

COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

BCC MINUTES  
PAGES: 116

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**SANTA FE COUNTY**

**BOARD OF COUNTY COMMISSIONERS**

**REGULAR MEETING**

**August 30, 2011**

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

SEC CLERK RECORDED 10/17/2011

**SANTA FE COUNTY**

**REGULAR MEETING**

**BOARD OF COUNTY COMMISSIONERS**

**August 30, 2011**

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 1:10 p.m. by Chair Virginia Vigil, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Following the Pledge of Allegiance led by Sgt. William Pacheco and State Pledge led by Roxanne Lujan, roll was called by Deputy County Clerk Vicki Trujillo and indicated the presence of a quorum as follows:

**Members Present:**

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

**Members Excused:**

[None]

**V. INVOCATION**

An invocation was given by Deputy Tracy Baca from the Sheriff's Department.

**VI. APPROVAL OF THE AGENDA**

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- B. Tabled or Withdrawn Items**

CHAIR VIGIL: Are there any changes, Ms. Miller?

KATHERINE MILLER (County Manager): Madam Chair, from the agenda that was published on Friday, there were a couple of changes that were made yesterday, there's some amendments to the agenda, just some of the wording on item VIII. B. It's just a wording change. On the Consent Calendar, XIV. A. 8, that also was just a clarification that

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it's approval of an agreement. That was a wording change as well.

And then the items on page 6, under Staff and Elected Officials, XV. D. 1, that one is just a hearing instead of a hearing and approval, and then D. 2 is tabled. The resolution will be put on a future meeting. And then item XV. E. 3 was added.

CHAIR VIGIL: Are there any requests from any members of the Board?

COMMISSIONER HOLIAN: Madam Chair.

CHAIR VIGIL: Yes.

COMMISSIONER HOLIAN: I would like to request that item XII. B be put off until Craig O'Hare, our staff member returns from Albuquerque. He's supposed to be back by 2:00, so it may be able to be heard in the proper order, but if he's not here I would like to request that we wait for him.

CHAIR VIGIL: Okay. No problem. Any other changes?

COMMISSIONER HOLIAN: Madam Chair, I move for approval of the agenda as amended.

COMMISSIONER STEFANICS: I'll second.

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

**VII. APPROVAL OF CONSENT CALENDAR**

**A. Consent Calendar Withdrawals**

CHAIR VIGIL: Are there any items on the Consent Calendar that anyone has questions on?

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR VIGIL: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Are all the budget adjustments B, are those all under Consent also?

CHAIR VIGIL: Yes. Are there any of those?

COMMISSIONER MAYFIELD: Well, if I could ask under Miscellaneous if we could look at 2, 3 and 9.

CHAIR VIGIL: So that would be –

COMMISSIONER MAYFIELD: A. 2, 3, and 9.

CHAIR VIGIL: Any others?

COMMISSIONER HOLIAN: Madam Chair, I move for approval of the Consent Calendar minus withdrawn items.

COMMISSIONER STEFANICS: Second.

CHAIR VIGIL: Is there any further discussion on that?

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

**XIV. CONSENT CALENDAR**

**A. Miscellaneous**

1. **Authorize a New Term FTE for a Professional Engineer to Work on Managing the Execution of Water and Wastewater Projects That are Funded with Bond Proceeds from Bonds (Public Works/Utilities Department)**
2. Ratification of Change Directive No. 24 and Approval of Change Order No. 8 to the Contract Between Santa Fe County and Bradbury Stamm Construction, Inc., for Construction of the First Judicial Courthouse Project in the Amount of \$76,819.00, Exclusive of Gross Receipts Tax (Public Works/Projects and Facilities)
3. Resolution No. 2011 – \_\_\_, a Resolution Authorizing the County Manager to Execute Documents Extending the Use of Office Space Located at 5 West Gutierrez Street, Suite 9, Santa Fe, NM, for the Northern Satellite Office in an Amount Not to Exceed \$5,000 (Public Works/Project and Facilities)
4. **Request Acknowledgment and Acceptance of the Independent Auditor's Report for Santa Fe County's Agreed-Upon Procedures for Lodgers' Tax Facilities and the Reporting of Lodgers Tax (Finance Department)**
5. **Resolution No. 2011-112, a Resolution of Support for County Participation in the 2011-2012 New Mexico Department of Transportation Local Government Road Fund (LGRF) for, Pavement Rehabilitation and Improvements of County Road 52 (Las Estrellas) in Santa Fe County, New Mexico Under the Capital Cooperative Agreement Project No. CAP-5-12(464) (Public Works Department)**
6. **Resolution No. 2011-113, a Resolution of Support for County Participation in the 2011-2012 New Mexico Department of Transportation Local Government Road Fund (LGRF) for, Pavement Rehabilitation and Improvements of County Road 67 (Old Santa Fe Trail) AKA; Camp Stony Road in Santa Fe County, New Mexico, Under the Capital Cooperative Agreement Project No. SP-5-12(160) (Public Works Department)**
7. **Resolution No. 2011-114, a Resolution of Support for County Participation in the 2011-2012 New Mexico Department of Transportation Local Government Road Fund (LGRF) for, Pavement Rehabilitation and Improvements of County Road 67 (Old Santa Fe Trail) AKA; Camp Stony Road in Santa Fe County, New Mexico, Under the Capital Cooperative Agreement Project No. SB-7801(994)12 (Public Works Department)**
8. **Approval of a New Agreement Between the US Department of the Interior, Bureau of Reclamation and Santa Fe County to Lease**

**2011 San Juan Chama Project Water to the Bureau of Reclamation. (Public Works/Utilities Department)**

9. Request Approval of Amendment No. 5 to the Contract Between Santa Fe County and Montgomery & Andrews, PA for Legal Services for the First Judicial Courthouse Project in the Amount of \$50,000 for a Total Contract Amount of \$428,000. (Public Works/Projects and Facilities)

**B. Budget Adjustments**

1. **Resolution No. 2011-115, a Resolution Requesting an Increase to the DWI Fund (241) to Budget Revenue for the Teen Court Program Received Through an Agreement with the Santa Fe Public Schools for the Truancy Program / \$5,000 (CSD/Teen Court, ASD/Finance)**
2. **Resolution No. 2011-116, a Resolution Requesting an Increase to the Series 2005 General Obligation Bond Fund (330) to Budget Available Cash From Bond Proceeds for the Caja del Rio – Extension Road Improvement Project / \$131,967 (Public Works/Roads)**
3. **Resolution No. 2011-117, a Resolution Requesting an Operating Transfer From the General Fund (101) to the Road Maintenance Fund (204) for Additional Funding Needed to Lease Heavy Equipment / \$64,600 (Public Works/Roads)**
4. **Resolution No. 2011-118, a Resolution Requesting an Increase to the Capital Outlay GRT Fund (213) to Budget Available Cash for the County Road 98 Juan Medina Road Improvement Project / \$217,417.34 (Public Works/Roads)**
5. **Resolution No. 2011-119, a Resolution Requesting an Increase to the Road Projects Fund (311) to Carry Forward the Balance for a Grant Awarded Through the New Mexico Department of Transportation for Verano Roads/ \$14,170.79 (Public Works/Roads)**
6. **Resolution No. 2011-120, a Resolution Requesting an Increase to the State Special Appropriations Fund (318) to Carry Forward Balances for Four (4) Grants to Make Improvements to Senior Centers Throughout the County and to Purchase Equipment for Senior Centers / \$202, 504 (CSD/Senior Services, ASD/Finance)**
7. **Resolution No. 2011-121, a Resolution Requesting an Increase to the General Fund (101) for a Refund Received From PNM for Overbilling the County for Energy Costs. the Refund Will Be Segregated in the Clean Energy Programs Cost Center for Use on Clean Energy Initiatives / \$64,710 (Utilities/Clean Energy Programs)**
8. **Resolution No. 2011-122, a Resolution Requesting an Increase to the State Special Appropriations Fund (318) to Carry Forward the Balance for a Grant Awarded Through the New Mexico State**

**Library for the Vista Grande Library / \$16,845 (Public Works/Projects & Facilities)**

9. **Resolution No. 2011-123, a Resolution Requesting an Increase to the State Special Appropriations Fund (318) to Carry Forward the Balance for a Grant Awarded Through the New Mexico Department of Finance & Administration for the Santa Fe Mountain Center / \$3,327 (Public Works/Projects & Facilities)**
10. **Resolution No. 2011-124, a Resolution Requesting an Increase to the State Special Appropriations Fund (318) to Budget Available Cash From a Contribution Received for the Santa Fe Recovery Center / \$18,658.44 (Public Works/Projects & Facilities)**
11. **Resolution No. 2011-125, a Resolution Requesting an Increase to the General Fund (101) to Budget a Grant Awarded Through the New Mexico Environment Department for the Recycling and Illegal Dumping Program / \$6,050 (Public Works/ Solid Waste)**
12. **Resolution No. 2011-126, a Resolution Requesting an Increase to the Federal Forfeiture Fund (225) to Budget Program Income Received Through the Equitable Sharing Program / \$43,164.40 (County Sheriff/Region III)**
13. **Resolution No. 2011-127, a Resolution Requesting an Increase to the Law Enforcement Operations Fund (246) to Budget a Grant Extension of the JAG Recovery Act for Region III Operations / \$48,574 (County Sheriff/Region III)**
14. **Resolution No. 2011-128, a Resolution Requesting an Increase to the Law Enforcement Operations Fund (246) to Realign the Fiscal Year 2012 Budget with the Actual Grant Award From the National Drug Control Policy for the Region III Program / \$2,014 (County Sheriff/Region III)**
15. **Resolution No. 2011-129, a Resolution Requesting an Increase to the Law Enforcement Operations Fund (246) to Budget the Balance of a Project Agreement Amendment Between Santa Fe County and the New Mexico Department of Transportation for the Impaired Driving Demonstration Program / \$30,380.00 (County Sheriff)**
16. **Resolution No. 2011-130, a Resolution Requesting an Increase to the General Fund (101) to Budget Cash Balance From a Contribution Received From Life Link for Building Renovations for the Clubhouse Model Facility / \$25,677 (Public Works/Projects & Facilities)**
17. **Resolution No. 2011-131, a Resolution Requesting an Increase to the Emergency Communications Operations Fund (245) to Budget Cash Balance to Purchase GPS Units for the Technical Upgrade to the RECC AS/400 CAD System / \$36,000 (CSD/RECC)**

**VIII. APPROVAL OF MINUTES: July 26, 2011**

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Yes.

COMMISSIONER STEFANICS: I would move approval of the minutes of July 26, 2011 BCC minutes.

CHAIR VIGIL: Okay, are there any changes? If not, that motion stands.

COMMISSIONER HOLIAN: Second.

CHAIR VIGIL: Motion and second.

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

**IX. MATTERS FROM ETHICS BOARD**

- 1. Consideration of Publication of Title and General Summary of Ordinance No. 2011-\_\_, an Ordinance Amending Ordinance No. 2010-12 Enacting a Santa Fe County Code of Conduct and Repealing Ordinance No. 2004-3**

CHAIR VIGIL: Who will be taking this, Ms. Miller?

MS. MILLER: Madam Chair, this is a matter from the Ethics Board itself.

Penny is here to discuss it as well as the chairman of the Ethics Board, Randy Forrester.

CHAIR VIGIL: Very well.

PENNY ELLIS-GREEN (Deputy County Manager): Madam Chair, the Commissioners Ethics Board had their first meeting on May 12<sup>th</sup> of this year. Since then they've met two more times. One of the requirements from the Code of Conduct Ordinance is that the Ethics Board look at proposed changes to that ordinance. Attached in your packet is a memo from Randy Forrester, who is the chair of the Ethics Board and he is here today, and also the proposed ordinance.

CHAIR VIGIL: Very well. Thank you, Mr. Forrester, and thank you for serving in this capacity. Would you like to sort of delineate your requests here?

RANDY FORRESTER: Yes. My name is Randy Forrester. As you mentioned I'm the chair of the Santa Fe County Ethics Board. I really want to thank the County Commission for passing this new ordinance because it's really a better ordinance. You put some real teeth in it in terms of enforcement capacity and I also want to thank you for my appointment as well as those of my fellow board members, Adair Waldenberg, Estevan Baca and our alternate David Mittle.

Would the Commissioners like me to go over the specific changes? I've written them out but I'd be glad to go over them and talk about the rationale, why the board would like to see those changes made.

CHAIR VIGIL: What's the pleasure of the Commission? I'm seeing nods yes, please.

MR. FORRESTER: Yes. The Santa Fe County Ethics Board has been meeting monthly since May this year and one of the tasks we undertook was a review of Ordinance No.

2010-12, an ordinance enacting a Santa Fe County Code of Conduct and repealing Ordinance No. 2004-3. The board is recommending that the following changes be made to this ordinance. In order to clarify some various sections and make other operational improvements. These recommended changes and the rationale are as follows:

Under Definitions, Section 4: The board recommends expanding the definition of "family" to read an individual spouse, domestic partner, parent, child, sibling and like in-laws, by sanguinity or affinity, and persons related or unrelated living within the household. The board believes this more inclusive definition will clarify what constitutes a family in relation to potential ethics violations.

The current ordinance references immediate family but does not contain a definition for this. The board recommends that the definition of "immediate family" from the previous ordinance, Ordinance No. 2004-3 be used which reads a spouse, domestic partner, child of a sibling, a parent, a grandparent, a grandchild, like in-laws and like step-relationships.

Under Conflicts of Interest, Disclosure, Subsection 10(A) of the ordinance, the board recommends that the phrase "has an affirmative duty" be inserted in lines 4 and 5 after "volunteer" and "conflicts of interest" to further strengthen the ordinance in terms of an individual taking affirmative action to disclose a conflict of interest.

Under Prohibited Uses of Campaign Funds, Subsection 20 (C) of the ordinance, the board recommends deleting the word "immediate" after "candidate's" in the first line. The board believes it is more appropriate to use the broader definition of family in this instance.

Under County Ethics Board, Subsection 24 (A), the board recommends that the number of members of the County Ethics Board be expanded from three to five members. The board has seen where the City of Santa Fe's Ethics Committee has not been able to meet due to several of its members having conflicts of interest. Subsequently they have not been able to establish a quorum or take action on a pending ethics violation complaint. By expanding the County's board to five members we believe this will help preclude such potential problems. The board recommends clarifying Subsection L by having it read A member of the Ethics Board may be removed by the Board of County Commissioners for just cause.

Under Recusal, Subsection 27 the board recommends that the following phrase be inserted into subsection 1. B after "when the official" – "or anyone living in the official's household." The board believes that potential conflicts of interest may include individuals living in an official's household and this expansion is in line with the intent of the ordinance.

The board also recommends that the following language be inserted to strengthen and clarify declarations of conflicts of interest. The language is: The elected official or appointed official recusing himself or herself shall disclose the specific reason for a recusal contemporaneous with the recusal.

And lastly under the Penalties, Section 29, the board recommends that the following language be included under the Penalties Section noting that the following action may be taken regarding ethics violations. And that is A recommendation to the district attorney that proceedings to remove the person from elected office may be commenced pursuant to NMSA 1978 Section 10-4-1 et seq., 1909 as amended.

The Santa Fe County Ethics Board is very proud of the strengthened ethics ordinance that you passed last year. The board respectfully requests that you above referenced changes be made to clarify and strengthen various provisions of this ordinance, as well as to preclude potential future problems. And on a slightly different matter, Section 24 of the ordinance



requires I report to you on a quarterly basis regarding any violations that may have occurred during the previous quarter, and no violations were brought to our attention during that quarter. I'd also like to thank the County Attorney who has been helping the Ethics Board in coming up with these recommendations to the ordinance for changes. I'd be glad to answer any questions you have.

CHAIR VIGIL: Questions?

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you very much for your service and those who sit with you on this. Did we suggest in the ordinance that changes would be brought to us only once a year?

MR. FORRESTER: I don't know if it was suggested in the ordinance. The board just felt it was appropriate to review the ordinance and come to you if we had any thoughts or suggestions.

COMMISSIONER STEFANICS: I understand that, and I'm fine with the suggestions. But I thought, and I could be confusing different ordinances. So Steve, maybe you could help me with this. I could be confusing it with land use, because that's on our mind a lot. We recently passed something, had a discussion and said we'll bring forward changes once a year.

STEVE ROSS (County Attorney): Madam Chair, I'm drawing a blank on the Ethics Ordinance. I don't know if it says that or not. I can run back and get it.

COMMISSIONER STEFANICS: Okay. So I could be, Madam Chair, I could be confusing it with something else. I appreciate the work of the board or the Ethics Committee. Let me ask the question, do you foresee any other changes coming forward in the next few months?

MR. FORRESTER: No, we don't. We've spent two or three meetings going over this ordinance and these are the changes we felt were appropriate to recommend to you.

COMMISSIONER STEFANICS: Thank you very much.

CHAIR VIGIL: Okay. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, thank you Mr. Chairman, relative to the recommendations, did you get recommendations from review of other ethics ordinances? Could you give us a little background on the basis?

MR. FORRESTER: Yes. We reviewed both the City of Santa Fe and the City of Albuquerque's rules and procedures and regulations, taking into account what they had done. We looked at those.

COMMISSIONER ANAYA: And so you're suggesting that those items were more inclusive and since they have it we should have it, essentially?

MR. FORRESTER: Yes, we did.

COMMISSIONER ANAYA: Was there any review of the State Ethics Ordinance and those issues pertaining to that as well?

MR. FORRESTER: We also reviewed that and the County Attorney helped us with that to clarify various matters.

COMMISSIONER ANAYA: Okay. And then relative to the number going from three to five, clarify why you think that makes sense.

MR. FORRESTER: Well, as you probably read, the City of Santa Fe has an

Ethics Committee and they had a couple of members who had conflicts of interest regarding a complaint that came to them, but since they had so few members that declared they had a conflict they can't meet to deal with the issue. When you start with three members if one or two people had a conflict of interest then we couldn't handle a specific ethics complaint, whereas by going to five members that would help to preclude that hopefully.

COMMISSIONER ANAYA: Madam Chair, Mr. Chairman, on the recommendation on removal of board members, these board members serve a term – refresh my memory.

MR. FORRESTER: I believe it's two years or three years.

MS. ELLIS-GREEN: Two.

COMMISSIONER ANAYA: Okay. I don't have any more questions. Thank you, Madam Chair.

CHAIR VIGIL: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you, Madam Chair, Mr. Chairman. I've had the opportunity to attend at least two of your meetings and I raised a couple comments. I support what you are bringing forward. I would also ask that – I've brought some issues and concerns to your board that I would ask that if we're going to go out for title and general summary, if we're going to have to wait another year, another six months to do it, that we could try to make that inclusive now from public opinion. One thing that I've asked, I don't know if there's a [inaudible] venue but I do believe there is, is that the County can look at forming an internal – internal to the extent that it is external of our operations of an Inspector General for this County Commission. I know I brought that forward to the Ethics Board. I thought that this would be placed on this request today for title and general summary, but that's something that I wholeheartedly support and would appreciate that we could have included if we are going to go out to the public.

The other thing that I'd like to see as far as conflict of interest disclosures. I know we as the five elected Commissioners have our list of conflicts posted. I believe the other elected officials also have their conflicts of interests posted on our website. If this needs to be done through this venue or through a resolution or ordinance the County is to enact, I would like to see those conflicts also posted for all our senior staff, just so that the public has the ease of looking at that and just assuring them that what we're putting out there is out there and there are no conflicts and if there is some question it's being fully disclosed. Just to make that more easily accessible to the public to seeing that.

And then Madam Chair, Commissioners, just a general question that came up for myself a little earlier at one of our prior meetings of how we are publishing our notices for title and general summary. I think staff does a great job but one thing that I'd like to do, at least on one that we passed, if we could try to put something forward. I know we take out the paid legal ad usually in the newspapers and those legal ads are expensive, but if we're going to push out title and legal summary on anything that this County does I would like to see it put up on our website and it may in fact already be up there, but easily accessible for the public. I'd also like at least a news release to go out. If the media publishes it or not, I don't know, but if we can put out a news release saying that the County is putting out title and general summary on a certain ordinance, if we could have a radio release. I know that Ms. Mihelcic I think does biweekly or weekly broadcasts with one of our local radio stations, if we could put that out for title and general summary. We have satellite office throughout the county, if we could have that at least

posted on a bulletin board and furthermore if any County public bulletin boards we have, such as these chambers, our senior centers, our community centers, anywhere else. The County extension building – that we could at least also post all title and general summary notices, so the public has another opportunity to see what’s going on and hopefully they can make their presence to these public meetings for their input. That’s all I have, Madam Chair. Thank you.

CHAIR VIGIL: Okay. Thank you. Any other questions? Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I think if we go from three to five members that we have a representation within that board of the five districts, so that would be my comment. Thank you, Madam Chair.

CHAIR VIGIL: What’s the pleasure of the Commission?

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Yes.

COMMISSIONER STEFANICS: I would move approval of the publication of the title and general summary of the ordinance.

COMMISSIONER ANAYA: Second.

CHAIR VIGIL: Okay. Is there any discussion? Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, I don’t know if this would be asking for a friendly amendment or as we discussed a little earlier in a Board meeting, I’d like this to be inclusive of putting out for public comment, there’s thoughts of having a County Inspector General for Santa Fe County, that is independent of this organization.

CHAIR VIGIL: You’ll have to ask the maker of the motion.

COMMISSIONER MAYFIELD: Would you consider that a friendly amendment?

COMMISSIONER STEFANICS: Thank you, Madam Chair, Commissioner, I would see that as a friendly amendment if it does not incur a new FTE, and I would ask our County Manager to comment on that.

MS. MILLER: Madam Chair, we actually, by resolution you established an Audit Committee and we’re in the process of forming that committee and we would have a public member on that committee and we would like to actually have them make recommendations relative to internal audits and possibly contracts for an internal audit of the specific functions the Board would like to have looked at that are separate from our annual financial audit. I think that might be one way to deal with this. I don’t know if the – I think the Inspector General aspect might duplicate – since we’ve already established that committee and this board we might end up with a lot of overlap. So I think – I wouldn’t want to hold this particular thing up. I think they could certainly look at it but I wouldn’t want to hold up amending this ordinance for that. I think maybe we should bring that back as whether it should be in lieu of or an internal audit function.

COMMISSIONER STEFANICS: So, Madam Chair and Commissioner Mayfield, perhaps I could support the amendment to be that the Ethics Board review the functions of the internal – of the audit committee and look at an additional function, or – what I’m trying to say, I think, Madam Chair, is that if we have an internal – or if we have an audit committee there might be an independent group who says, that’s enough. Or we do need two functions. I’m not sure if I’m contradicting your amendment, Commissioner.

COMMISSIONER MAYFIELD: No, Madam Chair. And Commissioner Stefanics, I appreciate your indulging me on this. My view is that if we’re going to open this up

right now and put out for title and general summary, have the public comment, I don't see what's wrong with asking the public to comment. If you believe there's an Inspector General position that's external to the operations of the County and they may have to discuss it. There has to be a new funding source for it. I think it's an appropriate venue and an appropriate time to do it, respecting what the Audit Committee does for this County or doesn't do for this County, my belief is that an Inspector General position for this County, again, will be totally independent of our operations and maybe it's our Ethics Board that appoints that independent person. Maybe we do have to free up cash from one of our current FTEs to fund this position, but again, there is some sense of independence. And I guess all I'm asking, Madam Chair, Commissioner Stefanics, is that this at least goes out to discussion on this ordinance. Let the public say yea or nay to it, but I would like at least to give them the opportunity now to comment on it.

COMMISSIONER STEFANICS: Thank you, Madam Chair and Commissioner. I believe that when we do the publication of title and general summary that's exactly what we are asking is for a public hearing at the next meeting for the public to attend. There have been times in the past when we've actually held more than one public hearing when we felt that no one came or we felt that somebody should come again. So I have no opposition to the public being able to comment.

COMMISSIONER MAYFIELD: Thank you, Madam Chair.

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, as the seconder of the motion I would concur, that and other comments they may have. One comment that I would make to our Ethics chairman and Board is that it's my feeling that at some point in New Mexico that we would have a more inclusive board that actually covers the gamut. Instead of having potentially 33 ethics boards, one in every county and one in every municipality, that we have a more consistent group that deals with these issues across the board. That's the comment that I would make, that it would function across the board an across governmental entities so that we don't have duplication of effort and multiple boards throughout the state but I appreciate the additional feedback from Commissioner Mayfield.

CHAIR VIGIL: Okay. I think the motion would read and unless anyone else has any comments, to vote in favor of title and general summary of this ordinance and to include public discussion on an Inspector General at the public hearing.

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

CHAIR VIGIL: And Commissioner Mayfield, I would just ask that between now and then if you would let me at least know what role the Inspector General would have and I'm happy to discuss that with you.

Again, would you please, Mr. Forrester, Randy, let all of the folks who have been appointed know that we really appreciate the service they provide for us. Thank you.

**X. SPECIAL PRESENTATIONS**

**A. Presentation of the Santa Fe County Update on Annual Advertising & Promotional Efforts Summary From the Santa Fe Communications Group, Inc., DBA Impressions Advertising Inc.**

RUSS ROUNTREE: My name is Russ Rountree. I'm president and owner of Impressions Advertising. It's indeed a pleasure to follow a champion Scrabble player too. Thank you, Randy. Congratulations on that.

I have a brief presentation for the Board today to just kind of summarize activities of our efforts in this past fiscal year. We are tasked with promoting tourism and visitation to Santa Fe County, and it is done by financing through Lodgers' Tax that is raised from approximately 19 lodging properties outside the city limits of Santa Fe and within the county. Those lodging properties include resorts, limited service hotels and motels, most of them are B & B's, small, three, four, five-bedroom properties, as well as three RV campgrounds. We have almost 400 available rooms that are in the inventory, and we generate nearly \$400,000 annually in Lodgers' Tax.

The highlights from this past fiscal year include an increase in Lodgers' Tax of almost 8.6 percent. That's significant for a couple of things. One, the City of Santa Fe just marginally got an increase this past year of about one percent in their Lodgers' Tax collections for the fiscal year. The other significant item here is in this last fiscal year we've lost two fairly substantial properties that have been funding into the Lodgers' Tax for the County. One is the Inn at Santa Fe, out by the outlet malls. It was annexed into the City of Santa Fe. They have almost 100 rooms there and did usually pretty good occupancy each month. So that was a pretty substantial hit. The other was the decision by Las Campanas to end, at least at this point, their short-term rentals of their casitas. They paid into the Lodgers' Tax when those were rented. So we didn't have that money either. So factoring that in the county's lodging properties were pretty healthy this last year.

We saw a decrease in advertising inquiries of about 2.5 percent. This is continuing a trend, not really surprising. The advertising inquiries are sometimes those – what we call bingo cards that appear in the back of a magazine. You circle a number to get more information. A lot of people just aren't expecting to get something five to six weeks from sending that card in. They want an immediate download of information, and so they can get that off of our website. And that's what we're seeing traditionally happen there.

We also have a decrease in website inquiries of about four percent, again because we're supplying so much information to people via the website that they're not having to reach out to us to say send me this, send me that, I have a question about this, because we're providing the customer service to them and providing that information ahead of time. We've had an increase in website user sessions of about 6.3 percent so things have been pretty healthy as far as that goes.

We have an annual budget of nearly \$290,000. The majority of this of course comes from the Lodgers' Tax. We have a very small percentage this last year. It was about one percent that came to us via the New Mexico Tourism Department Cooperative Marketing program. This is a program that we've traditionally applied for.

We're one of hundreds of entities around the state that receive funding. The Department is currently looking at this program. There has been significant financial cuts to it this past year; it is expected that that will continue. We are currently in a proposal phase, a joint proposal with the City of Santa Fe for this upcoming fiscal year, grants to help support public relations efforts that would be jointly administered by the City and the County.

Under that budget we do planning, which includes a marketing plan, the media plan. We handle all the placement of the advertising – print, electronic and online. We handle public relations, and unlike some of our other entities around the state we handle fulfillment. Since the County doesn't have a Convention and Visitors Bureau or a Tourist Board, if you will, a staff that is in charge of handling those kinds of things, the phone calls that come in, they ring to our office. We handle it. We handle the fulfillment. We get the information out to the potential inquiry and do all of that. So it kind of takes the place of traditionally what staff would do this type of thing.

In our marketing, this last year we've continued our slogan that we created I believe a year ago: It's no place like home. Santa Fe County, it's no place like home, focusing in on the fact that this is such a unique destination that you're not going to find the things that we have here in Des Moines or in the tri-state area or in California. You may find portions of some of our offerings, but certainly the breadth and scope of our offerings we're pretty unique as far as that goes. Tourism is a very devotional activity; people are very invested in it, so we are always trying to play on the adventure of the travel experience and we want to personalize the creative, have people see something and go, wow. That's really interesting. I'd like to go there. And so we tease a short story to help them find out more about these things and can go to our website.

Here's a sampling of four of our ads that we've had. One from up north, the Aspen Vista, the Lamy train station and the last one, the Matachines Dance at el Rancho de las Golondrinas. Our print advertising that we undertake is placed primarily in tourism and lifestyle publications, travel and lifestyle publications. We target a lot of our placements toward what's called for the regional drive market – Texas, California, Colorado, Arizona, and this is just a sampling of some of our print ads that we run on behalf of the County.

We do television. This last year we purchased ads in Roswell, Las Cruces and Farmington on cable channels. We produced three 15-second ads. They serve as bookends, and hopefully they run in what's called the commercial pod. They run at the beginning, then there will be two or three commercials that run and then we have another one at the end. It's an attempt to – because the attention span of the consumer is getting shorter and shorter, I'm sure you're aware of it when you watch television perhaps, that you're always reaching for that remote when the commercials come on, so we're trying to keep it short enough so that they don't even have a chance to grab the remote or we've captured them with some intriguing imagery that they will be interested in finding out more about our offerings.

We want to show you the selection of the ads. Nope, they're not there. Sorry about that. We also maintain the website for the County, the tourism website is seesantafe.org and we feature all of the properties in the county. We feature things to do. We have kind of prospective trips, day trips to take people on an itinerary. We have them set up such that they would run kind of the Turquoise Trail and out through the southern part of the county. We have them run up through the north, so they have an opportunity to visit our Native American communities and see the history and culture of our area.

The website was recently updated and redesigned. We've taken a lot of the information that previously was in our brochure and put it on our website because we found that a lot of times there was change-over of properties or businesses. They went out of business, they changed hands, changed names, moved, and it became obviously cost-prohibitive to keep printing the brochure, so now we focus on keeping the most up-to-date information on the tourism website.

We have an online marketing for the County. We do email newsletters. We do news updates, things like when the fires were happening there was quite a concern because of the national media coverage. I'm sure many of you received phone calls from relatives outside the area. I know I got a call from my mother claiming that I was in imminent fear of being incinerated by radioactive waste. So what we were doing was putting that information out front and center, directing them to the fire incident website because they were updating often many times a day and so letting people find out exactly what was happening on their own. We felt it was the best option was to put the information out there, let the people draw their own decisions as to whether or not visit our area. We obviously couched it with sort of an intro that these fires are away from our – currently are away from our populated areas. Smoke is sometimes an issue but most of the time not, and if they wanted to drill down and find out more information they could do that.

We also purchased web banners on tourism and travel sites in Dallas, Denver and Oklahoma City and those have been quite successful. Traditionally when we run those ads we see a spike to the website of about 600 percent in the ensuing 24/48-hour period. We also did a redesign on the brochure, and as I mentioned, took a lot of the content out of it, made it more image informational, give them a map, tell them the things that we have to offer our potential visitors here and hopefully they're intrigued by the graphics and the story.

I was told I had five minutes so hopefully I made that. If there's any questions I'd certainly be willing to take those now.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. Thank you very much for the presentation. I spoke with our County Manager after I came back from the national convention about an opportunity for Santa Fe County that had to do with linking a free web presentation about Santa Fe County, more with the purpose of moving here and locating here than tourism. And I'm wondering, Katherine, if this might – the tourism piece and the Lodgers' Tax piece might somehow be tied in with that if Kristine is going to investigate it, whether or not we might keep this group in the loop.

MS. MILLER: Madam Chair, Commissioner Stefanics, Kristine has been in contact with the individual group that made that proposal and we're going to set up a meeting to see what all the possibilities are and we could certainly include the Lodgers' Tax.

COMMISSIONER STEFANICS: Well, it seems, Madam Chair, that they have a great presentation that if – and I'm not saying we are – but if we were to do something with this other company with our regular website, that they already have something developed for the whole tourism piece that could be linked into there as well. So thank you very much.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Thank you, Mr. Rountree for the very informative presentation and I would really like to commend you on your open and creative way of dealing with the fires. Do you have any feeling for how much that

affected visits to our community?

MR. ROUNTREE: Commissioner Holian, Madam Chair, members of the board, we don't yet. Those would be – let's see. That was July. Those numbers have not posted yet. I checked with your Finance Department prior to putting this presentation together and she has not gotten the Lodgers' Tax number for July yet. They're due – well, actually, we're past it, but she hadn't gotten in from the County Clerk yet. I can tell you anecdotally, however, that it was felt by the lodgers that it was pretty severe. When those nightly newscasts went on, I believe it was Wednesday night, the phones immediately lit up at reservation desks at many of the properties in not only the county but also the city with cancellations, because of the doom and gloom that was put forth by the national media. And it's very difficult, especially for people in the East where population is so dense. They have no concept of our spaces that we have here. And so when a reporter is doing a standup and talking about all this nuclear fuel and waste that's in these drums, they don't mention that it's 60 miles away from a populated area, nor the fact that the fire was three or four miles from where it was stored on the lab property.

It's a little devastating, as far as that goes because your natural reaction is, wow, I don't want to go there. Fourth of July weekend coming up and again, it was a pretty severe situation and I know that a lot of the hotels were trying to salvage those cancellation calls by doing that in-person intervention if you will with the potential customer.

But definitely I think it was felt. As far as any hard numbers, we don't have those figures yet.

COMMISSIONER HOLIAN: And again, thank you very much for the way you dealt with it. I think you did the best thing that you could.

MR. ROUNTREE: Thank you.

CHAIR VIGIL: Any other comments or questions? Thank you very much, Mr. Rountree. I appreciate the presentation.

MR. ROUNTREE: Thank you.



**XI. MATTERS OF PUBLIC CONCERN – NON-ACTION ITEMS**

CHAIR VIGIL: Is there anyone out there in the public that would like to address the Commission on any items that are not a part of our agenda, please raise your hand. Seeing none, we'll move on to the next item.

Florence, thank you very much for being here. I know you've served in your capacity as a volunteer with the Lodgers' Tax Board for how many years?

FLORENCE JARAMILLO: A long time.

CHAIR VIGIL: Thank you so much for being here.

MS. JARAMILLO: Madam Chair, once we got John Berkenfield from Golondrinas to serve for a year then we asked you to appoint him as chairman in place of me, because he's the public member and I'm business. But when we were discussing budget, Madam Chair will understand this perfectly, my lawyer reaction was we've got to save money. But at that point John Berkenfield whose career was the chief of advertising for IBM back east said, when things are bad you spend more money on advertising. He's right. And of course he is right. That's exactly what you do, and we're very, very pleased with what Russ has been doing.

CHAIR VIGIL: Thank you. Thank you very much, Florence. And thank you, Russ.

**XII. MATTERS FROM THE COMMISSION**

**A. Acknowledgment and Recognition of the Santa Fe County Fire Department Volunteer Firefighters Who Successfully Completed the December 2010 and July 2011 Volunteer Fire Academies (Commissioner Anaya)**

COMMISSIONER ANAYA: Madam Chair, if I could make a few comments. I very much appreciate all the work of the Fire Department and the trainings that you do. Chief, if you could provide a summary of what's gone on with our volunteers, acknowledge our trainers that are here with us on our staff and those volunteers present, and then I'd like to say a couple additional words and actually read out all those that are present and those that are not. Thank you, Chief.

DAVE SPERLING (Acting Fire Chief): Thank you, Madam Chair, Commissioner Anaya. I'm pleased that you're willing to recognize the accomplishments of our 40 Santa Fe County Fire Department volunteers who completed the last two volunteer Fire Department fire academies. The first class graduated in December 2010 and then most recently in July of this year. These 40 volunteers represent ten of our 14 fire districts, as well as a number of regional volunteers.

Our volunteer fire academy concept was developed about 18 months ago in order to bring consistency and standardization to volunteer training, and in order to meet NIFT standards and to bring their training levels to the same level as our career staff, as well as to provide IFSAC certification. IFSAC is like a *Good Housekeeping* seal of approval in the fire service. It stands for the International Fire Service Accreditation Congress.

Training in the volunteer fire academy is about 160 hours. They're taught on weekday evenings and weekends over a 3 ½ to 4-month period. They're very rigorous. Classes include orientation, firefighter first aid, CPR, wildland fire behavior, hazardous materials and operations, firefighter I, emergency vehicle operations, all with a final written and hands-on test at the New Mexico State Fire Academy, including a day of live burns in their burn center.

The training is conducted completely by Santa Fe County Fire Department staff, some of whom are here this afternoon, including Assistant Chief Holland, in the back of the room, who is the director of the academy, our lead instructor Lt. Lovell, Captain Jaffa, also in attendance, and then not in attendance Captain Beale and Mestas. They are currently teaching the fourth volunteer fire academy which started about two weeks ago with 28 students housed at the Agua Fria main station.

Commissioners, I'd like you to know that these are the same volunteers that responded this summer to our many wildland fires. They worked with our current volunteer staff and our career staff, including our wildland team, and firefighters from many agencies who assisted us, including in the south Tarrant County, Moriarty and Bernalillo, on a couple of our very large but really unrecognized grass fires that occurred this summer, on in excess of 2500 acres.

We also worked with our partners from State Forestry, the United States Forest Service, and BLM. Commissioners, there are only three out of 40 here this afternoon, but I know many of them live in the far reaches of Santa Fe County. Most of them work during the weekday, 8 to 5 and were not able to attend. But I do know that they very much appreciate your recognition and would be here if they could. So again I thank you on behalf of the Fire Department for this recognition.

CHAIR VIGIL: Thank you, Chief. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Chief, could you introduce those volunteer members that are here and then I'm going to go through the list from the other volunteers to publicly acknowledge their work and their completion and well.

CHIEF SPERLING: Certainly. Thank you. Commissioners, to my right, Firefighter Frank Gonzales, Firefighter Michael Bohannon, and furthest to the right, Firefighter Edgar Rubio.

COMMISSIONER ANAYA: Madam Chair, Chief, I'm going to read this list and then we'll give them a round of applause. This is on behalf of District 3, all the Commission and all the people throughout Santa Fe County. Jeremiah Balliett – La Cienega District, Michael Barnes – La Cienega District, Kevin Barrows – Turquoise Trail District, John Calef – Hondo District, Christian Corlett – Turquoise Trail District, Duane Dearborn – Hondo District, April DiJanni – La Cienega District, LoniJo Dunham – Regional Volunteer, Christopher Duran – Tesuque District, Justine Francisco – La Cienega District, Sean Glackman – Stanley District, Frank Gonzales – Tesuque District, Johnny Gonzales – Glorieta Pass District, Austin Hanson – Tesuque District, Louis Lovato – Edgewood District, Danielle Martinez – La Cienega District, Michael Martinez – La Cienega District, John Mayer – Tesuque District, David McGee – Regional Volunteer, Antonio Morales – Pojoaque District, Daniel Pempel – Edgewood District, Albert Perea – Turquoise Trail District, Terry Protheroe – Hondo District, Will Ross – Tesuque District, Edgar Rubio – Regional Volunteer, Kimberly Sanchez – Regional Volunteer, Bryan Wyatt – La Cienega District.

The Volunteer Fire Academy #3 graduates are: Joseph Allred – Edgewood District, Linda Anaya – Galisteo District, Michael Barela – Hondo District, Robert Bell – Stanley District, Michael Bohannon – Edgewood District, Shannon Crawford – Regional Volunteer, Nathan Eavenson – Edgewood District, Gabriel Garcia – Eldorado District, Candice Herrera – Tesuque District, Vincent Herrera – Tesuque District, Marcos Montoya – Edgewood District, James Salyers – Edgewood District, Jonathan Stern – Galisteo District.

Let's give all of them a round of applause for their work. Madam Chair, if we could all give these certificates to the Chief to distribute, but if we could get a picture I think that would be great.

COMMISSIONER HOLIAN: Madam Chair, could I say a few words?

CHAIR VIGIL: Sure.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Well, I have to say that I personally used the services of the volunteer fire district about six weeks ago. I was in a horseback riding accident and I even passed out. And I can personally attest to the speed with which they responded and the highest level of professionalism on the part of our volunteer firefighters. I just want to say a personal thank you to you guys. Thank you, Madam Chair.

CHAIR VIGIL: Shall we go on to B, Commissioner Holian?

COMMISSIONER HOLIAN: Madam Chair, I believe that Craig O'Hare is not here yet. He's almost here but can we just put that off a little while.

CHAIR VIGIL: Ready any time you are. Just let me know.

**XII. C. Update on the Community of La Bajada's Hardship and Impact on Agricultural Land Use and the Community Water System.  
(Commissioner Anaya)**

COMMISSIONER ANAYA: Thank you, Madam Chair. Alonso Gallegos – I don't see him back there yet. When he comes in, Madam Chair, I'd like to acknowledge him. But Ms. Miller, there are several things I'd like to talk about, most of which – all of which actually, when I have had the opportunity of talking about, the beaver issue. Let's start with the beaver issue. We passed a resolution that we were going to work on the initiative associated with the beavers and the water flow. We thought we had a good game plan associated with some deceivers that were going to allow additional water flow to work and the City of Santa Fe had expressed that they were going to work with us on that, but as it turns out the physics of the use didn't work, so give an update on the work that the staff has done and the meetings and what maybe some of our next steps are associated with that aspect and then we'll go into a couple other issues.

MS. MILLER: Madam Chair, Commissioner Anaya, I'd like to have Paul Olafson discuss what those – working with Game and Fish and all the entities on the different properties, walking all the property and what they discovered and then the subsequent meetings they've had.

PAUL OLAFSON (Projects & Facilities Department): Madam Chair, Commissioners, we did, subsequent to the initial meeting with staff and different agency groups, we did have a follow-up meeting and we had a site visit out at the river and gone up

and down and examined the situation. Again, we included Game and Fish, the Bureau of Land Management, City of Santa Fe, Santa Fe County, and many others that were involved, and involved many different staff members from those agencies as well.

To date we've examined the beaver receiver, the flow control devices, and they just physically don't work, as you stated. We have a meeting scheduled for September 8<sup>th</sup> to get all those groups back together along with some of the community members to start discussing what are some of the longer-term options. The short-term answers or solutions were not particularly viable for different means. Now, we are going to continue the process and examine what long-term issues and solutions can be met to help that situation. I'll stand for any questions.

COMMISSIONER ANAYA: Madam Chair and Ms. Miller, I appreciate the work and I had, two Saturdays ago met with the acequia association from La Bajada and they had a full attendance of board representation and landholders in the corridor. And this was still of paramount concern to those individuals at the Village of La Bajada. That's one of the reasons I'm bringing it up today again, to let them know as I did at the meeting that our staff, our manager, in working with staff has it still on her front burner as an issue of water.

I also wanted to publicly state that there was some comments made by various parties throughout the process as to what legal obligations anybody has to send water to the Village of La Bajada and I believe they've already taken steps, legal steps, to demonstrate that they do in fact have rights associated with the water for the long-standing agricultural use and that it's an issue that is going to be vetted through the State Engineer's Office and maybe even the courts but they in fact – it's a very serious issue and it's an issue that I appreciate and would like to see continued involvement and work from our staff in close coordination and concert with those individuals from the Village of La Bajada.

Two other primary issues that came up. The other issue was that our Manager, Madam Chair and staff still very much, they still don't have an adequate primary water source. They still very much need to have a well for their mutual domestic use. And Madam Chair, Ms. Miller, if you could comment on some of the discussions and thoughts that you have on that particular issue.

MS. MILLER: Madam Chair, Commissioners, we've been looking at that as well. One of the things that came up was whether or not – if they did have a better well, could they use that? And I think for some of their irrigation. But I don't think it would qualify for that. However, we did discuss that they still have issues with a good well and distribution system and tanks for long-term water for the community, and what options might be viable for that. The Commission did issue bonds for some regional water system that has been – that was kind of allocated sort of for the northern part of the county but it also has not been completely committed and we haven't gotten agreements in place as to what would be done there. So I think we want to make sure if we look at those funds and entering into agreements we look at what entities are ready to move forward with something and make sure that before we bring anything back to the Commission, because at this point to move forward with any of that funding that's already been – the bonds have been passed by the voters and issued and the funds are in our bank but we don't have agreements with the different communities, and those need to come back to you.

So could you provide some clarify as to the separation of those issues and that they are separate?

MS. MILLER: Madam Chair, Commissioner Anaya, yes. I think that the water rights that were in question were about 270 acre-feet or 370 acre-feet of San Juan Chama water rights. This would have nothing to do with those. Basically, within the BDD system we have quite a bit of capacity that we currently pay for that we don't have customers for. So we are already paying for that usage with the flow-through and that capacity within the system. This would not use up unallocated water rights. These are allocated to our system and that we currently don't have customers using. It wouldn't be an issue of taking away from other developments or other customers that we currently have, and we have quite a bit of capacity within our system for lots more customers.

Additionally, with Las Campanas, they have given us capacity and water beyond what they currently use of treated water. So – and maybe Steve can add to that but I think in general one of the things we wanted to bring back when this comes before you is to demonstrate how that works kind of graphically, so you could see it would not affect any current customers or future customers. They would just be a customer on our system. But we have plenty of capacity to serve them.

COMMISSIONER ANAYA: Madam Chair, did you have anything else you wanted to add to that? Madam Chair, my comment then would be – which is what I told the acequia association, would be that if there was no additional allocation of water that would be connected to the discussions that are taking place, that I'm fully supportive of creating an opportunity where there would be more effluent water that could be diverted into the river to be able to accommodate those agricultural needs, not just in La Bajada but in this whole corridor, La Cieneguilla, La Cienega and La Bajada. So Madam Chair and staff, thanks for your work and I look for continued progress and work on those issues. Thank you.

**XII. B. Resolution No. 2011-132, Directing Staff to Intervene in New Mexico Public Regulation Commission Case # 11-00265-UT, the Public Service Company of New Mexico's Renewable Energy Portfolio Procurement Plan for 2012 (Commissioner Holian) [Exhibit 1: Staff Memo and Resolution Text]**

COMMISSIONER HOLIAN: Thank you, Madam Chair. This is regarding a PRC which is ongoing right now, and it has to do with PNM's renewable energy portfolio for 2012. To just give you a little background first, PNM and other investor owned utilities have a certain requirement in this state to produce a certain percentage of their energy from renewable sources. Now, how much they produce from those sources has to do with the type of renewable energy, as well as the year that we're in.

Now it turns out that I believe that PNM did not have enough energy being produced by solar energy so they actually put in place a program some years ago which incentivized solar energy projects. And the way that they incentivized those projects was something that was called renewable energy credits. And these are actual payments that they make for the production of solar energy, and it's tied directly to the kilowatt-hours that are produced. So

So I want to make sure that we look at anything that we bring back that we make sure we look at who's ready to go forward with those. So that was one item that I wanted to make sure that we looked at, as to whether that was a possibility for assisting that community and how we would balance that with other commitments that the County has made.

And then also whether there's any funding that might be left over as we close out the Buckman Diversion project and whether there's a way to put some of that regional water funding out throughout the community as it was intended for a regional water systems, and to bring back a proposal to you along that line as well.

COMMISSIONER ANAYA: Madam Chair, Ms. Miller, I appreciate those efforts and that sounds like something that is on the front burner as well for speaking and looking at other districts as well to figure out what those projects may be and work with them to actually give us an opportunity to try and help not only La Bajada but potentially other areas.

The last item directly ties to La Bajada community was raised by them at their acequia meeting as well two Saturdays ago, and that was discussions that the County, in my understanding, has been having with Las Campanas as well as the City associated with effluent water. I did have a brief conversation with our chair but it's my understanding, Mr. Guerrerortiz and yourself are engaged in a discussion associated with the use of some of the raw water that we have available to us and that potentially that usage could free up more effluent water that could potentially be utilized to be put back. Mr. Ross was also engaged in those discussions I believe, to put more effluent in the river which would also help with the flows and the needs of La Bajada, that they've been having.

Madam Chair, Ms. Miller, and whoever you feel appropriate, do you want to comment on that a little bit, to give us an idea where you're at?

MS. MILLER: Madam Chair, Commissioner Anaya, we have – and it will probably be on the next agenda, September 13, to bring forward an agreement relative to using raw water off of the Rio Grande that is allocated to us currently for use from the BDD system and that we're actually paying for, that capacity, but don't have a customer using that, but using that well water, not treated water, but raw water, and supplying that to the golf courses, which in turn would free up 300 to 600 acre-feet of effluent from the treatment plant that currently being pumped over there. So this would come off pre-treatment plant above BDD and provide watering for the golf courses and therefore free up usage of the effluent.

That is effluent in the City's control but in theory that would be available for discharge in the river or if they don't have another customer.

COMMISSIONER ANAYA: Madam Chair, the specific question that I raised and you provided some more clarification. Maybe you could help so that we could publicly convey this. At the acequia meeting, when this question was raised to me the first thing that came to mind was our Buckman Diversion project and the fact that we as the County – I don't think the City has any – but I believe in the agreement the County has some additional water rights that are uncommitted and the comment that I made to the acequia association was that I wouldn't feel comfortable if the discussion on the effluent, additional effluent in Las Campanas was connected to those additional water rights. Because I think those additional water rights are very much an interest to several communities and potential growth or even potential replacement of water in some of the communities.

you get a certain amount of money for each kilowatt hour you produce, whether you actually use that kilowatt-hour in your own home or not.

The amount of – the size of the renewable energy credit is tied to the number of megawatts that have been installed, and there are a number of different kinds of projects that they consider. There's residential versus commercial, and then there's different sizes as well. And there's a certain amount of renewable energy credits that are available in each of those different categories. Now renewable energy – well, solar energy has been incredibly popular in our state and our region for the last four or five years and a lot of people have installed systems. So the renewable energy credits that are available are going down dramatically at this point. In fact I can tell you from my own personal experience my husband and I put solar energy panels on our house about four years ago. We get about 13 cents. In other words, for every kilowatt-hour that we produce we get 13 cents from PNM for that, whether we're using that energy or not. And I believe that in the same category that we're in, which is small-scale residential, that may be down to eight cents now or something on that order. I'm not quite sure what the number is.

But renewable energy credits going down is going to really affect solar energy products that occur in the PNM territory and it's going to affect the businesses in our territory that put solar energy projects on people's homes. It's going to affect our economic activity. So now this is an issue that was actually brought up at the RPA. Actually, it was originally brought up at the Energy Task Force. The Energy Task Force made a presentation to the RPA and there was a motion that was made in the RPA and I believe that this motion passed unanimously. It was the City and County should intervene in this particular case, which is deciding what the renewable energy portfolio will be for 2012. And the reason for the intervention is that then the City and County can actually participate in the negotiations on what is going to happen going forward.

So I think it's really important for us here in the City and County to support, strongly support maintaining incentives for solar projects. We are really just beginning. So that's what this is all about, is just for the City and County to actually have a presence in this particular case. Craig, would you like to add anything else?

CRAIG O'HARE (Utilities Department): Sure, Madam Chair, members of the Commission. What Commissioner Holian is talking about has already had an impact on Santa Fe County. You might recall that we issued a solar power purchase agreement request for proposals to look into putting 100+ kilowatt solar projects, photovoltaic projects on four County facilities. And unfortunately, while that process was going on the renewable energy certificate payments kept going down, down, down, to the point where actually they went away. Where at one time they were 15 cents a kilowatt-hour. When I first started working for the County they were like 9 cents a kilowatt-hour, and this is for a 20-year term for commercial projects, to basically they went entirely away while we were in the RFP selection process.

Unfortunately, as a result of that, those projects no longer penciled out. They no longer made financial sense to pursue. So we lost out on basically building about 400, 500 kilowatts worth of projects on four County facilities. PNM in their proposal, which you would be intervening in if you pass this resolution is proposing to make their renewable energy certificate, what we call a REC incentive payment be two cents per kilowatt-hour which we feel is ridiculously low. It also has an impact on the residential and the commercial

market in the less than 10 kW size. The residential systems are often in the two to three kilowatt size, and for commercial systems and say the 5- 20 kilowatt size.

As you're aware we are pursuing still the commercial renewable energy financing district program, what some people call a PACE program, where you put the loan essentially on as a special assessment attached to the property tax bill. We feel that if these PNM incentive payments go from the current 8 or 9 cents per kilowatt-hour down to possibly 2 cents a kilowatt hour it will destroy that program, if you will. And the purpose of intervening would be to try to influence the PRC if you will, and try to keep those incentive payments, at least for a couple years while we're seeing photovoltaics continue to come down and reach what we call grid parity, which is essentially start to be cost-effective on their own, that we would intervene and essentially weigh in with the PRC to try to keep those REC incentive payments up at a higher level for the next couple of years so we can keep our solar industry here in Santa Fe County continuing to thrive.

These incentives have been significant for companies like Positive Energy here in town and AM Energy and others that have increased their staff and have really gotten a shot in the arm as far as job creation and getting solar projects out in the residential and commercial world.

CHAIR VIGIL: Okay. Thank you, Craig. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. While I have no problem with this resolution I want to ask Steve Ross, our attorney, I believe that the BDD, of which we are members, did a resolution regarding this before it went down. And we weighed in on the 15 cents in order to get that credit for the BDD. If we pass this are we basically supporting a conflict with what some of us did as the BDD Board?

MR. ROSS: Madam Chair, Commissioner Stefanics, it is a different entity, so there's an apparent conflict but not an actual conflict.

COMMISSIONER STEFANICS: Okay. Thank you very much.

CHAIR VIGIL: Okay. Any other questions? Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Ross, on that point though, at least what I believe I read in the paper not too long ago, may two weeks, three weeks ago, was that the BDD intervened in the rate case, correct?

MR. ROSS: Madam Chair, I believe that's right.

COMMISSIONER MAYFIELD: Madam Chair and Commissioner Stefanics, am I maybe not – Madam Chair and Craig O'Hare, this has nothing to do with the rate case that was recently approved?

MR. O'HARE: Madam Chair, Commissioner Mayfield, no, it doesn't. This is a wholly separate item from the rate case that was just decided by the PRC.

COMMISSIONER MAYFIELD: Madam Chair, I'll defer to legal but I don't see why there should be a potential conflict.

MR. ROSS: Madam Chair, Commissioner Mayfield, I guess the conflict is that if we take a position differently than the BDD took last year in terms of what our REC credit should be people could look at that as a conflict. But I checked the party list, I think it was Friday, maybe Thursday and BDD had not intervened in this case as of the last week. But of course a lot of big players had not intervened in the last week, people you'd expect to see like the City of Albuquerque, Albuquerque Water Authority, those people hadn't weighed in yet either.



COMMISSIONER MAYFIELD: Madam Chair, Mr. Ross, just help me out here. If the Commission decides to go forward and support Commissioner Holian's resolution which I'm all for, would that then give some direction to the members who sit on the BDD Board if this comes up, as far as the County membership, of saying, look, our Board of five already said this is the route we're going or not going. So this is a position we have to take, or are we total separate voting members on that, aside from this County Board? Kind of help me out with that.

MR. ROSS: Madam Chair, Commissioner Mayfield, I'm certain you can bring this up at the BDD Board and have a discussion about it. The reason I raised who was in the case and who's not is because tomorrow is the deadline for intervening.

COMMISSIONER MAYFIELD: Right. And Madam Chair, Mr. Ross, if the BDD was going to intervene in this case, it's too late. We don't meet until Thursday. I guess you could always ask for an extension on intervention.

MR. ROSS: Right.

COMMISSIONER MAYFIELD: So I guess on that point I don't know if the BDD is going to intervene or not. Thank you. Madam Chair, I have general other questions. Thank you, Madam Chair. Madam Chair and Craig, real quick, as far as the REC credits that are going on right now, has PNM then met their obligation threshold under the renewable – I'm assuming there was a different carve-out for solar. I think they appealed that. I don't know if that appeal was supported by the Supreme Court or not. I don't know if you know.

MR. O'HARE: Madam Chair, Commissioner Mayfield, yes, your knowledge of the PRC is still sticking with you as far as what goes on over there. It is a little bit complicated as you know because you've got a little bit of a tug o'war between the absolute requirements that the PRC has established by rule that they layered on top of the statutory requirements. The two requirements that I'm referring to that were done by rule – I think when you were still at the PRC was a) the solar – the diversity requirement, which required a minimum of solar, and also what's called the distributive generation requirement, which is more or less like the rooftop small-scale requirement.

So PNM by rule I believe has met or will be meeting the distributed generation requirement, a fairly small amount. But they will not be meeting the overall solar amount. And they will not be meeting the overall renewable portfolio standard amount because of what's called the reasonable cost threshold. And that gets into a whole other issue of what is a reasonable cost threshold and it has to do with what sort of bill impacts or rate impacts does the renewable portfolio standard have. So it's not an easy yes or no question as to – PNM argues that they're complying, given the renewable cost threshold. There's a number of entities that say, no, we need to interpret the renewable cost threshold differently. Frankly, the PRC has been punting for about three years now on what does the renewable cost threshold mean and not mean, and they have a rule-making case right now that hopefully will resolve that issue.

But I guess the point for Santa Fe County particularly is is that this has been and will continue to be an enormous – a significant job creation benefit to Santa Fe County. There's no more job created per megawatt of installed electricity, power plants, if you will, than through rooftop solar, and I think there's some concern that the PRC doesn't understand their role in promoting economic development within the state, along with their role to look after the ratepayer and the stockholder of the investor-owned utility. This essentially would be a

statement by Santa Fe County that it's important for the PRC to consider these job creation and economic benefits that go along with requiring utilities to have some more rooftop solar in their mix.

I've always called these sorts of incentives with my previous job and now what I call bridging incentives. We don't need this incentive, this subsidy if you will, in perpetuity. We don't need it forever. We just need it while the industry is maturing, while competition is doing its thing, while the cost of solar is coming down. It has come down dramatically in the last eight or nine years. I just went to the Solar Fiesta in Albuquerque, the annual Solar Fiesta and priced a solar system for myself, and it's roughly half what it – the estimate I got was than it was when I looked into it eight years ago. It went from literally \$16,000 down to \$8,000 for the same size system. And if we have just a couple more years of this bridging incentive issue, well, I think we can take away that – cross the bridge, if you will, to cost-effectiveness and we can see solar survive on its own. But my concern as a professional for you in this area is that it's a little too soon to be yanking away that incentive virtually – almost entirely, the way PNM is proposing.

COMMISSIONER MAYFIELD: Thank you. And Madam Chair and Mr. O'Hare, but help me out here. If they haven't met the diversity requirement, and we're asking for higher REC credits, who would this be a disadvantage to PNM. Because they could apply this towards their renewable requirements. I guess I just don't see how it's not advantageous even for PNM to want to support higher REC credits.

MR. O'HARE: Madam Chair, Commissioner Mayfield, that's a really good question. Ultimately it gets down to – for PNM, through PNM's eyes, what's the best bang for the buck in getting solar megawatts onto their system to comply with the diversity requirement, the solar requirement? What's the cheapest way can they do that? That's their main objective here. And the cheapest way for them to do that is to go out and build 20, 30, 40 megawatt large solar farms, PV farms, as opposed to stimulating rooftop solar. And obviously PNM's business model isn't about stimulating economic development and job creation in Santa Fe County; it's about PNM, PNM's profit and things like that and frankly, PNM prefers to reserve anything resembling a rate impact on its customers for its own rate increase and its own profit motive than it does for other objectives that might be important to Santa Fe County or the state of New Mexico or things like that. But the bottom line is that if it were just after solar, and they're doing this too, and this is what they've argued for is, let us just go out and build a 40 megawatt solar farm. They would prefer to build a 40 megawatt wind farm which is even cheaper, if there was no such thing as a diversity requirement.

But the whole point here is the distributed gen rooftop solar industry and economy is important to the state and it's reasonable to use some ratepayer funds to continue to stimulate that so we get that grid parity point, and then we've got this vibrant industry where the train has more than left the station and can survive on its own.

COMMISSIONER MAYFIELD: Thank you, and Madam Chair and Craig, you just may know this, because I don't recall. Is PNM inclined to what to build a solar farm or contract with somebody to build it? I'm not aware of that, are you?

MR. O'HARE: Madam Chair and Commissioner Mayfield, PNM is in the process of building – I think it's about 30 megawatts of solar farms throughout the PNM service territory in sort of 5 megawatt and 10 megawatt chunks. I've actually been initially discussing with a solar developer who may be interested in the Santa Fe Canyon Ranch

property for a similar sort of 10 or 15 megawatt solar farm. Whether or not PNM would be the off-taker, which is what we call the purchaser of the power or whether it would be a utility in Arizona or Colorado, because of the way the electric market works, but PNM is basically – and I respect that they wear a different hat and have their own business model. They're going to try to keep the renewable energy portfolio as small as possible and focus on the sort of things that make them a profit which the way we regulate the PNM and our investor-owned utilities through the PRC is to build big giant power plants and sell as much electricity as possible, which is a little bit different than some of these other policy objectives that the County is concerned about and others are concerned about, whether it's environment issues or economic development issues.

COMMISSIONER MAYFIELD: That's all I had, Madam Chair. Thank you.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Commissioner Holian or staff, this intervention is primarily to keep what we already have? Is that the corpus of this resolution? To maintain what we have?

COMMISSIONER HOLIAN: Yes. I believe it is. And for us to have a seat at the negotiating table.

COMMISSIONER ANAYA: Thank you, Madam Chair, Commissioner Holian, but this doesn't request that we go above what's existing? Or is it just maintaining what we have? And the reason that I ask that is – or is it? Is it just to maintain the 14 cents at the onset? Is it to maintain that credit for another year or however long the rates are –

MR. O'HARE: Madam Chair, Commissioner Anaya, I guess the way I would answer that is it's a little bit difficult to answer because what we had was, say for the larger systems, the systems we were looking at for County facilities, greater than 100 kilowatts, we at one time had a 12 cent per kilowatt-hour REC that came down, down, down, down, down, and then the bottom tier was six cents per kilowatt-hour, and now it's gone. So when we called up PNM and said if we build a 100-kilowatt system over at the Public Works building, what sort of REC incentive are we going to get? The answer was zero.

Now PNM is saying, okay, well, we propose to do two cents per kilowatt-hour. My recommendation would be let's go back to the six cents per kilowatt-hour rate – not the 12 cents. I think 12 cents is probably too high at this point in time given where solar's come down to, but let's try to hang on to that six cent per kilowatt-hour incentive payment for a couple more years. This intervention in this plan that PNM has is only for one year, actually, but it's not holding on to what we've got because right now we have zero, and it's not talking about going back to the old 12 cents which I think is probably unreasonable and unreasonable to expect we'd even get. And then on the residential side for the small systems, right now it's at about, as Commissioner Holian said, it's at about eight cents per kilowatt-hour, but unfortunately it's probably going to be down to – it's going to hit the six-cent level and then it does the same thing; it goes down to nothing, and unfortunately, in PNM's filing, they have chosen, and I've talked to PNM about this and I think it was unfortunate and I'm not sure why they did it. They chose to completely ignore the residential and small commercial market in their proposal for what are the REC incentive payments going to be when we run out of – when we hit that six cents and then go to nothing.

I'm concerned that the industry is going to fall off a cliff, if you will, because we're going to go from an incentive that even at six cents is fairly enticing. That's probably what

I'll end up getting by the time I get my application in, down to nothing. So I think even at the residential level if we can – and the small commercial, if we can hang on to a six or seven cent rate, not the old 13 cents, which some of my friends got in two or three years ago, I think that would be a reasonable amount to try to hang onto for a year or so and keep this industry moving. So it's kind of going back to hanging on to the minimum where it's dropping off to nothing right now.

COMMISSIONER ANAYA: Madam Chair, Commissioner Holian, would you accept an amendment to the resolution to allow for – what I'm getting feedback on in the southern part of the district is the connection to the co-op and they're not under the regulatory body of the PRC. And I'm getting feedback from my constituents that want to be able to do their own renewable projects but I think the payback on co-ops is one cent or two cents.

Is there some way we could craft this resolution so that staff could utilize it to begin the dialogue with Central New Mexico Co-op and maybe even, I don't know if Commissioner Mayfield would want to but Jemez Co-op. Those two co-ops and San Miguel services parts of – the eastern part of Santa Fe County. What's your comment on that? Because the feedback I get is how can we begin to engage those co-ops which are different, under different regulations? Is there a comment on that or feedback?

MR. O'HARE: Madam Chair, Commissioner Anaya, I don't believe you could amend this particular resolution because this is specific to a legal case involving PNM. However, just listening to you as your staff, the co-ops are under the renewable portfolio standard. The requirement is not as stringent as it is; it's about half the amount, and they don't have those same diversity requirements either. So their requirements are relaxed. But if you would like staff and particularly myself to work with these co-ops and see what we can do to stimulate a better incentive environment, just like PNM has for customers in their service territory, I'd be happy to do that and I think that's a good idea. The leading co-op in this state is Kit Carson Electric. Luis Reyes up there at Kit Carson has done a phenomenal job making it happen because he's personally dedicated to this but he's really made it happen up there and it would be great to see him and Central and our co-ops do the same. They have different boards with different dynamics and things like that and then of course there's Tri-State that wants to sell them their renewable energy from wind farms up in Wyoming or from Ted Turner's ranch, if you've heard about Ted Turner's ranch up in the northeastern part of the state. That's a joint state project where they will sell basically the solar power if you will, to the co-ops to meet their obligation. So the co-ops are also looking at what's the cheapest way for us to meet this requirement that the state has. They may look at Tri-state's project up on the Ted Turner ranch and say, that's it. But then it's up to the individual board to say, no, we think we want to do something to stimulate – and they can set up their own three or four cent REC program. As you know, they're self-governed so they're able to do that.

But I'd be happy to work with their general managers or whatever and try to facilitate that.

COMMISSIONER ANAYA: Madam Chair, I guess I would like to see staff do a little more research on that to encourage and promote not so much larger scale but smaller scale people that want to put a windmill at their place or some solar panels on the roof, as the Commissioner has. I would say I support the resolution within the range that you've referenced, because if you try and get into the higher amounts or too much then you

end up in the situation that could potentially increase rates to the overall citizenry. So I appreciate the feedback. Thank you.

CHAIR VIGIL: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. Mr. O'Hare, I don't know if this is an appropriate question for you or not but what are we looking at for staff time? Are we going to have an attorney involved in this? We're going to have yourself involved in this? I don't know if the PRC is going to be conducting hearings throughout the state so that might require some state travel, just so you all know. Again, I support this but we may be –

MR. O'HARE: Madam Chair, Commissioner Mayfield, I appreciate that and I'm sure our County Attorney appreciates that question as well. When you intervene in a case like this you can be as involved or not involved as possible, as you'd like, basically. And so the first thing to do is to make sure we get our intervention in and establish ourselves as a legal parties separate from the other legal parties by the deadline which is I believe it's on Thursday, get an intervention in. From that point forward we can decide and I can work with the County Attorney as to what extent to we have legal resources to really be a part of this. I don't believe there is going to be any hearings elsewhere. I can certainly dedicate some of my time. Most of them are going to be down the hall from your old office there at the PRC at the PERA building. And we can choose as is suggested in the resolution that if there are other parties that have a position that's pretty consistent with what we're after here then we can basically just sign on to their testimony, what I call me too testimony. Where we don't have to be an expert witness, we don't need to have an attorney at the hearing doing the rebuttal, cross-examine, all of that sort of stuff. So it really gets down to it's our choice as far as weighing the staff commitment, how much we can weigh in at this point.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. Mr. O'Hare, is this being done through the RPA or through the Board of County Commissioners? The City of Santa Fe can also say hey, Craig, we want you to do x, y or z, right?

MR. O'HARE: Madam Chair, Commissioner Mayfield, this is being done by the County of Santa Fe, and I did speak to Nick Schiavo, who is sort of my equivalent over at the City and essentially we agreed it actually made sense for one of us to not intervene and I think the last time we did this the City intervened and I believe it might have been the rate case. But if you don't intervene then you can actually do some things with respect to not having to be subject to the *ex parte* limitations that when you are a party to a case you have to be concerned about. In other words, the Mayor could go and meet with members of the Public Regulation Commission and things like that.

So I think Nick's planning on preparing some things, a letter from the Mayor and City Council to the Commission. Technically, it doesn't get entered into the legal record, as you know and all of our proceedings or all of our pleadings if you will would be. So we kind of decided it made sense to handle it this way. But this would be specifically a County Commission action.

COMMISSIONER MAYFIELD: Thank you.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. I move for approval of Resolution No. 2011-132, and following onto Commissioner Anaya's remarks I would like

to direct staff that we should direct staff to engage in discussions with the co-ops about incentivizing small-scale renewable energy projects.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR VIGIL: I have a motion and a second. Is there any further discussion?

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

## **XII. OTHER MATTERS FROM THE COMMISSION**

CHAIR VIGIL: Are there any other matters from you, Commissioner Stefanics?

COMMISSIONER STEFANICS: Thank you very much, Madam Chair. First of all I'd like to wish a happy birthday to Commissioner Holian, coming up. I'd like to thank our County staff for all the preparations for the Board retreat that we held last week for two days. I'd like to congratulate the Eldorado Vista Grande Public Library for a very successful ice cream social this last Sunday. There were people from all over the county that attended that and several people told me that they travel to that library that do not live in that community.

Also I'd like to comment that I've received some phone calls from individuals along Highway 14 about how there seems to be a lot of work going on on Highway 14. And the road turnoff going into Santa Fe Studios has been completed. The studios are nearing completion, but also people were concerned about the water lines that were going to Turquoise Trail Charter School. The Turquoise Trail Charter School had contaminated and tainted water last year, so they are now, the public schools now have decided and they are now connecting to the County's water line. So I wanted to let people know that it is not tapping into the San Marcos water. The County was not taking their water, but the public school is now going to utilize some of the County.

And I'd like to wish the public and all of our staff and the Commission a happy Labor Day. Thank you.

CHAIR VIGIL: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. There's a project going on right now in the county. REDI-net's the name of it. It's basically broadband that's being moved throughout the northern part of Santa Fe County. I do believe there might be some POPs going down in the southern part. If not, I hope so very soon. We can talk about that. But right now, folks, just so everybody knows, that's the red, white and blue cable you might see if you're driving up north that's going into the ground, that's providing broadband infrastructure for all of us, and it's a conglomerate of all pueblos – not all pueblos, but the majority of the northern pueblos, the City of Espanola, the County of Rio Arriba, Santa Fe County, City of Santa Fe and Los Alamos. So that will allow, hopefully, some reliable services for the folks that are living in that corridor and it will also be competition with two of our main carriers, who are Qwest, I believe the new name is Cyberlink, who bought out Qwest and also Windstream or Valor or Century Link. Thank you, Madam Chair. So folks can just see that work going on, and again, Madam Chair, I was at this groundbreaking

ceremony, great job. But that just shows when we work together as entities what can be accomplished and I just hope we continue that.

The second thing that I'd like to bring up, Madam Chair, is the El Rancho Neighborhood Watch organization had a meeting, as a matter of fact it was on the 25<sup>th</sup> of August there in the community. They wanted to talk about various issues. What was the topic of discussion was the triple homicide that happened out there recently. There were a lot of concerns from the neighborhood. I just want to thank our Sheriff's Office. I also would like to thank the New Mexico State Police Office for going out to our meeting. I also was asked to participate, just to help address some of the concerns that they have. We've pushed out news releases – excuse me, not new releases. Just a summary release of what means that people have when they see a violent crime happening, if they see some sort of crime happening, we have the Nextel. We've given out general phone numbers, 911, so just community awareness, folks. If you see something going on in your community that doesn't look right, call. If you see something happening to your neighbor, call. And I think together we can do a better job of policing our communities together. That's all I have, Madam Chair and thank you.

CHAIR VIGIL: Commissioner Anaya,

COMMISSIONER ANAYA: Thank you, Madam Chair. Several items I'll go through quickly. First and foremost I want to thank staff associated that's been helping with the NCRTD route. That route from Edgewood to Santa Fe will start now at the beginning of September and to those listening and throughout the community I'd like to see how we could work closer to incorporate the routes into our webpage and marketing and outreach is going to be important to those routes to make them successful. That route is going to go from Edgewood and come all the way into Santa Fe.

Also the work on community projects that's been going on. There was some cleanup that I appreciate that took place in the Galisteo Park and the coordination that's been going on between Mr. Barela and the Manager and staff associated with a park in Cerrillos that we're working on in concert with the Fire Department.

I also want to bring up and ask staff to provide an update over the next week on Cerrillos Hills. There was some discussion on some addition acquisitions of property that we had within the Cerrillos Hills Park. Representative King, who's very much been one of the top proponents of that project asked me about that particular issue so staff could assist with that.

Also ongoing efforts to keep La Cienega and La Cieneguilla in the loop associated with the planning on La Bajada Ranch. I appreciate Commissioner Mayfield's comments associated with the planning as well as all the Commissioners, as well as the planning occurring and input from throughout the County. One item that Mr. Barela brought up to me that I think is a good idea is that we've focused a lot of energy on making sure we get input from the La Cienega community and La Cieneguilla and that's important, but I also think we need to, as Mr. Barela pointed out, get comments from throughout Santa Fe County on that La Bajada Ranch project. So maybe if staff could coordinate some discussions with some of the communities throughout Santa Fe County focused in on that particular issue, that would be appreciated.

Could I get a status update, Ms. Miller on the San Marcos transfer station and where we're at with that project?

CHAIR VIGIL: Mr. Martinez.

CHAIR VIGIL: Mr. Martinez.

ROBERT MARTINEZ (Public Works): Madam Chair, Commissioner Anaya, that will be on the September 13<sup>th</sup> BCC meeting to award a contract to the lowest responsive bidder.

COMMISSIONER ANAYA: So you've gone through the review of those proposals and we're ready to approve? We're past the summer season, which I know was an item, so once we award we'll actually be able to break ground and get going?

MR. MARTINEZ: Madam Chair, Commissioner Anaya, that is correct. There was a protest that delayed us bringing this to you but yes. Once we get approval by the Commission we will issue a notice to proceed.

COMMISSIONER ANAYA: Thank you, Mr. Martinez. Two other items, Madam Chair. The first one, if I could, Madam Chair, Ms. Miller, or Mr. Pacheco, if you could comment on the senior services. We've been kind of full-blown operating those now for a few months. How's it going and how's the transition going associated with those services?

MS. MILLER: Madam Chair, Commissioner, actually, on the agenda under Community Services we have the program status report on that. Just to let you know how many folks are serving on it.

COMMISSIONER ANAYA: Excellent. The last item I have, Madam Chair, for the Commission is a very sensitive item but it's an item that I think needs to be discussed at the Commission level. We've had a recent murder-suicide that took place in Santa Fe, Santa Fe County. And the individual that committed that crime was an undocumented illegal that is my understanding had multiple IDs and identity that were in his possession. I would like more information on that particular case. I would also like to better understand when people are housed in our County jail, more associated especially as it relates to violent felony crimes and specifically violent felony crimes committed by undocumented, I think that's a very sensitive issue but I think it's an issue of concern that I have and that many throughout the county, not just in District 3 have. So I'd like some more feedback and information from you, Ms. Miller, from Corrections, as well as from our Sheriff's Department if we could ask them if they could assist in providing information. With that, Madam Chair I don't have any other items for today.

CHAIR VIGIL: Anything else? Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. First of all I would like to thank Katherine and staff for putting together all the information and organizing the retreat last week, and I would also like to thank Chair Vigil for coming up with the idea in the first place. I really learned a lot from our lengthy discussions. I found it very helpful and I think we actually made progress and we're successful. So thank you very much.

Also, I wanted to give the Commissioners and staff an update on our Renew Santa Fe program. Just to remind you, the Renew Santa Fe program was a program that we were putting in place that creates a special assessment district for renewable energy projects. Now, the boundary of the special assessment district coincides with the county but only those people who actually voluntarily sign up for the program would actually be part of this special assessment district. Last year we were just about to launch our program when there was a little glitch. And let me just say that this particular program is what's known as a PACE program, which stands for property assessed clean energy, and it was becoming wildly



popular across the United States. More and more of these programs were being put together in various states and counties and other localities.

Now, this got Fannie Mae and Freddie Mac worried about the program because it involved loaning money to people. And there were in fact specifically worried about the priority of this lien for the special assessment. And in fact because of their worry the Federal Home Finance Authority stopped these programs dead in their tracks all across the country as a matter of fact.

Now, in order to bring them back on line several entities filed lawsuits. There was one state, I think it was California that filed a law suit. There were several counties also, several municipalities and environmental groups that did this. Also there was an effort to pass legislation in order to clarify what these programs did that just essentially went nowhere. But there's some new efforts on line and that's why I'm updating everybody.

First of all President Obama is very supportive of these programs and he's trying to make something happen at the federal level with federal agencies to see if we can restart these programs. Now, also there is a very important bill in the House of Representatives right now. This is bipartisan legislation being sponsored by both Republicans and Democrats, quite a few of them, as a matter of fact. And what this bill would do is it defines PACE programs as assessments, special assessments, not as loans. Another thing that this bill would do is it would incorporate very strict underwriting standards. And what that would do is eliminate the fears by Fannie Mae and Freddie Mac that local governments and so on would be making wild loans to people who couldn't possibly afford to pay them back. So this would really clarify things.

I thought I would just mention that in preparation for doing this bill the House of Representatives commissioned a study by an entity called Eco Northwest, and they determined – I think this is really interesting, and this is sort of in light of our earlier conversation about how much economic activity can be stimulated with renewable energy projects. They determined that \$4 million in renewable energy projects leads to \$10 million worth of gross economic output in the area where they're occurring. It leads to \$1 million worth of federal, state and local tax revenues, and 60 jobs. So these things are really economic stimulators.

So I just wanted to let you know that the FHFA ruling that stopped PACE programs really only applied to residential programs. So we are going forward with our commercial PACE program right here in Santa Fe County and this is thanks to a lot of work that Duncan Sill and Craig O'Hare have been doing over the course of the last several months, and I just want you to know that they sent out a survey to all the renewable energy developers in our area to gauge what the demand would be.

Now, the demand would vary, depending on what the renewable energy credits were, that's for sure, so they lay out a number of different scenarios, like if we had these amounts of renewable energy credits, how many projects do you think we would have.

Another thing that I wanted to mention related to this is this whole topic of qualified energy conservation bonds, QECBs, also known as quecbies. I have brought these up before, actually, in this venue, and these are bonds that are issued – well, they're guaranteed by the federal government. So what that means is that if Santa Fe County applied for these bonds that we could probably get two percent interest on these bonds. We could use this money to loan out from our Renew Santa Fe program. So this is a really important thing because, yes,

you can put this great program in place but where's the money going to come from? Well, this is one answer where it could come from.

Now unfortunately, our governor pocket vetoed the bill that was passed unanimously by our legislature that would allow us to request our allocation of these bonds. By the way, New Mexico as a whole is allowed to have \$21 million worth of these bonds. Santa Fe County alone could bet \$1.4 million worth of these bonds. So I believe that our chair has now sent a letter to our governor requesting a meeting so that we can ask that – all she has to do is do an executive order and we could get our hands on these bonds. So this would be really valuable for getting our Renew Santa Fe program going and I think that we are making progress. Thank you.

COMMISSIONER ANAYA: Madam Chair, on that point.

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Commissioner Holian, could those bonds be utilized to offset the cost of an individual putting solar panels on their roof or a wind generator where we would actually pay them a portion, half or more of the cost?

COMMISSIONER HOLIAN: I don't know that if that could be done. That might violate being able to give something to an individual. But we can – we are allowed to loan that money out and just to give you an example, in Boulder County they use their bonds for similar programs, for not only renewable energy projects but also energy efficiency projects, and they were able to bring the interest rates down from six percent to two percent for people. So that's huge, if you can get two percent money. You figure that you do an energy efficiency type retrofit and you're probably saving more money – if you're getting two percent money you're probably saving more money on your utility bills than you're paying for the loan.

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

COMMISSIONER STEFANICS: On this point, Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Madam Chair and Katherine, would this money compete with other County projects that we would need to float?

MS. MILLER: Madam Chair, Commissioner Stefanics, the issue would be what do we use to pay those bonds back. And we'd have to look at, number one, what we could get an allocation for. I know the theory is you pay it back with energy savings based on energy improvements but then we've also just had a rate increase. So we're already making up some of what we thought we would save in energy in some of our initiatives is being offset by rate increases right now.

So we'd have to analyze exactly what we could potentially do with bond proceeds and then what would – if there's a revenue stream what would it be to pay that back?

COMMISSIONER STEFANICS: But Madam Chair, wouldn't we still utilize the property liens that we had been talking about with the original program?

COMMISSIONER HOLIAN: Madam Chair, Commissioner Stefanics, this money could be loaned out. We wouldn't be paying the money back; it would be people who got the special assessment loans that would be paying the money back.

COMMISSIONER STEFANICS: But Madam Chair, Commissioner, okay, I have two issues. One is if people don't pay it back we are on the hook, because it's the County taking the money. The second question, or the question I really had was if the amount of money is appropriated to the state and we, Santa Fe County, are eligible for a specific amount, do those bond funds get used for other things, i.e., a senior van, i.e., building a courthouse? That's what I was asking our County Manager.

MS. MILLER: Well, I think, first we would determine, and I guess where Commissioner Holian and I are maybe on the same page or not on the same page, it depends on what the bonds would be used for. If you have individuals that would be going and accessing the proceeds to do improvements on residences and things like that, versus a County facility, then it's true that those are the individuals who provide the revenue stream and those bond proceeds could only be used for those energy improvements and it is a separate allocation of tax-exempt bonds, an allocation from the feds other than say, GO bonds that are tax-exempt that the state might issue or the County might issue. So it's a different authorization to issue tax-exempt bonds. And they give to those investors different incentives to buy those bonds.

But then you would determine what you want to get an allocation for and what you would issue them for. And then that would determine what would be paying them back, whether it's individual residents, commercial properties or whether it would be something that would be done on County property.

COMMISSIONER STEFANICS: Thank you.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Commissioner Stefanics, I just wanted to add that these are qualified energy conservation bonds, so they are to be used for projects that are related either to renewable energy or energy conservation, and not, say, senior vans and things like that. But either the County could use them directly and use them for County projects, or they can loan the money out. They can decide how they want to use it.

The other thing I wanted to add is if not all of the \$20 million that's allocated to the state is accessed by other counties that it would be possible for Santa Fe County to access that unused portion.

CHAIR VIGIL: I have a question, because I'm actually drafting a letter to speak with the governor in terms of whether or not she would be willing to consider Santa Fe County receiving their share of the allocation. I think it's under \$2 million.

COMMISSIONER HOLIAN: We have \$1.4 million that we could –

CHAIR VIGIL: Oh. \$1.4 million. If we are sort of granted this allocation, do we have to use it? Do we know that?

MS. MILLER: Madam Chair, I don't think that you have to use it. You could request the allocation, and obviously if we request it we ought to be intending to use it because we would then not be allocating it to someone else, so I think if we are going to request it we should have a pretty good idea of how we would move forward to use it. My understanding, and Craig and I have talked about this briefly, is that there isn't an agency that's very – because it used to be the ARRA office and they would have been the ones dealing with it and I don't know if that still exists because a lot of the ARRA things, the funding has been spent.

But typically, an agency would oversee the recommendation of the allocation of what you might call – I would call it volume cap of bond. How much is allowed for the state to issue. And I don't know if there's a specific agency at the state level doing that, so what Craig and I have talked about is if the governor's office is making that determination, is it the Finance Authority? Is it Energy and Minerals? I think one of the first things we need to ask them is the state making allocations? What agency would we apply to to request our allocation? And then is there any additional allocation? And then also what would we want to move forward in as far as doing a bond issue? What type of projects? Who would be those entities that would be eligible to apply for it, if not our own facilities?

CHAIR VIGIL: So, Katherine, with regard to your experience on that, if we are asking for our share of the allocation and that particular item was pocket vetoed, are we actually asking for a consideration of that?

MS. MILLER: Madam Chair, I think that might be one of the questions – could they reconsider that? Could they reconsider it at the special session? But I'm not sure if that's the actual issue.

COMMISSIONER HOLIAN: Actually, on that point, Madam Chair, there are a couple of ways that you can access these QECBs. One is by legislation, which in fact was passed and then pocket vetoed, but the second way is that the governor's office can just issue an executive order to access them.

CHAIR VIGIL: Okay. Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Katherine, wasn't that pocket veto for more than just the QECBs?

MS. MILLER: No.

COMMISSIONER MAYFIELD: It was just specifically for the QECBs? Thank you. And then Madam Chair, Katherine, on Chairwoman Vigil's point, are these bonds – do we have to reimburse them or are they just like stimulus money that's give to us?

MS. MILLER: Madam Chair, Commissioner Mayfield, what they did on a lot of the ARRA funds, and these were to do also with school construction bonds. They provided incentives to bring down – passed incentive to bring down interest rates if you invest in those bonds. So you're an investor, you buy a bond, you get some benefit from buying that particular bond. As an issuer of the bonds, all that states got was an ability to issue this type of bond. They just got an allocation of – New Mexico's was \$20 million. You can issue up to \$20 million of these energy bonds that have these benefits for the investor. You as the issuer determine whether you want to issue them for your own properties, and maybe we – to give an example, we went through and fixed up our own County properties, made them energy efficient in some way that qualifies to use these bonds, the investors' money, and let's say our energy bills drop. The idea is that you would take that difference, that savings, to pay them back.

And that's the same principle whether you offer those – the benefit is that you could offer them to individual residents or businesses to do the same and we're the conduit. We issue them and then they use savings to pay us and we pay the bond. So it's the same concept and that's essentially what they were designed to do to stimulate investors to invest in energy efficiency measures and get people to borrow at a lower interest rate to fix up their properties to be more energy efficient.

COMMISSIONER MAYFIELD: Thank you. Madam Chair, I don't know if we're going to vote on this or not. I'll support it. I just want to make sure we do not repurpose that money, that we use that savings and that we repay these bonds, because otherwise it's just putting another tax on the folks. I mean that's the way I look at it.

MS. MILLER: And Madam Chair, just to that point, it would just depend on what we want to issue the bonds for. If we did them for other entities it would be that we set up the payment stream from that to pass on, to pay back the investors, or whether we would do it ourselves. And that would be my only caveat is that before we ask for an allocation that we have a pretty clear idea of how we'd want to structure it.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, in support of the intent of Commissioner Holian, this bond proceed is very similar to the private activity bond cap that the state has, directly correlated to multi-family housing, for example. We have a capacity to issue bonds to build housing right now as a Board of County Commissioners, but we don't take on the obligation associated with those bonds. That obligation is given the opportunity to a private individual to carry forward that project. So I'm in support of accessing that allocation, because until you get the access from the legislative body and the governor then you have no potential at all to get that cheap money. So I support the concept. It doesn't bind us to do a County project or it doesn't bind us to do a private project, but it provides a portfolio of money that allows us to do so if we have a project.

CHAIR VIGIL: Okay. So, Commissioner Holian.

COMMISSIONER HOLIAN: I'm done, Madam Chair.

CHAIR VIGIL: Okay. I would just – if we're going to move forward on this, I think I do need a motion. I would suggest that –

COMMISSIONER HOLIAN: Madam Chair, this was just strictly an informational item.

CHAIR VIGIL: Oh. Okay. And I think the information –

COMMISSIONER HOLIAN: Madam Chair, there was a motion in the RPA to write a letter to the governor's office requesting a conversation about this, and I believe that has gone forward.

CHAIR VIGIL: Okay. I would just, because I was the signatory in that letter, Katherine, like to meet with you before that because I think you make a significant point, and that is when we're going to go ask for them we should know what the purpose of them is going to be. So I'm not sure whether the governor will be responsive to this because we may be the only County requesting this. I'm not even sure about that. You may have more information.

COMMISSIONER HOLIAN: Madam Chair, one thing that I am aware of is that Paul Gutierrez of the New Mexico Association of Counties would like to attend the meeting as well, and he would like to ask for this allocation on behalf of all the counties in the state.

CHAIR VIGIL: And as I represent Santa Fe County I believe we'd like to be real succinct in what we plan on doing with this, which would be with the purpose system in force. So I'll meet with you on that, Katherine.

**XIII. APPOINTMENTS & REAPPOINTMENTS**

**A. Appointment of Members to the Santa Fe County Valuation Protest Board**

MS. ELLIS-GREEN: Thank you, Madam Chair, Commissioners. The Valuation Protest Board consists of volunteers appointed by the BCC to hear property tax valuation protests. The board consists of two members and two alternates. One member and alternate must demonstrate experience in the field of valuation of property, and the other member and alternate do not need this experience. All seats on the Valuation Protest Board need to be appointed. Staff has advertised this position for interested applicants and have received ten applications. They are Roger Carson, Michael Hurlocker, Marilyn McEvoy, Robert Foland, Signe Lindell, Arnold Valerio, Honorio Andres, Gil Tercero, Anthony Tupler and Frank Katz.

The applicants meet the requirements of the statute, do not appear to have a conflict of interest. Having conducted phone interviews with the applicants, discussed experience, availability for the board's schedule and geographic representation staff recommends the following appointments: The member requiring experience, Roger Carson from District 5, the alternate, Signe Lindell from District 1, members not requiring valuation experience, Gil Tercero, District 2, and the alternate, Honorio Andres, District 3. Thank you.

CHAIR VIGIL: Questions?

COMMISSIONER MAYFIELD: Madam Chair, I moved forward to support staff's recommendations for appointment.

COMMISSIONER HOLIAN: Second.

CHAIR VIGIL: I have a motion and a second.

COMMISSIONER ANAYA: Madam Chair, just a question. Penny, where do they live? Where do these four people live? Do they live in the city? Do they live throughout the county?

MS. ELLIS-GREEN: Signe Lindell lives, I believe further north from city, Gil Tercero in the Agua Fria area, Honorio Andres, down in Edgewood, and Roger Carson I believe does live within the city.

COMMISSIONER ANAYA: Madam Chair, I'm supportive of the motion. I would just ask that as we have this come forward in the future that we take a look at trying to get the whole geographic as best we can, the geographic area of Santa Fe County represented. Thank you, Madam Chair.

CHAIR VIGIL: I have a motion and a second.

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

**XII. B. Appointment of an Alternative Board Member to the North Central Regional Transit District (NCRTD) (Commissioner Anaya)**

COMMISSIONER ANAYA: Madam Chair, I asked that this item be put on. I greatly appreciate Penny Ellis-Green's work, her continued work on the NCRTD. She has a vast area of institutional knowledge and expertise, but based on Commissioner Mayfield's routes – he has many, many routes in the NCRTD area, I would ask consideration and move for approval that he be appointed as the alternate member for the NCRTD.

CHAIR VIGIL: Okay.

COMMISSIONER STEFANICS: Second.

CHAIR VIGIL: I have a motion and a second. And I just would like, Steve – and I'm not opposed to this at all. I want to say that, but Steve, I did get some inquiries on this with regard to the process that we've followed. Could you identify that process for us? Just so that we gain a better understanding of how we need to move forward with this?

MR. ROSS: Madam Chair, this is governed by the intergovernmental agreement that we have with the NCRTD. They have a rather unusual provision under appointment of directors and official designees. It says – I'll just read it – the director or official designee – Penny has been the official designee – shall be nominated by the chief elected official and approved by the governing body of the member.

CHAIR VIGIL: You know what? That's – I was just going to say, Commissioner Anaya, the concern for me is that that's probably arguable. So I think that you should right now as we move forward with this appointment, what is the next step that we need to do? So that would be a concern for me with RTD and how do we comply with that?

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics, Commissioner Anaya.

COMMISSIONER STEFANICS: In the past, what happened is we did have to submit a letter to the RTD. They had to identify it as an agenda item and the RTD as a board had to accept the alternate, because we went through this before when I first became Commissioner Montoya's alternate, etc. So there was a little time lapse. But we had to send a letter.

CHAIR VIGIL: So after this appointment we'd have to draft a letter really quick, so that they could get that, correct? Is that part of the process? Commissioner Anaya, did you want to address that?

COMMISSIONER ANAYA: Madam Chair, just for clarify, I'm the representative for the County on the RTD and Penny's the alternate. And we appointed those members at the January meeting. I would like for Commissioner Mayfield to be the alternate. So are you saying that he can't be the alternate?

CHAIR VIGIL: No, no, no.

COMMISSIONER ANAYA: That we can't appoint, as a Board, today, him as the alternate?

MR. ROSS: No, not at all. Madam Chair, Commissioner Anaya, in order to comply with this – I'm not really sure what it means because we don't have a chief elected official nor are we a governing body. This was designed for municipalities and they didn't

make allowances for the counties that are a part of this. But may in order to – and I have an email here from Mr. Dwyer who is one of the counsels for NCRTD and he seems to be suggesting that we should be scrupulous about this. So what I would suggest, since we have a motion and second, that we get a nomination of Commissioner Mayfield from the chair and then vote on the motion. That should satisfy Mr. Dwyer.

CHAIR VIGIL: Okay. Would you withdraw your motion, Commissioner Anaya, and I'll make the same? Okay, well, the recommendation is that the motion come from the chair, so I'm happy to make that motion to have Commissioner Mayfield replace Penny Ellis as the alternate. But before I make that motion I need you to withdraw yours because – isn't that what you're asking, Steve?

MR. ROSS: Well, Madam Chair, it actually says a nomination.

CHAIR VIGIL: Okay. So I nominate Danny Mayfield as the alternate, and so that should have been done before the motion to appoint him. So I guess the nomination is on the record. The motion exists. I have a second. Is there any further discussion or any further clarification or direction you need to give us, Steve, on this? None?

MR. ROSS: None.

CHAIR VIGIL: Okay, then let's take a vote on this.

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

CHAIR VIGIL: Consent Calendar, I think you had a real quick question, Commissioner Mayfield? I think the only items on the Consent Calendar have to do with request you have. Shall we start with – you said you had a general question then we need to go items 2, 3 and then 9.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. Just so everybody knows, at our retreat recently we spoke, and I want to thank our County Manager. I don't know if there were some concerns, and I just want to address these with staff. There are times when I pull this stuff, or maybe this Board, but I'm going to specifically think about me, that I pull stuff of our Consent Agenda and a lot of the stuff that I'm pulling off is in the general summary notices or summary memorandums that you all send to us. I do read them. I do read all the technical information behind them. I just want you to know I have an obligation to the public also and I want the public to be aware of what's going on, especially if they're big ticket items or items that are of concern in the area that I represent.

Just to have it clearly delineated on the record of some questions. And you may very well just be repeating what's in the general summary memos that are coming to us, but the public doesn't always have an opportunity to see that record unless they go back to the meeting minutes. So just so everybody knows that. Please don't feel uncomfortable with me doing this. Mr. Gutierrez, I will say, he's great about coming and talking to me about certain issues that will be on the agenda and I'll say, Joseph, I'm still going to bring it up. So I think that's great. Thank you, Madam Chair.

A. 1, I know I didn't ask to pull this, but in light of the conversation we just had with some of these tax bonds and looking at this position for an FTE, I don't know if Mr. Pego Guerrerortiz is here, but as far as a new FTE for the professional engineer, and looking at the memorandum that was provided to us, when it says tax-exempt – I'm just reading a really



quick summary. Tax-exempt bonds including Cuatro Villas Chimayo project and the Cañoncito-Eldorado project, do we have a lot of multi-tax-exempt bonds for water projects within the county or are there just those two that we're going to be asking for a temp engineer?

CHAIR VIGIL: I think that's Ms. Miller's question.

MS. MILLER: First of all, I just want to be clear that this was not one of the items that was pulled.

COMMISSIONER MAYFIELD: Right.

MS. MILLER: Okay. You just wanted clarification. So there have been, relative to bond counsel, they tell you specifically if you want to use bond proceeds for staff there's very clear guidelines we have to follow, because they're term positions and they would only be able to work on bond projects. So it would be any of the things that we have sold or issued bonds for or are preparing to, but I don't think that there's anything in that category. It would be ones that we had sold bonds for out of the general obligation that this individual could work on and then they would have to block all of their time and everything. And we can give you the outline of what the bond counsel requires of them so you can understand how we treat it separate from other – the way other County staff account for their time.

COMMISSIONER MAYFIELD: So Madam Chair, Ms. Miller, there are more projects than just the Cañoncito-Eldorado and the Cuatro Villas Chimayo project.

MS. MILLER: On this one, no. I think right now under the general obligation bonds we've got the \$5, \$5.5 million on Cañoncito, the \$2.5 million that was allocated of which some of it between Chimayo and Cuatro Villas, but that's also regional, depending on whether they're ready to go, some of that could be on some of these other regional projects, and then the Eldorado as well.

COMMISSIONER MAYFIELD: And again, just help me out here, at least I'm familiar with the projects up north. At least I think I'm familiar with them. They have their own engineers on board. So are we duplicating effort by having the temp employee or are we just kind of making sure the process was done right? Because aren't those engineers they have on board, again, speaking of the northern projects, aren't they the ones that are supposed to do that project management and facility management of how all that's to be done? Because the way I read this, we can't be duplicating those efforts.

MS. MILLER: Madam Chair, Commissioner Mayfield, we still have an obligation on our side of it to make sure that those funds are spent appropriately, because they do have contractors, but that doesn't necessarily mean that they're following what's in the best interest of the County, to the County's funds. They're probably looking at it for the best interest of their entity relative to all their funds. We're specifically interested in County funding going into those projects that have – that are controlled by others. So it wouldn't be duplicative of their contractor's engineering work. It would be what we need to be coordinating with them relative to the County's interest, because we do take ownership of those assets as well, the portion that we pay for. And then – I don't know if Pego wants to add to that relative to some of the other projects but the Cañoncito one is pretty much – most of that's ours so it's a pretty big, full-time project in and of itself.

COMMISSIONER MAYFIELD: You've answered all my questions. Thank you.

**XIV. A. 2. Ratification of Change Directive No. 24 and Approval of Change Order No. 8 to the Contract Between Santa Fe County and Bradbury Stamm Construction, Inc., for Construction of the First Judicial Courthouse Project in the Amount of \$76,819.00, Exclusive of Gross Receipts Tax (Public Works/Projects and Facilities)**

CHAIR VIGIL: Your question, Commissioner Mayfield?

COMMISSIONER MAYFIELD: Thank you, Madam Chair, Mr. Gutierrez, again, I know that you've allocated a contingency amount of dollars for this project, the downtown courthouse. That was \$2 million, I believe.

JOSEPH GUTIERREZ (Community Services Director): Madam Chair, Commissioner Mayfield, the amount allocated, we have a contingency of \$2 million. We also have a grant from the New Mexico Department of the Environment for \$282,000 so that beefs up our contingency to \$2.3 million, \$2,282,000.

COMMISSIONER MAYFIELD: That's pretty much my question. Have we received reimbursement on that grant money for doing what we've done? What is the status on that?

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, the grant is for the liner system that we put into the courthouse. We're in the process of putting that in. We've incurred about \$125,000 worth of expense so we're putting in for reimbursement. As we move along with the project we will be putting in for reimbursement for that project for the liner system, so we would expect that we will receive the full \$282,000 within the next probably eight to ten months. But when they originally allocated money for the liner system we didn't have the grant so it came out of the regular operation, so that's why I say that we do have a contingency of \$2,382,000??

COMMISSIONER MAYFIELD: Madam Chair, Mr. Gutierrez, why is it taking so long to get that grant money back? You did this project even prior to the walls going up.

MR. GUTIERREZ: Madam Chair, there's still activities going on with the liner, so we haven't incurred those expenses yet. That's why.

COMMISSIONER MAYFIELD: But \$130,000 you have incurred?

MR. GUTIERREZ: Approximately, yes.

COMMISSIONER MAYFIELD: And you've put in for reimbursement for those dollars.

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, I believe we have put in for reimbursement. We're in the process of putting in for reimbursement.

COMMISSIONER MAYFIELD: And you're anticipating eight to nine months to get those dollars back.

MR. GUTIERREZ: We still have other activities. About ten months to get those dollars fully reimbursed back to the County.

COMMISSIONER MAYFIELD: So help me out here. Just doing the math, seeing the change orders that have come to us on this project, I don't know if the remainder of the \$2 million is going to sustain us for ten months. So if it doesn't are we going to be asking for general fund money to get there?

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, I have to date approximately, with what we have on the agenda for today and what you previously approved, about \$816,000 of requests, if approved, minus the contingency of \$2.3 million, we still have a balance of about \$1.5 million. So even if we didn't receive all of that reimbursement I would assume that we'll receive most of it, and we would still have a contingency of about \$1.2 to \$1.3 million.

COMMISSIONER MAYFIELD: Until the next change order comes to us.

MR. GUTIERREZ: Until the next change order comes. Yes.

COMMISSIONER MAYFIELD: Thank you. And Madam Chair, Mr. Gutierrez, can you just keep me a running tab of change orders with how much that we've gone done in contingency money, and then I'll probably stop asking you.

MR. GUTIERREZ: I will. Madam Chair, Commissioner Mayfield, I'll actually include that in the request in the packet.

COMMISSIONER MAYFIELD: And this Commission will get something from Finance when we need to JV that money back to us that we received from the federal government. Correct? As far as the environmental remediation money that you've applied for? The grant?

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, there is a County transaction and I assume that we would have to do a budget increase at that point.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. Those are all my questions.

CHAIR VIGIL: Any –

COMMISSIONER MAYFIELD: Oh, I'm sorry. We have to – I move for approval for –

COMMISSIONER HOLIAN: Second.

CHAIR VIGIL: I have a motion and a second for item XIV. A. 2.

**The motion passed by unanimous [5-0] voice vote.** [Commissioner Stefanics was not present for this action.]

- XIV. A. 3. Resolution No. 2011-133, a Resolution Authorizing the County Manager to Execute Documents Extending the Use of Office Space Located at 5 West Gutierrez Street, Suite 9, Santa Fe, NM, for the Northern Satellite Office in an Amount Not to Exceed \$5,000 (Public Works/Project and Facilities)**

CHAIR VIGIL: Your question, Commissioner Mayfield?

COMMISSIONER MAYFIELD: Thank you, Madam Chair, and thank you, Ms. Miller, Mr. Gutierrez. I've been trying to ask for a copy of the contract, of the lease contract for some time. I hadn't seen it. I guess my question – and I just want to put all rumors to rest. I've been told, Danny, you're moving our satellite office out. At least I now see that we're extending it for a few more months. I know there has been some concern of maybe where we're going to house our new voting site. I don't know, because I think our fire station is under construction I believe, in the Pojoaque area. I don't know if it will be completed by the time voting comes around. I don't know if the extension of this contract for five months after August will give us enough time to accommodate a new voting site.

I don't know, Madam Chair, Ms. Miller, if you've spoken with our County Clerk as far as any concerns as far as the voting site. But specifically, as to this property renewal, I've also heard that we're moving it to a community center in Nambe that hasn't even been completed. I've had other questions on that. So I'm just trying to find out what's going on with the satellite office in my area.

MARK HOGAN (Projects & Facilities Director): Madam Chair, Commissioner Mayfield, perhaps I can answer some of those questions. The extension of the time using the satellite office in Pojoaque is for the period to complete the construction of the Nambe center. We reviewed that. I spoke with the Clerk's Office regarding polling. It happens twice a year, November and I believe in March. The Nambe center really has not been the suitable place for new polling location, just given the proximity and it's off the beaten path. It would discourage voter turnout. So we're looking for an alternate site, preferably in the Pojoaque area still. We haven't gotten anything firmed up on that.

The existing office will serve through the end of the November election and then we'll have to have an alternate facility by March. The fire station has been used in the past. It's not really encumbered by construction; it's really more a matter of traffic control, people going into vote tend to park haphazardly because they're just going to run in and run out. That provides an obstacle for fire trucks if they have to have an emergency response. So we look at that and discuss it and thought that really is not a suitable, long-term solution so we're looking for another alternative.

COMMISSIONER MAYFIELD: Thank you. And Madam Chair, Mr. Hogan, if we're only extending it for seven months, how does that carry us through the next voting cycle? Because I'm seeing the extension is from August 31, 2011 for seven months.

MR. HOGAN: Well, the next voting cycle I believe is in November, so they'll be covered on that. So we're saying next March would be the next time we'd be needing to have a polling place.

COMMISSIONER MAYFIELD: But the next voting cycle isn't until June of next year. Am I wrong? Not this November. There's not a voting cycle this November.

MR. HOGAN: I'm actually mixing in the March and the June election. I was thinking it was a March election but I think that's June. By June then we would need to have an alternate polling site.

COMMISSIONER MAYFIELD: Or you all could come back asking for an extension for this lease again.

MR. HOGAN: That would be unlikely, because that would be the only activity that we would be extending the usage of that storefront property for, because by then we would anticipate moving the satellite office to the Nambe Community Center.

COMMISSIONER MAYFIELD: Thank you. Madam Chair, Mr. Hogan, just so you know, and I would ask the indulgence of this Commission. If we're going to move any satellite office, at least from the northern district, understanding I want to be fiscally responsible and save money if we can bring anything in-house to County-owned property I'm all for it, but I still would like to push this out to the public to let them know, what are your thoughts? Because a lot of folks might say, hey, Nambe is a little bit off the beaten path for us to want to access a satellite office. Just for what that's worth. Thank you, Madam Chair. That's all I have.

CHAIR VIGIL: Okay.

COMMISSIONER MAYFIELD: Madam Chair, I move for approval to extend this lease.

COMMISSIONER HOLIAN: Second.

CHAIR VIGIL: And this is we're voting on Resolution 2011-133.

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

COMMISSIONER MAYFIELD: And thank you for letting me know the Nambe center is moving forward in seven months. Thank you, Katherine.

**XIV. A. 9. Request Approval of Amendment No. 5 to the Contract Between Santa Fe County and Montgomery & Andrews, P.A. for Legal Services for the First Judicial Courthouse Project in the Amount of \$50,000 for a Total Contract Amount of \$428,000 (Public Works/Projects and Facilities)**

COMMISSIONER MAYFIELD: Thank you, Madam Chair, Mr. Gutierrez. I don't know if this is a question for you or Mr. Ross. Is this an additional amount of money again for just specific for this project? It's no secret that I have questions of contracted dollars that we do with law firms, with any firm and that we just keep, for whatever reason, missing the boat when we should be putting it out for RFP for what they're bidding we're always throwing more money after a contract, and I don't think we're going out for fair bid to allow all law firms to have a shot at bidding at a contract.

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, this is \$50,000 for Montgomery Andres and the scope of this service is for the courthouse specifically. I know that the whole contractual arrangement went through the legal process when it went out to RFP. It's anticipated from the project side – this \$50,000 was budgeted. It was the approved budget that the Commission approved in June, I believe. The County's budget. It's anticipated that this will be the last expenditure for legal fees for the courthouse project. We're in the last stages of the remediation and we're entering the final stages of the voluntary remediation program with the New Mexico Department of the Environment.

In addition, Legal has hired an attorney with experience in this area and we've also been using that person.

COMMISSIONER MAYFIELD: Thank you. Madam Chair, Mr. Gutierrez, what was the initial contract amount for Montgomery & Andrews on this project?

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, just for the scope of the courthouse, we've expended about \$235,000 to date for this project and we're asking for another \$50,000. Montgomery and Andrews has a larger contract for other services within the County. It's my understanding that they were used for Public Works and something else.

COMMISSIONER MAYFIELD: But excuse me, Madam Chair and Mr. Gutierrez, \$235,000 for legal services relating to the Santa Fe downtown courthouse?

MR. GUTIERREZ: That is correct. Over the last 2 ½ years.

COMMISSIONER MAYFIELD: For arguably the environmental concerns?

MR. GUTIERREZ: They all revolve around the environmental issues.

COMMISSIONER MAYFIELD: Now we're asking for an additional \$50,000.

MR. GUTIERREZ: \$50,000 for this fiscal year.

COMMISSIONER MAYFIELD: Madam Chair, I brought this up, I believe Commissioner Anaya has brought this up. Are we asking for any other support from the State of New Mexico, from the City of Santa Fe to assist us with this environmental mess that we took on to clean up for the good of the city and the state?

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, in a previous meeting I had with Commissioner Anaya he did bring up that point. We will be meeting with the New Mexico Department of the Environment and we will discuss that item with them. We have brought that item to the table with them before. They disclosed the terms of the amount that they had spent on this project but we will query them in terms of any additional financial support that we can be reimbursed for for this remediation process.

COMMISSIONER MAYFIELD: Thank you, Madam Chair, Mr. Gutierrez. We also have mechanisms in place to kind of keep that groundwater clean for the future, right? We have some pipes that we put in there that we're going to monitor the water quality?

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, that is correct.

COMMISSIONER MAYFIELD: So will there be a reoccurring expense that's going to be built into this?

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, not on the legal side, no. This \$50,000 will be the last this fiscal year. There are some monitoring efforts and testing efforts and that's going to come to the Commission a little bit later on the agenda under the Public Works Department. That's our contract with our environmental firm Intera.

COMMISSIONER MAYFIELD: Thank you. And Madam Chair, Mr. Gutierrez, last question. What do we need this \$50,000 for? What else do we have to on this issue?

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, we use their legal expertise to work with the New Mexico Department of the Environment. We have a conditional approval in the voluntary remediation program, which is a huge undertaking by the County, given the amount of contamination we have on the site. Now we're going to our final approval, so the final plan needs to be drafted and worked out with the New Mexico Department of the Environment and their legal staff so that's where we'll be using this attorney's legal services for.

COMMISSIONER MAYFIELD: Thank you, Madam Chair and Steve, you have an expert on your staff under environmental law, don't you?

MR. ROSS: Madam Chair, Commissioner Mayfield, yes. She's taking over most of these activities. Unfortunately, she's out on sick leave right now, but when she returns –

COMMISSIONER MAYFIELD: But the County does have an attorney that has this in their repertoire.

MR. ROSS: Yes. She has extensive experience over at the Environment Department and she has been taking over these duties over the last year from Montgomery & Andrews.

COMMISSIONER MAYFIELD: Okay. Thank you, Madam Chair. That's all I have.

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I already asked staff a lot of the questions similar in nature to Commissioner Mayfield's questions. The question I didn't get a clear answer on that Commissioner Mayfield just asked was of this \$428,000 total contract, what was the initial contract that this firm had prior to be increased. It's \$428,000 now. Where did it start? What was the amount that it started with? Don't separate the courthouse, just tell me total how much did we have a contract with this firm for and then subsequently what has it grown to, the \$428,000?

MR. GUTIERREZ: Madam Chair, Commissioner Anaya, I don't have the actual amendment so I can't speak to that. I think you have the amendment in the packet. That shows the initial contract and it will show the amendments to that. So that will show you the amount that's been allocated.

MS. MILLER: It was initially awarded in March 30, 2009 for \$95,000, and these are multi-year. We only add the money each year. But the original contract award was for \$95,000. That would have been for probably the remainder of that fiscal year and then something into the next. But that was the initial award. What we typically do when we award them we only award the first year of expenditure even though we do a solicitation for multiple years and then we add the money as each year goes by.

COMMISSIONER ANAYA: Madam Chair, Ms. Miller, thank you for that clarification. I have concerns, as Commissioner Mayfield has brought up on more than one occasion similar in nature with other agreements, especially some of the add-ons, I would call them, that we do over time, changes to the scope of work. We've had discussion on procurement items where in some cases we have maintenance personnel. They used to have allowances to be able to go and get plumbing parts to be able to do repairs on our housing units, for example. And we've clamped down on some of those aspects of what they can and can't acquire to purchase goods to do work. But yet on the other hand I don't see that same tenacity on some of the larger-scale contracts that get up into a lot of money. So I would just ask for some consideration and review of those and discussion as a Commission as to how we're adding on to them and how we're initially approving them and what those scope of work items are.

I actually, to clarify that point, would actually like to see a little more latitude for some of those people, especially our staff that day in and day out that need materials that are

having to go get three quotes every time there's something over \$500 but yet on the other hand we have thousands of dollars of legal services that we do on a change order. So maybe some balance in there. But I appreciate very much the comments and questions raised by Commissioner Mayfield.

CHAIR VIGIL: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you. And Madam Chair, Mr. Gutierrez, Commissioner Anaya just made me think of something. Why do we need to spend \$428,000 to a law firm for something we know we have to address. The City is well aware of the environmental mess. We're well aware of the environmental mess, that we've cleaned up. The state is well aware of it. So what is the law firm doing for us that we need to pay them \$428,000? Is somebody suing us? Are they helping litigate a case for us? Are they helping us secure more money? Help me out please.

MR. GUTIERREZ: Madam Chair, Commissioner Mayfield, my general comment would be that they're limiting the liability exposure for the County, given the remediation- give the contamination on this site. I think we've pulled about 30,000 gallons of gasoline in the area so there's a lot of exposure there, but I would defer to our County Attorney to give a more specific statement to that.

MR. ROSS: Madam Chair, Commissioner Mayfield, there's an extremely complicated and difficult regulator issue underlying the courthouse construction. I daresay without the services of this law firm we wouldn't be constructing the courthouse on that site. There's an extremely high level of difficulty involved in cleaning that up, on both a physical basis and a regulatory basis so a building can be constructed there. So it's a lot of money but it's, in my view, money well spent because without these services we wouldn't be building there.

COMMISSIONER MAYFIELD: Thank you, Madam Chair and Mr. Ross. But were those state hurdles? Were those federal hurdles? It seems like we're paying money to argue something with the state for a mess that we are cleaning up for the good of the state, for the good of the county.

MR. ROSS: Madam Chair, Commissioner Mayfield, it's both actually, federal and state, legal issues that arose out of this. Two years ago I don't think you would have had agreement, for one, from the Department of the Environment that this site needed to be cleaned up for the good of the city because it didn't score high on their priorities, and that was part of the initial battle was to get them to reprioritize this project to a higher level so they could address. That was an example of just one of the regulatory issues that all of us had to confront.

COMMISSIONER MAYFIELD: Thank you, Steve.

MS. MILLER: Madam Chair, if I could add to that, the state is participating in the cleanup. So that was part of it. It's not completely the County. They actually have monitoring wells, but as Steve said they were not a party to the actual cleanup and part of these legal services will help to bring both parties, the County and the state, together to do the cleanup jointly. So they're incurring part of the cost as well.

COMMISSIONER MAYFIELD: Thank you. So it wasn't to defend us against the state.



MR. ROSS: Madam Chair, Commissioner Mayfield, in part. One of the initial subjects of the discussion with the state was where did the gasoline come from? So in part, yes. We felt we had some potential liability that we had to backstop.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. Thank you. I'll ask somebody else to move for approval, Madam Chair.

COMMISSIONER HOLIAN: Madam Chair, I move for approval.

CHAIR VIGIL: I have a motion. Is there a second?

COMMISSIONER STEFANICS: Second.

**The motion passed by majority [4-1] voice vote with Commissioner Anaya casting the nay vote.**

CHAIR VIGIL: If the members of the Commission will bear with me, I've had a request. There are some senior services staff here who actually have to leave. If it's okay with you all we have a small presentation and it's item XV. B. 1, Senior program status report.

**XV. B. Community Services**

**1. Senior Program Status Report**

RON PACHECO (Senior Services Director): Madam Chair, Commissioners, thank you very much. Thank you for allowing us to come before you. We do have staff here so I'm glad that you were able to allow us to speak a little ahead of our time.

I would like to begin, as Teresa passes out the information we're going to present to you today [*Exhibit 2*] a brief update as it was noted in the amended agenda. I want to begin as I give you an update on the first two months of Santa Fe County's administration of the senior program. I think I would be remiss if I didn't start out by at least, Commissioners and Madam Chair, thanking many people in the County who have brought us to this point. Certainly the leadership of the County Manager, the Community Services Department, the Finance Department as well as Human Resources and the Health and Human Services Office who have really been helping us out through this process. As you may recall, as we were getting staffed up early on we had staff from all these departments who have stepped up and helped us as we were hiring individuals. So I want to make sure that we recognize the leadership in those departments who allowed their staff to help us.

We are very near being fully staffed. We have about two or three positions that are just waiting to get on board, so we're almost where we need to be in staffing the senior program. I do want to let you know that it's been about since July 1<sup>st</sup> – as of tomorrow it will be two months since Santa Fe County has been administering the senior program, which consists of the six senior centers. You will recall we started out with one senior center. We added five that the City was administering on July 1<sup>st</sup>, and for the past 60 days we have been faithfully working.

I would like to begin this informational process by recognizing your new staff who have come on board in the last couple of months, and I can tell you, Madam Chair and Commissioners, that one of the more challenging things we've addressed in this process is

bringing staff on board, because in many cases we went back and we advertised, or we went back and did second rounds of interviews and third rounds of interviews, and the reason behind this is we wanted to make sure that we had the best people on board to carry this program forward. And as I look out into the audience into the staff that we have hired I can tell you with the utmost of confidence that because of the staffing you've allowed us to hire we feel very strong that we're going to be able to carry this program forward.

I will start by introducing Teresa Casados, who's our program manager. Teresa, if you'll stand up. Teresa has just come on board and we're so happy to have her. I can't tell you how happy I am to look out and see Teresa because she is a welcome sight. I also want to recognize Jewel Pacheco, who's our secretary. Jewel, if you'll stand up. In this last couple of months, without Jewel I would have definitely been drowning, so I'm so thankful that Jewel has stepped up in this interim process and carried us through.

We've hired a new clerk. Her name is Lula Wilson. Lula came to us from private industry, Commissioners, Madam Chair. She's been fantastic already. We're so lucky to have her on board. I want to welcome Andrea Romero, who's also with us here. Andrea came to us from the Assessor's Office. We want to thank the Assessor's Office for letting us have Andrea. In the few days she's been with us she's already been a tremendous asset to our program as activities coordinator up north.

I'd like to recognize our drivers. I have three of them who are here with us. I have David Lucero, Saul Carta, Jonathon Pacheco and Andrew Romero. If you'll all stand up. This is an incredibly strong transportation team that we have as I can tell you, in many cases we went back and did second interviews to make sure we had the best of the best, and we have them. So these are the gentlemen who are now helping us deliver meals on wheels, as well as helping transport 800 seniors in the last two months. So we're very thankful to have them.

I want to recognize our cooks. We have six of them throughout the program. They are Carol Boroques. Carol comes to us in Edgewood. Carol has been fantastic. We're very lucky to have her. We have Marietta Trujillo, who's working at El Rancho. Marietta is also a fantastic talent. We're very lucky to have her. We have Jessica Montoya, who's a new County cook in Chimayo. Jessica is fantastic as well. We feel very lucky to have her. In Rio en Medio we have Gerald Jimenez. If you'll stand up Gerald. Gerald has been helping us out in Edgewood as we get fully staffed there. And not here today is Josie Atilano. She's a cook in Santa Cruz and Josie's fantastic as well.

There are a couple of people I'd like to recognize as well who are with us, and one of them is our cook in Eldorado, Sally Connolly. Sally, if you'll stand up. Sally came to us as a member of the program and she was such a great cook we hired her. So we are so lucky to have Sally in Eldorado as our cook. Cindy Barreras is going through rehab. We hope she'll come back to us. And I wanted to recognize somebody who's been a tremendous asset to the program. This is not a paid staff, Madam Chair, Commissioners. This is a person who has really helped me get to where I'm at. Janet Altman. Janet is an incredible asset to our program. She is from Eldorado. She sits on the board, the City-County joint board of directors, which will now be the County board of directors. She also has been instrumental in establishing the fantastic garden that we're eating food out of today out in Eldorado. And I wanted to invite Janet to come forward just to say a couple of words, and I know she has some photographs she wants to share with you. But Janet has seen this from before I came on

board to right now. I just wanted to give her an opportunity to give you a brief update if you'll allow me that, please.

CHAIR VIGIL: Welcome, Janet.

JANET ALTMAN: Thank you, Madam Chair and County Commissioners. As you know, the Ken and Patty Adam Senior Center was started by Ken and Patty Adam, because they had a vision of a need in the southeast sector of the County for seniors having a place to come, have a meal, having transportation, having an opportunity to do arts projects and have exercise programs. And those were types of things I saw there was a need for in other areas of the county. I was so happy that this division between the City and the County transpired, because I think that those needy individuals in all sectors of Santa Fe County will now have a chance to have concerned people like our drivers and our cooks, who will interact with them.

As we know, the population in Santa Fe County is aging. I'm one of them. But there's a need to make sure that these folks have quality of life and social opportunities. Because that is just as important as having a meals on wheels delivered to them. But I wanted to thank you for the help that you've given to Eldorado and the support that you've given to Ron Pacheco and other members to make this happen. I know that the seniors are looking forward to it. We're looking forward to expanding our various projects and I will leave with you photographs of our hoop house. We had a hooping it up event the 21<sup>st</sup> or so of May where a bunch of volunteers, plus the horticulture teacher from Pojoaque and a couple of young kids from a junior high in Pojoaque and some other volunteers, we put this thing together. A garden is growing, the squash are pleading to get out of there. They're starting to migrate and we're starting to reap our harvest. So thank you for the opportunity to speak to you and thank you for all of your work.

CHAIR VIGIL: Thank you.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair, and I think that the hoop house when it was little, and now when it's big has provided a lot of fresh fruits and spices, fresh foods and spices for our cooking. So I hope that we're going to be able to replicate this other places. I don't know why the rabbits didn't eat their vegetables when the rabbits ate all my vegetables. But I'd like to bring to the attention of Ron and some of his staff. We have many areas of the county that are not covered yet with senior services. And we do have individuals who are in need of service. People call and say, I really need to get to the store once in a while. I need a ride to the doctor, etc. Commissioner Anaya and I have talked about having 14. We hope that that will be kept on the front burner. I'm sure that several other Commissioners have areas that they'd like to see addressed as well.

So could you just talk briefly about what we're doing now for individuals who are in the county who are not near a senior center?

MR. PACHECO: Madam Chair, Commissioner Stefanics, I've stood before this body before and said that we were going to evaluate for a year before we tried expansion, but I have to admit to you that there have been several cases recently where we have been forwarded names of individuals who are in dire need of a hot meal, Madam Chair and Commissioners, and we have added those individuals. And it's not very easy to say no, and we have a hard time doing that, but it's only because we have very closely monitored our

budget and we feel that we can expand services to those individuals, we have added about four to six individuals that we currently have in our service area, Commissioner, and they have been added and are being provided services.

In other areas, and I'll give you an example, I know right now that in the Madrid area of the county there is a need for service. Just this week and in past weeks Steve Shepherd and myself have sat and talked about our plan for the future of bringing forward to this Commission an area where we feel on Highway 14 we can establish a center and serve that area. Madam Chair, Commissioners, not only Madrid, not only Cerrillos, but the Madrid area, the Highway 14 area is definitely in an area that we need to serve. I know that there was a time at the City where we were using a County facility to provide some services, but they weren't hot, delivered meals.

So we are well aware, Madam Chair and Commissioners, that all areas of the county need increased services, especially the Highway 14 corridor that pertains to Madrid and Cerrillos and we're planning a capital request to make that happen. There are other things that we're going to request very soon and one of them will be additional part-time staff, because one of the issues that we're having now, Madam Chair and Commissioners, is that when I have volunteer meals on wheels drivers who are fantastic 90 percent of the time. There's a ten percent of the time that it's proven to be a bit of an issue and 10 percent problems will not work for us. So our plan in the future is to bring on board part-time meals on wheels drivers to be prepared to cover for volunteers who are doing it now. And this is out of Eldorado.

There have been a couple of cases where I have not had volunteer drivers and I've had to pull staff off other projects to get them to do those routes. So I think down the road as the program expands we're going to look at more staff to address some of these problems and pull back on volunteers because although the volunteers have been incredible to our program and we need them desperately, when it comes to guaranteeing hot meals on a daily basis we may need to make sure that that's covered by staff. This is an issue that we're looking at in the future we may see a need to address it that way.

COMMISSIONER STEFANICS: Madam Chair, on that point, Ron, all of us communicate with our constituents in different ways – townhall meetings, electronic newsletters, other ways, so if there is a specific need for volunteers in certain areas, I'm sure that all of us would be happy to advertise that. Now, whether or not that creates a solution, I don't know, but certainly until we can get to any budgetary issues, perhaps that's another way we could help. Thank you very much, Madam Chair.

CHAIR VIGIL: Okay. Anything else? Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, staff, inclusive of Mr. Gutierrez, Mr. Shepherd and the entire staff and all of you that are here, thank you as staff for doing what you do every day. And to the seniors that participate in the programs that are at these centers throughout the north and throughout Eldorado and Edgewood and our meals on wheels, it's not services that I see we're providing. I see these services as things we owe to those seniors throughout Santa Fe County. And I would add that I appreciate the comments on 14, but there's other communities – La Cienega, La Cieneguilla, Agua Fria, Glorieta, and others that we've continued to progress.

I'm ecstatic to be part of the Commission where we actually have got to the point where the last Commission took that step prior to my sitting here. I've said this before, but

I'm proud to be part of it now and will sustain and work to expand and support those services throughout all the communities. Did I mention Agua Fria as well? But we owe it to the seniors and it's exciting to see the work of staff and the work of those centers and what happens day in and day out. Thank you all and welcome to Teresa and the new employees that were hired on as well.

MR. PACHECO: Thank you, Commissioner. I might add that every day, every weekday and on Fridays for weekends, this staff steps up and does it all over again. So I'm confident reminding staff you did a great job reminding staff. Let's come back tomorrow and do it again, because if they don't show up there's always a risk that a hot meal may not go out, a doctor's appointment might be missed, and this staff knows very well how important it is. So that's why I'm so happy to stand before you representing the staff that really understands the need and the challenges ahead of us. So thank you for that, Commissioner.

CHAIR VIGIL: Ron, would you have your entire staff stand up for a round of applause for the work that they do.

MR. PACHECO: Thank you.

CHAIR VIGIL: Thank you, and I just want to add I appreciate Commissioner Anaya bringing forth Agua Fria because I'd like an update on that. There actually was some funding. And it doesn't have to be given to me now unless you have something you're burning to tell me.

MR. PACHECO: Yes. I have something I'm burning to tell you.

CHAIR VIGIL: Okay. Tell me.

MR. PACHECO: Commissioners, when we were negotiating this transition one of the things that was very important was that the traditional Agua Fria Village was considered Santa Fe County although it lies within the city limits. So at the time of the transition we agreed with the City and the City was willing to do this, that the City would continue serving the traditional Agua Fria Village on a daily basis, because there were many meals on wheels clients who are receiving services at those locations, and I didn't have a center where I could cook meals and get them delivered in a time that would meet requirements. So the City was kind enough to continue serving the traditional Agua Fria Village and getting credit for those units of service that they get on an annual basis.

So in the future there's a potential that we would decide to take that over and if we open the Rufina site down the road, that would be something we would consider. But I think we can rest assured that at this time the traditional Agua Fria, in terms of home-delivered meals and transportation is currently being served by City services, and we thank the City for doing that, and that's how we handle that issue right now. As I mentioned, Madam Chair, down the road we may choose to take that responsibility since Agua Fria Village is ours, but at this time we have agreed to let the City serve those clients, and that's how we're handling that.

CHAIR VIGIL: Thank you very much, Ron. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, on that point, Mr. Pacheco, any person that lives in Santa Fe County of our seniors can walk into any senior center, whether they live in Stanley and want to go to lunch in Santa Cruz or vice versa. And I think that's something that's important as we go through the process, that we continue to make people aware of that, publish it on the website and do as much as we can so that those communities that don't have a center yet – and I emphasize the yet, because I want to work with other

Commissioners to change that over time, that they're able to go to any center and partake in the events and the lunch and all the other events that go on at the centers.

MR. PACHECO: Madam Chair, Commissioner Anaya, thank you for making that statement. I can tell you now that we're encouraging our monthly trips to be between centers. So there are county seniors that are coming into the city and going to other county centers for visits, because as you said, we don't make distinctions by center. A senior can go to any center, whether it's the City, the County, the State, and enjoy the benefits of that program, and we do encourage that, Commissioner. We'll make sure we get the word out. Because what we're encouraging centers to do is to go from Edgewood, to Eldorado, to Chimayo, because we're all part of the same team and we all work together.

So that is happening and we are encouraging it.

CHAIR VIGIL: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you, Madam Chair, Mr. Pacheco for all you do and welcome to all your new staff. Ron, the Rufina Center, the City – we're not servicing those folks down there?

MR. PACHECO: The County, Madam Chair, Commissioner Mayfield, is not provided the home delivered meals in the traditional Agua Fria Village area, which would have been served out of Rufina had we opened Rufina. Rufina is considered a County site because it sits right on the corner, and at the time of the transition, Madam Chair and Commissioner Mayfield, we felt that the City was already in place. Those clients were already being served and the City was already receiving credit in terms of units and state and federal money, so we kept it with the City in terms of continuity.

So we do – the traditional Agua Fria Village does include the Rufina site, however, we are not operating that site and at the time the City wasn't either. They were taking a few hot meals and dropping them off. But there are many meals on wheels clients who live in that apartment complex who are receiving home-delivered meals daily from the City, and transportation.

COMMISSIONER MAYFIELD: Madam Chair, I know this is your area, but on that point, couldn't we take that center over if it's not being operated, in operation, and get those credits from the feds?

MR. PACHECO: Madam Chair, Commissioner Mayfield, we certainly can. And down the road we will evaluate doing that. As we made a decision to move the transition along, we didn't have the funding to open that center. We didn't have the funding for staffing that center, considering it's such a small amount of service going in for congregate meals. There might be ten to twelve home-delivered meals that go out there and at the cost/benefit analysis, Madam Chair, Commissioner Mayfield, we made the call to go with the City at this time.

So every year we can relook at it and decide to invest the money in Rufina, open that as a center, hire a driver, get a van, do some transportation and home delivered meals, but we wanted to take on the six centers we had, and then look at going after the first year. So Commissioner Mayfield, with your direction, Madam Chair, we could move in that direction down the road.

COMMISSIONER MAYFIELD: Well, I'll defer to Madam Chair on that direction.

CHAIR VIGIL: And I think what actually happened was there were some dollars allocated that were reauthorized, just based on the fact that we didn't have the full funding to take over that, and that made sense. I think in practicality we really shouldn't take it over until we are able to fully fund it. In the meantime the best way we can service that community would be through meals on wheels. But I do see Rufina site as a potential site for servicing, and I also think it's one of those sites that will have cross impact benefit to the City and the County because on one side of the road there's the city and the other side is the county. So that may be something that needs to be worked out. And I look forward to assisting those people in this area. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Well, I just want to say a big thank you to you, Ron, and to your staff for all the hard work that you do, and I want to say a special thank you for sitting down and having lunch with Dodi and me the other day. I could really see how important our senior centers are in our communities and it's vital that we support them.

And I can also attest to the fact that Josie makes really good frito pies.

MR. PACHECO: Thank you, Commissioner, Madam Chair. Thank you for the recognition, but I must admit that's it because you have such a great team standing behind me that we're able to deliver that.

COMMISSIONER HOLIAN: And I just wanted to ask about Glorieta. Can the people in Glorieta – is there a senior center in Pecos that the people in Glorieta can access?

MR. PACHECO: Madam Chair, Commissioner Holian, I will reassert to you that we do not distinguish between boundaries for senior centers. So the seniors from Santa Fe County could easily in the Glorieta go into Pecos and participate in that program. But I'm very pleased to tell you that Jonathon and Saul, two drivers behind me, on a weekly basis, go into Glorieta, pick up four or five ladies who choose to come into town, and we bring them in on a weekly basis. So we are currently serving the Glorieta area just as it goes into San Miguel and we have made the commitment to those ladies and I can tell you that I got a call from them about three weeks ago thanking us for the continued service and requesting a trip to the fair.

So yes, we are serving Glorieta, because I know those ladies personally. It's been a great joy to have them in our program.

COMMISSIONER HOLIAN: Yes, that's terrific. So how do we sort of make people in Glorieta know that this service exists? Or do you think it's just getting around by word of mouth?

MR. PACHECO: Well, I think we need to make an added effort in posting information in the Pecos Senior Center, and our drivers are already trying to do their best to get the word out. I know Jonathon's doing a fantastic job with that. So we're going to do a newsletter. Once we're able to knock off the operational thing, which we seem to have going, we're now tackling administrative issues, and one of them will be getting out a newsletter and information so that people in San Miguel, the Pecos area, know that they're welcome to participate in our program, and that we will deliver them if they're in Santa Fe County.

COMMISSIONER HOLIAN: Thank you very much.

CHAIR VIGIL: One more question, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, one point, Ron, and maybe you have somebody on board, but I know a lot of the seniors have spoken to me about

program coordinators. I don't know if there's funding for it or not. Maybe Ms. Casados, that's her role, I don't know if it is, but a lot of folks have said things.

MR. PACHECO: Madam Chair, Commissioner Mayfield, I'm so thankful to tell you that just this week we started Andrea Romero. She is our activities coordinator up north. She's already been a big hit, and we're working on getting instructors hired now. We wanted to get our coordinator on board before we started with weaving, tin works and other instructors that the County does have budget for, so now that Andrea's on board, Commissioner, I believe those centers up north are already benefiting and I know that the ladies have started to treasure her because she's been there for the last two days and she's come back with a smile on both days. So I think we're on the right track.

COMMISSIONER MAYFIELD: And Madam Chair, I don't want to make her travel far but I'm supporting down south activity coordinators also.

MR. PACHECO: We will be bringing on that coordinator, Commissioner Mayfield, Madam Chair, by the beginning of next week, I believe, and they are equally looking forward in the southern part of the county to have that person on board and she's been hired.

COMMISSIONER MAYFIELD: And Madam Chair, I know we've got to get going, but can you give a real quick, one-minute update on the Rio en Medio progress, as far as what's going on please

MR. PACHECO: Madam Chair, Commissioner Mayfield, I can tell you that Rio en Medio is moving along beautifully. The actual structural changes have been made at Rio en Medio. I believe that by the end of next month that project is scheduled to be close to completion and it looks like they're right on schedule, Madam Chair, Commissioner Mayfield. So I believe that by the end of September, certainly by the end of the middle of October we should be back and running, and Gerald, who's here behind me, will be back at his center running that program, and the work looks great. The center is already increased in size, the kitchen, and we have some new equipment for that kitchen, Madam Chair, Commissioner Mayfield, and I believe we're on schedule to complete that project as it was bid out.

COMMISSIONER MAYFIELD: And it's completely closed and it will be reopened.

MR. PACHECO: It is completely closed and it will be reopened completely. And we need that site because once they finish the kitchen, Madam Chair, Commissioner Mayfield, they'll move over to our storage facility, which is adjacent. We'll have a walk-in cooler, a walk-in freezer and plenty of dry storage to serve all six centers in the County program.

COMMISSIONER MAYFIELD: Thank you, and thank you for all the great work you do.

MR. PACHECO: Thank you.

CHAIR VIGIL: Ron, thank you very much.

MR. PACHECO: Thank you for all your support.

CHAIR VIGIL: Members of Santa Fe County Senior Services, thank you. Onward ho. Do your best. Thank you for being here.

Now, I know that we have tried to make the item on redistricting to occur around 4:00 and it's after 4:00. Is this probably a good time to hear it?



MS. MILLER: Madam Chair, I think it would probably be a good time. Our target was to try between four and five, so if you want to go to that now I think that would be fine, and then get back to the other items.

CHAIR VIGIL: Okay. We would go into Finance and then a memorandum of agreement, but I know that we have tried to allocate a four and five o'clock time. We need a five minute break.

[The Commission recessed from 4:15 to 4:35.]

**XV. E. Matters From the County Manager**

- 1. Request Authorization to Publish Title and General Summary of Ordinance No. 2011- \_\_\_\_, an Ordinance Adopting the Santa Fe County Redistricting Plan, Amending Ordinance No. 1989-10, and Repealing Ordinance No. 2001-13, to Reassign Precinct According to the Five Commission Districts, in Accordance with the 2010 US Census and According to County Redistricting**
- 2. Redistricting Update**

CHAIR VIGIL: We'll reconvene this meeting and move on to item XV. E. 1. Mr. Wright.

MS. MILLER: Madam Chair, could I just state on thing? This is just requesting authorization, so there is no ordinance number yet. We also don't have a specific set of how the redistricting would look but in order to stay on the schedule of when you would have your public hearings, we just have to make sure we have the authorization. So that first item is just to request authorization to publish title and general summary, and the second item was to just talk about the different options.

CHAIR VIGIL: Okay.

MS. MILLER: And it's not a public hearing – it's not one of the official public hearings although the public can comment. It's just our regular discussion.

CHAIR VIGIL: Thank you, Ms. Miller. Mr. Wright, it's all yours.

ERLE WRIGHT (GIS): Good afternoon, Commissioners. The first item is just again, as Katherine explained is just to publish title and general summary and looking towards actually having the first public hearing at your second meeting in September. So we're now – this ordinance actually does list precincts in it right now, and it had to do that, but these are just merely placeholders and they're based on option A, just for your information. What we'll do is when a plan is selected and then you formally adopt that plan, by the course of doing that ordinance, we'll amend it with the actual precinct numbers that correspond to that particular option that the Board selects, if that makes sense.

CHAIR VIGIL: Let me ask a question for clarification. Before I actually look at adopting a plan I want public input. How are we affected in this process with that? Adopting not per se, but adopting for discussion?

MS. MILLER: Madam Chair, in order to – just like any ordinance, in order for us to meet all the times for announcing it and having a hearing for public input, we have to first do the request to authorize publishing title and general summary. But we have to at least have something in there. That's what Erle was saying. So as a placeholder we put – here's

generally what the option will look like, so that's option A, but through the course of the public hearings, as with any ordinance where you guys make amendments or changes to it, relative to staying within that general summary, anything that you pick relative to moving some precincts around would just be basically would then go in the final ordinance for adoption. So we still have discussion going on and as you narrow it we can keep changing the options to the ones that you finally adopt.

CHAIR VIGIL: I see.

MR. WRIGHT: So that's essentially our action item here is to seek authorization for title and general summary on the redistricting ordinance.

COMMISSIONER ANAYA: So moved, Madam Chair.

COMMISSIONER STEFANICS: I'll second.

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

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

COMMISSIONER STEFANICS: So, Madam Chair, I'd like to clarify. We will have final proposed plans on September 27<sup>th</sup> and October 11<sup>th</sup> with public hearings and vote on October 11<sup>th</sup>. Is that everyone's understanding? So that the public is clear that we want their input as much as possible? Thank you very much.

CHAIR VIGIL: And I would just underscore that by saying, that's my understanding, unless we need further public input. Okay. Did you want to explain the options?

MR. WRIGHT: The next item is actually the options and you'll notice there's actually – I've included in your packets the original three options we looked at on August 9<sup>th</sup>, and let me just explain. There's eight additional options now. There's a B-1 and B-2 option, which is essentially again variants of option B that was presented on the 9<sup>th</sup>. And the variation or the request was to look at option B without moving precinct 12 and essentially causing a split of the La Cienega community, and I can bring up that map if you want to see it. So there were two takes of doing that with option B.

There are four option Cs, option C-1, C-2, C-3 and C-4, that again looked at a request of Precinct 17, which is the Galisteo and Stanley precinct, actually not moving into District 4 as it was presented in the original option C. And then the last two options that you have that are new today are options D and D-1, and these two options looked at essentially the precincts there in between Agua Fria, Airport Road and Lopez Lane, would be Precinct 64 and 67. I'm actually not moving those into District 2. So there were two takes on that. One of them tried to make all the changes within the city; the other one actually pushed out into the county. So option D directly ended up not splitting the La Cienega area but it did end up by the nature of trying to balance the population, of splitting up the Eldorado area. So precincts 69 and 71, which is essentially the east side of Eldorado proper, if you will, moved from District 5 into District 4. And that was directly under option D.

Option D-1, that changed, rather than doing it in the county it actually pushed District 4 kind of into the triangle between Cerrillos and Rodeo Roads. So there was actually a total of five precincts that again went from District 5 to District 4. So that in a nutshell is kind of the D options. I can go back and explain B-1 and B-2. I don't know how you want me to

proceed with this. If you want me to step through each option and explain it, or if you just want to open it up for questions at this point.

CHAIR VIGIL: I think with – was there a D-2? Maybe you could summarize that.

MR. WRIGHT: There was not. There were two options. We didn't have an option D on the 9<sup>th</sup> so the first variant was actually option D, and then the second one is option D-1.

CHAIR VIGIL: Okay. Why don't you explain those.

COMMISSIONER STEFANICS: Yes. Madam Chair, I would like a little explanation.

CHAIR VIGIL: D and D-1, Mr. Wright.

MR. WRIGHT: Okay. We'll start with option D. I may need to switch maps here but I'll do the verbal explanation. And again, this was the first cut at an option of not having District 2 pick up precincts 64 and 67. So as a result, District 1 picked up two precincts from District 4. Actually both of these options resulted in absolutely no changes to District 2, which is your population was just under the ideal.

So precincts 46 and 47 moved into District 1 from District 4. District 3 ended up losing two precincts. It lost one to District 5, that would be Precinct 62, and one to District 4. That would be 17. District 4 ended up picking up four precincts. This would be three from District 5 – 63, 69, and 71, and one from District 3, again Precinct 17. And it ended up losing two precincts to District 1 and those would be precincts 46 and 47.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: So Precinct 62, that's adjacent to Tierra Contenta? Or is it part of Tierra Contenta?

MR. WRIGHT: That's actually – it's south of the river, so it's not really Tierra Contenta. My understanding it's to the north of the river for the most part, so that's for lack of a better description, the Mutt Nelson Road area, which is currently outside of the city limits, just south of the city limits. And then of course it stretches also running along the river into the community of La Cienega.

COMMISSIONER STEFANICS: Ah. So 62 goes into part of La Cienega.

MR. WRIGHT: Yes.

COMMISSIONER ANAYA: On that point, Madam Chair.

CHAIR VIGIL: Commissioner. Are you done, Commissioner Stefanics?

COMMISSIONER STEFANICS: Yes, I just wouldn't know that we would want to divide up La Cienega again.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, that was the corpus of my comments on 12, was that 62 stayed in on the option where 12 came out and it would in essence split La Cienega. Thanks, Madam Chair.

CHAIR VIGIL: We're looking at option D, still, right?

MR. WRIGHT: Yes. Option D. And so again, just to wrap up, District 5 picked up Precinct 62, the one precinct, and it lost the three precincts, 69, 71, and also Precinct 63 to District 4.

CHAIR VIGIL: Okay. Any questions on that? Commissioner Anaya.

COMMISSIONER STEFANICS: Could I ask Erle, for the benefit of us sitting here and also the public, is there one of these plans – we can look at the numbers but not everybody has the numbers to look at right now, that's listening to us. If you look at the numbers for urban population and unincorporated, is there one of these plans that is most even, if we were to use that as a standard?

CHAIR VIGIL: Option B-2.

MR. WRIGHT: Madam Chair, Commissioner Stefanics, yes, there is. It's one of the variants of option B, and that would be B-2. But again, as I explained on the 9<sup>th</sup>, because of the nature of District 1 being largely unincorporated population and because of the nature of District 4 not having enough unincorporated population the way it sits, it's hard to get District 1 above about 52 or 53 percent, and it's hard to get District 4 below 70 percent. However, option B-2 does that and we can take a look at that option. And it produces pretty much close to equalized unincorporated versus incorporated population.

CHAIR VIGIL: I think maybe – and I'll put this out for discussion, maybe we need to have some real clarify in terms of what definitions we use for urban and rural combination. I think what you're probably doing is you're creating an urban definition for an incorporated area, and a rural definition for unincorporated, when in fact a lot of these areas have rural characteristics, and that may be kind of a distinguishing feature when we're trying to define these maps. For example, you know what might be an incorporated area, such as Hyde Park area, such as the Piñon Hills. Of course that's not incorporated. I'm trying to think of incorporated areas that have rural characteristics. I'm wondering if we should give some further guidance or clarity to that. And I'm open to discussion on that.

MR. WRIGHT: Madam Chair, we can certainly look at it. One of the problems is trying to get a handle on those numbers and actually getting a solid definition that we would actually be able to do some analysis, statistical analysis on to come up with that characteristic. We could look at actually doing a population density, for instance, by precinct, but again, some of our precincts don't really lend themselves to that because all the population is in one corner and the rest of the precinct is national forest or – well, that's some of the big cases, with precincts 4, 7, even the Precinct 9 that actually has Hyde Park and some of the areas you talked about would end up being artificially low, trying to do it that way by population density. So it's a little tricky but we can certainly look at – I never weight it to go about urban versus rural but the trick is making it not subjective and actually a quantitative and actually be able to do it quantitatively.

CHAIR VIGIL: Right. That is a challenge. I understand. I'm open for other discussion on this.

COMMISSIONER STEFANICS: Madam Chair, it's not that important to me to have the urban division as it might be to you or some other Commissioners. I think that one of the standard definitions though might incorporated/unincorporated. So if Erle was needing to look at some standard definitions what else would be standard besides incorporated and unincorporated? Density?

MR. WRIGHT: Density would probably be one of the indicators, yes. Certainly one of the most obvious. But again, given the nature of some of our precincts it could be – I could see some problems manifesting there, like the City of Espanola precincts are going to shoot way up there in terms of density because they're very small. They have some population in them but they'll be right up there in the top ten.

COMMISSIONER ANAYA: Madam Chair, ditto my comments from the last meeting on Galisteo in that option. I think we would be doing the same thing we're trying to avoid in La Cienega. We'd be doing it in Eldorado and I don't think it would be healthy for those residents. I think that one of the options that we had in Eldorado were 285, the precinct on the east of 285 is more of a separate community if you will than the direct immediate area where Eldorado is. We're still talking about D, right?

MR. WRIGHT: Yes.

COMMISSIONER ANAYA: Those are my comments, Madam Chair.

CHAIR VIGIL: Let me just say I thoroughly understand that position and I think it is a strong position to hold. I would be highly interested to know what the public thinks because I've actually heard that some of them have the perception that if they have two Commissioners representing their communities, and in fact that provides the opportunity to gain support from at least two. But that's a public comment and I'll wait to hear that.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: After the last meeting I did hear – there are a few different neighborhood associations along the east side of 285. And I heard from one of the homeowners associations against splitting them, but right now the community plan is for the 285 Corridor. It's not Eldorado in the 285 Corridor. So –

CHAIR VIGIL: Yes. It will be interesting to see how the community responds to these. Continue, Erle and enlighten us some more.

MR. WRIGHT: No problem. And that's – I guess the one thing to know with the option B plan is it does, in addition to splitting La Cienega it also splits up Eldorado property. That's the biggest highlights of that plan.

The D-1 plan, again, is based on keeping 64 and 67 out of the boundaries of District 2, so what happens in this scenario is that Precinct 67 moves into District 5, and as a result District becomes almost 6,000 overpopulated. So the compensation for that is essentially moving District 4 westwards into again that triangle between Cerrillos and Airport Road and then also losing Precinct 29 there.

CHAIR VIGIL: Precinct 29 is lost to what district?

MR. WRIGHT: It moves from District 5 to District 4. The other – again the same precincts, Precinct 47 and 46 are lost by District 4 in both D and D-1, but in order to get the numbers again within our five percent range District 4 also lost Precinct 48, which moved into District 1.

COMMISSIONER HOLIAN: Madam Chair.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: Is it time for comments on this?

CHAIR VIGIL: Yes. Any time.

COMMISSIONER HOLIAN: Well, on this one I'll just note that the population – the percentage of the population for District 4 becomes nearly 80 percent urban in this particular option, and it does significantly, in my opinion, change the character of District 4 in the ones that it takes out and the ones that it's putting in. This one is major as far as District 4 is concerned.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

CHAIR VIGIL: But that doesn't have an issue with this because it's not contiguous to any other district but District 1, correct?

MR. WRIGHT: Well, it is, but as I explained, the incorporated versus the unincorporated, one thing I am factoring is that we have the three incorporated municipalities. That portion of Edgewood, that portion of Espanola, it's within Santa Fe County it's actually – and again, attributed to those districts. The Edgewood precincts are again very large, so I'm only using about 50 percent of their population as a surrogate, really for the real number.

CHAIR VIGIL: Okay. And then if I look at option A, which you said currently leaves the districts as close to what they are. Is that correct? You'll see that District 2 and District 4 have 78 percent and 75 percent estimated urban population. To a great extent, particularly in my district, and I know I stand alone. We all have unique qualities to each one of our districts. In my district in particular, and I'm not sure what the outcome is going to be with the presumptive annexed areas, once they do get annexed, if this particular option – let's just say for example, is something we voted on, I have almost 90 percent urban and very little rural. And I'm not too sure. It would depend on the boundary lines. I'm trying to make that observation based on the current boundaries.

So to a great extent, I think I've said that before, I think I should probably run for City Council. But in effect, the benefits I see of creating a balance of urban and rural districts is that we both represent the qualities of those districts. The resources that are lacked and aren't lacked in urban areas versus rural districts. And I think that kind of balance gives us a more regionalized perspective. But I still know this is challenging, so if there's anything else you need to add, go ahead.

MR. WRIGHT: Well, just to be clear again, on the urban/rural numbers we're using, incorporated versus unincorporated, I did make the assumption with these calculations that are before you that the City of Santa Fe presumptive annexation would occur. So the precincts have been coded that way. So they shouldn't get actually – if they do go through as the City intends them to these numbers should hold pretty true. Then again, given the Growth Management Plan and the Sustainable Development Areas, I think it's pretty safe to assume that those SDA-1 areas are probably going to see relatively more population growth in the unincorporated area in those Sustainable Development Areas over the next ten years. So just as a point of information for all the Commissioners.

CHAIR VIGIL: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you, Madam Chair and Erle. On those assumptions that you made, was that on all phases of the annexation? One, two and three?

MR. WRIGHT: Yes, Commissioner Mayfield, yes. It was actually – phase one has already occurred. Phase two is targeted for 2011 and then phase three was actually targeted for 2012, but all three phases were considered in those numbers.

CHAIR VIGIL: Okay. I'm actually, unless anyone else and I'd like anyone's input in favor of keeping these maps as is, and allowing these maps to be available to the public for public input, and then having the public give us some feedback on this and move forward in that direction. Do you have a different opinion?

COMMISSIONER STEFANICS: I do, Madam Chair. I think there's too many maps for the public to comment on. I think that if we wanted to – and I'm just going to throw

out a number. If we wanted to have five or three or whatever, but I think having nine maps here – do we have nine?

MR. WRIGHT: You have eleven.

COMMISSIONER STEFANICS: We have eleven here. I think that's too many. I think that probably if we went down the row we could just figure out the ones to throw out. But I really would like to whittle the number down for the public to comment on.

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: I agree.

CHAIR VIGIL: Okay. Is there any public here that would like to address the Commission with regard to redistricting? Where we're at so far? Please step forward. Let me get a question from Commissioner Mayfield first. We can continue questions even after public comments, but go ahead.

COMMISSIONER MAYFIELD: Madam Chair, as far as a map, if we all look at one map and maybe some of us are in more agreement on the same map, and there's five us, we all put one map forward, we take it out to the public. Then there can be comments made and some modifications made to those five maps. And for all we know, three of us may agree on one map. Four of us, five of us may agree on one map.

CHAIR VIGIL: That's a strategy. Please, state your name and comments.

JUDY WILLIAMS: Madam Chair, Commissioners, my name is Judy Williams. I think I'll keep these comments personal. It's very hard to deal with 11 maps; I completely agree. It's hard enough to get the public involved, but I'm sitting here with all these maps. I saw the last – the first three last time and I've got all these other ones and my mind is completely bogged. And I think, having heard the discussion today there are a few principles, that maybe certain precincts you want to keep, that you all know and all agree on. Maybe you could hold the maps down, agree on some things, move on and create – whittle down maps. But I do think that fewer maps would be – I would do several but not a lot. Thank you.

CHAIR VIGIL: Thank you. Is there anyone else? Councilor Heldmeyer.

KAREN HELDMEYER: The other thing that I think would be helpful to the public, having seen the City go through this, is a narrative that would go with the map. Not everybody is visually oriented and so to say some of the things you've been saying up here tonight, like this keeps Eldorado together or this splits along I-25, some kind of narrative I think would make it much clearer for people who don't read maps all the time.

CHAIR VIGIL: Okay. Thank you. Is there anyone else out there who would like to comment on this? Okay. So we have one strategy proposed. Is that the direction you wanted us to take tonight, Ms. Miller, or should we absorb this a little more?

MS. MILLER: Madam Chair, I don't think from staff's perspective it would be good to keep this many maps out there for discussion. These came forward because they were all iterations or requests that you had had. We wanted to make sure that they were produced and you got to see them but several of them are probably not really that viable, and that those should be taken off of the table for whittling it down and it would probably be best if you could do that tonight, and then we could give you more specifics along the line of the comments made today, and a narrative on each map for the next three or four meetings until you got it down to one.

CHAIR VIGIL: Okay. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I like – are we going to talk about maps?

CHAIR VIGIL: Please.

COMMISSIONER ANAYA: Madam Chair, I like B, B-1 as a discussion map. It takes into consideration a lot of the discussion that we had at the end of the last discussion on redistricting. For purposes of La Cienega it keeps that a contiguous community, and I just had one question and it goes to Erle and Commissioner Stefanics. One of the other things that I've been giving some thought to associate with our overall process is – and you brought it up, Madam Chair, Commissioner Stefanics, on the five points that are kind of the framework and we do our best to fit within those five characteristics, but minority make up and ethnicity is something we need to look at as we consider everything that we're doing. And Erle, do you have in front of you the breakdown of Precinct 75 that is currently in Commissioner Stefanics' district, and Precinct 14, that get more into demographics? Those two. I'm just curious as to are there stark differences between –

COMMISSIONER STEFANICS: On that point, Madam Chair. I was informed indirectly by the Clerk's Office last time that it is inappropriate to discuss the demographics of a precinct.

COMMISSIONER ANAYA: Really? That was one of the components that Sanderoff brought up.

COMMISSIONER STEFANICS: Well, I'm just pointing out, and I don't see her here, but Denise Lamb was the one who made the comment, and cautioned about our discussing demographics. Steve, do you want to comment on that at all, legally? It wasn't about community, it was about demographics.

COMMISSIONER ANAYA: If I could, Madam Chair, I'm going off the five points I heard from Sanderoff and the basis that everyone in the whole state's going to have. I don't know.

MR. ROSS: Madam Chair, Commissioner Anaya and Commissioner Stefanics, I think that – I agree with the Sanderoff factors. I think those are appropriate factors. I don't see how you can avoid at least considering demographics, because this plan will be judged according to those standards.

COMMISSIONER STEFANICS: So by demographics we are clear that we are talking about race and ethnicity.

MR. ROSS: Right. Right.

COMMISSIONER STEFANICS: Okay. I just want to be clear. That's why I'm asking you.

MR. ROSS: I can talk to Denise and find out what her concern is.

CHAIR VIGIL: Yes.

COMMISSIONER ANAYA: Madam Chair, in fairness to Ms. Lamb, I think it's one of the five factors that I thought we should look at. I was told, based on our training we should look at it. So I like B-1, and I'd just say that I do want to look at some demographic information on those two precincts. You don't have to provide it now, Erle, but I would like to look at some of that. But generally speaking, I like B-1. I'll leave it at that.

CHAIR VIGIL: On the demographics, it's my understanding that it almost needs to be a part of the analysis to avoid the gerrymandering that's prohibited in this kind of



redistricting. Also, there does have to be a fair balance of that. Is that your understanding, Erle?

MR. WRIGHT: Madam Chair, Commissioner Anaya, yes. Ethnicity, and actually, it's minority voting rights. Which can be either based on race or ethnicity, and in aggregate, certainly the districts need to be looked at so there's not an intentional effort to dilute or deny minority voting rights. And actually I think all of our plans are in pretty good shape for that, even ones that are splitting up communities of interest here. And I do have those numbers available if you need them. So I'll defer to the Commission.

CHAIR VIGIL: Thank you. Okay. I just want to say I'm fine with looking at B-1. The only thing that I'd like to see that maybe it's just because I haven't found it is the breakdown of B-1 as an alternative, and I'm looking at –

MR. WRIGHT: That breakdown should be on your –

CHAIR VIGIL: It's the fourth one after C. Okay.

MR. WRIGHT: Right. Sorry for the confusion but I the first three we looked at, A, B, C.

CHAIR VIGIL: I understand.

MR. WRIGHT: Then I listed the Ds, the Cs and then Bs. My apologies for any confusion.

CHAIR VIGIL: No, no. As long as you point it out that helps me see.

COMMISSIONER HOLIAN: Madam Chair.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: I like B-1 as well, and I will note that on B-1, it seems to me like the variation or the deviation, that's one of the least deviations. In other words, when you look at who has minus population to who has positive populations, that is the least difference. It goes from -1.88 for District 3 up to +2.45 for District 4.

CHAIR VIGIL: Does that make sense, Mr. Wright?

MR. WRIGHT: Yes, it does, the total population for that is about 1250, well under the 10 percent – or five percent either way. It's only about 4.3 percent I believe, total deviation.

CHAIR VIGIL: Help me understand what happens to Precinct 66 under B-1. Because that would involve the traditional – at least adjacent to the traditional historic village.

MR. WRIGHT: Madam Chair, Precinct 66 would stay within District 2 under B-1.

CHAIR VIGIL: It's just sort of crowded in there, isn't it? Okay. I see it. And it would bring in what precinct?

MR. WRIGHT: It brings in precincts 64 and 67. So essentially it's bounded by Airport Road and Cerrillos Road on the southern side.

CHAIR VIGIL: Okay. So originally, currently, that is in District what?

MR. WRIGHT: Currently those two precincts are in District 3.

CHAIR VIGIL: So what would be the urbanized areas for District 3 if those were removed?

MR. WRIGHT: District 3 actually stays pretty urban under that, because it actually picks up Precinct 75, which is just south of those. That comes out of District 5 and into District 3. Again, that's one of the larger precincts in the county and it also retains

Precinct 86, which is by far the largest precinct in the county with just under 7,000 population.

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Yes.

COMMISSIONER ANAYA: Madam Chair, on that point, that's one of the reasons I raised my earlier point was that composition and that currently resides in District 5. And I was actually asking Commissioner Stefanics and maybe off-line to look at that just as an item, just taking into consideration of all aspects of those five things we don't have to do it here publicly if there might be some concern there, but I think that's a precinct – and with 14, I don't know. They might be the same. They might have a similar demographic breakout and there wouldn't be any relevance to me asking that. But it might be a point where we might be able to balance, if you will, some of the demographic issues that I know there was some disparity on. So that's why I raised it.

COMMISSIONER STEFANICS: On that point.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. I have in fact looked at every precinct that was in my district for voting records, for parties, for ethnicity, for race. When you run a campaign you do that. But I also want to be sensitive and appropriate to what is required by law, and that's why I want us to be very careful about what ends up getting discussed. Because it was after the last meeting, and it's too bad she's not here, that our Deputy County Clerk made the comment that we should be watching what we talk about. And so when we ran for office we looked at the results. We looked at how many people were registered to vote, how many people came out to vote and that's a different demographic. It's not just race and ethnicity it's about how many people registered. How many people go vote? That's an issue as well. How many people are senior citizens? How many people are children?

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR VIGIL: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. One of the primary factors that I recall is compact and contiguous; correct?

MR. WRIGHT: Yes, Commissioner.

COMMISSIONER MAYFIELD: So in map B1, and just kind of help me out here, it just kind of looks like I'm getting gerrymandered in this little corner back down into the city at least in District 1. It just kind of looks like a backward little hook into the city. I'm looking at B1. And if you look at the blowup, I mean I hear what the Commission is saying, equitable urban and rural areas. I'm looking at the map and I'm also looking at the map from the 2010 totals and that map is showing the population of the folks, the percentage of the folks that elected us and my worry and I did bring this up in the past meetings, is that if we do do a balance and I understand there might be a balance between urban and rural areas but there's also that potential that five County districts could be represented by five city residents and I do believe that looking at two and respecting all the districts there were two districts in the 2010 data that were urban, excuse, that were more rural than urban. So that's one concern that I have and I don't know if that potentially could be a challenge or not, but I do want to make sure that the folks that vote have an option to represent who they want to represent but that they also have an opportunity to be served from all areas of Santa Fe

County.

CHAIR VIGIL: In that case, I wonder if Option D might satisfy. If you want to look at that that might be another map we could put out there.

COMMISSIONER MAYFIELD: One map and I'll look at that now Madam Chair, I was looking also at Option C3 as a map and you said D?

CHAIR VIGIL: D3?

COMMISSIONER MAYFIELD: No, no, C3. But you indicated D, right?

CHAIR VIGIL: Option D, yes.

MR. WRIGHT: Well, Madam Chair, Commissioner Mayfield, I did take that comment to heart when I went through these and you'll see that actually Option C3, 2 and 3 I believe actually try and address that issue, the compactness of district 1. There's really precinct 83 separating – I mean you have to pick up population somewhere, under Option A you did pick up precinct 83 and that was the only change. However, that one didn't get us so good. It was the least change but it gave us a lot of deviation and actually just exacerbated the urban rural differentials between districts.

COMMISSIONER MAYFIELD: And, Madam Chair, and Earle, I know we have spoken briefly about precinct 83, what's that percentage of population, do you know? And, Madam Chair, Commissioner Stefanics, if you think that's an inappropriate question based on Denise Lamb, but what's that percentage of urban versus rural?

MR. WRIGHT: Urban versus rural, that one I treated as a 50/50, however, it's actually probably more rural because it contains the northwest quadrant of the City of Santa Fe which is pretty much open space but it is planned development out there.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. And, Earle, is that green line the annexed area?

MR. WRIGHT: The green line is actually the current City boundary.

COMMISSIONER MAYFIELD: Okay, and is there a presumptive annex area line or no?

MR. WRIGHT: There is no presumptive annexation. The southern boundary of that is actually 599 and the presumptive City limits do not extend past beyond 599 from the current corporate limits.

COMMISSIONER MAYFIELD: Thank you and nor will they, excuse me, Madam Chair., nor will they go west of St. Francis/285?

MR. WRIGHT: They definitely go west. They go north and west up to 599 and so that would impact precinct 83, precinct 11; however, precinct 11 like 66 was treated, even with the presumptive City limits, was treated 50/50 because it contains Agua Fria Traditional Historic Community.

COMMISSIONER MAYFIELD: Okay. Madam Chair, those are all my questions. Thank you. Thank you, Earle.

CHAIR VIGIL: Okay.

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Commissioner Mayfield, which of the options did you prefer or were leaning towards?

COMMISSIONER MAYFIELD: Madam Chair and Commissioner Anaya, I'm looking at C3 and then just hearing also Earle and looking at C2. But, again, I need to

take into consideration everything that is happening to the Westside and I understand that and every other side.

COMMISSIONER ANAYA: Madam Chair, on those points. The district stays the same essentially from my perspective in district 3 on either of those two options; B2, C2 – which was the last one you said?

COMMISSIONER MAYFIELD: C3.

COMMISSIONER ANAYA: C3.

COMMISSIONER MAYFIELD: C3 is my preference, Madam Chair.

COMMISSIONER ANAYA: So, that's just an FYI and I have no objection to those.

CHAIR VIGIL: Earle, of all of these proposals in accordance with the criteria that you're working with which option would you prioritize that has the least deviation, the most equal population and the best balance of urban and rural?

MR. WRIGHT: Well, that's the problem with redistricting, there is no perfect plan. The best deviation here is actually under the plans that you have before you, is actually Option C3 that has about a 3.9 percent deviation. Commissioner Holian pointed out that also Option D1 has a decent deviation at 4.3. I'm trying to look – those are probably the best two although Option C2 is also about a total of 4.6 percent deviation, about 1,300 population between the high and low.

As far as the urban/rural numbers – I'm juggling too many sheets of paper here –

CHAIR VIGIL: That would be – you tried to address that more with your D's, Option D and D1, it looks like.

MR. WRIGHT: Actually, B2 by far produce the best incorporated versus unincorporated; however, it was at the expense of major changes to the district which is what we're trying to avoid. I mean half the Pojoaque Valley moved out of district 1 and into district 2 and again district 4 again picked up a chunk of Eldorado, Eldorado proper.

CHAIR VIGIL: That's B2?

MR. WRIGHT: B2.

CHAIR VIGIL: So can we eliminate B2 since we are twiddling here?

COMMISSIONER MAYFIELD: Madam Chair, Earle, can I just ask one question? Why was there not an A1 and an A2? Maybe there was a reason for it and not that we have it here but –

MR. WRIGHT: Madam Chair, Commissioner Mayfield, actually the options that I prepared were based on your comments from the ninth and there were no real problems with Option A or suggestions that was the least changed option. So that, in a nutshell is that it is what it is.

COMMISSIONER MAYFIELD: You've answered it, Madam Chair.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'm wondering if there's any interest in deleting D and D1.

COMMISSIONER MAYFIELD: Madam Chair, I'll support that.

COMMISSIONER STEFANICS: I see four heads going yes.

CHAIR VIGIL: D and D1?

COMMISSIONER STEFANICS: Yes. The two down at that end are nodding

yes and down here.

CHAIR VIGIL: Okay, so we'll twiddle D and D1 out; is that what you're saying?

COMMISSIONER STEFANICS: That's what I'm suggesting.

CHAIR VIGIL: Okay.

COMMISSIONER ANAYA: Madam Chair, B2 takes the Pojoaque Valle out of district 1.

CHAIR VIGIL: I think we said we twiddled that one out.

COMMISSIONER ANAYA: B2, yeah, I was going to say. So B2, D1 and D2 so far?

CHAIR VIGIL: D, D1, and B2. Now are we discussing B1 now?

COMMISSIONER ANAYA: No, I was just supportive of what Commissioner Stefanics was saying and also concurring with B2.

COMMISSIONER MAYFIELD: Madam Chair and Commissioner, maybe I'm just not up too speed. Which is taking the Pojoaque Valley out?

COMMISSIONER STEFANICS: No.

CHAIR VIGIL: No, we're not dealing with that.

COMMISSIONER ANAYA: D2.

CHAIR VIGIL: Okay, so far we're in agreement with D1 and doing away B2, D and D1. I think Option A should be on the board because that definitely has not changed the districts that much.

COMMISSIONER MAYFIELD: Madam Chair.

COMMISSIONER HOLIAN: Madam Chair, on that point.

CHAIR VIGIL: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Just to clarify again. We have gotten ridden D1, D and which is the other one?

CHAIR VIGIL: B2, D and D1.

COMMISSIONER MAYFIELD: Okay, B2, D and D1, thank you.

COMMISSIONER ANAYA: And, Madam Chair.

CHAIR VIGIL: And, we've opted into B1 as one of the alternatives.

COMMISSIONER ANAYA: And I thought, Commissioner Mayfield you said C3.

COMMISSIONER MAYFIELD: Madam Chair, I do like, Commissioner Anaya, thank you, I like C3.

CHAIR VIGIL: Okay, we'll opt into C3. I like A.

COMMISSIONER HOLIAN: Madam Chair, I would just like to make a comment about A. It has a very large range of deviations so as far as the population, the population deviation is not good.

COMMISSIONER MAYFIELD: But, Madam Chair, if I may. A was, again, the least amount of change from our current status; correct?

MR. WRIGHT: The least amount of change by precincts, yes. The least moving of precincts from district to district.

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Yes.

COMMISSIONER ANAYA: Madam Chair, I think we did have a discussion

about A but I think at the last meeting and I made comments on the record associated with it after feedback because I asked for the least amount of change at the onset, but I think in consideration of each of the individual Commissioners brings forth their perspective, if the Chair is bringing A as an item –

CHAIR VIGIL: I'm still open so if there is – maybe the way to do this is what else can we twiddle out?

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Yes.

COMMISSIONER ANAYA: I would suggest Option C.

COMMISSIONER STEFANICS: To keep or take out, I'm sorry?

COMMISSIONER ANAYA: To take out.

COMMISSIONER ANAYA: And that, Madam Chair, based on the discussion we had at the last meeting and the modifications that you made and brought back in some of the things that we're looking at today. Cause we made comments and gave you some direction and then you gave us the subsequent maps that took those comments into consideration; right?

MR. WRIGHT: Madam Chair, Commissioner Anaya, that is correct. That is why you have four of them because there was actually a request to look at one thing, I think one of your colleagues agreed with you on moving 17 back and then also there was comments that C was okay except for these precincts that were in the City. So that's why you see Option C1 is a very simple change over C which is just the only change between C and C1 is precinct 17 remains in district 3 rather than going into district 4 and that's the only change between C and C1.

C2, 3 and 4 were geared toward the comments that we had regarding the downtown precincts of 26, 27, and I think 33 and 25, kind of that area right on either side of St. Francis north of Cerrillos.

CHAIR VIGIL: So I hear a proposal of doing away with Option C, does that proposal include C1?

COMMISSIONER ANAYA: No.

CHAIR VIGIL: Just C?

COMMISSIONER ANAYA: Just. C.

CHAIR VIGIL: Is everyone okay that we twiddle that one out? So we've twiddled C –

MR. WRIGHT: You're down to seven.

CHAIR VIGIL: -- B2, D and D1. That leaves us – do we need C1? It only deviates from one precinct from C or C2. You want C3, right?

COMMISSIONER MAYFIELD: C2 or C3, Madam Chair, I will support moving C1 out.

CHAIR VIGIL: Okay. So you want to keep C2 and C3.

COMMISSIONER MAYFIELD: Madam Chair, I just want to keep one of them, preferably C3 but I don't care which one.

CHAIR VIGIL: Okay, let's keep C3. C1 is out and if I'm going to fast –

COMMISSIONER HOLIAN: I'm okay with that.

CHAIR VIGIL: So C1 is removed. C3 remains. That leaves us with Option A, Option B, Option B1 which we've all decided is going to work, that leaves us with options

C2, C3 and C4.

COMMISSIONER MAYFIELD: Madam Chair, I would support moving C4 out.

CHAIR VIGIL: C4, other comments?

COMMISSIONER STEFANICS: I'm fine with taking that out. I'm wondering if people want to keep B. We're keeping B1 but were there some people that wanted B? That has quite a big flip-flop from my district.

COMMISSIONER MAYFIELD: Do you support keeping it or not?

COMMISSIONER STEFANICS: No.

COMMISSIONER MAYFIELD: I support moving it out, Madam Chair.

COMMISSIONER STEFANICS: I would keep B1 but take out B. Because I would actually have eight precinct changes.

COMMISSIONER ANAYA: Madam Chair, on that point.

CHAIR VIGIL: Yes.

COMMISSIONER ANAYA: Commissioner Stefanics, B was one of the ones I was asking; are you saying B? Hold on let me make sure.

COMMISSIONER STEFANICS: B1 is fine.

COMMISSIONER ANAYA: But on B, the reason I asked the earlier question was tied directly to 14 and 75 which you have 75.

COMMISSIONER STEFANICS: Right, and I also have 73 and I have 14. I have 14, 63 and 75. In Option B I would lose those three and gain five new ones.

COMMISSIONER ANAYA: I got you.

COMMISSIONER STEFANICS: It's the same numbers but it's taking the unincorporated to the incorporated. But if we need to keep it for consideration, I'll do it.

COMMISSIONER ANAYA: Madam Chair, I'm fine with taking it off and just taking into consideration my earlier comments on those two precincts.

CHAIR VIGIL: Okay. So that means that we're left with considering Option A, Option B1, Option C3, Option C4, those are four options. Did we decide on C2?

COMMISSIONER MAYFIELD: Yes, Madam Chair.

CHAIR VIGIL: What was the decision?

COMMISSIONER MAYFIELD: I believe we said we're keeping it in but I could be wrong.

CHAIR VIGIL: We were twiddling it out?

COMMISSIONER MAYFIELD: No, I thought we were keeping it in.

COMMISSIONER STEFANICS: If we keep C2 in can we take out C4 or is somebody attached to C4.

COMMISSIONER MAYFIELD: But, Madam Chair, Commissioner Stefanics, weren't we going to keep five options on the table.

MS. MILLER: Madam Chair, if you take out C2 and C4, then you have only four options left.

COMMISSIONER HOLIAN: Madam Chair.

CHAIR VIGIL: Let me just summarize what we have so far. If we have Option A, Option B1, Option C2, C3 and C4 that will leave us with five and you're saying if we take one of those out that we'll only have four. Commissioner Holian.

COMMISSIONER HOLIAN: Well, I am for taking Option A out except for

the fact possibly that that's something good for people to comment on it. But I just don't see it as a viable option because of the range of deviation. And, again, it even actually makes the urban population worse for districts 2 and 4.

MR. WRIGHT: And 5.

COMMISSIONER HOLIAN: And 5.

CHAIR VIGIL: So that will leave us with four if we remove Option A. I'm okay with leaving it in there because there is less of a deviation and perhaps you're right that because – not deviation, it has the most deviation, you're correct. But it also creates less of a boundary change from what we have on the other options and maybe this needs to be tweaked a little, I don't know.

MS. MILLER: Madam Chair, just a thought. We still have four meetings before you would actually take action so you could take it down to those five and take public comments and knock it down the next meeting to two or three and then – just as food for thought. So you'd keep in Option A, Option B1, C2, 3 and 4 and then leave those out for public comments for the next two and then of those knock it down to two or three at the next meeting based on public comments.

CHAIR VIGIL: Is everyone okay with that recommendation? Okay, so we'll have those five options and we can move on. Thank you very much.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: I think that the comments that were made by both Judy and Karen are right on. We've limited the numbers but we probably should have some descriptors when we put it on the web.

CHAIR VIGIL: Okay, so can you do a narrative before you post it on the description of these boundaries?

MR. WRIGHT: Absolutely, Madam Chair, Commissioner Stefanics, we'll work on that so that will be part of your packet for the next meeting.

CHAIR VIGIL: Okay, we have finished with E 1 and 2. Let's go back to item 15.

**XV. A. Finance Department**

**1. Review and Discussion of the Monthly Financial Report for the month ending July 31, 2011**

TERESA MARTINEZ (Finance Director): Madam Chair, before you have the monthly report for the month ending July 31, 2011. I will give you a quick summary. We are beginning to try to make comparisons of recurring revenues to recurring expenditures. You can see for the month of July we had a total revenue value of \$6.5 million. We've broken it down by what we believe to be recurring revenue: property taxes, GRTs, other taxes, licenses, permits and fees, charges for services, fines and forfeitures, miscellaneous revenue and JPs and subsidies. So we have a total of \$6.5 million. With regard to recurring expenditures we had a total of \$7.3 and recurring expenditures are basically everything but capital and debt services considered in this classification. If you compare recurring revenues to recurring expenditures we had a slight shortfall of \$800,000. So it's really important to note that some of the revenue sources are very cyclical in nature and the one I'll use as an example is property tax. Our



heaviest month collections are December/January and May and June so you'll see that the budget evens out in those months.

We have also given you non-recurring expenditures chart. Basically, it's the capital expenditures. We've broken it down to the activities in the month of July and we've broken it down by the type of expense if you will.

We've also continued to give you the major revenue sources of the charts for property tax revenue and GRT revenue. Property tax revenue cumulatively is over budget by \$734,000 for the first two months of the fiscal year. The GRTs cumulatively are also greater than the budgeted amount. It's important to note that the unincorporated GRT continue to come in under budget. There are still some minor drippings if you will, of the delinquent collections for the sunsetted Fire Excise Tax and that's helping to offset the amount of deficit, if you will, of the unincorporated GRTs.

And, we also gave you an update on the budget cuts. The budget cuts that we implemented last fiscal year have remained intact. We also wanted to give you the heads up that we are moving forward with the priority driven results accountability budgeting practices that we have to put in place with the goal of fiscal year 2013. It will be a huge undertaking and we just want to remind you that it will take a lot of cooperation and support of the public, of the governing body, of management and staff. And I'll stand for questions.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. Thank you very much for the ongoing monthly reports and I hope the public knows that we're posting these. Could you characterize fiscal year 10, 11, 12 in terms of the gross receipts? The first year did we lose 10 percent?

MS. MARTINEZ: The first year, Madam Chair, Commissioner Stefanics, we did. We did a 10 percent downturn. Overall we –

COMMISSIONER STEFANICS: The next year?

MS. MARTINEZ: Five.

COMMISSIONER STEFANICS: Five?

MS. MARTINEZ: Yes.

COMMISSIONER STEFANICS: And this year so far?

MS. MARTINEZ: This year we've kept the Countywide GRTs flat. Unincorporated we've did a 13 percent reduction because they took that much of hit in the previous fiscal year. So we kept the County's GRT, those GRTs that are imposed in both the unincorporated area and the City, flat. And those are holding their own this year thus far.

COMMISSIONER STEFANICS: So the first year was a 10 percent decrease. The second year was a 5 percent plus the 10 percent?

MS. MARTINEZ: Right.

COMMISSIONER STEFANICS: So that's 15.

MS. MARTINEZ: The cumulatively 15.

COMMISSIONER STEFANICS: And this year?

MS. MARTINEZ: We're up to 28 percent for the unincorporated GRTs.

COMMISSIONER STEFANICS: Okay. I just wanted to put that on the table because as people expect that we're going to just keep having money to expand services, we're actually losing. Thank you very much for that clarification.

CHAIR VIGIL: Any other questions?

COMMISSIONER MAYFIELD: cm.

CHAIR VIGIL: Commissioner Mayfield.

CHAIR VIGIL: Madam Chair, Ms. Martinez, I have no questions, thank you.

MS. MARTINEZ: Okay, thank you.

**2. Request that the BCC Issue a Written Order Approving and Imposing the 2011 Property Tax Rates for Santa Fe County**  
*[Exhibit 3: Staff report dated 8/30/11]*

MS. MARTINEZ: Madam Chair, Commissioners, we brought this before you as a possible option. Of course we don't have the order from DFA setting the rates yet. They have identified to us that they intend to release those on September 1<sup>st</sup> so statutorily once those orders are set and released it is required that this Board convene within five days of that order to approve the tax rates.

We come before you today providing an option that you go ahead and approve the tax order rates that are to be set by DFA. We don't have them in hand yet. We suggest you adopt them as calculated and issued by DFA with any subsequent changes. As soon as they're issued they're addressed to the Chairwoman and also to the County Assessor. At that time we will give them a thorough review and if there are any mathematical errors we will work with DFA to correct them.

So we ask that you approve them today.

CHAIR VIGIL: Okay. Are there any questions? Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Teresa, what is our current tax rate that is imposed by DFA?

MS. MARTINEZ: Imposed by DFA you have the 11.85 for County non-residential and 4.6 for residential and then the County's debt service is at 1.873 for all taxable values.

COMMISSIONER MAYFIELD: Thank you. And, Madam Chair, I'm trying to understand how this tax mechanism works. Can we potentially go up by some of the bonding that we've pushed out or would it stay flat with the current rates?

MS. MARTINEZ: Madam Chair, Commissioner Mayfield, there are several factors that could affect it. But, mainly, your approval of the budget and other entities of the budget really approve these rates as they are set. I know speaking earlier with the Deputy County Assessor that we have protests that are still out there. Our protests are about \$15 million greater this year than they were in the past year so there are multiple factors that could affect the rates that are going to be set.

COMMISSIONER MAYFIELD: And, Madam Chair, Teresa, the budget that the Commission recently approved, is that going to have an impact to raising the rates that DFA is going to impose? I think you guys came in pretty flat and asked that we not increase very much.

MS. MARTINEZ: Yes, Madam Chair, Commissioner Mayfield, we came in pretty flat. So from that perspective it probably won't change very much.

COMMISSIONER MAYFIELD: Thanks, and then, Madam Chair and Teresa and just staff, I'm all for sunset provisions just so that everybody knows. I think that's

something that we should at least in today's economic times put into place. I don't know that we have those in or don't have those in, and you may have already provided this information to me and if you did I apologize and I'll look for it, but do we have anything that will talk about all the taxes that have imposed by this County that have definite sunsets on them or that do not have any sunsets and are just continuing?

MS. MARTINEZ: Madam Chair, Commissioner Mayfield, we prepared that for all the GRTs and so we can provide that to you.

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

CHAIR VIGIL: Any further questions? Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, just a comment. I've been investing a lot of energy and time trying to understand a lot of things associated with property tax and tax rates, communications with the State, communications with our own assessor, communications with other assessors and fully respecting what you're doing today, I just want to say in advance of the vote, my vote doesn't have anything to do with you but more of a level of understanding and comfort that I don't have and that I don't want to vote until I do have. But I appreciate your work.

MS. MARTINEZ: Thank you.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Madam Chair and Teresa, is it just – are we just not in synch or is the State late?

MS. MARTINEZ: Madam Chair, Commissioner Stefanics, not at all. September 1<sup>st</sup> is normally the deadline. We just provided this to you as an option because –

COMMISSIONER STEFANICS: Is the State late issuing the rate?

MS. MARTINEZ: No. Statutorily they have to do it by September 1<sup>st</sup>. I think last year we did it at the end of September.

COMMISSIONER STEFANICS: And then we're only given so many days in which to –

MS. MARTINEZ: Five.

COMMISSIONER STEFANICS: -- Five days?

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR VIGIL: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Ms. Martinez, just help me out here and respecting and appreciating what Commissioner Anaya just said, if we do not take action and approve this we cease County government operations; am I wrong?

MS. MARTINEZ: Madam Chair, Commissioner Mayfield, I don't think you cease. If you don't take action today you would have to take action on or before September 9<sup>th</sup>.

CHAIR VIGIL: We'd have to have a special meeting.

MS. MARTINEZ: You'd have to convene a special meeting.

COMMISSIONER MAYFIELD: Madam Chair and Teresa, September 9<sup>th</sup> whatever the day is, if we say no to it, I mean a majority say no, then County government stops?

MS. MARTINEZ: I would have to do some research or maybe Katherine can answer that.

CHAIR VIGIL: Katherine, what would be your response?

MS. MILLER: Madam Chair, I think that approval of the rates a lot of it is a

ministerial function for the County because a lot of these rates are based on higher education's debt, state obligation debt, special assessment, district debt, public education debt. When I say it's ministerial it's that we put values to the state, they verify that and they also go through each agency and verify municipal debt, county debt, state debt, higher ed debt and all of that. Then they compile all of this because it all comes back broken out like this for the Commission to confirm is that correct. So I say it's ministerial. If you don't you'd end up being in violation of particular state laws and the Assessor may know more but you can't send out the property tax bills, the Treasurer can't print the property tax bills, we can't send them out. We would probably invoke some kind of action from the state, legal action from the state. Steve says probably a writ of mandamus of some sort.

This process is making sure that all entities verify that what's represented on here is what they have in place. That they have taken it to the voters for general obligation. That they have imposed in operating mils. So each entity is going through and verifying that and it's Tax and Rev they're assigned property values from county assessors and it's DFA verifying rates from all of the different agencies and compiling all of that together in a rate schedule that we're approving.

So they're looking at it and then verifying all those other entities and then we're verifying that everything has been included. So I think to some degree it's ministerial because if you don't do it it would probably kick off another round of issues. And if what you did see though that there is something incorrect in it, this is the time to say we're not in agreement, you haven't included certain things, something is wrong and we believe you need to go back and relook at that. And, that has happened. There have been counties who have had special districts outlined wrong and debt allocated incorrectly and they've had to go back and reevaluate those and recertify. But this step is one of the more ministerial steps in the process.

COMMISSIONER MAYFIELD: Thank you and Madam Chair, Ms. Martinez and Ms. Miller, I guess my previous question is there anything that we have on the books that maybe should have been rolled off before we approved it or are we pretty much up to par with nothing that has sunsetted that we've kept on the books?

MS. MILLER: Madam Chair, Commissioner Mayfield, we don't have on property taxes, any of the property taxes that were imposed by the County don't have any sunsets. The only thing that we might have a sunset on which I don't even think that the County does anymore, are some of the GRTs. Property taxes are [inaudible] areas that the County puts property taxes in place are in the operating mils and the Commission many years ago probably 15 years ago or 14 years ago put the last operating mil in place. And then on the debt, that is based on going to the voters with general obligation bond questions and as bonds are paid off that will come down but what the County has done is to hire a financial adviser to try and keep that number constant so that when you look at our County debt that 1.87 what we've tried to say is that we only go to the voters with questions that would keep that lead about the same based on property values. It may go up or down a couple of cents because of protest and different things with valuation but for the most part it's based on our debt service.

COMMISSIONER MAYFIELD: Thank you, and, Madam Chair, Ms. Miller, you may have answered this but going back to the property mils is there anything that we can roll off or we can't?

MS. MILLER: Madam Chair, Commissioner Mayfield, one of the things that I think probably not right now because we're still in a situation where our recurring revenue is

lower than our recurring expenditures, but one of the things that the Commission could look is when you're in an environment of property values and property tax revenues being higher instead of using that to do new things, there's always that option when you have a large increase in recurring budget, of maybe you want to look at reducing property taxes instead of allocating it out to other things. The County is not in that situation right now where they could do that. I would say in the years where they had lots of large growth that could have been an option but what I would say is right now, the County is probably not in that position because you would just be trading a larger deficit but as we get even I think staff could always suggest from a budgetary perspective that as an option instead of using it to increase recurring expenditures somewhere, increase staff or programs. You could look at it that you want to stay flat but roll back the property tax.

COMMISSIONER MAYFIELD: Thank you, Madam Chair.

CHAIR VIGIL: Commissioner Stefanics, did you want to say something?

COMMISSIONER STEFANICS: Well, I have just a procedural question, Madam Chair. So, Katherine, if we approved this blanket request today and we determine that there was a problem when it comes in do we then have so many days to appeal such that it would come back to the Commission at the 13<sup>th</sup> meeting or not?

MS. MILLER: Madam Chair, Commissioner Stefanics, as I said there have been cases where what happens is the DFA secretary they go through after they have collected all of this information. The DFA secretary [inaudible] out here are the rates for your county and you have five days to approve these. During that time if you see something you can go back and say that's a problem or even after the – what we're basically saying is requesting your approval now but would still have that timeframe to do that. If we notice when we get that they've changed something and it still seems incorrect or we find anything that we would notify them that that is wrong.

Even after you've already approved it if you notice that something is wrong, it's incumbent to try and let them know and see if you can change it. When I was there, there were a couple that came in after the deadline and we still went back and tried to correct them because it's much better to try and correct them before property tax bills are sent out. The reason for these deadlines what starts to – what it all starts to bump up against is the treasurer's requirement to get the property tax bills out by a certain date. So this is to make sure that they get to the printers and all of that. But if we did find an error between now and the time that they went to the printers, it has been known that DFA, that they have recertified and let a county recertify.

COMMISSIONER STEFANICS: Thank you.

CHAIR VIGIL: Katherine, thank you so much for your expertise in this. My question specifically is for example; the public schools create their own budget. We have no control over that. They're the ones that submit it. We're just – to that extent we're doing administrative response to that. But say they create an error. Is it incumbent upon the County to catch that error?

MS. MILLER: Madam Chair, if you knew of it, if you knew of it, certainly to not approve this and notify them that you believe that there is something missing. For instance, you may know that a rate didn't change when they issued a humongous bond, you might question that rate that it doesn't make any sense from last year to this year because I know as a voter that they incurred another \$100 million worth of debt. Then it would be incumbent on us

to say did you look at that; did you check it? But it's actually the state's agency, for instance, Higher Ed, to look at all of the college debt. State Board of Finance to look at the State general obligation debt. Public Education to look at all the public schools' rates, operation and debt and then they certify to DFA that they believe that those for those counties, those districts are correct. And so for us to look at County debt and County operational when we send it over and assess value and that's another area and that's where the assessor is really important to make sure that all the valuations in all of these areas are correct. And then that's what we're verifying. And then at the point where they send it back to the DFA secretary, they're saying that all of those steps have been taken and therefore we need you to verify that you have this. And that's why I say it's kind of ministerial at that point; verifying that you are approving what we have sent you is the rate for your county. But if you did know something was incorrect, yeah, certainly before sending out an improper tax bill it would be appropriate to let them know.

CHAIR VIGIL: Okay, thank you. Any other questions? What's the pleasure of the Commission?

COMMISSIONER HOLIAN: Madam Chair.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: I move for approval.

CHAIR VIGIL: We have a motion for approval that we issue a written order approving and imposing the 2011 property tax rates for Santa Fe County pending DFA's response to what those are.

COMMISSIONER STEFANICS: Madam Chair, I'm going to second it but I'm not really comfortable with this.

CHAIR VIGIL: Okay, I have a second that's not comfortable.

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

MS. MILLER: Madam Chair, one clarification. If there is a change, if you wanted to have a special meeting, we can do that. This was a debate by staff whether you want to have a special meeting just to do something that is relatively ministerial if this doesn't change at all. But it's the Commission's desire. If it comes back from DFA with something different than what you've been shown we can certainly call a special meeting for that.

CHAIR VIGIL: Most definitely. I think we should move in that direction. Thank you, Katherine.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Perhaps we can identify what different change we're talking about for a special meeting, like a couple of points or a couple of percentages? I mean, if we're off by 1/100<sup>th</sup> I don't think that's as meaningful if we have a significant percentage change.

MS. MILLER: Madam Chair, what we can do is if there is anything at all we can immediately notify you and if you want to have a meeting for it we can do that.

CHAIR VIGIL: Very good. Thank you, Katherine.

**XV. B. Community Services**

**2. Approve a Memorandum of Agreement Between Santa Fe County and the New Mexico Department of Health for Funding the United Way Project Launch Program to Allow for Payment of Program Activities in Federal Fiscal Year 2012 in the Amount of \$733,000. (Community Services Department/Health & Human Services/Administration)**

STEVE SHEPHERD (Health & Human Services Director): Madam Chair, this is fourth year funding for the Project Launch Program run by United Way. We expect to get probably one more year of federal funding for this project. You will see the expense PSA for United Way next month but we need to get the revenue contact in place first.

CHAIR VIGIL: Okay. Any questions?

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Yes.

COMMISSIONER STEFANICS: I move to approve the memorandum of agreement between Santa Fe County and the New Mexico Department of Health for funding the United Way Project Launch.

COMMISSIONER MAYFIELD: Second, Madam Chair.

COMMISSIONER HOLIAN: Second.

CHAIR VIGIL: Motion and a second – which I heard from Commissioner Mayfield. Is any part of this money given to us as the fiscal agent?

MR. SHEPHERD: No, ma'am it does not.

CHAIR VIGIL: So it's just total pass through?

MR. SHEPHERD: It's a total pass through.

CHAIR VIGIL: Would it behoove us to negotiate the next time?

MR. SHEPHERD: I think the next time we do something like this, Madam Chair, is to negotiate a chunk for finance and possibly legal and other folks that work on this stuff.

CHAIR VIGIL: Okay.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR VIGIL: Yes.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Shepherd or Ms. Miller, I know there's always different fund drives and different organization and I respect our body but does this Commission ever champion any and try to be a participants for these fund drives that go around, such as United Way or other worthy causes?

MR. SHEPHERD: Madam Chair, I don't know –

CHAIR VIGIL: We actually have had an experience where Santa Fe County has had strong representatives in collecting for the United Way on several occasions. I think the experience that I've at least had at this point in time is that certain departments that champion a particular cause and they actually do report to the County and I think the most recent one that I'm familiar with is the Special Olympics. I think Commissioner Holian

you've been involved in Multiple Sclerosis. I am actually working on a dialyses improvement program – those kinds of things. But in terms of United Way which is sort of a comprehensive program, I do recall us having a United Way representative and what United Way would particularly like which I don't think the County has done is employee deduction program, but we haven't gone there with that; correct?

MR. SHEPHERD: Madam Chair, Commissioner, I don't think that has been done for a long time but it was done in the past.

COMMISSIONER MAYFIELD: And, Madam Chair, and on that point to you, there are options to the state where we could push that out to employees and they could pick whichever organization they – I think it's New Mexico State Charity Campaign and I don't know whether that's something that we could look at.

MS. MILLER: Madam Chair, Commissioner, we used to have something like that in the County. Commissioner Mayfield is correct that the state you are able to choose all the charities available in the state and you can through payroll deductions select the ones you want or if you don't then they just distribute it – if you just say you want however many hundred dollars a year to go to somebody and you guys pick it then they distribute it. And I think that the County used to do a similar drive with United Way of Santa Fe County and they sent it around and if you chose through payroll deduction – I'll have to check with HR if there was some reason that there doesn't seem to be an annual campaign anymore if it was thought to favor one in particular non-profit versus the options at the state where they have all of them. I don't know but I noticed that that hasn't surfaced since I've been here. So I'll check into that as to why that doesn't and see if we do need something like that.

CHAIR VIGIL: Okay, thank you. Thank you, Mr. Shepherd.

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

**XV. C. Growth Management**

- 1. Request Authorization to Publish Title and General Summary of Ordinance No. 2011-\_\_\_\_, an Ordinance Amending Ordinance No. 2008-13 and its related and authorized project participation Agreement Between Santa Fe County and Bicycle Technologies International Ltd. (Growth Management/Economic Development)**

ROBERT GRIEGO (Planning Manager): This project originally came to you in 2008. This ordinance was the local Economic Development Act which was approved in 2008 for Bicycle Technologies International. This project included a project participation agreement and it allowed the state to provide funding for this project. An MOU was in place for this project. The MOU expired in June of this year and a new MOU has been submitted to New Mexico Economic Development Department and they have granted an extension. This ordinance amendment would allow the project participation agreement to be amended for the time extension through December of 2011.

I stand for questions from the Board.

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

COMMISSIONER ANAYA: Move for approval, Madam Chair.

SFC CLERK RECORDED 10/17/2011



COMMISSIONER MAYFIELD: Second.

CHAIR VIGIL: I have a motion and a second. If there's no other discussion.

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

**4. Request Approval to Award Contract No. 2011-0148-CSD/PL to Meridian Contracting, Inc. for Construction Services for the Santa Fe River Trail at El Camino Real Park in the Amount of \$989,119.00 Exclusive of GRT (Community Services Department/Open Space and Trails)**

CHAIR VIGIL: I've had a request to move this item up. The presenter has to catch a train.

COLLEEN BAKER (Program Manager Santa Fe County Open Space & Trails): I'm pleased to bring this contract forward for your approval. This is the next phase of the Santa Fe River Trail for the County so it'll be our second section of the trail that we'll complete. This is actually the result of a project that was initiated by the State Land Office in 1998. The County at that time actually passed a resolution to collaborate with the State Land Office on the rehabilitation of the Santa Fe River and since that time the parties have been moving forward on different phases but the State Land Office completed a five year restoration project on this section of the river from about 2000 to 2005 and then the County purchased the right-of-way from the State Land Office in 2002. The City took the lead in applying for a state Scenic Byways grant through the Federal Highways Administration Program for construction of the trail and was awarded that grant in the amount of \$151,000 and that grant has actually paid for a portion of the design of this trail and then there's about \$120,000 left on the grant that will go towards construction and then the rest will come out of the joint regional GRT funding that was already allocated for the Santa Fe River project.

The project itself include approximately one mile of 10-foot wide paved-trail along the Santa Fe River. There is a trail head at the end of Constellation Avenue which is across from the Shell Station on Airport and then you take Constellation Avenue to the river. There is a paved trail head at that location, a driveway from the end of Constellation Avenue that actually extends the sidewalk that dead ends at Constellation Avenue down to the parking lot to two steel-truss bridges that cross the river. One is from the trailhead to trails on the north side of the river and then another on the east end of the trail which actually brings the trail back up to Agua Fria at San Felipe. So it'll actually connect with some of the communities in there. And then part of the project is installing three test strips of alternative paving surfaces that we'd like to how they work before we consider them as options for future trail projects. With that, I stand for questions.

COMMISSIONER HOLIAN: Madam Chair.

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: I was just going to move for approval.

CHAIR VIGIL: Okay, I have a motion and I'll second.

COMMISSIONER ANAYA: Madam Chair, I was just going to say with all due respect to the beavers, no beavers have been associated with this project. All kidding

aside, this type of project I think is the type of discussion that that corridor in La Cieneguilla and La Cienega have started to raise with me. To say, what can we do in that stretch to make it a more useable space to accommodate trails and hiking and other issues along that corridor.

I am supportive of the project but I would ask that expand the discussion in that particular corridor in which there is all that concern over. I think all of our work and our planning could accommodate a lot of those issues in collaboration with the City to create usable area which is something that several of the residents in La Cieneguilla in particular have brought up as having a desire to potentially have some usable space. That's all, Madam Chair. Do you have any comment on that, Colleen?

MS. BAKER: You know we have considered, Commissioner Anaya, the greenway that we look at in planning all the way down to the mouth of the canyon. We have been very careful about how we label the trail project because in past years in the community meetings, the community of La Cieneguilla and La Cienega was very hesitant to ask for the trail. They didn't really want to invite public into that space. We're very open to that but it's definitely something that we want to work through a public process on. So we've in the recent years ended the trail project at the wastewater treatment plant because that's as public planning had asked for the trail to come. Beyond that I think it's a different discussion. It's a different river. It's a different community. So we need to do the public process to determine what that would look like.

COMMISSIONER ANAYA: Yeah, Madam Chair, absolutely, public process for all in close proximity to the urban city limits extending down, so I absolute thing that should continue as part of the discussion and it could help us based on that input mitigate some of the other issues that we're trying to work through.

CHAIR VIGIL: I have a motion and a quick question before I take a vote. You had mentioned that there's three alternatives for surface for the trail itself. Does that mean you're going to deviate from the San Isidor alternative that exists now?

MS. BAKER: Madam Chair, Commissioners, probably at some time, yes. We surfaced the San Isidor stretch with a gravel partly because we had not made decisions on what the overall 8-miles of trail would look like at that time and we didn't want to go to the expense of putting in a trail surface that weren't sure would be the uniform look for the entire corridor in the County. Part of what we are wrestling with is that there's a lot of different opinions about what the best surface is particularly when we're addressing multiple users and in the County even including equestrians. So we're trying to find compromises that address the users' needs and are still very much a multi modal trail. These other trail surfaces are – there's a recycled glass product, there's a recycled rubber product and there's a stabilized native soil product. None of them have local examples that have been in place for a enough time for us to really evaluate whether they're cost effective, what the maintenance is and how well they hold up out here. So there's a lot of interest in the community to try these alternative products because they've got some green building characteristics or they recycled products or they're more porous or they're aesthetically pleasing, but until we know that those are going to hold up we didn't want to invest in them. So we went with paving. We know it's ADA accessible. We know it's friendly to bicycles and strollers. We know what the maintenance is and we know what the longevity is.

CHAIR VIGIL: Can I know what the projection is – and I've been going up to Frenchy's up to Camino Alire which is looking wonderful – and actually one of the benefits

that I've seen in that particular trail is it does have concrete for bicycles or stroller or whatever and then I can actually walk on the sides of it or jog or whatever so can I make the visual assumption that what's going to happen is by the time that trail goes to San Isidro it'll be concrete with sides and then from San Isidro it's going to be what currently is there and then we're going to go back to concrete? No. Okay, help me with that.

MS. BAKER: Madam Chair, Commissioners, the City chose concrete. We were working through a collaborative process trying to actually come up with a uniform surfacing. They went with concrete because some of the existing parks in the City were already concrete. Concrete is quite expensive and may not be the most friendly material for all users. The public actually preferred not to use concrete.

My suggestion would be that we change surfaces at Frenchy's field and we choose the surface through a public process for the rest corridor and that at some point San Isidro would be a new surface. Maybe not in the near term because we have a lot of pieces to put together before we actually have a uniformed trail. But at some point we'll choose a service for the whole eight miles.

CHAIR VIGIL: Thank you. I needed that clarified. If there are no other question, can we take a vote on this?

COMMISSIONER MAYFIELD: I have a general question.

CHAIR VIGIL: Okay, after the vote.

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

COMMISSIONER MAYFIELD: Madam Chair, thank you and Colleen, what type of money is left for other projects in the County after this and after maybe the next agenda item coming up?

MS. BAKER: Madam Chair, Commissioner, at the risk of speaking off the top of my head there's a significant amount of money we have allocated to other projects. I hate to throw out numbers unless I have it in front of me and I don't.

We've tried to take a lot of the suggestions we've been hearing from the Commissioners and really look at our project spread through the County Commissioner districts. We are trying to do that. I would be glad to furnish that and show you what we have.

COMMISSIONER MAYFIELD: And then, I'm going to just ask, I guess, a tough question, but I am very serious with the question that I am asking. Some of the rural roads, at I have in my district, I mean, could we bring a request to COLTPAC or to your unit to basically help fund our public works to create a trail next to a county road so that people could at least try to walk down these roads that are so overgrown with brush and weeds. To me, I think that could be a benefit of an open space also. Just so folks could bicycle. So folks could walk and I think – and I know that public works is strapped for cash and resources, for me that's an open space and trail right there, right next to a county road, just let it run parallel to a road and that way folks can walk safely cause they're walking and they're bicycling straight on the roads out in my rural areas.

That's just something that I would ask that you all would please try to consider. Maybe we could push some money to our public works department in that regard. Maybe we can't. I don't know what the rules are but I'd like to look at that.

MS. BAKER: Madam Chair, Commissioners, certainly where there is an overlap between the roads projects and open space projects is shoulders and trails along roads. They definitely are pedestrian/bicycle facility associated with the road. We're short on funding for the number of projects that we're trying to undertake too. But I certainly think it is something that we can collaborate. I know everybody is short for what they are trying to take on. But it's definitely something that we have – we're actually starting the process to work on that Caja del Rio Road right now. Public works invited us into the process because they had a design RFP out. I'm working with Robert Martinez right now.

COMMISSIONER MAYFIELD: Thank you, Madam Chair and thank you, Colleen.

CHAIR VIGIL: Thank you very much, Colleen, and have a safe ride home.

MS. BAKER: Thank you, Commissioners.

**XV. STAFF AND ELECTED OFFICIALS' ITEMS**

**A. 2. Resolution No. 2011-134, a Resolution to Authorize a Community Planning Process for Tesuque Village and to Establish the Tesuque Valley Planning Committee to Amend the Rio Tesuque Community Plan Adopted by Resolution 2000-165**

ROBERT GRIEGO (Planning Manager): This resolution is coming to you – the Rio Tesuque Community was adopted in 2000. This plan is over 10 years old. The Rio Tesuque Community – the Tesuque Valley Community Association approached staff and they have indicated that they would like to move forward to try and amend their plan to reflect recent conditions in their community. With the adoption of the Sustainable Growth Management in November of last year staff feels that it would be appropriate to move forward with their community plan in accordance with the Community Planning Ordinance.

Staff has met with the community on several occasions. The community is organized and is willing to move forward on amending their ordinance in accordance with the community planning process outlined in our Sustainable Growth Management Plan.

Staff is requesting that the Board establish the Tesuque Valley Planning Committee and authorize the committee to initiate a community planning process to revise the Rio Tesuque Community Land Use Plan.

CHAIR VIGIL: Questions? Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. Mr. Griego, and I do know that we had some folks here a little earlier from the Tesuque Committee that fully support the community. I fully support this and I know that we did have some internal meetings. This is the first type of community group that is moving forward for any of our community plans in the County; am I right?

MR. GRIEGO: Madam Chair, Commissioner Mayfield, no, we have another community plan that is being revised right now and that is the La Cienega/Cieneguilla Community Plan. That is going through the same process. They have a plan that adopted in 2002 and that is going through the plan revision process as well.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. Mr. Griego, let me – and I believe I asked this with the community representatives that were here in that

meeting, but just so I understand: if anybody wants to try and bring a project forward this will be the initial group they have to go in front of; correct?

MR. GRIEGO: Madam Chair, Commissioner Mayfield, no, this is the planning committee. This is a committee that establishes the community land use plan for their community. When the plan is adopted it sort of sets the framework for how they want to do future land use then the next step is to do a community planning ordinance which would implement those policies in the plan to create the zoning districts that they would like to have in their community, the densities, the commercial areas, etc.

COMMISSIONER MAYFIELD: Okay, Madam Chair and Mr. Griego, then maybe I'm off on that meeting that we had Jack the other day. So, then, this is just to establish a community plan organization it is not for any individuals who want a permit need to go to get approval prior from this committee.

MR. GRIEGO: Madam Chair, Commissioner Mayfield, no.

COMMISSIONER MAYFIELD: Okay, thank you, Madam Chair. If there's no other questions, I move for approval.

COMMISSIONER HOLIAN: Second.

CHAIR VIGIL: I have a motion for approval and a second. If there's no discussion all those in favor signify by saying "aye."

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

**3. Update on the Sustainable Land Development Code Concept  
Decision Point Public Input Process and Focus Groups  
[Exhibit 4: SLDC Update]**

JACK KOLKMEYER (Director Growth Management Department): Thank you, Madam Chair and good evening Commissioners. Let me start by first saying that we really appreciated the discussion that we had with you at the staff retreat on the Sustainable Land Development Code and the Plan. I think we all took away a great deal from that.

What we wanted to do very quickly this evening was go over the activities that we are embarking on for September just so that you would know in case your constituents ask you about these things and so that you yourself knows what we are planning to do this month.

First of all the next focus groups that we will be doing will be for agriculture and affordable housing. We're going to do the agriculture one this Thursday at 2 o'clock and there's quite a bit of interest in this one and we have a really great group. We are really looking forward to that focus group. And there's quite a bit of interest in this one and we have a really great group so we're really looking forward to that focus group and then as we discussed this morning at the Affordable Housing meeting we'll be doing the Affordable Housing focus group the week of the 26<sup>th</sup>. We haven't picked that date or the time yet but it will be the week of the 26<sup>th</sup> and we will be asking for your help in helping us choose people for that focus group as well.

The next decision points that we're going to do and this took some deliberation in kind of going back over some of the issues that have come up so far and we decided that the next round of focus groups we need to bundle a number of things together. There will be two basic categories. We want to go back and really look at growth management, what it means,

what the growth management strategy was in the plan, and how it bridges to the Code especially for sustainable development areas. You know, this comes up all the time and we think there is quite a bit of confusion about what an SDA 1, 2, 3 is and what that means and where they are and why they were chosen. So we want to go back and open that again as a concept discussion with the public. Also, included in that, is adequate facilities and services and how will growth pay for itself. And, also related to that is the future land use map and zoning district maps that are in plan. We want to bring those back again and have another discussion, a conceptual discussion, with everyone about what those things mean and how they will then go into the Code. We think it is really critical if there's not a really good understanding of these things right now then there isn't a good understanding of growth management. We want to make sure that we're on a really clear track with that and also that pertains to the official maps that in the growth management plan as well. And, the official map, for example, came into discussion when we were talking about the trails. A lot of the public wants to see where the trails are going to go on these maps and so we have the official map that was adopted and we want to put that back as well.

We also want to open up a concept decision point discussions on some of the procedures that will be in the Code especially related to family transfers. We want to get into that and start having that discussion and also planned development districts. This is, the planned development districts, is really technically a procedure but it's an important part of the growth management strategy. We've heard a lot of folks say well if I'm an SDA 3 that means I can't development, and actually the way that anybody can develop anywhere in the County will be through the planned development district concept that we have in the plan that we want to take forward into the Code. So we want to put that out and make sure that everyone understands that.

The sequence of meetings that we would like to do for these concept decision points will be September 12<sup>th</sup> and the 13<sup>th</sup> – the 12<sup>th</sup> will be in Pojoaque at the Boardroom of the Pojoaque Public Schools. The 13<sup>th</sup> will be at the Nancy Rodriguez Center in Agua Fria and then on the following week on the 19<sup>th</sup> and the 20<sup>th</sup> we will be in Eldorado and the Edgewood Senior Center. We thought about doing four in a row again but we wouldn't be walking again if we did that one. So we've broken them up in two weeks and that also allows us to review the first two meetings to make sure that we are on track with everything.

And, then we're going to need at the end of the month to come back and have a study session with you like we did with the home-based business one. We suggested that maybe the BCC meeting, the Admin meeting on the 27<sup>th</sup> would work but after listening to the redistricting discussion I guess that's going to happen on the 27<sup>th</sup> – but you all can figure that out. That was just a suggestion from our part. However, what we are going to cover at that special meeting will be green building and energy efficiency, open space and trails and agriculture. The discussion you just had, Commissioner Mayfield, your question that you brought up with Colleen about the trails and the roads that got discussed a lot so that's going to be part of our recommendations to you at that particular meeting. And, then, simultaneous with all of this we're going to be coming forward with the administrative chapters of the Code as we explained to you at the retreat. We're looking at all the models that we have. We're going to go back and get the first eight chapters of the Sustainable Land Development Code and that's going to include community planning, procedures, variances and family transfer so all of that will be coming forward to you at the end of September as well.

We finished up the concept code draft of the home-based businesses and we would also present that to you at the study session. That's turned out really, really great. We have four different avenues for folks that want to do home based businesses as opposed to the one that we have in our existing code right now and it turned out really, really great and we think you'll be really proud of the work that all of your constituents did on that one.

That's our activities for the month of September and I'll be happy to answer any questions.

CHAIR VIGIL: Questions. Yes, Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Jack, are the focus groups, the early focus groups that you created like on green building and so on, are they going to continue to be meeting or are they done with their work now?

MR. KOLKMEYER: We may go back to them it depends. The next thing now is to take the information from those meetings and craft these concept code drafts. If we can get that in sort of one run through it we'll just bring that forward to the Commissioners in a study session. If we have some problems still and we think we need to iron out a few more details in that we would reconvene the focus groups.

COMMISSIONER HOLIAN: Okay, and then on the home-based businesses part of the Code, let's say that we think that it's great and we actually want to adopt it; could we adopt that now and actually put it into place as opposed to waiting for the entire code to come out?

MR. KOLKMEYER: Madam Chair, Commissioner Holian, yes. In fact, we think that might be true for several of these sections. We have place holders for them in the Code outlined, as you know. We showed you a copy of the Code outline and we can just put that into the Code when it's ready to go. We think that actually a couple of these may want to go forward as ordinances.

COMMISSIONER HOLIAN: Okay, thank you, Jack.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. Thank you, Jack. A couple of things. One of the individuals who was on the green building focus group contacted me and said how are you all going to consider guest houses? And I said I'd love to hear your opinion or bring that up at your focus group. So could you just address that one item and there's another one as well. Where do you see that as falling into any discussion?

MR. KOLKMEYER: Guest houses would probably be a part of one of the admin chapters is my guess. It would be a procedure under the standards. It wouldn't have anything to do with the energy efficiency one, I don't think. It would be part of the procedures.

COMMISSIONER STEFANICS: Okay. The other item would be and I do believe guest houses is of major interest to the public so I want to make sure that it's identified as a topic so that people can, you know, let us know how they feel.

The second item is, a few months ago I brought to the attention of our County manager that I was getting several emails regarding our flood and stormwater ordinance. I'm wondering if that's important enough, if you heard from other individuals or if that was maybe a select few. But how do we want to handle some of those public concerns in advance?

MR. KOLKMEYER: Madam Chair, Commissioner Stefanics, we have a Flood Plain Ordinance draft right now and I think that maybe one way or a good way to handle that would for us to internally to look at that draft that we have right now and kind of weigh that against some of the concerns that are coming up because there's a number of things that have surfaced; some of the FEMA issues, and flooding issues that are happening right now. I think we would like to start by looking internally at the ordinance that we have right now and see where we're at with that and then perhaps opening that back up either to a focus group or maybe a concept decision point session. It may be better to do it as a focus group – we'll have to look and see. The focus groups tend to get people with real technical experience and we want them if there are technical issues that are arising in the Flood Plain Ordinance. That may be the better way to look at that.

COMMISSIONER STEFANICS: Okay, I know that on all of these topics there are people who have technical expertise and then there are the people who live with the ramifications who are going to have economic and life planning issues so I think that they're all valid. And, of course, I would like to see balance in any of these discussions and focus groups but I do think that we're hearing some concern.

Thank you very much, Madam Chair.

CHAIR VIGIL: Any other questions? Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, for the benefit of those that weren't at our study session I just want to say publicly that we're going to get into the heart of the most challenging issues associated with density, water, development, variances, family transfers, that we're going to seek public input from the various communities in the entire County. And just for clarity because there was a lot of discussion around the plan, the plan doesn't dictate development or densities. The Code will dictate what allowed densities will be throughout the entire plan. So I just want to say that publicly because that's what we have collectively said overtime is that the plan didn't set forth anything to do with density at all and that's the purpose of the discussion that we're going to have now as to going out to the public and getting feedback as to what's appropriate which based on the feedback I hear it could deviate from one sector of the County to the other. So do you want to comment on that?

MR. KOLKMEYER: Madam Chair, Commissioner Anaya, first of all, yes, we took what you said to us at the retreat to heart and we decided that that was really good to jump back into these concepts so that people understand them. And, you're right, the plan doesn't dictate the densities or the zoning but it does set up the concepts which we're going to follow to get to those things. So that's why we want to jump back in that and do that again so we're all on the same page about what that meant. So, yes, you are correct in that interpretation, Commissioner.

COMMISSIONER ANAYA: Thank you, Madam Chair. Thank you, Jack. Thanks to Mr. Griego and the rest of the group that has been working including a lot of those volunteers that have provided a lot of volunteer hours to help.

MR. KOLKMEYER: Great, thank you, Commissioner.

CHAIR VIGIL: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you, Madam Chair and thank you, Jack. And, Jack, I know we had a discussion or at least we spoke at the retreat and I don't know if it was on retreat time or off retreat time when we spoke. But one CDP and I don't



know if it's CDP but what I'd like to bring forward is something that discusses the fees. Right now the County is that administratively done? Is that done by ordinance? I know you and I had a brief discussion about this in this chamber awhile back but how are we going to address the fee structure associated with anybody trying to do anything within the plan?

MR. KOLKMEYER: Madam Chair, Commissioner Mayfield, we do have a Fee Ordinance and that sets out most of the fees particularly for the land use development procedures and that's how we would do that portion of it. But there are other things that we need to look at like impact fees, for example, and a number of other procedural type fees. So we'd kind of like to again to do all of that together. Home-based businesses, for example, will have their own fees also and those right now are in our Fee Ordinance, I believe, so we're going to have to figure some of this out. If we do what Commissioner Holian was suggesting and we go with the home-based business ordinance then that's going to affect fees that we're charging because we do want to change those but I'm not exactly sure how we'll figure it out. But we are going to try and bundle as many of the fee questions and issues all at the same time.

COMMISSIONER MAYFIELD: Thank you, Madam Chair and Jack, and, again, not to be a naysayer but if we have the focus groups there at that time discussing, you know, green building, home-based business, shouldn't that be a time to discuss what we think the fees are going to be? I mean if we are going to move forward on all of this and then we're going to reconvene and bring everybody back to discuss what the fees are going to be.

MR. KOLKMEYER: Commissioner Mayfield, we did discuss the fees for home-based businesses in this group. But, again, in some of the other ones and this probably won't be until October, the same with the flood plain issue, because we want to take care of these other things in September but we'll try to put as many of the fees together in some kind of discussion whether it comes forward as an administration chapter and then we do however we do the public meetings. But I think the point is that it's hard to just separate one fee out and look at it. That's somewhat the problem with the home-based business. We want to try to put as many of them together so that them make sense to the public why we're looking at them.

COMMISSIONER ANAYA: On that point.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Commissioner Mayfield, I'm glad you brought up the fees. I actually had a very well-respected and staunch advocate in District 1 raise exactly the point that Commissioner Mayfield is making about fees that we currently have where in the example that the gentleman provided to me, was we have a miscellaneous fee and the concern there was that miscellaneous; what's that for? I'm paying a fee and I don't even know where it's going or what it is for. So, I would concur with Commissioner Mayfield that we have a discussion on it and I would also say that anything that we charge for any service or any tax or any fee, that we should to the public provide a very clear and succinct delineation of what that fee is going to be used for. And I would concur with that particular individual that that miscellaneous fee is probably not the right choice of words so maybe we should read through that and look at that. So I appreciate the Commissioner bringing that up.

MR. KOLKMEYER: Commissioner Anaya, we are in agreement with you on this subject. We need to look at it as a whole. And, again, just with the home-based business

people have complained that that can cost them as much \$434 to do a home occupation. We've already brought that down to the neighborhood of \$75. So by going through this kind of process what we really look at is what fees were charged for and inspections and those kinds of things. We'll figure out what to do it and do it in a really good coherent way for you.

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

CHAIR VIGIL: Thank you very much, Mr. Kolkmeier. We appreciate all the work you're putting into this.

**XV. D. Public Works**

**1. Second Public Hearing for Discussion of Santa Fe County's Infrastructure and Capital Improvement Plan (ICIP) for Fiscal Year 2013-2017 (Public Works/Projects and Facilities)**

*[Exhibit 5: List of potential projects by districts]*

COMMISSIONER ANAYA: Madam Chair, while he is passing that out, can I make a brief comment?

CHAIR VIGIL: Yes.

COMMISSIONER ANAYA: Madam Chair, I want to go ahead and acknowledge a group in our County that sometimes probably gets picked on more than acknowledged just by way of where they're at. But, I want to acknowledge ASD and Jeff Trujillo and his shop and Corky and those guys. I know there's frustration over some of what happens in procurement and things that happen over time but you guys are doing good work and I wanted to just acknowledge you guys for that, Jeff and your team.

CHAIR VIGIL: Okay, Mr. Olafson, please proceed.

PAUL OLAFSON (Project & Facilities): Madam Chair, this is the second public hearing for the ICIP process. We intend to bring a final list as well as the top five list back to you on the first meeting of September. The packet is due to DFA by the 30<sup>th</sup> of September. And I would in the interest of time and the latest of the evening I will stand for any questions.

CHAIR VIGIL: Are there any questions?

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Can I ask how your department plans to prioritize the specific district requests?

MR. OLAFSON: Madam Chair, Commissioner Stefanics, what now what we're trying to do is to get the list of the County's internal request and then put them into a matrix, similar to what we did last year, that looks at is as a County wide need. Is it shovel ready project? Is it community supported and I think there are about five different categories on that list. We'll put that into the matrix and then as per the districts specific, we certainly will take any input from you all and we can get a list out to you now or if you start off this list and there is a specific project that you would like us to consider, we can do that as well.

COMMISSIONER STEFANICS: Well, the reason I ask, Madam Chair, obviously, you do have some criteria and it would be good to know, for us to know, before we're starting to make decisions both countywide or even if we wanted to put an district project forward if it is shovel ready, if there is community support, if it was a small segment, et cetera, et cetera. I'm just asking that we try to whittle it down as carefully as we could before it comes to us. Thank you.

MR. OLAFSON: Yes, thank you.

CHAIR VIGIL: Any other? Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I appreciate all the meetings and discussions and I'm kind of in line with Commissioner Stefanics' comment and maybe taking a page from organizations like the Department of Transportation and even our own Fire Department for that matter. I think as a County maybe we could all start thinking about a plan that is phased in over time where we have an assessment of priority and need based on the feedback and the input that you have. But that we actually maybe develop an implementation plan that is more realistic with the reality of funding or lack therein and then some placement within a longer term process which I know there is a lot of discussion that has happened. That's my thoughts on piggybacking on Commissioner Stefanics' comments.

CHAIR VIGIL: Okay. This is a public hearing. Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. Madam Chair, I don't know if you were at the community meeting we had up north.

MR. OLAFSON: No, sir.

COMMISSIONER MAYFIELD: Anyhow, there were some comments made and it was well attended, but there were some comments that there may be some projects specific to District 1, are old projects that might need to be rolled off. Did you guys purge these lists at all before they came to us this time?

MR. OLAFSON: Madam Chair, Commissioner Mayfield, we are actually in that process right now and so we have been updating costs as well as eliminating projects that have already been completed or that are no longer feasible or requested at this time.

But, again, like I said at the first meeting this list is basically similar to last year's list because there was no cash flow from the state at least and this is the request list that goes to the state and trying to maintain some of that continuity we wanted to make sure that we weren't inadvertently dropping projects.

COMMISSIONER MAYFIELD: Thank you, and Madam Chair, and Paul, I know this is a public hearing and you asked that we get all the requests in, even looking at this list I think there might be one or two in it – and I don't know how they didn't get to you – but can we still add to this list?

MR. OLAFSON: Madam Chair, Commissioner Mayfield, yes, you can add up to the next public hearing and I can get with Juan and see if there's more.

COMMISSIONER MAYFIELD: Thank you.

CHAIR VIGIL: This is a public hearing. Is there anyone out there in the public who would like to address the Commission on this item? Seeing none, are there any other questions? What's the pleasure of the Commission?

MR. OLAFSON: This is just the second public hearing. We'll bring it back on the 13<sup>th</sup> for action.

**3. Request Approval to Enter into an Agreement with Intera, Incorporated for Environmental Services for the First Judicial Courthouse Project in the Amount of \$286,914.62 (Public Works/Projects and Facilities)**

JOSEPH GUTIERREZ: Madam Chair and members of the Commission, in front of you is a request to enter into a one year agreement with Intera for \$286,914.62. Intera handles all of the environmental issues for the County on the Courthouse site. We are in the process as I mentioned before of finalizing our voluntary monitoring program. We're in the process of building the courthouse so there is a lot of activity in terms of monitoring and testing and those types of things. This process – we did go out to bid on this. We went out through an RFP and Intera responded and was selected.

CHAIR VIGIL: Okay. Are there any questions?

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: I am moving approval to enter into the agreement with Intera.

COMMISSIONER HOLIAN: Second.

CHAIR VIGIL: Motion and a second. Is there any discussion?

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

CHAIR VIGIL: Thank you, Mr. Gutierrez.

MR. GUTIERREZ: Thank you, members of the Commission.

**XV. E. Matters From the County Manager**

**3. Requested By County Commission to Convene a Meeting of the ELUA Board.**

MS. MILLER: Madam Chair, I put this on here because it was a discussion item at the retreat and I was asked to bring it forward to the Commission because we didn't have any action items. One of the things that I had to go back and do was when you read the JPA relative to ELUA it states that there's an ordinance that covers ELUA. So we went to look at ELUA to see whether there was a method – I couldn't do it at the meeting – but whether there was a method for calling a meeting. As it turns out there is an ordinance for ELUA but ELUA has never convened so there's no chair and some of that process has not happened. Additionally, maybe Steve you could identify what their role is. And, I guess my point in bringing this up is to also see if you want to do that or whether you want us to request formally a meeting of all the Commissioners and all the Councilors. Because I don't

know that convening an ELUA meeting will get you what you want because the ELUA board is only the – it'll be four Commissioners and it'll be three members from the City of which it says two Councilors and the Mayor or three Councilors. And they have a very specific role based on the ordinance, is that correct Steve?

MR. ROSS: They have a statutory role on annexation which is why it came up last week.

MS. MILLER: Right, but it's all like zoning.

CHAIR VIGIL: It's the five-mile radius issue? Is it a zoning issue?

MS. MILLER: Penny stepped out of the room and she's the one who went and looked it up for you.

CHAIR VIGIL: Right but your question is do we want to move forward with ELUA or do we want to convene and request a joint City/County meeting?

MS. MILLER: Madam Chair, essentially that's it. Because I think our initial thing was to call the ELUA meeting so we could talk about annexation but there were – but as we finished the meeting there were so many other issues relative to RPA and all of these things really depend on each other. And, so as we got to the end of the retreat I wasn't sure whether this would be the best method or if it might be more appropriate to send a letter to the City stating that we would like to have a full City/County joint meeting.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, taking into consideration the evaluation of those ordinances I would be very supportive and absolutely love to have a discussion with the City and the County. I've asked for that discussion to take place previously and frankly it kind of seems like it's being avoided. I don't think by my colleagues sitting to my right but I think there's some very important issues that we need to discuss jointly associated with annexation and RECC in particular associated with annexation. And, I think it would be a good exercise to go through that process.

CHAIR VIGIL: So is it your statement of support of getting both the City and the County as governing authorities together – okay.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: I would agree. I do think though that it could, the meeting could quickly deteriorate if -- I mean we have some issues, the County has some issues that we'd like to change with the City and so if some of those issues get compounded with others we might get bogged down with only one topic. So for example, the funding of RECC. I think many of us are interested in what's happening with annexation. I think the public is interested in that. I think some of us might be interested in whether or not the City and the County have any similar goals that they work on together.

So I think that we should probably give some thought to this but I would encourage us to move ahead with the City/County full body meeting.

CHAIR VIGIL: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. Madam Chair, Katherine or Steve how does this happen? Have you had joint full City/County meetings in the past?

MR. ROSS: Madam Chair, Commissioner Mayfield, yes, we've had several, probably three or four over the years since I've been here at least. And how they happen is

you just notice a meeting of the County Commission – the last one we had was in these chambers and then the City notices a meeting of the City Council in the same place. We announce it as a joint meeting and we develop a joint agenda. It's pretty simply.

COMMISSIONER MAYFIELD: And, Madam Chair and Steve, as far as developing a joint agenda, can action be taken by the independent bodies? Does it need to be a collective action taken by both bodies?

MR. ROSS: Madam Chair, Commissioner Mayfield, usually it's the same action taken by both bodies sequentially. So if everyone agrees on an action item, the result of an action item, then one body will vote and then the other body will vote. We've done that before.

COMMISSIONER MAYFIELD: And, Madam Chair and Mr. Ross, if they don't agree? I mean, I guess, we could go our separate ways.

MR. ROSS: Whatever joint thing that you're trying to accomplish and it doesn't work when there is only unilateral agreement on something? But when you do come to agreement that is how you do it. The County Commission votes and the City Council votes and then you've arrived at an objective.

COMMISSIONER MAYFIELD: Madam Chair and Mr. Ross, and maybe this came up in our recent retreat, but with the JPA, there's a JPA on the annexation issue; correct? An MOU?

MR. ROSS: It's a settlement agreement, a court settlement agreement, correct.

COMMISSIONER MAYFIELD: And in that settlement agreement and I just don't have it in front of me and you did provide it to us, does it say that we will from time to time meet together as two bodies?

MR. ROSS: No, no, it does not.

COMMISSIONER MAYFIELD: So it was just kind of that it was going to happen and I mean we signed a settlement agreement that this is what will happen by a certain date?

MR. ROSS: Right.

COMMISSIONER MAYFIELD: It's not happening so we need to sit and meet right?

MR. ROSS: Well, so far we're on schedule.

COMMISSIONER MAYFIELD: We are on schedule?

MR. ROSS: We are on schedule and the annexation phasing agreement is on schedule. It's just that we're hearing they may be issues with the schedule.

COMMISSIONER MAYFIELD: Thank you, Madam Chair.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Well, I just wanted to point out that there's going to be an RPA meeting this month, and as a matter of fact, one of the main agenda items is what should the future of the RPA be. And, in fact, I was going to suggest that at that meeting that it really shouldn't be up to the RPA as such to decide the answer to that question but that we should in fact have a meeting of the whole County and the whole City to discuss that issue since I assume that in the beginning when the RPA was created the whole County and the whole City probably voted, had to vote in order to create that.

So I don't know how you want me to handle that but I will be bringing that up at that time.

CHAIR VIGIL: I'll raise my hand and call on me. I actually think that that's a really good idea to move forward and have those discussions because it is one thing to want a joint governance authority meeting and another thing to get the City to agree to that. The idea of going to the RPA with regard to options and in terms of what direction we should take, I think is a good start. Because we could extend an offer to the have a joint governance meeting at this point in time and receive a rejection letter. I'm not sure that strategically we want to do that without having some discussions with the RPA.

I am still a firm believer in the RPA and I think the RPA is at a place where they do need to redefine themselves and create a new direction. But it is the one authority that is the forum where we have both joint City and County officials where discussion can be had that need to be negotiated and I think if we bring both governing authorities, we need to have specific agendas because it will be really difficult for discussions to be held really concretely unless we know why we're bringing them together. And perhaps maybe this specific agenda item is what direction do we take with annexation; I don't know but I don't want – sort of in agreement with Commissioner Stefanics here saying we may be all over the place unless we have an agenda.

MS. MILLER: Madam Chair, here's my understanding with the City relative to annexation. They for the most part I hear some want move forward and some don't, but the basic issue has become how long to phase it in. That would require a change in the agreement with us. But we have issues like, we would like to see you financially participate in our ECC. So in some ways these are tied together because each time we try to deal with one of these issues without individually they are all financially tied together in how we jointly provide services to the community of Santa Fe and Santa Fe County. So I think it has been a long time since the City and the County have gotten together and a lot of this can't happen, as stated at the retreat, at the RPA because we might have four Commissioners and the alternate might be around but we never have a majority of the City Council so it's very hard for the County to ever get a good feel of the position of the City as a whole or as a governing body.

My suggestion would be that we write a letter inviting them to have a joint City/County governing body meeting to discuss their concerns about the annexation; our concerns about RECC. some kind of phasing in of the RECC being jointly funded; the future of the RPA, if it's to go forward what would its role be; and, the BDD they've also requested a settlement agreement out of the cost of the BDD and we've said that's kind of tied to some of these other things as well. And that would just be the questions that I can think of that just keep kind of hitting a spot and then don't go any further because we don't have enough of the information from the City Council as a whole as to how they feel about these issues. We can make assumptions but we don't have any particular board where there are enough members together on these areas to find out the general consensus of the City Council.

That is what I would suggest, that write a letter indicating that we would like to have a meeting with those items. Those are things that the Commission has brought forward and there are things that the City Council has brought forward asking staff to come to staff at the County. But really these are bigger political issues than they are things that can be worked out just at the staff level.

COMMISSIONER HOLIAN: Madam Chair.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: I just have a procedural question. I am thinking that we are instigating the meeting so would it be appropriate for you as chair of the Commission to be chair of the joint meeting or who would be the chair?

CHAIR VIGIL: That's a good question. Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, for what I recall from the several that we used to have, we used to have them at Sweeney by looking at Corky back then we had several of them with the Land Use Director – but the Mayor and the Chair of the Commission acted in their capacity and when it was necessary for a vote they would vote, one would vote on the City and the Mayor governing the vote and then the Commission Chair would act as the Chair on the Commission so.

Madam Chair, if I could, I'm not sure where Commissioner Mayfield – I didn't hear how he felt on a meeting.

COMMISSIONER MAYFIELD: Meeting jointly, Madam Chair. Yeah, no, I'm all for it. But I got another question that I'd like to go back to ELUA after we're done with this conversation.

CHAIR VIGIL: Go ahead and ask your question, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Do we need ELUA? I mean if we haven't even met formally as a board to pick out the leadership – what purpose is ELUA serving?

MR. ROSS: Madam Chair, Commissioner Mayfield, we're actually required to have ELUA by statute. It has a couple of unique functions. Number one is zoning in the extraterritorial zone which we've solved with the ordinance that Katherine was talking about a minute ago. But the other important element is that there's a new form of annexation where there's a disputed annexation of an area larger than one parcel, ELUA rather than the Boundary Commission, processes those annexation. So they have that very special role in annexation now since the statute was amended.

COMMISSIONER MAYFIELD: That's fine. Madam Chair, thank you. I support meeting as a joint County/City board together but then, Madam Chair, Mr. Ross, I would ask that we – however we do it procedurally we say okay guys let's get the ELUA moving, let's at least get our leadership in place for when we do, if that time every comes, we have to meet as the authority we're ready to go. We can put stuff on the agenda and move. So I would ask that we at least petition the City if that's how it works, saying guys look we want to start moving with the ELUA, as far as just organizational structure at a minimum.

MR. ROSS: Madam Chair, Commissioner Mayfield, the ELUA only meets as necessary. I think we have our representatives assigned –

COMMISSIONER MAYFIELD: Thank you, Madam Chair.

MR. ROSS: -- I don't know if the City does.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Ross, meets as necessary. We haven't even formulated who's the chair of that board. I mean, I think – and we're from what I'm just hearing from you we're mandated to have the ELUA board so that's the necessary meeting even if the only agenda item is saying look elect officers of this board and let's be able to bring agenda items forward.

MR. ROSS: Madam Chair, Commissioner Mayfield, we could do that and have an organizational meeting. We haven't had a meeting for several years and the last set



of meetings that we had we took care of the organizational items at the beginning of the first meeting and then moved on to items.

Normally, the ELUA only meets when you have an application or some thing within its mandate to process.

COMMISSIONER MAYFIELD: Thank you.

MR. ROSS: So, we could do it the other way.

COMMISSIONER MAYFIELD: No, that's fine, if that's how it works. But, Madam Chair, Mr. Ross you just said that we may have to meet again for some annexation issue.

MR. ROSS: The ELUA probably will deal with several of the upcoming annexations in the Airport Road area. I know the plan on the City side was to move all of those annexations through ELUA as opposed through the Boundary Commission.

COMMISSIONER MAYFIELD: Thank you. Madam Chair, Mr. Ross, we recently in the past couple of months had a case regarding a business down on Richards Avenue and Rodeo Road, wouldn't have that been an appropriate venue for the ELUA board?

MR. ROSS: Madam Chair, eventually had we authorized that to move forward it would have been an ELUA item; that's correct.

COMMISSIONER MAYFIELD: But we did authorize it to move forward, did we not?

MR. ROSS: No, we said that we were uncomfortable with it and sent it back to the City.

COMMISSIONER ANAYA: Madam Chair, on that point. We did authorize it because they're posting stuff over there on that property right now.

COMMISSIONER MAYFIELD: Yeah, but then again I thought –

MR. ROSS: So that will come to us.

COMMISSIONER MAYFIELD: So we do have matters. At least we have that one.

MR. ROSS: Madam Chair, Commissioner Mayfield, that will end up coming to ELUA because it's a rezoning.

COMMISSIONER MAYFIELD: Okay, thanks.

CHAIR VIGIL: Any other comments. Okay, I've been hearing a recommendation from our County manager that a letter be addressed and for specific topic items. Is there any opposition to that?

COMMISSIONER ANAYA: Madam Chair, no. Could we add that ELUA as one of the agenda items for discussion? I mean, maybe we can in the meeting delineating some other things that might be of beneficial use for ELUA.

CHAIR VIGIL: The request can include discussions on convening ELUA. With that I think we can move forward.

MS. MILLER: Madam Chair, we'll draft the letter for your signature as Chair inviting them to have the meeting and giving us some dates or any other items that they think would be necessary for that and then bring it back and I'll make sure that all of you have a copy of it.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commission.

COMMISSIONER STEFANICS: This is on a different point. I have a question to ask the manager when you're ready.

CHAIR VIGIL: Okay. I just wanted to say so that we all have a gauge for the time that I've been told that we don't necessarily need to go into executive session and if that is the case are you all in agreement until our next session or we can go into it if you're not. It sounds like we can forego by the nods. Okay, your question.

COMMISSIONER STEFANICS: Madam Chair and Katherine, can you refresh my memory again as to how these meetings are communicated to the public? Is it by radio, webcast and is TV now out?

MS. MILLER: You mean if we have a –

COMMISSIONER STEFANICS: No, today.

MS. MILLER: Today, no, TV, radio and our internet.

COMMISSIONER STEFANICS: But the TV is what, which station?

MS. MILLER: Twenty-eight.

COMMISSIONER STEFANICS: Is that the –

CHAIR VIGIL: The public government channel.

COMMISSIONER STEFANICS: Okay.

MS. MILLER: Which we contract with the City for that.

COMMISSIONER STEFANICS: Okay, so my question is when the City started meeting at 5 and we're in a meeting the same day, what happens?

MS. MILLER: Commissioner Stefanics, their regular meetings are on Wednesday –

COMMISSIONER STEFANICS: Yeah, I know but they were meeting today at 5 o'clock. And even Councilor Calvert said he had to be at a meeting at 5 o'clock today and then I saw it in the newspaper with a box and so my question would be if there is a conflict, and maybe I'm reading all of this wrong, but if there's a conflict what happens in terms of our broadcast?

COMMISSIONER HOLIAN: Madam Chair, on that point.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: I heard from my husband that we weren't being broadcast today.

COMMISSIONER ANAYA: Put it on the agenda.

MS. MILLER: Yes, add it to the letter.

COMMISSIONER MAYFIELD: Madam Chair, and I would like us to be live but they also run rebroadcasts of the full meeting so at least we're being videoed taped somewhere; right? And then it will be rebroadcasted?

MS. MILLER: Madam Chair, Commissioner Mayfield, that is my understanding and the way their contract reads is that it can also run at other times. But I will verify what happens when we're not broadcast especially if we're scheduled to be broadcast or if we're preempted by something else and how they notify when they will run. But we are KSWV that runs live and we're on the internet and that runs live.

COMMISSIONER MAYFIELD: Madam Chair, Ms. Miller, can we see if we can get a credit if we're not being live and that was in the contract from the City?

MS. MILLER: I will make sure that we review the contract and see whether there is something that is not happening that should be happening.


**F. Matters From the County Attorney**  
**1. Executive Session**

There were no matters.

**XVI. ADJOURNMENT**

Commissioner Mayfield moved to adjourn. Commissioner Stefanics seconded and the motion to adjourn passed by unanimous [5-0] voice vote. Chair Vigil declared this meeting adjourned at 7:10 p.m.

Approved by:


  
Board of County Commissioners  
Virginia Vigil, Chairwoman

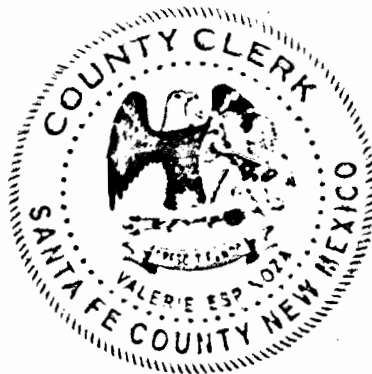
ATTEST TO:



VALERIE ESPINOZA  
SANTA FE COUNTY CLERK

Respectfully submitted:

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



Daniel "Danny" Mayfield  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Katherine Miller  
County Manager

## MEMORANDUM

**DATE:** August 30, 2011

**TO:** Board of County Commissioners

**VIA:** Katherine Miller, County Manager

**FROM:** Craig O'Hare, Energy Specialist on Behalf of Commissioner Holian

**RE:** August 30<sup>th</sup> Agenda, Item XII B: Resolution Intervening in PNM's 2012 Renewable Energy Procurement Plan Filing to the PRC

---

### ISSUE:

The referenced resolution came out of action taken and direction established by the Regional Planning Authority at their August 16th meeting. Intervening in the PNM case will allow the County to have a "voice" urging the PRC to maintain PNM's solar incentives in order to continue to stimulate the roof-top solar industry throughout Santa Fe County and much of the state. If PNM's current proposal before the PRC to substantially reduce the incentive payments is approved by the PRC, it could severely impair the County's solar industry at a time when our economy could use all the positive contributions to job creation as is feasible. Intervening is wholly consistent with the economic development and renewable energy policies the Commission established in the Sustainable Growth Management Plan.

I urge your favorable consideration.

SFC CLERK RECORDED 10/17/2011

BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

RESOLUTION NO. 2011- \_\_\_\_\_

**A RESOLUTION DIRECTING STAFF TO INTERVENE IN NEW MEXICO PUBLIC REGULATION COMMISSION CASE NO. 11-00265-UT, THE PUBLIC SERVICE COMPANY OF NEW MEXICO'S RENEWABLE ENERGY PORTFOLIO PROCUREMENT PLAN FOR 2012**

**WHEREAS**, the Commission adopted Resolution No. 2010-210, establishing the Santa Fe County Sustainable Growth Management Plan ("SGMP");

**WHEREAS**, the SGMP supports and encourages local and small businesses that create employment opportunities in the County, including green industry and supports incentives for economic development for targeted industries;

**WHEREAS**, the SGMP establishes a goal to "develop incentives to encourage renewable energy...industries to expand or locate in the County";

**WHEREAS**, the Public Service Company of New Mexico's (PNM) Renewable Energy Certificate ("REC") incentive payments for customer-scale solar electric projects have been very effective at stimulating the solar industry in Santa Fe County during the past two years;

**WHEREAS**, PNM has filed Case No. 11-00265-UT, PNM's 2012 Renewable Energy Procurement Plan, with the New Mexico Public Regulation Commission;

**WHEREAS**, PNM's plan proposes to substantially reduce the REC incentive payments for solar power projects thereby jeopardizing the continued expansion of a vibrant solar industry in Santa Fe County;

**NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:**

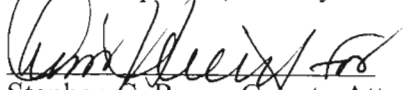
The Board of County Commissioners of Santa Fe County directs staff to intervene in NMPRC Case No. 11-00265-UT for the purpose of supporting the maintenance of REC incentive payments that will continue to attract and expand the solar industry in the County and other policies set forth in the SGMP. The County may support and join the testimony, briefs and pleadings of other parties with similar positions.

APPROVED and ADOPTED this \_\_\_ DAY OF SEPTEMBER, 2011.

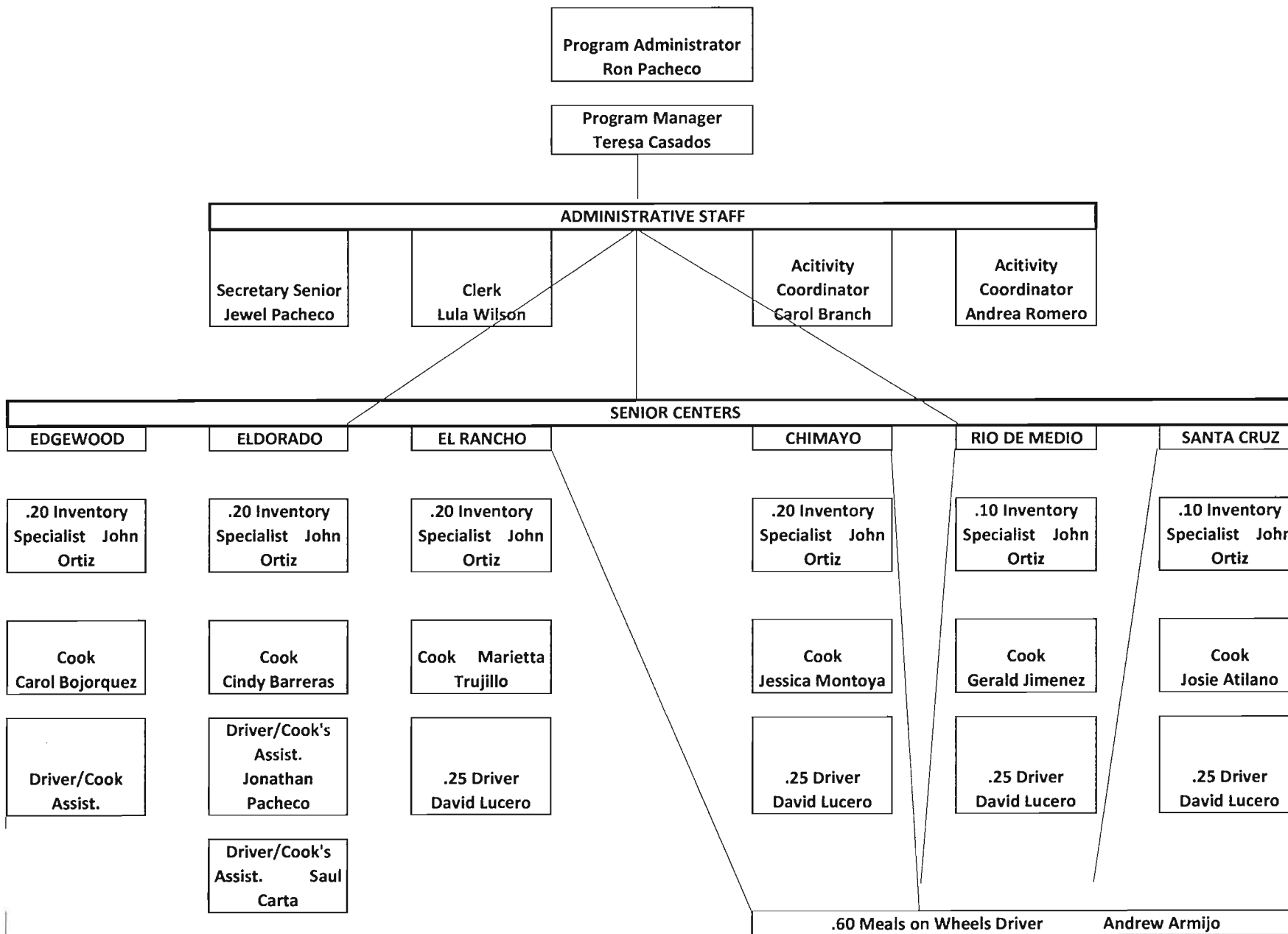
\_\_\_\_\_  
Virginia Vigil, Chair

THE BOARD OF COUNTY  
COMMISSIONERS OF SANTA FE COUNTY

ATTEST: \_\_\_\_\_  
Valerie Espinosa, County Clerk

  
Stephen C. Ross, County Attorney

SANTA FE COUNTY SENIOR PROGRAM



Actual units of service for July

<u>Congregate Meals</u>	<u>Home Delivered Meals</u>	<u>Transportation</u>
<u>2,251</u>	<u>1,674</u>	<u>400</u>

Actual units of service for August

<u>Congregate Meals</u>	<u>Home Delivered Meals</u>	<u>Transportation</u>
<u>2,259</u>	<u>1,854</u>	<u>400</u>
Totals: 4,510	3,528	800

Current Registered Clients

<b>Chimayo</b>	193	<b>Eldorado</b>	617
<b>Edgewood</b>	271	<b>Rio en Medio</b>	50
<b>El Rancho</b>	42	<b>Santa Cruz</b>	253

**TOTAL REGISTERED CLIENTS: 1,426**

The activities/classes currently offered at the different centers are:

Chair Yoga	Ceramics
Hatha (mat) Yoga	Computer Class
Strength Class	Bingo
Art Class	Wood/Straw
Drawing	Quilting/Sewing
Weaving	Bridge
Clay	Fitness Room
Painting	Game Room
Day Trips	

Daniel "Danny" Mayfield  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Commissioner, District 5

Katherine Miller  
County Manager

### MEMORANDUM

To: Board of County Commissioners

From: Teresa Martinez, Finance Director *TM*

Through: Katherine Miller

Date: August 30, 2011

RE: ***BCC Written Order Setting the Tax Rates on the Net Taxable Value of Property***

---

### ISSUE

The Finance Division is requesting that the Board of County Commissioners (BCC) issue a written order setting the Santa Fe County property tax rates on the net taxable value allocated to the appropriate governmental units for the 2011 Tax Year.

### BACKGROUND

Pursuant to Section 7-38-33 NMSA 1978, each year the Secretary of the Department of Finance and Administration (DFA) issues a written order to set the property tax rates for all governmental units which share in the tax. DFA must issue this order on or before September 1 of each year. DFA has informed us that it is their intent to issue the order on September 1, 2011 for the 2011 tax year.

Section 7-38-34 NMSA 1978 requires that *"Within five days of receipt of the property tax rate-setting order from the department of finance and administration, each board of county commissioners shall issue its written order imposing the tax at the rates set on the net taxable value of property allocated to the appropriate governmental units..."* These imposed rates are then to be used to bill property owners for the coming tax year which runs from November 1, 2011 to October 31, 2012.

The BCC does not have another scheduled meeting until September 13, 2011. This meeting is beyond the 5-day statutory requirement to issue a rate-setting order, thus if the BCC delays issuing its order until its September 13, 2011 meeting, it will be in violation of statute.

### ACTION REQUESTED

The Finance Division respectfully requests that the BCC issue a written order setting the property tax rates for the tax year 2011 pursuant to Section 7-38-34 NMSA 1978.



# SANTA FE COUNTY

## **ORDER** **A WRITTEN ORDER SETTING THE TAX RATES** **ON THE NET TAXABLE VALUE OF PROPERTY** **ALLOCATED TO SANTA FE COUNTY**

THIS MATTER having come before the Board of County Commissioners during the meeting of August 30, 2011 consistent with its statutory obligation pursuant to Section 7-38-34 NMSA 1978 as amended, during which the Board imposed the tax rates as calculated by the New Mexico Department of Finance and Administration (DFA) and the subject of its written rate-setting order to be issued on or before September 1, 2011;

IT IS THEREFORE ORDERED that the rates set by the New Mexico Department of Finance and Administration, as calculated and issued by written order by DFA, including any subsequent changes made by DFA, and as adopted by the Board of County Commissioners are hereby imposed for the 2011 Tax Year.

**BOARD OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Virginia Vigil, Chair

**ATTEST:**

\_\_\_\_\_  
Valerie Espinoza, County Clerk

**Approved as to form:**

\_\_\_\_\_  
Stephen C. Ross, County Attorney

SFC CLERK RECORDED 10/17/2011

ATTACHMENT



STATE OF NEW MEXICO  
DEPARTMENT OF FINANCE AND ADMINISTRATION  
LOCAL GOVERNMENT DIVISION  
Bataan Memorial Building, Ste 201 • Santa Fe, New Mexico 87501  
Phone: (505) 827-4950 • FAX (505) 827-4948  
www.nmdfa.state.nm.us

BILL RICHARDSON  
GOVERNOR

KATHERINE B. MILLER  
CABINET SECRETARY

September 1, 2010

Virginia Vigil, Chairperson  
Santa Fe County Commission  
P. O. Box 276  
Santa Fe, NM 87504



Re: Order Setting Property Tax Rates - 2010 Year

Dear Chairman Virginia Vigil:

Pursuant to Sections 7-37-7(A) and 7-38-33(A) NMSA 1978, I issue this order setting as the 2010 property tax rates for your county the rates set forth in the attached certificate.

Section 7-38-34 NMSA 1978 requires the Board of County Commissioners (Board) to issue and deliver to the County Assessor its own order imposing these rates within five days of its receipt of this letter. (As a courtesy, I note that, because this statutory time period is less than eleven days, "a Saturday, Sunday or legal holiday is excluded from the computation". Section 12-2A-7(E) NMSA 1978.) Before the Board issues its order, appropriate elected officials and/or County staff should carefully review the attached rates to ensure their accuracy. Also, please share the attached information with the incorporated municipalities and special districts in your county.

Any questions should be immediately brought to the attention of Isaac Montoya at 827-4333 or RoseAnn Romero at 827-8064.

Sincerely,

*Dannette K. Burch*  
Dannette K. Burch, Deputy Cabinet Secretary  
Department of Finance & Administration

cc: Property Tax Division, Taxation & Revenue Department  
County Assessor – Certified Mail  
County Treasurer – Regular Mail

Attachment

SFC CLERK RECORDED 10/17/2011

**CERTIFICATE OF PROPERTY TAX RATES IN MILLS**  
**SANTA FE COUNTY** Revised 9-3-10  
**TAX YEAR 2010**  
**NET TAXABLE VALUE:**

	<b>\$6,790,955,279</b>										
MUNICIPALITY:	Santa Fe			Santa Fe			Española			Española	
TAXABLE VALUE:	2,645,872,123	970,669,160	2,142,397,002	516,934,255	127,102,210	46,516,596	105,169,613	31,801,258	31,879,911	13,932,340	
CATEGORY:	G IN R	C IN NR	G OUT R	C OUT NR	1 R	1/1D NR	8T R OUT	8T NR OUT	18 IN R	18 IN NR	
State Debt Service	1.530	1.530	1.530	1.530	1.530	1.530	1.530	1.530	1.530	1.530	1.530
Total State	1.530	1.530	1.530	1.530	1.530	1.530	1.530	1.530	1.530	1.530	1.530
County Operational	4.697	11.850	4.697	11.850	4.697	11.850	4.697	11.850	4.697	11.850	11.850
County Debt Service	1.873	1.873	1.873	1.873	1.873	1.873	1.873	1.873	1.873	1.873	1.873
Total County	6.670	13.723	6.670	13.723	6.670	13.723	6.670	13.723	6.670	13.723	13.723
Municipal Operational	1.093	2.568	0.000	0.000	0.000	0.000	0.000	0.000	3.062	3.916	3.916
Municipal Debt Service	0.679	0.679	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Total Municipal	1.772	3.247	0.000	0.000	0.000	0.000	0.000	0.000	3.062	3.916	3.916
School Dist. Operational	0.120	0.430	0.120	0.430	0.172	0.441	0.948 (2)	0.488 (2)	0.183 (3)	0.183 (3)	0.183 (3)
School Dist. Debt Service	3.420	3.420	3.420	3.420	10.391	10.391	8.841 (2)	8.841 (2)	4.821 (3)	4.821 (3)	4.821 (3)
School Dist. Cap. Improve.	2.000	2.000	2.000	2.000	2.000	2.000	1.937 (2)	1.954 (2)	0.000 (3)	0.000 (3)	0.000 (3)
HB33 School Building	1.500	1.500	1.500	1.500	0.000	0.000	0.000 (2)	0.000 (2)	0.000 (3)	0.000 (3)	0.000 (3)
School Dist. Educ. Tech. Debt Service	0.000	0.000	0.000	0.000	0.000	0.000	0.000 (2)	0.000 (2)	0.791 (3)	0.791 (3)	0.791 (3)
Total School District	7.040	7.350	7.040	7.350	12.563	12.832	11.126	11.283	5.775	5.795	5.795
Total State, County, Municipal, & School Dist.	16.912	25.850	16.140	22.603	20.663	28.085	19.226	26.536	16.937	24.964	24.964
Other:											
Santa Fe Comm.Col.(1)	2.205	3.000	2.205	3.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Santa Fe Col.Bldg.Levy (1)	1.015	1.015	1.015	1.015	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Total Other	3.220	4.015	3.220	4.015	0.000	0.000	0.000	0.000	0.000	0.000	0.000
<b>GRAND TOTAL</b>	<b>20.132</b>	<b>29.865</b>	<b>19.360</b>	<b>26.618</b>	<b>20.663</b>	<b>28.085</b>	<b>19.226</b>	<b>26.536</b>	<b>16.937</b>	<b>24.964</b>	<b>24.964</b>

Where Applicable:	Res	Non-Res	(1) To Santa Fe Com. College--P.O. Box 4187, Santa Fe, NM 87502
Cattle Indemnity 10.000	Edgewood SWCD 1.000	1.000	(2) To Moriarty Board of Education
Sheep and Goats 10.000			(3) To Espanola Board of Education
Dairy Cattle 5.000	Rancho Viejo Sp. Assmt Dist Debt 10.00		
Bison 10.000	El Dorado Area W&S Dist Oper: 0.949		
Horses 10.000	El Dorado Area W&S Dist Debt: 2.411		

CERTIFICATE OF PROPERTY TAX RATES I  
 SANTA FE COUNTY  
 TAX YEAR 2010  
 NET TAXABLE VALUE:

	<b>\$6,790,955,279</b>		<b>Edgewood</b>	<b>Edgewood</b>
MUNICIPALITY:				
TAXABLE VALUE:	46,512,708	19,869,247	59,606,065	29,989,792
CATEGORY:	18 OUT R	18 OUT NR	8T IN R	8T IN NR
State Debt Service	1.530	1.530	1.530	1.530
Total State	1.530	1.530	1.530	1.530
County Operational	4.697	11.850	4.697	11.850
County Debt Service	1.873	1.873	1.873	1.873
Total County	6.570	13.723	6.570	13.723
Municipal Operational	0.000	0.000	0.000	0.000
Municipal Debt Service	0.000	0.000	0.000	0.000
Total Municipal	0.000	0.000	0.000	0.000
School Dist. Operational	0.183 (3)	0.183 (3)	0.348	0.488
School Dist. Debt Service	4.821 (3)	4.821 (3)	8.841	8.841
School Dist. Cap. Improve.	0.000 (3)	0.000 (3)	1.937	1.954
HB33 School Building	0.000 (3)	0.000 (3)	0.000	0.000
School Dist. Educ. Tech. Debt Service	0.791 (3)	0.791 (3)	0.000	0.000
Total School District	5.775	5.795	11.126	11.283
Total State, County, Municipal, & School Dist.	13.875	21.048	19.226	26.536
Other:				
Santa Fe Comm.Col.(1)	0.000	0.000	0.000	0.000
Santa Fe Col.Bldg.Levy (1)	0.000	0.000	0.000	0.000
Total Other	0.000	0.000	0.000	0.000
GRAND TOTAL	13.875	21.048	19.226	26.536
Where Applicable:				
Cattle Indemnity	10.000			
Sheep and Goats	10.000			
Dairy Cattle	5.000			
Bison	10.000			
Horses	10.000			



## Sustainable Land Development Code Update SGMP Implementation into Code

### Next Focus Groups

Agriculture-Thursdays, September 1<sup>st</sup> 2:00 PM-County Commission Chambers  
Affordable Housing – Week of September 26th

### Next Concept Decision Points

#### Growth Management Strategy Implementation

What is Growth Management and what does it involve?

- Growth Management Strategy
- Sustainable Development Areas
  - Adequate Facilities and Services
- How do we pay?
- Future Land Use Map and establishment of Zoning Districts
- Overview of Official Maps

#### Overview of Procedures

- Family Transfers
- Planned Development Districts

### Public Input Meetings:

4 Public Meetings in September-one in each Growth Management Area (GMA). All meetings will be at 6:30 PM.

El Norte-Monday, Sept 12<sup>th</sup> - Pojoaque Board Room

El Centro- Tuesday, Sept 13<sup>th</sup> - Nancy Rodriguez Community Center (Agua Fria)

Galisteo- Monday, Sept 19<sup>th</sup> - Eldorado Senior Center

Southern Area (Estancia Basin GMA)-Tuesday, Sept 20<sup>th</sup> - Edgewood Senior Center.

### Next Special Meeting with Board on CDPs-September 27<sup>th</sup> (Suggested)

To Cover: Green Building/Energy Efficiency; Open Space/Trails; Agriculture

### Administrative Chapters of SLDC being drafted:

- Community Planning
- Procedures
- Variances
- Family Transfers

### Concept Code Draft

- Home Based Businesses – Supplemental Use Standards (Ch. 11)

**Santa Fe County FY 2013 - 2017 Infrastructure and Capital Improvements Plan (ICIP)**

**Second Public Hearing - 30 August 2011**

**List of Potential Projects**

**District 1**

**Project Description**

<i>Project Description</i>	<i>Estimated Project Cost</i>	<i>Commission District</i>
Acequia de Baranco Blanco - Jacona- Improve Diversion	\$50,000	1
Agricultural Revitalization Institute Community Farm Center Proposal	\$1,000,000	1
Chupadero Substation/Tesuque Volunteer Fire Dept - install fire hydrant	\$50,000	1
Chupadero Water System - Install additional 20,000 gal. storage tank, refurbish existing tank	\$59,566	1
County Road 101 B - resurface	\$150,000	1
County Road 115 low-water crossing	\$300,000	1
County Road 78 improvements-resurface	\$200,000	1
County Road 84 - speed bumps	\$20,000	1
County Road 94 - Canada Ancha - Arroyo Salado improvements	\$30,000	1
County Road 98 - Construction	\$1,550,000	1
County Road 98 - guard rail and safety fencing	\$50,000	1
CR 84- Tesuque Creek Crossing- Drainage Improvements	\$25,000	1
CR 89 - improvements (parking)	\$50,000	1
CR 89 B - Feather Catcher Rd - drainage, paving and erosion control improvements	\$357,612	1
CR 89E - Feather Rd - drainage, paving and erosion control improvements	\$889,501	1
CR 113 - improvements (river crossing)	\$250,000	1
Cuatro Villas Transmission Line for Sombrillo Elementary School	\$500,000	1
Cuatro Villas/Greater Chimayo - water system interconnection	\$250,000	1
Greater Chimayo Water System Improvements Water Storage Tank	\$250,000	1
NM 592 - Safety improvements - Separation of traffic lanes	\$50,000	1
North County Area - community wellness center	\$1,500,000	1
Pojoaque Valley Regional Wastewater System - interconnection to non-tribal areas	\$1,500,000	1
Sombrillo/Arroyo Seco - wastewater collection line/lift station	\$10,500,000	1
Tesuque MDWA - water system improvements	\$1,587,810	1
<b>All Projects - District 1</b>	<b>\$21,169,489</b>	



**District 2**

**Project Description**

**Estimated  
Project Cost**      **Commission  
District**

ADD area - feasibility study - sewer system	\$100,000	2
Agua Fria - connect community to municipal sewer (AF Phase II and III sections)	\$1,000,000	2
Agua Fria - connect community water system to Buckman direct diversion	\$1,000,000	2
Agua Fria - Drainage Plan to include catchment ponds versus storm drains	\$25,000	2
Agua Fria - Green recycling facility in Village	\$250,000	2
Agua Fria - River Improvements-Bank Stabilization- Sewer Line Protection	\$250,000	2
Agua Fria - Roundabout at Prairie Dog Loop and CR62	\$250,000	2
Agua Fria - Roundabout at Henry Lynch Road	\$200,000	2
Agua Fria - Pedestrian access and crossings between Park and community center along CR 62	\$250,000	2
Agua Fria - Equestrian loop - ROW and improvements	\$150,000	2
Agua Fria - Community Garden and Flood Control Project	\$100,000	2
Agua Fria Park	\$1,000,000	2
Agua Fria Park Road - base course	\$20,000	2
Agua Fria Road - solar driver feedback signs	\$100,000	2
Agua Fria Road - shelters at bus stops	\$150,000	2
Agua Fria Senior Center	\$1,500,000	2
Agua Fria Water Systems Upgrades and water rights	\$1,500,000	2
Camino La Tierra - Chip Seal/Slurry Seal	\$125,000	2
Camino La Tierra - mailbox turnout/extend lane taper	\$50,000	2
La Tierra Roads - Chip seal 4 miles of County roads in La Tierra subdivision	\$500,000	2
CR 104 - Chip Seal	\$60,000	2
CR 62 - Chip Seal	\$210,000	2
Food Depot - new warehouse/facilities	\$3,652,197	2
La Junta del Alamo - paved trail	\$50,000	2
Las Campanas area - water transmission line	\$4,000,000	2
Lopez Lane sewer feasibility study	\$50,000	2
Lopez Lane/Rufina - R-O-W acquisition for left turn lane	\$100,000	2
Pinon Hills - chip seal	\$325,000	2
Puesta del Sol - chip seal	\$200,000	2
Siler Road - noise barrier with tree planting	\$65,000	2
Tres Arroyos Trails System - ROW and improvements for connectivity	\$150,000	2
South Meadows Road - water and sewer lines extensions to CR # 62	\$625,000	2
<b>All Projects - District 2</b>	<b>\$18,007,197</b>	

**District 3**

**Project Description**

**Estimated  
Project Cost**      **Commission  
District**

Calle Victoriano - base course (5.0 mi.)	\$276,276	3
Camino Capilla Vieja - clear and fence staging area	\$25,000	3
Camino La Capilla Vieja - drainage improvements (1mile)	\$250,000	3
Camino San Jose/CR 50 A - road improvements	\$334,782	3
Cerrillos Community Center and Park	\$1,500,000	3
CR 12 B - improvements-chip seal	\$600,000	3
CR 42 - Galisteo from rr to village -- traffic calming	\$30,000	3
CR 45 - repave from Lone Butte to I-25	\$2,000,000	3
Paeo C'de Baca / CR 50 - reclaim and repave	\$365,880	3
CR 50 F - Asphalt Overlay	\$371,300	3
Las Estrellas Rd / CR 52 - reclaim/pave	\$400,000	3
CR55 - paving improvements at intersection of NM Hwy 14	\$15,000	3
CR 55 A - improvements-repair & drainage	\$3,000,000	3
CR 16A Jaymar Road - chip seal (4.45 mi.)	\$326,010	3
CR 20B - Base Course	\$560,000	3
CR 26 Simmons Road - Base Course	\$550,000	3
CR 2B - Asphalt Paving	\$109,000	3
Edgewood WWTP/Collection system	\$100,000	3
Entrada La Cienega - guard rail, bank stabilization, repairing, and drainage	\$250,000	3
Galisteo - regional trail network development	\$2,000,000	3
La Cienega - supplemental well upgrades	\$100,000	3
La Cienega - W. Frontage and Las Estrellas - repair intersection	\$50,000	3
La Cienega - wastewater feasibility study	\$75,000	3
La Cienega Community Center - land acquisition	\$100,000	3
Los Pinos Road - low water crossing	\$500,000	3
Madrid - wastewater system (study)	\$50,000	3
Madrid MDWA - additional water rights (study)	\$50,000	3
Mutt Nelson Road - Chip Seal	\$100,000	3
North La Cienega - Water Improvements/Water line Improvements I-25 and CR # 54	\$1,731,000	3
Paseo C'de Baca - extend water line	\$500,000	3
Stanley Fire Station - equipment & improvements	\$250,000	3
Stanely Youth Agricultural and Wellness Center	\$2,500,000	3
Upper La Cienega -extension of wastewater collection system (Valle Vista to 599 commercial district)	\$1,500,000	3
Upper La Cienega - PER /feasibility study	\$75,000	3
Upper La Cienega - water-line extension and loop system	\$1,500,000	3
Water Line Improvements - I-25 and CR # 54	\$800,000	3
<b>All Projects - District 3</b>	<b>\$22,944,248</b>	



**District 4**

<i>Project Description</i>	<i>Estimated Project Cost</i>	<i>Commission District</i>
Arroyo Hondo Trail	\$1,000,000	4
Arroyo Hondo Trail - bridge	\$1,000,000	4
Avenida Ponderosa - chip seal	\$150,000	4
Camino Pacifico - chip seal	\$100,000	4
Camino Sudeste - chip seal	\$75,000	4
Camino Tetzoco - chip seal	\$75,000	4
Camp Stoney Road - Asphalt Paving	\$500,000	4
Canoncito Water System Project	\$5,510,000	4
Cerros Cantando Sub - road improvements	\$340,000	4
County Road 51 - road improvements (1st mile, chip seal; 2nd/3rd miles, gravel)	\$600,000	4
County Road 60 - road improvements-repair	\$200,000	4
County Road 63 - grading and base course	\$100,000	4
CR 63C - Chip Seal	\$15,000	4
Glorieta Estates MDWCA - water line connection to Village of Glorieta and new well	\$1,595,000	4
Glorieta East MDWCA - new water storage tank	\$485,000	4
Glorieta Estates - acquire ROW /improve (fire station road and road to post office)(0.5 mi.)	\$1,500,000	4
Glorieta Estates - Road improvements (Ponderosa, Pine Have Drive, Raven Tree Road and Pop Challee)	\$500,000	4
La Barbaria - Road improvements-Grading and Road widening	\$360,000	4
Old Santa Fe Trail - road improvements / ROW acquisition	\$350,000	4
Paseo del Pinon - Chip Seal	\$108,000	4
Puye Road - chip seal (0.69 mi.)	\$69,000	4
Toltec Road - chip seal (0.3 mi.)	\$30,000	4
Vista Redonda County Roads - base course and chip seal	\$500,000	4
<b>All Projects - District 4</b>	<b>\$15,162,000</b>	

**District 5****Project Description**

	<i>Estimated Project Cost</i>	<i>Commission District</i>
Avenida Azul - bike path (approx. 1.7mi)	\$550,000	5
Avenida Buena Ventura - paving and drainage (0.23 mi)	\$67,619	5
Avenida de Amistad - asphalt (0.5 mi.)	\$144,059	5
Avenida De Amistad - paved bike path	\$45,000	5
Avenida Eldorado - bike path extension (aprox. 0.8 mi.)	\$80,000	5
Balsa Road - chip seal	\$120,000	5
Bike access from Hwy 14 to Railrunner	\$500,000	5
El Dorado to Commuity College trail	\$1,000,000	5
Cedar, Willow, Oak, N. Pinon, Juniper - base course and culverts	\$500,000	5
Cochiti East Road and Cochiti West Road - improvements (1 mi.)	\$125,000	5
County Road 33 - improvements-resurface	\$350,000	5
Eldorado Area Teen center - plan, design, construct, and equip	\$1,500,000	5
El Dorado Community Ball Park - improvements	\$500,000	5
Eldorado Water and Sanitation District - maintenance and well building	\$1,000,000	5
Eldorado Water and Sanitation District - water storage tank upgrades	\$300,000	5
Encantado Road - chip seal (2.11 mi.)	\$219,010	5
Fonda Road - chip seal (0.4 mi.)	\$40,000	5
Frasco Road - chip seal	\$43,000	5
Herrada Road - asphalt surface (1.91 mi.)	\$561,531	5
Hidalgo Court - road improvements	\$100,000	5
I-25 and Rabbit Road area - wastewater service extension study and improvements	\$325,000	5
I-25 and Rabbit Road area - water and wastewater service extension study and improvements	\$275,000	5
Ken & Patty Adams Senior Center - expansion	\$520,000	5
Monte Alto Rd - bike path	\$100,000	5
North Fork Road - paving (0.25 mi.)	\$75,000	5
Richards Avenue - Bike Lanes & Lighting Improvements	\$500,000	5
Richards Avenue - Expansion to Four Lanes	\$2,000,000	5
Richards Avenue - Remove Signal & Install Roundabout	\$500,000	5
San Marcos - study to evaluate roads-upgrade/maintain	\$100,000	5
Sandia Road - easement (0.05 mi.)	\$50,000	5
Southeast Connector - phase I (East Chili line to Rabbit Road)	\$2,500,000	5
Spruce - chip seal	\$100,000	5
SR 14 - Public Safety Complex to NM 599 - road improvements	\$1,500,000	5
Sunset Trail East and Sunset Trail West - base course and easements	\$200,000	5
Torcido Loop - drainage and road improvements	\$250,000	5
Vista Grande Library - expansion	\$1,420,000	5
Verano Loop - reclaim and chip seal (2.0 mi.)	\$180,418	5
<b>All Projects - District 5</b>	<b>\$18,340,637</b>	

## Countywide/County Facility Projects

<i>Project Description</i>	<i>Estimated Project Cost</i>	<i>Commission District</i>
Santa Fe County - Additional Vehicles for Solid Waste	\$800,000	all
Santa Fe County - Animal control vehicles (\$40,000/each x 2)	\$80,000	all
Santa Fe County - Corrections - Adult - enhance and repair security and fencing	\$500,000	all
Santa Fe County - Corrections - Adult - mental health unit -- renovate fencing, railings	\$250,000	all
Santa Fe County - Corrections - Adult - relocate/renovate it server room and add equipment for all facility controls	\$1,000,000	all
Santa Fe County - Corrections - Adult - remodel office & public space for bails bonds & electronic monitoring	\$500,000	all
Santa Fe County - Corrections - Adult - renovation of cells at adult medical facility, replace sliders	\$1,000,000	all
Santa Fe County - Corrections - Adult - repair & upgrade perimeter lighting	\$1,250,000	all
Santa Fe County - Corrections - Adult - replace boilers in facility(4)	\$300,000	all
Santa Fe County - Corrections - Adult - replace control panel doors & camera	\$700,000	all
Santa Fe County - Corrections - Youth - perimeter lighting	\$750,000	all
Santa Fe County - Corrections - Youth - repair and upgrade plumbing at youth facility	\$1,000,000	all
Santa Fe County - Corrections - Youth - repair control panel	\$600,000	all
Santa Fe County - Corrections - Youth - replace single-sink commodes related to plumbing	\$800,000	all
Santa Fe County - Corrections - Youth - safety improvements to recreation yard -- landscaping/paving	\$1,000,000	all
Santa Fe County - Corrections - Youth - slider repair	\$200,000	all
Santa Fe County - Corrections - Youth - upgrade and repair perimeter fencing at youth facility	\$500,000	all
Santa Fe County - Corrections - Youth - upgrade youth kitchen facility phase I	\$100,000	all
Santa Fe County - Countywide Facilities Improvements for Energy and Water efficiency	\$6,090,000	all
Santa Fe County - EOC - county mobile command unit (on-site incident management) county wide	\$500,000	all
Santa Fe County - Fire - countywide self contained breathing apparatus/personal protection equip/defib replacement	\$3,000,000	all
Santa Fe County - Fire - equipment (engines, ambulances, pumpers, water haulers, grass vehicles, rescue) county wide	\$5,000,000	all
Santa Fe County - Fire - Southern Regional Station	\$3,500,000	all
Santa Fe County - Fire - La Cienega Station 1 remodel	\$500,000	all
Santa Fe County - Fire - Stanley Station 2 - remodel	\$75,000	all
Santa Fe County - Fire - Pojoaque Station 1 - remodel volunteer area	\$100,000	all
Santa Fe County - Fire - Tesuque Station 1 - retaining wall	\$75,000	all
Santa Fe County - Fire - Training Center - addition	\$1,250,000	all
Santa Fe County - Fire - Glorieta Station 2 - new station construction	\$500,000	all
Santa Fe County - Fire - Madrid Station 1 - addition for training room	\$150,000	all
Santa Fe County - Fire - Tesuque Station 2 - remodel	\$60,000	all
Santa Fe County - Fire - La Puebla Station 2 - remodel	\$60,000	all

Continued from previous page: Countywide/County Facility Projects

**Project Description**

<b>Project Description</b>	<b>Estimated Project Cost</b>	<b>Commission District</b>
Santa Fe County - Fire - Office remodel at Public Safety bldg	\$200,000	all
Santa Fe County - Fire - Hondo Station 2 - new bedroom addition	\$200,000	all
Santa Fe County - Fire - Hondo Station 1 - remodel	\$150,000	all
Santa Fe County - Fire - Glorieta Station 1	\$60,000	all
Santa Fe County - Fire - La Cienega Station 2	\$50,000	all
Santa Fe County - Fire - Galisteo Station 1 - additional bay	\$100,000	all
Santa Fe County - Fire - Turquoises trail Station 3 - remodel	\$85,000	all
Santa Fe County - Jacona Transfer Station - road construction	\$675,000	all
Santa Fe County - Office space and storage -- operations and clerk/elections (20,000 sq. ft. )	\$3,000,000	all
Santa Fe County - Public Housing Sites Improvements	\$1,500,000	all
Santa Fe County - Public Works - acquire 2 acres of land in Eldorado area for office/staff fencing, road paving, and storage	\$1,000,000	all
Santa Fe County - Utilities - La Tierra Interconnect	\$545,000	all
Santa Fe County - Public Works - equipment (water trucks, graders, loaders, backhoes, dump trucks)	\$3,500,000	all
Santa Fe County - Public Works - Equipment Yard for Community College Area	\$500,000	all
Santa Fe County - Public Works - solid waste upgrade transfer station - Jacona	\$750,000	all
Santa Fe County - Public Works - heavy vehicles (\$200,000 x 4)	\$800,000	all
Santa Fe County - RECC - addition to existing space (6,000sq/ft) and equipment	\$2,750,000	all
Santa Fe County - Renovate county buildings and old court house	\$15,000,000	all
Santa Fe County - Santa Fe Rail Trail	\$1,700,000	all
Santa Fe County - Santa Fe Regional Broadband Infrastructure - greater metro area	\$2,000,000	all
Santa Fe County - Santa Fe River - 8 mile trail (acquisition, trail construction, restoration)	\$21,000,000	all
Santa Fe County - SCADA system for Booster stations, Storage tanks/wells	\$1,606,000	all
Santa Fe County - Senior Center - Hwy 14 Senior / Community Center	\$2,500,000	all
Santa Fe County - Senior Services - 2 handicap accessible vans	\$100,000	all
Santa Fe County - Sheriff - equipment	\$100,000	all
Santa Fe County - Sheriff - vehicle replacement - \$600,000/yr x 5 yrs	\$3,000,000	all
Santa Fe County - South Meadows open space (22 acres)	\$440,000	all
Santa Fe County - Utilities - Supplemental Wells x 3 sites	\$4,500,000	all
Santa Fe County - Thornton Ranch open space	\$700,000	all
Santa Fe County - transmission line for CCD area tank	\$400,000	all
Santa Fe County - Updated orthophotography - Countywide	\$385,000	all
Santa Fe County - Utility Rate Study	\$75,000	all
Santa Fe County - Valle Vista Water System upgrades	\$1,500,000	all
<b>All Projects - Countywide and County facilities</b>	<b>\$103,061,000</b>	

**Total: All Requests - FY 2012**

**\$198,684,571**