment of silence for Mr. Claycamp.

Thank you very much.

V. INVOCATION

An invocation was given by Geraldine Salazar from the Clerk's Office.

VI. APPROVAL OF THE AGENDA

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- B. Tabled or Withdrawn Items**

COMMISSIONER VIGIL: Mr. Abeyta, are there any changes?

ROMAN ABEYTA (County Manager): Madam Chair, we do have some additions to today's agenda. The first coming under X. Matters from the Commission. We added an item G, which is a request for approval of expenditure of community funds from Commissioner Montoya. We added an item H, which is a summary update regarding the North Central Regional Transit District Board.

Under the Consent Calendar, XI. B. Miscellaneous, we added an item 8, which is a request approval to renew an agricultural lease with the New Mexico State Land Office for 320 acres adjacent to the County open space property of Thornton Ranch. And finally, Madam Chair, we added under XII. E. Matters from the County Attorney, an item number 2, which is an amendment to the water rights purchase agreement dated April 15, 2009 by and between Jordan C. and Beverly Pareo and Santa Fe County to increase the number of acre-feet being purchased by approximately 38.373 acre-feet from 150 acre-feet, for a total of 188.373 acre-feet. Those are the changes that staff has.

COMMISSIONER VIGIL: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. I request that we move item X. E to be heard with item X. A, since they are similar.

COMMISSIONER VIGIL: Okay. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. I am requesting that item XI. B. 3 be removed from the Consent Calendar for consideration and considered as a separate item.

COMMISSIONER VIGIL: Okay. Under Matters from the Commission? Or under Consent? I understand. Thank you very much. Anything else? If there are no other changes, what is the pleasure?

COMMISSIONER STEFANICS: I'll move approval of the agenda as amended.

COMMISSIONER HOLIAN: Second.

The motion passed by unanimous [3-0] voice vote.

VII. APPROVAL OF CONSENT CALENDAR

- A. Consent Calendar Withdrawals**

COMMISSIONER VIGIL: We've already had a request that item XI. B. 3 be heard separately. Are there any other items that need to be heard separately?

COMMISSIONER HOLIAN: Madam Chair, I would like to request removal

of item XI. B. 1, please.

COMMISSIONER VIGIL: XI. B. 1. Okay. Any other items, Commissioner Stefanics?

COMMISSIONER STEFANICS: Madam Chair, just to clarify, is that a total removal? Withdrawn?

COMMISSIONER HOLIAN: I mean just to discuss. I have a question on it.

COMMISSIONER STEFANICS: Okay. Thank you.

COMMISSIONER VIGIL: And your item was to have it heard separately.

COMMISSIONER STEFANICS: Today. Yes.

COMMISSIONER VIGIL: Okay, with those two amendments to the Consent Calendar, do I have a motion?

COMMISSIONER HOLIAN: I move approval of the Consent Calendar with withdrawals.

COMMISSIONER VIGIL: Okay. Is there a second?

COMMISSIONER STEFANICS: Second.

The motion passed by unanimous [3-0] voice vote.

XI. CONSENT CALENDAR

A. Budget Adjustments

- 1. Resolution 2009-120. A Resolution Requesting an Operating Transfer From the General Obligation Bond (GOB) 2001 Series Fund (353) To the GOB Debt Service Fund (401) To Budget Investment Income Revenue for Debt Service Expenditure in Fiscal Year 2009. (Administrative Services Department/Finance)**
- 2. Resolution 2009-121. A Resolution Requesting an Operating Transfer From the 2008 GRT Revenue Bond Fund (333) To the GRT Revenue Bond Debt Service Fund (406) To Budget Investment Income Revenue for Debt Service Expenditure in Fiscal Year 2009. (Administrative Services Department/ Finance)**
- 3. Resolution 2009-122. A Resolution Requesting an Operating Transfer From the GOB Series 2009 Fund (335) To the Road Projects Fund (311) for the Fiscal Year 2009 Expenditures for CR 42/\$436,911.70 (Growth Management Department/ Public Works)**
- 4. Resolution 2009-123. A Resolution Requesting a Decrease To the Operating Transfer From the Alcohol Programs Fund (241) / Local DWI Program To the Detox Programs Fund (242) / Care Connection-Assessments Program for Fiscal Year 2009/ - \$13,000. (Community Services Department)**

5. **Resolution 2009-124. A Resolution Requesting a Budget Increase for the Jail Operations Fund (518) From Cash Carryover with an Operating Expenditure To the Jail Revenue Bond Debt Service Fund (405) for Debt Service Expenditure in Fiscal Year 2009/ 2,249,600 (Administrative Services Department/ Finance)**

B. Miscellaneous

1. **Consideration and Approval of Community Development Block Grant Program Grant Agreement No. 09-C-NR-1-01-G-22 to Assist Santa Fe County in Constructing a New Wastewater Treatment Facility That Will Serve the Residents of Valle Vista, County Facilities and Complexes in the Valle Vista Area, and Current Planned Reasonable Future Growth (Growth Management Department) ISOLATED FOR DISCUSSION**
2. **Request Approval of SFC Agreement #29-0124-PW/Ms for County Road 42 (Phase II) Project To the Lowest Bidder, Mountain States Constructors, Inc., for the Amount of \$2,063,138.00 (Growth Management Department)**
3. **Resolution 2009-__ . A Resolution Requesting Approval of the Fiscal Year 2010 Final Budget (Administrative Services Department) ISOLATED FOR DISCUSSION**
4. **Request Approval of the Accounts Payable Disbursements Made for All Funds for the Month of June 2009 (Administrative Services Department)**
5. **Review and Discussion for the Accounts Receivables for All Funds for the Month of June 2009. (Administrative Services Department)**
6. **Resolution 2009-125. A Resolution Adopting the Santa Fe County Fire Department Five Year Strategic Plan 2010-2014 (Fire Department)**
7. **Amendment to Water Rights Purchase Agreement Between Louie Gonzales and Santa Fe County (Legal)**
8. **Request Approval to Renew Agricultural Lease No. GM3063 with the New Mexico State Land Office for 320 Acres Adjacent To the Santa Fe County Open Space Property At Thornton Ranch. (Community Services Department/ Open Space and Trails Program)**

VIII. APPROVAL OF MINUTES

COMMISSIONER STEFANICS: Madam Chair, I'll move approval of the

June 30th BCC meeting minutes.

COMMISSIONER HOLIAN: I'll second it.

The motion passed by unanimous [3-0] voice vote.

IX. MATTERS OF PUBLIC CONCERN –NON-ACTION ITEMS

COMMISSIONER VIGIL: This is the section of the agenda that we allow members from the public to come before the Commission to state any issues that are not being considered on the agenda. Is there anyone out there that would like to address the Commission? Seeing none, we'll move on to the next item.

X. MATTERS FROM THE COMMISSION

- A. Resolution No. 2009-126. A Resolution in Support of a Renewable Energy Improvement Financing District within Santa Fe County (Commissioner Holian)**
- E. Resolution No. 2009-127. A Resolution in Support of the Solar Energy Improvement Special Assessment Act for Santa Fe County (Commissioner Holian)**

COMMISSIONER HOLIAN: Thank you, Madam Chair. I'd like to consider both Resolution No. 2009-126, which is supporting a renewable energy financing district. This is implementing Senate Bill 647, and I would also like to at the same time look at Resolution No. 2009-127, which is in support of a Solar Energy Improvement Special Assessment Act, which is an I implementation of House Bill 572.

There are similarities between the House Bill and the Senate Bill that when we implement them, probably some of the implementation details can be the same for both of them, but they have some very significant differences as well. In particular there are differences in the way that financing occurs, specifically who provides the financing or how finds the financing, more specifically.

We know that there our financial markets have been changing, we don't know what conditions are and so on, so I think it's important to implement both the House Bill and the Senate Bill and not make a choice between the two of them yet because we really don't know what is going to work out better in the financial markets that we're facing. And in fact, things might change in a year or two. You just have no way of knowing. And I think that it's important for the people of Santa Fe to have maximum flexibility in the way that they finance solar energy improvements, or renewable energy improvements, in the case of the Senate bill.

So I don't know if there's any discussion or questions but I see that Peter Franklin is here and I'm sure that he could answer questions if there are any.

COMMISSIONER STEFANICS: Madam Chair, I'll second the motion for purposes of discussion.

COMMISSIONER HOLIAN: I make a motion for approval of both resolutions.

COMMISSIONER VIGIL: And that would be item X. A and E.

COMMISSIONER HOLIAN: And also I would like to, as part of the motion, direct staff to prepare documents to implement the two programs.

COMMISSIONER VIGIL: Okay. Is that what you're seconding, Commissioner Stefanics?

COMMISSIONER STEFANICS: Madam Chair, I will second that. I still do have some discussion and questions.

COMMISSIONER VIGIL: We are in discussion. Please proceed.

COMMISSIONER STEFANICS: Thank you, Madam Chair. Commissioner Holian, what do you foresee as the timeline for creation of each of these? Do you see them as simultaneous? Do you see them as separate? Do you see one being easier than the other?

COMMISSIONER HOLIAN: Well, I actually think that the Senate bill will be more straightforward to implement at this point, given the tools that we have. And so I think that we probably should concentrate on that first, but where we can, use some of the implementation details to perhaps think about implementing the House bill as well. And maybe Peter Franklin could comment on that a bit.

COMMISSIONER VIGIL: Thank you for being here, Mr. Franklin. Comment on that and any other information you think we need to have at this point.

PETER FRANKLIN (Bond Counsel): Thank you, Madam Chair, Commissioners. We have prepared the basic implementing documents with a number of information items still to be determined for the Senate Bill 647 program. We have prepared the basic legal documentation to implement the renewable energy financing district which consists of a resolution of intent, which is actually Resolution 2009-126, and a proposed form of ordinance, which approves forms of an application, an agreement by the property owner with the County for the assessment to go into place, and sort of laying out a process for further implementation of the district enabling property owners who are interested in getting this type of financing to apply for and be included in the district.

As to House Bill 572 we have also prepared a form of resolution requesting that the County Treasurer develop the forms of documentation that are required under that particular piece of legislation. We haven't yet actually tried to draft those forms of agreements, and the reason for that is those agreements by and large depend on what local banks or just banks that property owners are interested in working with are going to require as far as their types of application and financing documents. I have not yet met with any of the bankers. I believe there is a meeting scheduled for tomorrow and we will get, I imagine, quite a bit of input from the banking community as to what they need to make the House Bill 572 program operative.

So that's about where we are. As far as going forward, I think we can probably

proceed along dual tracks if that's the Commission's desire. As far as readiness to implement, I think they could each be ready in 60 to 90 days depending on what kind of response we get from property owners and what kind of property response we get from lenders. We know on the renewable energy financing district side we know of one financing entity that is ready to do business with the County and to try to implement this program. We don't know yet who else might be out there to play that role. Frankly, we'd probably like to investigate all likely sources, rather than just work with or take off with one particular financing entity.

Again, on the 572 side it appears to be simpler in a lot of ways but we're not sure where the banking community is at this moment in terms of implementing that program on an individual property owner by property owner basis. But that's what we're looking to find out next.

COMMISSIONER STEFANICS: Madam Chair, did we not hear at our study session that this needed to coincide with the Assessor's tax bills, so that the billing would occur at a specific time during the year? Or is this already identified that it could be a rolling application and rolling billing, which would seem to me a little bit more complicated for the Assessor and the Treasurer.

MR. FRANKLIN: Madam Chair, Commissioner Stefanics, without speaking to what you heard at the study session, because frankly, I'm not sure. The rolling application is something that can readily be implemented. However, the rolling billing, that doesn't exist in property tax billing. So if a property is added to the assessment – if the assessment lien goes on to the property after a certain cut-off date the assessment will not be collected until the following tax year. Assessment based financing takes into account that there may be a delay in getting the first payment from the assessment that's on the property tax bill.

COMMISSIONER STEFANICS: So, Madam Chair, Mr. Franklin, what I'm hearing and I want to clarify this for the public, I believe that November 1st is when the tax bills are sent out, or earlier, before November 1st, and delinquency after November 10th. So if this program could be ready in 60 to 90 days, behind my question is are we talking about implementation for this year or are we talking about implementation for next year?

MR. FRANKLIN: Madam Chair, Commissioner Stefanics, that's a very good question. I think we're talking about implementation this year but probably not collection from property tax bills until next year.

COMMISSIONER STEFANICS: So, Madam Chair, Mr. Franklin, and Commissioner Holian, in the way that this is set up, is it going to be possible with the lenders to actually apply and initiate a project this year if no payment will be made until a year from now, and if so, if it does not mean that does that mean that the County is providing the collateral for this project?

MR. FRANKLIN: Madam Chair, Commissioner Stefanics, I am going to take what I hope is an educated guess here. It should be possible on the Senate Bill 647 side, the renewable energy financing district side, to structure a financing with initial payments not coming in for a year. Although there's a cost to that. The cost would involve what's called capitalized interest where essentially you're borrowing the first debt service payment as part

of the financing.

I really don't know the answer on the House Bill 572 side. I don't know what banks are going to be willing to try to do. I think it's a serious question.

COMMISSIONER STEFANICS: So, Madam Chair, Mr. Franklin, so the debt service would be the individuals borrowing from the County.

MR. FRANKLIN: Madam Chair, Commissioner Stefanics, no. The individual would be borrowing, if it is a bond-funded financing would be borrowing from the district. The district is issuing a bond, which is purchased by renewable funding or some other bond purchaser, and the County, under either statute has no ability to provide security for either of these types of financing. So County funds are not pledgeable. They are not – the County is not allowed to put up – to collateralize these loans, to back them, to do any sort of security for either of these programs.

COMMISSIONER STEFANICS: But Madam Chair, Mr. Franklin, who would pay the first year of the debt service?

MR. FRANKLIN: Well, the first year of the debt service would either be put off or it would be part of the amount – let me see if I can think of a simple way to explain it. It would be part of the loan amount, so that if the loan amount for a particular property owner is \$20,000 and the first year of debt service is \$1,000, the borrowing would be \$21,000, and \$1,000 of that loan amount would be put in a capitalized interest account and used to pay the lender for that year in which the payments are not flowing.

COMMISSIONER STEFANICS: So, Madam Chair, Mr. Franklin, would the amount that the individual would have to put up the first year, would it be more than what they would be paying out over multiple years in their assessments? Or is this too soon to tell?

MR. FRANKLIN: Well, it's a little soon to tell, but the assessments would be level, at least I expect they would be level, and really what it amounts to is instead of borrowing \$20,000 at seven percent or whatever you would expect and beginning payments four to six months after the loan closes, you'd be borrowing that \$20,000 plus, say, 14 months of interest – call it \$1,000 – I'm completely making these number up. So you'd be borrowing instead of \$20,000, \$21,000 at the same interest rate, but the payment schedule wouldn't actually be – it would be the same payment schedule except that the first year of payments, and normally there are two. There's normally an interest only payment and a principal and interest payment, those payments would be made from escrow loan proceeds identified to make that first payment. And that's the basic way when you have any sort of grace period with a credit card or mortgage, typically that's what you're doing is you're actually borrowing the payment that you would otherwise make out of pocket, you're borrowing that from the lender and the lender's putting that into an account to make its debt service payment.

COMMISSIONER STEFANICS: Okay, so Madam Chair, I just want to make sure I have this firm in my mind. Mr. Franklin, you're saying that you could possibly implement in 60 to 90 days, that something could be implemented – not just applied for, but implemented this first year, but implemented, even though the assessment wouldn't go onto

property tax liens until the following year?

MR. FRANKLIN: Well, Madam Chair, Commissioner, the assessment lien would be recorded at the point that the property owner is fully committed to being part of the district. And that can be on a rolling basis anytime during the year. But if the property tax bills have already gone out for the coming tax year by the time the property owner is fully committed, then the billing for the assessment won't occur until the following tax year, until the next property tax bill comes out. And that's the way all property tax based or property tax billing based financings work. There is familiarity with that in the investor market for lenders that are involved in that type of financing. So there are mechanisms to allow the loan to be originated at the time the assessment lien is recorded with debt service being delayed until the next property bill.

COMMISSIONER STEFANICS: Thank you, Mr. Franklin. Thank you, Madam Chair.

COMMISSIONER VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. That was going to be my observation is that this is sort of just like a special assessment district, correct?

MR. FRANKLIN: Well, yes and no, Commissioner. This is a very technical distinction but typical assessment districts are actually – the billing process is not part of the property tax billing process. It's actually separately billed. We call it hand-billed by, if it were the County, probably by the Finance Department. So because this by statute is wrapped into the property tax billing process it's less flexible. It has more of a kind of cast-in-stone schedule for the billings. And so as a result of this the structure of the debt service adjusts to deal with that.

COMMISSIONER HOLIAN: So with special assessment billing, is that typically once a year or can it be in that case they actually bill on a monthly basis or something.

MR. FRANKLIN: It's typically once or twice a year.

COMMISSIONER HOLIAN: And the other comment I was going to make is it will take a while anyway for the money to be disbursed, right? Because it would be after completion of the project that the money would actually flow from the funding agency to the installers.

MR. FRANKLIN: Madam Chair, Commissioner Holian, that would certainly be the better way to do it and I assume that will be the sequence. There's nothing in the law that says it has to be that way but I think any lender is going to want to know that the improvements have already been installed and have passed inspection and there isn't a dispute between the property owner and the contactor.

COMMISSIONER HOLIAN: So basically, the interest wouldn't really start until the money was disbursed?

MR. FRANKLIN: That's correct. Normally.

COMMISSIONER HOLIAN: And so even if we got the program up and running in say, 90 days, there would be a lag between when people applied. They have to

submit their plans for the project and then the project has to actually be implemented and so on. So it could be quite a while before money is actually disbursed.

MR. FRANKLIN: Madam Chair, Commissioner Holian, I should clarify. When I say the project could be implemented, what I mean is that the County would be ready to accept and begin processing applications and we would have the procedures in place to begin moving forward. I doubt that we could be actually recording assessment liens and disbursing funds in 60 to 90 days. I'll take a whack at that and say 120 to 180 days.

COMMISSIONER HOLIAN: Right.

MR. FRANKLIN: Possibly faster.

COMMISSIONER HOLIAN: Now, do you believe that there's a mechanism that we could put in place where if people are actually implementing solar projects now, after July 1st so to speak, that we could allow them to be part of the program with something that is being done right now on somebody's house, for example?

MR. FRANKLIN: Madam Chair, Commissioner Holian, I think it would be very difficult. I would never say never but I think it would be very challenging.

COMMISSIONER HOLIAN: Okay, well, it's something we can explore.

COMMISSIONER VIGIL: We do have a motion on the floor. I have just a couple of questions, Mr. Franklin. Is the statute restrictive enough to where hand-billing would not be allowable?

MR. FRANKLIN: Madam Chair, I'm not sure. I think the statute provides the mechanism for billing in the property tax process. I think if that process is officially in place but the County wanted instead to provide handbills, we could look into that.

COMMISSIONER VIGIL: Okay. And it seems to me that really what we're doing today is enabling Santa Fe County to move forward through these resolutions to implement both of these bills. And it's also my understanding that as a result of Santa Fe County – thank you, Commissioner Holian, for taking a leadership role on this – we are actually learning some of the issues regarding implementation on this to the extent that perhaps even at an upcoming legislative session, actually House Bill 572 might have some amendments to it to address some of the issues that we are actually dealing with through implementation.

I think this is a learning process. If some of the questions seem quite technical and understandable to all of us it is because we are at a learning curve here and this learning curve will include improvements to the process, through the support of the state legislature and through our implementation process. So it being a work in progress, I fully support us going towards this direction and would like to see this implemented in our community to the extent that our community welcomes it and participates in it I think that should be the focus of this. So with that, if there's no other comments I will call for the question.

The motion passed by unanimous [3-0] voice vote.

**X. B. Santa Fe County Fair Royalty and Presentation to the Commission
(Commissioner Anaya)**

COMMISSIONER VIGIL: this is a favorite item of Commissioners because it is the Santa Fe County Fair Royalty and presentation to the Commission. Thank you all for being here. Mr. Smith will make the presentations. We have our beautiful participants on our Santa Fe County Rodeo.

GREG SMITH (Health Division): Madam Chair, Commissioners, on behalf of the Santa Fe County Fair I'd like to introduce to you the 2009 Santa Fe County Fair Royalty. Erica Garcia, queen, and Leilani Pi, princess, and as you stated, Madam Chair, they'd like to do a small presentation for you.

COMMISSIONER VIGIL: Thank you very much. Erica

ERICA GARCIA: Madam Chair and Commissioners, my name is Erica Garcia and I'm the 2009 Santa Fe County Fair Queen, and this is my princess, Leilani Pi, and we're here today to invite you to our county fair this year, which takes place August 5th through the 9th. There will be a lot of free fun for the whole family and all the 4-H-ers have been working really hard this year to put all of the projects on display. So we hope to see you there and as a token of our appreciation we have a hat to give you and some packets of information about the fair. Thank you.

COMMISSIONER VIGIL: Thank you, Erica. Erica, I have a question for you. How do you become queen and princess?

MS. GARCIA: In April we had to undergo a contest that required some writing, a presentation and a speech, and we had some impromptu questions that we had to answer as well as a demonstration.

COMMISSIONER VIGIL: Wonderful.

COMMISSIONER STEFANICS: Madam Chair, I also have a question.

COMMISSIONER VIGIL: Please.

COMMISSIONER STEFANICS: In terms of participating in the County Fair, does that mean – I'd like to make sure that the public understands – does that mean that you all either participate in a growing project with an animal or plants or could you explain a little further?

MS. GARCIA: The 4-H program has several 4-H projects, and there are so many, ranging from home economics to the agricultural projects such as raising livestock or horticulture, growing plants, and at the beginning of the year 4-H members have to sign up for the project, and throughout the year they gradually work their way up to their finished project which they present at County Fair. And those are all under the 4-H entries. But the public is also allowed under open youth or open adult to enter their own projects that they've been working on – quilting, dollhouses, photography, any of those things. So the fair is also open to entries from the public as well.

COMMISSIONER STEFANICS: And Madam Chair, young ladies, what items or what areas did you participate in?

MS. GARCIA: This year I have been raising some pigs and lambs, as well as doing scrapbooking and some photography.

LEILANI PI: I'm Leilani Pi. I do horses and rabbits and some indoor stuff – photography, crochet and sewing.

COMMISSIONER STEFANICS: Well, thank you very much. One of the reasons that I ask is I'm looking for an expert because some little animal or worm came in and ate our entire garden in the middle of the summer. And so we're very disappointed but we'd like to take some tips from the 4-H program and maybe I can find somebody to help me. Thank you very much, Madam Chair.

COMMISSIONER VIGIL: Erica, what part of the County are you from and what school do you go to?

MS. GARCIA: I am from Santa Fe County and I attend St. Michael's High School.

COMMISSIONER VIGIL: And is your mother Lisa Garcia? Lisa, thank you for being here. Lisa, who works with our Maternal and Child Health. And I imagine that you did very well in the impromptu section of the contest. Thank you for being here. Congratulations. You're a beautiful queen and a beautiful princess, and if there's any way that the County Commission can support this further in any way please let us know. Thank you for being here.

MS. GARCIA: Thank you, Madam Chair and Commissioners.

COMMISSIONER VIGIL: Thank you. Greg, is there anything else you wanted to add?

MR. SMITH: Madam Chair, Commissioners, I'd maybe just add to that, this is open to the public along with the entertainment that Erica stated. It is open. It's completely free to the public. It's Saturday evening when the kids, those that have been as the judge deems them most successful, those that get to make the auction with their animals, that evening the fair does hold a dinner and dance that's open to the public. The dinner is for any livestock buyers that come through but the dance itself is open to the general public. Just to everybody that's out there, please come out and enjoy the fair. It's a really nice time out there.

COMMISSIONER VIGIL: Do we have this on the website, Greg?

MR. SMITH: Madam Chair, I'm not sure if the dates are on the website but I'm sure we can get that on there.

COMMISSIONER VIGIL: It certainly is something we should advertise and market through the website and I know at some point in time we had a lot of brochures circulating. Is that still part of the marketing?

MR. SMITH: Madam Chair, that's correct. That's still part of the circulation that's going on.

COMMISSIONER VIGIL: And I'm very pleased to learn about the increased population participation in the fair and hope that it continues its success.

MR. SMITH: Madam Chair, it's grown substantially every year.

COMMISSIONER VIGIL: Thank you.

MR. SMITH: Thank you.

- X. C. **Resolution No. 2009-128. A Joint Resolution Directing Staff To Study the Feasibility of Combining Efforts To Plan and Design Affordable Housing, To Align Affordable Housing Policies for Consistency in Interpretation and Application, to Identify Areas Where Collaborative Efforts Will Result in More Effective and Efficient Housing Programs and Projects for the Benefit of the Working Citizens of the City and County of Santa Fe. (Commissioner Vigil)**

COMMISSIONER VIGIL: In very short and plain language what this resolution will do is allow staff, both from the City and the County to join forces to look at both of our affordable housing ordinances to identify where we have policies that we can combine, and to look at the feasibility of combining our resources to look at a particular or a future affordable housing project. I think I have supported this because affordable housing does need to be part of our community and I think in these particular economic downturn times, the only way that can happen is if both the City and the County joined forces. Are there any questions on this? Seeing none, I will move for approval.

COMMISSIONER HOLIAN: There's a motion and a second.

The motion passed by unanimous [3-0] voice vote.

- X. D. **Presentation By Kristina Kershner, Director for Architecture 2030 To Discuss the 14X Stimulus Plan Developed By Architecture 2030 Which Provides Straightforward, Effective Way for Local Governments To Leverage Their Stimulus Funding Or Other Funding Sources (Commissioner Holian)**

COMMISSIONER VIGIL: I'll turn this over to Commissioner Holian for any introductions and then we'll have the presentation.

COMMISSIONER HOLIAN: Thank you, Madam Chair. If we are to really get a handle on our greenhouse gas problem and reduce our emissions due to greenhouse gases we're really going to have to look at buildings. It turns out that buildings are really a far bigger consumer of energy than even cars or transportation, both when you consider the amount of energy that it takes to build buildings and the amount of energy it takes to run buildings.

Our own Ed Mazria, who's our local architect but has a presence all over the country has been trying to make people aware of our global warming issues as well as what can be done in the building sector to help ameliorate those. He had come up with a plan, which is

called the 14X Stimulus Plan. Ed is a very busy guy so he's probably in some other part of the country right now, but fortunately his colleague, Kristina Kershner is here to describe the 14X Stimulus Plan, and the basic idea is that it leverages dollars spent by local governments for stimulus funding of federal governments, and it can multiply the effectiveness of those dollars by a factor of 14. So I think this is a very interesting plan, both from the point of view of helping out with our global warming problems as well as really stimulating our local economy.

COMMISSIONER VIGIL: Ms. Kershner, thank you for the presentation. In the interest of budgeting time can you tell me how long your presentation is?

KRISTINA KERSHNER: It's about five minutes.

COMMISSIONER VIGIL: Thank you very much, and thank you for being here. Please proceed.

MS. KERSHNER: Thank you, Madam Chair and Commissioners, for giving us an opportunity to present this today. The first couple of things I want to point out is, like Commissioner Holian said, that the 14X is because of the multiplier effect. We have done a lot of work with the DOE and they have supported this because of that multiplier effect. But you can actually get a bigger multiplier effect; it depends on what you focus on. We focused on 70 percent existing buildings and 30 percent new buildings. The more you focus on new buildings the larger that multiplier becomes.

We focused on existing because a lot of the existing needs to be renovated to bring it into the 21st century as far as energy efficiency goes. The second thing I want to point out is that you don't have to use stimulus dollars. We have been working with cities and counties across the United States and many of them have come up with very innovative ideas, including working with large corporations to offer the program to their employees as an employee benefit. And so they help put money into the program and work with the governments in order to have that available.

So what we came up against was that people were using the Energy Efficiency Block Grants to do infrastructure projects, and the problem there is that you don't generate a lot of private spending, so they weren't getting that much of an effect with those stimulus dollars.

So let's look at an infrastructure project. You put \$4 million in. Let's say you got \$2 million in stimulus funding, \$2 million in state matching funding. So you have a total of \$4 million. You put that into construction spending on an infrastructure project you get about 41 jobs. You generate about \$290,000 in state and local taxes and \$850,000 in federal taxes. So let's consider if you put that into the 14X plan and put those dollars towards private construction. What happens is that same \$4 million gets multiplied 14 times because you generated private spending, and I'm going to show you how you do that in just a minute. But by doing that you get 873 new jobs. You generate \$4 million in state and local government taxes, and \$12 million in federal taxes. So you can feed at least some of that \$4 million back into the program to create new jobs.

So here's a side-by-side comparison. The same \$4 million that the 14X Stimulus Plan is much more effective. And this is basically how it works. You've got a mortgage rate buy-

down program. There are several organizations prior to us to putting out 14X that were advocating a mortgage rate buy-down program but they weren't tying it to anything. By tying it to energy reduction targets you actually create jobs because that homeowner is going to have to call a construction team to come in and do the work. The second responsibility is the homeowner has to put in some money. But what's beautiful about this plan is that they don't have to take the money out of their pocket. They get to add it into a new loan. We'll see that in detail here.

Okay. So we're going to have two categories: your existing category and that's a one percent buy-down, and you can see at the bottom we assumed five percent. We came up with the plan when interest rates were around five percent. But the point is that it's a one percent buy-down. For new homes you're going to get a half a point buy-down, if you meet HERS 70 rating or a one percent buy-down if you meeting HERS 50. Are you guys following me on this? Percentages can be a little confusing.

So let's take an example and do the four percent having to meet a HERS 70 rating. Now, that's only 30 percent below IECC 2006. INREL did a huge study on meeting this goal and a typical homeowner would save between \$400 and \$600 annually doing this. So this is an easy target to meet. The amount that the homeowner has to put in is tied to the amount of their new mortgage. So let's assume that they are going to have a new mortgage of \$250,000 at the four percent interest rate. They're going to have to put in \$20,000 in energy efficiency improvements. However, that \$20,000 is not coming out of their pocket; it's going to be in the new loan. And that's important because a lot of people don't have \$20,000. So let's look at somebody who had a \$260,000 at six percent. Their mortgage balance is \$230,000; their equity is \$30,000. And let's say you come along with that 14X and you ask them to meet the HERS 70 rating and put in \$20,000 out of the pocket to do it. Well, most people in this environment are going to say, sorry. I don't have \$20,000. So in comes the 14X stimulus dollars, and now they're going to have a four percent mortgage, plus all the tax credits are going to be available to them, and their new mortgage, you add that \$20,000 to the \$230,000. It's going to be \$250,000, but because it's at four percent their new mortgage amount is \$1,194. So they've got a better home, a more saleable home and they're paying less for it a month.

But not only that, they have lower energy bills, and that \$60 is a minimum. It's not an average, it's a minimum. We want our numbers to be conservative. So their total monthly savings is going to be \$425. Our whole goal here was to make people's homes more affordable in this recession. In addition to that they get, if they put solar panels on their homes they can get their solar tax credit. There's all kinds of other efficiency tax credits that are available both at the state and federal level now for putting in more efficient boilers and things like that that they would have at their disposal.

So the benefits are that you put your community back to work. For each one of the people that take advantage of this program you've got a construction team out there working that's not working now. I didn't show this one slide that although the unemployment across the country is almost 10 percent, in the construction industry it's 20 percent. So we have to

get those people back to work. It also keeps people in their homes because now they're more affordable. You've lowered their monthly mortgage payment. You've lowered their monthly energy bills, increased their disposable income, so they're spending money, which is a good thing, and you've brought back your tax base.

But underneath all this you've helped lower the energy consumption and GHG emissions of the nation. So that's it.

COMMISSIONER VIGIL: Thank you. Questions?

MS. KERSHNER: It was pretty quick.

COMMISSIONER VIGIL: Questions? How can the County pay [inaudible] with regard to this?

MS. KERSHNER: Madam Chair and Commissioners, we have some counties that are using the stimulus funding. Like I said, we have other governments that are actually soliciting large organizations that are based in their area to help fund it. So whereas this original plan, the County would take their stimulus dollars and help buy down those mortgage rates. You could solicit a large corporation who wants to offer it as an employee benefit to help pay it down. You could also issue a bond. This is what Commissioner Holian and I were exploring and it definitely could be explored more in order to help buy down those mortgages.

There would be an audit process to follow up and make sure that the homeowner did what they were supposed to do in order to meet the target. That's already in place. If you don't know, there's plenty of RESNET auditors that go out to homes and verify that they meet the HERS 70 rating.

COMMISSIONER VIGIL: What other counties in this state?

MS. KERSHNER: In this state, we actually don't have in the state at this point. We have in California and Georgia, Arkansas, Idaho, and we could hook you guys up with those people in order to be able to answer any questions and find out what's really working for them.

COMMISSIONER MONTROYA: Okay. Anything else? Thank you. Thank you very much, Ms. Kershner for being here. Appreciate it.

X. F. Resolution No. 2009-127. A Resolution Establishing a Solid Waste Task Force with Duties Comprising of Solid Waste Fees Options (Commissioner Holian) [Exhibit 1: Resolution Text]

COMMISSIONER HOLIAN: Thank you, Madam Chair. When I originally proposed creating a task force to look at the solid waste issue I had envisioned that the task force would also look at recycling opportunities as well as the fee structure. But then in the meantime I found out that there was a task force already through SWMA that is doing that and is actually working with the City's Sustainability Commission. It seemed like we didn't need to really have a proliferation of task forces. It's already bad enough in the County.

So the resolution has now been narrowed down to just simply look at the fee structure to see what could possibly be done in time for us to consider it around the January time frame.

COMMISSIONER VIGIL: Are you saying that the resolution before us has those? The one that we actually have?

COMMISSIONER HOLIAN: Right. The task force will really confine what it's considering to the fee structure.

COMMISSIONER VIGIL: Okay. Commissioner Stefanics.

COMMISSIONER STEFANICS: Madam Chair, is there a motion?

COMMISSIONER VIGIL: We need a motion.

COMMISSIONER HOLIAN: I move for approval.

COMMISSIONER STEFANICS: I'll second for purposes of discussion, and I have some questions.

COMMISSIONER VIGIL: Please proceed.

COMMISSIONER STEFANICS: So Commissioner Holian, will SWMA be presenting the recycling information to the County? Because right now our County residents are very concerned about the limited amount of materials they can recycle.

COMMISSIONER HOLIAN: Well, actually I don't think there are any plans to make a presentation but that's a really good suggestion that we do have them investigate that. And I think that we also ought to – this is actually a joint City-County task force that's under SWMA that's going to be looking at that, and the county does have issues that are unique to the county that are different from the city, especially as far as collecting recyclables. And so I would hope that we would direct them to also look at how we can increase the percentage of recycling in the county for the SWMA task force.

COMMISSIONER STEFANICS: So Commissioner Holian, you see that as a staff responsibility versus this task force responsibility, that our staff, our County staff will be involved in receiving recommendations from SWMA and trying to implement them?

COMMISSIONER HOLIAN: Yes, that's correct, and we will have staff on the SWMA committee.

COMMISSIONER STEFANICS: And Madam Chair, Commissioner Holian, on page 2 you have that the Solid Waste Task Force shall present its findings and recommendations, including a written report, on August 25, 2009, as opposed to January.

COMMISSIONER HOLIAN: Oh, I see.

COMMISSIONER STEFANICS: Because, Madam Chair, I do feel January is too late. I had made the comment before in conversations with some individuals, and I'm sorry if I didn't speak to you about it, but I do believe that this Commission should take action as soon as possible for all new individuals wanting to enter into our waste disposal system.

COMMISSIONER HOLIAN: Yes. Would you like that as an amendment?

COMMISSIONER STEFANICS: No, I'm just trying to clarify the date here.

August 25th?

COMMISSIONER HOLIAN: Yes. That's because they have to make the recommendation and then we have to write an ordinance, and then we have to have public hearings and so on. So it all takes time to do that.

COMMISSIONER STEFANICS: I think this is great, Madam Chair, Commissioner Holian. I was just wanting to know if this was a correct date. So I think it's great.

COMMISSIONER HOLIAN: I think with January 1st was that's when it would for sure be implemented by.

COMMISSIONER STEFANICS: That's all my questions. Thank you, Madam Chair.

COMMISSIONER VIGIL: Okay. A couple of comments with regard to this. I think it's a great idea to have Solid Waste Management come in and give a presentation as to what is and what isn't recyclable and perhaps give us some data with regard to services available to county resident, and that might be something we could either put in a future BCC or a special BCC meeting. I also hope that the current Solid Waste Task Force, and I think they should be given direction that staff who has been working on this, both on the County and City side, also be allowed to give presentations to the task force with regard to some of the work that they've put into it. I think that's useful information, when they come before us with their recommendations.

I don't know what their work schedule is like but I think it's part of the work schedule, because both the City and the County are doing independent staff analysis and work on this should be part of the task force. Do you have any knowledge that that's part of their work plan at all?

COMMISSIONER HOLIAN: To give recommendations to the County and City?

COMMISSIONER VIGIL: Well, I know that that's the ultimate goal here but through their work plan would they be getting information from our staff, both at the City and the County with regard to the work that they've done?

COMMISSIONER HOLIAN: Yes, I think so. I think our staff may even be on the task force, or some of our staff.

COMMISSIONER VIGIL: Good. I'd like to make sure that a lot of the work that the County staff does, particularly our Finance Department gets known to this task force because before we did have the presentation before us I was making, and I still do make the clear assessment that there was some significant work done and there are recommendations that should remain a component. I don't want it to get lost. So I'm hoping that the work plan and that we are able, once we enact this, to give that direction, that that be a part of the work plan.

COMMISSIONER HOLIAN: I think we should give direction that there be communication between these two task forces because there is overlap there.

COMMISSIONER VIGIL: Okay.

COMMISSIONER STEFANICS: Madam Chair.

COMMISSIONER VIGIL: Yes.

COMMISSIONER STEFANICS: Thank you. On page 2 of the resolution, under C, it does say, and such other staff as the County Manager determines is necessary. So I would ask Roman to make sure that the staff who have been really involved in studying this, as well as Finance be involved. Thank you.

COMMISSIONER VIGIL: Thank you. That resolves that. Nothing further?

The motion passed by unanimous [3-0] voice vote.

- X. G. Discussion and Possible Approval for an Expenditure of Community Funds in the Amount of \$500 to the New Mexico State University, Cooperative Extension Service – Santa Fe for the Provision of Purchasing Mosquito Deterrent Mechanisms (Commissioner Montoya) [Exhibit 2: Staff Memo]**

COMMISSIONER VIGIL: Commissioner Montoya has asked me to present this. There is a memo before you that has been presented to you. It's dollars that are much needed for this particular focus on mosquito deterrent mechanisms. The thing I like about it is the people I've talked to are looking at the non-toxic type alternatives. So I applaud Commissioner Montoya for bring this forth and appreciate him helping the Cooperative Extension Service and move to approve.

COMMISSIONER STEFANICS: Second.

The motion passed by unanimous [3-0] voice vote.

- X. H. Summary Updates Regarding North Central Regional Transit District Board (NCRTD)**

COMMISSIONER VIGIL: Commissioner Stefanics, thank you for including this as an item on the agenda. Please proceed.

COMMISSIONER STEFANICS: Madam Chair, we're a little off sync with the RTD meetings so there's nothing to report that I didn't report last meeting, but we do have a meeting scheduled for August 7th, a board meeting for August 7th, so perhaps I'll have something to report on August 11th at our next meeting.

- X. OTHER MATTERS FROM THE COMMISSION**

COMMISSIONER STEFANICS: Madam Chair, I have a couple of minor

items.

COMMISSIONER VIGIL: Okay. Please.

COMMISSIONER STEFANICS: Madam Chair, I know that at the last meeting Chairman Anaya also introduced some of the interns, but I wanted to bring to our attention that Friday is the last day for our summer interns, and I'd like to do a shout-out, thanking all of them for their work in all of our County departments and I hope it was a productive summer for them and that they had a good time.

Secondly, Madam Chair, I wanted to thank the Open Space staff. I had the opportunity to visit Petroglyph Hill this last weekend and our nephew who's visiting from Arizona happened to get a little press on his visit because he saw a petroglyph of a lizard and he's really taken with lizards. So I really thank the Open Space staff for that.

But I do want to bring to the attention of the Commission something that's rather sad. One of the reasons that I believe we cannot open this area, wide open to the public is because some public members have been coming in and not just defacing the petroglyphs but actually chipping off the petroglyphs and removing them from the property. So the public needs to understand that it's an extremely valuable area. These artifacts are incredible but when there is wide open access we have already not just had vandalism but theft there. And while it's know who to watch for these kinds of activities, I just want to let the public know that there is a problem with putting it wide open. Therefore, the Open Space staff is trying to look at a proper management system for that property. Thank you. I think that's all I have today.

COMMISSIONER VIGIL: Thank you, Commissioner Stefanics. Under Matters from the Commission, I actually was going to bring this on later but I may as well bring it on. I did want to thank staff, all of who were at a townhall meeting last night at the Nancy Rodriguez Center. The townhall meeting was intended to focus on the Rural Residential Ordinance that was enacted by the City, and it was enacted through the annexation agreement that we have in place with the City. It to me was an educational session. It was intended to be informative to the participants. Again, I feel very rewarded in being an elected official with these kinds of townhall meetings because it allows me the opportunity to learn from a variety of residents where they're at with regard to many, many issues.

I think I mentioned in this morning's Healthcare Board that many times as elected officials we are on the hot seat. I do believe that we need to be there. I think if you're not on the hot seat you're probably not trying, or you're not communicating, because a lot of the issues that we deal with are not pleasing issues to many residents of the county. Annexation of course being one of the hottest issues. I think Santa Fe County and the City of Santa Fe have moved forward on the annexation issues in a very reputable and formal fashion. We've discussed a lot of issues that we've had historically, and I think we want to continue to be able to move forward. [inaudible] of all of the public presentation as a result of that meeting I spoke to residents who have some excellent ideas on how to move forward and address some of the issues that are currently not being addressed and I hope to continue to work with them and move forward in addressing some of those issues. And so I wanted to report that to the

public as a whole.

I do believe that my understanding of another issue with regard to our Open Space and Trails program is we will continue to get these management issues, and I appreciate Commissioner Stefanics bringing up the trips being sponsored by COLTPAC. I've been wanting to participate in them and just have not been able to. And I hope that they continue to do those trips because it's a wonderful way for Commissioners and the public to participate in this wonderful program that we have. We will continue to try to gain the support for them to manage these open space and trails, and we are doing that. I think it's been mentioned. I'm not sure if it was at a Board of County Commission meeting. I think it was at our special session, that the RPA is actually looking for some dollars to support the management component. I'm sorry that the original legislation and referendum that went to the voters did not include the management of these open space and trails, because I knew that the glaring issue would surface. And it has, it continues and it will only get worse until we're able to support that.

XI. B. 1. Consideration and Approval of Community Development Block Grant Program Grant Agreement No. 09-C-NR-1-01-G-22 to assist Santa Fe County in Constructing a New Wastewater Treatment Facility That Will Serve the Residents of Valle Vista, County Facilities and Complexes in the Valle Vista Area, an Current Planned Reasonable Future Growth (Growth Management Department)

COMMISSIONER VIGIL: Commissioner Holian, would you like to pose your question on item XI. B. 1?

COMMISSIONER HOLIAN: Thank you, Madam Chair. I guess my question is what happens to the treated wastewater? Is it actually used for something at Valle Vista?

DOUG SAYRE (Water/Wastewater Operations): Madam Chair, Commissioner Holian, presently the wastewater that goes out of that plant just goes into the La Cienega Creek drainage. The plans are to go ahead and get the treatment level to what we call Class 1-A so that the effluent can be used for construction purposes, recreation purposes, ornamental purposes in the area, wherever we can pump it to and people want to reuse the water.

COMMISSIONER HOLIAN: So you're actually sort of considering laying some infrastructure so that you could use it to water the landscaping in the Valle Vista area? Or would it just go into a tanker truck and then be sold?

MR. SAYRE: And the present time we just want to get the plant built for it and meet the level that's required to discharge Class 1-A effluent. I think there'll be a project when we know that we have some, I guess, viable entities that want to take the water. Previously, we had a lot of development going on in the area. There were entities that wanted

it, such as the State Lands, and also Las Soleras. Those entities are sort of – well, one went to the City of Santa Fe; the other one has decided not to do the development at the present time. But that doesn't mean that there's other entities that we could look at that might find the water usable. I think we'll develop a program when we see that the end-user would be available and would want the water.

COMMISSIONER HOLIAN: Well, I would just like to suggest that maybe you could look at ways to use it right there on that site because Valle Vista could sure use some landscaping.

MR. SAYRE: I would say that I understand what your concern is there and we will look at it and there's some other entities that we could probably look at, such as the Safety Complex as well as the jail that could be utilized. I think the plans are to try to do that as soon as we can get the new plant built or during the time when we get the plant built, to look at utilization of water from that plant. We do get a return flow credit and we have to consider that also in what's going on, because return flow credit means that the water does get back down and can be reused downstream.

COMMISSIONER HOLIAN: Thank you.

MR. SAYRE: Is there any other questions?

COMMISSIONER HOLIAN: No, that's it.

COMMISSIONER VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. So this is a Community Development Block Grant that we've already been approved for?

MR. SAYRE: Madam Chair, Commissioner Stefanics, we applied. We got approved by the agency. Now they're giving us the agreement that needs to be approved so that we can actually acquire the \$500,000.

COMMISSIONER STEFANICS: Okay. That's great. Congratulations on that. I would ask if there – as a follow up to the reuse of the water, I would ask now that we identify whether or not there are other streams of funding available to develop something that could be used to go out back into the community. Now, we always talk about stimulus money and it might be pried in the sky, but with a lot of projects being considered at this time it might be another extra source of income to further develop this. But congratulations on the block grant, but let's keep looking for that renewable use. Thank you.

MR. SAYRE: Madam Chair and Commissioner Stefanics, I agree with you. The Water Trust Board has a program that you can apply for. They don't normally fund wastewater treatment projects, but they will fund reuse projects. And so I think we'll look at that as an avenue of possible funding that we could get money to consider a reuse program.

COMMISSIONER STEFANICS: Great. Thank you.

COMMISSIONER VIGIL: I will need a motion.

COMMISSIONER STEFANICS: I'll so move approval.

COMMISSIONER HOLIAN: Second.

The motion passed by unanimous [3-0] voice vote.

XI. B. 3. Request Approval of the Accounts Payable Disbursements Made for All Funds for the Month of June 2009 (Administrative Services Department)

COMMISSIONER STEFANICS: Thank you, Madam Chair, and Teresa, while I had no opposition to this at all, I'd just like to have a few minute discussion about our budget, because it is such a large item, not only for the Commission but for the public. I know that we've had study sessions. I know that we have approved an interim budget, but I'm wondering if you could identify a few highlights for the public and the Commission about the final budget that we're approving. Secondly, I'm wondering if we have a final document available for the budget.

MS. MARTINEZ: I'll answer the second question first – are speaking of the normal, bound budget book? We don't have that yet. We're knee-deep in preparing that. It will be Carol and myself, our first attempt at doing it so it may take a little longer but we're knee-deep in getting that ready. A lot of it is already set up; we just have to update. So we're working on that. So no final document as of yet.

The final budget overall, when we presented it to you at the study session it was at \$226.2 million. It decreased to \$224.3 million, and the majority of that decrease can be attributed to the fact that we met with staff and we firmed up our project budget carryover amounts. When we prepare interim there's still time for the staff to prepare PO's, so they'll be preparing PO's which would reduce the amount of carryover that we've reflected in our interim budget preparation.

So some of these are significant projects for the GOB Series 2009. There was a decrease of \$1.4 million, mainly resulting from encumbrance activity that occurred after we prepared the interim. There were some increases relative to increases in funding as we see from other agencies or from carryover amounts related to grants, such as Access to Recovery. Emergency Preparedness had a reduction. So it was mainly cleanup work from interim to final budget.

As part of the DFA request and final approval they asked us to give average salary increase information. We spoke to our implemented cost-saving measures. They wanted to know how much of the valuation fund, which is the one percent monies for property tax for the County Assessor had been budgeted, and they also wanted to know how much we were spending on our independent audit. So we've answered all of that.

What you don't have in your packet today and what is also going to be included in the final submission is what they call a budget recap. And it's a recap of cash balances and it forecasts where we think we'll end cash at the end of this fiscal year that we're currently in. And also as part of that budget submission, we have to submit our budget priorities. We attached a letter that went into some detail, but for your consideration and planning if you will we need to give strong consideration to the future funding of our health programs and

also our Corrections programs which we've all been talking about throughout the course of the year. We need to start looking at other economic development efforts. We know right now that we have some infrastructure that we have to do with regard to the Santa Fe Business Park, and then we have programs that are lacking in permanent funding, and those are the libraries, the graffiti program, our youth and recreation program. And also I very much want to make sure that everybody is in line with continuing with our recessionary planning and staying on track like we did this past fiscal year, and stay away from the spendthrift mode of mind but also the savings, in light of the fact that GRTs are down.

I looked at the July GRT collections which would be reflective of the time period of May. They are down from budget 13 percent, and they are down from prior year collections between three and four percent. So they're not recovering yet. So we made a ten percent estimate with regard to a decrease in GRT. So right now our estimate is a little bit off. But I don't think it's time to panic yet. We'll wait as the year materializes and we'll see what that average down will be for GRT. But July was already down, so we need to be very conscious and aware of the fact that I don't believe we're out of this recession as of yet.

COMMISSIONER STEFANICS: So Madam Chair and Ms. Martinez, the FY10 budget is \$226.2 million. What was the FFY09 budget?

MS. MARTINEZ: That was -- I knew you were going to question me and I didn't write that down. I think it was \$215.8 million, if I'm not mistaken.

COMMISSIONER STEFANICS: Okay. And Madam Chair, Ms. Martinez, if we continue to see a lower GRT, besides internal savings, are there already items that you and the County Manager have identified as other savings?

MS. MARTINEZ: Madam Chair, Commissioner Stefanics, we've talked about several areas. One of the things that we'd have to look at is obviously no new programs, no new staff. Now, you spoke about open space earlier. Open space is struggling with the maintenance of the properties that we currently have. That is an area that I feel where we're looking at a staffing increase. We need to look at that to sustain what we currently have in place. So if there's an exception to the no new people it would be that and we'd figure out how to fund that.

We're looking at, with regard to health, we've enacted every tax that we can for health. So what we have is what we have. We need to look at the whole state programs, our health GRT funding, and figure as to how we would permanently fund our Health Department in future years if that materializes.

With Corrections, we're working closely with Annabelle. That one's a tough one because none of us have the control over the population and what the numbers are in both of our facilities. I know she's working and looking at other revenue streams, which includes training of other entities, things like that.

So for me the biggest factors with regard to the budget are Health and Corrections. Now, Corrections, a couple years ago I know they proposed at the state legislature level to increase the Correctional GRT increment, and that was very much geared for Bernalillo County and did not pass. Now that's something that Paul Griffin is screaming that we need to

be looking at our legislatures, trying to increase the tax increments for the Correctional GRT. That would be one avenue. I don't know if we'd be successful; Bernalillo failed.

Economic development is tough. For economic development right now, we're closely looking at partnerships or stimulus dollars and in all fairness it's mainly stimulus dollars. They're trying to go after everything that's out there. Permanent funding sources, we're coming up with several plans. They're not final yet for Roman, for your presentation as well. We're trying to look at, okay, where are our areas where we are struggling and how can we fund them? So we have a couple of plans that I'm working on with Health. We have some ideas for library services, youth and recreation and graffiti, knowing that they're well deserving programs that we just currently can't fund right now. And I know we've had discussions in the past of the quality of life tax. That may be a component that we look at at a later date.

Recessionary planning, right now that's probably our strongest advantage or thing that is in our favor is that we can control our spending and if we see at mid-year that things are really taking a downturn then I'd make the recommendation to Roman that we need to make probably more hard cuts, but we're just not there right now, and our budgets are very conservative. They were cut another five percent in the preparation process last fiscal year, and staff has been really responsive to be very conscientious over how they're spending their dollars and in light of the fact that we are in the middle of a recession. So those are the types of things we have before us right now.

We have a lot of competing programs. We probably will be coming back to you now in August for additional set-asides, use of cash, because we have water rights that we can acquire right now at really great prices and these are water rights that we need for our ongoing projects, and then we also have economic development efforts that we're knee-deep in the middle of that we have portions that we have to carry. We haven't even talked about any efforts towards energy efficiency. We know it's out there. So we're waiting to see what the final cash balance would be to make some recommendations to you. And always we'll be conservative because we know we're in the middle of a recession and we want to make sure that this budget can sustain at the current level for at least another 18 months and hopefully we'll be out of the recession at that time.

COMMISSIONER STEFANICS: Madam Chair, I'd like to thank you and all of your staff for their attention to the detail of this. Thank you.

COMMISSIONER VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. I'd also like to really thank our staff for just being so – saving money in every way that they can. I think it's really been impressive how well we have responded to this recession. Teresa, I just wanted to ask you, how much do we have in our savings, so to speak?

MS. MARTINEZ: Well, we're forecasting right now, our forecast is the cash balance at the end of this year, at the end of fiscal year 2009 would be between \$38 and \$40 million. So the reserve requirement would fluctuate anywhere between \$14 and \$16 million. I have it at \$16 million, but you have to recall that – I think it was back in 2003 that the BCC

did an additional set-aside of reserves to the tune of \$2.5 million, so we factored that in, and then we have the \$4.5 million that we set aside for the growth management plan, water rights, potentially. It was a much smaller set-aside than the prior year. Prior year we had \$8 million. This year we cut it in half, a bit better than half.

We also have our general fund capital package at \$1.5 million, and budgeted infrastructure contingency, if you will, of \$800,000. So that doesn't leave a whole lot of money to play with and to be quite honest with you, it makes me a little uncomfortable with what we've already committed from the cash reserve. But competing factors that are still looking at cash are potential land acquisition, the business park as I mentioned. We have a total of about \$4.6 million with regard to infrastructure needs at the business park that would probably be sustained by the County as related to preparing that for a studio or an office space or whatever the case may be.

We also have, as I mentioned, water rights acquisition, and then we have some capital infrastructure needs of our built facility that we need to address if not this fiscal year by next fiscal year. So that would just about take all our cash reserves and leave us with about \$300,000 to \$700,000. So we're strong with regard to our cash reserves, but they're mainly earmarked and I'll say the message again: We don't want to spend one-time cash balance that we estimate annually on recurring expenditures. Thank you.

COMMISSIONER VIGIL: Thank you. Commissioner Stefanics.

COMMISSIONER STEFANICS: When you're ready for a motion.

COMMISSIONER VIGIL: I have a real quick question. With regard to the Corrections GRT, what is the maximum? You said we've enacted it. Is it one-eight? One-fourth?

MS. MARTINEZ: I don't know what the maximum is for that.

COMMISSIONER VIGIL: But we've enacted it, correct?

MS. MARTINEZ: We've enacted it. Yes, we have, and we've had that in place for a couple of years now. And that brings then – let me look real quick. Right now it's .125, and I think you can go up to – did he tell me? The Corrections GRT – he doesn't. I'm sorry. I don't have the information on what the maximum increment is but I can get that back to you.

COMMISSIONER VIGIL: That would be good. My concern would be why Bernalillo wasn't successful in increasing that. I know their needs are there for that. I'm just wondering if that is something that is being looked at statewide and I'm thinking perhaps Bernalillo was not successful because it was not a statewide initiative. And perhaps this is an issue that the Association of Counties needs to prioritize as a legislative agenda. I don't know what the history is there. I am familiar with what they have prioritized, and this GRT was not a priority in last year's legislature, or the previous year's. What they've been working really on is state reimbursement for state prisoners but I think ancillary to that is a necessary analysis and component and initiative to look at a statewide increase in the current cap on the Correction GRT.

I don't know how else to move forward on that rather than myself contacting the

Association of Counties to find out if in fact that could be prioritized through their executive director or their legislative lobbyists. Do you have information as to whether or not Santa Fe County has taken that initiative?

MS. MARTINEZ: Madam Chair, we have not taken that initiative. We've only had discussions. I can't tell you if it was a statewide effort when Bernalillo did it. I do remember receiving an invite and attending a meeting initially when Bernalillo was pulling together the different counties that had jail facilities and their finance people and their jail staff people to talk about what they were putting forth. My guess was there was probably a Bernalillo initiative and not done on a statewide level and that may have been why it didn't succeed, but we highly recommend that we probably try to put it on the agenda for the Association of Counties and try to make it a statewide effort, because that would definitely help in balancing the budget of the jail or the Corrections Department at this time.

COMMISSIONER VIGIL: Thank you. Thank you for that recommendation. Is there a motion?

COMMISSIONER HOLIAN: I move for approval.

COMMISSIONER STEFANICS: I'll second.

The motion passed by unanimous [3-0] voice vote.

XII. STAFF AND ELECTED OFFICIALS' ITEMS

A. Growth Management

1. Update on American Recovery and Reinvestment Act—Economic Stimulus Activities for Santa Fe County [*Exhibit 3: Presentation*]

COMMISSIONER VIGIL: Who will be taking this report?

MR. ABEYTA: Madam Chair, Duncan Sill will and he's handing out a brief presentation that he's put together.

DUNCAN SILL (Economic Development): Madam Chair, Commissioners, I'll be giving an update on the stimulus funding from the federal government today. I know Omar is trying to set up the power point, but you have the presentation slides so I'll go ahead and begin the update and the discussion.

Five months ago the US government adopted the American Recovery and Reinvestment Act of 2009, and authorizing \$787 billion worth of funding that would help stabilize the economy and the country. Prior to that, as many of you know, previously, under the Emergency Economic Stabilization program there were \$700 billion authorized to help out financial institutions and to date \$350 billion of that money has been made available. Despite that, the stimulus dollars has been a little bit slow for us coming in and many of us know and heard criticism in the media and throughout different constituencies that the money is not coming in time, but in all fairness, we've only really been under this particular initiative for several months. So there have been dollars coming into communities in the form

of trying to stabilize local government and state government and education and health services.

Today, to the best of my calculation there is approximately eight percent of the total dollars that has been paid out in public funds and that accumulates to about \$60 billion. And as many of us know, the current economic conditions in the nation is still one of facing a lot of difficulties and challenges despite the fact that we're hearing some occasional news about the economy having a little bit of the recovery in certain sectors. Some corporate earnings have been released and there have been some positive signs. There is some movement on the housing market. But despite that the unemployment rate nationwide is still an escalating problem with the national unemployment rate at 9.5 percent at the end of June and increasing. And more notably the issue behind the scenes, there are quite a bit of people who have given up looking for jobs or have basically resigned to taking part-time work just to make ends meet [inaudible]

With that, taking into consideration we're looking at a potential unemployment rate of closer to 16 percent. The state of New Mexico fares better than the rest of the nation. We're looking at a 6.8 percent unemployment rate at the end of June, and while in Santa Fe County we're doing much better than the rest of the nation, despite the fact that we have at the moment, at the end of June a 5.8 percent unemployment rate, that rate compared to the same time last year is a significant increase. At the same point last year we were looking at about four percent unemployment rate in the region.

So difficult economic times are still a part of the challenge here as our Finance Director alluded to earlier in the local region and we also see gross receipts being impacted. So again, the effort is to try to secure funding sources through the stimulus to address some of these particular issues.

On the state level the funding process remains the same as previously identified. Funding is made available through grants, direct set-aside money into different localities. The opportunities are becoming more available through competitive processes. The appropriations go in directly and continue to come through state level. For the state of New Mexico we have approximately \$3 billion authorized in stimulus fund and today we have up to \$100 million being paid out in various programs, and the primary recipients at this point are entities that are receiving stabilization money, safety nets such as food stamp programs and employment benefits. There are some essential health services that are receiving the money directly. So they're going into the right-hand column where their funding category is indicated. The first category – it's somewhat of an odd term, countercyclical, really refers to stabilization of funding levels on the state threshold status that will maintain a certain level of provision of services in education and health. The direct appropriations are the grant opportunities and these oftentimes are related to infrastructure improvements such as roads, water and wastewater improvements, and the safety net as I mentioned before, food stamp programs and employment benefits, Medicaid, and the last category under funding availability is the Foundation for Economic Growth, and unfortunately, this is also the smallest percentage available in funding opportunities. It makes up only about four to five

percent of the entirety of the funding availability.

Now, for the local region, we have initially, several months ago sent in a preliminary request that asks for money to support infrastructure improvements for roads, water and wastewater projects and renewable energy and economic development projects, and also some economic development facilities projects – libraries, modernization for the fire district and issues related to that. Within the County right now we have seen some infusions of dollars into other entities in the region, education component.

We have seen \$11 million being authorized and beginning to be paid out to help out with educational efforts. Weatherization as administered by the local non-profit Los Amigos, there is \$363,000 available for year one in a three-year appropriations program. This would allow approximately 60 low-income homes in the region to receive weatherization benefits and hopefully there will be other resources that could complement that. That's an important component of this region.

The NEA has appropriated \$200,000 to non-profit organizations in the region to help save jobs in the arts and culture industry. This is in addition to the previous money that the state had received through the Arts Commission. Also, in housing, one of the regional recipients is the Santa Fe Housing Trust, which has received \$8 million to move ahead with a project that deals with homeless prevention and related issues with affordable housing. This project is also funded through funds through the New Mexico Finance Authority.

In so far as what's specifically related to County programs within our own purview, we are pretty active in submitting applications directly to the feds right now. Previously there was a \$3 million request to the Bureau of Reclamation for water conservation measures to be implemented for County facilities. There will be a request to the National Telecommunications Information Administration, which is part of the Department of Commerce for broadband infrastructure and this is the next agenda item which I'll go into a little bit of detail about. And then there are various opportunities being announced in the near future concerning green jobs, workforce development to increase renewable energy initiatives. Related to that there was also a direct application sent to the State Energy and Minerals Department for energy efficiency for County facilities. That was in the amount of \$500,000.

Monies that we have secured so far from the Department of Energy for the EECBG grant, \$264,000, and that could be utilized for the development of renewable energy programs such as the policies that were introduced earlier in relation to the renewable energy financing district and other related types of activities. Housing has gotten \$400,000 and that money is being designated for energy efficiency improvements for one of the public housing sites – window replacements and also for water meter installation in one of the public housing sites.

The JAG money, the Department of Justice money will be an appropriation directly to our Sheriff's Department for law enforcement related activities.

Some of the next steps as we continue with this process, we're paying very close attention to opportunities that are announced and we're also looking at other types of funding

sources that could complement these one-time only monies, keeping in mind that once we get the money we want to invest it in the right places so we have an impact on ongoing activities. These are not recurring expenditures but we could certainly leverage this as capital improvements at this point given the fact that the state legislation and the state budget is tight, so looking for money there may be troublesome in the next twelve months to come.

So looking at this as leverage for some of the things that we're trying to catch up on in infrastructure improvement and also laying the foundation for local economic development initiatives and local economic infrastructure improvements such as broadband and renewable energy, energy efficiency, will be a foundation that will help give us jobs and stabilize the local economy and the other related category is looking at investing some funds into food security in the region.

So we would also hope to keep the public informed as information becomes available. There are a lot of folks in the region here that need assistance with stimulus funds but they don't have a way to get the information and the details and certainly we hope to obtain a website and provide brochures and maybe satellite offices to help citizens to make it through these economic challenging times.

So with that said I want to stand for questions.

COMMISSIONER VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. Thank you, Duncan. Back on page – well, the pages aren't numbered. But under Santa Fe County preliminary County requests, state of New Mexico, were those verbal, written? Were those proposals? What were those?

MR. SILL: Madam Chair, Commissioner Stefanics, these were written proposals that were originally submitted through the Office of State Recovery, initially, and we provided a schedule of the itemized improvements of the projects that we wished to be supported and they were broken down in categories, roads, wastewater, water improvements, energy, the capital projects that includes – I believe there was a library project, a modernization project for the Edgewood fire station. So these were then in turn from the Office directed to the respective state agencies. So at this point we need to follow up with the specific entities and see when the guidelines may become available and what funding opportunities in the six months would look like.

COMMISSIONER STEFANICS: So I do remember that chart, Mr. Sill. The question I have that you started to answer is do we have to do something special? Do we have to write a full proposal for these? Or is it a moot point now because of the other funds that are coming out or is it still being considered?

MR. SILL: Madam Chair, Commissioner Stefanics, I think the points that you raise, they all are valid. There's some situations where the point might be made to where there is already funds appropriated for those particular components that we don't have an opportunity to reapply. There are situations where, for example, the previous mention of the Valle Vista wastewater treatment where there might be an opportunity right now due to clean water and green initiatives through the New Mexico Environmental Department that will

submit a specific request to reiterate that as a project that we would like to be considered, so that might have a new grant guidelines and requirements that we need to resubmit.

So there are various examples of these particular avenues to pursue. We just have to be diligent and – I'm on a weekly basis trying to monitor the opportunities and reassess what opportunities are out there and then resubmit as appropriate. And keeping in touch with the state, both in the Governor's as well as the recovery and of course with the respective state agencies.

COMMISSIONER STEFANICS: Madam Chair, on the next to the last page you talk about the \$3 million that was applied to for the Bureau of Reclamation for water reclamation measures for County facilities, just this morning in the Housing Board meeting we talked about trying to set up some water catchment systems in our public housing, and I'm not sure if when you submitted this \$3 million if every penny was spent, but if not, if we are awarded this money, you might look at whether there's any funds available for a public housing project.

MR. SILL: Madam Chair, Commissioner Stefanics, as we submitted this application to the Bureau of Reclamation, the Housing Division was part of the discussion and part of the project initiatives and program components. We definitely take into consideration there will be improvements made to the public housing sites. So we will definitely keep that in mind.

COMMISSIONER STEFANICS: Thank you, Madam Chair.

COMMISSIONER VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. I think, Duncan, you already partially answered this. How do you keep track of what's available? How do you find out what's available?

MR. SILL: Madam Chair, Commissioner Holian, I think there are several different components, one being active in looking through the state's website, making sure I keep in touch with state delegations, the Governor's office. And the County Manager and various people and also amongst yourselves, the Commission, has been forwarding me information as it becomes available. A lot of times when I'm in meetings and stakeholders' issues come up, on the federal level I am on several lists that receive opportunities announcements. So I'm keeping pretty active in monitoring those things. And then of course, the other side of it, sometimes it happens by serendipity.

COMMISSIONER HOLIAN: Okay. Thank you.

COMMISSIONER VIGIL: I have a couple of questions. Did we consider the Valle Vista wastewater project for any of the stimulus dollars?

MR. SILL: Madam Chair, Commissioners, Valle Vista was originally submitted as part of the list of clean water projects, about a year and a half, two years ago. So it's actually on the list of – I may be remembering incorrectly. I believe there's approximately 197 projects on that list. And this round from the opportunities that was made available only about \$20 million from the stimulus was allocated to the clean water fund. So \$20 million doesn't get very far. And then with this particular component with the reuse which we submit

as a clean initiative and hopefully that could be considered favorably.

COMMISSIONER VIGIL: Okay. I also received an email where through an application process through DFA, agencies can submit requests for projects which have a cap of \$400,000. Are we submitting specific requests through that application process and if so, for what projects?

MR. SILL: Madam Chair, Commissioners, I am right now putting in some priority lists and I will forward that to you guys shortly and to the County Manager for direction and consideration. The application deadline is August 7th to DFA. This is the \$22 million that is coming directly from Governor Richardson's stimulus funds. So we'll go ahead and prioritize the projects and get it to you guys for comments and submission.

COMMISSIONER VIGIL: My understanding was water and wastewater were also part of those projects, so if we have further need for the Valle Vista, which I really would like to make a really strong statement in support of that project. We have no wastewater treatment in the county. This is going to be the first project we're going to undertake. I think we need to design it, expand it, enhance it in every possible way we can and this is certainly an opportunity to do that. So I know it will be for water and wastewater projects.

The interesting thing about these dollars is they can also go to water associations, I believe. So the communication to the community with regard to the water associations, which we have quite a few, needs to be also done so that they know that they also qualify as an agency for these. So I hope that that communication continues.

Duncan, thank you very much for your update. What I think we need to do now is to move on to the next item which is a required action.

XII. A. 2. Authorizing the Submission of American Recovery and Reinvestment Act – US National Technology Information Administration Broadband Technology Opportunity Program Grant Application in Support of Regional Broadband Infrastructure Development.

MR. SILL: Thank you, Madam Chair, Commissioners. The Department of Commerce was allocated \$7.2 billion along with the USDA to develop broadband infrastructure improvements for the nation. The NCIA, which is an agency within the Department of Commerce has been authorized \$4.7 billion for these particular efforts. Their program, which is the Broadband Technology Opportunity program, at this stage, in the first round funding opportunities through the Notice of Funding Availability is this solicitation for upward up to \$1.6 billion of allocations for these particular opportunities.

Santa Fe County has been working very closely in the last two years with the City of Santa Fe and the Community College and other regional stakeholders to come up with assessments and analysis of the broadband infrastructure needs of this region, and we have

completed these assessments in the recent months and identified the core fiber that needs to be developed. So we're in the process of trying to put together a proposal directly to the NCI, which is the agency that has been authorized to issue the money as part of the stimulus.

We are looking at an application amount of about \$7 million for the region. This is what is considered as a middle-mile infrastructure improvement. This is the backbone infrastructure that is necessary for the expansion of the development of these particular networks in the future. We're working closely with educational institutions, law enforcement agencies and other telco companies. We're working closely with the state and the feds on this particular issue.

So this particular application will be submitted with the City of Santa Fe as the primary applicant because they will be the fiscal agent in this particular process. So with that said, I'd like to stand for questions.

COMMISSIONER VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Do you have the actual plan drawn up yet for this application?

MR. SILL: Madam Chair, Commissioner Holian, yes we do. Through the assessments that we have done for this region there is conceptual engineering that has been prepared with cost estimates, operating requirements, connection points to other mutual efforts. This is also part of a collaboration with other efforts that are going on throughout north central New Mexico. So the overall design work and community consideration, we're also working very closely with the planning and design of the Department of IT on the state level. So that has been done.

COMMISSIONER HOLIAN: And can you sort of tell me where it would – what would be the extent of it?

MR. SILL: Madam Chair, Commissioner Holian, the initial core fiber encompasses the perimeter of the city, with three loops connecting major government institutions of which there will be 91 entities that will be connected including most of the City and the County facilities, and it extends south down past the media district, off Highway 14 at the end of that terminus. Also there will be a connection into the public housing site in Valle Vista. And then it also extends west towards Airport Road, into the airport facilities. That's the initial fiber that needs to be developed and there will be a subsequent development phase within the region that expands north, connecting through some of the pueblos. We're working closely with them. And it will also extend south through what is usually considered as the long haul. This summer the adjacent pueblos, Cochiti, Santo Domingo and then having other connection possibilities with the New Mexico Lambda Rail which allows access to the supercomputer, which is a major component of what education and research will require.

COMMISSIONER HOLIAN: Thank you, Duncan.

COMMISSIONER VIGIL: Any questions? What's the pleasure of the Commission?

COMMISSIONER HOLIAN: I move for approval.

COMMISSIONER STEFANICS: I'll second.

COMMISSIONER VIGIL: Sometime I'd like to have a conversation with you with regard to the differences between Lambda Rail and broadband.

MR. SILL: Certainly.

The motion passed by unanimous [3-0] voice vote.

COMMISSIONER VIGIL: I don't know about the other Commissioners, but the next item on the agenda is the five chapters of the Sustainable Growth Management Plan. Should we do that on an empty stomach? Why don't we wait on that and we will recess for lunch, come back here at 1:30. Does that make sense for everyone? Okay. 1:30 we'll hear the next item on the agenda. Thank you all.

[The Commission recessed from 12:10 to 1:47.]

COMMISSIONER VIGIL: We are on item XII. A. 3, but before we do that I just want to extend congratulations to Micah Clokey, our assistant in the County Manager's office, Roman Abeyta's assistant, who will be getting married this weekend. I believe Saturday, August 1st. Congratulations, Micah and the best of luck to you.

XII. A. 3. Authorization to Publish Title and General Summary of the First Five Chapters of the Sustainable Land Development Code; Chapter I, General Provisions; Chapter II, Planning; Chapter III, Development Approvals; Chapter IV, Subdivisions; Chapter V, Studies, Reports and Assessments; Including a Table of Contents, Appendix A, Definitions; and a Table of Acronyms, All as Recommended for Publication by the County Development Review Committee On July 16, 2009

MR. ROSS: Yes, Madam Chair, members of the Commission. This is an item recommended to you by the County Development Review Committee on July 16th, just a week and a half or so ago. They committee voted unanimously to ask the Board of County Commissioners to start the formal process for adopting the first chunk of the Land Development Code, consisting of the first five chapters that are listed there.

As you recall, when we started this process, of course the growth management process whose goal it is to put together a new general plan for the County, and the Code rewrite process, whose goal is to rewrite the Land Development Code, are moving together with a goal of completing both those projects by the winter of this year. One of the methodologies we discussed early on to try and manage a project of this scope is to cut it up

into little pieces and bring small pieces to the CDRC and to this body to look at from time to time, and that's what we're doing with this chunk of the Code.

Most of these sections of the Code, with the exception of Chapter 4, are procedural sections that don't need plan backup. So that's why these five chapters are coming to you in advance of the draft general plan, which is coming to you in early September, I think September 3rd is the goal for delivery of the first draft of the general plan. These chapters, at least the first chapter is technical in nature containing a bunch of boilerplate type provisions that are common in these codes, who the code applies to, how the code works, things like that. Chapter 2 of course is a chapter that discusses the planning process and how it might go forward in the future. Chapter 3, another technical chapter describing how development approvals work. Chapter 4 is the subdivision chapter, which is a chapter that's highly governed by the Subdivision Act and regulations of the Attorney General. Once again, not much for the plan to grab onto there. And of course Chapter 5, studies, reports and assessments, which is actually lifted pretty much verbatim from the oil and gas ordinance that's already in place here in the county.

Now, normally, ordinance adoption is a five-step process. The first step is we draft an ordinance, and the second step is we bring that draft ordinance to this body to seek your permission to publish title and general summary. That's the formal process of adoption of an ordinance. The third step is actually publishing the dates when the draft will be considered in a public hearing of the Board, and developing and promulgating drafts for formal comments and receiving comments and making amendments to the draft. The fourth step of course is a public hearing or hearings and the fifth step is adoption.

We're at step one. This Board of course approved the release of Chapters 1 through 5 to the CDRC in early June. At that time Dr. Freilich had come up with a first draft of the entire document which he presented to you and this Board authorized the CDRC to begin looking at the draft. The CDRC conducted two very lengthy workshops sessions with Dr. Freilich where he walked the body through the sections one by one. And the CDRC conducted a formal hearing on the draft on the 16th. During that hearing there were a number of positive comments concerning the ordinance and no negative comments. So at the end of the hearing, the CDRC by unanimous vote approved moving the five chapters on to this body.

I think the unanimity that was evident in that meeting was the result of a lot of work behind the scenes with a number of different groups over the month and a half prior to the CDRC action. We arranged for every time Dr. Freilich and Mr. Peshoff were in town to have meetings with all manner of stakeholder groups and in some cases two and three meetings with these various groups. During those meetings Dr. Freilich promised and made a number of amendments to the ordinance. They've been posted on the website as they've been made. There's essentially two major rewrites that have occurred since this Board looked at this document in early June, and if you take a look at the website you'll see that there are a ton of changes that have been made to the ordinance.

That's not to say that the ordinance is ready for adoption at this point. At this point I'd

consider it a draft, just like you'd normally see when an ordinance is initially presented to you; it's just a draft and it needs a lot more work. All this does is put some of this work – the work that occurs from here on in on the record. Up until now we've essentially be developing – we've used a public process to develop a draft but now we have to fine-tune the draft. There's not another section of the code promised until September so we have a good month to continue to work on this draft before we get distracted with subsequent sections of the ordinance.

What I would suggest as a process going forward, if you authorize this chunk for publication is that we take it back to the CDRC in August or September for more input, because there will be more changes made, and then once the document is ready, in other words we've stopped receiving comments and there seems to be general agreement on what the five chapters should contain, then we'll just hold onto it and do the same with other chapters as they're completed. When they're all ready to be adopted as a single ordinance, establish a procedure for that: hearings in front of the CDRC plus hearings in front of this body, and pass the whole thing as one giant document.

So with that introduction I'll stand for questions.

COMMISSIONER VIGIL: Questions? Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. How many public hearings do you foresee the CDRC having on the first five chapters?

MR. ROSS: Madam Chair, Commissioner Holian, they've already had three.

COMMISSIONER HOLIAN: But I mean official public hearings.

MR. ROSS: I think that will depend on how many are needed. I would guess another two at least.

COMMISSIONER HOLIAN: And then will we have a public hearing as well?

MR. ROSS: Yes.

COMMISSIONER HOLIAN: On the first five chapters alone.

MR. ROSS: Well, we could. We could do it that way. We could have a public hearing. But usually the public hearing occurs in conjunction with the adoption of the ordinance. We kind of want to hold off because the chapters interrelate. We kind of want to hold off before we adopt anything until they're all –

COMMISSIONER HOLIAN: Right. I noticed they're referring to Chapter 7 and things like that. So we would have our public hearing when the whole thing was together?

MR. ROSS: Well, that's one way to do it. We haven't prejudged that at all. I think we have to respond to what the situation is when we get ready to adopt the thing, whether we feel like we need more hearings, whether we need several hearings in front of the CDRC on the whole thing, and then several here, or whether we need separate hearings on chunks before this body. It depends on the level of public involvement at that point at what people are thinking about the proposed ordinance, I think.

COMMISSIONER HOLIAN: Yes. That makes sense.

COMMISSIONER VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. Steve, I've had some concerns about chopping this up into chapters and I recognize we're talking about a very lengthy text and volume. And I'm also concerned about how the ordinance and the plan are actually coming together. And after I had my concern, which were just little quiet concerns and I wasn't really voicing them, I had a group of about 20 people meet with me from nine different community. And they were much more vocal about their concerns than I was. So I want to bring that out today and I understand that we might be dividing this up so it's manageable, but the plan and the ordinance, I would like to see how they are dovetailing together. And even if we go through these different steps, at least the four different steps, not the fifth, but the four different steps on five, I would expect the same four different steps on the next set of chapters and then I would expect the same steps on the entire ordinance together, which really is going to put timing out.

Now, I understand that we don't want this project to be lengthy, and I understand that we do want to give it ample time for consideration. So I'm not asking for it to be expedited. I'm not asking for it to be lengthened. But I want to make sure that all the parts are interconnected. So that if we're looking at – what do you think this is? The first half or the first third?

MR. ROSS: I would say this is the first third.

COMMISSIONER STEFANICS: So if we're looking at the first third, I would never really want to say this is great, until we really see what the second third is and the third third. And I think that people from the community are expressing that as well, that this might be fine today or we might have comments to give you but we'd like to see how this chapter is going to relate to the next chapters that are coming. So could you address some of those concerns?

MR. ROSS: Madam Chair, Commissioner Stefanics, yes. Those are all things that the team, meaning the staff team plus the consultants, have talked about and are continuing to talk about as we move through the process. Originally we thought I think it would be more difficult to work chapters through the process than it turned out to be. It took three meetings of the CDRC to get the first chunk to the point where it was the subject of some unanimity of people who are participating in the process at that point. So maybe we have overprocessed it but we never want to take the risk that we underprocess things. So I think we need to be flexible, I guess is what I'm saying. We need to be flexible going forward to understand which chapters may not be as controversial as other chapters. We expected early on that this chapter was going to be somewhat difficult because it contained a key element, and that is the community planning element and the creation of a new Community Planning Organization. And we expected that we'd have a lot of discussion about how that looks, and we're still having discussion on how that looks and how it ought to look at the end of the day.

Some of the other chapters might not be as controversial. Certainly the zoning chapters, that would be 7, 8 and 9, the zoning districts, the supplemental uses and the sustainable design chapter, that's the guts of any zoning ordinance. And that's going to take

some time and probably a lot of meetings. But some of the other things, the more technical things – housing codes, the CIP stuff, developments of countywide impact, a lot of that work has already been done. Those won't take as long. So those will probably take less time.

COMMISSIONER STEFANICS: Okay. And Madam Chair, could I ask Jack Kolkmeier to come up and just comment on my question about the dovetailing of the two, the plan and the ordinance that I had initial concern about, but now has been brought to me formally.

JACK KOLKMEYER (Land Use Administrator): Certainly. Madam Chair, good afternoon, Commissioners. Commissioner Stefanics, I think we've all had a number of meetings with the same group of people that you've met with over the last couple of days and we share their concerns. And I think from the way that we're perceiving it right now, there's two things that still need to be brought a little bit more into alignment, and I think we're pretty close. One is just a discussion of the CPOs, that you may remember began with a document that we put together at the end of the charette process, that started to outline the CPO process.

This was done several months ago and actually was done in really close collaboration with the communities. As Dr. Freilich started to write chapters 1 through 5, we weren't able to get all of the comments from the charette process and all the subsequent comments totally into synch with Chapter 2, and that's something that was mentioned even yesterday I think, to some of the people that were visiting with us and with you as well.

But I think as Mr. Ross pointed out, this is actually really good right now because we have a good, solid month to have as many meetings as we need to to make sure that Chapter 2 now comes really totally together. Because it's really just a matter of a couple really, I think, minor things that make Chapter 2 really start to work now. So that's one piece of the community planning part.

In terms of how the Sustainable Development Plan now synchs with the Sustainable Land Development Code, we are planning to come forward in September with a draft of the Sustainable Development Plan. So if you look at it that way in relation to the time table that Mr. Ross just pointed out, they're really parallel with each other. So the plan then comes right at the right time to bring the Community Planning Organization piece fully integrated and well written and very well conceived so that the community likes them, and then to propel the Land Development Code forward. So there's not a lot of time adjustment, so we have to make sure that we're really having all the meetings that we need to have and Steve pointed out that Mr. Peshoff and Dr. Freilich are here we've arranged quite a few meetings for the.

My staff, after whatever action you take today, we're prepared to really work very, very closely with United Communities and the other groups. We have all kinds of meeting set up to finalize the community planning process piece. So it seems that – it might seem to some of our constituents that they're out of synch, but when you really start to put all the work together that we've done and really looked carefully at the documents to see that they're not far off, even though there are some minor issues with that, we think that we are right now on a parallel track that works. I think we'd be concerned if we have to start truncating the

process here a little bit. That would be our concern. I hope that answers your question.

COMMISSIONER STEFANICS: Thank you, Jack. Okay, so Madam Chair, Commissioners and Steve, I would want to make sure that if we move to authorize the publishing of title and general summary that we are clear that we will do the same process for the second third, the third third, and then come back and do the same process for the entire ordinance. That we not miss the step of looking at the entire plan and the entire ordinance together, because when we're doing strategic planning, when we're providing an ordinance, this is such a big process, and we want to live with it for the next several years, I'm assuming, that we really want to make sure that they dovetail. Thank you, Madam Chair.

COMMISSIONER VIGIL: Thank you. Any other comments. Okay. This is just for title and general summary, so what is the pleasure of this Board?

COMMISSIONER HOLIAN: Madam Chair.

COMMISSIONER VIGIL: Yes.

COMMISSIONER HOLIAN: I move to publish title and general summary for the first five chapters of the Sustainable Land Development Code.

COMMISSIONER VIGIL: Is there a second?

COMMISSIONER STEFANICS: Second.

The motion passed by unanimous [3-0] voice vote.

XII. B. Administrative Services Department

1. Review and Discussion of the Quarterly Financial Report.

TERESA MARTINEZ (Finance Director): Okay, Madam Chair, Commissioners, what I tried to do this time around was go back to the format that we had been using prior to the recession and all of the additional information that we'd been giving you in the past. So the format is basically covering the general fund, enterprise funds, and fire funds. And this is the format that was the request of the previous BCC makeup with the previous Commissioners. So if there's a change or more information is requested, you just need to let me know and we'll make it a part of the regular reporting process.

Each major component is reported to you via four different charts – one summarizing revenue by funding source, then a second one showing the percentage of budgeted revenues received, basically comparing the revenues to the budget, showing that we for the most part materialized that budget or better. There are a few where we are under budget. The percentage of total expenditures is another chart which shows you the expenditures basically by category, the percentage and the dollar value, and then expenditures/encumbrances is the same as the revenue in light of the fact that it's trying to express the expended values as compared to the budgeted values.

So I'll begin with the general fund, and I hope that's the first thing you have attached to your memo or summary. With regard to the general fund, we actually recognized total

revenue of \$56.9 million, which was \$2.9 million better than budget. And the contributing factors for that \$2.9 million were property tax, construction permits and investment income, all materializing better than the budgeted amount. Gross receipt collections were down just a little over two percent, Clerk fees were down by nine percent and grants were under budget by 37 percent. Grants will always be under budget because that final quarter of reimbursement isn't received until the following fiscal year. So I'm not concerned with the grants.

Now, with regard to expenditures, we expended a total of \$57.9 million in all categories. Obviously, the largest share of our expenditures are comprised of salaries and benefits. Salaries and benefits for the general fund total \$25.4 million. They were actually under budget by six percent and I think credit can maybe be given to our cost-savings measures and the close work that we did with regard to filling positions and vacancies and promotions and different things of that sort.

Travel and supplies and contractual services also came in under budget, and again, I think that can be attributed to the cost-savings measures. We have a \$15 million positive expenditure variance, which means that was budgeted but wasn't spent. And \$9.5 million of that is attributable to capital purchases or capital category, and that includes the judicial center, so for obvious reasons we didn't spend our entire capital budget as we had budgeted.

Now, with regard to the enterprise funds, the enterprise funds are made up of four funds – the jail operations, water utility, housing, and the RPA. We will probably see – not probably, but we had a negative \$6.7 million variance with regard to revenue collections. We were down 22 percent. So we had a total collection of revenues with regard to enterprise funds of \$22.9 million. We budgeted \$29.6 million. So we were under budget by \$6.7 million. The majority of that comes with the total care-of-prisoners revenue. That was done 35 percent or we were under by \$4.8 million. And so hopefully we can work with Corrections to improve that.

Expenditures for all of the enterprise funds were at \$24.8 million, and again, the largest share is \$16.2 million for salaries and benefits. We will have a positive expenditure variance, meaning we budgeted at a level and we spent less, and that positive variance would be about \$6.9 million. I want to put another part here – I mentioned it earlier. We have some large capital projects that we need to be aware of that we're going to have to address for the adult facility, and that includes master control – actually at both facilities, the DBR room, which I call the hub for operations, which is the electrical and computer data boards. We have fencing issues at the adult facility that we need to maintain and plumbing problems at the juvenile facility. So these are significant problems that we will have to address this fiscal year and probably into the next fiscal year.

Now, fire funds. The Fire Department has a total of five funding sources: emergency medical services district funds, the fire protection fund, the fire impact fees fund, fire excise tax fund and fire operations fund. Fire operations is the latest GRT that we enacted for the County with regard to emergency communications and emergency medical services. But it's easier for me to just call it fire operations. We have collected \$14.2 million in revenue, and

that compared to a budgeted value of \$14.3 million, which wasn't too bad in light of the fact that we had overbudgeted that tax, not considering that collections would be lesser because of the food and medical products that would no longer be assessed after January 1, 2007.

Now, with regard to expenditures, they expended a total of \$11.9 million. Salaries and benefits comprised \$6.3 million of that. And then the next largest category for fire would be capital purchases category, which could include such projects as renovations of buildings and structures, to name a few, La Puebla, Chimayo, and Tesuque. Salaries and benefits for fire were under budget by 14 percent or the equivalent of \$1 million. They also did their due diligence to keep an eye on travel and maintenance, contractual services and supplies. And again, the County Manager's mandates and cost-saving initiatives helped to that effort.

In total, Countywide we had \$164.2 million collected, compared to a budget of \$182.1 million. And again, some of that can be attributed to capital projects – pardon me. I'm speaking of revenue. So that has to be relative to GRT or grants. Expenditures for FY 09 totaled \$172.9 million. We still have remaining encumbrances of \$27.9 million, which hopefully will be paid now in the month of July if they're not multi-year projects, or liquidated if they are no longer needed. And the total budget expended materialized at 63 percent of the budget. Again, I think that's attributable to our cost-saving initiatives.

I also included for your reference some information with regards to all funds, just summarizing pie charts, if you will, of total revenue, total disbursements. And we did a bar chart or a line chart in there just to show that the cycle of the demands made for disbursements and then the actual revenue collections. So you can see month by month throughout the fiscal year when the peaks are, obviously, for the property tax collections. And there's no method to the madness. There's no trends here with regard to the expenditures. I went and looked at last year's, and it really depends on the projects that we have going on. So if we have a big capital project you're going to see a huge expense in one particular month and you can really relate that to any historical numbers.

I also gave you a chart breaking down the property tax collections, how they divided by the entities, and then I further broke down which schools and which entities received the portion that we distribute out on their behalf. And I will stand for questions.

COMMISSIONER VIGIL: Questions?

COMMISSIONER STEFANICS: Madam Chair, I was trying to think of something else I'd want but it looks pretty complete.

MS. MARTINEZ: Thank you.

COMMISSIONER VIGIL: I'm wondering, Teresa, this is a request I have because we do get a lot of questions with regard to: where are my property tax dollars going? If you could – and I think at one point in time I had access to information that broke it down by the dollar. Like 40 cents goes to the County, and of that 60 cents 20 cents goes to Santa Fe Public – however that – that always is a lot easier to explain to my constituents than to say, see this pie chart? And I had that analysis once. Could you do that?

MS. MARTINEZ: You bet. We can do that.

COMMISSIONER VIGIL: That's a personal request of mine and I share it

with the other Commissioners too.

COMMISSIONER STEFANICS: Madam Chair, on that point, was there not – in the presentation on solid waste there was a colored chart on property tax breakout. It was a little different than what Commissioner Vigil is asking for, but that chart, as well as what she’s asking for, we might want to put on our County website because the public always asks how their property taxes are being spent and I think it would just be helpful, because when I had it, I had that color handout and I took it to some of my townhalls but we ran out. And it was a very popular handout.

MS. MARTINEZ: Okay. We can do that. Okay. Thank you.

COMMISSIONER VIGIL: Thank you very much, Teresa. Thank you for all the hard work you and your department does. We really appreciate it.

XII. B. 2. Resolution No. 2009-132. Authorizing Publication of a Notice of Title and General Summary of Bond Ordinance for the Issuance and Sale of the Santa Fe County, New Mexico Capital Outlay Gross Receipts Tax Revenue Bonds, Series 2009A [Exhibit 4: Preliminary Official Statement]

COMMISSIONER VIGIL: Do we have someone to take the lead on this?

PETER FRANKLIN (Bond Counsel): Madam Chair, members of the Commission, just indulge me one moment. Madam Chair, this resolution authorizes the publication of a notice of hearing on a bond ordinance. The purpose of a bond ordinance is to authorize issuance of up to \$13 million in capital outlay gross receipts tax bonds for the purpose of purchasing water rights for the County. The not-to-exceed amount is really a placeholder. My understanding at this point is that the amount we are most likely looking at is about \$11.6 million, but I think between now and when the ordinance is actually heard we will have fixed on an absolute amount and we’ll be able to fill that in. In no event would it exceed \$13 million.

The capital outlay gross receipts tax portion that will secure these bonds is – this is the most difficult part of this entire transaction is explaining what part of the capital outlay GRT is at issue here – as the Commissioners may know, 75 percent of the capital outlay GRT is dedicated for water projects, let’s say on a countywide basis. And one half of that 75 percent is allocated to joint projects between the City and the County. The other half of that 75 percent, or 37 ½ percent, total, is available for county-only projects. It’s that 37 ½ percent that’s available for county-only projects that we would be pledging to pay debt service on these bonds for these water rights.

Let me stop there for the moment and see if there are questions, because I’m sensing there may be.

COMMISSIONER STEFANICS: Madam Chair, I’m going to move this for purposes of discussion, and it is Resolution No. 2009-132, authorizing publication of a notice

of title and general summary of bond ordinance, for purposes of discussion.

COMMISSIONER HOLIAN: Second.

COMMISSIONER VIGIL: Okay, discussion ongoing. Are there any questions?

COMMISSIONER STEFANICS: Madam Chair, Mr. Franklin, in following your conversation, if we go out to bond on the water rights, and it affects that 30 percent available of the capital funds.

MR. FRANKLIN: The 37.5 percent.

COMMISSIONER STEFANICS: Okay, 37.5. How much would that limit us for any other projects in the future that we might wish to bond?

MR. FRANKLIN: Madam Chair, Commissioner Stefanics, it will limit the bonding capacity on that portion of capital outlay gross receipts tax for the 20-year period that the bonds would be outstanding. The coverage – this is preliminary and actually I need to step over here. Based on the financial advisor's estimate at the moment –

COMMISSIONER STEFANICS: Excuse me. Are you looking at a particular page in that?

MR. FRANKLIN: Yes. And I want to explain separately what this document is. What I'm looking at is page 17. So what we're looking at here with these bonds outstanding is about 3.8 times coverage, which means that we'd be using – oh, I'm not good at math standing on my feet. But it means we would be able to do probably at least two more bond issues of approximately this size, based on the amount of revenue that's coming in while those bonds are outstanding.

COMMISSIONER STEFANICS: So, Mr. Franklin and Commissioners, you're saying – let's round this up to \$12 million. So you're saying that we would have available approximately \$24 million over the life of the bond in which to bond more? I know I'm redundant there.

MR. FRANKLIN: I understand your question. And I think that is about right. This revenue stream supports – it depends on what interest rates are and so on, but this revenue stream of almost \$3.4 million annually supports somewhere, very conservatively, \$30 million to \$37 million in bond proceeds. So with this \$12 million issuance outstanding there would be somewhere around another \$24 million available. And what we're talking about – I want to be clear here is – we're talking about available for bonding for county-only projects, water or wastewater projects, that don't include the city. So the other half of the 75 percent we expect to use to help fund the Buckman project. We actually also expect to use, frankly, some part of this, or we may need to use some part of what's left over in this capacity to also fund Buckman if costs get into that range.

COMMISSIONER STEFANICS: Okay, so Madam Chair and Mr. Franklin, just to recap. I want to make sure I clearly understand this. There's approximately 30-some million dollars. If we use this \$12 million we might have 20-some – well, we wouldn't even have \$20 million left.

MR. FRANKLIN: Madam Chair, Commissioner, I believe you would. I

believe you would have another additional about \$25 million.

COMMISSIONER STEFANICS: Okay. And that \$25 million would be for county-only projects, water and wastewater. I want to be clear. Is it county-only water, or is county-only projects and county-only water, and county-only wastewater? I'm trying to distinguish if it's three purposes or only county water and county wastewater.

MR. FRANKLIN: Well, in fact there are multiple authorized purposes. This portion, this half is county-only. Among the authorized projects are water, wastewater – now I have to go to my – also included as eligible uses are acquisition of land for open space, public parks or public recreational facilities, construction, reconstruction or improvements of roads, streets, or bridges.

COMMISSIONER STEFANICS: What page are you on?

MR. FRANKLIN: I'm looking at page 18 in the second paragraph. And what I'm reading from is a summary of County Ordinance 2002-5, which enacted the capital outlay gross receipts tax.

COMMISSIONER STEFANICS: And I also heard you say, Madam Chair, Mr. Franklin, that a portion of the remaining \$25 million should be held in abeyance for possibly the Buckman project, if needed.

MR. FRANKLIN: Madam Chair, Commissioner Stefanics, we expect that a portion of that may be needed to supplement the County's other resources for Buckman. I'm loathe to tell the Commission what they should or shouldn't do, but yes, it is possible that some portion of that may be needed to pay the County's share for Buckman. There are other sources that have been earmarked.

COMMISSIONER STEFANICS: Thank you, Madam Chair. Thank you, Mr. Franklin.

COMMISSIONER VIGIL: Thank you. Okay, any other questions?
Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Now, the other 37.5 percent you said was joint City-County. Is that correct?

MR. FRANKLIN: That is correct under the dedication clause of Ordinance No. 2002-5.

COMMISSIONER HOLIAN: And is that also for water and wastewater projects? The same list?

MR. FRANKLIN: It is for the same list that you see on page 18.

COMMISSIONER HOLIAN: And who decides that that is going to be used for? Would it be the RPA?

MR. FRANKLIN: I believe so. I'm going to look over at the County Attorney and see if he can help with my recollection, but I believe the RPA needs to approve the joint projects until 2013? 2014?

MR. ROSS: 2013.

MR. FRANKLIN: 2013.

COMMISSIONER HOLIAN: And do you know whether any of it has been

bonded yet?

MR. FRANKLIN: None of it has been bonded yet.

COMMISSIONER HOLIAN: So this is the first bonding for this particular gross receipts tax?

MR. FRANKLIN: That is correct, Madam Chair, Commissioner.

COMMISSIONER HOLIAN: Okay. Thank you.

COMMISSIONER VIGIL: Okay. Is there any other questions? There's a motion? What's the pleasure?

The motion passed by unanimous [3-0] voice vote.

COMMISSIONER VIGIL: Thank you, Mr. Franklin.

MR. FRANKLIN: If you and the Commission would indulge me for another two minutes or one minute.

COMMISSIONER VIGIL: Do we need to amend that motion?

MR. FRANKLIN: You do not.

COMMISSIONER VIGIL: We will indulge you otherwise.

MR. FRANKLIN: This is really for discussion purposes. Mr. Ross handed out a first draft of a preliminary official statement for this financing. And the reason we wanted to do that, this has lots of information that still needs to be filled in, but this document will be used to market the bond to investors, and it basically has to comply with the rules for the issuance of public securities that are promulgated by the Securities and Exchange Commission. And one of the things that happens with County financings and for that matter most public financings is we circulate this document probably a week or two before it needs to be posted on the Internet, and we request that the Commissioners look over the document, let us know if they have any questions, or if they see any information that appears not to be correct or incomplete or anything like that.

This is really something that quite frankly makes people's eyes cross at times, which is a difficulty because the law is, and the SEC rules are that the Board of County Commissioners, the issuer of the bonds is responsible for what is in this document. Now, I draft this document, my firm does, with the help of Teresa Martinez and County staff, with a lot of help, quite frankly we think we do as good a job as we can with it, but we do want you to be aware of this document and be aware that it is coming probably some time in the next two or three weeks, and to please take a look at it and let us know if you do have questions or if you see information in it that you think needs to be modified. And so with that, I stand for any questions.

COMMISSIONER VIGIL: This document, Peter, will be coming before us at what meeting?

MR. FRANKLIN: The financing schedule calls for the bonds to be marketed to investors on August 27th, and the sale to occur on August 28th. On August 28th the Commission would consider a bond ordinance for adoption with the terms of the bonds, and

at that point this document would have been in use, circulating to investors for about seven or eight days, and so we would distribute the document not at a meeting but rather probably about, oh, roughly 15 to 20 days ahead of the sale, we would distribute it to each of you and just request any comments you have, probably within the next ten days or so.

COMMISSIONER VIGIL: So this document has to be pre-approved before it gets circulated to investors, and you're giving us this draft for us to review for comments before what date?

MR. FRANKLIN: Madam Chair, it's actually – I'm going to be really a hair-splitter here. The document does not have to be pre-approved; the document has to be deemed final by the Commission as of the date of the sale, which means we are looking for – I will email this document out probably, I would say, by the end of the first week of August. And we would request any comments you have probably over the next two weeks after that.

COMMISSIONER VIGIL: Okay.

MR. FRANKLIN: So I know that's confusing. Frankly, the SEC rules on this are pretty confusing.

COMMISSIONER VIGIL: Okay. Thank you very much. Any further questions on that? Okay. Thank you for the help on that, Mr. Franklin.

XII. C. Fire Department

1. Resolution 2009-133. Resolution Proposing the Adoption of an Ordinance Imposing a Quarter Cent Gross Receipts Excise Tax for County Fire Protection in Santa Fe County [Exhibit 5: Ordinance Text]

STAN HOLDEN (Fire Chief): Madam Chair, the Fire Department comes before you today requesting approval of the resolution adopting – or actually re-enacting a County fire protection excise tax, which sunset at the end of December 2008. This fire tax has been instrumental in funding the Fire Department's vehicle replacement schedule and for purchasing equipment for the Fire Department since the mid-1980s.

There are several legal steps that the Commission must take that I would defer to the County Attorney and to the County Clerk's office and to Denise Lamb for specifics, but what we are recommending as the Fire Department staff is to move forward with the adoption of this resolution. The public hearing for the ordinance at a future meeting in August, and then actual approval of the ordinance, calling for the election on November 3, 2009 for voter approval. And I stand before you for any questions, Madam Chair.

COMMISSIONER STEFANICS: Madam Chair, I'll move the resolution for purposes of discussion.

COMMISSIONER HOLIAN: Second.

COMMISSIONER VIGIL: Okay. We have a motion for purposes of discussion. Discussion shall move. Any questions? Commissioner Holian.

COMMISSIONER HOLIAN: Thank you. Chief Holden, how much revenue do you think will be generated by this? What's your best guess?

CHIEF HOLDEN: Well, we originally were proposing about \$1.7 million but that was before Teresa and I had a conversation recalling that as a result of the 2007 legislative action it no longer will include food and medical. So therefore we're going to revise that estimate to about \$1.5 to \$1.6 million.

COMMISSIONER HOLIAN: And will you use this gross receipts tax to bond? To get larger sums of money? Or will you just use it directly?

CHIEF HOLDEN: Madam Chair, Commissioner Holian, yes. That's the plan is to utilize these proceeds for a revenue bond, which will then fund our vehicle replacement schedule.

COMMISSIONER HOLIAN: Okay. Thank you.

COMMISSIONER VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Madam Chair, it's more a statement than a question. I believe that this is necessary and the fact that we rely – that the County and fire services relied upon these funds in the past, and I think it's important to note that we're not talking about a brand new issue; we're talking about a re-enactment, and to let the public know that we are very concerned about continuing to provide fire safety. Thank you.

COMMISSIONER VIGIL: Thank you, Commissioner Stefanics. Does this also include a sunset clause? Or are we doing away with that, or is it required?

CHIEF HOLDEN: Madam Chair, in 2005, the legislature removed the sunset provision of this legislative authority. So once this action is taken, if the voters were to approve it in November it would be the last time we would have to come before them to have this issue addressed.

COMMISSIONER VIGIL: Okay. Thank you. There's a motion and a second.

MR. ROSS: Madam Chair, I'd just like to point out that the ordinance that's in your packet, Section 4, the dedication, is incorrect.

COMMISSIONER VIGIL: Okay. Could you clarify that, please.

MR. ROSS: Okay. It should read that the revenue derived from the County Fire Protection Excise tax shall be used for the purpose of financing the operational expenses, ambulance services or capital outlay costs of independent fire districts or ambulance services provided by the County.

COMMISSIONER VIGIL: Okay. Does that need to be part of the motion, Mr. Ross?

MR. ROSS: I would suggest that it is, because you're essentially authorizing the publication of title and general summary of this ordinance and it needs to be right.

COMMISSIONER VIGIL: Okay. Will the maker of the motion consider that a part of her motion?

COMMISSIONER STEFANICS: Madam Chair, I accept that. Could you please repeat that one more time, Steve?

MR. ROSS: Okay. The dedication should read: The revenue derived from the

County Fire Protection Excise tax shall be used for the purpose of financing the operational expenses, ambulance services or capital outlay costs of independent fire districts or ambulance services provided by the County.

COMMISSIONER STEFANICS: Thank you. I would accept that amendment.

COMMISSIONER VIGIL: Does the seconder accept that amendment?

COMMISSIONER HOLIAN: Yes.

COMMISSIONER VIGIL: Very well. We have a motion.

The motion passed by unanimous [3-0] voice vote.

COMMISSIONER VIGIL: Good luck, Mr. Holden and let us know how we can help.

XII. D. Matters From the County Manager

1. Update on Various Issues

2. New Judicial Courthouse Complex

MR. ABEYTA: Madam Chair, we can move to item number 2 which is we have a brief update on the new judicial courthouse and I'll refer to Steve Ross who has a little information for you.

MR. ROSS: Madam Chair, members of the Commission, there's been a lot of work done since the last time we discussed this, but a lot of it isn't all that visible. The consultant team and the Environment Department continue to work together on a submission that the County will submit hopefully within a week or so to the Environment Department in support of our application to enter the Voluntary Remediation Program. So that work is ongoing.

There have been a number of technical issues that have been taken care of within the last two weeks, for example, the Environment Department has placed, I believe, two additional wells north of the Journal North building and found that the results from those wells are negative, and that's good news because it appears that the outer limits of the plume – we've been calling it a plume – are being established now, and the plume is appearing to be smaller than was feared initially. The County is doing two wells I think this weekend that are north of the district attorney well. We have one well just north of the district attorney office and we're placing two more on private property north of that facility in an attempt to determine how far north the plume goes. We have it bounded on the west and bounded south.

So if the results from this weekend are positive, in other words, if they're negative – if there's nothing detected in the wells then we'll know exactly how big the plume is, and from that information will come all kinds of other information, like costs, feasibility, difficulty of remediation, all those kinds of things will just fall naturally from those pieces of information.

It appears that the volume of petroleum in the ground is less than first feared, as I said. Our consultants believe that the petroleum might in fact have moved into an area of cobbles or shale or sand, and is confined there by a geological process like an old streambed or something like that. That's good because it means the petroleum is contained in areas of higher permeability and it also means that it should be relatively easy to recover for the same reason because it's in an area of higher permeability. They can put wells in and successfully recover the petroleum and then deal with the other issues.

They also believe now that the petroleum is contained above a clay layer. In other words, there's clay below the petroleum that's protecting the regional aquifer. So all that's very good news.

They completed the chemical fingerprinting of the gasoline. Remember, at one point there was concern that there may be two or three different sources of gasoline. The fingerprinting has confirmed it's only one source. It's coming probably from the old gas station there at 210-218 Montezuma, and it's all the same stuff.

So we seem to be on track to submit our application and then in the month of August, probably at the administrative meeting we'll bring you all the costs and talk about where we go from here, what the process will be going forward. So I think that's it.

We submitted a fairly lengthy information report to the Environment Department last week – no, this week, that's available. We have a lot more information than we had a few weeks ago. Other than that, I think that's it. We'll probably have a lot more to report at the next meeting.

COMMISSIONER VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. Thank you, Steve. I'm not sure any reporters are covering this unless they're out there on the airwaves, so could we take your short summary and get it posted on the website?

MR. ROSS: Oh, we can do that.

COMMISSIONER STEFANICS: I think the public would be very interested to know that it's not as serious damage and not as serious a flow of contamination as you just discussed. And what you are basically telling us is good news, unless I'm interpreting it wrong.

MR. ROSS: No, it's very good news. Things are looking really good.

COMMISSIONER STEFANICS: So I think that the public would be very interested in hearing some of this good news as well. So maybe even just a short blurb. Thanks very much.

COMMISSIONER VIGIL: Thank you. Are there other questions on this?

- XII. D. 3. Committee Project Update**
4. Resolution No. 2009-134. A Resolution Repealing the Following Obsolete Resolutions That Created Committees, Boards, and Task Forces of the County of Santa Fe: Resolution No. 1996- 72; Resolution No.,1997-89; Resolution No.1993-44; Resolutions No. 2001-82; Resolution No.2001-157; Resolution No. 1997-38; Resolution No. 2007-103; Resolution No. 1998-63; Resolution No. 2000-09; Resolution No. 1993-51: Resolution No. 2000-154; Resolution No. 1995-33; and Resolution No. 1993-1

MR. ABEYTA: Thank you, Madam Chair. In January or February of this year the Commission asked me to take a look at all of the different County committees that we have and then come back with the report and then possible action items regarding those different committees. So Julie Berman, our strategic planner took on that project for us, still taking on that project, and she has an update for us, and then after the update we're hoping that the Board will take action on getting us started on cleaning up the different records regards committees. We've identified for today committees that we think could be eliminated for several different reasons. So I'll turn it over to Julie for the rest of the presentation.

COMMISSIONER VIGIL: Julie, welcome and please proceed. Thank you for joining us.

JULIE BERMAN (Strategic Planner): Madam Chair, members of the Commission, what I would like to do before I refer you to the information in your packet is to explain to you what this project has entailed. And I believe earlier today, Madam Chair, you used the words, something else was a work in progress, and that's exactly what this is. I expect to be coming before you several more times as will members of department staff as we go through this. This was not just an easy project to evaluate all the committees, advisory boards, commissions and task forces that are in place.

So what I would like to do first is to give you the chronology. When the County Manager assigned me this project the first thing I did was to go to the website and to look through the list of committees that were available by recorded minutes in the Clerk's office. I then went ahead and reviewed the Open Meetings Act. I went ahead and looked at your resolution 2000-164, which has been adopted by previous Commissioners having to do with Boards and commissions. I reviewed your 2009-1 and 2009-2 which has to do with the Board's responsibility for noticing, contains language about agendas and quorums. I then proceeded to talk with department staff, worked with Legal, worked with the Clerk's office, talked to elected officials to be able to try and find out what are all the committees that we have in place. Again, not an easy task because it was not like going to one place to find all the documents.

I then build a spreadsheet looking at all the language contained in the documents that created these committees, only to find out there were tremendous inconsistencies in the language, such as the terms, qualifications, the purpose in terms of how these committees

were existing today. I also went ahead and looked at how were chairs and vice chairs. I looked at did these committees need to come before the BCC. And the fact is that the committees were appointed by the BCC, the members, you serve on a lot of these committees as well.

I then had meetings with the County Manager, the Assistant County Manager and the PIO, public information officer. We brought in all the department liaisons. We had a questionnaire finding out: do you notice? Do you post? Because at the same time the League of Women Voters was going ahead and doing their audit on transparency in this local government. We also looked at a checklist that we had had about who is responsible for noticing? Who is supposed to be posting? To find out are we following what the Open Meetings Act. We also got interpretation from the County Attorney's office as to do all of our meetings need to be noticed and posted and go through to comply?

We also – when I saw the inconsistency I requested of the County Attorney's office that we come up with a boilerplate. And in that boilerplate for future committees we would go ahead and try to make the standardized language for all future committees. In addition, when we had our meetings with the liaisons from the departments, we identified several of the ordinances, resolutions, where they need to be rewritten, and at some point staff will be coming in front of you asking for adoption approval of rewritten, revised, to include standardized language.

In addition, when the League of Women's Voters report came out you all know that there were recommendations of how we need to make sure our website and how we need to make sure that anything we put out is in compliance with the Open Meetings Act. And then, what I did I went through and came up – it's in your packet and I'll explain how I arrived at that – a list of committees by department, by BCC, of what is current today. In addition, we, staff, were a part of this about which resolutions needed to be repealed. We found that there were. When we checked the documents there were committees that were formed back in 1995, 1993, and they're still on the books. So some of these committees are inactive. Some never got appointed. There was one, City-County, there was one that was never appointed and the City repealed that in 2007, and that sits before you today.

Now, what remains? After we see what your pleasure is this afternoon with this resolution that we're bringing forward to repeal 13 resolutions that created various committees and there are staff here that should you have questions you may ask them on why something should be repealed. What remains is we feel we need to bring forward and have mandatory training for all of the department staff that are involving in noticing, posting, getting things on the website, so that again we can comply with the New Mexico Open Meetings Act. In addition we need to redesign the entire website and have a boards and committees website and then links that will take it to the department. We further talked about creating information about each one of the committees, how many people sit on them? When those meetings are typically held? Where they're held? Who is the contact person for that committee? So if there's any questions, getting the packet materials on the website as well, the agendas.

We also, as I said, we're going to be having staff rewrite certain documents that created committees so that they clearly are doing what the intended purpose is. I still have to talk to some of the elected officials. For example, on your sheet you will not see under the BCC, you won't see the County Canvassing Board, which you know convenes three days after an election of the BCC. Those are things I will come forward. So when I tell you today that there's 39 active committees, even though we're coming forward to try and repeal some of them, please know it's not a complete list. We also do not have the LDRCs and the community planning groups. We feel that some of these will be taken care of with the Land Development Code. We also feel the growth management plan will take care of some of these.

In addition, it is my recommendation that we keep the spotlight on our committees. We have a handbook. We should have training for board members. We should go ahead and have training for chairs and vice chairs, and really familiarize them with what their responsibilities are. Finance will need to be involved because some of the committees didn't have budgets to go ahead and pay for noticing, so we'll have to link that together. And finally, another recommendation I've made and that remains to be seen is to have someone's part-time responsibilities tied to being the keeper of the committees.

So that's the chronology of what this project has been. Now what I'd like you to do is take a look at the information in your packet, and the first particular document I'd like to have you look at is the actual committee list as of this month, and I want to tell you how I organized it. If you'll look, it's a two-page document is under the Board of County Commissioners I list all the active committees. Please remember what is not included on this list, for example, you've recently the energy task force. The solid waste task force on impact fees that we talked about earlier today, and also the DUI. So again, not complete, but partially complete.

So they're all listed by department. So when you look at, for example, the BCC, you will see there is a different symbol. And if there's a different symbol, such as the Santa Fe County Detention Advisory Committee – do you all see that? – That means that it was sitting under Corrections Department. So I was trying to show you that some of them are under a particular department, but originally when this particular committee was set up, there was a representative from the Board of County Commissioners that sat on it. So if you just look down in this particular one under the BCC we are recommending repeal of the Santa Fe County Board of Economic Advisors. It isn't an active group, has not met, and this was from 1996.

The next one, the Santa Fe County Detention one, again, listed under Corrections, 1997. That's another inactive one. We go down, if you look under the Community Services Department –

COMMISSIONER VIGIL: Can I just ask a real question before we leave the BCC? Where are we identifying the Investment Committee?

MS. BERMAN: The Investment Committee is one of those under the elected officials, and that's where I said that I have to pull some more information forward.

COMMISSIONER VIGIL: What other committees would be under elected officials committees. Would those be ad hoc, like the Census Committee that serves a temporary purpose?

MS. BERMAN: Madam Chair, Commissioners, no. The County Canvassing one that is pulled together, that happens, that would come forward. It could be the protest board, the Investment Board under the Treasurer. Those are ones where I talked to elected officials but I'm not ready to bring those forward yet as some additional ones.

COMMISSIONER VIGIL: Okay.

MS. BERMAN: Does that answer your question?

COMMISSIONER VIGIL: Yes, it does.

COMMISSIONER STEFANICS: Madam Chair, I think though on the Investment Committee, that that's not really – I think that was a Board of County Commissioners that set that up.

MR. ROSS: That's correct.

COMMISSIONER STEFANICS: So I don't think that that's under our County Treasurer. I think that is a BCC committee that you might want to look at. Because I just recently looked at the resolution with Rachel to learn a little bit more about it. So thanks.

MS. BERMAN: Madam Chair, Commissioner Stefanics, that is one, like I said, I wouldn't put my life on that I have 100 percent of these. There are certain committees, like for example, that one is not one that appeared, nor did the document.

COMMISSIONER STEFANICS: It's under the radar.

MS. BERMAN: So I have added that. Any other questions?

COMMISSIONER VIGIL: You were going onto Manager's office and Administrative Services and then Community Services.

MS. BERMAN: Okay. Under Community Services Department, there were, we go back in time, there were three documents that were in place that created these Capital Improvements Advisory Committee. And the purpose of those were to deal with the impact fees tied to the state – I believe it was an ordinance. Is that right, Chief? And Chief Holden, if you have questions about those particular ones, he can come address. But there was the individuals ones, then there was the joint City-County. We could not find any information from the City side that showed that that committee was in place when I evaluated the committees over at the City of Santa Fe. Again, there was no documentation, even though this particular document existed here. Would you like to ask the chief about any of those capital improvements?

COMMISSIONER VIGIL: I think we can continue.

MS. BERMAN: The Fire Department Advisory Committee, the chief felt that this should be repealed, this resolution, and again, he can answer questions if you choose to find out what his intent is. If we move onto the Corrections Department, here's the Correction Advisory Committee which was adopted two years ago. There was language in this document that stated that two years from the time it was adopted that it would be up to the BCC to determine if it would continue. We had received a letter from eight of the eleven

members requesting that this committee, the resolution be repealed. [Exhibit 6] They felt that the goals of the original resolution had been met. Then, the County Detention, as I said is one that is inactive, and the department director felt that there were other alternatives, electronic monitoring is an example, that there were things going on. So that was under Corrections.

Under Growth Management, the Espanola/Santa Cruz Valley and Pojoaque Valley Regional Wastewater Steering Committee, that was one that should be repealed because we are sitting with EBRPIF on that one, that's taken its place.

The Solid Waste Advisory Committee, this was one that was formed many years ago to come up with a solid waste plan. It is our assumption that that plan was completed, therefore there is not a need for that any longer.

If you move down to the Planning and Development Division of Growth Management, the Joint City-County Policy Advisory, again dates back to 1993. Our staff was not aware that this was anywhere of an active committee. The Regional Culture, Arts and Tourism – this was a joint City-County, and that particular one, I went back over to the City and looked up records there. That was never appointed, and that was when the CAP plan was in. I think that some of you that have the history of that will remember, never appointed, and in 2007 the City went ahead and repealed this that created it, but the County still had it on the books.

We also have the Long-Term Capital Infrastructure Planning Task Force. Again, inactive. The Santa Fe County Transportation District and Board of Directors, North Central has taken over that. Okay? And then the Board of Economic Advisors, which was under the BCC but in terms of what the function was, it was on your Planning and Development Division, that is also being slated in this resolution to be repealed. Also in your packet, on each one of those resolutions that created them it explains what the purpose was and how many members were to sit on it; that was your backup information. And then finally, what we're bringing forward, based upon staff, is Resolution 2009-134, which takes each one of these committees, these resolutions, and puts a reason down of why we should repeal.

COMMISSIONER VIGIL: Okay. Thank you, Julie, I have a quick question. One of the benefits of this task is of course it allows us to identify those committees or entities, joint authorities, whatever, that are inactive and not serving the purpose they were intended for originally. That's really good. But the other purpose I see in this is to allow us to have an overview of those committees that currently do exist, are active, are engaged. And one that I also recognized that might be missing is the Regional Planning Authority. Now, that committee is a joint authority between the City and the County. It is created by joint authority, by a joint powers agreement, so that may be a different criteria for not listing it, but it is a very actively engaged, important committee, because it is exclusive to elected officials, and that might be considered under the Board of County Commissioners.

If there was a purpose for not leaving it there I would like it explained, but if not, it probably should be a part of this listing, if only to have the overview of those committees that are actively engaged.

MS. BERMAN: And Madam Chair, Commissioners, if you look on the first

page under the BCC, the third one says Santa Fe City and County Regional Planning Authority.

COMMISSIONER VIGIL: Okay.

MS. BERMAN: Is that what we're talking about?

COMMISSIONER VIGIL: That's what we're talking about. Thank you for clarifying that. The issue that I have with that is with regard to the Espanola Basin Regional Planning Issues Forum is a clearly distinct authority and I actually think that that is one that is not made up of elected officials. And I am totally unfamiliar with that, and often get those two confused, except for the word Espanola Basin. Is that an active one also?

MS. BERMAN: Madam Chair, Commissioners, that is meeting, and Commissioner Montoya attends that meeting.

COMMISSIONER VIGIL: In fact, do we actually provide funding for this? Like we do the Regional Planning Authority?

MR. ABEYTA: Madam Chair, I believe we did initially, but for now I believe Los Alamos County, who is a member is providing the funding, but we may have to provide it should that go away. And the appointed member to that is Commissioner Montoya from the BCC.

COMMISSIONER VIGIL: But is it active now and engaged?

MR. ABEYTA: They're meeting every month. It's actually one of our better committees.

COMMISSIONER VIGIL: Okay. Thank you. Any other questions?

COMMISSIONER STEFANICS: Madam Chair.

COMMISSIONER VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: First of all I would move the resolution for purposes of discussion and then I have some questions.

COMMISSIONER VIGIL: There's a motion.

COMMISSIONER HOLIAN: Second.

COMMISSIONER VIGIL: And a second.

COMMISSIONER STEFANICS: Okay, my questions, Madam Chair and Julie and Roman, would the intent be to take some of the responsibilities of some of the repealed groups and incorporate them into others? Or reconstitute other entities?

MR. ABEYTA: Madam Chair, Commissioner Stefanics, yes. If we think that there is – if we've identified that maybe there is, like in the case of the Corrections Advisory Committee there's a specific recommendation that's coming out of that group for a different role or a different type of committee. So what we would do instead of replacing or creating a new Corrections Advisory Committee we would create this other board instead. But we would do that evaluation and then recommend.

COMMISSIONER STEFANICS: So, Madam Chair and Roman, could you envision that any of our existing committees or commissions would become differently titled with new subcommittees?

MR. ABEYTA: Madam Chair, Commissioner Stefanics, possibly. I think

that's part of the analysis that we need to continue to do.

COMMISSIONER STEFANICS: And Madam Chair, Roman, and I'm sorry if I missed this Julie, but I think you said this. I'm not sure. Is there an intent to have a similar structure for all of these existing or remaining entities and any new entities? For example, with reports to the Board of County Commissioners, written or verbal, or terms of office?

MR. ABEYTA: Madam Chair, Commissioner Stefanics, yes. That will be something that we will bring forward to you eventually is one kind of rules of order for all of the committees to follow.

COMMISSIONER STEFANICS: Well, Madam Chair, I applaud the efforts of the Manager's office on this. We have many things going on in County government and I think that everything that a volunteer is doing is important for the County, and I am sure that if there is a group that is being repealed that has a valuable contribution that we would incorporate it into another entity. And while a committee or a commission might be lost we certainly will not lose the importance of the topic and we'll include it. So I think that moving to standardization of this is very good. Thank you.

COMMISSIONER VIGIL: Okay. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Well, thank you very much for doing this and it really is cleaning things up. I take it that most of these committees don't even really exist anymore. Correct? Most of the ones that you're –

MS. BERMAN: Madam Chair, Commissioner Holian, that is correct.

COMMISSIONER HOLIAN: I just did want to comment to the people of Santa Fe County I think that they can be assured that they're getting good value for money in the County because there's so much volunteerism in this County, people doing a lot of hard work, who are just doing it out of the goodness of their hearts and I think that's an incredible thing in our County. I just wanted to comment that a lot of these committees though have subcommittees. Are you going to sort of track that as well?

MS. BERMAN: Madam Chair, Commissioner Holian, that would be our intent. When we met with staff we asked them to really go back and look at each of their committees and to be able to really understand and know what subcommittees exist? Are they made up of the same members? Are there additional members? I think this is an area where we need to keep our focus on these committees because they serve such an important role, and I think we need, as I said, to elevate how we view the people that give of their time, their energy, to sit on these committees, which is also inclusive of the subcommittees and their members.

COMMISSIONER VIGIL: There's a motion and a second.

The motion passed by unanimous [3-0] voice vote.

COMMISSIONER VIGIL: Thank you very much for your work on this, Julie.

XII. E. Matters From the County Attorney

1. Executive Session

- 1. Discussion of Pending or Threatened Litigation**
- 2. Limited Personnel Issues**
- 3. Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights**

COMMISSIONER VIGIL: Mr. Ross, do we need an executive session?

MR. ROSS: Madam Chair, we need an executive session to discuss pending or threatened litigation, limited personnel issues and discussion of the purchase, acquisition or disposal of real property and water rights.

COMMISSIONER VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: I move that we go into executive session, where we will discuss pending or threatened litigation, limited personnel issues and the purchase, acquisition or disposal of real property and water rights.

COMMISSIONER STEFANICS: I'll second.

The motion passed by unanimous [3-0] roll call vote, with Commissioners Holian, Stefanics and Vigil all voting in the affirmative.

COMMISSIONER VIGIL: We will now go into executive session. I guess we will have to come out and take action on any items that we need to. Do you have an approximate time that we'll be in session, Mr. Ross?

MR. ROSS: Madam Chair, it shouldn't take more than an hour.

COMMISSIONER VIGIL: Okay. I would say that we'd be back at 4:15 then, 4:30 maybe.

[The Commission met in executive session from 3:15 to 5:15.]

COMMISSIONER VIGIL: Let's go back into session. I'm going to need a motion to come back out of executive session.

COMMISSIONER STEFANICS: Madam Chair.

COMMISSIONER VIGIL: Yes.

COMMISSIONER STEFANICS: I move that we come out of executive session after having discussed pending or threatened litigation, limited personnel issues and discussion of the purchase, acquisition or disposal of real property or water rights, and having made no decisions.

COMMISSIONER VIGIL: Is there a second?

COMMISSIONER HOLIAN: Second.

The motion passed by unanimous [3-0] voice vote.

XII. E. 2. Amendment to the Water Rights Purchase Agreement Dated April 15, 2009 By and Between Jordan C. and Beverly K. Pareo (“Seller”) and Santa Fe County (“Buyer”) To Increase the Number of Acre-feet Being Purchased by Approximately 38.373 Acre-feet From 150 Acre-feet to 188.373.

MR. ROSS: Madam Chair, as you recall, we have a pre-existing purchase agreement with these folks to buy 150 acre-feet of water in the Middle Rio Grande, pre-1907. They have offered us an additional 38.373 acre-feet for the sum of \$16,000 per acre-foot.

COMMISSIONER HOLIAN: Move for approval.

COMMISSIONER STEFANICS: Second.

COMMISSIONER VIGIL: A motion and a second.

The motion passed by unanimous [3-0] voice vote.

XIII. ADJOURNMENT

Acting Chair Vigil declared this meeting adjourned at 5:16 p.m.


Approved by:

Board of County Commissioners
Virginia Vigil, Acting Chair

ATTEST TO:

VALERIE ESPINOZA
SANTA FE COUNTY CLERK

Respectfully submitted:


Karen Farrell, Wordswork
227 E. Palace Avenue
Santa Fe, NM 87501