

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

September 29, 2009

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 11:30 a.m. by Chair Mike Anaya, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

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

Members Present:

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

Members absent:

[None]

V. INVOCATION

An invocation was given by Bryan Stuppy.

VI. APPROVAL OF THE AGENDA

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- B. Tabled or Withdrawn Items**

ROMAN ABEYTA (County Manager): Thank you, Mr. Chair. We have the following amendments to today's agenda, the first coming under X. Matters from the Commission, we added an item F, which is a proclamation recognizing Katie Peters as 2009 Woman on the Move recipient.

On page 6 of the agenda, Mr. Chair, under Staff and Elected Official Items, A. Administrative Services Department, 4, the presentation from Impressions Advertising, we would ask that that be moved to right after Matters from the Commission. It's my

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understanding that's a brief, five-minute presentation and the individuals making the presentation need to have it done before we break for lunch. So I would ask that the Commission move that up on the agenda.

And finally, Mr. Chair, on the last page of the agenda, page 7, under Matters from the County Attorney, item number three, consideration and approval of the bulk water service agreement with Las Campanas Limited Partnership and the Las Campanas Homeowners Water Cooperative, staff is requesting that that be tabled at this time. And we added an item 4, which is award the contract to a successful offeror in response to RFP #2010-0033-LG/MS insurance broker and consulting services for Santa Fe County. And those are staff's changes, Mr. Chair.

CHAIRMAN ANAYA: Okay.

COMMISSIONER STEFANICS: Mr. Chair, point of clarification. I'm sorry. I missed – before the addition of number 4 on page 7, what did you say was changed?

MR. ABEYTA: We are going to table item number 3.

COMMISSIONER STEFANICS: Thank you very much.

CHAIRMAN ANAYA: Okay, I'd like to move up item number B to be right after the Matters from the Commission, and then we'll put – under Staff and Elected Officials we'll put that item 4 right after that. Is that okay? Move up item B under Matters from the Commission, I want to move that one first, and then I would like to put the one that Roman suggested right after that. And then we'll continue moving on.

COMMISSIONER VIGIL: Move to approve with amendments and recommendations for changes.

COMMISSIONER MONTOYA: Second.

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

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

VII. APPROVAL OF CONSENT CALENDAR

A. Consent Calendar Withdrawals

CHAIRMAN ANAYA: Are there any withdrawals from the Consent Calendar?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I would like to withdraw XII. B. 7 on page 3, and XII. B. 15, and XII. C. 13.

CHAIRMAN ANAYA: Any other?

COMMISSIONER STEFANICS: Mr. Chair, I would like to withdraw XII. C. 1 and 2.

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

COMMISSIONER HOLIAN: Move for approval of Consent with withdrawals.

COMMISSIONER MONTOYA: Second.

COMMISSIONER VIGIL: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Could the maker of that motion include – no. I believe I'm fine. You withdrew one of the ones I was going to withdraw. Thank you, Mr. Chair.

CHAIRMAN ANAYA: There's a motion by Commissioner Holian and second by Commissioner Montoya. Any further discussion? Any further withdrawals?

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

XII. CONSENT CALENDAR

A. Community Funds

- 1. Approval for an Expenditure of Community Funds in the Amount of 2,000 for the Town of Edgewood Playground Equipment (Commissioner Anaya)**
- 2. Approval of an Expenditure of Community Funds in the Amount of \$2,000 for Moriarty Athletics (Commissioner Anaya)**
- 3. Approval for an Expenditure of Community Funds in the Amount of \$1,000 to the Farmers Market Institute Fall Fiesta (Commissioner Stefanics)**
- 4. Approval for an Expenditure of Community Funds in the Amount of \$1,000 for the IX Annual Binational Policy Forum on Migration and Health to Be Held in Santa Fe on October 5-6, 2009 (Commissioner Stefanics)**
- 5. Approval for an Expenditure of Community Funds in the Amount of \$5,000 for Girls, Inc. in Support of the Zona del Sol Programming (Commissioner Stefanics)**
- 6. Approval for an Expenditure of Community Funds in the Amount of \$600 for Advertising Santa Fe County Programs with the Pojoaque News (Commissioner Montoya)**
- 7. Approval for an Expenditure of Community Funds in the Amount of \$800 to Leadership Santa Fe a Program of the Santa Fe Chamber of Commerce (Commissioner Holian)**
- 8. Approval for an Expenditure of Community Funds in the Amount of \$1000 to Binational Health Policy Forum (Commissioner Holian)**
- 9. Discussion and Possible Approval for an Expenditure of Community Funds in the Amount of \$500 to Pojoaque Schools for the Key to Success Scholarship/Higher Education Program (Commissioner Montoya)**

B. Budget Adjustments

1. **Resolution 2009-163. A Resolution Requesting an Operating Transfer From the General Fund (101) to the Law Enforcement Operations Fund (246) From Cash Carryover for the DWI Impound Lot / \$45,655 (County Sheriff's Office)**
2. **Resolution 2009-164. A Resolution Requesting an Increase to the GOB Series 2005 Fund (330) to Budget Available Bond Balance for the Avenida Vista Grande Road Project / \$275,884 (Growth Management Department)**
3. **Resolution 2009-165. A Resolution Requesting an Increase to the GOB Series 2007B Fund (332) / to Budget Available Bond Balance for the Paseo del Angel Road Project / \$250,000 (Growth Management Department)**
4. **Resolution 2009-166. A Resolution Requesting a Budget Decrease to the GOB Series 2001 Fund (353) to Realign the Fiscal Year 2010 Budget with the Available Bond Balance/- \$698,708. (Growth Management Department)**
5. **Resolution 2009-167. A Resolution Requesting a Budget Decrease to the GOB Series – Open Space Fund (385) to Realign the Fiscal Year 2010 Budget with the Available Bond Balance / -\$1,608,598 (Community Services Department)**
6. **Resolution 2009-168. A Resolution Requesting an Increase to the General Fund (101) to Budget Revenue Received From the Youth Shelter and Family Services for Maintenance Expenses at the Facility / \$6,000. (Community Services Department)**
7. **Resolution 2009-__ . A Resolution Requesting an Increase to the Water Enterprise Fund (505) to Budget a Grant Awarded Through the New Mexico Environment Department for the Santa Fe County Sombrillo Area Water/Wastewater System /\$500,000. (Growth Management Department) ISOLATED FOR DISCUSSION**
8. **Resolution 2009-169. A Resolution Requesting a Budget Decrease to the Water Enterprise Fund (505) to Realign the Fiscal Year 2010 Budget with the Available Grant Balances Awarded Through the New Mexico Environment Department (Growth Management Department)**
9. **Resolution 2009-170. A Resolution Requesting an Increase to the Wildlife/Mountains/Trails Fund (233) to Budget Cash Carryover for the Santa Fe County Rail Trail / \$100,000 (Community Services Department)**
10. **Resolution 2009-171. A Resolution Requesting an Increase to the Fire Operations Fund (244) to Budget State Forestry Reimbursements for Personnel and Equipment From the Christmas, Vista, Four Mile, and**

- Timberon Fires in the Amount of \$25,885 (Fire/Community Services)**
- 11. Resolution 2009-172. A Resolution Requesting an Increase to the Fire Operations Fund (244) Hazmat Grant to Carry Forward the Prior Fiscal Years Available Cash Balance in the Amount of \$15,323 for Expenditure in FY-2010 (Fire/ Community Services)**
 - 12. Resolution 2009-173. A Resolution Requesting an Increase to the Fire Operations Fund (244) to Carry Forward the Available Cash Balances From Last Fiscal Year's Forestry Reimbursements in the Amount of \$7,445 to Be Expended in FY-2010 (Fire/Community Services)**
 - 13. Resolution 2009-174. A Resolution Requesting an Increase to the Fire Operations Fund (244) Forestry Grant to Budget a New (VFA) Volunteer Fire Assistance Grant in the Amount of \$10,135 to Purchase Six New Digital Radios and Accessories to be Distributed Between the Pojoaque, Stanley and Galisteo Volunteer Fire Districts (Fire/ Community Services)**
 - 14. Resolution 2009-175. A Resolution Requesting a Budget Increase the Sheriff's Office General Fund By \$10,763.00 to Fund Purchase of Wireless Service and Surveillance Equipment (Sheriff's Department)**
 - 15. Resolution No. 2009-__ . A Resolution Determining the Exact Principal Amounts, Maturities, Prices, Redemption Features and Other Details of the Santa Fe County, New Mexico Capital Outlay Gross Receipts Tax Revenue Bonds, Series 2009 in the Maximum Principal Amount of \$13,000,000 ISOLATED FOR DISCUSSION**

C. Miscellaneous

- 1. Request Approval to Fund One New FTE (Term Position) from the 2008 General Obligation Bond Revenues for Open Space, Trails and Parks. This FTE Will Be Strictly Assigned to the Acquisition, Design, Construction and Restoration of the Santa Fe River Greenway Project Versus Any Management and Maintenance Activities. (Community Services Department) ISOLATED FOR DISCUSSION**
- 2. Request Authorization to Accept Amendment No. 4 to Agreement No. 27-1808-Corr Between Santa Fe County and Bi Incorporated. The Purpose of this Amendment is to Extend the Term of the Agreement Through June 30, 2010, and Increase Compensation By \$350,000.00. The Contractor Provides Electronic Monitoring Services (Corrections Department) ISOLATED FOR DISCUSSION**
- 3. Request Approval of the Accounts Payable Disbursements Made for All Funds for the Month of August 2009. (Administrative Services Department)**
- 4. Request Acceptance and Authorization to Enter Into a Professional Services Agreement for RFP 29-0143-FI/TRV for the Financial Advisor**

**Services for Santa Fe County (Administrative Services
Department/Finance)**

- 5. Resolution 2009-176. A Resolution Granting the County Manager Signature Authority for the Execution of a Lease Agreement Between Santa Fe County and Robin Martin for a 1.0-Acre Parcel in the Nambe Area for Park Improvements (Community Services Department)**
- 6. Request Approval to Reclassify a Temporary Position to a Term Position to Be Funded By the 1/16th GRT for the Security Guard at the First Judicial Courthouse Construction Site (Community Services Department)**
- 7. Request Approval of a Caretakers Agreement Between Julie C. Medina and Santa Fe County for the Chimayo Headstart (Community Services Department)**
- 8. Request Approval of a Caretakers Agreement Between Gilbert Salazar and Santa Fe County for the La Puebla Fire Station (Community Services Department)**
- 9. Request Approval of a Caretakers Agreement Between Rafael Rodriguez and Santa Fe County for the Leo Gurule Park (Community Services Department)**
- 10. Request Approval of a Caretakers Agreement Between Edward Webb and Santa Fe County for the Agua Fria Community Park (Community Services Department)**
- 11. Request Approval of a Caretakers Agreement Between Alan Vigil and Santa Fe County for the Old Public Works Property (Community Services Department)**
- 12. Request Approval of a Caretakers Agreement Between Shannon Cole and Santa Fe County for the Chupadero/Rio en Medio Community Center (Community Services Department)**
- 13. Resolution 2009-___. A Resolution Authorizing the County Manager to Execute All Documents Necessary to Purchase Property in Santa Fe County for a Program Serving People with Severe Mental Illness ISOLATED FOR DISCUSSION (Community Services Department)**
- 14. Request Approval of a Joint Powers Agreement Between the County of Santa Fe and the Cuatro Villas Mutual Domestic Water Consumers Association (CVMDWCA) to Fund, Construct and Improve a Water System to Provide Adequate Water Supply and Fire Protection for Residents in the Area. The County Will Provide GRT Funding in the Amount of \$500,000 (Growth Management Department)**
- 15. Request Approval of the Certification of Pre-Construction Phase and Resolution 2009-177 with the New Mexico Department of Transportation to Enable the Receipt of Funds Pursuant to the American Recovery Reinvestment Act of 2009 Cooperative Project Agreement Entered Into**

On August 26, 2009, for Construction of a Portion of the Santa Fe Rail Trail (Community Services Department)

- 16. Water Right Exchange Agreement Between the County of Santa Fe and Victor Montano (Legal Department)**
- 17. Request Approval to Enter Into an Agreement with Contractor, Gannett Fleming, for Professional Engineering Services for the South Meadows Road Project (Growth Management Department).**
- 18. Resolution 2009-178. A Resolution Authorizing the County Manager to Submit an Application for Financial Assistance to the United States Department of Agriculture for Financial Assistance for a Wastewater Collection System for the Unincorporated Communities of Arroyo Seco and Sombrillo**

VIII. APPROVAL OF MINUTES

A. August 13, 2009 City/County Meeting Minutes

COMMISSIONER STEFANICS: Mr. Chair, I move for approval of August 13th City/County meeting minutes.

COMMISSIONER HOLIAN: Second.

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

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

VIII. B. August 25, 2009 BCC Minutes

COMMISSIONER HOLIAN: Mr. Chair, I move for approval of the August 25th meeting minutes.

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

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

IX. MATTERS OF PUBLIC CONCERN –NON-ACTION ITEMS

CHAIRMAN ANAYA: Is there anybody in the audience that would like to address the Commission on anything other than what's on the agenda? Hearing none, moving on.

X. MATTERS FROM THE COMMISSION

B. Recognizing Joe Martinez for His Ongoing Efforts to Fight Illegal Dumping (Commissioner Anaya)

CHAIRMAN ANAYA: I'd like to call up Jon Sering from BLM. Jon. And Joe, why don't you come up, and Jon, you can bring your - do I need to put my hat on?

JON SERING: Thank you, Mr. Chair. I wanted to thank you all, and you already took away my thunder, Mr. Chair. The reason I wore my hat today is I've never seen you without your cowboy hat so I just wanted to make you feel comfortable.

CHAIRMAN ANAYA: Good.

MR. SERING: This is a very special day for me and a couple of things I wanted to specifically, and Bureau of Land Management wants to recognize Mr. Joe Martinez. Why this means a great deal to me, this is also going to be the last time any of you ever see me in a uniform. Tomorrow I'll be retiring from law enforcement from the Bureau of Land Management. So it is really an honor that I can present this award. Let me read this, and I'm going to have to, with my age, put on my reading specs.

Dear Mr. Martinez, We commend you for your outstanding service on numerous occasions involving illegal trash-dumping on Bureau of Land Management, BLM-administered public lands. You voluntarily participated in two cleanups of the target shooting areas with BLM law enforcement ranger Jon Sering. Your efforts in contacting metal recyclers resulted in the removal of several tons of discarded metal from the public lands, a savings monetarily, as well as removing unsightly and unsafe hazards. Additionally, you continue to exhibit a positive attitude and a spirit of cooperation between our agencies. Please accept our gratitude for a job well done. And this is signed, Sincerely Linda Mendell, our state director of New Mexico.

And then we wanted to present you this plaque, United States Bureau of Land Management, Joe Martinez: In appreciation for your dedicated efforts and protection of the public lands in Santa Fe County.

CHAIRMAN ANAYA: Nice.

MR. SERING: And now the part that's not written down, and I want to speak from my heart on this. I have been with the Bureau of Land Management for 32 years and in all that time, of all the people I've worked with, I just want to stress a couple of things. One, Joe epitomizes this, is he has never said the word no or that we cannot do something. He has gone out of his way from time immemorial to help us manage the public lands. And this also reflects back, and I'll just say, Jennifer, Mia, and yourself, Mr. Chair, all the help that Santa Fe County has done while I've been working here, and hopefully that we can make a positive impact, and right now I'll say that Joe has been that for us. And I ask him before I came up, I said, do you embarrass easily. And he said, yes, and got bright red. The only thing that I request and I can do this in retiring is I kept saying, Joe, don't you have your cell phone back from the County yet? He said, no, they promised me. I still do not have the cell phone. So

please, I'm asking the County Commissioners, would you please get him his cell phone so he can work with us? Thank you.

CHAIRMAN ANAYA: Thank you, Jon, and thank you for recognizing Joe. I know he works very hard. I know both of you work very hard. And if I could, if Jesse and Linda, would you all want to come forward? I know Jesse and Linda are also with the Bureau of Land Management, and if we could take a picture with you all up in the front here and you recognizing Joe, if we could. And if you all would like to say some words you're welcome to, Jesse.

JESSE JUEN: Thank you, Mr. Chair. Joe, I just want to say thank you, not only from our state director, Linda, but from us as well, and protecting our public lands and keeping them for future generations in a healthy condition, without the trash and the dumping is a phenomenal job and it's very, very tough. But thank you for everything.

CHAIRMAN ANAYA: Joe, if you could come back up, and Ms. Sering, could you come forward with your son and Joe and Linda, could you come back? You know, we couldn't go without recognizing Jon, somebody who's helped Joe and helped Santa Fe County tremendously, and it's said that you're going to be leaving but you're going to be retiring and I know that you're going to have plenty of things that you can do. But we wanted to, as a Commission, thank you, Jon, for all the work that you have done, and I have a certificate here of appreciate for what you did and what you did with Joe is just - we thank you very much for doing that.

Certificate of Appreciation: the Santa Fe County Board of County Commissioners hereby acknowledges Jon Sering for you're assistance in combating illegal dumping in Santa Fe County. Working in conjunction with the Santa Fe County enforcement team with Joe, you are acknowledged as a valued part of this team's success and significant contribution in the protection, health and well being of Santa Fe County citizens and protecting the beauty of Santa Fe County for all to enjoy. The citizens of Santa Fe County and the Board of County Commissioners extend sincere gratitude for your 20 years of commitment on this ongoing fight that faces the entire nation. Therefore, the Board of County Commissioners present you with this Certificate of Appreciation, this day, September 29, 2009. And we congratulate you and wish you well in what you do, you and your wife and your son. Thank you very much and again, if there's any comments that the Commission would like to say at this time, we would like to take a picture with your family and again the BLM.

CHAIRMAN ANAYA: Okay. Thank you all for coming and I'd like to also recognize Pablo Sedillo who's in the audience from Senator Bingaman's office. Thank you for being here, Mr. Sedillo I don't think you've missed a meeting this year, have you? Thanks for being here. Commissioner Montoya.

COMMISSIONER MONTOYA: I just want to acknowledge and thank Jon for his years of service with BLM, and I certainly want to acknowledge and thank Joe. Joe's pretty much a one-man show for Santa Fe County as far as illegal dumping goes, and to cover all the square miles that you do, Joe, and being where you are all the time I certainly appreciate it. You've been very responsive in addressing some of the issues that have come

about in my district and you very well deserve recognition. Thank you.

XIII. STAFF AND ELECTED OFFICIALS' ITEMS

A. Administrative Services Department

4. Presentation From Impressions Advertising of the Santa Fe County Advertising & Promotional Efforts for Fiscal Year 2009 and Upcoming Efforts or Fiscal Year 2010 (Administrative Services Department)

RUSS ROUNTREE: Thank you, Commissioner. Thank you to the Board and the County Manager for adjusting the agenda this morning. We appreciate that. This is just the annual, quick, brief update on the efforts that our company performs on behalf of Santa Fe County for tourism promotion to the county. Highlights for fiscal year 09 that obviously just ended – a slight decrease in Lodgers' Tax of about two percent this past year. In the hospitality business though that's almost considered flat and the mantra these days is flat is the new up. So we never like to see a decrease but we're almost holding our own.

There was a slight decrease as well in advertising inquiries in fiscal year 09 of about four percent. The inquiries on the website, however, increased nine percent in this past fiscal year. The goals for fiscal year 10 for the marketing of tourism to Santa Fe County include increasing the number of visitors to Santa Fe County, increase the awareness of Santa Fe County as a travel destination, increase the length of overnight stays, increase visitor spending on overnight stays and increase visitor spending on total visitation expenditures as well as attempt to increase ad inquiries and web user sessions.

The budget for fiscal year 10 is just slightly less from last year. The County's contribution to the contract actually remained the same at \$285,000. We just recently received the award from the Tourism Department, the State Department of Tourism, for the co-op matching funds that dropped this year to \$2,900, making the total for fiscal year 10 at \$287,900.

The media mix that we will use in this upcoming year, similar to those in previous years, national and regional print advertising, in-state broadcast cable advertising – this is a new thing that we did the past year and it was quite successful. We'll show you some of the commercials that we did in just a moment. In online marketing, not only external online marketing but we launched a new website this year and I'll go over that briefly in just a moment, as well as public relations. We reach out to media within the region and we will continue to that as well as strengthen that program.

Our marketing tactics include continuing with the advertising campaign that we've been running for the last year and a half. That is Santa Fe County, where it's no place like home. We've included two sample ads from this past year in your packet and this year we will be creating a couple of new ads. They seek to make people look at the ads and go, gosh, I'd like to go there or I'd like to find out more about that. And they've been received quite well in the market place.

Our website was relaunched this year. We have included two sections of that website in your packet as well – the homepage and the first section of our lodging section in your packet to show you the new design. We will also seek to develop podcasts and blogs. If any of you have any constituents within your district that would be interested in contributing some type of content please put them in touch with our office. We'd certainly be willing to take a look at that and see if they can help us kind of move the banner of Santa Fe County forward.

Our online campaign this last year included email blasts in both Dallas and Denver. We've been doing this for the last couple of years. They've been very successful in bringing a lot of new people to our email list that we've developed. We have about 1,200 people on that email list currently, and we're looking to explore increasing our blasts into Oklahoma, Phoenix, and possibly Houston in this upcoming fiscal year. We did in-state broadcasts and cable advertising. We created three 15-second ads and if we're ready to go from the technical side we'd like to air those for you, show those to you right now up on the screen.

[A video presentation followed.]

These ran on the broadcast stations out of Albuquerque, 2, 4, 7 and 13, as well as a couple of select cable systems throughout the state that don't really receive those broadcast signals. Again, we were trying to give imagery of things unique to Santa Fe County that people certainly wouldn't find at home, so driving home that slogan again of Santa Fe County, it's no place like home.

Our press efforts in this next year will continue to reach out to about 17 regional newspapers. Our local network affiliate TV stations, and we're looking to more aggressively seek to try to generate some new stories in this upcoming year. Actually, not feature stories, not news stories, about various activities that may be going on in the county. We're also underway on a research project that we started about the first of the year, looking to poll visitors to the county, find out why they came, what they're doing while they're here, and generally overall what their experience has been while visiting the county.

That's all that we have this morning. Again, appreciate the accommodation of the agenda adjustment and thank you for your time.

CHAIRMAN ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Mr. Rountree. I really liked your 15-second spots; they're beautiful. One of the things that you included in our packet was I guess a picture from a brochure and it says something like a desert road curves between two towering rock formation and opens to a vista where you'll feel like life is more mysterious than you could have imagined. And I would just sort of like to tie our new Sustainable Land Development Plan into our tourism economy and say that this is why it is so important for us to be protecting our open spaces, because they are really important part of why people come here and a really important part of what makes us special. And so I just wanted to make that comment. Thank you.

CHAIRMAN ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. I found your spots, your 15-second spots, all very attractive. One question I had is did we have permission from the buffalo

dancer?

MR. ROUNTREE: Mr. Chair, Commissioner Stefanics, Board, yes, we did. We received – these were signed off. Some of the stock footage items that we did, the videographer that originally shot them did in fact get permission for the dancing, yes, from the various pueblos. Actually, that was from a – it was a portion of the Eight Northern Arts and Crafts Festival that was done a couple of years ago.

COMMISSIONER STEFANICS: Okay. I'm asking, just so we respect the culture but also that we're not sued later. Okay. The other thing that I'd like to bring up is Santa Fe County has an Arts, Culture and Entertainment Task Force. Are you aware of that?

MR. ROUNTREE: Yes.

COMMISSIONER STEFANICS: So the things that they've been working on have been incorporated into your brochures and presentations?

MR. ROUNTREE: Mr. Chair, Commissioner Stefanics, members of the Board, we have had some initial contact with that ACE Task Force. They have come to the Lodgers' Tax Advisory Board meeting. We have kind of put ourselves open to say once development is finished or as it is ongoing, any results of those that you wish to share please let us know. We've been working with staff to again try to accommodate some of those things. And as we receive info, those items that are applicable for tourism promotion we're certainly melding them into the overall program of ours. Yes.

COMMISSIONER STEFANICS: Well, Mr. Chair, in particular what I was thinking about is the studio art tours. I know that you're focusing a little bit on arts and certainly many of our communities, not just a couple focused ones, we have these studio art tours. So it would seem for art lovers it would make a difference. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Okay. Commissioner Vigil.

COMMISSIONER VIGIL: One of the things, having been born and raised here in Santa Fe and generations of history going back about Santa Fe that is magnetizing, for lack of a better word, is that it is a magical place. I'm going to recommend that in one of your advertisements, particularly the one that Commissioner Holian referenced, the desert road curves between two towering rock formations, and opens to a vista where you'll feel like life is more magical and mysterious than you could have imagined. And that comes not from my historic family but from many newcomers who recognize a magic. That can't be said about too many communities. I think that needs to be promoted a little more in that context.

MR. ROUNTREE: Absolutely.

COMMISSIONER VIGIL: Thank you, Mr. Chair. Thank you, Russ.

CHAIRMAN ANAYA: Okay. When you say at the end, there's no place like home, I picture two cowboy boots tapping together. No, I'm serious. At the beginning they're tapping together, the heels, and then you go onto it and then it says there's no place like home.

MR. ROUNTREE: Mr. Chair, if I just might, we received feedback from a couple of people who positioned themselves as being county residents after we had been running these ads on the TV and they said, we just want to clarify that what your slogan is is not There's no place like home, obviously the line from the Wizard of Oz. We said, It's no place

like home. So we appreciate your suggestion there. We're not really sure we want people to click their cowboy boots or whatever type of footwear they may be wearing here to go back home; we'd actually like them to stay here for a while. But thank you for your input.

CHAIRMAN ANAYA: I saw it one morning at about two or three in the morning.

MR. ROUNTREE: Those are the free ads.

CHAIRMAN ANAYA: I think I was the only one that saw it. Okay. Any other questions, comments? Russ, thank you for being here.

MR. ROUNTREE: Thank you very much.

CHAIRMAN ANAYA: Good job.

X. A. Request to Publish Title and General Summary of an Ordinance to Prohibit Excessive Unnecessary and Unreasonable Noise and Public Nuisances (Commissioner Vigil)

COMMISSIONER VIGIL: Thank you, Mr. Chair. I'm moving forward in requesting that we publish title and general summary on this. What we have been doing to enforce noise and nuisances is relying highly on state statute which is quite general. And I think if we allow ourselves an opportunity to move forward and evaluate this we'll have better opportunity to provide more enforcement with regard to situations that come to us from a complainant, usually a constituent, where there is a high level of noise or there is an actual nuisance occurring. And this ordinance will be very specific and allow us to enforce the situations under which these occur. And it's very objective, Mr. Chair, in the fact that it does require when there's a complaint about a noise that does require the County to go out there and actually do a reading of the noise through a decibel reading machine, and so that that level of noise can be documented, that we have evidence that we can go ahead and move forward in enforcing this.

I don't believe that I have received an inordinate amount of complaints about noise or nuisances, but they're there. Nuisances probably more than noise. But there's nuisances such as garbage being collected somewhere. Nuisances such as abandoned vehicles. Nuisances that are particular to particular areas, such as in my particular district one of the nuisances that has been consistently created has been the dumping on the river. And on the Santa Fe River in the part that is the county we've experienced actually a lot of illegal dumping actually occurring there. So that in itself could be identified as a nuisance. Those are difficult to enforce because in order to enforce those particular nuisances an officer has to actually see the dumping, but if you see a consistent pattern of illegal dumping occurring this is another way that it could be specifically enforced, Mr. Chair. So I open it up to suggestions to have the County consider this as an ordinance. This isn't an ordinance that is going to be specifically identified in our Sustainable Growth Management Plan. Actually, let me take that back, in our Code rewrite. So this will allow us the authority to have something that we can bit into in terms of protecting the county

with regard to loud noise ordinances. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Roman, do we have a nuisance or a loud noise ordinance now?

STEVE ROSS (County Attorney): Mr. Chair, we do not. This is a hole in our existing – one of many holes, but a large hole in our current Land Development Code.

CHAIRMAN ANAYA: And has the Sheriff's office looked at this proposal?

MR. ROSS: They have not. As far as I know they have not. One of the attorneys in my office drafted it. He's not here, but I don't know if he sent it to the Sheriff's office or not but there have been discussions that we needed to do that.

CHAIRMAN ANAYA: Is there any other questions? Commissioner Holian.

COMMISSIONER HOLIAN: I just have a short question. Is there a dead animal provision in here? There isn't anything like that in the County Code?

MR. ROSS: No. Our Code has a lot of basic things that are not in it and that's going to be corrected in the Code rewrite, but that's a good example of things that are not currently prohibited by our Code. It's probably prohibited by state law, because the state has a nuisance statute which this is modeled after, but it's easier if you have a choice whether to send the Sheriff or a Code Enforcement Officer out to address a situation, as opposed to filing a complaint in district court and spending two years litigating it before you can get an order.

CHAIRMAN ANAYA: Any other questions?

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Commissioner Vigil, what about rumble strips? Would that be maybe considered an exception?

COMMISSIONER VIGIL: What are rumble strips?

COMMISSIONER MONTOYA: Rumble strips are those strips that they put on the highway to slow people down.

COMMISSIONER VIGIL: Oh, I think that would be far below the decibel reading. I don't think they'd need to be considered. This is for excessive noise and the rumble strips wouldn't anywhere near meet the decibel number we have here, which I think is currently 65.

COMMISSIONER MONTOYA: Okay. Could we check to see what that would be?

CHAIRMAN ANAYA: I think they're pretty loud, myself.

COMMISSIONER MONTOYA: Yes, they are.

CHAIRMAN ANAYA: Very loud. Go ahead, Commissioner.

COMMISSIONER MONTOYA: If we could just find out what their decibels would be. If it would fit in probably we would need to put it in under the sound exceptions. That's all I have. Thank you.

CHAIRMAN ANAYA: Okay. Is there any protection for the farmer and the rancher? I didn't see that. For agricultural uses? Semis going in and out, delivering materials?

MR. ROSS: Well, Mr. Chair, normally these sound readings are taken at the

property line. So if there's a substantial difference between the generator of the noise and the property line of the person complaining, you generally don't detect noises. We already have an engine brake ordinance in the county. It's a stand-alone ordinance. So I don't believe, unless a semi comes into an adjoining property and just idles there or is used there, I don't believe that adjoining property owners can complain about highway traffic. But we'll check that and make sure that's clear in here.

CHAIRMAN ANAYA: And what about the neighbor that was mowing his grass or the other neighbor doesn't get along and wants to call because now we've got a noise ordinance? Is there hours of operation? I thought I saw that.

MR. ROSS: Mr. Chair, the author of the ordinance is here so he'll probably be better able to answer these questions.

COMMISSIONER VIGIL: And to answer that I would reference Section 7.6, Sounds caused by industrial agriculture, construction or workers during their normal operations, as an exception. So I think that the ordinance in its current draft form does provide for any kinds of issues of that nature, and I also think that if there isn't, because I've been trying to find it, if the actual noise promotes safety for safety purposes, that would also be an exception. So, Mr. Chair, this isn't designed to be an ordinance that is an opportunity for neighbor to neighbor to sabotage each other, and that's why the decibel system is actually incorporated in here. I actually agree with Commissioner Montoya with regard to the issue he brings up, but again, I state that promotes safety. So that would be an exception there.

What it's really intended to do is to address excessive noise, noise that isn't in consideration of your neighbor. And we haven't been able to do that. So that I think our Sheriff's office has done an excellent job of going out to address these issues as they come up, but the only thing they can do is to ask parties, turn the noise down. And I think if it can be done that way that's the most appropriate way to do it. But there are noises and nuisances that can't be done that way. This gives us the opportunity to address those, Mr. Chair.

CHAIRMAN ANAYA: Commissioner Vigil, I agree, but I'm looking at it as a way of somebody to – let me give you an example. In the southern part of Santa Fe County, even in the northern part, we have farming and ranching that goes on, and people are moving in closer and closer to the farmer and the rancher. And they could use this ordinance that we are looking at to try to prohibit farming and ranching, or because he has a loud tractor or something. That's what I'm looking at. We don't want to try to hurt the farmer and rancher or the person that has a loud lawnmower. And I know that's what you're getting it but I don't want it to be turned into something different.

MR. ROSS: Mr. Chair, if you take a look at page 5, number 6 on page 5, these are all – if you look at page 4 you'll see these are all exemptions to the sound regulations. If you look at number 6 you'll see that exempt from the ordinance is sounds caused by agricultural workers during their normal operations.

CHAIRMAN ANAYA: Let me ask you this. When you bale alfalfa you bail at one in the morning, two in the morning, whenever the moisture content is right. So is that normal operating hours? Are we going to say, no, you've got to bale your hay from 8:00 to

5:00? I just want to make sure.

MR. ROSS: It's an exemption from all of the prohibitions in the previous section, which are expressed in sound levels. So there's no levels that apply to those kinds of operations. But we could certainly be clear with those.

CHAIRMAN ANAYA: I would like it to be clearer. Commissioner Stefanics, and then Commissioner Holian.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Commissioner Vigil, does the City have a noise ordinance?

COMMISSIONER VIGIL: Yes, it does, and I believe that might be better addressed from our attorney who did the research on that, if you have a specific question related to that.

COMMISSIONER STEFANICS: I'm just wondering – well, let me ask a couple of questions and then you can respond. I'm just wondering ours mirrors or is different from theirs. I'm also wondering, do we have something specific in here about the decibel that is too loud and I'm wondering if we need an example given to all of us of what is too loud, so that we could all like be shocked.

COMMISSIONER HOLIAN: That's my question too, as a matter of fact.

CHAIRMAN ANAYA: Okay. Who wants to scream? Go ahead.

TED APODACA (Assistant County Attorney): Mr. Chair, Commissioner Stefanics, in response to your second question there is a measurement provided for in the ordinance as, I believe, was discussed earlier. You would require a sound meter to measure that. I don't have vocal talents.

COMMISSIONER STEFANICS: Okay, but on page 3, under sound measurement, is there anything there that says – it says meeting the requirements of the type one or type two meter. What I'm asking about is in the ordinance is there something about the decibel level? Oh, yes. Okay. I see. On page 4.

MR. APODACA: On page 4, Section 6.

COMMISSIONER STEFANICS: Could you give us an example of what meets that? You don't have to make that noise. I'm asking what noise is it that we're talking about?

MR. APODACA: I can't mimic that for you today, but these would be unreasonable noises, far beyond what you'd be used to, excessively loud music that would go above a high decibel level as provided in here. Something that would be not reasonable in a community setting. For example, your neighbor playing full blast a rock station all afternoon that's way beyond what normally you would hear over a fence. That's what this was intended to mirror. And in fact, to address your first question, Commissioner Stefanics, the measurements here are consistent with those that are found in other ordinances of counties of similar size as Santa Fe County. Much of this information was taken from a Colorado county ordinance. The one of the City of Albuquerque was extremely detailed and not deemed appropriate. The City of Santa Fe is currently reviewing this and I don't know if they have anything in place right now but they're considering an ordinance similar to this but I could not get the details from them because they're still in the drafting mode.

COMMISSIONER STEFANICS: Okay. Well, Mr. Chair, the reason I'm asking is this I'm supportive of a noise ordinance but I'd like to get it a little clearer because, for example, out at the Eaves Ranch there are quite a few activities, social activities. And sometimes it doesn't end at 10 pm and it continues in terms of music or loudspeakers, etc. So I'm just trying to gauge how that fits in. I've had people also call be about -- many people think that the rodeo grounds is owned by the Santa Fe County, which it's not. But many people living around there call me to complain about the noise going on from events going into the late night. And that would be relevant to the City. So I'm trying to just get some examples of our noise thing here and also for the public to be able to react when we do end up voting on this finally so that they understand we are talking probably about excessive noise.

The other thing, Commissioner Vigil, is as a person who's very concerned about any oil and gas drilling that might ever happen, I've been told that a lot of times drilling is 24 hours a day and the noise that comes from drilling might be a low decibel but it's a constant. And I'm wondering if your ordinance deals with that in any way.

COMMISSIONER VIGIL: Thank you, Mr. Chair, Commissioner Stefanics. I do believe our oil and gas ordinance itself deals with this. Am I correct in that, Mr. Ross?

MR. ROSS: Mr. Chair, Commissioner Vigil, that's correct. We do have noise limitations on oil and gas operations but that's the only type of operations we have limitations on currently.

COMMISSIONER STEFANICS: Thank you very much. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Any other questions, comments? I kind of feel that Section 4 says the Sheriff in Santa Fe County shall administer, supervise and perform all acts necessary to enforce this ordinance. I would like to see the Sheriff look at this before we publish title and general summary.

COMMISSIONER VIGIL: And Mr. Chair, the option is there for Sheriff or the Code Enforcement, but I do agree with you that he should a review.

CHAIRMAN ANAYA: So --

COMMISSIONER VIGIL: With that, I'll move for approval of publication of title and general summary for an ordinance to prohibit excessive, unnecessary and unreasonable noise and public nuisances.

COMMISSIONER HOLIAN: Second.

CHAIRMAN ANAYA: There's a motion by Commissioner Vigil, second by Commissioner Holian. Any discussion? I would also like to include the fact that -- I know you have it in here, the mining, the blasting. It is important that we don't continue to make it harder on the people that are making a living and supplying materials --

COMMISSIONER VIGIL: Mr. Chair, none of this is intended for that.

CHAIRMAN ANAYA: I know. I'm just under discussion. That we need to look at those things because we're driving our economy out of Santa Fe County, and I just want to make sure that we look at this closely.

COMMISSIONER VIGIL: I need to state, Mr. Chair, that none of the actions that I have ever taken has driven the economy out of Santa Fe. This particular ordinance should

probably welcome more of the economy. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Thank you. Any further discussion?

The motion passed by majority 4-1 voice vote with Chairman Anaya voting against.

X. C. Proclamation in Recognition of Hispanic Heritage Month (Commissioner Montoya)

COMMISSIONER MONTOYA: Thank you, Mr. Chair. I'll just quickly read this proclamation which we are already underway in terms of Hispanic Heritage Month.

In September 1968 Congress authorized President Lyndon B. Johnson to proclaim National Hispanic Heritage Week; and

Whereas, the week was expanded by President Ronald Reagan in 1988 to cover a 30-day period starting on September 15th and ending on October 15th; and

Whereas, September 15th was chosen as a starting point for the celebration because it is the anniversary of independence of five Latin American countries, which include Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua. In addition, Mexico and Chile celebrate their independence days on September 16th and 18th respectively; and

Whereas, America celebrates the culture and traditions of US residents who trace their roots to Spain and Mexico and the Spanish-speaking nations of Central America, South America and the Caribbean; and

Whereas, National Hispanic Heritage Month is the time to recognize the contributions of Hispanic Americans to the United States and to celebrate Hispanic Heritage and Culture; and

Whereas, we honor and celebrate the achievements and culture of our nation's Hispanic population.

Now, therefore, we the Board of Santa Fe County Commissioners hereby proclaim September 15 through October 15, 2009 National Hispanic Heritage Month throughout Santa Fe County.

And I move for approval, Mr. Chair.

COMMISSIONER VIGIL: Second.

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

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

COMMISSIONER MONTOYA: Thank you. And Mr. Chair, I just wanted to note that some of our staff, particularly Jose Villegas is involved in a Story Corps program which is part of recognizing and also obtaining oral histories from our ancianos, our viejitos, the ones we look to for a lot of consejo, a lot of guidance. And he's involved with that. And also

just to acknowledge the rich culture, especially the Hispanic culture that we have in New Mexico which sometimes is forgotten in terms of really the rich history, the rich tradition that we've had here for over 400 years which we're now celebrating this year with the recognition of the City of Santa Fe and County of Santa Fe and the 400-year anniversary and our commemoration for all of what particularly New Mexico has done to add to the rich Hispanic culture of this country.

CHAIRMAN ANAYA: Thank you, Commissioner.

X. E. Proclamation In Recognition of Santa Fe Community Infant Program of Las Cumbres (Commissioner Vigil)

COMMISSIONER VIGIL: Thank you, Mr. Chair. I'm honored to bring forth this proclamation and I know Lisa is here and a couple of representatives from Las Cumbres. Mr. Chair, part of the reason why I have a foundational sort of caring about this is because I was part of discussions as a staff member with Santa Fe County with regard to early infant programs. I actually attended some of the presentations that were done and recognized how significant. And I think there is some sort of a gain towards learning that the more we invest in early childhood education, the infant program, zero to three. As a matter of fact the [inaudible] and all of those are coming into vogue too, so I think we're heading in the right direction with this community infant program. And I wanted to recognize it, because I think that it's impact isn't known until adulthood actually. And so with that, Mr. Chair, I would like to read the proclamation then present it.

Whereas, the United States has witnessed a significant increase in child abuse, neglect and abandonment, resulting in childhood behavioral health problems; and

Whereas, research has shown that early interventions positively contribute to infant and early childhood physical, emotional and mental health and development; and

Whereas, the New Mexico Kids Count Data book ranks the in states among the lowest in the county year after year for child well-being; and

Whereas, infant-parent relationships shape the course and quality of social-emotional development and early experiences set the stage for how each individual will perceive his or her environment at home and in the world at large; and

Whereas, children who have not experienced a consistent, secure and nurturing relationship with a parent or caregiver could experience significant social and emotional problems; and

Whereas, studies have shown that prevention and intervention programs support more positive early development and can reduce costs to public systems such as our schools, social welfare, medical and criminal justice systems; and

Whereas, in 1998 a number of collaborating agencies including Santa Fe County and Santa Fe County Maternal and Child Health Council recognized the need for a program to address the factors of at-risk infants, toddlers and their families in Santa Fe County, leading to

the launch of the Santa Fe Community Infant Program in 1999; and

Whereas, the Santa Fe Community Infant program enables parents and caregivers to have greater understanding of their child's behavior, development, and non-verbal cues to better respond to their children's needs and feel a greater sense of competence and satisfaction in their roles as parents; and

Whereas, from a single full-time employee and two initial families in service at its inception, the Santa Fe Community Infant program has grown in ten years to serve a total of 402 children and their families with a staff of six to eight therapists; and

Whereas, the work of the Santa Fe Community Infant program represents dedication and commitment to the ongoing need for infant mental health for the children of Santa Fe County and their families, and the agency has proven to be a long-lasting and valuable contributor to Santa Fe County.

Now, therefore, be it resolved that we, the Board of Santa Fe County Commissioners hereby recognize the Santa Fe Community Infant program of Las Cumbres for their outstanding service and development and provision of infant mental health services in Santa Fe County.

And with that, Mr. Chair, I move we approve this proclamation.

COMMISSIONER HOLIAN: Second.

CHAIRMAN ANAYA: Motion by Commissioner Vigil.

COMMISSIONER VIGIL: Thank you. And I'd like Lisa to introduce everyone who's here from Las Cumbres and what their title and role is with them, if you wouldn't mind.

LISA GARCIA: Thank you, Commissioners, Commissioner Vigil, I don't know their titles but I work with them. Robyn Covelli is office manager. I work with her a lot, and we have Kathleen Benecke, who is the program director of the Community Infant program specifically, and Elizabeth Lee, who is director of resource development. So I work very closely with all of them and I'm proud to work with them because this is a very beneficial program to the community. Thank you.

COMMISSIONER VIGIL: Thank you very much. Would any of you like to say anything?

KATHLEEN BENECKE: I was the one employee that started in 1999, so I've been here ten years and I really want to thank the County Commissioners because without your ongoing support and financial support but also emotional support, we wouldn't be here today. And we do really serve a need in this county. When I go to national conferences and people ask me, your county supports this program? They're in awe. So whenever we go to conferences we really say that the County supports our program. So thank you from the bottom of my heart and for all the families that we have served.

CHAIRMAN ANAYA: Thank you.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: I just want to thank you all. The service that you provide in northern Santa Fe County is invaluable. I know I work with Hands Across Cultures in my real job and certainly we've collaborated with Las Cumbres over the years on

different programs and the recognition is very well deserved.

COMMISSIONER VIGIL: Thank you, Mr. Chair.

CHAIRMAN ANAYA: We have a motion by Commissioner Vigil and a second by Commissioner Stefanics. Any further discussion?

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

CHAIRMAN ANAYA: Thank you, Commissioner Vigil, for bringing that forward.

X. D. NCRTD Update (Commissioner Stefanics)

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Behind tab X. A through E what you have are ridership reports, because some people had asked for comparisons of 2008 to 2009. It takes all the RTD routes and shows you for two different fiscal years, the ridership. But more importantly, behind it is a resolution that the RTD did pass on defining standards and practices for the implementation of new service routes. So I just wanted to first of all assure the County Commissioners and the county residents that whatever the Regional Planning Authority does recommend will be of course taken very seriously and adopted but that there might be new routes that are looked at based upon the needs assessments and new financial resources. And this resolution spells out how new services do get implemented once they're into the service plan.

So I know everybody is very concerned about the wise use of money. People are concerned that they're being represented, so I just wanted to let the County Commissioners know that. That's all.

CHAIRMAN ANAYA: Okay. Thank you. Any questions.

X. F. A Proclamation Recognizing Katie Peters, the 2009 Woman on the Move Award Recipient (Commissioner Stefanics)

COMMISSIONER STEFANICS: Thank you, Mr. Chair, and I apologize because you all don't have this proclamation and it's a matter of recognition and I'll make sure you all get a copy. I'd just like to let you know that the Women Moving Forward Award is a statewide award by the National Multiple Sclerosis Society that either recognizes a woman with multiple sclerosis who has done many things or a woman who takes time out of their life to dedicate themselves to this. I had the opportunity to attend a lunch this last week that recognized Katie Peters of Santa Fe, New Mexico for the work that she does for the MS community. And this Women Moving Forward Award is set up because most people diagnosed with MS are between the ages of 20 and 50, with more than twice as many women than men. And while there are male individuals who have MS, the majority of individuals are women.

So I just wanted to bring to the recognition of the County and the County Commission that Katie Peters has been recognized by the MS Society for this award for her help with the MS community, and we will make sure that Katie Peters receives this resolution. So I would move passage of this resolution.

COMMISSIONER VIGIL: Second.

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

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

X. OTHER MATTERS FROM THE COMMISSION

COMMISSIONER MONTOYA: Mr. Chair, there's a couple of items. One is that, of course this Thursday we're having our Buckman Direct Diversion project meeting, and I believe Commissioner Vigil who is the chair, you won't be there? Is that correct?

COMMISSIONER VIGIL: Unless there's a quorum problem I will be there. I actually have to come in from out of town to be there, but if there is a quorum I prefer not to make the drive.

COMMISSIONER STEFANICS: I will be there.

COMMISSIONER MONTOYA: Oh, so you don't have to worry. Thank you. And then just this Friday we have the Association of Counties Board meeting. It's going to be up in Angel Fire. And then Sunday, I just want to let you all know is the feast day at Nambe Pueblo so if you all are available please head up to Nambe and participate in their festivities this Sunday.

CHAIRMAN ANAYA: Thank you, Commissioner. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. The only other thing I'd like to add is that we have the binational health conference starting on Monday, October 5th through October 6th at Buffalo Thunder Resort. Individuals from 15 different countries are coming to Santa Fe County to talk about migration and health issues. Santa Fe County is a sponsor of this event, along with Bernalillo County and we will be having a table. I've asked Steve Shepherd, and I hope Joseph knows this, that we will be having an exhibit table at this conference on Monday and Tuesday. Thank you very much.

CHAIRMAN ANAYA: Thank you, Commissioner Stefanics. Commissioner Vigil.

COMMISSIONER VIGIL: Thank you, Mr. Chair. I just wanted to announce to the public that our mobile medical healthcare van is actually scheduled to go throughout the county to provide free seasonal flu shots, and that information is available on our website. One of the scheduled stops is Agua Fria, San Ysidro Church this coming Sunday. It will be from 1 to 4:00 and in fact what will be happening there is also in conjunction with Family Days at San Ysidro. So that was not a pre-scheduled stop and I wanted to announce that particular for

residents in my area, in the Agua Fria area that the free seasonal shots will be available this October 4th at Family Days.

I had an interesting invitation from the Tucson Leadership Group. They are actually going to be here this coming week and this is leadership in Tucson, which creates a focus of prospective elected officials, at least that's my understanding from preliminary conversations I've had with them. They are actually coming to Albuquerque in the middle of the week and then they're coming to Santa Fe. They hope to be visiting with the Governor and they have asked me to join them for lunch to speak to them with regard to Santa Fe Studios. Because the reason for their trip is to use New Mexico as a model to promote the film industry, particularly in Tucson, but also statewide.

So I think the headway we've made in promoting film initiatives, both statewide and locally is already making some headway with other states, at least that's the message I got by this invitation. Thank you, Mr. Chair. That's all.

CHAIRMAN ANAYA: Thank you, Commissioner. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I just wanted to give everybody an update on the Arroyo Hondo open space in District 4. For those of you who don't know where it is you go to the very end of Old Pecos Trail, across I-25 until it dead-ends into Old Agua Fria Road, and then you turn left until that dead-ends and into the parking lot of the Arroyo Hondo open space. And I'll just have to say that I went on a hike there that was around the first of the year and Beth Mills was leading it and describing what the plans were for the open space, about the parking lot and interpretive signs and so on, and lo and behold, it's pretty much finished and there will be an opening soon.

I also want to reassure my constituents who live in that area that there will be a community meeting beforehand to discuss some road issues and other things that they're concerned about before the actual official opening. And one other thing that the Open Space and Trails Department is going to do that I think is a really good idea is that they're looking into getting a gate that will automatically unlock at 8:00 in the morning and then lock at 5:00 at night so that nobody has to go there and physically lock and unlock the gate and I think that's a really terrific idea. So I'd really like to thank Colleen and Beth and Scott and Allison for all their hard work in making this happen so quickly. I really appreciate it.

One other thing I wanted to bring up is that Laurie Treviso and I went to a water harvesting conference a week before last and I learned a lot of things there, including that Santa Fe County is really a leader in water harvesting with our Water Harvesting Ordinance. It is actually a leader in the country. And a lot of other places are looking at following our example. I also learned that there are a couple of places in the United States that depend totally for their water on water harvesting because they just can't drill wells. They happen to be on islands. Sometimes you can't get groundwater on an island. One's in Hawaii and the other's in the San Juan Islands in Washington State. But the reason that I bring this up is that the people who live there get all their water, including their drinking water from water harvesting, and so the thought occurred to me if in the future, if we need a new major source of water after we've used up the Buckman Direct Diversion perhaps, that water harvesting is really a feasible and

economical thing to look at. So I just wanted to sort of bring that up.

Oh, and one other thing is there was a very interesting session on agricultural use of harvested rainwater and in fact our old Paul Cross, from Charybda Farms in Arroyo Hondo – and that’s the Arroyo Hondo north of Taos – gave a very interesting talk. He sells at our farmers market and his entire operation is done with harvested rainwater. Not a single drop of well water. So I think that this is just beginning to be investigated and studied but I think it’s something that we here in our arid region really need to be aware of. So anyway, that’s what I had to add.

CHAIRMAN ANAYA: Thank you, Commissioner. I have two items. We had a meeting in Madrid last night and it’s funny how Commissioner Vigil brought up a noise ordinance, but some of the people were complaining about the noise. And I wanted to thank staff for going down there and the Sheriff’s Department. The meeting went well. There was just a few people there that were concerned about the loud music. Most of them really didn’t care, but we had the meeting anyway and we’re going to be talking more about that later.

I’d like to talk a little bit about the San Pedro Community Ordinance that prohibits stockpiling at the San Pedro Mine. I know that this Board at one time allowed San Pedro Mine, and correct me if I’m wrong, Steve, allowed San Pedro Mine to stockpile on private land, and I believe it has gone through litigation and they have lost, so they cannot stockpile on private land anymore? Am I correct?

MR. ROSS: Correct. It went through the Court of Appeals, all the way up to the Court of Appeals and the decision of this Board to permit the stockpiling was reversed because of language in the community ordinance there. The San Pedro Community Ordinance.

CHAIRMAN ANAYA: So what I’m asking this Board is if we could bring that ordinance of San Pedro back up so that we can relook at that so that the people that operate the mine can continue to do business. I know that Santa Fe County purchases gravel from this mine. I know that get a certain color of rock that they’ve used to landscape the capitol with. That is something that I would like to revisit. So if we could do that. That’s all I have.

XI. APPOINTMENTS/ RE-APPOINTMENTS/ RESIGNATIONS

- A. Re-Appointment of Paul White as the Alternate Member to Area 4 of the Road Advisory Committee, Within Commission District I and the Appointment of Mark Murdock as the Alternate Member to Area 12 of the Road Advisory Committee, within Commission Districts III, IV and V**

COMMISSIONER VIGIL: Move to approve.

COMMISSIONER MONTOYA: Second.

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

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

XII. B. 7. Resolution 2009-179. A Resolution Requesting an Increase to the Water Enterprise Fund (505) to Budget a Grant Awarded Through the New Mexico Environment Department for the Santa Fe County Sombrello Area Water/Wastewater System /\$500,000. (Growth Management Department)

COMMISSIONER HOLIAN: Thank you. I just had a question. This was a grant agreement for \$500,000 and I just wanted to know what the total cost of the project is estimated to be.

JAMES LUJAN (Growth Management Director): Commissioners, the total cost of the project is projected to be approximately \$10.5 million. This is just a portion that can be used for water or wastewater. In this case we're going to start using it for the water portion. And that estimate – Cuatro Villas has approximately \$2 million for the project. We're adding this portion from the County for \$500,000.

COMMISSIONER HOLIAN: So you have a total of \$2,500,000 at this point towards the –

MR. LUJAN: For this phase of the project, yes. Our portion is just to get the water from Santa Clara Pueblo to a certain point and then we will wheel water to Cuatro Villas.

COMMISSIONER HOLIAN: Okay. Move for approval.

COMMISSIONER VIGIL: Second.

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

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

XII. B. 15. Resolution No. 2009-180. A Resolution Determining the Exact Principal Amounts, Maturities, Prices, Redemption Features and Other Details of the Santa Fe County, New Mexico Capital Outlay Gross Receipts Tax Revenue Bonds, Series 2009 in the Maximum Principal Amount of \$13,000,000 [Exhibit 1: Purchase Agreement; Exhibit 2: Resolution Text]

COMMISSIONER HOLIAN: This is for the bond for \$13 million. So I guess the question I had is how much do we actually receive of the \$13 million that we bond for, because there is a certain amount of it that goes towards fees.

MS. MARTINEZ: Mr. Chair, Commissioner Holian, I don't have the final numbers yet, but we're looking somewhere in the neighborhood of \$12.6 million to about \$12.7 million. That will be the bond proceeds that we will use towards the acquisition of water rights.

COMMISSIONER HOLIAN: Peter, do you have something you want to add?

PETER FRANKLIN (Bond Counsel): Mr. Chair, Commissioner Holian, the

bonds were sold this morning at a par amount of \$12,090,000. There's an additional premium – give me just a moment - \$655,126 and an underwriter's discount of \$74,683.11. So what that means is that the County will, on a par amount of \$12,090,000, will receive \$12,670,442.89. And from that – so the underwriter is taken care of there. You then have printing fees for the official statement, you have bond counsel fees, financial advisor fees, and I think those come in somewhere around \$75,000 or \$80,000 all together.

COMMISSIONER HOLIAN: Okay. And can you determine at this point what the net effective interest rate is going to be that we're going to be paying?

MR. FRANKLIN: Yes. We are expecting Kevin Powers, the County's financial advisor to be here by now to be able to give you a full report on that, but the net effective rate is 3.479 percent.

COMMISSIONER HOLIAN: That sounds pretty good.

MR. FRANKLIN: It is pretty good.

COMMISSIONER HOLIAN: I noticed we're selling these to an underwriter, and then they will market them. Is that correct?

MR. FRANKLIN: They marketed them this morning.

COMMISSIONER HOLIAN: Oh, they already did. Okay.

MR. FRANKLIN: Yes. So they basically have investors for all the bonds totaling up to – maybe what I should do is pass out the updated form of the sale resolution and the bond purchase agreement.

COMMISSIONER HOLIAN: And so we should receive our money within a few days, correct?

MR. FRANKLIN: Well, actually we're closing on October 21st, so it will be that long.

COMMISSIONER HOLIAN: I see. I move for approval.

COMMISSIONER STEFANICS: Second.

CHAIRMAN ANAYA: Motion to approve. Any further discussion?

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

XII. C. 1. Request Approval to Fund One New FTE (Term Position) from the 2008 General Obligation Bond Revenues for Open Space, Trails and Parks. This FTE Will Be Strictly Assigned to the Acquisition, Design, Construction and Restoration of the Santa Fe River Greenway Project Versus Any Management and Maintenance Activities (Community Services Department)

COMMISSIONER STEFANICS: Thank you, Mr. Chair. This is a larger question than just for open space, so Roman, you might want to address it. I understand that this

position will be funded from the bond. But I'd like to know if any of our staff are being displaced by any of our SAVE initiatives.

MR. ABEYTA: Mr. Chair, Commissioner Stefanics, no, we have not had to do any of that at this time, fortunately.

COMMISSIONER STEFANICS: Okay. Because if we do get into the situation of having new positions come up as term with some kind of funding stream, I would want to make sure that some of our displaced workers, if that does occur, would be offered the opportunity.

MR. ABEYTA: Okay.

COMMISSIONER STEFANICS: In being able to retain work if they have some minimal qualifications.

MR. ABEYTA: Right. Okay.

COMMISSIONER STEFANICS: So I don't have any other issues or questions about this. Commissioner Vigil did you have an issue with C. 1?

COMMISSIONER VIGIL: No.

COMMISSIONER STEFANICS: Okay. So I'll move for approval of C. 1.

COMMISSIONER HOLIAN: Second.

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

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

XII. C. 2. Request Authorization to Accept Amendment No. 4 to Agreement No. 27-1808-Corr Between Santa Fe County and BI Incorporated. The Purpose of this Amendment is to Extend the Term of the Agreement Through June 30, 2010, and Increase Compensation by \$350,000.00. The Contractor Provides Electronic Monitoring Services (Corrections Department)

COMMISSIONER STEFANICS: Mr. Chair, I'm wondering why this amount needs to be increased at this level, and why the amount is so much different than perhaps what we had planned for.

STEVE AGUIRRE: (Corrections Finance Manager): Mr. Chair, Commissioners, one of the reason is due to a lot of people not having employment, some of the amount of crimes being committed and people are being placed under these monitors has gone up. This is just a safe amount to go to. Last fiscal year, fiscal year 09, we paid approximately \$280,000 for this service.

COMMISSIONER STEFANICS: Okay, so Mr. Chair, if we already – if we paid \$280,000 last year, what was budgeted for this year?

MR. AGUIRRE: What was budgeted for this year? I believe \$300,000.

COMMISSIONER STEFANICS: And so, Mr. Chair, we're asking for another \$350,000 on top of the \$350,000?

MR. AGUIRRE: No. No, no. This amount is only the compensation on the contract. It has nothing to do with increasing the amount of what was budgeted for the fiscal year.

COMMISSIONER STEFANICS: Well, Mr. Chair, this says increase compensation by \$350,000.

MR. AGUIRRE: Right. On the contract. That means that if we ever have to increase it then we stay with the \$350,000. We don't have to go over that.

COMMISSIONER STEFANICS: And so your analysis has indicated that we need the leeway from \$280,000 to \$350,000?

MR. AGUIRRE: That is correct. Just the leeway. That is correct.

COMMISSIONER STEFANICS: Okay. I'll wait and see if there's any other questions.

CHAIRMAN ANAYA: Any other questions? Commissioner Vigil.

COMMISSIONER VIGIL: Thank you. This electronic monitoring program, isn't it at some point in time intended to be self-sufficient by nature of the fact the participant will be paying for the electronic monitoring system and for any kinds of services?

MR. AGUIRRE: Yes, that is correct.

COMMISSIONER VIGIL: So we haven't reached that point?

MR. AGUIRRE: The problem is that a lot of times the client that is put on the monitors, he'll go in front of a judge and claim indigent, and the judge will allow him the indigent and we incur the costs.

COMMISSIONER VIGIL: I wonder if that can come from our Indigent Fund. I don't know, Roman. I think it might be worth looking at so that as it increases, and I agree with you. Many of the offenders or participants rather, in the program are indigent, so that we should look into our own costs with regard to that and our own Indigent Fund. I think that would create a benefit to knowing where these dollars may come from because Corrections is actually our largest budget that we dip into. We need to look at creative resources for that.

MR. AGUIRRE: Right. Commissioner Vigil, you are correct in that and the other thing is we are coming together at the Corrections Department and we are looking at other ways of cutting this particular cost.

COMMISSIONER VIGIL: Okay. Thank you.

CHAIRMAN ANAYA: Any other comments? Commissioner.

COMMISSIONER STEFANICS: Mr. Chair, I'll move approval of the increased compensation to \$350,000 for electronic monitoring services.

COMMISSIONER HOLIAN: Second.

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

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

XII. C. 13. Resolution 2009-181. A Resolution Authorizing the County Manager to Execute All Documents Necessary to Purchase Property in Santa Fe County for a Program Serving People with Severe Mental Illness

COMMISSIONER HOLIAN: Thank you, Mr. Chair. is this - there was no information in the packet about the program itself. is this a County program or is this a program that the County is providing space for?

AGNES LOPES (Community Services): Mr. Chair, Commissioner Holian, this is a service from the Clubhouse of LifeLink. The legislative monies came for their purpose and they're a program here in town that serves the severely mentally disabled.

COMMISSIONER HOLIAN: And is this sort of an inpatient or outpatient type of program?

MS. LOPEZ: Commissioner Holian, it's an outpatient. They come to this facility and they get life skills training, different types of training such as that, and then they go home. So it's not overnight.

COMMISSIONER HOLIAN: I see. Okay. I move for approval.

COMMISSIONER MONTOYA: Second.

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

COMMISSIONER VIGIL: Mr. Chair, this, Roman or Agnes, whoever, is really specific to legislative dollars. This authorization to execute all the documents is specific to the dollars that have been allocated for this purpose. Correct?

MS. LOPEZ: Mr. Chair, Commissioner Vigil, yes it is.

COMMISSIONER VIGIL: Okay. Thank you.

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

[The Commission recessed from 1:00 to 2:18.]

CHAIRMAN ANAYA: Let's go ahead and call this meeting back to order, and if I could, Commissioners, since we have a lot of people here from the La Cienega area I'd like to instead of going on to item XIII. A I would like to just skip to item XIII. D, and that would be Matters from the County Attorney. And I know the County Attorney's not here but if I could get a motion to go into executive session to discuss item C.

XIII. D. Matters From the County Attorney

1. Executive Session

c. Discussion of the Purchase of Real Property

COMMISSIONER STEFANICS: Mr. Chair, I move that we go into executive session for the purpose of discussing D. 2, which would be the purpose of discussing the

purchase of property.

COMMISSIONER HOLIAN: Second.

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

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

CHAIRMAN ANAYA: And we will probably be back in about 15 minutes.

[The Commission met in closed session from 2:20 to 2:47.]

CHAIRMAN ANAYA: Okay, can I have a motion to come out of executive session?

COMMISSIONER STEFANICS: I move that we come out of executive session after having discussed the purchase of property in Santa Fe County.

COMMISSIONER HOLIAN: Second.

CHAIRMAN ANAYA: Motion and second. Any further discussion?

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

XIII. D. 2. Resolution 2009-182. A Resolution Authorizing the County Manager to Execute All Documents Necessary to Purchase Property In Santa Fe County From Santa Fe Canyon Ranch, LLC

MR. ABEYTA: Thank you, Mr. Chair. We are interested in purchasing property known as the Santa Fe Canyon Ranch. I am ready to make a recommendation to the Commission but I know there's a lot of members from the public here. I don't know if the Commission wants to hear from the public before I make my recommendation, and then I would make a recommendation and ask the Board for approval of that.

CHAIRMAN ANAYA: Okay. I would like to hear your recommendation, if that's okay with the Board. Then if the public wants to comment then we'll open it up to public comment after they hear the recommendation. How does that sound?

MR. ABEYTA: That sounds good.

CHAIRMAN ANAYA: Okay, Roman.

MR. ABEYTA: Thank you, Mr. Chair. The staff is interested in obtaining first of all the area of the property that has master plan approval on it, specifically Phase 1 of the master plan. So that would be an area covering Phase 1 of the master plan that encompasses what is known as Tract 4-H, which is 141.47 acres, all of Tract 4-I, which is about 140.38

acres, and an estimated 125-acre portion of Tract 4-G. Now, according to an appraisal that we had done here at Santa Fe County that property appraised at \$5.5 million. Staff would recommend that we purchase that piece of property for \$5 million.

The other portion of the property that I would like to purchase is the remaining portion of Tract 4-G, which is a land area of about 62.9 acres which is outside of Phase 1 of the master plan but it includes ranch compound improvements. That property appraised at \$2.4 million. I would recommend that we purchase it for \$2 million.

Now, the remaining property on the Santa Fe Canyon Ranch includes six other tracts of land and I believe Tracts 4-A, 4-B and 4-C, there is some kind of agreement or arrangement with the Trust for Public Lands regarding those properties. So staff would be concerned about the remaining density on what is known on Tract 4-E and 4-F, and so staff, as part of closing this deal, staff would like to see that property, the density in that property be restricted to one unit per 12.5 acres.

CHAIRMAN ANAYA: How many acres was that again?

MR. ABEYTA: That would be Tract 4-E which is another 142 acres, and Tract 4-F which is another 143 acres. And so staff doesn't want to see any density that's any higher than one dwelling per 12.5 acres. Under current zoning it's possible that you could come in and get a higher density, all the way down to one per 2.5 acres. We don't want to see that on those other tracts. So any future development would be restricted to one per 12.5 on those remaining tracts. That would be staff's recommendation.

CHAIRMAN ANAYA: Okay. Any questions of staff from the Commission? Hearing none right now, this is a public hearing on the purchase of the Canyon Ranch. Is there anybody in the audience that would like to speak on this behalf? If you would just show me a raise of hands. Four of you? Come forward, sit in the front, and I can give you – how does three minutes sound or two minutes? What do you think, Carl? A couple minutes? Okay. All right. Mr. President, do you want to lead it off?

CARL DICKENS: Carl Dickens, 27347 West Frontage Road, La Cienega. This is a pretty amazing moment for our community. As of November it will have been four years of us working, not often working with, but working to protect what we feel is a really beautiful piece of land and a very important piece of land to our community. We welcome the County's involvement and your involvement in helping us to protect this area. It is something that has taken our community in many directions but we've always been certain about our interest in making that an actual part of our community.

The proposals that have been brought forward by the developers never met that criteria. So I encourage you to consider this decision. We are also aware of the Trust for Public Lands and we've encouraged that acquisition as well. But we look forward to working with you. We understand that this purchase places a financial burden upon the County. We will actively, our community will actively work with you to mitigate or minimize that impact. We have already had discussions on ways that we may be able to help you do that, but a sincere thanks from a very appreciate community for you considering this proposition.

COMMISSIONER VIGIL: Carl, Mr. Chair, what are some of the items you've

discussed to assist in mitigation?

MR. DICKENS: Oh, well, one of the things, if the ranch property is acquired, one of the ideas that has been discussed is turning that into a demonstration ranch/farm that people could come visit and there'd be some revenue generated from that. In terms of development there are certain types of development that may fit with our community and those kinds of things are things that we would look at and consider. And I want to pay special attention to the residents on Paseo C de Baca who back up to this property and ensure they're involved in any decisions that are made. But those are things that we would consider. Now, if you remember back, we never, ever said that the developers cannot develop that property. What we wanted them to do is develop it within the context of our community plan and within the limitations of their water resources. So it's not like we're opposed to development if that is something that needs to be done. It would be something that we would be willing to discuss and talk about.

COMMISSIONER VIGIL: Thank you, Mr. Chair.

CHAIRMAN ANAYA: Thank you, Commissioner, and thank you, Carl for serving your people in La Cienega. Commissioner Grill.

LINDA GRILL: Good afternoon, Commissioners. It's a pleasure to see you folks again. It seems like since November four years ago we've been here quite often and we thank you very much for your listening to us every time we've been here. I want to personally thank your staff, Roman Abeyta and all the staff at the County who have worked with us through all these problems and decisions we've had to make, and whatever decision you make today is hopefully in buying the property. We thank you and we hope you guys have a good evening. Thank you. Bye.

CHAIRMAN ANAYA: Thank you, Commissioner.

JACOB BARBER: Mr. Chair, Commissioners, my name's Jacob Barber. I live on Las Estrellas in La Cienega. In 2004 a report was released by the GAO on the Treaty of Guadalupe Hidalgo, and the findings, the Mesita de Juana Lopez Land Grant was a community land grant. The community water is the Alamo Creek, the Galisteo River, all the grass where the cows and horses, goats, sheep. And I'd like to see that area left as it is historically for grazing and for gathering firewood. That's all. Thank you.

CHAIRMAN ANAYA: Thank you, Jacob.

DIANE LEE STRAUSS: Good afternoon. My name is Diane Lee Strauss and I live at 1043 Rock Road in Tesuque. Basically, I'd just like to present, basically a decision to delay the vote on purchasing the ranch until further discussion. I'm waiting patiently for Governor Chavez of Santo Domingo and Governor Pecos of Cochiti to arrive. We feel, along with the Council of Stewards that we established two years ago in researching the land and looking at the land and working closely with La Cienega and the LCVA, that there are serious and important, significant factors presented that should be presented before acquiring the land to be discussed with the Commissioners. And we do stand in alliance, the Council of Stewards with La Cienega, and the LCVA.

I just would like to ask for consideration to perhaps delay your decision today,

primarily because we feel the cost of the land is high, higher than it should be. The appraisal says \$5 million; we were told \$6, anywhere between \$4 and \$6 million. We just wanted to the Commissioners to take a look a little bit more closely at the financial expense of purchasing the land. And then our Council would be happy to work with you in terms of complementing the County if they do purchase the ranch. We still think the price is being kept high by the current negotiations that TPL is conducting and we know the County is looking at the parcel of this ranchland for acquisition, but we still have time to have the Commissioners look at the price of the land that is still quite high.

CHAIRMAN ANAYA: Could you tell me your name again?

MS. STRAUSS: Diane Strauss.

CHAIRMAN ANAYA: Diane. And you said you are from Tesuque?

MS. STRAUSS: Yes.

CHAIRMAN ANAYA: From the Pueblo?

MS. STRAUSS: No, I live in Tesuque.

CHAIRMAN ANAYA: So your concern is the amount of money that we're spending?

MS. STRAUSS: Well, overall, in researching the land, this land that has been on the market now for almost three years, the original price for the land was very high. It's coming down now but we still believe it could come down even further if the County were to purchase it. More like \$4 million, \$3 million, \$5 million, as opposed to \$5, \$6 million or higher. Because once that land is sold for that price, which is at a higher rate today it will mark the rest of the lands nearby at a higher rate than what it should be. That's our concern. The land is still high, higher than it should be.

CHAIRMAN ANAYA: Any comments? Commissioner Vigil.

COMMISSIONER VIGIL: You had mentioned there was a couple of governors that you're expecting?

MS. STRAUSS: Governor Chavez from Santo Domingo is stuck in Albuquerque and wanted to speak today, and Governor Pecos is stuck in a meeting. Lt. Governor Pecos is on his way from Cochiti now. We've met with the County, a few individuals at the County so far, and so we just wanted to have the ability for both governors to be here to voice their concerns and unfortunately they're still stuck in traffic on their way.

CHAIRMAN ANAYA: Okay. Let us know if they come in. Thank you. Is there anybody else that would like to speak on this case?

RICK BORREGO: Yes, Mr. Chair and Commissioners. My name's Rick Borrego. I'm one of the partners of the Santa Fe Canyon Ranch partnership. And first of all I'd like to thank you for your consideration of purchasing part of this property. It's kind of a bitter-sweet moment for us because it's such a magnificent piece of property and we've grown quite attached to it and we had plans for development as well as preservation of a lot of the resources that are on the property.

But in dealing with the neighborhood for almost three or four years now it's kind of becoming clear that maybe this is the best solution for the use of the property, since the

community just couldn't get around the development that we had planned for this parcel. So I just wanted to thank you for your consideration of purchasing it. We appreciate the working relationship we have with both the County and the community and we hope to continue working with everyone in the future to kind of determine what may be the best uses for this property. And I've discussed this with my partners and we're in agreement.

The only thing that we had not discussed is anything that would have to do with the remaining tracts, in terms of densities or whatever. I'd like to suggest that that may just be deferred and if and when we decide that we'd like to propose anything for those remaining tracts that we would take it up with Land Use and the County at that point in time. We have no current plans to do anything with those remaining tracts other than the option that's in existence with Trust for Public Land. But if at such time as we would have any ideas we'd like to be able to just come in and discuss it with the County and Land Use staff and the community at that point in time. So with that, like I said, I'd like to thank you for your consideration.

CHAIRMAN ANAYA: Thank you, Rick. Is there anybody else? Come forward, sir.

GREG HINER: My name is Greg Hiner. I'm with the Trust for Public Land and I just wanted to clarify that TPL currently has under options Tracts 4-1 through 4-E. So we do have 4-E under option. And Roman had dropped that 4-E out. So we actually have more of the property under option. Currently, our appraisal is under review. It's a required review because there's a federal entity involved and we hope to have that appraisal completed in the next week or so, and at that time we will be looking with Mr. Borrego and the rest of his partners on the potential purchase of those remaining tracts. And my understanding between what the County is talking about and what TPL is currently having under option, the only outstanding tract is 4-F,

CHAIRMAN ANAYA: And that's 145 acres?

MR. HINER: I believe it's around 145, yes.

COMMISSIONER MONTOYA: 142, yes.

CHAIRMAN ANAYA: Okay. Thank you.

MR. HINER: Thank you.

WILLIAM CLIFT: My name's William Clift and I'm a photographer. My only question is with the County purchasing those properties that along the road, I'm kind of against the sprawl of more and more buildings as you go out from Santa Fe towards Albuquerque. It just seems increasing density month after month, and I think it's a shame. There should be some sense of landscape preserved here and from there all way down to the La Bajada mesas on either side of the highway. I think those are areas that we drive past every day and if all we see is commercial development and houses and houses and houses, you really lose the sense of the landscape and why we're in Santa Fe. So that's all I have to say. And I'm worried about what the County has in store for those parcels of land. I don't believe that they are going to leave it be and protect it as it is. So that's all I have to say.

CHAIRMAN ANAYA: Thank you, William. Was there anybody else? Are

there any questions or comments from the Commission? Commissioner Holian.

COMMISSIONER HOLIAN: I have a question for Diane.

CHAIRMAN ANAYA: Come forward, ma'am.

COMMISSIONER HOLIAN: Have you or someone from your organization or the Governor of Santo Domingo actually talked with our County staff?

MS. STRAUSS: We had a meeting with Governor Pecos about 14 days ago and Robert Griego was there, Hutch Williams and Commissioner Montoya led that meeting. And it's been my understanding that Governor Chavez has been approached and so has Governor Pecos as well by either the County staff or County lawyers or – the first maps we saw were 14 days ago and were produced by the County.

COMMISSIONER HOLIAN: And was there any resolution at the meeting or was it just –

MS. STRAUSS : It was just sort of a dialogue that was opened, a bridge to the governors in terms of their partnership and what is referred by the Pueblo's Tract 4. That's sacred land to the Pueblos. It's 1300 acres of land known as Santa Fe Canyon Ranch. It's sacred aboriginal land to the Santo Domingo. So they sit on the western side of the ranch and so their interest is to see the land stay protected in total.

COMMISSIONER HOLIAN: Are they interested in purchasing it?

MS. STRAUSS: There's been dialogue about that. Not with the County; privately we've talked about it. So we're sort of at a phase where I think that to let them present their positions and have time to talk to all five County Commissioners might be helpful in making your decisions in how to protect the land and what's the best choice.

COMMISSIONER HOLIAN: Okay. Thank you.

CHAIRMAN ANAYA: Thank you. Commissioner Vigil.

COMMISSIONER VIGIL: I'm just wondering, just to gauge the Commission here, based on this piece of information if we could delay action on this until the Governor's arrived. This will be the first time I will have heard of this sort of ancillary concern. If we could just delay taking any kind of action on this until we've heard from them and get some guarantee that they will be here to make their presentation, delay it today, maybe, unless you have a –

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Stefanics, then Commissioner Montoya.

COMMISSIONER STEFANICS: Okay. I stepped out of the room to call Lt. Governor Pecos and I did get him. He indicated he was not coming to this meeting. That he did not have any opposition to the purchase. What he did indicate is that Santo Domingo might have some issues with the price, but that both of the Pueblos have concerns about conservation and protecting the land from development for the future. So he wished us well in our decision making. He was not opposed to the purchase. Their issue or concern of what he just told me on the phone was that the land be preserved and protected. Thank you.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTROYA: Mr. Chair, I was just going to say exactly what Commissioner Stefanics mentioned, because I have had conversations with both Governor Chavez and Governor Pecos and Lt. Governor Trujillo – Lt. Governor Trujillo is from Cochiti also – about the acquisition of Santa Fe County with this property. They are – I asked Governor Chavez if he was willing to participate as a partner, as a collaborator in the purchase of it and he said no. He said, at this time no. This is something that he felt he wasn't interested in at this time.

I've approached the subject also and have had correspondence with Governor Pecos and didn't experience any opposition. They were going to explore it with the tribal council and get back to us. So I think this is maybe another way that, in terms of the concern that we may have in making this type of an investment that it still may come back to help us in terms of if we do get another financial partner to help us offset the cost of what we're investing from the County.

But I would say, with all due respect to Diane, which mentioned I haven't experienced any opposition from either one of the Pueblos and I'm the one who essentially reached out to them and asked them, would you like to become a part of this discussion. Because the whole premise of it coming from the perspective of preserving and conserving this land that is so valuable, I think, in terms of the cultural significance, the archeological significance, and with all due respect, Mr. Cliff disagree that we're going to develop this thing like sprawl and aimlessly and shamelessly. We just won't do that. I think we're certainly cognizant of the fact that we've worked with La Cienega for years. We've worked with Santa Fe Canyon Ranch and I think this is just something that in the interest of conservation and preservation of land and culture that Santa Fe County is doing probably the most prudent and I think smart thing for the use of this property and this land.

And with that, Mr. Chair, I would move that we accept the recommendations from the County Manager.

COMMISSIONER HOLIAN: Second.

CHAIRMAN ANAYA: There's a motion by Commissioner Montoya to accept recommendations and a second by Commissioner Holian. Under discussion. Commissioner Vigil.

COMMISSIONER VIGIL: I think it's important that we understand that the motion that we're taking action on includes, which the seller of the property said he's not willing to move forward with, includes a stipulation that any development be one unit per 12.5 acres. And I heard testimony today that that should be deferred, was my understanding. With that consideration, I want to make sure that we all know if we take action on that, that is what we're including. Mr. Chair, the floor is yours.

CHAIRMAN ANAYA: Thank you. But I think the motion that Commissioner Montoya made is clearly what the recommendation that staff had made is one unit per 12 acres.

COMMISSIONER VIGIL: And that is exactly what I said.

MR. ABEYTA: Twelve and a half.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'm a little confused. I understand that stipulation but did we in our motion or the recommendation from the County Manager include anything about preservation or conservation? Or are we leaving that to further decision making?

CHAIRMAN ANAYA: Of what piece? The existing pieces?

COMMISSIONER STEFANICS: Of the pieces that we're going to purchase.

MR. ABEYTA: Mr. Chair, Commissioner Stefanics, no, we've left that for future discussions with this Commission.

COMMISSIONER STEFANICS: Thank you very much, Commissioner. Any other discussion on the motion? There's a motion and a second. I would just like to say that I'm excited about this. It's in District 3. It is a scenic gateway to Santa Fe and most of it will be preserved. We haven't decided on exactly what we, the Commission or the County might do with some of that property. I would like to see that if it does stay in the County's hands that we use that property for youth activities, 4-H, educational courses for kids. That we would use that property for our seniors, for senior activities, and that we would continue as Commissioner Montoya stated, the preservation of our cultural resources and take care of that property. I'm not totally in agreement with not developing part of that. I think we can work closely with the La Cienega people to try to work together to construct and develop part of that, but it won't be as dense as the developers planned on developing it.

COMMISSIONER VIGIL: I'm not clear that we're making an appropriate recommendation. While I do agree that we need to move forward in purchasing this property I'm not sure all the negotiations have been complete. So I'm just going to abstain, Mr. Chair, because I don't think there's clarity. Please, Community of La Cienega, do not take my action as not in support of trying to help you create an open space for this. That's not what my vote is about. Thank you, Mr. Chair.

The motion passed by unanimous [4-0] voice vote with Commissioner Vigil abstaining.

CHAIRMAN ANAYA: Four ayes, one abstention. The ayes have it. Thank you for being here.

XIII. A. STAFF AND ELECTED OFFICIAL ITEMS

1. Review and Discussion of the Accounts Receivables for All Funds for the Month of August 2009 (Administrative Services Department)

TERESA MARTINEZ (Finance Director): Mr. Chair, this is an item normally placed under Consent, so I apologize. This is a standard report for your review, so unless you

have any questions, I really don't have anything to present on this issue.

CHAIRMAN ANAYA: Any questions of Teresa? Hearing none, is there a motion?

COMMISSIONER HOLIAN: Move for approval.

COMMISSIONER STEFANICS: I'll second it.

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

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

XIII. A. 2. Review and Discussion of the Monthly Financial Report for the Month of August 2009 Specific to the General Fund (Administrative Services Department)

MS. MARTINEZ: Mr. Chair, this would normally be on Consent so I'll summarize it for you. Basically, the important information is that our GRTs were up four percent from our budgeted amounts. They're still down from prior year collections but at least the GRTs are staying in line with budget. So that is the main summary I'll give you for the monthly financials.

CHAIRMAN ANAYA: Any questions? Commissioner Holian

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I have one question. In the second to last paragraph you say that in the unincorporated county that the GRTs are down nine percent from the budgeted amounts but that is because – or the amount is skewed by the fact that in 2009 we were collecting fire excise tax which we aren't now. So if you take that out of the calculation, how much is it down by?

MS. MARTINEZ: Actually, we'd be over by almost a percentage. So we're doing okay on the GRT.

COMMISSIONER HOLIAN: Good to hear. Move for approval.

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

COMMISSIONER STEFANICS: Yes.

CHAIRMAN ANAYA: Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair and Teresa, I understand that the County has some save initiatives to hold our budgets in check. So I've expressed concern as we go along that programs aren't going to be cut, staff aren't going to lose jobs, etc. So, from what you're projecting from the budget that we approved to what we are projecting in savings, could you please prepare for next month some projection sheets of what we approved and where we're going?

MS. MARTINEZ: You've got it.

COMMISSIONER STEFANICS: Thank you very much. That's all. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Any further discussion?

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

XIII. A. 3. Review and Discussion of the IRS Audit. (Administrative Services Department)

MS. MARTINEZ: Okay, this one I'll speak to. Mr. Chair, Commissioners, we recently underwent an IRS examination and what I did for you here is within the memo tried to cover the main details covered by the IRS. They were many focused on employment wages and they looked at Calendar year 2007. We had several areas that they examined. One was independent contractors. Do we have independent contractors hired by the County that would more truly be qualified as an employee? They looked at taxable fringe benefit policies. They looked at our standard operating procedures and they also looked at our employee benefit packages and/or policies.

Overall the County fared very well. This had me very worried and we came out of it looking, in my opinion, very good. They were very impressed with our policies. Some of the penalties and the taxes that were imposed were lighter than they would have been because we had shown some corrective action prior to the arriving, and so that we had put policies in place to address the very issues that they were examining.

So in summary, they looked at our independent contractors and we have a total of 11 contractors that they questioned. Now, a good number of these were no longer being used by Santa Fe County. There were a couple though that in the IRS's opinion should be County employees and not independent contractors. So my hope is that in October we'll bring to you a recommendation of transitioning what are now contractors for Santa Fe County into FTEs. So we'll bring that before you.

CHAIRMAN ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Teresa, on the volunteer firefighter reimbursements, will this – the reimbursements are so small anyway. So is it going to decrease it further?

MS. MARTINEZ: The reimbursements, I don't think it will decrease or increase. What it will do for us is it will qualify how we should have been handling this. In the past we were treating these, reporting this as a 1099 issue versus a W-2. So on this one they gave us a very large break. They're not going to make us go back and correct, issue corrected W-2's for the 190-some volunteers that we have. So we will still have the reimbursements to the volunteers for cars as well as travel. And we have annual limitations that we have to watch. So with regard to this they were very lenient on us because we had policies in place and we had taken corrective action before they actually conducted the

examination.

COMMISSIONER STEFANICS: Thank you. And Mr. Chair, on number 5, domestic partner insurance benefits, I understand that the state went through exactly the same issue so it wasn't inconceivable that we also made the same mistake. Thank you very much.

CHAIRMAN ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Teresa, how often does the IRS audit the County? And is it random or regular?

MS. MARTINEZ: Mr. Chair, Commissioner Holian, this is a fairly new unit. So probably for the last five, six years they had gone out, done educational outreach, and warned us that the times of training are gone and the times of enforcement are coming. So there's a new unit assigned to state and local governments, and this is fairly new. We're probably the third or fourth in the area. Lea County was the first. They just finished the City of Santa Fe. I know they've been to Santa Fe Public Schools and then ourselves. They will probably come out in a year or two and see that we've done our corrective action. There were things that had a dollar value attached to it and there were things that did not have a dollar value attached to it. So we will be coming before you with policy updates or new policies to address all of the issues that they brought to our attention.

COMMISSIONER HOLIAN: And so on the issue of the contractors who they felt should actually be permanent employees, what was their criteria for that?

MS. MARTINEZ: There's actually a list of criteria that you have to ask the questions. So what we've done is we've created a 20-question list, if you will, and we have been working with purchasing and department staff so that when we're getting to that point and we're looking at someone who's an independent contractor, these 20 questions have to be answered. And depending on the number of yeses that are arrived at, they could very well be – procurement stopped at that point and we start researching the avenue of an employee. So we're putting measures in place to prevent that.

COMMISSIONER HOLIAN: Okay. Great. Well, anyway, thank you very much. Good job.

MS. MARTINEZ: Thank you to all the staff. It was a cooperative effort.

CHAIRMAN ANAYA: Any other comments? I'd like to recognize a former County Commissioner in District 3 and that's Jose Varela Lopez. Thanks for being here, Jose, who also lives in La Cienega, who also has a smile on his face. Okay, is there a motion?

COMMISSIONER HOLIAN: Move for approval.

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

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

XIII. B. Growth Management Department

1. One-Year Status Report By Santa Fe County Arts, Culture and Entertainment (ACE) Task Force (Economic Development)

JACK KOLKMEYER (Land Use Administrator): Thank you, Mr. Chair. Good afternoon, Commissioners. We thank you for the opportunity to discuss with us and listen to an update from the arts, Culture and Entertainment Task Force for a few minutes this afternoon as we close out our first year of work. We're very excited about the number of things that have transpired and looking forward to continuing to do what we think is a really important aspect of both community and economic development in Santa Fe County.

We have a very specific action that we will be requesting of you at the end of the meeting but I'll start off by letting you know what that is so as we present the information to you you can monitor our request in terms of the progress that we had made, and that will be that we are asking for an extension of the ACE Task Force until June 30, 2010, the end of the fiscal year. We got started a little bit late when we created this. The resolution was in the summer and we didn't get rolling until September. But we would like to extend the work of this group for six months so that we can come back to you and have a discussion and hopefully a request at that time to create a permanent task for or an Arts Commission, and also to request a formal budget so that we can have some resources towards implementing the work of this particular group.

Before I start our presentation, however, I wanted to just recognize the individuals who have worked on the task force for this past year. They include the chairman of the group, local entrepreneur and music promoter Shaun Parrish who is with us this afternoon, Laura Morrow, a former arts organizer has served as the vice chair of the group. The task force also includes musician Amado Abeyta, arts organizer Lucy Duranceau-Church, who is with us this afternoon, filmmaker Jason Hool, community activist Jose Varela Lopez from La Cienega, musician Busy McCarroll from Cerrillos, and artist Maggie Muchmore.

The staff assigned to the task force has included myself and also Duncan Sill. The presentation that we're going to go through is in your packet and we also have a brief power point of that. I'm going to go through just a couple of items for you and then I'm going to turn it over to Shawn Parrish who will briefly discuss with you the approach, principles and achievements of the group. Jose Varela Lopez is going to introduce to you what we call the La Cienega model and it's, we think a very unique approach to arts, cultural and entertainment activities that we will be embarking on starting at the end of October. Lucy Duranceau-Church is going to talk to you briefly about an agriculture calendar that we're putting together for La Cienega which we hope will be an ongoing project for all of our traditional and important cultural communities, and then I will come back and go to the next steps and review the requests with you once again.

First of all, you've seen some of this before as we've made presentations, but the goals of the ACE Task Force as you approved that resolution back in July 2008 included that we survey and assess existing arts, culture and entertainment activities throughout the county.

We had a contract with Southwest Marketing and Planning and Bruce Poster performed that service for us. I think probably the most interesting aspect of this is also how many things go on in Santa Fe County that we might not all be aware of. It was astounding to see the level of activity all throughout Santa Fe County, and we focused on that one primarily in Chimayo, La Cienega and Madrid.

And then to identify existing legislation, policies and programs that could affect what we do in the County and we got particular help from the director of the City Arts Commission, Sabrina Pratt. She's still back there. She was of great help to us, so that we could understand the activities that the City did in relation to our own work.

Also, identifying funding sources was a little difficult. We did meet with OTAB. We had a good discussion with them about the possibility of collaborating on particularly marketing things. You heard their report this morning. That could be useful to us as we move forward. The partnerships that we identified including, as I said, working with the City and we've also had conversations with some of the Pueblos including Pojoaque Pueblo. You'll hear a little bit more about that in a moment. But also developing policy options and that's really the gist of what we want to present to you today.

The mission – we spent a great deal of time to come up with one sentence as we frequently do when we devise missions. I think this was particularly important because the mission was clearly to not only support the collaborative arts, cultural and entertainment activities, but really to advance community development and economic development. The group immediately from the very beginning recognized the importance of arts and cultural activities for those two reasons – that they have a huge impact on the community, particularly the infrastructure in the community and the organizational capabilities that lead to economic development opportunities.

The community impact is particularly significant with what we have discovered in working on in terms of jobs and income across a broad spectrum of the community, potential tax revenues, new capital for our individual local economies, sustainable economic development as we move towards the presentation and the roll-out of the growth management plan this Thursday, it's again really significant how important our arts and cultural activities are for that. But also about attracting investment from other industries as well. We've seen some of that already with the potential of Santa Fe Studios. But maybe most importantly is the importance of retaining local talents, traditions and resources that enhance our unique and very specific quality of life attributes that we have in all of our traditional communities.

I just wanted to go over a couple of really brief things in terms of the economic potential that is a result of arts and cultural activities and industries in the county. Santa Fe County – this is from a study that was done by BBER a while back, but that the county generates over a billion dollars annually, representing just over 20 percent of the county's gross domestic product. That's pretty significant. \$814 million that the arts and cultural tourism bring into the county account for as much as 39 percent of the total inflow of money into the local economy. And I think in reviewing some of this work and what's really significant is the fact that the arts and cultural industries employ close to 13,000 people

within our economy.

This is a particularly interesting slide because it continues to emphasize the point about employment, but sometimes, if you were probably asked to guess how many people were involved in the arts and cultural industries you might not guess that number but one out of every six workers in Santa Fe County is employed in the arts and cultural industries. And if you look at that pie chart it shows you that 17.5 percent of the total economic industry, economic engine of the county, 17.5 percent of that is the arts and cultural sector. What's interesting about that, if you also look at government, administrative management, finance and industry, retail trade and some of the other categories, it's very possible that we could up that number from 17.5 percent to as high as 20, maybe even 25 percent of the economy. So that sets the stage for what we started, how we started and what we started with as the ACE Task Force.

I'd like to turn it over to Mr. Parrish who's going to talk to you a little bit about the approach that we used and some of the actual achievements that the group made. Thank you. Shaun.

SHAUN PARRISH: Mr. Chair, Commissioners, thank you for having me. It's been an interesting year. We've done a lot of hard work. Our volunteer group of members has met every month regularly to discuss inter-communities. We've had an excellent turnout from several communities in Santa Fe County using our simple concepts of leadership, partnership and communication. Through those efforts people are coming out of the woodwork. What we're seeing now with the new County plan is our efforts are really parallel with where you're headed, what's happening Thursday and how we can really support the County as a whole in those efforts.

There have been needs recurring when we go into these communities. We hear the same things about infrastructure needs, about support, about voices wanting to be heard, communities working together, large landowners wanting to communicate with the people in the community and vice versa. So we have stuck to our approaches and principles and by that we're getting very good feedback.

Through these processes we've been able to identify through attendance at many meetings, which I've had the pleasure of seeing Mr. Anaya and getting feedback from the communities. We're promoting local decision making. We're getting involved. We're hearing them. We're allowing them to have a voice in what's going on. It's interesting how the timing of the CPO is just perfect for what we're doing because people, as we heard last evening, Mr. Chair, that people don't even understand the CPO. In fact those are going to be the projects that I personally want to be involved in and want to help people facilitate and communicate amongst each other and bring places like Madrid and La Cienega and Chimayo and lots of places that can use assistance in these areas of communication, and that's what we need to talk about more and that's what I do.

Our accomplishments have been that we are currently negotiating productively between the LCVA and Pojoaque and the use of the Downs, which is I feel a great move for that neighborhood. It's been something that's been a decade long of somewhat tension with

the abatement of the manure. It's really given us opportunity to get people talking in those communities. We are currently working on a small community event that will be supported and operated by La Cienega and Jose will explain that more in a bit. But I just appreciate the opportunity. Just want you to know that the volunteers show up every week. We go out in the communities. We are meeting people, extending hands and making things happen for Santa Fe County. I appreciate it. Thank you.

CHAIRMAN ANAYA: Thank you, Shawn.

JOSE VARELA LOPEZ: Mr. Chair, Commissioners, my part of this presentation is talking specifically about La Cienega and what we call the model. What we did was we started to forge relationships and partnerships in the community by engaging the local community groups, farmers, artists and institutions like Las Golondrinas, and we also had some discussions with Pojoaque Pueblo and private entrepreneurs to start this whole process.

So what we're trying to do is bring project leadership to bear so that we can do community-based activities, economic activities that are community-based and basically are organic in nature. They evolve from the community. And that's a process that we find has helped us get to the point where we're at today. So basically it's adaptive leadership. That's what I would call it.

So our information process is what we're doing. It's a continuous feedback loop. We engage people and we ask for their ideas. Once we formulate a certain amount of ideas we run back and forth through them again to make sure that everything is intact and that we still have the focus and the vision that we were aiming for. So this allows for broad participation and collaboration that will help make the project harmonious in the future and also hopefully to be an economic engine for the community and for the private entities that wish to be involved.

One of our goals was to have a community celebration. When we started earlier this year, and I'm also a member of the La Cienega Valley Association, we thought about having a community fair, a harvest festival for the community. But as I got involved with the ACE Task Force, with the help of the County and the members of the task force we kind of broaden the concept and we said, well, if we're working on an economic engine for our area, what is the largest piece of property in our area that can contribute potentially positively to the community? And of course that was Santa Fe Downs. That property right now is not being utilized for anything other than for soccer practice for some teams that the Pueblo has allowed to occur. So given that horseracing is not going to be a factor from what we can tell in the Pueblo of Pojoaque's future in that property, we said how can we make that property once again part of the community, an economic engine in the community?

So we thought, well, why don't we do something this fall that will kick off something that will drive this property? And so we thought of in addition to our community fair we are planning to have a flea market, a growers' market and some Halloween activities, including equestrian events and food vendors, etc. And this event will take place on October 31st, on Halloween. It's probably going to be more like an all-day event so we would like to invite

you out there. What it basically is is our initial step to try and see if we can forge a long-term relationship with Pojoaque Pueblo and the community of La Cienega to bring this property back up to some use that is viable for the Pueblo and also is something that the community would embrace. So we're trying to diversify things in the community so we're not just a bedroom community of Santa Fe, given that we do have a very long history. So that's what we're going to try and do on the 31st of October.

We couldn't have gotten to this point if it hadn't been for community leaders like Carl Dickens, who's the president of the LCVA and others who enthusiastically embraced these ideas and allowed us to move forward to this stage. And so we're hoping that this is a large festival, even if it is only a one-day event, but this is what's going to complete our task for this year, and hopefully lead to a long-term deal with the community and the Pueblo. And I just wanted to recognize Walt Borden and Sarah Cooke. They are with the Santa Fe Traditional Flea Market and they are very excited about our event and they have decided they would be more than happy to help the community out in this initial event and hopefully into the future. So we're very happy about that.

And just one other thing before I turn the mike over to Lucy so she can explain her calendar project, which is very exciting. I also wanted to invite the Commission to the La Cienega arts tour, which is the weekend of Thanksgiving, New Mexico's oldest arts tour, and something that La Cienega is very proud of. Thank you for your time.

LUCY DURANCEAU-CHURCH: Thank you. On a more specific way I am working on production of a calendar. Residents of La Cienega and La Cieneguilla have expressed a desire to give a better outlook of their community as a historically agricultural region. So we suggested to prepare a perpetual calendar which is presently being prepared by members of the community, where 12 farmers, local photographers, graphic designers and printers are participating in an effort to give a window of the agricultural vocation of this community.

We expect to print about a thousand copies of this calendar, which would be distributed or sold at events in the Santa Fe County. It also would serve as a model for the other communities to repeat the same metrics in a way. Maybe it would not be agricultural. It could be commercial or it could be other more specific identity, like I'm thinking of Chimayo. The ACE Task Force in this case would act as a supportive team to this community mobilization effort. It is also within the idea of doing eco-tourism eventually.

CHAIRMAN ANAYA: Thank you.

MR. KOLKMEYER: Thank you very much, Lucy, Jose and Shawn. So that's our presentation and just so we're clear as we move to the next steps, our big project is really going to be working to try to revitalize the Downs as a major cultural center and using La Cienega as the model to that. Once we've done that we hope to move into Madrid and work with Chimayo and take this same model and replicate it over time.

I'd also like to point out that we've done everything without a budget to this point. It's all been volunteer work and we've hit up a few people every now and then where we've gone. But I think that really qualifies our request is that we'd like for you to extend this work

for six months to the end of the fiscal year so you'll see how it works out with the Downs, see how things go, and then we come back with a much more formalized work program, and then also request some budgetary assistance from you at that point.

But as you can see, it's pretty exciting. We've involved a lot of different people and of course we've broadened just from this being like plastic arts or fine arts, we've included agriculture, we've included a lot of other ways to look at what we think are arts, culture and entertainment activities.

That concludes our presentation and I'll be happy to stand for any questions or comments. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Thank you. Is there any questions of Jack?

COMMISSIONER STEFANICS: Yes, Mr. Chair, Jack. The committee that's been working, did we appoint them? Did they just volunteer? How do people get involved if they are interested in doing so?

MR. KOLKMEYER: Mr. Chair, Commissioner, the committee was appointed originally by the Commissioners. We had something like – it was a huge number, some 30 or 40 people originally applied and we did it geographically the best that we could and also by the types of people and what experience they had in the arts. And I think we're actually a member short from what we started, but if there are others that would like to be involved we'd be happy to consider expanding the group to include others who you might think would be appropriate and would be helpful to the group.

COMMISSIONER STEFANICS: Well, I wonder, Mr. Chair and Jack, as this is moving along it's getting more formed, it's having some goals. I think more people are going to get interested. And even if you don't want the leadership committee to grow larger, perhaps you can start thinking about what subcommittees or tasks people could get involved with if they approach you and say, we'd like to be involved in this project. Because it sounds very exciting. And as you said, it could be a model for others to come. Thank you.

MR. KOLKMEYER: Thank you, Commissioner.

CHAIRMAN ANAYA: Okay. Any further discussion? So do you need a motion from us to move –

MR. KOLKMEYER: Yes. We would request that you extend the work of the ACE Task Force until June 30, 2010.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I would make a motion that we extend the ACE Task Force until June 30, 2010.

COMMISSIONER HOLIAN: I'll second.

CHAIRMAN ANAYA: There's a motion and a second to extend. Any further discussion?

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

COMMISSIONER VIGIL: And Mr. Chair, if I may.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: I just really want to thank all of the volunteers and the work that's being put into this. And I think probably the next step from my perspective as specific recommendations as to how we can move forward, one of the things that I would want to look at is how the County, through its buildings can promote sort of a featured artist gallery, promotional thing, if that's an option. But I love the idea that La Cienega is serving as a model community because I have so many roots there. Thank you.

MR. KOLKMEYER: Mr. Chair and Commissioner Vigil, if I may. The Art in Public Places project, we haven't moved too aggressively in that direction is because it would take a budget for us to deal with for us to be able to accomplish those kinds of projects. So I think as we get established here that will be one of the very specific things that we'll request. Thank you.

COMMISSIONER HOLIAN: Mr. Chair, I did have one last comment. Jack, we recently learned at another meeting that when we set up a subcommittee it had to become a public meeting. So would you just have an offline conversation with Rachel or Steve about that and this group, since we appointed them?

MR. KOLKMEYER: Yes, Mr. Chair, we're aware of that and we understand what we have to do for that. Yes. And I will have that discussion with them.

COMMISSIONER STEFANICS: Thank you very much.

COMMISSIONER VIGIL: Thank you and thank you for the work that you do.

CHAIRMAN ANAYA: Okay, I'd like to recognize Lt. Governor Trujillo from Cochiti Pueblo. I know he was trying to get down here on an issue that we had previously discussed. So if you like, we could let you speak, Governor. If not we can take this up at another time. It's up to you. Take it up at another time? Thank you for being here. We appreciate your coming down.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Just so the Lt. Governor knows, Lt. Governor, we did take action and did approve to negotiate up to a certain amount with the provision that if there's interest on Cochiti and your Pueblo's behalf to become a partner or a collaborator, however, that that is still open as we had discussed previously. So our discussions weren't any different than what we took action on here today. So thank you for being here. Appreciate it. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Thank you, Commissioner.

**XIII. B. 2. Sustainable Development Plan Update and Outreach Schedule
(Planning and Development Services)**

ROBERT GRIEGO (Planning Director): Good afternoon, Mr. Chair, Commissioners. I would just like to go through a brief presentation for you to give you an

update on where we are right now and the schedule we're going forward with. Thank you.

This update basically began with the – the County strategic plan in 2003 identified a need for the County to reorganize in certain ways. In 2006 a strategic plan was created for managing Santa Fe County's growth. This process began with an update to the growth management plan through the County Development Review Committee in December of last year. Since that time we've had a number of community meetings, public meetings that we've held. Specific stakeholder group meetings. And at this time we're coming forward with a draft.

The Sustainable Land Development Plan, the intent of this is to have a complete revision of the growth management plan. This will help us to establish a clear relationship between future growth and available resources while we protect the community's character and the quality of life. This will be a vision and a guide for the future of the County. This will incorporate local community values, goals and strategies. It will also allow the ability for communities to participate in this process. We think that this is a really important part of this plan, and it will also allow the County to address the best management and use of the County's resources, natural, economic and cultural. It will also help us to address existing and future needs of communities and serve as guide for smart growth and development.

The public outreach process began with a series of charettes. One charrette was held in each geographic area of the county. Each of these were held for three days. We received significant public input through this process. The charrette report was completed. We presented that to the Board. We went back for the second round of community meetings. We received additional input.

Throughout this process community participation has been key. The planning team throughout this process has met with numerous organizations and groups including the United Communities of Santa Fe County representatives, community groups, organizations, tribal leadership, developers, realtors, youth, environmental, Latino, Hispanic groups. Through this process we developed a community planning process which we're calling community planning organizations. This process is intended to offer an opportunity for citizens to play an important role in the future of their communities. This process will also offer a mechanism for a local voice in planning issues in the county, and also give a better opportunity for the communities to have an interaction with the County on projects important to the community.

As of this date we've received numerous interest from the communities that we've met with and I'll briefly list out some of the communities who have indicated an interest in this. It includes La Puebla, La Bajada, Pojoaque, Las Tres Villas, including Tesuque, Rio en Medio, and Chupadero, the Village of Agua Fria, La Cienega, La Cieneguilla, San Marcos, the area of Silverado, the community of Madrid, Galisteo, Lamy and San Pedro. All of these communities have indicated an interest in establishing and being a part of the community planning organization process.

The Sustainable Land Development Plan process will be the outreach for the plan. We've been putting the plan together and right now we're at a point where we're really

excited about the roll-out of the plan on Thursday, this Thursday, October 1st at the County Development Review Committee. The plan is a significant document. It includes a lot of the work that's out there but we feel that it's coming together really well. It will be set up in five volumes. Volume I is going to be the sustainable vision. We're going to have goals, policies, strategies. That's the policy and implementation volume.

Volume II, we're going to have plan elements. This is a significant section. Volume III is going to be the land development suitability analysis. Volume IV, the capital improvement plan. This is also a really important piece to tie the plan to an actual funding source and the financing plan. Volume V is the community plans. These are the community plans that have been adopted by the Board or are ready for adoption by the Board. And then we have a series of maps and atlases.

So the next steps for the plan – again, the roll-out on Thursday at the County Development Review Committee here at 6 p.m. Then we're going to hold input study sessions in areas throughout the county to present and receive the input on the plan. We'll also have additional stakeholder meetings throughout the process. Then as this process goes forward in November we'll be receiving comments. We'll present comments to the County Development Review Committee in November and go back for a special meeting in December to the County Development Review Committee and we hope to bring the draft forward to the Board of County Commissioners in January.

The Sustainable Land Development Plan is going to be available publicly in numerous locations throughout the county. Because of the magnitude of this, the five volumes, we think the best way to distribute it going to be through CD's. We will also have it available online. We're going to have several reference copies throughout the county, including the public libraries. Here at the County we're going to have printed reference copies for review. We'll also have them at the County satellite offices and other locations in the county as requested. But we will – because it's coming in five volumes and there's so many, as a draft we feel like the best way to distribute it is going to be through CDs and online. We will have copies of the plan available which we will offer to the public at no charge.

So the final slide is the locations for the meetings. October 13th we're going to be meeting at the Pablo Roybal multi-purpose facility at 6:00 p.m. at the Jacona campus. October 14th at 6:00 we'll be meeting as Santa Fe Community College in the boardroom. The following week, October 19th at 6:00 p.m. we're going to meet at the Edgewood Senior Center, and October 20th at 6:00 p.m. at the Galisteo Community Center. Each of these meetings has been advertised or will be advertised in different publications throughout the county, including the Santa Fe *New Mexican* and the regional newspapers including the *Rio Grande Sun* and the *Estancia* newspaper.

This concludes my presentation and I stand for questions from the Board.

CHAIRMAN ANAYA: Thank you, Robert. Any questions? Commissioner Holian, then Commissioner Stefanics.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Robert and

Jack and our whole land use staff. You've done an incredible amount of work and I really appreciate everything you've done. This is a question for either Jack or Robert. Sometimes when I'm trying to explain this to my constituents I feel totally awash in voluminous amounts of information. And I just sort of wonder if you could sort of maybe describe three to six, something like that, important principles that you're trying to achieve with this plan.

MR. GRIEGO: Sure. I'll take a crack at that and maybe if I miss something I will ask Jack on it. But one of the important things is the direction of growth in the county. So we want to be able to focus on both the adequate and concurrent provision of services in the county. Facilities and services, infrastructure, so we want to direct growth to areas where there will be services at the time of development. We also want to establish a relationship between future growth, public facilities, economic development, and community and the environment within the community.

One of the important things is ensuring that there's a clear process for both the developers and the residents about how development occurs in the county. Community planning again is an important aspect that we want to continue and this new community planning organization process will allow a better opportunity for implementation of community needs to the County and having that integration between the County and the communities.

COMMISSIONER HOLIAN: Would you like to say a few words, Jack?

MR. KOLKMEYER: I think those are probably the five or six important ones, but I would summarize I think what Robert just said is we're really trying to balance growth with the ability of the County to provide infrastructure. That's a key aspect. We started that in the 1999 growth management plan as you recall, and again, many of the same things. We created really the county's first growth area which was the Community College District, It's been largely successful but there are some problems and issues that have occurred as a result of that, but that's left out the rest of the county, so that we need to go back and say, well, where else should we grow in the county and how do we provide infrastructure and services for any additional growth.

And then the community planning piece is really – when we think about sustainability and sustainability – Robert didn't mention that, but that's really the underlying principle. What does it mean? How do we implement it? What does it mean for communities? What does it mean for the county as a whole? What does it mean for fiscal importance because the other thing that I would stress also, in addition to sustainability is getting this in alignment so that we have a fiscal responsibility and a budget that really allows us to undertake what we think is important. So I think that's seven of them. We'll go back, actually, we'll put together all seven or eight or however many we mentioned and just do them on one sheet for you, because we realize it's helpful when you're talking to constituents and they wonder what in the world is going on. I think we can bullet those out for you. That's really a good suggestion.

COMMISSIONER HOLIAN: We need a cheat-sheet.

MR. KOLKMEYER: A cheat-sheet. Right. Thank you very much.

COMMISSIONER HOLIAN: Thank you, Jack.

CHAIRMAN ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. First of all, this is going to be a very voluminous document. So I see it's going to be in the libraries, but is this going to be available to the public on CD's, by hard copy? Somebody told me that it would take reams of paper to even print it out.

MR. GRIEGO: Mr. Chair, Commissioner Stefanics, yes. We will have multiple copies of the CD's available. We will have them through our Planning Division and that's really the way that we're going to distribute the document. The only hard copies are going to go to the CDRC, who's going to make a recommendation to you, and also we'll have reference copies available. So people can see what the document looks like but as far as distributing the document, it's going to be available on our website or on CD's which we will provide at no charge.

COMMISSIONER STEFANICS: Okay. So will all of these volumes fit on one CD?

MR. GRIEGO: We're hoping so. We've contracted with somebody to provide that for us. We haven't gotten them back yet but that is the goal that they all fit on one CD.

COMMISSIONER STEFANICS: Okay, and Mr. Chair, besides Commissioner Holian asking for some of the salient points, I do believe there needs to be a short summary available for the public and I think that we have a limited number of the public who has delved into the entire process and they will follow the entire process, but I believe the rest of the public would like to know what we're coming up with. So whether it's a three to five-page document, but something that we can give to the public or that could be on our website that lets people know and perhaps then they can decide whether they want to go further into the volumes.'

The next question I have is about the community planning organizations. Is our plan going to be open to whatever number of community planning organizations there are, or does our plan limit our work with a certain number of CPOs?

MR. GRIEGO: Mr. Chair, Commissioner Stefanics, the plan, the draft that we're working on currently does not limit the number of communities to do that. Part of that process which I didn't go into right now about the CPOs is that many of the communities will come together in an annual event and basically have learning from – each of the communities will have the opportunity to learn from each other. Our goal is to have as many of these as we can, with the staffing that we have. So that's really the issue with that. There is not a number that we've established. We have received significant interest from communities, so I think it's a staffing issue.

COMMISSIONER STEFANICS: Okay, and on the CPOs, in one version of the plan that was being vetted or the section, the requirement for CPOs seemed to be, for lack of a better word, perhaps invasive to the privacy of the individuals serving on a CPO. Have we amended that requirement for detailed information on every member who's in a CPO?

MR. GRIEGO: Mr. Chair, Commissioner, yes we have taken a lot of the comments that we've gotten. We've gotten significant comments on this piece, on the CPO

piece. The plan as it's written now is not nearly as – it doesn't have as much of those sort of requirements that are out there. I think it's a lot more straightforward when you take a look at it. It's a lot clearer about how the process works and the Board will adopt a community planning organization based on what the community comes forward with. So it's not the County, it's going to be the community coming forward identifying which areas and how they're going to represent themselves. We, in the plan, the way the plan is currently written, we're not going to have a lot of detail in how the community sets the community planning organizations up.

COMMISSIONER STEFANICS: Okay. That's great. And Mr. Chair, some of us might be avid readers, but these four volumes seem like a lot. So if somebody was going to pay attention to the volumes, at first I was thinking Volume II, but then I thought, no, the community plans, Volume III would be very important. But then I thought, no, Volume I with the policies and the strategies would be important. So help direct me and the public's attention to how to address pages and pages of information.

MR. GRIEGO: Well, at the beginning, the earlier suggestion, the executive summary will help everybody. But Volume I really is the countywide policy framework. That's really the key document. With the plan elements, the systems and settings on there, we have, for instance, the sustainable development is going to be the overarching theme throughout. There's going to be a sustainable development section that we really feel real good about a lot of the things we were able to include in there in this draft version. There's also sections in there that are related to energy conservation, natural resources. So if somebody has an interest in that they can maybe look at that section. But the overall goals for the County are going to be housed in Volume I. And in Volume II we're going to have the transportation plan element and the economic development plan element. We're going to have a housing plan element, a water plan element. There's going to be many sections that many somebody has a specific interest in but if they want to know the countywide piece it's really Volume I.

COMMISSIONER STEFANICS: Okay. And I would ask that perhaps the County Commissioners or those who are interested also receive a full copy, because the CDRC. And I do want to thank the staff. I know that quite a bit of time and energy and after hours have gone into all of these meetings. And I truly appreciate it because I think we're going to come out with a great product. Thank you very much, Mr. Chair.

CHAIRMAN ANAYA: Thank you. I just want to share a little thing that happened yesterday. I want to thank staff going down there to the meeting in Madrid. And one of the last speakers in Madrid, he wasn't very happy. I could tell he was tense, and he wanted to speak. He wanted to speak. And I let him speak at the end, and he got up and he pretty much tried to put the Fire Department on the spot, but Chief Sperling did an excellent job in saying what the County does. He also tried to put the Sheriff's Department on the spot. And Captain Robert Riggs responded very well. And then he tried to put the Land Use Administrator on the spot and he asked a question to Robert Griego. He said this is a 600-page document. Nobody knows what's in there. You guys don't even know. What is Article

II, Section 3 say? And Robert goes – and he goes, and you don't even know, do you? And he goes, yes, I do. And he started to explain what was going on. And I was very, very impressed and I'm glad you could answer that question. And then I stood up in my chair and said, yes, bring it on.

But anyway, Robert, thank you very much. Jack, thanks for taking your staff, Chief and the Sheriff's Department for being there. Thank you.

XIII. B. 3. Report of Findings and Recommendations to Be Presented by the Solid Waste Task Force In Accordance with Resolution No. 2009-129

HELEN PERRAGLIO (Finance Division): Good afternoon. We're handing out the report. *[Exhibit 3]* I apologize for getting these to you not within your packet, but you'll find a brief report and I will go over our findings, recommendations, via power point. *[Exhibit 4]*

Okay, so we are representing the task force that was established by Resolution 2009-129. The task force members, the constituent members were Walter Wait, David Dogruel, William Mee and Andrew Leyba. And the County staff was Roman Abeyta, James Lujan, Brian Baca, Oliver Barela and myself.

The purpose of our task force was to address several issues surrounding the County solid waste program to include the following: permit structures and alternatives, cost versus services, self-sufficiency and economic strategy for countering changes in revenue streams, illegal dumping and recycling efforts, other alternatives and other issues as they may arise.

The following that we as a group collaborated on and found were that the current fee structure is not adequate to fund the solid waste program. The countywide assessment that had been brought to your attention when we first requested the ordinance be revised was deeply researched and found to be an unfavorable option. It looks that it will be too costly and difficult to administer, it may impose inequities on those county residents who prefer to pay for curbside pickup. They pay for that service and if we were to assess them on top of that that would cause inequities for them, for those residents. Two counties that were researched that have either implemented monthly billing or are doing annual assessments have experienced difficulties with initiating a program, the database interface that they have with their billing, and they've experienced collection and delinquency issues and some pretty hefty audit findings regarding that. So we thought that was probably an unfavorable option.

We discussed illegal dumping very thoroughly and we did come to a consensus that it is a societal issue that requires more resources to be dedicated on education and community outreach, and does not necessarily correspond to increased fees. There was concern about construction debris that needed to be addressed as the culprit of the most illegal dumping, and the need to work on better preventing that. But we would like to continue to work with the BLM and environmental groups to obtain funding and grants to help with remediation efforts.

And we also found that free recycling is definitely a positive function that would encourage more users to participate.

So what the task force does recommend – we had a couple short-term solutions to address it immediately, and then longer-term solutions that we think we could implement. The short-term solution is to continue the annual permits the way that we're doing it currently, with a reasonable increase, to offer free recycling, to open up services to incorporated areas with two purchase options, to introduce a one-trip permit. And the main goal with the solution is to help fund the operations of the solid waste program, not necessarily the capital costs, and bases the fees on estimated calculations of use and not cost to Santa Fe County. So it's more equitable to the user.

The fee schedule that we would propose, that we all agreed upon, and this is based on different calculations of what a household would produce in trash and what it costs. It would be the residential permit would increase from \$35 to \$55 for a 24-trip. And the 10-trip would go from a \$25 to a \$35. And introduce a new one-trip permit for \$15. Leave the \$5 dollar – 5 bag-tags alone, and offer free recycling.

For small commercial we would increase the fees. We would double them to \$100 for a 10-trip and offer a \$60 5-trip if they don't want to pay for the \$100 trip, and leave the commercial billable accounts alone the way they stand.

And an entirely new option that's not addressed in our new ordinance is to open it up to incorporated areas but only allow them two purchase options, and that would be a \$40 4-trip, so they'd be paying basically \$10 a trip, or just a \$15 one trip. And both of those would include free recycling. And we feel that would be beneficial to us because we don't know what the demand will be once we open this up to incorporated areas. We'd like to make it equitable, so we think \$15 is a reasonable charge. And we think constituents will be very happy with this option because we've had a lot of concern about it not being open to incorporated areas.

Okay, and then the longer-term fee structure solution which was discussed, which would be something that the task force would like us to consider to do as a County is to implement weight scales at all transfer stations and administer a pay-by-weight fee structure so the users are those that pay for the solid waste. And in order to accomplish this we would need initial capital funding to purchase the equipment and the software to implement such weigh stations at each transfer station. So some possibilities that were thrown out there were maybe look at the next general obligation bond issue to fund and maybe even start a couple of transfer stations wherever we can and try to implement the pay-by-weight.

We feel that this would also encourage more recycling because it would cost less by decreasing the weight of your load if you separated out the weight of recyclables. So this would encourage recycling. It would help keep costs to users. It wouldn't merit a large rate hike because we would set up the fee structure to be close to what we're proposing here, about \$55 a year, is probably what could be attained. Somewhere between \$55 to \$65, \$70 a year.

The task force felt this would be the most equitable solution, long-time solution to users and the most economical to the solid waste program. Now, that solution would really address the operations of solid waste but there's still capital funding items in different areas,

so other solutions to help bridge that gap would be to earmark that 1/8 environmental GRT to the annual solid waste operations, and that brings in anywhere from \$800,000 to \$900,000 a year. And currently each year this can be used for solid waste, water or wastewater projects. So what we would recommend that it be earmarked just for solid waste to help offset the costs.

And looking into charging an impact fee for solid waste for all new development, and currently the state of New Mexico doesn't allow for that so we would look to the NMAC for legislative support on that initiative. And we think that other counties would jump on board and support that because an impact fee could be beneficial and equitable.

And then look to opportunities of utilizing our recyclables. An idea that was raised was using the raw materials to promote more agricultural recycling for those that farm and have yearly agricultural wastes and to look at processing that into mulch and working with the Community College on their biofuels program, because that's the kind of materials they're looking for. So we'd like to open discussion with the college and see if that's a potential for future revenue generation. A better cost-benefit analysis is also needed. So that's one area but the other areas discussed were looking at all recyclable materials and is there opportunity for us to separate those out and generate revenue instead of paying for those just taking those to BuRRT.

Another solution that was brought up by primarily the constituent members of this task force was to open the dialogue with the Santa Fe Solid Waste Management Agency, which some of you are very familiar with, to discuss opening up the Caja landfill to more users to address the issue of the increased tipping costs. The first and foremost item that would need to be addressed before that discussion would start would be, from the constituents would be the improvements that are needed to the road and infrastructure for safety before that could happen, because from our understanding, that's what put it on hold when it was brought to the Board prior was a safety issue of if we open it up to more users the road is just not capable of supporting those type of trucks and there's a lot of accidents and they just want to make sure that there would be sufficient infrastructure in place. But that would help with achieving lower tipping fees.

And the other item that was addressed was if this can't be addressed or there can't be other ways of looking at revenue streams at SWMA, then the County should look for other alternatives if the tipping fees continue to increase.

So the other items, some of the other items that were discussed were the constituent needs and better outreach. And so what was agreed upon was that the application should be revised to make it more user-friendly and bilingual and to take out confusing language. Make it more accessible. Place more forms, download online and at satellite offices, and that we need to continue and improve satellite office services so that constituents have easier access to these permits, and do a better marketing outreach for the new users that will be incorporated. And better outreach to rural locations as well – press releases, online other announcements, and advertise all new options to all users so that what we're offering is more available.

So those were our findings.

CHAIRMAN ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, thank you, Helen, and thank you staff and thank you task force for the good work that you did. I want to compliment on how much you achieved in a fairly short period of time, as far as coming up with some really great recommendations in my opinion. I particularly like the way that you divided it up, the strategy that you had of short-term and long-term solutions. That certainly does make sense. So my question, I guess is to Roman. What is our next step here?

MR. ABEYTA: Mr. Chair, Commissioner Holian, we will bring forward in the form of an ordinance slide #6, which is the short-term fee structure. So we will come on October 13th with authorization to public title and general summary, and then in November we'll ask you to adopt the new fee schedule, and hopefully we'll have the new fees go into place January 1st.

CHAIRMAN ANAYA: Are we going to put this out so that the public can look at it before?

MR. ABEYTA: Yes, we'll start that campaign tomorrow. This week we'll put this out. I know you had a concern, Chairman Anaya, about opening it up to incorporated areas. That will be included at this \$40 for four-trip option. It will be, yes. Española, City of Santa Fe and Town of Edgewood. So everything you're seeing on this slide #6 is everything that will be reflected in the ordinance that we'll bring forward.

CHAIRMAN ANAYA: Okay. Commissioner Vigil, then Montoya.

COMMISSIONER VIGIL: Thank you, Mr. Chair. I hope by that time we have a more recent update in terms of how SWMA is moving forward. Because at our last meeting one of the recommendations we got was to give authorization to staff to enter into negotiations for solid waste to be transferred from Rio Arriba, some parts of Espanola. So I think that's going to be a component that might impact this in terms of who we service. They're actually looking for Caja del Rio to service them and maybe it's just for specifics. But SWMA is moving forward in other areas and part of that I hope is to assist in reducing the tipping fee. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Chair, in terms of the 1/8 environmental GRT. It says earmark it for solid waste operations. What's it being spread out over now if it's not specifically being earmarked? What other services will be impacted if we do earmark that?

MS. PERRAGLIO: Mr. Chair, Commissioner Montoya, to answer that question it has been specifically earmarked and budgeted in the solid waste budget for the past several years and the only other opportunity that exists to be utilized that E-GRT is in wastewater and water. And those operations have been found in that they are actually an enterprise fund that has a surplus quite often. So they haven't had to use the funding source from that E-GRT. So at this point we think it would be safe to say that solid waste would be – it would be safe to keep that earmarked there without affecting any services, either water or

wastewater.

COMMISSIONER MONTOYA: So 100 percent of that 1/8 will be dedicated for the solid waste operations.

MS. PERRAGLIO: Yes. And with that, it's not a permanent resolution that we're recommending. We're just saying that that's a good internal decision to make, and that can always be revisited. If solid waste starts getting more on its feet and being more self-sufficient that can always be revisited if water or wastewater needed some of that allocation, Mr. Chair.

COMMISSIONER MONTOYA: So about how much is that right now, that's going for water/wastewater?

MS. PERRAGLIO: Right now – well, none of it goes to water and wastewater. It all goes to solid waste. And the amount that comes in, last year we realized about \$915,000, but this year we budgeted \$828,000 in light of economic conditions. So it can range anywhere from \$800,000 to \$900,000 a year.

COMMISSIONER MONTOYA: So we're already doing this then?

MS. PERRAGLIO: Yes, we already are.

COMMISSIONER MONTOYA: We're already using the full, 100 percent.

MS. PERRAGLIO: That's correct.

COMMISSIONER MONTOYA: So is it really a solution then?

MS. PERRAGLIO: Well, we're just saying that it should probably be kept in solid waste. That's part of the solution. Instead of transferring it into water or wastewater in the future, let's keep it in solid waste.

COMMISSIONER MONTOYA: Okay. So instead of allowing the possibility of it going for water and wastewater, strictly earmark for the solid waste operations.

MS. PERRAGLIO: That's correct.

COMMISSIONER MONTOYA: You might want to say that. Because I thought it was being used for other things, but if it's already being – it's not really another source of revenue. It's flat. Thank you, Mr. Chair.

CHAIRMAN ANAYA: Thank you. Okay. Thank you.

MR. ABEYTA: Okay, so we'll bring forward the title and general summary in two weeks, Mr. Chair.

XIII. C. Matters From the County Manager

- 1. Update on Various Issues**
- 2. New Judicial Courthouse Complex**

MR. ABEYTA: Mr. Chair, the only thing I have is a real brief update on the new judicial courthouse complex. We are working out the details with the Environment Department regarding who's going to be responsible for what exactly, and trying to come up with a coordinated work schedule and time line that we can bring forward to the Commission. So this is – we're meeting weekly and as soon as I have those details worked

out we'll have a presentation to the Commission. So I'm going to leave this on the agenda for every two weeks and I hope sooner rather than later I can bring something with more detail to the Commission on that.

CHAIRMAN ANAYA: Okay. What about item 3.

MR. ABEYTA: Item 3, we're ready to go. Duncan Sill will make the presentation.

XIII. C. 3. Authorization to Publish Title and Summary for Adoption of an Ordinance Approving the Formation of the Santa Fe County Renewable Energy Financing District for the Purpose of Encouraging, Accommodating and Financing Renewable Energy Improvements Within the District

DUNCAN SILL (Economic Development): Mr. Chair, Commissioners, thank you, Roman. Previously, on July 29th of this year this Commission adopted an intent to form the district of Santa Fe County renewable energy for the purpose of accommodating, encouraging and financing renewable energy improvements within that district. I'm here today to request the authorization of the publishing of title and summary. There was also previously a studio session that was held with you guys that included our bond counsel, Peter Franklin, who's been working very extensively on this issue with that here and we are at a junction that we believe that we are ready to move ahead with the policy adoption.

Concurrently, at the same time we are also working on issuing a request for proposal to solicit a full-time administrative services assistant. That would include program implementation, development, administration and financial services. So with that said I would like to stand for questions.

CHAIRMAN ANAYA: The district, is that the whole county?

MR. SILL: It is, Mr. Chair, yes.

COMMISSIONER HOLIAN: Mr. Chair, can I have a point of clarification?

CHAIRMAN ANAYA: Sure.

COMMISSIONER HOLIAN: The geographical boundaries are the county but the only members of the district will be those people who sign up voluntarily for it. Other county citizens who don't sign up for it are not members of the district.

CHAIRMAN ANAYA: So it's a volunteer basis.

COMMISSIONER HOLIAN: Exactly.

CHAIRMAN ANAYA: From what I remember.

COMMISSIONER HOLIAN: Yes.

CHAIRMAN ANAYA: Okay, Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Is this – and I'm sorry if you said – is this following Representative Egoff's bill or Senator Wirth's bill, or incorporating them both?

MR. SILL: Mr. Chair, Commissioner Stefanics, this particular proposed

ordinance in the draft form is in support of Senate Bill 647, which is Peter Wirth's bill. There's just some issues with the implementation of the House Bill that the state has to clarify. So at this point we're not able to move ahead as quickly as we intend with that. So this is in support of the Senate Bill.

COMMISSIONER STEFANICS: Okay. So Mr. Chair and Duncan, what is then the effect upon the individual citizen?

MR. SILL: Mr. Chair, Commissioner Stefanics, the effect with the creation –

COMMISSIONER STEFANICS: If you already told us, I'm sorry. It's getting to be late afternoon. I need more coffee.

MR. SILL: The effect of the average citizen, for those voluntarily opting in, the property owners will receive up front financing for the purpose of making renewable energy improvements which otherwise would be difficult or unavailable to them through conventional financing, and the mechanism of repayment is through a special assessment similar to the structural setup of say, a public improvement district or other types of improvement districts that the state statute permits. So that's the primary benefit. And of course the deployment of renewable energy would enable the average citizen to participate with working with us in addressing climate change. So they would affect that as well.

COMMISSIONER STEFANICS: So, Mr. Chair, Duncan, if we authorize title and summary, then we would vote on this October or November?

MR. SILL: Mr. Chair, Commissioner Stefanics, the schedule that we're proposing right now, we would likely bring forth the adoption for your consideration of the ordinance at the end of October, at the last meeting.

COMMISSIONER STEFANICS: So if that happens, the end of October, again, I'm going back to the effect upon the individual resident. When could people actually access this program? Let's say we passed it the end of October, would it become effective 30 days after? Do we have to put other rules and regs into place? What's the process?

MR. SILL: Mr. Chair, Commissioner Stefanics, the statutory requirement is set in place and I believe that's 30 days. And there is concurrent program development and financial structure development. So I'm hoping that these things don't run into any difficulties. We're looking at an application process being considered at that effective date. So it would be some time late November, early December, that we would be working with individual property owners at the earliest to make the process towards improving renewable energy systems.

COMMISSIONER STEFANICS: Well, Mr. Chair, I think it's great we're moving ahead. I do think the public has been asking us when so this is why I'm asking the questions so we can at least be putting out to the public that we are taking action on something, moving it along, and that perhaps by the first part of December there will be a program for them to enter into. Is that correct?

MR. SILL: Mr. Chair, Commissioner Stefanics, that is the correct statement.

COMMISSIONER STEFANICS: Thank you so much.

CHAIRMAN ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. On that point, I just wanted to point out that there is an FAQ on our website that answers a lot of these questions about timing and so on, so that information is getting out there. With that, actually, I would like to thank Duncan deeply for all the work that you've done. I don't think that we'd be this far along without all the effort that you've put into this. I'd also like to thank Peter Franklin and Sam Gill for everything they have done and I think this is a really important step. We also need to work on the RFP so that we can get the help that we need to get the program elements in place. With that I will move for approval to publish title and summary of the ordinance creating the renewable energy financing district.

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

COMMISSIONER STEFANICS: Second.

CHAIRMAN ANAYA: Second by Commissioner Stefanics. Discussion? I've got a question. So this renewable energy initiative. I live in a community. I choose to be the one that goes with this renewable energy ordinance. Where would I get – who do I go to first? If I choose to be involved, who do I go to?

MR. SILL: Mr. Chair, that process is currently being developed but hypothetically speaking the way that the procedure will work is that we'll make available that information to the public through the County and likely with the assistance of the entity that we enter into contract to provide services to assist us with program administrative aspects. That particular process will be facilitate by the entity. You will likely go directly to them and they will sit down with you in a meeting or in some process where they go over all the technical aspects, what's necessary for the application, here are some of the requirements of the program as established by the policy makers, and we'd begin with that process.

CHAIRMAN ANAYA: If I want to put a solar system in my house I would go to a solar company. Any further discussion?

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

XIII. D. 4. Award Contract to Successful Offeror in Response to RFP #2010-0033-LG/MS Insurance Broker and Consulting Services for Santa Fe County

Maria Sanchez, Purchasing Division, stated eight firms were solicited in the RFP and four submitted proposals. Although there was tie in the scoring between the two top firms the contract for \$95,000 was awarded to Daniels Insurance. She indicated a decision was necessary before November 1st in order to submit a notice of non-renewal with the Association of Counties.

Commissioner Montoya moved to approve the contract and Commissioner Stefanics seconded. The motion passed by unanimous voice vote.

XIII. D. Matters from the County Attorney

1. Executive session

- a. Discussion of pending or threatened litigation
- b. Limited personnel issues
- c. Discussion of possible purchase, acquisition or disposal of real property or water rights

Commissioner Montoya moved to go into executive session pursuant to NMSA Section 10-15-1-H (7, 2 and 8) to discuss the matters delineated above. Commissioner Stefanics seconded the motion, which passed upon unanimous roll call vote with Commissioners Holian, Montoya, Stefanics, Vigil and Anaya all voting in the affirmative.

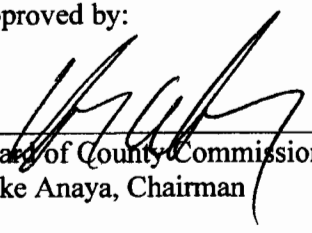
[The Commission met in executive session from 4:47 to 6:30.]

Commissioner Stefanics moved to come out of executive session having discussed only the matters outlined in the agenda, and Commissioner Holian seconded. The motion passed by unanimous 4-0 voice vote. [Commissioner Vigil was not present for the action.]

XIV. ADJOURNMENT

Chairman Anaya declared this meeting adjourned at 6:30 p.m.

Approved by:




Board of County Commissioners
Mike Anaya, Chairman

ATTEST TO:



VALERIE ESPINOZA
SANTA FE COUNTY CLERK

Respectfully submitted:


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



SFC CLERK RECORDED 10/28/2009



\$12,090,000
SANTA FE COUNTY, NEW MEXICO
Capital Outlay Gross Receipts Tax Revenue Bonds, Series 2009

BOND PURCHASE AGREEMENT

September 29, 2009

Mike D. Anaya, Chairperson
Board of County Commissioners
Santa Fe County, New Mexico
102 Grant Avenue
Santa Fe, New Mexico 87504

Dear Mr. Anaya:

Merrill Lynch, Pierce, Fenner & Smith Incorporated (the "Underwriter"), acting on our own behalf and not as a fiduciary or agent for you offer to enter into this Bond Purchase Agreement (the "Agreement") with Santa Fe County, New Mexico (the "County"). This offer is made subject to acceptance by the County, exercised by the execution of this Agreement by an authorized representative of the County on behalf of the County on or before 11:59 p.m. prevailing Mountain Time, on the date set forth at the top of this Agreement. Upon acceptance of this offer and delivery of this Agreement, this Agreement shall be binding upon the County and the Underwriter, subject to the provisions of Sections 6 and 7 hereof. Capitalized terms not otherwise defined herein have the meanings given to them in the Bond Ordinance (as defined below), as such terms are defined in Section 1 thereof.

1. **Agreement to Purchase and Sell.** Upon the terms and conditions and upon the basis of the representations, warranties and covenants hereinafter set forth, the Underwriter hereby agrees to purchase from the County, and the County hereby agrees to sell and deliver to the Underwriter, all (but not less than all) of the \$12,090,000 aggregate principal amount of the Santa Fe County, New Mexico Capital Outlay Gross Receipts Tax Revenue Bonds, Series 2009 (the "Bonds"), for a purchase price of \$12,670,442.89, being the principal amount of the Bonds less an Underwriter's discount of \$74,683.11 and plus a reoffering premium of \$655,126.00.

The Bonds are being issued pursuant to an ordinance of the County adopted by the Board of Commissioners (the "Board") of the County on September 8, 2009, as supplemented by a sale resolution adopted by the Board on September 29, 2009 (together, the "Bond Ordinance"), and the laws of the State of New Mexico (the "State").

The Bonds shall mature on the dates, and shall bear interest at the rates, as set forth in the Official Statement (defined below) and shall otherwise be in the form and have the terms provided in the Bond Ordinance.

2. **Offering of Bonds.** The Underwriter agrees to make an initial offering of the Bonds at the initial offering prices (or yields) set forth in Exhibit "A" attached hereto. Following the initial offering, the offering prices (or yields) may be changed from time to time by the Underwriter. The Bonds may be offered and sold to certain underwriters (including the Underwriter and other broker/dealers depositing such Bonds into investment trusts) at prices lower than such initial offering prices.

3. **Preliminary Official Statement, Official Statement and Continuing Disclosure.**

(A) The Board hereby ratifies and approves the preparation, use and distribution by the Underwriter for the offering and sale of the Bonds of the Preliminary Official Statement dated September 22, 2009 relating to the Bonds (which, including the cover page and all appendices and statements included therein, incorporated by reference therein or attached thereto, is referred to as the "Preliminary Official Statement"). The Board has deemed the Preliminary Official Statement final as of its date within the meaning of Rule 15c2-12 under the Securities and Exchange Act of 1934 (the "Rule") except for the omission of certain financial information; including offering prices, interest rates and related matters. The Board hereby authorizes and approves the preparation, use and distribution by the Underwriter of a final Official Statement dated September 29, 2009 in substantially the same form as the Preliminary Official Statement with such changes therein as are not inconsistent with the Bond Ordinance (such final Official Statement, including the cover page and all appendices and statements included therein, incorporated by reference therein or attached thereto being herein called the "Official Statement"). The County shall provide to the Underwriter, within seven business days of the date of this Agreement and in sufficient time to accompany any confirmation that requires payment from any customer, copies of the Official Statement in sufficient quantities to enable the Underwriter to comply with the Rule and the rules of the Municipal Securities Rulemaking Board. By execution thereof by the Chairperson of the Board of County Commissioners, the Board shall deem the Official Statement complete as of its date within the meaning of the Rule in substantially the same form as the Preliminary Official Statement subject only to such additions, deletions and revisions necessary to conform to this Agreement and the Bond Ordinance.

(B) The Board hereby ratifies and confirms the use by the Underwriter prior to the date hereof of copies of the Preliminary Official Statement, and authorizes the use of the Official Statement, in connection with the public offering and sale of the Bonds by the Underwriter.

(C) The Board agrees to notify the Underwriter pursuant to Section 9 of this Agreement promptly of any material change in the affairs or financial condition of the County which may occur prior to the Closing (herein defined). The Board further agrees to notify the Underwriter of any material developments impacting the County, the

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Bonds, or the Pledged Revenues, of which the County becomes aware between the date of this Agreement and a date which is 25 days after the end of the underwriting period for purposes of the Rule, which end of the underwriting period shall be deemed to be the Closing unless the Underwriter inform the County in writing at or before the Closing that not all of the Bonds have been sold. After such notification, if, in the reasonable opinion of the County or the Underwriter, a change would be required in the Official Statement in order to make the statements therein true and not misleading or incomplete in any material respect, then such change will be made by amendment or supplement, and the Official Statement as so amended or supplemented will be prepared and furnished to the Underwriter, at the expense of the County, in reasonable quantities for distribution.

(D) The Board agrees to furnish such information, execute such instruments and take such other action in cooperation with the Underwriter as the Underwriter may reasonably request in order to qualify the Bonds for offer and sale under, and to comply generally with, the securities laws and regulations of such states and other jurisdictions of the United States as the Underwriter may designate; provided that the County shall not be required to consent to service of process in any jurisdiction.

(E) The Underwriter will acknowledge receipt of the Official Statement from the County and the sufficiency of the number of copies received. The Underwriter shall send a copy of the Official Statement to each purchaser of Bonds in compliance with the Rule and the rules of the Municipal Securities Rulemaking Board, to the Municipal Securities Rulemaking Board and to a "nationally recognized municipal securities information repository" (within the meaning of the Rule) designated as such by the Securities and Exchange Commission.

(F) For the benefit of the owners of the Bonds, the County shall undertake in the Continuing Disclosure Undertaking provided for in the Bond Ordinance to provide Annual Financial Information (as defined by the Rule) relating to the County and notices of certain events relating to the Bonds. A description of this undertaking is set forth in the Preliminary Official Statement and will also be set forth in the Official Statement.

4. County Representations, Warranties and Agreements. The County represents and warrants to, and agrees with the Underwriter as follows:

(A) The County is a county and political subdivision of the State of New Mexico, duly organized and validly existing under the laws of the State of New Mexico.

(B) In connection with the issuance of the Bonds and the execution of this Agreement, the County has complied in all material respects with the Constitution and laws of the State.

(C) At the Closing, the County will have full legal right, power and authority (i) to adopt, perform its obligations under and comply with the provisions of the Bond Ordinance; (ii) to issue, execute, deliver and perform its obligations under the

Bonds; (iii) to execute, deliver and perform its obligations under this Agreement, the Continuing Disclosure Undertaking; and (iv) to carry out and consummate the transactions contemplated by this Agreement, the Bond Ordinance, the Official Statement, and the Continuing Disclosure Undertaking.

(D) At or prior to the Closing, the County will (i) have duly adopted the Bond Ordinance; (ii) have duly authorized (a) the issuance, sale, execution and delivery of and performance of its obligations under the Bonds, (b) the performance of its obligations under the Bond Ordinance, (c) the execution, delivery, and performance of its obligations under, this Agreement and the Continuing Disclosure Undertaking and (d) the execution and delivery of the Official Statement, (iii) have duly issued the Bonds; (iv) have duly executed and delivered the Bonds, this Agreement, and the Official Statement; (v) have duly authorized the use by the Underwriter, in connection with the offering and sale of the Bonds, of the Official Statement; (vi) have duly ratified the use by the Underwriter of the Preliminary Official Statement, prior to the date hereof, in connection with the offering of the Bonds; (vii) have performed all obligations which are required to be performed by it at or prior to the Closing under the Bonds, the Bond Ordinance, this Agreement, and the Continuing Disclosure Undertaking; and (viii) be in compliance with all provisions of the Bonds, the Bond Ordinance, this Agreement and the Continuing Disclosure Undertaking.

(E) This Agreement, the Bond Ordinance, the Continuing Disclosure Agreement and the Bonds (when issued, delivered and paid for) constitute legal, valid and binding obligations of the County, enforceable in accordance with their respective terms, subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws and principles of equity relating to or affecting the enforcement of creditors' rights; upon the issuance, authentication and delivery of the Bonds, the Bond Ordinance will provide, for the benefit of the holders of the Bonds from time to time, a legally valid and binding pledge of and first lien, but not an exclusive first lien, on the Pledged Revenues.

(F) To the best of the County's knowledge, none of the following does or will materially conflict with, or constitute a material breach by the County of, or material default by the County under, any law, any court decree or order, any governmental regulation, rule or order, any resolution or any agreement, indenture, mortgage or other instrument to which the County is subject or by which it is bound: (i) the County's adoption and performance of its obligations under the Bond Ordinance; (ii) the County's issuance, sale, execution and delivery of, and performance of its obligations under, the Bonds; (iii) the County's execution and delivery of, and performance of its obligations under, this Agreement or the Continuing Disclosure Undertaking; (iv) the County's execution and delivery of the Official Statement; or (v) any action contemplated by or pursuant to the items referred to in this subsection.

(G) At or prior to the Closing, except as may be required under Blue Sky or other securities laws of any state, all approvals, consents and orders of any governmental authority having jurisdiction in the matter which would constitute a condition precedent to any of the actions to be taken by the County with respect to the

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Bonds prior to the date of Closing will have been obtained and will be in full force and effect.

(H) There is no action, suit, proceeding, inquiry, investigation or controversy of any nature pending or, to the County's knowledge, threatened, involving the County (i) with respect to the Bond Ordinance, in any way questioning (a) the authority of any officer of the County to exercise the duties and responsibilities of his or her office or (b) the existence, powers or authority of the County material to the Bonds or the security for the Bonds; (ii) seeking to restrain or enjoin (a) the issuance, sale, execution or delivery of, or the performance by the County of its obligations under, the Bonds or (b) the collection of the Pledged Revenues or the pledge thereof under the Bond Ordinance; (iii) in any way contesting or affecting (a) the issuance, sale, execution or delivery of the Bonds or (b) the validity or enforceability of the Bonds, the Bond Ordinance, this Agreement, the Continuing Disclosure Undertaking, or any action contemplated by or pursuant to any of the foregoing or (c) any of the rights, powers, duties or obligations of the County with respect to the Pledged Revenues or the pledge thereof under the Bond Ordinance; (iv) which may result, either individually or in the aggregate, in final judgments against the County materially adversely affecting its financial condition; or (v) asserting that the Preliminary Official Statement or the Official Statement contained or contains any untrue statement of a material fact or omitted or omits to state any material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

(I) The Preliminary Official Statement (except the section entitled "DESCRIPTION OF THE BONDS - Book-Entry Only" as to which no representations are made) as of its date was true and correct in all material respects; and the Preliminary Official Statement as of its date did not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made therein, in the light of the circumstances under which they were made, not misleading.

(J) As of its date and at all times subsequent thereto, up to and including the date of the Closing, the Official Statement will not contain any untrue statement of a material fact or omit to state any material fact required to be stated therein or necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

(K) The County will apply, or cause to be applied, the proceeds from the sale of the Bonds as provided in and subject to all of the terms and provisions of the Bond Ordinance and not to take or omit to take any action which action or omission will adversely affect the excludability of the interest on the Bonds from gross income for federal income tax purposes or from net income for State income tax purposes.

(L) The financial statements of the County contained in the Preliminary Official Statement and the Official Statement fairly present the financial position and results of operations of the County as of the date and for the period therein set forth, and the County has no reason to believe that such financial statements have not been prepared in accordance with generally accepted accounting principles consistently

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applied, and, except as disclosed in the Preliminary Official Statement and the Official Statement, there has been no material adverse change in the financial condition of the County since June 30, 2008.

(M) Any certificate or copy of any certificate signed by any official of the County, and delivered to the Underwriter pursuant hereto or in connection herewith shall be deemed a representation by the County to the Underwriter as to the truth of the statements made therein.

(N) Subsequent to the date as of which information is given in the Preliminary Official Statement up to and including the date hereof, there has been no material adverse change in the financial position, results of operations or condition, financial or otherwise, of the County except as described in the Preliminary Official Statement.

(O) The County will not amend or supplement the Official Statement without prior written notification to the Underwriter and, from the date of the Closing to the date of the end of the underwriting period, the County will not amend or supplement the Official Statement without the prior consent of the Underwriter, which consent shall not be unreasonably withheld.

(P) The County is not in default, and at no time within the immediately preceding 10 years have been in default, in the payment of principal of, premium, if any, or interest on, any bonds, notes or other obligations which it has issued, assumed or guaranteed as to payment of principal, premium, if any, or interest.

(Q) Prior to the Closing, the County will not offer or issue any bonds, notes or other obligations for borrowed money or incur any material liabilities, direct or contingent, payable from or secured by the Pledged Revenues without notice to the Underwriter.

(R) The County has not been notified of any listing or proposed listing by the Internal Revenue Service to the effect that the County is a bond issuer whose arbitrage certifications may not be relied upon.

(S) The County has previously entered into continuing disclosure undertakings pursuant to Securities and Exchange Commission Rule 15c2-12(b)(5).

5. **The Closing.** At 9:00 a.m., prevailing Mountain Time, on October 21, 2009, or at such other time or on such other business day as is mutually agreed upon by the County and the Underwriter (the "Closing Date"), the County will deliver or cause to be delivered to the Underwriter the Bonds in typed or printed fully registered form and registered in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"); and the Underwriter shall accept delivery of the closing documents and pay the purchase price of the Bonds as set forth in Section 1 hereof in immediately available funds. Delivery of the Bonds as aforesaid shall be made at The Depository Trust Company or at such other location as shall have been designated by the Underwriter. Delivery of the other documents as aforesaid shall be at the offices of Modrall, Sperling,

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Roehl, Harris & Sisk, PA, in Albuquerque, New Mexico, or at such other place as may be mutually agreed upon by the County and the Underwriter. The payments and deliveries described in the preceding sentences are referred to as the "Closing." The Bonds shall be made available for inspection at the facilities of DTC and packaging in New York, New York at least one business day prior to the Closing.

6. **Conditions to Closing.** The Underwriter has entered into this Agreement in reliance upon the representations, warranties and agreements herein and the performance by the County of its obligations hereunder. The Underwriter's obligations under this Agreement are and shall be subject to the following further conditions:

(A) the representations, warranties and agreements of the County herein shall be true, complete and correct in all material respects at the Closing with the same effect as if made on and as of such date;

(B) at the time of the Closing, (i) the Bonds, the Bond Ordinance, the Official Statement, the Continuing Disclosure Undertaking, and all other agreements, documents, instruments and certificates which have been executed and delivered prior to, or are executed and delivered at, the Closing shall be in full force and effect, and shall not have been amended, modified or supplemented (except as may have been agreed to by the Underwriter); (ii) all actions required to be taken by the County shall be performed in order for Bond Counsel and Counsel to the Underwriter to deliver their respective opinions; and (iii) the County shall perform or have performed all obligations thereunder and hereunder which are to be performed by the County at or prior to the Closing and shall be in compliance with all provisions of the Bonds, the Bond Ordinance and all other agreements, documents, instruments and certificates relating to the Bonds which have been executed and delivered prior to, or are executed and delivered at, the Closing;

(C) the County shall not have failed to pay principal or interest when due on any of its outstanding obligations for borrowed money;

(D) the Bonds shall be rated "Aa2" by Moody's Investors Service ("Moody's") and "AA" by Standard & Poor's Rating Services ("S&P");

(E) on or before the Closing, the Underwriter shall have the right in its absolute discretion, reasonably exercised, to terminate the obligations of the Underwriter under this Agreement by written notification to the County if at any time after the date hereof and prior to the Closing:

(i) any event shall have occurred, or information becomes known, which, in the Underwriter's reasonable opinion, makes untrue, in any material respect, any statement or information contained in the Official Statement or the Preliminary Official Statement (except as modified by the Official Statement), or has the effect that the Official Statement or the Preliminary Official Statement (except as modified by the Official Statement) contains any untrue statement of a material fact or omits to state any material fact necessary in order to make the statements made therein, in light of the circumstances under which they were made, not misleading;

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(ii) additional material restrictions in the Underwriter's reasonable opinion not in force as of the date hereof shall have been imposed upon trading in securities generally by any governmental authority or by any national securities exchange;

(iii) the United States shall have become engaged in hostilities, whether or not a war shall have been declared, or there shall have occurred an escalation of any hostilities involving the armed forces of any country, or any other national emergency or national calamity relating to the effective operation of the U.S. government or of the financial community which, in the Underwriter's reasonable opinion, materially adversely affects the market price of the Bonds;

(iv) there shall have occurred a general suspension of or material limitation of trading on The New York Stock Exchange or other national securities exchange as the result of an event affecting the national economy, or minimum or maximum prices for trading shall have been established on any such exchange and be in force, or minimum or maximum ranges for prices for securities shall be in force on any such exchange;

(v) the New York Stock Exchange or other national securities exchange, or any governmental authority, shall have imposed, as to the Bonds or obligations of the general character of the Bonds, any restrictions which, in the Underwriter's reasonable opinion, are material and which are not now in force or being enforced or, in the Underwriter's reasonable opinion, have materially increased those restrictions now in force or being enforced with respect to the extension of credit by, the charge to the net capital requirements of, or financial responsibility requirements of, the Underwriter;

(vi) a general banking moratorium shall have been established by federal, New York or New Mexico authorities;

(vii) there shall have occurred or any notice shall have been given of any intended downgrading, suspension, withdrawal, or negative change in credit watch status by any national rating service to any of the County's obligations;

(viii) legislation is adopted by either house of the United States Congress, or favorably reported for passage to either house of the United States Congress by any committee of such house to which such legislation has been referred for consideration, or actively considered for enactment by the United States Congress, or is recommended to the United States Congress for passage by the President of the United States, or a decision by a court of the United States or the United States Tax Court shall be rendered, or a ruling, regulation or official statement by or on behalf of the Treasury Department of the United States, the Internal Revenue Service or other governmental agency shall be made, with respect to the federal taxation of interest received on obligations of the general character of the Bonds, which, in the opinion of nationally recognized bond counsel has, or will have, the effect of making such interest subject to inclusion in gross income for purposes of federal income taxation;

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(ix) legislation has been enacted or a decision by a court of the United States is rendered or any action taken by the Securities and Exchange Commission which has the effect of requiring the offer or sale of the Bonds to be registered under the Securities Act of 1933, as amended, or the Bond Ordinance to be qualified under the Trust Indenture Act of 1939, as amended, or any event has occurred that, in the judgment of the Underwriter, makes untrue or incorrect in any material respect any statement or information contained in the Official Statement or that, in the judgment of the Underwriter, should be reflected therein in order to make the statements contained therein not misleading in any material respect;

(x) any state Blue Sky or securities commission or other governmental agency or body shall have withheld registration, exemption or clearance or the offering of the Bonds, if required for sale of the Bonds, or issued a stop order or similar ruling relating thereto; or

(xi) the purchase of and the payment for the Bonds by the Underwriter, or the resale of the Bonds by the Underwriter, on the terms and conditions herein provided shall be prohibited by any applicable law, governmental authority, board, agency or commission.

(F) subsequent to the respective dates of the Preliminary Official Statement and the Official Statement, up to and including the Closing, the County shall not have incurred any material liabilities affecting the security for the Bonds, direct or contingent, and there shall not have been any material adverse change in the financial position or projections, results of operations or conditions, financial or otherwise, of the County or its operations, except as described in the Official Statement;

(G) the County shall have delivered to the Underwriter, within seven business days after the final acceptance of this Agreement and in sufficient time to accompany any confirmation that requires payment from any customer, copies of the Official Statement in sufficient quantity to enable the Underwriter to comply with the Rule and the rules of the Municipal Securities Rulemaking Board;

(H) at or prior to the Closing, the Underwriter shall have received the following, all of which shall be in form and substance satisfactory to the Underwriter:

(i) copies, duly certified by the County Clerk, of the Bond Ordinance as adopted by the Board of County Commissioners, and all proceedings relating thereto;

(ii) executed copies of this Agreement and the Continuing Disclosure Undertaking;

(iii) written evidence satisfactory to the Underwriter that the Bonds have been rated "Aa2" by Moody's and "AA" by S&P;

(iv) two executed copies of the Official Statement;

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(v) a certificate or certificates of the County, dated the date of the Closing and executed by the appropriate officers of the County, certifying that (a) the County has the legal right, power and authority to execute, deliver and perform its obligations under the Bond Ordinance, the Bonds, this Agreement, and the Continuing Disclosure Undertaking; (b) the County has duly authorized the execution, delivery and performance of its obligations under the Bond Ordinance, the Bonds, this Agreement, and the Continuing Disclosure Undertaking, and all actions contemplated by or referred to therein or contemplated by or referred to in the Official Statement; (c) except with respect to the section entitled "DESCRIPTION OF THE BONDS - Book-Entry Only" as to which no representations are made, the Preliminary Official Statement as of its date did not, and the Official Statement as of its date did not and as of the Closing does not, contain any untrue statement of a material fact or omit any statement of a material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading; (d) all of the representations and warranties of the County in this Agreement are true, complete and correct in all material respects on and as of the time of the Closing with the same effect as if made on and as of such date; (e) the County has complied with and performed all of its covenants and agreements in this Agreement to be complied with and performed at or prior to the Closing; (f) the County has duly executed and delivered the Official Statement; (g) the County has duly authorized the use by the Underwriter, in connection with the offering and sale of the Bonds, of the Official Statement and has ratified the use by the Underwriter of the Preliminary Official Statement; (h) except as may be required under Blue Sky or other securities laws of any state, all approvals, consents and orders of any governmental authority having jurisdiction in the matter have been given which would constitute a condition precedent to any of the actions required to be taken prior to the date of Closing; (i) any certificate signed by any official of the County and delivered to the Underwriter pursuant hereto or in connection herewith shall be deemed a representation by the County to the Underwriter as to the truth of the statements made therein; (j) subsequent to the respective dates as of which information is given in the Preliminary Official Statement and the Official Statement up to and including the date of Closing, there has been no material adverse change in the financial position, results of operations or condition, financial or otherwise, of the County or its operations; and (k) except as disclosed in the Official Statement, there is no action, suit, proceeding or investigation before or by any court, public board or body pending or, to their knowledge, threatened, involving the County (1) with respect to the Bond Ordinance, in any way questioning (x) the authority of any officer of the County to exercise the duties and responsibilities of his or her office or (y) the existence, powers or authority of the County material to the Bonds or the security for the Bonds; (2) seeking to restrain or enjoin (x) the issuance, sale, execution or delivery of, or the performance by the County of its obligations under, the Bonds or (y) the collection of the Pledged Revenues or the pledge thereof under the Bond Ordinance; (3) in any way contesting or affecting (x) the issuance, sale, execution or delivery of the Bonds or (y) the validity or enforceability of the Bonds, the Bond Ordinance, this Agreement, or any action contemplated by or pursuant to any of the foregoing or (z) any of the rights, powers, duties or obligations of the County with respect to the Pledged Revenues or the pledge thereof under the Bond Ordinance; (4) which may result, either individually or in the aggregate, in final judgments against the County materially

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adversely affecting its financial condition; or (5) asserting that the Preliminary Official Statement or the Official Statement contained or contains any untrue statement of a material fact or omitted or omits to state any material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading;

(vi) the approving opinion of Modrall, Sperling, Roehl, Harris & Sisk, PA, Bond Counsel, dated the date of the Closing, in substantially the form attached to the Official Statement, and accompanied by a letter from Bond Counsel, dated the date of the Closing and addressed to the Underwriter, stating that such opinions may be relied upon by the Underwriter to the same extent as if they were addressed to it;

(vii) the supplemental opinion of Bond Counsel, dated the date of Closing and addressed to the Underwriter, to the effect that:

(a) the Bonds are exempt securities within the meaning of Section 3(a)(2) of the Securities Act of 1933, as amended (the "Securities Act"). In connection with the offer and sale of the Bonds to the public, it is not necessary to register the Bonds under the Securities Act;

(b) the Bond Ordinance is exempt from qualification under the Trust Indenture Act of 1939, as amended;

(c) the statements contained in the Official Statement under sections entitled "SECURITY FOR THE BONDS;" and "DESCRIPTION OF THE BONDS" (excluding the subsection entitled "Book-Entry-Only"), insofar as the statements contained under such sections and subsections purport to summarize certain provisions of the Bond Ordinance, present accurate summaries of such provisions; and

(d) the information contained in the Official Statement on the cover page concerning the tax status of the Bonds and under the section entitled "TAX EXEMPTION" present accurate summaries of the matters discussed therein; and

(e) the Bond Ordinance, the Continuing Disclosure Undertaking, and this Agreement, assuming due authorization, execution and delivery of this Agreement by the Underwriter, constitute the legal, valid and binding special, limited obligations of the County enforceable in accordance with their respective terms, provided, however, that the financial obligations of the County thereunder are payable only from the Pledged Revenues and provided further that all of the forgoing are subject to the reasonable exercise in the future by the State and its governmental bodies of the public power inherent in the sovereignty of the State and to the exercise by the United States of America of the powers delegated to it by the federal Constitution.

The opinions in paragraph (e) of this Section 6(G)(vii) may be qualified to the effect that the obligations of the County are subject to the application of equitable principles, to the reasonable exercise in the future by the State and its governmental bodies of the public power inherent in the sovereignty of the State and to

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the exercise by the United States of America of the powers delegated to it by the federal Constitution including, without limitation, bankruptcy powers;

(viii) The opinion of Brownstein Hyatt Farber Schreck, LLP, Underwriter's Counsel, dated the date of the Closing, and addressed to the Underwriter that:

(a) the Bonds are exempt securities under the Securities Act of 1933, as amended (the "Securities Act"), and it is not necessary, in connection with the offering and sale of the Bonds, to register the Bonds under the Securities Act and the Bond Ordinance need not be qualified under the Trust Indenture Act or 1939, as amended; and

(b) based upon their examination of certain laws and documents, participation in the preparation of the Official Statement as Underwriter's Counsel and their participation at conference with various parties, but without having undertaken to determine independently the accuracy, completeness or fairness of the statements contained in the Official Statement, nothing has come to the attention of the attorneys in the firm rendering legal services in connection with their representation that led them to believe that the Official Statement, as of its date (except for the financial statements, demographic, economic, engineering and statistical data and any statements of trends, forecasts, estimates, projections, assumptions, or any expressions of opinion, and information concerning DTC contained in the Official Statement and its Appendices, as to which no view need be expressed), contained any untrue statement of a material fact or omitted a material fact required to be stated therein or necessary in order to make the statements in the Official Statement, in light of the circumstances under which they were made, not misleading.

(ix) an executed copy of the Blanket Representation Letter relating to the Bonds between the County and DTC;

(x) a tax certificate of the County and a commitment by the County to file a Form 8038-G for the Bonds after Closing; and

(xi) such additional agreements, documents, instruments and certificates as the Underwriter, Bond Counsel and Counsel to the Underwriter may reasonably deem necessary to evidence the validity of the Bonds and the tax status of the interest thereon, the truth and accuracy as of the time of Closing of the representations and warranties of the County contained in this Agreement and the due performance or satisfaction at or prior to such time of all other conditions to be satisfied pursuant to this Agreement.

7. **Underwriter's Right to Terminate Agreement.** If any of the conditions to the obligations of the Underwriter contained in Section 6 hereof or elsewhere in this Agreement shall not have been satisfied when and as required herein, the Underwriter may waive such conditions or all obligations of the Underwriter hereunder may be

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terminated by the Underwriter at, or at any time prior to, the Closing by written notice to the County.

8. Payment of Expenses. The County shall pay, from proceeds of the Bonds, the following costs of issuance of the Bonds: (a) the reasonable fees and disbursements of Bond Counsel; (b) the fees of Moody's and S&P for rating the Bonds; (c) the reasonable costs of any experts, accountants, consultants or advisors retained by the County and required for issuance of the Bonds; (d) the costs of preparing, printing and delivering the Preliminary Official Statement and the Official Statement and any supplements or amendments thereto; (e) expenses associated with obtaining the rating on the Bonds (other than expenses of the Underwriter related thereto); and (f) all other expenses incurred in connection with the issuance of the Bonds.

The Underwriter shall pay, from amounts withheld from the purchase price of the Bonds, the following costs of issuance of the Bonds: (a) the reasonable fees and disbursements of Counsel to the Underwriter; (b) the cost of preparing, printing and delivery of this Agreement; (c) the cost of all "blue sky" and legal investment memoranda and related filing fees; and (d) all advertising expenses.

If this Agreement is terminated by the Underwriter or the Bonds are not issued by the County, the Underwriter shall be under no obligation to pay the costs of issuance, and the County shall pay the costs of issuance from other legally available moneys of the County.

9. Notices. Any notice or other communication to be given under this Agreement may be given (a) to the County by delivering the same in writing to Santa Fe County, New Mexico, 102 Grant Avenue, Santa Fe, NM 87504, Attention: County Manager; and (b) to the Underwriter, by delivering the same in writing to Merrill Lynch, Pierce, Fenner & Smith Incorporated, Attention: Frank Lauterbur, 350 Grand Avenue, Suite 2800, Los Angeles, CA 90071.

10. Entire Agreement: Parties in Interest. This Agreement, when accepted by the County in writing as heretofore specified, shall constitute the entire agreement between the Underwriter and the County and is made solely for the benefit of the County and the Underwriter, and no other person shall acquire or have any right hereunder or by virtue hereof.

11. Special Limited Obligations. No provision, covenant or agreement contained in this Agreement or any obligation in this Agreement imposed upon the County or the breach thereof, shall constitute an indebtedness of the County within the meaning of any constitutional provision or statutory limitation or shall constitute or give rise to a charge against the general credit or taxing powers of the County. All of the obligations of the County under this Agreement are payable from, and in making the agreements, provisions and covenants set forth in this Agreement, the County has not obligated itself except with respect to, the Pledged Revenues which shall be applied as provided in this Agreement and the Bond Ordinance.

SFC CLERK RECORDED 10/28/2009

12. **No Liability of Officers and Employees.** No recourse shall be had for any payments required of the County pursuant to this Agreement or for any claim based thereon or upon any other obligation, covenant or agreement in this Agreement against any past, present or future officer or employee of the County or any member of the Board and all such liability of any such officer, employee or member as such is hereby expressly waived and released as a condition of and in consideration for the execution of this Agreement and the issuance of the Bonds by the County.

13. **Successors.** This Agreement is made solely for the benefit of the County and the Underwriter (including their successors or assigns) and no other person will acquire or have any right hereunder or by virtue hereof (other than pursuant to Section 13 hereof). The representations, warranties and agreements contained herein will remain operative and in full force and effect and will survive delivery of and payment for the Bonds hereunder, regardless of any investigation made by or on behalf of the Underwriter.

14. **Severability.** If any provision of this Agreement shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable as applied in any particular case in any jurisdiction or jurisdictions, or in all jurisdictions because it conflicts with any provisions of any Constitution, statute, rule of public policy, or any other reason, such circumstances shall not have the effect of rendering the provision in question invalid, inoperative or unenforceable in any other case or circumstance, or of rendering any other provision or provisions of this Agreement invalid, inoperative or unenforceable to any extent whatever.

15. **Survival of Representations and Warranties.** The representations and warranties of the County set forth in or made pursuant to this Agreement, shall not be deemed to have been discharged, satisfied or otherwise rendered void by reason of, and shall remain operative and in full force regardless of (a) any investigation made by or on behalf of the Underwriter and (b) delivery of and payment of the Bonds hereunder.

16. **Effectiveness.** This Agreement shall become effective and binding upon the respective parties hereto only upon the execution, acceptance and delivery hereof by the County and approval by the County of the execution and delivery hereof.

17. **Governing Law.** The validity, interpretation and performance of this Agreement shall be governed by the laws of the State of New Mexico.

18. **Counterparts.** This Agreement may be executed in several counterparts, which together shall constitute one and the same instrument.

SFC CLERK RECORDED 10/28/2009

Very truly yours,

Merrill Lynch, Pierce, Fenner
& Smith Incorporated

By: _____

Authorized Representative:

ACCEPTED AND AGREED TO AS OF
THE DATE FIRST SET FORTH ABOVE
AT _____M. MOUNTAIN STANDARD TIME:

SANTA FE COUNTY, NEW MEXICO

By: _____
Mike D. Anaya, Chairperson,
Board of County Commissioners

ATTEST:

By: _____
Valerie Espinoza, County Clerk

EXHIBIT "A"

Initial Offering Prices

<u>Maturity Date</u>	<u>Maturity Value</u>	<u>Coupon</u>	<u>Yield</u>	<u>Price</u>
6/1/2010	\$265,000	2.000%	0.570%	100.870
6/1/2011	440,000	2.500%	0.840%	102.650
6/1/2012	450,000	2.000%	1.230%	101.972
6/1/2013	460,000	3.000%	1.540%	105.108
6/1/2014	300,000	3.000%	1.870%	104.968
6/1/2014	175,000	5.000%	1.870%	113.764
6/1/2015	490,000	5.000%	2.170%	114.872
6/1/2016	515,000	4.000%	2.400%	109.725
6/1/2017	535,000	4.000%	2.620%	109.464
6/1/2018	555,000	5.000%	2.790%	116.810
6/1/2019	585,000	5.000%	2.920%	117.318
6/1/2020	615,000	4.000%	3.040%	107.946
6/1/2021	640,000	4.000%	3.160%	106.913
6/1/2022	665,000	3.125%	3.260%	98.610
6/1/2023	385,000	3.250%	3.350%	98.911
6/1/2023	300,000	4.000%	3.350%	105.300
6/1/2024	710,000	4.000%	3.430%	104.630
6/1/2025	740,000	4.000%	3.520%	103.882
6/1/2026	770,000	4.000%	3.610%	103.140
6/1/2027	800,000	4.000%	3.690%	102.486
6/1/2028	830,000	4.000%	3.780%	101.755
6/1/2029	865,000	3.750%	3.870%	98.358

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SANTA FE COUNTY, NEW MEXICO
RESOLUTION NO. 2009-___

RELATING TO THE SANTA FE COUNTY, NEW MEXICO CAPITAL OUTLAY GROSS RECEIPTS TAX REVENUE BONDS, SERIES 2009; ESTABLISHING THE EXACT PRINCIPAL AMOUNTS, MATURITY DATES, RATES OF INTEREST, REDEMPTION FEATURES AND PRICES WITH RESPECT TO THE BONDS IN ACCORDANCE WITH COUNTY ORDINANCE NO. 2009-7 ADOPTED ON SEPTEMBER 8, 2009; RATIFYING THE USE OF A PRELIMINARY OFFICIAL STATEMENT AND APPROVING A FORM OF OFFICIAL STATEMENT AND OTHER DOCUMENTS RELATING TO THE BONDS; APPROVING SALE OF THE BONDS PURSUANT TO, AND THE EXECUTION AND DELIVERY OF, A BOND PURCHASE AGREEMENT; AND RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH.

WHEREAS, unless otherwise defined in this Sale Resolution or the context requires otherwise, capitalized terms in this Sale Resolution have the same meaning assigned to those terms in Section 1 of County Ordinance No. 2009-7 (the "Bond Ordinance") adopted by the Board of County Commissioners of Santa Fe County, New Mexico (the "County") on September 8, 2009; and

WHEREAS, the Sale Resolution is adopted pursuant to the Bond Ordinance in order to approve the principal amounts, maturity dates, interest rates, sale prices, redemption dates and other terms with respect to the Bonds; and

WHEREAS, the Board of County Commissioners has adopted the Bond Ordinance which authorizes the issuance of the Bonds and provides for the adoption of the Sale Resolution by the Board of County Commissioners to approve specific terms and documents relating to the issuance, delivery, sale and administration of the Bonds, and the Sale Resolution is adopted by the Board of County Commissioners for those purposes; and

WHEREAS, it is in the best interests of the County to sell the Bonds to the Underwriter upon the terms as set forth in the Bond Ordinance, the Sale Resolution and the Bond Purchase Agreement; and

WHEREAS, Merrill Lynch, Pierce, Fenner & Smith Incorporated (the "Underwriter") has agreed to purchase the Bonds at a purchase price of \$12,670,442.89 (which is equal to the par amount of the Bonds, plus a net original issue premium of \$655,126.00, less underwriter's discount of \$74,683.11) and has presented a proposed Bond Purchase Agreement to the Board of County Commissioners setting out the terms

with respect to the purchase and sale of the Bonds for approval by the Board of County Commissioners in connection with adoption of this Sale Resolution; and

WHEREAS, the Preliminary Official Statement, the proposed form of Official Statement, the Bond Purchase Agreement and the form of the Continuing Disclosure Undertaking have been filed with the County and presented to the Board of County Commissioners in connection with this Resolution; and

WHEREAS, all required authorizations, consents and approvals of any governmental body, agency or authority in connection with (i) the use and pledge of the Pledged Revenues for the payment of the Bonds, and (ii) the authorization, execution and delivery of the Bonds, which are required to have been obtained by the date on which the Sale Resolution is adopted have been or will have been obtained.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, THE GOVERNING BODY OF SANTA FE COUNTY, NEW MEXICO:

Section 1. Ratification of Prior Actions; Sale of Bonds to the Underwriter. All action previously taken (not inconsistent with the provisions of this Sale Resolution or the Bond Ordinance) by the Board of County Commissioners and the officers of the County, directed toward the authorization, pledge, collection and distribution of the Pledged Revenues and the authorization, issuance and sale of the Bonds is ratified, approved and confirmed. The Board hereby authorizes the sale of the Bonds to Merrill Lynch, Pierce, Fenner & Smith Incorporated, at the interest rates described below, pursuant to the Bond Purchase Agreement.

SERIES 2009 MATURITY SCHEDULE

<u>Date</u>	<u>Principal</u>	<u>Coupon</u>
06/01/2010	\$265,000	2.000%
06/01/2011	440,000	2.500%
06/01/2012	450,000	2.000%
06/01/2013	460,000	3.000%
06/01/2014	300,000	3.000%
06/01/2014	175,000	5.000%
06/01/2015	490,000	5.000%
06/01/2016	515,000	4.000%
06/01/2017	535,000	4.000%
06/01/2018	555,000	5.000%
06/01/2019	585,000	5.000%
06/01/2020	615,000	4.000%
06/01/2021	640,000	4.000%
06/01/2022	665,000	3.125%
06/01/2023	385,000	3.250%

SFC CLERK RECORDED 10/28/2009

06/01/2023	300,000	4.000%
06/01/2024	710,000	4.000%
06/01/2025	740,000	4.000%
06/01/2026	770,000	4.000%
06/01/2027	800,000	4.000%
06/01/2028	830,000	4.000%
06/01/2029	865,000	3.750%

Section 2. Findings. The Board of County Commissioners declares that it has considered all relevant information and data and makes the following findings:

A. The issuance of the Bonds under the Act to provide funds for the acquisition of the Project is necessary and in the interest of the public health, safety, morals and welfare of the residents of the County.

B. The net effective interest rate of 3.479% on the Bonds is reasonable under existing and anticipated bond market conditions.

C. The County will acquire, construct and complete the Project with proceeds of the Bonds together with other funds of the County.

Section 3. Bond Details.

A. Principal Amount. The Bonds shall be issued in one series in the aggregate principal amount of \$12,090,000 to provide funds, together with other available funds of the County, if any, to finance the acquisition, construction and completion of the Project and to pay Expenses relating to the issuance of the Bonds.

B. Series Date; Registration. The Bonds shall be dated as of the date of original issuance and delivery (the "Series Date"), and shall be issued in fully registered form only, without coupons, and when issued will be registered in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"), New York, New York as registered owner of the Bonds, all as provided in the Bond Ordinance.

C. Interest Payment Date; Interest Rates; Maturities; Price. The Bonds shall bear interest, payable on June 1 and December 1 of each year beginning June 1, 2010 (the "Interest Payment Date"). The interest rates on the Bonds shall be the rates provided in Section 1 herein. The final maturity of Bonds shall be June 1, 2029.

D. Record Date. The Record Date shall be the 15th day of the calendar month preceding each scheduled Interest Payment Date.

E. Optional Redemption. The Bonds maturing on or after June 1, 2020 are subject to redemption in whole or in part at any time, at the option of the County, prior to their respective maturities on or after June 1, 2019 at a price equal to the

unpaid principal amount of the Bonds to be redeemed, plus accrued interest to the date of the redemption.

Section 4. Parameters of Resolution. The net effective interest rate on the Bonds is less than 12% per annum. All other terms and conditions relating to the Bonds and the sale of the Bonds to the Underwriter set forth in this Sale Resolution are within the parameters established by the Bond Ordinance.

Section 5. Accounts and Funds. The County shall establish such Funds and Accounts as required by the Bond Ordinance and the net proceeds from the sale of the Bonds shall be deposited or used as follows:

A. The accrued interest of \$-0- received on the date of delivery of the Bonds shall be deposited into the Debt Service Fund.

B. \$12,595,442.89 shall be deposited into the Acquisition Fund for the acquisition of the Project and payment of costs of issuance.

Section 6. Ratification and Use of Preliminary Official Statement and Official Statement. The Preliminary Official Statement is hereby approved and its use by the Underwriter in the marketing and sale of the Bonds is hereby ratified. The form of Official Statement presented in connection with this Resolution is hereby approved. The Chair of the Board of County Commissioners is authorized and directed to execute and deliver the Official Statement to the Underwriter, as provided in the Bond Purchase Agreement.

Section 7. Sale of the Bonds; Execution and Delivery of Bond Purchase Agreement. The Bonds are hereby sold to Merrill Lynch, Pierce, Fenner & Smith Incorporated as provided the Bond Purchase Agreement. The Bond Purchase Agreement is hereby approved and its execution and delivery by the Chair of the Board of County Commissioners is hereby authorized.

Section 8. No Insurance Policy; Bond Ordinance Otherwise Controls. No Insurance Policy will be obtained in connection with the delivery of the Bonds. Except with respect to the terms set forth in this Sale Resolution, the Bonds are authorized, sold and shall be delivered as provided in the Bond Ordinance. In the event of any conflict in the terms of this Sale Resolution and Bond Ordinance, the terms of the Bond Ordinance shall prevail. The adoption of this Resolution, and all procedures undertaken incident thereto, are in full compliance and conformity with all applicable requirements, provisions and limitations prescribed by the Constitution and laws of the state of New Mexico.

Section 9. Repealer Clause. All bylaws, orders and resolutions, or parts thereof, inconsistent with this Sale Resolution are repealed to the extent of such inconsistency. This repealer shall not be construed to revive any bylaw, order or resolution, or part thereof, previously repealed.

Section 10. Effective Date and Publication. This Sale Resolution shall be in full force and effect immediately upon adoption and approval by the Board of County Commissioners and its execution and approval by the Chair of the Board of County Commissioners. A title and general summary of the subject matter contained in this Sale Resolution shall be published in substantially the following form after adoption of this Sale Resolution.

[Form of Summary of Sale Resolution for Publication]

Santa Fe County, New Mexico
Notice of Adoption of Sale Resolution

Notice is hereby given of the title and of a general summary of the subject matter contained in a Resolution duly adopted and approved by the Board of County Commissioners of Santa Fe County, New Mexico on September 29, 2009, relating to the details of the County's Capital Outlay Gross Receipts Tax Revenue Bonds, Series 2009 as authorized pursuant to Santa Fe County Ordinance No. 2009-7 duly adopted by the Board of County Commissioners on September 8, 2009. Complete copies of the Sale Resolution are available for public inspection during the normal and regular business hours of the County Clerk, 102 Grant Avenue, Santa Fe, New Mexico.

The title of the Resolution is:

RELATING TO THE SANTA FE COUNTY, NEW MEXICO CAPITAL OUTLAY GROSS RECEIPTS TAX REVENUE BONDS, SERIES 2009; ESTABLISHING THE EXACT PRINCIPAL AMOUNTS, MATURITY DATES, RATES OF INTEREST, REDEMPTION FEATURES AND PRICES WITH RESPECT TO THE BONDS IN ACCORDANCE WITH COUNTY ORDINANCE NO. 2009-7 ADOPTED ON SEPTEMBER 8, 2009; RATIFYING THE USE OF A PRELIMINARY OFFICIAL STATEMENT AND APPROVING A FORM OF OFFICIAL STATEMENT AND OTHER DOCUMENTS RELATING TO THE BONDS; APPROVING SALE OF THE BONDS PURSUANT TO, AND THE EXECUTION AND DELIVERY OF, A BOND PURCHASE AGREEMENT; AND RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH.

The title sets forth a general summary of the subject matter contained in the Resolution.

[End of Form of Summary for Publication]

SFC CLERK RECORDED 10/28/2009

PASSED, APPROVED AND ADOPTED THIS 29th DAY OF SEPTEMBER,
2009.

SANTA FE COUNTY, NEW MEXICO

[SEAL]

By: _____
Mike D. Anaya, Chairman
Board of County Commissioners

ATTEST:

By: _____
Valerie Espinoza, County Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: _____
Peter Franklin,
Modrall, Sperling, Roehl, Harris & Sisk, P.A.,
as Bond Counsel

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Commissioner _____ moved adoption of the foregoing resolution, duly seconded by Commissioner _____.

The motion to adopt said resolution, upon being put to a vote, was passed and adopted on the following recorded vote:

Those Voting Aye:

Those Voting Nay:

Those Absent:

_____ () members of the Board of County Commissioners having voted in favor of the motion, the presiding officer declared the motion carried and the resolution adopted, whereupon the Chair and Clerk signed the resolution. The Clerk was directed to enter the foregoing proceedings and resolution upon the records of the minutes of the Board.

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After consideration of the matters not relating to the resolution, the meeting on motion duly made, seconded and unanimously carried, was adjourned.

SANTA FE COUNTY, NEW MEXICO

[SEAL]

By: _____
Mike D. Anaya, Chairman
Board of County Commissioners

ATTEST:

By: _____
Valerie Espinoza, County Clerk

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STATE OF NEW MEXICO)
) ss.
SANTA FE COUNTY)

I, Valerie Espinoza, the duly elected, qualified and acting Clerk of Santa Fe County, New Mexico (the "County"), do hereby certify:

1. The foregoing pages are a true, perfect, and complete copy of the record of the proceedings of the Board of County Commissioners of Santa Fe County, New Mexico (the "Board"), constituting the governing body of the Board, had and taken at a duly called regular, open meeting held in the Commission Chambers located at the County Administration Building, 102 Grant Avenue, Santa Fe, New Mexico, being the regular meeting place of the Board of County Commissioners, on the 29th day of September 2009, at the hour of 10:00 a.m. insofar as the same relate to the proposed bond issue, a copy of which is set forth in the official records of the proceedings of the County kept in my office. None of the action taken has been rescinded, repealed, or modified.

2. Said proceedings were duly had and taken as therein shown, the meeting therein was duly held, and the persons therein named were present at said meeting, as therein shown.

3. Notice of said meeting was given in accordance with the open meetings standards of the Board of County Commissioners presently in effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of September, 2009.

SANTA FE COUNTY, NEW MEXICO

[SEAL]

Valerie Espinoza, County Clerk

SFC CLERK RECORDED 10/28/2009

Harry B. Montoya
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Michael D. Anaya
Commissioner, District 3



K
Comm
L
Comm
Roman Abeyta
County Manager

MEMORANDUM

DATE: September 28, 2009

TO: Board of County Commissioners

Cc: Roman Abeyta, County Manager

FROM: Helen Perraglio, Accounting Oversight Manager
Olivar Barela, Solid Waste Manager

SUBJECT: Report on Findings and Recommendations of the Solid Waste Task Force

The Santa Fe County Solid Waste Task Force was established by the Board of County Commissioners by Resolution 2009-129 on July 28, 2009. The Task Force was comprised of the following members: constituents Walter Wait, William Mee, David Dogruel and Andrew Leyba together with the following County staff, Roman Abeyta, James Lujan, Helen Perraglio, Brian Baca, and Olivar Barela.

The purpose of the Task Force was to address several issues surrounding the County's Solid Waste Program to include the following:

- Permit structures and alternatives.
- Cost versus services, self-sufficiency and economic strategy for countering changes in revenue streams.
- Illegal dumping and recycling.

The Task Force was very engaged in the above mentioned topics and found that the issues were not so clear and were indeed more involved than what appeared on the surface. Much discussion was held concerning the fee structure and how it relates to illegal dumping and what role recycling plays in the whole picture. The following consensus was reached with regard to the issues stated above:

- Illegal dumping is a social problem that has very little attachment to the fees because the illegal dumping is practiced by a very small sector of the community where resources would best be used on education, community outreach and incentives.

- The majority of illegal dumping appears to be construction debris which means more options need to be looked at to prevent this from happening.
- Santa Fe County will continue to work with stakeholders like the BLM and environmental groups on grants and funding to remediate illegal dump sites.
- Free recycling is a positive function that would encourage persons to utilize our facilities and lower the solid waste costs over time and would have a very positive impact on environmental issues.
- The fee structure as it stands now is not sufficient to fund the operation of the Solid Waste Program. Alternative fee programs such as assessment and monthly billing are unfavorable at this time because it would be too costly and difficult to administer, and may impose inequities on those County residents that prefer to pay for curbside pickup of waste. Two counties that were researched that have either monthly billing or are doing annual assessments have experienced difficulties with either initiating the program with the data base interface between tax accounts and billing accounts, or having collection and delinquency issues and audit findings. It was agreed by the task force, that this is not a favorable alternative.

The Solid Waste Task Force recommends the following:

- Short Term Solution: Fee structure to remain as annual permits as follows:

RESIDENTIAL

\$55	24 Trip Permit (includes free recycling)
\$35	10 Trip Permit (include free recycling)
\$15	One Trip Permit (includes free recycling)
\$5	5 Bag Tags
FREE	RECYCLING

SMALL COMMERCIAL

\$100	10 Trip Permit	\$.025/lb or \$50/ton-billable accounts
\$ 60	5 Trip Permit	

Opening up services to incorporated areas with only two options:

\$40	4 Trip Permit (includes free recycling)
\$15	One Trip Permit (includes free recycling)

The primary goal of this solution is to help fund the Solid Waste Programs' operations and help it become closer to attaining self-sufficiency. The fees were determined based on estimates of consumer usage instead of Solid Waste operating costs. The goal is not to over-burden taxpayers with capital costs associated with the Solid Waste Program. There are other opportunities that exist to bridge the gap in funding and are discussed in longer term solutions below:

- Long Term Solution: Installation of Scales at Transfer Stations to utilize a "pay as you throw" method of charging for Solid Waste.
 - Capital Funding will have to be allocated to purchase scales and software. Look into making part of a future County General Obligation Bond issue.
 - Possibilities exist to setup prepaid accounts or to pay at the transfer stations, or to be billed.

- This option will help encourage recycling in that it will cost users less at the transfer station if they separate recyclables – thus less weight.
 - The goal of this solution is to keep costs low to users, and to prevent large rate hikes to support the operations of the Solid Waste Program.
 - The consensus is that this option would be the most equitable to all users, and in turn be most economical to the operation of the Solid Waste Division.
- Recommend that the 1/8th Environmental Gross Receipts Tax (EGRT) be earmarked annually strictly for the Solid Waste Program. The EGRT can be utilized for solid waste, water and wastewater per statute. The EGRT has been budgeted in the Solid Waste Program for the past several years and it is feasible that it be designated strictly to the Solid Waste Program in future years. If the Solid Waste Program becomes more self-sufficient in future years, the EGRT can be re-visited and re-allotted to other functions at that time. The FY2010 budgeted amount for the EGRT is currently \$828,000 and in good years has amounted to \$915,000.
 - Another future solution to help fund Solid Waste, is to charge an impact fee for Solid Waste. Currently the State of New Mexico does not allow for this type of fee to be charged, so this should be made into a priority to be discussed with the New Mexico Association of Counties as an item to be brought to the State Legislature. We believe that other counties would agree that a solid waste impact fee would be beneficial, is equitable, and should be allowed.
 - Open dialogue with the Santa Fe Solid Waste Management Agency (SFSWMA) and the City of Santa Fe to address the issues of allowing SFSWMA the ability to attract Los Alamos County, North Central Solid Waste Authority and others to utilize the La Caja landfill. Recently, the tipping fees increased from \$25/ton, to \$32.50/ton, with expected increases within a year. The current structure of the landfill makes for a continuance of increased fees if it cannot attract more users and realize an economy of scales. The latest increase is projected to cost the County Solid Waste Program and additional \$100,000 - \$120,000 in tipping fees in FY2010, with a forecast of a proportional increase each fiscal year that tipping fees are increased.
 - It was agreed by the task force that prior to discussion of opening the landfill to new users, the infrastructure of the road MUST be primarily addressed. There is concern from residents and users of the area over the safety of the road and increasing risks of accidents with the increase of users. If the road can be made safer by installing proper turn-out lanes for the large trucks, then the idea of opening up the landfill to more users is a favorable one.
 - If SFSWMA will not open the landfill to more users, and tipping fees continue to increase, then it is the consensus of the task force that Santa Fe County begin looking into other options to dispose of solid waste if lower tipping fees and associated costs can be achieved.

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- Opportunity exists to utilize recycled materials to the benefit of the Solid Waste Program.
 - Open discussion with the Santa Fe Community College to allow the purchase of agricultural waste for their bio-fuels program.
 - Look into options for separation of recyclables and potential proceeds from the sale of these materials. With this option, a cost-benefit analysis should be performed to ensure it would benefit the County and not create more cost.

- Re-design the Solid Waste Permit Application to be more understandable, and perform more involved Outreach to constituents.
 - Take out confusing language, and make the application bilingual (English/Spanish)
 - Make applications available online and at satellite offices.
 - Keep up the utilization of satellite offices and ensure proper training of staff to handle and receive permit sales.
 - Prepare the County for the new ordinance and emphasize the benefits of the new options. Make a better effort of outreach via press releases, internet postings, and other announcements posted in rural areas.

SFC CLERK RECORDED 10/28/2009



[Santa Fe County Solid Waste Task Force]

Report on Findings and Recommendations

- [Task Force Members]**
- | | |
|------------------------|------------------------|
| ■ <u>Constituents:</u> | ■ <u>County Staff:</u> |
| ■ Walter Wait | ■ Roman Abeyta |
| ■ David Dogruel | ■ James Lujan |
| ■ William Mee | ■ Brian Baca |
| ■ Andrew Leyba | ■ Olivar Barela |
| | ■ Helen Perraglio |

[PURPOSE]

- Address the County Solid Waste Program current fee structure & services
- Recycling Efforts and Illegal Dumping
- Alternatives
- Other Issues

[FINDINGS]

- The current fee structure is not adequate to fund the Solid Waste Program.
- County-wide assessment is an unfavorable alternative.
- Illegal dumping is a societal issue that requires more resources on education and community outreach, and does not necessarily correspond to increased fees.
 - Construction debris needs to be addressed and better prevented.
 - Continue to work with BLM and environmental groups to attain funding/grants to help remediation efforts.
- Free recycling is a positive function that would encourage more users to participate.

RECOMMENDATIONS

- **SHORT TERM SOLUTION:** Continue annual permits with reasonable increases
- Offer Free Recycling
- Open services to incorporated areas with two purchase options
- Introduce a one-trip permit

Short Term Fee Structure Solution Continued . . .

RESIDENTIAL:

- \$55 – 24 Trip
- \$35 – 10 Trip
- \$15 – 1 Trip
- \$5 – 5 Bag Tags
- FREE Recycling

SMALL COMMERCIAL:

- \$100 – 10 Trip
- \$60 – 5 Trip
- \$.25/lb or \$50/ton on billable accounts

INCORPORATED AREA PURCHASE OPTIONS:

(City of SF, Town of Edgewood, City of Española w/in SFC)

- \$40 – 4 Trip (Including free recycling)
- \$15 – 1 Trip (Including free recycling)

[Long Term Fee Structure Solution]

- Implementation of weight scales at all transfer stations and administer pay-by-weight fees.
- Capital funding necessary to purchase equipment and software – look to next GO Bond Issue.
- Encourages recycling to decrease weight.
- Most equitable solution to users and most economical to Solid Waste Program.

[OTHER SOLUTIONS:]

- Earmark 1/8th Environmental GRT to annual Solid Waste Operations (\$800k-\$900k)
- Charge Impact Fee for Solid Waste
 - Look to NMAC for legislative support
- Recyclables Opportunities
 - Use raw materials to generate proceeds
 - Cost/Benefit Analysis needed

OTHER SOLUTIONS

Continued . . .

- **Open dialogue with Santa Fe Solid Waste Management Agency (SFSWMA) Board**
 - Improvements needed to road infrastructure for safety
 - Open landfill to other users to achieve lower tipping fees for all
 - County should look for other alternatives if tipping fees continue to increase

CONSTITUENT NEEDS AND OUTREACH

- **Revise Application, make user-friendly and bilingual (English/Spanish).**
 - Place downloadable forms online
- **Continue and improve services at satellite offices.**
- **Better outreach to rural locations via press releases, online and other announcements, and advertise new options to all users.**