




COUNTY OF SANTA FE)
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SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

August 28, 2012

Liz Stefanics, Chair – District 5
Kathy Holian, Vice Chair – District 4
Robert Anaya – District 3
Danny Mayfield – District 1
Virginia Vigil – District 2

SANTA FE COUNTY

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

August 28, 2012

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 1:22 p.m. by Chair Liz Stefanics, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Anthony Romero led the Pledge of Allegiance and Daniel Fresquez led the State Pledge. Roll was called by Deputy County Clerk Vicki Trujillo and indicated the presence of a quorum as follows:

Members Present:

Commissioner Liz Stefanics, Chair
Commissioner Kathy Holian, Vice Chair
Commissioner Robert Anaya
Commissioner Danny Mayfield
Commissioner Virginia Vigil

Members Excused:

[None]

V. MOMENT OF REFLECTION

Employee of the Clerk's Office Jorge Lopez led the moment of reflection.

VI. APPROVAL OF AGENDA

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- B. Tabled or Withdrawn Items**

KATHERINE MILLER (County Manager): Madam Chair, there are no changes to the agenda.

COMMISSIONER HOLIAN: Move to approve.

COMMISSIONER VIGIL: Madam Chair, I do have a recommendation on item VIII. I'd like to move item B up to before item A. We have an octogenarian that we are honoring and in the interest of her comfort I'd like that.

CHAIR STEFANICS: So you'd like to take VIII. B and put it before VIII.

A.

COMMISSIONER VIGIL: Exactly. Just switch those two.

CHAIR STEFANICS: So there's a motion to approve the agenda with the amendment. Is there a second?

COMMISSIONER VIGIL: Second.

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

VII. APPROVAL OF MINUTES

A. Approval of July 19, 2012 Joint City County Meeting Minutes

COMMISSIONER VIGIL: If there are no changes, Madam Chair, I will move to approve unless there are any.

COMMISSIONER HOLIAN: Second.

CHAIR STEFANICS: I have a procedural question. Steve, why would we be approving joint City-County meetings, because we are not taking any action? They are more study sessions.

STEVE ROSS (County Attorney): Madam Chair, the Open Meetings Act requires us to have minutes. I assume we're just approving our portion of them, of the meeting, but the City will be doing the same thing.

CHAIR STEFANICS: Okay. Thank you for that explanation.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: I just – well, I'll ask the question after these have been approved.

CHAIR STEFANICS: Okay. So approval of the minutes from the joint City-County meeting of July 19th.

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

CHAIR STEFANICS: Thank you very much. Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. Mr. Ross, as far as our protocol for approving minutes, we typically receive our minutes from our stenographer. Does anyone review those minutes before they come to the County Commission to edit those minutes before they come to this Commission? Or are we just as a body of five approving whatever minutes are given to us from the stenographer?

MR. ROSS: Madam Chair, Commissioner Mayfield, they're supposed to be verbatim minutes. I don't know if anyone on staff was reviewing them before you look at them.

COMMISSIONER MAYFIELD: Okay.

CHAIR STEFANICS: Ms. Miller.

MS. MILLER: Madam Chair, as Steve said, we don't read them again because they're verbatim right off the recorder, as well as we keep the tape. So we don't go through and see whether they're verbatim.

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CHAIR STEFANICS: Well, there were some mistakes this morning at another meeting which you could say were verbatim but they actually changed the intent of the sentence. So we made some changes in one of the Housing minutes.

MS. MILLER: Madam Chair, those are summary minutes. These are actually verbatim minutes. So we would have to listen to the tape and read through them to see if they're exact. But they're kept.

COMMISSIONER MAYFIELD: Do we keep a tape then?

MS. MILLER: Yes.

COMMISSIONER MAYFIELD: And the reason I'm asking that, just so everybody knows, there are some minutes that I went to go look at over this past week for an action item that we're going to be taking on today's agenda. I could not find any recap of any discussion in those minutes of a discussion that was very important to me that this Commission took. And it was on issues dealing with Santa Fe Canyon Ranch and La Bajada Ranch. And I just cannot for whatever reason find anything in the minutes whatsoever of the discussion that happened on this bench, and that discussion literally probably went on for an hour.

So maybe it's just something – it's an oversight on my part that I'm not looking for but I can't find those. And again, I just wanted to bring that up because there will be an issue on that matter tonight and I could not find any of those past minutes. Thank you.

CHAIR STEFANICS: Thank you.

VIII. PROCLAMATIONS

B. Proclamation Honoring Consuelo "Connie" Hernandez on Her 87th Birthday and Acknowledgment of Her Many Accomplishments and Contributions in Our Community

COMMISSIONER VIGIL: Thank you very much, Madam Chair, members of the Commission, members of the public. The very reason I'm presenting this proclamation that I actually am honored to be a County Commissioner. It is rare that we have the opportunity to create and honor a distinguished member in our community and today I have that honor. Last Saturday Consuelo Hernandez, from the well known and wonderful donors to our community, the Hernandez family, celebrated her 87th birthday, and she is to whom I refer when I say we have an octogenarian in our midst.

Before I go I have to also recognize the lady next to her, Adelina Ortiz de Hill who also is an octogenarian. Both of these ladies are living treasures with Santa Fe. And I have to tell you, one of the sponsors of this event is a group that I belong to and it's a living history group called Voces de Santa Fe, and an instrumental and you might even say founder of the group is here today also and that Maria Montez. She was very instrumental in making this group happen. This group has coordinated itself to try to gather the history of northern New Mexico and Santa Fe and I've been incredibly honored to be a part of it because from my experience I missed out on the history of New Mexico because I felt very strongly that when I went to school the books that I was learning history from were drafted and authored by east coast book authors. And so I think New Mexico history and its richness got left out.

These people who participate in this group allow the opportunity for history to come to life and I've witnessed that many a time. One of the things that they do by allowing history to come to live and many of the forms that are created is we try to honor those people who are very much a part of that history which Connie Hernandez was.

There's so many wonderful things that can be said about this lady, and there was a beautiful article in the *New Mexican* that came out Sunday that touched on it. I have to say she is one of the most giving, one of the most loving, one of the most honored, one of the most respected, gosh, compassionate, giving person that I have met and that this community has known. She owns a little store on Old Santa Fe Trail called Milagro, and you can't go into Milagro without her making you feel like you're very much at home. She sells a lot of relics and religious items and has touched a lot of people's lives because of that.

She comes from a family of service. She comes from a family that believes that giving back to the community is a priority in our lives, and with that, Madam Chair, I would like to read the proclamation and then have a few more words to say, turn it over to other Commissioners.

Whereas, Consuelo "Connie" Hernandez a resident of Santa Fe, New Mexico celebrated her Eighty-Seventh birthday with a party held in her honor by a group of her friends, many from Voces de Santa Fe;

Whereas, Consuelo or Connie, as she is fondly known to family and friends, was born in Santa Fe August 26, 1925 to Joe and Miquelita Hernandez;

Whereas, Connie was raised in Santa Fe along with her siblings, Mae Baldwin, Marie Moeller, Waldo Hernandez, Dr. Joe Hernandez, Dolly Shelley and Rosina O'Dell all who have a long tradition of community service wherein her brother, Dr. Joe Hernandez is one of the founders of the Santa Fe Community College;

Whereas, Connie attended Loretto Academy and remembers when her parents hauled water up the hill for the Carmelite nuns;

Whereas, Connie has owned and operated the Old Santa Fe Trail Gift Shop for forty-seven years; where she maintains a shrine to Padre Pio and sends collected donations to San Giovanni Rotundo in Italy, where she has visited several times;

Whereas, Connie has helped many families prepare for funerals and has donated rosaries and religious items to those grieving over the loss of a loved one; and

Whereas, Connie has served as the sacristan for the La Conquistadora Chapel as well as supporting girl scout troops, local schools, La Union Protectiva, the Spanish Colonial Museum and many other local charities;

Whereas, Connie has been the recipient of the Santa Fe New Mexican's Ten Who Made a Difference award and the Governor's Outstanding New Mexico Women award and is the subject of a famous photo made by Laura Gilpin;

Now therefore, be it resolved, that we the board of Santa Fe County Commissioners hereby recognize Consuelo "Connie" Hernandez on her 87th birthday and many charitable contributions to our community.

CHAIR STEFANICS: Commissioner Vigil, could you move the proclamation?

COMMISSIONER VIGIL: Yes. I move we adopt this proclamation.

CHAIR STEFANICS: I would second.

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

CHAIR STEFANICS: We really appreciate your being here. Comments from the Commissioners?

COMMISSIONER VIGIL: I just wanted to say that I cannot say – present any of this to Connie Hernandez without saying that one of the things that she has done in terms of service is she has a shrine in her shop to Padre Pio in Italy. And actually, she recently went through surgery that she attributes her recovery miraculously, I think, almost, to Father Pio. A petition was sent to Italy on her behalf and certainly the outcome of it is Connie's before us and she's walking very well after pelvic surgery. So I cannot go without mentioning Padre Pio next to Connie Hernandez.

Also, when she was interviewed by the New Mexican and she was asked what is it she likes to do and why so many people think she is so special, and she said she is a person of service and she pointed to her heart and she said I can't explain it. It's just here. So this is a woman with heart and living it.

CHAIR STEFANICS: Thank you, Commissioner. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Well, there's probably nothing much more that I can really add. Commissioner Vigil expressed beautifully all that you have given and contributed to your community over the years, Connie Hernandez, and I just feel honored to be in your presence. I'm pretty sure that you inherited that gene from your family because I know the Hernandez family has been so giving to our community, well, forever, probably, or ever since Santa Fe has been here. So, anyway, again, thank you for everything, and I'm honored.

CHAIR STEFANICS: Thank you very much. Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Ms. Hernandez. Thank you for your service. Thank you for who you are and Happy Birthday.

CHAIR STEFANICS: Thank you. Now we're going to come down and present you with a proclamation and flowers and we'd like to take a picture of you and your family that came with you.

[Photographs were taken.]

CONSUELO HERNANDEZ: I just want to thank everybody for being here. You've made it a very special day for me and I want to say that one of the happiest things and the luckiest things that has happened to me in my 87 years is joining Voces de Santa Fe. They're the ones to bring me the surprise birthday party – Mariachis and the whole bit. So I thank God for everything, for all of you being here, for my life this long and I'm ready to keep on working and helping all that I can. And my shop is still open. I've been there 47 years and everybody that goes in there leaves in a little different mood. And I think that everybody that comes through the door of my shop is special, at least to me. And they always come back. And I thank God for this day in my life and for all of you that are here today to help me receive this honor. Thank you very much.

CHAIR STEFANICS: Thank you and congratulations. Maria, did you want to say a few words?

MARIA MONTEZ: Thank you. It was an honor for Voces de Santa Fe to be a part of Connie's celebration. Just to let everyone know at Voces de Santa Fe we've

been together as a group for about two years now with the focus of archiving our personal histories. We feel that this part of the country is pretty unique and we think that we have a lot of people in our community that have a lot to share. So thank you.

CHAIR STEFANICS: Great. Thank you so much for coming today.
Thank you again.

Now before I go to the next proclamation I wanted to recognize State Representative Jim Hall is in the audience. Thank you very much for being here today. And former County Commissioner Linda Grill is here. Thank you, Commissioner, for joining us. And are there any other dignitaries? Everybody in the audience is a dignitary, but I just wanted to make sure that we recognized our elected officials.

VIII A. A Proclamation to Recognize PFLAG-Parents, Families, and Friends of Lesbians and Gays, for Their Support of Higher Education Opportunities for LGBT Young Adults

CHAIR STEFANICS: First, I'd like to move the proclamation and then I will go ahead and read it.

COMMISSIONER HOLIAN: Second.

CHAIR STEFANICS: There's a motion and a second. The proclamation reads:

Whereas, Parents, Families and Friends of Lesbians and Gays (PFLAG) is a national organization that promotes the health and well-being of lesbian, gay, bisexual, transgender and questioning (LGBTQ) persons;

Whereas, PFLAG is sustained by families and friends of LGBTQ young adults to provide support, to cope with society; to educate; to enlighten the public; to advocate; to end discrimination; and to secure equal civil rights;

Whereas, the Santa Fe Chapter has enthusiastically supported the community's young adults as they pursue college educations;

Whereas, since the inception of the local scholarship program in 1997 the Santa Fe Chapter of PFLAG has awarded \$260,500 in scholarships to the community's young adults;

Whereas, each year the Santa Fe Chapter of PFLAG awards 20 or more \$1,000 educational scholarships;

Whereas, these scholarships recognize outstanding lesbian, gay, bisexual, and transgender (LGBT) youth, encourage continuing education for self-identified LGBT youth, and foster a positive image of LGBT people in society;

Whereas, these scholarships not only recognize the incredible accomplishments of the recipients, they also support and affirm their identities as valuable members of our community.

Now therefore, be it resolved, that we the Board of Santa Fe County Commissioners hereby recognize PFLAG for their support of LGBTQ persons in Santa Fe County

All those in favor of the proclamation please say aye.

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

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CHAIR STEFANICS: We're going to come down to present this to you but is there somebody who'd like to make a comment on behalf of the organization?

RANDINE HUGHES: I'm Randine Hughes, the current board president of PFLAG Santa Fe, and thank you all very much for acknowledging the work we do. I'm a relative newcomer to PFLAG; I've only been in a few years, but these funds are ways through the support of many general individuals and organizations in and around Santa Fe and I would like to invite all of you, if you have never attended our scholarship reception. It's at the beginning of June every year. We publicize it on our website and it's also in the paper usually that it's coming up. I would encourage each and every one of you who are here to attend and meet these amazing young people and the courage and the wisdom that they share with us. Thank you.

CHAIR STEFANICS: Thank you for coming and we're going to come down and congratulate you and take a photo.

[Photographs were taken.]

CHAIR STEFANICS: Let's have a hand for the hard work that we do. We really appreciate all the community groups that do a lot of work that helps others, and the fact that this helps youth continue to go to school, that's great. And I would like to encourage some of our LGBT staff at the Santa Fe County who might be interested in continuing their education to consider applying to PFLAG for a scholarship.

IX. PRESENTATIONS

A. New Employee Introduction

MS. MILLER: Madam Chair, we have several new employees in the Public Safety Department. I do not believe as a result that they are here because they are on shift work, but we've hired three new detention officers, Marie Moya, Justin Trembly and Melissa Villalobos. And then also a lieutenant at the adult detention facility, Maria Harris. And a forestry technician, Nathan Lopez, two volunteer firefighters, David Matthews and Brian Moya, and an animal control officer, Jonathan Lujan.

CHAIR STEFANICS: Congratulations and welcome to all of our new Santa Fe County employees. We're expecting great things from all of you.

IX. B. Recognition for Lisa Griego, for Retirement

CHAIR STEFANICS: We were informed that Ms. Lisa Griego could not be here but I wanted to recognize in this next item her retirement from the County Assessor's Office, and they will be making sure that she received her presentation. Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Lisa Griego went to school with myself and she's too young to retire. We're going to miss her at the County. She's worked in various places around the County and I just wanted to congratulate her on her work and dedication and service to Santa Fe County.

CHAIR STEFANICS: Thank you, Commissioner.

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IX. C. Acknowledgement and Congratulations to the Graduates of the 2012 Santa Fe County Fire Fighter Volunteer Academy and Congratulations to the Graduates of the 2012 Santa Fe County Fire Fighter Career Academy

COMMISSIONER ANAYA: Madam Chair, if we could get all of the officers up here to the front as well. I'm going to turn it over to the chief to talk about the program. It never gets old acknowledging the work and the dedication of all of the cadets and the now graduates of our volunteer and career academies, and with that I'd like to turn it over to you, Chief, to introduce everybody and talk about the program and the work that these fine individuals have gone through and achieved.

DAVE SPERLING (Fire Chief): Thank you, Madam Chair, Commissioners. It's a great opportunity to be able to recognize the accomplishments of our ten Santa Fe County Fire Department volunteers who successfully completed the first 2012 department volunteer fire academy. Unfortunately, none of them are here today. These fine individuals to my left are career firefighters who I will introduce shortly. But our volunteers represent personnel from seven of our 14 fire districts. I thought I would just list them off and the districts they're associated with. Kiana Bustillos from Turquoise Trail; Ron Craft representing Eldorado; Elizabeth Jansen, Eldorado; Samuel Callem, Edgewood; David Killborn, Hondo; Katherine Lee, Agua Fria; Michael Ortega, Agua Fria; Albert Perea, Turquoise Trail; Manuel Romero from Turquoise Trail; and Lloyd Vigil from Chimayo.

The volunteer fire academy was 180 hours of classroom time and field time taught on weekday evenings and weekends over four months. Classes included orientation, firefighter first aid, CPR, wildland fire behavior, hazardous materials and operations, Firefighter I, emergency vehicle operations, with final testing at the New Mexico State Fire Academy in Socorro that included two days of live burns and one day of testing. All ten of the volunteers received IFSAC certification and they graduated on July 10th.

I'd also like to recognize the accomplishments of our seven career academy graduates, six of whom have joined us here today. They graduated on August 10th and all came from our volunteer ranks. They represent three districts with one regional volunteer, and I'd like to introduce them now. To my left are Justin Armijo from the Hondo Fire District. He's at Med 50, which is the Pojoaque main station; Christopher Bonifer, Agua Fria Fire District, also at 50; Thomas Dominguez, Agua Fria Fire District, 50; Heather Gonzales from the Agua Fria Fire District, 50; Kyle Jaffa, who's not here today, was one of our regional volunteers; Nicholas Sandoval, Turquoise Trail, down at 70, which is Edgewood; and Owen Stencil, from the Agua Fria Fire District at 61, which is Agua Fria.

All these individuals as I mentioned, have volunteer fire experience. All were already IFSAC Firefighter I certified and EMT basics at least. Firefighter Stencil is an intermediate. The training proceeded over six weeks and included Firefighter II, extrication, pump operations, and EMS refresher and an intense physical fitness program. They traveled to the New Mexico Fire Training Academy for three days of testing and graduated on August 10th with their IFSAC Firefighter II certification. And both of our

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groups received the highest praise from the Fire Training Academy staff for their accomplishments.

Training was conducted by our in-house staff and I'd like to recognize three of our staff who are in attendance today. We have Captain Ehl, who's in charge of our training program, Captain Mike Jaffa on the end. He's our volunteer retention and recruitment officer. And Captain Fuelner who's in charge of our wildland program and does wildland training. They're busily preparing for the next volunteer fire academy which is scheduled to start September 11th.

So I appreciate the opportunity to introduce our newest firefighters to the Commission and the public, and I appreciate the opportunity, Commissioner Anaya, to present them their certificates. So thank you very much.

COMMISSIONER ANAYA: Madam Chair, members of your team, Chief and yourself, thank you for your work and leadership to train these individuals and their work and to each and every one of you you'll be dealing with people as you know in their highest time of need. Be safe out there and take care of each other as I know you will. But let's give them all a round of applause. Madam Chair, I think the Chief has the certificates, and take a picture as we normally do and invite those family members that are here to join us in the picture if they'd like to.

CHAIR STEFANICS: Great. So Chief Sperling, why don't you present the certificates to these young people and then – I'm calling you young. One day you'll be a grayhair.

[Photographs were taken.]

CHAIR STEFANICS: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Again, congratulations to all of you and thank you for your service to our community. Chief Sperling, real quick, you mentioned September training academy, is that the State of New Mexico Fire Training Academy in Socorro that you're going to be attending?

CHIEF SPERLING: Madam Chair, Commissioner, we'll start in-house with about three months of weekday and weekend training and they'll end their volunteer fire academy program at the Firefighter Training Academy end of November, early December.

COMMISSIONER MAYFIELD: Is that when they're doing their – when is the State of New Mexico doing their annual training? Is it already passed?

CHIEF SPERLING: I believe it's coming up here in the month of September.

COMMISSIONER MAYFIELD: Will you field a team to go out there and take advantage of those training opportunities?

CHIEF SPERLING: Commissioner, I think some of the volunteer districts are sending members down to attend their week-long training program or portions of it.

COMMISSIONER MAYFIELD: I just think it's beneficial for us to offer any training that we can to our volunteers or to our career and then knowing that we go to the State Fire Marshal's Office asking for funding, so if we help assist with their program down there that's a benefit for all of us.

And then second, Chief, just on a side note, how is Deputy Chief Baca doing?

CHIEF SPERLING: Madam Chair, Commissioner, he's doing remarkably well. The last update I had was today, and that he is up actually walking around with assistance. So it's looking very positive and I think he's surprising even his doctor and nursing staff.

COMMISSIONER MAYFIELD: Thank you, Chief.

CHIEF SPERLING: You're welcome.

CHAIR STEFANICS: Thank you very much.

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, while we have the Chief up here, Chief, what information do we have that we can disseminate to the public relative to the fire tax that's going to benefit all of the districts in Santa Fe County? Is there a place where they can go on line yet and get information about it or are we still working on some of that?

CHIEF SPERLING: Madam Chair, Commissioner Anaya, we do have a fact sheet posted on the County website. I have also been making the rounds, hitting the bond meetings, the ICIP meetings and hitting our districts as well as our career staff. So the best location to find information is on the County website and it's linked to our fire excise tax fact sheet.

COMMISSIONER ANAYA: And Madam Chair, Chief, this is for the November election and this is for a quarter percent tax that is directly going to impact and benefit every single fire district in Santa Fe County if it passes. Correct?

CHIEF SPERLING: Madam Chair, Commissioner, that's correct. It's an essential means for us to fund replacement costs for our apparatus, firefighting equipment, protective gear for our volunteer and career firefighters throughout our 14 fire districts. We're getting as much information as we can out in the most transparent method we can to allow people to understand what we're asking for the voters to look at and encouraging them to vote.

CHAIR STEFANICS: On this point, this week we are having capital improvement meetings for the County in several communities in the county. It would be great for us to have copies of those fact sheets to take to those meetings. And I believe Mr. Leigland and staff are conducting those meetings. So if you would connect with him he will make sure that those fliers go to those meetings.

CHIEF SPERLING: Thank you, Madam Chair, and actually I've been in attendance at the last two and I plan to go to the next three.

CHAIR STEFANICS: Great. Commissioner Anaya, you still have the floor.

COMMISSIONER ANAYA: Madam Chair, Chief, just one last thing. This particular tax if passed doesn't have any expense for salaries and benefits. It's all for capital needs and equipment needs in the districts. Correct?

CHIEF SPERLING: Madam Chair, Commissioner, that's absolutely correct. The tax is restricted to use on capital equipment and operating costs, but not salaries or benefits for staff.

COMMISSIONER ANAYA: Thank you, Madam Chair. Thank you, Chief.

CHAIR STEFANICS: Thank you.

IX. D. Presentation, Feedback and Input From Community Members of La Cienega and La Cieneguilla, on Numerous Projects and to Include But Not Limited to La Bajada Ranch [Exhibit 1]

COMMISSIONER ANAYA: Madam Chair, I informed the Commission that the members of La Cienega, La Cieneguilla, there's even members here from La Bajada as well as our State Representative Hall is here. I'd like them all, if you guys don't mind. I know you may not all speak but if you could all come forward to the front I would greatly appreciate it and then if, Mr. Dickens, if you could introduce all of these fine community members through the course of your presentation and let them know what's been happening and provide your presentation.

CARL DICKENS: Thank you, Commissioner Anaya. Many of these people will be speaking in a while. We've broken up the presentation into three parts. I'd like to briefly touch upon the large properties in our community that are undergoing master plan processes. Then I'd like to open it up to our community members to allow them to speak to issues, and we will conclude with a discussion about water but from a little different perspective, from a farmer's and a rancher's perspective. And at the very end of that there will be a little photographic tour of our community, which I think you'll really appreciate.

So with that I'd like to go ahead and start. I'd be happy to introduce people if you'd like me to do that right now. To my far left is David Harrington from La Bajada. Next to him is Felicity Broennan who is the executive chair of the Santa Fe Watershed Association. Next to her is Ray Romero, an established, long-term farmer in our community. Then Representative Hall. There's Kier Carrecio from El Canon, which is a beautiful community that not many people know about. Next to him of course you know Linda Grill who's always been a very strong supporter in our community. Next to her is Henry Barreras. Next to him is Mary Dixon and behind Mary is Charlie C de Baca, Randy Scott from Las Lagunitas, J.J. Gonzales and Gene Bostwick. And I'd also like to recognize the photographer who did such a wonderful job and that is Tom Ransburg who is from Las Lagunitas, and you'll see his work in just a little while.

We're very honored to be here today and we thank the Commission for allowing us to make a presentation. I really would like to thank Commissioner Anaya for making this invitation.

As you're aware there are three large properties in our community that are undergoing the process of master plans. One of them is the Santa Fe Downs and we have been in conversation, preliminary conversations with the Pueblo of Pojoaque to discuss the potential development opportunities for Santa Fe Downs. From the community's perspective we are very appreciative of the Pueblo of Pojoaque's willingness to work with us to create what we hope will be a vibrant part of our community. At present the Pueblo of Pojoaque is waiting for the completion of the work of the La Cienega/La Cieneguilla Planning Committee in updating our community plan so there are some clear indications as to what kind of development will be allowed on the property.

The LCVA, the La Cienega Valley Association appreciates the Pueblo of Pojoaque's patience in waiting for a process that has taken too long. The LCVA has been working almost six years to create a commercial district in the racetrack area and it doesn't appear we are any closer now than we were six years ago. This has created unnecessary economic hardships for other area landowners who are interested in commercial development and it has created a real sense of frustration with the planning committee member in their attempt to update our community plan, and have spent nearly two years in this effort with much of the work incorporating the ideas and principles established in the County's Sustainable Growth Management Plan.

Part of the Planning Committee's effort has been to address the potential development for the County-owned La Bajada Ranch. As it stands the current community plan and community ordinance restricts uses of the property and the planning committee's proposed revisions they have tried to incorporate ways that the property could be utilized that may make economic sense for the County and support our community's plan and rural traditions. These efforts like much of our community planning efforts over the last few years have been stymied by area's inability to move the planning committee's work forward. We would appreciate any impetus the County Manager or Commission could provide to urge these efforts in moving forward.

The second property I'd like to talk about is Tres Rios Ranch, which is a historical property formerly known as Gallegos Ranch. They are in the process of completing a master plan that includes an emphasis on maintaining agricultural traditions, proposes to restore a historic church on the property, and is considering allowing the construction of a trail from La Bajada Ranch across the ranch providing new accesses to both BLM and Forest Service Lands.

La Bajada Ranch – the LCVA supports the establishment of the La Bajada Ranch Steering Committee which will be presented as part of a resolution later today. We believe County staff has done an excellent job in selecting established professionals to serve on the committee and their selection of Jose Varela Lopez as our community representative is an outstanding choice. The LCVA remains committed in assisting in any way needed to establish La Bajada Ranch as a viable, living resource for Santa Fe County and we remain open to development on the property that is economically sustainable and benefits Santa Fe County residents and our community.

So that's about the master plans. Now I'd like to open it up to our residents to talk, and if you know anything about our community – I'm not sure what they'll say but I'm sure it will be said with passion and appreciation. So with that I'd like to open the floor to them.

COMMISSIONER VIGIL: Madam Chair.

CHAIR STEFANICS: Yes.

COMMISSIONER VIGIL: If anybody is going to do any presentation, if any of you have any knowledge of where I can get some La Cienega green chile, please announce it. Ray, all right. I'll be talking to you afterwards.

CHAIR STEFANICS: So whoever would like to speak, you're invited. Just introduce yourself again for our records.

RAY ROMERO: Madam Chair, members of the Commission, I'm Ray Romero, long-time farmer and rancher in La Cienega since 1945. I hope I'm not giving

away my age here, but that's how long I've been there, except for three years that I served my country. I have a concern – I'm also the mayordomo of the Acequia La Cienega and I have a big concern. I've been in contract with our Commissioner. We had a meeting with him. But I thought I'd bring it out anyway because maybe some of you are not aware of it.

This summer we had to ration the water, the amount of water, for a couple of weeks, so we couldn't even irrigate our gardens to keep our traditional ways in the community. So what I'm really here for is to see if there's any way the County can help us out here. Because all the developments below the racetrack, in that area there from 599 down, they were approved on the condition that they would connect to County water when the County water came in. I see the County water goes by. We talked to the Commissioner about it and I think he's probably already talked to you about it or he put out a letter on it. But we are really in need right now because we cannot go any further without depleting all the water that we have. We are now pumping a supplemental well that we can't even afford and we're probably depleting the aquifer ourselves.

So what I'm really asking today is that maybe there's something we can do if you can't right away get those people to hook up, maybe we can see about how much water is being pumped out of these wells. I'm not against anybody doing a garden, a backyard garden, but I see a lot of gardens above the springs there and the groundwater is being depleted so much now that we can hardly take any more depletion. So I will ask you to see if we can get together and see what the County can do for us.

CHAIR STEFANICS: Thank you, Mr. Romero. We have been discussing the water hookups and we will continue to do so. I don't think we're going to make any specific decision at this meeting, but this is a topic that we have been looking at. So I don't know if any of the other Commissioners want to comment or anything, but it's on the list.

MR. ROMERO: I realize that Commissioner Anaya has brought it forth, yes.

COMMISSIONER ANAYA: Madam Chair, I would just comment by saying that we've had support from Senator Griego and Rep. Hall to further review and look into the issue. I know we have some code issues relative to requirements that developments have had and we begin the process through the Manager and staff of pulling out those development plats and beginning to look at a game plan. We've also talked about potentially getting water from the City of Santa Fe. As you know we passed a resolution encouraging them constantly and we're going to continue to encourage the Mayor and the Councilors to help us with additional water in the Santa Fe River, and also look at potential placement of Santa Fe County water in those areas. So it's all on topic and so I very much appreciate that you're here and I appreciate everyone that's here and that the Representative and the Senator have been helping us with those water initiatives.

Madam Chair, I would ask just one question. They did have – I know the Water Trust Board has pulled back – they didn't pull back the funding but they stopped some of the funding, and so they're reanalyzing some of the awards that they provided. So I want to work closely with Rep. Hall and this Commission and Senator Griego to make sure that they maintain the funding that we got, because two of the projects that we receive Water Trust Board money for were La Cienega and La Bajada Village. So Representative

and everyone here, we're going to need all the community support when we go back to that next Water Trust Board meeting to try and keep that money in place.

MR. ROMERO: I'd also like to mention that Jim Trujillo is also a representative down there and he has indicated that he's willing to help us out down there. So between him and Phil Griego and Mr. Hall I think we can get something going.

The other thing, if there are no other questions on the water issue, I'd like to bring up – we've been working on a community center down there for quite a while now. As a matter of fact we lost the funding that we had. We did a lot of work. We had almost everything ready to go with the State Land Office. We'd like to continue with that again. Mr. Jim Trujillo, Hall and Griego were going to be working on it. Starting next month we're going to have a meeting and probably invite Mr. Anaya or anybody else that's interested to come down. We want to still pursue that and we need all the help we can from the County. We need a community center down there. There's nothing for the kids down there, all the way La Cieneguilla, La Bajada and 599 down. There's nothing. There's nothing there. We kind of need to have something down there.

COMMISSIONER ANAYA: Madam Chair, if I could?

CHAIR STEFANICS: Yes.

COMMISSIONER ANAYA: Madam Chair, Mr. Romero, the park is on the ICIP plan. It's going to stay on that plan as one of the priorities for the district. The County did receive funding. Unfortunately that funding was vetoed by the Governor. So we're going to work with all of our delegation, including all the Senators and Representatives to try help get some more back to maintain that and also working closely with Commissioner Powell and the State Land Office. As far as the community center, we've had numerous discussions about trying to figure out how to work and expand that particular facility. We have some logistical things we have to work out with the fire department because we don't want to lose our fire funding. But both of those items are priorities that have been given not only by you but many of those people sitting behind you and they're very much on our capital improvements list and it's going to take all of us working together to try and hopefully keep that funding and get more.

MR. ROMERO: Commissioners, it's not that we don't want to use the community center in place, but there is no room there. All there is is for meetings. We need, at least to start with, we need a playing field or something to start with. So I ask your help on that. We'll be working with you and our representatives. Thank you very much.

CHAIR STEFANICS: Thank you. Anybody else that would like to speak? Representative Hall.

REPRESENTATIVE JIM HALL: Thank you, Madam Chair, Commissioners. Thank you for the opportunity just to say a few words. I'll try not to be too repetitive. I will be brief, however, knowing the old saying: Brevity is the soul of wit. It's been adapted to Commission meetings as Brevity is the soul of Commission attention. And so we will try to keep it short.

For over the past year I have worked – I'm going to start with sort of a broad overview and then focus in on the water issue again briefly. I've been working the past year to educate myself about this southwestern part of Santa Fe County. It's been interesting and a number of Commissioners have helped me, and I really appreciate that

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assistance in my education. The area does represent some of the earliest settlements in New Mexico and contains people with a deep and justifiable pride in their heritage and traditions. This pride in and commitment to these historic traditions of agriculture, self-reliance is one of the best parts of northern New Mexico. Having spent a lot of my growing up time north of Abiqui I understand it and I appreciate it.

There has also been a magnet for new people moving in, looking for places to have affordable housing, raise families and find work. This combination of tradition, the influx of newcomers – 25 percent growth, pretty much unplanned in the past 10 years has resulted in these issues that must be addressed. What I find as I talk to people, travel around, is that the main issues that you need are water – both quantity and quality, land use enforcement, roads, and public institutions such as libraries, parks, senior centers, etc.

La Cienega Valley Association has been a leader in identifying these issues, raising the public awareness and thoughtful leadership in trying to address these issues. I've supported them in the past and aggressively try to in the future.

The most immediate issue has you have heard is the declining water availability for agriculture and the impact on these traditional communities of La Cienega, La Cieneguilla, Canon, and La Bajada. I've been told there are over 500 new wells that have been drilled in this area, in this aquifer. I've seen the beaver dams and the dried up river that results from those dams as those dams spread water and are actually threatening some of the roads and bridges in the area. I've seen filled arroyos. People just filling in arroyos. I've seen eight trailers on an acre. I've also seen the results of these things. One acequia is permanently dried up – no longer in use. Another acequia, as I think you've heard, as recently as 1960 was producing over 750 gallons a minute from springs into the acequia. Now it's under 200 and dropping fast.

I think you can see what this means for those people who are trying to maintain those historic and traditional agricultural efforts in that area. The farmers in La Bajada have a dry riverbed where they used to have a free flowing Santa Fe River. I guess I could say at this point Santa Fe is admirable, both County and City, in its respect and value of its history. I just hope in the future that the respect and value for historic traditions is supported as strongly as the respect and values of our traditional architecture and traditional buildings. I think all are important.

Finally, just a few words. This is why in the last session I introduced House Memorial 74. That memorial, which was voted on by the House 48-1 was a memorial requesting that the City and County of Santa Fe ensure that sufficient water is released into the Santa Fe River to support traditional agriculture around La Bajada and La Cienega. I think that reflects the sense of the State House of Representatives about the importance of agriculture in northern New Mexico. I also obtained about \$150,000 in funding in the last session to support the traditional agricultural activities. So specifically, I request the Commission assist these communities in restoring sufficient water in the Santa Fe River for traditional agricultural purposes and support the necessary public water infrastructure to reduce depletion of the aquifer. I know you've been working on this; I just want to state my commitment to assisting you and the local people in whatever way possible, attending meetings, whatever I can do to support this. You have my assurance that I will do so. Thank you very much.

CHAIR STEFANICS: Thank you. Commissioner Anaya.

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COMMISSIONER ANAYA: Madam Chair, Rep. Hall, I mentioned just a few moments ago that we had received an award that you supported and helped us attain through the Water Trust Board. The Water Trust Board has now stopped all awards and they're re-evaluating various awards. I don't know the specifics of what's happening behind closed doors but I would publicly ask you to continue your support to help us maintain the water we've received, the resources we've received for La Cienega as well as La Bajada to take care of some very needed issues.

REP. HALL: Let me comment about that. That's one of the few things for Santa Fe County that the Governor signed and we're not going to let it die in the Water Trust Board. So you tell me where to show up, who to talk to, and I'll do it.

COMMISSIONER ANAYA: Madam Chair, Rep. hall, Governor Martinez and the members of the Water Trust Board, if you could help make contact with those individuals and we'll work together on when the next meeting is. I don't know, Ms. Miller, if they've scheduled that or not.

MS. MILLER: Madam Chair, Commissioner Anaya, they haven't scheduled it yet.

COMMISSIONER ANAYA: We will notify you, Rep. Hall, and work together with you to hold on to that funding that we worked so hard to get for the valley there.

REP HALL: I'd be happy to, as I said, attend any meeting, do whatever I need to do, talk to whoever I need to to continue to support this. Thank you.

CHAIR STEFANICS: Thank you very much for coming today. Is there anybody else from the La Cienega community that would like to speak? Commissioner.

LINDA GRILL: Good afternoon, Madam Chair, Commissioners, Steven Ross, Attorney and Katherine Miller. We appreciate everything you do for us. Commissioner Anaya, I want to say thank you very much. All the times that we have contacted you, you've been there for us. You've met with us and we really appreciate that, and there are so many Commissioners who have supported us on whatever we have come up here to ask you for. We appreciate that also. It doesn't go unnoticed by us in the community. Okay? We do have a lot of problems in our community. I'm not going to go through everything that's been said before. You don't need to hear it again, but I just want to say thank you, we appreciate what you do for us and please listen to us. Okay? We need you here. We need you doing the great job. I know you get criticized, but you're doing a great job and thank you so much. You have a good evening. Thank you.

CHAIR STEFANICS: Thank you for those comments.

HENRY BARRERAS: Madam Chair, members of the Board, my name's Henry Barreras and I'm from La Bajada. A little clarification there: We are not La Bajada Ranch. We are not La Bajada Hill. We are La Bajada Village. There's a distinction throughout the communities. I don't want to belabor the things that are so existent right now with the water situation. I don't want the conversations about beavers, believe me. I'm a long member of La Bajada. My forefathers back in the 1700s were people that came with the Spanish grant.

I want to thank the County. I want to thank Commissioner Anaya and everything that you people have continued since we started our little venture here about needing water. And it's a ways to go and we're going to get through it. I want to appreciate the

people from La Cienega, La Cieneguilla and the people from upstream with all the cooperation we have been getting from you and the consideration that we are the last source downstream. Again, thank you to the County and thank you to all the people from La Cienega and those who have been helping us with our project.

CHAIR STEFANICS: Thank you for coming today and sharing with us. Is there anybody else? Yes.

FELICITY BROENNAN: Madam Chair, members of the Commission, my name's Felicity Broennan and I'm the executive director of the Santa Fe Watershed Association. I've been particularly interested in this issue as they are the most downstream communities with the pueblo, and I just wanted to bring your attention and awareness to a letter that will be put in your packets or that is in your packets, that is a letter that a group of all of us have formed called the Santa Fe River Traditional Communities Collaborative. We've been meeting for the last three months about every other week and it's a group, a very inclusive group that represents the City and some of your County planners and other environmental organizations, landholders, La Bajada Ranch, people from the community of La Bajada and everybody – the Forest Service, the BLM. We've had incredibly successful community meetings, and of course we're working with the City as well and all the beavers and all the issues that you know about, but we are going to request of the City that they form an ordinance similar to the one they passed earlier in February that releases 1,000 acre-feet to the communities downstream to the wastewater treatment plant.

That letter that we made that request in is in your packets. *[Exhibit 1]* But as the co-chair along with Carl of that committee, I just wanted to make sure that you all knew that we have a very dedicated, committed group of people and Commissioner Anaya's representative has been a very excellent piece of that. So I think we can make some good progress. I think there's a lot of good momentum and we appreciate the opportunity to present here today. Thank you very much.

CHAIR STEFANICS: Thank you for coming.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: On that point, for Ms. Broennan, I would like to see that letter and I would arguably want to be a signator to that letter also or else ask that this County Commission draft a similar letter to the City Councilor to release that water.

MS. BROENNAN: I think that's an excellent idea. So the letter is in here and you could use that as a model for that. Thank you.

CHAIR STEFANICS: So, Commissioner, you might want to prepare that as a resolution for us to vote on.

COMMISSIONER MAYFIELD: Thank you.

CHAIR STEFANICS: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Ms. Broennan, and I would say we did pass a resolution that addresses some of those items and follows suit with the memorial that Representative Hall helped us with as well and Senator Griego and Representative Trujillo. But I think the more we emphasize it the better. So we will definitely take that and as Commissioner Mayfield suggested put it together and sign on

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as the Commission, Madam Chair, if the whole Commissioner is in agreement we could do that.

CHAIR STEFANICS: I would think it would be a stronger item if we do bring forward a resolution and we vote on it. It's a sticky topic with the City right now that we're going to go into later. Okay, anybody else from La Cienega who'd like to speak? Yes.

KIER CARRECIO: My name is Kier Carrecio and I'm a downstream water user, and I'm a resident of El Canon as was mentioned earlier, and it's a population of two, my wife and I and our little dog, blue healer, Pinta. And we are downstream water users on the Rael Ditch which was founded in 1718 and as of this past June it was the driest I've ever, ever seen it. And I understand why there was no water at all down in La Bajada. We're upstream users from La Bajada but downstream users from the treatment plant. We have senior water rights and I urge all of you to continue your struggle with the City to try to maintain the flow downstream to support all the traditional farmers and agriculture. And thank you for all your efforts. Thank you.

CHAIR STEFANICS: Thank you. Other comments? Yes, ma'am.

MARY DIXON: I'm Mary Dixon. My husband Tom and I farm full time on a property that his parents bought from Santiago C de Baca in 1958. And we farm three acres and we sell at the farmers' market and it's our livelihood. It's what we depend on to live. And this year more than the past few years we have seen the water level in our ditch, the El Guicu, go down, and I've always said, oh, we've got so much water there's never going to be a problem but it's obvious there is. The summers are getting hotter. Santa Fe is turning into Albuquerque and Las Cruces and it's just really scary for us.

For us, Tom, my husband and I and all the other farmers who are trying to make a living and keep the tradition going. So thank you all for all your help.

CHAIR STEFANICS: Thank you very much. Yes, sir.

CHARLIE C DE BACA: Madam Chair, Commissioners, I'm Charlie C de Baca. I live off of Paseo C de Baca. I'm one of the agricultural owner, like Mr. Romero, farmer, rancher and everything else I guess. I've been there farming - I've been the mayordomo for the El Guicu Ditch for about 37 years. And this year our water has diminished quite a bit. We barely have enough water to go around and not even at times. I myself water six acres probably every three weeks. So it doesn't produce. We haven't gotten any rain and that. And hopefully we can come to an agreement on how to solve that problem of that community and the other communities that were talked about here.

On another issue is that I know I got appointed to the Road Advisory Committee and what the residents in La Cienega are asking is to see if we can get funding to pave Entrada La Cienega. If you are familiar with La Cienega that is the main entrance into our community and it is in dire need of work. The shoulders are falling apart. The pavement is falling apart. The County, the state built that road in 1955. They went in there and chip-sealed it. And that's all it is is chip-sealed. But it needs work so the community would appreciate if you could look for money and the residents have talked to Mr. Hall and he's very receptive so many this year at the legislature we can get enough money, maybe not all the projects but some of them I guess. I know everybody wants candy from you so I don't know what else. So thank you for your time.

CHAIR STEFANICS: Thank you very much for coming.

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: As Mr. Gonzales is coming up I just wanted to mention that we do have Entrada La Cienega on our priority list and we will work with Representative Hall and anyone else who will listen to help us augment the budget for that particular project. I know that the community brought up specifically a trail and figuring out if we can link a trail to the park that we're going to eventually build out to the opposite side of the village. So I just wanted to put that on the record that it is a priority. We do have some money dedicated and we will work with Representative Hall and others to maybe augment that budget. Thank you, Madam Chair.

CHAIR STEFANICS: Thank you.

J.J. GONZALES: My name is J. J. Gonzales. I'm a lifetime resident of La Cienega. I just want to thank the Commission for giving us this opportunity to present some of our concerns and for your very gracious listening to our concerns and your support for a lot of the things that La Cienega really needs. The big item that this Commission or prior Commissions have done is brought in a water system to La Cienega. You've extended the County water system. That is a big plus and that is one – the more people that hook up to the County water system that will alleviate the depletion of the aquifer.

There's other community needs and I just want to thank you and thank all the members of the community that have come and spoken so eloquently on the needs for La Cienega. And thank you very much.

COMMISSIONER ANAYA: Madam Chair, J.J., I really know that you've worked so much on so many of these issues. Do all the residents in La Cienega want to be hooked up? Is there some division? Will there be some difficulty with those that don't want to abandon their wells? Or not? Has the community worked closely in trying to get the community together on a water delivery system?

MR. GONZALES: In my area, Entrada La Cienega, there's probably 35 or 40 residents that have hooked up to the County water system. Las Lagunitas is on the County water system. That is about 100 lots that are –

COMMISSIONER VIGIL: That development was created with that water. The key issue though is those who aren't currently. Because in the communities that we service that becomes a contentious issue from time to time. Is that something that would be contentious for La Cienega?

MR. GONZALES: As the County water system expands there are conditions where residents are required to tie into the County water system. And that is something – a lot of people who live in, like the racetrack area where there's a lot of private wells, there's a very productive aquifer, they are kind of resistant to hooking up to the County water system. They feel they have a very good producing well and why should they give up their producing well for the County water system. Other people are reluctant. They think they have free water from the well and they say, well, we don't want to pay a water bill. But the thing is a well is very expensive to maintain. A water bill is a lot easier to pay on a monthly basis, and it's very efficient that way.

COMMISSIONER VIGIL: I'm familiar with those that have conditions of approval that were placed on them when we approved a lot split or a family transfer that

required them to hook up to the water system when it became available. What about those that don't have those conditions of approval? I guess I'm trying to get a sense – and maybe this could be a project for La Cienega. Just how much the residents there are willing to cooperate if we create a water delivery system there. Of course, those, as I've said who are required to will, and I don't know how many residents that represents. There are a lot of residents who aren't required and do have wells. It would be nice to get a really good sort of picture of that to see how many residents would be willing to get a water delivery system and hook up to one. However, the legislature can support it; the Water Trust Board can support it, Santa Fe County.

One of the things that might be good is to start gaining a sense from the community, perhaps even a petition from those members of the community who are interested in doing this so we could get a better sense. If there is going to be contentiousness about this we will have to deal with it and so will you. So it would be good to try to gain a sense of conciliation about what could or couldn't happen. It's the same issue we had with Aamodt on a smaller scale. People want and need a water delivery system but there are those that don't and so the opposition rises and it makes it quite contentious. And I know you're following it, J.J. You've dealt with these issues before.

I guess what I'm requesting is that the community put some energy into letting us know what it would mean to everyone in the community – those who want to, those who don't. Those who are required to. That kind of information is quite beneficial when we're looking at water delivery systems.

MR. GONZALES: The biggest motivator is when people's wells start breaking down or start drying up. Then that is a big motivator to tie into a community water system. There's probably several hundred lots that are close to the racetrack area that probably, at come point are going to show a depletion in their wells and that would be a big motivator for them to tie into the County water system.

COMMISSIONER VIGIL: And that would be an easy hookup, wouldn't it? Because of Las Lagunitas, right?

MR. GONZALES: That's a couple of miles northeast of Las Lagunitas, or towards the City of Santa Fe and the racetrack area. And there's County water lines available in that area. It's just a matter of getting infrastructure extended so that more residents have the opportunity to hook up to the County water system, and that would be a big plus. I think at some point, when wells get polluted or septic systems start interfering with the groundwater it will be a big motivator for people to hook up to the County water system. And they'll be glad to do that at that point.

COMMISSIONER VIGIL: And problematically, that's currently existing, correct?

MR. GONZALES: Yes. That's correct.

COMMISSIONER VIGIL: And it exists in all the communities we represent. I'm thinking of Canoncito. I'm thinking of Canada. I'm thinking – you know the Agua Fria Water Association complexity is dealt with a water delivery system that there is no clarity in ownership for at this point in time. A lot of the communities up north also are caught up in the same situation. So the problem is real and the more we can

work at it together as local government, state government, even federal government, and community organizations, I think we're more likely to come out with a better outcome.

MR. GONZALES: That is correct. And thank you very much for your time.

CHAIR STEFANICS: Thank you. Commissioner Anaya, you had something?

COMMISSIONER ANAYA: Yes. Madam Chair, on Commissioner Vigil's point I think it is valuable to understand what the pulse of the community is and I hear it on a regular basis. The one thing I wanted to say publicly to you that I've said to you before is you've asked us, you've asked me, tell us which of those developments had the conditions associated with them. Staff has already begun the process. I think they're almost done with the overlay of which developments have the conditions on them and which don't. And then it's going to be a matter of priority of Mr. Leigland and Mr. Guerrerortiz. We've already begun the dialogue with Ms. Miller as well about how are we going to roll forward employing those conditions so that the infrastructure and the costs aren't cost prohibitive to either the County or those individuals hooking up.

But I've heard you loud and clear. Staff and this Commission has heard it from me over and over but we're going to continue to work on it. It's an issue that goes into other communities beyond La Cienega but we're working on it with staff and we're going to start with that overlay of what are the requirements and then figure out with you how are we going to best tackle hooking those people on in a timely way, but also considering that we don't have an endless supply of resources. So we want to do it in concert with people like the representative and the Senators and others to make sure it makes sense.

But we've heard you and we're going to continue to work on that project with you.

CHAIR STEFANICS: Thank you, Commissioner. Yes, other comments. Yes, Commissioner.

MS. GRILL: Madam Chair and Commissioner Vigil, I was on the County Commission when those plats were approved and now the deeds or the plats, they all agreed as soon as that County water system was extended out there that they were willing to connect to the County water system. So that's how long – the County water system, I started that in the 1990s, started [inaudible] In La Cienega we got it in 2002. Can you believe that? Twelve years down the road, okay? But anyway, that's on record here at the County. And if there's anything we can do to help the Commission, whatever it is, go to the street, whatever help we can give you, we're there. We're willing to help you.

CHAIR STEFANICS: Thank you. Anybody else from La Cienega who wishes to speak? Okay, Carl.

MR. DICKENS: This will be the third part of the presentation. I really appreciate this opportunity. I really appreciate these people being here. I wanted to talk a little bit about the video presentation, because it was an experience – it was a real eye-opener for me. I grew up in Los Ranchos, a little community just north of Albuquerque on the river. When I grew up all I knew were alfalfa fields and ditches. That was my life and that's what I experienced as a kid. La Cienega reminds me a bit of that. I thought I knew our community pretty well. I thought I knew these farmers pretty well, but this opportunity of going out and seeing them in the fields and talking to them, it's like taking

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a picture of Henry and his two friends standing in a field they tried to plant this year and there's nothing there. It's talking to Alonzo Gallegos about why he didn't plant this year because there was no water. It's about learning – and one of the things that really – it's watching Ray Romero smile when he's picking chiles, talking about his chiles. Those were the kinds of things that were just really neat experiences for me.

And so this is a perspective. One of the ways I looked at this is what we knew and what we learned. I want to say that first. We knew the Gonzales, Romero, C de Baca, and Lopez families along with other descendants of the original Spanish settlers in our community and our other area farmers are committed to sustaining their agricultural traditions that date back to the 1600s.

We knew the Acequia de La Cienega has experienced a 70 percent depletion over the last 40 years, is forced to use a supplemental well, has piped its ditch to conserve water. We knew that a spring in La Cieneguilla that once produced 750 gallons a minute is now a trickle. We knew that the springs in La Bajada, La Cienega and the springs that feed Alamo Creek dried up when the large production wells for the State Penitentiary and Valle Vista Subdivision were drilled.

We knew that all the water issues in Santa Fe County are connected and we all need to plan accordingly.

What we learned: We learned that this year 90 percent, over 60 acres of the farmland in La Bajada won't be planted because of the lack of water. We learned that between the Estancia de La Cieneguilla and El Rancho de las Golondrinas, our community contributes five to six tons of produce a year to the Food Depot, Kitchen Angels and other like organizations. We learned that El Rancho de las Golondrinas, because of a lack of water, is only able to plant 60 percent of their farmland is concerned about the health of area cottonwoods.

We learned that the El Guicu Ditch Association is struggling to meet the water needs of its members. We learned that there's a sophisticated science in raising area cattle. We learned that Armando Jurado, who in addition to allowing people from Gallina to pick in his field in La Bajada, donates his excess produce to a local agency serving the needy. We learned that the new Mevi Vineyard is hoped to be an inspiration for other agricultural endeavors in our community.

The hardest things we learned: We learned that Alonzo Gallegos, an established rancher and farmer didn't plant in La Bajada or Tres Rios Ranch this year because he knew there wouldn't be sufficient water. The Tres Rios farm is the largest organic farm in the area at 24 acres.

We learned that a tenant farmer in La Bajada whose life is farming will be going to truck driving school this winter and can't conceal his anger at being forced into a new career because of lack of water.

So this again was an eye-opener to me. It was an opportunity for me to see the community from a whole different perspective. And with that I'd like to lead into our video presentation, a little slide show and let you see what our ranchers and farmers do in the communities of La Cienega, La Cieneguilla, La Bajada and El Canon.

CHAIR STEFANICS: Thank you very much. And just so you all know, we have a little TV, or the slide show comes across our computer right below us. So while you're watching it we get to see it here as well. So let's proceed with that.

[A slide show followed.]

MR. DICKENS: Thank you very much. I'd like to give you packets with just a little bit of the information from the presentation today and also include some gifts from Las Golondrinas, free passes to the museum. We heartily encourage you to come out. The fall festival will be the first weekend [inaudible]

CHAIR STEFANICS: Great. Thank you for coming today, all of you. And for those of you who are interested there is a presentation in a little bit, or some action items on La Bajada Ranch for those of you who want to stay around for that. We really appreciate everyone coming from the community, taking your time to present to us. Many of your issues were on our radar screen and on some of our lists of things to do but we always need to be reminded and we always need to be asked to be representing you. And thank you very much for reminding of us that. Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, ditto the comments of the chair. Thanks to each and every one of you. I very much appreciate learning each time I visit with you and I want to tell you we're going to continue to work on those initiatives that are most pressing that you brought today. I know Ms. Miller did have some comments she wanted to make, so I wanted to give her an opportunity to do that as well.

MS. MILLER: Madam Chair, Commissioner Anaya, just wanted to let everybody know. We just found out the Water Trust Board today posted that they are having their meeting on September 12th at 9:00 am, Room 307 at the State Capitol. And that's supposed to be to either confirm the awards that they previously made or reallocate them based on some appeals that were made to the board from some entities that did not receive awards.

COMMISSIONER ANAYA: Madam Chair, Ms. Miller, we had direct funding for La Bajada well and water tank, we have well monitoring as well and one other project in La Cienega.

MS. MILLER: It's a watershed project.

COMMISSIONER ANAYA: La Cienega watershed. So well monitoring, La Cienega watershed, as well as La Bajada funding for the well. So it's crucial and imperative that all of you that are here today try and make it and encourage others to attend as well to maintain the resources. We went through the process, we provided all the documentation and facts. We were awarded, and then the awards were put on hold and we want to make sure that ours stay on track.

MS. MILLER: Commissioner Anaya, Madam Chair, we also have some other ones in the county we need support for too. Glorieta and Canoncito.

COMMISSIONER ANAYA: That's correct. Canoncito Mutual Domestic and Glorieta Mutual Domestic, both went and took projects that were successful as well. So thank you for that notation and thanks to all of you.

CHAIR STEFANICS: So that's September 12th, Room 307, 9:00 am?

MS. MILLER: Yes.

CHAIR STEFANICS: Great. So for those of you who are listening on the radio or TV might note that if you're one of the communities that's being affected by the holdup of water. So thanks again for your participation today and thank you for coming.

X. APPROVAL OF CONSENT CALENDAR

CHAIR STEFANICS: Is there anybody who wishes to remove any item from the Consent Calendar?

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you. Madam Chair, I guess more for clarification, I'm going to ask that we removed Miscellaneous B. 1, and Resolutions C. 1, 2 and 3.

CHAIR STEFANICS: Is there a motion?

COMMISSIONER MAYFIELD: I'll move to approve the rest of it, Madam Chair.

COMMISSIONER HOLIAN: Okay. I'll second it.

CHAIR STEFANICS: I'm sorry. Ms. Miller.

MS. MILLER: Madam Chair, there are resolutions on there for –

CHAIR STEFANICS: Public comment? We will. So before we take a vote on the Consent Calendar, is there anybody in the audience who came to speak on behalf of any resolution that is listed there? Okay. Could we have a motion to approve the Consent Calendar as amended?

COMMISSIONER MAYFIELD: So moved, Madam Chair.

COMMISSIONER HOLIAN: Second.

CHAIR STEFANICS: There's a motion and a second to approve an amended Consent Calendar.

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

XI. CONSENT CALENDAR

A. Appointments/Reappointments

- 1. Appointment of Santa Fe County Representative to Regional Economic Development Initiative Broadband Network Board ("REDI Net Board") (Growth Management/Robert Griego)**

B. Miscellaneous

1. Request Approval for a Waiver From Section 1 of Ordinance No. 2012-5 to Purchase (2) Water Trucks in the Amount of \$303,442.00 Utilizing the Houston Galveston Area Council Cooperative Purchase Agreement (Purchasing/Bill Taylor)
ISOLATED FOR DISCUSSION

C. Resolutions (PUBLIC COMMENT)

1. Resolution No. 2012-___, a Resolution of Support for County Participation in the New Mexico Department of Transportation (NMDOT) 2012/2013 Local Government Road Improvement Fund (LGRF) Cooperative Project Agreement No. SB-7806(103) 13 for Pavement Rehabilitation/Improvements on CR 84, CR 54, (Los Pinos Road), CR 66 (Agua Fria), CR Avenida Torreon, CR Encantado Loop, CR 74 and CR 113 in Santa Fe County, New

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Mexico (Transportation & Solid Waste/Adam Leigland)
ISOLATED FOR DISCUSSION

2. Resolution No. 2012-___, a Resolution of Support for County Participation in the New Mexico Department of Transportation (NMDOT) Year 2012/2013 Local Government Road Improvement Fund (LGRF) Cooperative Project Agreement No. CAP-5-13 (470) for Pavement Rehabilitation/Improvements on CR 46 (Ellis Ranch), Rancho Alegre Road, CR 60 (Nine Mile Road), CR Camino Montoya, CR 67J (Double Road) and CR 55 (Goldmine Road) in Santa Fe County, New Mexico (Transportation & Solid Waste/Adam Leigland) **ISOLATED FOR DISCUSSION**
3. Resolution No. 2012-___, a Resolution of Support for County Participation in the New Mexico Department of Transportation (NMDOT) Year 2012/2013 Local Government Road Improvement Fund (LGRF) Cooperative Project Agreement No. SP-5-13(184) for Pavement Rehabilitation/Improvements on Dinkle Road in Santa Fe County, New Mexico (Transportation & Solid Waste/Adam Leigland) **ISOLATED FOR DISCUSSION**
4. **Resolution No. 2012-95, a Resolution Requesting a Budget Decrease to the State Special Appropriations Fund (318) to Reduce the Balance for the Edgewood Senior Center to Account for Encumbrances Made at the End of the Fiscal Year for a Fire Suppression System in the Amount of \$4,084.00 (Public Works/Adam Leigland)**
5. **Resolution No. 2012-96, a Resolution Requesting a Budget Decrease to the Capital Outlay GRT Fund (213) to Realign the Fiscal Year 2013 Operating Budget with the Available Prior Year Balance for Open Space and Trails Projects / -\$26,158 (Finance Division/Teresa Martinez /Public Works/Adam Leigland)**
6. **Resolution No. 2012-97, a Resolution Requesting a Budget Decrease to the State Special Appropriations Fund (318) to Realign the Fiscal Year 2013 Operating Budget with the Available Grant Balance for the Esperanza Shelter / -\$17,323. (Public Works/Teresa Martinez)**
7. **Resolution No. 2012-98, a Resolution Requesting a Budget Increase to the Federal Forfeiture Fund (225) to Budget Program Income Received Through the Equitable Sharing Program for Region III /\$9,024 (County Sheriff/Teresa Martinez)**
8. **Resolution No. 2012-99, a Resolution Requesting a Budget Increase to the 2001 General Obligation Bond Fund (353) to Budget Remaining Interest Income for the Town of Edgewood Fire Station / \$4,996 (Finance Division/Teresa Martinez)**

9. **Resolution No. 2012-100, a Resolution Authorizing the Disposal of Personal Property in Accordance with State Statutes (Finance Division and Sheriff's Office)**

Withdrawn items:

XI. B. 1. Request Approval for a Waiver From Section 1 of Ordinance No. 2012-5 to Purchase (2) Water Trucks in the Amount of \$303,442.00 Utilizing the Houston Galveston Area Council Cooperative Purchase Agreement

COMMISSIONER MAYFIELD: Madam Chair, thank you. Madam Chair, I just wanted to know what these water trucks are going to be used for, and maybe it's in the summary memo. And then also, if they're on a statewide or some purchasing agreement or if we're still trying to look at the local vendor option or what we're doing on that.

CHAIR STEFANICS: Is this in the intergovernmental agreement?

BILL TAYLOR (Purchasing Director): Yes, Madam Chair and Commissioner Mayfield, Commissioners, this is using the Houston Galveston Area Council Cooperative which is a cooperative price agreement that allows the County to take advantage of bulk sale pricing. Our due diligence has shown that this could be on going out ourselves as the County to purchase is up to 20 percent more money in purchasing these water trucks. And so we have the opportunity and we are allowed to be a participant in HGAC-4, the bulk price rates for these trucks.

COMMISSIONER MAYFIELD: Okay. And these trucks will be used as water tenders? Water buffalos? Delivery of potable water when people are in trouble?

ROBERT MARTINEZ (Roads Director): Madam Chair, Commissioner Mayfield, these water trucks will be used for road maintenance purposes – compaction, water for compaction for road construction projects or maintenance projects.

COMMISSIONER MAYFIELD: So, Madam Chair, Mr. Martinez, maintenance could be on dry areas, dry times, we could just put some water out on our dirty, dusty dirt roads?

MR. MARTINEZ: Madam Chair, Commissioner Mayfield, typically, when we put basecourse down we need water for compaction. We typically don't send water trucks out with the graders because we don't have enough water trucks, or the cost of water is too costly for us to absorb in our budget. So we typically don't send water trucks out when we do routine grading on roads.

COMMISSIONER MAYFIELD: Sure. Madam Chair, Mr. Martinez, just let me ask this to Mr. Ross. Mr. Ross, we have so many acre-feet of water going down the Rio Grande. Do we have to pay for that water if we're not – our raw water? Can't we tap into it and use it?

MR. ROSS: Madam Chair, Commissioner Mayfield, no, we don't pay for that water. The water that runs by to Texas?

COMMISSIONER MAYFIELD: Why does Mr. Martinez have to pay for it to use it on our roads?

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MR. ROSS: Well, it has to be lifted from the Rio Grande and delivered to Mr. Martinez through the Buckman Direct Diversion and that costs some money.

COMMISSIONER MAYFIELD: Madam Chair, and on this point, Mr. Ross, I know I spoke with Mr. Guerrerortiz. I was hoping that at least off of our raw water deliveries out of the BDD we were going to have a place where we could actually do some filling up of that water and I thought there was an existing site location for that and I would just hope we could use that water for our own County needs. And if not then I would ask that we move to approve some sort of a delivery system for when we need water, we don't have to pay for it. We're paying for water we already own.

MR. ROSS: Madam Chair, Commissioner Mayfield, I know that Mr. Guerrerortiz is working on all that stuff. We do have a well water delivery system that we currently use to deliver water to Las Campanas. I don't think that's outfitted for other purposes yet, but I'm sure he's working on that stuff.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Guerrerortiz, I thought, Patricio, there was a – I know we spoke about it – a place to hopefully even sell this water to contractors if needed, but at least use it for our road maintenance.

PATRICIO GUERRERORTIZ (Utilities Director): Madam Chair, Commissioner Mayfield, at the present time we do have a bulk water delivery system that is on South 14 that is potable water. What I have mentioned to you is that the system that we have, the pumps and the pipeline to deliver water to Las Campanas at this point are available for the water to take over, at which point we can have other services or other users for that raw water that could be delivered to a point of use. At this time that pipeline is not ours.

COMMISSIONER MAYFIELD: And Madam Chair, Mr. Guerrerortiz, at the BDD, anywhere down in that area, there is nowhere we can fill up our water trucks from raw water?

MR. GUERRERORTIZ: At this point we don't have the capability to bring the raw water to other locations other than Las Campanas.

COMMISSIONER MAYFIELD: Okay. I guess that's a different discussion but I'd like to look into it. Thank you, and thanks for the update.

CHAIR STEFANICS: Thank you. We need a motion.

COMMISSIONER HOLIAN: I move for approval.

CHAIR STEFANICS: Is there a second?

COMMISSIONER ANAYA: Second.

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

XI. C. Resolutions

- 1. Resolution No. 2012-101, a Resolution of Support for County Participation in the New Mexico Department of Transportation (NMDOT) 2012/2013 Local Government Road Improvement Fund (LGRF) Cooperative Project Agreement No. SB-7806 (103) 13 for Pavement Rehabilitation/Improvements on CR 84, CR 54, (Los Pinos Road), CR 66 (Agua Fria), CR Avenida Torreon, CR Encantado Loop, CR 74 and CR 113 in Santa Fe County, New Mexico**

COMMISSIONER MAYFIELD: Madam Chair, thank you, and we can go over each resolution one by one, but that's pretty much what I wanted to do was just kind let the public know what the County went after and we were able to receive some grant funding. Is this, Mr. Martinez, the funding that Mr. Diego Gomez, the \$600,000 grant that he went after and was able to receive?

MR. MARTINEZ: Madam Chair, Commissioner Mayfield, no it is not. This is the annual Local Government Road Fund grant that we get every year, and what we've put together is a road maintenance schedule for the next four years that we will be utilizing this particular grant for pavement preservation on our County paved roads.

COMMISSIONER MAYFIELD: Great. And again, I guess my point was just to let the public know what type of dollars we are out there looking for and that there are many roads that we are going to improve with this type of funding. And then maybe at the end though, Mr. Martinez, could you talk a little bit about the other \$600,000-some that was mentioned to me, a different grant, but after we work through these please?

MR. MARTINEZ: You bet.

COMMISSIONER MAYFIELD: Thank you. And thank you for that.

COMMISSIONER HOLIAN: Madam Chair.

CHAIR STEFANICS: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Robert I have a question. In applying for this grant funding, how do we prioritize the roads for which we are going to make the application?

MR. MARTINEZ: Madam Chair, Commissioner Holian, last November we gave a presentation to the Commission on the status of our paved roads and we evaluated our roads using that PSR rating that rated the roads, the paved roads from one to ten. So with this funding we will be able to do some preventative maintenance on some of those roads that are in the 4 and 5 and 6 category and extend their life for another seven to ten years.

COMMISSIONER HOLIAN: So this is mostly for preventive maintenance.

MR. MARTINEZ: Madam Chair, Commissioner Holian, that is correct.

COMMISSIONER HOLIAN: Thank you, Robert. Madam Chair, I move for approval

COMMISSIONER MAYFIELD: Second.

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

- XI. C. 2. Resolution No. 2012-102, a Resolution of Support for County Participation in the New Mexico Department of Transportation (NMDOT) Year 2012/2013 Local Government Road Improvement Fund (LGRF) Cooperative Project Agreement No. CAP-5-13 (470) for Pavement Rehabilitation/Improvements on CR 46 (Ellis Ranch), Rancho Alegre Road, CR 60 (Nine Mile Road), CR Camino Montoya, CR 67J (Double Road) and CR 55 (Goldmine Road) in Santa Fe County, New Mexico (Transportation & Solid Waste/Adam Leigland)**

COMMISSIONER MAYFIELD: Thank you, Madam Chair. With the explanation given a little earlier I'd move for approval.

COMMISSIONER ANAYA: Second

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

- XI. C. 3. Resolution No. 2012-103, a Resolution of Support for County Participation in the New Mexico Department of Transportation (NMDOT) Year 2012/2013 Local Government Road Improvement Fund (LGRF) Cooperative Project Agreement No. SP-5-13(184) for Pavement Rehabilitation/Improvements on Dinkle Road in Santa Fe County, New Mexico (Transportation & Solid Waste/Adam Leigland)**

COMMISSIONER MAYFIELD: Move for approval, Madam Chair.

COMMISSIONER ANAYA: Second.

CHAIR STEFANICS: Yes, you have some discussion, Commissioner

Anaya?

COMMISSIONER ANAYA: Yes, just a question. What section of Dinkle would this cover?

MR. MARTINEZ: Madam Chair, Commissioner Anaya, it is the portion of Dinkle Road that is approximately about 2.5 miles west of State Road 41. It's the chip seal portion that they're currently doing pot hole patching on as we currently speak.

COMMISSIONER ANAYA: Madam Chair, Mr. Martinez, did the recent flooding that occurred right in that area have any impact on the overall road structure or drainage structure? Because it was essentially a river the other day.

MR. MARTINEZ: Madam Chair, Commissioner Anaya, no. It has dried out. But the area that we are chip sealing we continually get drainage issues on that road because the road is lower than the surrounding properties. So that is one of the reasons we do get some subgrade failures because of the saturation of the road due to the drainage. But the road, due to these recent rains did not get damaged.

COMMISSIONER ANAYA: Thank you, Madam Chair.

CHAIR STEFANICS: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Robert, also, I know that on the pavement you put on that coating to make it have a longer lifetime. But do you also work on the bar ditches when you do this kind of maintenance?

MR. MARTINEZ: Madam Chair, these particular grants are typically only for the pavement section but if we do have issues with drainage we will work the bar ditches and make sure that the drainage is positive.

COMMISSIONER HOLIAN: Okay. Thank you.

CHAIR STEFANICS: Thank you.

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

XII. STAFF AND ELECTED OFFICIALS' ITEMS

A. Finance Department

1. Resolution No. 2012-104, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Realign the Fiscal Year 2013 Operating Budget with the Actual Grant Award for the Region III – Multi-jurisdictional Task Force / \$114,717

MS. MARTINEZ: Madam Chair, this is basically just housekeeping if you will. We, oftentimes going into a fiscal year may not know the budget award that we will be getting in terms of the grant award. So we budget oftentimes what we received in the previous fiscal year, but we were happy to find that we received a \$202,000 award versus the \$87,000 that we had established. So this is a budget increase to match the actual grant award.

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I know the Region III Task Force does a lot of combined collaborative work. Could we ask if the Sheriff and the Region would come and do a presentation on the work that they do? They do a lot of work to provide for safety and deal with drug trafficking issues as well as many others, but I think it would be helpful for the community to actually get a presentation on what the task force is actually doing and what entities are a part of the task force.

MS. MARTINEZ: Okay. Madam Chair, Commissioner Anaya, I'll work with them to arrange that.

COMMISSIONER ANAYA: Okay. Do you have the entities that are part of the task force that are a part of the task force available? Do we know?

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MS. MARTINEZ: Ralph is here so we can pull him –

COMMISSIONER ANAYA: Oh, there he is. Come on up, senior. I didn't see you there. I apologize.

RALPH LOPEZ: Madam Chair, Commissioners, my name is Ralph Lopez. I'm the program manager for Region III. And as far as entities, Madam Chair, Commissioner Anaya, they are basically right now we're running with State Police, Santa Fe PD and Santa Fe County. So our concentration right now is in Rio Arriba and Santa Fe County. We're running with JAG funding which is the awarded amount on this grant and also a HIDTA release which comes through ONDCP, Office of National Drug Control. Santa Fe County and Rio Arriba were declared a high intensity drug trafficking area back in 2000, so we've been receiving those monies since 2000.

COMMISSIONER ANAYA: Appreciate it very much and if at some point in the future – it doesn't have to happen over night – maybe you guys could come back and provide more presentation to the public. But I appreciate your efforts and what you guys do.

MR. LOPEZ: Thank you. Appreciate it. We can do that.

COMMISSIONER ANAYA: Thank you.

COMMISSIONER VIGIL: Madam Chair, may I ask a question?

CHAIR STEFANICS: Yes.

COMMISSIONER VIGIL: I know that Rio Arriba was and perhaps some of northern Santa Fe County, but when I actually – when that declaration actually occurred for the HIDTA high intensity drug trafficking area, I don't think it included all of Santa Fe. I don't know how they identify the regions for those high intensity areas, but there was a point in time where Santa Fe County, the larger part of Santa Fe County was trying to gain an identity there for grant purposes and I don't think that that included all of Santa Fe County. Could you clarify that maybe, if it requires you to go back and look into it a little bit. I'd be happy to learn more about that.

MR. LOPEZ: It does include all of Santa Fe County.

COMMISSIONER VIGIL: What year was it designated then?

MR. LOPEZ: The latter part of 1999. We respond to the HIDTA director's office in Las Cruces, New Mexico. And these monies were awarded to us through the Office of National Drug Control. We saw our first funding for it in the year 2000.

COMMISSIONER VIGIL: Okay. So that includes even southern Santa Fe County, Edgewood and all of that area?

COMMISSIONER VIGIL: That's interesting. That's not what I had initially learned. It just may be the source I learned it from. Thank you very much.

MR. LOPEZ: Sure.

CHAIR STEFANICS: Thank you. This is a public – we are taking public comment. Is there anybody in the audience who has a comment on this resolution? Okay, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, move for approval.

COMMISSIONER MAYFIELD: Second, Madam Chair.

CHAIR STEFANICS: There's a motion and a second for approval.

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

XII. A. 2. Resolution No. 2012-105, a Resolution Requesting a Budget Increase to the Capital Outlay GRT Fund (213) to Budget a Memorandum of Understanding Between Santa Fe County and the City of Santa Fe to Reimburse the County for Expenses Incurred on the Santa Fe River Trail Project / \$95,941

MS. MARTINEZ: Madam Chair, what this does is budget the portion of that has been paid to the County by the City. A portion of it was released in the last fiscal year and we're setting up the budget for the remainder of the payment so we can actually expend it on this project this year.

CHAIR STEFANICS: Thank you. Is there any public comment on this particular resolution? Commissioners, what's the pleasure?

COMMISSIONER HOLIAN: Move for approval.

CHAIR STEFANICS: There's a motion for approval.

COMMISSIONER MAYFIELD: Second.

CHAIR STEFANICS: And there's a second. Any further discussion?

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

XII. B. Public Works Department

- 1. Update on the Planning and Development at La Bajada Ranch and Current Work Underway**
- 2. Resolution No. 2012-106, a Resolution to Establish a Steering Committee for the Purpose of Creating and Submitting Alternatives to the Santa Fe Board of County Commissioners for Developing La Bajada Ranch**

MR. LEIGLAND: Madam Chair, Commissioners, the next two items both deal with La Bajada Ranch and I'm going to turn it over to Mr. Hogan and Ms. Mills who are experts on the project.

CHAIR STEFANICS: Thank you.

MARK HOGAN (Facilities Director): Madam Chair, Commissioners, we originally intended to have this presentation towards the end of July. I think most of July was consumed putting together our capital budget and getting those projects under way so I apologize for any delays in getting this to you. It has been a productive time and we'd like to break this discussion really into two portions. The ranch itself has the compound that consists of the built structures and some riparian areas and areas that in our land use analysis we designated as conservation areas. And then there is the remaining portion of the ranch we which had worked with community and discussed different areas for development suitability and what type.

I'm going to break this into a summary of what's happening on the compound portion of it which includes the main house and the status on that. We've got an asbestos issue in the roof that we're going to procurement to have the roof replaced. We have to

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do a replacement in order to abate the asbestos there. Subsequent to that there's more problems in the house. We need to fix the roof before we can take care of the mold. At that point our plan tentatively is to mothball that structure once it's stabilized until we have a specific community use in mind and then allocate specific funding to effect that type of remodel, so that we're not remodeling it as a house and bringing it back to standards for that, because we don't anticipate that that will be the long-term use of it.

In other portions of it there's the foreman's house which I think can be suitable for community use in a fairly short-term turnaround and what we need to do to make that possible is get a new well pump put in and a new water line buried to that house to make that functional. We've got those procurements underway. We expect those to be done within the next 60 days. In the meantime we're looking at different potential uses. Beth will talk a little bit about some of the community uses we're looking for in the compound.

The overall structure that we want to get back to – let me back up a little. We have had the property fenced. That was an issue because we're a fence-out state. We had the neighbors' cows that were making use of the cows and tearing up some of the riparian environment so we've succeeded in getting that fenced off. That's one of the things that can be checked for in the completed zone although there are some other fenced areas that we need to do repairs and that's underway.

So the resolution that follows this is designed to or is asking for approval of a steering committee that will guide the development of the project. That is not only providing recommended uses or a process for vetting potential uses for the property but also in the larger portion where we want to really do a conscientious job of reviewing what types of development would be appropriate and how they respond to the needs of the community. I won't read through unless you want me to all of the guidelines that we've established. They're in the second part of the packet summary regarding the goals and the guidelines for the compound as well as for the property. They show up also in the resolution directing the steering committee to look after those specific items. There are a couple of comments that we got back from Commissioners regarding the committee and we attempted to include those with more emphasis on historical agriculture. We put that into the components where we talk about the goals for development and also more expertise on water issues. As you heard earlier there's a number of issues on water issues in that community. Most of the ones we heard about today are not really going to be affected by La Bajada Ranch but we want to make sure that anything we do is consistent with both historical farming and agricultural techniques as well as being wise water users.

With that I'd like to turn it over to Dr. Beth Mills to talk about some of the accomplishments that she's been working on with regards to the conservation areas and potential uses for the compound.

CHAIR STEFANICS: Welcome, Beth.

BETH MILLS (Open Space): Good afternoon, Madam Chair and Commissioners. We've been working for the past several months out at La Bajada Ranch after consulting with community members and conducting reconnaissance work out there. As you may know, one suitability analysis was conducted with the help of our GIS staff and planning and what that analysis did was give us a really clear picture of what areas we needed to develop as conservation or regard as conservation, and which areas

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could be developed more intensely. So we went out in the field and looked at that and determined that the areas around what Mr. Hogan is calling the compound, along Alamo Creek, and the areas around Bonanza Creek, those riparian areas were part of the conservation area, and also pockets of the ranch where cultural resources are quite intense.

So a full boundary survey was then completed. We did not have boundary monumentation out there so we did complete that survey, and the entire property is now fenced. The way we went about the fencing was we fulfilled the requirements for wildlife friendly fencing, a couple of the strands being round wire in the correct placement so that the antelope and deer can move through there easily. An application was made and approved to the Upper Rio Grande Watershed Alliance for approximately just a little less than \$30,000 to provide for the removal of non-native trees from along the creek and the area around the pond. So we're hoping that that grant has moved forward just last Friday for approval, so we will begin working this fall with the Santa Fe Pojoaque Soil & Water Conservation District to implement that and remove non-native species from Los Alamos Creek. I think that that in and of itself is going to really make some huge improvements at the ranch along with improving the riparian environment there for bird and wildlife and eliminating the seed source for the Russian olive for users down the stream.

It's also going to provide an opportunity to use the ranch as a demonstration project for other ranchers who may be considering restoration work. And then members of the Sangre de Cristo chapter of National Audubon have been out at the ranch with us and visited the property and they've agreed to offer field training for volunteers from La Cienega and La Cieneguilla to do bird counts and have [inaudible] at the ranch so that we have a good idea of the inventory of both resident and migratory birds there.

We've identified some community and volunteer projects including fence removing now that we have the perimeter fence. There's a lot of fencing that's unnecessary and impeding wildlife movement out there, and other cleanup activities have been identified as potential volunteer activities. Mr. Hogan's reported on needed repairs to the existing infrastructure on the property, and then of course the Board of County Commissioners, you all have committed \$325,000 to immediate needs and remediation on the property.

So let me just talk for a minute about some of the potential uses for the compound and the conservation areas that we've been exploring, but it will be up to the steering committee to evaluate as projects come forward. Some of the ideas that we have – well, first of all, you may remember that this area is very rich in cultural resources. There are 54 archeological sites out there, 38 of them are considered significant and could be brought for designation to the State Historic Register. And you will also remember that we have habitat for the endangered species, the willow flycatcher and the threatened species, the mountain plover. This is part of the Audubon work that we're attempting out there to document exactly what's there.

So what we're thinking possible uses for this conservation area including the compound would be some sort of educational center. Another possibility would be a retreat center. We've also considered the idea of 4-H facilities for county youth. The idea of a community library and extension educational services. The possibility of a summer day camp for county youth and perhaps in connection with County public housing and

the children that are growing up in those homes. An outreach program for the Santa Fe Public Schools or public schools throughout the county. And then another consideration that has come up is the idea of tourism and a heritage center, not duplicating the efforts at Las Golondrinas but focusing more on the pre-history and the Camino Real and the rich history of La Cienega.

So those are some of the thoughts for the conservation area and I guess I'll turn this back over to Mark.

MR. HOGAN: Please feel free to interrupt if you have any questions on any of the specifics that we've talked about.

CHAIR STEFANICS: I think we're going to hear your presentation and then we're going to public comment. And then we'll go to the Commissioners.

MR. HOGAN: Through the land suitability analysis the 205 remaining acres we determined to be suitable for development and in order to determine what types of projects may be appropriate that's why we wanted to turn to a steering committee. We looked at the steering committee as based on expertise, and I'll just review for you the representatives that we're going to seek. We have done some preliminary vetting but we would like to ideally bring those committee members back for appointment to the Board after we've had a chance to discuss it and make sure that the Board has had full input on it.

So right now we're looking at an 11-member committee composed of a community representative from La Cienega/La Cieneguilla; a development advisor, somebody that can help us make sure that any of the changes in the plans that we're making having a sound basis in development and a promise for some return on investment. Some of those things come into our criteria later on. We looked at a housing advisor since this property has been discussed as a potential opportunity for housing. Given the amount of Native American and historical artifacts in the area we wanted a tribal planner/advisor; an educational advisor; green infrastructure advisor; an energy advisor; tourism and economic development; water and ecology advisor. We also wanted to include the Commissioner from District 3 and an at-large County Commissioner.

So that is our proposed makeup of the committee. And then just to review the guidelines. We wanted to make sure that this addressed the goals for the greater Santa Fe County, not just the area immediately surrounding the ranch. We're looking at land use development projects to be compatible with the land with respect to surrounding communities and will be sustainable. Development projects will strive to serve the diverse needs of greater Santa Fe County residents. Development standards will conform to the goals and strategies outlined in the Sustainable Growth Management Plan. Also development projects will strive to maximize Santa Fe County's investment in the property while adhering to a strict set of development criteria. And development will conserve the unique cultural and biological resources of the property.

So those were the goals. As additional guidance, the County has established the following criteria to evaluate projects for the ranch compound. Some of these would be what Beth just covered. Support of community functions of the greater Santa Fe County community; support tourism; be self-supporting; support conservation of the natural environment; help interpret the history and pre-history of Santa Fe County for county residents and visitors; increase the conservation value of the property; provide a service

for underserved or adverse populations; fills an economic development or social service niche for the county; provide unique services to the county and improves the quality of the environment and the quality of life in neighboring communities.

So that was all for the ranch and the conservation areas. And now for the remaining 205 acres that we described. The development evaluation criteria would be whether or not it's self-supporting, whether it increases revenue for Santa Fe County, provides a model for sustainable development, provides a service for underserved or at-risk population, avoids or mitigates negative impact to the terrain, soil or ecology of the property, is sustainable as defined in the Growth Management Plan, realizes a market need, fills an economic development or social service niche for the County, provides a unique service to the County, makes strong economic sense and provides return on the County's existing investment, provides a model for future development in other parts of the county, supports the long-range economic development, tourism, or energy plans for the state of New Mexico and fills a niche in the housing market. It will also improve the quality of the environment and the quality of life in neighboring communities.

So those are the goals and the objectives and the guidelines we'd like to establish for the steering committee. There's one other element that I wanted to address. In our last presentation we were asked – the subject of appraisal came up and we suggested or we were directed actually to explore getting a market appraisal. We attempted to do that. We subsequently found that actually unless a sale of property is imminent that it's actually illegal for realtors to provide those costs. So we're coming back somewhat empty-handed in that regard. Subsequent to finding out that information we talked to a couple of appraisers, including the one that did the original appraisal on the ranch to see what kind of cost it would take to update that appraisal and we can bring those costs back to you if that's the direction that you want to go. So that concludes my report and I can stand for questions.

CHAIR STEFANICS: Thank you. This is item 1 and 2 under XII. B, so it includes a resolution, 2012-106, to establish the steering committee. So is there public comment? Yes. So, Mark, do you want to have a seat. Please come on up, anybody who'd like to make a public comment on this.

MR. DICKENS: Hi. I'm Carl Dickens, president of La Cienega Valley Association. The steering committee is something we really are excited about. It's an opportunity to move forward on planning for La Bajada Ranch which is something we're very supportive of. The only thing that we would be concerned about is as with other large property owners, before you get too far [inaudible] to the communities so we can get a feel for what's being proposed so it's not at the end we're fighting because we haven't had an opportunity to sit down and chat and talk about things. It's exactly what we're doing with the Downs where we're pro-actively engaged.

We do, again, have an outstanding representative in Jose Varela Lopez and we're certain that he'll do a great job. But as time goes on and there's a serious proposal we'd like some sort of formal process where that serious proposal is allowed to be reviewed by the committee. That would be our only comment. But thank you for doing this. This is something that we look forward to really making this a very special place for everyone in Santa Fe County. Thank you.

CHAIR STEFANICS: Thank you, Mr. Dickens. And I'm sure that since your Commissioner will be on it they'll arrange some townhall meetings on it. Great. Thanks. Any other comments on this resolution? Okay. Commissioners, questions for staff? Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. First of all I just want to say thank you to Beth and Mark and Adam for doing the groundwork for this project and I'm especially excited about the land suitability analysis actually using that as an example and I think it really shows how land suitability analyses can be the basis for good decisions for any kind of major development that occurs in our county in the future. So this is a really important test project as far as I'm concerned. And I think that it's very important to realize that this is a special piece of land and how important it is to really protect the archeological sites and the riparian areas and the other areas that are sensitive in one way or another.

I do have a question, Beth. On removing those non-native trees, how do they plan to do that?

MS. MILLS: Madam Chair, Commissioner Holian, we are still working on that plan. We're consulting with the folks who are funding, the technical committee that's funding the project with the Upper Rio Grande Watershed Alliance and they have technical representatives from various state and federal agencies. We still haven't decided absolutely on a technique. My thought is we need to be very clear about the habitat which is part of this wildlife analysis we're running in parallel, in a parallel project, especially the habitat for the bird life out there so that the discussion hinges around how much of the non-natives we're going to take out, whether we're going to take them all out or not.

So no decision has been made yet about that but I've been researching it and I've been receiving a lot of feedback and technical advise from people. I'm looking forward to the Audubon work out there and their analysis as we move forward in making that decision. So it's unclear right now what we're going to do. There are certain requirements that come with the grant and that involves agreeing to treat the stumps of whatever we do have to cut. And so we do have to do that treatment. But in terms of exactly how much of the non-natives we take out and all the technicalities of it, that is still under discussion.

COMMISSIONER HOLIAN: So, Madam Chair and Beth, your principle will be, while you're doing this to still protect the habitat as you go along.

MS. MILLS: Madam Chair, Commissioner Holian, that's correct. That's why some of the folks that we have called for the steering committee are going to be so important because they're going to help us evaluate how this goes forward and make those decisions and we've got some really strong people in terms of who have done this sort of restoration work before earmarked for this committee that we'd like to see in there, so that will help.

COMMISSIONER HOLIAN: Great. Thank you. So I'd just like to make a couple other comments. I think that I read over a number of the uses that were suggested as possible uses and so on and I think that they seem like – they all seem like viable suggestions and so on but I think it really, really is important to have the steering committee to look at those in greater depth and really discuss them and dig into the details because we sitting up here can say one use is better than another unless we were to look at it in much greater depth and so on. So I think that I really like the idea of having a

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steering committee and I like having the idea of a steering committee where you have people with all these different areas of expertise that can contribute to the discussion. But I think it is also important as Mr. Dickens pointed out too, as you go along to have conversations with the people in the community and so on.

Now, I assume that these meetings of the steering committee will be open meetings, if people want to attend.

MR. HOGAN: Madam Chair, Commissioner Holian, that's definitely our intention. And also we had talked to Mr. Dickens about that process about making sure that any time that we were moving forward with any type of a proposal that it would go to the community, not only La Cienega but we'd have community meetings that would invite the greater Santa Fe County residents.

COMMISSIONER HOLIAN: Okay. And the other comment I wanted to make is that I know that the La Cienega community is obviously very, very concerned about what happens with this property and so on, but it's still important to remember that this property belongs to all the people in Santa Fe County, so I hope that whatever is done with it will benefit everybody in one way or another. Thank you.

CHAIR STEFANICS: Thank you, Commissioner Holian. Commissioner Anaya, and then Commissioner Mayfield.

COMMISSIONER ANAYA: A few items. Number six on the second page talks about preliminary volunteer projects including fence removal and cleanup have been identified. As you've heard me bring up on several occasions I would just like us to tighten up what those are and begin to engage the community in those projects as soon as possible, absolutely before the end of the year, before winter gets here.

Other projects on the top list that you have, one through seven, I would add for consideration, and I know this will be an ongoing evolution. I heard Commissioner Holian that this is going to be – things are going to need to be dealt within detail, but I would add fire station, community and County community center, and senior services to that list.

The other comments I would make is you did a land suitability analysis internally? Is that correct?

MR. HOGAN: Madam Chair, Commissioner Anaya, that's correct. And then we presented that to the La Cienega community at a community meeting and I believe you were in attendance and asked for input on that plan.

COMMISSIONER ANAYA: And I guess on that point I think this will be a topic that will come up within the committee discussions, but I think, from my perspective, I think the Commission needs to get another presentation on what the final recommendations are, so we have the same type of visual aids that you had at the La Cienega community meeting where the Commission can actually see as a whole what those designated areas are, have an understanding as to why they're recommended for use or why not, and then actually have a vote to clarify which will be usable or not usable. I think that's a committee discussion that will get us some more information.

So that being said I'm excited about the opportunity for us to continue moving forward and I'm hopeful that we can set a timeline for meetings and that we can actually achieve some results well before my term in office ends, which is just a little over two years. So I think we have a good game plan started but I think we need to be aggressive

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to schedule meetings and to actually get to the point where we're actually seeing some outcomes and some phased in approach. So that's all I have and I appreciate the efforts of staff and the outreach. I would agree with Mr. Dickens as well that the sooner and more often we can convey information to the entire county and the residents the better off we'll be over the course of the project. Thank you.

COMMISSIONER HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, thank you. And I just want to apologize. I little earlier I spoke about not having a copy of some meeting minutes and that copy of those meeting minutes have been delivered to me so thank you for that, Steve and Katherine, I appreciate that. Real quick, a couple questions I do have, and let me just start here on the memorandum and then the resolution too. So a land suitability analysis was completed for the property by County staff.

MR. HOGAN: That's correct.

COMMISSIONER MAYFIELD: Was there one done before the purchase of this property?

MR. HOGAN: Madam Chair, Commissioner, not to my knowledge but that preceded my time so I don't know. There was a master plan that was done that included a number of development type analyses and the County bought the property with that master plan. So technically I guess the County bought the property with whatever studies were done to prepare that plan.

COMMISSIONER MAYFIELD: I see the benefit of a suitability analysis and I would hope that the County before we take an undertaking of such a major acquisition on a piece of property that we would do this study before we make that acquisition. So with that being said, on this suitability analysis it was mentioned – and I appreciate that it did go out to the community of La Cienega/La Cieneguilla, has staff taken any input from any other Santa Fe County residents who paid for this? Or has this presentation been given at any other community meetings throughout Santa Fe County?

MR. HOGAN: Madam Chair, Commissioner, not to my knowledge. We have not taken it for further outreach. I think we had been talking a little bit about vetting it with greater depth and I think that's really what we hope to accomplish through the steering committee is using the land suitability analysis as a backbone for discussion but also to qualify whether those uses are appropriate through deeper studies, through this advisory committee. And then take it out for more comment.

COMMISSIONER MAYFIELD: I would again hope that we would take this out throughout our community members as this property was acquired with County general fund dollars and there's some people that have a say in this and would like to have a say in this, so I would just hope that that presentation would go out to the whole community of Santa Fe.

Real quick, Dr. Mills brought up the survey that was recently performed on this property. Why wasn't the survey used – the survey that was there when we acquired this property? Why would a new survey have to be done?

MR. HOGAN: Madam Chair, Commissioner, the point of this survey was to ensure that the staking was in place to guide the fencing so that we didn't inadvertently fence areas that were not part of the County's property or in the inverse, not fence off parts that were.

COMMISSIONER MAYFIELD: We didn't have that survey, a completed survey when this acquisition of property was made?

MR. HOGAN: Madam Chair, Commissioner, there was a survey at the time that the County bought the property but some of the stakes had been lost or uprooted so that's why we had another survey done to verify it for fencing.

COMMISSIONER MAYFIELD: Okay. Thank you. And then under your memo, Mr. Hogan. Excuse me, the memo for Mr. Leigland, under 5, there's some members of the Sangre de Cristo chapter for the Audubon Society that are going to do field training for volunteers. And again, I appreciate that they're going to be doing the volunteers from La Cienega/La Cieneguilla community, but I hope we would afford that opportunity to any member in Santa Fe County or to any individual in Santa Fe County that would like this type of training.

MR. HOGAN: Madam Chair, Commissioner, that's actually exactly our hope. Through the Audubon Society, which in even some suggestions we put down for the use of the compound we really want to make it available to greater Santa Fe County residents, particularly if there's an opportunity for educational environment for kids. We have looked at a couple of different models that are in and around Santa Fe. There's the existing Audubon Center at Randall Davies that has summer programs for kids where it's kind of a – I wouldn't call it a daycare but it's like a summer camp program. We see this as a good opportunity for doing that.

Las Golondrinas does an excellent job of talking about Spanish colonial heritage, which is – anybody that's had kids in Santa Fe County has spent a lot of time at Las Golondrinas and we can see this being a similar model, not necessarily on Spanish colonial but perhaps on prehistoric cultures having to do with the pueblos. So we've already talked with some of the community residents, the owners of Tres Rios Ranch have talked about making trail access that would connect our compound to some of the pueblo sites and archeological sites available. So we're really kind of excited about those opportunities to really make it an educational environment and draw more people from the community to the site.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Hogan, I appreciate that but the memo was pretty specific about who it was being offered to and it didn't say Santa Fe County community as a whole. So you just may want to look at five on the memo that was given to us.

And then the BCC has committed \$325,000 for the immediate needs and remediation of this property, and I know we did do that and I know there's been some discussion of the type of dollars that we keep investing in the property. But with that being said, and hearing the conditions of the house of what you just indicated with the asbestos. I know I received an email from somebody indicating that there might be some issues with some gas leaks under the property. I know I talked with staff; staff indicated the gas was turned off but there were some concerns with some other safety issues. And kind of going back to one of my initial issues is, and going on to ongoing costs of this property and hoping that this committee will evaluate this, maybe the real benefit for that house on this property is to be torn down and to re-erect it. I don't know if we're just going to be throwing good dollars after bad dollars on this property and I just would like to know staff's opinion on that.

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MR. HOGAN: Madam Chair, Commissioner, we've talked about that and we're not really sure what the end result is going to be. We have to remediate the asbestos even to tear it down, and so we don't see a way around that. So our idea or our proposal to mothball it until we have a chance to study potential uses and the suitability for that and how it gets paid for, that's kind of why we're suggesting that we just mothball it, not spend more money on it, just take care of the environmental hazards that it presents right now and then wait until we have a more in-depth study on potential uses and costs. And it may well be that we come back and say the best use for this building is the pad that it sits on and remove the structure as it is today. But it's premature for me to make a projection on that right now.

COMMISSIONER MAYFIELD: Thank you. And then as far as the results – I'm looking at the results of the educational center. I think that's great. The 4-H facilities, all those, and I know it's not limited to two, but a couple suggestions that were made, numerous suggestions from this bench that were made, but one was to arguably talk with our movie industry, seeing if they'd like to put a movie set out there. Maybe they would incur the costs of building up that movie set, using it as a site location for that. I'd just like to still throw that out there and ask that the committee look at that option please. And then in here and I know I've been a proponent of it, maybe with not having all the facts for background of what our best property is worth, but also just knowing that if we need to arguably cut our losses or make a profit on this property and sell it. So I don't see that anywhere on this recommendation as far as looking at the option of selling this property and putting it back on the market. So I would just hope that that committee would do some thoughts on that.

And then let me just ask this. You indicated, Mr. Hogan, Madam Chair, excuse me. Madam Chair, Mr. Hogan, you already did some preliminary vetting and already – and I believe there's already names, because I saw an email earlier that indicated that the names of all these community representatives were selected and then it was pulled. I guess my thought on that again is just that if we are gearing or if we are already determining what at-large committee is going to serve on this steering committee or this feasibility study committee, whatever committee we're going to have at this ranch, that has already been a predetermination made. I haven't seen any public notice, any solicitation of volunteers throughout Santa Fe County. I know I gave my two cents to staff when you sent that email to me and I asked that we look at 40 Santa Fe County participation to this. Respectfully, if these are the disciplines that you would like on this committee or not, but that it's at least afforded to all Santa Fe County. And so how has staff already picked the names of these committee members?

MR. HOGAN: Madam Chair, Commissioner, what our interest was on this is to identify the types of expertise and then to look at individuals throughout the county that had that expertise that we felt would be good recommendations to the Commission and so realizing after we got some comment back that we might be getting ahead of ourselves we pulled that because we wanted to allow more conversation. We did have strong candidates in each of those areas and we wanted to reach out to them and find out whether or not in fact they were interested. The people that were on that list did express an interest, provided us with some background information which we were prepared to present to the Commission. After more consideration and discussion we

thought it would be best to establish the steering committee and the criteria, get clear on that, and then bring back committee members or proposed committee members in whichever manner that the Commission was most comfortable with.

So those were just ideas that we vetted through internally, but they were not intended to be an established list of who ultimately would serve on that steering committee.

COMMISSIONER MAYFIELD: Great. So, Madam Chair, Mr. Hogan, so then I guess my thoughts are is that for steering committee membership, knowing that you want expertise, you will go out to the public and ask, solicit public participation on this? I think that's more – you're shaking your head no back there. So you guys have already made a determination of who will sit on this committee. And when was the public outreach given to ask for volunteers?

MS. MILLS: Madam Chair, Commissioner Mayfield, sorry to be so adamant about it but I think that first of all, having gone through the process every several years of getting the COLTPAC Committee together, I know the amount of time that it's going to take if we want to advertise for these specific areas of expertise. So my thought is to use the knowledge that staff has from working through all these issues daily to reach out to the community, to those people who we know have that expertise and seeing if they're willing to volunteer their time. Some folks who we know have great expertise and we would have loved to have worked with on this just don't have the time to do it. So just finding people who are willing to volunteer that much time who have this level of expertise, it's a difficult recipe to put together and I just think for the sake of time and the time we're trying to move this forward, I just feel strongly that we should allow staff to make a recommendation and if it's not a recommendation you approve of we can look at that and change it. But I just feel kind of strongly that that's the way we should go forward, respectfully.

CHAIR STEFANICS: On this point, I think the Commission has said many, many times that we have volunteers who want to be involved in different things. And I totally respect that you have some experts that you wish to have involved. But the Commissioners need to be able to involve their constituents. This is taxpayer dollars in this large purchased project. And I respect what you're saying, Beth, but this Commission has said many times, and we've waited until we've gotten our district people on.

So you might rethink this and if some of the Commissioners disagree with me I'm happy to hear about it.

COMMISSIONER HOLIAN: Madam Chair, on that point.

CHAIR STEFANICS: On that point, I just interrupted Commissioner Mayfield. Please.

COMMISSIONER HOLIAN: Actually, I do agree with Beth in this particular case, and I did make that point in my remarks, that I think that this is a unique situation where you need to have people with unique expertise to help put this together if we want it put together right. And I would take your recommendations as to who would be on the steering committee. That is how I feel about this particular project. It is not quite the same, to me, as some of the other sorts of committees that we've put together where you try to bring in people's input from throughout the county.

And I hope that if you do decide that you want to put this out to solicit people to apply for this that we will be allowed, if we Commissioners are asked to appoint people, that we will be allowed to appoint people outside of our district.

CHAIR STEFANICS: Commissioner Mayfield, you still have the floor.

COMMISSIONER ANAYA: On this point, Madam Chair.

CHAIR STEFANICS: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I think – I was asked by staff, the County Manager actually, on this item for some feedback, and the concept I think set forth provisions to make sure we have the right areas represented. And so for me, I think if there are Commissioners that have representatives in their communities that they feel meet these areas that by all means we should submit those names in like we do with the Health Policy and Planning Commission, for consideration and for review.

So I guess on this one I'll stand on the fence a little and say I think it's a balance but if there's Commissioners that have individuals that they want to put forward, by all means, they should be able to put those forward and have those considerations looked at and reviewed. Ultimately, at the end of the day I do feel strongly that it's important to make sure that the Commissioners have some feedback. The areas are important to the planning process though, so I think if they have a résumé and they have a background and they're put forward by Commissioners and they meet those criteria then I think that would be fine. So that's my story.

CHAIR STEFANICS: Commissioner Vigil.

COMMISSIONER VIGIL: On that point, elaborating a little more, I totally agree. What you've proposed for us today is just right on and we should move forward with this. I also think that if there are constituents of ours that actually have a concern about what happens to La Bajada Ranch that their concerns should be brought up front. If those constituents can communicate with the County either through us as their representatives, through – who is it? Mark? That you're in charge of this program, whoever's in charge of this program, I think that communication needs to occur and to begin. I know we've had communications in the past about this but keep the lines of communication open. Perhaps there is an idea out there that isn't encompassed in here, but I can't imagine that without these experts in this collaboration that we won't even come up with other ideas.

But this framework that you have here is excellent and I look at this as an opportunity. And just while I have the floor I'm just going to use my time to say one of the things that I would advocate for is including an income producing project out there. I think that is a debt we owe to Santa Fe County residents. I think once we are able to develop an income producing project the benefit that this will create for our entire county will be realized, because that benefit certainly hasn't been realized at this point and we're headed towards that direction. Thank you for the work you did on this. I think we're going towards a really, really good path on creating resolutions and a resolve for anyone who's been uncomfortable with this project.

CHAIR STEFANICS: Commissioner Vigil, Commissioner Mayfield still has the floor. Only on that point I was recognizing other people on the membership.

COMMISSIONER VIGIL: Very well, Madam Chair.

CHAIR STEFANICS: I'll come back to you. Commissioner Mayfield, and then we'll go to Commissioner Vigil.

COMMISSIONER MAYFIELD: Thank you. And as a matter of fact Commissioner Vigil brought up something that I'm going to bring up too really quick, and I'll just summarize it really quick. [inaudible] Again, that's my thoughts is that there is community representation and the opportunity for every individual from Santa Fe County who pays taxes to have an opportunity to sit on this board. Some of the names you have in mind are a composite of all of Santa Fe County. I don't know; I haven't seen the résumés. But I do want to make sure that there are some individuals throughout Santa Fe County being able to have this opportunity to serve.

And with that said, and I put a couple – not names forward, but a couple suggestions forward. One, I think the Coalition for Good Government for Santa Fe County would be a good representative. They worry about how tax dollars are spent. I worry about how tax dollars are spent and I think moving forward on this project, in hindsight or not in hindsight it would be very valuable and viable for us to have a member from that group or such another group sitting on this committee. Also respecting the expertise that you all want on this committee, I appreciate that and I don't want to stymie any progress to move forward on this committee or this steering committee, but there's nothing wrong with maybe having a layperson on this committee to maybe bring a different perspective just as a taxpayer that would want to serve.

I know I heard from Mr. Dickens in the audience. I think there was going to be a community representative from La Cienega/La Cieneguilla. Jose Varela Lopez, I think that would be great. But also they would have to help relay that message back to that community. Again, I just think – and I did ask for an at-large person from every district sitting on this steering committee. I think that would be good and I'm going to still stand by that. I think that would be a benefit for all of us, including the expertise that you're suggesting. But I will want to get to a resolution. It can succeed, it can fail I guess, but I will be trying to make a friendly amendment that we do have at least one member, at-large from every Commission district sitting on this committee. So I'm just going to move forward off of that and we can get to that when we need to.

MS. MILLS: Madam Chair, I just wanted to apologize for being so strident in my expression of what I thought we needed and of course we take [inaudible] and await direction from you, so my apologies.

COMMISSIONER MAYFIELD: Dr. Mills, no apologies necessary. I'm just bringing my opinion too. And I'm going to talk a little bit about the mission because I don't know if I'll have an opportunity afterward. I'll be real brief. So in the resolution, there is something in this resolution, it's the third whereas in the resolution that talks about the appropriate development of the property. So I mean it's in the resolution but we're asking it to go out to all the constituency out there. So I think that's a great thing.

Also, recommendations to the Board of County Commissioners for project alternatives for La Bajada Ranch. I think that's a good thing and maybe that's where it could encompass if the recommendation is to try to sell the ranch, find out what it's worth and that would be something else that we look at.

And then going back to the reports which are both in the resolution and the preceding report and Commissioner Vigil just brought it – not to my attention, but she

brought in – and I don't want to call it an argument, she brought it up. You have in here under E. 10, make strong economic sense and provide return on the County's existing investment. So I do want to make sure, at least from my thoughts, that this steering committee does look at short-term and long-term investment and return on what we paid for this ranch. That's an ongoing concern I have and I do want to make sure that there's a foreseeable return in the future. Also, trying to factor in with the expertise of our own Santa Fe County staff of what ongoing costs of this transfer is going to cost us.

We purchased this ranch. We've already committed another \$300,000- and some to it, we're going to commit a lot more staff time to it. I can see that happening. We're going to commit more of the public's time to it. So there's another financial component in this in the long-run plan of how much more money we're going to be putting toward this ranch being successful. So I would hope that that expertise from staff is also there, and then also going back to a committee appointment I would hope that we also have a staff member, not just so much moving this steering committee along, but also giving staff expertise as far as what future associated costs could be based on some of the long-term strategic planning.

And with that, Madam Chair – oh, just let me ask this question real quick, and it's in your summary. Part of this committee's thoughts is to support the long-range economic development tourism or energy plans for the state of New Mexico. I'm all for that, but I think Santa Fe County may have a different vision of long-term energy plan versus where the state of New Mexico is going right now. So are we adopting the state of New Mexico's model or are we going to kind of maybe look at Santa Fe County's model of where we would like to look for energy plans for this ranch?

MR. HOGAN: Madam Chair, Commissioner, our intention there was particularly in terms of economic development being able to look at what the state was doing to draw the people to the state for economic development purposes and do what we could to make those opportunities available in Santa Fe County so that we were taking advantage of advertising, things that the state was doing. And probably in a similar light, without getting too specific, we were looking at energy policy and trying to make sure that we were doing our part to be leaders in energy policy. So that was our intention. Whether or not that comes across clearly may need some refinement.

COMMISSIONER MAYFIELD: And I guess, Mr. Hogan, Madam Chair, my point is that I think Santa Fe County has certain moratoriums in place where maybe the state's long-range goal is to allow more drilling throughout the state. I don't know if that's something you want to incorporate into the ranch. If you do, we can discuss it, but I don't know if that's what you envision with the state of New Mexico's future plans.

MR. HOGAN: Madam Chair, Commissioner, we didn't really anticipate drilling being one of the uses but I suppose that would be vetted like any other suggestion that would come forth from the public and if it doesn't – if it passes the committee's standards then maybe we'd bring it to the Commission. But if that didn't prove to be what was considered a viable use then we probably wouldn't hear more about it.

COMMISSIONER MAYFIELD: I guess in closing, as far as the meetings, where are they going to convene? Are they going to be here in this chambers? I don't know if we actually have a site location but I would hope that there are many site field

trips to this property with this committee. I think they're going to meet once a month I believe is your proposal.

MR. HOGAN: Madam Chair, Commissioner, we weren't specific on that because we were looking for input from the Commission. I do think that having the meetings move around the county occasionally if not consistently would help bring greater Santa Fe County into the project and the development of it. On the flipside of that, if we try that and we're not getting any participants that would sort of defeat the purpose. So there's certainly things in here that we're not trying to nail down too exactly because we want to come up with a plan that works.

COMMISSIONER MAYFIELD: And again, just maybe some mandatory site visits for this committee would be a benefit I believe. Mandatory. Thank you, Madam Chair. That's all I have.

CHAIR STEFANICS: Thank you. Commissioner Vigil.

COMMISSIONER VIGIL: I'm done.

CHAIR STEFANICS: Oh, okay. Thank you. So Commission, what's the pleasure. We are on the resolution 2012-106.

COMMISSIONER HOLIAN: Madam Chair, I move for approval.

COMMISSIONER VIGIL: Second.

CHAIR STEFANICS: Okay. There is a motion.

COMMISSIONER MAYFIELD: Madam Chair, I'd like to offer an amendment please.

CHAIR STEFANICS: Thank you. Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, I'd like to offer an amendment as to the composition of the committee that there will also be an appointee at-large from each of Santa Fe County's districts, and also that there would be a member appointed from the Santa Fe Coalition of Good Government.

MR. HOGAN: Madam Chair, could I ask for a point of clarification on that?

CHAIR STEFANICS: Yes.

MR. HOGAN: I guess what I'm interested in –

CHAIR STEFANICS: We don't have a second yet.

COMMISSIONER ANAYA: I'd second for discussion.

CHAIR STEFANICS: Okay, so go ahead, Mark.

MR. HOGAN: Commissioners, is it your intention to make sure that every district is represented on this committee? Or in addition to the advisors that we've suggested so far that there would be another five steering committee members that were just appointed at large?

COMMISSIONER MAYFIELD: I guess in addition. I'd like to clarify that amendment. I just would want – if there's expertise and respecting what Commissioner Holian just stated a little earlier, that maybe all the expertise would be appointed from one district versus all five, but at least there's an opportunity for each Commissioner to have an appointee from each of their respective districts sitting on this committee. So if say you have the expertise all out of District 1 then I would say that one individual with that expertise is my District 1 appointee that's serving that function of your Santa Fe County housing market expert.

COMMISSIONER VIGIL: Madam Chair.

CHAIR STEFANICS: Yes, Commissioner Vigil.

COMMISSIONER VIGIL: Yes, I'm wondering if you would consider if this amendment would be specific to these participants being in an advisory capacity, and let me tell you why, because having been a part of these kinds of committees, boards and commissions, they are subject to the Open Meetings Act so they certainly have to have a quorum to take any action or move forward on anything. It is much more difficult to get a quorum with a larger group than it is with a smaller group. And I think I could not disagree with your desire to get equal representation as much as possible and if that's how you perceive it would you consider including them in an advisory capacity rather than as voting members?

COMMISSIONER MAYFIELD: Madam Chair, I definitely would, and let me just say this. But I would be – I'm going to say adamant or at least request that we have a member from the Coalition of Good Government as a sitting member, or the United Communities. I just would ask that at least that one of those individuals – whoever that representative is and respecting from whatever district that representative comes from, as long as they would be members from either one of those two groups for one position.

COMMISSIONER VIGIL: So the answer is yes? The representatives could be advisory and the one at large could be from Open Government or United Communities. So this would be six additional members, and would they all be advisory?

COMMISSIONER MAYFIELD: With the exception of the one from the Coalition of Good Government or the United Communities.

COMMISSIONER VIGIL: I'm fine with that.

COMMISSIONER MAYFIELD: Thank you, Madam Chair.

COMMISSIONER HOLIAN: Madam Chair, I'm the one who made the motion so let me try to understand this.

CHAIR STEFANICS: We're on the amendment.

COMMISSIONER HOLIAN: Oh, just the amendment.

CHAIR STEFANICS: The amendment is to add these people. Go ahead and ask for your clarification.

COMMISSIONER HOLIAN: Would these people be voting members or just attending the meeting in an advisory capacity?

COMMISSIONER MAYFIELD: Madam Chair, I understand it [inaudible] with Commissioner Vigil. They'd be advisory non-voting members for the five, if we elect to put that one from our district, with the exception of the one member that is appointed either from the Coalition of Good Government or United Communities; they would be a voting member.

COMMISSIONER HOLIAN: Okay.

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: I'm not sure about the United Communities and the Coalition for Good Government yet. I need to think about that a little bit. That's the first I've heard those two. But on the additional members I would be amenable to having three additional members from the districts – in this resolution I'm on the

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committee, so that's one district already represented. And there's another Commissioner that's going to be represented on the resolution itself. So I wouldn't feel the need to appoint another advisory member. I'm going to be on the board.

So, Madam Chair, Commissioner Mayfield, I would say that it would be reasonable to have three members from those – whichever those three districts that aren't represented by on there but I think the more people you end up with the more complicated things get in making decisions flat-out. And I think relative to what I said earlier there's nothing that keeps us as Commissioners from recommending to staff people that are in the housing market, people that are in tribal, people that are in educational programs, people that are in green infrastructure, renewable energy, tourism, water and ecology.

I don't – for the sake of saying we have a representative, want to put forward someone. I would support having three members that aren't sitting on the board represented. Could you help me out with – Madam Chair, Commissioner Mayfield, with the intent on United Communities and Good Government? And here's my concern. If we took a poll of all the non-profit and governmental groups in the community there's a bunch. There's a bunch of groups. There's mutual domestic water associations. There's acequia associations. There are numerous groups that we could go on and on and on. Why those two? I guess that would be my question. Why would we pick out those two and potentially leave out others that aren't part of a coalition. I'm not picking on you; that's just a question. If we go down that road I think it might be a slippery slope but I would agree to three additional members from those districts not already represented and I think that would be clean. All five districts would be represented and we would have all the important members. Could you help me with that please? Because I think there's numerous groups that may say, well, we want to be part of it too, and they would be just as well deserving as those two.

COMMISSIONER MAYFIELD: Sure, specifically, Madam Chair, Commissioner Anaya, a member from the group United Communities – and I don't even know if a member would want to participate in this, but they have a lot of agricultural, water concerns, development concerns with that group. That's a strong group in the northern part of Santa Fe County whose members have expressed significant concern with the acquisition of that ranch, the purchase price of that ranch. And arguably, the Santa Fe Coalition of Good Government is a recent group that I recently met that I really didn't have any past interaction with but most recently I went to their website; I looked at their mission statement. They're about openness and transparency in government. They're about prudent fiscal spending, and that is something that I have long advocated from my position on this bench. That is something that I will continue to advocate from my position on this bench and I just want to make sure that if we're moving on this, there is a representative that is concerned – and I'm not saying any of these other representatives aren't concerned with the expertise they bring with the dollars that were spent on this ranch and the future dollars that will be spent on this ranch.

So that's the reason, and I would agree with you. I would bring up water groups. If the Village of La Bajada wanted to sit on this. There could be numerous. But that was my reasoning for those two specific groups. For all I know, either one of those groups may say no and then it would be a null and void issue. But with that, with the caveat then

that I could have one district appointee from District 1, maybe that could hopefully alleviate some of my concerns as long as they were a voting member and not an at-large member.

COMMISSIONER ANAYA: And Madam Chair, I would clarify that I would leave everything else intact in the resolution and support having three more that would just be representative of those Commission districts that aren't already going to be on the board. So that's my suggestion, but as the amendment currently stands I couldn't support the current amendment.

CHAIR STEFANICS: Okay, so we have an amendment and it was seconded by Commissioner Anaya. Are you withdrawing the second?

COMMISSIONER ANAYA: I'm asking the Commissioner if he would consider changing his motion to just include the three members from the three other districts not represented leaving out the other two recommendations.

COMMISSIONER MAYFIELD: Madam Chair, let me do this. I'm just going to withdraw my amendment that I made a request for and I'll make a secondary motion if I may.

CHAIR STEFANICS: Okay, so Commissioner Mayfield has withdrawn his amendment. So we're back on the motion and second for the resolution. Is there further discussion?

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Yes.

COMMISSIONER MAYFIELD: I'd like to offer an amendment after consultation there with Commissioner Anaya, that there would be a district appointee from one of the three – from each of the three districts that were not appointed either as the member from – Commissioner Anaya is on the membership or the at-large member. The other three Commissioners have an opportunity to appoint a voting member. If the other districts choose not to appoint one that's their prerogative. But I would just ask that that amendment go forward.

COMMISSIONER ANAYA: I would second.

CHAIR STEFANICS: Okay, so the new amendment, and please correct me if I'm stating this wrong, the new amendment is that there would be three new members from the County Commission districts that are not represented by the two Commissioners, and that they would be voting members.

COMMISSIONER MAYFIELD: Yes.

CHAIR STEFANICS: Okay. Is there discussion?

COMMISSIONER VIGIL: Would that be a total of 14, 15 members? How many members? You've got two Commissioners, the additional three. That's five. It would be 14 total.

COMMISSIONER HOLIAN: Madam Chair.

CHAIR STEFANICS: Commissioner Holian.

COMMISSIONER HOLIAN: Since we're on discussion now, I just want to say I'm not going to vote for that. I hope that when we appoint 11 people on here that probably all five districts will be represented in one way or another anyway and I know from my experience working at Los Alamos in my previous life I was in a number of groups and I was in groups that ranged from two people to 100 people. And what I found

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out was that for a group to be effective, effective at actually achieving things, it had to be a certain size. It couldn't be too small and it couldn't be too big. Seven was actually about the ideal number for a group. But I'm afraid that if we get this group too large that it actually will be a good way of making sure that it doesn't accomplish anything. So that's where I'm coming from on that particular issue.

CHAIR STEFANICS: Thank you very much. Any further comments on the amendment? Commissioner Vigil.

COMMISSIONER VIGIL: Madam Chair, I'm going to have to agree. I'm okay on having that representation if it isn't required to be part of the Open Meetings Act. I'm still worried about the quorum situation. It's much easier to get 12, I don't know how many additional people without the three together as voting members than it is to increase that. I think some times in having experienced that and working with the Health Policy and Planning Commission when I first came on board with the County, we set ourselves up for failure and as a result of that these groups again meeting and the discussions span much more agenda and it's much more difficult to create a focus so I'm okay to have that representation if they're only in an advisory capacity but as voting members I don't think I can go there.

CHAIR STEFANICS: Okay. Thank you. We are now on the amendment.

The motion passed by majority [3-2] voice vote with Commissioners Anaya, Mayfield and Stefanics voting in favor and Commissioners Holian and Vigil voting against.

CHAIR STEFANICS: We're back on the resolution. Further discussion about the resolution.

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Commissioner Anaya.

COMMISSIONER ANAYA: Move for approval as amended.

CHAIR STEFANICS: We already had a motion and a second for the resolution. The amendment's on. So is there further discussion about the resolution?

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

XII. B. 3. Request Approval of Change Order No. 15 to the Contract Between Santa Fe County and Bradbury Stamm Construction, Inc. to Include Photovoltaic Solar System Installation in the Construction of the First Judicial Courthouse Project in the Amount of \$350,593.55, Exclusive of Gross Receipts Tax

MR. LEIGLAND: Madam Chair, yes, the next three items all concern the same change order modifications. So I will first turn it over to Joseph Gutierrez to talk about the change order itself and then Erik Aaboe, our energy advisor is going to talk about the payback and the economic reasons for putting in photovoltaic sources on the courthouse.

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CHAIR STEFANICS: Thank you. So Mr. Gutierrez.

JOSEPH GUTIERREZ (Community Services Director): Madam Chair, members of the Commission, in front of you is change order 15 for the purchase of a photovoltaic system for the First Judicial Courthouse. It's \$350,593.55. I'm here to discuss how this would be funded but before I do that I was going to let Erik talk to you about the merits of this addition to the courthouse. So Erik, do you want to speak to this?

ERIK AABOE (Energy Specialist): Thank you very much. We have an opportunity to install the County's first photovoltaic system on the Steven Herrera Courthouse and this would meet our policy objective that we have mandated, guidance that is to us from the Sustainable Growth Management Plan in that we're directed to the County operated facilities and new development should be encouraged and required to use renewable energy.

This spring the County hired a local electrical engineer to design a solar electric system for the roof of the Herrera Courthouse. We submitted an application to the Public Service Company of New Mexico for interconnection with the grid and to apply for their renewable energy certificates. That approval was granted. In the early summer Bradbury Stamm issued a request to four companies for a price to install the designed system on the Herrera Courthouse. The low bidder is a local company, Positive Energy, and the system as designed and if it were to be installed would support about 15 percent of the courthouse's projected electrical consumption throughout the year. In the back of your small packet here is a spreadsheet that demonstrates the initial cost of the system as well as the revenues that would accrue to the County over the 20, 25, or longer life of the system.

And so as you look at the various assumptions that were made, in that there would be a few costs for operations and maintenance and the electric costs throughout the county would increase, and for that we used the Department of Energy's energy escalator of about three percent per year. So as you look at the annual revenue of about \$20,000, \$25,000 per year that would result from the installation of this system, over the system's life it would accrue to a positive benefit of about a quarter million dollars. So in addition to meeting the environmental objective that we have as outlined in the Sustainable Growth Management Plan this is actually a good investment for the County to make.

A number of your constituents are installing solar systems on their homes in the unincorporated areas of the county. There are probably 75 homeowners that decided to do that in fiscal year 12, so this is a positive thing that the County can do using a local contractor and making a commitment to renewable energy. I'll stand for any questions that you have.

CHAIR STEFANICS: Thank you. Are we rolling these all into one or are we going to present them separately?

MR. GUTIERREZ: Madam Chair, these have to be acted on separately.

CHAIR STEFANICS: Okay. So we are specifically on approval of the change order. Questions on the change order? Commissioner Anaya.

COMMISSIONER ANAYA: So, Madam Chair, staff, whoever wants to answer, it sounds like you did some due diligence prior to coming forward and discussion. Where did you get that direction on the discussion? Understanding you're saying the Growth Management Plan, but did the Commission provide some direction on

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moving towards putting this system on the courthouse? The reason I'm asking is because we've been as Commissioners under a microscope if you will associated with this project and I just want to make sure I understand the process of how this got here and then I'm going to ask some more specific questions on the money and where it's going to come from.

MR. GUTIERREZ: Madam Chair, members of the Commission, the reason this action came forward is when we went to the Commission, which wasn't this Commission but a previous Commission for approval of putting the courthouse and building it, it was a plan earlier of Commissioner Campos at this point that we include this. As there, we didn't include the cost of the system at that point but he wanted to make sure the courthouse was designed and able to adapt to the system. So at that point the architects – it was in the original design for placement of this on the courthouse and the idea was we would discuss the funding when that time came.

COMMISSIONER ANAYA: So, Madam Chair, Mr. Gutierrez, from the onset of the project, prior to the project being bid, the project was scoped for handling this system and we knew we were going to handle the system, we just didn't know how we were going to cover those costs at that time?

MR. GUTIERREZ: Madam Chair, the system's design was to include handling the system. The funding for the system was not put at that point, not knowing what the overall cost of the project might be, so at that point the base bid did not include the photovoltaic system at that point.

COMMISSIONER ANAYA: Madam Chair, Mr. Gutierrez, did we factor in that potential cost as part of the contingency cost?

MR. GUTIERREZ: Madam Chair, today, in terms of this request, the request right now, just to give you an overall picture in terms of – the construction cost is going well. We're about 70 percent completed. Plan to be completed by December 20th or 21st as a completion date. We currently have about \$700,000 in that contingency. There are still construction items going on. We discussed this as a team at the courthouse. We felt that we would not take this out of the contingency at that point, but we'd still be in front of you in terms of if we took it out of the contingency or other funding. The funding for this actual item would come – we have a balance of about \$170,000 in the bond that was sold for the courthouse that's not budgeted for a purpose at this point. So half of the funding would come from that. The other half would come from the funding source that funds the courthouse. It's a 1/16 GRT that collects revenue every month.

There is portions of that that's not allocated for the courthouse, so the other \$173,159 would come out of that GRT at that point. At that point we would not tap the contingency which we're still trying to keep intact until the project is completed.

COMMISSIONER ANAYA: Madam Chair, Mr. Gutierrez, what happens to the contingency if there's a balance at the end of the project?

MR. GUTIERREZ: Madam Chair, members of the Commission, the contingency would go back to cash. If we don't use it for the project it will go back to cash at that point.

COMMISSIONER ANAYA: Thank you, Madam Chair.

CHAIR STEFANICS: Thank you. Other questions, comments?

Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you, Madam Chair, and I know we're taking these all as separate items but I'm going to ask a quick question. In item 4 we're asking for \$173,000 and in item 5 we're getting a credit of \$44,500 regarding some of these budget designs or photovoltaics. Are they all lumped into this \$350,000?

MR. GUTIERREZ: Madam Chair, they all connect. The \$173,000 is asking to budget the GRT that's not budgeted at this point.

COMMISSIONER MAYFIELD: Let me ask – Mr. Gutierrez, I apologize. So is this \$174,000 – we haven't taken action on it but I need to know this. Is this in addition to the \$350,000?

MR. GUTIERREZ: Madam Chair, no. This is where we make up the \$350,000.

COMMISSIONER MAYFIELD: So this is half. Then what about the credit of the \$44,000?

MR. GUTIERREZ: We had about \$205,000 or \$210,000 budgeted for bond dollars that hasn't been used. We only have – I think about \$178,000 of cash in the bond, so we're reducing the budget to balance the cash balance of the bonds, and then that cash balance we use for the other half of the purchase for the photovoltaic system.

COMMISSIONER MAYFIELD: Okay. So let me ask a couple questions. Excuse me, Madam Chair, Mr. Gutierrez and you may not answer these and other staff may if they need to. Fifteen percent of our electricity at the courthouse will be done with these photovoltaics.

MR. AABOE: Madam Chair, Commissioner Mayfield, yes, absolutely.

COMMISSIONER MAYFIELD: And you said in the cost recovery we'll make some money on this later down the road, but what are we just looking at netting? About ten years out?

MR. AABOE: In terms of a simple payback we estimate about a 14-year payback for this system. Unlike many homeowners there's no federal tax advantage or state tax advantage.

COMMISSIONER MAYFIELD: We get no REC credits whatsoever.

MR. AABOE: We do get REC credits but since we don't pay the income tax we don't get those 40 percent tax credits, so the payback is a little bit longer. But this is a solid investment in terms of using this available cash. The internal rate of return is close to five percent on this.

COMMISSIONER MAYFIELD: So what are the REC credits that we receive?

MR. AABOE: We have a committed six-cent per kilowatt-hour for 20 years from PNM.

COMMISSIONER MAYFIELD: It was higher not too long ago.

MR. AABOE: Yes. They were 15 cents three year ago.

COMMISSIONER MAYFIELD: So let me ask this also. And you've already found a vendor. What's the warranty on this photovoltaic? Are we going to outlive the life of our recovery or no?

MR. AABOE: Well, the inverter has either a 10-year or a 20-year warranty period available and I believe we have the 10-year warranty. But as you can see, I put in \$20,000 in year 15 assuming that that inverter has failed, which there's nothing to

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indicate that it would. The modules are warranted for output for 25 years and in terms of the warranty, I believe that it's a 10-year warranty from the component installer. That's what I happen to have on my personal, but I cannot certify that for this.

COMMISSIONER MAYFIELD: Okay, and then let me ask this question to Mr. Gutierrez. Madam Chair, Mr. Gutierrez, so you already have the built-in phase and everything. It's basically just plug and go?

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, that's correct.

COMMISSIONER MAYFIELD: Okay. And then in line with some questions, Mr. Gutierrez, Madam Chair, from Commissioner Anaya, if this was already planned out and you're talking about not using our contingency dollars. You want to use our GRT money. Why wouldn't we then first expend our contingency dollars and if we need to make adjustments to the contingency at the end I'd rather make the adjustments to our contingency dollars so we don't just let our contractor know you still have another million dollars of contingency funds left; let's figure out how to spend them down?

MR. GUTIERREZ: Madam Chair, we discussed that and we feel – basically felt the number of transactions that we would come to the Commission for, given the contingency balance and this, we wanted to keep this separated from the contingency to make sure that we have enough left on the construction site since we're so close to finishing the project. An item like this, obviously would have to come to the Commission for approval.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Gutierrez, unless I'm wrong, we're going to pick up \$200,000 and some based on our next two actions. So we only need about \$120,000 for this? Why wouldn't we want to –

MR. GUTIERREZ: You're right. We need \$173,159 for this.

COMMISSIONER MAYFIELD: And then as far as contingency, I think it should come out of contingency. I'll just say that. Are we going to have a contingency cost now with our contractor because of this change order? Are you going to have a change order incurred now with our contractor? Are we going to pay them more money to do this photovoltaic and is that going to come out of contingency?

MR. GUTIERREZ: Madam Chair, those costs are built into the \$350,000.

COMMISSIONER MAYFIELD: Does that include a change order to our contractor?

MR. GUTIERREZ: Madam Chair, this change order includes the contractor purchasing the photovoltaic, installing it and covering those costs related to that.

COMMISSIONER MAYFIELD: So Madam Chair, Mr. Gutierrez, what is the simple cost of the system itself? Not installation, not acquiring [inaudible], what's the cost of the system?

MR. AABOE: Madam Chair, Commissioner Mayfield, the cost of installed system from the solar subcontractor is approximately \$328,000. I believe that the general contractor has a five percent markup on this project which I understand is less than what their contract allows. But we believe it's important that rather than the County go directly to the subcontractor to do the work that we incorporate it into the construction of the building so that any issues are resolved by the general contractor so that they address that. Does that answer your question, sir?

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CHAIR STEFANICS: Ms. Miller, you wanted to add to this?

MS. MILLER: Madam Chair, Commissioner Mayfield, I want to point out to you that this is the operations and the overall long-term upkeep, maintenance and the utilities of the facility are on the County's responsibility. Part of the reason why we're trying to separate this is this is really a reduction to our ongoing costs more than it is the construction of the facility. So we did kind of look at – you're right. We could take it out of contingency and in the end total dollars are going to be total dollars. But this is one that actually benefits us on the operations side of it over the long run. And there was something when this project was being looked at to begin with was for the facility to be designed and the conduit in to do something like this, and then as we got further along looking at the total cost of the project it would be added based upon County needs in order to keep our ongoing costs lower, as well as meeting the Growth Management Plan.

But I just wanted to – so that was why I think we looked at it because we did discuss using contingency. We discussed using different funding sources and it just seemed that it was more appropriate to do it that way, because it's a County issue, not so much a request from the courts. It's to our benefit to do it. The other side of it, we could do it the other way, use contingency, but then ultimately if we do run out of contingency we would be back asking for that and using probably the same source of funds.

COMMISSIONER MAYFIELD: Thank you, Ms. Miller, Madam Chair and gentlemen. Let me ask this question. So as far as a warranty, they solar developer is warranting the sale, the contractor is going to warranty the installation because as Manager Miller just stated, we're ultimately responsible as the County so if something goes wrong and we go knock on somebody's door we're not going to get finger-pointing, or you talk to the manufacturer and the manufacturer says you talk to the general contractor who installed it.

MR. AABOE: Absolutely, Madam Chair, Commissioner. The components that fail in a solar system are generally not the solid state panels but instead are issues revolving around the installation and that's why we would fold that into the original construction, having the general contractor direct the subs. So if there is an issue that comes up during the installation of it then the general contractor will be required to resolve that.

The inverter itself is, again as I mentioned, is a 20-year warranty. The panels are 25-year warranty. These are systems that are pretty much subject to only infant failure. If they fail it's like a car stereo or something like that. They only fail in the first month. If it doesn't fail in the first month then you didn't get a lemon and it works well. So these are generally set it and forget it devices and that's why they are so popular with the public and with other institutions.

COMMISSIONER MAYFIELD: And Madam Chair, will this take us to silver status? Gold status? Will this help us acquire a level of –

MR. AABOE: My understanding, Madam Chair and Commissioner Mayfield, my understanding is with this solar system it gets us off the silver-gold bubble into LEED gold certification. I'm not really sure that all that work has been done but that's my understanding of the impact of this.

COMMISSIONER MAYFIELD: Okay. Madam Chair, thank you. Thank you, staff.

CHAIR STEFANICS: Thank you. Anybody else? Okay. So we're on the request for approval. Is there a motion? I'll move approval of the change order number 15 to the contract between Santa Fe County and Bradbury Stamm Construction.

COMMISSIONER MAYFIELD: Second.

CHAIR STEFANICS: There's a motion and a second. Any further discussion?

COMMISSIONER ANAYA: Madam Chair, just for clarification. Are we going to take it out of contingency or not? What's the final outcome?

MS. MILLER: Madam Chair, Commissioner Anaya, that's the next item. This would be just approving the change order and then the next items are the funding. We're recommending taking it from the balance of the GO bond and the GRT.

CHAIR STEFANICS: Okay. So this is just the change order.

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

XII. B. 4. Resolution 2012-107, a Resolution Requesting a Budget Increase to the General Fund (101) to Budget Cash Carryover for the Installation of a Photo Voltaic System for the 1st Judicial Complex / \$173,159

CHAIR STEFANICS: Since this is a resolution we're going to take public comment. Is there anybody in the audience that is here to comment on this resolution, Resolution 2012-107? Okay. So Ms. Martinez or Mr. Gutierrez, who's presenting?

MS. MARTINEZ: Madam Chair, as discussed earlier, this first one is for the increase for \$173,000 will be taken from the general fund, the 1/16 general purpose GRT that has been dedicated for the judicial center. [inaudible] increases by that amount.

CHAIR STEFANICS: Thank you. Questions, comments from Commissioners? Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Ms. Martinez, and I'm going to ask that you help me walk through the old GOB issue. So in 2006/07 Santa Fe County passed a GOB for \$25 million for the courthouse?

MS. MARTINEZ: Madam Chair, Commissioner Mayfield, that's correct.

COMMISSIONER MAYFIELD: And have we expended all that money?

MS. MARTINEZ: Madam Chair, Commissioner Mayfield, we have not.

COMMISSIONER MAYFIELD: So we still have some allowable in there.

MS. MARTINEZ: I think this will budget – there will be about \$178,000, \$180,000 after this. This action will budget what's left.

COMMISSIONER MAYFIELD: So that's what you're doing. You're asking that this action take it out of the GOB.

MS. MARTINEZ: The particular action you have before you I believe is the \$173,000 item, and that's coming from the general fund. The next action item will be relative to the GOB.

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COMMISSIONER MAYFIELD: Okay. And that GOB was specifically for the courthouse construction, right?

MS. MARTINEZ: Madam Chair, Commissioner Mayfield, for the courthouse and only the courthouse.

COMMISSIONER MAYFIELD: Let me ask this question. Were the contingency dollars also built into that \$25 million or no?

CHAIR STEFANICS: Ms. Miller or Mr. Gutierrez, the question is was the contingency fund or the contingency for this project built into the GO bond? Is that correct?

COMMISSIONER MAYFIELD: Yes, Madam Chair.

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, the current contingency that we discussed probably a year ago or a year and a half ago started with the \$2 million, at that point we were using the GRT and that's how it's budgeted at this point.

COMMISSIONER MAYFIELD: Okay. So Madam Chair, Mr. Gutierrez, all of the GOB money will be spent after this if it gets approved.

MR. GUTIERREZ: That's correct.

COMMISSIONER MAYFIELD: And none of the \$2 million contingency came out of the GOB.

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, that's correct.

COMMISSIONER MAYFIELD: Let me ask another question. What about the interest that was earned on this bond money? Has that interest been spent? Has that interest been applied to the GOB side? Where's that money sitting?

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, the interest that was earned on the bonds is being used to pay debt service.

MS. MARTINEZ: Madam Chair, Commissioner Mayfield, depending on how a bond is written there may be a requirement to budget that interest for the specific purpose of the bond or to transfer to the debt service. In this particular case we transfer it to debt service to assist the debt service payment, the annual payment that we have.

COMMISSIONER MAYFIELD: And I'm assuming that we don't have very much of that money left, right? If any.

MS. MARTINEZ: You're correct.

COMMISSIONER MAYFIELD: In payment for our debt service. So now – thank you for clarifying that for me. So the construction project of the courthouse has cost us well over \$25 million with all the great things Santa Fe County did for the environmental remediation. So some of that money was coming out of the 1/16 GRT? The additional money?

MS. MARTINEZ: Madam Chair, Commissioner Mayfield, it was coming from – we also had our dollars that were specific to the remediation and some could have come from the 1/16 GRT. That's correct.

COMMISSIONER MAYFIELD: And Madam Chair, Ms. Martinez, I'm just trying to think of all the great presentations you've given us. What are we collecting in GRT? \$2.5? \$3 million?

2012/08/28 10:11:58 AM

MS. MARTINEZ: One sixteenth brings in about – I think it's reduced to just over \$2 million, \$2.2 million. It was \$2.5 in higher years but with the hit on the recent economy it's gone down.

COMMISSIONER MAYFIELD: I thought this year we were on target for \$3 million. Am I wrong on that?

MS. MARTINEZ: I think you're wrong.

COMMISSIONER MAYFIELD: Okay. That's fine. So how much of our money has been spent on the courthouse out of the 1/16 GRT?

MS. MARTINEZ: Madam Chair, Commissioners, I don't have that number off the top of my head but I can get it for you.

COMMISSIONER MAYFIELD: No, no. That's okay. But we're still bonded against that, right? For the future? And is that a 30-year bond? A 20-year bond?

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, you had asked how much of this 1/16 GRT has been spent on –

COMMISSIONER MAYFIELD: Obligated for the courthouse.

MR. GUTIERREZ: Obligated for the courthouse. We had a \$25 million bond for the courthouse. We had a \$30 million bond for the courthouse. That derived about \$55 million. We also had some interest accrued for that because of the remediation and those types of things. The project budget is roughly up to about \$63 million. So of the 1/16 GRT, the difference between the bonds and the project budget is what's been spent of GRT and today it's roughly between \$4 and \$5 million dollars I would say.

COMMISSIONER MAYFIELD: And again, that 1/16 GRT for what we spent, what's the debt service on that? 20 years? 25 years? Just for the courthouse.

MS. MARTINEZ: Madam Chair, Commissioner Mayfield, I'll confirm but I think it's 30 years.

COMMISSIONER MAYFIELD: Thirty. Okay. Thanks. Excuse me, Madam Chair, Mr. Gutierrez. You said there was another \$30 million bond?

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, the \$25 million bond, that was a voter-approved bond and the \$30 million is a revenue bond and the pledge against it was the 1/16 GRT.

COMMISSIONER MAYFIELD: Okay. So that's the same number. Okay. And then last question, as far as our contingency money that we have left, we're looking arguably, from what you just said a Certificate of Occupancy mid-December?

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, December 20th is when the estimated completion date is and currently they're on schedule.

COMMISSIONER MAYFIELD: They only have a couple months. We're telling our folks there's \$750,000 out there in contingency not spent.

MR. GUTIERREZ: There's approximate \$700,000 and there are items against that right now. We meet every week and we discuss this and our projection is that right now we wouldn't come back and have to exceed that \$700,000.

COMMISSIONER MAYFIELD: I don't want to exceed it; I want to hope that we keep some money in the bank.

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, we're trying in that direction.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. Thank you, staff.

CHAIR STEFANICS: Thank you. Any other issues or questions? Is there a motion?

COMMISSIONER ANAYA: Madam Chair, I have a question.

CHAIR STEFANICS: Yes.

COMMISSIONER ANAYA: For clarification. The change order we just approved is \$350,593, correct? And the two items – this one's \$173,159 from – where again? From County funds?

MR. GUTIERREZ: Madam Chair, Commissioner Anaya, it's GRT.

COMMISSIONER ANAYA: It's \$173,159. That's the item we're on right now.

MR. GUTIERREZ: It's the 1/16 GRT.

COMMISSIONER ANAYA: It's the 1/16 GRT, and then \$44,551 is the next item from the balance of the GO bond?

MR. GUTIERREZ: Madam Chair, that's reducing the current budget we have for the GO bond balance which is a little over \$200,000. We have a larger budget that we do have cash available, so we're just reducing – that \$44,000 is just reducing the budget to the available GO bond cash that we have available that would be expended on this change order number 15 for the photovoltaic system.

COMMISSIONER ANAYA: Where does the balance of the \$350,000 come from?

MR. GUTIERREZ: It's the GRT – it's item 4. Half of the funding is currently budgeted and half of it is not budgeted.

COMMISSIONER ANAYA: So that goes to an earlier comment I made earlier. So we had budgeted for the installation of the system but we underbudgeted by essentially half?

MR. GUTIERREZ: Madam Chair, Commissioner Anaya, we didn't budget for the system. We budgeted for the courthouse. It's in the capital line item. Since it's there it's not allocated at this point. It's budget that's available. We would use that for the system. This is the difference between what's in there and what's not.

COMMISSIONER MAYFIELD: So Madam Chair, Ms. Miller, going to Commissioner Mayfield's comment, if we did come out of contingency we still are going to have our balance or resources to deal with in contingency between now and the end of the year. And theoretically we could be fine with the contingency budget so we wouldn't need to add any more money to the overall project today.

MS. MILLER: Madam Chair, Commissioner Anaya, if this came out of contingency you would not need to add anything else to the budget and there would still be some. But there are some technical things that staff is trying to hammer out. There's some issues with the driveway, security, things like that. And so some things that we know will come against contingency, we don't have dollar amounts on those, so what staff is trying to do is say let's separate the photovoltaic issue from the things that are actually contingencies arising out of the construction of the building, and fund this from what would arguably be the same source of funds. It's that GRT that we did the revenue bond for that, if that GRT was put in place to do the revenue bond for the facility. So

we're just saying use the same revenue source that we've been using for the facility, but don't take it out of the contingency so that they can address the issues as they move forward in the next three months.

COMMISSIONER ANAYA: So, Madam Chair, I guess I would ask this of staff, respectfully. I would say we approve the change order and the system that's been in the planning phases since the onset, and it's going to save us money. It's going to be a progressive system that's going to save the taxpayers money on the operation of the facility. If we don't absolutely have to then I would rather try and utilize contingency, stick with the budget we have right now, then cross that bridge when we come to it, instead of adding more at this time. So I would like to move on the change order. We already did. We allowed the project. I would like to ask staff to work hard on staying within the contingency. But rather than adding today more budget to the project, I think we should show some internal fortitude and do what we can to just stay within that budget, understanding that there's some things you're looking at. But I don't see an immediate need today given that we just approved the change order to do the budget adjustment right now.

MS. MILLER: Madam Chair, Commissioner Anaya, I think that would be fine. It would probably been if we do go down to the wire with contingency we'd come back, including whether we had some security issues that the judges are dealing with trying to get funding for, that type of thing. But we could bring a budget adjustment back for that at the date that that might be necessary. So there will still be some contingency to work with and there'll be enough to continue forward with small change orders that would be within my authority anyway. Anything else there would still be plenty of contingency within my authority and then anything else would have to come to you if it's a change order that goes above that or the remaining contingency anyway.

COMMISSIONER ANAYA: So, Madam Chair, I applaud yourself and staff for the construction and the work and the progress that's been made, and I think just with this approval we've given it and I would just ask my colleagues and staff to see what we can come up with and see if we can stay within the current budget and not prematurely add additional resources at this time I think would be my perspective. I'd move to table.

MS. MILLER: I think we still need the other one though. We do need number 5 to align the funds with the budget. But we could table number 4.

CHAIR STEFANICS: We have a tabling motion. Is there a second?

COMMISSIONER MAYFIELD: Can I ask a quick question before I second?

CHAIR STEFANICS: When you have a tabling motion you don't debate it. So either we have a second or we don't and we go back to discussion.

COMMISSIONER ANAYA: Madam Chair, I'll wait if there's more questions but I just think if we don't need to absolutely put money in and we already have the budget to cover it today, that we try and stay within budget without adding to it. So I'll withdraw my motion to table but I would like to see what we can do and what staff can do with what we already have in place.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Ross or Manager Miller, as far as item #4 and just hearing Commissioner Anaya's comments, can we just take action today and ask that this money be moved out of contingency instead of the GOB and still take action on this just out of our contingency fund? It's been noticed?

MS. MILLER: Madam Chair, Commissioner Mayfield, actually, with your approval of the change order, if you didn't approve the budget adjustment that's exactly where we would take it from.

CHAIR STEFANICS: Commissioner Vigil.

COMMISSIONER VIGIL: So could the motion – and Steve, I might need your help here – could the motion state something like I move we approve Resolution 2012- requesting the budget increase to the general fund and give staff direction to identify any other resources or the ability not to go beyond current budget? How could that be framed? I'm at a loss here, Steve. Can you think of something? I'm trying to merge everybody's concerns here yet move forward on this. So I think we do need to take action on it but if there's a more fiscally prudent way of handling this I would like the motion to allow for that opportunity. Teresa, do you have something to add to my motion?

MS. MARTINEZ: Madam Chair, Commissioner Vigil, if the choice of the Board is to move forward with the use of contingency you actually don't need number 4 because contingency is already budgeted. So if the direction is that we move forward with contingency we can do that without a resolution. But item number 5 I would ask that you do because right now our budget is overstated and it would give the perception that we have more money than we have and I would hate for us to overspend and that's proceeds. So I think you can eliminate the need for item number 4 but approve the need for item number 5. And know that contingency is already established to cover it.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Commissioner Vigil, are you finished? You still have the floor.

COMMISSIONER VIGIL: Are we still on item 4 or can we take action –

CHAIR STEFANICS: We are on item 4. We have taken no action on item 4 yet.

COMMISSIONER VIGIL: My recommendation is that we not take action on it and move to item 5.

CHAIR STEFANICS: Ms. Miller, you had a comment on this?

MS. MILLER: Madam Chair, Commissioners, I just want to make sure that everyone's clear. We can go forward with the amendment that you did but we probably will be back though because this will reduce contingency down to say, \$400,000, maybe less, and we do know that we have issues still to work out between now and the end of December. But it probably will not be for a full \$350,000 or \$360,000. So I just want to make sure there will be something left. But I would say that it's 95 percent likely we will be asking for an increase to the contingency by using contingency for this.

CHAIR STEFANICS: Thank you. Commissioner Vigil, anything?

COMMISSIONER VIGIL: Well, Katherine, what I'm sensing by that statement is that we probably do need to act on item 4.

MS. MILLER: Madam Chair, Commissioner Vigil, you don't have to. I understand everyone's concern. I'm just saying we probably will be back requesting a budget increase some time between now and the end of December to ask for contingency because this will be taking up the funding in contingency. But we can move forward with it. We can give direction to the contractor based on the previous item that you approved, and we would use the contingency. But we will run short. I'm 95 percent sure that we'll run short on contingency then by using it for this. But not to the tune of \$360,000 I doubt.

CHAIR STEFANICS: On that point, I had the opportunity – there was a mix-up in the tour of the courthouse so I showed up at one time and the judges showed up at another. But I went ahead and took the tour. And there were several items that were forgotten or not planned or it's creating a new look at the design. So in terms of Ms. Miller's comment about other things moving forward, having to do with safety issues outside, the slope to the driveway without any heating elements, to security gates, to security pads. So there are several items besides this that are going to require some cost and I just want us to be prepared. In my view if we don't do this today we will be doing it on some other item. That's just to back up what Ms. Miller is saying because of what I saw there. Commissioner Vigil, it's your floor, then Commissioner Mayfield.

COMMISSIONER VIGIL: I move that we accept Resolution 2012-108, a resolution requesting a budget increase for installation of the photovoltaic systems for the First Judicial Complex for \$173,159. And with that motion I state one way or the other, these are going to have to be paid for, whether by contingency now or later. Moving forward on this particular project will create the larger benefit because we get paid back with photovoltaic. The sooner we get it moving the sooner the paybacks start happening. So I stand by my motion to move forward on item 4, Madam Chair.

COMMISSIONER HOLIAN: And I'll second that.

CHAIR STEFANICS: There is a motion and a second. Commissioner Mayfield, you had questions or comments.

COMMISSIONER MAYFIELD: Just real quick, Madam Chair, and I know that we already voted for this and three, I think it does make sense that we take it out of contingency and not just out of the general fund budget. But I guess my thoughts are, Madam Chair, just hearing your comments. What I would like from staff is every new anticipated cost or new addendum for the courthouse, because maybe what we should have done respecting the photovoltaics and they're needed, if we would have had that photovoltaic request along with the ten other requests for putting heating in a parking lot, addressing ADA concerns, we could make a decision based on everything that's on the table and just piecemealing or taking one at a time. So that's just – so for that I'm going to vote no on taking it out of general fund, but I just want to ask that staff bring us all these new contingency requests. Because I'm hearing straight up that there's a lot out there that's going to eat up the contingency budget. So I'd like to know what they are sooner rather than later please. Thank you.

CHAIR STEFANICS: Thank you. Anybody else before we take a vote?

The motion passed by majority [3-2] voice vote with Commissioners Holian, Vigil and Stefanics voting in favor and Commissioners Anaya and Mayfield voting against.

XII. B. 5. Resolution 2012-108, a Resolution Requesting a Budget Decrease to the GOB Series 2007A Fund (331) to Realign the FY2013 Budget with the Available Cash Balance to Be Utilized for the Installation of a Photo Voltaic System for the 1st Judicial Complex / -\$44,551

MS. MARTINEZ: Madam Chair, again, this is a housekeeping item. If you'll recall, when we were preparing the budget for the oncoming fiscal year we were doing it early in June for your approval, and then activities occur, purchase orders entered against balances, and that reduces the amount of cash at the end of the year. So the budget is overstated simply by that reason. So the reduction to this amount of \$44,000 will keep us in line with what is truly available for expenditure.

COMMISSIONER HOLIAN: Move for approval.

CHAIR STEFANICS: There's a motion to approve. Is there a second?

COMMISSIONER VIGIL: I'll second.

CHAIR STEFANICS: Okay. Questions, discussion, from the Commissioners?

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

XII. B. 6. Request Approval of Amendment No. 2 to Grant of Right-of-Way Easement No. RW-28277 to Show the Final Location of the Trailhead Access Easement and Trailhead Parking Easement for the Santa Fe River Trail at El Camino Real Park

MR. LEIGLAND: Madam Chair, Commissioners, this is also a housekeeping item. This relates to one of our Santa Fe River Trail projects, particularly the one down near the Public Works Complex, across 599 from the Public Works Complex. When we originally started that project and we entered into agreement for the right-of-way we understood at that time that we didn't know the exact definition of that right-of-way so at that time we said when we finally finish that project and we know what the final definition of that right-of-way was we would come back to clarify it. So this is that clarification now that the project is complete of the final right-of-way. So with that I'll stand for questions.

COMMISSIONER MAYFIELD: Move for approval, Madam Chair.

CHAIR STEFANICS: There's a motion for approval.

COMMISSIONER VIGIL: Second.

CHAIR STEFANICS: There's a second. Questions, comments?

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

2012/09/11 09:03:11 AM

XII. C. Community Services Department

1. Approve a MOA Between New Mexico Department of Health and Santa Fe County for Funding the United Way Project Launch Program to Allow Payment for Program Activities in Federal Fiscal Year 2013 in the Amount of \$733,000

RACHEL O'CONNOR (Health and Human Services Director): Madam Chair, members of the Commission, as the chair just stated this is asking for approval of an MOA with the Department of Health and County Health Division. The amount is \$733,000. This is SAMHSA federal dollars that comes into the state of New Mexico. As you might recall, this is actually the fifth year of this grant. Santa Fe County serves as a flow-through for this grant. It provides a variety of services that actually come from United Way, including services for children ages zero to eight and largely children's mental health and behavioral health services.

Madam Chair, I also want to introduce Diane Denedy Frank from the New Mexico Department of Health. She's here with us today to answer any questions as is the executive director of the United Way, Katherine Freeman.

CHAIR STEFANICS: Thank you very much. I'll move for approval.

COMMISSIONER MAYFIELD: Second, Madam Chair.

COMMISSIONER HOLIAN: Madam Chair, I have a question.

CHAIR STEFANICS: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Rachel, I noticed in the memo that this is expected to be the final year of the grant, so I'm wondering whether this program will be able to continue after this year.

Roc: Madam Chair, Commissioner Holian, that's a very good question that I think we're all pondering. Certainly the Maternal and Child Health Commission is talking much about what's going to happen with this grant. I think I would defer in addition to that to either one of you who may want to talk about what some of the plans are to continue some of the services that are funded through this.

KATHERINE FREEMAN: Katherine Freeman, CEO of United Way, Santa Fe County. Madam Chair, members of the Commission, the Santa Fe Children's Project was in existence for three or four years prior to Project Launch funding so Project Launch funding, while very substantial and it's horrible that it's running out, is one of the number of funding sources that support Santa Fe Children's Project. So we've been thinking about sustainability since day one with Project Launch.

A number of the things that Project Launch funds don't really need continuing funding. We've been creating models and doing some quality initiatives and those kinds of things. The things that we need continuing funding for are the home visiting program, the pre-K program funding program is already funded by CYFD as is the home visiting program. So that's a really long way of saying we've been working on sustainability. We're optimistic. We're working with local funders. I also work a lot with the New Mexico Early Childhood Development Project which is working very closely with LFC on more public funding.

So while we still have a few questions we're optimistic that our planning was good and that the programs are sustainable.

2012/09/10 09:00 AM

COMMISSIONER HOLIAN: Thank you, Ms. Freeman. And I would also like to say that I for one would be really interested in a presentation on Project Launch at some point to the Commission. I've read the packet material, but –

MS. FREEMAN: I'd be really happy to do that.

COMMISSIONER HOLIAN: Thank you.

CHAIR STEFANICS: Thank you. Any further discussion?

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Yes, Commissioner.

COMMISSIONER MAYFIELD: Madam Chair, I'd just like to thank you all for the work you do for our community. Thank you.

CHAIR STEFANICS: Thank you.

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

- XII. C. 2. Approve a Professional Services Agreement Between Santa Fe County and the United Way of Santa Fe County for Funding the United Way Project Launch Program to Allow Payment for Program Activities in Federal Fiscal Year 2013 in the Amount of \$733,000**

COMMISSIONER VIGIL: Move to approve, Madam Chair.

COMMISSIONER HOLIAN: Second.

CHAIR STEFANICS: Okay, there's a motion and a second. Any further discussion?

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

XIII. MATTERS FROM THE COUNTY MANAGER

A. Review and Discussion of the Monthly Financial Report for the Month Ending July 31, 2012

MS. MARTINEZ: All right, Madam Chair. You have the standard report before you. I will just summarize that we were basically reporting one month of collections to you, one month of activities also that relate to expenditures. We had total revenues collected through the month of July of \$6.1 million, and we had expenditures of \$8.1 million. And in the context of the memo I explained that early in the fiscal year you have expenditures exceeding revenues given that the lion's share of revenue – property taxes – is very cyclical. We have heavier months of collection. So typically in December you see that balance out.

We also gave you a listing of some of the major capital expenditures that occurred during the month of July. Capital expenditures totaled \$2.7 million and included such projects as the Town of Edgewood Fire Station, Esperanza Shelter, equipment for the seniors, Corrections vehicle, Judicial Court Complex, Nambe Community Center, and fleet replacement for the Sheriff's Office.

Relative to the revenue we gave you the same summary as it relates to the collection of property taxes and the collection of gross receipts taxes. You can see that the actual property tax collections are \$1.2 million through the end of July and exceeded the budget of \$769,000 by a total of \$446,000. The collections themselves are about \$53,000, \$54,000, or four percent better than the prior year's collection.

Moving on to the GRT. The GRTs combined, which means both the countywide and the unincorporated GRTs through July total \$3.1 million, and that's about \$92,000 greater than, or three percent above the budgeted amount, which was \$3 million. The following though, the collections are below the prior year by just about \$59,000 or two percent.

We're basically where we need to be for the month of July. I don't have any budgetary concerns, deficits or issues to report to you, and I will stand for questions.

CHAIR STEFANICS: Thank you very much. I just want to remind our listeners or viewers that the live feed switched at 5 pm and you can go to our government website or to KSWV to continue listening to the meetings. Commissioners, questions, comments for Ms. Martinez? Thank you very much. I think people are believing your numbers.

MS. MARTINEZ: Thank you.

XIII. B. Construction Project Report

MR. LEIGLAND: Madam Chair, Commissioners, we were just talking about one, of course our largest construction project, but we have 90 other construction projects in various stages of design or construction ongoing and so all the ongoing efforts are included in this report that I've out and I don't want to go through each one of them. I just wanted to point out a couple noteworthy items and then I'll stand for any particular questions on any particular projects that you have.

The Caja del Rio Road project, we just issued a notice of receipt so that work will be starting next Tuesday and I just want to mention that that project is the last of the 2008 road bond-funded project. The northeast-southeast connector location study, we just had a pretty good conference on that. We had seven interested bidders so you'll be seeing very soon an award of that contract. And then we have a couple projects coming up that are near completion. Of course the Nambe Center and we're working on the ribbon-cutting ceremony for that, and then the rail trail segment one is nearing completion and we're working on having an event for that. And then the item that I was just up here previously, the Santa Fe River Trail, El Camino Real, that is 95 percent complete so that will be done as well.

So those are just some of the noteworthy items that happened recently, and with that I'll stand for questions on any one of the items on those lists or any other efforts that you may be interested in.

CHAIR STEFANICS: Thank you. Commissioners, questions, comments, about the construction update? Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Thank you, Adam. I just had a question about the Lamy Junction water transmission line. Is that in the engineering phase right at this moment?

MR. LEIGLAND: Madam Chair, Commissioner Holian, yes. It's in design.

COMMISSIONER HOLIAN: And do you know when it might be scheduled – that part of it would be completed? The engineering phase?

MR. LEIGLAND: Madam Chair, Commissioner Holian, do you have in front of you what the line item is on this list? Off the top of my head we should have it designed by the end of the calendar year, but this project was – it has an estimated completion date and that will tell you the estimated completion date of the design contract. And so I imagine it would be coming in the spring, would be when the construction project is put out for bid. So I would estimate that construction would start probably about April 2013.

COMMISSIONER HOLIAN: Great. Thank you.

CHAIR STEFANICS: Thank you. Anything else?

COMMISSIONER ANAYA: Yes, Madam Chair.

CHAIR STEFANICS: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Mr. Leigland, Mr. Hogan sent me an email related to the wellness center and the portable, and I would just like to get a meeting set up between yourself and Mr. Hogan, Mr. Martinez, to go out to the site. If you guys could give me a copy of the master plan that you have shown me several months back I would appreciate that before we get there. But I want to give you some feedback on the email I got from Mark.

And then on the fire department in Edgewood, I don't know if it would be you or Chief or both of you, but I did get some questions about water reuse and I know that Mr. Taylor from Procurement was helping provide some feedback and discussion with people at the fire department, but could you talk about water catchment and water reuse, which I think are key things that we want to incorporate with all our projects in line with being

more self-sufficient in renewable energy, but what are we doing at the fire department in Edgewood to reuse the water and for water catchment and reuse?

MR. HOGAN: Madam Chair, Commissioner Anaya, there is a water catchment system integrated with that facility. I think we did hear some concern that there was not an active graywater system. We do roof water catchment and hold that in a cistern. We don't have a graywater system. That actually increases expense on the system and there's certain health and code issues regarding that, so it's not something that we're putting in on our County facilities at this time.

COMMISSIONER ANAYA: Madam Chair, Mr. Hogan, would we get an idea, and maybe we start with this one to see what kind of costs are associated with utilizing the graywater? I think we're all desiring to be as self-sustaining as we possibly can. I know there are other entities that do it. I would like to explore it. It was something I was asked to bring up at this Commission meeting. That's why I'm bringing it up today. I have appreciated the feedback I've received from yourself and Chief and Mr. Taylor but I still am getting some requests. I think it's something that will continue to come up. So if we will continue to explore the costs or get an idea of that, that might be a road map for us as we look down the road further.

MR. HOGAN: Madam Chair, Commissioner Anaya, there may be another aspect to it that I'm investigating right now. Certain jurisdictions actually have code that prevents that. So we're going to check in to see what the situation is with CID and how that applies in Edgewood.

COMMISSIONER ANAYA: Thank you, Madam Chair, Mr. Hogan. We also talked at a previous meeting. Ms. Miller had brought up in fact something that I had requested relative to a sign that's going to be incorporated in the fire department project in front of the complex. Did we incorporate that into the project?

MR. HOGAN: The construction sign? Is that what you're referring to?

COMMISSIONER ANAYA: No, an actual – Ms. Miller, did you want to

MS. MILLER: Yes. We put money in the budget for a feedback sign or announcement sign and putting it into that project. I don't know if it was scoped into the original design because I think that was already out to bid when we did it but we do have funding for it and they did work on a place on the site. There's a couple options and also working on doing that separately or how you wanted to approach it.

COMMISSIONER ANAYA: I appreciate that, Madam Chair, Ms. Miller, and I think if we can – the sooner we can provide for that then I think that provides a tool for information for the project itself as well as the other things occurring throughout Santa Fe County. I think I had one other project oriented question. No, I don't. That's all the project questions I have. Thank you very much.

CHAIR STEFANICS: Thank you, Commissioner. Anything else from the Commissioners? Thank you for this project report. We appreciate it.

XIII. C. Human Resources Report

CHAIR STEFANICS: I noticed that your staff was probably overworked during the month getting the new year in but we appreciate getting all the information. I'm sure all the employees appreciate correct deductions.

BERNADETTE SALAZAR (HR Director): Madam Chair, members of the Commission, in your packet is the HR monthly report for July. Some of the highlights for the month of July is as you heard at the beginning of the meeting we processed our new firefighter/EMTs through the cadet academy and they began on July 2nd. We also recruited for the position of sergeant in our Sheriff's Office and we are pleased to announce the promotion of two tenured employees who actually began their career as cadets themselves at the Sheriff's Office. One, Gabriel Gonzales, who began his career as a cadet in 1999, and the second one is Michael Delgado, who also began his career as a cadet in 2003. So it's really nice to see these people grow within the department and be promoted.

Also, as you mentioned, Madam Chair, we had a lot of entries and changes effective the new fiscal year as we do each year, and then lastly, I'd like to point out that every month we provide training to employees and supervisors, but for the month of July we actually contacted the Uniform Services Employment and Re-Employment Rights Act coordinator for the local office, otherwise known as USERA, and they provided some really beneficial training to our supervisors regarding military rights. So they provided this training on two separate occasions and will continue to do that. It was beneficial for us because we now have a point of contact there and they're a great resource to make sure that we're complying with the federal law in regards to USERA.

And I stand for any other questions.

CHAIR STEFANICS: Thank you. Questions, comments?

COMMISSIONER ANAYA: Madam Chair, thank you, Ms. Salazar. Could you – how are we on people that are going to training? I've been hearing that we have more people that are starting to go to County College through the Association of Counties and people that are actively taking college courses or otherwise. Are we seeing more people expressing an interest in going to school and are we still okay and have available budget to accommodate those requests as they come in?

MS. SALAZAR: Madam Chair, Commissioner Anaya, we are seeing an increase and as a matter of fact the EDGE program, the County College, they're going to have another session, I believe it's the week of September 10th, starting that Monday, and we do have a few employees enrolled for this session. What I can do is I can show you the numbers on a monthly basis of who has applied for tuition and also with the EDGE program. But we are seeing an increase and as of right now our budget is able to support the increase. So we're good for now. Thank you.

COMMISSIONER ANAYA: Excellent. Thank you, Ms. Salazar.

CHAIR STEFANICS: On that point, rather than seeing – it's not important to me which person is doing it, because we get to acknowledge them when they finish their courses, but I'd be interested in seeing which departments had the employees who do it, who encourage their employees to do it, and which departments have no employees participating. Because that might be a message. Commissioner Mayfield.

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COMMISSIONER MAYFIELD: Madam Chair, Ms. Salazar, how did our job fair go?

MS. SALAZAR: Madam Chair, Commissioner Mayfield, are you talking about –

COMMISSIONER MAYFIELD: For public safety.

MS. SALAZAR: The public safety, yes. I know Ms. Miller talked a little bit of the specifics at the last meeting and because we do it by month it actually happened in August. So I will report, but I will give you some information. It went really well. I will provide more details at the next meeting but it went really well. We had approximately 50 people participate, and we got a lot of good feedback. We had our Sheriff cadet testing on Saturday and it looks like a handful of the participants came from the actual recruitment day. So it was really good. We got a lot of really positive feedback and we hope to continue to do that. So it was a positive thing.

COMMISSIONER MAYFIELD: Great. Just a suggestion, and I'm glad to hear it went great. Maybe what we could do is take up a job fair throughout Santa Fe County, different areas of the district when we have an open house or something. Just food for thought. Thank you.

CHAIR STEFANICS: Thank you. Anything else for Ms. Salazar? Great. Thank you.

XIII. D. Corrections Monthly Report

CHAIR STEFANICS: Since you're competing, Mr. Sedillo, with the other departments, you might want to caption this report for the future.

PABLO SEDILLO (Public Safety Director): Thank you, Madam Chair. Madam Chair, members of the Commission, good afternoon. What's I'd like to do is you have some numbers there. I was asked to provide you with the monthly numbers for the month of July. Our monthly count was 556 total. As you see, our BOPs are 16. Our US Marshal's are 121, so we've been averaging close to 132 federal prisoners. Our Santa Fe County count as you can see is 301, which is a big number for Santa Fe County. It's been jumping up.

In August, the number of August have been coming down. I've been looking at them every day. So that gives you a good indication of what we're dealing with. We're dealing with 301 inmates of Santa Fe County, 132 US Marshal inmates and the rest from other jurisdiction to comprise of 556 inmates total for the month of July. I'll stand for questions on those.

CHAIR STEFANICS: Questions, comments?

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Mr. Sedillo, you and I have had a couple of conversations recently. I spent a fair amount of time working on the jail team, they used to call it when I worked at Santa Fe County, but I know from that experience and seeing as a Commissioner and being the staff that the Corrections facility is a huge responsibility that we have and it's a difficult financial responsibility and I'm always looking for ways that we can be more efficient. I would like to, in coming

months, have presentations from fellow counties. Maybe we can start with Bernalillo County about some of how they do their business, both how they handle their food service, how they handle their medical service and how they handle their overall operation to use as a comparative tool and to better understand how we might garner efficiencies, in utilizing potentially inside and outside sources to do that.

So I would ask you, I've had discussions and mention this to Ms. Miller as well, and so maybe as part of this report in the coming months in September I'd like to actually see if we could put something together to start getting feedback about what our neighbor counties are doing and services and people that they hire, how those are all handled and what potential efficiencies that they have or maybe struggles that they're having that we might learn from one another and continue to build the best possible facility that we can.

COMMISSIONER VIGIL: Madam Chair, on that point, Commissioner Anaya. It isn't anything that I think would not be of huge value to us but in previous years and in the past Commissioners, when we wanted to gain that kind of information what Bernalillo County particularly has done is said they're happy to communicate with us but they prefer that we go tour with them. And they think that that's the best way to provide the kind of information that you're seeking and have a session with them and ongoing communications if you're involved in the tour. So I throw that out as an option because actually, one of the benefits I gained from a tour through Bernalillo County was their medical facility. At the time, I don't know where they're at now with regard to that but it really is enlightening to actually be there and see how it operates.

COMMISSIONER ANAYA: Madam Chair, Commissioner Vigil, thank you. I definitely – I've done that in the past and will do that, so maybe the combination of the two, my own tour and education as well as collective presentation to the Commission on what's happening. But I appreciate that, Commissioner Vigil.

CHAIR STEFANICS: Thank you. Anything else? So, Mr. Sedillo, one of the things that happens from our meetings and the materials that are given to us, they are posted, and that's why I was asking you to kind of put a little heading on this, etc. But I think this is lending itself to transparency for the public, so they can start looking at where people come from. We have quite a mix of clients, should we say? At the Corrections facilities. And I thank you for doing this and maybe as time goes on you'll think of other things to add to it because every time we talk to Ms. Salazar we ask her for something more to add to the HR. So maybe you can think of what else we might be interested in.

MR. SEDILLO: Madam Chair, I would have no problem doing that.

CHAIR STEFANICS: Great. Thank you very much.

XIII. E. Other Matters

CHAIR STEFANICS: Ms. Miller, anything else on the Manager's report?

MS. MILLER: Madam Chair, yes, just a couple real quick things. There was an item from the last BCC meeting, a question on the parking at Cundiyo for the voting and the property owner has agreed to let us use his area that he had roped off or fenced off for voting. So we have been working with him on that.

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Also, I mentioned earlier, I'll say it one more time. The Water Trust Board on September 12th, 9:00 am, State Capitol. Any of the awards we did receive, if you could put out to your constituents and mutual domestics please attend and help support the awards that were made previously because Santa Fe County had quite a few projects in there.

Also, I have a list and I'll give it to you. Chief Sperling provided a list of all the needs by district on the fire districts and their need for that GRT, our excise tax, so I'll et copies of all that to you so that you'll have that for any conversations you might have with the public or advocacy groups relative to the tax.

Also, I think Commissioner Mayfield had talked about promoting the 811 – Call before you dig. Kristine's been using Face Book and Twitter to promote that and she's working on a press release to go out on that, and we also from that meeting there's a request for the mediation and we believe that we have that mediator set out and we'll be starting on that as well. So I just wanted to give you an update from last meeting.

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Questions, comments for Ms. Miller?

Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Ms. Miller, Representative Hall caught me in the hallway after the discussion about the Water Trust Board and he asked if we could specifically give him a breakdown of the projects that were approved by Water Trust Board and key bullet points. And I think it's important that we get those to the entire Santa Fe delegation. I told him we would get him some tomorrow, a bulleted summary, because he wants to begin working on it and I'm sure the rest of the delegation would be supportive. I know we mentioned Canoncito and Glorieta as well, but I also think there may be some projects in Commissioner Mayfield's district that might have gotten approved as well. I'm not positive but I do recall that they had some requests in and if there's County projects and we can provide our delegation with the meeting time, September 12th at 9:00, then I think they'll help advocate for those projects.

CHAIR STEFANICS: Great. Anything else from the Commission?

Commissioner Holian.

COMMISSIONER HOLIAN: Katherine, I just wanted to note, do we have any recent plans for going out for public meetings on the new code? I just wondered if there was any late breaking stuff that I could pass on to my constituents.

MS. MILLER: Madam Chair, Commissioner Holian, what we're doing is we're getting the draft together and getting the ability to have that – get that codified and in print form, and then that will be kind of put on the web, and then that will start the process of the comments.

PENNY ELLIS-GREEN (Deputy County Manager): Madam Chair, Commissioners, just to add to that, we will be releasing the code within approximately a week, which will be before the next study session on September 11th. And directly following that September 11th meeting we'll be going out to do public meetings.

COMMISSIONER HOLIAN: Oh, great. Thank you.

MS. ELLIS-GREEN: And we'll be advertising those hopefully by the end of the week.

COMMISSIONER HOLIAN: Okay. Terrific. Thank you, Penny.

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COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Yes.

COMMISSIONER MAYFIELD: Madam Chair, Ms. Miller, we spoke about it briefly this morning, but the attorney with Mr. Ross' office that arguably was kind of mentoring the code along, he is no longer employed with us? Are we getting back to square one? Are we going to have some dedication to the code? Are we not? Are we going to advertise for another attorney again? What's the status on that?

MR. ROSS: Madam Chair, Commissioner Mayfield, yes, the attorney that was assigned that project is leaving. Unfortunately, he's going to another job so we'll have to adjust within our office to take on those responsibilities. He hasn't left yet. He's going to see this through until the draft is done and then other attorneys will take on the responsibility of addressing comments from the public.

COMMISSIONER MAYFIELD: So, Madam Chair, Mr. Ross, the complete draft of all the chapters?

MR. ROSS: Yes.

COMMISSIONER MAYFIELD: Oh, so he's going to be with us for a while then.

MR. ROSS: No, no, no. The complete draft is going to be finished by tomorrow and sent to the publishers and then be available in the week. So he's leaving the end of this week.

COMMISSIONER MAYFIELD: Okay. Thanks.

CHAIR STEFANICS: Thank you. Anything else for Ms. Miller?

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Yes.

COMMISSIONER ANAYA: We had a lot of discussion on the code. Did I just hear that the complete draft of the code is going to be done in a week?

CHAIR STEFANICS: We are going to have copies of it to start looking at as well as the public. It's going to be online. So that when we come to our next study session we will have had something to look at and the public will have had something to look at, and then all the public meetings start.

COMMISSIONER ANAYA: So Madam Chair, we had a long discussion about needing charts and densities and a lot of maps, and you guys are going to be done in a week? I mean you're scaring me now, to be honest with you.

MS. ELLIS-GREEN: Madam Chair, Commissioners, at the last study session we were requested to come back September 11th to another study session and to have the code released a week before that, so that is what we've been working on, to have a draft that will then go out for public comment so the public can actually see what's being proposed and make comments on that.

COMMISSIONER ANAYA: Madam Chair, we had a lot of discussion about not being premature with maps and densities and I had no idea you were trying to do the whole code in one week, and I am puzzled at best right now, because the feedback that I've received in the meeting and outside of the meeting was that we were going to make sure that we had maps that were ready and that we were going to have a discussion on what proposed densities there were. At no time did I feel that we were in the discussion that we were going to come out of this and say we are going to have a draft

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code ready for dissemination to the public. At no time in the meeting. I'll go back and look at the minutes but I didn't think we were anywhere near ready to do that.

MS. MILLER: Madam Chair, Commissioner Anaya, the study session where we went through what each chapter was going to have and what the differences were, that's what's being released, is what has been worked on for the last several months by the staff drafting the basic code. The maps, the zoning maps won't be there yet but we want to get this part out. This has been a constant chicken or the egg. It's very hard to get comment if you have nothing to look at. So taking – this is where we said we took the old code, the stuff that [inaudible] had worked on, all of the input from things that had happened and drafted something. We released the first four chapters and everybody said we want the whole thing because this is frustrating to deal with it chapter by chapter. So that's what they've been working on for the last several months.

But we also said that will be the first of what you see in a written document and then there will be more to come from that, the zoning maps that come with it, we don't expect that that's going to be done all at once. But we have to give you something or we continue to just talk in theory of what the code will look like. So that was what came out of the last round of all those meetings of trying to come up with something to come up with something to start putting out there. But it was what the staff had discussed in the study session, that these are going to be the major differences of what's going to come out so you can start having discussions and the public would have a code to look at.

CHAIR STEFANICS: Thank you. Any other questions for Ms. Miller?
Thank you.

XV. MATTERS OF PUBLIC CONCERN – (Non-Action Items)

CHAIR STEFANICS: Everyone who might want to speak for public comment please come forward. Come right on up. If you'd introduce yourself and just tell us what you'd like to.

JAY DILLON: Good afternoon. I'm Jay Dillon. Good afternoon, Commissioners. I'd like to just read my little statement here.

CHAIR STEFANICS: Certainly.

MR. DILLON: I will be circulating a petition in support of Brian Egoff's House Bill 290 enacting the Small Business Development Bank Act after the New Mexico Bankers Association has reviewed his bill. I want to work with others who want to encourage New Mexico's small businesses through changes at the state level. Some of the priorities I'm thinking of are obviously passing Brian Egoff's House Bill 290, and I also want to open up the conversation about possibly re-examining the Anti-Donation Clause in the New Mexico State constitution. I'd like to leave these documents. [Exhibit 2] This is basically Brian Egoff's House Bill 290. I have spoken once with the head of the New Mexico Bankers Association, John Anderson. He, in one early draft had thought that Mr. Egoff was planning on a state bank and Mr. Egoff has assured me that he is not looking at a state bank but he's looking at another organization which he's calling the Small Business Development Bank Act. I'd like to leave this with Ms. Miller.

CHAIR STEFANICS: Great.

MR. DILLON: Thank you.

CHAIR STEFANICS: Thank you very much. And this isn't the one where – it's about small businesses, right?

MR. DILLON: Yes.

CHAIR STEFANICS: Okay. Great.

MR. DILLON: In New Mexico.

CHAIR STEFANICS: In New Mexico. That's great.

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I'd appreciate it if the gentleman would give us just a snapshot of what does the act try and do.

MR. DILLON: May I read from the – Mr. Egoff, he has promoted this in 2010 and this is from 2011. Related to finance enacting the Small Business Development Bank Act, creating the New Mexico Small Business Development Bank Act, establishing a small business development bank board, providing powers and duties, authorizing loan participation agreements with community banks for economic development, providing for the investment of a portion of the severance tax permanent fund in New Mexico small business development.

Basically, he has an idea of making it easier for small businesses in New Mexico to receive a portion of monies from the state general fund and a portion from New Mexico banks or credit unions. Make it easier for small business people like myself to get grants or not only grants but loans so we can continue with economic development in New Mexico. As you may know a lot of loans are just frozen. The whole atmosphere is just frozen right now. So I am in total support of what Mr. Egoff is supporting. I see this as a very strong and commendable step forward for economic development here.

COMMISSIONER ANAYA: Thank you for the summary. I appreciate it. Thank you, Madam Chair.

CHAIR STEFANICS: Thank you for sitting here all day and all afternoon.

MR. DILLON: Thank you.

CHAIR STEFANICS: Great.

XVI. MATTERS FROM THE COMMISSION

A. Commissioner Issues and Comments – (Non-Action Items)

CHAIR STEFANICS: Commissioner Anaya.

COMMISSIONER ANAYA: Yes. Madam Chair, I want to thank Adam Leigland and Robert Martinez for attending a meeting in Moriarty the other day. A coalition of governments, Bernalillo County, Torrance County, the Town of Edgewood, the City of Moriarty, Tijeras, working with even the City of Albuquerque are working on a project to revitalize and enhance economic development along Route 66. And they're talking about creative ways through signage, through business, maybe through a collaborative economic development project to help engage that whole corridor from Moriarty all the way into Albuquerque, connecting with Route 66 in Albuquerque.

I think it's going to be a good opportunity to work on economic development initiatives. There are going to be some code issues that we're going to have to address that are going to be consistent with what the whole corridor is trying to achieve, but I've

talked to our planning staff and I know Mr. Martinez and Mr. Leigland are going to continue dialogue with the group. The one thing I would add from the discussion is I had a conversation with Commissioner Wayne Johnson who is the County Commissioner from Bernalillo County. They do a lot of youth programs in the east mountains and so they already have mechanisms and support structures to do a lot of the programs, so I've started a dialogue with him about how we might work together to have the children and youth benefit off of the services that they provide in that segment of the county. So I think it's going to continue to prosper and open up communication lines between governments.

I also want to mention Senator Beffort was the one who helped coordinate the group, Representative King, Representative Salazar were all people that were present. The schools were also present in the discussion. So it's a cooperative effort that I think is going to be something that I think helps us all work better in a regional manner.

CHAIR STEFANICS: Commissioner, I just want to let the public know we are back on TV.

COMMISSIONER ANAYA: Okay. The annexation discussions, I wanted to just encourage the whole Commission. I think it's been a good process, Madam Chair, that you've helped to initiate and I think we're going to get somewhere with the annexation agreement, and I actually think that the solid waste is one of the stepping stones that we could utilize to even get there before the final annexation.

I did want to forward to our Manager and our staff that I've started additional discussions with the Councilors, Councilor Dominguez in particular in the district along Airport Road, to figure out how do we work with them to help with the facilities that they're doing. They're going to be doing an extensive SWAN park in the Tierra Contenta Subdivision that's not only going to serve City of Santa Fe residents but they're going to serve residents in the whole region. So we started a dialogue first to understand what they're doing and then to figure out is there ways to incorporate their discussions with our work. They talked about having linkage from the Tierra Contenta area to the trails in the Santa Fe River as one of the ways to provide linkage between the city and the county.

I think those are the main items I wanted to bring up. I did want to congratulate Tierra Contenta and the partnership between the City and the community groups. Commissioner Holian and I were able to participate in the ribbon-cutting ceremony that they had last Thursday that they have a new amphitheater event type area that's a pretty awesome place for the community to congregate and have events. So I wanted to congratulate the private and public sector for working together to achieve that. Thank you, Madam Chair.

CHAIR STEFANICS: Thank you. Commissioner Vigil.

COMMISSIONER VIGIL: Thank you, Madam Chair. Based on some of the testimony and items on the agenda that we had today I want to propose that this Commission consider bringing the communities that they represent before us, such as La Cienega came before us. I think it was very informative and I actually think that each community, as we all know because we represent a variety of them, have individual issues. So that maybe that could be a standing item on the agenda so that we're hearing from them as we did today from La Cienega. It's always very helpful and it allows me to buy green chile. So maybe there's – red chile from Chimayo I'd love. Anyway, not

putting any light on it but the truth of the matter is that that can be an informative session, so I'd like us to consider doing that. It also provides for the transparency and I think we're all looking towards that. So I'm in favor of that.

September 12th was mentioned as the Water Trust Board. Katherine, what time does that start? Only because I'm going to put another hat on for a few minutes. Is that an 8:00 hearing?

MS. MILLER: Nine a.m.

COMMISSIONER VIGIL: Because all of you will be invited to a breakfast where all elected officials have been invited to meet the new president of Santa Fe Community College. I do have a contract with them so I'm wearing that hat right now but you should be receiving a save-the-date and a day that all elected officials – County, City, State, public schools, are invited to a breakfast to meet her and I wanted you to know that might be a save the calendar thing. And she seems to be very active and engaged in the community and wanting to work with local and state governments so that would be good to find out what she's all about and that's a good way to start.

I actually also want to find out if anyone has it on their calendars when the next annexation meeting is. Did we set that?

CHAIR STEFANICS: No. We did suggest some times and it might happen late September or early October. Is that correct, Ms. Miller?

MS. MILLER: Madam Chair, Commissioner Vigil, yes. Because our first round of tries didn't work so we're trying to come up with something at the end of September or early October and also have some progress as far as some of the things that came out of the meeting, so there's actually something possibly for both bodies to act on.

COMMISSIONER VIGIL: Well, I'll look forward to that also as stated earlier. I also want to encourage my colleagues who serve on the Buckman Direct Diversion to – they have an item on the agenda, a big deal for the Las Campanas issue that's come before us. That is really critical to the future of that water system. But I also think it really – it's come before the City. I don't think it necessarily needed to. It's come before the County. And I think the forum for it is the Buckman Direct Diversion. I think that is the agency, both joint City and County that needs to deal with this issue and maybe make a recommendation to the governing body. I actually think part of the problem is this issue came to local government before it went to BDD and I think BDD has the expertise and the staffing, although I understand they've lost their executive director, so I'm not sure what date that's actually coming before you. I actually think it would be good for the BDD and I think Las Campanas, City Councilors, County Commissioners all are getting further information on this but it would be good to identify specifically some of the alternatives that are being proposed at the BDD and get the BDD to evaluate those and perhaps make one, two recommendations. I'm not sure.

I think you will have as BDD representatives the staff that's the appropriate staff to ask the questions with. We don't always have that at the County. The City doesn't always have it at the City, although they're the fiscal agent, and staff is much more readily accessible to them. This could be one of those items that just prolongs itself and I'd like to see an early resolution to it, because that's what's happened so far. We got a delay the first time. We got another delay, and so I'm hoping it's no longer delayed. And

I think that's it, Madam Chair. There's a couple of others that may come to me so I reserve a time if they do.

CHAIR STEFANICS: On that point, about the BDD, let me just comment. I did send several items to the chair to include in the agenda. One was personnel items regarding the director. One was the shut off and turning on of water and how those decisions are made, and then Las Campanas did request a space on the agenda. I subsequently had a conversation with the chair of the BDD and he wanted to know what I was so concerned about, and I indicated there were several concerns, and one of them immediately is I wondered why our BDD Director had resigned on such short notice with no reasoning for all of us.

The City has set up a search committee and they've excluded our staff in that search committee. I indicated that I thought it was appropriate for the pre-selection committee to have representatives from the County. The chair of the BDD is not reading the agreement in that manner and he basically said you could reopen it in 2015 when it comes time. I think we are going to have some issues to discuss at this next meeting. I don't believe that the County has been kept in the loop about several things that have been going on. I think it could be explained very clearly about when the water is shut off due to sediment or other problems, but the length of time it was shut down then started creating some problems, not only for us but Las Campanas as well as other actions from the City.

But at this point some of our agreements with the City, including the BDD, we should probably revisit. But thank you for bringing that up and we do have some items that we asked for on the agenda.

COMMISSIONER VIGIL: Right. And I think it should be made perfectly clear to the public, because after the City meetings, there really was a misrepresentation, there was an inaccurate depiction of how the County actually provides that water, so inaccurate that I think I read an article that said the County is providing potable water. We're not providing potable water; it's raw water. And when folks out there in the county actually look at the paper and they say why is the County doing this? And other people at the hearing at the City confronted me about this I said it's not potable; it's raw water. There's a huge difference.

There's some inconsistencies in the way the City is moving forward with this and thank you for giving me the update on that search committee. I think it's highly inappropriate for the County to not be included in that search committee. This is a joint powers agreement and it's a joint governing board. And despite the fact that the fiscal agent is the City, that joint authority still lies with the governing board.

CHAIR STEFANICS: Thank you. Commissioner Mayfield, Matters from the Commission.

COMMISSIONER MAYFIELD: Just real quick, and not for any other reason than to make comment, but there are times when there is potable well water going to Las Campanas in the past agreement that we passed. Again, there are times. It should be typically always raw water, but there was a provision in that agreement that this County approved that would afford well water for Las Campanas, if I recall that agreement as it was written. So I'll just throw that out.

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COMMISSIONER VIGIL: Could you clarify that further? Maybe we need someone from the water utility. I think that they are required to give us water. We are required to give Las Campanas raw water. But the potable water comes into play when for example the City runs out of effluent for their golf courses they use potable water. They actually use potable water for their Quail Run golf course. So the use of potable water is more of a backup issue than it is anything else. It was never the County's – and I think our agreement is real specific about we will only deliver raw water. Our agreement with Las Campanas is very specific to that, whether the City delivers the raw water to us is where the difficulty lies.

COMMISSIONER MAYFIELD: Madam Chair, Commissioner Vigil, I hear you and I'm not disputing what I understand – well, I guess I am disputing, the City isn't turning the meter on for us. And I'll defer to staff here, but my recollection of the agreement is that the County signed with Las Campanas on the delivery of water was that it would use raw water, but in the event that raw water was not available or we could not meet the obligation to them for raw water that the County would be delivering well water. Please correct me if I'm wrong but that's how I remember that was the agreement that we passed with Mr. Guerrerortiz.

CHAIR STEFANICS: Ms. Miller would like to address that.

MS. MILLER: Madam Chair, Commissioners, the agreement is that we would do the raw water, but also in the event the BDD is shut down that we would have some backup resource. It doesn't specifically say that it's well water in the agreement but it was from County staff's perspective, that is our backup source when BDD is down or the Buckman wellfield. It's not the City's water. We have about 1,300 acre-feet which we use about 500 acre-feet or maybe 550. I want to point out, I think there's really – what Commissioner Vigil has said is it's been really misrepresented. The City has been providing Buckman well water to those golf courses while they've been providing effluent to the tune of over 300 acre-feet a year. So we're asking for something much less. Actually the County's agreement with Las Campanas has created less draw from those wells, way less, than what was happening under the City's agreement with them with the effluent.

And as a matter of fact, if BDD has actually been able to deliver the water as scheduled and as requested it was likely that we wouldn't even need that backup this summer. But they weren't even able to bring on the delivery at the level that Las Campanas had requested.

So there's a lot of misinformation out there about this and actually what the County has done with the raw water agreement and had BDD not been shut off for 35 days straight, wouldn't even have needed to use any well water from the Buckman wellfields, and in addition they could use one of their wells that's not potable. They could choose to work with us on that. And they do actually use potable water on golf courses throughout the city and they were doing it and have been doing it since those golf courses existed. We actually had reduced that amount significantly by setting up our agreement, and it was anticipated that maybe once or twice over a ten-year period that we would need that as a backup. That's the way it is if Buckman stays on.

COMMISSIONER VIGIL: It begs the question, why do they have one standard for the City and another standard for the County. And where our agreement is

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actually really in good faith towards a raw water delivery system. Do we know why they've chosen to treat us differently?

MS. MILLER: Madam Chair, Commissioner Vigil, also, I think we don't, because Las Campanas had an agreement with the City that ran through this December to provide that backup from the wells and they are not honoring that either.

COMMISSIONER VIGIL: Okay. I think some real serious discussions need to be had, Madam Chair and members of the Commission, on this item. Thank you for clarifying that, Commissioner Mayfield and Katherine on the potable water issue, and it sounds like there's further resolutions too.

CHAIR STEFANICS: Thank you. So Commissioner Mayfield, you have the floor on Matters from the Commission.

COMMISSIONER MAYFIELD: Thank you, Madam Chair, and excuse me. I just wanted to recognize and thank staff for their time and the efforts they put on the ICIP plan. We did have a community meeting out in District 1. I don't know if all the community meetings have happened. I think they're still going to be an ongoing process this week with different districts. But one thing, Madam Chair, Mr. Leigland, and I know that it was asked in the community meeting but I'm going to ask again. There was one spreadsheet that was given as far as future master planning, as far as capital projects, but the definition on some of those projects was pretty vague and I think you guys were going to address it, but like the one, there was one [inaudible] up in District 1. I'm assuming that maybe that was for the Aamodt settlement. But I just would like as far as for District 1, and I think all the other Commissioners would care for the same, is to have some solid description of what all those projects are going to be, and if we need to realign or prioritize we can do that.

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, the list you're referring to is the list that's been presented to this group as the capital needs list. So that's the list that currently has about 400 items on it of all the needs. And you're right. Some of those have better scope than others, so yes, I totally agree with you. I left that meeting thinking that we need to do a better job.

COMMISSIONER MAYFIELD: And Madam Chair, Mr. Leigland, and again, I know staff works hard and tries hard but when you go out to the community and represent something to the community, and then they say, well, what is this and I can't answer what it is because I don't know what it is and the staff can't answer what it is. It just leaves, I think, a bad feeling in their mind, especially when we're out there trying to push further bond issues with them, asking them, hey, trust us, we're not going to away of what we're doing. And we can't even explain what projects you have on the sheet right now, and what you've done with those dollars. So I would just ask for definite clarification on that.

And I know you guys are working hard. I know there's been flooding throughout Santa Fe County and Adam, you take my phone calls and I appreciate that and you spend a great deal of time in District 1. I know you do. But again, with the flooding issues, the tree trimming issues, the general maintenance of the roads – I know it's tough with your budget and your resources, but again, with that, with acquisition on our bond projects for open space and trails, we're going out and selling things for the community and saying, hey we're going to talk, and I'll say at Potrero, we've told the community that we're

going to go out there and have a plan for them of how they can put that to farming use or grazing use. And I've committed to that community that we're going to have a dialogue because a few folks are saying, well who gets the right to use this for grazing. And it seems like we always keep putting that off because our schedules are very busy, but if we don't address these timely, if we don't address the road concerns timely, and now we're going to hit these folks with a bond package coming out in November, I think it sends a little bit of a mixed message and I don't want to send that mixed message. I would like to see support for the projects that we need throughout Santa Fe County. I'll support these projects. I think they're very much needed. But again, I think maybe some – and I hear it from community members. What are you doing now and why don't you even have these meetings with what you have going on? So if you guys can kind of just help with that I'd appreciate it.

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, I hear what you're saying. The only thing I wanted to note and I stress that – we've been stressing that at ICIP meetings is the division between maintenance funding and operations funding and capital funding. So we do get the different funding sources and we are constrained and we can't use bond funding, for instance, to increase our sweeping, for instance. So I try to explain that to avoid exactly what you're saying because it's easy – I agree. It's easy for constituents to lump it into one thing saying why are you trying to ask for more money when you can't even maintain a basic level of service? So we try to mention they come from two different funding sources.

COMMISSIONER MAYFIELD: And Madam Chair, Mr. Leigland, I appreciate that. I didn't hear that. But if we're going out to see a bonding project for a road, say, and we're successful and we get that road paved. But then what? Now we don't have any maintenance money to protect that road for future years out? We have to figure out how to work that. If that's increasing the budget on roads I'm for that but I just think we have to think of that also when we're going out asking for them to approve our road projects.

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, actually, you bring up a great point. And so when we are looking at improving the surface or a road or adopting a road I think we should do exactly that sort of economic analysis. Our research indicates that the cheapest way to treat a road that has a certain level of traffic is to be unimproved. So below, say, 50 trips a day it should be unimproved. Between 50 and 200 vehicle trips a day it should be basecourse. About 200 trips a day you should be looking at chip-sealing it and at about 500 vehicles a day you should be looking at asphalt and those numbers I gave you have the maintenance costs that are lowest because if you have a basecourse road and you're starting to see 200 vehicles a day you're going to be out there regrading it and re-basecoursing it every week if you get the chip seal.

So I totally agree with you and that's why we should take into consideration the vehicle counts on a road when we look at what kind of improvements we want to do to it. So I totally agree with you and I think that we're working – and you're going to be seeing something from that coming out of the Road Advisory Committee because we've been talking about that very thing.

COMMISSIONER MAYFIELD: And for the record, Madam Chair, Mr. Leigland, I appreciate what you're doing. I know you're working hard. I know you're

constantly out there throughout Santa Fe County so I know that and I recognize that and I want to thank you for that. I just need you to help me get that message out to the constituency I serve. And I think if they visually see that happening they're a little more satisfied.

MR. LEIGLAND: Commissioner, yes. I took our conversation to heart yesterday and we're going to come back to you with some products.

COMMISSIONER MAYFIELD: Thanks. And Madam Chair, Adam, since you're up here and it kind of came up. That's why I pulled a couple items off the agenda a little earlier thinking that one of our staff members went out for some additional grant funding for road improvements. But I guess for you and for our staff I would like to – well, one, I'd like to say thank you to all staff. All staff worked very hard and they all need to be recognized for the job they do. They do a great job. But there are some staff members that go out there and find additional funding sources that I would like to bring in front of this Commission and recognize them for doing that. I know Ms. Martinez has done it. Karen Torres has done it with water. I'm probably forgetting so many or I don't know of so many that have secured funding sources. Again, I think Mr. Diego Gomez just went and got another grant of \$600,000 some for Santa Fe County. So if there would be a way that, Manager Miller, we could recognize these folks that are going out there and successfully applying for these grants and will put them to beneficial use I think it would be really warranted.

With that, that's all I have except we did have to change the date of a community meeting. Excuse me, not a community meeting. A community grand opening of the Nambe Senior Community Center now, just for some of the logistics I guess. But that new grand opening date will be – and I stand to be corrected, September 14th at 10:00 am.

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, it's that Saturday, so it's the 15th.

COMMISSIONER MAYFIELD: The 15th. Thank you. I can't get it on my calendar. So thank you, Madam Chair. Thank you, Mr. Leigland.

CHAIR STEFANICS: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. First of all I really want to thank you, Adam and also Robert Martinez for meeting with the Apache Ridge folks to talk to them about options for their road and possible adoption of the road. But I just want to note that in fact a lot of the conversation did in fact center around what would be the best thing to do to minimize maintenance costs in the future. And I just want to thank you for your patience in explaining all the different options to them. I know that they're mulling them over right now to figure out which way that they want to go.

MR. LEIGLAND: Actually, Madam Chair, if I could use this opportunity to kind of update the Commission on two things. One is the State DOT is doing traffic counts. I don't know if you saw that.

COMMISSIONER HOLIAN: I did, and I really want to thank Robert for figuring out how to get the DOT to pay for that.

MR. LEIGLAND: And Commissioner Mayfield, the Vista Redonda Homeowners Association came back to us and they do not want to pave the roads. They want to keep them as basecourse. I just heard that this morning.

COMMISSIONER MAYFIELD: Did not? That's \$650,000.

CHAIR STEFANICS: Okay, Commissioner Holian, you still have the floor.

COMMISSIONER HOLIAN: Thank you, Madam Chair. So anyway, thank you. And the other thing is I just want to note the passing of Randy Forrester who was the chair of our Ethics Board and just to send my sympathy to his family and friends.

CHAIR STEFANICS: Thank you. Yes, I was quite shocked to see that in the paper. He really did a lot of service, not only to Santa Fe County but to the state and we truly appreciate that. Anything else? Okay. That's all.

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Yes.

COMMISSIONER ANAYA: I just wanted to ask a clarification and pick on my colleague to the left. I've been coming to Commission meetings talking about a Highway 14 senior center for almost every single meeting. Did I just hear you say Nambe Senior Center, because I don't recall us approving any new senior centers and I know I've been advocating along with Commissioner Stefanics on a senior center. Did we get another senior center that wasn't a senior center? I'll get picked on by the constituents on Highway 14 to no end if there's other senior centers coming in. So with all due respect, Commissioner, I get a lot of calls and a lot of feedback saying what's going on with the senior center on 14? I know we did some stuff on Rufina that made sense as an interim fix or maybe a long-term fix. I know we've done some stuff in Eldorado. But I'd be remiss if I didn't ask for clarification on did something change? Did I miss something? And I'm picking on my colleague but there's seriousness to it because there are a lot of people that have been asking me, what's happening with 14? I know staff has been working hard on it. So if you could help me out so that the public – so that I don't get beat up over it I guess.

COMMISSIONER MAYFIELD: No problem, Madam Chair, Commissioner Anaya, and I share your same concerns. I do know that there are numerous centers up in the northern Santa Fe County part and I'm appreciative to have all of them, and I know the community members are. But that's part of the logistics of why this grand opening didn't happen. Because I know since I came on this Commission there was funding in place for a senior center and that's how some of the appropriation went for the Nambe Center. So as we progressed and moved forward, and I want to be careful how I say this so I might defer it to Manager Miller, but I did identify that I did not want Santa Fe County to have any egg on its face by opening a community center when there was the initial funding came as a senior center for this program well before you or I was sitting on this Commission. So that's why I asked if we're going to open up a senior center, a community center, and if it had initially dollars as a senior center then you can't [inaudible] folks. I believe, Madam Chair, Manager Miller went back with staff, verified that that in case was how the initial funding came for that. I will defer to you for your technical expertise on that.

MS. MILLER: Madam Chair, Commissioners, this has been a little bit confusing because the funding for this project was wrapped up in some of the claw-back that the state did – I contribute to this confusion. No, so the original funding for the project I think got reverted or pulled back. Then there was another appropriation that was a seniors appropriation that got reauthorized. So the grant agreement comes from Aging.

And in the grant agreement, apparently Agency on Aging did not see that it necessarily needed to be a senior center. They knew that it was just one of their funding sources that had been redirected.

So we're in the process of ironing out with the state and clarifying that we do not need to provide senior services there and because the grant agreement would indicate in some places that we need to and so we're prepared if we have to to be able to do some meals on wheels, something like that, but we're actually working on making sure that that's not the case and that they're okay with it being just a community center. So that's part of the ironing out that we're trying to get taken care of right now.

COMMISSIONER ANAYA: So, Madam Chair, I think – and I think we constantly talk about it as a Commission. I think if we could have services in every community that would be nice, and maybe that's a goal to aspire to, but I do think that there are communities that haven't had any services at all that are important that I know the Commissioner Mayfield and my fellow colleagues understand and work on. But I want to make sure that we're putting things out there and we're clear and transparent and that they understand that there was a mix-up in the grant and the interpretation, that that's one thing, but that as a Commission, that we're all trying to put things out in the open in a transparent way and communicate to the public. So I think there could be things, frustrations that could be vetted, frankly, by some other parts of the community if we're not careful with that. So I respect what happened but at the same time I still want us to do what we can to spread services around the whole county.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Thank you.

COMMISSIONER MAYFIELD: Madam Chair, Commissioner Anaya, I've only been nothing but open in what I'm trying to do up north and I think that it's something, arguably that I caught and I saw it and I would not want to put this County in any position to be using money that came either from the state or from the feds that was initially to provide a service that wasn't being provided for. So Madam Chair, I don't know. Maybe a different department should have caught that. I don't know. But it's something that I recognize and it's something that I brought to the attention of the Manager.

COMMISSIONER VIGIL: On that subject, Madam Chair.

CHAIR STEFANICS: Yes.

COMMISSIONER VIGIL: I know you're ready to give – but this is really critical for me because here is an example for me that I don't have the accurate facts. I actually learned from a constituent that some of our senior service meals for lunch are only serving three residents. That was appalling to me. So on that subject, as we look at how we provide services, can we, Katherine, get some accurate reporting of what services we currently have and if in fact there is a center that is only servicing three people, I think that should be brought to our attention. I don't know; I don't have the data. You all do. I'd like to see it. I heard that through the grapevine, so that's alarming for me, even for a grapevine statement because we hear them all the time.

MS. MILLER: Madam Chair, Commissioner Vigil, yes, we can get a report to you on how many seniors are served at each center and what services we provide at those. It might warrant looking at consolidating where we can if that's

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possible. Also, Rachel has just given me a little bit of an update on that last discussion with the state relative to the Nambe Center. Because of the funding they say we would need to provide some kind of senior services but it doesn't need to be meals and we're working on some kind of specialty service like a wellness center, where it's not a major service issue. But it's a community center is the facility so we're trying to tailor whatever we provide there to make the funding source as well as to provide to the community. So we'll get a report to the Commission on what we're doing at each center and how we're going to move forward on all that.

COMMISSIONER VIGIL: I think that would be beneficial for all the Commission, Madam Chair. Thank you.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Thank you. Yes.

COMMISSIONER MAYFIELD: And just a follow-up on that point and again, I do know that if we talk consolidation unfortunately, I guess it would have to happen in District 1, because that's where multiple centers are, but with consolidation and what we're providing with services, then I'd also ask to look at dollars. I know that arguably the majority of community center, senior centers in the northern part of Santa Fe County have been re-purposed buildings. They haven't been built from the ground up at a substantial cost to the County. So I would just like to look at the total dollars that went into the acquisitions of the buildings, I guess. Madam Chair, Manager Miller, and I know this is tough. At one time this was a three-member Commission. There were requests made from local legislators that approved certain funding for certain areas. And now if it comes back to the County, we'll say, okay, where are we going to put our resources and that's something we have to look at. And I have no problem with looking at that. But I just would ask that we go do a little historical work and say, okay, how many dollars were spent in constructing these community centers, these senior centers, and again, seeing if there are equitable dollars going out. There might be one district that doesn't even have one and I do believe that that district does need some attention with the senior and community center which I would support. Thank you.

CHAIR STEFANICS: Thank you. I have a couple of items and then we'll do any second rounds we need to. Ms. Miller, I would request specifically that you try to get on the Chamber of Commerce agenda for any upcoming meeting for us to discuss the GO bond and the fire tax and have yourself and a Commissioner attend with you. So there might be other groups that would be willing to do this, but very specifically the Chamber of Commerce.

The other item I wanted to mention is while Route 66 is looking at the economic development, Tom Aageson who actually lives here in Santa Fe has a little non-profit that's been working on economic development up the Turquoise Trail and the I-25 corridor that goes all the way up from Bernalillo up to Taos. And in the past, we were represented on that and Duncan left. And I'm not sure who you have working on economic development. I attended that with Duncan but I think we need to get the staff, whoever's doing that, get it to Tom so that they can be representing us.

MS. MILLER: We're in the process of – we've been doing interviews for Duncan's replacement. Right now I don't have somebody specific that does one thing. I've given different things to different people because the Land Use staff is pretty –

they're working on the code. Robert is pretty consumed with that and Penny has been acting in both, so that's one area we're kind of short on. But we hope to hire somebody real soon for that position.

COMMISSIONER ANAYA: On that point, Madam Chair.

CHAIR STEFANICS: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I appreciate very much you brought it up and I would say that – and I know planning staff is pretty strapped and they're going to be coordinating with the entities that I mentioned on Route 66, but Mr. Leigland has some pretty active staff there that has been helping. So that might be something that they work together on, because I think having the planners working close with the – and I say this respectfully – with the doers and the people that are actually rolling out the project help. So maybe you can help out with that, Adam, because you guys helped me out the other day.

CHAIR STEFANICS: Thank you. The other item I have, and it's not really a shout-out because she can't possibly hear it, my mother and my father who live in Ohio. My mother turned 90 this past Sunday. They still live at home and her goal is next year on her 91st birthday to be driving again. So everybody in Ohio watch out.

Okay. Second time, Commissioner Holian.

CHAIR STEFANICS: Thank you, Madam Chair. I just wanted to also alert everybody that the Solid Waste Management Authority is opening a new household hazardous waste center. It's going to be at the site of BuRTT, which is the Buckman Recycling and Transfer Station. There's going to be a grand opening on September 14 and from then on, every weekend you will have a place where you can take household hazardous waste, and we won't have to have those special days anymore because we'll have a permanent facility. Thank you, Madam Chair.

CHAIR STEFANICS: Great. Anything else, Commissioner Vigil?

COMMISSIONER VIGIL: No.

CHAIR STEFANICS: Commissioner Anaya, anything else?

COMMISSIONER ANAYA: Yes, Madam Chair. I think you're spot on with your comment about Chamber of Commerce and the GO bonds, and I think we could probably come up with a list of ten organizations that we could go to and I would sign on to help you go around the county and speak to the GO bond and even our fire tax to provide nothing but the facts. So I think that's an awesome idea and I think we need to get out and be progressive and pro-active about it.

CHAIR STEFANICS: Thank you. Commissioner Mayfield, anything else?

COMMISSIONER MAYFIELD: Thank you, Madam Chair, no.

CHAIR STEFANICS: Okay. Thank you.

XIV. MATTERS FROM THE COUNTY ATTORNEY

A. Executive Session

1. Discussion of Pending or Threatened Litigation

2. Limited Personnel Issues

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CHAIR STEFANICS: Mr. Ross, what are the items that we need to cover and how much time?

MR. ROSS: Madam Chair, we need an executive session to discuss pending or threatened litigation and limited personnel issues. Once we get started we think it will take about a half an hour.

CHAIR STEFANICS: Thank you. Is there a motion?

COMMISSIONER HOLIAN: Madam Chair, I move that we go into executive session where we will discuss pending or threatened litigation as well as limited personnel issues.

CHAIR STEFANICS: I'll second it. There is a roll call.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Yes.

COMMISSIONER MAYFIELD: I know I brought this up in the past and I appreciate what our County Attorney has told me, but it's just hard when we have a general catchall for pending litigation. And I know for whatever reasons he's explained and I respect it, but there's specifically one case that I would never approve going into closed executive session on. I don't know if that just needs to be a carte blanche statement right now, but I need to know if that case is going to be spoken about before we go in there.

CHAIR STEFANICS: Mr. Ross.

MR. ROSS: Sorry, Madam Chair. What was the question?

CHAIR STEFANICS: Commissioner Mayfield would like to know specifically what we're going into executive session for because there is a case he does not want to discuss. So I believe we have some necessity to discuss some controversial issues this evening. Is that correct?

MR. ROSS: Yes. We have two cases to discuss and I'm not sure what the limited personnel issue is.

COMMISSIONER MAYFIELD: That's not – Madam Chair, is UDV going to be a case of discussion tonight?

MR. ROSS: That's one case we need to discuss.

COMMISSIONER MAYFIELD: Thank you. I vote no then.

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (2 and 7) to discuss the matters delineated above passed upon majority [3-2] roll call vote with Commissioners Holian, Vigil and Stefanics voting in the affirmative and Commissioners Anaya, Mayfield voting against the motion.

CHAIR STEFANICS: So by a vote of 3-2 we're going into executive session. My understanding is that there is a need to update the Commission on immediate actions on the UDV case so that is the reason it's on the agenda.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Yes.

COMMISSIONER MAYFIELD: Could I just ask that that be the last case discussed and I'll just excuse myself when that case comes up in closed session.

CHAIR STEFANICS: Yes, Commissioner Mayfield, but if it affects you in the future you won't have any information.

COMMISSIONER MAYFIELD: Thank you.

CHAIR STEFANICS: So at this point the public portion of the meeting is concluded. When we return from the executive session we will just adjourn and we are going into a recess at this time for viewers and listeners of the public thank you very much.

[The Commission met in closed session from 6:35 to 7:45.]

COMMISSIONER VIGIL: Madam Chair, I move we go back into regular session. The only matters discussed were personnel and litigation.

CHAIR STEFANICS: And in attendance?

COMMISSIONER HOLIAN: In attendance were the five Commissioners, our County Attorney, our Deputy County Attorney and our County Manager.

COMMISSIONER VIGIL: Thank you, Commissioner.

CHAIR STEFANICS: And that's a second?

COMMISSIONER HOLIAN: Yes, that's a second.

The motion passed by unanimous [3-0] voice vote. [Commissioners Anaya and Mayfield were not present for this action.]

XVII. ADJOURNMENT

Having completed the agenda and with no further business to come before this body, Chairwoman Stefanics declared this meeting adjourned at 7:45 p.m.



Valerie Espinoza
VALERIE ESPINOZA
SANTA FE COUNTY CLERK

Approved by:

Liz Stefanics
Board of County Commissioners
Liz Stefanics, Chairwoman

Respectfully submitted:

[Signature]

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Karen Farrell, Wordswork
453 Cerrillos Road
Santa Fe, NM 87501

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The Agricultural Traditions of the Lower Santa Fe River Watershed

The La Cienega Valley Association would like to conclude our presentation by discussing water from the perspective of the farmers and ranchers in the Lower Santa Fe River Watershed. But before we begin the LCVA would like to recognize the Commission's understanding of our area's water issues. Of all the political bodies we deal with we appreciate the Santa Fe County Commission the most but we continue to need your support.

We need your voice in ensuring that the City of Santa Fe releases and allows sufficient water to flow down the Santa Fe River to sustain the agricultural traditions of the watershed. We need you to prioritize the implementation of the La Cienega Watershed Conditions by funding water infrastructure for Upper La Cienega.



Now for a personal comment, this experience of photographing our area farmers was an eye opener for someone who has been associated with the La Cienega Valley for the last 28 years. I thought I knew a lot but through this experience I gained a whole new perspective on and appreciation of our farming community.

What we knew.

We knew that the Gonzales, Romero, C'de Baca and Lopez families, along with other descendants of the original Spanish settlers in our communities, are committed to sustaining our agricultural traditions that date back to the 1600s.

We knew that the Acequia de la Cienega has experienced a 70% depletion in its water over the last 40 years, is forced to use a supplemental well and has piped it's ditch to conserve water.

We knew a spring in La Cieneguilla that once produced 750 gallons of water a minute is now down to just a trickle.

We knew that the springs in La Bajada, La Cienega and that feed El Alamo Creek began to dry up when large production wells for the State Penitentiary and Valle Vista Subdivision were drilled.

We knew that all water issues in Santa Fe County are connected and we all need to plan accordingly.



What we learned.

We learned that this year 90% (over 60 acres) of the farmland in La Bajada couldn't be planted because of the lack of water.

We learned that between the Estancia de Cieneguilla and El Rancho de las Golondrinas, our community contributes 5-6 tons of produce a year to the Food Depot, Kitchen Angels, and other like organizations.

We learned that El Rancho de las Golondrinas, because of a lack of water, is only able to plant 60% of its farmland and is concerned about the health of area cottonwoods.



We learned that the El Guicu Ditch Association is struggling to meet the water needs of its members.

We learned there is sophisticated science in raising area cattle.

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You have been shown a slide show of our area farmers. The LCVA would like to thank resident Tom Ransburg for his invaluable assistance and exceptional photography in this tour of farmland in the Lower Santa Fe River Watershed.

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La Cienega:

Charlie C'de Baca, Tom and Mary Dixon, Green Tractor Farms, JJ Gonzales, Rey Romero, Mevi Vineyard, Sean Paloheimo, El Rancho de las Golodrinas, Alonzo Gallegos, Tres Rios Ranch and Simons' Blue Horse Ranch

La Cieneguilla:

Jose Varela Lopez, Jesusita Larranaga and Ed Sceery, Estancia de Cieneguilla

El Canon

Keir Careccio

La Bajada

Armando Jurado, Alonzo Gallegos, Joe Moody, George L. Barreras, Kenny Davis and George Medina



Santa Fe River Traditional Communities Collaborative
PO Box 23947
Santa Fe, New Mexico 87502

August 8, 2012

Brian K. Snyder, Director
Public Utilities Department and Water Division
801 W. San Mateo
PO Box 909
Santa Fe, NM 87504

RE: Reclaimed Water Allocation

Dear Mr. Snyder,

This letter is written in regard to the City of Santa Fe's ongoing process for allocating reclaimed water produced by the City's Wastewater Treatment Plant. The Santa Fe River Traditional Communities Collaborative (SFRTCC) respectfully requests that a priority be given to the release of sufficient water to sustain a natural flow for a healthy and living river and that the release provides plenty of water for the historic agricultural traditions of downstream users and tribes.

The SFRTCC understands that there are many demands for the City's reclaimed water and is aware that the City of Santa Fe holds the position that the reclaimed water is a product that is controlled by the City with no obligation to provide water for the historic agricultural traditions of the Lower Santa Fe River Watershed. SFRTCC is also aware that downstream users with senior water rights dispute that claim. As the City's water decisions over the last several decades have had a significant impact on water resources in the Lower Santa Fe River Watershed, the SFRTCC encourages the City of Santa Fe to recognize its unique capacity for participating in the protection and preservation of this vital water course.

The SFRTCC has begun an attempt to determine what a natural and functional flow of the river below the City's Wastewater Treatment Plant should be and acknowledges, after meeting with a number of flow experts, that it is a complex calculation affected by a number of variables. One factor complicating these essential calculations is the unknown impact of the City's Rural Protection Zone on the river's flow. SFRTCC has created a subcommittee to discuss a plan for the Rural Protection Zone, and seeks to support the City of Santa Fe in creating a plan for the area. At the same time the SFRTCC is aware of farmers and ranchers tired of the drawn out process in responding to their demonstrated need for water who are considering their own remedies to address those concerns.

In order to consider these many interests in a collaborative environment, the SFRTCC was established to assist in the restoration of the Santa Fe River from the village of La Cieneguilla to the community of La Bajada. A portion of this restoration consists of a federally approved

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project. SFRTCC's role (based on Federal Advisory Committee Act) in the federal planning is to comment on site specific actions and proposals for the river restoration as well as serving as a source of data and information that will be considered in establishing a common vision and plan for the area. Beyond this role, the SFRTCC also considers the broader interests of the communities of this region, including traditional farming. SFRTCC members have agreed that any successful river restoration must include a certain and steady flow of water in the river.

SFRTCC includes representatives from; WildEarth Guardians, La Bajada Acequia Association, La Bajada Traditional Village Committee, La Cienega Valley Association, Santa Fe Watershed Association, State Representative Jim Hall, Acequia de La Cienega, El Guicu Ditch Association, Santa Fe-Pojoaque Soil and Water Conservation District, Pueblo de Cochiti and farmers and ranchers from La Cieneguilla, El Canon, La Cienega and La Bajada. Felicity Broennan, Executive Director of the Santa Fe Watershed Association and Carl Dickens, President, La Cienega Valley Association were selected to co-chair the SFRTCC.

Non-member governmental agencies and entities who attend SFRTCC meetings and provide support, guidance, advice and access to resources include the United States Forest Service, Bureau of Land Management, New Mexico Game and Fish, Office of the State Engineer, City of Santa Fe and Santa Fe County.

It should be noted that both the Santa Fe Board of County Commissioners through County Resolution Number 2011-101 and the New Mexico State Legislature through 2012 House Memorial 74 have formally recognized problems with water flows to traditional farms and ranches in the Lower Santa Fe River Watershed . SFRTCC must consider its responsibility in addressing these legislative initiatives during the river restoration planning process.

SFRTCC thanks you for considering our request in regard to City of Santa Fe's reclaimed water allocation. We believe it is a fair and honest request that respects the traditional communities in the Lower Santa Fe Watershed, provides appropriate habitat for wildlife and sufficient water for native vegetation. Please let us know if you need any additional information or if we can be of any further service. We look forward to working with you and ask that the SFRTCC be notified of any committee or council meetings concerning the reclaimed water allocation determinations. The SFRTCC is happy to arrange tours of the proposed restoration area and we encourage everyone to visit the Rural Protection Zone to see firsthand its impact on the flow of the Santa Fe River.

Sincerely,

Felicity Broennan

Felicity Broennan, Co-Chair

Carl Dickens

Carl Dickens Co-Chair

For the Santa Fe River Traditional Communities Collaborative

CC: Public Utilities Committee

LCVA Presentation to the Santa Fe County Commission 8-28-12

Community Planning

As the Commission is aware the La Cienega Valley Association has proactively engaged three large property owners in our community that in total comprise over 1,000 acres of our planning area. This effort is designed to facilitate the planning process with the goal of working with these landowners to create master plans that are economically viable for them while at the same time respecting the agricultural traditions and rich history of our community.

Santa Fe Downs

The LCVA has had some preliminary conversations with representatives of the Pueblo of Pojoaque to discuss potential development opportunities for Santa Fe Downs. From a community perspective we are very appreciative of the Pueblo of Pojoaque's willingness to work with our community to create what we hope will be a vibrant part of our community.

At present the Pueblo of Pojoaque is waiting for completion of the work of the La Cienega – La Cieneguilla Planning Committee in updating our community plan so there is some clear indications as to what type of development will be allowed on the property. It appears that the designation will be mixed use commercial which will allow both commercial and residential development.

The LCVA appreciates the Pueblo of Pojoaque's patience in waiting for a process that has taken too long. The LCVA has been working for almost six years to create a commercial district in racetrack area and it doesn't appear we are any closer now than we were six years ago. This has created unnecessary economic hardships for other area landowners who are interested in commercial development and has created a real sense of frustration among the Planning Committee members in their attempt to update our community plan.

The all-volunteer Planning Committee has spent nearly two years in this effort with much of the work focused on incorporating ideas and principles established in the County's Sustainable Growth Management Plan.

Part of the Planning Committee's effort has been to address the potential development of the La Bajada Ranch property. As it stands, our current Community Plan and community ordinance severely restrict uses of the property. In the Planning Committee's proposed revisions they have tried to incorporate ways that the property could be utilized that make economic sense and support our community's plan and rural traditions.

These efforts, like much of our community's planning efforts over the last few years, have been stymied by County's inability to move our work forward. We would appreciate any impetus that County management or the Commission could provide to urge these efforts in moving forward.

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Tres Rios Ranch

Tres Rios, formerly the Gallegos Ranch, is in the process of completing a master plan that includes an emphasis on preserving its agricultural traditions, proposes to restore a historic church on the property and is considering allowing the construction of a trail from La Bajada Ranch across the ranch providing new accesses to both BLM and Forest Service lands.

La Bajada Ranch

The LCVA supports the establishment of the La Bajada Ranch Steering Committee which will be presented as part of a resolution later today. We believe County staff has done an excellent job in selecting established professionals to serve on the Committee and their selection of Jose Varela Lopez as our community representative is an outstanding choice.

The LCVA remains committed in assisting in any way needed to establish La Bajada Ranch as a viable and living resource for Santa Fe County and we remain open to development on the property that is economically sustainable and benefits Santa Fe County residents and our community.

Residents Community Comments and Concerns

Open Forum County Residents

The Agricultural Traditions of the Lower Santa Fe River Watershed

The LCVA would like to conclude our presentation by talking about water from the perspective of the farmers and ranchers in the Lower Santa Fe River Watershed. But before we begin the La Cienega Valley Association would like to recognize the Commission's understanding of our area's water issues. Of all the political bodies we deal with the Santa Fe County Commission we appreciate your understanding the but we continue to need your support.

We need your voice in ensuring that the City of Santa Fe releases and allows sufficient water to flow down the Santa River to sustain the agricultural traditions of the watershed. We need you to prioritize the implementation of the La Cienega Watershed Condition by funding water infrastructure for Upper La Cienega.

Now for a personal comment, this experience of photographing our area farmers was an eye opener for someone who has been associated with the La Cienega Valley for the last 28 years. I thought I knew a lot but through this experience I gained a new perspective on our farming community.

SFC CLEW RECORD 10/11/2012

What we knew.

We knew that the Gonzales, Romero, C' de Baca and Lopez families, along with other descendants of the original Spanish settlers in our communities, are committed to sustaining our agricultural traditions that date back to the 1600s.

We knew that the Acequia de la Cienega has experienced a 70% depletion in its water over the last 40 years, is forced to use a supplemental well and has piped it ditch to conserve water.

We knew a spring in La Cieneguilla that once produced 750 gallons of water a minute is now down to a trickle.

We knew that the springs in La Bajada began to dry up when the large production wells for the State Penitentiary and Valle Vista Subdivision were drilled.

We knew that all water issues in Santa Fe County are connected and we all need to plan accordingly.

What we learned.

We learned that this year 90% (over 60 acres) of the farmland in La Bajada couldn't be planted because of the lack of water.

We learned that between the Estancia de Cieneguilla and El Rancho de las Golondrinas our community contributes 5-6 tons of produce a years to the Food Depot, Kitchen Angels and other like organizations.

We learned that El Rancho de las Golondrinas because of a lack of water, is only able to plant 60% of its farmland and is concerned about the health of area cottonwoods.

We learned that the El Guicu Ditch Association is struggling to meet the water needs of its members.

We learned there is sophisticated science in raising area cattle.

We learned that Armando Jurado, who in addition to allowing people from Gallina pick in his field, donates his excess produce to a local agency serving the needy.

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Enjoy the tour. Thank you sincerely.

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Keir Carrecio

La Bajada

Armando Sena, Alonzo Gallegos, Joe Moody, George L. Barreras , Kenny Davis and George Medina

REC CLERK RECORDED 10/11/2012

Goodday, County comm



I will be circulating a petition
in support of Brian Egolfs
House Bill 290 Enacting The small
Business Development Bank act
after the new Mexico Bankers
association has reviewed this Bill.

I want to work with others who
want to encourage new Mexico
small businesses through changes
at the state levels.

priorities (some)

#1 pass Brian Egolfs HB 290

#2 reexamine the anti-Donation
clause in the new Mexico constitution

Sincerely Jay Dillon (dillon@cybermesa.com)

HOUSE BILL 290

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Brian F. Egolf

SEE CLERK RECORDED 10/11/2012

AN ACT

RELATING TO FINANCE; ENACTING THE SMALL BUSINESS DEVELOPMENT BANK ACT; CREATING THE NEW MEXICO SMALL BUSINESS DEVELOPMENT BANK; ESTABLISHING THE SMALL BUSINESS DEVELOPMENT BANK BOARD; PROVIDING POWERS AND DUTIES; AUTHORIZING LOAN PARTICIPATION AGREEMENTS WITH COMMUNITY BANKS FOR ECONOMIC DEVELOPMENT PROJECTS; PROVIDING FOR THE INVESTMENT OF A PORTION OF THE SEVERANCE TAX PERMANENT FUND IN THE NEW MEXICO SMALL BUSINESS DEVELOPMENT BANK; PROVIDING PENALTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. [NEW MATERIAL] SHORT TITLE.--Sections 1 through 13 of this act may be cited as the "Small Business Development Bank Act".

SECTION 2. [NEW MATERIAL] FINDINGS AND PURPOSE.--

A. The legislature finds that:

(1) it is important for government to promote, support and assist in developing a thriving economic base within the state; increase opportunities for gainful employment and improved living conditions; assist in promoting a balanced and productive economy; encourage the flow of

private capital for investment in productive enterprises; and otherwise improve the prosperity, health and general welfare of the people of the state;

(2) access to capital is vital for the well-being of the economic base of the state; and

(3) New Mexico can best provide necessary capital to direct economic development policy initiatives in a responsive and efficient manner with a state business development bank at its disposal.

B. The purpose of the Small Business Development Bank Act is to:

(1) create a state-owned, -controlled and -operated business development bank; and

(2) stimulate economic development by providing capital to the residents and small businesses of the state.

SECTION 3. [NEW MATERIAL] DEFINITIONS.--As used in the Small Business Development Bank Act:

A. "bank" means the New Mexico small business development bank;

B. "board" means the small business development bank board;

C. "community bank" means a federally insured depository institution organized under the laws of New Mexico that has been granted a state of New Mexico or federal bank charter;

D. "community bank note holder" means a community bank that has entered into a loan participation agreement with the bank pursuant to Section 7 of the Small Business Development Bank Act;

E. "customer" means any person who is pursuing the services of, transacting business with or has used the services of the bank, including a community bank note holder;

F. "economic development project" means land, buildings,

improvements, machinery and equipment, operating capital and other personal property for use in providing:

- (1) assistance to rural or underserved areas designed to increase business activity;
 - (2) retention and expansion of existing business enterprises;
 - (3) attraction of new business enterprises; or
 - (4) creation and promotion of an environment suitable for the support of start-up and emerging business enterprises within the state;
- and

G. "New Mexico business" means, in the case of a corporation or limited liability company, a business with its principal office and a majority of its full-time employees located in New Mexico or, in the case of a limited partnership, a business with its principal place of business and eighty percent of its assets located in New Mexico.

SECTION 4. [NEW MATERIAL] NEW MEXICO SMALL BUSINESS DEVELOPMENT BANK CREATED--OPERATION OF THE BANK--LIMITATIONS--LOCATION.--

A. For the purpose of encouraging and promoting economic development, commerce and industry, there is created a public body politic and corporate, separate and apart from the state, constituting a governmental instrumentality to be known as the "New Mexico small business development bank".

B. The board shall operate, manage and control the bank, including creation and enforcement of rules for the transaction of the bank's business.

C. The bank is not created or organized, and its operations shall not be conducted, for the purpose of making a profit. No part of the revenues or assets of the bank shall benefit, or be distributable to, its

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board members or other private persons.

D. The bank shall not be subject to the supervision or control of any other board, bureau, department or agency of the state except as specifically provided in the Small Business Development Bank Act. No use of the terms "state agency" or "instrumentality" in any other law of the state shall be deemed to refer to the bank unless the bank is specifically referred to in the law. The bank is a governmental instrumentality for purposes of the Tort Claims Act.

E. The business and financial transactions of the bank are limited to those expressly provided for in the Small Business Development Bank Act.

F. The bank's principal place of business shall be in Santa Fe, New Mexico.

SECTION 5. [NEW MATERIAL] BOARD CREATED--MEMBERSHIP--TERMS--CHAIR AND VICE CHAIR--OFFICERS.--

A. The "small business development bank board" is created.

B. The board is composed of seven members. The governor and the New Mexico legislative council shall each appoint three members of the board, who shall be residents of the state with expertise in banking, lending and finances and who shall not hold other public office. No more than two of the members appointed by the governor or by the New Mexico legislative council shall be from the same political party. By majority vote, the governor, attorney general, commissioner of public lands, speaker of the house of representatives and president pro tempore of the senate shall appoint a person to serve as chair of the board for a four-year term. The chair shall have expertise in banking, lending and financial investment and shall not hold other public office. The members of the board shall receive no compensation for their services, but they shall be reimbursed for actual and necessary expenses at the same rate and on the same basis as

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provided for public officers in the Per Diem and Mileage Act.

C. Board members shall be appointed for four-year terms. To provide for staggered terms, the members of the board initially appointed, other than the chair, shall serve staggered terms from the date of their appointment as follows: (1) two members, one appointed by the governor and one appointed by the New Mexico legislative council, for four-year terms;

(2) two members, one appointed by the governor and one appointed by the New Mexico legislative council, for three-year terms; and

(3) two members, one appointed by the governor and one appointed by the New Mexico legislative council, for two-year terms.

D. Vacancies shall be filled by the appointing entity for the remainder of the unexpired term. Board members shall be eligible for reappointment.

E. The board shall annually elect one of its members as vice chair.

F. The board shall appoint and prescribe the duties of a president of the bank and other officers as the board deems necessary. The president and other officers of the bank shall not hold other public office. The members of the board shall not be officers or employees of the bank. The board may, for the purpose of carrying out the provisions of the Small Business Development Bank Act, employ attorneys other than and in addition to the attorney general of the state, accountants, investment officers, financial experts, loan specialists, bankers and such other advisors, consultants and agents as may be necessary in its judgment. The board shall fix the compensation of officers and employees. Officers and employees of the bank are not subject to the Personnel Act.

SECTION 6. [NEW MATERIAL] POWERS OF THE BOARD.--The board shall have

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all the powers necessary or convenient to carry out and effectuate the purposes and provisions of the Small Business Development Bank Act, including the power to:

- A. sue and be sued;
- B. have a seal and alter it at pleasure;
- C. make and alter bylaws for its organization and internal management;
- D. acquire, hold, improve, mortgage, lease and dispose of real and personal property for its public purpose;
- E. make, service and administer loans for the purposes and in the manner set forth in Section 7 of the Small Business Development Bank Act;
- F. subject to any agreement with a community bank note holder or loan recipient:
 - (1) renegotiate any loan in default, provided that the bank shall not forgive any debt;
 - (2) consent to the modification of the terms of any loan and otherwise exercise all powers with respect to its loans that any private creditor may exercise under applicable law; and
 - (3) commence, prosecute and enforce a judgment in any action or proceeding to protect or enforce any right conferred upon it by law, loan agreement, contract or other agreement; and in connection with any such proceeding, bid for and purchase the property or acquire or take possession of it and, in such event, complete, administer, pay the principal of and interest on any obligations incurred in connection with the property and operate or dispose of and otherwise deal with the property in such manner as the board may deem advisable to protect its interests in the property;
- G. make and execute contracts for the administration, servicing or

collection of any loan and pay the reasonable value of services rendered to the bank pursuant to such contracts;

H. fix, revise from time to time, charge and collect fees and other charges in connection with the making of a loan and any other services rendered by the bank;

I. subject to any agreement with community bank note holders, sell any loans at public or private sale at such prices and on such terms as the board determines;

J. arrange for and pay any premiums associated with guarantees or other security, liquidity or credit enhancements in connection with its notes or other obligations by the federal government or by any private insurer or other provider;

K. subject to any agreement with a community bank note holder, invest money of the bank not required for immediate use in any way determined to be in the best interest of the bank;

L. make surveys and monitor on a continuing basis the adequacy of the supply of funds available in the private banking system in the state for economic development loans;

M. make and execute agreements, contracts and other instruments necessary or convenient in the exercise of the powers and functions of the board under the Small Business Development Bank Act;

N. contract for and accept any state, federal or private gifts, grants, loans of funds or property or financial or other aid in any form, subject to the terms and conditions of the Small Business Development Bank Act;

O. make, alter or repeal rules addressing its operations, properties and facilities as are necessary to carry out its functions and duties in the administration of the Small Business Development Bank Act; and

P. do any and all things necessary to carry out its purposes and exercise the power given and granted in the Small Business Development Bank Act; provided that the bank shall not accept or hold public or private deposits.

SECTION 7. [NEW MATERIAL] ECONOMIC DEVELOPMENT LOANS.--

A. The bank may make and contract to make loans on terms and conditions as it determines and in accordance with the provisions of this section.

B. All loans made by the bank shall:

- (1) be with a New Mexico resident or a New Mexico business;
- (2) be in the form of loan participation agreements with community banks for up to forty-nine percent of the total individual economic development project financing;
- (3) have an interest rate equal to the rate charged by a community bank, unless a lower rate may be charged in accordance with the laws of the state;
- (4) provide that the bank has an equal security interest with a community bank note holder;
- (5) if the loan is for real estate, have a maximum term of twenty-five years;
- (6) if the loan is for personal property, including operating capital, have a maximum term of ten years; and
- (7) be for an economic development project.

C. The bank shall require as a condition of any loan such representations and warranties as it determines to be necessary to secure the loan and carry out the purposes of this section.

D. The community bank entering into the loan participation

agreement with the bank shall process and service the loan.

E. The bank shall adopt rules to implement this section.

SECTION 8. [NEW MATERIAL] CONFLICTS OF INTEREST--DISCLOSURE--PENALTY.--

A. Notwithstanding any other provision of this section, the bank shall not make any loan or otherwise give its credit to a member of the board during the member's term. Prior to taking office, a member of the board shall file a statement with the bank and the board indicating any personal interest that the member has in any loan or loan application in existence or pending at any time during the member's term on the board.

B. If any member, officer or employee of the bank has an interest, either direct or indirect, in any contract to which the bank is or is to be a party, the interest shall be disclosed to the board in writing and shall be set forth in the minutes of the board. The member, officer or employee having the interest shall not participate in any action by the bank or the board with respect to the contract.

C. The bank shall not make any loan or otherwise give its credit to any person or entity that makes a gift, grant or loan of funds to the bank during the fiscal year in which the gift, grant or loan of funds is made to the bank. Any person or entity making a gift, grant or loan of funds to the bank shall disclose the gift, grant or loan to the bank any time the person or entity has any interest in a loan or loan application pending at the bank.

D. Any person having a conflict of interest as defined in this section and participating in any transaction involving the conflict of interest or failing to notify the bank or the board as required by this section is guilty of a misdemeanor and shall be sentenced in accordance with the provisions of Section 31-19-1 NMSA 1978.

SECTION 9. [NEW MATERIAL] AUDIT--REVIEW BY STATE INVESTMENT COUNCIL.--

REC CLERK RECORDED 10/1/2012

A. The state auditor shall contract with an independent certified public accounting firm for an annual audit of the bank in accordance with generally accepted government auditing standards. The auditor shall report the results of the audit to the board and to the legislature.

B. The state investment council shall select an independent third party to examine the bank at least once every twenty-four months and conduct any investigation of the bank that may be necessary. The chair of the state investment council shall report the examination results, and the results of any necessary investigation, to the board and to the legislature as soon as practicable.

SECTION 10. [NEW MATERIAL] LIMITATION OF LIABILITY.--Neither the members of the board nor any person acting on the board's behalf, while acting within the scope of the members' or person's authority, shall be subject to any personal liability for any action taken or omitted within that scope of authority.

SECTION 11. [NEW MATERIAL] CIVIL ACTIONS.--Any action or proceeding brought against the state of New Mexico in which a question arises regarding the operations or actions of the bank or the validity of the Small Business Development Bank Act may be brought in the same manner, and is subject to the same provisions of law, as other civil actions. In such actions, the state must be designated as "the State of New Mexico, doing business as the New Mexico small business development bank".

SECTION 12. [NEW MATERIAL] CORPORATE EXISTENCE.--The bank and its corporate existence shall continue until terminated by law, provided that no such law shall take effect so long as the bank has notes or loans outstanding unless adequate provision has been made for the satisfaction or payment of those loans or notes. Upon termination of the existence of the

bank, all its rights and properties in excess of its obligations shall pass to and be vested in the state.

SECTION 13. [NEW MATERIAL] CONFIDENTIALITY--PROPRIETARY INFORMATION--PENALTY.--

A. The following records of the bank are confidential and are not subject to inspection pursuant to the Inspection of Public Records Act:

(1) proprietary technical information and business information of a customer, including financial and commercial information, whether obtained directly or indirectly, and including information obtained during discussions between the bank and the customer prior to the filing of a loan application;

(2) internal or interagency memoranda or letters that would not be available by law to a party other than in litigation with the bank;

(3) information contained in or related to examination, operating or condition reports prepared by, on behalf of or for the use of a state or federal agency responsible for the regulation or supervision of any bank activity; and

(4) any report by a bank officer or member of the board concerning personal financial statements of a customer.

B. It is unlawful for any employee of the bank or the board, or any former employee of the bank or the board, to reveal to any person other than another employee of the bank or the board any confidential information obtained by the bank or the board that is proprietary technical or business information of a customer, including financial and commercial information.

C. Any employee or former employee of the bank or the board who reveals to another person any information that is prohibited from disclosure in this section is guilty of a misdemeanor and shall be sentenced in

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accordance with the provisions of Section 31-19-1 NMSA 1978.

SECTION 14. A new section of the Severance Tax Bonding Act is enacted to read:

" [NEW MATERIAL] INVESTMENT IN THE NEW MEXICO SMALL BUSINESS DEVELOPMENT BANK.--

A. The severance tax permanent fund may be invested in the New Mexico small business development bank. The amount invested shall not exceed one hundred million dollars (\$100,000,000). Not more than five million dollars (\$5,000,000) of the amount authorized for investment pursuant to this subsection shall be used to establish the New Mexico small business development bank, including construction of a facility to house the bank and operating the bank. The remainder of the amount authorized for investment pursuant to this subsection shall be used to fund the loan program administered by the New Mexico small business development bank as set forth in the Small Business Development Bank Act.

B. The council may work with the bank to invest the funds authorized for investment in the bank pursuant to Subsection A of this section. Such investments shall be made and administered by the council, state investment officer and small business development bank board in accordance with laws governing investment of public money, including, but not limited to, Sections 6-10-10 and 6-10-24.1 NMSA 1978."

SECTION 15. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2011.