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October 28, 2010

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ALL ITEMS REVIEWED 11/1/2011

MINUTES OF THE
SANTA FE REGIONAL EMERGENCY COMMUNICATIONS CENTER
BOARD MEETING

Santa Fe, New Mexico
October 28, 2010

The Board Meeting of the Santa Fe Regional Emergency Communications Center was called to order by Aric Wheeler, Chair at 9:10 a.m. on this date at the Public Safety Complex, 35 Camino Justicia, Santa Fe, New Mexico.

Roll Call indicated the presence of a quorum for conducting official business as follows:

MEMBERS PRESENT:

Chief Aric Wheeler, Chair
Sheriff Greg Solano, Vice Chair
Katherine Miller
Chief Jay Daniels
Chief Stan Holden
Robert Romero
Chief Barbara Salas
Michael Trujillo

MEMBER (S) ABSENT:

None

STAFF PRESENT:

Nancy Calhoun, RECC
Robert H. Garcia, Sheriff's Office
Mary Mangino, RECC Communication Center Manager
Ken Martinez, RECC Director
Debra Witt, RECC

OTHERS PRESENT:

Mark A. Basham, Basham & Basham P.C.
Dr. Laura Kay
Jo Ann G. Valdez, Stenographer

APPROVAL OF AGENDA

Item V (Executive Session) was moved down to the end of the agenda.

Mr. Trujillo made a motion to approve the agenda as amended. Sheriff Solano seconded the motion, which passed unanimously by voice vote.

APPROVAL OF MINUTES: August 12, 2010

Sheriff Solano moved to approve the Minutes of the August 12, 2010 meeting. Mr. Romero seconded the motion, which passed unanimously by voice vote.

OLD BUSINESS

- a. Approval of cost saving measures implemented by Santa Fe County concerning the RECC Director**

At the August 12, 2010 Board Meeting, Mr. Martinez briefed the Board on cost saving measures affecting the RECC Director that were requested by Santa Fe County. These measures were implemented in good faith pending action at this meeting by the RECC Board of Directors according to the Second Amended and Restated RECC Joint Powers Agreement.

Staff requested approval for a 3% reduction in salary and withdrawal of the RECC Director take home vehicle.

Sheriff Solano said in the future, these kinds of items should come before the Board before they are implemented.

Mr. Martinez explained that he brought it before the Board before it was implemented, however, the Board asked him to bring this back as an action item. Mr. Martinez did not want to hold up the process until the next Board meeting.

Sheriff Solano moved to approve the 3% reduction in salary and withdrawal of the RECC Director take home vehicle. Chief Holden seconded the motion, which passed unanimously by voice vote.

ACTION ITEMS

- a. Approval of selection of panel recommendation for community-at-large board member position**

At the August 12, 2010 Board Meeting, recommendations were requested from the Board for consideration in filling the community at-large position to be vacated by Mr. Trujillo. Only one recommendation and resume packet was received and it was forwarded to the City Manager, County Manager and the Mayor of Edgewood for review

and approval. The City Manager and Town Mayor approved of the selection by e-mail and telephone, and approval was granted by the County Manager at a meeting held on September 30th between the candidate, the County Manager and the RECC Director, regarding this matter.

Staff requested approval to accept the selection panel's recommendation of Eric Johnson as the new Community at-Large RECC Board Member to replace Michael Trujillo and officially assume the seat at the January 2011 Board meeting.

Mr. Trujillo asked if there would be a conflict of interest with Mr. Johnson's appointment to the Board given that Mr. Johnson is a Reserve Deputy.

In response, Sheriff Solano said Mr. Johnson has applied to be a volunteer Reserve Deputy.

Mr. Trujillo said his only concern is that when the Community-at-Large position was put together, it was important that there was no conflict of interest. His only question is whether or not the Board finds it a conflict if Mr. Johnson becomes a Reserve Deputy.

Chief Wheeler said he does not see a conflict of interest on his part. He explained that Mr. Johnson has experience with his background with the City Police Department, and he will have a different perspective if he becomes a Reserve Deputy for the Sheriff's Office.

Mr. Trujillo said Mr. Johnson would be a great choice, but the person sitting on this position should be as neutral as possible. He wanted to bring this to the Board's attention, given that he was a founder of the Board and he felt that this was important.

Sheriff Solano said that Mr. Johnson wants to do work throughout the city and county and he will not be out in the streets. He will be working with detectives on the cold cases that have been sitting for a while, he will give a fresh perspective and this will be all on a volunteer-basis.

Chief Wheeler said that he does not think that the Board will find someone who necessarily fits the criteria that Mr. Trujillo filled for so many years.

Sheriff Solano moved to approve the selection panel's recommendation of Eric Johnson as the new Community at-Large RECC Board Member, to replace Michael Trujillo and officially assume the seat at the January 2011 Board meeting. Chief Daniels seconded the motion, which passed unanimously by voice vote.

b. Approval of amendments to the RECC Standard Operating Procedures in relation to EMS/NAED accreditation requirements

As the RECC continues to move forward toward applying for accreditation through the National Academies of Emergency Dispatch, changes must be made to EMD protocols to ensure compliance with accreditation requirements.

Mr. Martinez noted that he presented this to the union for consideration before bringing it to the Board for approval and he did not receive anything back from them.

Staff requested approval to adopt and implement these changes to the RECC Standard Operating Procedures.

Sheriff Solano asked why the sentence "*Emergency Communications Specialists, when interacting with callers on medical calls, are providing patient care and shall act in a professional manner*" was deleted.

Mr. Martinez said he thinks this falls under the Code of Conduct rather than the EMD Protocols.

Chief Holden asked Mr. Martinez if he forecasted any additional costs associated with this move.

Mr. Martinez said there is a cost of \$3,000 to apply for accreditation and every two years to maintain accreditation.

Chief Holden said he means more along the lines of operational costs – are they forecasting any increases to the budget in order to meet this standard, i.e., will the RECC have to add a CQI person or increase the number of staff hours?

Mr. Martinez said there were some considerations that had to be made regarding the CQI and the Quality Assurance positions and they have been able to address those by getting more people trained and certified. He said as of right now, he does not see the need to make any adjustments for staffing.

Mr. Romero suggested that the RECC start looking at next year's budget now – look at operational costs to ensure that they meet the needs.

Chief Wheeler requested that the RECC Director keep the Board apprised if he is going to need additional staff or costs to maintain accreditation.

Chief Daniels asked if there is additional compensation for those employees who are certified.

Mr. Martinez said no.

Chief Holden acknowledged the RECC Director and staff for moving in the direction toward applying for accreditation but cautioned the Director about the expenses that are involved in getting there.

Mr. Martinez noted that the RECC is 98% in compliance for every category including pre-arrival instructions.

Sheriff Solano moved to approve the request to adopt and implement the changes to the RECC Standard Operating Procedures in relation to EMS/NAED accreditation requirements. Chief Holden seconded the motion, which passed unanimously by voice vote.

c. Approval of annual budget appropriation for RECC capital purchases by City, County and Edgewood

Mr. Martinez said with regards to capital purchases for the RECC, it is a contribution percentage between the City, County and the Town of Edgewood. He explained that budgetary restrictions this fiscal year, and last, have prevented the adequate appropriation of funding from the City, County and Town of Edgewood for capital purchases requested by the RECC. As a result, an efficient funding mechanism and process is necessary for the RECC to obtain funding to make necessary equipment and other capital purchases.

Mr. Martinez said that there have been a few equipment issues that he would like to purchase but he has not been able to because he has not received the percentage contributions from each entity, as stated in the Joint Powers Agreement.

Mr. Martinez noted that in the past he would bring specific items to the Board like the dialogic reverse 911 system. He would like to have capital purchase money in his budget that each entity would contribute to, possibly \$50,000 (\$20,000 from the City, \$20,000 from the County and \$10,000 from the Town of Edgewood).

Mr. Martinez requested approval to draft and adopt an agreement by which the City, the County and the Town of Edgewood commit to annually budget a specific amount of money for the RECC capital purchases.

Sheriff Solano made a motion for discussion purposes. Mr. Trujillo seconded the motion.

Discussion:

Sheriff Solano suggested that the Board look at considering an amount of \$50,000 that would be set aside for capital purchases.

Chief Daniels asked if this is above the contribution that the Town of Edgewood makes for operational costs.

In response, Mr. Martinez said that the contribution from the Town of Edgewood would be above and separate from the operational contribution that the Town of Edgewood presently contributes.

Ms. Miller asked what the current process is that doesn't seem to be working and when was the last time that a capital purchase was made.

Mr. Martinez explained that the process that he was following for capital purchases was that he would send letters of request to the entities, ask the Board and then he would meet with the County, City and the Town of Edgewood Finance Directors.

Ms. Miller asked Mr. Martinez if he ever received a response from the City or County that they could not contribute \$20,000.

Mr. Martinez said at the time, the budgetary constraints or economic situation has prohibited the entities to contribute anything.

Chief Wheeler said he feels more comfortable in the sense that Mr. Martinez is asking for this money in this fashion before they get ready for the City budget cycle. He said the reverse 911 dialogic system is imperative to the Police Department.

Sheriff Solano said this goes back to the changes that were made to the Joint Powers Agreement that he was adamantly against. He explained that the City is not contributing any dollars whatsoever. He indicated that they never had this problem in the past because everyone would contribute funding for capital expenditures. He expressed concerns that these things were done outside of this Board and then dropped on the lap of the Board. He said either we have a board that runs the RECC or we don't. He said the RECC is presently being run by the County and the Board has lost all control.

Sheriff Solano said he would fully be in favor of setting a capital purchase budget of \$50,000 and would also be in favor that the monies would be returned to the agencies if they were not spent, based on the percentage that they put in. He explained that they have all these agencies using dispatch and putting in a little bit but getting a lot back in return.

Chief Daniels said that he did not know where the capital expenditure funding would come from for the Town of Edgewood. He noted that they are starting to look at the gross receipt tax funding. He said they are actually looking at cutting officers.

Ms. Miller said she was going to bring this up under Matters from the Board but the Sheriff hit on one of the items that she was going to bring up that has to do with the

budget. On Tuesday, the Board of County Commissioners expressed concerns about the budget for the RECC because when the County took over the operating costs for the RECC, the budget was approximately \$2.2 million and now it is \$3.6 million and the County does not have a revenue source to cover this. She said if the RECC and this Board are going to continue, they really need to look at a way to have a dedicated funding source. She said the way the JPA is written presently, it requires that capital equipment purchases be contributed equally. She said this is very contentious right now-it is very contentious for the Commission to be covering the total cost for the RECC. She thinks it is incumbent upon this Board to find a way for its own dedicated funding source. She said she did not know if the City has the same ability to impose a similar tax that the County did.

Mr. Romero said he would be interested in knowing exactly what the tax generates and how it is spent.

Sheriff Solano said the Board is voting on the proposal to set a budget for capital purchases in the amount of \$50,000 (with a contribution of \$20,000 from the City, \$20,000 from the County and \$10,000 from the Town of Edgewood).

Mr. Romero said the memo from Mr. Martinez is asking for approval to draft and adopt an agreement by which the City, the County and the Town of Edgewood commit to annually budget a specific amount of money for the RECC capital purchases. He said however the Board goes, they need something that spells out exactly how the \$50,000 would be spent and who would be responsible for what.

Chief Wheeler asked for clarification on the motion and the timeline (are they looking for this to occur for the current fiscal year or the upcoming fiscal year).

In response, Mr. Martinez said the intent of this was to draft and reach an agreement to ensure that money was appropriated for capital purchases for the RECC. He said he threw out the \$50,000 because that is what he could use for the upcoming budget to get the things that he needs. He said what he is looking for is a fixed amount for each year to move forward.

Mr. Trujillo said he agrees with Sheriff Solano on what happened here and thinks that Ms. Miller's suggestion that the RECC needs to fix this problem because it is becoming a bone of contention. He said the Board needs to fix it in a way that capital funding is taken care of and it happens automatically, so that the RECC Director does not have to come to the Board and ask for approval. He said he personally would not vote for this right now because he thinks the Board needs to fix this problem first.

Sheriff Solano said to answer some of the questions of the City Manager; if this proposal is to go through, the way the money is spent is outlined in the JPA and the way this was done in the past is that the RECC Director would come to this Board and ask for

approval to make capital purchases from the capital budget and then this Board would approve it. In the past, the money was allocated in the budget cycle but was not transferred to a line item until the Board approved the spending. Sheriff Solano said under this proposal the money would be put in and returned if it is not spent. He said he would implore that the Board votes for this because there is no impetus for anyone to revisit the JPA unless the Board starts making these little steps. This would be a small step to have a jointly funded RECC again. He said if you go back to the minutes of the last two Board meetings, the issue that the JPA should be revisited was brought up and motions were passed to revisit the JPA but nothing has been done. He explained that the City presently does not have a reason to revisit the JPA.

Mr. Romero said \$20,000 does not seem like a lot but City Council will want to know why they need to spend the \$20,000 now.

Mr. Martinez said, to him, what is at stake here - in looking at the process rather than the individual costs - are the provision of services that the RECC is providing to the public that they are expecting. He said the process that he is trying to implement is to get money just to maintain the service that is expected by the public from the RECC.

Mr. Romero said he wants to be clear what the motion is - is the motion for specifically \$50,000, or is the motion to approve the request to draft an agreement?

In response, Sheriff Solano said his intent is that the RECC would draft an agreement by the City, County and the Town of Edgewood to commit to \$50,000 for RECC capital purchases. The money would go into a line item like it did in the past and if it was not spent, it would be reverted back to the agencies, and the Board would have to approve the purchases as they did in the past.

Mr. Trujillo concurred.

Mr. Romero asked if it would be up to the Board to decide how the \$50,000 would be spent.

Sheriff Solano said both the City Council and the Board of County Commissioners have a representative on this Board so they would have a say on how the money would be spent.

Chief Holden explained that the whole intent of this Board was for the agencies, as public safety agencies, to come together working cohesively to improve dispatch services at each of the agencies, and through that, improve the services that are provided to the people of Santa Fe County and the City of Santa Fe. He said that Sheriff Solano is right that once the JPA was changed, the Board's focus was changed. He said for eight years, the Board operated extremely well but the Board has gotten off track because things like senior citizen centers and sidewalks were thrown in.

Mr. Romero asked if this would be for this year's budget or next year's budget.

Mr. Martinez said next year's budget-the upcoming fiscal year.

Chief Holden asked how Mr. Martinez came up with a contribution of \$10,000 for the Town of Edgewood.

Mr. Martinez said he was following the language outlined in the JPA for capital purchases (40% for the City, 40% for the County and 20% for the Town of Edgewood); therefore he took the contribution percentage for capital purchases for the Town of Edgewood, which is 20% (up to \$100,000). He said he could back this number with actual needs but he used \$50,000 as a starting point because he needs a process.

Chief Wheeler asked for clarification on exactly what the Board is voting on. He said it would be beneficial for the City and County to be able to justify the capital purchases and have supporting documents on the things that the RECC needs. He thinks it would be important to direct staff to provide this information.

Mr. Martinez reiterated that he is trying to get a process in place and he also does not want to limit the RECC to the \$50,000. He mentioned that the RECC put in \$2.7 million in technology for the Center last year. He said he could put together a draft agreement and detail what the \$50,000 would be for.

Sheriff Solano said if the Board does not state a specific amount then the Board would have an agreement that would be meaningless. He said the Board could discuss and agree what the amount would be for each fiscal year. He said his motion was to approve the request to draft an agreement.

Mr. Romero said that the City is starting to look at next year's budget and it would be helpful for them to have an amount to take back to the respective budgeting process to identify the funding.

Mr. Martinez asked for clarification that the Board is approving that he will draft an agreement to have at the January 2011 Board meeting and he will provide an amount for the Board to vote on then.

Sheriff Solano said his motion is to draft this agreement but the agreement still has to come back to the Board for final approval.

Sheriff Solano reiterated that he wants the Board to revisit the Joint Powers Agreement.

Sheriff Solano moved to approve the request to draft an agreement by which the City, the County and the Town of Edgewood commit to budget \$50,000 for the RECC capital purchases for the 2011-2012 budget cycle. Mr. Trujillo seconded the motion.

Mr. Martinez was asked to come back with a draft agreement at the January 2011 Board meeting for the Board's consideration and approval.

Mr. Basham asked who would sign this agreement –is it the city, the Board of County Commissioners?

In response, Chief Holden said he did not know why Mr. Basham would need this because they have a Joint Powers Agreement in place.

Chief Wheeler said he would assume that the City and County Managers and the Mayor of the Town of Edgewood would sign the agreement.

Ms. Miller said she did not see why the Board would need an agreement, as there is already an agreement in place. She suggested that the Board pass a resolution today specific to Mr. Martinez's request and needs.

Chief Holden and Mr. Trujillo agreed. Chief Holden suggested that the RECC Director be specific on what the capital items are. He said he was concerned about the RECC's present needs.

Ms. Miller asked who would present the Resolution to the Board of County Commissioners and City Council.

Sheriff Solano asked why the Board couldn't do both – a resolution and an agreement. He said both bodies (Board of County Commissioners and the City Council) need to revisit the Joint Powers Agreement.

Chief Salas said she was confused about the motion on the table. She agreed with Chief Holden that this may not be the time to revisit the Joint Powers Agreement.

Chief Wheeler called for a *roll call* vote on the motion.

Motion passed unanimously by voice vote.

INFORMATIONAL ITEMS

a. Medical Director Report (Dr. Laura Kay)

[The Medical Director's written report was distributed in the members' packets.]

Dr. Kay reported on the status of CQI Plan noting that the six month cumulative QA report for the period 3/1/2010-8/31/2010 - comprising of 613 calls reviewed - gives the RECC an average compliance score of 98%, which is excellent. The RECC is within compliance for every category including PAI's.

Dr. Kay explained that the RECC is at a point where they can apply for accreditation. She applauded the RECC Director and staff for their hard work in getting to this point. Dr. Kay requested and encouraged the Board to make these funds (\$3,000) available for the RECC to apply for accreditation.

Dr. Kay gave an update on training noting that the SEND Card training for law enforcement is still pending. The SFCFD has requested that dispatch do this training for the Sheriff's Office. Ms. Mangino has agreed to work with the training officer and the Sheriff's Office to schedule this training, which is required for accreditation and may also benefit the officer who is calling to request an EMS response by decreasing the number of questions that dispatchers much ask of them on the radio or telephone. The training is very brief and only requires that the officers watch a 30-minute video/PowerPoint and sign the roster. Dr. Kay said that any assistance that the Police Department and the Sheriff's Office can provide in getting this training underway would be greatly appreciated.

Dr. Kay reported that the SFCFD has reviewed the response configurations of the Version 12 Response Configuration and provided a written document that their medical director has signed off on, approving the new configurations. They also have revised their response configurations. The RECC needs to get a signature from the City Medical Director for accreditation.

Dr. Kay conducted EMT training for the dispatchers which focused on death criteria and they practiced the cardiac arrest card.

Dr. Kay concluded her reporting noting that the new American Heart CPR and ECC Criteria have been released and are available on line. The RECC will likely see some changes to the dispatch criteria related to the CPR guidelines.

b. Financial Update and Director's Report

[Copies of the RECC budget status report as of October 22, 2010 were distributed in the members' packets.]

Mr. Martinez reported that the RECC is proceeding well with regard to the budget and expenditures.

Mr. Romero asked about the budget adjustment request (BAR) for medical services.

In response, Mr. Martinez said originally (at the beginning of this budget cycle) the \$20,000 was not in the budget because this was going to be paid by CHRISTUS/St. Vincent Regional Medical Center Sole Community Provider funding; however, this did not materialize. Therefore, a BAR was done to add this back into the budget.

MATTERS FROM THE PUBLIC

None presented.

MATTERS FROM THE BOARD

Ms. Miller and Mr. Martinez reported on the proposed legislation to move the E911 Program out from the Department of Finance and Administration to the Department of Homeland Security/Emergency Management.

Mr. Martinez noted he has spent a lot of time at the Capital (Round House), along with the New Mexico Association of Counties E-911 Affiliate Executive Board, talking with the Legislators to discuss this avoid the approval of the proposed legislation. He also testified in front of the Government Restructuring Task Force under their portion of public comment to inform them that this is not in the best interest of the citizens of New Mexico and could also be detrimental to the future of the fund and to the overall public safety in the State of New Mexico.

Mr. Romero asked how much money the RECC gets from this.

Mr. Martinez said \$2.7 million, just in Santa Fe. He explained that a recommendation was made to *"to amend the E-9112 statute to allow the use of E-911 funds for purposes other than to reimburse local governments and private businesses so that the funds may be contributed to a single public safety network"*. The E-911 Affiliate Executive Board opposes this idea because the E-911 surcharge administered by the E-911 program barely supports current basic E-911 operations. Using this money for other purposes would have a serious negative impact on public safety statewide.

Mr. Martinez noted that the money generated from the E-911 program is limited (by statute) to be used for 911 service provisions and cannot be used for capital purchases. He said if the money is lost at the state level; the entire brunt of funding will fall on the local level because federal grant money awarded must be returned, and future eligibility for federal grant fund is lost.

Ms. Miller said the Board should know about the potential damage to the E-911 Program and local government, if the Program is moved to another department. She said that they could pass new rules. She recommended that each of the agencies write letters and resolutions requesting that they leave the E-911 Program under the Department of Finance and Administration because it would not be beneficial to local governments to move it.

Mr. Romero asked Mr. Martinez to work with him to draft a letter to present at the November 10th City Council meeting.

Mr. Martinez was directed to draft something (a Resolution) and have Mr. Basham review it.

Dr. Kay offered to write a letter on behalf of the EMD Committee.

Mr. Martinez was asked to let the Board members know when the hearings and meetings on this issue will take place.

Michael Trujillo

This was Mr. Trujillo's last meeting. He thanked the Board for the opportunity to serve on the Board.

EXECUTIVE SESSION (If determined necessary)

- a. **Limited Personnel Issues**
 - 1. **RECC Director Annual Performance Evaluation**
- b. **Threatened for Pending Litigation**

Sheriff Solano moved to go into Executive Session. Mr. Trujillo seconded the motion, which passed unanimously by voice vote.

Mr. Trujillo moved to go back into Open Session. Chief Holden seconded the motion, which passed unanimously by voice vote.

Chief Wheeler noted that the only items that were discussed in Executive Session were possible litigation and limited personnel matters.

NEXT MEETING DATE

The next meeting date was scheduled for January 6, 2011 at 9:00 a.m. at the Public Safety Complex.

ADJOURNMENT

There being no further business to come before the Board, and the Board having

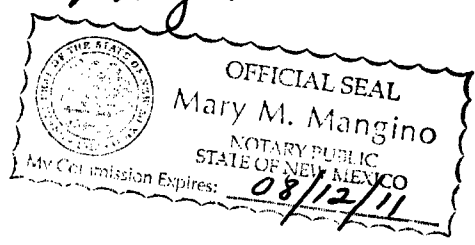
completed its agenda, Mr. Trujillo moved to adjourn the meeting. Sheriff Solano seconded the motion. The meeting adjourned at 11:55 a.m.

Approved by: *[Signature]*
Chief Aric Wheeler, Chair

Respectively submitted by:
Ja Ann G. Valdez, Stenographer

January 10, 2011

Attested by:
Mary M. Mangino
Notary Public



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
REGIONAL EMERGENCY MIN
PAGES: 16

I Hereby Certify That This Instrument Was Filed for Record On The 17TH Day Of February, 2011 at 02:44:11 PM and Was Duly Recorded as Instrument # 1627143 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
[Signature]
Valerie Espinoza
County Clerk, Santa Fe, NM
Deputy _____



