

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

August 25, 2009

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

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This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 10:05 a.m. by Chair Mike Anaya, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

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

Members Present:

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

Members absent:

[None]

V. INVOCATION

An invocation was given by Lt. Jeremy Garcia from the Sheriff's Department.

Chairman Anaya thanked Pablo Sedillo from Senator Bingaman's office for attending.

VI. APPROVAL OF THE AGENDA

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- B. Tabled or Withdrawn Items**

ROMAN ABEYTA (County Manager): Thank you, Mr. Chair. We do have some changes to today's agenda, so if you'll bear with me. The first under Matters from the Commission, X. A, we added a proclamation recognizing the importance of the Fiesta de Santa Fe, declaring September 7th through 13th 2009 as Heritage Culture Week.

On page 2 of the agenda, under the Consent Calendar, Mr. Chair, XII. A, Community

Funds, we added item 9, which is community funds to Victory Outreach of Española Valley for a sponsorship. We added item number 10, which is the expenditure of community funds of \$120 for the Pojoaque Satellite office grand reopening.

On page 5 of the agenda, still under the Consent Calendar, under Miscellaneous Items, item C. 1, which is a price agreement for defibrillators. That item will be tabled. On the next page, page 6, we need to withdraw from the agenda completely item 19 which is approval of a lease agreement between the Pueblo of Pojoaque and the County for a solid waste transfer station. That item's not ready to be heard yet so we'll withdraw that from today's agenda.

Under Staff and Elected Official Items, Growth Management Department, 1, A resolution accepting a portion of Sunrise Road for County maintenance, that was previously on the Consent Calendar. We decided to pull it off the Consent Calendar so that we could have a brief discussion with the Commission on that item.

And finally Mr. Chair, under Matters from the County Attorney, we would like to move executive session up to item number 1 before we consider items 1, 2, and 3. So we'll do executive session will be 1, 1 will become 2, and 2 3 and 3 4. Those are staff's changes.

CHAIRMAN ANAYA: Okay. Any other changes from the Commission?
Commissioner Holian.

COMMISSIONER HOLIAN: Move for approval with staff changes.

COMMISSIONER STEFANICS: I have an issue.

CHAIRMAN ANAYA: Okay, so we'll withdraw the motion and we'll go with
Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Chair, I'd like to move item XII. A. 9 from the agenda, which was added, but I'd like to withdraw it.

CHAIRMAN ANAYA: Withdraw?

COMMISSIONER MONTOYA: Yes, sir.

CHAIRMAN ANAYA: Okay, anything else? Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair and Roman, I had a question regarding item number 17 on page 4. I just have a question about the date. Is that date correct? 2009? November 18, 2009?

MR. ABEYTA: No, that must be 2008.

COMMISSIONER STEFANICS: Okay. That's my only comment, Mr. Chair.

MR. ABEYTA: So we need to change that.

CHAIRMAN ANAYA: Okay. We can correct that. Commissioner Holian.

COMMISSIONER HOLIAN: Move for approval with changes.

COMMISSIONER MONTOYA: Second.

CHAIRMAN ANAYA: Moved by Commissioner Holian, second by
Commissioner Montoya. Any further discussion?

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

VII. APPROVAL OF CONSENT CALENDAR

A. Consent Calendar Withdrawals

CHAIRMAN ANAYA: Is there a motion to approve the Consent Calendar?

COMMISSIONER HOLIAN: Mr. Chair, I'd like to have a couple of withdrawals.

CHAIRMAN ANAYA: Okay.

COMMISSIONER HOLIAN: XII. B 2 and XII. B 15.

CHAIRMAN ANAYA: Okay. Any other withdrawals? Commissioner Vigil.

COMMISSIONER VIGIL: C.7.

CHAIRMAN ANAYA: What page are you on?

COMMISSIONER VIGIL: Page 5.

COMMISSIONER STEFANICS: I was interested in that being withdrawn as well.

COMMISSIONER VIGIL: That's the Lodgers Tax. And on page 5, C. 13. I'm sorry, and C. 10. C. 7, 10 and 13.

CHAIRMAN ANAYA: Okay. Any other changes?

COMMISSIONER HOLIAN: Move for approval with withdrawals.

CHAIRMAN ANAYA: There's a motion for approval from Commissioner Holian, second by Chairman Anaya for withdrawals and approval of the Consent.

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

XII. CONSENT CALENDAR

A. Community Funds

- 1. Discussion and Possible Approval for an Expenditure of Community Funds in the Amount of \$500 to Pandemonium Productions for 2009-2010 Mainstage Productions Programming/Educational Outreach (Commissioner Holian)**
- 2. Discussion and Possible Approval for an Expenditure of Community Funds in the Amount of \$5,000 to the Applied Solutions Workshop Santa Fe, to Be Used for Educational Materials & Equipment Rentals (Commissioner Holian)**
- 3. Discussion and Possible Approval for an Expenditure of Community Funds in the Amount of \$2,500 to Santa Fe County Natural Resources Water Conservation Program (Commissioner Holian)**
- 4. Discussion and Possible Approval for an Expenditure of Community Funds in the Amount of \$2,000 to the Community Services Department, Housing Division for the Provision of**

Supporting the Community Garden Project at Santa Fe County's Camino de Jacobo Public Housing (Commissioner Holian)

- 5. Discussion and Possible Approval for an Expenditure of Community Funds in the Amount of \$2,500 to the Farmers Market Fall Fiesta (Commissioner Holian)**
- 6. Discussion and Possible Approval for an Expenditure of Community Funds in the Amount of \$3,000 to Hire a Contractor for Grant Writing (Commissioner Montoya)**
- 7. Discussion and Possible Approval of Community Funds in the Amount of \$500.00 for Pandemonium Productions (Commissioner Anaya)**
- 8. Discussion and Possible Approval to Allocate \$25,600 from Community Service Funds to the Administrative Services Department to Fill Service Delivery Gaps in the Anti Graffiti Removal Program, (Commissioner Vigil)**
- 9. Discussion and Possible Approval for an Expenditure of Community Funds in the Amount of \$500 to Victory Outreach of the Española Valley for Event Sponsorship and Outreach for Operation Hope Event in September (Commissioner Montoya)**
WITHDRAWN
- 10. Discussion and Possible Approval for an Expenditure of Community Funds in the Amount of \$120 for the Pojoaque Satellite Office Grand Re-Opening (Commissioner Montoya)**
[Exhibit: Staff Memo]

B. Budget Adjustments

- 1. Resolution 2009-137. A Resolution Requesting an Operating Transfer From the General Fund (101) to the Law Enforcement Operation Fund (246) for Capital Purchases for the County Sheriff's Office: \$532,866. (Administrative Services Department)**
- 2. Resolution 2009-__ A Resolution Requesting an Increase to the General Fund (101) to Budget Available Cash Balance for Additional Set-Aside Needs for the Santa Fe Business Park, Water Rights Purchases, the Growth Management Plan, and Energy Efficiency Initiatives: \$5,000,000. (Administrative Services Department) ISOLATED FOR DISCUSSION**
- 3. Resolution 2009-138. A Resolution Requesting an Operating Transfer From the General Fund (101) to the Emergency Communication Operations Fund (245) to Transfer a System Analyst Senior Communications Center: \$ 91,744.42.**

(Community Services Department)

- 4. Resolution 2009-139. A Resolution Requesting an Increase to the State Special Appropriations Fund (318) to Budget Grant Agreements Awarded Through the New Mexico Aging and Long-Term Services Department for Capital Expenditures for Various Senior Centers and Meal Site Centers Located in Santa Fe County: \$314,310. (Community Services Department)**
- 5. Resolution 2009-140. A Resolution Requesting a Budget Increase to the State Special Appropriations Fund (318) for the Women's Health Services (\$100,00) Per Receipt of 2005 State Appropriation Grant Agreement Amendment No. 1. (Community Services Department)**
- 6. Resolution 2009-141. A Resolution Requesting an Operating Transfer From the General Fund (101) to the Water Enterprise Fund (505) for a Water Rights Purchase Agreement between Santa Fe County and Louie Gonzales: \$169,142.37 (Growth Management Department/Water Resources)**
- 7. Resolution 2009-142. A Resolution Requesting an Increase to the Road Projects Fund (311) to Budget Cooperative Grant Agreements Awarded Through the New Mexico Department of Transportation for Various Road Projects: \$359,003. (Growth Management Department/Water Resources)**
- 8. Resolution 2009-143. A Resolution Requesting an Increase to the General Fund (101) to Budget a Grant Awarded Through the New Mexico Environment Department for the Santa Fe County/BLM Illegal Dumping Cleanup Program: \$10,065.48 (Growth Management Department)**
- 9. Resolution 2009-144. A Resolution Requesting an Increase to the General Fund (101) to Budget a Grant Awarded Through the New Mexico Environment Department for an Eldorado Convenience Center Recycle Area Improvement Program: \$3,200 (Growth Management Department)**
- 10. Resolution 2009-145. A Resolution Requesting an Increase to the Fire Impact Fees Fund (216) for the Agua Fria Fire District to Carry Forward the Available Cash Balance of \$48,171 to be Expended in FY 2010 to Finish the Medic 61 Quarters Addition and Also for the La Tierra Station Project in the Amount of \$550,000 for a Total of \$598,171 (Fire/Community Services Department)**
- 11. Resolution 2009-146. A Resolution Requesting a Budget Increase to the Fire Operations Fund (244) for the Chimayo Fire District**

- to Bring Forward a Previously Budgeted Vehicle Grant Awarded Through the State Fire Marshall's Office: \$100,000 (Fire/Community Services Department)**
- 12. Resolution 2009-147. A Resolution Requesting an Increase to the Fire Impact Fees Fund (216) for the Chimayo Fire District to Bring Forward Available Cash Balance to Be Used as the 20% Match to a Vehicle Grant Awarded Through the State Fair Marshal's Office: \$20,000 (Fire/Community Services Department)**
 - 13. Resolution 2009-148. A Resolution requesting an Increase to the Fire Tax ¼ % Fund (222) to Budget the Available Cash Balance Remaining From the Thunder Mountain Station Project: \$78,248 (Fire/Community Services Department)**
 - 14. Resolution 2009-149. A Resolution Requesting an Increase to the Fire Operations Fund (244) for the Edgewood Fire District (\$786) and the Stanley Fire District (\$652) to Budget Forestry Reimbursement Revenue Received for Personnel and Equipment Utilized on the McIntosh, Powerline, and Charlotte Fires (Fire Community Services Department)**
 - 15. Resolution 2009-__ A Resolution Requesting an Increase to the Fire Operations Fund (244) to Budget Two Grants for the Wildland Urban Interface Program to Be Utilized for Fuel Reduction and Community Education Which Were Awarded Through the NM Association of Counties and Will Continue to Support the Team of Wildland Urban Interface Specialist: \$39,646 (Fire/Community Services Department) ISOLATED FOR DISCUSSION**
 - 16. Resolution 2009-150. A Resolution Requesting a Budget Increase to the Water Enterprise Fund (505) to Budget Available Cash Balance From Capital Reserves for the Agua Fria/Ben Lane Sewer Extension Project: \$50,000 (Growth Management Department)**
 - 17. Resolution No. 2009-151. A Resolution Requesting an Increase to the Capital Outlay GRT Fund (213) to Budget Available Cash Balance to Implement Amendment #4 to Memorandum of Agreement Between the City and County of Santa Fe for Improvements for the Railyard Park as Approved By the Board of County Commissioners on November 18, 2008: \$200,000 (Regional Planning Authority)**
 - 18. Resolution No. 2009-152. A Resolution Requesting an Increase to the Capital Outlay GRT Fund (213) to Budget Available Cash**

Balance to Implement Amendment #2 to the Memorandum of Agreement Between the City and County of Santa Fe for Improvements to the Siler Road Project as Approved By the Board of County Commissioners on May 26, 2009: \$250,000 (Regional Planning Authority)

- 19. Resolution No. 2009-153. A Resolution Authorizing Execution of Land Lease Agreement by and between the Board of County Commissioners of Santa Fe County and the Santa Fe Mountain Center, for Property and Facilities at 131 La Cueva Road in Santa Fe County and Authorizing the Chair to Execute Same**

C. Miscellaneous

- 1. Authorization to Enter into a New Agreement #2010-0032-FD/JC, an Indefinite Quantity Price Agreement for Maintenance, Service & Repair to the LifePak 12 Defibrillators with Physio Control, Inc. (Formerly Known as Medtronic Medical Emergency Response Systems) for All SFC Fire Stations. This Will Be a Four (4) Year Price Agreement with an Escalation Clause for Price Fluctuation (Fire Department)
TABLED**
- 2. The Santa Fe County Fire Department Requests Authorization to Enter into a New Agreement #29-0152-FD/JC, an Indefinite Quantity Price Agreement with Kaufman's west, LLC to Provide Uniforms for the Santa Fe County Fire Department; This Will Be a Four (4) Year Price Agreement with an Escalation Clause for Price Fluctuation (Fire Department)**
- 3. Request Approval of the Accounts Payable Disbursements Made for All Funds for the Month of July 2009 (Administrative Services Department)**
- 4. Review of the Accounts Receivables for All funds for the Month of July 2009 (Administrative Services Department)**
- 5. Review of the Monthly Financial Report for the Month of July 2009 Specific to the General Fund (Administrative Services Department)**
- 6. Resolution 2009-154. A Resolution Authorizing the Donation of Region III Personal Property in Accordance with State Statues (Sheriff's Office/ Finance Division)**
- 7. Request Acknowledgement and Acceptance of the Independent Auditor's Report for Santa Fe County's Agreed-Upon Procedures for Lodgers' Tax (Administrative Services Department) ISOLATED FOR DISCUSSION**
- 8. Resolution 2009-155. A Resolution Authorizing Execution of a**

- Land Lease Agreement By and Between the Board of County Commissioners of Santa Fe County and the Santa Fe Recovery Center, Inc. for Property At 4100 Lucia Lane Road in Santa Fe County and Authorizing the Chair to Execute Same**
- 9. Resolution No. 2009-156. A Resolution Authorizing Execution of a Building Lease Agreement with the Santa Fe Recovery Center, INC. for the Use of a County Owned Modular Building to Be Placed at 4100 Lucia Lane Road, Santa Fe NM and Seeking Approval By the State Board of Finance for the Lease**
 - 10. Request Approval of 2006 Grant Agreement Amendment No. 5 Which Reauthorizes Three Projects in the Amount of \$820,000 for a Total Grant Agreement Amount of \$4,263,000 (Community Services Department) ISOLATED FOR DISCUSSION**
 - 11. Request Approval of 2005 Grant Agreement Amendment No. 2 Which Reauthorizes \$120,000 for Public Housing Projects to Include Language Change for a Total Grant Agreement Amount of \$3,400,000 (Community Services Department)**
 - 12. Request Approval of 2008 Grant Agreement Amendment No. 3 Which Reauthorizes \$225,000 for County Projects to Include Language Change and Decreases Women's Health Center Project By \$200,000 Per SB 443 for Total Grant Agreement Amount of \$1,720,000 (Community Services Department)**
 - 13. Request Approval of Amendment to ValueOptions New Mexico Agreement in the Amount of \$59,740 for Crisis Intervention Services (Community Services/ Health) ISOLATED FOR DISCUSSION**
 - 14. Request Approval of Maternal and Child Health Council Professional Services Agreement with Las Cumbres Community Services, Inc. for \$712,000 for Years 2010-2013 (Health/ Legal Has Contract)**
 - 15. Request Approval of Lease Agreement Between Santa Fe County and the Pojoaque Pueblo for the Pojoaque Satellite Office (Community Services Department)**
 - 16. Request Approval of Change Order #12 for the Stanley Transfer Station \$4,702.24 (Growth Management Department)**
 - 17. Request Approval of Change Order # 13 for the Stanley Transfer Station \$2,890.41(Growth Management Department)**
 - 18. Request Approval of the Memorandum of Understanding Between AFSCME Bargaining Unit and Santa Fe County Regarding Uniforms (Human Resources)**
 - 19. Request Approval of Lease Agreement Between the Pueblo of**

Pojoaque and the County of Santa Fe for a Solid Waste Transfer Station

VIII. APPROVAL OF MINUTES

A. July 22, 2009 – Special Meeting

COMMISSIONER STEFANICS: Mr. Chair, I'll move approval of the minutes of July 22nd, special meeting.

COMMISSIONER HOLIAN: Second.

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

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

VIII. B. July 22, 2009 – BCC & Health Policy & Planning Commission

COMMISSIONER HOLIAN: Mr. Chair, I move for approval. I guess that's two different meetings.

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

COMMISSIONER HOLIAN: All right. I move for approval of both the BCC and the Health Policy and Planning Commission meeting minutes.

COMMISSIONER STEFANICS: Second.

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

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

IX. MATTERS OF PUBLIC CONCERN –NON-ACTION ITEMS

CHAIRMAN ANAYA: Is there anybody in the audience that would like to speak to the Commission on any concerns? Hearing none, that's closed.

X. MATTERS FROM THE COMMISSION

A. A Proclamation Recognizing the Importance of Fiesta de Santa Fe; Declaring September 7-13, 2009 as "Heritage Culture Week" (Commissioner Harry Montoya)

COMMISSIONER MONTOYA: Thank you, Mr. Chair, members of the Commission. I have a proclamation that I'd like to read and then present. Gaby Montoya is

here, the president of the Fiesta Council, along with Dean Milligan. Dean, are you the vice president or --

DEAN MILLIGAN: Past president.

COMMISSIONER MONTOYA: Past president. Okay. Thank you both for being here. This Santa Fe County proclamation reads:

Whereas, Santa Feans have long been proud of their heritage, developed through the merging of cultures; and

Whereas, the evolution and settlement of Santa Fe has produced a tradition of colorful music, vibrant dance and song, together with a spirit of friendliness, hospitality and acceptance; and

Whereas, this tradition encompasses what the Fiesta de Santa Fe represents, and seeks to preserve and perpetuate annually; and

Whereas, Fiesta de Santa Fe is an integral part of the rich, cultural fabric that has drawn visitors to Santa Fe for centuries; and

Whereas, Fiesta de Santa Fe is the continued fulfillment of a promise made by General Don Diego de Vargas Zapata Lujan Ponce de Leon, Marquis de la Nava de Barcinas to the Blessed Virgin Mary on the 14th day of September on 1692; and

Whereas, the annual Fiesta de Santa Fe is preserved inviolate for the citizens of Santa Fe County and the spirit and letter is outlined in the original Fiesta proclamation issued by the Santa Fe City Council on the 16th day of September of 1712; and

Whereas, Fiesta de Santa Fe is the oldest community celebration in the United States of America, observing 297 years of continuous observation; and

Whereas, Fiesta de Santa Fe is a time for reconciliation, prayer, tribute, homecoming and making new friends, all while preserving tradition; and

Now, therefore, we the Board of County Commissioners of Santa Fe County hereby proclaim September 7 through 13, 2009 Heritage Cultural Week throughout Santa Fe County.

Mr. Chair, I move for approval.

CHAIRMAN ANAYA: Motion by Commissioner Montoya.

COMMISSIONER VIGIL: Second.

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

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

CHAIRMAN ANAYA: Dean, would you like to say a few words?

GABY MONTOYA: Chairman Anaya, Commissioner Montoya, I want to thank all the Commissioners for this proclamation. We've been doing it like we said, 297 years. We're still practicing but I think we're going to get it together one of these days. What I'd like to do, I have Dean Milligan with me. He's our past president. I want to issue each one of you our brochure for this year which gives you the schedules of what's happening. The Commissioners are invited to all our festivities that we have for the Fiesta Week. We have

fiestecitas, the gran baile, el pregón, which is the major opening of Fiesta. The pregón is on Friday morning at 6:00 at the Rosario Chapel. And that is where the Mayor will read the proclamation in Spanish and will do it in English. And that is the official opening of Fiestas.

And again, I want to thank all the Commissioners for all the work that you've done to help us promote this celebration. And I want to thank you again.

CHAIRMAN ANAYA: And we want to thank you for all the work that you do in keeping the tradition going and all the staff that you have in keeping it moving forward. Thank you very much. Thank you very much. Any other comments?

COMMISSIONER VIGIL: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: I'd also like to recognize the Santa Fe Fiesta Council for their outstanding volunteerism in continuing this tradition. Having known that there are other festivities occurring in Santa Fe, the Santa Fe Indian Market, the Santa Fe International Folk Festival, the Santa Fe Spanish Market, all of which I attend and enjoy, and I'm glad that we're able to promote. There's no event that ties the historical traditions of Santa Fe that goes to the heart and spirit of our community as our Fiesta. Please continue the outstanding work that you do and it's wonderful to know how much volunteer hours actually are placed into this, because I know it's thousands.

CHAIRMAN ANAYA: Thank you, Commissioner Vigil.

MR. MONTOYA: Right now we're running 48/7. Not 24/7, it's 48/7 now.

CHAIRMAN ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. I'd like to thank the Fiesta Council for their continued work over the years. This is an event or a series of events that really brings together the multi-cultural and multi-racial community here and it really brings people of Santa Fe here together and I think it's a great event, a series of events. Thank you very much.

MR. MONTOYA: Thank you, Commissioner Stefanics.

CHAIRMAN ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I also would like to thank the Council for the many hours that you put in on this labor of love and again, I think I'm saying what others have said before but this seems to me like truly an event that is for the people and by the people of Santa Fe County, so that's why it's particularly special. So again, thank you.

MR. MONTOYA: Thank you, Commissioner Holian.

CHAIRMAN ANAYA: Mr. President, Mr. Past President, thank you very much. We'll see you on the 4th.

X. OTHER MATTERS FROM THE COMMISSION

COMMISSIONER MONTOYA: Mr. Chair, I think all of us, or most of us received an email regarding the utilization of prisoners for labor and all kinds of stuff. And in talking with Roman and Steve, we are doing a little bit more of that now that we're staffed so that we can get them out there, work crews, clean up the roads. They were cleaning up over at the fairgrounds after the staff picnic that we had recently. I'd just like to encourage as much as we can that continued practice so that we have as many of those inmates out there cleaning up the roads throughout the county as is allowable. Because I know a lot of my constituents complain in the northern part of the district that they don't have any cleanup, the roads are filthy, and if we could just continue that. So I just wanted to bring that to your attention that if we do have roads that need to be cleaned up we should get these crews out there, utilize them.

And then we're still working on an agreement between Rio Arriba County and Santa Fe County for the senior service program. It's moving along fairly well. Steve, I think the MOU is in their hands now. Is that correct? Or are we –

STEVE ROSS (County Attorney): Mr. Chair, Commissioner Montoya, it was in their hands; it's now back to us with just minor suggestions.

COMMISSIONER MONTOYA: Okay.

MR. ROSS: So it's probably ready to go today.

COMMISSIONER MONTOYA: Okay. So we're hopeful that we'll be moving into the new facility in Rio Arriba County and Santa Fe County will still be providing services, and we'll keep you informed as we move along and we'll probably be having a meeting with them, I believe it's September 2nd or 3rd with the seniors there in Chimayo to talk a little bit about that transition as well. And that's all I have, Mr. Chair. Thank you.

CHAIRMAN ANAYA: Thank you, Commissioner, and I agree with you on the inmates too. And I know we've been working on that. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. From the Regional Transportation District, we were offered the opportunity, Santa Fe County was offered the opportunity to have them apply for a disabled vehicle for us. After discussions with the County Manager we decided we didn't need it this year because we have received a legislative appropriation for one, but we will have that opportunity available to us again. So if the Commissioners, specifically up north with the senior center, if we needed to replace some of the senior vans or to acquire vans for disabled to start a project we could do that. And RTD will work with us on that.

Also, Mr. Chair, we've identified at the Regional Transportation District that there are 13 other governmental bodies that could join the RTD, so we're working out the process for that, because the law basically says any recognized government body could join. The other issue that we're currently working on right now is how routes get established. It was determined that demand response routes for just one or two people are not viable, but when a

group of individuals needs a connection to another bus route, we are looking at those.

But just briefly, in terms of looking at route development, we're asking that every community that wants routes have the routes put into a service plan. We recently received a request from a County Commissioner in another county who just did it on their own and didn't take it through any body, meaning their own County Commission or the RTD. They just made a request. So it was determined that when we bring forward routes it should come from the formal body, that we would look at demand response records, if we have already been serving five, ten, fifteen people, that that might become another route. We will look at petition surveys from the general public and we will look at correspondence from the general public.

But even after all of that we will have to take into account budget, staffing and capital needs, and that's the way the routes will continue to be determined. For those of you who sat on the RTD that's nothing new but it's getting a little more formalized in the process. That's all. Thank you.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Thank you, Mr. Chair. I want to thank Public Works and Robert for their responsiveness to my concerns about the opening of school and the traffic congestion that might mean on the south side of the county, since we've closed Agua Fria for the excavation I have heard from numerous constituents there with a high level of concern, particularly with the traffic lane turning from Lopez to Rufina for the [inaudible] School and Agua Fria Elementary. There actually is a new parking and student drop-off area. I've also been speaking to the Sheriff and I understand from him that there will be Sheriff's officers posted at county schools and they're coordinating that with City officers just to assist in the flow of traffic with the beginning days of school, and I do believe that in Santa Fe tomorrow, the 26th is the first day of school for the public school system.

So I'm urging the public who use Agua Fria Road, who use Rufina Road, who use the southern part of the county for any of their transportation needs, particularly in transporting their children to school to be cautious. You will have detours and there will be new routes.

Also, I haven't been too well, Mr. Chair, so I wasn't able to finalize this but I did ask staff if we could show a little 30- to 60-minute spot that was aired by Channel 4, KOB this last Tuesday night.

CHAIRMAN ANAYA: Sixty minutes?

COMMISSIONER VIGIL: Sixty seconds.

CHAIRMAN ANAYA: What is it about?

COMMISSIONER VIGIL: I want you to view it from 30 to 60 seconds that was on KOB this last Tuesday night.

Mr. Chair, they're working on it and it will be played later. Hopefully it can be but interesting insight, now that we're celebrating our 400th year anniversary and also the City of Santa Fe, Santa Fe Fiesta, KOB, Channel 4 did a small news presentation on the archeological dig in Agua Fria and discovered artifacts from the 12th, 13th and 14th century, and also discovered an area where the main plaza was at one time. So I think that the

strongest message that is given is perhaps Agua Fria was the hub of this area, much earlier than we know about and further back than 400 years. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Thank you, Mr. Chair. And we will play it – Omar, you let me know when we get that going. Thank you, Commissioner. Moving on to Commissioner Holian.

COMMISSIONER HOLIAN: I have nothing.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: I forgot to also announce that on September 1st we're going to be moving the Pojoaque Valley satellite office. It's going to be moved over to 5 West Gutierrez, Suite 9, in the Pojoaque Town Center. So we're going to have a grand opening starting at noon. We're also going to have Sparky, the fire dog that's going to be there too. He's going to be giving tips to kids and greeting youngsters, and I hope to see you all there on the 1st. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Okay. I'd like a status on County Road 42. I'd like a status. And then when are we going to be doing a ribbon-cutting for our Public Works Department?

MR. ABEYTA: Mr. Chair, we're going to set a date now in September. We're going to just set a date and whatever Commissioners can make it, can make it, and those that can't, can't. Because that's the trouble with setting up these ribbon-cuttings is to get all of you guys at the same place on one day. It makes it almost impossible. So we'll just set a date and hopefully the majority of you can make it. And we'll do the notice.

CHAIRMAN ANAYA: And we want to make sure that we invite Commissioners Sullivan and Campos.

COMMISSIONER VIGIL: Mr. Chair.

CHAIRMAN ANAYA: Commission.

COMMISSIONER VIGIL: It might be good to look at one of the dates that we have a BCC meeting. Perhaps we could do an earlier – we sort of block our calendars for those.

MR. ABEYTA: Mr. Chair, we already have that taken in September, so if that were to be the case we'd do it in October. Because, remember, we're doing our visit our jail in September on the 8th. That meeting starts at 8:00 in the morning. If that will work we can do the ribbon-cutting ceremony the first meeting in October.

CHAIRMAN ANAYA: Okay. Thank you. Okay, Robert. Go ahead.

ROBERT MARTINEZ (Public Works Director): Mr. Chair, Mountain States Construction started working on County Road 42 last week. They're clearing and grubbing. They're doing some construction staking right now. It's a 120-day contract, which is 120 working days. They're very optimistic that they should be able to complete the project required in the 120 days. So it's under construction as we speak.

CHAIRMAN ANAYA: Okay, and Mountain States contacted Jennifer to help get some work over there for flaggers or for traffic control?

MR. MARTINEZ: Mr. Chair, that's part of their contract. They are responsible for traffic control

CHAIRMAN ANAYA: Yes, what I'm getting at is she contacted me and I have some names to give to them, so if we could get a hold of them. Jennifer has the names.

MR. MARTINEZ: Mr. Chair, I understand. They're looking to hire somebody.

CHAIRMAN ANAYA: Yes. Flaggers for the road. Okay, so 120 days.

MR. MARTINEZ: 120 working days is their contract.

CHAIRMAN ANAYA: Okay.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'm sorry. I just remembered. I just wanted to let the Commission know and my constituents that I will be out of state for a period of time to celebrate my mother's 87th birthday and my parents' 60th wedding anniversary. So I'll see everybody after Labor Day.

CHAIRMAN ANAYA: We'll give all your calls to Commissioner Holian.

COMMISSIONER STEFANICS: Thank you.

CHAIRMAN ANAYA: Okay. Commissioner Montoya.

COMMISSIONER MONTOYA: I actually will probably not be here for the meeting on the 8th. We're just notified of a possibility of the Aamodt Bill coming up for a congressional hearing. It will probably be on the 9th.

CHAIRMAN ANAYA: Okay.

XI. APPOINTMENTS/ REAPPOINTMENTS/RESIGNATIONS

A. Resignation of Larry DesJarlais, Jr. from the Road Advisory Committee within Commission Districts III & V

COMMISSIONER VIGIL: Move to approve.

COMMISSIONER MONTOYA: Second.

CHAIRMAN ANAYA: Motion by Commissioner Vigil, second by Commissioner Montoya.

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

CHAIRMAN ANAYA: Robert, thank him very much for us for all the work that he did.

XI. B. Appointment of Linda McThoy as the Member to Area 12 of the Road Advisory Committee within Commission Districts III & V

COMMISSIONER HOLIAN: Move for approval.

CHAIRMAN ANAYA: Motion by Commissioner Holian.

COMMISSIONER STEFANICS: Second.

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

COMMISSIONER HOLIAN: Yes, I have a question.

CHAIRMAN ANAYA: Okay.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Are there any other vacancies or is everything filled up now on the Road Advisory Committee?

MR. MARTINEZ: Mr. Chair, Commissioner Holian, no, we have two vacancies. We still have the Galisteo/Lamy area, that is vacant. I believe that's in Commissioner Stefanics's district and Chairman Anaya's district also. Then we also have the Cerrillos/Madrid area that's also vacant. So we have two vacancies.

CHAIRMAN ANAYA: So we're looking.

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

**XI. C. Appointments for the Health Policy & Planning Commission Vacancies
a. Complimentary & Alternative Medicine Representative**

COMMISSIONER STEFANICS: Mr. Chair, I would move that we substitute Fiquet Duckworth for the recommended gentleman, David Canzone.

CHAIRMAN ANAYA: Give me the name.

COMMISSIONER STEFANICS: Fiquet Duckworth. Her résumé is in the applications and membership. She has been the chair of the State Board of the Acupuncturists, and her experience with both regulations and state statute is extensive, so based upon that experience I would recommend the substitution.

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

COMMISSIONER HOLIAN: Second by Commissioner Holian. Any further discussion?

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

XI. C. 2. Senior Citizen Representative

COMMISSIONER HOLIAN: Thank you, Mr. Chair. First of all I want to say that in reading through the résumés I was just incredibly impressed with the people who applied for the Health Policy and Planning Commission. The breadth and depth of the knowledge in our community is really outstanding, and people's willingness to step up and volunteer is outstanding too. So I'd like to thank everybody who applied to be on the

committee.

I was particularly impressed though with regard to the applications for the senior citizen representative of Judith Williams. She has an extensive background in a number of different areas that are related to health in policy analysis and so on and so forth, so I would like to move that she be appointed in that position in place of Waldo Anton, Jr.

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

COMMISSIONER STEFANICS: I'll second.

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

COMMISSIONER STEFANICS: Yes, Mr. Chair. I would ask that if we approve this that we then consider Mr. Anton for some other subsequent vacancy. Thank you.

CHAIRMAN ANAYA: Okay.

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

XI. C. 3. Community Dental Provider Representative

COMMISSIONER STEFANICS: Mr. Chair, I move for approval of Patricio Larragoite.

COMMISSIONER MONTOYA: Second.

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

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

XI. C. 4. Healthcare in Correction Institutes Representative

COMMISSIONER HOLIAN: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I move for approval of Ardis Thomas.

CHAIRMAN ANAYA: There's a motion by Commissioner Holian, second by Chairman Anaya. Any further discussion?

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

XI. C. 5. Healthcare Community Representative (as needed)

COMMISSIONER STEFANICS: Mr. Chair, we have a choice of two

individuals, and Nancy Adelsheim is the director of the Women's Health Services, and Dr. Donald Romig is a retired physician here in our community. Both are outstanding members. For the purpose of this vacancy I would move for Nancy Adelsheim.

COMMISSIONER HOLIAN: Second.

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

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

CHAIRMAN ANAYA: Thank you.

COMMISSIONER VIGIL: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Steve, before you leave, and Larry, and I believe everyone on this Commission got an email from Dan Burke who is my appointee from District II and who submitted a letter of resignation. I just wanted to recognize Dan for his outstanding work. He's been with the Health Policy and Planning Commission since its inception, and his willingness to volunteer all of his time and the different areas of health and institutions and agencies that he's represented have been a wonderful asset. And I know him personally and know that his contributions to the Health Policy and Planning Commission, irregardless of my presence, have been valuable. Please extend our gratitude to him and if there's a way that we could create a certificate of appreciation I know that the Health Policy and Planning Commission does that as a standard practice but because he is one of the HPPC members I think he should be represented by this Board, and Steven, if you would work with constituency services, Rita Maes, on how we could proceed with that, I'd appreciate it.

STEVE SHEPHERD (HHSD Director): Mr. Chair, Commissioner, we'll do that.

CHAIRMAN ANAYA: And again, thank all of them. Larry, thank all of them, Steve, that help us out on the Health Policy and Planning Commission.

Okay, we're ready to show a clipping. If we could get the lights turned down.

[A KOB-TB video presentation on the Agua Fria archaeological dig followed.]

CHAIRMAN ANAYA: Okay. Thank you, Omar. Thank you, Commissioner Vigil. That's very interesting. Did you want to comment?

COMMISSIONER VIGIL: Yes, I just – because they're having so many phone calls with regard to what's going on in Agua Fria and how important the archeological dig is I wanted to highlight this for the public and also for the Board of County Commissioners, if you get any questions with regard to the traffic situation down there, how significant this archeological dig is. I also wanted to bring it to the attention of the public because really the old-timers in Agua Fria talk and speak to much of the folklore and tales they heard from their parents and grandparents and we know that there are actually above the

ground remnants of an old pueblo there. It is also where the Camino Real ended at one point before it continued on further. It was a settlement area and as the video really lends itself to it may have been the hub of Santa Fe at one point in time. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Thank you.

COMMISSIONER STEFANICS: Mr. Chair, could I ask a question? Make a comment-question? It seems to me that a find such as this could really complicate matters for Santa Fe City and County. In terms of the building of the road, obviously it needs to wait while the excavation happens and we learn everything, but would it in fact change any of our history that's on the books?

COMMISSIONER VIGIL: Well, Mr. Chair, with regard to that, perhaps yes, and perhaps no. Their actual 400th anniversary is an accurate date in time for the celebration of the City of Santa Fe, and the City of Santa Fe is, I think in a different category than the settlements that occurred here. I think what the archeological dig is attempting to find out how early it was, what kind of settlements were here pre-Spanish. And of course the City of Santa Fe celebrates a lot of the Spanish settlement. So in terms of contradictions or to get more to your question, if it changes anything, I don't think it necessarily does. I think it enhances our knowledge of history when we learn that just at Agua Fria there was life, there was living, there was agriculture. It pre-dated the Spanish settlement and that date and that recognition needs to be a part of history, which it isn't in particular now.

COMMISSIONER STEFANICS: Well, thank you for bringing it to our attention.

CHAIRMAN ANAYA: Are you saying we need to put the road in another spot?

COMMISSIONER STEFANICS: No. I was just amazed. This is a big find, so I'm just thankful that Commissioner Vigil brought it to our attention but perhaps the people there are going to have to be a little more patient with the road. Thank you.

COMMISSIONER VIGIL: Thank you.

XII. CONSENT CALENDAR WITHDRAWALS

- B. 2. Resolution 2009-157. A Resolution Requesting an Increase to the General Fund (101) to Budget Available Cash Balance for Additional Set-Aside Needs for the Santa Fe Business Park, Water Rights Purchases, the Growth Management Plan, and Energy Efficiency Initiatives: \$5,000,000 (Administrative Services Department)**

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Teresa, I thought it might be interesting for you to just sort of give a little summary of this because as you say in your memo it really highlights our large, existing and upcoming project as well as our areas of concern. So I thought this might be of interest for our constituents. But I also wanted to

ask you exactly what the phrase, “an addition \$4 million to \$6 million will drop to cash balance for fiscal year 2009,” what exactly that means.

TERESA MARTINEZ (Finance Director): The memo that I’ve submitted was a summary of all the competing projects that the County is currently facing with the recent economy, the downturn in revenues and regardless of what the news updates say with regard to the economy recovering, we’re still in a downturn and our revenues are still reflecting that. So I thought it would be helpful if the Board could see all of the competing factors that are pushing or looking at our revenues, as well as just the County trying to maintain operations, maintain our staffing levels at the current level and our programs at the levels that we have them right now.

When I say dropped \$4 million to \$6 million, at the end of every fiscal year, Santa Fe County, the history has shown that we will drop to cash, that will be additional funds that will drop into the cash balance adding to the cash balance. So they’re the result of either one of two things: revenue collected greater than what was budgeted or expenditures spent lesser than what was budgeted. So those positive variances will fall to our cash balance, increase our reserves on an annual basis.

So we were forecasting that we would probably drop the \$4 to \$6 million after FY09 and giving you an estimated cash balance that we may have, but we also thought it was important to note that we have our standard reserve requirements, we have additional BCC-imposed reserve requirements, and then quite a few competing projects out there or initiatives, if you will. And I wanted to illustrate that if we funded everything we’d be at a negative cash. So obviously, I’m standing before you saying it would be not wise to fund everything and exhaust all our cash reserves.

So right now we’re grateful, I’m grateful at least that we’re still dropping a positive balance to cash and I think we need to continue with the mindset that we are in a recession and continue with our cost-saving measures and give you the setting that additional cuts will probably be necessary throughout the fiscal year.

COMMISSIONER HOLIAN: Thank you, Teresa, and I want to thank you also for your conservative approach to our finances. So I move for approval.

CHAIRMAN ANAYA: Motion by Commissioner Holian.

COMMISSIONER MONTOYA: Second.

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

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

XII. B. 15. Resolution 2009-158. A Resolution Requesting an Increase to the Fire Operations Fund (244) to Budget Two Grants for the Wildland Urban Interface Program to be Utilized for Fuel Reduction and Community Education Which Were Awarded Through the NM Association of Counties and Will Continue to Support the Team of Wildland Urban Interface Specialist: \$39,646 (Fire/Community Services Department)

COMMISSIONER HOLIAN: This was the Fire Department?

CHAIRMAN ANAYA: Yes.

COMMISSIONER HOLIAN: Well, actually, I had a question for the Fire Department.

CHAIRMAN ANAYA: Our chief is here.

COMMISSIONER HOLIAN: Thank you, Chief. My question is is that you mention that these grants will be used for fuel reduction and community education, and I wanted to know exactly what that consisted of.

STAN HOLDEN (Fire Chief): Well, the programs have been spearheaded by Captain Greg Gallegos and the wildland interface programs have consisted of to date fuels mitigation, where the crews have gone into public lands and created barriers from fire danger between occupied communities and existing public lands. Currently the biggest project that we have ongoing is down in the Edgewood area, and the next one that is up is the Apache Ridge area.

COMMISSIONER HOLIAN: Great. I'm glad to hear that. And also, how about the community education part of it?

CHIEF HOLDEN: Captain Gallegos has a program where we send out a wildland interface specialist to work with homeowners to create community-wide areas, working with neighborhoods, trying to teach them about how to safely clear brush and other dead trees and things around their homes to create a barrier from fire danger. And these have been ongoing problems. We have off and on success with grants from different sources but the Fire Prevention Division has been working collectively with neighborhoods now for about eight years in these efforts.

COMMISSIONER HOLIAN: And so who would my constituents contact for this?

CHIEF HOLDEN: Captain Greg Gallegos, at the Fire Department, Fire Prevention Division. And they can call the primary number, which is 505 992-3070.

COMMISSIONER HOLIAN: Thank you very much, Chief.

CHIEF HOLDEN: You're welcome.

CHAIRMAN ANAYA: Thank you, Chief. Is there a motion?

COMMISSIONER HOLIAN: Move for approval.

CHAIRMAN ANAYA: Motion to approve by Commissioner Holian. Second

by Chairman Anaya. Any further discussion?

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

XII. C. 7. Request Acknowledgement and Acceptance of the Independent Auditor's Report for Santa Fe County's Agreed-Upon Procedures for Lodgers' Tax (Administrative Services Department)

COMMISSIONER VIGIL: Thank you, Mr. Chair. Teresa, I didn't quite understand the difference between high, low and moderate risk agencies. More so, and I sure that's very self-explanatory once you make a statement towards it. More important to me is two questions. Number one, does the lodgers tax audit fold into our general audit? In other words, do our auditors look at this also for when they do our general audit?

MS. MARTINEZ: Mr. Chair, Commissioner Vigil, in years past it was folded into the audit. This is the first year that we've separated it and it's two separate contexts. And that came as a result of working with the State Auditors Office and we were not in compliance with reporting existing contracts that we may have with firms. In years past I think it was separate firms, I think it was Macias and Gutierrez and we were in trouble for not notifying them. So we found it easier to split them out and then we coordinate with them for the agreed upon procedures, and then we give a copy of this report to whoever our financial auditor is in the case that they need to do a footnote disclosure. So they are coordinated between the two.

COMMISSIONER VIGIL: Okay. And it does appear that many of these entities are experiencing a fallout from the economic downturn. What I'm more interested in, and perhaps this could be a future agenda item is identifying exactly all of the businesses that contribute to the lodgers tax in the county. I think I would certainly like an update with that and I'd also like to get an update on how the lodgers tax dollars get distributed and the criteria for it. Many times I get phone calls from constituents or entities that are interested in lodgers tax dollars and I've recognized that my knowledge of it is minimal. I don't even have an update on whether or not that lodgers tax criteria has been expanded.

As far as I can tell it really was for marketing, for promoting tourism in its general sense. What does that mean and how is that broken down based on the requests that we get? And I know that we do sort of dovetail over some of the marketing requests for many of the events that are held in the City of Santa Fe and that's good because I think that is something we can create a support for that does promote a general benefit. I'd really like some analysis with regard to the events that occur outside of the City of Santa Fe and how much we support those. So perhaps an update on that, Roman, only because I feel a lack of knowledge about it. Thank you, Mr. Chair, and I know that Commissioner Stefanics had some questions, but I will move for approval and hope there's a second and allow her to –

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

COMMISSIONER STEFANICS: Second.

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

COMMISSIONER STEFANICS: Mr. Chair and Teresa, I am looking at the audit, but would you or Legal, one of you, provide a memo about the variety of uses for the lodgers tax? Because this has come up in a few conversations. For example, whether or not it could be used for bus stop benches and shelters. Whether or not it could be used for the rodeo grounds upgrade. Whether it could be used for art in public places like in a bus shelter. So it's come up in a variety of conversations, at the RPA, at the RTD, here at the County Commission, and if we could just clarify how the County could use any funds I'd really appreciate it. Thank you.

CHAIRMAN ANAYA: Any further discussion?

COMMISSIONER VIGIL: Mr. Chair, I think that's basically what I was requesting too. Is that how you understood that. And Teresa, it doesn't matter to me if it's in memo form or if we get an update at a meeting. Whatever you all decide.

MS. MARTINEZ: Okay.

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

XII. C. 10. Request Approval of 2006 Grant Agreement Amendment No. 5 Which Reauthorizes Three Projects in the Amount of \$820,000 for a Total Grant Agreement Amount of \$4,263,000 (Community Services Department)

COMMISSIONER VIGIL: Mr. Chair, and I think our Manager briefed me a little bit on this so I'm not too alien to it, but would you explain where the total of the \$4 million, where that comes from?

PAUL OLAFSON (Community Projects Division): Mr. Chair, Commissioner Vigil, the \$4 million is reflecting – if you're reading the memo there was \$5.213 million and then these projects were reduced, \$270,000, \$500,000 and \$50,000. That reduces it to \$4.263 million.

COMMISSIONER VIGIL: So what this memo is actually doing, Mr. Olafson, is identifying the transference of dollars that occurred at the state legislation through reauthorizations from these particular projects, not to them.

MR. OLAFSON: Absolutely. Correct.

COMMISSIONER VIGIL: Thank you. That clarification was needed for me. Thank you, Mr. Chair. I move to approve.

COMMISSIONER HOLIAN: Second.

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

COMMISSIONER STEFANICS: Mr. Chair, I have a question.

CHAIRMAN ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Roman and Paul or Joseph, are we in position – and I know I’ve discussed this with you all privately but I’d like to make it a public comment – are we in the position of losing any funds for projects that we cannot implement by October? So that the public is aware of this.

MR. ABEYTA: Mr. Chair, Commissioner Stefanics, yes, there are some projects we are funding we could lose. They are primarily though authorization we received for maybe private non-profits that weren’t able, one, to spend the money because they didn’t get enough to get the project off the ground, but I don’t believe there will be any County projects of funding that we will lose. Or if we do, it will be really close because we have gone through all of our projects, all of the allocations we’ve received and we are making progress on almost all the County. But to answer your question, there may be some money that is lost.

COMMISSIONER STEFANICS: And Mr. Chair, Roman, could we identify those projects? I’m going to call them at-risk, because the money’s not lost yet, but just so the Commissioners and the public are aware.

MR. ABEYTA: Yes, we’re compiling a list and we can probably make that list available to you within the next day or two. I’ll put it in your in-boxes and then maybe what we’ll do is we’ll provide an update at the September 8th meeting.

COMMISSIONER STEFANICS: Thank you very much.

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

XII. C. 13. Request Approval of Amendment to ValueOptions New Mexico Agreement in the Amount of \$59,740 for Crisis Intervention Services (Community Services/ Health)

COMMISSIONER VIGIL: Thank you. We just met. What a wonderful update from you. I just need for you to explain two things. Number one, ValueOptions is no longer in existence. So are these dollars that are remnants of their voucher program?

MARY JUSTICE (CARE Connection Director): No, actually this is every year they give out money that they call reinvestment funds, and it’s a one-time, up front payment. I applied for it in the spring; it took a long time to get the paperwork. So ValueOptions is still actually here, because the state needed them to wrap up whatever they were doing. So these are basically not related to the voucher program. They are reinvestment funds. They pay it out up front in one single payment. From what I understand they have a remnant of a staff basically right now and a couple of them will be here until December, I think it is.

COMMISSIONER VIGIL: And Access to Recovery, is that one particular service provider or a variety?

MS. JUSTICE: Access to Recovery is a federal grant we administer in Santa

Fe County for vouchers, so we're one of four central intakes in the state that have this kind of money. We are coming into the last year of the Access to Recovery federal grant starting in October.

COMMISSIONER VIGIL: Okay, the way the memo reads, and let me read it for you: The Santa Fe County Behavioral Health Services Division provides to county residents Access to Recovery services which include a client-centered, community-based recovery program involving clinical treatment, faith-based counseling and support for treatment of drug and/or alcohol abuse.

Those are all separate services, correct?

MS. JUSTICE: They all fall under ATR. Under the Access to Recovery program we can give two kinds of vouchers to someone. One is a clinical voucher, and they choose a provider in the community. We have about 25 community providers, and they can go for outpatient counseling, for instance, to a variety of providers. And the federal government also provides what they refer to as recovery support vouchers, and that's a separate voucher, separate amount of money. And those vouchers are for things like transportation, childcare, acupuncture, massage, yoga, sweat lodges if you're Native American. So it's a big, big variety of services.

And it's meant, because sometimes those services keep people from accessing and staying in treatment. For instance, a woman who doesn't have childcare for her children, maybe she needs childcare in order to be able to go and stay in treatment. And that's what the recovery vouchers are really about.

COMMISSIONER VIGIL: Okay. Thank you. Mr. Chair, move to approve.

CHAIRMAN ANAYA: Motion by Commissioner Vigil.

COMMISSIONER HOLIAN: Second.

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

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

XIII. STAFF AND ELECTED OFFICIALS' ITEMS

A. Growth Management Department

1. Resolution No 2009-159. A Resolution Accepting a Portion of Sunrise Road for County Maintenance

CHAIRMAN ANAYA: I believe we've heard this.

MR. ABEYTA: Mr. Chair, we did hear this, and at the time, the County Commission had voted to not accept Sunrise Road because we didn't have all the funding for it. So what we're bringing back to you is a request to accept only that portion of Sunrise Road that we do have funding for, so we can then go in and make those improvements up to that point, which I believe is another .1 or .2 mile.

JAMES LUJAN (Growth Management Director): Approximately 1100 feet.

MR. ABEYTA: 1100 feet. So we're asking the Board to accept 1100 more feet of Sunrise Road today so that we can spend that state appropriation that we received.

CHAIRMAN ANAYA: Okay. Any questions from the Commission?

COMMISSIONER MONTOYA: Move to approve.

CHAIRMAN ANAYA: There's a motion by Commissioner Montoya, second by Chairman Anaya. Discussion? Commissioner Vigil.

COMMISSIONER VIGIL: How long is the road?

MR. LUJAN: Mr. Chair, Commissioners, currently we maintain approximately a half a mile. The complete road, I don't have a complete distance but it's probably every bit of two miles. And this is one of the appropriations that is in jeopardy, that we will probably lose if we don't spend that \$39,000. So we're only asking to accept that much and over the years, hopefully these residents will continue seeking appropriations so we can build the rest.

COMMISSIONER VIGIL: I do remember – locate this road for me.

MR. LUJAN: This is off County Road 54 behind the racetrack. It's one of the arterials that leads off of it into the north, close to I guess, pretty close to the racetrack.

COMMISSIONER VIGIL: If I recall correctly, it was a resident who approached us initially about getting this road done.

MR. LUJAN: That is correct.

COMMISSIONER VIGIL: Two or three years ago. I'm not sure.

MR. LUJAN: That is correct.

COMMISSIONER VIGIL: And I think I have received some emails since then. This is not unlike anything else we haven't done for other areas of the county so long as the dollars are there and they've been appropriated. It really helps us partner with the communities and with the state in getting these allocated.

MR. LUJAN: That is correct. It's one that got very little appropriated to it. Usually it's \$80,000, depending, but this one was only \$39,000. And this will cover an area – it's not going to affect too many residents but it's an area in an arroyo that we will be able to make some improvements and we've been helping them in the past. It's just a little bit beyond where we already maintain.

COMMISSIONER VIGIL: Thank you, Mr. Chair.

CHAIRMAN ANAYA: Any further discussion?

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

XIII. B. Community Services Department

1. First Public Hearing to Discuss Santa Fe County's Infrastructure and Capital Improvement Plan (ICIP) for Fiscal Year 2011-2015 (Two Public Hearings Required) (Community Services Department) [Exhibit 2: Proposed Projects]

MR. OLAFSON: Mr. Chair, Commissioners, what we have today is a list outstanding right now. This is our preliminary list that we collected from all of our community meetings and meetings with staff as well for projects requested for the fiscal year 2011 to 2015 capital improvement plan. This is a plan that is required by DFA that every county prepare and submit annually. The due date for this year is September 30th. This is the first public hearing to review the requests that have been proposed so far and also on the second page of the handout you'll notice there are two boxes towards the bottom. One is outlining the FY 2010 top five priority projects that were approved by the Board last year, and below that is a list of potential projects for the FY 2011 top five priorities. And we're not asking the Board to make a decision but just asking you to think about that. We'll have the second public hearing on September 8th with the finalized list.

Also, I should note that it has been – the growth management/sustainable growth plan is also currently being developed and part of that is a CIP process. We've been meeting with the consultants on that and they are also developing a list and we're working with them to get that. Those meetings ended on Friday of last week. We're working as quickly as we can to incorporate the things they have collected in with these things so we have a unified plan that reflect each other. That final CIP plan through the growth management process will be brought to you probably in the October timeframe. That will then probably become the master plan that is continually updated and then delivered to local government every year. And with that I'll stand for any questions.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Paul, what criteria did you use to create the list for fiscal year 2011?

MR. OLAFSON: For the top five? Mr. Chair, Commissioner Holian, we as staff looked through the projects that had broad community impact as well as broad countywide impact, and that was kind of the way we looked at those. If there were larger projects that were County mandates or that had county impact on a broad population level. And this is just a suggestion list from staff, but that was the method that we did sort them.

COMMISSIONER HOLIAN: Thank you.

CHAIRMAN ANAYA: Can we add to this?

MR. OLAFSON: Yes, sir.

CHAIRMAN ANAYA: Can you add County Road 42 low-water crossing?

MR. OLAFSON: Okay.

CHAIRMAN ANAYA: Thank you.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Paul, could you go back again and tell me a little bit more, the types of public meetings and the turnout, and what amount of participation was in this, whether it was the regular few, whether it was staff, or where there was a good showing from community?

MR. OLAFSON: Mr. Chair, Commissioner Stefanics, I believe we had eight meetings throughout the county. We had them up north in Arroyo Seco and Pojoaque and El Rancho. We had several meetings in the central area for Eldorado, for Agua Fria, La Cienega. We had a meeting in Galisteo and Edgewood, and I think I'm missing one. So we try to have these meetings across the county. This has been our practice for the last several years. The turnout isn't huge. We don't have huge numbers at these meetings. There was maybe ten people at one meeting, maybe three at another. And they're generally people who are active in their community who tend to show up every year.

In addition to these meetings we've had the CIP meetings through the growth management and the growth management people have helped reach out to different groups and bring them in as well. But I think overall we're getting a good, broad representation. The numbers per capita are not huge but I think we're getting a good representation of diverse interests and diverse needs.

And then with staff, we're working with all County staff, different departments.

COMMISSIONER STEFANICS: Well, Mr. Chair, the reason I'm bringing this up is I do think it's a few interested people who attend these meetings and later on people will ask, why wasn't my project or why wasn't something for our community put on this list. So I'm wondering if before we have our second public hearing that we could put this out in a little press release advertising that we will have a second public hearing so that we can get comments from the public. So if somebody has a burning issue that has not been addressed, that we've given them one more final notice before that. Thank you.

MR. OLAFSON: Mr. Chair, Commissioner Stefanics, yes.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Being that we're probably going to be getting zero to nothing this year in terms of any of our requests based on the state budget, I would suggest that we just frugally prioritize these projects and do it in a way where we know that some of these are already ready to go, period. There's a lot of these where the need is there, of course; otherwise it wouldn't be on this list, but otherwise I don't think we should waste staff time and too much time prioritizing these and going over them. We should take the lead in terms of what's ready, what's ready to go, and again, expecting zero to nothing. We can give them either this whole list or one priority or two.

COMMISSIONER STEFANICS: Mr. Chair, that brings up a question, when Commissioner Montoya is done.

COMMISSIONER MONTOYA: That's all I had.

COMMISSIONER STEFANICS: Paul and Joseph, are all of these projects to be funded from general fund, or is it a variety of general fund STBs and GOs?

MR. OLAFSON: Mr. Chair, Commissioner Stefanics, traditionally capital outlay projects from the state have been funded through STBs. I think in years where there was a lot of revenue coming into the state that there was some state general fund monies also applied toward capital projects, but I don't think that's the general norm, and I think especially as Commissioner Montoya just noted, in the current budget situation I am not a legislative expert but I would image that there will not be a lot of state general fund monies coming this year.

COMMISSIONER STEFANICS: Right. So, Mr. Chair, I'm wondering if we could do a little research on which if these projects would qualify for severance tax bonds and which would qualify for general obligation bonds. Because I know that we use GO bonds for senior centers. I'm wondering if we can use them for libraries. So maybe we just need to do a little research, unless you can answer that.

CHAIRMAN ANAYA: Joseph.

JOSEPH GUTIERREZ (Community Services Director): Typically, I know severance tax bonds would be infrastructure – water, roads, utilities, those types of things. Buildings have been borderline; they've been a little bit of both, because we receive general fund money for buildings and non-profit type of requests.

COMMISSIONER STEFANICS: But I'm saying if we put aside general fund, and we look at what could go under GO bonds or STB. We might be able to actually get a little more than nothing, because we do know that general fund is going to be almost non-existent.

MR. GUTIERREZ: We can look into that. For sure it's roads and utilities and water projects. It would be we would research the building side component of that to see if that would qualify for severance tax bonds.

COMMISSIONER STEFANICS: Okay. Mr. Chair, I also know, and I'm sure our staff are on top of this, but I do know we do have a couple of special funds at the state level to fund water, wastewater, some other projects for rural communities, so I'm sure we're looking at all of those as well. Thanks.

CHAIRMAN ANAYA: Thank you. Okay, this is a public hearing. Is there anybody that would like to come and speak on our ICIP, capital improvement projects? All right, hearing none, we'll move forward. Thank you guys.

XIII. C. Matters From the County Manager

1. Update on Various Issues

MR. ABEYTA: Thank you, Mr. Chair. I have an update on a couple of items, the first being there was an article in either one or both of the newspapers regarding the

stimulus funding and it implied that Santa Fe County has received over \$34 million in funding, and Commissioner Stefanics brought this to my attention, and that is not the case. We, as a county have received a little over a million dollars in funding. And so I wanted to clarify for the public who's viewing that the \$34 million that the newspaper was referring to included all the monies that have been brought to the Santa Fe County area, such as what the state agencies here have received, which was about \$10 million, what community organizations, non-profits and federal agencies have received, which is \$14 million. Education received \$5 million. The City of Santa Fe received \$2.6 million. And again, what we have actually received to date is \$1.1 million.

And the way that breaks down is we received a \$400,000 grant from HUD to replace our windows and water meters at the Camino de Jacobo neighborhood. As you remember that discussion from our Housing. We should receive a \$264,000 energy efficiency community block grant. Our Sheriff's Department has received Justice Assistance grants in the amount of \$248,000, one to reduce drug trafficking and property crimes, and then another grant for \$115,000. We've received \$100,000 from the New Mexico Department of Transportation for our Rail Trail.

So again, we've only received \$1.1 million and not the \$34 million. The \$34 million included everything within Santa Fe County. So I wanted to make that clear to not only the Commission but also the public.

Another update, Mr. Chair, the Solid Waste Task Force has had their first meeting. We started to take – and again, this is regarding the fee increase proposal. We had a meeting on the 20th. We will be meeting again later this week. Those that attended the meeting were myself, James Lujan, Oliver Barela, the Solid Waste Manager, Helen Parraglio from Finance, Brian Baca, the Deputy Treasurer, David Dogruel from District 1 attended. Andrew Leyba from District 2 attended. William Mee from District 4 attended, and Walter Wait from District 5 attended. And Mr. Chair, if you have somebody that you would like to appoint to that task force if you will give me the name we will contact them and invite them to join us.

But we plan on bringing forward a recommendation to the Commission at the end of September regarding solid waste fees. And there was very good dialogue with those individuals that have been appointed so far. So I'll keep the Board posted on our progress.

XIII. C. 2. New Judicial Courthouse Complex

MR. ABEYTA: Staff will be making a presentation on September 8th to the Commission. That will be a staff presentation. And then we plan on the 29th to be able to bring forward a plan of action on how to move forward and what the associated costs will be with the courthouse project. We're making a lot of progress. We're working with the Environment Department and we think now in September we'll be able to have more information and an action plan for the Commission to consider. And those are the updates I have, Mr. Chair.

CHAIRMAN ANAYA: Any questions of Roman?

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Regarding ICIP, Roman, what's the status on our CDBG project that we have?

MR. ABEYTA: Mr. Chair, the CDBG we received was for the Valle Vista wastewater plant and we are going through the procurement process now for the upgrades to that plan. So we're making progress.

COMMISSIONER MONTOYA: Okay. Are we going to be able to apply for another one this year?

MR. ABEYTA: I don't know. I don't believe we will because I think they want your project to be completed and closed out before you're eligible to apply again, but we'll check on that.

COMMISSIONER MONTOYA: So we may miss out again this year for the new application process?

MR. ABEYTA: We will because we just applied this last year and there's no way to get that project done within 12 months. It's more like an 18- to 24-month project. But hopefully we'll do a better job on this one than we did with the first go-round because I remember the frustration the Commission had with how long it took us to get that project. I think we received funding like four years ago. But we've learned from that and hopefully if we don't make this round because of that requirement that your project be complete we'll be able to make the next one.

COMMISSIONER MONTOYA: The reason I bring that up, Mr. Chair, is because I think this will be the fourth of fifth year out of the 6 ½ I've been on the Commission that we have not submitted a CDBG application, which typically can bring in additional revenues for these capital projects. Some don't need a whole lot of money but we need to stay on top of it and get these opportunities to the table instead of missing out on them. Anyway, thank you on that, Roman.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Could you clarify that for me again, Roman? The wastewater project? I thought we had received CDBG funding.

MR. ABEYTA: We did, and we're moving forward. And so the question is will we be able to apply again this year, and we may not because we haven't completed the wastewater project yet.

COMMISSIONER VIGIL: Right, and I think that's the criteria by the state, correct?

MR. ABEYTA: Right.

COMMISSIONER VIGIL: Okay. So that's clear to me. I also wanted to ask you if you're familiar with the broadband project that's been requested through the joint efforts of the City, San Ildefonso and the Regional Economic Development application that will benefit the northern New Mexico region. That, I actually have been meeting with

senators and congressmen about. I believe that request is for the next funding. Do you have further information on that?

MR. ABEYTA: Mr. Chair, Commissioner Vigil, Duncan Sill may. I know we have been very active in participating with the other entities that you mentioned, which is something that will benefit the County, but Duncan is the one that is –

COMMISSIONER VIGIL: I've been working with Duncan on this. Duncan, thank you for all your work on this. This is truly a project that is much, much needed. There were no dollars available in the first flow of dollars of funds for this, or are there? Do you know where we're at with regard to what dollars we're asking for?

DUNCAN SILL (Economic Development): Mr. Chair, Commissioner Vigil, the request to the National Technology and Information Administration, which is an agency under the Department of Commerce was submitted last week on the 20th, and the request was \$7.2 million for the region's initial infrastructure improvement. So we're hoping that we'll get part of that funding made available to this region and then be able to further develop that capacity. It's going to be a long-term development infrastructure initiative for this region.

COMMISSIONER VIGIL: And I know that the group met with Senator Bingaman and I personally have met with Representative Lujan. Does the group need to meet with Senator Udall and Congressman Lujan still?

MR. SILL: Mr. Chair, Commissioner Vigil, I think at some point in the near future that would be very beneficial for the region, knowing that there will be two other rounds of funding availability coming under these particular programs. The Rural Utility Services, under the USDA is also another pot of money under the stimulus which will enable the benefit to be expanded beyond the immediate metropolitan area and that's something that we're working very closely with our regional partners up north. So it would be beneficial to have that conversation.

COMMISSIONER VIGIL: I'm perfectly willing to help facilitate that. Do we have a date when we will know whether we received those dollars?

MR. SILL: Mr. Chair, Commissioner Vigil, I think they have a pretty aggressive time schedule. Some time in late December or October we'll probably hear something but they may not be able to release the funds until 60 to 90 days after that. I know that they're considering a second round of funding announced sometime in October as well. So that is supposed to be a pretty aggressive schedule.

COMMISSIONER VIGIL: Thank you, Duncan.

XIII. D. Matters From the County Attorney

1. Executive Session

- a. Discussion of Pending or Threatened Litigation**
- b. Limited Personnel Issues**
- c. Discussion of the Purchase, Acquisition or Disposal of Real Property and Water Rights**

MR. ROSS: Mr. Chair, we need a closed executive session to discuss pending or threatened litigation, discussion of purchase, acquisition or disposal of real property and water rights.

CHAIRMAN ANAYA: And I'd like to include limited personnel.

MR. ROSS: Okay. So what is it? a, b, and c?

MR. ROSS: a, b, and c.

CHAIRMAN ANAYA: Is there a motion?

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

COMMISSIONER STEFANICS: Second.

CHAIRMAN ANAYA: And there's a second by Commissioner Stefanics.

Roll call.

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

[The Commission met in executive session from 11:30 to 3:30.]

COMMISSIONER MONTOYA: We're coming out of executive session where we discussed the matters that are listed on there, b, c, and a – a, b, c.

COMMISSIONER STEFANICS: Mr. Chair, I move that we come out of executive session without having made any decisions on a, b, or c of the agenda under executive session.

COMMISSIONER MONTOYA: We have a motion by Commissioner Stefanics.

COMMISSIONER VIGIL: Second.

COMMISSIONER MONTOYA: Second by Commissioner Vigil.

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

- XIII.**
- 2. Consideration and Approval of the Third Amendment to the Project Participation and Land Transfer Agreement By and Between the Board of County Commissioners, La Luz Holdings LLC and Santa Fe Film and Media Studios, Inc**
 - 3. Consideration and Authorization to Publish Title and General Summary of Ordinance No. 2009-___, an Ordinance Amending Ordinance No. 2008-07 to Provide for a Loan in the Amount of \$6 Million as an Amendment to the Previously Authorized Economic development project with La Luz Holdings, LLC and Santa Fe Film and Media Studios, Inc.**
 - 4. Consideration of Title and General Summary of an Ordinance Amending the Dedication Clause of Ordinance No. 1998-14 to Permit Use of the Proceeds of the County Infrastructure Gross Receipts Tax for Local Economic Development**

MR. ROSS: Mr. Chair, we have items – well, I guess they’re now 2, 3, and 4, all pertaining to the Santa Fe Studios issue.

COMMISSIONER STEFANICS: Mr. Chair.

COMMISSIONER MONTOYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I move that we table the new items 2, 3, and 4 until a later date.

COMMISSIONER HOLIAN: Second.

COMMISSIONER MONTOYA: I have a motion and a second.

The motion to table passed by unanimous [4-0] voice vote. [Chairman Anaya was not present for this action.]

XIV. ADJOURNMENT

Vice Chair Montoya declared this meeting adjourned at 3:32 p.m.

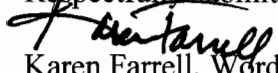
Approved by:

Board of County Commissioners
Mike Anaya, Chairman

ATTEST TO:

VALERIE ESPINOZA
SANTA FE COUNTY CLERK

Respectfully submitted:


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