



COUNTY OF SANTA FE)
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BCC MINUTES
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SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

September 25, 2012

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

BCC CLERK RECORDED 11/06/2012

SANTA FE COUNTY

SPECIAL MEETING

BOARD OF COUNTY COMMISSIONERS

September 25, 2012

This special meeting of the Santa Fe Board of County Commissioners was called to order at approximately 1:18 p.m. by Chair Liz Stefanics, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico. The Chair explained the meeting was classified as special due to noticing problems

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

Members Present:

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

Members Excused:

[None]

V. MOMENT OF REFLECTION

The moment of reflection was led by Teresa Casados from the Health and Human Services Department.

VI. APPROVAL OF THE AGENDA

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- B. Tabled or Withdrawn Items**

KATHERINE MILLER (County Manager): Madam Chair, the agenda is as printed except for one item, item IX. C has been withdrawn.

CHAIR STEFANICS: Okay, and we actually will have a short discussion at IX. C rather than the presentation to explain the actions. Okay, Commissioners, anything else on the agenda? This is not the Consent, just the agenda.

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

CHAIR STEFANICS: Is there a second?

COMMISSIONER VIGIL: Second.

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

VII. APPROVAL OF MINUTES

A. August 14, 2012 Land Development Code Study Session

COMMISSIONER HOLIAN: Madam Chair, I move for approval of the August 14, 2012 Land Development Code Study Session minutes.

COMMISSIONER ANAYA: Second.

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

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

B. August 15, 2012 Joint City/County Meeting

COMMISSIONER VIGIL: Madam Chair, I would move for approval of the August 15th Joint City/County meeting.

COMMISSIONER HOLIAN: Second.

CHAIR STEFANICS: Is there any discussion?

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

VIII. PROCLAMATIONS

A. A Proclamation Declaring the Month of October 2012 as Breast Cancer Awareness Month in Santa Fe County

COMMISSIONER HOLIAN: Thank you, Madam Chair. Well, some of you out there may be noticing that several of us have pink on today, and the reason that we do have pink on is to commemorate that October 2012 is Breast Cancer Awareness Month. Now, in my adult lifetime there have been great strides made, I believe in diagnosing and treating breast cancer, but the battle is not over. I know that we all have friends and loved ones who have been struck by this terrible disease. Thankfully, many, many have survived due to the better treatments that are available, but sadly, we have lost some loved ones.

As a matter of fact I lost a very good friend who is male to breast cancer. So what I would like to do is read the proclamation and then I would like to ask Gloria Martinez, who is the community relationship manager for the American Cancer Society to come forward to say a few words.

Santa Fe County proclamation declaring the month Of October 2012 As Breast Cancer Awareness Month in Santa Fe County.

Whereas, a woman receives a diagnosis of breast cancer every two minutes, making this disease the most frequently diagnosed cancer among women in the U. S., other than skin cancer;

Whereas, an estimated 226,870 new cases of invasive breast cancer are expected to occur among women in the United States during 2012 and about 2,190 new cases are

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expected in men;

Whereas, about 39,510 women and 410 men are expected to die from breast cancer in 2012;

Whereas, through research and advocacy, significant advances have been made in the fight against breast cancer, including an increase in five-year survival rates for localized breast cancer from 74 percent to 98 percent;

Whereas, the 2.5 million breast cancer survivors living in the United States today are a testament to courage, as well as to the importance of promoting awareness about breast cancer, providing information, funding research, following recommended screening guidelines, and offering treatment to those who are affected;

Whereas, screening rates are declining and a recent study reveals that among the 1.5 million women studied over the age over 40 with health insurance, less than fifty percent received the recommended annual screening;

Whereas, various organizations are spreading breast cancer awareness to both women and men through outreach, education, and screening programs, and have empowered women with the life-saving message of early detection and the importance of having annual mammograms; and Santa Fe County would like to support and encourage the ongoing efforts on behalf of our citizens;

Whereas, throughout the month of October, organizations and health practitioners in Santa Fe County are encouraged to use this opportunity to promote awareness about breast cancer and proper breast health, and to encourage annual mammograms;

Whereas, public officials and citizens of Santa Fe County are urged to observe this month with appropriate activities and programs that encourage annual mammograms and breast cancer awareness;

Whereas, this year Santa Fe County is a marketing sponsor for the Making Strides Against Breast Cancer event and have themed their sponsorship as "Paint the County Pink";

Whereas, Santa Fe County is asking departments to decorate their office pink, wear pink on Fridays and create teams to walk in the Making Strides Against Breast Cancer walk on Saturday, October 6, 2012;

Whereas, all Santa Fe County vehicles including Sheriff's Patrol Cars, Fire Trucks, Fleet Vehicles and Equipment will have a Proud Supporter of Making Strides Against Breast Cancer window screen to help raise awareness;

Whereas, Santa Fe County recognizes the importance of working together and supporting events such as Breast Cancer Awareness Month.

Now therefore the Board of Santa Fe County Commissioners hereby proclaims that: October 2012 shall be known as Breast Cancer Awareness Month in Santa Fe County and urges all residents to take steps to get life-saving mammograms and educate themselves, their families, and the community about breast cancer.

Madam Chair, I move for approval.

COMMISSIONER VIGIL: Second.

CHAIR STEFANICS: Thank you. There's a motion and a second for approval. Ms. Martinez, did you want to speak to this before we vote?

GLORIA MARTINEZ: Respected Commissioners, Thank you so much for this opportunity. The American Cancer Society is absolutely thrilled to have the support of

the Santa Fe County supporting Making Strides Against Breast Cancer. Our walk, as you mentioned, is going to be on Saturday, October 6th over at the Villa Linda Park and we invite everyone in this community to come out and support Making Strides. Because only through supporting events like Making Strides Against Breast Cancer will we find the cure and help women in our own community find the answers that they need.

I truly appreciate – I'm very honored to be here to here the proclamation on behalf of the Santa Fe County. Thank you so much, and again, we invite all county residents to come out on Saturday, October 6th. Thank you.

CHAIR STEFANICS: Thank you. Comments, questions from the Commissioners before we vote? Commissioner Vigil.

COMMISSIONER VIGIL: Thank you, Madam Chair. I'd like to thank Gloria and Commissioner Holian for bringing this issue to the forefront and for really rallying the support around Santa Fe County, Santa Fe County employees and teams as they participate in Making Strides. I don't know if anyone else saw a special presentation last night on PBS with regard to the strides that have been made and I know that you referenced them earlier, but did you know a genetic predisposition of women who have this as part of the DNA are being tested very rigorously and the discoveries that they're making are making headway with regard to treatment and prevention, which is huge for this particular ailment and cancer. But the benefit also is that it's also creating cross-sectional information for other cancers and how they actually multiply.

It really is a testament to knowing how much the medical testing component is a necessary part of this attacking this disease and disorder in our family systems because when somebody is affected by this the entire family is. I appreciate it and I'm really interested, and I don't know if this figure is available but at one point in time there was a piece of data that New Mexico had pro rata, an inordinate amount of breast cancer diagnoses and I don't know if you have that information, Gloria. That's a piece of information that always is really important, I think, to get out there. Thank you very much, Madam Chair.

CHAIR STEFANICS: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Commissioner Holian, thank you for bringing the proclamation and all those that fight to find the cure and research. We've all been touched, family and friends, fighters like my niece Patrice, who fought and won the battle against breast cancer and others that have not, we acknowledge all of them today and in particular I would make note of Diana Arsena who was a retired, long-time Santa Fe County employee who won the fight for many years but finally succumbed to the cancer but thank you for bringing it forward.

CHAIR STEFANICS: Thank you, Commissioner Anaya, and thank you, Commissioner Holian. Several relatives in my family have breast cancer but I also had the opportunity to work for the National Government Relations Office of the American Cancer Society, and I know the excellent work that is being done here and in the state and in our county, and I applaud the organization for staying there with the clients as they move forward. They offer emotional support; they offer all kinds of physical support as well. And I think that the group, the American Cancer Society, really is stepping forward to help all people with all kinds of cancer. Thank you so much. Anything else before we take a vote? And then we're going to go down for a photo.

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

[Photos were taken.]

VIII. B. A Proclamation Recognizing Agua Fria Road as the Original Route of El Camino Real de Tierra Adentro and Acknowledges the Route's National and International Significance

COMMISSIONER VIGIL: Thank you, Madam Chair, I'm honored again to bring forth this resolution because it actually represents the history of the land that I was born and grew up in. I actually want to recognize that there are folks here from the National Trails System and the National Parks Service, Steven Burns Chavez and Aaron Mahr Yanez. I hope I enunciated that correctly. There are two folks who aren't here, William Mee and Melinda Pike. Melinda is here in absentia and would like to come back to a meeting where she doesn't have to work.

Also, the staff that worked on this are Colleen Baker, Beth Mills and Meagan Baer from our Open Space and Trails. This proclamation really validates and solidifies the Camino Real route, and with that, Madam Chair, I think it speaks for itself I'd like to begin by reading it.

Whereas, El Camino Real de Tierra Adentro – the Royal Road to the Interior Lands – brought the first expeditions to New Mexico and beginning in 1598 the first colonists under Juan de Oñate; and

Whereas, El Camino Real de Tierra Adentro was an artery of commerce, cultural exchange and travel tying together Spain's colonial capital at Mexico City to its northern frontier in New Mexico spanning 1,600 miles; and

Whereas, El Camino Real de Tierra Adentro is the earliest Euro-American trade route in the United States; and

Whereas, before the Camino Real de Tierra Adentro was named by the Spanish, a number of Native American routes ran on the same course for a millennium from the Aztec empire in Mexico to the Turquoise mines in Los Cerrillos; and

Whereas, El Camino Real de Tierra Adentro has been designated by the U.S. Congress under the National Trails Act as a National Historic Trail extending from El Paso, Texas to Ohkay Owingeh Pueblo, New Mexico; and

Whereas, El Camino Real de Tierra Adentro National Historic Trail has national significance and is administered jointly by the National Park Service and Bureau of Land Management in cooperation and partnership with local state and federal government, private property owners, public agencies and organizations, native American tribes, nonprofit organizations, and others, to help preserve, develop, and interpret the national historic trail for public use and enjoyment:

Whereas, El Camino Real de Tierra Adentro has international significance with the portion of the route in Los Estados Unidos de Mexico inscribed by UNESCO as a World Heritage Route and the U.S. portion of the route is under consideration for inclusion as part of the World Heritage Route in recognition of its contribution to the cultural patrimony of the

world as route of trade, cultural exchange and interaction among Spaniards and other Europeans, American Indians, Mexicans, and Americans; and

Whereas, the original route of El Camino Real de Tierra Adentro runs through the heart of the traditional Village of Agua Fria, which was founded on this historically important road still used and now known by and named Agua Fria Road and Junta del Alamo Street; and

Whereas, the rich culture, history and people of Agua Fria Village trace their roots to a place where El Camino Real de Tierra Adentro and the San Isidro springs met; and

Whereas, the actual naming of the place "Agua Fria" is undocumented but present day residents speculate that it is from the weary travelers splashing their face with the cold water of the Santa Fe River, the first mountain stream they would have encountered on their journey from the south; and

Whereas, Agua Fria was a place of modern settlement since circa 1640, then known as Pueblo Quemado; and

Whereas, as late as the 1880s and 1890s mule-drawn carros and burro-drawn carretas traveled El Camino Real from Mexico to trade goods with the locals; and

Whereas, the Probst Remount Station, situated near present day Lugar de Padilla, was a stagecoach resting place along the road before the entry into Santa Fe; and

Whereas, a church, San Isidro Catholic church, was constructed along the road in 1835 and a school house was constructed along the road in 1893; and

Whereas, recent archaeological digs done under the Agua Fria Road, have excavated the Pindi Pueblo abandoned circa 1250 and have indicated that two prehistoric settlements under the Pindi Pueblo site may date back to 3,000 B.C.E.; and

Whereas, trade and travel on this trail shaped individual lives and the traditional historic community of Agua Fria and greatly affected its settlement and development as a farming community; and

Now therefore, be it proclaimed that the County of Santa Fe recognizes Agua Fria Road through the historic Village of Agua Fria as the original route of El Camino Real de Tierra Adentro and acknowledges the route's national and international significance and its major impact on the development of Agua Fria Village and surrounding areas of Santa Fe County.

I move for approval.

COMMISSIONER HOLIAN: Second.

CHAIR STEFANICS: There's a motion and a second. Are there comments, discussion? Thank you, Commissioner, for bringing this forward. Gentlemen, do you have anything you'd like to add?

COMMISSIONER VIGIL: Madam Chair, I have the proclamation to present to them and then maybe they could add something.

CHAIR STEFANICS: Okay. Fine.

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

[Photos were taken.]

CHAIR STEFANICS: Thank you for being with us today. What can you tell us about all of this work?

AARON MAHR YANEZ: Thank you very much, Commissioners. We're so grateful at the National Park Service and Bureau of Land Management as the administrators of the El Camino Real de Tierra Adentro National Historic Trail, we're just grateful for the initiative of the County in recognizing the significant aspect of our shared history. This is really a model for how to develop the national historic trail and it is so appropriate that Santa Fe County is really taking that first initiative in collaborating with the National Park Service and the Bureau of Land Management in this development. Santa Fe is actually the home for three national historic trails and there aren't many communities in the United States who can claim that. So this is really special, to have this type of recognition from the County and from the community. So thank you very much. I'm going to turn it over to my colleague who will talk a little bit about this specific project here.

CHAIR STEFANICS: Great. Thank you.

STEPHEN BURNS CHAVEZ: Thank you, Madam Chair and respected Commissioners. From 1598 until about the time of the railroad the El Camino Real de Tierra Adentro was an integral part of the history of this entire region and it has since about the time of the railroad become somewhat unknown and certainly somewhat obscure. In 2001 the El Camino Real de Tierra Adentro became a national historic trail under the authorities of the National Trails Act of 1968, and Congress intended in the National Trails Act, in establishing these trails, that they not be owned and managed by the federal government but that they be efforts to be developed, created and preserved, particularly with the national historic trails, in cooperation and partnership essentially with everyone and anyone who has the potential to influence both the preservation of those historic trail sites and segments as well as their development for public use. So this project is really the optimum ideal, the quintessential intent of Congress in establishing the national historic trails.

What we hope to be doing in working with the County here and bringing the national historic trail out of the unknown and out of obscurity, out of history and back to the present is really through the great effort of the County in establishing the walking trail, the river trail along the Santa Fe River, working with the City, and we're simply tagging along, if you will to brand that effort and soon you will see, especially a great effort of the County staff. I want to especially commend Colleen Baker, Meagan Baer and their boss Adam for all of this effort and for the cooperation in which we are simply allowing or acknowledging the national historic trail through all those efforts and the funds that were expended by the County and also by the City as it's connected. That work that has been in place, we will be branding, if you will, or signing as a national historic trail.

What that's going to do, and this is something we've been engaged in, not only in the three national historic trails that find their origin point right here in Santa Fe, but across all nine historic trails that we administer out of our office, to sign these kinds of trails so that the public will, when this occurs in the next few months, so stay tuned, is going to be instantly aware and very much present when you're driving down Agua Fria or when visitors are going to be walking or biking this trail, that they are in fact on El Camino Real de Tierra Adentro National Historic Trail. Not only will the signs identify that the trailheads are the beginning

points for these segments that we have in place, but also Agua Fria as the road itself, and also monument entrances into Agua Fria as a very important historic village on the Camino.

These are kind of our first efforts here in Santa Fe but there will be more, so we thank the County for their efforts and cooperation and for the partnership opportunities that we have to make the national historic trail real on the ground, both in its preservation and also its development for public use. Thank you.

CHAIR STEFANICS: Thank you. Thank you both for being here today. Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Mr. Burns, thank you, Commissioner Vigil, and thank you to the National Park Service and BLM and all the staff, and all other partners included for your work in the preservation and maintenance of our history and heritage now and in the future. Not only in this area but throughout the state and throughout the country. Thank you very much.

CHAIR STEFANICS: Thank you.

VIII. C. A Proclamation Recognizing the Celebration of IAIA's 50th Anniversary

CHAIR STEFANICS: Mr. Mirabal, would you come to the front and we'll have you speak right after the proclamation. A proclamation recognizing the celebration of IAIA's 50th anniversary, and I'll read the proclamation. Recognizing the celebration of the Institute of American Indian Art's 50th anniversary.

Whereas the Institute of American Indian Arts was established in 1962 during the administration of President John F. Kennedy and opened on the campus of the Indian School in Santa Fe, New Mexico;

Whereas, the Institute embodied a bold and innovative approach to arts education;

Whereas, many of the four thousand students who have since attended IAIA have gone on to earn recognition as acclaimed artists, writers, educators, and leaders in their professions;

Whereas, in 1975 IAIA became a two-year college offering degrees in studio arts, creative writing, and museum studies;

Whereas, accredited in 1984 by the Commission on Institutions of Higher Learning of the North Central Association of Colleges and Schools (now the Higher Learning Commission) and by the National Association of Schools of Art and Design (NASAD), IAIA was subsequently accredited in 2001 to award baccalaureate degrees as a four-year college;

Whereas, today IAIA offers both two- and four-year degrees in creative writing, indigenous liberal studies, museum studies, new media arts, and studio arts;

Whereas, in 1986 Congress established IAIA as the Institute of American Indian and Alaska Native Culture and Arts Development making IAIA one of only three Congressionally chartered colleges;

Whereas, IAIA became the only national center of research, training, and scholarship for Native Americans devoted solely to American Indian and Alaska Native arts and culture;

Whereas, in 1992 IAIA relocated the Museum of Contemporary Native Arts to downtown Santa Fe, as the nation's leading exhibition facility for contemporary art by indigenous artists, and the Museum also houses the National Collection of Contemporary

Native American Art and advances scholarship, discourse, and understanding through its innovative exhibitions, programs and dialog;

Whereas, in 2000 the academic campus moved to its permanent home on 140 acres just south of Santa Fe;

Whereas, today the campus consists of several state of the art buildings that include a library, academic and administrative center, residence center and family housing, a student life center and a cultural learning center;

Whereas, in the last two years, IAIA added over 60,000 square feet of building space to its campus with the Center for Lifelong Education Conference Center, a science and technology building and a sculpture and foundry complex;

Whereas, IAIA serves tribes locally and nationally through liberal arts studies and professional degree programs that provide Native students with general knowledge and critical skills to make personal and career decisions throughout their lives;

Whereas, IAIA's baccalaureate degrees in creative writing, indigenous liberal studies, museum studies, new media arts, and studio arts utilize talented faculty, specialized classroom facilities, and high-end equipment and resources;

Whereas, the Center for Lifelong Education provides outreach services for local and national tribes through distance education, training, technical assistance, and capacity development, and focus on indigenous ways of learning and knowing inform the activities and programs it provides to the Pueblo, Navajo and Apache tribes of New Mexico and to tribal and Indigenous partners nationwide and throughout the world.

Now therefore, be it resolved, that we the Board of Santa Fe County Commissioners hereby recognize the Institute of American Indian Art's 50th anniversary. And it will be passed, approved and adopted this 25th day of September 2012 by the Board of County Commissioners of the County of Santa Fe.

I so move.

COMMISSIONER HOLIAN: Second.

CHAIR STEFANICS: There's a motion and a second. Mr. Mirabal, would you like to make a few comments?

LAWRENCE MIRABAL: Good afternoon, Madam Chair and respected Commissioners. On behalf of President Martin and the Institute of American Indian Arts I want to extend our sincere thanks to the entire Commission for your continued support of our important mission. I also want to invite everyone out to the IAIA campus just south of Santa Fe for our 50th anniversary celebration on Saturday, October 13th. The event will begin at 10:00 am and some of the highlights include a demonstration of our digital dome, which is an articulating planetarium, a bronze pouring, native storytelling, campus tours throughout the day and exhibitions of student art. So welcome, and we'd love to have each and every one of you out there. Thank you.

CHAIR STEFANICS: Thank you for being a part of our community. Any other comments? Commissioner Vigil.

COMMISSIONER VIGIL: This is an observation, because I've gone to many non-profit and other fundraisers and I was recently at your most recent one at IAIA and I must observe, I have never seen more qualitative silent auction items that what you actually had there. So it really was a testament to the kind of support that surrounds you from our

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community and our surrounding tribal governments and students. Many of the art works that were on display were phenomenally beautiful. Congratulations on gaining and garnering that kind of support and I hope it continues.

MR. MIRABAL: Thank you.

CHAIR STEFANICS: Thank you. And I also want to recognize, I am aware that some of your faculty have earned, one of your faculty has earned a Peabody Award, that some of the beautiful sculpture from faculty and staff and students are around the community of Santa Fe, and it's a pleasure to be able to participate in the art here throughout our community. With that I'd like to take the vote.

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

[Photos were taken.]

IX. PRESENTATIONS

A. New Employee Introductions

MS. MILLER: Madam Chair, Commissioners, I did want to introduce – I think there's actually a few of them in the audience, some new employees. Willie Brown, he's a new assistant County Attorney, comes from the Department of Education at the state. Also I think Erica Dominguez, is she here? Erica is in the Finance Division as a senior accountant. And the other one who I think is here is Erick Aune. He's in the Growth Management Department as a senior planner doing transportation planning.

So they're the ones that are here and I have a list of the others, but we welcome them. They're all from the downtown campus.

CHAIR STEFANICS: Great. Thank you very much for being here today and I have a comment for Eric in a minute.

MS. MILLER: Okay, and then we also have Justin Garcia, Margarito Ulibarri, Jr. They're detention officers. William Tadino, Community Services Department who is a driver/cook's assistant. I think earlier you might have met Camille Varela, an indigent claims investigator. Nicholas Baker and Jose Molina in Public Works Department, Road Maintenance as an equipment operator. Also Sonny Atencio, Laurie Martinez and Mary Ortiz, all at our adult facility as detention officers, and a booking clerk. Ensima Gonzales, voter registration clerk, Amanda Atencio, a tax cashier in the Treasurer's Office, Jessica Martinez, volunteer firefighter, and then three deputy sheriffs, Alan Lopez, Amber Mares and Christopher Zuck.

CHAIR STEFANICS: Great. Sounds like a great group of people and I'd like to welcome all the new staff to Santa Fe County. I hope you do a great job that we can be proud of. And I wanted to go back to Erick's introduction. I believe Eric is representing us at the RPO, the Regional Planning Organization. Is that correct? Okay, so Commissioner Anaya, I knew you had some interest in that and I just wanted to point out, I guess he's the new Andrew?

MS. MILLER: Madam Chair, yes. He's our transportation planner.

CHAIR STEFANICS: Okay. Thank you very much. Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, if we can also have Erick go to the MPO meetings it would be great.

CHAIR STEFANICS: Yes. Absolutely.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Yes.

COMMISSIONER MAYFIELD: Just a quick question for the Manager. I don't know if Ms. Salazar is here, but I've been called by some folks that have applied for jobs within the County, and what I'm seeing is callers are saying they believe, or they're feeling they may be being excluded or not being hired because maybe a pre-existing medical condition. Is that something that we need to look and be cognizant of, because I just would hate to violate anybody's rights because they have, say high blood pressure and we're not hiring them for a job. Is that something you could look into please?

MS. MILLER: Madam Chair, Commissioner Mayfield, I will. Different positions we have different requirements and we do have a general physical exam that employees have to take as well as background checks. So it could be a number of reasons that somebody may not qualify for a position.

COMMISSIONER MAYFIELD: Okay. But again, I just the medical side, if that is a reason for us not offering a position or if there's anything that we could be violating any rights. Just to bring that to your attention. Thank you.

MS. MILLER: Madam Chair, Commissioner, I'll look into that.

CHAIR STEFANICS: Thank you.

IX. B. Presentation by Art Swenka on Water and Water Use in the Estancia Basin

COMMISSIONER ANAYA: Thank you, Madam Chair. I want to take this opportunity to welcome Mr. Swenka to the Board of County Commission meeting. He's a staunch advocate in the Estancia Basin to preserve the water in the Estancia Basin, to monitor the water in the Estancia Basin and to keep the water in the Estancia Basin, I think to sum it up. Mr. Barela has some items that are easier to pass out that go along with Mr. Swenka's presentation. *[Exhibit 1]* Thank you for being here, Mr. Swenka and we look forward to your presentation.

CHAIR STEFANICS: Thank you and welcome.

ART SWENKA: Thank you, Madam Chair and respected Commissioners. In your packets, if you'll look at pages 4 and 5, that pretty well details everything that's in the packet. So I won't have to take up a whole lot of your time. You can look at that at your leisure. If you look at page 6, I'd like to stop a minute and go back and explain one thing. In the Estancia Basin there's three groups that work with water, and there seems to be confusion about the three groups. The three groups, one is the Water Planning Committee and that's the one that plans for the five-year and ten-year water plan and so on, and that's the one that you folks support.

Then there's the Watershed Health and Restoration Group, and they're the folks that work through the Soil and Water Conservation Districts, the four districts. There's Claunch Pinto, Mountainair and East Torrance out of Estancia, and Edgewood just west of Moriarty, and Ciudad out of Bernalillo. Those four groups work mainly on forest restoration, thinning, bringing the forests up so they can live and not burn up and so on and so forth. At this point those four groups have done about 4,000 acres of thinning and grooming and so on and so forth. And of course the Water Trust Board funds that effort.

Then there's the EBRA group, the Estancia Basin Resource Association, and that's an activist group, and that group basically just tries to protect the water in the basin, and that's the group that came to Santa Fe several times when the City of Santa Fe was thinking about looking into the water in the Estancia Basin and convinced the City of Santa Fe that that was not the thing to do. Because it's not a sustainable source.

So if you look on page 6, in black are the places where some of the monitors are, and as you can see, like the one in the far northwest corner is up 2.5 feet. That's a good thing, but the one on the far northeast corner is down 3.5 feet. The one that really I would like to have you look at, that's the one in the center. That's the Schwebach Farms. That's down five feet a year, and that's right in the center of the basin. There are several others that have no change.

If you go down toward the bottom of the basin, that's where we think that the thinning – and of course we had some help from some fires that cleared about 20,000 acres of forest land and you might as well look at the good part of it. I say help; it wasn't a good thing at all but it did clear the trees out, so now we're getting recharge out of that area and I think that the wells in that area seem to be improving.

I'd like to call your attention to pages 10 and 11. Page 10 is the Magnum Steel well, and if you'll notice, in January of every year that water rises because there's no irrigation. In 2010 it rose, in 2011 it rose and in 2012 it rose but if you notice, each year it never gets back to where it was the year before. It's always lower each year as it reaches its peak.

The Schwebach wells are on the next page, on page 11, those are the ones that are dropping about five feet a year. Now, you might say, well, what are you folks going to do about this? I think there's two things need to happen. Before we can do anything we have to start doing the monitoring to find out what's really happening down there because otherwise we wouldn't know. This all started because Sandia Labs had a grant and they came to the Estancia Basin and they asked us if we would put together a group of wells that they could monitor. So that's where we got the first three years of data. Then the grant ran out and so the Water Planning Committee had to take over the monitoring and continue on with it and you folks are helping fund part of that monitoring as we go forward.

The rest of this you can look through at your leisure. Next to the last two pages is a draft resolution that we've put together and this is just a draft. We'll have the final and we'll be submitting it to you folks. What this is is there's been several occasions where people have tried to build a pipeline around the Estancia Basin to distribute the water. That would pipe the water off of the land and so what would they do with that land afterwards? What they could do is subdivide it in five- or ten-acre lots, sell it to somebody and that person could go back and file for a domestic well when they're already sold the water off of the land prior to that. So that's double-dipping. What this resolution is set to do is stop that so there can't be

double-dipping and they would have to hold back enough water to take care of a subdivision if they so decide to subdivide it. That's really what it amounts to.

The last thing in the packet is a resolution that we're putting together that would ask the legislature to set aside \$400,000 a year to enable four of the planning regions each year to update their water plans. The Estancia Basin was the first one that ever had a water plan in the state. Estancia Basin is now the first one that has updated that plan after five or six years. The reason that the rest of them aren't done is there's just no money to do it; they just don't get it done. So if the state would set aside that amount of money each year we could get these plans updated and everybody would kind of know where the water's at.

You know, you don't think a whole lot about water but if we don't have it we've got about 72 hours and it's over. So it's really something to think about. I'd be happy to answer any questions.

CHAIR STEFANICS: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Mr. Swenka, I appreciate your coming and bringing forth the information. As I told you before, you're always welcome to come back to provide us updates. I did want to note that you're correct that the County does through the planning group fund a big share of the monitoring wells in the basin and at a recent meeting had discussions about monitoring more wells in the Santa Fe County region as we continue to make decisions associated with land use. I will work with you through the drafts that you have before us to get some concurrence on some of the items and make sure we're on the same page and then bring back those resolutions for consideration by the Board of County Commissioners.

Since you are so actively involved in it I would like you to just briefly touch on the public radio station that's occurring in the Estancia Valley which is a good addition to the community.

MR. SWENKA: The group – and at that time I was not part of it but I now happen to be the chairman of it but at that time I was not part of it – went together and there was an opening to file for a license to have a public radio station. And so that group filed and got the construction permit to put it together. We have been working diligently. A public radio station is a little tough in this economy because it's all done through donations and it's a little hard to work with. But the radio station will be 88.7 on your dial. It will operate at 18.2 kilowatts which should cover the Torrance County really good and it should come into Santa Fe County north of Edgewood, probably another ten miles or so north of Edgewood, and the rest of Santa Fe County over in that direction.

We cranked the transmitters and every else up Friday, ran it full power. We have to do a radiation test to make sure we don't cook anybody out there at the tower site and so on, and we were well within the limits of anything that we have to do. So this Friday is the end. If we don't have our license applied for by this Friday we lose everything and it's over. But I just talked to the attorneys as I was sitting in the hallway out there and they think they'll have it filed tomorrow so we should get it done and we'll be on the air and we certainly would be willing to – I understand that you record your meetings and so on. We'd be certainly willing to pay those back to the public in the south part of the county. We'd be willing to do that.

CHAIR STEFANICS: That's a great offer.

COMMISSIONER ANAYA: Thank you, Madam Chair. Thank you, Mr. Swenka and we look forward to working with you on these issues. But thank you for allowing him to present.

CHAIR STEFANICS: I do have some questions.

COMMISSIONER HOLIAN: Madam Chair, I have questions.

CHAIR STEFANICS: Okay, so I'm going to ask mine and then I'll go to Commissioner Holian. And Robert Griego, do you want to come forward. I don't know if Penny's here, and Steve Ross stepped out. I wanted to look at your resolution, and probably, Robert, you haven't had a time yet to look at this. But Mr. Swenka, we're in the process of developing our Sustainable Growth Management Code. So some of language that's in your first resolution has to do with amendments and use of water, etc. And I'm wondering, are you working with our staff on your intent and desires and what they're putting into the code?

MR. SWENKA: We haven't it but we're planned on doing it. I should have had the completed copy with me but I didn't get it. We were going to submit it to Commissioner Anaya and let him bring it forward.

CHAIR STEFANICS: Okay, well, the reason I'm asking is the staff has this 300-page code that they're having hearings on all over the county. So they're in the process of receiving feedback and so you need to look at the code to see if this is complementary or if you have angst so that you can tell your Commissioner and us as well. And so Penny and Robert, you might just want to look at the Be it resolved, 1, 2, 3 in this one resolution he has, because it talks about amendments for the land. I'm happy to give you my copy if you don't have one. Great. So, Mr. Swenka, these are our staff that could work with you on that. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Thank you, Mr. Swenka, for the interesting presentation. Since you've just done a water plan I'm curious as to whether you've evaluated whether your current use of water is sustainable, that is, given the current level of use, the current level of recharge, do you believe that it's sustainable into the future?

MR. SWENKA: No. If all the water in the Estancia Basin was – there's 125,000 acre-feet that's appropriated. There's approximately 55,000 acre-feet that's being used. If suddenly everybody would decide to use all these water rights that are appropriated we're not sustainable at this point. It would really be a real problem if they ever did that.

COMMISSIONER HOLIAN: Have you considered in your plan what you're going to do to either get towards sustainability or to get another source of water in the future?

MR. SWENKA: Yes. In the plan, in the plan that was submitted to Interstate Streams there's five priorities in that plan and I didn't bring those with me, but there's five priorities that we would be working on to start with. It's such a monumental task that you've got to start some place, so we set aside those five priorities and we'll start with those and keep working forward.

COMMISSIONER HOLIAN: And so what is your general plan for the way to go forward?

MR. SWENKA: Agriculture is our main industry and of course agriculture takes water. As we go forward, they went from flood irrigation to side roll irrigation and then

they went to pivots and then they went to drag hoses. Every bit of that movement has taken less water than the time before. What's on the horizon now and it's going to take a little bit of time is drip irrigation and by that I mean it's not the hose that lays on top of the ground. They bury these pipes about eight inches under the ground and it takes about a third of the water to grow the same crop. And they're doing this in Rocky Ford, Colorado at this point and it's working pretty well.

So in talking to the farmers, they're all looking at this. This is their livelihood and they know that what we're doing isn't sustainable, so they know they have to change. So there would be drip irrigation and no-till farming. No-till farming in the Midwest is being used a lot and it will be here shortly.

COMMISSIONER HOLIAN: Great.

MR. SWENKA: So those will all cut back on where we are, but if Mother Nature continues to keep drying us up as it is we probably can't get there fast enough. That's the problem.

COMMISSIONER HOLIAN: Well, good work and good luck. Thank you, Mr. Swenka.

MR. SWENKA: This is just an effort to try and bring it to everyone's attention so that people will pay attention.

CHAIR STEFANICS: Okay. Thank you. Any other comments? Thank you very much for coming to visit with us today.

IX. C. Presentation on Inmate Healthcare Services Provided in County Correctional Facilities in New Mexico by Todd Murphy CHC (WITHDRAWN)

CHAIR STEFANICS: Commissioners, even though we've taken IX. C off the agenda I wanted to bring up the issue so that we can have a small discussion on when we want to hear from a vendor and when there might be a conflict or not, and Commissioner Anaya, I spoke with you this morning about this. Do you want to start with any comments?

COMMISSIONER ANAYA: Sure, Madam Chair. I've been around the Santa Fe County Commission, the City Council, the legislative process for several years and any time there's an opportunity for us to hear input and feedback on how people are doing business in other counties or how the private sector is doing business, I would like to be able to bring people forward to do that. This item was an attempt to get feedback on medical healthcare in corrections that is going on in the state of New Mexico. We don't have any RFPs or anything out right now and so I think it's important that we are able to hear from the private sector, hear from the public sector, non-profits, anything and everything that might be an option or an alternative to the way we're potentially doing business.

We may come up with an idea that might help us do better business. So that was simply put, what I was after. I've had some discussions with staff and would like to have this presentation come back, come forward and Mr. Ross, if you could maybe provide some feedback, but it's my understanding that if there's an RFP being developed or an RFP advertised there might be some conflict or issues, but otherwise, could you comment on whether or not this is a public forum and whether or not it would be inappropriate or not to

get feedback. I've seen it done many, many times over the years and I just want to – we want to make sure as the chair said, that we don't violate any statutes or laws. But I think we also want to make sure that we provide a venue for us receiving information and feedback that Commissioners desire to hear input on. So, what's your take?

MR. ROSS: Madam Chair, Commissioner Anaya, I think you had it right. If there's any kind of as solicitation in the pipeline, or planned, a presentation by a vendor who might participate in the solicitation is problematic. There's actually a statute that prohibits that in the procurement code. And then stepping back from that, if a potential vendor makes some sort of a presentation and it results in a solicitation consistent with the presentation, but we don't feel like it violates the statute it opens up opportunities for other bidders to complain, file protests, and force a procedure to adjudicate those issues.

One of the things we like to do if a vendor is making presentations, make sure they understand that, make sure they understand the ramifications of their own conduct and how it could be held against them either by us or by some other vendor. And that, I think is really good practice. Does that help?

COMMISSIONER ANAYA: It does, Madam Chair, Mr. Ross, but I want to make sure that we don't put ourselves in a position where we don't get feedback from anybody. This wasn't a presentation that I was saying only this vendor or firm could do. Anybody that I believe has feedback or input that might provide quality of service or might provide efficiencies or even ideas I think are beneficial for us to hear out. So let me just float something to you and you tell me what your thoughts are.

So if I said, if we published an ad in the paper and said we are taking feedback on community parks, and we want to solicit feedback, suggestions and ideas or presentations, would that help? I'm trying to figure out a way for us to get input as Commissioners from anybody that might have it that doesn't subvert or put us in any legal bind. In fact that's the reason I asked that this be put in a public setting and public venue in the first place, because I know elected officials are constantly approached by people to consider options and I figure what better way to hear feedback on potential project than in a public setting?

What suggestions as our Attorney might you have so that we don't limit feedback or input that we might receive that may be beneficial to hear at least, at minimum.

MR. ROSS: Madam Chair, Commissioner Anaya, we just have to make a pragmatic evaluation of where we are with respect to the services that a particular vendor is proposing to provide and if we have plans to make a solicitation for those products or services make it clear to them the ramifications of their making a direct presentation to you all or even to the staff concerning those products or services and just so they totally understand what they're getting into. The staff of course has to make a pragmatic determination about whether there's a solicitation planned or currently pending. Because if there is an ad in the paper like you say then it's very urgent that the vendor understand that if they make a presentation and the contents of what they present make their way into the RFP then they'll be prohibited from bidding.

So when there's an ad out or when there's a solicitation pending we've got to be extremely careful and make sure they understand. When it's more remote it becomes sort of a judgment call and for sure, a discussion with the vendor to make sure we're all on the same page.

COMMISSIONER ANAYA: One last question, if I could.

CHAIR STEFANICS: Sure.

COMMISSIONER ANAYA: My last question is this. I'm not aware of any RFIs, RFPs, that are coming our relative to this presentation. Today I was told that there might be a solicitation which I never have been told that before as a Commissioner. There was no proposals out, no requests. Even in that case, when there's nothing, as you said, in the pipeline, I would presumed if there was something in the pipeline that I would have been told immediately that there's something in the pipeline, but I wasn't aware of any solicitations that we were developing associated with this item. Are there? Is there an RFP being developed that deals with this item that I had requested? Because if there is then that answers the question in itself.

MS. MILLER: Madam Chair, Commissioner Anaya, there's nothing in the pipeline being drafted at the moment. I will say that we have two contracts at the correctional facilities, one for pharmaceutical and one for the doctors group. For sure, one of those is up next June, so this could be something [inaudible]

COMMISSIONER ANAYA: So Madam Chair, Ms. Miller, and this goes back to my question before. So if we wanted to as a County understand what other efficiencies we might garner in the correctional facility, would an RFI be something that would be more prudent, where we would put a simple scope of what an RFI would, just to get information. How else, other than a proposal? This is my point. How else other than a formal RFP that we come up with? I'm not saying staff-driven. I'm saying how else do we get input in the public setting on what we might do as a Commission to improve our operations other than a formal request? There has to be a mechanism for us to receive input as elected officials to understand what the range of possibilities that are out there, even before we develop an actual proposal, I would think. That's what I'm after.

MR. ROSS: Madam Chair, Commissioner Anaya, an RFI is a great tool. That is exactly what it's for. That's been working here for many years. It gets information out there, it gives us information we need to make subsequent judgments. It inoculates the potential vendors from that statute I was telling you about, so it's a great tool for doing exactly what you're describing.

CHAIR STEFANICS: Thank you, Commissioner Anaya. So, Steve, if we were to do something around this, inmate healthcare services, we did an RFI, are we talking about just companies presenting written information to the County? Are we talking about multiple companies coming forward for one presentation on a topic? And the other question I was going to ask is within what timeframe? Like, are we talking about six months prior? Twelve months prior. It's fine within a couple months? It's not fine?

MR. ROSS: Madam Chair, the second question is sort of a judgment call, in terms of when you have to be careful –

CHAIR STEFANICS: Well, if we're going to be doing something, for example, next June. At what point would we not want to engage in any conversations with vendors that might apply?

MR. ROSS: Madam Chair, it's safe – the safest thing to do is to have most of the conversations when you're doing the ads and putting out the RFP and certainly when you're developing the documents that will become the RFP, because that's what's prohibited

is including vendors' information in those documents. So you've come back from whatever date the ad goes out and whatever date the RFP goes out the door, come back as many months as it takes to actually develop the document that subsequently make up the RFP, so months.

CHAIR STEFANICS: Well, Mr. Ross, we all have specific interests up here. Some might have solar energy. Some might have health in the correctional facility. Some might have something else. So I think probably what we're wanting to do is just establish some kind of process for us, individually or as a group, to ask for presentations so that it's aboveboard, it doesn't look like we're accommodating one vendor over another, etc. Vendors come to us frequently, so do you have any suggestions or do you want to bring back a suggestion or do you want to work with Commissioner Anaya on getting the health thing going?

MR. ROSS: Madam Chair, I can do any of the above. Certainly the RFI suggestion is a very, very clean way to get input that's fair and balanced and doesn't favor any one vendor over another vendor because they all have an opportunity to send in information and make presentations to you. So we can certainly arrange that for this particular issue and I can work on some guidelines for vendor presentations about potential items that are going to be solicited, if you'd like that. I can do all those things.

COMMISSIONER ANAYA: So, Commissioner Anaya, would you like to move ahead with correctional healthcare?

COMMISSIONER ANAYA: Yes. I'd like to work with you Steve. We can talk offline. What I don't want, Madam Chair, is where we create another burdensome layer of bureaucracy to get it done. I would like us to keep it as simple as we can, so that if we wanted to get input, and like you said, I think that's a good example, solar energy or anything else, we could have something that we put in place quickly, where people could respond and give us feedback without creating a burdensome process that costs time and a lot of resources. So I will work with Mr. Ross and Ms. Miller to try and figure something out on this one to get feedback.

I would like to see what other county entities are doing relative to their inmate healthcare and what their programs are, what their expenditures are, what their quality of service is, things like that, to better understand is this an area where we might improve how we're doing or what we're doing is just fine. So that's where I was headed, but I'll work with staff. Thank you.

CHAIR STEFANICS: Thank you. Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, thank you. And just along with Commissioner Anaya's points, I know I've heard my colleague hear state time and time again that he wants to see what other institutions are doing, so I don't think it should be new to anybody that it hasn't come from this bench. I guess my thoughts are also that multiple vendors can contact us who want to talk to us about maybe moving a process forward, but I guess my worry too is if then they're talking to staff, and we have a Public Safety Director like Mr. Sedillo, but if a vendor wants to call in and talk to Mr. Sedillo about, I guess what we do we go through on our new security system and control panels, I think they should have that opportunity and that flexibility to talk with him. He knows what his needs are in jail, and not that he's going to preselect somebody but I think it makes great sense for him to be

communicating with one another and if it needs to be done publicly, that's great. For security reasons, Steve, I think you need to consider that sometimes for security reasons when it comes specifically to our jail that maybe that needs to be handled in a private discussion without anybody saying that any procurement code would be violated, just when it comes to certain matters of that sensitivity.

Commissioner Anaya brought something up. Everybody here might think it's a little smaller scale, but it's an issue that I'm dealing with with open space, so before – Colleen, maybe you should hear this. I have the Potrero out in Chimayo that the County did a bond, I don't know how many years back, and part of that bond and JPA was to allow grazing. Now I have vendors, because people who are leasing this from us I would consider them to be vendor; I could be wrong. But they're trying to graze their animals on this open space land but there is some confusion how it's being done, how the system is allowing and affording the opportunity for these folks to be doing it. So I've been asking for a community meeting on this to get some community input. My thoughts would be that some of the community input from some of these people who are grazing, and now are they going to be in violation because they're giving us some input of we would like to maybe go out for a lottery system? We want to be able to bid on it by this. So staff goes back and develops either an RFP or proposal to allow grazing on this property. Now are we going to go back and tell those individuals you're excluded? Now you can't bid on having your cows on this piece of property, because you gave us some input in a community meeting? If staff could answer that I'd appreciate it because I'm asking for this meeting to happen, hopefully timely within the next month and I have been asking for this meeting to happen I think since this past July. So what happens in that case, Steve?

MR. ROSS: Madam Chair, Commissioner Mayfield, so long as the information a vendor provides, and this generally comes up in the request for proposals context, when there's a professional service that's being provided or a service in general, the information they provide has to be included in the RFP to be a prohibited practice under the procurement code. So no, just speaking up at a public meeting won't qualify. So they're fine speaking up at a public meeting.

COMMISSIONER MAYFIELD: And if staff takes some of those comments and develops an RFP based on those comments that are said in a public meeting and arguably a protester can say, wait a minute. You listened to presenter X and you took that presenter's recommendations and now presenter X is bidding on this and arguably staff, for whatever reason, the process they go through, they award it to presenter X. I guess I could see potentially protests coming in.

MR. ROSS: Madam Chair, Commissioner Mayfield, yes, a protest can come from all of those types of situations, but that doesn't mean the protest is a valid one.

COMMISSIONER MAYFIELD: Okay. So I'm just going to get this real quick on the record. There will be a public meeting hopefully – and Juan works with Mr. Leigland, for the leasing/grazing rights to Potrero in Chimayo. That happens in the next month or so hopefully. There will be public discussion. I'm assuming there re going to be people there that are grazing their animals on this property and other individuals who want to establish some trails to that property. When staff goes back and develops the RFP for next year, then staff is fine with this meeting happening next month? That's a yes?

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MR. LEIGLAND: Yes.

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

CHAIR STEFANICS: Thank you. Okay, so I think that we've made some requests for information for the future and Commissioner Anaya will work on this particular item with Mr. Ross.

X. APPROVAL OF CONSENT CALENDAR

CHAIR STEFANICS: Are there any items Commissioners wish to withdraw?

COMMISSIONER HOLIAN: Madam Chair.

CHAIR STEFANICS: Commissioner.

COMMISSIONER HOLIAN: I would like to withdraw XI. B. 7.

CHAIR STEFANICS: XI. B. 7.

COMMISSIONER MAYFIELD: What is XI. B. 7, Madam Chair?

CHAIR STEFANICS: We're on the Consent Calendar. Are there any other withdrawals? Is there a motion to approve as amended?

COMMISSIONER HOLIAN: So moved.

CHAIR STEFANICS: Oh, and before I take the vote, is there a second to the motion to approve as amended?

COMMISSIONER ANAYA: Second.

CHAIR STEFANICS: There's a second. Before I take that vote is there anybody in the audience that came to speak on any of these resolutions under XI. B? Is there anyone here who wants to speak on any of the resolutions B. 1 through 11? Okay. Thank you. We can take the vote.

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

XI. CONSENT CALENDAR

A. Appointments/Reappointments/Resignations

1. **Resignation of Lydia Frank From the Lodgers Tax Advisory Board (Finance Division/Teresa Martinez)**
2. **Appointment of Cindy Racco to the Lodgers Tax Advisory Board (Finance Division/Teresa Martinez)**
3. **Appoint Virginia Montoya From El Rancho to the Senior Advisory Board (Community Services Department/Health and Human Services Division/Teresa Casados)**
4. **Appoint Priscilla Martinez From Santa Cruz to the Senior Advisory Board (Community Services Department/Health and Human Services Division/Teresa Casados)**

B. Resolutions (PUBLIC COMMENT)

1. **Resolution No. 2012-117, a Resolution Authorizing the Disposal of Personal Property in Accordance with State Statutes (Finance Division/Teresa Martinez)**

2. **Resolution No. 2012-118, a Resolution Requesting a Budget Increase to the General Fund (101) for “Incentive Funds” Awarded By the Non-Metro New Mexico Area Agency on Aging for the Santa Fe County Senior Congregate Meal Program/ \$13,687 (Community Services/Teresa Martinez)**
3. **Resolution No. 2012-119, a Resolution Requesting a Budget Increase to the State Special Appropriations Fund (318) to Carry Forward a Grant Balance for the Rio en Medio Senior Center for Repairs to the Roof and Improvements to the Facility / \$2,292.42 (Public Works/Adam Leigland, Finance Division/Teresa Martinez)**
4. **Resolution No. 2012-120, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) for the 2011 Homeland Security Grant Awarded Through the New Mexico Department of Homeland Security and Emergency Management / \$57,000 (Public Safety/Fire/Teresa Martinez)**
5. **Resolution No. 2012-121, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) From Cash Carryover From Forestry Revenue Received for Various Fire Districts / \$98,118 (Public Safety/Fire/Teresa Martinez)**
6. **Resolution No. 2012-122, a Resolution Requesting a Budget Increase to the Emergency Medical Services Fund (206) From Cash Carryover for Various EMS Districts and to Adjust the Fiscal Year 2013 Budget for the Current Year Allocation to the Actual Distribution Amount for Each EMS District / \$5,110 (Public Safety/Fire/Teresa Martinez)**
7. Resolution No. 2012-___, a Resolution Requesting BCC Approval for a Budget Increase to the Emergency Preparedness Grant Fund (244) in the Amount of (\$34,71). (Public Safety/Fire/Teresa Martinez)
ISOLATED FOR DISCUSSION
8. **Resolution No. 2012-123, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Realign the Fiscal Year 2013 Budget with the Available Balance for the FEMA Grant / \$5,442(Public Safety/Fire/Teresa Martinez)**
9. **Resolution No. 2012-124, a Resolution Requesting a Budget Decrease to the Fire Operations Fund (244) to Realign the Fiscal Year 2013 Budget with the Available Balance for the Forest Restoration Grant / -\$77,045 (Public Safety/Fire/Teresa Martinez)**
10. **Resolution No. 2012-125, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) From Cash Carryover for the Hazmat Grant Program / \$22,865 (Public Safety/Fire/Teresa Martinez)**

SFC OF BCC RECORDED 11/06/2012

11. Resolution No. 2012-126, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) From Forestry Revenue Received for Personnel and Apparatus Utilized on Various Fires / \$92,654.42 (Public Safety/Fire/Teresa Martinez)

Consent Agenda - withdrawn item:

XI. B. 7. Resolution No. 2012-127, a Resolution Requesting BCC Approval for a Budget Increase to the Emergency Preparedness Grant Fund (244) in the Amount of \$34,971

COMMISSIONER HOLIAN: Thank you, Madam Chair. I think my question is actually for Chief Sperling. I noted that this funding is going to be used to purchase a public warning system and I'm just wondering what you need by a public warning system. Exactly what kind of technology is that? Is it mobile? Where would it be deployed, that sort of thing?

CHIEF SPERLING: Madam Chair, Commissioner Holian, I believe Chief Vigil was working on a system that would be mobile and this goes back to his 2010 emergency preparedness grant fund. I'm not sure if technology has changed since he first looked at these systems, but at the time I believe it was a mobile application.

COMMISSIONER HOLIAN: So it's kind of like a mobile PA system? Something like that?

CHIEF SPERLING: I believe that's correct. I can get some further information, Commissioner.

COMMISSIONER HOLIAN: Thank you, Chief. Anyway, I move for approval.

COMMISSIONER MAYFIELD: Second, Madam Chair.

CHAIR STEFANICS: Okay. There's a motion and a second for Resolution No. 2012-127. Any further discussion?

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

XII. STAFF AND ELECTED OFFICIALS' ITEMS

A. Finance Department

1. Resolution No. 2012-128, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) for a Contribution Received From the Eldorado Fire District / \$27,074

TERESA MARTINEZ (Finance Director): Madam Chair, as you are aware, this is a donation and it's specifically to be used for the purchase of a Lifepack. And we singled this out so that it can be noted it was a donation to the fire department.

CHAIR STEFANICS: I would move for approval. Is there a second?

COMMISSIONER MAYFIELD: Second, Madam Chair.

CHAIR STEFANICS: Okay. This is a resolution. Is there anybody in the audience that would like to speak to this resolution, besides the fact that we totally appreciate the donation, and what a generous donation for this. Any further discussion?

COMMISSIONER ANAYA: Madam Chair, I would just echo that whoever made this donation, thank you very much.

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

CHAIR STEFANICS: Thank you very much.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Yes.

COMMISSIONER MAYFIELD: Do we, unless these folks wish to remain anonymous, do we do any formal recognition of these type of donations from the County? If not I would suggest that staff write something up.

DAVE SPERLING (Fire Chief): Madam Chair, Commissioner, if I may. This donation actually came from the Eldorado Fire District 501(c)(3), and they raised these funds as part of their annual fundraising project throughout the Eldorado community, specifically to donate to the County a physio-control Lifepack 15 for their use on their Eldorado Med 3, which is staffed by volunteers. And the district does support right now one paramedic who will have access to this technology and will use it to best effect in the Eldorado community. So I did want to express my great thanks to the Eldorado Fire District members, the 501(c)(3) that raised these funds. We were unable to purchase this through our normal funding sources. They saw the need and they stepped forward to make it happen through the County's procurement process. So very much appreciated.

CHAIR STEFANICS: Thank you. And just to continue on, the Eldorado Fire District had a free barbecue for anybody in the community and along the corridor I think two weeks ago Sunday?

CHIEF SPERLING: I believe it was – correct.

CHAIR STEFANICS: Two weeks ago Sunday. They took donations at that event. They also, in terms of the ECIA, the Eldorado Vistas Newsletter, they not only wrote about the GO bond, they also wrote about the fire tax at great length about how the fire tax would help their volunteer fire department. So I think that the Eldorado Fire Department is trying to get the community involved, trying to get community support, as is evidenced by these contributions. And they are to be truly commended for their involvement. Thank you very much.

XII B. Administrative Services Department

1. Request Approval to Award Professional Services Agreement No. 2012-0237-OS/PL to Tierra Right of Way Services for Right of Way Acquisition Services for the Santa Fe River Greenway Project in the Amount of \$496,969.00 Exclusive of GRT

MR. TAYLOR: Thank you, Madam Chair, members of the Commission. The Purchasing Division issued an RFP for these services. Madam Chair, this has to do with the Open Space and Trails program staff, and the acquisition of land along the Santa Fe River for the Santa Fe Greenway project with the long-term goal of creating a greenway and trails system. Madam Chair, the services that are provided in this agreement are multiple from the title reports, escrow services, negotiations, phase 1 environmental, appraisals and appraisal reviews.

In my due diligence we've researched these things and so I feel confident that the negotiation on this is for a discounted rate on those services and deliverables and also we'll consolidate this effort in getting this accomplished for the long-range goal. With that, Madam Chair, I also have in I may Megan Baer and Colleen Baker here with Open Space that could answer any technical questions of the project.

CHAIR STEFANICS: Thank you very much. This is not a resolution so we do not need public comments. Questions from the Commission? Commissioner Vigil.

COMMISSIONER VIGIL: Madam Chair, Thank you, Mr. Taylor, for bringing this forward. Thank you, Megan, for working on this. Having been on the Commission for as long as I can this is really the approach that we should have done eight years ago and the way we've been doing it has been so piecemeal that I'm actually worried about the design of the entire eight-mile section. So my question to you is is the intent that we move forward to have one particular design identified for that eight miles, and is this what we're voting on?

MR. TAYLOR: I believe so. The next item on the agenda will address the design, the conceptual design, the full design of the eight-mile section or greenway.

COMMISSIONER VIGIL: Right. And the right-of-way acquisition is going to affect what that design is, because you're going to be dealing with two sides of the river, right? What is the intent? Are we going to be working toward acquiring easements for both sides? Or what is the ultimate?

MR. TAYLOR: My understanding, Madam Chair and Commissioner Vigil, it's a good question. You would think that you would need to get the land acquired before you do design. Actually, in this case we need the conceptual design of that eight-mile area so that we can validate and verify the actual land acquisitions that we need to acquire for that greenway.

COMMISSIONER VIGIL: Okay. And I just wonder if this is enough. Having toured that whole area, there's such a huge erosion problem that is going to complicate this issue so I wouldn't be surprised if it might not be enough, but I really appreciate the comprehensive approach to making this happen. It is a huge project that will benefit our entire community and the connectivity of the Santa Fe River Greenway will be from up

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Cristo Rey all the way down to 599, hopefully all the way to Arroyo Chamiso, so that we will have a circle. Bicycles and walkers and joggers and riders and even some of those trails like San Ysidro right now is equestrian favorable and some of the connectivity for that will be a part of this. So I'm looking forward to this and I do believe this is a great step towards that end.

COMMISSIONER HOLIAN: Madam Chair.

CHAIR STEFANICS: Yes, Commissioner.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Thank you, Mr. Taylor for bringing this forward. I know that the Santa Fe River Greenway is going to be a huge benefit to our entire community. I'm pretty sure that this is one thing that everybody in our community agrees is a good thing to move forward on and I realize that we just don't have the staff to really move this project forward expeditiously as we would like to because we have so many other things going on as well. So I'm very supportive of this.

I guess my question is is this funding coming from our Open Space bonding or from capital outlay?

COLLEEN BAKER (Open Space & Trails): Madam Chair, Commissioners, we're using essentially two pots of funding. The two contracts that you have before you today are being awarded out of gross receipts tax. Some of it was the joint regional gross receipts tax as we formerly were separating the gross receipts tax and some other it was the County only. The money that we'll be using for the actual acquisition of the properties is the bond, the bond that was passed in 2008 and then sold in 2010. So that's the funding sources.

COMMISSIONER HOLIAN: Okay. Thank you. Thank you, Colleen.

COMMISSIONER VIGIL: Madam Chair.

CHAIR STEFANICS: Commissioner Vigil.

COMMISSIONER VIGIL: Before you leave I really want to thank you because I know staffing for Open Space and Trails, you've been doing a lot of it, and up until now it's really created – it's really been difficult. And I just want to commend you on the work you had done because you've tried to bring in stakeholders and [inaudible] and all of that. Now we actually, hopefully [inaudible] for new responsibility with this and you can focus your attention on acquisition or something more specific. Thank you, Madam Chair and thank you, Colleen.

MS. BAKER: Madam Chair and Commissioner Vigil, thank you and I really – this has been a huge community effort. Megan Baer has been a tremendous asset to our program all ready in the few months she's been here, and I really appreciate the opportunity to bring this forward, both of these contracts today because this I think will make a huge step forward on this project.

COMMISSIONER VIGIL: Thank you.

COMMISSIONER HOLIAN: Madam Chair, I move for approval.

CHAIR STEFANICS: Thank you. Is there a second?

COMMISSIONER VIGIL: Second.

CHAIR STEFANICS: There's a motion and a second. Are there further questions or comments?

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

XII. B. 2. Request Approval to Award Contract No. 2012-0144-OS/PL to Design Enginuity for Engineering Design Services for the Santa Fe River Greenway Project in the Amount of \$381,491 Exclusive of GRT

MR. TAYLOR: Thank you, Madam Chair, Commissioners. Again, this is design services contract for the Santa Fe River Greenway project and this is for – it has been phased for Phases A, B, C, D. We're looking for services for conceptual design for B, C and D, and then also full design for Phase A of the project, which would be – the complete design would be reconstruction of Cottonwood Drive to Route 599. So with that, Madam Chair, I'll stand for any questions.

CHAIR STEFANICS: Thank you. Are there any questions or comments?
Commissioner Vigil.

COMMISSIONER VIGIL: Because it's in my district I'm far more familiar with it. So my questions are, [inaudible] a wonderful design in the San Ysidro River trail, walkway there and it's a meandered design, it's ecologically designed to address water flow? And also the trail itself isn't similar to what the design that the City has actually done, because they have a concrete and then they have a dirt walking trail. Anyway, are we going to be consistent with design with what the City has left off at Frenchie's Park? And then if we are what does that do with San Ysidro?

MS. BAKER: Madam Chair, Commissioners, we have been going through the public process for a number of years, as you know, about the trail surfacing. And the City did make a decision to go with concrete. We had hoped that would be a discussion to get a cohesive corridor. We're not committed to going through with the concrete. We've heard from the public many times that they would like a surface that's accessible for multiple users, people using strollers, wheelchairs, bikes, walking, equestrian uses. So it's a complex process to come up with a surface that's appropriate.

At San Ysidro we finished it off with a crusher fines trail to keep it rural and not to go to the expense of a paved surface at this time, because we hadn't settled on the surface. That big portion down near El Camino Real, down by 599, we decided to go with a paved surface for now until we can come up with a long-term trail surface. We also put three different tester pavements that are recycled products. We're trying to see how they hold up because we've heard multiple times from the public that they'd like to see a recycled or more environmentally sensitive, or maybe even a color that fit better with the environment.

So we're hoping that we're going to learn through our process and with this conceptual plan now starts to bring in a cohesiveness to the whole project. So hopefully through this project we'll start to get there. The conceptual plan right now though is really getting at how much land do we need to accomplish this overall project? We're going with the template that we started at San Ysidro and improving on that as we learn from what's working and now working at San Ysidro. But we're really looking at what land we need to

acquire. But as we go through that public process we'll continue to get feedback on the surface and then when we finally are able to start going back to final design that's when we'll be able to do that.

So in the next couple years I see us making a decision on what that surface is.

COMMISSIONER VIGIL: Thank you, Colleen. Thank you, Madam Chair.

CHAIR STEFANICS: Any other comments? What's the pleasure of the Commission?

COMMISSIONER HOLIAN: Madam Chair, I move for approval.

COMMISSIONER VIGIL: Second.

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

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

XII. C. Public Works Department

1. Resolution No. 2012-129, a Resolution Requesting an Increase to the GOB Series 2009 Fund (335) From Cash Carryover for the Caja del Rio and County Road 98 Road Projects / \$1,244,086

MR. LEIGLAND: Madam Chair, Commissioners, I think the title of the resolution speaks for itself. This is just to utilize the last proceeds of the 2009 bond carried over for these two projects. I'll just give you a quick update. The Caja del Rio project has started and as a matter of fact we are installing some 96" culverts just this week. We did a small change order of that contract to allow us to save over \$100,000 doing it that way. And then the County Road 98 project is the second phase of widening the shoulder. The County Road 98 is the road to Chimayo. And so with that, I'll stand for any questions.

CHAIR STEFANICS: Thank you. This is a resolution. Is there anybody in the audience who is here to speak on this resolution? Seeing done, questions, comments, motions from the Commission.

COMMISSIONER HOLIAN: Madam Chair, I move for approval.

COMMISSIONER VIGIL: Second.

CHAIR STEFANICS: There's a motion and a second for approval of Resolution No. 2012-129. Any further discussion?

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

XII. C. 2. Discussion of the Santa Fe County Process for Road Acceptance, Designation or Re-Designation, and for the Vacation of County-Maintained Roads [Exhibit 2: Revised Staff Memo; Exhibit 3: Revised Resolution]

CHAIR STEFANICS: Mr. Leigland, is this an action item?

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MR. LEIGLAND: Madam Chair, no. This is just a discussion item. The County occasionally is asked to accept roads for County maintenance and the memo that I just distributed to you you'll see that the amount of County maintained mileage fluctuates over the years as we accept roads, as we abandon roads, as roads change ownership. The current policy for accepting roads that the County has dates from 1998 and I included that existing policy in the packet. So it's an old policy and we felt it was time to update it. So what you have before you and today I just want to stress that this is for discussion. We'll bring the policy after we polish it for approval at the next BCC meeting.

This new resolution does four major things that I think are noteworthy. The first thing, and the one that I'm actually most excited about is it creates a new category of County road maintenance. Right now, County roads are either County maintained and we do the full treatment of maintenance whether it's not County maintained. And what this resolution creates is a new category called lesser maintenance. And we included this because we think it fills a gap out there, if you will, on sort of the menu of services the County can provide. A lesser maintained road is one in which the landowner who is asking for the road to be maintained does not have to bring the road up to full County standards, as if they wanted to make it full County maintenance, but in return for that concession they only get a limited suite of maintenance opportunities. For instance, we will grade it twice a year and that's it.

So just based on our discussions with the community, we think this will actually fill a gap. That's the first thing that this policy does. The second thing this policy does is it includes a very specific role for the Road Advisory Committee. The Road Advisory Committee is I think a really good committee and this policy actually makes them take the lead on evaluating road acceptance and also road vacation procedures in accordance with state statute, so it's a much more explicit role for them.

The third thing this procedure does is actually formalize the policy for the abandonment of roads. State statute allows the county to vacate or abandon roads for County maintenance because it's not cost-effective or for whatever reason. But the County never had a policy for actually implementing state statute. And the final thing this policy does is conform better with state statute concerning road acceptance and road vacation.

And I will mention that the Road Advisory Committee approved this at their meeting last week. They actually I think are excited about their new, explicit role. And I said I will bring this to you for approval at the next BCC. So with that, I'll stand for any questions.

CHAIR STEFANICS: Thank you, Mr. Leigland. I'm going to start. The lesser County maintained roads, would that – are we talking about roads that are highly used, used for bus routes? Roads that County vehicles traverse but aren't County roads? How would that even be considered?

MR. LEIGLAND: Madam Chair, I think a good example of a road for this might be one in District 4 and that's the Apache Ridge Road. Here's a road that is currently not maintained by the County. The residents of that subdivision have asked the County to look into maintaining it. We've done some traffic counts. The traffic counts show that it's not that heavily traveled, but the community does have some valid concerns for maintenance and they don't have the financial wherewithal to meet their financial obligations. But they also are not interested in bringing it up to full County standards for esthetic reasons and other reasons that I think are valid. So I think this County maintenance obligation – and I'm not saying that

that community is interested in this category. But I think that type situation would be a good candidate for lesser County maintenance.

So what we would do in that case is we would not ask them to do the shaping and the grading and the drainage improvements that we would normally require, but in return they would grading twice a year, which is really all they would need. They're concerned mostly about washboarding.

CHAIR STEFANICS: Well, I'm going to give an example. There is a road out in my district that I do not live on and it has very deep ruts so that it really throws cars out of alignment, anything you're carrying in the car falls over, and I would say a few hundred people live on that road. Is that a road that might become eligible for this lesser County maintained road?

MR. LEIGLAND: Madam Chair, I think, without knowing the specifics it could be a candidate. It could be a candidate for full County maintenance too, depending on what the community wants to do, but yes.

CHAIR STEFANICS: So the process would be for the representative from that road district to bring it to the Roads Committee?

MR. LEIGLAND: Madam Chair, the procedure that we're working on is that it would be a formal application. They submit the application actually to the Road Advisory Committee. The Road Advisory Committee will convene three of their members to deal with viewing. By state statute they'll go out and evaluate the road. This new procedure – also, it's on page 6, you'll see a whole list of criteria to evaluate it, and they'll make the recommendations. So any recommendation will first come out of the Road Advisory Committee.

CHAIR STEFANICS: Thank you. And I just wanted to make clear, because the public is often concerned about us receiving favors from the County that I am not speaking about any roads that I live on. Okay. Thank you. Other questions. Commissioner Vigil.

COMMISSIONER VIGIL: I think I need specific clarification. If there's a neighborhood association and they actually own their own road, is this applicable?

MR. LEIGLAND: Madam Chair, Commissioner Vigil, the County does not maintain private roads. So this is the procedure for that road to become public if you will.

COMMISSIONER VIGIL: Okay. So if there are private roads and the lower maintenance, would it be applicable for that. Say this particular neighborhood association was unable to remove snow.

MR. LEIGLAND: Madam Chair, Commissioner Vigil, actually, I don't think we're anticipating snow removal in the lesser maintenance. We're looking at more improvements to the road, so mostly grading, things like that. Snow removal would still be their obligation and responsibility.

COMMISSIONER VIGIL: Okay. And the previous policy, did it require 50 percent approval from the private property owners to dedicate it to County road? Or is that a higher standard or lower?

MR. LEIGLAND: Madam Chair, Commissioner Vigil, the current policy I think is in your packet so if you have detailed questions you can take a look at it, but I think there is actually – and actually I might ask Robert to correct me, but it's the state that requires

the 50 percent of the people with an interest – I think the term is a real property interest in the road.

COMMISSIONER VIGIL: Right. So was that also the previous policy? I'm trying to –

MR. LEIGLAND: I think so. Yes.

COMMISSIONER VIGIL: Okay. So there's quite a few roads that have unique circumstances and sometimes there's an emergent situation that comes forth and that's usually the case in my district with the issue of rainfall and erosion that occurs in many of these roads. If in fact a particular road requires our assistance and is the lower maintenance road, identified as such, and we've been out there twice in an emergent – first of all, let me ask this question. If we've been out there twice they're required to reimburse us, correct?

MR. LEIGLAND: Madam Chair, Commissioner Vigil, yes. Just as if they were a private road.

COMMISSIONER VIGIL: Okay. So if the third time there's an emergent situation are we going to evaluate that independently or – because some roads just have a consistent pattern of erosion. It seems to me that two times is a fair and reasonable amount of times, and hopefully that will always be the case. But what I don't want happening is for us to go out there the second time and there's very little maintenance that needs to occur and then an emergent situation comes up. It's one of those administrative decisions that perhaps you'll have to look at down the road. My worry is because I've been in that situation in my district, about what we would do.

MR. LEIGLAND: Madam Chair, Commissioner Vigil, we actually tried to build that sort of flexibility into the process. So in order for a road to be adopted by the County actually a resolution has to come to you formally adopting that road. And so what this policy says is that every lesser County maintained road will have a road-specific sort of suite of treatments to it, because we understand that the ones that are probably going to be the most difficult are these lesser maintained ones. So what this policy says is when the road acceptance resolution is brought to this body there will be a road-specific suite of services. So hopefully we can anticipate those and maybe we can put language that says we'll do twice grading but we'll do it after the monsoons, knowing that it always washes out in June, July and August, we won't do the second grading until September, something like that. So we tried to build a little bit of administrative flexibility, anticipating those situation.

COMMISSIONER VIGIL: Is there going to be a difference in cost whether we contract to do that maintenance or whether we do it in-house?

MR. LEIGLAND: Madam Chair, Commissioner Vigil, we're always going to try to do it in-house, because that is cheaper. That is what the road maintenance teams are for. So we're trying to get contracting to do capital improvements for new paving roads, we'll contract those, but the maintenance, unless it's beyond our capability, but I don't – we have a very capable road maintenance team, so we'll do it in-house.

COMMISSIONER VIGIL: Okay. I guess my last request is do we have actually a database or a listing of all those roads, by name, that are County roads? And then won't that be really necessary to distinguish those from those that are lower, lesser maintenance roads? And will we be able to keep a database and listing of all those after the application process?

MR. LEIGLAND: Madam Chair, Commissioner, yes, we have a detailed database. I'll just remind you, actually this Board approves the list every year, and so we have that database. And then the policy says that if it's a lesser maintained road the road number will be annotated with an L, so it will be clear both to us on the list, it will have L behind it, and then the blue placard itself will have an L, so it will be clear to users of that road and people who live on that road that they have a lesser maintained road.

COMMISSIONER VIGIL: Right. When this Commission approves those lists of those roads, are there roads that are brought to us that are new on that list that we weren't familiar with prior to approving that list? Or are those the roads that went through the old policy process?

MR. LEIGLAND: Madam Chair, Commissioner Vigil, periodically, over the course of a year, so just for instance, I guess it was about a month ago we brought that out to you. So that at the end of the year when we bring to you the new road list we make reference back to the roads that were approved over the course of that year. So when you adopt that road list you're not adopting new roads, but you are being reminded that, yes, you adopted this road through this resolution and what not. So when you adopt the final road list there should be no surprises.

COMMISSIONER VIGIL: Okay. That answers my question.

MR. LEIGLAND: and then all roads we've adopted until now have been under the 1998 policy.

COMMISSIONER VIGIL: Okay. That would be my question, Adam. Thank you for clarifying that, because there's so much of a process that we're engaged with to identify all those roads for the final list. We need some kind of cross-sectional analysis for approvals. But if we have, and that's the requisite requirement of going through our own process before it gets placed on the final road approval that's what you're telling me we previously approved it. Okay. Thank you very much.

CHAIR STEFANICS: Thank you. I have Commissioner Mayfield then Commissioner Holian.

COMMISSIONER MAYFIELD: Madam Chair, thank you. Mr. Leigland, thank you for bringing this forward. I've spoken with you a few times about this but I have a few clarifying questions for me. I may go back and forth with your summary memo and your draft policy. But on page 1 on your draft policy under A, I'm just looking at maintenance service of fully maintained County roads may include routine maintenance. I would hope we're not going to may include routine maintenance on our fully adopted roads, that we are going to maintain our County roads. So maybe if you could just strike may include for me. And then of course there's different types of maintenance.

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, I just wanted to clarify. The reason we put may there is because it talks about for instance chip seal and asphalt and if it's a dirt road we won't asphalt it but if it's an asphalt road we'll maintain it with asphalt. That was the intent. But we can clarify that.

COMMISSIONER MAYFIELD: Okay. If you could clarify that please. On page 2, and I guess it goes back to your summary memo also and there's been a bit of discussion about it at this table. But lesser County maintained roads. Can you give me – number one, we don't have any of these lesser roads right now. Can you give me an example of many a potential

lesser maintained road that may be in the hopper?

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, well, I think the one I mentioned earlier – Apache Ridge is the one I mentioned earlier and that was the one that comes to mind and that's in District 4. Another one that comes to mind is actually the Horcada Ranch Road that's in District 2 and that's the road that just goes out to some small properties. These are roads that aren't heavily trafficked, just need some maintenance. They are not heavily traveled. Robert, can you think of any others?

ROBERT MARTINEZ (Roads Director): Madam Chair, Commissioner Mayfield, possibly cul-de-sacs, for example, like in Eldorado Subdivision that have two or three homes on those cul-de-sacs that only require grading once every six months or so.

COMMISSIONER MAYFIELD: Are they privately owned?

MR. MARTINEZ: No. Commissioner Mayfield, they are currently County maintained roads. I'm saying in the future, if somebody wants to bring forward a road for acceptance, if it says, say ten vehicles a day or less it wouldn't require maintenance monthly as opposed to a road that has 200 ADTs.

COMMISSIONER MAYFIELD: Okay. So I guess you guys are throwing me off a bit. So we're going to have now a type of lesser maintained County roads based on the amount of traffic that goes on them that are currently roads established by the County, right? Or are these new roads that we haven't even adopted yet?

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, exactly. This is a new category. So if in the future some cul-de-sac that currently the County does not maintain comes to us and says we would like you to maintain it because we don't have the financial resources to maintain it ourselves. Under our current policy we would ask them to bring it up to County standards, which has to do with the width, profile of the road, drainage requirements, etc. It can be quite onerous. So this says, well, we don't require you to bring it up to County standards but we understand that it still makes sense for us to do it for public safety or for whatever reasons. And so we would adopt it under this new category for maintenance.

COMMISSIONER MAYFIELD: And I think that's great and I can give you probably a thousand roads in District 1. I'm going to bring up Boneyard Road right now because [inaudible] has been talking about this road and I've let them know it's a private road. There is development up there. I think you're familiar with that road, but I'd like you to put that on your little checklist. But that being said, it kind of goes back to the standard criteria. And I'm going to go back to our annexation meeting with the City of Santa Fe and with you guys. The City and us had our deal – you guys had a different rating criteria. The City uses a 1 through 10, I think you guys use an alphabet or –

MR. LEIGLAND: Other way.

COMMISSIONER MAYFIELD: So I guess what I'm getting at is we told the City what we believed was an adequate standard to give over to the City. So are we going to use that same criteria numerically for somebody who wants to come to us or are we going to put the higher threshold or the standard for them. Are we going to say a six is adequate? We will now consider your road if you guys come in with a standard of a County six?

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, it's a great question. The PSR standard, which is what we use, the PSR is rated from 1 to 10, and that is a condition assessment. It's not necessarily a determination of, I would say the structural characteristics of

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the road. So when we ask someone to bring a road up to County standards we're talking about the underlying structural conditions. And so the PSR is not strictly – we're not going to tell someone you bring your road in and we'll accept it when it's in PSR condition 6. We're going to tell you that it has to be this wide, and that you'd have to have bar ditches, that sort of thing. And then the PSR is a reflection of if maybe they do bring it on and they pave it and then over time the asphalt oxidizes and loses elasticity, gets some cracking and what not, and that's when we'll look at the PSR as a surface condition.

So underlying structure of the road is still there and that's what we ask the landowner to bring to us. So I guess to answer your question it's kind of apples and oranges. It's giving it to the County and the County standards and the PSR condition.

COMMISSIONER MAYFIELD: Okay. Let me ask this question, Madam Chair, Mr. Leigland, our County roads that are potentially going to be annexed by the City that are not currently asphalt, that are dirt roads. How are we bringing – what's our determination that we're saying this is adequate for the City to adopt? We're not using the PSR on the dirt road.

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, actually we are. The PSR rating system, there's a rating for unimproved roads, dirt roads, gravel roads and asphalt roads and concrete roads. So we can apply – and they're slightly different rating criteria, but we can apply the PSR to all different types of roads.

COMMISSIONER MAYFIELD: Okay, then you've just really confused me, Mr. Leigland, because I thought you said you weren't going to apply the PSR.

MR. LEIGLAND: Excuse me if I'm not clear. I meant we're not going to apply PSR when we adopt a private road under this resolution. But for annexation, we are definitely going to look at the PSR, because annexation is about road condition.

COMMISSIONER MAYFIELD: And I appreciate that, Madam Chair, Mr. Leigland, but I guess what I'm – so are our requirements going to be more stringent on a group asking us to adopt a road than what we're doing with the City? Or are they going to be a little more lax? Let me just cut to the chase here. Because it kind of seems like we're going to be more stringent on somebody when they're asking us to adopt a road.

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, I guess we would be more strict when we're asked to adopt a road because we're telling them they have to bring it up to County standards. But I will remind you that we're actually giving roads to the City and they've agreed to accept it if we bring it up to PSR condition 6.

COMMISSIONER MAYFIELD: Okay. Let me move to shared maintenance of a road. So how do [inaudible] with item C on page 2? We now can have – is this like – I know we have a lot of folks behind us with the Chupadero/Rio en Medio community, but it is sort of like when we have our community center that's arguably on a – or I think it's been determined it's not on a private road anymore. But if there is a County structure on a private road, is this when we're going to have that shared agreement? Are we going to enter into shared agreements when it's not County property?

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, no, this is for any – yes, that's exactly right. So if we shared a maintenance responsibility. This provision just allows other entities to bring their resources to bear on the situation. So we didn't want to exclude someone if they wanted to offer resources if they know we can't do it. We just wanted to explicitly include that provision. So the short answer to your question is yes.

COMMISSIONER MAYFIELD: So it's not shared maintenance on a private road.

MR. LEIGLAND: That is correct.

COMMISSIONER MAYFIELD: Help me, Mr. Leigland, with under Section 6D, citing New Mexico Statute, expense of viewing. So now if somebody wants us to look at their road the statute requires that they put up so much money in a deposit box and we pay staff to go look at this?

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

COMMISSIONER MAYFIELD: I'm just going to ask Manager Miller back there. This is a pretty old statute, 67-57. Are we maybe going to ask Mr. Garcia to look at talking to our local delegation? I guess, look, people are going to ask us to adopt a road and what are we going to do? Say give us a \$10,000 deposit before we go look at the road?

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, it's not going to be that much and again, it's just to defray the cost of mandatory viewing. Say for instance the Road Advisory Committee has to travel down to the farthest reaches of the county. So again the viewers that state statute requires are supposed to be citizens, or freeholders is the term. This is just meant to defray that cost. So the state statute didn't contemplate \$10,000. It contemplated \$50 to pay for your gas to drive down there.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Leigland, how are you going to enforce this or what are you going to do? The HOA is going to have to write you a check? An individual is going to give it to you out of their pocket? I'm not saying to you. I mean into our County coffers.

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, that's a good idea and maybe we need to flesh that out.

COMMISSIONER MAYFIELD: It's not a great idea.

MR. LEIGLAND: No, a great idea to clarify it. It's a great question. To clarify how we would do that because it doesn't specify here.

CHAIR STEFANICS: On this point, why couldn't we, from the Roads/Public Works Department get a van, load up some people, drive them to the area to look at it. I had one individual contact me about a road that hundreds of people live on. So that one individual is supposed to carry the burden? You don't have to respond.

MR. LEIGLAND: Okay.

COMMISSIONER MAYFIELD: Well, no, Mr. Leigland, I just ask that you all – and I think you are going to look at that and if that means that we take something to our local delegation I'll champion that. Now, but on that point, let's go to Section 6, page 3, E. Payment of protest of property tax. And I'm going to use Commissioner Stefanics' group of 100 as an example. So now if they petition for some help and there is one person on that road out of 100 or 200 that's behind on their taxes, we're going to say no to them? We're going to now have to check property taxes of all those hundred residents, that they're paid in full?

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, that's correct. This actually – this policy which follows state statute actually puts a lot of onus on the people apply. And actually I think – to answer the question you just asked and also we ask later that if they do give the road to us they have to give us the full easement, because as you know, especially in your district, easement is a problem. So we tried to address that. There could be a situation

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where one particular landowner – you have 99 people who say, yes, I'll do it, and one person right in the middle of the road says I'm not going to give full easement. So it will be up to the Board to decide what they want to do. You can adopt the road with that weird piece of easement, which I think has been done in the past and if there are administrative problems the Board can decide not to adopt the entire road or the Board can consider I guess condemnation of some type. So those are the two options. So that would be up – the Road Advisory Committee will make a recommendation. There has to be some research including a survey and other things. Including the property tax delinquencies, and then the Board will decide what they want to do. There will be of course staff recommendation and a recommendation from the Road Advisory Committee. But, Commissioner Mayfield, you're exactly right. There could be holdouts like that and I think in the past, dealing with this kind of got us into this situation. I'm thinking of County Road 72-A where we had someone – the right-of-way was not clear and we're hoping that we can address that in the future.

COMMISSIONER MAYFIELD: And Madam Chair, Mr. Leigland, again, if it's just one person who ran out of taxes it is hoped we could figure something out and not hold that up for everybody else. But that also being said and you mentioned condemnation, are we going to pay for these right-of-ways or are we asking them to donate them to us for just the purposes of us establishing a road for them? I know in the past we have paid for some easements also.

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, no, this process says you have to donate it. There are actually some things – if you look on page 4, paragraph J it says that you will donate that right-of-way or easement.

COMMISSIONER MAYFIELD: Now, Madam Chair, Mr. Leigland, I don't know if we're in this predicament with our current County roads, but what if we have a prescriptive easement on a road that maybe doesn't meet that magic year threshold of ten years, seven years. Are we going to afford payment to these individuals or are we just going to wait until that time period runs out. Number one, I don't know if we have any County roads that –

MR. LEIGLAND: Well, Madam Chair, Commissioner Mayfield, if we already have a prescriptive easement it wouldn't fall under this policy. These are brand new roads that we have no –

COMMISSIONER MAYFIELD: Brand new. Okay.

MR. LEIGLAND: Yes.

COMMISSIONER MAYFIELD: And then, Madam Chair, Mr. Leigland, just help me with F, County research and inventory. That means within 30 days of receipt you guys are going to make the determination?

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, what this is is all part of the process that will be all done before it even comes to you for approval. So this is just part of the title research and actually it's very similar to the contract that you recently approved for the Greenway title research. As you know, any kind of right-of-way the research can be complicated, depending on the length of the roads. So this is just part of that whole process that will be done, so that when we present to you the recommendation you'll have as much information as possible.

COMMISSIONER MAYFIELD: Okay. And again, the last two comments. Madam Chair, up north and I assume throughout Santa Fe County there are different acequias that run through or are adjacent to County roads. The acequias also have an easement. I'm kind

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of going back to an individual who gives you the right-of-way easement. You're going to have to also talk with our local acequias, knowing that you might elect to put some of that water under pipe, but there are times when the acequias ask us for at least some assistance if debris or something gets clogged in there. So you can just kind of make sure you work with them on that.

And then on page 5 under government property, and you kind of alluded to this. There are some easement issues up in District 1. You and I both know there are easement issues with some of our pueblos. I know before you came on board, Mr. Leigland, I tried to bring the issue forward to work with our pueblos based on school routes where children are being picked up, pueblo or non-pueblo and what I got back, respectfully from your staff was okay, this is how we're going to do it and here's a bill of what they're going to pay us. So under this government property if we're working with a school district or somebody else, are we now going to still keep that same criteria of a bill and give them a bill saying, okay, if we're going to go remove snow during inclement weather because it's a route that public school buses travel, regardless if it's another governmental agency, a private road or a public road, are we going to now still send people a bill for that?

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, there's the – the pueblo issues do present us with a problem and that's what you're alluding to. What was contemplated under paragraph K is going back to a road I mentioned earlier, Horcada Ranch Road that's in District 2. Here's a road that's about four miles long that's privately maintained and for about 3.9 miles of its length it's on a BLM patent. So this is a road that the applicant has signed a petition to be accepted and so when we accept it this is one where you would say, well, you have to make sure the BLM patent which is currently issued to you gets transferred to the County so the County has that BLM patent. That's what was contemplated under paragraph K.

COMMISSIONER MAYFIELD: So, Madam Chair, we're going to remove charging them a fee. And I guess my point is, in District 1, in particular with Rio Arriba County, and granted, we have some agreements with them and some of our pueblos. You can be traveling on a County road, if we have easements there. I don't know. I guess that can be disputed. You hit a pueblo road for a quarter of a mile stretch, and on that same road, a quarter mile down the road you pick up the County road again. So I guess my worry, my consideration of staff is what does that mean? We're picking up a blade when we hit County maintenance ends here and then dropping it a quarter mile down the road? I would hope we can work all those out in the policy.

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, actually this is a great time to plug the next policy we're working on which are maintenance policies. This is a road acceptance and one that we're working on now in conjunction with the Road Advisory Committee is a maintenance policy, and that will establish some of the PSR things you brought up. It will bring up some of the acequias. We actually had at the last Road Advisory heard from the public. They would like to see a policy like this that establishes some expectation. So a lot of what you're talking about now will be –

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

CHAIR STEFANICS: Thank you. Commissioner Holian, I have you next. And then Commissioner Anaya.

COMMISSIONER HOLIAN: Thank you, Adam and Robert, for bringing this

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forward. It's going to have I think a big impact on my particular district. I know I have a lot of situations where people are sort of waiting for this. I just want to clarify or make sure I understand this exactly right. The procedure for a lesser County maintenance road adoption is exactly the same as for a regular road adoption. The procedure itself?

MR. LEIGLAND: Madam Chair, Commissioner Holian, that's correct.

COMMISSIONER HOLIAN: Thank you. And then I just have to ask, in your memo I noted here that in 1963 there were over 800 miles of County maintained roads and then it dropped to about half that by 1988. So I'm just dying to know why did that happen?

MR. LEIGLAND: Madam Chair, Commissioner Holian, well, in that time the City expanded and also Edgewood incorporated. So that's probably the bulk of them right there.

COMMISSIONER HOLIAN: Incorporation. Okay. Thank you.

CHAIR STEFANICS: Thank you. Commissioner Anaya, you're next.

COMMISSIONER ANAYA: Madam Chair, Mr. Leigland, Mr. Martinez, having spent a fair amount of time in and around Road Advisory and Public Works I think this is a step in a positive direction towards trying to help people and roads and individuals throughout the county that might not have otherwise had that opportunity in the more stringent criteria. I'm going to provide some written feedback which I will share with my colleagues when I provide it. This will come up at a later date. But I just want to clarify – it could be a road that has a few vehicles or traffic, but it also could be a road that has a lot of traffic that has limited maintenance that we're making a commitment to. Correct?

MR. LEIGLAND: Madam Chair, Commissioner Anaya, that's exactly right. The reason we've got such a detailed evaluation process is to take into account all the different criteria. So it could be a road that has one car a day but that one car happens to be a school bus. Or it could be a road that has 400 vehicles a day. So you're exactly right. It could be any character of road that qualifies under the lesser maintenance. And so again, it just gives those people an opportunity not to have to bring it up to full County standards.

COMMISSIONER ANAYA: Like I said, I'll provide some additional written comments but I think it's a positive step towards providing other options for staff as well as the public at large for potential road maintenance. Thank you, Madam Chair, Mr. Leigland.

COMMISSIONER HOLIAN: Thank you. I believe that this item there's no action required. This is a discussion item only.

MR. LEIGLAND: That's right, Madam Chair. And we'll bring it for full approval at the next Commission meeting.

COMMISSIONER HOLIAN: Okay. Thank you, Adam. Thank you, Robert.

XII. C. 3. Resolution No. 2012-130, a Resolution Authorizing and Supporting an Infrastructure Capital Improvements Plan for Santa Fe County to Be Submitted to the New Mexico Department of Finance and Administration

MR. LEIGLAND: Madam Chair, Commissioners, while Joseph is handing this out I'd like to take this opportunity to correct – there's been a road name mistake on our

bond list. [Exhibit 4] On our bond list we have a road shown as Ranch Road. It's meant to be Roach Road. So I just want to clarify that that was a mistake that's been corrected.

Commissioners, Joseph just handed out – and if you recall I sent you an email last week that talks about the state's infrastructure improvement plan. We've had extensive outreach and even since the list that I sent you on Friday morning, that has even grown as we've gotten more submissions between now and then. But what Joseph handed out to you is the current list. These are all the projects in the database. We've broken them out by district for easy viewing for you. We also handed out a recommendation for our top five projects. These are countywide projects with dollar amounts, and also we made recommendations for some district-specific projects from each district. We are required to enter this to the state by close of business on October 1st, which is next Monday so we have time to modify this if necessary but we still have a lot of work in making sure that everything in the list is entered correctly, as we're still receiving inputs and validated.

So this process followed the standard scoring process and evaluation process that we did for the bond and the GRT projects so I feel confident that we have a good list of projects here and with that I'll stand for any questions.

COMMISSIONER HOLIAN: Okay. Thank you. First of all, this is a resolution so are there any members of the public here who would like to comment on this particular issue? Okay, seeing none I'll turn it over to questions. Commissioners? Commissioner Mayfield, then Commissioner Anaya.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Leigland, thank you. I guess I would ask the question – you, I think last week or a couple weeks ago you brought to us a different priority list and that was fine, based on what you were hearing. But I guess for District 1 I'm just going to ask, am I losing \$100,000 with the new priority or am I gaining \$100,000? I think the last time I had \$500,000 in there.

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, we changed priorities because we heard from you that –

COMMISSIONER MAYFIELD: I guess I can find another priority for \$100,000 in District 1 if you guys need that.

MR. LEIGLAND: You're worried about the total dollar amount of the projects.

COMMISSIONER MAYFIELD: I'm not saying I'm worried about it but again, I do think – and I could be wrong, but District 1, we were looking at the road improvements down to Santa Cruz Lake, and then I think one or two other roads. I think it totaled a little better than half a million, and now with the redesign on these two roads we're looking at \$400,000. We could talk about that. There's a couple other roads I'd like to have looked at. Thank you. Thank you, Madam Chair.

COMMISSIONER HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Mr. Leigland, is the priority a requirement? Because I too – we haven't had the discussion on legislative priorities. In fact, I have legislators that I'm talking to now in the districts that I'm trying to coordinate projects through their priorities. Does that bind us in the priorities? Because I like the projects that are

listed here but whether or not they are a priority is going to be a combination of community input, input from legislators and my own feedback as a Commissioner. So talk to me a little bit about that aspect.

MR. LEIGLAND: Madam Chair, Commissioner Anaya, good question. The ICIP process allows you to pick a top five in the actual computer interface that you entered these projects in, and that's what we show as the attachment to the list of top five. But our intention was to include with that a cover memo or it could be a resolution that adopts this that articulates your district priorities. So I guess I would say that probably the more binding, if you want to use that top five countywide ones that we actually put a priority in the database. The other ones where we put the cover letter would just be articulated to our delegation that these are my particular priorities as a Commissioner. So I think that just based on that I think what you're doing and this process are incompatible.

COMMISSIONER ANAYA: So Madam Chair, Mr. Leigland, and maybe Ms. Miller if you'd like to add feedback, one of the other things that we've done with our planning process and our gross receipts tax revenue is that we've taken quick start projects that are more county oriented projects and we've begun to fund those projects through our gross receipts tax, quarter percent. Talk to me a little bit about the County priorities, because I thought we were addressing our County priorities with some of our internal resources, which then gave us an opportunity to seek other alternate resources for community oriented projects. So tie those together a little for me, Ms. Miller, because I see the priorities but I also remember and recall we just recently did some modifications to County projects with County money that now maybe we could work with legislators on other community oriented projects. Go ahead, Ms. Miller.

MS. MILLER: Madam Chair, Commissioner Anaya, part of the problem is the capital improvement planning process for the state and what they require us to submit does not necessarily work cohesively with the way we've been moving forward on how we take bond questions forward, what statutorily we can fund with quarter cent GRT capital outlay funds. So what we've tried to do is one database that shows all of our priorities and then also where they are in the process. Where they are in the planning process, construction process, funding process. And that is what you went through in the spring with Adam and the Public Works crew on all of our major projects. And you're correct. We did have many of the countywide ones we put in those priorities and we have funded them.

But one of the things that the legislature and the executive look at is our ICIP list. And they look at them differently. The executive is going to recommend – well, we want to see, we're going to require you to list them out, one through five, which doesn't really work because your top priority may not be Commissioner Vigil's top priority. So then the last year the discussion was can we have five number 1's, five number 2's. The system doesn't actually allow you to enter it that way. So we said let's look at our top five county priorities, out top five countywide priorities, and let's make sure that we sure that we give, so that our legislators have a list of our priorities within our districts as well as just trying to fund by district. To fund by their districts and they're going to look at where that overlaps with your individual Commission districts.

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So that was why that second list. The third piece to be aware of is DFA's Capital Division put out work to all the local governments that if you do not have something on your capital ICIP, whether it's number 1, number 10 or number 30, it is likely to get vetoed. So you have to take all those things into consideration in trying to put this list together to submit to the state because this goes into a computerized database which they will use individually. And they do not use that list the same way.

Several legislators are not going to be concerned about what might be important to us countywide; they're going to look at what they could potentially find within their legislative district. What the Governor will probably look and make recommendations on is countywide level. Why we did put the same five priorities in is if something like that does get funded we can then drop that funding out of our county GRT and use it for something else countywide. That was the logic behind the way this list was put together and how it kind of melts with the list that we gave you earlier this year.

COMMISSIONER ANAYA: So, Madam Chair, Ms. Miller, Mr. Leigland, I think we need to be understanding that explanation for the public. We need to clearly articulate where we've already made financial commitments with existing County money that will free us up to advocate for community oriented money. And I want to just put that on the record because that's what I said during the budget process. I said we have opportunity now with County resources to do some long-standing County projects. Several of them are in that top five countywide priority. And so now we have an opportunity to seek funding at the legislature and otherwise for roads and for community centers and for wellness facilities and other priorities that the Commission has. So I appreciate the explanation but I just want to make that clarifying statement on the record.

The other questions I had relative to the ICIP, because I think that the two lists, we overlap all of our projects on this list, right? Is to clarify, we made some adjustments to the GO bond project list, which I'm assuming all those are on here? They should be if they're not because we want to make sure that they're all on there. Are they all on here?

MR. LEIGLAND: Madam Chair, Commissioner Anaya, yes. They've been double-programmed if you will.

COMMISSIONER ANAYA: Okay. And so on the record as well, there was a listing for a Ranch Road in the GO bond. It's not Ranch Road. That was a typo. It's Roach Road. And I just want to clarify on the record that that was listed in our packet previously and it's not – it wasn't Ranch Road; it's Roach Road. Did you already make that clarification?

MR. LEIGLAND: Madam Chair, Commissioner, yes. When I started I made that clarification.

COMMISSIONER ANAYA: Okay. I didn't hear it. I'm sorry. The other question, quickly, because I see it on here again. I've been in conversation quite a bit with all the communities but La Cienega in particular relative to the community center and addition, including the library that I see noted in here in the ICIP. Is there some way that we're working out with Chief Sperling and we're going to be able to potentially do that. I see the Chief here and I'd like him to comment if he could as well as your comment.

MR. LEIGLAND: Madam Chair, Commissioner Anaya, actually, as a matter of fact, yes, and we're meeting onsite, the Chief and I are meeting onsite on Thursday.

Actually, Mr. C de Baca will be there as well and we'll see if we can work this out. This is actually I think going to be a pretty exciting project because I think we're going to be able to kill three birds with one stone. So, Chief, I don't know if you want to add to that.

CHIEF SPERLING: Thank you, Madam Chair, Commissioner. I did have an opportunity to meet with Commissioner Grill and Mr. C de Baca at the site to look at the community center and how it interfaces with the La Cienega fire station II and what possibilities may exist for making some arrangements to improve the fire station site as well as allow some of the space that we currently use for assets to the community center members. So I think they seem very excited about the possibilities and I think it's potentially a good project for the Fire Department as well if we can pull it together.

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

CHAIR STEFANICS: Thank you. Was anybody else on the list?
Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Thank you, Adam. I just had a quick question on the recommended top ten district-specific projects under District 4, when it says renovate Arroyo Hondo fire station. Is that actually inclusive of both of the fire stations?

MR. LEIGLAND: Madam Chair, Commissioner Holian, between the GRT and this we should be able to do both stations.

CHAIR STEFANICS: Thank you. I would just like to make a comment. It's primarily a philosophical one. My district as well as many other districts have hundreds of request and everything is very important and one of the things that we have talked about a lot here is water and water for our communities. We've talked about having improving services to our communities. Wastewater, transfer stations. We've talked about youth programs which might be libraries. We've talked about senior centers. My comment is that all of these things are important to all of us and we wish we could do everything for everybody. And as we have these projects on the list we will continue to pay attention to them. We were limited to pick two from each district for this exercise and this is very hard because we would like to do many projects for all of our constituents. So on behalf of the entire Commission I just want to let people know that we are taking this very seriously but we are limited to how many projects we can put forward.

So at this point, is there a motion?

COMMISSIONER HOLIAN: Madam Chair, I move for approval.

COMMISSIONER VIGIL: Second.

CHAIR STEFANICS: Okay there is a motion and a second for Resolution No. 2012-130. Any further questions or comments from the Commission?

COMMISSIONER MAYFIELD: Madam Chair, and my apologies. So we are being very specific on these two that we each have in each of our districts.

CHAIR STEFANICS: We're only allowed to put forward so many. Yes. Did you want to change yours?

COMMISSIONER MAYFIELD: Well, Madam Chair, I want to talk to Mr. Garcia because I want to make sure that I have not – I have four different senators to share this with and three different representatives. I need to talk to at least one new incoming representative and I want to make sure I talk to them, that we have our priorities straight. And unless Mr. Garcia, he's already had those conversations with our local legislators, the local legislative delegation I represent would let me know. otherwise I would like to talk with them before – as soon as I can.

CHAIR STEFANICS: Yes. On this point and let me remind everybody, we have to turn in the list before the end of the week to the State Department of Finance and Administration. So, Commissioner Anaya, on this point.

COMMISSIONER ANAYA: Madam Chair, just – and I appreciate Commissioner Mayfield asking it maybe again in a different way, but the comment I made under my statement was specifically driven at what he's saying, and it's my understanding that there's priorities that we list for the state but the priorities are in now way a guarantee that we're going to receive funding. And if in the discussions I have with the legislators in District 3, representatives and senators, it's important that in the overall list that we have that item listed in the overall list. We may put for priorities and list them here. I'm okay to vote on them. The reality is they don't have to be priorities to be considered for funding. Is that correct?

MR. LEIGLAND: Madam Chair, Commissioner Anaya, that is exactly right. The only thing we have to commit to paper if you will and the total list and the one through five top priorities. That's the only thing that their computer database asks staff to do.

COMMISSIONER ANAYA: But it doesn't restrict Commissioner Mayfield or any other of my fellow colleagues from having another project that's on the ICIP get funded and receive funding and carry out a project.

MR. LEIGLAND: That is correct. As the County Manager mentioned, the Governor has stipulated that if it's not on the ICIP that it will probably be vetoed so it should be on the ICIP.

CHAIR STEFANICS: On this point, Commissioners, the Governor still has made a pattern of vetoing anything that's not on the list.

MS. MILLER: Madam Chair, Commissioner Mayfield, this may help. When we get to the legislative process and we get – we want to make sure stuff is on the list but when we actually present letters and meet with our local senators we can have a discussion about any priorities at that particular time. We want to make sure they're on the list so if it gets into a possible bill it is also on our list so when they start reviewing for what things might get vetoed or not vetoed it won't be because we didn't have it on our list that it gets vetoed and that we haven't brought it in and worked on it. But anyway, the legislators, the choose and they have an allocation of funds they spend on what they want and it might be in Santa Fe County.

We're just trying to get this to a place where they have our ICIP list. They have our top priorities. Staff will use that. But the actual legislative process does not necessarily use it. But we are required by statute to submit it. So I guess we'll be able as we get into meeting with our legislators work on other specific projects within your districts.

CHAIR STEFANICS: Thank you. Commissioner Mayfield, did you get your question answered?

COMMISSIONER MAYFIELD: Madam Chair, Manager Miller, excuse me, Mr. Garcia, let me ask this. If I need to do a better job I'm going to do a better job myself. But do you track, as Manager Miller just said, every legislator's ICIP request, capital request, versus a County Commissioner's request and see what's line-item vetoed? I try to do a good job of – particularly with our delegation. But I guess if I can maybe see in the past what the Governor has vetoed because I as a Commissioner for the County have not been collaborating with one of the local delegative representatives, are we tracking that or do I need to do a better job of tracking that, for in the future years I make sure I'm putting in a joint request. Or if, Mr. Garcia, you have a request for us I'm going to say, hey, you can and talk to me but you better go talk also to Representative X about this also.

RUDY GARCIA (Project Development): Madam Chair, Commissioner Mayfield, we actually track what is submitted through each individual legislator. We also track what is actually submitted to each legislator by an individual by the general public out there because we do work closely with them to make sure it's not submitted twice or make sure that the public is submitting is just something way out there that can never happen. And then we actually do track whatever the Governor does veto and comes out of the session. So we track all three different things.

What we would like your help in is whenever we do submit items of the top five County priorities or in your individual districts is to go there myself of the County Manager or Adam and actually assist us with their legislators in their districts to help basically get funding for that project, if it's one of your top one, two, three, four or five priorities. If you have three number one priorities in your district, it's absolutely up to the legislator to turn in those capital outlay requests and in meeting with the Governor hopefully she doesn't line-item veto those requests.

COMMISSIONER MAYFIELD: Fair enough. I'll do that this year. Thank you, Madam Chair. My question was answered. Thank you.

CHAIR STEFANICS: Thank you. We have a motion and a second. Anything further? Yes, Commissioner Anaya.

COMMISSIONER ANAYA: One last thing. Mr. Leigland, we have engaged in discussions with La Cienega relative to the land we have leased from the State Land Office, and I know that I've brought it up at recent meetings. Does the language in the ICIP still accommodate the requests we've had in the past to seek legislative funding and equipment for that same parcel that we've been talking about?

MR. LEIGLAND: Madam Chair, Commissioner Anaya, yes.

COMMISSIONER ANAYA: Thank you, Madam Chair.

CHAIR STEFANICS: Thank you. Any further questions or comments? There is a motion and a second to support Resolution No. 2012-130.

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

XII. C. 4. Resolution No. 2012-___, Rescinding Resolution 2012-58 and Adopting the Rural Water System Acquisition and Integration Policies of Santa Fe County, Including the Conditions and Procedures to Be Followed By All Applicants, as Well as Santa Fe County Staff, in the Process of Acquiring and Integrating Existing Rural Water Systems Into the Santa Fe County Utilities Service Area

MR. LEIGLAND: Madam Chair, Commissioners, in April of this year this Board passed a resolution to building a policy with regard to capital requests for small public and quasi-public water systems and the intent of that resolution was to allow the County to help these small systems but do it in a way to protect the County interest so we didn't have capital assets that we had no real control over scattered throughout the county, and also allow us to build a revenue base for our utility.

But at the time we did not have specific procedures to implement that policy so this Board I think actually. specifically Commissioner Vigil, asked us to come back to you with some procedures. So since then we've been hashing something out. I will say that the policy in my opinion has been successful up till now. We've had a lot of other requests and it is actually more successful than I anticipated.

So what you have before you is, first, it rescinds the April resolution, which was 2012-58, only because we did not want to have two resolutions covering the Board's policy toward these systems. So we rescinded it and incorporated that language into this one. So I just want to be clear on that that we're not going back on that policy. So we took that original language, we incorporated it into this new resolution with the overall policy, and then we added to it an actual process for applying and how these applications will be evaluated and what not. That's mostly what this policy is. I'll just in broad terms describe what this policy says. It's mostly just the listing of the material that a system has to bring to the table and it's in order to protect the County so they have to bring, for instance, first they have to bring a resolution from their board saying this indeed is what they want to do. They bring all their financial information and they have a report of capital assets, including water rights with a list of extant contracts, for instance, a list of obligations and liabilities. And then we evaluate it and then we will bring something forward to this Board to approve.

So again, I want to stress they're not necessarily new policies articulated here, just an outline of procedure. It's a procedure I think that protects the County and still continues to offer assistance to help that the original resolution contemplated.

CHAIR STEFANICS: Thank you. This is a resolution, so first of all, is there anyone in the audience who is here to speak on this resolution? Yes, sir. Please come up. On the rural water system acquisition policies.

MUKHTIAR KHALSA: Yes. Thank you, Madam Chair, Commissioner. My name is Mukhtiar Khalsa. I am the president of the board of directors of Cuatro Villas Mutual Domestic Water Users Association. I'm also going to speak on behalf of the Greater Chimayo Mutual Domestic Water Users Association. I think the intent of this resolution is good. I think any time that the County is looking for ways to help support mutual domestics

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is laudable. I think that the intent is correct. I think the intent – if we're going to follow the intent of this resolution – and to tell you the truth I was not aware of this resolution in its previous form in April until very recently, so this is my first opportunity to speak on this resolution and it's effect within the mutual domestics that I'm involved with.

The intent is to get money to the mutual domestics. Without some kind of an option in this the practical effect of this will cut off funding from the County to Greater Chimayo mutual domestic and Cuatro Villas mutual domestic. The reason for this is that as we develop both of these systems and we worked in cooperation with the County to do this, and we worked hand in hand all the way through trying to develop a way to do this, we set it up also so that we have mutual domestic organizations that are not going to be very accepting of being taken over at the stage they're at now by the County. So if we ask for – if we don't have a clause in here, as it were, or a way to grandfather in these few existing JPAs, and I think out of the 42 mutual domestics within the county there's maybe four that have existing JPAs with the County. So we're talking a very limited number of organizations.

In our organization specifically, if we ask for – if we have a pending request that I think is honored by this resolution, but if we make future requests then we as an association would not be able to accept them, because our membership would not be willing to be taken over at this point by the County. So this would keep the County from being able to participate in a service that the County intends and wants to make sure is taken care of.

So – and I think there's a way to do it. We've already grandfathered in in paragraph 4 on page 2 a way that applies to requests that have already been approved or executed, and if we either understand that to include existing JPAs for future requests then it would accommodate that, and it would still give the County its ability to absorb the mutual domestics as they need to be absorbed, and it would still give the County the ability to help fund Cuatro Villas. To show how absolutely essential this is for us, Cuatro Villas – we have a very effective staff. Chimayo does also, that are working very hard to build a water system and we've been very effective in our use of County money and state money and federal money. And we even help out the County at some point. Very recently we needed to acquire an easement and the County needed to acquire an easement on County Road 90, and Cuatro Villas funded the purchase of that easement.

So it's not as if we're being irresponsible. But if we don't have any future monies available to us from the County then we won't have the ability to use them as matching funds for Water Trust Board money and federal money. And then we're cutting off the County's ability to multiply its money and its funding through a very effective system. If we have absorption by the County of our mutual domestic then the board members won't be able to continue doing the work that they're doing. They've been highly trained. They're very highly motivated. They're taking care of needs that are in their best interest in their back door and we have an effective system to do that.

So what I'm asking for is a way to keep the intent of this resolution for the County but allow this grandfathering in to take into consideration what the County has already been asking for and what we helped accommodate as mutual domestics all in good faith. So with that I'll stand or questions.

CHAIR STEFANICS: Thank you, Mr. Khalsa, very much for coming and our questions will probably be for staff around this issue in a few minutes.

MR. KHALSA: Okay. Thank you. If you need any more input from me I am here and available.

CHAIR STEFANICS: Great. And we appreciate your being here. Now, is there anybody else in the audience who would like to speak? Okay. So we are now at comments, questions from Commissioners.

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, as you know and will recall I had concerns on the initial resolution when we did it and it was actually for the same principal reasons that Mr. Khalsa just brought up today. And understanding that we have to have policies and provisions, I'm going to ask this question first. Adam, for item #5, do you need to have item #4 to be able to accommodate #5?

MR. LEIGLAND: Madam Chair, Commissioner Anaya, are you asking – paragraph 4 is on the clause that we've already heard about from the original resolution. Are you asking if –

CHAIR STEFANICS: Are you asking, Commissioner, about the agenda?

COMMISSIONER ANAYA: Yes, I'm asking about –

MR. LEIGLAND: Oh, I'm sorry.

COMMISSIONER ANAYA: It's my understanding – I've been told that you don't need #4 for #5. Is that correct?

MR. LEIGLAND: Madam Chair, Commissioner Anaya, that's correct. Because there is an April – the April 24th resolution is in existence. So the one that's before you today just clarifies that one but the old policies – the answer to your question is yes.

COMMISSIONER ANAYA: So #5 could be accommodated if we didn't take any action on 4. The reason I'm going to ask this of my colleagues is because exactly what Mr. Khalsa just said, and I would even expand on it and say this. I think that a mutual domestic – not I think; I know – that a mutual domestic water association is a sub-, quasi-governmental entity. What's the correct term, Mr. Ross? Governmental entity or –

MR. ROSS: Political subdivision.

COMMISSIONER ANAYA: A political subdivision of government. So they're not a non-profit. They could have a branch of a non-profit, but they're bona fide branch of government, I guess is the best way to put it. And as I said in April, I'll say it again now, I think there are provisions where a mutual domestic may need support, but don't necessarily want to be taken over by the County. The resolution in April set forth that they would be taken over by the County and I remember Chair Stefanics saying to me on this bench, Commissioner, if there's an opportunity for another consideration or amendments then you could bring those forward at a later date.

Rather than adopting this new resolution and trying to amend it I would like to have some time because frankly, I'm going to take the April resolution. I'm going to distribute it to each and every mutual domestic association in Santa Fe County so they're aware of its existence, and then I'm going to ask them for their feedback. And my perspective, based on the feedback that I've received from mutual domestics in District 3, and I haven't talked to all of them, is if they're in a situation like Chupadero where they may warrant and desire and need the help, that's one thing, if they desire to be taken over now because of issues, but it's a

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whole different situation if they're a mutual domestic that does not want to be taken over. And those are the people that I want to make sure we listen to and get some feedback on before we adopt these final protocols on item #4.

On item 5, that community is in position and we're in a position to assist, by all means. Let's do it. But it's my request on item 4 that we hold off and with that, Madam Chair, I would like the opportunity to engage the mutual domestics in a discussion, with staff present, about what their understanding is of the resolution and what their comments may be to it. Because I don't think they're aware of it and I think we need to have that opportunity. So I would move to table item 4, Madam Chair.

CHAIR STEFANICS: Thank you. Is there a second?

COMMISSIONER MAYFIELD: Madam Chair, can I ask a procedural question?

CHAIR STEFANICS: Yes.

COMMISSIONER MAYFIELD: I will second Commissioner Anaya's motion to table but I guess my question is this morning, just from an experience I guess I had a little earlier, we were still able to go into discussion. So I don't mind seconding it but I still would like to have a little discussion on this.

CHAIR STEFANICS: So is it the pleasure of the committee that once we have a tabling motion and second that we have discussion?

COMMISSIONER VIGIL: If we do, we'd have to suspend the rules, wouldn't we, Madam Chair, because in fact the rule requires us to take action on it.

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Yes.

COMMISSIONER ANAYA: Madam Chair, my intent isn't to quash the discussion. I would, if given the opportunity after the discussion to make the same motion. I would remove my motion to table to allow the discussion to take place.

CHAIR STEFANICS: I move to suspend the rules just to have the discussion. So why don't we have the –

COMMISSIONER MAYFIELD: Then I will second with a motion to suspend the rules so we can have some discussion on this, Madam Chair.

CHAIR STEFANICS: So all those for suspending the rules for the discussion after the tabling.

The motion passed by majority [3-2] voice vote with Commissioners Holian and Vigil voting against the motion.

CHAIR STEFANICS: Okay. 3-2. Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, thank you. I appreciate the points Commissioner Anaya brought up. Also, I was contacted I guess yesterday but I didn't return the phone call until this morning from another mutual domestic, Chimayo Mutual Domestic. I don't know if they're represented here or not. But they were contacted by staff showing this resolution and that's kind of what prompted them to say, wait a minute. We haven't had a time to digest this. We would like a time to look at this and afford some

comments. So I guess, Madam Chair, Mr. Leigland, is how many JPAs do we have out there currently with, say, a mutual domestic or MOUs within Santa Fe County?

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, we have I think about six. We have the two we've already discussed, Chimayo and Cuatro Villas. We have La Cienega. We have one with Edgewood – that's more on the wastewater. We have one with Agua Fria. And Glorieta? No, not with Glorieta. So those are the five that we have.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Leigland, and those are inclusive of JPAs and MOUs?

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, I believe so. The Agua Fria is an MOU. I'm sorry I can't be more specific.

COMMISSIONER MAYFIELD: No, that's fine. Madam Chair, let me ask Mr. Ross this question. Madam Chair, Mr. Ross, is there a significant difference between say a JPA we have a mutual domestic or an MOU? Are they arguably same difference, just written a little bit [inaudible]?

MR. ROSS: Madam Chair, Commissioner Mayfield, it's impossible to generalize like that, because generally a joint powers agreement is entered into when you're sharing powers, sovereign powers among several entities and an MOU or other contract is generally just a simple contract where you're just – one party is doing something for the other party. I think the Agua Fria one is more like a water service agreement. The others are all JPAs.

COMMISSIONER MAYFIELD: Thank you. So, Madam Chair, Mr. Leigland, and we spoke briefly this morning I believe about this. Let's look at, say, the Buckman Direct. I know that's a separate operating authority that's not a mutual domestic, or let's say the potential Aamodt, if it ever comes on line. Would they, because they're their own different operating authority, would they now have to be run by Santa Fe County? To provide them dollars.

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, the intent of this resolution is to help out existing systems, and they don't necessarily have to be political subdivisions. They could be homeowners associations. For instance, as you know, we've been in discussions with Vista Redonda Homeowners Association. So it gives those systems an opportunity as well. But the Aamodt system is going to be a brand new system that we're going to be fully involved in so it's going to be all infrastructure from the beginning, or there will be a joint powers authority for that. So I don't think that's contemplated under this policy and then I think that applies to the BDD system as well.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Leigland, aside from participants in the Aamodt, are there any pueblo owned water systems that we assist with right now or not, excluding the Aamodt settlement? And would they be included in this resolution?

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, we do have the agreement with the Pojoaque wastewater treatment plant. There is financial obligation there. And that agreement says that we will take over operation of that at a certain level of use, but that was the only system with a tribal entity, only agreement with a tribal entity.

COMMISSIONER MAYFIELD: Okay. And then, that's fine, Madam Chair, Mr. Leigland, did you I guess input or put this resolution out to the current authorities that we

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have JPAs with? Or just notice and if they found out about it they found out about it? Or have you had some discussion ongoing with them?

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, it was the latter. There was no specific outreach to all 43 systems in the county.

COMMISSIONER MAYFIELD: Okay. Madam Chair, Mr. Leigland, let me just ask, and again, Eldorado. Is that somebody – what's the threshold, I guess of water users under that resolution that we passed in April? Is there a membership threshold? Is there a user threshold? Gallon usage threshold?

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, there is no threshold.

COMMISSIONER MAYFIELD: Madam Chair, that's all the questions I have. Thank you.

CHAIR STEFANICS: Thank you. Mr. Ross, legally, do we have a property right when we invest any money in a project?

MR. ROSS: Madam Chair, a property right?

CHAIR STEFANICS: Well, when the state government provides money to projects they usually pass it to a local government and the local government in capital projects retains the property right. Like Women's Health Services.

MR. ROSS: Oh, I see what you're saying. The local government acquires the property courtesy of a flow-down grant from the state. Correct. Yes. In order to avoid –

CHAIR STEFANICS: It belongs to –

MR. ROSS: The County.

CHAIR STEFANICS: The County. Okay. So when we in fact put County money into a project, do we then own part of the project?

MR. ROSS: Madam Chair, not necessarily.

CHAIR STEFANICS: Is there a financial threshold?

MR. ROSS: No. For example we have – both JPA with Cuatro Villas and Chimayo provide that the County acquire a property interest for every dollar, but it contributes to those systems. But those are the only two of the five that are like that.

CHAIR STEFANICS: So, Mr. Ross and Mr. Leigland, how difficult would it be to establish a threshold in this resolution that would be under a certain amount of water or under a certain dollar amount would not be affected and above a certain water amount and above a certain dollar amount would be affected?

MR. ROSS: Madam Chair that could be done. It's just a matter of picking the break point.

CHAIR STEFANICS: Thank you. Commissioner Vigil.

COMMISSIONER VIGIL: On the threshold question, Katherine, did you want to address any – I saw her raising her hand. She may be answering the questions I have.

MS. MILLER: Madam Chair, Commissioners, where we end up with the ownership is when it's a non-profit entity and we cannot pass the funding on to them. When it's funding through another political subdivision and we're just acting as fiscal agent we retain no funding or ownership in those entities typically. In the case of the Cuatro Villas and Chimayo they were different because it was such a substantial amount of funding but we've actually been, in the case of the Chimayo one, had a very difficult time even getting to know

what they spend the money on and we have very little control over what their funding gets spent on and whether they set rates and these things that make sure that these are sustainable systems.

One of the whole reasons for the original resolution that was being rescinded was to actually address that issue that we are looking at. Do we fund our own system or do we fund other systems at the expense of our system? So I just want to go back as to why this other came up to begin with. There was some request about giving funding to different mutual domestics and we were kind of in a quandary of, well, how do we not have that bypass for our own system. Well, that was the compromise of coming back and saying, well, if they became a wholesale customer, a retail customer or something like that we could preserve the long-term viability of your system and our system. So I just want to make sure I take you back to why we did the original resolution. It wasn't really just a matter of getting money to other systems; it was a matter of how do we do that and protect the County's long-term interests as well.

CHAIR STEFANICS: Thank you. Commissioner Vigil, you still have the floor by Commissioner Mayfield had an on this point as well as you, so –

COMMISSIONER VIGIL: I have nothing further.

CHAIR STEFANICS: Okay. Commissioner Mayfield was next on this point.

COMMISSIONER MAYFIELD: Madam Chair, I'll defer to Commissioner Anaya. My point was what you're bringing up so I'll just wait to ask the question at the end.

CHAIR STEFANICS: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I appreciate the background and history that Ms. Miller just provided, and I would just say to that that at the time we did the resolution, in terms of a water system or services to constituents, I look at viable water and water supply not as protecting any one system but making sure that people have an adequate water supply and water system. So I don't hold on to as much of making sure it's the County system, I hold on to the fact that every resident needs water supply and whether or not it's the County or a mutual domestic is unimportant. It's important in the mutual domestic function that if they're able to and they want to maintain that water system that they're given that opportunity to do that. So I don't look at it in terms of protecting the County's bigger interest. I look at it as water supply, viable, and is it operational and functional.

So if a mutual domestic is doing that and they're functioning and they're handling that I don't want to, because they need assistance from the County, to have to give up or relinquish all of their authority if they're doing what they need to do and they fully want to run their own operation. But I appreciate the background and that's similar to the background I was providing earlier. So I appreciate the opportunity to comment on that point, Commissioner Vigil.

COMMISSIONER VIGIL: Question, if I still have the floor.

CHAIR STEFANICS: Yes.

COMMISSIONER VIGIL: Does a mutual domestic relinquish their opportunity to gain funding if in fact this policy is adopted?

MR. LEIGLAND: Madam Chair, Commissioner Vigil, no. The mutual domestic – the County is not the only source of funds, and I would like to stress that if a mutual domestic is a public subdivision of the state they always have the opportunity to go to

the Water Trust Board. They can go to federal grants. They can get EPA grants. So this is just if they're coming to the County. And in fact I would suggest that if they're coming to the County for their capital needs they're not a viable system. Because a utility, through their rates, plans for capital replacement and so they should never have to require an infusion of cash, because they should have planned for that through their rate structure. And I'm not trying to ding mutual domestics. We do know that they are governed by volunteer boards and we've had a lot of discussions with these mutual domestics that are coming to us saying, hey, we have a volunteer board that is unable or unwilling to continue to operate this the way it needs to be. We have imminent retirements. But these systems always have opportunities to go anywhere for cash.

I'll also tell you that the State Engineer liked this policy because he as the chair of the Water Trust Board sees that he's continually giving capital monies to these systems who don't have proper OM&R replacement funds or OM&R plans and so they're coming back five, ten years later and he feels like he's throwing good money after bad. He told me this personally. So he likes this policy because what he sees is systems that suddenly now have a professional operation and maintenance component.

So it's a completely voluntary policy. The entity can come to us. They say, we need this. We say these are the conditions and they're all the conditions that the Manager outlined that protect the County. It brings revenue to our utility. Now, we do have a significant investment in the BDD that we have to pay off through rates. So this allows for that. But the systems are perfectly capable of going to any other avenue. Eldorado, for instance I know, I hear, is applying to the Water Trust Board on their own, and that's what systems can do. The Glorieta system did that as well, so there are always those opportunities.

COMMISSIONER VIGIL: So the testimony actually said that the fear would be that they wouldn't have access to the County to acquire matching funds to go to the Water Trust Board. Is that actually a reality?

MR. LEIGLAND: Madam Chair, Commissioner Vigil, yes. That would be capital money that we would be giving to them under conditions of the resolution as it's written. Yes.

COMMISSIONER VIGIL: But this wouldn't prevent them coming to us whether or not they go through the application process. Would it?

MR. LEIGLAND: Madam Chair, Commissioner, I'm not sure if I understand your question. If they come to us and they ask us to provide the match?

COMMISSIONER VIGIL: No. Irregardless of what their status is. If they're a mutual domestic well, if they're a water/wastewater/sanitation district, if they are a water association, whatever their identity is, this does not prevent them from coming to the County for matching funds for any kind of state or federal funding, does it?

MR. LEIGLAND: Madam Chair, Commissioner Vigil, there's nothing to prevent them coming to ask us but if we are to give them that funding the conditions of this resolution would apply.

COMMISSIONER VIGIL: Okay. So here's my question then. And I'm actually seeing Chupadero and Cundiyo and Cuatro Villas and all of those water systems in sort of a different category, because I happened to be at the County when we actually had some federally funding that catapulted these mutual domestic water associations with actual

federal dollars and there was no necessary match that was required for that. I think it was in-house or technical matching that moved these water associations forward. So am I – based on that, that puts them in a situation right now where they're really in the process of developing their own identity and autonomy with regard to their own delivery systems, and perhaps that's the goal or mission they should have. I know there are water associations that have that. But we certainly want to protect, because that is something that creates a benefit for those communities, if they want that autonomy.

What concerns me is that if we don't have a policy like this, those 42 water associations out there that don't have that mission, who aren't working towards that goal, this really provides the opportunity for those water associations. And I'm familiar with some of them who, as you referenced earlier, are still not trained in billing, still have the inappropriate infrastructure to do their water delivery, actual contaminants in their water, do not have access to government testing for those. There are some dire situations out there that this would really create a benefit for.

The only thing – and I guess I'm concerned about Commissioner Stefanics' threshold sort of question. It's a good question but my concern is we're setting thresholds that that might be quite autonomous. How do you set a threshold for a water association that has different issues from a separate water association. If you start setting thresholds it's going to take away the evaluation of the need for each independent water association. And each independent water association's needs vary, are vast and varied as I mentioned. Some of them have huge contaminant issues. To me that's a principal reason for coming to their aid.

So I'm not too sure that a threshold policy is the way to go unless maybe it could address all of these issues. I really do think that it's really okay, and I'm okay to table this motion for at least another opportunity to have mutual domestic wells review it. I actually think you're probably going to get out of the 42 more that are in agreement with it that aren't. I don't think that this affects, and I'm looking at Section 5, Section 4 on page 2, it specifically states the conditions established in paragraph 2 will not apply where the capital funding request has already been approved and/or executed. That to a great extent does not affect the current JPAs, MOAs or any other agreements we've entered into.

So I think that sort of addresses to some extent the grandfathering that was testified to and I totally think that this might encourage water associations – and I know the water association I represent gets a lot of state funding from capital dollars from the Water Trust Board and the State Engineers Office. This was provided as an incentive for other resources for some of these water associations. But certainly it does provide us the opportunity to be fair and equitable to these water associations across the board. There's so much that can be said with regard to this that I think this is actually a wonderful opportunity for us to be fair and equitable to all these associations and to give them a sense of we're coming to help you out response. Thank you, Madam Chair.

CHAIR STEFANICS: Thank you. Mr. Ross, if we table this particular resolution we still have Resolution No. 2012-58 in place, correct?

MR. ROSS: Yes.

CHAIR STEFANICS: Okay. Thank you. Other questions, comments?

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, just one last comment. I fully appreciate and respect Mr. Leigland, your perspective and I would just comment publicly on the record that there's many, many volunteer organizations that do work throughout the state, throughout the country that many times go to governmental entities in particular to seek assistance. It does not have any bearing on their viability. I think it has a bearing on their desire to improve their system, to make whatever organization they're working in or on better, but I want to just say that publicly, if it's not for those volunteers and you yourself have probably participated on many volunteer organizations, we wouldn't function as we do as a community, as a country. So I just want to clarify that just because somebody needs a little help or support to do maybe more things doesn't mean that they're not viable entities. So thank you, Madam Chair.

COMMISSIONER VIGIL: If we're ready to vote on the motion I have a question to Commissioner Anaya. I don't know if you're going to make any other comments, Madam Chair.

CHAIR STEFANICS: Yes. Go ahead, Commissioner Vigil.

COMMISSIONER VIGIL: If we table this, do you have a date specific to bring it back?

COMMISSIONER ANAYA: Madam Chair, I would like to be given till December to have the opportunity to disseminate the information to all the mutual domestics, have a discussion and be able to get some input before the resolution comes back. So I would like to table it to December.

COMMISSIONER VIGIL: And I just see a problem with that, because I will not be here in December, at the December meeting, so I wonder if you need that much time – you really need a five-person vote on this.

COMMISSIONER ANAYA: The end of November, does that work for you? The last meeting? If we could have the opportunity to disseminate and have it come back at the administrative meeting in November, the last meeting in November, I think that would be ample time to work with Mr. Khalsa and other mutual domestics to disseminate the resolution and explanation. Actually, I think staff's the one that provided the listing of mutual domestics to me so I think a cover letter from staff and the resolution and the proposed resolution, explaining the impacts from staff would be a prudent thing to provide that public information to the public. And then I'll work with staff and whichever other Commissioners would want to participate to have a community or mutual domestic meeting with them. So end of November, Commissioner Vigil, does that work for you?

COMMISSIONER VIGIL: I would also recommend if we do hear this that we do have someone present from the State Engineer's Office. It would really be good to gain their perspective. While I'm sure you're representing it accurately I think they have the technical knowledge to identify the benefits of this. So, last of November would be fine, but Adam, is there a problem? Is this time sensitive?

MR. LEIGLAND: Madam Chair, Commissioner Vigil, no, because the April resolution is still in effect. There are actually requests in the queue. I just the County is a little bit more exposed because a lot of this resolution is just protecting us. But no. I think that's fine.

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COMMISSIONER VIGIL: Do you foresee that as a result of this we'd get one or two requests?

MR. LEIGLAND: Madam Chair, Commissioner Vigil, to be honest with you, I am surprised by the positive reception. People have approached me. Systems have approached me and said we want to be taken over. And actually, the two systems that come in mind are actually well functioning systems that actually have cash reserves that they would be handing over to us but in both cases they are being run by one person who cannot get people to replace him on the board, and he's actually concerned about the future viability of the system and in both cases they said to me, I just need to figure out how to hand this off in a way that protects my customers. So I think that we'll be getting more requests rather than less.

COMMISSIONER VIGIL: Well, can I get a little more specific in my question? And I'm certainly happy to support Chupadero's domestic well's request because this is really part of our mission, to be able to support them in whatever way we can in accordance with our resources of course. With that I'm really wanting to know is if we do approve Chupadero today, is there a distinct advantage for them to be approved under the old policy versus this policy? I really want to know your opinion on that.

MR. LEIGLAND: Madam Chair, Commissioner Vigil, actually there's no advantage because the current, the April resolution says that there would be the same thing under the proper legal instrument. This thing just tells you what that proper legal instrument is, but it would have to be established anyway, and it's going to be in the nature of the purchase agreement. So there's no advantage; it just makes it clearer to all what this policy is.

COMMISSIONER VIGIL: And they can follow these guidelines once we enact it? Okay. Thank you, Madam Chair.

CHAIR STEFANICS: Thank you. We have a motion to table and a second. We've had discussion. Anything else?

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

CHAIR STEFANICS: Thank you. The motion is tabled we will take it up again in late November if not earlier.

XII. C. 5. Resolution No. 2012-131, a Resolution Incorporating the Chupadero Mutual Domestic Water Consumers Association Service Area Into the Santa Fe County Water and Wastewater Utility Service Area

MR. LEIGLAND: Madam Chair, Commissioners, I'm not sure this one needs too much introduction. The Chupadero system as we all know has had some technical difficulties. We've been helping them to the extent possible but this resolution will allow us to fully address their problems. As you can see, as quoted in the packet material, their board voted on it and has approved it and actually I believe that a number of the community are here to talk about it. So with that I'll stand for questions.

CHAIR STEFANICS: Okay. Thank you, Mr. Leigland. We are not at public comment. All those individuals who came to speak on this would you raise your hands? Okay. So why don't you all come forward to the front row and we'll take you one at a time. Steve, you had a question?

MR. ROSS: Madam Chair, when we get back to the resolution I'd like to talk about it.

CHAIR STEFANICS: Okay. Let's take public comment and then we'll come back to the resolution. So anybody who would like to speak come right up to the microphone please. Who's going to go? Welcome to everybody.

LINDA MILLER: Yes, Madam Chair and Commissioners, thank you for hearing our case today.

CHAIR STEFANICS: Why don't you just introduce yourself.

MS. L. MILLER: My name is Linda Miller. I'm the president of the Chupadero Water and Sewage Corporation. We feel like we're in dire straits now where we do need your help to take over our water system. And we have applied for funds in the past. At one point we had, but it was taken back. So if we had been able to use that we probably would have had to use it all on an engineer's fee. So it kind of leaves us in a bad place. We've had several water outages and we started out like a mom and pop operation and it doesn't seem like that kind of thing works any more. We need a little more professional help. And our infrastructure is quite old and we also probably will need another water tank. Sixty percent of our members voted to go with the County.

CHAIR STEFANICS: Thank you so much for coming today. Is there anybody else who'd like to speak from the community? Sure, come on up. Just introduce yourself for the record.

DAVID ROYBAL: Madam Chair, Commissioners, I'm David Roybal, born and raised in Chupadero. Also a member of the mutual domestic. I have a little history of our well. In 1975 we dug wells that started drying up in the seventies. The State Engineer suggested that we drill another one not only because – a metered well, not only because we were going dry with so many people moving into Chupadero and septic tanks coming in and stuff like this. So what we did, we started well #1 and it worked for a while then it got contaminated with fluoride. Then we were in a messy situation. So what I did, I volunteered [inaudible] to dig, to drill the second well, which we did. After that we drilled well #3 to support the #2, and that collapsed. It didn't work.

So after a while well #2 started drying up also. We could not drill again in #2, the same well. So what we did, we had to drill another well right next to #2, which will help. So now #2 which is the well that we use now is giving us trouble. And we're asking for you to help us do what you can to take it over.

CHAIR STEFANICS: Great. Thank you for coming today. Is there anybody else who'd like to speak. Please.

RENEE ROYBAL: Madam Chair and Commissioners, my name is Renee Roybal. I am from Chupadero. My biggest concern and my worry are about the kids that live there in Chupadero. They come home late because they have baseball games. They have all kinds of activities that they're in with their parents and they get home and we don't have any water. What is it like for the kids when they are completely [inaudible]. They need to take

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their baths and everything else. Now the parents are actually having to bring in water from wherever we can. We have our daughter who has given us some containers to bring in fresh water and we come into Santa Fe to get water so that we would be able to help other members that have children. So that if for some reason we don't have to use the water we don't use it, but because we're leaving it for the others that do have children.

We have elderly who can't go out and get their water. We're trying to help them as well. We've got people who, my gosh, we are such a knit community. We're all trying to help one another. And right now, with this water situation, there's just no way anymore that any of us can do anything because we're going dry. We're completely going dry. We come home and turn it on – we've had beautiful gardens before. We've had vegetable gardens. We've been able to get the kids to plant and go out there and sell them on the road. It was wonderful. The last couple of three years have really been tough on the kids. We can't even plant gardens anymore. We don't have plants, our zucchinis, our tomatoes, anything that we can go out and give. But we try to encourage them and we try to build them up and say, don't worry. We'll get the situation straightened out.

All we're asking for is some help to be able get the community back to where it was before and help the ones that have all these children and we can at least tell the kids, take a bath. There's water in there for you. [inaudible] the garden that you had last year. But we do need your help and we ask that of you. Thank you.

CHAIR STEFANICS: Thank you very much. Anybody else who'd like to speak.

MS. MILLER: May I have one more word?

CHAIR STEFANICS: Sure.

MS. MILLER: I would like to thank all of the Commissioners and our Commissioner, Mr. Mayfield, for looking into this for us. Thank you.

CHAIR STEFANICS: Thank you. Yes, sir.

FRANK TRUJILLO: Madam Chair and Commissioners, my name is Frank Trujillo. I've been a resident of Chupadero all my life. I started the water and sewage corporation back in 1975. It was a lot of work but we thought that we could keep it. And since then we've had problems upon problems with the water shortages. We're all going dry. Problems. And we do ask for your help. This was like my baby that I started back in 75 and I'd like to see it going. We need your help. We would appreciate any help that you can give us. Like the rest of the residents said, we do need your help and we appreciate what you do for us. Thank you.

CHAIR STEFANICS: Thank you for coming. Anybody else?

JOHN MILLER: Madam Chair, Commissioners, I'm John Miller. Jack, actually, water master for Chupadero and I've been in that position a number of years. I have my own business and this has been a side thing for me just to help the community. But now, with the aging system it's requiring more and more of my time and I'm getting less and less of my day job done. And I'm not getting younger and no one has stepped forward to replace me. We have a limited amount of money that we've saved up for a new tank that would have helped this summer and last summer, or another new well, but we've had difficulty finding a site for a tank or for a well, and we did acquire a tank but because there's some state regulations we weren't allowed to erect a tank. We didn't have enough money to get the

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proper engineering for it and well, we're just kind of stuck. So we would appreciate any help you have. Thank you.

CHAIR STEFANICS: Thank you for coming. Anybody else who wanted to speak? Yes, sir.

JAMES MCCRAY: Madam Chairperson, Commissioners, my name is James McCray. At the initial onset of this water crisis the water commission contact the state, the Governor's office and we really didn't get any help. The only thing we were told was we want you to know we notified Homeland Security for you. So that was a pretty pathetic response from the state level. Then Commissioner Mayfield and Mr. Guerrerortiz became involved and explained it in a way that as Ms. Miller mentioned, they got 60 percent. But actually that's 100 percent because 60 percent was all the people that were at that meeting to give approval to be taken over if the County chooses to do so.

So Chupadero is a working class community. For people to drill their own wells today – there is water underneath that area. I've drilled two wells in the last 14 months but they're cost-prohibitive for an individual. They're about \$30,000 apiece because the water's roughly between 600 and 700 feet. So we appreciate your consideration and hopefully you'll vote for this [inaudible].

CHAIR STEFANICS: Thank you. Is there anybody else in the public who would like to comment on this? Okay. Thank you. Mr. Ross stepped out. He had a comment. Mr. Leigland, do you know what his comment was?

MR. LEIGLAND: Madam Chair, I think it had to do with the resolution we wrote made reference to relevant policies and he's worried that, notwithstanding what I said earlier that we may have to strike that particular word that says relevant policies because now we just have the April 24th policy. So I think that's what he – so if you look at paragraph 2 of the resolution it says the water association shall execute the proper legal instrument, which instrument shall conform to all requirements and all relevant policies. He's worried that that policies might have to be struck somehow.

So I think what he's suggesting is that we just take out the clause, which instrument shall conform to all relevant policies. If you strike that I think that – but I don't want to speak for him.

CHAIR STEFANICS: Oh, here comes Mr. Ross.

COMMISSIONER VIGIL: If we approve this, Madam Chair, eliminating that particular language and bringing it back forward with clarification –

CHAIR STEFANICS: We can still have discussion. So, Mr. Ross, what language change?

MR. ROSS: Madam Chair, there's just one small change that I would recommend, given the fact that we haven't yet considered the resolution that was before this item, and that's in paragraph 2 of the resolution, which currently required the proper legal instrument to conform to everything. Well, we don't have anything, so I suggest ending the sentence after the word "inclusion".

CHAIR STEFANICS: So just strike the rest of that sentence.

MR. ROSS: Yes.

CHAIR STEFANICS: Okay.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, thank you, and I just want to thank staff and the community of Chupadero. Staff did go out and we did have a few meetings when the Millers called I think on Sunday saying, Danny, we need some help out here. With that being said I just wanted to speak about this community a little bit. I believe this community has went above and beyond to assist their neighbors and I'm very appreciate to be members of this community with you all. So Mr. McCray, he's offered to drill a well or the mutual domestic. I think that is probably still an offer for the County. I'll let Mr. Leigland talk about that. I know this community came together when one neighbor had water viable through a private well. They were giving their water through hoses and everything else. I also want to recognize the City of Santa Fe. I think there were times when you guys were out of water the City of Santa Fe allowed you go down to the Ft. Marcy complex and use the facilities as you needed for showering and for other purposes. Also I believe Four Seasons came in. I think that's the name of that - Rancho Encantado, Four Seasons and Bishop's Lodge, and also our community house services with the Rio en Medio Community Center who were affording water.

So with that being said, Madam Chair, I just think this community is well deserving of this. They are making definite concessions. We had a little bit of a dialogue a little earlier today, but also different concessions that they're making. They recognize - they're bringing some money also to the table that they're going to relinquish to Santa Fe County. I'll let Adam speak on that. I don't know what the dollar amount is but it's a pretty significant dollar amount that they already have that they were going to use for repairs to their system. And then some other talk, Mr. Weise brought this up, he wanted to be here today. He sent me an email that he couldn't make it. But with the potential of the Aamodt coming on line this is in the Pojoaque Basin also so that there might be some dollars for the interconnection agreements that we're going to still look at. I don't know, Adam, if you've addressed that or not. I know we will be passing some costs on to the local membership, but there might be some entitlements or credits back to the County on that.

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, that's correct. We think we can leverage it in that way, yes. As you said they are in the settlement area.

COMMISSIONER MAYFIELD: And again, Madam Chair, with that I appreciate the Commission's consideration on that. I would move for approval of this resolution.

CHAIR STEFANICS: Thank you. Is there a second?

COMMISSIONER ANAYA: Second.

CHAIR STEFANICS: There's a motion and several seconds. Is there any further discussion? Commissioner Vigil.

COMMISSIONER VIGIL: Would that motion include the recommendation by legal?

COMMISSIONER MAYFIELD: Oh, yes, Madam Chair. With Steve's, with Legal's recommendations to strike what needs to be struck.

COMMISSIONER VIGIL: So my question, Steve, to you, would be specifically, does that satisfy all your concerns or is there additional language that needs to be placed on this?

MR. ROSS: Madam Chair, Commissioner Vigil, no, that will work.

COMMISSIONER VIGIL: Okay. Thank you, Madam Chair.

CHAIR STEFANICS: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Adam, what do you – this allowance for the infrastructure is to help out the community to begin with while the County drills another well? Will you bring water in in some way?

MR. LEIGLAND: Madam Chair, Commissioner Holian, I think I'll let Patricio speak to details. I think the plan is just to develop the well and put in a proper sized tank. As we heard, there is water there but it can be expensive for a small system, but we can leverage our resources to develop the well and the proper size storage tank.

COMMISSIONER HOLIAN: And is the water quality good there? Or are there water quality issues?

MR. LEIGLAND: Madam Chair, Commissioner Holian, I'll turn that over to someone who knows more about that than I do.

MR. MILLER: Yes, we have the water tested monthly for biologic – for coliform. We've never had a negative – or it would be called a positive report. Our water's always been good. Another thing I wanted to bring up is that it's a poor community and if there's money involved from Aamodt or money from our reserves, could any of that be applied to the membership? Because it sounds like a bit substantial membership fee.

CHAIR STEFANICS: Mr. Leigland, do you want to address that?

MR. LEIGLAND: Madam Chair, Commissioners, yes. Let me just describe what's anticipated, and actually, in the resolution that we put forward earlier that made concessions that we could – if the County utility does have a hookup fee which is about \$2,700 and that pays for the use of our water rights, for instance, our portfolio and some other things, so we recognize that that can be a challenge for some of these smaller systems and so we fully expect that there will be negotiation where the system, when they give us their assets there will be consideration for that, whether it be in the form of they give us their water rights or they give us their reserves. So in answer to that question, yes, we can definitely do something like that.

CHAIR STEFANICS: Okay. Thank you. Anything else?

COMMISSIONER HOLIAN: Madam Chair, I just want to make a comment to all the people who came in. I just want to really thank you for coming in and showing your support for this. I can really relate because there's a little community in my district, Cañoncito, which you may have heard about and that was I think our first test case with bringing a water system into our County, and I know how much it meant to the people there. It was really huge. And so I can really empathize with what you're going through right now.

CHAIR STEFANICS: Commissioner Vigil.

COMMISSIONER VIGIL: So, I have a specific question with regard to delivery. When we bring them in, is the design for the water delivery going to be infrastructure that is connected to current infrastructure? Or are we going to be creating a well system for delivery?

MR. LEIGLAND: Madam Chair, Commissioner, the plan now is to develop a well and a tank, essentially replicating what they have now but larger and actually producing, and it will tie into their existing distribution infrastructure. Eventually, we want to upgrade

their existing infrastructure so at that point their part of the County utility, that requirement will get put on our capital needs list along with the other capital needs so that it just becomes part of the overall capital improvement process, and as I mentioned earlier our rate structure is such that we plan for those sorts of things and so as the County grows and becomes more viable we will have more cash available to upgrade these systems.

But the immediate step is just to get the source of supply in place and we'll connect to their existing distribution system.

COMMISSIONER VIGIL: And does our policy, once we start delivering with well water systems, does our policy require other wells to be capped that are part of the delivery system for mutual domestics?

MR. LEIGLAND: Madam Chair, Commissioner Vigil, the policy does not contemplate that right now. Am I correct in that? No.

COMMISSIONER VIGIL: And is it necessary?

MR. LEIGLAND: Commissioner Vigil, that's probably something we should look at. That's a good question.

COMMISSIONER VIGIL: And it would be something that maybe the State Engineer would require. I'm not even sure. That's why his technical expertise –

MR. LEIGLAND: Madam Chair, Commissioner Vigil, I think it is. It is in the County's interest that we have these discussions. We don't want to build a system and then have them have the ability to not use us when it's not to their – because we will have invested in our system and so we need to recoup that investment. So I think that there might have to be some sort of consideration that they could continue to use their well for irrigation, for instance, but for domestic water you're going to want to use our system so we can recoup our investment.

COMMISSIONER VIGIL: And again, I state that those needs are different for each community. Thank you, Madam Chair.

CHAIR STEFANICS: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Mr. Leigland, I just want to make a clarifying comment that it's my understanding that we would utilize the hookup – the existing resources they're providing to offset any charges. I don't in any way want to send the message that we're taking over their system and then we're going to charge them any hookup fees at all. It's their system; they already have existing fees. So that's the first question, that they're not going to be charged hookup fees for their system.

MR. LEIGLAND: Madam Chair, Commissioner, you're exactly right. Yes. They are giving to us a substantial amount of infrastructure so there is consideration, yes. And then they'll just be ratepayers after that.

COMMISSIONER ANAYA: The other consideration that I would ask is that they be given some rational, reasonable timeframe to be phased into the rate. Because my understanding of the rate is that it's going to be higher than what they're paying now, or not? Some people say no, but is your rate going to be the same or higher?

MR. LEIGLAND: Madam Chair, actually, I don't have the specifics of your rate now. So it sounds like our rate is going to be about \$10 more a month. We found that actually in some cases our rates are lower than the mutual domestics, in some cases they're

higher. But you're asking if there can be some sort of ramp-up period so it's not such a huge shock all at once.

COMMISSIONER ANAYA: Yes.

CHAIR STEFANICS: Okay. Thank you. Anything else before we vote?
There's a motion and a second for Resolution No. 2012-131.

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

XII. D. Public Safety Department

1. Resolution 2012-132, a Resolution Requesting a Budget Increase to the Fire Protection Fund (209) From Cash Carryover for Various Fire Districts and to Adjust the Fiscal Year 2013 Budget for the Current Year Allocation to the Actual Distribution Amount for Each Fire District / \$1,588,737

MS. MARTINEZ: Madam Chair, this basically aligns the cash carryover with what is actually remaining and also aligns the allotments for fiscal year 2013. And I'll stand for questions.

CHAIR STEFANICS: This is a resolution. Is there any comment from the public? Is there anybody in the audience who is here to comment on Resolution 2012-132? Commissioners, the pleasure, questions?

COMMISSIONER HOLIAN: Madam Chair, I move for approval.

COMMISSIONER ANAYA: Second.

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

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

XIII. MATTERS FROM THE COUNTY MANAGER

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

MS. MARTINEZ: Madam Chair, this is a monthly report and I will quickly summarize that we have had expenditures totaling \$18.4 million, revenues off \$12.498 million. I gave a summarized list of total capital expenditures of \$8.8 million. I will point out that revenues are on target. We collected property taxes of \$1.8 million, which were in excess of budget by \$469,000. They are also greater than the prior year by six percent and that's good. Property taxes are on track.

Our GRTs collected for August were \$6.6 million. They were \$148,000 greater than the budget. They're still slightly down from the prior year by just about two percent, so we'll keep an eye on the GRTs. I will point out that the unincorporated GRTs are still falling, coming in less than budget. For right now through August, about seven percent still down

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from the prior year collections. So we'll keep an eye on that. So that's the unincorporated GRTs.

We're still working on the audit and the financial statements and we will begin moving forward with our performance-based budget hearings here the third week of October. And I'll stand for questions.

CHAIR STEFANICS: Thank you. Are there any questions? So this is not an action item, but thank you, Ms. Martinez for giving it. We're still seven percent below in the collection of gross receipts taxes.

MS. MARTINEZ: Just the unincorporated GRTs, which is a smaller share compared to the total collections of GRT.

CHAIR STEFANICS: Right. I think that's important for us to remember. Thank you very much.

XIII. B. Construction Project Report

MS. MILLER: Madam Chair, Commissioners, the report is in your packets and as you can see all of the projects that we have funded are either moving into design or construction on there. All of them are on schedule. One is being watched and that's in planning, and that's about half way down on the first page. Otherwise they're on schedule so we'll just stand for questions if you have any questions.

CHAIR STEFANICS: Thank you. Are there any questions about the construction project report? Thank you very much.

XIII. C. Human Resources Report

MS. MILLER: Madam Chair, that report is also in your book. It's the same monthly report and Andria is in for Bern to give you a brief overview of that.

ANDRIA DURAN (HR): Madam Chair, Commissioners, I'm going to highlight the HR functions and statistics for the month of August 2012. In an effort to recruit for our open positions and provide the community with information on Santa Fe County employment opportunities and benefits, during the month of August we participated and hosted many events regarding recruitment and outreach to interested candidates. We also hosted several community events. On August 7, 2012 we participated in the National Night Out which was on the plaza. We, along with the Sheriff's Department, Corrections Department and DWI Prevention Division participated. That gave us an opportunity to let them know about upcoming developments and open positions that Santa Fe County is recruiting for.

We also attended a job fair in August 2012 in the Cochiti Pueblo which was a great opportunity for us to work with other agencies and again discuss recruitment and diversity strategies.

On August 11, 2012 we conducted our first annual Santa Fe County Public Safety Day at the Santa Fe County Extension Building. We had approximately 50 people attended.

Forty participated in the practice test offered. Twelve applied for open positions during the event and five participated in the Sheriff's Office actual cadet testing process two weeks later.

We did get good feedback from individuals who did provide feedback and we had lots of participation within the different County departments.

On August 31, 2012 HR attended the Heroes Hiring Heroes Job Fair at the Hotel Albuquerque. It was another opportunity for us to network with other agencies regarding recruitment and retention and gave me an opportunity to take with individuals in other agencies about their different pay scales to see where we're at and where they are and where we need to be.

We had the annual employee picnic health fair which took place August 17, 2012. HR coordinated with 27 health and wellness providers who attended our fair and provided County employees with information on healthy lifestyles. In addition, we also had our first annual equipment roadeo. This event is a competition for our equipment operators to demonstrate their skills and abilities in operating heavy equipment. So the finalists will actually compete in the New Mexico Association of Counties Equipment Roadeo.

On August 25, 2012 we conducted Sheriff's cadet testing. We had 49 applicants, 27 took the test and 17 passed the written and physical agility tests. This is an increase in applicants compared to previous recruitment processes. We attribute the increase to our focus and outreach with potential candidates. Actually, as of Monday we're going to be starting seven [inaudible] with the Regional Emergency Communications Center which will leave one vacancy which we hope to fill.

Attached are the HR statistic reports – the new hire report, the labor statistics report pursuant to request of the BCC. We've also attached two new reports – tuition assistance by department report and the participants in the New Mexico EDGE program by the department report. These reports are actually going to be provided on a quarterly basis instead of a monthly basis only because of the New Mexico EDGE is only offered every three months and then because of the college semesters.

CHAIR STEFANICS: Thank you. We really appreciate this detail. I would like to make one more request. When this is presented monthly could you give us a listing of current openings, because all of us do go to community meetings and I know you have several job fairs in September as well that you'll be reporting on, but if we go to community meetings we could say we have three jobs open, we have five jobs, whatever, and try to get people interested.

MS. DURAN: Yes.

CHAIR STEFANICS: Other comments, questions from Commissioners?
Thank you very much. Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Just thank you for the detail on the information.
It's appreciated.

MS. DURAN: You're welcome. Thank you.

CHAIR STEFANICS: Thank you very much.

XIII. D. Corrections Monthly Report

MS. MILLER: Madam Chair, the next report is the Corrections Monthly Report. Last month we gave you some statistics on the general population but we've added some things relative to some of the cost-saving initiatives that have been going on, and also the population at the facility and our vacancies. I just want to point them out before Pablo speaks. Our vacancy rate seems high but I just want to remind you we did a phase in of positions, so we have positions coming up that are open that we haven't even had the opportunity to recruit for yet, so that does show a higher than normal vacancy rate. Go ahead, Pablo.

PABLO SEDILLO (Public Safety Director): Thank you, Madam Chair, members of the Commission. This report will illustrate that Corrections is being transparent and is creating a mechanism to substantiate sustainability in governance. During the month of August the detention officer vacancy rate was at 38 percent with 44 vacant positions. As County Manager Miller indicated those vacant positions are in phases.

There were 810 bookings and 946 releases in the month with an average population of 541 at the adult facility and 18 at the Youth Development Program. We conducted a voluntary orientation that was held on August 21, 2012 with ten community volunteers in attendance. That gives us a total of 61 volunteers at the adult facility right now. We're actively recruiting volunteers at all times.

Some of the cost savings that you'll have in your packet is during the month of August there was a cost savings of pharmaceutical costs went down from \$12,940 in July to \$9,424 in August. There was also a cost savings in agency nurses that went \$35,674 in July to \$22,880 in August. And that's a total of \$520,734.56 was billed at the adult facility. That's what we billed the agencies. And \$66,567 was billed at the Youth Development Program.

The US Marshals Office reimbursement has been increased from \$10.87 an hour to \$18 an hour during the month as well.

CHAIR STEFANICS: Excuse me. Is that from them to us?

MR. SEDILLO: Yes. Actually what that is is a reimbursement for staff when they do transports. So we increased it from \$10 to \$18 an hour.

CHAIR STEFANICS: That they are reimbursing us.

MR. SEDILLO: Yes. They're paying us \$18 an hour for our staff. Electronic monitoring, the average population in the EM was 316 for the month of August, which was a jump, quite a big jump. The revenue received for August was \$11,336. Cost savings – the cost of the electronic monitoring equipment was at \$37,708 for the month of August down from \$39,311 in the month of July.

Our current financial obligation from offenders is dividing as follows: 45.5 percent of offenders have fees waived. 32 percent of unemployed, and 22.5 percent are paying offenders. So if you look at it about 77 percent of the people are not paying for electronic monitoring. Just to let you know I have a meeting with the district judges tomorrow. I also had a meeting with the magistrate judges to address this issue. Attached is a breakdown of rates as I indicated in my presentation. Also, in the packet you'll see the Diamond Pharmacy cost analysis which give the cost savings. This is something that we're very proud of. Back in

June we had a \$43,000 expenditure for agency nurses and now we're at \$22,000 so we cut that cost about 50 percent this month. I'll stand for questions at this time.

CHAIR STEFANICS: Thank you. Mr. Sedillo, just to start, very briefly, what do volunteers do in the corrections facilities?

MR. SEDILLO: They do everything from Bible studies to parenting skills, so there's a variety of different opportunities for volunteers to come in. They've been reading to our staff – to our inmates.

CHAIR STEFANICS: And Mr. Sedillo, do they go through an application process?

MR. SEDILLO: They go through an application process. They go through criminal background checks, everything. So we are very proud of the increase to our volunteers.

CHAIR STEFANICS: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Yes, Madam Chair, Mr. Sedillo, I appreciate the information and the statistics you're provided. Could you just provide a sense of what's happening in the facility? I know in an earlier meeting today, you've been participating with law enforcement from the City and the County and working with the hospital on the Sobering Center and other community outreach initiatives, but what's the sense of the facility? Is morale good within the staff at the facility? What's your assessment of programs inside and outside of the facility? Give me a little feedback. You guys have been meeting with other people in the community; you can talk a little about that if you want, but I know there's a lot going on just beyond the statistics and the cost-saving measures and the other initiatives you're working on. Do you want to maybe give the public a little bit of background as to some of those things? I think Commissioner Stefanics' question is a good one, some of the volunteer work and other things happening in the facility.

MR. SEDILLO: Madam Chair, Commissioner Anaya, yes, I would. Actually, we've been updating all our policies and procedures that have not been updated since 2005. We're about 98 percent completed with all those policies and procedures. With that policies and procedures that are standards we are going to be complying with with the American Correctional Association, as well as the New Mexico Association of Counties' standards, as well as the US Marshals' standards, federal standards that we have to comply with. So one of the things that we're doing within our facility is we have a CQI, what we call a CQI is continuous quality improvement, which gathers statistical data on all the policies and procedures that we're doing. So that individual goes to all the department heads and makes sure that they're complying, are in compliance with our policies and procedures.

We do internal audits and other mechanisms in our institution to ensure that we are doing the right thing. We are participating with all agencies, law enforcement agencies around Santa Fe County and the City of Santa Fe as well as the State Police. I think one of the positive things that has been established is that open dialogue that we have created with all local law enforcement agencies. We've got very good positive feedback from all of them. I actually indicated, Commissioner Anaya, that I do sit on a committee that is a collaboration of all the entities, all the stakeholders in Santa Fe and I'm proud to be part of that because we have a mission, we have a vision and we have action plans. It's not a committee that just sits and talks about what's the best thing for us to do but we have actual objectives and action

plans that are taking place. Warden Gallegos and his staff are very instrumental in those meetings as well.

COMMISSIONER ANAYA: Well, Madam Chair, Mr. Sedillo, I appreciate that. I just want to make sure that on a regular basis that we're letting our staff know that they're in a challenging job there 24/7 in the facilities and I for one very much appreciate their efforts, Warden Gallegos and the entire staff at those facilities, even behind the scenes here at Finance and otherwise that keep the facility running. And I think it's important that we all let them know that we appreciate them and their continued efforts to continue and make things as good as they possibly can be under the circumstances that they work in.

MR. SEDILLO: Madam Chair, Commissioner Anaya, you're absolutely correct, and I can tell you that Warden Gallegos and his staff are very active inside the facility. They're not what we call front [inaudible] wardens. They are in the back all the time supporting our staff. We support our staff very much. They're the heartbeat of our institutions. And we say that publicly a lot. So I think – I echo that with you, Commissioner Anaya, that we do that quite often. I'm very proud to say that we offered our officers the first CIT training in the state of New Mexico for all detention facilities. We are the trailblazer for that. It's the Crisis Intervention Techniques. We are the only detention center in the state of New Mexico out of 33 counties that have an instructor that can provide that type of training.

COMMISSIONER ANAYA: Well, thanks again for the information and for the work of you and the entire staff.

MR. SEDILLO: Thank you, Commissioner.

CHAIR STEFANICS: Thank you, Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. I took a tour of the jail last week and I will talk about that a little bit more in connection with another issue on our agenda. But I just wanted to make a couple of points and one, I was very impressed in talking to the staff there in getting – in learning that how much Warden Gallegos and our management is creating opportunities for people within the system to advance and to improve their careers and to better themselves. And I got a lot of positive feedback from the people who are working there about that. In fact they said that was one of the reasons that they really liked working there because they felt like they could advance as they went forward.

I will also say that I was very fortunate to be able to sit in on one of those CIT classes, which was taught by Jose Villegas, not in his role as chaplain but in his role as an accredited instructor in this particular topic and it was interaction with persons with mental impairment. I was planning to just sit in for a couple of hours but it was so fascinating and I figured I can really learn how to be more effective on the Commission too. But that's a different topic. But I really impressed with the class. I was impressed with how the staff who was participating in the class was really getting into it and getting a lot out of it and I – so I just wanted to give you kudos for putting that together. Thank you.

MR. SEDILLO: Thank you, Commissioner.

CHAIR STEFANICS: Thank you, Commissioner. Anything else? Thank you, Mr. Sedillo. Ms. Miller, anything else that you want to present before we go on?

MS. MILLER: No, Madam Chair, that's all.

XIV. MATTERS FROM THE COUNTY ATTORNEY

A. Executive Session

CHAIR STEFANICS: So, Commissioners, rather than going to executive would you like to keep going?

COMMISSIONER VIGIL: Madam Chair, I wanted to say that I will be needing to leave about 6:45.

CHAIR STEFANICS: I have to leave at 6:45 as well.

COMMISSIONER VIGIL: So let's try to budget some time. How long will executive take?

MR. ROSS: Madam Chair, we actually don't need an executive tonight.

CHAIR STEFANICS: Great. So we now have one hour and a half left for all the rest of the business.

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

CHAIR STEFANICS: Is there anyone in the audience that would like to speak on something that has nothing to do with action that's still to come? Okay. Thank you very much.

XVI. MATTERS FROM THE COMMISSION

A. Resolutions

- 1. Resolution No. 2012-133, a Resolution Respectfully Requesting That a Priority Be Given By the City of Santa Fe to the Release of Sufficient Reclaimed Water to Sustain a Natural Flow for a Healthy and Living River and That Provides Water for the Historic Agricultural Traditions of Downstream Users in the Communities of La Cieneguilla, La Cienega, La Bajada Village and Tribes**

COMMISSIONER ANAYA: Madam Chair, thank you. After the presentation from La Cienega, La Cieneguilla and La Bajada, you actually, Madam Chair, suggested we follow up with just a specific resolution that requests the City of Santa Fe consider releasing additional water for the purpose of agricultural traditional uses in that sector, so here's the resolution:

Whereas, the City of Santa Fe has an ongoing process for allocating reclaimed water produced by the City's Wastewater Treatment Plant;

Whereas, the County of Santa Fe is aware of the many demands for the City's reclaimed water and the City's position that the reclaimed water is a resource that is controlled by the city;

Whereas, the City's water decisions over the last several decades have had a significant impact on water resources in the Lower Santa Fe River Watershed;

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Whereas, the County of Santa Fe encourages the City of Santa Fe to recognize its unique capacity for participation in the protection and preservation of this vital water course;

Whereas, the County of Santa Fe acknowledges and supports the efforts of the Santa Fe River Traditional Communities Collaborative – that’s a mouthful – SFRTCC – which consist of representatives from; the Villages of La Bajada, La Cieneguilla, La Cienega Pueblo of Cochiti, Santa Fe Watershed Association and Wild Earth Guardians as well as legislative dignitaries and also includes Santa Fe County members;

Whereas, non-member governmental agencies who attend SFRTCC meetings in advisory capacity and provide technical support and guidance include, the US Forest Service, Bureau of Land Management, New Mexico Game and Fish, Office of the State Engineer, City of Santa Fe, Santa Fe County staff and Santa Fe-Pojoaque Soil and Water Conservation District;

Whereas, the Santa Fe County Board of Commissioners through County Resolution Number 2011-101 and the New Mexico State Legislature through 2012 House Memorial 74 have formally recognized the problems with the lack of water flows to traditional farms and ranches in the Lower Santa Fe River Watershed.

Whereas, SFRTCC will consider its responsibility in addressing these legislative initiatives during the river restoration planning process;

Now, therefore, be it resolved by the Board of County Commissioners of Santa Fe County to request that the City of Santa Fe be given a priority to release of sufficient reclaimed water down to the downstream users of La Cienega, La Cieneguilla, the Village of La Bajada and the Pueblo of Cochiti for historic and agricultural use and traditions.

Madam Chair, I would ask, if approved if we could forward this to the Mayor and Council with a letter from yourself for consideration. And with that I would move for approval.

COMMISSIONER MAYFIELD: Second, Madam Chair.

CHAIR STEFANICS: There’s a motion and a second. This is Resolution No. 2012-133. Is there anybody in the audience who would like to speak to this particular resolution? Seeing no one, we’re back to questions, comments from the Commission. Commissioner Vigil.

COMMISSIONER VIGIL: Commissioner Anaya, while this [inaudible] my request based on the recommendation that this resolution has to allow for the downstream reclaimed water to La Cienega, La Cieneguilla, would you consider putting Agua Fria, although it presumes that it would because that is a river pathway, but I think including them would make it real specific to continue on that river pathway and perhaps create a new pathway.

COMMISSIONER ANAYA: Madam Chair, absolutely I would include the Village of Agua Fria. What I would clarify is that we did have a discussion at one point that if we are able to, because of the beavers, for example, the damming issue, to use a culvert at some point, that it may have, that there might be an alternate pathway for that culverted system, as long as there’s clarity that absolutely include Agua Fria but that we would, for the water flowing downstream that there might be an alternative pathway if that helps get them more water for agriculture and traditional use.

COMMISSIONER VIGIL: I would see that, Commissioner Anaya, as a separate issue. This is far more generalized in terms of requesting that that downstream water be available to all downstream users for agricultural purposes and traditional purposes. I think the issue with regard to the beavers would be sort of a separate diversionary project.

COMMISSIONER ANAYA: Madam Chair, I guess I'm a little confused. The treatment plant is after the Village of Agua Fria, so what –

COMMISSIONER VIGIL: Some of the effluent that may become available now, and I don't know if the area of discharge would actually be the treatment plant or if there's going to be any other area of discharge that the City might consider now that the effluent has become available based on the agreement that we entered into with Las Campanas. And perhaps somebody can address that. Adam, do you foresee that that might be possible?

MR. LEIGLAND: Madam Chair, Commissioner Vigil, let me make sure I understand your question correctly. You want an additional point of discharge that would benefit the residents of Agua Fria. If I understand correctly the City discharges water, one, from their dams, and then two, from the water treatment plant. This resolution is all the downstream effluent from the water plant so you're just essentially asking the City to give us consideration on the effluent. I know they're actually working on their effluent use or their water reuse plan.

COMMISSIONER VIGIL: Okay. So none of their current facilities address any wastewater treatment above their current one? Is there any plans for there to be any that you know of?

MR. LEIGLAND: Madam Chair, Commissioner Vigil, no. We are looking at the effluent treatment plant down by my building and I think that's going to come into play when we start looking at the water resources agreement and everything else.

COMMISSIONER VIGIL: But that would be a separate [inaudible] the County and it would a necessary part of that. Okay. Is any of the water in the current dams with the City – is any of that water considered raw discharge or any other category besides potable? So that if there is a possibility that that water can be released from the dams that that could be considered also in this resolution?

MR. LEIGLAND: Madam Chair, Commissioner Vigil, I can't speak to that. I don't think – I think the answer to your question is no, but I'll be getting beyond my expertise and I don't want to give you wrong information.

COMMISSIONER VIGIL: Okay. And I guess it really is a separate issue because [inaudible] the water treatment plant but when the City does decide to release the water for the Santa Fe River they release it from their current dams up by the Canyon Road and upper area, and that would be a separate, I guess, issue. And that would be an issue of concern, more so, for the Agua Fria people, but it also concerns La Cienega and La Bajada because they release more water that makes that issue more of a resolve, so to speak. So I withdraw my recommendation. [inaudible] I just wanted to include it if in fact there was any opportunity that additional water could be released. I'm not sure how their treatment plant works. Patricio, are you jumping in to say there might be?

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MR. GUERRERORTIZ: Madam Chair, Commissioner Vigil, one thing that we can do is perhaps through the resolution get more active in their [inaudible] management plan which talks about all these different uses that they have for the effluent once it's discharged from the water treatment plant. For instance, one of the potential uses for the effluent is a regional park that the City is planning for as one of its capital improvement projects. That's going to require quite a bit of water.

We, the County, have the ability to bring raw water from the Rio Grande up into the basin. So I think if we leave it open for negotiations with the City for arrangements of how we can use the raw water, which includes treated effluent we could confront some of the issues that you're concerned about.

COMMISSIONER VIGIL: That would be a separate issue, wouldn't it? It could even be a separate resolution. Well, with that, I'll withdraw my request.

COMMISSIONER ANAYA: Madam Chair.

CHAIR STEFANICS: Yes.

COMMISSIONER ANAYA: Madam Chair, I think the point relative to being a more active player in the participation of the discussions of the use is a good suggestion. I think if there's another resolution that deals with other waters I'd be happy to sign onto that as well, But, Madam Chair, I would like to add based on Mr. Guerrerortiz's suggestion that we add a whereas: Whereas, the County of Santa Fe requests a more active participation in the discussions and the committee hearings and the discussions revolving around the use of effluent water from the treatment facility. So I would withdraw my motion of the seconder would accept that and accept that as an additional whereas that we can put in the resolution to be more actively part of the discussion that the City's having on use as a request, understanding that it's their ultimate decision.

CHAIR STEFANICS: Commissioner Anaya, I have no problem with the addition. You will need to write it out so that I can include it with this signed resolution that goes to the County Clerk this evening, since they've already left, but I have no objection. Is that fine with everybody else? It's fine with everybody else. So the seconder of the motion agreed. Any further discussion?

The motion to approve the resolution as amended passed by unanimous [5-0] voice vote.

XVI. A. 2. Resolution No. 2012-134, a Resolution of Support and Participation in the Law Enforcement Assisted Diversion ("LEAD") Task Force

CHAIR STEFANICS: I'd like to tell you what it is and take comments from the audience and then answer questions. The Law Enforcement Assisted Division Program Task Force is something the City of Santa Fe is embarking upon with, hopefully, Santa Fe County, the City of Española and Rio Arriba County, to identify individuals who are out on

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the street or apprehended for drugs or alcohol, that law enforcement believes, that if given a second chance and case management could avoid jail time.

It would rely very heavily on our District Attorney, our Sheriff, our police, and then use our Health and Human Services staff as support. I attended a program that was presented by the County and the City where Seattle, Washington is. They have embarked upon this. Our district attorney was there, our Sheriff was there, Lupe from our DWI program and Rachel O'Connor from Health and Human Services participated. Our law enforcement is willing to participate. The Sheriff has already identified a sergeant who would participate in this. The district attorney and the Sheriff's Office would carry the burden of identifying individuals to divert.

Once they identify these people then it would go into the hands of some case managers, Health and Human Services, social services programs. So this resolution is to support the City of Santa Fe's Law Enforcement Assisted Division Program Task Force with participation by our staff. That's what the resolution is. It's Resolution 2012-134. Is there anybody in the audience to speak for or against this resolution? What's your pleasure or questions or comments?

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR STEFANICS: Yes.

COMMISSIONER MAYFIELD: Madam Chair, I've also had the opportunity to meet with Mayor Coss and some of the participants, I believe. Councilor Dimas also championed the City resolution on this. I've spoken with him. I attended one or two meetings. The Mayor did ask for this Commission's involvement so I do appreciate that you're championing this because I didn't move it soon enough. But the Mayor also asked if I could recommend some names to him from the northern part, so I have forwarded to him three names. One is a Pojoaque School Board member. A second name is the director of the Pojoaque Boys and Girls Club and a third member is a former County Commissioner who is in the Chimayo area who runs a treatment center. So I've forwarded those names to the Mayor and I do stand in full support of this. Thank you for bringing it forward.

CHAIR STEFANICS: Thank you. Any other questions or comments?

COMMISSIONER HOLIAN: Madam Chair I move for approval.

COMMISSIONER MAYFIELD: Second, Madam Chair.

CHAIR STEFANICS: Thank you. There's a motion and a second for Resolution 2012-134. Any further discussion?

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

CHAIR STEFANICS: Thank you. We'll forward this to the City for their knowledge so that we're participating, and I'd like to thank the Sheriff's Office and the Health and Human Services Department and the District Attorney's Office and all of those volunteers that you also recommended.

- XVI. A 3. **Resolution No. 2012-___, a Resolution Creating a Corrections Citizens Advisory Committee for the County's Adult and Juvenile Corrections Facilities. (Commissioner Mayfield)**
4. **Resolution No. 2012-___, a Resolution Creating a Corrections Advisory Committee for the County's Corrections Facilities. (Commissioner Holian)**

CHAIR STEFANICS: The two resolutions both deal with an advisory committee for Corrections. There are individuals in the audience and who did I hear? Commissioner Vigil, go ahead.

COMMISSIONER VIGIL: I am happy to defer my comments to any member in the audience but I will sort of have a general comment that I saw very little difference in these resolutions and in fact it might be a good idea for the sponsors to come forth and bring the best of both for us to consider. So that is sort of where my mind set it at, but I'm happy to hear what the public has to say about this, Madam Chair.

CHAIR STEFANICS: Thank you. I know there are some individuals who have come for this hearing, so anybody who's come for this hearing would you come to the front row so we know? Are you here? Great. We'd like to hear from everybody. Is there anybody else who wants to speak about either of these resolutions? So who would like to go first? Please introduce yourself and make your comments and then we'll go to the next person.

FRANK SUSSMAN: Madam Chair, Commissioners, my name is Frank Sussman. I'm here at the request of Commissioner Holian to speak about these motions and the committee. My involvement in this issue was initiated at a meeting which I was invited to on August 23rd last month which was attended by myself, Commissioner Holian, County Manager Miller, Public Safety Director Sedillo, and the apparent purpose of that meeting was really to inquire about my opinion as to the reformulation of this committee that is being proposed.

Commissioner Holian suggested to me that I briefly tell you about my experience and background to the extent that it's relevant to this discussion. I've been a practicing attorney for some 36 years now. I am not licensed to practice in New Mexico. I am senior trial counsel for a firm of 150 lawyers based in Kansas City with offices in St. Louis, Omaha and Denver. I appear rarely in court here and only with special permission of the New Mexico Bar Association. In addition, I have 30+ years involvement with law enforcement and basically am semi-retired to [inaudible] of homicide. And lastly, what's relevant here, previously I was appointed by the federal courts in St. Louis to oversee all jail operations for the City of St. Louis. I did not anticipate that that was going to go on for 18 years. I thought it would be a one-year type thing. But for 18 years I oversaw all jail operations in the City of St. Louis. As a lawyer in the federal court they don't really ask. They ask you to do something, you can't say no.

And for several years I served on the prior jail committee and as its chair. In anticipation of my appearance today, after the meeting with the individuals I indicated last

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month, I made an inspection of the adult jail facility and met for an extended period of time with the jail administrator, Mr. Gallegos, and probably took a total of three hours. And I've also looked at the past monthly minute meetings of a group that's called – I forget what they call it. They refer to themselves as the Brown Bag Group and they meet once a month. This group consists of representatives of almost every law enforcement agency in this area – prosecutor's office, public defenders, the courts, social services, everybody you could think of that's somehow involved with the jail or with the Corrections Department is involved with that meeting. It goes on once a month; it's held in the Magistrate Court's courtroom. But again, they refer to themselves as the Brown Bag Group. I'm sure there's probably a more official name. They're not officially established. They just meet.

Much of what I was going to talk about Director Sedillo has already covered and you already know. The difference between the Department of Corrections under the current administration and the prior administration is like night and day. There is no comparing the two. They're not even in the same ballpark. Many of the things the Director mentioned – the morale is much higher. They now have policies where policies previously did not exist. They now have a working relationship with the Marshals service which previously did not exist as you know [inaudible] situation. Which is good always. I can't tell you what the figure is today, but when the prior jail committee was operating and functioning before it was disbanded the Department of Corrections was 50 percent of your County budget, and I assume it may be a little less but it's still the biggest part.

Whether or not – I really don't have an opinion as to whether or not you need a new jail committee. The prior jail committee was totally ineffective because it got absolutely no cooperation from the Department of Corrections. All right? There was a fight just to make inspections. Many of you probably know Neil Curran, former Police Chief of Taos and former superintendent of the State Highway Patrol. He was also on the committee at the time I was, and the two of us would make inspections despite the opposition to such inspections, prepare detailed reports of what we found and what our recommendations were and what deficiencies we observed, turned those in to the Department of Corrections and never heard back. Not: We agree with this; we don't agree with that. That never happened. Those were just put in the circular file.

The inspections that I've made myself without Neil because he's just no longer involved – again, the place is well run. It's like night and day. If you are going to have and reformulate the committee, and I don't have a real position on whether you should or you shouldn't, I would have several suggestions, rather than go over the stuff that Pablo has already covered. One is – and it's just prior to the disbanding of the old committee by the Commission, I had drafted and submitted to the committee, and they unanimously approved two new resolutions. One amended the existing then operating resolution that authorized the committee that was disbanded, and the second one was broader reaching and suggested a much more expansive criminal justice committee. That resolution has now – the reason for it, the *raison d'être*, is now being met by this Brown Bag committee. There's no reason for such a committee to be established by this Commission in my opinion.

But if you're going to have a new jail oversight committee, number one, there are several things in the proposed resolution, and I realize those two new resolutions which were unanimously adopted before the committee was disbanded were sent to the prior County

Manager with the expectation they would be given to the Commission. I later heard they were not ever distributed to the Commission, for reasons beyond my pay grade. But number one, one of the things in the resolution for the committee if it was going to be reconstituted, was that there be a prohibition of any member serving on the committee who had a contractual relationship or a business relationship with the County or the Corrections Department. That was not the case with the prior committee and on occasion became a problem. Number two, I would recommend that you give the committee that you establish, if you do, specific goals and objectives, none of which were ever given to the prior committee; the resolution doesn't even say what it's supposed to do. The old resolution – it no longer exists. They need that guidance.

You have to start with the understanding that most of the people, although I saw under one of the recommendations, had no jail experience, and while they were led once a year on what the prior administration called an inspection, they had no idea what they were looking at, they didn't have the ability to question anything they were told. It just didn't work. So if you're going to have another committee tell them exactly what you think they need to do, because otherwise they're going to be lost.

And the last thing I would say, because I know time is short, although I've learned more about water today than I ever knew before. I'm not sure how much I will retain. Is that in the meeting, which I referred to earlier with the County Manager and Pablo and Commissioner Holian, I suggested that this Brown Bag Committee that meets once a month, the County have somebody on behalf of the County attend the meeting. I know that members of the Department of Corrections attend, Sheriff's Department, everybody attends. A large group. But I believe that the Commission, if somebody was just there on behalf of the Commission and the County with no other vested interest, whether it be in the Department of Corrections or any other agency. That would just be my recommendation. It doesn't cost anything. I'm sure that person would be a volunteer no matter what. And it's once a month, no big deal, but I would strongly recommend that because it's just such a major part of your budget. I'll stop and take any questions if there are any. If not, you have others waiting to be heard.

CHAIR STEFANICS: So, Mr. Sussman, thank you very much for coming tonight, but why don't you have a seat. Let's hear from the rest of the public and then see if there are questions from the Commissioners. And then we'll let you go.

MR. SUSSMAN: I'm already late.

CHAIR STEFANICS: Okay. Thank you very much the. Thank you very much. We're done then.

MR. SUSSMAN: Thank you.

CHAIR STEFANICS: Yes, sir. Come on up.

SAMMY ROYBAL: Good evening, Madam Chair and Commissioners. My name is Sammy Roybal. The reason I'm here today is to say I hope that you really do reinstate your advisory committee there. I'm here to support a mother that is going through what I went through eight years ago with the Santa Fe County jail, when it was run by a private company. I lost a son on a drug overdose eight years ago at the County jail. That could have been avoided if proper action would have taken place.

What happened in that pod, there was a guard in there. He could see everything that was going on. There were other inmates that were doing drugs in there. They saw what was going on with him. The guards, nobody reported this incident. If they would have responded to this he could have probably been saved. When they responded, which was the medical staff, they first responded they didn't have the proper equipment to administrate to bring him back. They had to go places to find the piece they were looking for to work with him. They – it was too late. He died. He died. It could have been avoided if the proper procedures were taken, the protocol. If that incident would have been reported immediately he'd be right here right now.

But the other reason why I'm here also is to support a mother and family through what they're going through what I went through eight years ago. I think she'll be talking in a minute and I think she needs the support. She's going through a lot. I went through a lot. Me and my wife suffered a lot. Also I was really impressed by the report by Mr. Sedillo [inaudible] the things that they've been doing. Also I was really impressed with County Commissioner Anaya when he brought up some topics with Mr. Sedillo. I hope that this advisory committee, you'll reinstate it so your communications with the jail would improve. I don't think that you guys right now without an advisory commission don't have a lot of good communications with them.

The real problem with the jail, and I don't know if Mr. Sedillo mentioned it, what I think is drugs. I hear that there's drugs pretty much in any vicinity that you go but I think if you do what you're supposed to do, what they're supposed to do, it would cut it down, the drug trafficking would come down. Also the medical, I think they need to improve the medical to respond quickly to whatever the situation consists of. But I do hope that you pass the resolution and you get your committee going and I support that. And I thank you. Do you have any questions for me?

CHAIR STEFANICS: Thank you very much. Why don't you wait a minute and there might be a question but let's hear the rest of the public. Okay? Thank you very much. I know you guys have been sitting here all afternoon so thank you for waiting to talk. So please come forward.

UNIDENTIFIED SPEAKER: Hi. For the protection of myself and a child I'd like to remain anonymous, if I could.

CHAIR STEFANICS: Yes, because this isn't related to a case.

Thank you, Madam Chair and Commissioners. I've been dealing with the Santa Fe County Detention Center for about nine years. [inaudible]

CHAIR STEFANICS: We really appreciate your coming.

Thank you. I've been an active parent in my children's lives. I have one child who has been incarcerated for the past 8-½ years of their life. I've been totally supportive. I've been very vocal. I've been vocal with officers, deputies, electronic monitor staff, judges, public defenders, attorneys, [inaudible], you name it, and I've always abided by the law. I never let me parenting interfere with what was at hand which is if somebody breaks the law, they need to be held accountable. I understand the detention center is the punishment but I also understand that these individuals in Santa Fe County Detention Center are human beings and basic needs are very important, and that would be medical, adequate food, clothing.

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My entire fear right now is I'm losing a child to drugs. Drugs are outside, but when drugs are inside it's even worse. I never thought I'd have to worry about my child being incarcerated and dying of an overdose but that's the fear I live with every day right now. When I met Sammy and Patsy they were a complete support that I needed. I have seeked out to my faith, I've seeked out to counsel, I seeked out to judges. I've always been honest and open about what's going on. I do believe that until we control the venue, which is Santa Fe County Detention Center, which is the drugs that are inside we can't control anything or anybody that comes out.

The drugs are getting inside the facility somehow and I don't know if any of you have ever sat in the waiting area to go to a visit but I would invite you and encourage you all to do so, even anonymously, not making an announcement so you can really see what happens and how easily it could pass through. I can sit there and I could probably take anything in there and I think that's the sad part about this whole thing. I commend everybody here from the Santa Fe County Detention Center because I think they do an excellent job and I think they're trying. However, I think there needs to be more searching of corrections officers. There needs to be more thorough searching of visitors. This way you know that at least we're making every effort to prevent drugs from going inside because too many people are dying in the detention center, and it's a shame.

It's a shame that I as a mother don't have to worry about my child when they're incarcerated. It's hard enough when families such as the Roybals lose a child in there and they did everything – drug treatment centers, everything we could possibly do we have done. I've done the exact same thing and I think there needs to be more reform inside the detention center because if they are not learning in the detention center on some level, maybe even the minimum level, how do we expect them to be released and not end up back in there? I do understand that a lot of funding needs to be done in order for this but these are lives and human beings and sometimes the money needs to go where it needs to go and without reform within, no reform within you cannot expect them to [inaudible]

I know that not every individual wants reform but there are some that do an when it's easier to get drugs inside then there's no reason for them to change if the drugs are getting inside. As Sammy mentioned to you all, that is my fear is that I am fighting a battle that I'm losing and I just ask for more support so we don't bring more dead people out of the detention centers. Because right now, it's not just the people incarcerated that suffer it's all of us outside. Regular families, working families. I am raising a grandson because I've got a child that is addicted to drugs and until the drugs stop getting inside it is totally out of my hands. But I am fighting and I will continue to fight. And I've made every effort that I think I can make as a parent and I won't stop trying, and I just pray to God that I never have to deal with what Sammy and Patsy did, and that was burying their son, which is probably the most heartbreak for any parent. And I thank you all for giving me the time and I thank Sammy for inviting me to come with him this evening. Thank you.

CHAIR STEFANICS: Thank you very very much for coming and sharing your story and your concerns. Commissioners, are there any comments or questions for these two individuals?

COMMISSIONER VIGIL: Madam Chair.

CHAIR STEFANICS: Commissioner Vigil.

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COMMISSIONER VIGIL: Getting back to what I originally proposed I'm happy to look at that. Let me just make a couple of comments. I also think from the testimony tonight we probably have more reason now to step back and look at exactly what this resolution may or may not do. Dealing with the drug problem and how those drugs get into our jails is huge and there's nobody that can attest to the problem more so than our own staff. It seems like it's one of those vicious cycles like when you take care of one thing there's a new way that drugs get in there.

And for example, I spoke to a parent who wanted to get her son some medication. The medication he's actually taking right now and the issue came forth that all she wanted to do was make sure he could get that medication to intake so that they could get it to her son, and that seems so straightforward and easy to do from a common sense perspective. That made sense to me. But then having learned that that's one way the drugs get into the jail. I thought, you know, nothing is that simple.

So the problem is very complex and I'm very sorry to hear, as a parent also what you had to experience, both of you. My sentiments are there with you. We've worked very hard on this. One of the reasons we went from private to County-owned, why we went from County Sheriff to Corrections Director and why we went from Corrections Director into broader based professional experience in the area, there's so many ways we've been working on trying to improve this. Believe me, it isn't something we haven't all been pulled and had difficult stories to hear about and experienced personally.

So I actually think that there are some really good issues that perhaps a Corrections Committee might be able to address and I think that beyond that recommendation and what they're working on right now might, as Mr. Sussman said know their purpose, and perhaps the purpose of this Corrections Advisory I don't think should be similar to what we had in the past and some of those components are in both of these resolutions, like to do a jail inspection. And the issue was brought up when you do do a jail inspection just what kind of expertise do you have to bring back, to report.

So I'd like to see this tangled with a little bit to include our Corrections Director and staff and perhaps it could be even a narrower purpose than just creating a Corrections Advisory Board or a Corrections Committee. First and foremost, because those things are difficult to staff, and that's part of the problem that we had last time. I think if we know their purpose we'll be better able to staff that.

The other issue I wanted to bring up is our HPPC has been working with our jail staff and they've actually set up a committee. It was probably more focused when the sole community provider share of dollars was being allocated to some extent to our jail, and I don't know how active it is now but I really – I'm worried about creating another committee that adds another layer of responsibility to what we currently have, particularly because we actually are already being accredited and I'm not too sure that any Corrections Committee could give us better information than an accreditation process. But if in fact a committee was created to address the issue of how can the community create a support to keep drugs from being trafficked in our jails? That might be a narrower purpose and create a larger benefit. But I think the way these resolutions are written, they're too broad-based to get the benefit that's necessary from. I'd like to have the sponsors consider tabling this and bringing it back based on the testimony we had from both Mr. Sussman and Mr. Roybal and the lovely lady

who articulated her case very well. I actually think that we might be able to tackle this a little better.

And I see some of the purposes based on the memo that I read engaging the community more, and maybe that would be the narrow purpose. So with that, Madam Chair, I move we table.

COMMISSIONER HOLIAN: I'll second, and I would just like to comment that I certainly agree that I think this requires more thought and to put something together that will truly be useful. I think that in fact this topic is a community effort. As you so eloquently pointed out it's the community that has to come together and figure out how we're going to deal with it, not just one person at the Corrections Department or even the whole Corrections Department can figure out how to solve it. We have to bring everybody into it. And I think that this is something that we all agree on in our community. We don't want drugs coming into the jail and we also want to have a support system for people when they are released, so they don't go back to the same habits that they had before.

So I'm certainly very willing to tackle this and to try to make this as effective as possible.

CHAIR STEFANICS: Okay. Commissioner Mayfield, and then Commissioner Anaya.

COMMISSIONER MAYFIELD: Madam Chair, thank you and thank you for being here and presenting today. I see your testimony that you gave today, the facts that you stated to us are reasons I believe we do need an advisory committee to work in conjunction with our Corrections staff. They're very heartfelt. I do believe that this committee is very much warranted. If there has to be some critiquing between the resolutions that we've put forth, also some other suggestions that have been mentioned at this table today and I think it was Attorney Sussman if I have that name right, what he brought to us. But I do believe it's fairly warranted. I just would not like – and I won't support this just basically going into nowhere land and we never address the situation.

So with that I have no problem sitting down and trying again to work with staff, to work with my colleagues on formulating an advisory committee with all the input that's been suggested today. I did read Commissioner Holian's resolution. I found it very insightful with what she was trying to accomplish with that resolution. I do have I guess my own bias to the resolution I purport, but I do see a lot of similarities in them. I see there can be some incorporation between the two and incorporation of what was stated to us today.

Also I just want to make certain that I get this point across, that there are impacted folks by our jail operation that aren't just the ones that are incarcerated. And I do believe that those folks have to have interaction to be able to say, what is going on? What's not going on? And they can provide that feedback. But if people are in a position where they're arguably reluctant to provide any I guess testimony, for the fact that maybe they have somebody incarcerated there and they could potentially worry about something happening there, that goes with a little bit of a problem, and I just don't know if it's a simple suggestion box that we have, so I would like to make sure that we have that.

I know I've tried to talk with our Director of our Public Safety. He gave me back his comments. I did try to include and incorporate his comments in here and I'll just read – if I had them right, when I spoke to him he wanted – and I believe it was great what he

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suggested, review – one of the responsibilities would be to review and assess the County's community reintegration model and make recommendations for our facilities. I believe I just heard that from the lady who just testified now. I believe that's very warranted. I was glad to hear our secretary – and I apologize. I can never get our titles right with all of the positions that we have, but Mr. Sedillo indicating that he's starting a GED program at our jail. I don't know if that's been started in the past but I was glad to hear that that's going and that you're providing that educational opportunity to folks.

But I do think that it is good for us to have this input from these community members and from these professional members. The Brown Bag Group, a great group. There's probably, a Brown Bag member would probably knock off four of the groups that I put in there. Another group that I put though is our immigrant advocacy community. We've heard multiple issues in this Commission, at least when I've been here, of some of the issues with ICE. I think they're working great. I think I heard that from our Corrections Department, but I still think that they should have a voice of saying what they think needs to be inputted into this. So with that, Commissioners, I can see where this is going and I appreciate where it's going but I do have a resolution that I put forth to staff that you all consider this. I do note that Commissioner Holian has a resolution also. By no means were they intended to compete against one another. But I do think that they would provide a benefit to our larger picture of providing safety to the whole community, looking at the expenses that are associated with Corrections, and I think that's what we're all trying to accomplish. With that, Commissioner, I'll reserve any other comments I have with the exception with maybe if this does stay tabled – and I am going to vote to table it, because I'm going to also then try to vote to move it off the table in a timely – hopefully before Commissioner Vigil leaves this Commission also. Thank you, Madam Chair.

COMMISSIONER VIGIL: On that point, Madam Chair. We could motion to table it for a particular upcoming meeting to be considered. If one of your worries is you don't want it to get lost.

CHAIR STEFANICS: Are you saying 30 days.

COMMISSIONER VIGIL: Right. Our next administrative meeting might be the next best time to consider this. So my motion would be amended to bring forth a resolution at our next administrative meeting.

CHAIR STEFANICS: Is the seconder of the motion agreeable?

COMMISSIONER HOLIAN: Yes.

CHAIR STEFANICS: Okay. Commissioner Anaya, you're next.

COMMISSIONER ANAYA: Madam Chair, I have a couple comments but I think Mr. Roybal has an additional comment he wants to afford the Commission.

MR. ROYBAL: Madam Chair, County Commission, this comment I have to make is for the staff at the Correctional Department. When I think the drug situation, we all know that. We know who it's coming from. They know where it's coming from. Commissioner Vigil said it's medical, but the biggest portion of the drugs coming in is from the staff, which is the correctional officers. That's the one that's bringing the stuff in, correctional officers. And they're ignoring that. If they would do something with the correctional officer situation, like maybe do a random search. I think there should be more

random searches out there of the correctional officers because they are the ones that are bringing in the majority of the drugs into the facility.

My son always told me that [inaudible]. And every other correction officer just turned away, ignores it. When something is going on like that they'd just turn around and do nothing about it. When somebody is getting beat up in there, they just turn around; they don't report it. And that's even happening right now. And that was happening eight years ago. And it hasn't improved yet. If you get this committee going, advisory committee going, I think that that information could come to you guys and you guys could do something about it. My advice is to look at the correctional officers. They need more training. They need to get better personnel to do the job. How about a veteran, just come back from Iraq or something like that? They're almost pretty much trained.

We need to train people to respond to problems and a big problem there is the drug problem and we're never going to stop it but I tell you what, if you do that I think they can cut it down. And maybe save some lives. But they all have to work together, not turn around and pass the buck like they used to do eight years ago. I haven't been in touch with the jail activities for the last eight years but every once in a while I hear something about the jail.

After my son died I think they had three or four more deaths there that could have been prevented. [inaudible] and they did nothing about it. They've got to be accountable for stuff like this. If you're going to work at a jail you've got to be accountable for procedures, things that are your job that you have to do. But just doing nothing about it, ignoring it, that's the biggest problem. That's where all the drugs are coming in and this advisory board I think could go in there and investigate a little and then present it to the Commission or present it to the staff. Thank you.

COMMISSIONER ANAYA: Thank you, Madam Chair, I spent a significant amount of my time as a staff person at Santa Fe County prior to the County taking over the operation of the facility. I'm no expert by any stretch of the imagination, but I understand some of the functional issues that are applied to the Correctional facility. First and foremost, I want to first thank you, Mr. Roybal, and you, ma'am, for your work and your courage just to come forward and to bring forward those concerns. Mr. Roybal, I can't even imagine the pain and struggles that you and your family have gone through, as well as yours, ma'am, although all of us, I believe, throughout the community have been impacted in one way or another by people and incarceration at either the juvenile or adult facility.

That being said, this Commission, the Board of County Commissioners is ultimately responsible for the policies and the procedures and the outcomes that come out of not only the County jail but other operations that we are part of the policy making board for. A question that I have for staff, and then I'm going to make a few additional comments. I don't recall, Mr. Ross, I know we have an administrative policy for our Housing Authority, an operations policy for public housing. I know we have a Land Use Code. We continually adopt policies and procedures for just about every single function that Santa Fe County operates and does. That's our statutory obligation as the Board of County Commissioners to help adopt and approve. Do we have a functional Corrections administrative plan that this governing body adopted or has adopted in Santa Fe County?

MR. ROSS: Madam Chair, Commissioner Anaya, I'm not sure what you mean by administrative plan but there are voluminous jail policies that are in the process of being

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revised as we speak. Is that what you're speaking of or is there something more? General guidance to the Corrections Department?

COMMISSIONER ANAYA: No, absolutely. We have policies under state law and under federal law and County policies. And as policy makers on the Board of County Commissioners I think we have to be cognizant of those policies but we need to have a roll-up, I guess is what I'm getting at. That's our function – policy. And so relative to the resolutions and the motion on the floor I think it's one that's going to bring back some additional work and results, but I think that there is a place to have a body of people that doesn't act as the enforcer, if you will, but acts in a similar fashion to our Road Advisory Committee, in a similar fashion as our DWI Council, in a similar fashion as our Health Policy and Planning Commission. A group of people that help us as we seek modifications to policies, as we seek support, as we seek additional potential services, that we use as a sounding board and a mechanism that ultimately helps to make recommendations to the Board of County Commissioners.

So two-fold. I think we need to absolutely roll up all of our policies and procedures and that the Commission has a responsibility to make sure we have an awareness of what those policies and procedures are, and being as voluminous as you pointed out, we're going to need help from staff, and we're going to also need help from other people in the public and the community to make sure that we've assessed and dotted our i's and crossed our t's. But I think that we do need to review it, but I think we need to roll up what we have and make sure that the Commission has an awareness of these.

Mr. Sedillo, you brought up earlier that you have many policies and procedures that you're modifying and adopting. I also understand that some of those policies and procedures are security-sensitive policies and procedures that you wouldn't necessarily want to divulge all those internal protocols to the public at large, but I also understand that there may be and there are policies and procedures that we could provide for feedback and input. So I think it's a balance between the two. But ultimately, as the Board of County Commissioners, it's our responsibility to understand what's happening in the facilities, both the adult and the juvenile, and to provide input and actual ratification of policies and procedures within the facility. Because we do it for everything else in County government and the detention facilities should not be any exception.

So I think the two of you – I look forward to working and supporting both of my colleagues in the discussions and maybe understanding more comprehensively what do we have in place as a County, and maybe even, Mr. Ross, what are other counties doing relative to the overall policies and procedures and the responsibilities therein of the Board of County Commissioners and other jurisdictions.

COMMISSIONER HOLIAN: Madam Chair, on that point.

CHAIR STEFANICS: Commissioner Holian, you have the floor next.

COMMISSIONER HOLIAN: Okay. Thank you. I just want to make a comment about the policies and procedures. It turns out that the Corrections Department is currently going through the New Mexico Association of Counties accreditation process. In fact part of what they look at is the policies and procedures. So perhaps they need to bring back at a future meeting exactly how – and I know that the Corrections Department is doing

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internal reviews of policies and procedures, so maybe we need to bring back that discussion of exactly how this process is ongoing right now and what it means.

COMMISSIONER ANAYA: Madam Chair, I would agree, and I would take it a step further to make sure that this body has the approvals on an overall policy. We approve policy for everything else we do in government, for how people utilize their land and where they can build and where they can't build, for how we remove and accept a road as we just previously discussed. The detention and juvenile facility is no exception. I know there was a lot of discussion when the County took it over and we had to adopt numerous policies and procedures when we took over the facility, back when we did, but I think it's time we pulled those policies and procedures back together, make sure we have full awareness of what they are and raise any questions that may come about, and then move forward collectively.

But it's ultimately, Madam Chair, Commissioners, it's ultimately our responsibility as a Commission to help establish those and then make sure we have adequate staff, which we do, and also that we have input from the outside.

One thing I would add, if I could, Madam Chair. Mr. Roybal, you did make one comment that I want to address, respectfully to you. Nobody in the staff at Santa Fe County knowingly or intentionally I think is trying to disrupt or hurt anybody in the facility. There's no guarantee, sometimes, for what an individual might do on their own, but I can tell you, based on the feedback and things I've seen from this staff and our manager, that their intent is to absolutely do the right thing, to hire the best and most qualified people, and then to make sure that they do their job. That's no guarantee that everybody will do that. But I respect what you said, but I want to tell you that day in and day out, there could be improvements and we'll continue to work on those, but those people in there, I believe go into the job with the best of intentions and I believe everybody does the same. Thank you, Madam Chair.

CHAIR STEFANICS: Thank you. Commissioner Vigil.

COMMISSIONER VIGIL: Thank you. Gosh, I feel like there's a real [inaudible] need to rehabilitate here. I know it's a fact that our new administration at the jail has addressed some of the issues that are of high concern to me. Pablo, I'd like you to come forward and talk a little bit about the dog-sniff searches that you do, the random searches that you currently do, and some of the recommendations that we actually heard from the testimony, we are actually implementing. And also when I talk, please address those in particular. But I wanted to reference policy, sometimes policy doesn't come to us. Sometimes policy is set because we're under the Department of Justice recommendations for how to set policy and until we actually read those recommendations that policy gets [inaudible].

So we do approve any final contracts or any final recommendations with regard to – but those policy recommendations don't come from here, because you're required to actually meet so many requirement through state and federal designations for inmates. I wanted you to address, number one, the issue that has been brought forth in terms of what we are doing to attack this drug problem at our jail.

MR. SEDILLO: Madam Chair, Commissioner Vigil, thank you very much for giving me the opportunity to speak on that behalf. We have done random searches with our staff. We've brought dogs in our institution. We've checked our staff's vehicles. We've checked our staff's person. We are collaborating with the Santa Fe Sheriff's Department in

regard to utilization of their drug-sniffing dog. I think it's a very important part of what we do in terms of security.

Mr. Roybal, ma'am, with all due respect corrections facilities – I've been in this business for over 20-some years and I can tell you that each time you plug that home and find something, the inmate's responsibility is to try to beat us on a day-to-day basis. Our responsibility is to try to catch that. And we have due diligence in doing so. And we are taking the recommendations. One of the things that our direction and our vision is is to have public safety, and that is safety of our inmates, number one, safety of our staff, but most importantly the safety of the general public. And I think that, we, the warden, the deputy warden, they have a vested interest. We have a vested interest in our community and we are doing everything to combat that. We have drug and alcohol classes in our facility as well. One of the things that we need to do is bridge that gap that we always have. There's been a big void, and you spoke about it ma'am, is we do a lot of substance abuse training with our inmates, but it's a disconnect when they leave. And this is something that we're trying to bridge the gap. And that's my responsibility to do so.

[Chair Stefanics left the meeting.]

Our policies and procedures are established. Like I said, they haven't been revised since 2005. Our responsibility according to the American Correctional Association, as well as NMAC, New Mexico Association of Counties' standards, there are 215 standards that I think the Commissioners have received those because I sent them to you, which will apply for our accreditation. It deals with inmate care, it deals with visitation, it deals with policies and procedures, it deals with maintenance. It deals with every aspect of the correctional facility. So we're abiding by NMAC standards, American Correctional Association standards, federal standards because of the federal inmates we have inside there. So we are making sure that all standards and policies and procedures are in place and they are going to be effective for public safety within the institution and in the community.

If you have not received that I'll be more than happy to send you those standards for the NMAC and that has been put together by the Association of Counties. So we're trying to abide by that.

COMMISSIONER VIGIL: Pablo, one of the things you didn't mention and perhaps it is a process is security cameras. I know we saw those even outside with a huge radius.

MR. SEDILLO: Absolutely, Madam Chair, Commissioner Vigil. We have enhanced our security system. We have been asked – visitation. I understand that there is an issue in the visitation. Actually, the construction design of this institution is probably one of the worst designed facilities that I've ever been associated with. It doesn't give us a lot of security inside the facility for our visitors. We have just moved our visitation upstairs where we have a staff member viewing our visitors and inmates as well. And to combat the drug situation, I'm going to defer that to Warden Gallegos, and he can tell you a lot of what they're doing in terms of combating the issue with drugs.

COMMISSIONER VIGIL: Thank you, Warden Gallegos. I'm anxious to hear.

MARK GALLEGOS (Corrections): Madam Chair, respected County Commissioners, visitors, I can tell you as the warden of the institution, I've taken over the wardenship coming from chief investigator, this is one of the things that when I took over and

did an assessment of the facility was the fact that we had to do something in relevance to the drugs in the institution. I can tell you that moving forward and becoming aggressive, we are calling the Sheriff's Department, we are charging individuals. That also has to do with the mail that comes into the institution. I believe there are right around 70 cases that we've already charged, 70 cases since I came on as the warden, on individuals who try to get it through the mail system. We have a great mail system who shakes down the mail every single day. We find stuff. I cannot commend them enough on the job that they're doing now and the fact is that we've taken a proactive approach with all of the intelligence we gather, and I myself, being in the military, being an intelligence specialist, is that's one of the first things that I took coming in as being the warden – gather intelligence, find out where it's coming from and let's move forward, get with the local, state and city law enforcement, coming together, build a task force together and when we do combat, find these drugs, we're charging people.

You can see that based on the reports that come in. This was never happening before. As a warden I can tell you that based on working with the Sheriff's Department, if we get just a small amount coming inside the institution inside a piece of mail, that person is going to be charged. Not only that person is going to be charged, if we can lead back to the sender, we're charging the sender as well.

So those are some of the things that we're doing and viewing the visitation area as well. As my director had indicated, we have camera systems that are working now that we have built two cases in the last 45 days and charged individuals coming inside the institution as well, and we're talking about charging. These individuals are in our institution now. So we're making them accountable for the behavior. We're making the community a safer place for you and I and also for the public. So I cannot stress enough – the other side of the coin as being the warden, the foremost thing is the programming. We can't ignore the programming of the inmates coming inside. I do have a [inaudible] background.

COMMISSIONER HOLIAN: Thank you, Warden. You gave a very good synopsis there. So we have tabling motion on the table, and so I'd like to go ahead and take a vote on that.

The motion to table items XVI. A. 3 and 4 to the next administrative meeting passed by unanimous [4-0] voice vote. [Chair Stefanics was not present for this action.]

COMMISSIONER HOLIAN: The tabling motion carries and we will work together and work with staff to see how we can come up with a resolution that really is going to actually move things forward and actually accomplish something. So thank you all.

COMMISSIONER VIGIL: One of the things, Madam Chair, that I would just underscore based on the discussions as we look at this resolution, one thing we really heard tonight from the members of the community is there is really no existing family support system for families who have family members in jail. And I'm not sure that that is something that I don't have the expertise for that but I think it's something that could be incorporated. I think it would really – it would ease a mother, it would ease a father, if they needed to contact the jail to communicate with somebody, perhaps, maybe keeping the lines of communication open through the case manager. I'm not real sure. But that is the dilemma that we as

Commissioners face in our representative capacity when we hear from parents who say I'm desperate. I need to talk to my son. I don't think he's done anything wrong. I don't know where to go. I'm just caught up in a really contentious situation because I get asked to represent as an attorney, then and that puts me in that conflict of interest. How do I represent that defendant against the County? And I can't; it's a huge conflict. But it doesn't keep the stories from coming.

So those of you who have the expertise, and as you discussed how we can improve services, I think we need to incorporate some way of keeping the lines of communication and letting family systems be much more a part of understanding what is going on with their incarcerated family members.

CHAIR STEFANICS: Thank you, Commissioner. Thank you, Mr. Sedillo. Thank you, Warden. Thank you, Deputy Warden, and this will continue.

XVII. PUBLIC HEARINGS

A. Growth Management Department

1. **CDRC Case # V 12-5150 Victor & Patsy Roybal Land Division/Variance. Victor & Patsy Roybal, Applicants, Request Approval for a Land Division of 1.56 Acres Into Two Lots. This Request Also Includes a Variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to Allow Two Dwelling Units on the Proposed 0.80-Acre Lot. The Property is Located at 38 La Joya Road, within the Traditional Community of Glorieta, within Section 2, Township 15 North, Range 11 East, Commission District 4**

WAYNE DALTON (Building & Development Services): Thank you, Madam Chair, Commissioners. On September 11, 2012 the BCC met and acted on this case. The decision of the BCC was to table this case in order for staff to get an accurate depiction of what structures are currently on the property.

On September 14, 2012 staff conducted an inspection on the property. There is currently a residence, a mobile home, two storage sheds, a carport, a greenhouse, a gazebo, a covered area, and an unfinished structure that the applicant intends to utilize as a shop/storage for tools on the proposed Tract 1-B. There is currently a residence and an accessory structure currently used for storage on the proposed Tract 1-A. Pictures are attached as Exhibit 5. Structures are depicted on Exhibit 6.

Staff recommendation: Denial of a variance from Article III, Section 10, Lot Size Requirements of the Land Development Code. If the decision of the BCC is to approve the applicants' request for a variance staff recommends imposition of the following conditions. Madam Chair, may I enter those into the record?

[The conditions are as follows:]

1. Water use shall be restricted to 1 acre-foot per year per lot. A water meter shall be installed for each lot. Annual water meter readings shall be submitted to the Land Use Administrator by January 1st of each year. Water restrictions shall be recorded in the County Clerk's Office.

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2. A Plat of Survey meeting all County Code requirements shall be submitted to the Building and Development Services Department for review and approval (As per Article III, § 2.4.2.)
3. The Applicants shall provide an updated liquid waste permit from the New Mexico Environment Department with Development Permit Application (As per Article III, § 2.4.1a.1(a) (iv).
4. The Applicant must provide proof of permits or proof that the structures on the property are legal non-conforming. If the Applicant cannot provide proof that the structures are legal, than the Applicant must obtain After the Fact development permits (As per As per Article II, § 4.5.2b Article II, § 2).
5. The placement of additional dwelling units or Division of land is prohibited on the property (As Per Article III, Section 10).
6. The Applicants shall comply with all Fire Prevention Division requirements at time of Plat review (As per 1997 Fire Code and 1997 Life Safety Code).

COMMISSIONER HOLIAN: Thank you, Wayne. Is the applicant here?

[Duly sworn, Patsy Roybal testified as follows:]

PATSY ROYBAL: Patsy Roybal.

COMMISSIONER HOLIAN: Would you like to add anything to the presentation?

MS. ROYBAL: No, I just want to see if the Commissioners will approve our decision.

COMMISSIONER HOLIAN: Okay. Thank you.

COMMISSIONER ANAYA: Madam Chair.

COMMISSIONER HOLIAN: One moment please. First of all, is there anyone from the public who would like to make a comment on this case? It doesn't seem like anybody is. So we will take questions from Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I just have one for Mr. Dalton. The primary reason we're reviewing that again was because we wanted staff and yourself in particular because you reviewed the case to go look at the site and verify the documents that we had that were consistent with what's existing at the site. Did you do that?

MR. DALTON: Madam Chair, Commissioner Anaya, yes, I did.

COMMISSIONER ANAYA: So there was no additional items there or items that we weren't aware of in the previous packet?

MR. DALTON: Madam Chair, Commissioner Anaya, what is on the property is depicted on Exhibit 6 or Exhibit 7, which is the proposed plat of survey. There are actually a couple of structures that don't exist on that property anymore from when the survey was done.

COMMISSIONER ANAYA: So you verified what the applicant said, that they were taken down was true.

MR. DALTON: Madam Chair, Commissioner Anaya, that is correct.

COMMISSIONER ANAYA: Madam Chair, I'd move for approval.

COMMISSIONER MAYFIELD: Second, Madam Chair.

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COMMISSIONER HOLIAN: I have a few questions before we take a vote. Wayne, when you see the packet, it seems to me that the only structure that ever got a permit or was permitted was the mobile home on Tract 1-B. Is that correct?

MR. DALTON: Madam Chair, that is correct.

COMMISSIONER HOLIAN: So the two homes that were built never got permits. Is that correct?

MR. DALTON: Madam Chair, that is correct. The actual residence on the property has been there prior to 1981, on Tract 1-B. But the house on Tract 1-A –

COMMISSIONER HOLIAN: Never got a permit.

MR. DALTON: That's correct.

COMMISSIONER HOLIAN: How could somebody build a house without getting a permit?

MR. DALTON: Madam Chair, that happens more than you think, especially in this area. It all depends on if someone from the community would complain. In this case we didn't get any complaints on this structure.

COMMISSIONER HOLIAN: So then let me ask you about the wastewater system. Does each of the residents have their own septic systems?

MR. DALTON: Madam Chair, I believe there's a septic on Tract 1-A and there's a septic tank on Tract 1-B.

COMMISSIONER HOLIAN: That is shared by both the mobile and home and the residence. Is that correct?

MR. DALTON: That's correct.

COMMISSIONER HOLIAN: The owner is shaking his head no.

MR. DALTON: Madam Chair, according to the applicant there's two septic systems on Tract 1-B.

COMMISSIONER HOLIAN: And how about wells? How many wells exist?

MR. DALTON: Madam Chair, they're on a community water system.

COMMISSIONER HOLIAN: Oh. I see.

COMMISSIONER VIGIL: And I'm sorry, I wanted to ask, these two particular pictures that have the tiled roof, is that livable space?

MR. DALTON: Madam Chair, Commissioner Vigil, I did a site visit, looked in the door, and that's being used for storage.

COMMISSIONER VIGIL: Was there any plumbing associated with it or anything of that nature?

MR. DALTON: Madam Chair, Commissioner Vigil, I could not enter the structure, but what I observed there was no plumbing in that structure.

COMMISSIONER VIGIL: So these are like just upgraded sheds?

MR. DALTON: Madam Chair, Commissioner Vigil, that would be considered an accessory structure.

COMMISSIONER VIGIL: Okay. What's the square footage? Do you know?

MR. DALTON: Madam Chair, Commissioner Vigil, I do not know. It's an unpermitted structure.

COMMISSIONER VIGIL: Okay.

COMMISSIONER MAYFIELD: Madam Chair, on that point.

COMMISSIONER HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Dalton, both those photos are on the adjacent property. That's not on the Roybal's property. Correct?

MR. DALTON: Madam Chair, Commissioner Mayfield, that is correct. Those structures are on the proposed Tract 1-A. That is not on Victor and Patsy Roybal's property.

COMMISSIONER VIGIL: So what relevance do they have to this case then?

MR. DALTON: Madam Chair, Commissioner Vigil, because they're trying to split the property. So Tract 1-A is owned by another individual, and Tract 1-B is owned by the Roybals.

COMMISSIONER HOLIAN: Any other questions, Commissioners? Wayne, what does the Assessor's Office think is on these properties?

MR. DALTON: Madam Chair, I have not contacted the Assessor's Office regarding this property.

COMMISSIONER HOLIAN: So let me ask the owner. Are you paying property taxes on your home on Tract 1-B, plus the mobile home? Does the Assessor's Office know that those exist on your property?

MS. ROYBAL: We're paying taxes.

MR. DALTON: Madam Chair, the applicants have been paying taxes on their property since 1984, which would be pretty much the exact acreage of what they're asking for, and the other individual has been paying taxes as well on pretty much the exact same acreage as what they're asking for. This property was split by deed back in 1986.

COMMISSIONER HOLIAN: But the home on Tract 1-B was never permitted so I am assuming that the Assessor's Office doesn't even know it exists. Is that correct?

MR. DALTON: Madam Chair, that could be. It could be correct.

COMMISSIONER HOLIAN: Thank you, Wayne. Any other questions.

MR. DALTON: Also, Madam Chair, if this does get approved they're going to have to apply for building permits and that information will be sent to the Assessor's Office.

COMMISSIONER HOLIAN: So let me ask you this, Commissioner. Did you make your motion with staff conditions?

COMMISSIONER ANAYA: Motion with staff conditions. Yes.

COMMISSIONER MAYFIELD: Second.

COMMISSIONER HOLIAN: Okay. Any other discussion?

The motion tied by 2-2 voice vote with Commissioners Anaya and Mayfield voting with the motion and Commissioners Holian and Vigil voting against.

MR. ROSS: Madam Chair, members of the Commission, what happens now under our rules of order is this gets placed on the next land use agenda for a vote only because there's one member missing.

COMMISSIONER HOLIAN: Thank you.

COMMISSIONER MAYFIELD: Madam Chair.

COMMISSIONER VIGIL: Is Commissioner Stefanics coming back? She's not.

COMMISSIONER HOLIAN: Commissioner Mayfield.

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COMMISSIONER MAYFIELD: I have a question for Mr. Ross [inaudible] I'm seeing greenhouses, gazebos – my question is, because I've been told that we have to issue – an individual has to come into the County to get a building permit if they want to erect a greenhouse on their property, if they want to put a gazebo. I know I've brought this up time and time again. You drive down Cerrillos Road and you buy one of those tin carports – they still need to come in and get a permit from us for that? As a matter of fact, I think there was even an individual who build a tree-house that was told they have to come and get a permit for that.

MR. ROSS: Madam Chair, Commissioner Mayfield, I'm not sure what the current requirements are but in the new code we were planning on coordinating the requirements with those of a building permit. What we issue here is a development permit, and a building permit you get from CID and normally that's – I think it's 120 square feet.

[Commissioner Vigil left the meeting.]

COMMISSIONER MAYFIELD: I guess, Madam Chair, let me ask this question. So say somebody puts in a small greenhouse on their property as long as it's less than 120 square feet they don't need a permit from us, but if it's over in the new code they're going to need it? Or say somebody wants to put a hot tub on their property and put a gazebo over the hot tub? Are we now asking them to get that – in our current code we ask for a permit? I'm just anticipating what the new code is going to say, based on all these pictures I'm seeing.

PENNY ELLIS-GREEN (Deputy County Manager): Madam Chair, Commissioner Mayfield, something like a hot tub will be definitely because it has plumbing in it and with that you may well want to make sure that the state actually inspects the plumbing and electric tied to it. But my understanding is approximately 120 square foot our code doesn't actually say that right now but that's what we're intending to put in the rewrite, so that it will conform to exactly the same requirements that CID would have.

COMMISSIONER MAYFIELD: Okay. I'll just look at that when we do our [inaudible]. I don't support it.

COMMISSIONER HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I just want to tell the staff and the Roybals that I believe the intent of the putting off of the meeting was to verify what existed or what did not exist at the site and that I'm surprised and perplexed by the vote tonight. We'll just have to wait and see what Commissioner Stefanics' perspective is but I believe that you did what was asked and the information provided was fair. So you're trying to do the right thing, I can tell that from the case, and you removed those structures. So I appreciate those efforts. I'll just say that.

COMMISSIONER MAYFIELD: Madam Chair.

COMMISSIONER HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you. Madam Chair, Mr. Ross, let me ask another question. I know we have our County Assessor but also – Surveyor, excuse, not Assessor. I apologize, in the audience. And again, as Commissioner Anaya just articulated, this case was put off on our last meeting for some verification. We asked staff to go back out and verify. I know I even asked for is this the most current aerial footage map. But if somebody's hiring a surveyor, the surveyor has a license and if that surveyor is bringing a

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survey into this Commission as part of the application, and now are we saying, okay, Surveyor, what you give us, if you not saying it's a structure, because the surveyor is going to put all these structures on. Are we now saying that we don't believe what the surveyor is bringing to us? The surveyors, aren't they obligated to depict the actual truth of that property that they're surveying? And can't we make our decisions based on a survey, knowing that it's a document that's done by a professional that's give to us?

MR. ROSS: Madam Chair, Commissioner Mayfield, of course they don't know what's behind the decision but I will say that a surveyor is required to certify and seal every document that the surveyor does, and it's supposed to be 100 percent accurate, and we can rely on it.

COMMISSIONER MAYFIELD: Thank you.

COMMISSIONER HOLIAN: Okay. I think we're at the end of the meeting.

Do I have a motion to adjourn?

COMMISSIONER ANAYA: Madam Chair, we had Matters from the Commission.

XVI. B. Commissioner Issues and Comments (Non-Action Items)

COMMISSIONER HOLIAN: Okay. Commissioner Anaya.

COMMISSIONER ANAYA: I just wanted to see if – and you don't have to do it right now, Ms. Miller, but if you guys could get back to me on the items that I provided at the last meeting and provide just a summary of status. And you don't need to get into it now. But it was the items that I went over and provided on the record. Thank you, Madam Chair.

COMMISSIONER HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, I had a – Santa Fe County had a grand opening of the Nambe Community Senior Center. I think it went very well. I was very appreciative that Manager Miller and some of our staff members were there. Also Speaker Lujan was able to make it. Congressman Lujan, various community members. I think that was great. But then after – I shouldn't say but then. It also morphed into – I was having community meetings to listen to the community. So numerous community members had concerns with the commissioning our Santa Fe County Sheriff's Officers, our Santa Fe County Sheriff and Pueblo Officers. They asked for a subsequent meeting to happen and that I believe that being tomorrow night. The Sheriff is going to have a meeting discussing that. I think the County Attorney is going to attend. I don't know if the Manager is going to attend. I believe the Sheriff is going to hold this. I will be in attendance. I just wanted to let those listening know that there will be a community meeting tomorrow regarding this, what I stated, at the Nambe Community Senior Center and I believe, subject to check, the notice said 6:00 pm, 6:30 pm. I'll say 6:00 to be safe. Thank you.

COMMISSIONER HOLIAN: Now do I have a motion to adjourn?

COMMISSIONER ANAYA: So moved, Madam Chair.

MS. MILLER: [inaudible] This just came up. After an item was approved earlier today, and I just want to let you know that this question came up oddly after it was approved. The contract was Design Ingenuity, [inaudible] there was something wrong with the fact with the person that runs that company is related to somebody who works for the

County. I want you to know it was all put through on the financial disclosure as well as disclosed during the procurement process. So I just wanted to let you know that the question came up from a reporter and I assured them it was done in accordance with all of our Code of Conduct, our ethics policy and our procurement policy. So I just want to make you aware of that.

COMMISSIONER HOLIAN: Thank you. Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Manager Miller, I guess whatever the relationship that's there, there was nobody involved in the procurement process, the RFP process. There are contractors out there that can bid on work.

MS. MILLER: Madam Chair, Commissioner Mayfield, that is correct. It actually had nothing to do with the procurement and had nothing to do with the division dealing with the procurement at all.

COMMISSIONER HOLIAN: Thank you, Manager Miller.

XVIII. ADJOURNMENT

Having completed the agenda and with no further business to come before this body, Chairwoman Stefanics declared this meeting adjourned at 6:50 p.m.



Valerie Espinoza
VALERIE ESPINOZA
SANTA FE COUNTY CLERK

Approved by:

Liz Stefanics

Board of County Commissioners
Liz Stefanics, Chairwoman

Respectfully submitted:

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

SFC CLERK RECORDED 11/06/2012

Evaluation of Groundwater Level Data from Estancia Basin Monitoring Wells

June 2012
HydroResolutions, LLC



Evaluation of Groundwater Level Data from Estancia Basin Monitoring Wells

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June 2012 Data Evaluation

As part of the contract between the East Torrance Soil and Water Conservation District (ETSWCD) and HydroResolutions (HR), HR has assembled and evaluated groundwater level data from wells within the Estancia Basin that are being monitored as part of the Estancia Basin Water Planning Committee (EBWPC) hydrogeologic monitoring program. Data were most recently downloaded on April 30 and May 1, 2012, from the 11 wells that are currently continuously monitored and seven wells that are manually monitored.

Figure 1 shows the complete EBWPC groundwater monitoring network, including 25 wells in which only manual water-level measurements are collected and 12 wells that have been monitored continuously using pressure transducers. Note that continuous monitoring was discontinued in Greene-4 (Figure 1 – south end of the basin) on October 18, 2011, due to its remote location and the fact that water levels in Greene-4 were not believed to be representative of the Estancia Basin. Figure 1 also shows the best estimate of the long-term water-level trend (in ft/yr) at each of the continuously (past and present) monitored well locations. Positive values indicate rising water levels and negative values indicate falling water levels. A single combined trend is given for the Schwebach 1 and 4 wells – there is no appreciable trend difference between the two locations.

Of the 11 currently continuously monitored wells, all but one (Schwebach 1) also include manual measurements, allowing for verification of the transducer readings. Note that water levels in most of the exclusively manually monitored wells have been measured only one or two times with the three exceptions being Magnum Steel, E-6385 (Bowman), and Shaw WM. Where water levels have been measured with sufficient frequency to determine if the effects of seasonal irrigation pumping can be detected, the data indicate that 8 out of 15 wells do show the effects of irrigation pumping (Figure 2).

Near the northwest boundary of the basin, water levels in E-2298 (Figure 3) are seen to be increasing at about 2.6 ft/yr and do not show any responses related to irrigation pumping. Water levels at the Hagerman Headquarters well located near the northeastern boundary of the basin are shown in Figure 4. About a mile to the east, the Bozlan-1 well (Figure 5) was previously thought to be affected by seasonal irrigation pumping. However, over the past year the expected irrigation recovery cycle typically observed between September and April was not observed at this location, so it is currently listed as not affected by irrigation (Figure 2). The long-term water-level trend shows that Bozlan-1 water levels are currently declining at about 3.5 ft/yr. Apart from Bozlan-1, there are no additional continuously monitored wells along the eastern side of the basin.

South of E-2298 along the western edge of the basin, E-9673 (Figure 6) shows no evidence of being affected by irrigation pumping. The data indicate that the long-term water level at E-9673 is effectively constant. Magnum Steel (Figure 7) and E-6385 (Bowman) (Figure 8) in the north central part of the basin clearly show the effects of irrigation pumping. Given the irregular sampling frequency, it is

difficult to determine the magnitude of the long-term water-level changes at the Magnum Steel and E-6385 locations.

Wells E-50-1 (Schwebach 1) (Figure 9) and E-50-4 (Schwebach 4) (Figure 10) near the center of the basin (Figure 2) clearly show the irrigation pumping cycle with water-level changes on the order of 20 ft between the start and end of the irrigation season. Long-term water levels in the vicinity of wells E-50-1 and E-50-4 are declining at a rate of about 5 ft/yr (Figure 1).

Well E-2034-S displays an attenuated irrigation pumping signal (Figure 11) relative to E-50-1. The long-term water level in the vicinity of this well is declining at approximately 2.5 ft/yr (Figure 1). West of E-2034-S, the Swenka Exploratory well near the western edge of the basin has shown an overall increase in water levels since monitoring began in 2009 (Figure 12), with an approximate long-term increase of 1.4 ft/yr. There is no indication that the Swenka Exploratory well is being affected by irrigation pumping.

Further south, but still on the west side of the basin, E.B. Romero WM (Figure 13) shows both short-term windmill pumping cycles as well as the seasonal irrigation pumping cycles. The long-term water level the E.B. Romero WM location appears to be relatively constant. Continuing south along the west side of the basin, Smith-1 (Figure 14) clearly shows the irrigation pumping cycles and a long-term water-level decline of approximately 0.4 ft/yr.

Cheri Lujan-1 (Figure 15) does not appear to be affected by irrigation pumping and exhibits no long-term change. However, Shaw WM just a mile south does show the irrigation pumping signal (Figure 16). Changes in the total depth of Cheri Lujan-1 between initial and subsequent measurements suggest that the deeper part of this well collapsed. It is believed that the remaining water column in Cheri Lujan-1 is isolated from that part of the basin aquifer that is affected by irrigation pumping.

Neither Greene-1 (Figure 17) nor Greene-4 (Figure 18) in the southern part of the basin (Figure 2) shows the effects of irrigation pumping. Both Greene-1 and Greene-4 are located within the topographic basin boundary but south of the administrative basin boundary. The water level at Greene-1 is rising at about 0.2 ft/yr and at Greene-4 it is decreasing at about 2.2 ft/yr (Figure 1). As noted previously, continuous monitoring has been discontinued in Greene-4 due to its remote location and the fact that water levels in Greene-4 are not believed to be representative of the Estancia Basin.

Manual water level readings were taken at the Ruby Shaw Windmill (Figure 19), the Hoiling Well (Figure 20) and the Jerry Shaw Headquarters Well (Figure 21) during the most recent monitoring run.

The data from the Ruby Shaw Windmill (Figure 19) suggest that the water level might be rising at that location in contrast to the Smith-1 well approximately five miles to the east where continuous water-level readings show a long-term decrease. The current plan is to move the pressure transducer from the Cheri Lujan-1 well to the Ruby Shaw Windmill to further investigate this possible difference.

Data from the Hoiling Well (Figure 20) suggest a 70-ft decrease in the water level over a two-year period at that location. More frequent manual measurements at this location are planned.

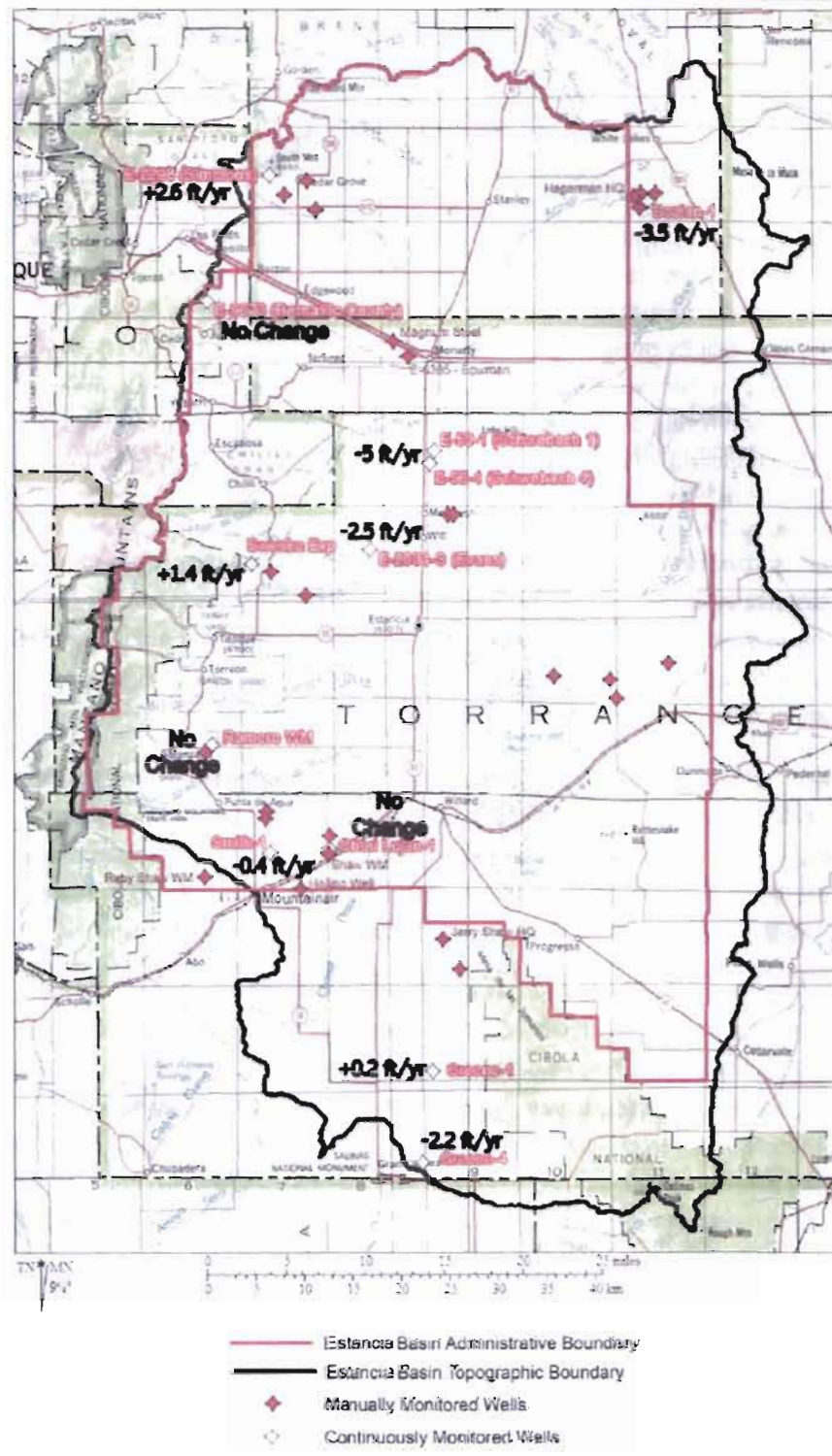


Figure 1. EBWPC groundwater monitoring network showing manually and continuously monitored well locations and long-term water-level trends.

Evaluation of Groundwater Level Data

Estancia Basin

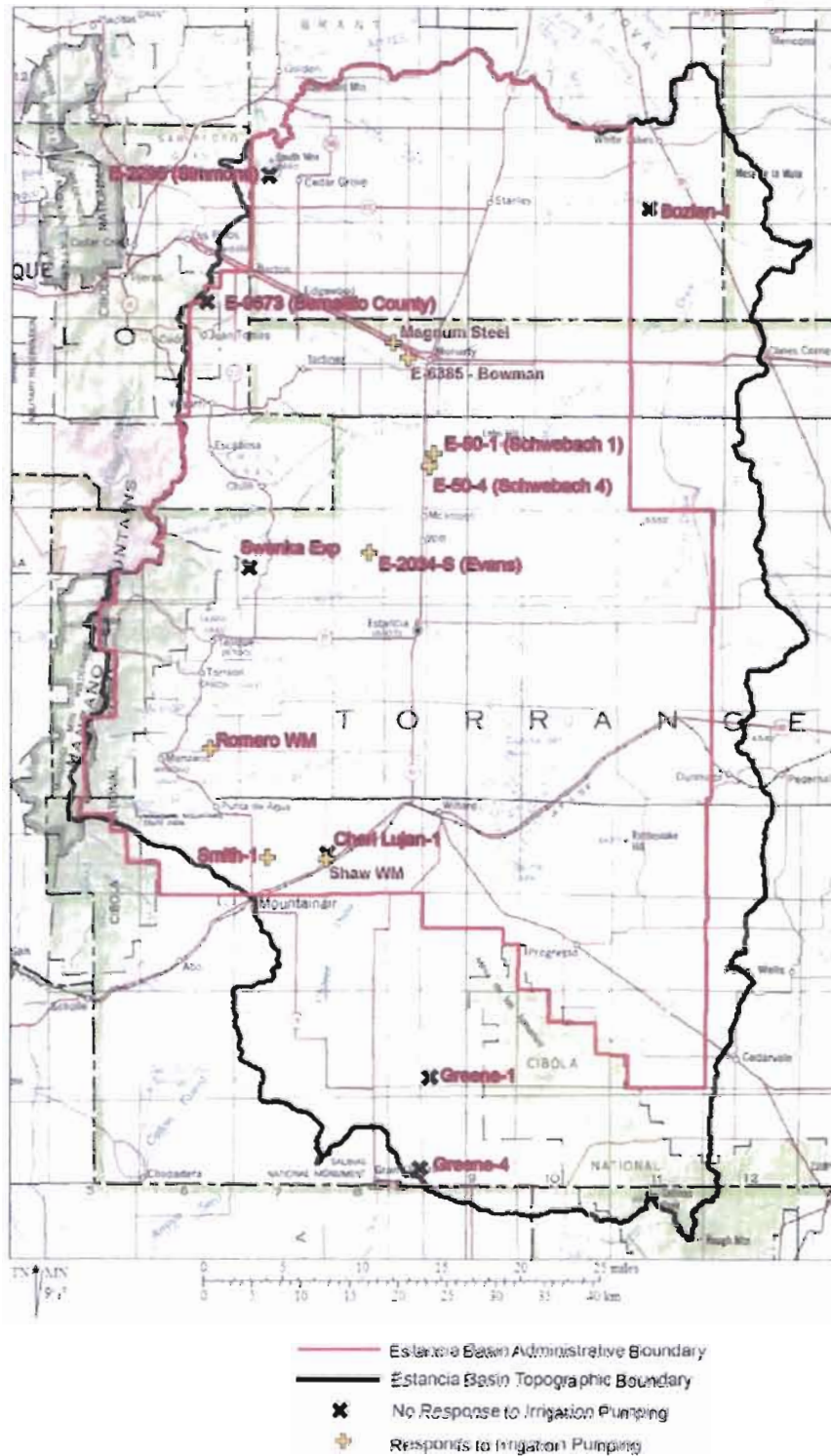


Figure 2. EBWPC groundwater monitoring network showing well responses to irrigation pumping.

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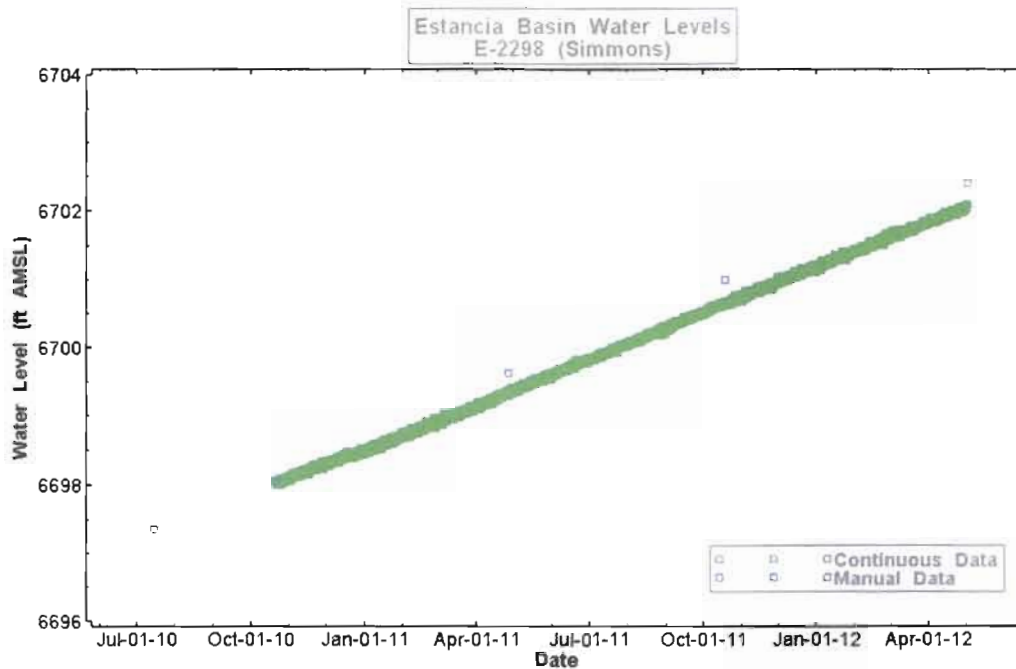


Figure 3. Water levels measured in well E-2298.

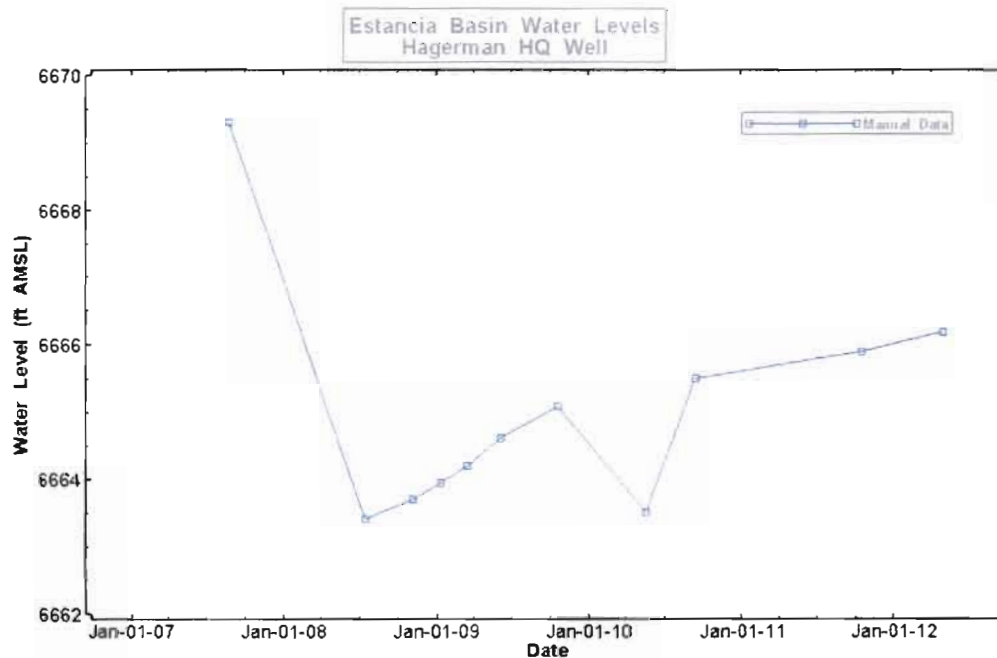


Figure 4. Water levels measured in the Hagerman Headquarters well.

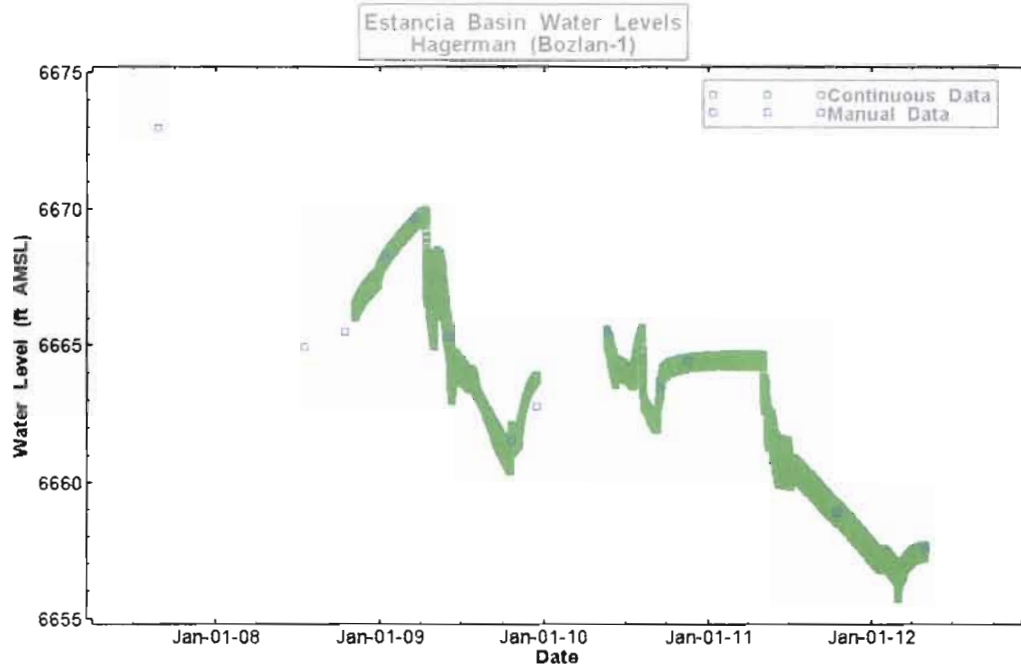


Figure 5. Water levels measured in the Bozlan-1 well.

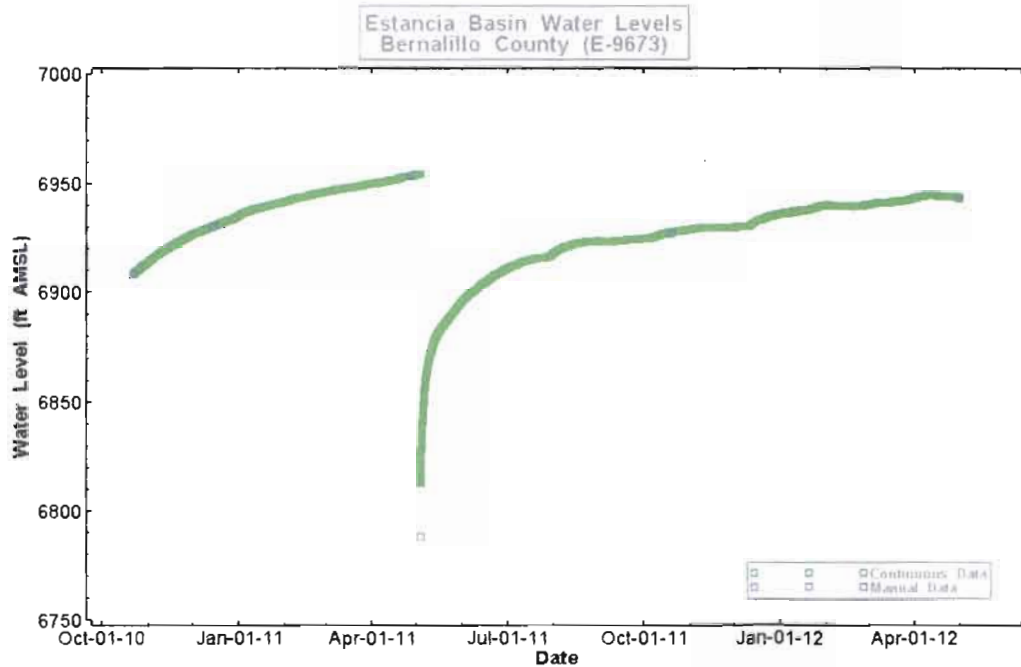


Figure 6. Water levels measured in well E-9673.

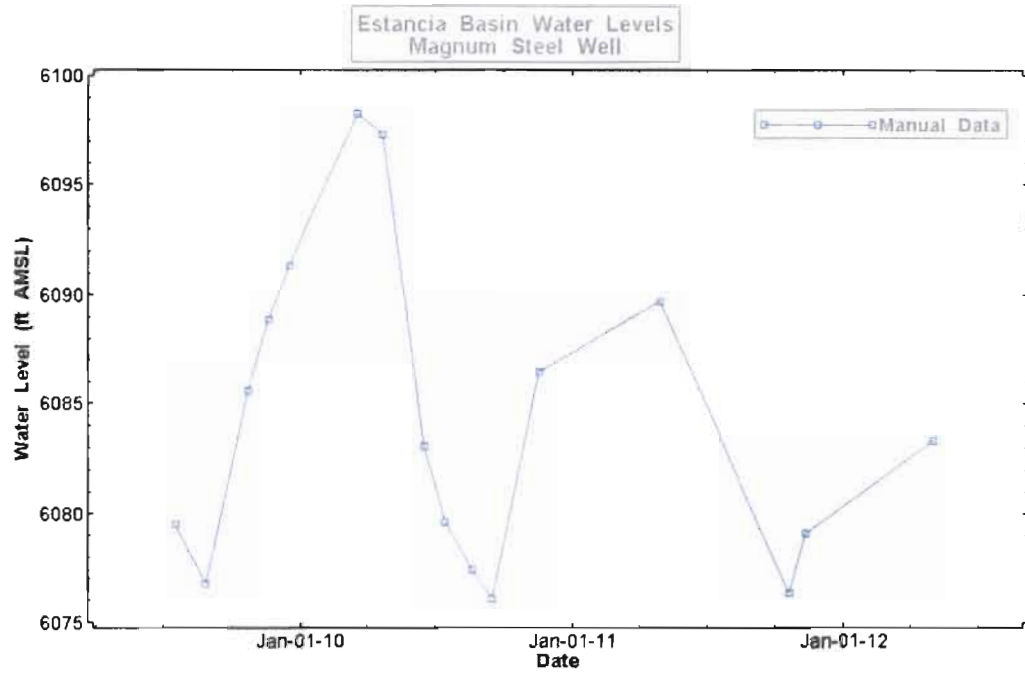


Figure 7. Water levels measured in the Magnum Steel well.

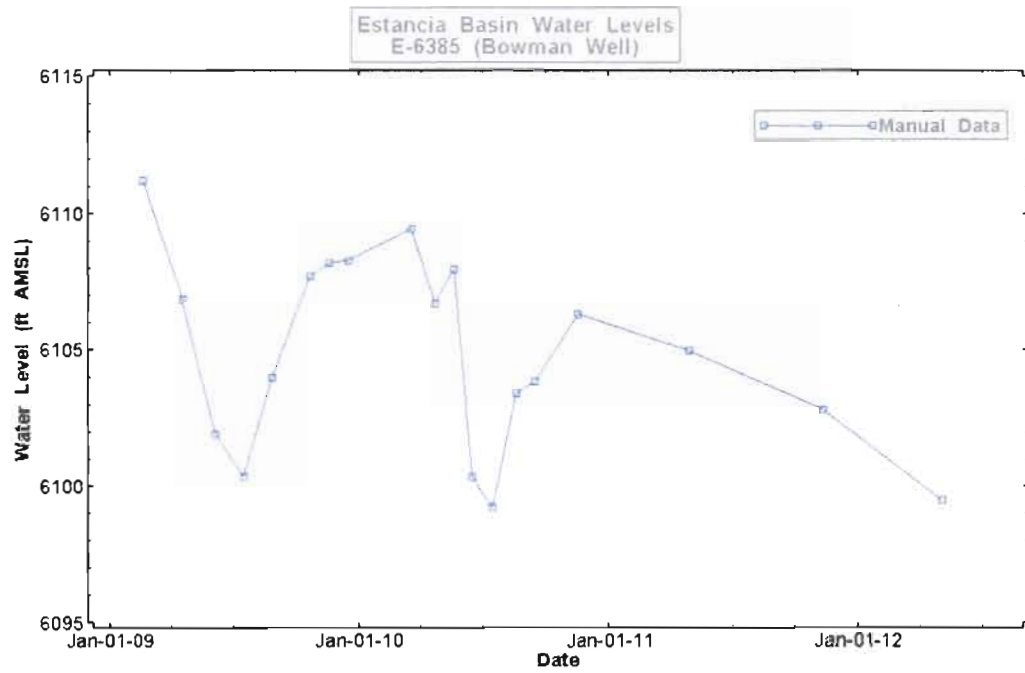


Figure 8. Water levels measured in well E-6385.

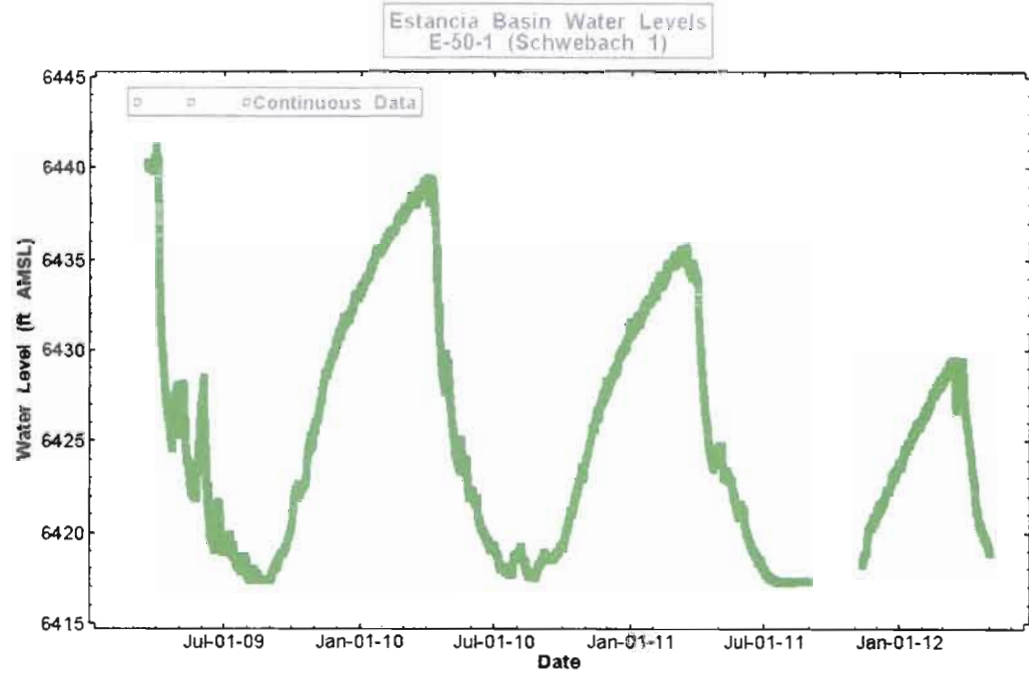


Figure 9. Water levels measured in well E-50-1.

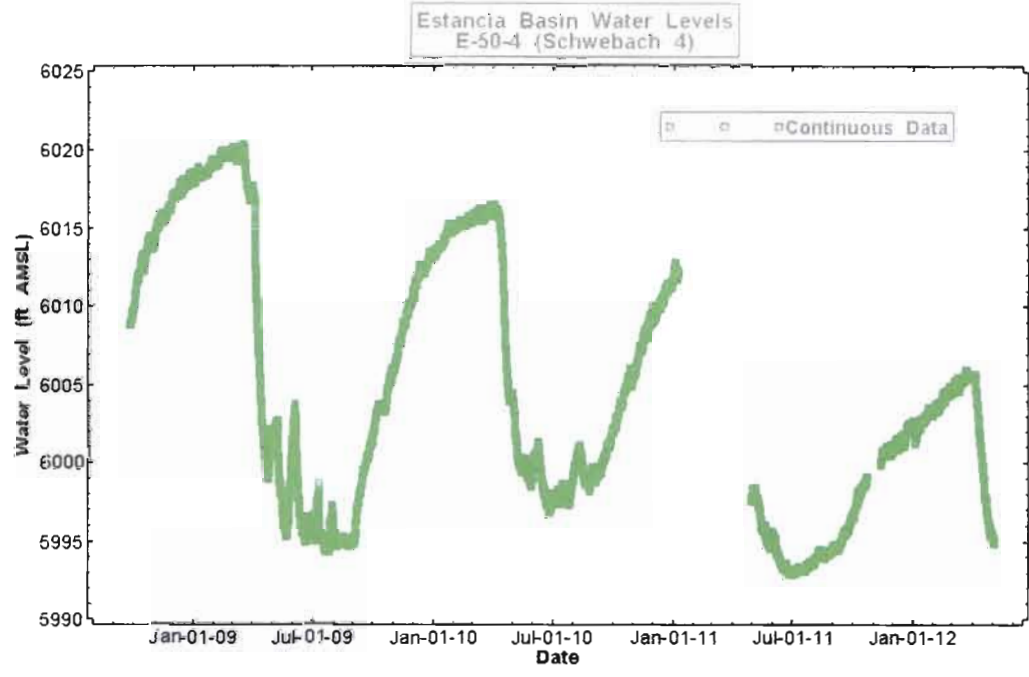


Figure 10. Water levels measured in well E-50-4.

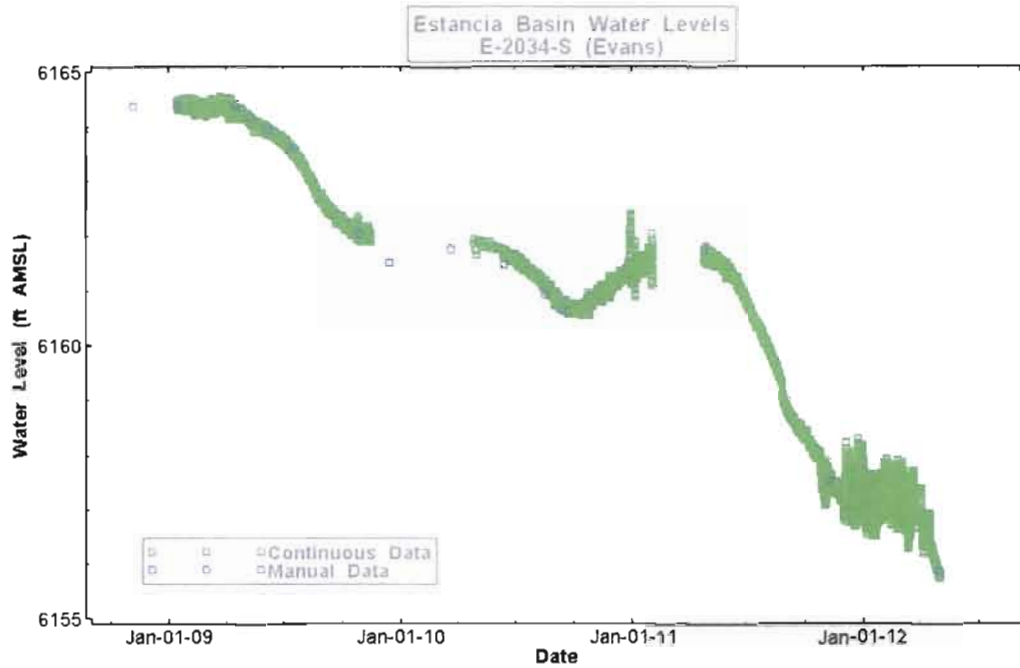


Figure 11. Water levels measured in well E-2034-S.

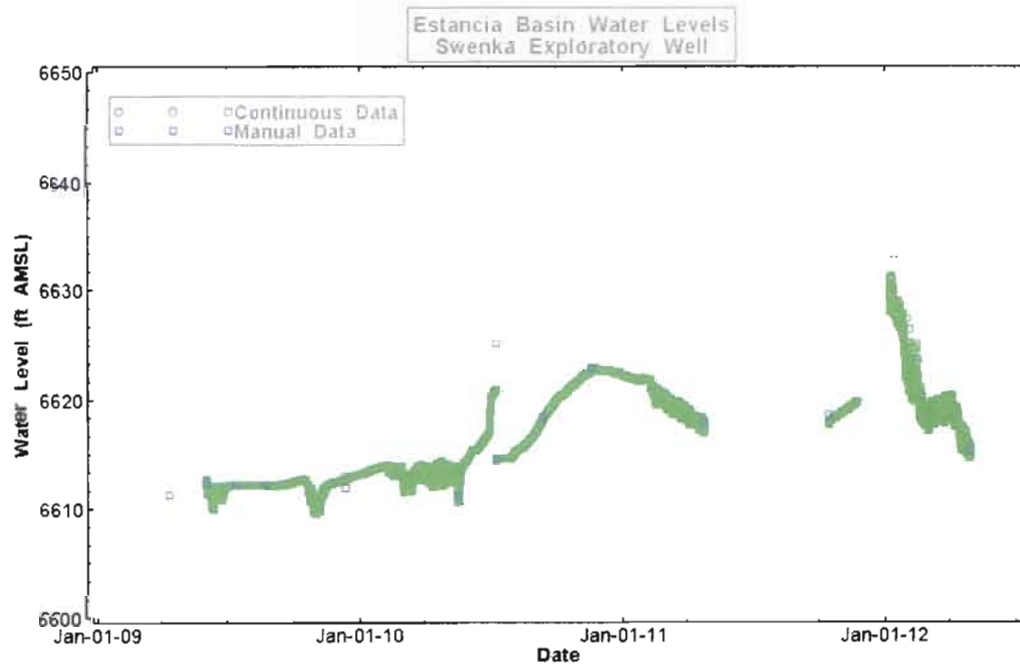


Figure 12. Water levels measured in the Swenka Exploratory well.

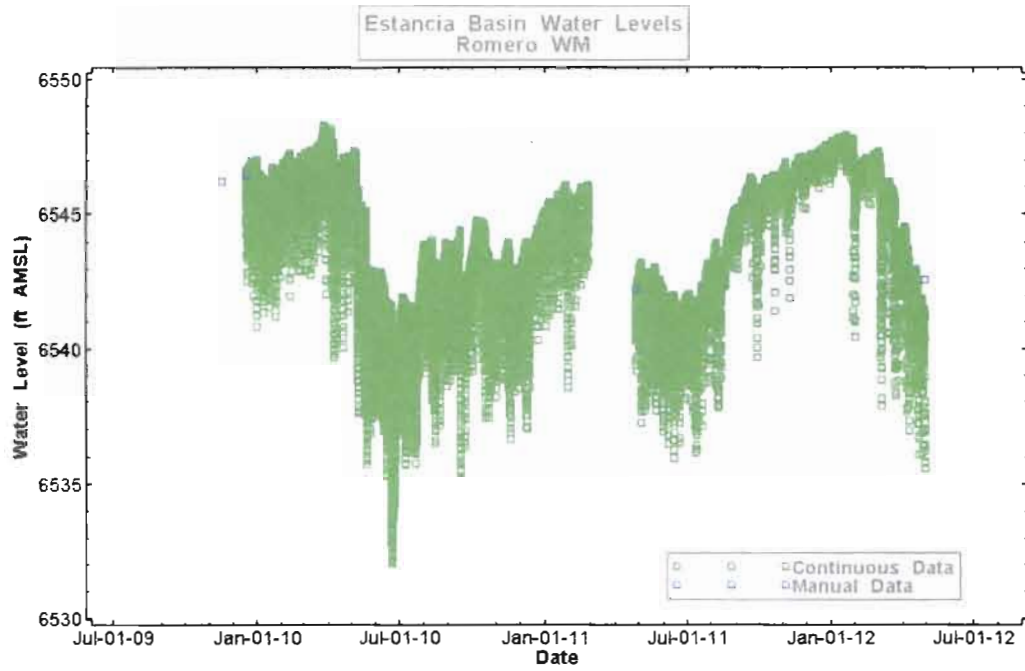


Figure 13. Water levels measured in the E.B. Romero WM well.

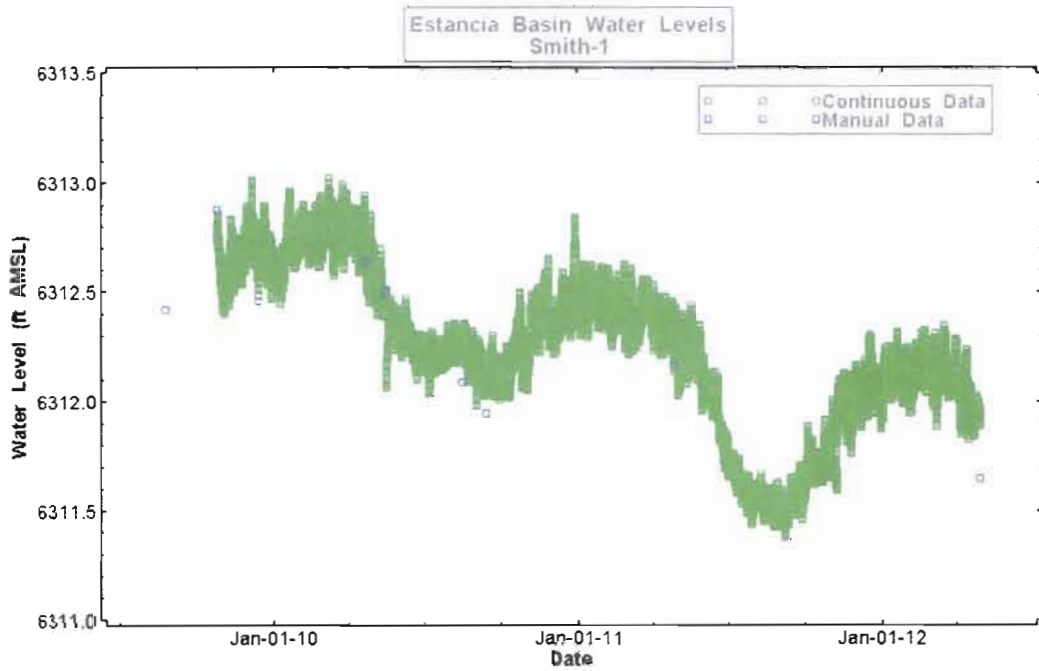


Figure 14. Water levels measured in the Smith-1 well.

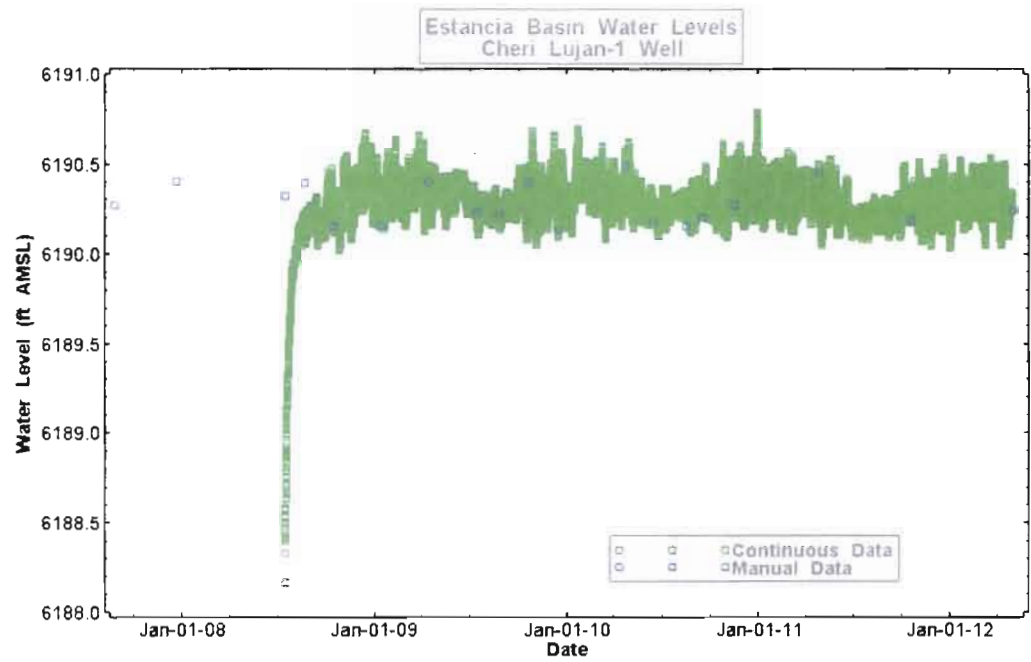


Figure 15. Water levels measured in the Cheri Lujan-1 well.

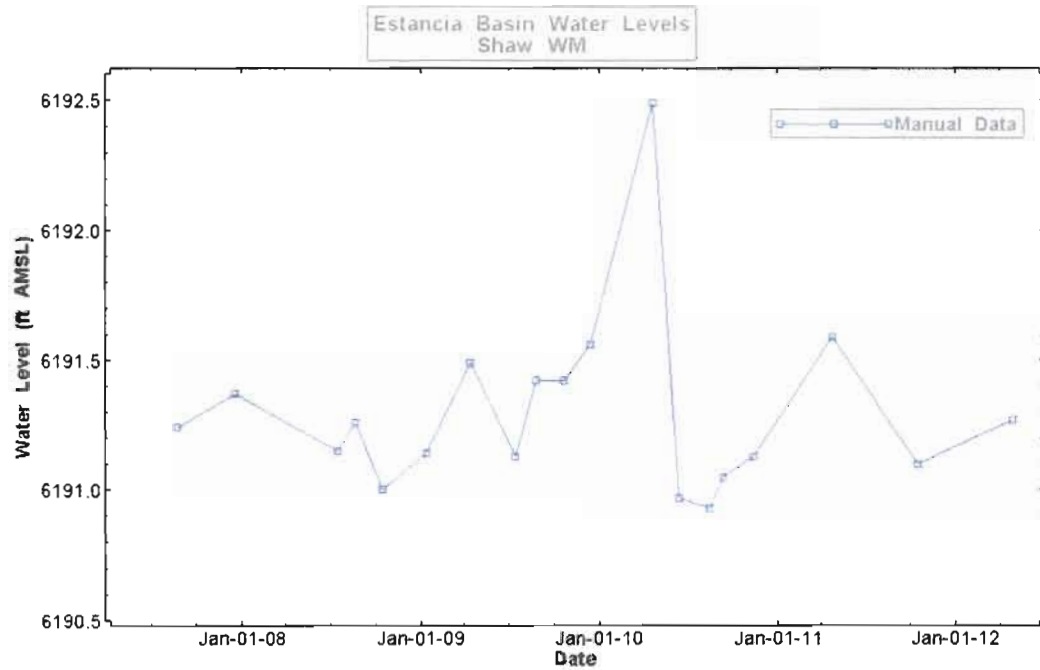


Figure 16. Water levels measured in the Shaw WM well.

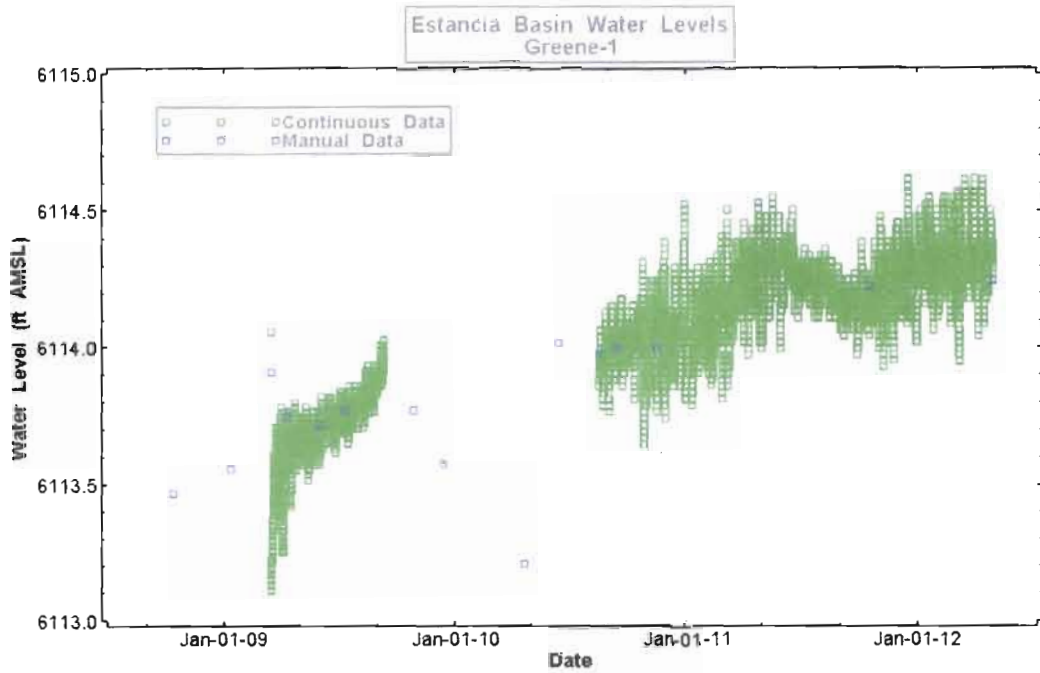


Figure 17. Water levels measured in the Greene-1 well.

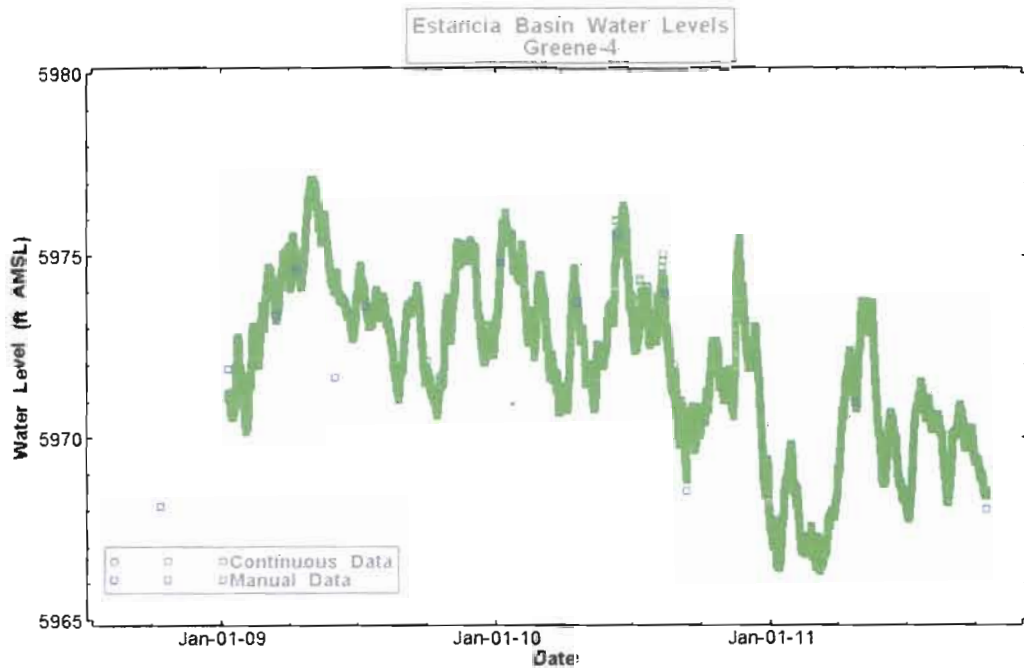


Figure 18. Water levels measured in the Greene-4 well.

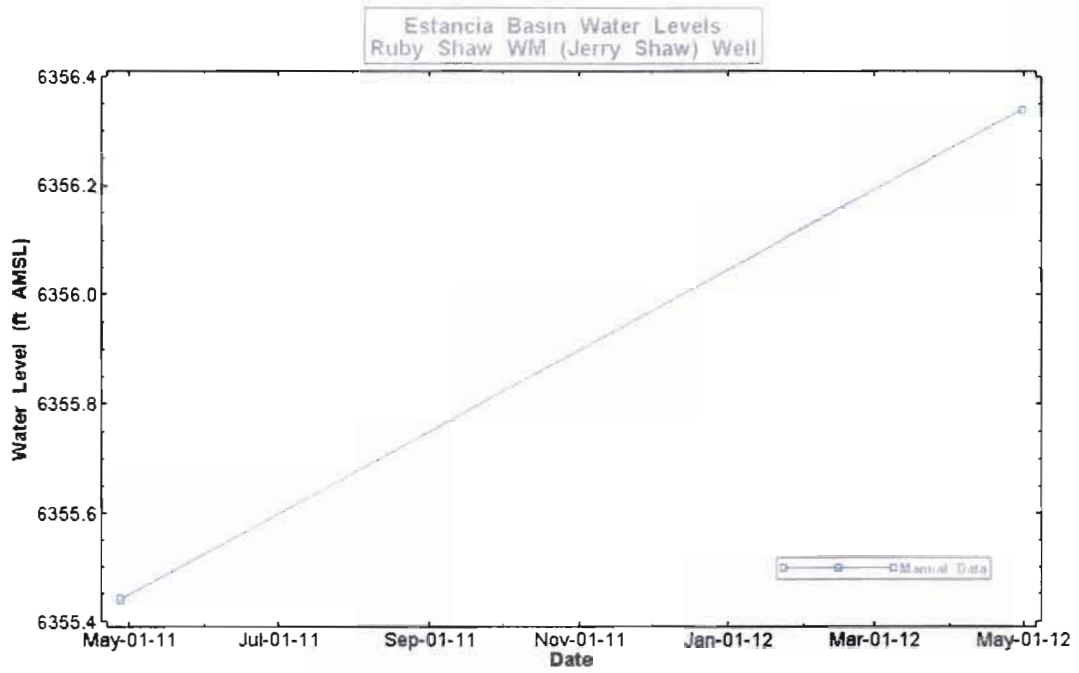


Figure 19. Water levels measured in the Ruby Shaw windmill well.

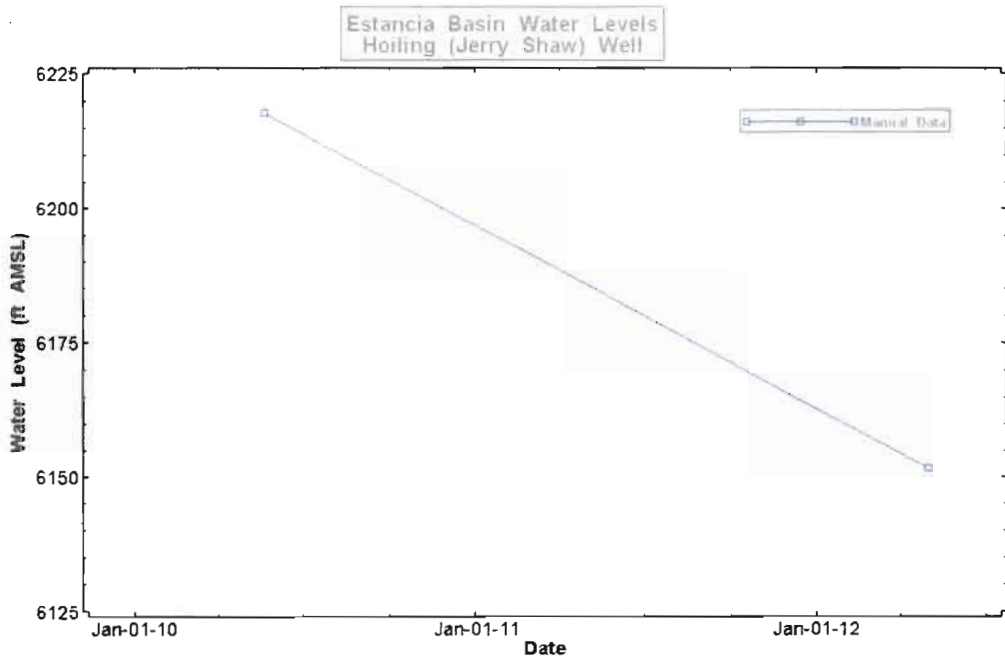


Figure 20. Water levels measured in the Hoiling well.

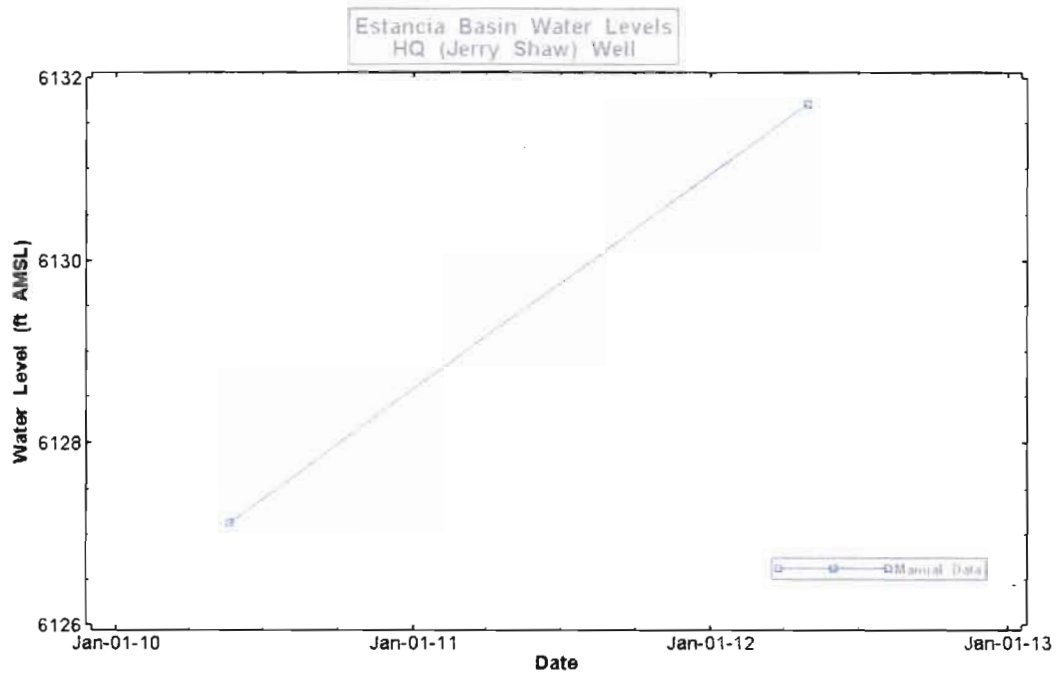


Figure 21. Water levels measured in the Jerry Shaw Headquarters well.

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**A RESOLUTION ADDRESSING THE USE OF DOMESTIC (72-12-1) WELLS FOR
WATER SUPPLY FOR DEVELOPMENT OF LANDS FROM WHICH WATER
RIGHTS HAVE BEEN PREVIOUSLY TRANSFERRED.**

Whereas: The Estancia Basic Water Planning Committee (EBWPC) was formed by Memorandum of Understanding by the Counties of Bernalillo, Santa Fe, and Torrance and was assigned the responsibility to investigate and recommend water resource management policies and strategies for consideration by the various governments within the jurisdiction in the Estancia Basin and this resolution embodies just such a recommendation

Whereas: As part of the regional water planning investigation and planning process, the EBWPC has indicated that the New Mexico Office of the State Engineer declared the Estancia Basin fully appropriated and closed the basin in 1967, that OSE currently administers the Estancia Basin under its 2002 guidelines, that significant decline in water levels are an on-going concern in the basin, that OSE recognizes nearly four times the amount of permitted water rights than the amount of water currently pumped within the basin, that permitted water rights far exceed the amount of annual recharge occurring to the basin, and the OSE has not proposed nor has any immediate plans to adjudicate the water rights within the basin.

Whereas: Whereas there are no provisions in State law or in the OSE Estancia Basin guidelines to prevent redevelopment of land from which water rights have been transferred or severed and in so doing present a plan for utilizing the existing domestic well (NMSA 72-12-1) statutes for an intended water supply for a proposed subdivision, and that the 72-1-1 statute currently requires the issuance of such permits by the OSE without further consideration of the impact or impairment cause by issuance of such permits.

Whereas: The provisions of NMSA 47-6-9 allow for the board of county commissioners to regulate subdivisions within the county's boundaries including requirements to quantify the maximum annual water requirements of subdivision and to assess the water availability to meet the maximum annual water requirements of subdivision and does not limit the authority of counties to adopt subdivision regulation with requirements that are more stringent than the requirements set forth in the New Mexico Subdivision Act, and NMSA 4-37-1 grants to counties the same powers as granted to municipalities which includes limited powers to regulate the drilling of domestic wells

Be it resolved:

1. It is this policy of this County Commission that subdivision of lands within the Estancia Basin from which water rights have been previously severed, with subsequent plans for subdivision of those lands based on providing a water supply from domestic wells issued under provisions of NMSA 72-12-1, is considered contrary to providing for the safety, preserving the health, and promoting the prosperity of the county and its inhabitants.

2. It is the direction of this County Commission to the County Manager and County staff to consult with the EBWPC to develop and submit for approval proposed amendments to land use plans and Subdivision Ordinances with such amendments precluding approval for subdivisions for lands from which water rights have been severed after effective date of the amendments if such subdivisions intend to utilize individual domestic wells issued under provisions of NMSA 72-1-1.
3. It is the direction of this County Commission to the County Manager and County staff and to the EBWPC that the proposed amendments allow for development utilizing domestic wells permitted under 72-1-1 provisions only if water rights were severed from the land prior to effective date of the proposed amendments, for lands in which a portion of water rights have been retained in an amount consistent with the amount that would be assigned to the domestic well 72-1-1 permit(s) as issued by the OSE for the subdivided property at the time of the subdivision application, and for lands without prior rights assigned or declarations having been made as of the effective date of the proposed amendments.

Whereas adequate water resources are a prerequisite to the health and economic wellbeing of New Mexico's communities;

Whereas the New Mexico Legislature in 1987 determined that "the future water needs of New Mexico can best be met by allowing each region of the state to plan for its water future";

Whereas the New Mexico Legislature also determined that "the state can assist the regions in planning future water use by implementing a state appropriation program to ensure an adequate supply of water for each region";

Whereas the first regional water plan was completed and accepted by the Interstate Stream Commission in 1999 and the last regional water plan was completed and accepted by the Interstate Stream Commission in 2008;

Whereas regional water plans were drafted by many local organizations and represent collaborative strategies to address water needs;

Whereas regional water plans were reviewed and approved by many local governments in the state;

Whereas regional water plans outline the alternatives for closing the gap between available water supply and demand;

Whereas regional water plans are tools for better decision-making and water project implementation;

Whereas water is a fragile and finite resource;

Whereas drought and climate change further threaten New Mexico's communities;

Whereas water supply and demand are not static but change continuously;

Whereas a number of changes have occurred since the regional water plans were accepted, such as new regulatory requirements, new hydrologic studies, changing population growth rates, and changes in water supply due to drought and climate change;

Whereas there is a need to develop better and more consistent hydrologic data and increased coordination among regions and associated basins;

Whereas communities in New Mexico need to update their plans and strategies to ensure an adequate water supply for their citizens;

Therefore the [body passing resolution] Resolves

2025 JAN 14 10 10 AM
NEW MEXICO STATE ARCHIVES
SUN 1/12/25 10:10 AM

That the [body passing resolution] urges the State Legislature to pass a budget for the Interstate Stream Commission that includes a recurring budget item of an additional \$400,000 for the update of four regional water plans each year.

EXHIBIT
2
tabbler

Daniel "Danny" Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: *August 31, 2012*

TO: *Board of County Commissioners*

FROM: *Adam Leigland, Public Works Department Director*

VIA: *Katherine Miller, County Manager*

ITEM AND ISSUE: *BCC Meeting September 25, 2012*
RESOLUTION 2012-__ A RESOLUTION ESTABLISHING PROCEDURES FOR THE ORDERLY AND UNIFORM ADMINISTRATION OF THE SANTA FE COUNTY PROCESS FOR ROAD ACCEPTANCE, DESIGNATION OR RE-DESIGNATION, AND FOR THE VACATION OF COUNTY-MAINTAINED ROADS

Santa Fe County currently maintains 574 miles of road. This number fluctuates year-to-year as the County adopts new roads for County maintenance, abandon roads, or the roads change ownership as through annexation. This can be seen in the table below.

Year	Total miles of County-maintained roads
1955	429.05
1963	815.42
1988	432.64
1996	617.57
2011	574.33

The County receives many requests to adopt roads for County maintenance, and the County's current policy for treating these requests is contained in Resolution 1998-119 (attached). Resolution 1998-119 is almost 14 years old and should be updated. Meanwhile, while New Mexico Statute Annotated 67-5-4 allows the BCC to abandon or vacate road and describes the process to do so, the County currently has no corresponding policy to implement the state statute. The subject resolution updates the County's road acceptance policy and implements a policy for abandoning roads.

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The major components of the proposed new policy are described below.

1. A new designation of road is created, called Lessor County Maintenance. Under this designation, a road or portion of road will be accepted for a limited suite of maintenance activities, such as twice-annual grading and drainage work. In return for accepting limited maintenance, the petitioners do not need to bring the road up to County standards, as required to be accepted for full maintenance. Staff feels that this designation will fill a gap in County service, where, for instance, a homeowner's association does not have the resources to bring their road up to County standards, but for safety reasons needs a certain level of maintenance performed.
2. The process for acceptance described in Resolution 1998-119 is expanded, with more and more detailed criteria.
3. A process is created for the vacation or abandonment of roads currently maintained by the County.
4. The Road Advisory Committee is explicitly included in the process.

This resolution was unanimously approved by the Road Advisory Committee at their September 19th, 2012, regular meeting. It will be brought to the Board for approval at the October 9, 2012, Commission meeting.

REQUESTED ACTION:

None; for discussion only.

THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY



RESOLUTION NO. 2012-

A RESOLUTION ESTABLISHING PROCEDURES FOR THE ORDERLY AND UNIFORM ADMINISTRATION OF THE SANTA FE COUNTY PROCESS FOR ROAD ACCEPTANCE, DESIGNATION OR RE-DESIGNATION, AND FOR THE VACATION OF COUNTY-MAINTAINED ROADS

SECTION 1. GENERAL PROVISIONS AND PURPOSE.

The purpose of this Resolution is to establish procedures for the orderly and uniform administration of the Santa Fe County process for road acceptance, designation or re-designation, and vacation of County roads.

SECTION 2. ROAD MAINTENANCE.

A. Scope of Maintenance. Only roads which have been designated as County Roads shall be maintained by the County. Non-County Roads will not be maintained except in an emergency as described herein. Section 4 below describes the three types of County Roads.

B. No Guarantee Regarding the Level of Maintenance. Maintenance of County Roads is contingent on adequate funding and the limitations of manpower, weather and equipment. Accordingly, the County makes no representation, warranty, guarantee or promise about the level of maintenance regardless of the maintenance designation assigned pursuant to this Resolution.

SECTION 3. INITIAL DESIGNATION.

By no later than December 31, 2012, the Director of the Department of Public Works shall classify in writing all County Roads according to the road designations set forth in Section 4, and shall place that list on the County website. The list will be updated periodically at the direction of the Director of the Department of Public Works. Thereafter roads shall be added to or removed from the list, only after formal action of the Board of County Commissioners for Santa Fe County (BCC).

SECTION 4 . THREE TYPES OF COUNTY ROADS.

A. Fully Maintained County Road. A Fully Maintained County Road is a road which has been accepted for County maintenance without express limitations on the scope of that maintenance. Each Fully Maintained County Road shall be assigned a number or name and marked by a blue street name sign with yellow letters. Maintenance services on Fully Maintained County Roads may include routine maintenance, snow removal, dust control, installation or replacement of base course, chip seal, asphalt, concrete or other paving,

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BCC CLERK RECORDED 1/16/2012

installation and repair of drainage structures, pot-hole repair, bridge construction and repair, signage, and periodic resurfacing. Prior to action by the BCC accepting or altering a Fully Maintained County Road, the road must meet then existing County road standards.

B. Lesser County-Maintained Road. A Lesser County-Maintained Road is a road which has been accepted for County maintenance with express limitations on the scope of that maintenance. Each Lesser County-Maintained Road shall be designated by a blue sign with yellow letters with an "L" at the bottom. Services on a Lesser County-Maintained Road shall be limited to a maximum of twice-annual motor grading, signage, limited snow removal contingent on the availability of labor and equipment, and minor repairs. The Director of the Department of Public Works shall develop a maintenance schedule for each proposed Lesser County-Maintained Road prior to presentation of the road to the BCC for possible acceptance, and the maintenance schedule shall be incorporated into the proposed resolution adopting the Lesser County-Maintained Road. Once adopted, the Director of the Department of Public Works shall have authority to modify the maintenance schedule of each Lesser County-Maintained Road periodically provided the modification is made in writing and posted on the County website prior to implementation.

C. Shared Maintenance Road. Maintenance responsibility for a County Road may be shared between the County and a private individual or individuals, a homeowners' association, a Public Improvement District, or a corporation, partnership, LLC or other entity. Shared maintenance of a County Road shall be documented in a binding written agreement.

SECTION 5. RE-DESIGNATION.

Following designation of a County Road into one of the categories set forth in Section 4, the road may be assigned to a different category of maintenance only by formal action of the BCC.

SECTION 6. ESTABLISHMENT OR ALTERATION OF A COUNTY ROAD.

A. Application Required. The BCC will consider any petition seeking to establish or alter a County Road, however no petition shall be granted absent the simultaneous submission of a completed application. All petitions must comply with NMSA 1978, Section 67-5-5 (1953) *et seq.* The application form is attached hereto as Appendix A. If several persons apply together to establish or alter a road, they must select a person to serve as the representative and point of contact during the application process for purposes of discussions with staff. Additionally, a copy of the most recent deeds or plats of lands encompassing the road shall be submitted with the application.

B. Expense of Viewing. Pursuant to NMSA 1978, Section 67-5-7, an applicant must deposit with the Santa Fe County Clerk a sufficient sum of money to defray the expense of the mandatory viewing the proposed road. The BCC shall determine the sum of money to be deposited at the next regular meeting of the BCC for which proper noticing can be accomplished following submission of the complete application and petition. The application will be processed

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following deposit of the sum required at the Santa Fe County Treasurer's Office. Checks shall be made payable to the Santa Fe County Treasurer.

C. Payment or Protest of Property Taxes Prior to Acceptance or Alteration. If any parcel that abuts the road right-of-way has delinquent property taxes at the time application is made, the BCC shall decline to accept or alter a County Road until such time as the taxes are current or the taxes have been challenged pursuant to New Mexico statutes.

D. Compliance with County Road Standards. The application must clearly identify any requested waivers from County road standards applicable to the road proposed for acceptance or alteration. In general, a waiver will only be considered if it is determined by staff and the Road Advisory Committee that an extreme health and safety issue exists which can be addressed only through the waiver of County road standards. Each road proposed to become a Fully Maintained County Road shall meet the minimum design and construction standards established by the County at the time of application. This includes, but is not limited to, standards established by the Land Development Code and the Sustainable Land Development Code, as applicable, standards established by the Department of Public Works, and relevant provisions of the Standard Specifications for Highway and Bridge Construction of the New Mexico Department of Transportation. An applicant may request that a Lesser maintained road be accepted or altered with specific requested deviations from applicable road standards provided the deviations do not compromise safety.

E. Optional Pre-Application Meeting. Prior to submitting an application for acceptance or alteration of a County Road, the applicant may meet with staff of the Department of Public Works, who will review the application for completeness and sufficiency.

F. County Research and Inventory. Within thirty days of receipt of a completed application, and following the BCC determination of the amount to be deposited to defray the costs of the mandatory viewing and deposit of that fee, the Department of Public Works shall conduct research into the ownership of the properties upon which the proposed road lies. If title work is required the cost of that title work shall be paid by the applicant. Failure to make such payment shall result in rejection of the application and Petition by the BCC. Staff from the Department of Public Works shall also visit the site, measure the road, evaluate its condition, evaluate any drainage or other maintenance risks, determine the location of above-ground or underground utilities, conduct a traffic impact analysis, determine any driving hazards, determine the primary use of the road, and conduct any required testing.

G. Viewing and Reporting. When an application and accompanying petition seeking acceptance or alteration of a County Road is submitted to the County, the Road Advisory Committee shall identify three members of the Committee recommended for appointment to the board of commissioners to complete a viewing of the road. The BCC shall appoint as the board of commissioners to complete the viewing three freeholders who are members of the Road Advisory Committee. Each appointed board of commissioners shall fulfill the responsibilities set forth in NMSA 1978, Section 67-5-9 (1953), including providing notice of the scheduled viewing. The Road Advisory Committee shall advise the County Clerk of the three selected to serve as viewers so that the County Clerk can, pursuant to NMSA 1978, Section 67-5-10 (1953),

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issue the necessary warrants. The Sheriff shall serve the warrants to the board of commissioners pursuant to NMSA 1978, Section 67-5-11 (1953). The board of commissioners shall also fulfill those duties set forth in NMSA 1978, Section 67-5-12 (1953) and submit a report to the Office of the Santa Fe County Clerk in conformity with NMSA 1978, Section 67-5-14 (1953) and the reporting requirements of this Resolution set forth below at Section 6(H). The report shall describe the condition of the road, its estimated annual maintenance cost, availability of right-of-way, any unusual problems or conditions discovered during the research and inventory conducted by the Department of Public Works, and shall evaluate the road according to the criteria set forth in Section 7, herein. The report shall indicate whether the request should be approved, modified, denied, or approved with conditions. No member of the Road Advisory Committee shall be appointed as a viewer who has any financial or familial interest (to the second degree) in the road in question.

H. Action of the BCC Following Completion of Viewing and Reporting.

Thereafter, in accordance with NMSA 1978, Section 67-5-15 through 18, the BCC shall hold a public hearing, and after considering all objections that there may be to the application and petition, shall take action on the report of the viewers. If the request is approved, the BCC shall execute a Resolution of Approval, which shall include the number, composition, length, condition, location of the road, together with all information required by NMSA 1978 Section 67-5-17 as appropriate. If the road was not previously a County Road, the Resolution of Approval shall order the road made open for travel and declared a public highway, and shall order copies of the Resolution of Approval posted at three public places along the line of said road, giving all parties (60) sixty calendar days notice of the commencement of County maintenance and public use. The BCC shall also establish the sum to be paid to each member of the board of commissioners for their service as viewers, not to exceed five dollars per day. If the BCC determines to establish or alter a County Road, the full and final report of the views including the plat and report of a surveyor shall be recorded in the office of the County Clerk. The County Road shall only be opened after compliance with NMSA 1978, Section 67-5-17 (1953).

I. Time Limits. The BCC shall appoint a board of commissioners at the regular BCC meeting immediately following submission of a petition, provided the submission is received in time for captioning of an action item on the agenda of the BCC. If the submission does not provide sufficient time for captioning of an action item on the agenda, the appointment of the board of commissioners shall occur at the next regularly scheduled meeting of the BCC. The board of commissioners shall conduct their onsite inspection within fifteen (15) calendar days of appointment and shall complete their report within forty-five days of appointment unless the board of commissioners seeks and receives an extension of time for completion from the BCC. Following filing of the report, the BCC will take action on the application and petition at the next regularly scheduled BCC Meeting upon which an action item can be placed on the agenda in compliance with the New Mexico Open Meetings Act and the Santa Fe County Open Meetings Act Resolution.

J. Acquisition of Right-Of-Way or Easements. Each property owner with ownership in real property which is proposed to become part of a County Road shall execute a Request for County Road Maintenance and shall prior to action by the BCC on the petition, execute a Grant

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of Right-of-Way, Easement, or deed in a form acceptable to Santa Fe County, which instrument shall only be recorded if the petition is approved. A petition will not be granted by the BCC absent timely provision of necessary easements by the applicant. Each right-of-way or easement granted hereunder shall offer an unconditional dedication to Santa Fe County for installation, maintenance and use of a public road.

K. Government Property.--- Where an application for acceptance or alteration of a County Road has any portion of the road located on government property (federal, state, municipal, special districts) that portion of the road may be accepted or altered only where a license, right-of-way, easement, or deed is provided to and accepted by the County. Roads located on property held by the United States Government in trust for a Native American Pueblo may be maintained under a license or written agreement from the Tribe or Pueblo or under a lease from the Bureau of Indian Affairs, as appropriate. The applicant bears responsibility for securing the necessary license, right-of-way, easement or deed, in a form acceptable to the County.

L. Title insurance. If right-of-way in fee is provided to or acquired by Santa Fe County for a County Road, at the time of transfer or closing, title insurance that shows clear title to the road shall be provided by the applicant to the County in a form acceptable to the County.

M. Survey. At the time of transfer of any right-of-way, easement or title to property associated with acquisition or alteration of a County Road, the applicant shall provide a survey and plat of survey in a form acceptable to the County and prepared by a Registered New Mexico Land Surveyor meeting the Minimum Qualifications for Land Surveying in New Mexico. If a new survey must be performed to meet this requirement, the costs of the survey shall be borne by the applicant.

N. Exceptions. The acceptance or alteration procedure set forth herein for County Roads shall not apply to any road mandated by a court of competent jurisdiction or as a result of an emergency. The abandonment or vacation of County roads, which is governed by the standards and procedures set forth in NMSA 1978, Section 67-5-4 (1905, as amended), is described in Section 8 below. Re-designation to lesser-maintained County road status from County-maintained road status does not constitute abandonment or vacation, and such a re-designation may be accomplished through the procedures set forth herein.

SECTION 7. CRITERIA FOR EVALUTING ROAD PROPOSED FOR ACCEPTANCE OR ALTERATION.

The following factors shall be evaluated in response to an application and petition for acceptance of alternation of a County Road.

A. Technical Factors:

- i. Whether the road is designed and constructed to County standards as established herein;

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- ii. Whether clear title to the road exists and whether title can and will be transferred to the County upon acceptance;
- iii. Whether past environmental contamination or past environmental contamination exists;
- iv. Whether the road exhibits any unusual maintenance characteristics;
- v. Whether a significant number of persons rely on the road for access and whether a minimum of 100 average daily trips (ADTs) are associated with the road;
- vi. Whether there is a high number of vehicle accidents and injuries or deaths associated with the road;
- vii. Whether the road is needed for emergency access;
- viii. Whether the road is presently classified as a school bus route or is expected to be so classified in the future;
- ix. Whether there exist dust problems or other public environmental health issues associated with the road;
- x. Whether there are drainage and flood hazards associated with the road;
- xi. Whether the road has been identified on County long-range planning documents;
- xii. Whether damage or benefits may accrue to any person(s) as a result of the proposed re-designation;
- xiii. Whether economic benefit will accrue from the proposed redesignation;
- xiv. Whether an adequate easement or right-of-way exists for the road in question; and
- xv. Whether utility corridors and utility/fixture relocation are needed on the proposed road that will not be provided absent redesignation.
- xvi. A road shall not be accepted, altered or re-designated from one level of maintenance to another if maintenance is impossible, dangerous, burdened by environmental problems, or unreasonably costly.

SECTION 8. ABANDONMENT OR VACATION.

The BCC may determine that any road or part of road currently designated as lesser or fully County-maintained may no longer be needed, or that the repairs of the same may be

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burdensome and in excess of the benefits conferred. In this case, the BCC will follow the following procedure:

A. At a regular meeting direct the Road Advisory Committee to appoint three of its members who meet the requirements described in NMSA 67-5-4 (1953) to view such road or part of road. These members will evaluate the road or part of road against the criteria found in Section 7 and compile a report setting forth fully their findings.

B. Any person with a real property interest in the road or whose property abuts the road will be notified of the evaluation by the Road Advisory Committee or Department of Public Works staff.

C. The Road Advisory Committee report will be presented to the BCC at their next regular meeting. If the report recommends a discontinuance of such road or part of road, then the BCC may order the same vacated.

D. If the County Road or part of road is ordered vacated for maintenance purposes only, the Department of Public Works shall perform a final set of maintenance activities to the affected road and remove all applicable signage. Public access easements for the road are not vacated by this process and will remain intact.

PASSED, APPROVED AND ADOPTED this ____ day of January, 2010.

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

By: _____
Liz Stefanics, Chair

ATTEST:

Valerie Espinoza, Santa Fe County Clerk

APPROVED AS TO FORM:

Stephen C. Ross, Santa Fe County Attorney

Joseph Gutierrez

From: Adam Leigland
Sent: Friday, September 21, 2012 11:19 AM
To: Liz Stefanics; Robert A. Anaya; Kathy S. Holian; Virginia Vigil; Daniel Mayfield
Cc: Juan R. Rios; Julia Valdez; Rita B. Maes; Tina Salazar; Christopher M. Barela; Joseph Gutierrez; Katherine Miller; Rudy Garcia
Subject: Draft ICIP Plan for Sep 25 BCC
Attachments: Attach 1 ICIP 2014- Project List - Draft - 19 Sept 12.pdf; Attach 4 Grants by Year.pdf; Attach 2 Recommended Top 5 Countywide.pdf; Attach 3 Recommended Top 10 District-specific.pdf

Dear Commissioners

On Tuesday's BCC meeting I will be requesting the Commission to approve the County's annual ICIP Plan and for the Commission also to prioritize the County's top five projects. A reminder that the ICIP must be submitted to the State by Oct 1st.

I first want to give you a brief overview on how this year's plan was put together, and to clarify the information I presented to you at the Sept. 11th commission meeting.

The ICIP comprises a full listing of County requirements and our submission has well over 250 individual projects. Out of all these projects, each entity is allowed to prioritize the top 5. It was a recommendation for these top 5 that we presented on Sept 11th.

For this year's ICIP, staff started with last year's ICIP and ensured that all the projects that we've reviewed with you from April through July of this year are included, noting that some of these projects may eventually be funded with capital outlay GRT or general obligation bonds (if approved by the voters in November).

Staff also explicitly linked this year's ICIP to our Sustainable Growth Management Plan by including phase one of the County's 2010 Capital Improvement Plan that was developed by Rutgers University.

We are proposing two lists: one of County-wide projects and one for District-specific projects

Attached you will find four products:

1. A listing of all the projects on this year's ICIP plan by District.
2. A listing of recommended County-wide Top 5 projects
3. A listing of recommended District-specific Top 10 projects
4. A listing of the last five years of Capital Projects funded by the Legislature

Our intel leads us to believe that high-dollar-amount projects won't compete well, so we kept that in mind when making our recommendations.

I or my staff are available to answer any of your questions prior to Tuesday's meeting.

Adam

Adam Leigland, PE, AICP
Director, Public Works Department
Santa Fe County, NM
Phone: 505-992-3023
Cell: 505-490-3175

Attachment 2
Recommended Top 5 ICIP County-wide Projects

Priority	Project Name	Project Amount
1	Regional Emergency Communications Center Enhancements	\$750,000
2	Santa Fe County Fire Equipment	\$1,000,000
3	Santa Fe County Public Works Equipment	\$1,500,000
4	Santa Fe County Public Housing Sites	\$1,500,000
5	Santa Fe County Fairground Improvements	\$2,000,000

Attachment 3
Recommended Top 10 District-specific Projects

Dist. 1

1. Arroyo Alamo West Drainage/Road/Study/Design-\$200,000
2. Feather Catcher Road Drainage/Road/Study/Design-\$200,000

Dist. 2

3. Camino La Tierra Road Improvements to reclaim existing portions of existing chip seal with new double penetration chip seal over existing hard surface(s) -\$500,000
4. Lopez Lane/Rufina Street Intersection redesign, to include signalization and turning lanes-\$250,000

Dist 3

5. CR 8 (Dinkle Rd)-Reclaim existing asphalt and base course and compact into sub grade. Place 6" of new base course and 3" of new hot mix asphalt. Between County Line Rd and NM 344 portion that is maintained by the county-\$500,000
6. La Cienega Community Center/Fire Station, for design services, for the community center to convert the existing fire station bay for use by the community for community room and library - \$150,000

Dist 4

7. CR 51 (Ojo De La Vaca)-Reclaim existing chip seal and base course and compact into sub grade. Place 6" of new base course and 3" of new hot mix asphalt. From Low Water Crossing north one mile- \$500,000
8. Renovate Arroyo Honda Fire Station -\$500,000

Dist 5

9. Design of Water Line from Turquoise Trail School to Lone Butte Area-\$400,000
10. Eldorado Transfer Station Upgrades - \$125,000

APC CLAIM RECORDED 11/26/2012

Santa Fe County FY 2014 - 2018 Infrastructure and Capital Improvements Plan (ICIP)

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
Arroyo Alamo West Drainage Improvements	\$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
CR 101 B - resurface	\$247,900	1
CR 106 - improvements (river crossing)		
CR 109 - improvements (river crossing)		
CR 113 - improvements (river crossing)	\$300,000	1
CR 115 low-water crossing	\$350,000	1
CR 119 - improvemens (river crossing)		
CR 78 improvements-resurface	\$332,900	1
CR 84 - Traffic calming devices	\$100,000	1
CR 84 - Tesuque Creek Crossing- Drainage Improvements	\$25,000	1
CR 88 - La Puebla Rd - Traffic calming devices	\$100,000	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 - drianage, paving and erosion control improvements	\$889,501	1
CR 94 - Canada Ancha - Arroyo Salado improvements	\$30,000	1
CR 98 - Construction	\$1,550,000	1
Cundiyo Community Center - additional parking	\$200,000	1
Cuatro Villas/Greater Chimayo - Water Systems Interconnection	\$250,000	1
Greater Chimayo Water System Improvements Water Storage Tank	\$250,000	1
Nambe Senior/Community Center Entrance	\$200,000	1
NM 592 - Safety improvements - Separation of traffic lanes	\$50,000	1
North County Area - community wellness center	\$1,500,000	1
Rio en Medio/Chupadero Community Garden	\$50,000	1
Rio en Medio/Chupadero Community Center Paving (entrance)	\$17,502	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
Vista Redonda County Roads - base course and chip seal	\$626,500	1
All Projects - District 1	\$22,224,291	

District 2

<i>Project Description</i>	<i>Estimated Project Cost</i>	<i>Commission District</i>
ADD area - feasibility study - sewer system	\$100,000	2
Agua Fria - Community Garden and Flood Control Project	\$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 - Equestrian loop - ROW and improvements	\$150,000	2
Agua Fria - Green recycling facility in Village	\$250,000	2
Agua Fria - Pedestrian access and crossings bewteen Park and community cener along CR 62	\$250,000	2
Agua Fria - River Improvements-Bank Stabilization- Sewer Line Protection	\$250,000	2
Agua Fria - Roundabout at Henry Lynch Road	\$200,000	2
Agua Fria - Roundabout at Prairie Dog Loop and CR62	\$250,000	2
Agua Fria Park	\$1,000,000	2
Agua Fria Park Road - base course	\$20,000	2
Agua Fria Road - shelters at bus stops	\$150,000	2
Agua Fria Road - solar driver feedback signs	\$100,000	2
Agua Fria Senior Center	\$1,500,000	2
Agua Fria Water System Upgrades and Water Rights	\$1,500,000	2
Camino La Tierra - Chip Seal/Slurry Seal	\$750,000	2
Camino La Tierra - mailbox turnout/extend lane taper	\$50,000	2
CR 104 - Chip Seal	\$67,200	2
CR 62 - Chip Seal	\$231,200	2
La Junta del Alamo - HMA paving and drainage	\$98,400	2
La Tierra Roads - Chip seal 4 miles of County roads in La Tierra subdivision	\$500,000	2
Morning Lane, Drive and Street Sholder Replacement/Asphalt	\$50,000	2

Utilities-District 2 Water Buckman By-Pass Water Improvements	\$870,000	2
Utilities-Zone 6 Main along NM599 (Design/Construction)	\$2,000,000	2
Lopez Lane Wastewater System Improvements	\$150,000	2
Lopez Lane/Rufina - R-O-W acquisition for left turn lane	\$100,000	2
Pinon Hills - chip seal	\$527,650	2
Puesta del Sol - chip seal	\$420,000	2
Siler Road - noise barrier with tree planting	\$65,000	2
South Meadows Road - Water Improvements (e.g. MN 599 to CR # 62)	\$339,600	2
Tres Arroyos Trails System - ROW and improvements for connectivity	\$150,000	2
All Projects - District 2	\$14,214,050	

District 3

Project Description

<i>Project Description</i>	<i>Estimated Project Cost</i>	<i>Commission District</i>
Calle Victoriano - base course (5.0 mi.)	\$328,100	3
Camino La Capilla Vieja - drainage improvements (1mile), clear and fence staging area	\$225,000	3
Carlson Subdivision Wastewater Collection System	\$620,800	3
Carlson Subdivision Water Distribution System Improvements	\$526,000	3
Cerrillos Community Center and Park	\$1,500,000	3
CR 12 B - improvements-chip seal	\$595,000	3
CR 16A / Jaymar Road - chip seal (4.45 mi.)	\$462,000	3
CR 20B - Base Course	\$808,000	3
CR 26 / Simmons Road - Base Course	\$629,000	3
CR 2B - HMA Paving and drainage	\$176,700	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
CR 50 / Paeo C'de Baca - reclaim and repave	\$365,880	3
CR 50 A / Camino San Jose - road improvements	\$334,782	3
CR 50 F - Asphalt Overlay	\$371,300	3
CR 55 - paving improvements at intersection of NM Hwy 14	\$15,000	3
CR 55 A - improvements-repair & drainage	\$3,000,000	3
CR 56 - improvements-repair & drainage	\$250,000	3

Edgewood WWTP/Collection system	\$100,000	3
Entrada La Cienega - guard rail, bank stabilization, repairing, and drainage	\$750,000	3
Galisteo Watts Park Improvements	\$11,000	3
Galisteo - regional trail network development	\$2,000,000	3
La Bajada - Water storage tank and well improvements	\$250,000	3
La Cienega - park and trail master planning	\$150,000	3
La Cienega - supplemental well upgrades	\$100,000	3
La Cienega - W. Frontage and Las Estrellas - repair intersection	\$50,000	3
La Cienega - Utilities-Wastewater System Feasibility	\$120,000	3
La Cienega-Utilities-Wastewater System Design	\$230,000	3
La Cienega Community Center - land acquisition	\$500,000	3
La Cieneguilla - Community Park	\$75,000	3
Los Pinos Road - low water crossing	\$500,000	3
Madrid MDWA - additional water rights (study) and wastewater system (study)	\$100,000	3
Mutt Nelson Road - Chip Seal	\$119,500	3
La Cienega - Los Pinos Spine Water Line Loop-Phase 1	\$1,731,000	3
La Cienega-Miscellaneous Water Line Extensions (e.g.Paseo C'de Baca)	\$500,000	3
Rancho Alegre Subdivision Road Up grades	\$300,000	3
Race Track Subdivision Chip Seal	\$150,000	3
Stanely Youth Agricultural and Wellness Center	\$2,500,000	3
Stanley Water Supply and wastewater Management Improvements	\$1,267,400	
Stanley Fire Station - equipment & improvements	\$250,000	3
Upper La Cienega - Los Pinos Road Spine Water Line Loop-Pahse 2	\$1,500,000	3
Upper La Cienega -Wastewater collection system Improvements	\$1,500,000	3
Water Line Improvements - Pressure Zone 5 and RV Reservoir	\$1,240,000	3
All Projects - District 3	\$28,231,462	

District 4

Project Description

<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
Camino Pacifico - chip seal	\$103,500	4

Camino Sudeste - chip seal	\$66,000	4
Camino Tetzoco - chip seal	\$72,000	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; 3 miles basecourse)	\$286,700	4
County Road 60 / Nine Mile Rd - road improvements-repair	\$396,631	4
County Road 63 - grading and base course	\$107,600	4
CR 63 C - Chip Seal	\$27,200	4
Glorieta East MDWCA - Water System Improvements (Storage and Distribution)	\$685,000	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
Glorieta Estates MDWCA - Water System Improvements (e.g. New Well and Connection to Village of Glorieta and new well	\$1,595,000	4
Utilities-Ellis Ranch Tank and Water Lines	\$2,200,000	
Glorieta Area - Regional water system planning to include Village of Glorieta, Glorieta Estates, Glorieta East and surrounding areas	\$100,000	4
Village of Glorieta - Wastewater Collection/Treatmetn Improvements	\$1,500,000	4
La Barbaria - Road improvements-Grading and Road widening	\$416,000	4
Old Santa Fe Trail - road improvements / ROW acquisition	\$350,000	4
Paseo del Pinon - Chip Seal	\$109,500	4
Puye Road - chip seal (0.69 mi.)	\$92,500	4
Toltec Road - chip seal (0.3 mi.)	\$44,500	4
All Projects - District 4	\$18,002,131	

District 5

Project Description

<i>Project Description</i>	<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)	\$149,000	5
Avenida de Amistad - asphalt (0.5 mi.)	\$253,400	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	\$152,500	5
Bike access from Hwy 14 to Railrunner	\$500,000	5
Cedar, Willow, Oak, N. Pinon, Juniper - base course and culverts	\$500,000	5
Churchill Water Line Extention	\$182,693	5
Cochiti East Road and Cochiti West Road - improvements (1 mi.)	\$125,000	5
CR 33 - improvements-resurface	\$606,500	5
Eldorado/US 285 Park/Trails Plan	\$125,000	5
Eldorado Area Teen center - plan, design, construct, and equip	\$1,500,000	5
Eldorado Community Ball Park - improvements	\$500,000	5
Eldorado to Commuity College trail	\$1,000,000	5
Eldorado Monument Sign Remediation	\$25,000	5
Eldorado Transfer Station Upgrades	\$125,000	5
Eldorado Vista Grande Library Parking Lot	\$275,000	5
Eldorado Water and Sanitation District - Well and Maintenance Building	\$1,000,000	5
Eldorado Water and Sanitation District - Water Storage Improvements	\$300,000	5
El Mirador Records Infrastructure	\$400,000	5
Encantado Road - chip seal (1.5 mi.)	\$158,500	5
Fonda Road - chip seal (0.4 mi.)	\$56,100	5
Frasco Road - chip seal	\$59,700	5
Herrada Road - asphalt surface (1.91 mi.)	\$788,700	5
Hidalgo Court - road improvements	\$103,000	5
I-25 and Rabbit Road area - Wastewater System Improvements-Design	\$325,000	5
I-25 and Rabbit Road area - Water/Wastewater System Improvements-Construction	\$275,000	5
Jornada Court	\$5,000	5
Ken & Patty Adams Senior Center - expansion	\$520,000	5
Monte Alto Rd - bike path	\$100,000	5
New Mexcio Central Trail	\$125,000	
North Fork Road - paving (0.25 mi.)	\$152,000	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 Water Line Extention to Lone Butte Area	4,400,000,	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	\$405,050	5
Valle Vista Lift Station, Ph II	\$269,700	5
<u>Verano Loop - reclaim and chip seal (2.0 mi.)</u>	<u>\$180,418</u>	<u>5</u>
All Projects - District 5	\$19,367,261	

Countywide/County Facility Projects

Project Description

	Estimated Project Cost	Commission District
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

Continued fom previous page: Countywide/County Facility Projects

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 - Edgewood Senoir Center - improvements	\$60,000	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
Santa Fe County - Fire - Galisteo Station 1 - additional bay	\$100,000	all
Santa Fe County - Fire - Glorieta Station 1	\$60,000	all
Santa Fe County - Fire - Hondo Station 1 - remodel	\$150,000	all
Santa Fe County - Fire - Hondo Station 2 - new bedroom addition	\$200,000	all
Santa Fe County - Fire - La Cienega Station 2	\$50,000	all
Santa Fe County - Fire - Office remodel at Public Safety bldg	\$200,000	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 - Madrid Ballpark Grandstands	\$200,000	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 - 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 - heavy vehicles (\$200,000 x 4)	\$800,000	all
Santa Fe County - Public Works - solid waste upgrade transfer station - Jacona	\$750,000	all

Continued fom previous page: Countywide/County Facility Projects

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)	\$29,000,000	all
Santa Fe County - Utilities-Automatic Controls System-Water Supply System	\$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 - 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 - Utilities - La Tierra Interconnect	\$545,000	all
Santa Fe County - Utilities - Aquifer Storage	\$4,000,000	all
Santa Fe County - Quill Wastewater Treatment - Sludge Disposal Facilities - Study	\$100,000	all
Santa Fe County - Utilities - Quill Plant Aeration Basin Liner repair	\$833,000	all
Santa Fe County - Utilities - Vista Aurora / Lopez Lane - sewer line upgrade	\$640,000	all
Santa Fe County - Utilities - Valle Vista AC waterline replacement	\$535,000	all
Santa Fe County - Utilities - Water System Improvements (e.g. La Vida/ Sierra Azul - Water Main)	\$600,000	all
Santa Fe County - Utilities - Quill Plant Effluent Polishing Lagoon Liner (State Pen)	\$400,000	all
Santa Fe County - Utilities - Control / Instrumentation - (Quill Plant)	\$100,000	all
Santa Fe County - Utilities - Office / equipment storage - (Quill Plant)	\$650,000	all
Santa Fe County - Utilities - Quill Plant Improvements-Primary Treatment/Sludge	\$1,400,000	all
Santa Fe County - Utilities - Turquoise Hill (State Pen) Water Reservoir	\$1,500,000	all
Santa Fe County - Utilities - Old Agua Fria/Old Santa Fe Trail Water Transmission Line Extension	\$1,528,000	all
Santa Fe County - Valle Vista Water System Improvements (e.g. AC Line Replcmnt.)	\$1,500,000	all
All Projects - Countywide and County facilities	\$119,032,000	

Year Received	Grant #	Description	Amount
2012	12-1523	County Road 90 water & sewer line improvements	\$40,000.00
2012	12-1522	La Tierra Subdivision road improvements	\$100,000.00
2012	12-1472	Corrections	\$110,000.00
2012	12-1475	Romero Park	\$75,000.00
2012	210-GO-74	Eldorado Library Grant	\$11,690.65
2012	S100120	NE/SE Connectors	\$500,000.00
2012	12-L-G-1474	SANTA FE CO DISABLED FURNISHINGS	\$20,000.00
2012	12-L-G-1473	SANTA FE CO DISABLED FACILITIES IMPROVE	\$50,000.00
2012	12-L-G-1476	MADRID OSCAR HUBER MEM PARK & GRANDSTANDS	\$332,000.00
Total			\$1,238,690.65
2011	11-1268	County-wide Senior Centers - Vehicles for Senior Center	\$274,000.00
2011	11-1269	Edgewood Senior Center	\$7,150.00
2011	CAP-5-12(464)	LAS ESTRELLAS	\$141,547.00
2011	SB-7801(994)12	CR 67 OLD SANTA FE TRAIL	\$118,784.00
2011	SP-5-12(160)	CR 67 OLD SANTA FE TRAIL	\$80,580.00
Total			\$622,061.00
2010	2010-3055	Rio En Medio	\$150,000.00
2010	CAP-5-11(458)	VERANO ROADS	\$130,727.00
2010	SB-7795(988)11	VERANO ROADS	\$112,275.00
2010	SP-5-11(137)	VERANO ROADS	\$88,447.00
2010	L5050	COUNTY ROAD 98 PHASE I	\$1,432,000.00
Total			\$1,913,449.00
2009	09-3899	Esperanza Shelter	\$267,300.00
2009	09-3898	Esperanza Shelter	\$420,750.00
2009	09-3602	Improvements to Adult & Juvenile Detention Centers	\$26,420.00
2009	2009-4901	Benny J Chavez Center	\$25,000.00
2009	09-L-G-3602	SANTA FE COUNTY JUVENILE AND ADULT DETENTION FACIL	\$40,000.00
2009	09-L-G-3901	YOUTH SHELTER & FAM SVCS FCLTY	\$97,119.36
2009	CAP-5-10(452)	CR 17 MARTIN ROAD	\$138,622.67
2009	SB-7789(982)10	CR 17 MARTIN ROAD	\$100,000.00
2009	SP-5-10(107)	CR 17 MARTIN ROAD	\$81,884.00
Total			\$1,197,096.03
2008	2008-3019	Nambe Community Center	\$306,999.00
2008	08-5355	Old Santa Fe Trail Multimodal Transit Road Improvements	\$150,000.00
2008	08-4487	El Mirador	\$39,000.00
2008	08-4466	Esperanza Shelter	\$50,000.00
2008	0739	Eldorado Library 2008 GOB	\$17,628.00
2008	08-4462	Agua Fria Park	\$2,475.36
2008	08-4471	Santa Fe County Vehicles & Equip	\$24,000.00
2008	08-4468	Mountain Center	\$202,950.00
2008	08-4495	Women's Health	\$245,500.00
2008	08-4467	Head Start - Chimayo	\$50,000.00
2008	08-4906	Santa Fe Co Rufina Meal Site	\$32,310.00
2008	08-4907	Santa Fe Co Senior Centers County-wide	\$57,000.00
2008	SP-GA-7549(335)	LA BARBERIA	\$19,237.09
2008	SP-GA-7549(325)	CR 67F	\$25,000.00
2008	ST-7549(316)	GOLDMINE ROAD	\$140,000.00
2008	#29-0018-PW/JS	LA TIERRA SUBDIVISION	\$10,000.00
2008	SP-GA-7749(330)	ELDORADO ROAD	\$225,000.00

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2008	ST-GA-7749(368)	ELDORADO ROAD	\$250,000.00
2008	SP-GA-7549(323)	ELDORADO ROAD	\$100,100.00
2008	SP-GA-7549(328)	CR 55-A	\$50,000.00
2008	SP-GA-7549(329)	CALLE VICTORIANO	\$40,000.00
2008	SP-GA-7549(332)	CERRO DEL ALAMO	\$100,000.00
2008	SP-GA-7549(333)	NANCY'S TRAIL	\$100,000.00
2008	SP-GA-7549(334)	SUNRISE ROAD	\$39,285.00
2008	SP-GA-7549(237)	LA TIERRA	\$25,000.00
2008	SP-GA-7549(336)	CR 42	\$25,000.00
2008	ST-GA-7649(235)	CR 67G (RAVENS RIDGE)	\$50,000.00
2008	ST-GA-7549(327)	CR 67G (RAVENS RIDGE)	\$11,320.00
2008	SP-GA-7649(337)	CR 67G (RAVENS RIDGE)	\$25,000.00
2008	08-L-G-4459	1ST JUDICIAL DISTRICT COURTHOUSE-SANTA FE	\$10,000.00
2008	08-L-G-4460	CUNDIYO CMTY CENTER CONSTRUCT	\$100,000.00
2008	08-L-G-4461	SANTA FE CLUBHOUSE FACILITY	\$300,000.00
2008	08-L-G-4466	SANTA FE CO ESPERANZA SHELTER MODULAR BUILDING	\$50,000.00
2008	08-L-G-4470	SANTA FE CO TENNIS COURTS-POJOAQUE VALLEY	\$49,000.00
2008	08-L-G-4473	CUNDIYO COMMUNITY ROOM ADDITION	\$20,000.00
2008	08-L-G-4474	CUNDIYO MULTIPURPOSE BUILDING CONSTRUCT	\$20,000.00
2008	08-L-G-4495	SANTA FE WOMEN'S HEALTH FACILITY	\$450,000.00
2008	08-L-G-4498	STANLEY AGRICULTURAL FACILITY	\$50,000.00
Total			\$3,461,804.45

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