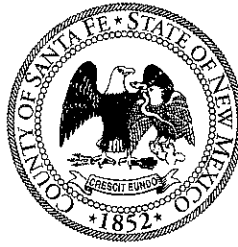


Daniel "Danny" Mayfield  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

## MEMORANDUM

**DATE:** January 10, 2012

**TO:** Board of County Commissioners

**FROM:** Juan Rios, Constituent Services Liaison *JR*

**VIA:** Katherine Miller, County Manager *KM*

**SUBJECT:** A Memorandum of Understanding Establishing the Pojoaque Valley Community Recreational Fields Taskforce

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### ISSUE:

Presented for consideration by Commissioner Daniel Mayfield on January 10, 2012 during the regular session of the Board of Santa Fe County Commissioners is Item X., A. "A Memorandum of Understanding (MOU) between Santa Fe County, the Pojoaque Valley School District and the Pojoaque Pueblo establishing the Pojoaque Valley Community Recreational Fields Taskforce."

Santa Fe County and the parties to this MOU have identified a vital need to establish multiuse community recreational fields in the Pojoaque Valley for the collective benefit of the region. The parties recognize that participation in recreational sports and activities offers outstanding opportunities for youth to develop healthy lifestyles, positive self-esteem, and improved fitness and wellness. Youth sports and activities strengthens the quality of life for individuals and communities and brings people and communities together regardless of race, language, faith, generation, gender of locale. The Parties aspire to address the need for multiuse recreational fields in the Pojoaque Valley by working cooperatively to assess short-term and long-term needs and will examine the current location in the Pojoaque Valley, which is used as a multiuse recreational field owned by the Pojoaque Valley Schools as a solution to address the need at hand. The parties share a common community interest by being adjacent landowners at the current location and recognize that participation in sports and recreational activities builds positive character in individuals, instills teamwork, commitment, discipline, dedication and a sense of self-worth and accomplishment that benefits individuals and their communities. The parties agree several steps need to be taken to create a multijurisdictional facility and therefore desire to create a working group or "taskforce" to develop recommendations for the respective governing bodies' action.

### REQUESTED ACTION:

Commissioner Mayfield respectfully requests that the Board of Santa Fe County Commissioners support and approve this MOU to create a taskforce to develop recommendations for recreational fields in the Pojoaque Valley to benefit youth and communities.

**A MEMORANDUM OF UNDERSTANDING BETWEEN  
SANTA FE COUNTY, THE POJOAQUE VALLEY SCHOOL DISTRICT AND  
THE POJOAQUE PUEBLO ESTABLISHING THE POJOAQUE VALLEY  
COMMUNITY RECREATIONAL FIELDS TASKFORCE**

This Memorandum of Understanding (MOU) is made and entered into this day of \_\_\_\_\_, 2012 by and between Santa Fe County (hereinafter referred to as "the County") whose primary address is 102 Grant Ave., Santa Fe, New Mexico, 87501, the Pueblo of Pojoaque, whose primary address is 39 Camino del Rincón, Santa Fe, NM 87506 and the Pojoaque Valley School District whose address is 1574 State Road 502, Santa Fe, New Mexico.

**WHEREAS**, the parties to this MOU identified a vital need in the Pojoaque Valley to establish multiuse community recreational fields in the Pojoaque Valley for the collective benefit of the parties and the region;

**WHEREAS**, the parties recognize that participation in recreational sports and activities offers outstanding opportunities for youth to develop healthy lifestyles, positive self-esteem, and improved fitness and wellness;

**WHEREAS**, youth sports and activities strengthens the quality of life for individuals and communities through education and training of recreational sports

**WHEREAS**, sports and recreational activities bring people and communities together regardless of race, language, faith, generation, gender or locale;

**WHEREAS**, participation in sports and recreational activities builds positive character in individuals, instills teamwork, commitment, discipline, dedication and a sense of self-worth and accomplishment which benefits individuals and their communities;

**WHEREAS**, the parties aspire to address the need for multiuse recreational fields in the Pojoaque Valley by working cooperatively to assess short-term and long-term needs;

**WHEREAS**, the parties will examine the current location in the Pojoaque Valley which is used as a multiuse recreational field owned by the Pojoaque Valley Schools as a short-term and possible long-term solution to addressing the need at hand;

**WHEREAS**, the parties share a common community interest by being adjacent landowners at the current location;

**WHEREAS**, the parties desire to collaborate on matters that include the following: providing and sharing of information as it pertains to establishing multiuse recreational fields that will meet the needs of residents of the region.

**NOW THEREFORE**, in consideration of the mutual promises and covenants contained herein, the parties hereby create the Pojoaque Valley Recreational Fields Taskforce as follows:

1. Name: The Taskforce shall be called the Pojoaque Valley Recreational Fields Taskforce (the Taskforce).
2. Purpose. The Taskforce is formed to:
  - a. Investigate and analyze the existing recreational sports fields and facilities within the area and current uses of these facilities to become more aware of current needs met, future needs and related costs; and
  - b. Investigate and analyze what relationships among and between the parties could be formed to facilitate development of multiuse recreational fields in the Pojoaque Valley.
3. Duties and Responsibilities: The Taskforce shall:
  - a. Meet on at least a monthly basis to develop a written proposal for submission to the parties regarding recommendations for the development of multiuse recreational fields in the Pojoaque Valley. The written proposal shall at a minimum include:
    - i. A specific location and specific uses for recreational fields in the area;
    - ii. Funding options for the proposal;
    - iii. The structure of governance for any entity that must be created to accomplish the objectives of the proposal;
    - iv. Designation of the recommended fiscal agent for the proposal;
    - v. A description of recommended improvements to any property identified;
    - vi. Information about the current status of ownership of property identified for the proposed recreational fields and which entity would own the property for purposes of accomplishing the proposal.
  - b. Collect data on the current uses of existing recreational fields in the area and the projected needs for recreational fields.
  - c. Submit the written proposal for consideration by the parties within six months after execution of this MOU.
4. Membership: The Taskforce shall consist of seven members. Two shall be selected by each party and one shall be selected by majority vote of the members selected by the parties. The County Manager or her designee shall be one of the two members representing the County.
5. Chair of the Taskforce: The Taskforce shall elect a chairperson and vice chairperson.
6. Term: The Taskforce shall complete its functions within six months of execution of this MOU and the Taskforce shall automatically disband eight months after execution of this MOU unless the parties agree in writing to alter the term of the Taskforce.

7. Vacancies on the Taskforce: In the event a vacancy occurs after formation of the Taskforce, it shall be filled in the same manner as initial appointments.
8. Meetings. A quorum of the Taskforce shall be at least four members. The Taskforce will meet as needed but no less often than monthly. The Taskforce shall abide by the 2012 Resolution establishing the rules of order of the Board of County Commissioners of Santa Fe County.
9. Termination: Any party to this MOU may discontinue its involvement in this MOU for any reason and at any time. The parties agree to provide at least five (5) days notice of their intent to discontinue participation as a party to this MOU by sending written notice of termination to the other parties via first class mail. Such notice shall be deemed delivered three (3) days after mailing.
10. Notice: Notice under this MOU shall be provided to the parties at the following addresses:  
  
County Manager  
Santa Fe County  
102 Grant Ave.  
Santa Fe, NM 87501  
  
Governor  
Pueblo of Pojoaque  
39 Camino del Rincón  
Santa Fe, NM 87506  
  
Pojoaque Valley School District  
574 State Road 502  
Santa Fe, New Mexico 87506
11. Signature of Parties: This agreement is effective upon the signature of all the parties.

**IN WITNESS WHEREOF**, the parties have executed this MOU as of the date of the last signatory.

\_\_\_\_\_  
Liz Stefanics, Chair  
Board of County Commissioners

\_\_\_\_\_  
Date

**ATTEST:**

\_\_\_\_\_  
Valerie Espinoza  
Santa Fe County Clerk

\_\_\_\_\_  
Date

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Stephen C. Ross  
Santa Fe County Attorney

\_\_\_\_\_  
Date

**FINANCE DEPARTMENT APPROVAL:**

\_\_\_\_\_  
Teresa Martinez, Finance Director

\_\_\_\_\_  
Date

**PUEBLO OF POJOAQUE**

\_\_\_\_\_  
, Governor

\_\_\_\_\_  
Date

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Pueblo of Pojoaque Legal Department

\_\_\_\_\_  
Date

POJOAQUE VALLEY SCHOOL DISTRICT

---

APPROVED AS TO FORM:

Pojoaque Valley School District General Counsel



**Pueblo of Nambe  
Office of the Governor**

Rt. 1 Box 117-BB Nambe Pueblo, New Mexico 87506  
Main: (505) 455-2036, Governor's Office: (505) 455-4429,  
Fax: (505) 455-2038

**October 13, 2011**

**Santa Fe County  
Mr. Hvtce Miller  
c/o County Manager, Katherine Miller  
102 Grant Avenue  
Santa Fe, New Mexico 87504**

**Re: Request for Bus Route Snow Removal/Road Maintenance**

**Dear Ms. Miller,**

The Pueblo of Nambe is submitting this letter of request, updating and authorization approval from the Nambe Pueblo Governor's Office for County Public Works Personnel to enter into the pueblo roads to assist us with the following requests:

- Bus route snow removal
- Road/Arroyo maintenance

The pueblo currently has three (3) buses that pick up children of all ages with the pueblo boundaries and they use road NP101 and NP102 which takes this route in a circle. These roads can be dangerous at times if they are not maintained early in the morning prior to buses picking up the children. Our responsibility her in the pueblo is to look out for the safety of our children, residents and employees and will be able to accomplish this more effectively with your assistance.

We are requesting a contact name for this purpose and or a schedule in which they will be able to assist us especially when the snow arrives. As for the maintenance of certain roads and or arroyos, we are requesting a contact name and number so we can call if area are in need and the county is able to assist us. We understand that certain road cannot be maintained due to them being on county lands but if we can identify the ones that can be this will be very helpful and beneficial to the pueblo and community members.

We thank you in advance for all the past assistance you have given us as well as for continued assistance in our requests and look forward to our continued government to government relations. If you should have further question, please call our tribal administrator at (505) 455-4438. Thank you.

Respectfully Submitted,



Ernest Mirabal, Governor  
Pueblo of Nambe



**MEMORANDUM OF UNDERSTANDING (MOU)  
BETWEEN  
SANTA FE COUNTY AND  
THE PUEBLO OF NAMBE**

This Memorandum of Understanding (MOU) is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by and between **Santa Fe County**, hereinafter referred to as the “the County” and the Pueblo of Nambe, hereinafter referred to as “the Pueblo”.

**WHEREAS**, certain County roads connect with roads on the Pueblo of Nambe’s land;

**WHEREAS**, school buses transporting children to and from school utilize those roads;

**WHEREAS**, the roads periodically become impassable due to snow and ice;

**WHEREAS**, the Pueblo has requested that Santa Fe County engage in snow removal on the roads utilized by the school buses; and

**WHEREAS** the parties desire to coordinate their efforts related to snow and ice removal for the school bus routes within pueblo lands.

**NOW, THEREFORE**, in consideration of the mutual promises and covenants contained herein, the County and the Pueblo agree as follows:

A. GOALS AND OBJECTIVES

To coordinate efforts at snow removal along the bus routes on tribal land.

B. SCOPE OF WORK

1. The County shall:

- a. After completing necessary snow and ice removal on County roads, provide snow and ice removal on approximately 7.9 miles of NP 101 and NP 102 or any portion thereof requested by the Pueblo. The County may also consider on a case-by-case basis completing snow and ice removal on other roads as requested by the Pueblo at the rates set forth on Exhibit A. The County will send an email either confirming that the additional roads will be cleared or declining the request.
- b. Submit to the Pueblo on a monthly basis a bill for snow and ice removal services requested by the Pueblo.

2. The Pueblo shall:

- a. Have FILL IN NAME OF DESIGNATED REPRESENTATIVE OF PUEBLO notify the Santa Fe County Roads Department by email delivered to

robmtz@santafecounty.org when the designated roads are impacted by snow and ice and require snow removal to allow school buses to utilize the roads, specifying which portion of each road is in need of snow and ice removal;

- b. If the Pueblo wants snow and ice removal on any roads other than NP 101 and NP 102 that request should be delivered by email to robmtz@santafecounty.org so that the County can make a determination regarding whether and when such snow and ice removal will occur.
- c. Compensate the County in a timely manner in accordance with the fee schedule attached hereto as Exhibit A for snow removal services provided under this Agreement.

C. COMPENSATION

The County shall submit on a monthly basis a written invoice for snow removal services rendered, based on the fees set forth on Exhibit A. The Pueblo shall tender payment for the snow removal services within thirty (30) days of mailing of the invoice.

D. AMENDMENTS

This MOU shall not be altered, changed or amended except by an instrument in writing executed by the parties hereto.

E. EFFECTIVE DATE AND TERM

1. This MOU shall be in full force and effect upon the execution of this MOU by all of the parties and shall continue in full force and effect, subject to amendments, until terminated as otherwise provided in this MOU.
2. Either party may terminate this MOU based upon any material breach of this MOU by the other party. The non-breaching party shall give the breaching party written notice of termination specifying the grounds for the termination. The termination shall be effective seven days from the breaching party's receipt of the notice of termination, during which time the breaching party shall have the right to cure the breach. If, however, the breach cannot with due diligence be cured within seven days, the breaching party shall have a reasonable time to cure the breach, provided that, within seven days of its receipt of the written notice of termination, the breaching party (i) began to cure the breach and (ii) advised the non-breaching party in writing that it intended to cure. By such termination, neither party may nullify obligations already incurred for performance or failure to perform prior to the date of termination.
3. Either party may, in its discretion, terminate this MOU at any time for any reason by giving the other party written notice of termination. The notice shall specify the effective date of termination, which shall not be less than seven days from mailing of the

notice. By such termination, neither party may nullify obligations already incurred for performance or failure to perform prior to the date of termination.

F. APPROPRIATIONS AND AUTHORIZATION

This MOU is contingent upon sufficient appropriations and authorizations being made for performance of the County's responsibilities for the projects designated by the parties by the Board of County Commissioners of the County and/or, if state funds are involved, the Legislature of the State of New Mexico. If sufficient appropriations and authorizations are not made in this or future fiscal years, this MOU shall terminate upon written notice by the County to the Pueblo. Such termination shall be without penalty to the County, and the County shall have no further obligations to the Pueblo under this Agreement. The County is expressly not committed to expenditure of any funds until such time as they are programmed, budgeted, encumbered and approved for expenditure by the County. The County's decision as to whether sufficient appropriations and authorizations have been made for the fulfillment of this MOU shall be final and not subject to challenge by the Pueblo in any way or forum, including a lawsuit.

G. INTEGRATION

This MOU incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such agreements, covenants and understandings have been merged into this written MOU. No prior agreement, covenant or understandings, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this MOU.

H. SEVERABILITY

If any term or condition of this MOU shall be held invalid or non-enforceable, the remainder of this MOU shall not be affected and shall be valid and enforceable to the fullest extent of the law.

I. DISPUTE RESOLUTION

- a. All disputes and controversies of every kind and nature between the parties to the MOU, including but not limited to disputes and controversies as to the existence, construction, validity, interpretation or meaning, performance, non-performance, enforcement, operation, breach, continuance, or termination of this MOU, shall be submitted to arbitration, and shall be conducted according to the procedures set forth below.
- b. Either party may demand arbitration by making a demand in writing, which demand shall include the name of the arbitrator appointed by the party demanding arbitration, together with a statement of the matter of controversy.
- c. Within 20 days after such demand, the other party shall name its arbitrator, or in default of such naming, such arbitrator shall be named by the American

Arbitration Association, and the two arbitrators so selected shall name a third arbitrator within 20 days or, in lieu of such appointment, a third arbitrator shall be appointed by the Federal District Court for the District of New Mexico. In the event said Court fails to appoint a third arbitrator within 30 days of the request therefore, the appointment shall be made by the American Arbitration Association.

- d. The arbitration costs and expenses of each party shall be borne by that party and all arbitrators' fees and other expenses shall be borne equally by the parties.
- e. The arbitration hearing shall be held at such time and place as designated by the arbitrators on at least 20 days' written notice to the parties.
- f. An award rendered by a majority of the arbitrators appointed pursuant to this MOU shall be final and binding on all parties to the proceeding, and the parties hereto agree to be bound by such award.
- g. As to any procedures regarding the conduct of the arbitration that are not specified either in this MOU or in another written Agreement signed in advance of the hearing, the parties shall follow the Commercial Arbitration Rules of the American Arbitration Association.
- h. The parties stipulate that the arbitration provisions of this MOU shall be a complete defense to any suit, action, or proceeding instituted in any federal, state, or tribal court or before an administrative tribunal with respect to any controversy or dispute arising during the period of this Agreement and which is arbitrable as set forth in this MOU.
- i. The arbitration provisions of this MOU shall, with respect to such controversy or dispute, survive the termination or expiration of this MOU.
- j. Nothing contained in this MOU shall be deemed to give the arbitrators any authority, power, or right to alter, change, amend, modify, add to, or subtract from any of the provisions of this MOU.
- k. Failure of either party to arbitrate any dispute pursuant to the procedures set forth herein when a demand to do so has been made by the other party, or the failure of either party to comply with the arbitration award, shall amount to a material breach of this MOU and shall entitle the party who demanded arbitration to cease performance of any obligation set forth in this MOU at the sole discretion of that party.
- l. This MOU is not subject to enforcement under New Mexico's Uniform Arbitration Act, NMSA 1978, §§ 44-7-1 through 44-7-22.

- m. Nothing in this Section J shall preclude the parties from resolving any differences that arise through mediation, informal discussion, or other non-binding methods of dispute resolution. The parties agree that prior to resorting to arbitration as set forth in this Section J, they shall use their best efforts to resolve any dispute by such non-binding and informal means.
- n. Nothing in this MOU, including the provisions of this Section J, shall be considered a waiver of tribal sovereign immunity of or by the Pueblo or a consent to suit in any forum by the parties hereto.

J. LIABILITY

No party hereto shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this MOU. The Pueblo and the County expressly do not waive their sovereign immunity from suit, and nothing in this MOU shall be construed as a general waiver of sovereign immunity by either party, and any claim arising in connection with this MOU shall be subject to the privileges and immunities of the New Mexico Tort Claims Act (as amended) with respect to the County and to governmental immunities and limitations under federal and tribal law with respect to the Pueblo.

K. LAW

The laws of the State of New Mexico and applicable federal law shall govern this MOU, unless otherwise provided in this MOU.

L. NOTICE

Any notice, demand, request, or information authorized or related to this MOU shall be deemed to have been given if mailed (return receipt requested), hand delivered or faxed as follows:

To the County:

County Manager  
Santa Fe County  
P.O. Box 276  
Santa Fe, N.M. 87504  
Phone: 986-6200  
Fax: 986-6362

And a copy to:

County Attorney  
Santa Fe County  
P.O. Box 276  
Santa Fe, N.M. 87504  
Phone: 986-6279

Fax: 986-6362

To the Pueblo:

Phillip Perez, Governor  
Pueblo of Nambe  
Rt. 1, Box 117-BB  
Nambe Pueblo, New Mexico 87506

**IN WITNESS WHEREOF**, the parties have executed this MOU as of the date of the last signatory.

\_\_\_\_\_  
Liz Stefanics, Chair  
Board of County Commissioners


\_\_\_\_\_  
Date

**ATTEST:**

\_\_\_\_\_  
Valerie Espinoza  
Santa Fe County Clerk

\_\_\_\_\_  
Date

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Stephen C. Ross  
Santa Fe County Attorney

1-3-11  
\_\_\_\_\_  
Date

**FINANCE DEPARTMENT APPROVAL:**

\_\_\_\_\_  
Teresa Martinez, Finance Director

\_\_\_\_\_  
Date

**PUEBLO OF NAMBE**

\_\_\_\_\_  
Phillip Perez, Governor

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

\_\_\_\_\_  
Pueblo of Nambe Legal Department

\_\_\_\_\_  
Date

**SANTA FE COUNTY PUBLIC WORKS  
SNOW REMOVAL COST FOR NAMBE PUEBLO  
NP101 AND NP 102(7.9 MILES)**

DISTANCE	UNIT	ROAD NAME	UNIT PRICE	AMOUNT
13	MILE	NP 101- 6.5 miles x 2 lanes	\$ 83.00	\$ 1,079.00
2.8	MILE	NP 102- 1.4 miles x 2 lanes	\$ 83.00	\$ 232.40
15.8	MILE			

**TOTAL COST: = \$ 1,311.40**

Snow Removal Rate per hour           \$327.86  
Snow Removal Rate per lane mile       \$83.00  
Scoria Cinders/Salt Mix per lane mile   2.02 cu. yds.



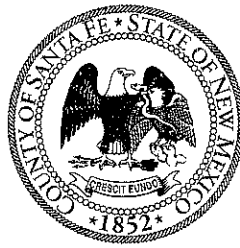
Nambe



Daniel "Danny" Mayfield  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

**DATE:** December 27, 2011

**TO:** Board of County Commissioners

**VIA:** Katherine Miller, County Manager

**FROM:** Chris M. Barela, Constituent Service Liaison District 3

**RE:** A Resolution urging the New Mexico State Legislature to amend NMSA 1978, Section 7-38-34 to properly reflect the imposition of the property tax rate set by the New Mexico Department of Finance and Administration and not by the Board of County Commissioners

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**ISSUE:**

On the agenda under **Matters from the Commission**, is a resolution urging the NM State Legislature to amend NMSA 1978, Section 7-38-34.

**REQUEST ACTION:**

Commissioner Robert A. Anaya respectfully requests the Board of County Commissioners to support and approve this item.

**SANTA FE COUNTY**

**RESOLUTION NO. 2012-\_\_\_\_**

**A RESOLUTION URGING THE NEW MEXICO STATE LEGISLATURE TO AMEND  
NMSA 1978, SECTION 7-38-34 TO PROPERLY REFLECT THE IMPOSITION OF  
THE PROPERTY TAX RATE SET BY THE NEW MEXICO DEPARTMENT OF  
FINANCE AND ADMINISTRATION AND NOT BY THE  
BOARD OF COUNTY COMMISSIONERS**

**WHEREAS**, NMSA 1978, Section 7-38-34 provides the following: “Within five days of receipt of the property tax rate-setting order from the department of finance and administration, each board of county commissioners shall issue its written order imposing the tax at the rates set on the net taxable value of property allocated to the appropriate governmental units. A copy of this order shall be delivered immediately to the county assessor.”;

**WHEREAS**, the “property tax rate” referenced in NMSA 1978, Section 7-38-34 is a rate set solely by the New Mexico Department of Finance and Administration and is determined without consultation or input from representatives of local county government;

**WHEREAS**, NMSA 1978, Section 7-38-34 also requires counties to adopt the rates set forth by the New Mexico Department of Finance and Administration and in essence implies to county residents that the tax rate is set by the local county government or that the local county government concurs in the determination of the tax rate set; and

**WHEREAS**, the requirements established in NMSA 197, Section 7-38-34 diminish a local county government’s regulatory authority and input by requiring the imposition of a tax rate that is determined without input from the local county government.

**NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY HEREBY RESOLVES:**

1. That the New Mexico State Legislature be urged to amend NMSA 1978, Section 7-38-34 to better clarify or reflect that the property tax rate is set solely by the New Mexico Department of Finance and Administration and not by local County Commissioners; and
2. That the County Clerk be directed to forward a copy of this resolution to the Governor of the State of New Mexico and the County of Santa Fe’s legislative delegation.

**PASSED, APPROVED, and ADOPTED** this \_\_\_\_ day of January, 2012.

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

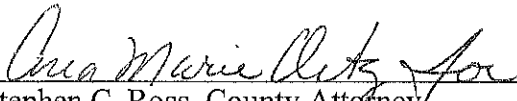
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Liz Stefanics, Chair

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Valerie Espinoza, County Clerk

**APPROVED AS TO FORM:**

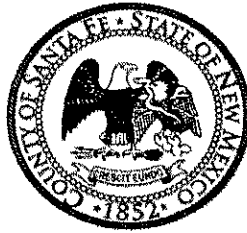
  
\_\_\_\_\_  
Stephen C. Ross, County Attorney

**NO PACKET MATERIAL  
FOR THIS ITEM**

Daniel "Danny" Mayfield  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4


Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

## MEMORANDUM

**DATE:** January 10, 2012

**TO:** Board of Santa Fe County Commissioners

**FROM:** Hvtce Miller, Intergovernmental Coordinator 

**VIA:** Santa Fe County Commissioner Liz Stefanics

**CC:** Katherine Miller, County Manager  
Julia Valdez, District 5 Constituent Liaison

**RE:** Resolution No. 2012-\_\_\_\_ A Resolution Urging The New Mexico State Legislature To Strengthen New Mexico Driver's License Laws To Deter Fraud And Otherwise Maintain Existing New Mexico Driver's License Laws Regardless Of Immigration Status

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### Summary

The 2012 New Mexico State Legislature may possibly amend existing state laws relating to the application and issuance of drivers' licenses to immigrants so that undocumented persons may no longer be able to obtain a New Mexico driver's license. In the interest of public safety, urging the State Legislature to maintain existing state laws relating to the application and issuance of drivers' licenses other than those changes allowing the strengthening of rules to deter fraud would best serve people of the entire state and Santa Fe County.

The particular elements of issuing licenses to immigrants which provide for greater public safety are:

- Strengthens identity and residency requirements
- Requires re-verification of documents and more frequent renewals
- Creates additional deterrents and punishment for fraud

### Attachments

Attached is more detailed information related to this issue and specific findings related to the correlation between the issuance of licenses and allowing for greater public safety.

### Action Requested

The sponsor of this resolution respectfully requests the approval from the board for this 2012 legislative related item.

# SANTA FE COUNTY

## RESOLUTION NO. 2012-\_\_\_\_\_

### **A RESOLUTION URGING THE NEW MEXICO STATE LEGISLATURE TO STRENGTHEN NEW MEXICO DRIVER'S LICENSE LAWS TO DETER FRAUD AND OTHERWISE MAINTAIN EXISTING NEW MEXICO DRIVER'S LICENSE LAWS REGARDLESS OF IMMIGRATION STATUS**

**WHEREAS**, on January 26, 2010, the Board of County Commissioners of Santa Fe County adopted Resolution No. 2010-20 reaffirming Santa Fe County's commitment to civil rights and equal access to County services including public safety protection regardless of immigration status; and

**WHEREAS**, on January 25, 2011, the Board of County Commissioners of Santa Fe County adopted Resolution No. 2011-13 urging the New Mexico Legislature to maintain the existing New Mexico Drivers' License Laws as they relate to the issuance of drivers' licenses, irrespective of immigration status; and

**WHEREAS**, in 2003, the Legislature amended NMSA 1978, Section 66-5-9(B) in order to allow an applicant to use an Individual Taxpayer Identification Number (ITIN) in lieu of a social security number when applying for a New Mexico driver's license; and to authorize the Secretary of the New Mexico Taxation and Revenue Department to establish by regulation other documents that may be accepted as a substitute for a social security number or an ITIN; and

**WHEREAS**, in January 2008, the National Immigration Law Center ("NILC") issued a fact sheet entitled "Why Denying Driver's Licenses to Undocumented Immigrants Harms Public Safety and Makes Our Communities Less Secure"; and

**WHEREAS**, recent facts reported by the media stated that four of the states that provide licenses to undocumented immigrants fall below the national average for uninsured motorists, including New Mexico, whose uninsured rate dropped from 33% in 2003 to 9% in 2010; and

**WHEREAS**, the AAA Foundation for Traffic Safety describes unlicensed drivers as "among the worst drivers on the road" and found that unlicensed drivers are almost five times more likely to be in a fatal crash than are validly licensed drivers; and

**WHEREAS**, issuance of driver's licenses to undocumented persons allows local law enforcement personnel to quickly identify immigrants and check their record without having to examine documents in foreign languages during stops or investigations; and

**WHEREAS**, issuance of driver's licenses to undocumented persons allows local law enforcement personnel to access Motor Vehicle Division records to obtain photos, information and last known addresses; and

**WHEREAS**, when undocumented persons do not have social security numbers but have the ability to obtain drivers' licenses, local law enforcement can easily track these individuals who have outstanding warrants or citations, who are repeat offenders, and who are delinquent in their child support payments; and

**WHEREAS**, one of the primary concerns of Santa Fe County is that the 2012 Legislature may amend existing state laws relating to the application and issuance of drivers' licenses to immigrants so that undocumented persons may no longer be able to obtain a New Mexico driver's license; and

**WHEREAS**, in the interest of public safety, the Board hereby expresses its support for maintaining existing state laws relating to the issuance of driver's licenses during the 2012 Legislative Session.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY as follows:**

1. The Board of County Commissioners hereby urges the New Mexico State Legislature to strengthen New Mexico driver's license laws to deter fraud and otherwise maintain existing New Mexico driver's license laws regardless of immigration status.
2. The Board of County Commissioners directs the County Clerk to forward a copy of this resolution to the Governor of the State of New Mexico, and the County of Santa Fe's legislative delegation.

**PASSED, APPROVED, and ADOPTED** this 10<sup>th</sup> day of January 2012.

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

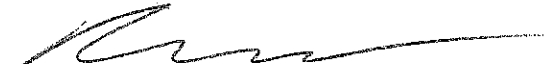
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Liz Stefanics, Chair

---

Valerie Espinoza, County Clerk

**APPROVED AS TO FORM:**



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Stephen C. Ross, County Attorney

# FINDING COMMON GROUND: A BALANCED APPROACH TO LICENSING IMMIGRANT DRIVERS IN NEW MEXICO

## Background

In 2003, community and faith groups, victims' rights advocates, and law enforcement officials came together to promote a law requiring all residents of New Mexico, regardless of immigration status, to apply for a driver's license. Since then, thousands of immigrants who live, work and pay taxes in New Mexico have successfully applied, taking required written and road exams, registering their vehicles, purchasing auto insurance, and establishing a driving record available to all law enforcement officials.

Governor Susana Martinez pushed for repealing this law during the last two legislative sessions. Citing the disastrous public safety consequences of an outright repeal, the Senate passed a tough but reasonable compromise bill that would have created more rigorous residency requirements and punished anyone involved in document fraud. Unfortunately, the Governor refused to compromise, and no agreement was reached. A recent Lake Research Partners poll shows that 64% of New Mexicans support the compromise proposal that would continue to allow undocumented immigrants to apply for licenses, but with additional requirements and punishment for fraud. Nonetheless, the Governor has said that she will continue to push for an outright repeal in the upcoming budget session.

## Summary of Senate Driver's License Compromise Bill

### Strengthens identity and residency requirements

Requires foreign nationals without social security numbers to provide:

- An Individual Tax Identification Number (ITIN) issued by the IRS (an ITIN is issued to people ineligible for SSN's only if they prove their identity and file their federal income taxes)
- Proof of identity in the form of a valid passport or Mexican Consular ID card from Albuquerque or El Paso, the authenticity of which is reliably verifiable by MVD.
- Two proofs of residency in New Mexico for at least six consecutive months. This makes it harder for out-of-state applicants to claim they are residents.
- A notarized declaration that all documents provided to MVD are genuine and accurate
- Two fingerprint cards or the equivalent electronic fingerprints making immigrants more identifiable and traceable by all law enforcement officials.

### Requires re-verification of documents and more frequent renewals

- Current licenses for immigrants without SSN's would be cancelled in two years, unless they go to their local MVD and re-apply under new procedures and requirements. This is a more reasonable, thorough and cost effective approach to re-verify residency documents than the Governor's current 30-day re-verification program.
- Drivers' licenses for immigrants without SSN's would be renewed every two years, whereas currently their licenses are issued for four or eight years.

### Creates additional deterrents and punishment for fraud

- Establishes a 3<sup>rd</sup> degree felony for knowingly issuing a license to an ineligible applicant (currently it's a lesser 4<sup>th</sup> degree felony).
- Establishes new 4<sup>th</sup> degree felonies for: providing documents that are not genuine or accurate; receiving and then transferring a driver's license, permit, or provisional license to another person; inducing or soliciting another person or conspiring with another person to use documents that are not genuine or accurate.

For more information, contact *Somos Un Pueblo Unido* at 505-424-7832 or visit [www.somosunpuebounido.org/DLNews](http://www.somosunpuebounido.org/DLNews)



## **FIGHTING DRIVER'S LICENSE FRAUD; PUTTING PRACTICAL SOLUTIONS OVER POLITICS**

Politicians pushing for the repeal of New Mexico's law that requires immigrants who do not have social security numbers to obtain driver's licenses (DL's) have argued that the system attracts fraud. While it is true that DL fraud exists everywhere in the country including in New Mexico, denying licenses to immigrant drivers is not the solution. On the contrary, the black market for identity documents has proliferated in states that deny DL's to immigrants based on immigration status.

### **Examples of recent fraud in states that deny DL's to undocumented immigrants:**

- In 2005, several Colorado MVD employees were convicted of selling DL's for \$2,500.
- Fraud doubled from 2008 to 2009 in North Carolina leading the state to centralize its DL issuing process in 2009.
- In Connecticut, two men, including an MVD employee, were convicted in 2009 for racketeering, conspiracy to commit forgery, and bribery for steering hundreds of people to illegally purchase DL's for \$600 at a local MVD.
- In 2009, seven Florida MVD employees were arrested for collecting over \$2 million to illegally issue 1,500 DL's to people who presented fraudulent documents.
- In 2011, a federal court found MVD workers in Georgia provided DL's to hundreds of undocumented immigrants who paid \$500 each.
- Even though Tennessee abolished a program allowing immigrants to obtain DL's in 2005, A Georgia man was charged with federal document fraud in 2011 for using an illegally obtained Tennessee DL in order to acquire a Georgia license. The man obtained the Tennessee license through a middle-man who charged him \$1,500.

### **Practical solutions to minimize fraud:**

State governments have the obligation to ensure the integrity and security of their licensing systems. It is disingenuous to suggest that fraud will go away if New Mexico repeals the current DL law. What the state needs to do is implement strong internal antifraud mechanisms across the board. In the last five years, New Mexico has taken steps to do this and could strengthen the system even more.

- In 2009, MVD fortified New Mexico's DL by embedding 12 security features, up from four, on the card—making it one of the most secure DL's in the country.
- The state has already implemented internal anti-fraud mechanisms including staff training on identifying false documents, biometric facial recognition and requiring all drivers' licenses be created and mailed out from a secure, out-of-state location.
- Applications for foreign nationals undergo additional scrutiny at the Tax Fraud Investigations Division of the Taxation and Revenue Department, leading to the apprehension and prosecution of fraud rings.
- The Governor has the ability to strengthen residency requirements and internal anti-fraud mechanisms through regulation, but has failed to do so.
- The Senate passed a bill during the last legislative session that would have strengthened residency requirements for foreign nationals, required more frequent renewals, and created additional deterrents and penalties for anyone involved in fraud. Unfortunately, the Governor did not back any of these proposals.



# **DON'T WRECK WHAT'S WORKING KEEP ALL DRIVERS IN NEW MEXICO LICENSED**

(Compiled by *Somos Un Pueblo Unido*--January 2011)

## **Background**

In 2003, community and faith groups, victims' rights advocates, and law enforcement officials came together to promote a law allowing all residents of New Mexico, regardless of immigration status, to apply for a driver's license. Since then, about 80,000 immigrants have successfully applied, taking the eye, written and road exams, registering their vehicles, and purchasing auto insurance. Some politicians have recently called for the repeal of this law. This would have disastrous consequences for public safety in New Mexico.

## **Licensing all qualified drivers is working for our state**

### The current law improves public safety

- With a license, immigrants are more likely to stay or render aid at the scene of an accident and exchange insurance information.
- Immigrants are more likely to cooperate with police when being cited for moving violations, make court appearances, and pay fines for traffic violations.
- Victims and witness are more likely to call the police and participate in investigations. Victims also need a valid ID to go to court and request restraining orders.

### Strengthens efforts to prevent DWI's and underage drinking

- All immigrants under the age of 25 must take a DWI prevention course and pass an exam before applying for a driver's license.
- The state can now keep track of immigrants' DWI violations, sentencing compliance, revocations, etc.
- Since 2003, New Mexico has seen a big decrease in alcohol-related crashes, injuries, and deaths.
- Alcohol and tobacco vendors can more accurately determine a person's age using a state issued drivers' license rather than foreign documents.

### Provides important tools for law enforcement and supports officer safety

- During stops or investigations, police can quickly identify immigrants and check their record without having to examine documents in foreign languages. This makes officers safer and more efficient.
- Local, state and federal law enforcement can track outstanding warrants, repeat offenders, child support delinquents, and citations of individuals who do not have social security numbers.
- All law enforcement, including federal immigration agents, can access MVD records to obtain photos, information, and last known addresses for individuals with outstanding arrest warrants.

### Benefits the economy

- The uninsured motorist rate has decreased from 21% in 2003 to about 9% today, saving all New Mexicans in insurance premiums.
- Immigrants without socials contributed well over \$17 million to MVD in license and registration fees.
- In order to obtain an ITIN, an immigrant must file their federal income taxes. Immigrants also use the ITIN to pay state income taxes, contributing millions to New Mexico's tax base.

## **Please tell your legislator why we should keep licenses for immigrants.**

**For more information about how you can help protect the gains we've made in public safety, contact *Somos* at 505-424-7832 or visit [www.somosunpueblounido.org](http://www.somosunpueblounido.org)**



# ¡NO RETROCEDAMOS! LICENCIAS PARA TODOS EN NUEVO MEXICO

(Recopilado por Somos Un Pueblo Unido--enero 2011)

**Antecedentes**--En el 2003, grupos comunitarios y religiosos, defensores de derechos de víctimas y autoridades policíacas se unieron para promover una ley que permite a los residentes de Nuevo México, sin importar su estatus migratorio, a obtener una licencia de conducir. Desde entonces, más de 80,000 inmigrantes han obtenido la licencia, tomado los exámenes de vista, la escrita y la de manejo, han registrado sus vehículos y han comprado seguro vehicular. Algunos políticos han pedido que se revoque esta ley. Esto tendría consecuencias desastrosas para la seguridad pública de Nuevo México.

## **La ley actual de las licencias está funcionando para nuestro estado**

### La ley de las licencias ayuda a mejorar la seguridad pública

- Con una licencia, es más seguro que inmigrantes permanezcan en el lugar del accidente o presten ayuda e intercambien información del seguro vehicular.
- Es más probable que los inmigrantes cooperen con la policía al ser multados, que se presenten en una corte y al tener que pagar multas por sus infracciones de tránsito.
- También es más probable que víctimas y testigos llamen a la policía y participen en investigaciones. Las víctimas también necesitan una identificación válida para presentarse en la corte y para solicitar órdenes de restricción.

### Intensifica los esfuerzos para prevenir el DWI y el consumo de alcohol en los menores

- Todos los inmigrantes menores de 25 años deben de tomar un curso de prevención y aprobar un examen antes de solicitar la licencia de conducir.
- Actualmente el estado puede llevar el record de violaciones de DWI por parte de los inmigrantes, el cumplimiento de sus sentencias, revocaciones etc.
- Desde el 2003, Nuevo México ha visto un gran descenso en accidentes, daños y muertes relacionados con el alcohol.
- Los vendedores de cigarros y alcohol pueden determinar la edad de la persona más acertadamente con una licencia de conducir otorgada por el estado en lugar de verificar documentos foráneos.

### Provee herramientas importantes para las autoridades y mantiene la seguridad de los oficiales

- Durante paradas o investigaciones, la policía puede identificar rápidamente a los inmigrantes y revisar su record sin tener que examinar documentos en idiomas extranjeros. De esta manera los oficiales están más seguros y son más eficientes.
- Las autoridades locales estatales y federales pueden averiguar sobre órdenes de arresto pendientes, personas con antecedentes y padres que deben pensión alimenticia.
- Todas las autoridades, incluyendo a los agentes federales de inmigración (ICE), pueden obtener los records del MVD (División de Vehículos Motorizados) para ver fotos, información y la última dirección de personas con órdenes de arresto pendientes.

### Beneficia la economía

- La cifra de conductores sin seguro vehicular ha disminuido desde el 2003 de 21% a 9%, ahorrándoles a los Nuevo Mexicanos en las primas de sus seguros.
- Inmigrantes contribuyeron más de \$17 millones al MVD en pagos de licencias y cuotas de registro.
- Para obtener un número de ITIN, el inmigrante debe de hacer su declaración de impuestos. Los inmigrantes también usan su ITIN para pagar los impuestos estatales, contribuyendo así a la base de impuestos de NM.

## **Dile a tu legislador porqué tenemos que mantener las licencias de conducir para los inmigrantes.**

Para más información de cómo podemos ayudar a mantener lo que se ha ganado para la seguridad pública, llama a Somos al 505-424-7832 o visita [www.somosunpueblounido.org](http://www.somosunpueblounido.org)



Celinda Lake  
*President*

Alysia Snell  
*Partner*

Michael Perry  
*Partner*

David Mermin  
*Partner*

Robert G. Meadow, Ph.D.  
*Partner*

Daniel R. Gotoff  
*Partner*

Joshua E. Ulibarri  
*Partner*

Tresa Udem  
*Vice President*

Rick A. Johnson  
*Managing Director*

Robert X. Hillman  
*Chief Financial Officer*

To: Friends and Allies

From: Lake Research Partners

Re: Overwhelming Support for Compromise Legislation on Drivers' Licenses

Date: September, 2011

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**Despite Governor Martinez's push to deny driver's licenses to all undocumented immigrants who reside in New Mexico, a recent statewide survey shows overwhelming support for legislation that would instead subject undocumented immigrants to additional requirements in order to attain a driver's license.<sup>1</sup> In addition, the data suggests that the Governor's insistent focus on this issue is at odds with the electorate.**

**Nearly two-thirds of voters (64%) support a compromise proposal that would continue to license undocumented immigrants, but subject them to additional requirements before obtaining their licenses,** including strengthened identity and residency requirements, re-verification of documents and more frequent renewals, a fingerprint database for law enforcement, and additional felonies for fraud. These measures provide more protections for New Mexicans than denying licenses. Support for this measure is rooted in intensity, as a 52% majority supports it strongly. Just 26% of voters oppose this proposal. Another 10% are undecided.

**Voters' support for this proposal is unusually broad, crossing partisan, regional, and ethnic divides.** Fully 57% of Democrats, 70% of Republicans, and 65% of independents are in favor. There is also striking consensus regardless of ethnicity, as 65% of Anglos and 60% of Hispanic voters support the legislation that would allow immigrants to get driver's licenses but with additional requirements. Support holds up strongly across region as well, with 63% of voters in the Metro North, 71% of voters in the Non-Metro North, and 60% of voters in the South in favor of the proposal.

Finally, the survey sheds light on the disparity between the Governor's priorities and voters' own. **Support for the compromise legislation notwithstanding, voters regard a host of issues as more important to them than driver's licenses for undocumented immigrants.** Asked what issue is most important to them and their families, a solid majority of voters cites economic concerns, including

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<sup>1</sup> Lake Research Partners designed and administered this survey that was conducted by telephone using professional interviewers. The survey reached a total of 405 likely voters in New Mexico. The survey was conducted September 15-19, 2011. The margin of error for this poll is +/- 4.9%.

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jobs, the economy, and wages (26%), rising health care costs (10%), taxes (9%), education and the rising cost of college tuitions (8%), and cuts to key services, like education and health care (8%). **Only 10% of all voters statewide cite driver's licenses for undocumented immigrants as their most important issue.** Less than 1% of Hispanic Voters statewide said driver's license for undocumented immigrants was their most important issue. Put another way, 61% of voters cite a range of economic issues as more important than driver's licenses for undocumented immigrants. All told, this strongly suggests that the Governor's agenda is wildly out of sync with the issue agenda of New Mexico's electorate.

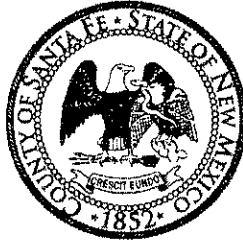
\* \* \* \* \*

**Bottom Line: Voters' issue agenda is dominated by economic concerns, not drivers' licenses for undocumented immigrants. When faced with the prospect of legislation that would subject undocumented immigrants to additional requirements for driver's licenses, rather than a blanket denial of licenses to all undocumented immigrants in the state, voters across the state—Anglo and Hispanic alike and of every partisan stripe—are strongly supportive.**

**Daniel "Danny" Mayfield**  
*Commissioner, District 1*

**Virginia Vigil**  
*Commissioner, District 2*

**Robert A. Anaya**  
*Commissioner, District 3*



**Kathy Holian**  
*Commissioner, District 4*

**Liz Stefanics**  
*Commissioner, District 5*

**Katherine Miller**  
*County Manager*

## Memorandum

**Date:** January 10, 2012

**To:** Board of County Commissioners

**From:** Penny Ellis-Green, Assistant County Manager

**Subject:** Appointment of Board members to the following Committees: BDD, ELUA, MPO, NCNMEDD, NCRTD, Regional Coalition of LANL Communities, RPA, RPO and SFSWMA.

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Appointments need to be made to the following Boards:

**Buckman Direct Diversion Board (BDD)** – 2 commissioners, 2 councilors, one citizen (BDD system)

Oversee the BDD Project inclusive of establishing the terms and conditions governing the ownership, planning, procurement, financing, permitting, design, construction, operations, allocation of capacity and management of the project.

Representation: Two Commissioners and a third Commissioner as an alternate  
Meet monthly, first Thursday of every month at 4pm

**Extraterritorial Land Use Authority (ELUA)** – 4 commissioners, 3 councilors (inactive) (extraterritorial zoning)

Purpose of clarifying matters of jurisdiction and approvals relating to planning, platting, subdivisions

Representation: Four Commissioners with the fifth Commissioner as an Alternate  
Meet last Thursday of the month at 6pm as needed

**Santa Fe Metropolitan Planning Organization (MPO)** – Representatives from the City, the County, Tesuque Pueblo and NMDOT (1 each) (transportation - federal highway mandate)

The Santa Fe Metropolitan Planning Organization (SFMPO) Transportation Policy Board (TPB).

Representation: Three Commissioners plus one alternate

Meets second Thursday of every month at 4pm.

**North Central New Mexico Economic Development District (NCNMEDD) – 1 commissioner (economic development)**

State established Northern NM council of government addressing economic development issues—serves as region's Economic Development Administration agent as well

NCNMEDD is also the lead agency in managing the Regional Economic Development Initiative Network (REDI NET) open access broadband development (money awarded via ARRA) which the County is a part of a subcommittee that was established for this purpose.

Representation: One commissioner and one alternate.

Meet quarterly and other interim meetings as scheduled, procedures are being developed

**North Central Transit District (NCRTD) – 1 commissioner (regional transit)**

To develop, plan, promote and operate a sustainable, long term regional public transportation system for its member jurisdictions.

Representation: One Commissioner plus one alternate

Meets first Friday of every month at 1pm (location varies), subcommittee meets third Friday of every month at 9am.

**Regional Coalition of LANL Communities**

Joint body created by LPA with Santa Fe County, City of Santa Fe, Los Alamos County, Rio Arriba County, City of Espanola, Taos County and Town of Taos. The Coalition is set up to advocate for diverse and sustainable LANL missions, address the environmental, economic, and other opportunities of LANL and serve as a focal point for communication, advocacy and education regarding LANL

Representation: One commissioner and one alternate.

Meet Monthly (location Varies)

**Regional Planning Authority (RPA) – 4 commissioners, 4 councilors (Regional Planning Authority)**

The RPA is a joint policymaking board via JPA, they approve the transit routes on a yearly basis (Regional Transit GRT). There are three subcommittees—Energy, Economic Development and Affordable Housing

Representation: Four Commissioners with the fifth Commissioner as an Alternate

Meet the third Tuesday every other month (Jan, March, May ...) at 4pm, the subcommittees meet the alternate months.

**Solid Waste Management Agency (SWMA) – 3 Commissioners, 3 councilors (landfill)**

Adopt and implement rules and procedures with respect to the overall management and operation of the Agency, inclusive of approving the operating budget of the Agency.

Representation: Three Commissioners and a fourth Commissioner as an Alternate  
 Meet 3<sup>rd</sup> Thursday of each month at noon

All Commissioners also sit on the **Indigent Fund Board**, the **Housing Authority Board** and the **Board of Finance**. The Chair sits on the **Investment Committee**

The Board has previously asked about the representation on the **Regional planning Organization (RPO)**, this is an organization of the NM Department of Transportation, formed to promote the implementation of safe, convenient and efficient transportation networks within the planning area of Los Alamos, Rio Arriba, Taos and Santa Fe Counties. The NCNMEDD is the fiscal agent for the RPO. Members include the 4 Counties, the City of Espanola, Taos Ski Village, Town of Taos, Town of Red River, Village of Chama, Village of Questa, Jicarilla Nation, Ohkay Owingeh, Pueblo of Picuris, Pueblo of Pojoaque, Pueblo of San Ildefonso, Pueblo of Santa Clara, Pueblo of Taos, and the Pueblo of Tesuque. Currently Andrew Jandacek, Santa Fe County's Transportation Planner is the designated County representative with Matt Roybal as the alternate.

The following is a table that indicates the Boards that the Commissioners currently sit on. In addition, Commissioner Stefanics has expressed an interest in sitting on the RPA, Commissioner Mayfield has expressed an interested in sitting on the MPO, Commissioner Anaya expressed an interest in staying on the Boards he currently sits on and Commissioner Holian expressed that she would like to remain on SWAMA.

	<b>Mayfield</b>	<b>Vigil</b>	<b>Anaya</b>	<b>Holian</b>	<b>Stefanics</b>
<b>BDD</b>	Alt	X			X
<b>ELUA</b>	X	Alt	X	X	X
<b>MPO</b>		X	X	Alt	X
<b>NCNMEDD</b>	X				Alt
<b>NCRTD</b>	Alt		X		
<b>Regional Coalition</b>	Alt			X	
<b>RPA</b>	X	X	X	X	Alt
<b>SFSWMA</b>	X	X	Alt	X	
<b>Indigent</b>	X	X	X	X	X
<b>Housing Authority</b>	X	X	X	X	X
<b>Board Of Finance</b>	X	X	X	X	X
<b>Investment Committee</b>				Alt	X
<b>RPO</b>					



**Memorandum**

**To** : Santa Fe Board of County Commissioners

**From** : Steve Shepherd **SAS**  
SF County Community Services Department  
SF County Health & Human Services Division

**Date** : December 28, 2011

**Subject** : **Accept Resignation of Mr. David Harwell, a District 5 Representative,  
from the Santa Fe County Health Policy and Planning Commission**

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**Issue:**

Eleven (11) members are appointed to the Santa Fe County Health Policy & Planning Commission (HPPC) by the Santa Fe Board of County Commissioners (BCC). Mr. David Harwell has submitted his resignation. The BCC needs to accept his resignation, so that a new member can be appointed in his place.

**Background:**

Mr. Harwell represented District V on the HPPC. He notified staff in December that he would be leaving the Commission. We are sorry that Mr. Harwell could only spend a short time on the Commission, and will miss his contribution to the work of the Commission.

**Staff Recommendation:**

Staff recommends that the BCC accept the resignation of Mr. David Harwell, and we thank him for his service to Santa Fe County.

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**Steve Shepherd**

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**From:** David Harwell [REDACTED]  
**Sent:** Thursday, December 01, 2011 8:47 AM  
**To:** Steve Shepherd  
**Cc:** [REDACTED]  
**Subject:** RE: Resignation

Judy and Steve:

I have been delaying this because I love the work that the Commission is doing and the strong need we have for this work in our community. But I am trying to carve out meaningful employment and that has led me to Sacramento. I cannot give the time that I feel is necessary to the Commission and the Commission needs someone that will be able to represent District 5 at every meeting.

I will be sending a separate e-mail to Commissioner Stefanics as well.

Thanks.

David Harwell

**Memorandum**

**To** : Santa Fe Board of County Commissioners

**From** : Steve Shepherd *SOS*  
SF County Community Services Department  
SF County Health & Human Services Division

**Date** : December 28, 2011

**Subject** : Appoint Glen Levant as a Member of the Santa Fe County DWI Planning Council.

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**Issue:**

There are currently nine (9) members appointed to the Santa Fe County DWI Planning Council (PC) by the Santa Fe Board of County Commissioners (BCC). It is desired to expand the PC by at least two (2) members with backgrounds in: law enforcement, emergency services, media, or courts\judicial. Staff advertised for members, and has received six (6) complete applications. Applicants are currently attending PC meetings to make sure that they want to pursue membership on the PC.

**Background:**

Mr. Glenn Levant has attended a Planning Council meeting, has expressed a desire to join the PC, and was recommended by the current PC members for membership at their regular meeting on December 15, 2011.

Mr. Levant has a wealth of law enforcement and non-profit prevention experience. Mr. Levant had a thirty (30) year career with the Los Angeles Police Department culminating in the rank of Chief of Specialized and General Detectives, and being appointed by Mayor Bradley as the nations' first Anti-Drug Czar. He was also the founding Director of DARE America and DARE International, which is the worlds' largest anti-drug, alcohol, and tobacco prevention education program.

**Staff Recommendation:**

Staff believes that Mr. Levant's experience would greatly benefit the work of the PC and recommends his appointment to the PC.

---

Maria Garcia

December 16, 2011

SFC Health and Human Services Division

Via Fax 505 992 9855

Dear Ms. Garcia,

Please consider this my "Letter of Interest" in being appointed to the Santa Fe County DWI Planning Council.

I have provided a short resume to Mr. Jim Jackson, the current Chair of the Council.

If any additional information is needed, I can be reached at 505 986 3992, or by e mail

At [glevant@aol.com](mailto:glevant@aol.com)

Thank you,

Glenn Levant

Attached: Conflict of Interest and Financial Disclosure Statement

Questions for Applicants

Inquiry Authorization Release

Total Pages 5

GLENN A. LEVANT  
15 MONTECITO  
SANTA FE, NM 87506  
505-986-3992  
GLENNANT@AOL.COM

Here is the dry background.

1960-1963 US Army Security Agency

1963-1993 Los Angeles Police Department (promoted via civil service examination) Patrol, Detective, Sergeant, Lieutenant, Captain I, II, and III, Commander, Deputy Chief and Chief of Specialized and general Detectives. Appointed by Los Angeles Mayor Tom Bradley to become the nations first Anti-Drug "Czar" *ACTING COP 1983.*

Numerous professional awards and decorations

Founding Director DARE America and Dare International, the worlds largest anti-drug, alcohol and tobacco prevention educational program, reaching 23 million schoolchildren in all US States, Territories, the DOD school system and 54 other nations. Annual privately raised budget of 225 Million USD, Served as President and Founding Director of these organizations 1983-2003

Honored by Presidents Reagan, Bush (41), Clinton, and Bush (43), Nominated for Nobel Peace Prize by Governor Rosario of Puerto Rico, ( obviously did not win)

Numerous awards and honorary degrees.

Education earned off hours while with LAPD

AA Public Administration, LA Valley College

BS Public Administration, Los Angeles State College

Grad work completed at USC, Public Administration

Post Grad work completed at California State Univ. Pomona, Public Administration

Married to Jayne Levant in 1961, two adult daughters and one surviving Granddaughter

More Personal Information:

In 1996, Jayne became a Leukemia victim (AML) and was successfully treated at City of Hope Hospital, where I moved into her room until her treatment was concluded. Learned a great deal about the needs of Cancer patients during that time.

In 2004, my Grandson, Matthew was diagnosed with Ewing's Sarcoma, My wife and I left Santa Fe and leased a home in San Diego to assist in whatever way we could. Matthew suffered for almost 5 years, before succumbing to the cancer in January of 2009. During his treatment at San Diego Children's Hospital, I once again had the unfortunate experience of learning about the needs of cancer patients, particularly children.

In Santa Fe, I have served two terms on the BOD of the Santa Fe Rape Crisis and Trauma treatment center, recently "timing out" I serve on the Foundation BOD for Monte del Sol Charter School, and on the BOD of the Tano Road association.