



To: Santa Fe County Board of County Commissioners

From: Bernadette Salazar, Human Resources Director

Date: December 29, 2011

Re: Request Approval of Amendment No.1 to the Collective Bargaining Agreement
Between Santa Fe County and the New Mexico Coalition of Public Safety Officers on
Behalf of the Santa Fe County Covered Corrections Department Employees

BACKGROUND AND SUMMARY

The current Collective Bargaining Agreement between the County of Santa Fe and CWA-Corrections Union allowed for Article 32, Wages to be re-opened. The Santa Fe County Management Team and the CWA-Corrections Union negotiated this article beginning December 2011. The parties recognize the financial situation of the County and worked diligently to come to a mutual agreement in the best interest of the County and our employees. The parties have mutually agreed upon Article 32, Wages and it has been ratified by the membership of the Union.

ACTION REQUESTED

We request approval of amendment no. 1 to the Collective Bargaining Agreement between Santa Fe County and the New Mexico Coalition of Public Safety Officers on Behalf of the Santa Fe County Covered Corrections Department Employees.

Thank you for your consideration.

Attachment:

- 1) *Amendment No.1 to the Collective Bargaining Agreement Between Santa Fe County and the New Mexico Coalition of Public Safety Officers on Behalf of the Santa Fe County Covered Corrections Department Employees*

**AMENDMENT NO. 1
TO
COLLECTIVE BARGAINING AGREEMENT
BETWEEN SANTA FE COUNTY AND
THE NEW MEXICO COALITION OF PUBLIC SAFETY OFFICERS
ON BEHALF OF THE SANTA FE COUNTY COVERED
CORRECTIONS DEPARTMENT EMPLOYEES**

THIS AMENDMENT is made and entered into as of this ____ day of _____, 2012, by and between **Santa Fe County**, a political subdivision of the State of New Mexico (hereinafter referred to as "the County") and the New Mexico Coalition of Public Safety Officers (hereinafter referred to as "the Union").

WHEREAS, the County and the Union entered into the Collective Bargaining Agreement on June 28, 2011;

WHEREAS, Article 32, Wages of the Collective Bargaining Agreement states that the County and the Union may negotiate cost of living adjustments and/or wage adjustments;

WHEREAS, the County and the Union have been negotiating Article 32 since December 2011 and have come to mutual agreement;

WHEREAS, Article 36. Complete and Entire Agreement, Section A. of the Collective Bargaining Agreement allows the parties to amend the Agreement to provide for additional negotiations upon mutual agreement of the parties.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Article 32, Wages, is deleted in its entirety and replaced with the following:

Article 32. WAGES

Upon ratification and approval by the Board of County Commissioners, Union employees shall receive up to two \$300.00 temporary salary adjustments as retention incentives. Each temporary pay increase shall be paid over two pay periods. The first temporary pay increase will be in two pay periods in February 2012 and the second shall be in two pay periods in July 2012. The next wage re-opener will occur no earlier than January 2013. Union employees shall also receive two (2) personal holidays for calendar year 2012 ~~to be used upon approval by the Board of County Commissioners~~ and must be used by December 14, 2012.

2. All other provisions of the Collective Bargaining Agreement not specifically deleted, replaced and amended as stated in this Amendment No.1 remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

SANTA FE COUNTY

Santa Fe County Commission Chairperson

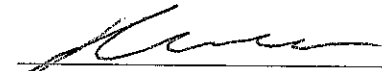
Date

ATTEST:

Valerie Espinoza, Santa Fe County Clerk

Date

APPROVED AS TO FORM:

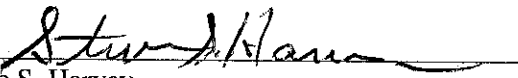


Stephen C. Ross
Santa Fe County Attorney

1-4-12

Date

NEW MEXICO COALITION OF PUBLIC SAFETY OFFICERS

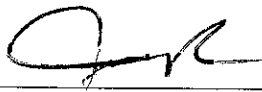


Steve S. Harvey
Executive Director

12/12/11

Date

SANTA FE COUNTY CORRECTIONAL OFFICER'S ASSOCIATION



Joey M. Romero
Association President

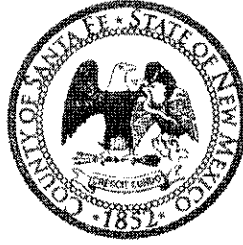
12/12/11

Date

Daniel "Danny" Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Elizabeth Stefanics
Commissioner, District 5

Katherine Miller
County Manager

Memorandum

TO: Santa Fe County Board of County Commissioners

FROM: Tila Rendon-Varela, Procurement Specialist Senior *TRV*

VIA: James "Ron" Pacheco, Senior Services Administrative Program Manager

DATE: December 28, 2011

SUBJECT: Request a waiver from Section 1 of Ordinance No. 2010-8 to purchase Food and Associated Items for the Senior Services Program utilizing the New Mexico State Agreement.

ISSUE:

The Santa Fe County Purchasing Division requests a waiver from Section 1 of Ordinance No. 2010-8 to purchase Food and Associated Items, such as food staples (spices, baking supplies, etc.), for the Senior Services Program.

BACKGROUND:

The Senior Services Program provides congregate and home delivered meals to qualifying seniors at, and from, six (6) Senior Centers countywide. Food costs are a major component of the Santa Fe County Senior Services Program budget. It is in the best interest of county taxpayers to minimize the cost of food and associated items utilized, while delivering a quality product.

As of November 30, 2011, Santa Fe County has served 10,403 congregate and 8,327 home delivered meals since the County took over operation of all six (6) senior centers on July 1, 2011. Santa Fe County has expended \$54,747.22 in that same time period. It is anticipated that the Senior Services Program will exceed the \$100,000 threshold set forth in Ordinance No. 2010-8.

It is the opinion of the Senior Services staff that Santa Fe County will not get a better price for food than the State of New Mexico receives. The state purchases far more food than the County will for its' Senior Services Program. Senior Services staff recommends that the County utilize

the comprehensive contract for food and associated items that has been negotiated by the State with its' vendor.

RECOMMENDATION:

The Purchasing Division and the Community Services Department request the Board of County Commissioners approve a waiver from Section 1 of Ordinance 2010-8 in order to purchase Food and Associated Items for the Senior Services Program utilizing the New Mexico State Contract for these items. The Santa Fe County Senior Services Program has used the State of New Mexico Contract to purchase food and associated items, and the use of this contract has been efficient and economical.

**NO PACKET MATERIAL
FOR THIS ITEM**

**SANTA FE COUNTY
LEGAL DEPARTMENT
MEMORANDUM**

To: The Board of County Commissioners
Katherine Miller, County Manager

From: Stephen C. Ross, County Attorney *SR*

Date: December 22, 2011

Re: 2012 Open Meetings Resolution

The Open Meetings Act, NMSA 1978 § 10-15-1 (1999) *et seq.* requires each public body to determine, at least annually, the public notice required for its meetings during the calendar year. Historically, the Board of County Commissioners has done so by resolution of the Board, in the first meeting of the new calendar year. Attached is a proposed resolution for adoption; it is proposed to govern the 2012 calendar year.

The proposed resolution is identical with the resolution that was applicable to the 2011 calendar year; it requires ten days notice of regular meetings and three days notice of special meetings, requires a preliminary agenda to be posted and published three days prior to the meeting, and requires a final agenda to be posted more than twenty-four hours prior to the meeting. Emergency meetings may be held with as much notice as is reasonable given the nature of the emergency. The proposed resolution describes the method for participating in a meeting by conference telephone, describes how meetings may be cancelled, how to conduct a closed meeting, and more.

The Open Meetings Act and the rules contained in the proposed resolution apply to boards and committees that are appointed by or acting under the authority of the Board of County Commissioners, except for boards that act independently from County government (i.e. the Buckman Direct Diversion Board or the Regional Planning Authority); these boards will adopt a separate resolution.

**THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY, NEW MEXICO**

RESOLUTION NO. 2012-___

A RESOLUTION

**DETERMINING REASONABLE NOTICE FOR PUBLIC MEETINGS OF THE BOARD
OF COUNTY COMMISSIONERS OF SANTA FE COUNTY AND FOR BOARDS AND
COMMITTEES APPOINTED BY OR ACTING UNDER THE AUTHORITY OF THE
BOARD OF COUNTY COMMISSIONERS; RESCINDING RESOLUTION 2010-5**

WHEREAS, NMSA 1978, Section 10-15-1(A) and -1(B) (1999) (the "Open Meetings Act")(hereinafter referred to as "the Act") provides that "... meetings of a quorum of members of any board, commission or other policymaking body of any ... county ... held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or for the purpose of taking any action within the authority or the delegated authority of any board, commission or other policymaking body are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution of New Mexico or the ... Act ..."

WHEREAS, the Act further provides that "(a)ny meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs and at which a majority or quorum of the body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public ...;"

WHEREAS, the Act further requires a public body to determine in a public meeting at least annually what notice is reasonable when applied to that body; and

WHEREAS, the Board of County Commissioners of Santa Fe County (hereinafter referred to as "the Board") desires to determine what constitutes reasonable notice to the public of its meetings and for meetings of boards and committees appointed by or acting under the authority of the Board as required by the Act, and to otherwise specify important elements of its continuing compliance with the Act.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF
COUNTY COMMISSIONERS OF SANTA FE COUNTY, AS FOLLOWS:**

1. Regular Meetings. Unless otherwise specified in the notice of meeting, a regular meeting of the Board will be held beginning at 2:00 p.m. on the second Tuesday of each month, and an Administrative Meeting will be held beginning at 1 p.m. on the last Tuesday of each month. A regular meeting of a board or committee appointed by or acting under the authority of the Board shall be specified in the resolution creating such board or committee. Notice of a Regular Meeting shall be published in a newspaper of general circulation at least ten (10) days before such meeting. Notice of a Regular Meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notices.

2. Special Meetings. A Special Meeting of the Board may be called by the Chair or by a majority of the members of the Board at such time and place as the Chair or a majority of the members of the Board deem appropriate. A Special Meeting of a board or committee appointed by or acting under the authority of the Board may be called by the chair of that board or committee or by a majority of the members of that board or committee at such time or place as the chair of that board or committee or a majority of members of the board or committee deems appropriate. Notice of a Special Meeting shall be published in a newspaper of general circulation at least three (3) days before such meeting. Notice of a Special Meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

3. Emergency Meetings. An Emergency Meeting of the Board may be called by the Chair or by a majority of the members of the Board to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss. An Emergency Meeting may be conducted at a time and place as the Chair or a majority of the members of the Board deem appropriate. An emergency meeting of a board or committee appointed by or acting under the authority of the Board may be called by the chair of that board or committee or by a majority of the members of that board or committee to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss, to be held at such time or place as the chair of that board or committee or a majority of members of the board or committee deems appropriate. If possible given the emergency circumstances, notice of an Emergency Meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building and on the County's internet web site (www.santafecounty.org) at least twenty-four (24) hours prior to the meeting. If twenty-four (24) hours advance notice cannot be given, notice shall be posted as soon as possible under the emergency circumstances in existence. Notice of an Emergency Meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

4. Agendas. Meeting notices shall include a preliminary agenda containing a list of specific items of business to be discussed or transacted at the meeting, or information on how the public may obtain a copy of an agenda. A preliminary agenda shall be prepared and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building and on the County's internet web site (www.santafecounty.org) at least three (3) working days prior to the meeting. A final agenda shall be prepared and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building no later than twenty-four (24) hours preceding the meeting.

5. Recessed Meetings. A meeting may be recessed to a later day, if, prior to recessing, the date, time and place for continuation of the meeting is specified, and, immediately following the recessed meeting, notice of the date, time and place for the reconvened meeting is posted on or near the door of the place where the original meeting was held. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting unless notice of the reconvened meeting is provided as otherwise set forth herein.

6. Cancelled Meetings. A meeting may be cancelled by posting a notice of cancellation in a conspicuous and appropriate place at the Santa Fe County Administrative Building, posting a notice on the County's internet web site (www.santafecounty.org), and posting notices of the cancelled meeting on the doors at the County Administrative Building, as soon as practicable prior to the time and date of the cancelled meeting. Notice of a cancelled meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

7. Participation by Conference Telephone. A member of the Board of County Commissioners may participate in a meeting of the Board by means of conference telephone or other similar communications equipment when it is difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the Board who speaks during the meeting.

8. Closed Meetings. A meeting of the Board of County Commissioners may be closed in the following manner:

a. If the Board is in an open meeting when a closed meeting is desired and authorized by the Open Meetings Act, then the closed meeting shall be approved on motion by a majority of a quorum of the Board and the authority for the closure shall be stated in the motion. The votes of the members on the motion shall be recorded in the minutes.

b. If the Board is not in a public meeting and a closed meeting is desired and authorized, public notice of the closed meeting, appropriate under the circumstances, shall be given stating the authority for the closure.

c. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state that the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

9. Application to County Boards, Committees. This Resolution shall apply to each meeting of a board or committee whose members are appointed by the Board or which is acting under the authority of the Board, except the Extraterritorial Land Use Authority, the Extraterritorial Land Use Commission, the Buckman Direct Diversion Board ("BDDDB"), the Regional Planning Authority ("RPA"), the Regional Emergency Communications Committee ("RECC"), the Northern Central Regional Transit District ("NCRTD"), or the Solid Waste Management Authority ("SWMA").

10. Definition: "Meeting." For purposes of this Resolution, the term "meeting" shall be defined as a meeting of a quorum of the members of the Board and each meeting of a board or committee whose members are appointed by the Board held for the purpose of

formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of the Board or a Committee.

11. Resolution No. 2011-3 is hereby rescinded.

APPROVED AND ADOPTED this 10th day of January 2012.

**THE BOARD OF COUNTY
COMMISSIONERS OF SANTA FE COUNTY**

Liz Stefanics, Chair

ATTEST:

Valerie Espinoza, County Clerk

APPROVED AS TO FORM:

Stephen C. Ross, County Attorney

**NO PACKET MATERIAL FOR THIS
ITEM**

EXECUTIVE SESSION