

SANTA FE COUNTY

2090034

REGULAR MEETING**BOARD OF COUNTY COMMISSIONERS**

February 26, 2002

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 10:30 a.m. by Chairman Paul Duran, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

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

Members Present:

Commissioner Paul Duran, Chairman
 Commissioner Marcos Trujillo
 Commissioner Paul Campos
 Commissioner Jack Sullivan

Members Absent:

Commissioner Javier Gonzales

I. APPROVAL OF THE AGENDA

- A. Amendments
- B. Tabled or withdrawn items

CHAIRMAN DURAN: I would like the Commission to consider allowing me to bring an item from Matters from the Commission up to the beginning. I've asked Reed Liming from the City to come forward and give us a brief, ten-minute breakdown on the acquisition of the railtrail. And because of my understanding that it's a pretty time-sensitive issue, I've asked Reed to come forward and just give us a brief ten-minute presentation. So it would just be ten minutes. Would that be okay?

COMMISSIONER SULLIVAN: Where?

CHAIRMAN DURAN: It's actually just an issue that I'm bringing forward from Matters from the Commission. It's not on agenda at all.

COMMISSIONER SULLIVAN: After approval of the minutes?

CHAIRMAN DURAN: Yes. Just before the Consent Calendar.

2090035

SFC CLERK RECORDING 08/17/2004

COMMISSIONER SULLIVAN: Okay.

CHAIRMAN DURAN: Thanks for showing up Reed. Any other amendments to the agenda? Estevan.

ESTEVAN LOPEZ (County Manager): Mr. Chairman, there are no amendments to the agenda of any substance. The agenda that we put there in front of you this afternoon has a few clean-up, just language clean-up things but there's nothing of any substance from what was previously posted and noticed. We do have two withdrawals, two items that we want to withdraw from this agenda, however, Mr. Chairman. The first is item VIII. A. 1, under Clerk's Office. The resolution amending Resolution 2002-17 to change the polling place from St. John's Methodist Church to the Elks' Lodge for the April 9th GRT election. We requested that be withdrawn.

And the second item that we request be withdrawn is item VIII. F. 1, under Utilities, Request approval of the water rights purchase agreement between Santa Fe County and Stone Canyon, LLC. Those are the only changes that we have.

Also, Mr. Chairman, you just requested that Matters from the Commission be brought up. Previously, Commissioner Sullivan had requested that perhaps that item be moved earlier on the agenda as a matter or course just to make sure that we had an opportunity to get to it. I just raise that. He asked me that before the last meeting and I forgot to bring it up but I bring it up now for your consideration.

CHAIRMAN DURAN: Do you want to do it before the Consent Calendar at every meeting?

COMMISSIONER SULLIVAN: Wherever you like, Mr. Chairman. I just felt in the last two meetings we haven't gotten to it so this is the third meeting we haven't had Matters from the Commission. I just felt that maybe a little earlier. I don't know precisely where, wherever is appropriate but it seems to be the last thing we get to.

CHAIRMAN DURAN: How about VII. A, under Administrative Items?

COMMISSIONER SULLIVAN: That sounds fine.

CHAIRMAN DURAN: So we'll do it under the first item in administrative items at every meeting? Is that okay? But for today, I just wanted to bring up Reed Liming.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: I'd also like to move up the Fire Department. There are a lot of folks here from the Fire Department and I'm sure they'd like to get out of here before lunch time. I'd suggest we do them after Mr. Liming, if that's okay.

CHAIRMAN DURAN: That's fine. We're also going to break for lunch at 12:00 and we'll be back at 1:15. Okay, any other amendments to the agenda?

COMMISSIONER CAMPOS: Motion to approve as amended.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: There's a motion and a second. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

2090036

Okay, Reed. Just for the Commissioners' information, I asked Reed to come forward, give us a brief presentation on the acquisition of the rail, using the federal funds that are available to us and I know that there's some time lines here that we need to meet and I want to make sure that we meet them.

REED LIMING (City Planner): Mr. Chairman, Commissioners, good morning. Mr. Chairman, I can go through this bulleted list, which is very similar to what was presented at the RPA if you'd like or if there's anything specific you want to touch on we can go ahead and jump right into that. But if not, I'll just go ahead and go down through where we're at.

CHAIRMAN DURAN: Well, I've had a conversation with someone from Santa Fe Southern who believes that May is the last, some day in May is when the application needs to be submitted. And if we don't submit the application in May, then whatever the date is in October or September for them to approve the disbursement of the funds, there's nothing there for them to approve. So I just need some clarification on that.

MR. LIMING: Okay. We have to have our grant application, FTA in Ft. Worth needs 90 days to review our completed grant application. And they have to have ruled on it by September 30, so that basically means that by the end of June we have to have our grant application completed and submitted to them. Now I, in terms of working on this project, I've been looking at May just because I think it would be good to try and have things completed early. So that's why, probably by the end of May is what we're shooting for, trying to have everything complete.

What needs to be completed on our end to apply for the \$4.4 million federal appropriation are two things which are in the middle of the sheet here, which I've kind of put in bold. The first is we need environmental clearance from FTA on the rail line itself. Now we have already conducted and completed a phase one environmental site assessment. That environmental site assessment recommended in a couple of spots some further phase two testing. We believe that FTA will then direct us to do that testing, the testing is probably to the tune of about \$4,000. We have it in our budget in the City to go ahead and take care of that phase two testing. So we will go ahead and do that.

The other thing that I think is the much more critical issue to getting the grant application completed is the local match. And with most federal grants, it's an 80/20 match so with \$4.4 million of federal money we would need, between the City and County, to come up with \$1.1 million of local match. Now, in talking with the FTA, that can be money or in-kind. It can be land or it can be some combination thereof, actually. But between the City and County we need to try and determine how we're going to come up with the \$1.1 million.

Some initial investigations on the City's side have been made, looking at the railyard, the value of some of the property there. The process that we'd need to go through on the City's side to get that approved is being used, some portion of the railyard as part of the local match is still yet to be determined. But I think, Mr. Chairman, that this is probably the most critical issue that the City and County need to decide and determine is how are we going to put the local match, the \$1.1 million together.

2090037

CHAIRMAN DURAN: Okay. So negotiating the purchase price of the right-of-way doesn't have to be included in the work that needs to be completed by June?

MR. LIMING: No.

CHAIRMAN DURAN: So we still have plenty of time to negotiate and discuss the appraised value and the problems that we're faced with trying to make sure that that appraisal is correct.

MR. LIMING: Right. We're again, just for information, we had an appraisal done by Allan Willowford and Seal out of Houston, Texas. We are now, the City is having a second review appraisal done, and I'm sorry, right now it escapes me the individual who's doing that, the name. But the other issue that is yet to be determined that I've asked FTA to let us know about is whether or not we're within, inside or outside the Uniform Act. And that will determine whether or not the City and County are held to a market appraised value to buy the rail line, or whether we are free to negotiate like any other potential buyer with Santa Fe Southern.

CHAIRMAN DURAN: We would negotiate down and not up, right?

MR. LIMING: Sure.

CHAIRMAN DURAN: You mentioned that to me about 45 days or so. We haven't had a response from them yet?

MR. LIMING: I talked to FTA yesterday, and I'm working with several different individuals in Ft. Worth. They have one individual who's dealing with us on the environmental aspect. They have another individual that's dealing with us on this issue. So that individual at FTA in Ft. Worth has not gotten back. I think they are still deliberating and I'm calling and letting them know we're interested and anxious to find out what their decision is on this.

CHAIRMAN DURAN: I can't imagine that they wouldn't let us pay less.

MR. LIMING: Well, I think we have to go through some steps. If we're going to try and negotiate—my understanding and I'm not an attorney and I have no real background in this area but from my discussions with FTA officials, my understanding is that there would be some steps needed if we were to negotiate outside the Uniform Act. We would have to demonstrate—again, this is based on my knowledge, that we are not going to condemn the rail line at any point in the future, and we would need to assure them of that in order to be able to negotiate with Santa Fe Southern outside the Uniform Act.

So there are some steps, I guess that need to be taken and again, I'm asking, I have asked FTA to let us know where do we stand. Certainly they have experience in local governments buying right-of-way and buying rail lines and so—

CHAIRMAN DURAN: Reed, we couldn't use federal funds in a condemnation proceeding, could we?

MR. LIMING: I don't think so but I'm not sure. I really don't know the answer to that.

CHAIRMAN DURAN: Okay, so the bottom line is we're on line with meeting that June—it was the June deadline that I was really concerned about and I was concerned that

2090038

SFC CLERK RECORDING 08/17/2004

we would have had to have negotiated the purchase price of it prior to submitting the application.

MR. LIMING: No, it's really just these two bulleted items on this sheet that we need to have had finality in order to complete our application.

COMMISSIONER TRUJILLO: So the \$1.1 million is totally for right-of-way acquisition, right?

MR. LIMING: Well, it's to match the federal appropriation of \$4.4 million. Now, we've assumed that that basket of money, if you will, the \$4.4 million and the \$1.1 million local match would be what we would use to negotiate the purchase of the rail line.

COMMISSIONER TRUJILLO: And what type of time line are you looking at for acquisition?

MR. LIMING: Well, the acquisition could then move forward once—I think the way it's been seen so far is the acquisition negotiation—by the way, the last bullet before you see there required for grant approval, the last bullet. We've received qualifications from firms offering negotiation and acquisition services. So once I think we got the grant in hand with our local match, then we could proceed onto entering into negotiations, perhaps hiring through contractual services a firm that is specialized in acquiring and negotiating rail line purchases.

COMMISSIONER TRUJILLO: And is this mostly rail property or is there private property?

MR. LIMING: Yes, it's—what we're looking at now and what we had appraised, basically, was all of what Santa Fe Southern owns in terms of land, the right-of-way. Not necessarily the trackage, but the right-of-way, the land.

CHAIRMAN DURAN: I also spoke to someone from Santa Fe Southern, because there was some concern at the last City Council meeting that there might be some piecemeal—they might be selling off some of the railroad right-of-way in the time that we negotiate or the time that we acquire it, and I was assured by one of those individuals that that last sale that took place was the last one. Because I actually told them that if they're going to start doing that then it's going to cause some real problems for us.

MR. LIMING: That, Mr. Chairman, and I think that's exactly why I think that this entire project, I think from a public standpoint is so important. Because I think we would see, if we don't use this money now and the City and County don't make this effort now to acquire this rail line or acquire the land for future purposes, I think what you will continue to see is that the current owners, for cash flow or whatever basis, will continue to break up and sell off parts of it, and it will only become more and more difficult for any local government agency in the future to try and reassemble and put that rail line back together and acquire it.

So I think this is a real key point in time.

CHAIRMAN DURAN: We need to act on it soon. I did get their assurance that they were not going to be selling off any more of the right-of-way. Okay. Any other questions. Thank you for indulging me. Thank you, Reed.

MR. LIMING: Thanks.

2090030

SFC CLERK RECORDING 08/17/2004

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: Are you going to ask members of staff to take any action based on this information?

CHAIRMAN DURAN: No, I think that Reed has it under control. Don't you think you have it under control?

MR. LIMING: Again, the only thing that I think is really important for the County Commission and the City Council at this point is to work with your staffs and work with Jack, whoever, but I think to try and solidify where the local match is coming from. At this point I think the assumption is perhaps the City would be responsible for 50 percent and the County for 50 percent. Maybe the percentages would be different but we have to determine where that local match is coming from. Is it going to be cash? From who? The City or County, and how much?

We need to put in-kind and cash together to equal \$1.1 million and we have to have a pretty good idea of where that's coming from. I think we can put it in the grant application and say this is what we anticipate with the understanding FTA is not going to let us touch any of that money until they have a very firm handle on what our local match is. But I think it would be good now to start that process of determining how we're going to come up with that local match of \$1.1 million. I think that's what the real issue for I think the County, the Commission and staff and the City Council and staff.

CHAIRMAN DURAN: You say it could be a like-kind contribution?

MR. LIMING: In-kind. It can be land.

CHAIRMAN DURAN: Do you think that the developer—what if the developer was to donate some of the land to the City and the County. Could we use that as part of our match? The value of that as part of our match?

MR. LIMING: That's a good question. I don't know. We've assumed that it had to come from somewhere else, that either the cash had to be put up by the local governments or land, perhaps something on the railyard, something like that.

CHAIRMAN DURAN: It just had to be an asset that we owned that would be contributed?

MR. LIMING: Right. And valued.

CHAIRMAN DURAN: What if we had open space that adjoined the rail line? Could that be considered?

MR. LIMING: If you had some kind of appraisal of that, determined the value, yes. And if it was County-owned or City-owned open space that land could—

CHAIRMAN DURAN: Maybe we could consider acquiring some open space.

COMMISSIONER TRUJILLO: If the GRT referendum goes through.

CHAIRMAN DURAN: Or even out of the funds that we have available right now.

JACK KOLKMEYER (Planning Director): Mr. Chairman, if I may, there were a couple of things that we're looking at in relation to that. First of all, one of the issues,

2090040

SFC CLERK RECORDING 08/17/2004

while we're waiting to find out what value the railyard has and what the City's contribution could be out of that. We've discussed it in theory. It might be enough for all of it, but then would it be fair for the County to ask the City to meet the whole match. We still want to look at it from a 50-50 basis.

We have the spur trail that's going into the Community College. We're looking if that would be eligible. And there also are some other properties like the AMREP property that is designated as a rail station in Eldorado. We think that might be able to be used but that's going to take some negotiation.

CHAIRMAN DURAN: How about the park in Lamy?

MR. KOLKMEYER: Possibly. We're trying to look at all these things right now and we'll come back next month in March because we have to start getting on this if we're going to meet that May/June. March or April to make a presentation to you and let you know what we found out and where we might be lacking. Because it really will amount to about \$550,000 if we split it 50-50. So it will take some deliberation on our part, but we're working to pull as many pieces as we can.

That's a good question though about whether Santa Fe Southern could donate anything. We haven't looked at that. But we'll come back to you with a list of the things that might be appropriate and if we don't own them or if there's some other issue there, how we might resolve that.

CHAIRMAN DURAN: Maybe if we have enough land out there that would meet the entire match, maybe the City wouldn't have to come up—we already own the land. Maybe the City wouldn't have to come up with any money of the value of the lands that would qualify as an in-kind match could meet the requirement, if it meets \$1.1 million.

MR. KOLKMEYER: Well, as Mr. Liming said, we're working on this and I think we just want to put all the options down on paper for you and then we'll come back and show you what we have. It's a little tricky. But within the next month we'll have that roughed out for you.

CHAIRMAN DURAN: Could you give me, Reed, a list of what qualifies as an in-kind contribution?

MR. LIMING: Yes, we can do that.

CHAIRMAN DURAN: E-mail it to me or fax it to me. Okay, thank you.

VIII. D. Fire Department

1. Requesting approval of recommended amendments to the Land Use Assumptions, Capital Improvement Plan and impact fees relating to the Santa Fe County's Fire and Rescue Impact Fee Ordinance

CHAIRMAN DURAN: Stan, is this something that we have to review every year, every two years, or—

STAN HOLDEN (Fire Chief): Mr. Chairman, members of the Commission,

2090041

SFC CLERK RECORDING 08/17/2004

the Developmental Fee Act requires that it be reviewed on a periodic basis. We, through our ordinance we review it at least every five years. So that's the process that we're going through now. The Commission will be presented with some additional information at this meeting for your consideration but basically, from the recommendations that we've received from the Impact Fee Advisory Committee, they are recommending that we revise the Land Use Assumptions, we update the Capital Improvements Plan, but that we not change the current impact fee.

And if you'll recall, those members that were sitting on the Commission at the time that the fees were approved, that was at one-half of what the original or the first advisory committee had recommended to begin with. Mr. Chairman, if you'll bear with us just a second we have some additional information to pass out. [Exhibits 1 through 5]

Mr. Chairman, obviously you can tell that this is an important issue to the Fire Department. We have a number of representatives in the audience, including in the audience are district chiefs of each individual fire district that would be happy to stand and answer any questions that you might have in regards to individual fire districts. With that, I would like to read to you from the minutes of the advisory committee meetings in regards to the actual land use assumptions document. Chairman Robert Larragoite asked members to review the draft of the Land Use Assumptions document and asked for recommendations. Mr. Bob Lockwood moved to approve the Land Use Assumptions document as written, seconded by Mr. Michael Kermer and the motion was unanimously approved.

Regarding the Capital Improvements Plan, Chairman Robert Larragoite asked members to review the revised Capital Improvements Plan and asked for recommendations. Ms. Boyce moved to approve the Capital Improvements Plan with minor changes to allow for technical change, grammar and spelling, seconded by Mr. Ben Gomez and the motion was unanimously approved.

In regards to the impact fee schedule, Chairman Robert Larragoite asked members to review the revised impact fee schedule and asked for recommendations. Ms. Helen Boyce moved to approve the impact fee schedule as proposed, seconded by Mr. Ben Gomez. Motion was unanimously approved.

Now, Mr. Chairman, if you'll refer to the impact fee schedule, it's a short table. It says impact fees per square foot at the top of the table. Mr. Chairman that document is the same, unchanged document as was originally proposed to the original BCC that approved the impact fees at 1/2 of those proposed fees. In other words, if you'll go at the current fee, the fee that was approved by the Commission was one-half of that amount per square foot. And Mr. Chairman, and that's what we're recommending that we continue with as we go forward.

CHAIRMAN DURAN: Stan, how much did these fees generate last year or the last fiscal year?

CHIEF HOLDEN: Mr. Chairman, you can refer to this document. It's a spreadsheet. It's a stand-alone document. Mr. Chairman, I'll be happy to answer any questions you might have as you review that spreadsheet. [Exhibit 4]

COMMISSIONER TRUJILLO: I have a question while you're doing that.

2090042

SFC CLERK RECORDING 08/17/2004

Our fire department, our volunteer fire department have a good pulse of the community that they serve. Do you get any input from the communities concerning the impact fee program that the County has in place? Is there concern that it's too high? That it's affecting their ability to obtain affordable housing, things like that?

CHIEF HOLDEN: Mr. Chairman, Commissioner Trujillo, the single item that comes to me more than any other item is the cost of affordable housing, and even that's not an accurate statement. Typically it comes to me in the form of a single family dwelling who is coming in to build their own home. It's not part of an overall development in a community. They're coming in, getting their permit and they're having to pay the impact fee on that single dwelling. That's really the only feedback that I get in regards to impact fees. Other than obviously the overwhelmingly positive feedback I get from the fire districts regarding how it helps them provide services.

COMMISSIONER TRUJILLO: What are we doing, Stan, to align the impact fee program so that it complements affordable housing? Is there anything that we're doing in that area? Sometimes, and I've brought this up before that the impact fees some times prevent the purchase of a domicile, a dwelling by some people that can't afford it. How are we going to align, to link, the impact fee program so that it complements our policy of affordable housing?

CHIEF HOLDEN: Mr. Chairman, Commissioner Trujillo there's no way for the Fire Department to do that on its own. That would have to be a policy decision that's made by the Commission. We did broach that subject with the Impact Fee Advisory Committee and I can read to you from the minutes regarding the affordable housing issue. Discussion among the members concerning the lack of payment of impact fees by tribal members who build on tribal lands was discussed. Mr. Gomez referred to the recent County Tribal Summit to improve communications and asked that these issues be discussed with tribal leaders, and we have begun those discussions. Discussion ensued regarding the possibility of waiving a half of the fee for affordable housing projects, or reducing the fee for affordable housing projects. Mr. Lockwood was opposed to waiving any of the fee for affordable housing and the committee as a whole agreed that this issue would not be something sustainable for the impact fees.

So, Mr. Chairman, Commissioner Trujillo, the gist of it from the Impact Fee Advisory Committee was that we not make any exceptions or reductions in regards to the affordable housing issue from that committee. Now, Mr. Robert Larragoite, as many of you know, is a member of the Habitat of Humanity in Albuquerque and he was also in agreement at that meeting that changes should not happen in regards because they felt it would offset the usefulness of the impact in the fire districts.

Now, I understand the concern from the Commission. I've had conversations before about the affordable housing issues with the Commission and we stand ready to take whatever direction the Commission may want to give us in regards to this issue, because ultimately it is the Commission's decision about how we proceed with this specific issue.

COMMISSIONER TRUJILLO: I'd like to see, with the concurrence of the Commission, some sort of sliding scale if you will, to support affordable housing. I think that

2090043

SFC CLERK RECORDING 08/17/2004

the impact fee program is a good program. It does benefit the infrastructure within our Fire Department but it tends to have a disparate impact on affordable housing and I'd like to see the impact fee program complement the affordable housing initiative that Santa Fe County has in place. And continuing the impact fee program that benefits all of our fire departments.

CHAIRMAN DURAN: I thought we did that.

CHIEF HOLDEN: Mr. Chairman, the Fire Department has not taken any unilateral action in regards to affordable housing issues. That would have to be direction from the full Commission basically telling us what you'd like us to do. Set the policy decision.

CHAIRMAN DURAN: I thought we had this conversation last year or something and some direction was—

COMMISSIONER TRUJILLO: We haven't, but we approved the impact fee program as is. And the discussion never took place regarding the impact on affordable housing. So maybe the direction we need to give is to look at the impact fees, some sort of sliding way so that it complements affordable housing and it also serves the purpose that it should be serving.

CHAIRMAN DURAN: So how about—we need a motion to do it. So the motion could be—can't you add an affordable housing element to this impact fee schedule?

CHIEF HOLDEN: I'm sorry. The County Attorney was asking me if the ordinance allows us to make for that provision from the Commission and it does. The ordinance does allow the Commission specifically to reduce the fees for affordable housing development.

CHAIRMAN DURAN: But we haven't done that yet?

CHIEF HOLDEN: But we have not done that and we have not received direction from the Commission to do so.

CHAIRMAN DURAN: So this is an action item that we're discussing right now, right? So we're going to make a motion later to approve or disapprove. So at that time we can add that into the motion.

CHIEF HOLDEN: Or you could give it to us as a separate item now. You don't need to wait for approval of the impact fees. You can give that direction now.

COMMISSIONER TRUJILLO: I'll make a motion to give direction to consider implementing a sliding scale for affordable housing in the impact fee program.

CHAIRMAN DURAN: So I'll second that for discussion. So that would be to add some kind of affordable housing element to the impact fee schedule. Is that basically—

COMMISSIONER TRUJILLO: And I want to make sure that with this motion it does not have a negative impact on the impact fee program. I want to see that program in a buoyant way, supporting our infrastructure. So I want to make sure that we consider this quite meticulously and not throw the baby with the water.

CHAIRMAN DURAN: So the motion is to bring something forward for us to consider as an amendment to the ordinance, right? Because, I'd like to see what kind of fiscal impact it's going to have on the entire program also.

COMMISSIONER SULLIVAN: Mr. Chairman.

2090044

SFC CLERK RECORDING 08/17/2004

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I'd like to see the impact too, because as has been mentioned many times it seems to be the direction of the Commission that all the affordable housing or the majority of it will be in the Community College District. So if all the affordable housing is in the Community College District then this reduces our ability to build fire and rescue facilities for the residents of the Community College District. So it's kind of a Catch-22 as it were. So I think we need to look at that.

And then another item that needs to be looked at is the fact that we have two affordable housing ordinances, or we have one and a potential second. We have a voluntary affordable housing ordinance that is used in developments where the developer wants additional density and signs on for that and gets a density bonus and is required then to provide a certain amount of affordable housing. And then we have another affordable housing ordinance which is being proposed by staff right now and is under public review in the Community College District.

So we would have to unscramble the difference between the two affordable housing units. So I guess what I'm getting down to is not quite so easy to define what is affordable housing and how would a permit person, when the individual is walking in to get a permit, know whether to charge them \$550 or half of \$550, if it's a 2,000 square foot building. So I certainly support looking into it. I have no problem with that, but I think we need to look very carefully at what, where the impact is in the area and then also I think, and Commissioner Trujillo is perhaps getting at this is many people build affordable housing on their own.

Our definition of affordable housing is a developer building a development that has a certain percentage of the units that meet a criteria of 80 percent median income or less. There are many people who, because they don't have the resources, build their own homes and that situation may qualify. They may want to come in and say, I'm building a house of the same price; I'm in the same income category. I only make so many dollars a year. I would qualify if I were buying into this Community College District development. But I don't. I want to build in Sombriello, or somewhere. And that's where my family is. But I qualify as an affordable housing person. So I want to be an affordable housing applicant of one, as it were.

So I think we need, if we open this box of Pandoras, we need to look at that as well. And I think it's worth looking at, but just a word of caution. Let's look at all the aspects of it.

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, I understand your concern. We'll make sure to broach that issue.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: Question for Mr. Holden. It seems to me with the impact fees we're falling short on what we need and impact fees are a very small fraction of what we're using to finance equipment and construction.

CHIEF HOLDEN: Mr. Chairman, Commissioner Campos, that is correct. The impact fees do not provide the full amount necessary to run a fire district. To give you an example, in Chimayo, we don't raise enough impact fees in Chimayo to buy a new fire truck as a result of 40 new houses being built. So we have to supplement that with additional, either

2090045

SFC CLERK RECORDING 08/17/2004

revenue bond money, general obligation money, or quarter percent money in order to buy that vehicle.

COMMISSIONER CAMPOS: And if we come up short after going through all those sources, the only fund is the general fund.

CHIEF HOLDEN: Mr. Chairman, Commissioner Campos, that's correct.

COMMISSIONER CAMPOS: So basically, we're going to cut all this revenue stream then we're looking at the general fund and we're already having problems with that so to me, fire and emergency are so basic to everybody's life. So I would be somewhat concerned to go down this road. It merits consideration. Affordable housing is something we'd like to have but there are going to be a lot of consequences. If you get money from the general fund, who are you going to cut then? It gets very complex.

COMMISSIONER TRUJILLO: I agree with you wholeheartedly, Commissioner Campos. But I just want to make sure that we look at the issue. That we see—take it to heart because we do have an initiative of affordable housing and I think we need to study it, and that's a direction I would like to give Stan and his staff. Just so that we have a position with our constituency and the public that this issue was looked at, was studied and the decisions were made objectively.

COMMISSIONER SULLIVAN: Mr. Chairman, one other item.

CHAIRMAN DURAN: We're not going to debate the issue any longer, are we?

COMMISSIONER SULLIVAN: Well, I wanted to point out an item with regard to where we are with regard to the funding of impact fees. I noticed in the mid-year report from our Finance Director that we had budgeted this year under the Fire Protection Fund, which is 209, which I think, correct me if I'm wrong, Katherine, is the impact fee fund, \$1.7 million. Our projected through the end of June is \$2.1 million, so we're 25 percent ahead of schedule on the collection of projected versus actual on the impact fees. And of course that varies as developments come and go and construction comes and goes, but I think we're in a solid position. I don't think we want to back up at all. It certainly doesn't seem like we need an increase at all. But it seems like we're in a solid financial position, unless I have read these figures wrong and when we get to the item on the agenda we can go into it a little bit further.

CHAIRMAN DURAN: Sure. Any discussion relative to the motion? Steve.

STEVE KOPELMAN (County Attorney): Mr. Chairman, I just wanted to clarify. Are you going forward and approving all of the classes of hazard other than Class 7, light hazard, which would be the one that deals with residential, I believe, so that they could at least move forward on those? Or are you—

CHAIRMAN DURAN: We haven't even got to the—we're discussing the motion about giving staff direction to come forward with a proposal to amend the ordinance to add an affordable housing element to the fee schedule.

MR. KOPELMAN: Okay.

COMMISSIONER TRUJILLO: Well, I can incorporate that in my motion, to approve the rest of the fee schedule except the one that has to do with residential and staff to

2090046

SFC CLERK RECORDING 08/17/2004

come back with some recommendations regarding affordable housing. So that we don't stagnate the program.

CHAIRMAN DURAN: But if you're not going to approve the residential—

COMMISSIONER TRUJILLO: There's a lot of construction and projects going on that are not residential and we need to assign impact fees to those projects.

CHAIRMAN DURAN: What do you think about just taking action on the motion which gives them instructions to bring us a possible amendment to the ordinance forward for discussion and then after we move on that, move on the fee schedule.

COMMISSIONER TRUJILLO: That's fine.

CHAIRMAN DURAN: Okay. Those in favor signify by saying "aye."
[Unanimous] Opposed? Motion carries.

Okay, so are you through with your presentation or are we ready to act on this?

CHIEF HOLDEN: Mr. Chairman, I'm standing for questions or any issues that the Commission has that they might want to address. I do have a number of people here that can answer specific questions if you want to get into detail, but specifically, what we need to have today considered is the fee schedule, the Capital Improvements Plan and the Land Use Assumptions, those three issues. And we don't have to take action on all those documents today; we can wait until a later Commission meeting but basically we're going to be redoing all this effort again. If that's what the Commission desires we can do that but we would prefer to take action on all these items today.

CHAIRMAN DURAN: Well, if we don't approve the fee schedule today, you still go under the old fee schedule. Is that correct?

CHIEF HOLDEN: That's correct.

CHAIRMAN DURAN: So why don't we just go with that until we have something new to consider, because the only element, the only issue we're trying to change here is the affordable housing, adopting affordable housing guidelines, right?

CHIEF HOLDEN: The Capital Improvements Plan has change and the LUA has also changed. They're required because they're updating information and it would just take the action of the Commission to adopt those two documents and then we can proceed with the Commission's direction on the other item, Mr. Chairman.

CHAIRMAN DURAN: The CIP—

CHIEF HOLDEN: The Capital Improvement Plan.

CHAIRMAN DURAN: And the impact fee schedule are two different things, right?

CHIEF HOLDEN: Well, one goes hand in hand, but yes sir.

CHAIRMAN DURAN: I understand that. Let's go over the CIP plan. Are we approving or disapproving your budget right now, based on the impact fee?

CHIEF HOLDEN: No, sir. As I reiterated before, every item that comes up for discussion on the impact fees or for approval of the budget comes before the Commission. So every time we purchase something in the Fire Department with impact fees it comes before the Commission for approval. That procedure will carry forward after today.

2090047

SFC CLERK RECORDING 08/17/2004

CHAIRMAN DURAN: What's the pleasure of the Board?

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman. For discussion.

COMMISSIONER CAMPOS: Mr. Chairman, I'd like to have Mr. Holden briefly summarize every element of his presentation and then have public input. There are a lot of folks here from the Fire Department. I think I'd like to hear from them before we make any motions.

CHAIRMAN DURAN: Well, I think the people from the Fire Department are here to answer any questions you might have. I'm not going to let everybody out there come up here and expound on this Capital Improvement Plan or the impact fees. If you have any questions, let's ask them and make a decision whether we're going to adopt it or not.

COMMISSIONER CAMPOS: I understand some people have come here to make a presentation.

CHAIRMAN DURAN: How many out there of you came specifically to make a presentation to the Commission? Okay, Stan, are you through with your presentation?

CHIEF HOLDEN: I'll just stand for questions, Mr. Chairman.

CHAIRMAN DURAN: Please come forward and state your name.

JOHN WHEELER: My name is John Wheeler. I'm the president of the Santa Fe County Chiefs Association and the Tesuque District Chief here in Santa Fe County. Commissioners, staff, citizens of Santa Fe County and fellow firefighters, thank you for the opportunity to address you regarding the impact fees, something I consider to be an issue of vital mutual concern to us in this room and to the citizens here. My message regarding the impact fees is actually very simple. These impact fees are a vital part of the budgets of the fire districts. I think it's been recognized here today and certainly we recognize that the County general fund cannot absorb the costs associated with buying the necessary equipment for the districts. In fact, as you know, this money is specifically, this process, which you all helped us create, is specifically done so that the impact and the benefit from those funds is felt in the community where the growth is taking place.

In other words, the community that's growing and expanding and the community that deserves a growing and expanding fire and rescue service is the community that gets that based on those impact fees. We think that's spread across the districts. We think that's a very fair allocation of these resources. I believe you have a list and if you don't one can certainly be provided to you of the purchases that have been made from these impact fees, and I'm sure that you would agree with me that those purchases and the money being collected is properly being accounted for and allocated and spent on vital needs for these communities.

In my own district, as an example, these funds have been used to increase, to actually supplement some equipment on a fire engine and they're being used currently as we speak to purchase a new rescue vehicle. And that is, for those of you who may not be aware, just in my district this last year there were six fatalities on US 84/285. That is my primary area of response between the City of Santa Fe line and essentially where Gabriel's Restaurant is, which is the start of the next district. That corridor is very dangerous. These funds have a very real

2090048

SFC CLERK RECORDING 08/17/2004

impact in my community and for the people I serve.

I actually believe that each dollar translates to better fire protection for our communities and for you and us all in this room. And really ultimately, for the people who deserve it, the citizens that we serve. There's another benefit derived from these funds and I think that benefit is better trained, better equipped firefighters. Safer firefighters means a safer public. And if this equipment is purchased and it helps us help the people we're responding to, I think it's money well spent. I think it's money that's necessary to spend in that regard.

CHAIRMAN DURAN: Mr. Wheeler, I have a question. The Capital Improvement Plan, it was brought forward and prepared with the input from the chiefs in every district and the people that are serving our community have had input into developing the plan?

MR. WHEELER: Mr. Chairman, that's correct. If I may continue?

CHAIRMAN DURAN: Please.

MR. WHEELER: In short, I think these funds help the fire service save lives here in Santa Fe County. I think the consequences of not continuing this process is to actually cut services to the citizens of Santa Fe County. I think it's actually to have firefighters that are less safe, less well equipped, less capable of responding to the emergency needs of this county. And frankly, my personal opinion, based on what I do, is that I think cutting services is not the tack that we want to take in Santa Fe County.

I'd like to thank you for allowing me the opportunity to speak to you regarding this matter of again, something I think is of vital mutual concern to us and I'd like to thank you for your continuing support for the 400+ public safety professionals, both volunteer and career who respond on a daily basis to the emergency needs of this county, protecting lives and property and on very many of those occasions, risking their own lives. I personally feel that these funds are a pretty small matter compared with the lives of our firefighters and citizens and I would stand for questions. Thank you.

COMMISSIONER TRUJILLO: Mr. Chairman, those are eloquent words. Have you gotten the opportunity to—I understand that there's a quarter percent tax that's collected by the state, ostensibly to be disseminated to volunteer fire districts throughout the state and at this point, the formula that they use does not distribute these monies in a fair way to the volunteer fire departments across the state. They're using, the state legislature is using some of those monies to fund pet projects, to do whatever they want to do, but the bulk of the monies are not benefiting the volunteer fire departments.

These sorts of positions and these sorts of words would really help before the state legislature to help disseminate those monies in a more egalitarian way. That formula needs to change, because it is having a disparate impact on your ability to provide the service that you want to provide.

MR. WHEELER: Mr. Chairman, Commissioner Trujillo, you're absolutely right. What you're referring to is called the Fire Protection Fund distribution, and it is based on a formula, it's in statute. Roughly 50 percent of those funds are not distributed in a given year and it is something that the fire service has wrestled with for a long time. One perspective is we're lucky to get what we get out of it and the other is we deserve a lot more; that's why

2090049

SFC CLERK RECORDING 08/17/2004

those funds are there. And in fact, you're right. We have worked, the fire service in general, I believe, has worked very diligently to try and change the legislative approach to the allocation of those funds. Personally, from my own perspective, I would be pleased to participate in any way in reallocating those funds.

You're correct. It's money that is set aside for the use of firefighters to preserve lives and property and I personally believe that those funds should be allocated accordingly.

COMMISSIONER TRUJILLO: And I think we should be more aggressive as a Commission with the state legislature to make sure that happens in some sort of way.

MR. WHEELER: Mr. Chairman, Commissioner Trujillo, we would welcome your assistance in that regard. Thank you.

CHAIRMAN DURAN: Any other questions of staff?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Just briefly here, my understanding is we have about over the next five years the need for about \$6.8 million in vehicles and stations. Impact fees are averaging around \$573,000 a year, which brings us in over five years about \$2.8 million. So we're, in terms of needs versus growth, the impact fees only represent some 40 percent of the need and the rest has to come from the general fund.

Are there any categories, there are seven categories of uses, and category 7 is where residential falls. In this whole document, Stan or anyone, can you highlight for us, are there any major changes in the categories? Are there any major changes in this document that we as a Commission should know about or are we basically on the same track as we've been before?

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, there are no major changes to the documents, but for your benefit we do have Bruce Poster who was the consultant who'd firm put these documents together, drafted these document. He was the original consultant when the fees were originally passed here, that can answer some of those questions if you like.

COMMISSIONER SULLIVAN: Just, Mr. Chairman, I was just looking for a brief synopsis here of what any major differences that are being proposed here from what exists now.

CHIEF HOLDEN: Major differences, there are none, Mr. Chairman, Commissioner Sullivan, that I can think of.

COMMISSIONER SULLIVAN: So it's mainly an exercise to quantify the number of square feet that we have, the projected in the future in the various categories and that projected build-out is what determines what your requirements are for vehicles and equipment and stations over the period of the study.

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, that's correct. Now the only caveat that I would add to that is it is, to a certain extent based on population growth and we have had a significant increase in population growth from ten years ago until today. So that might be a major change that you might consider but other than that, there's not.

COMMISSIONER SULLIVAN: So you're not moving things from category to

category, which would in essence be a fee change. So we have the same types of buildings in each category. So essentially, the fee is the same and you're recommending that the fee be the same as is currently in place.

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, that's correct. Again, with the caveat that the committee advised that the original impact fee that was adopted five, six years ago be adopted and that's the fee that the Commission cut in half at that time. And that's currently what we're collecting is one-half of the impact fee that was recommended by the Impact Fee Advisory Committee.

COMMISSIONER SULLIVAN: And as you stated at the beginning of your presentation, this one page chart is not what you're collecting. This one page chart is twice what you're collecting now.

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, that is correct.

COMMISSIONER SULLIVAN: So if we want to keep the status quo we don't want to authorize this chart.

CHIEF HOLDEN: That's correct.

COMMISSIONER SULLIVAN: Thank you, Mr. Chairman.

CHAIRMAN DURAN: Any other questions of Stan or staff? What's the pleasure of the Board?

COMMISSIONER TRUJILLO: Mr. Chairman, move for approval of the impact fee schedule as proposed by staff.

CHIEF HOLDEN: If you approve it as it's written, that will be \$.55 a square foot.

CHAIRMAN DURAN: At one-half of that.

COMMISSIONER TRUJILLO: At .50 of the—

CHIEF HOLDEN: Fifty percent.

COMMISSIONER TRUJILLO: Fifty percent of what's been proposed.

CHAIRMAN DURAN: And that includes the Capital Improvements Plan?

COMMISSIONER TRUJILLO: And that includes the Capital Improvements Plan. Right.

CHAIRMAN DURAN: Okay. I'll second that for discussion. Any further discussion?

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: I'll defer to legal.

MR. KOPELMAN: Mr. Chairman, members of the Commission, I just note also that we're also approving the Land Use Assumptions as well as the Capital Improvement Plan.

CHIEF HOLDEN: Mr. Chairman, if I might interrupt. The consultant, Bruce Poster has some input regarding the affordable housing issue that he would like to discuss prior to the Commission making a formal action.

CHAIRMAN DURAN: That's fine. I think that we've already made a motion

2090051

SFC CLERK RECORDING 08/17/2004

for that information to come forward at a later date. I think that if Mr. Poster has something that he wants to add to that, that he should do it at the time that we consider adopting—

CHIEF HOLDEN: It might be too late.

CHAIRMAN DURAN: Is it critical?

CHIEF HOLDEN: It might be too late, because it has to do with the fees that you're preparing to approve now.

CHAIRMAN DURAN: Okay. Come on forward.

BRUCE POSTER: Thank you, Mr. Chairman. My name is Bruce Poster with Southwest Planning and Marketing. We're the firm that developed the original Land Use Assumptions, CIP and fees and have been engaged to do that again. And regarding the affordable housing issue, it was something we looked at brought to the advisory committee. They, in their wisdom, felt like they didn't want to recommend it on. However, we did some research on that and I wanted to address two of the issues that came up today in your discussion. One, concerning eligibility. We would recommend if you do decide to put forward some form of affordable housing exemption, that to use the same standard for affordable housing that the Commission has already adopted, that Robert Anaya works out and puts forward annually. I can tell you what those standards are and they could certainly apply to individual units as was suggested by one of the Commissioners as well as to subdivisions. So those standards are already available, officially adopted by the Commission and could be updated annually as part of the normal affordable housing updating process.

As to the Commission's desire to provide some sort of exemption for affordable housing. As you know, that is allowed by the statute now due to a change in the state legislation last year. The affordable housing component though cannot be made up by other fees unless you at this time would raise the other fees somewhat to compensate for what you're going to reduce later on for the affordable housing. We would estimate that perhaps ten to fifteen percent of new construction would qualify as affordable housing in the future, so if you wish to exempt that, then the way to handle that would be to raise other fees proportionately since they're falling short of what would be allowed under the calculation, since you're only adopting them at a level of half of what the old fees were, half of what the old fees could have been, which is even less than half of what they could be today, as shown in the next to the last column.

So in short, if you do want to take this action, the way to handle it not to have revenue erosion, would be to somewhat increase the fees on other users, on other buyers, say by ten to fifteen percent, and then you should have a wash and not be in a revenue deficiency situation beyond what you would have otherwise been in.

CHAIRMAN DURAN: Mr. Poster, if when staff comes forward with some recommendations or some information relative to adding an affordable housing element to the fee schedule, could we not at that time re-evaluate the fee schedule and make an adjustment at that time?

MR. POSTER: You certainly could.

CHAIRMAN DURAN: So then it's not too late. It wouldn't be too late today.

MR. POSTER: No, if you wish to change the— 2090052

CHAIRMAN DURAN: We could increase it ten or fifteen percent at the time that we add some affordable housing element to it.

MR. POSTER: That would be my understanding. You might want to check with the County Attorney but once you've adopted the Land Use Assumptions and the CIP, you could probably adjust the fees based on those documents.

COMMISSIONER CAMPOS: I think what Mr. Poster is saying is that we need to act today if indeed there will be some benefit to affordable housing in the future so as not to erode the revenues.

CHAIRMAN DURAN: And we can make that same decision when we decide whether or not—your concern is that if we add an affordable housing element to this fee schedule that it would erode the services that we're able to provide.

MR. POSTER: Yes, Mr. Chairman. If you have to collect \$6.8 million over the next five years in revenues for the equipment and you're going to collect ten percent less, say, because of the affordable housing exemption—

CHAIRMAN DURAN: But we don't know how much we're going to affect it, right? We don't know that today, do we?

COMMISSIONER CAMPOS: We don't know.

CHAIRMAN DURAN: So you want to increase it today, because we don't know.

COMMISSIONER CAMPOS: Unless you want to wait until next year to consider the affordability issue.

CHAIRMAN DURAN: I want to wait until the bring forward the affordable housing element to amend the fee schedule. I don't understand. Wouldn't that be okay?

COMMISSIONER CAMPOS: But you approve today, at let's say at .5, and then you reduce it later, you can't adjust it later. That's what I understand. You can't make that adjustment later.

CHAIRMAN DURAN: You know what? We can do anything we want with that fee schedule, at any time that we want to reconsider it. Isn't that correct?

CHIEF HOLDEN: That's correct, Mr. Chairman. You can.

CHAIRMAN DURAN: I said we can adjust that schedule any time that we feel that it needs to be adjusted.

CHIEF HOLDEN: Mr. Chairman, if I could make a recommendation to the Commission. If we approve the CIP and the Land Use Assumptions today, we can follow through with the direction that was given by the Commission and come back in March with some additional recommendations regarding the impact fee and the affordable housing issue, and that would mean that we're approving the proposed CIP and the proposed Land Use Assumptions and we would continue to collect the impact fee according to the schedule that's been adopted now and at a meeting in March, if it's the Commission's perusal to approve a different schedule we can do so at that time.

COMMISSIONER TRUJILLO: Are we going to approve everything else

2090053

except—well we can't approve the impact fee schedule at all, right? We'll look at that in March. Okay.

CHIEF HOLDEN: That would be my recommendation.

CHAIRMAN DURAN: What's the pleasure of the Board?

COMMISSIONER TRUJILLO: So moved, Mr. Chairman.

COMMISSIONER SULLIVAN: I think there's a motion.

COMMISSIONER CAMPOS: We have a motion. Could you repeat your motion?

COMMISSIONER TRUJILLO: Well, we'll approve the CIP and the assumptions, right? The Land Use Assumptions. I make a motion to approve those. And to send direction to staff to come forth with an affordable housing—

CHAIRMAN DURAN: We already did that, right?

COMMISSIONER CAMPOS: We've done that.

COMMISSIONER TRUJILLO: Okay, so then I'll just make a motion to approve the CIP plan and the Land Use Assumptions plan.

COMMISSIONER CAMPOS: We're not approving the rate—

COMMISSIONER TRUJILLO: We're not approving the impact fees. We'll look at that in March. Right.

CHAIRMAN DURAN: And the second approves that. I second that. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

Thank you. Stan.

COMMISSIONER SULLIVAN: Stan, before you leave I had a quick question. Do volunteer firefighters receive any retirement or pension benefits?

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, they do, but it's pretty miniscule. If you were to evaluate it based on the services that they provide, it's nothing in comparison.

COMMISSIONER SULLIVAN: The only reason I ask, I was in a community in the southern part of the state last night at a meeting and it was brought up and I just wanted to know. This particular community, after ten years of volunteer service, they received \$100 a month and after 25 years of service, they receive \$200 a month, after age 55, in this particular community. Is that—do we do anything similar to that?

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, that's the State Volunteer Firefighter Retirement Fund. You're correct in your numbers and that's why I said if you compared their reimbursement from the retirement fund to the services that they provide, it's pretty miniscule by comparison.

COMMISSIONER SULLIVAN: I don't disagree. I just wanted to be sure that we provided that.

CHIEF HOLDEN: Right. These people, Mr. Chairman, do not provide the services that they provide for our community because of the retirement fund, I can guarantee you that. So if there's anything, at some point that the Commission would want to consider in

2090054

that regard, we'd be happy to entertain that.

COMMISSIONER SULLIVAN: Oh, I see. I just wanted to start with step one to be sure that we provided that minimum level of inducement to have them remain as volunteers.

CHIEF HOLDEN: Thank you. Mr. Chairman, if I could. I appreciate your consideration in moving this item up on the agenda and I'd like to thank my guys and gals for showing up today in support of this issue. Thank you, Mr. Chairman.

CHAIRMAN DURAN: We'd like to thank you too. Appreciate all the hard work you do.

VI. CONSENT CALENDAR

- A. Resolution No. 2002-23. A resolution requesting an increase to the Indigent Fund (220) to budget the prior fiscal year cash balance for expenditure in fiscal year 2002
- B. Resolution No. 2002-29. A resolution requesting an increase to the Housing Enterprise Fund (517) to budget additional subsidy revenue from the US Department of Housing and Urban Development for expenditure in fiscal year 2002
- C. Resolution No. 2002-24. A resolution requesting an increase to the Section 8 Voucher Fund (227) to budget additional subsidy revenue from the US Department of Housing and Urban Development for expenditure in fiscal year 2002
- D. Resolution No. 2002-25. A resolution requesting to close out the Section 8 Certificate Fund (228) and transfer the fund balance to the Section 8 Voucher Fund (227) in fiscal year 2002
- E. Resolution No. 2002-30. A resolution requesting an increase to the Housing Capital Improvement Fund (301) to budget a grant award received from the US Department of Housing and Urban Development for expenditure in fiscal year 2002
- F. Resolution No. 2002-26. A resolution requesting an increase to the state Special Appropriations Fund (318) to budget a grant award received through the 2000 New Mexico legislation special appropriation for expenditure in fiscal year 2002
- G. Request ratification of amendment 1 of professional services agreement #22-0065-IH with Millennium Treatment Services, Incorporated to increase the agreement by \$18,300 to provide alcohol and/or other substance abuse treatment services
- H. Request ratification of amendment 1 of professional services agreement #22-0063-IH with Ayudantes, Incorporated to increase the agreement by \$8,600 to provide alcohol and/or other substance abuse treatment services

2090055

SFC CLERK RECORDING 08/17/2004

- I. Request authorization to submit the Santa Fe County CRAFT project year three grant continuation proposal to SAMHSA/CSAT in the amount of \$47,729
- J. Resolution No. 2002-27. A resolution requesting a budget transfer from the general fund (101)/Finance Department to various departments for the personnel salaries and benefits expenditure for the three percent salary COLA increase for Santa Fe County employees per the collective bargaining agreement dated December 1999
- K. Resolution No. 2002-28. A resolution requesting an increase to the Fire Protection Fund (209)/various fire districts to budget fire impact fees for expenditure in fiscal year 2002
- L. Request authorization to accept and award a price agreement to the lowest responsive bidder, IFB 22-19 Type I ambulance
- M. Request authorization to enter into a sub-agreement to state contact #10-00148 with Motorola for enhanced 911 equipment for the Regional Communication Center as per the JPA with the City of Santa Fe
- N. Requesting approval of a joint powers agreement between Santa Fe County and the New Mexico Energy, Minerals and Natural Resources Department, State Forestry Division, to purchase wildland firefighting gear from the General Services Administration
- O. Resolution No. 2002-31. A resolution requesting a budget transfer within the Road Projects Fund (311)/CR 64L - Richards Avenue to acknowledge revenue received from the City of Santa Fe for expenditure in fiscal year 2002

CHAIRMAN DURAN: Are there any items on the Consent Calendar that the Commission would like to isolate for further discussion?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: The first question I had is items G and H are part of several professional services agreements with treatment providers and the remainder of them are in the regular agenda. So I was a little confused as to why these two were in the Consent Agenda and then we'll come to the remainder of them in the regular agenda. Shouldn't we just consider them all at one time?

MR. KOPELMAN: Mr. Chairman, Commissioner Sullivan, I think the reason that was done is that the Consent Agenda agreements are just ratifications. Under the resolution that the Commission approved, the County Manager has the right to approve amendments up to a certain amount and then bring them for ratification to the Commission. So those are the only two that are getting ratified that were a small amount. The others are amendments coming for the first time that haven't had any action taken by the County Manager. That was the reason these two were segregated out from the others.

2090056

SFC CLERK RECORDING 08/17/2004

COMMISSIONER SULLIVAN: So these are already existing agreements that we're amending, as opposed to brand new agreements?

MR. KOPELMAN: No, Mr. Chairman, Commissioner Sullivan, they're all amendments but these two, the Commission has delegated authority to the County Manager to actually make amendments on change orders or changes in contracts up to a certain amount. These two contracts have had the change made and so they're just coming back for ratification as a formality.

COMMISSIONER SULLIVAN: Is that \$20,000? Is that that amount?

MR. KOPELMAN: I believe it's under \$20,000 I believe.

COMMISSIONER SULLIVAN: Okay. So that's the reason that those two are here. So I don't have a problem with those two them. Or I don't have a problem with any of them, obviously, I just need some clarification on some of them. Then I would ask for items B and E, and M, N, and O.

CHAIRMAN DURAN: Are there any other items that the Commission would like to isolate for further discussion? Then the Chair would entertain a motion to approve the Consent Calendar removing B, E, M, N, and O for further discussion.

COMMISSIONER TRUJILLO: So moved, Mr. Chairman.

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: Any other discussion? Those in favor of the motion signify by saying "aye." [Unanimous] Opposed? Motion carries.

VI. B. Resolution No. 2002-29. A resolution requesting an increase to the Housing Enterprise Fund (517) to budget additional subsidy revenue from the US Department of Housing and Urban Development for expenditure in fiscal year 2002

ROBERT ANAYA (CHDD Director): Mr. Chairman, Commissioner Sullivan, I'd stand for any specific questions. The actual increase is due to a change in the performance subsidy calculation that's passed down by the Department of Housing and Urban Development, which will provide an increase in revenue to the Housing Authority.

COMMISSIONER SULLIVAN: Okay, I guess my question was that this contract is a \$542,000 contract and we're getting an increase from the feds of \$317,000. So we're getting a sizeable increase and I understand from this morning's meeting that that increase has to do with a recalculation of revenues to benefit smaller housing authorities such as ours, so we come out ahead, which is good news. My question is, what are we going to do with the money. I see, as Commissioner Campos observed in our meeting this morning with the Housing Board that \$225,000 of it is going into contingency and reserve. The rest of the money is going into electricity, gas, seminars, workshops, printing and things like that.

Are these monies that are in addition to what we've already budgeted for these

2090057

SFC CLERK RECORDING 08/17/2004

things? Are we in fact here budgeting more seminars, more equipment and machinery? Or are we making up for something that we're in a shortfall?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, it's actually both. We do have some additional money that we did place in the Housing budget for those particular items that you just mentioned, but another item that needs to be brought up is the fact that the County currently provides a transfer of subsidy to the Housing Authority to offset the budget. In essence, part of that transfer that normally occurs from the general fund will now be absorbed with this additional subsidy so that in future fiscal years and the current fiscal year, the amount of money we'll need from the County general fund will be less and less, in fact if we went on the straight budget that we have before you today there would not be any need for additional general fund infusion of money for the Housing operating budget.

COMMISSIONER SULLIVAN: So none of these are expansion items, then. These are paying from this additional fund current operating costs which heretofore have been paid by the County general fund?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, yes. There are some expansion requests and the example that I'll give you is the maintenance item that you see listed in there. Maintenance and upkeep of the Housing Authority sites is always an area where we fall short, many times even with the infusion of County money. This gives us an opportunity to infuse more money into the maintenance budget to make sure that we increase the turn-around time and actually reduce the turn-around time in units and do other things at the Housing Authority that we were not unable to do [sic] because of budget restraints.

So it does increase our ability to do a better job in taking care of the housing units and be more efficient at turn-around time. But it also offsets the amount of money that will come from the County. So it's two fold. It's both.

COMMISSIONER SULLIVAN: Would that be under miscellaneous/other operating costs? I don't see a line item for maintenance. It sounds like a very good thing to do. I couldn't agree more. I just see an item for miscellaneous/other operating costs and I see other contractual services and equipment and machinery. Would that be in those line items? Certainly wouldn't be in seminars and workshops.

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, I believe it's under there, \$30,000 under the maintenance. Line item 40.01.

COMMISSIONER SULLIVAN: All right. In page one, \$30,000, maintenance: buildings and structures. That's an expansion over existing maintenance, \$30,000 in addition.

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, yes.

COMMISSIONER SULLIVAN: So that's—any expansion items would be in the maintenance category is what you're telling us.

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, that's correct.

COMMISSIONER SULLIVAN: That's certainly a good place to put it. I

think that answers my question. Are there any other questions of Mr. Anaya regarding Consent Calendar item VI. B?

COMMISSIONER TRUJILLO: No, Mr. Chairman. If not, I move for approval.

COMMISSIONER CAMPOS: Second.

COMMISSIONER SULLIVAN: I have a motion and a second for approval. Any further discussion? Those in favor say "aye." [Unanimous] Those opposed? Motion carries. [Chairman Duran was not present for this action.]

COMMISSIONER TRUJILLO: Mr. Chairman, if you would please. There's a gentleman, Art, superintendent of Pojoaque Valley Schools. He came for one of the items. I was wondering, if after we're done with the Consent Calendar we could listen to that. That's item VIII. D. 2.

COMMISSIONER SULLIVAN: Well, one of these Consent things is a million dollar items so it may take a while. Perhaps if the Chair's okay, we can move to that now.

COMMISSIONER TRUJILLO: Okay. That's fine.

COMMISSIONER SULLIVAN: Is that okay, Commissioner Campos?

COMMISSIONER CAMPOS: I have no problem with it.

COMMISSIONER TRUJILLO: This will take a couple minutes.

VIII. D. 2. Request direction on the Fire Department Jacona property in Pojoaque

CHIEF HOLDEN: Mr. Chairman, is that the Jacona issue?

COMMISSIONER SULLIVAN: That's the Jacona Pojoaque Valley School issue.

CHIEF HOLDEN: Mr. Chairman, sometime back in early 1990s, the Pojoaque School District provided a one-acre tract of land that was owned by the Pojoaque Schools to the Pojoaque Valley Fire Department or Santa Fe County to construct a substation on this in the Jacona area. It's actually on the high school property there in Jacona. And subsequent to that time, Mr. Chairman, the schools have built on that property, basically have made it unusable as a site for the fire substation anyway. And we have had communications with the schools that they would like us to return this property to them.

Now there is some question, Mr. Chairman, about whether or not the correct procedures were followed to begin with back in the early 90s in transferring this property. I understand in talking with Mr. Blea that perhaps there is a state statute that prevents the school district from conducting or conveying this property to us in the first place and I believe he's here to address this issue if you would like. But quite frankly, Mr. Chairman, we're, the Fire Department is not prepared at this time to construct a substation on this property and we would recommend that the Commission proceed with, I guess, quitclaiming is the appropriate way of

2090059

SFC CLERK RECORDING 08/17/2004

conveying this property back to the school district who was the original owner of the property anyway.

COMMISSIONER SULLIVAN: Mr. Blea, would you like to come forward and add any comments to Mr. Holden's presentation?

ART BLEA: Good morning and thank you for allowing me this chance to speak. As Chief Holden said, back in the, I believe it was in 1990, the school district basically donated an acre of land to the volunteer fire department in Pojoaque. And not knowing apparently at the time that by statute, you can't give away public property. You can lease it, sell it, exchange it for equal value, etc. Anyway, back in 1997 I communicated with Fire Chief Lopez in Pojoaque at that time and they were still interested in the acre and they said they were going to pursue funding for a fire station.

At that time we did let them know about the problem with the previous donation and however we said, we'll be willing to entertain some sort of agreement to allow a fire station to be built there. However, in the resolution, and I forwarded a copy to Chief Holden. I don't know if you have it, it did state there that this had to be done between 1997 and the year 2000. And it obviously didn't get done. And so technically, at this point I would believe that the property just automatically reverted back to the district since the volunteer fire department never did get the funds to begin their construction.

We are in the process of building a new high school, and although the acre in question doesn't have anything on it now, it probably is going to be needed for some of our infrastructure, wastewater kinds of piping down there and so we would certainly appreciate it if we could just clear the title all together and keep our property intact. Now, this doesn't preclude us from in the future entering into some kind of agreement with the County if necessary, if at that point funds are available and if there's land available in our property there to put a fire station. We don't want to sound like we want to get into an adversarial situation with the volunteer fire department.

But that's basically the nuts and bolts of this. It really never should have been done in the way it was done and I believe the resolution clearly stated that this had to be completed by the year 2000 and that's kind of where we stand.

COMMISSIONER SULLIVAN: We have staff recommendation. Are there any other questions of Superintendent Blea or of Stan, from the Commission?

COMMISSIONER TRUJILLO: Move for approval to direct staff to initiate a quiet title, a quitclaim to revert the acre of land that was donated to the Pojoaque volunteer fire department, back to the Pojoaque Valley School District.

COMMISSIONER CAMPOS: Second.

COMMISSIONER SULLIVAN: We have a motion and a second. Any further discussion?

COMMISSIONER CAMPOS: Just a question for Mr. Holden. You have no problems, I understand, with this, right?

CHIEF HOLDEN: Mr. Chairman, Commissioner Campos, we do not.

COMMISSIONER CAMPOS: And legal has no—Mr. Kopelman, you have no

2090060

SFC CLERK RECORDING 08/17/2004

problems?

MR. KOPELMAN: Mr. Chairman, Commissioner Campos, we're trying to piece together exactly what the legal status is. It's very possible, as pointed out, that the property was never properly transferred anyway. So I believe by us executing a quitclaim deed back to the school district it would clear title and any issues that arose as a result of what happened in prior years.

COMMISSIONER SULLIVAN: Any further discussion? Those in favor of the motion say "aye." [Unanimous] Opposed? Motion carries. [Chairman Duran was not present for this action.]

[The Commission recessed from 12:00 to 1:25.]

VI. E. Resolution No. 2002-30. A resolution requesting an increase to the Housing Capital Improvement Fund (301) to budget a grant award received from the US Department of Housing and Urban Development for expenditure in fiscal year 2002

CHAIRMAN DURAN: Robert, is this one we talked about at the Housing meeting?

MR. ANAYA: Mr. Chairman, yes it is.

CHAIRMAN DURAN: You didn't ask enough questions then?

COMMISSIONER SULLIVAN: If you recall, we deferred these at the Housing meeting to the BCC meeting. We didn't discuss these at all.

CHAIRMAN DURAN: Oh, this was 7 and 8. This was number 7 and 8 on that agenda?

COMMISSIONER SULLIVAN: Oh, you're right. We did go down that first group

CHAIRMAN DURAN: Was this 7 and 8 on the agenda?

MR. ANAYA: Mr. Chairman, yes, this was discussed, but I'd be happy to answer any questions.

COMMISSIONER SULLIVAN: I just have a quick question, Mr. Chairman. Again, this is budgeting \$587,000 from HUD funds for a 2001 capital fund program. And I wondered if you could just tell me what the capital fund program is.

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, Commissioners, the capital fund program is an annual program that provides for rehabilitation, modernization, upkeep of our existing units as well as dealing with issues like security and management improvements. That's the reason that in addition to the maintenance and upkeep items you also see training costs covered in here as well. But overall, it's an annual grant that primarily handles improvements to the public housing units at all three public housing sites.

COMMISSIONER SULLIVAN: This is a \$520,000 grant, it says, and then

2090061

SFC CLERK RECORDING 08/17/2004

this is for \$587,000. Is that in addition to the \$520,000 or is the \$587,000 what we actually got instead of the \$520,000?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, the total grant is \$520,807. The reason that you see \$587,888 is reflective of a transfer in that covers employee, Mr. Larry Narvaiz and part of one of the housing specialists that actually gets transferred into the Finance Department budget.

COMMISSIONER SULLIVAN: So \$520,000 was the original estimate and \$587,888 is the current actual amount?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, \$520,807 is the CFP funded about. The \$67,081 amount is an operating transfer in from, that goes into the Finance Department. And I think I'd like to have Mr. Nava come forward for any further clarification on it.

COMMISSIONER SULLIVAN: So we've already budgeted the \$520,807, is that correct?

CARLOS NAVA (CHDD Finance Director): Mr. Chairman, Commissioner Sullivan, that is correct.

COMMISSIONER SULLIVAN: So we should only be transferring about \$60,000 in this budget adjustment, not \$587,000. Is that correct?

MR. NAVA: Commissioner Sullivan, the transfer is only \$67,000. We're increasing the fund 301 by the grant amount of \$520,000.

COMMISSIONER SULLIVAN: And that's what I'm missing. I'm seeing a total increase amount of \$587,888. Where's the transfer?

MR. NAVA: The transfer is on page 2. The increase is only \$520,807, and then the transfer is \$67,000 of that \$520,000 into fund 517. So—

COMMISSIONER SULLIVAN: Now I'm confused. The original amount budgeted was the \$520,807, and now with the transfers, the personnel and so forth, we're up to \$587,000. Am I not understanding that?

MR. ANAYA: Okay. Mr. Chairman, Commissioner Sullivan, the total amount of the grant is \$520,807.

COMMISSIONER SULLIVAN: Right.

MR. ANAYA: Okay. We have not budgeted that. That is what we're requesting to do today is to budget the grant into our budget so that we can go out for bid on our projects to do improvements. The \$67,081 is a transfer into the Finance Department to cover staff positions with benefits.

COMMISSIONER SULLIVAN: Okay. So I understand. None of this was budgeted before.

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, you're right. None of it was budgeted before.

COMMISSIONER SULLIVAN: So the whole \$587,888 is being picked up in this BAR.

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, yes. That's

2090062

SFC CLERK RECORDING 08/17/2004

correct.

COMMISSIONER SULLIVAN: Does that jibe with your figures, Katherine?

KATHERINE MILLER (Finance Director): Mr. Chairman, Commissioner Sullivan, transfers between funds actually look like double revenue. They're not, but what you're seeing there is—if you look on the expense side, the 400 accounts, if you notice there's an operating transfer out of \$67,081. So it appears that it's twice the money but transfers actually show up as revenue, even though they're really just moving from one fund to the other. So it is \$520,000, of which \$67,000 is being transferred out of that grant into, as a transfer in, into 517, 390, and 301

COMMISSIONER SULLIVAN: And this wasn't budgeted before because we didn't have the money or we didn't know how much the grant would—

MS. MILLER: We did not have this grant. So this was not budgeted because we did not previously have it.

COMMISSIONER SULLIVAN: Oh, this is a new grant.

MS. MILLER: Yes. This is a completely new budget item and we're bringing in this revenue which is a total of \$520,000 and \$67,000 of which will be transferred from one fund to the other.

COMMISSIONER SULLIVAN: So we haven't had this source before for capital improvements?

MS. MILLER: I believe we've had this source but not this particular amount. It's a repeat.

COMMISSIONER SULLIVAN: All right. Thank you, Mr. Chairman.

CHAIRMAN DURAN: What's the pleasure of the Board?

COMMISSIONER SULLIVAN: Move for approval, Mr. Chairman of Resolution 2002-30.

COMMISSIONER TRUJILLO: Second, Mr. Chairman.

CHAIRMAN DURAN: Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

VI. M. Request authorization to enter into a sub-agreement to state contact #10-00148 with Motorola for enhanced 911 equipment for the Regional Communication Center as per the JPA with the City of Santa Fe

CHIEF HOLDEN: Mr. Chairman, members of the Commission, this item is specifically to purchase Motorola equipment to equip the new Regional Emergency Communications Center. The Commission is familiar with that project because we have entered into a joint powers agreement with the City of Santa Fe to operate a joint, consolidated emergency dispatch center in the County's new public safety building.

It is our desire to get this contract awarded today so that we can meet our self-imposed

2090063

SFC CLERK RECORDING 08/17/2004

time table of getting the building finished for construction, get the equipment installed and have the new dispatch center up and running effective July 1. I'd be happy to stand for any additional questions or concerns.

CHAIRMAN DURAN: Commissioner Sullivan, you have questions of Stan?

COMMISSIONER SULLIVAN: A couple of items, Stan. One was, this has to do with a current state agreement. My experience has been not always are the state agreements the least expensive. So we're not bidding this. We're doing this under a current state contract. And could you explain the reason for doing that?

CHIEF HOLDEN: Well, there's a couple of reasons. Number one, because of the equipment that we're purchasing, because it is so large. It's basically equipment for a consolidated dispatch center. We look to the state to provide some guidance about how they've done this previously throughout the state. The state has more expertise and experience with going out to bid on these types of items and although we understand that there may be more expensive and in some areas, I'm not sure if that's the case on this contract.

I can tell you that the amounts that we're paying have been negotiated with Motorola and the \$1.3 million is a result of that negotiation. And if there are additional questions along the finances I might have to turn it over to Katherine to answer those.

CHAIRMAN DURAN: Is there some concern that this is an inappropriate process that they're taking?

COMMISSIONER SULLIVAN: Well, it's an appropriate process in that you can buy off state contracts, but it's also a lot of money, \$1.1 million. So the question is, and the same procedure also applies in school districts. They can buy off what's called the CSS contracts which are existing, in place contracts. But because those contracts are statewide, they're not always the most economical for a particular district because they have to deliver at the same price to Jowell, New Mexico as they do to Santa Fe, New Mexico or Albuquerque, so those are evened out. I think in this case, in discussing with Stan, one point was that the City of Santa Fe already has Motorola equipment and so we have to deal with Motorola equipment. So we're pretty much locked in. Is that your understanding?

MS. MILLER: Mr. Chairman, Commissioner Sullivan, that was one of the reasons that we did go with the state agreement because the Motorola equipment that is currently existing at the City is something that we needed to be compatible with. I wanted to add also that we negotiated beyond the price in the state pricing agreement to about 30 percent additional discount to what is in the ESS with the state.

COMMISSIONER SULLIVAN: Okay. That was my concern because again, as I said, these state contracts, they seem to have a large amount of fluff in them and we wanted to scrape that fluff off.

MS. MILLER: We did.

COMMISSIONER SULLIVAN: We did. Okay. The other question I had is a time frame. This is obviously a critical time element and I don't see a liquidated damages clause for completion on time. Do we have a set time frame to do this Stan, in this scope?

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, we do not have a

2090064

SFC CLERK RECORDING 08/17/2004

time table in the contract. We have talked with the vendor about our time table, our internal time table and the need to open the new center as of July 1. And we've always negotiated and worked with Motorola from the very outset with that time table in mind. But you're correct. It is not in the contract and there are no provisions to impose on the vendor as a result of if they go over a certain time table. I do have to point out though that the window that we have to work with is very narrow.

That's why we're coming to the Commission now. It's one of the reasons why we decided to go off the state contract. We stuck with Motorola. And our building is not quite ready yet. We don't have power in certain areas of the building. So there are some concerns that we have on the Fire Department side about holding the vendor to a specific date when the Fire Department's not really, the building's not ready for them. And we've taken all those things into consideration.

COMMISSIONER SULLIVAN: It would seem that we need some time structure in here. Mr. Kopelman, is there any provision in this contract for time of performance or so many days from when the County notifies them that they are ready? I see this as rather open-ended.

MR. KOPELMAN: Mr. Chairman, Commissioner Sullivan, I've looked at the contract but I'm going to need to go back and take another look at that issue. Just give me a minute or two.

COMMISSIONER SULLIVAN: I'm just concerned that we do, as Stan said, have a limited window here and we want that equipment in. We want the switch over to take place quickly and efficiently and we don't want Motorola setting us aside for some other client who may have a liquidated damages clause in their contract.

CHIEF HOLDEN: I just got some advice from Mr. Graeser that he's conveying to Mr. Kopelman. But in lieu of that also, Mr. Flores also has a suggestion that might address your concern, Mr. Chairman.

TONY FLORES (Project Development Manager): Mr. Chairman, Commissioner Sullivan, as you're aware, in the past, when I've been before you we've needed to make it a change or an addendum to the contract. We have spoken to Motorola. They are agreeable to putting in a liquidated damages clause as an addendum to this contract at the rate of \$500 per day if they cannot comply with the schedule and operational by June 1st. However, we will have to structure that clause in a way that there's some contingencies, like Mr. Holden indicated on our behalf to make sure that the building is ready. So we can work on that language to put an addendum or an attachment to this agreement that would assess liquidated damages at the rate of \$500 per calendar day after June 1st.

COMMISSIONER SULLIVAN: It has to be fair to both parties, obviously, and I'm not trying to write the language for you there I'm just pointing out that we need some type of enforcement mechanism to be sure that they provide what you want them to provide.

MR. FLORES: Mr. Chairman, Commissioner Sullivan, we are in total agreement with you, as is Motorola. I think the problem here is that the state agreement did not have that clause or language in it and we're suggesting that we add that to it.

2090065

COMMISSIONER SULLIVAN: I don't see any general conditions for Santa Fe County here. Santa Fe County normally has its own general conditions, which has those provisions in it. All I saw was a one-page agreement that incorporates by reference the state agreement, which didn't have any provisions because it's a general agreement. It doesn't refer to any specific project, which it really can't. So if they're agreeable to that, then I think we're fine. We've got some kind of enforcement mechanism. That's all I had, Mr. Chairman.

CHAIRMAN DURAN: What's the pleasure of the Board?

COMMISSIONER SULLIVAN: I would move for approval, Mr. Chairman, with the addition to the contract of a liquidated damages provision in the amount of \$500 a day for non-completion after June 1, 2002.

COMMISSIONER TRUJILLO: Second.

CHAIRMAN DURAN: Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

[This issue is taken up again on page 70.]

VI. N. Requesting approval of a joint powers agreement between Santa Fe County and the New Mexico Energy, Minerals and Natural Resources Department, State Forestry Division, to purchase wildland firefighting gear from the General Services Administration

CHIEF HOLDEN: Mr. Chairman, this item is a very simple item and it simply allows the County to use the GSA contract that has already been negotiated by State Forestry to purchase wildland firefighting equipment.

CHAIRMAN DURAN: Any questions of staff?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: My only question here, Stan, was that I don't see any review by legal of this. I don't see any sign off or comments from legal on this.

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, we do have approval and sign off by the Attorney's Office and by Finance.

MR. KOPELMAN: Mr. Chairman, Commissioner Sullivan, our office has reviewed and approved it. It's not reflected in this version here.

COMMISSIONER SULLIVAN: That's all I had, Mr. Chairman.

CHAIRMAN DURAN: What's the pleasure of the Board?

COMMISSIONER TRUJILLO: Move for approval.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: There's a motion and a second. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

CHIEF HOLDEN: Thank you, Mr. Chairman.

2090066

SFC CLERK RECORDING 08/17/2004

CHAIRMAN DURAN: Thank you, Stan.

VI. O. Resolution No. 2002-31. A resolution requesting a budget transfer within the Road Projects Fund (311)/CR 64L – Richards Avenue to acknowledge revenue received from the City of Santa Fe for expenditure in fiscal year 2002

JAMES LUJAN (Public Works Director): Mr. Chairman, members of the Commission, exactly what this is is just budgeting the money that is going to be paid by the City of Santa Fe for Governor Miles intersection.

CHAIRMAN DURAN: Are there any questions of staff?

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

CHAIRMAN DURAN: I'll second for discussion.

COMMISSIONER SULLIVAN: Mr. Chairman, a quick question. Was this for the traffic signals, James, at Governor Miles and Richards?

MR. LUJAN: Mr. Chairman, Commissioner Sullivan, not for the signal itself but for the infrastructure, the conduit and the widening of the intersection, the decel and accel lanes. Extra concrete for curb and gutter and those items. Not the signal itself, no.

COMMISSIONER SULLIVAN: This is the exact amount that that costs?

MR. LUJAN: Correct.

COMMISSIONER SULLIVAN: So we don't get into issues of whether some of this is rebated to the developer or—

MR. LUJAN: This is what was billed to the City of Santa Fe.

COMMISSIONER SULLIVAN: This was billed directly to the City by the County for those—

MR. LUJAN: As per our agreement, yes.

COMMISSIONER SULLIVAN: All right. I see. Thank you, Mr. Chairman.

CHAIRMAN DURAN: Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

VII. Administrative Items

A. Committee expirations, resignations, vacancies

1. Expirations, resignation of Agua Fria Local Development Review Committee members

ROMAN ABEYTA (Land Use Administrator): Thank you, Mr. Chairman, members of the Commission. On February 20, 2002, Mr. Mel Gallegos resigned from the AFDRC. A copy of his resignation letter is in your packet. And also Mr. William Mee and David Pike, their terms expired and they have requested reappointment.

2090067

SFC CLERK RECORDING 08/17/2004

CHAIRMAN DURAN: Any questions of staff? If not, I'd like to make a motion to reappoint the members of the Agua Fria Development Review Committee. That would be Mr. Pike and Mr. Mee?

MR. ABEYTA: Yes, Mr. Chairman.

COMMISSIONER TRUJILLO: Second, Mr. Chairman.

CHAIRMAN DURAN: There's a motion and a second. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

VII. A. 2. Expirations of La Cienega Local Development Review Committee members

MR. ABEYTA: Thank you, Mr. Chairman. On December 31, 2001, the terms for Danny Marmion, Charlie C de Baca and José Varela Lopez expired. All three members have requested reappointment to the LCDRC. And also, Mr. Chairman, I received a written request from Ivan Trujillo. He would like to sit on the LCDRC and I have his letter of request right here.

CHAIRMAN DURAN: Is there room for another individual?

MR. ABEYTA: Yes, there's room for two more individuals.

CHAIRMAN DURAN: What's the pleasure of the Board?

COMMISSIONER TRUJILLO: Mr. Chairman, move for approval of Mr. Ivan P. Trujillo to serve on the La Cienega Development Review Committee.

CHAIRMAN DURAN: Is that with appointing the other two that asking?

COMMISSIONER TRUJILLO: And appointing the other two that are asking, right?

CHAIRMAN DURAN: To be reappointed. Okay. I'll second that. Any further discussion?

COMMISSIONER SULLIVAN: You better read his resume, Mr. Chairman, he's a civil engineer.

CHAIRMAN DURAN: I withdraw my second. No, I'm only kidding. I'm sure he has some redeeming quality. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

MR. KOPELMAN: Excuse me, Mr. Chairman. I just want to clarify that there were three reappointments, not two.

CHAIRMAN DURAN: Okay. Three plus Ivan, that made four.

COMMISSIONER TRUJILLO: Okay.

MR. KOPELMAN: Okay. Thank you.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: A quick question for Mr. Abeyta. Are we

2090068

SFC CLERK RECORDING 08/17/2004

having trouble getting quorums on these committees? These local review committees?

MR. ABEYTA: Mr. Chairman, Commissioner Campos, I know we had a problem a couple of months ago with the Agua Fria Development Review Committee getting a quorum there. And right now we'll only have five members to the AFDRC, so we could have that problem if we don't receive two more interested individuals serving on that committee but it's my understanding, after speaking with the AFDRC chair that he's spoken to some residents and he'll be submitting names to bring that number up from five members up to seven members.

COMMISSIONER CAMPOS: What about in La Cienega? Are we having quorum issues there?

MR. ABEYTA: Mr. Chairman, Commissioner Campos, it's my understanding that we're not. I haven't heard of any.

COMMISSIONER CAMPOS: Now, as far as getting the word out so that people who are interested might apply, are we using our website? The Commission newsletter, the e-mail newsletter?

MR. ABEYTA: Mr. Chairman, for these appointments we took out an advertisement in both the *New Mexican* and the *Journal North* on a Sunday in February. And then plus also our Planning Division has been out to different communities and have put the word out and it's my understanding that we will be receiving another name or two for the La Cienega appointment next BCC meeting.

COMMISSIONER CAMPOS: I would suggest that we use our website as additional notice and maybe the—do we have a Commission newsletter that goes out by e-mail still? Is that something we have?

MR. LOPEZ: Mr. Chairman, we don't. We are beginning to develop one right now. Commissioner Gonzales has a newsletter that he initiated. That is something that's ongoing. We have begun to develop a County Commission newsletter as of this last week.

COMMISSIONER CAMPOS: Is that going to be a separate newsletter as apart from Commissioner Gonzales'.

MR. LOPEZ: Commissioner Campos, I spoke to Commissioner Gonzales about this and I didn't get any real definitive direction from him otherwise so until I hear otherwise, either from this Commission or from Commissioner Gonzales, I was proceeding with basically making it a separate newsletter. But I would take direction from this Commission and or from Commissioner Gonzales on that issue.

Secondly, with respect to any Commission newsletter, I would ask for direction from this Commission as to how exactly to disseminate that. I also spoke to Commissioner Gonzales about the mailing list or the list of addresses he was sending newsletter to and that was something that apparently he worked to develop so I would look for direction from this Commission as to what your desires would be in terms of disseminating this newsletter.

COMMISSIONER CAMPOS: I think that's a subject for another day, I guess. Maybe later today. At least a website for now, if you get that out. I think we need to have a broader dissemination of the notice.

2090069

SFC CLERK RECORDING 08/17/2004

MR. ABEYTA: We'll do that, Mr. Chairman.

CHAIRMAN DURAN: Let's talk about that under Matters from the Commission.

VII. A. 3. Expirations, resignation of Tesuque Local Development Review Committee members

MR. ABEYTA: Mr. Chairman, on January 30, 2002, Mr. Joe Silva resigned from the Tesuque Development Review Committee. A copy of his resignation letter is attached in your packet as Exhibit A. Also Debbie McAllister, her term expired and she does not want to be reappointed. And so what we're requesting is a new appointment of Ms. Kathy Keith. Her resume is in your packet, and Juan Romero has requested to be reappointed.

COMMISSIONER TRUJILLO: And the process was it was advertised in the community seeking interest by community members which is appropriate and the way that it should be.

MR. ABEYTA: Mr. Chairman, Commissioner Trujillo, that's correct. And then we'll still have one vacancy in Tesuque.

COMMISSIONER TRUJILLO: And they're going to do the same/

MR. ABEYTA: We'll advertise that again.

COMMISSIONER TRUJILLO: The same to fill that one. Okay. Mr. Chairman, move for approval of Kathy Keith and Juan Romero to continue serving on the Tesuque Development Review Committee and to accept Debbie McAllister's resignation.

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: Any further discussion?

COMMISSIONER CAMPOS: I have a question for Mr. Abeyta. When people are up for reappointment, would you let us know if there's any attendance issues?

MR. ABEYTA: Mr. Chairman, Commissioner Campos, yes. We'll do that.

COMMISSIONER CAMPOS: We usually have a rule that if someone misses three meetings they could be replaced.

MR. ABEYTA: Mr. Chairman, Commissioner Campos, yes, that's correct. And we've shared those rules with these committees and the next time we have reappointments we'll make sure to bring their attendance record forward to you.

COMMISSIONER CAMPOS: At least if there's a problem I think it should be noted.

CHAIRMAN DURAN: Those in favor signify by saying "aye."

[Unanimous] Opposed? Motion carries.

MR. LOPEZ: Mr. Chairman, can I ask a clarifying question? Did you also accept the resignation of Joe Silva from the TDRC?

CHAIRMAN DURAN: We did not. So I'll make that motion.

COMMISSIONER TRUJILLO: Second.

SANTA FE BOARD OF COUNTY COMMISSIONERS
COMMISSION CHAMBERS COUNTY ADMINISTRATION BUILDING

REGULAR MEETING
(Administrative Items)
February 26, 2002 - 10:00 a.m.

Amended Agenda

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Approval of Agenda
 - A. Amendments
 - B. Tabled or Withdrawn Items
- V. Approval of Minutes 23
- VI. Consent Calendar:
 - A. Resolution No. 2002 – A Resolution Requesting an Increase to the Indigent Fund (220) to Budget the Prior Fiscal Year Cash Balance for Expenditure in Fiscal Year 2002 (Community & Health Development Department) OK
 - B. Resolution No. 2002²⁹ A Resolution Requesting an Increase to the Housing Enterprise Fund (517) to Budget Additional Subsidy Revenue from the U.S. Department of Housing and Urban Development for Expenditure in Fiscal Year 2002 (Community & Health Development Department) OK
 - C. Resolution No. 2002²⁸ A Resolution Requesting an Increase to the Section 8 Voucher Fund (227) to Budget Additional Subsidy Revenue From the U.S. Department of Housing and Urban Development for Expenditure in Fiscal Year 2002 (Community & Health Development Department) OK
 - D. Resolution No. 2002²⁵ A Resolution Requesting to Close Out the Section 8 Certificate Fund (228) and Transfer the Fund Balance to the Section 8 Voucher Fund (227) in Fiscal Year 2002 (Community & Health Development Department) OK
 - E. Resolution No. 2002³⁰ A Resolution Requesting an Increase to the Housing Capital Improvement Fund (301) to Budget a Grant Award Received From the U.S. Department of Housing and Urban Development for Expenditure in Fiscal Year 2002 (Community & Health Development Department) OK
 - F. Resolution No. 2002²⁴ A Resolution Requesting an Increase to the State Special Appropriations Fund (318) to Budget a Grant Award Received Through the 2000 New Mexico Legislation Special Appropriation for Expenditure in Fiscal Year 2002 (Community & Health Development Department) OK
 - G. Request Ratification of Amendment 1 of Professional Services Agreement #22-0063-IH With Ayudantes Incorporated to Increase Compensation by

- \$18,300 for Alcohol and/or Substance Abuse Treatment Services (Community & Health Development Department)
- H. Request Ratification Of Amendment 1 of the Professional Services Agreement #22-0065-IH With Millenium Treatment Services Incorporated to Increase Compensation by \$8,600 for Alcohol and/or Substance Abuse Services (Community & Health Development Department)
- I. Request Authorization to Submit the Santa Fe County CRAFT Project Year 3 Grant Continuation Proposal to SAMHSA/CSAT in the Amount of \$477,297 (Community & Health Development Department)
- J. Resolution No. 2002 ²⁷ A Resolution Requesting a Budget Transfer from the General Fund (101)/Finance Department to Various Departments for the Personnel Salaries and Benefits Expenditure for the 3% Salary COLA Increase for Santa Fe County Employees per the Collective Bargaining Agreement Dated December, 1999 (Finance Department)
- K. Resolution No. 2002 ²⁸ A Resolution Requesting an Increase to the Fire Protection Fund (209)/Various Fire Districts to Budget Fire Impact Fees for Expenditure in Fiscal Year 2002 (Fire Department)
- L. Request Authorization to Accept and Award a Price Agreement to the Lowest Responsive Bidder, IFB 22-19 Type I Ambulance (Fire Department)
- M. Request Authorization to Enter into a Sub-Agreement to State Contract #10-00148 With Motorola for Enhanced 911 Equipment for the Regional Emergency Communication Center as per the JPA with the City of Santa Fe (Fire Department)
- N. Requesting Approval of a Joint Powers Agreement Between Santa Fe County and the New Mexico Energy, Minerals and Natural Resources Department, State Forestry Division, to Purchase Wildland Fire Fighting Gear from the General Services Administration (Fire Department)
- O. Resolution No. 2002 ³¹ A Resolution Requesting a Budget Transfer Within the Road Projects Fund (311)/CR 64L - Richards Avenue to Acknowledge Revenue Received From the City Of Santa Fe for Expenditure in Fiscal Year 2002 (Public Works Department)

VII. Administrative Items:

A. Committee Expirations/Resignations/Vacancies:

1. Expirations/Resignation of Agua Fria Local Development Review Committee Members
2. Expirations of La Cienega Local Development Review Committee Members
3. Expirations/Resignation of Tesuque Local Development Review Committee Members

B. Committee Appointments:

1. Re-Appointment of Agua Fria Local Development Review Committee Members
2. Appointment and Re-Appointment of La Cienega Local Development Review Committee Members
3. Appointment and Re-Appointment of Tesuque Local Development Review Committee Members
4. Appointment to COLTPAC Committee

VIII. Staff and Elected Officials' Items

A. Clerk's Office

Withdrawn

- 1. Resolution No. 2002 – A Resolution Amending Resolution 2002-17 to Change the Polling Place From St. Johns Methodist Church to the Elks Lodge for the April 9, 2002 G.R.T. Election WITHDRAWN

B. Community and Health Development Department

- 1. Request Approval of Amendment #1 to the Professional Services Agreement #22-0066-IH with Recovery of Alcoholics Program *OK* Incorporated to Increase Compensation by \$50,000 for Alcohol and/or Substance Abuse Treatment Services
- 2. Request Approval of Amendment #1 to the Professional Services Agreement #22-0067-IH with Rio Grande Alcoholism Treatment Program Incorporated to Increase Compensation by \$27,037 for Alcohol and/or Substance Abuse Treatment Services *OK*
- 3. Request Approval of Amendment #1 to the Professional Services Agreement #22-0071-IH with La Familia Medical Center to Increase Compensation by \$157,962 for Healthcare Services *OK*
- 4. Request Approval of Amendment #1 to the Professional Services Agreement #22-0075-IH with Women’s Health Services to Increase Compensation by \$25,541 for Healthcare Services *OK*
- 5. Resolution No. 2002 ~~32~~ ³³ A Resolution Requesting Authorization to Apply to the Department of Finance and Administration for \$300,000 Recurring Funds for FY03 as Recommended by the Care Connection *OK*
- 6. Request Approval of a Memorandum of Understanding for the Santa Fe Care Connection *OK*

C. Finance Department

- 1. A Report on the Mid-Year Budget Reviews and Financial Status of the County

D. Fire Department

- 1. Requesting Approval of Recommended Amendments to the Land Use Assumptions, Capital Improvement Plan and Impact Fees Relating to the Santa Fe County Fire and Rescue Impact Fee Ordinance
- 2. Request Direction on the Disposition of the Fire Department Jacona Property in Pojoaque

Moved to front of calendar

E. Public Works Department

- 1. Discussion on and Request Direction for the Solid Waste Program
- 2. Request Authorization to Publish the Title and General Summary of Amendments to Ordinance No. 2001-6, Comprehensive Solid Waste Management Ordinance
- 3. *OK* Resolution No. 2002 ~~33~~ ³⁴ A Resolution Amending and Certifying the 2002 Santa Fe County Road Map
- 4. *OK* Resolution No. 2002 ~~34~~ A Resolution Authorizing the County of Santa Fe to Enter into a Grant Agreement with the New Mexico Environment Department for the Purchase of One (1) or More Stationary Compactor Units

F. Utilities

- 1. Request Approval of Water Rights Purchase Agreement Between Santa Fe County and Stone Canyon, LLC *Withdrawn*

2090032

G. Matters from the County Manager, Estevan López

- OK* 1. Request Authorization to Appropriate \$250,000 of Commission Capital Outlay Funds for Expenditure in FY 2002
- OK* 2. Request Approval of a Joint Powers Agreement Between the City of Santa Fe and the County of Santa Fe to Cover the Maintenance Costs of the Printrak Automated Fingerprint Identification System (AFIS)

H. Matters from the Commission**I. Matters of Public Concern - NON-ACTION ITEMS *N/A*****J. Matters from the County Attorney, Steven Kopelman**

1. Request Authorization to Publish Title and General Summary of An Ordinance Regulating the Use of Santa Fe County Rights of Way By Utility Companies
2. Executive Session
- a. Discussion of Pending or Threatened Litigation

IX. ADJOURNMENT

The County of Santa Fe makes every practical effort to assure that its meetings and programs are accessible to the physically challenged. Physically challenged individuals should contact Santa Fe County in advance to discuss any special needs (e.g., interpreters for the hearing impaired or readers for the sight impaired).

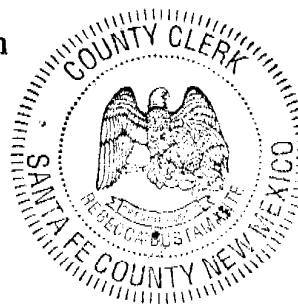
2090033

SANTA FE
BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

February 26, 2002

Paul Duran, Chairman
Jack Sullivan, Vice Chairman
Paul Campos
Javier Gonzales [Excused]
Marcos Trujillo



1197 751

COUNTY OF SANTA FE } SS
STATE OF NEW MEXICO
I hereby certify that this instrument was filed
for record on the 19 day of Mar A.D.
20 02 at 12:11 o'clock P.m.
and was duly recorded in book 2090
page 29-146 of the records of
Santa Fe County

Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk, Santa Fe County, N.M.

Marcello Pulgos
Deputy

2090070

SFC CLERK RECORDING 08/17/2004

CHAIRMAN DURAN: Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

MR. LOPEZ: Thank you, Mr. Chairman.

CHAIRMAN DURAN: Didn't we just do B?

MR. LOPEZ: You did for all except B. 4, excuse me.

CHAIRMAN DURAN: Okay, so B. 1, 2, and 3 were incorporated in what we did just previously.

VII. B. Committee appointments

4. Appointment to COLTPAC Committee

VINCENT OJINAGA (Project & Facilities Management Director): Mr. Chairman, members of the Commission, COLTPAC has one vacant two-year position and one vacant alternate position available. The two-year position is designated for the southern area. The alternate position can be appointed from any area of the county. There's three letters in your packet of interested people for those particular vacancies. Staff requests approval of the Commission for one two-year term position and one substitute position. Thank you.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: Mr. Ojinaga, any comments from the COLTPAC committee as it exists now? Have they had any input, any recommendations?

MR. OJINAGA: Mr. Chairman, Commissioner Campos, I believe that the name of Chris Meuli, the M.D. was recommended by David Gold from COLTPAC. He came up with the name; they supported the recommendation.

COMMISSIONER CAMPOS: COLTPAC did? Not just Gold?

MR. OJINAGA: Not just David Gold. That's correct.

CHAIRMAN DURAN: This is turning into David Gold's COLTPAC committee, isn't it?

COMMISSIONER TRUJILLO: And this is for a permanent, this is for the permanent or alternate position?

MR. OJINAGA: Mr. Chairman, that's correct. This particular one for the southern part would be for a permanent—well, it's a two-year term.

COMMISSIONER TRUJILLO: So, you've got three applicants?

MR. OJINAGA: We have three applicants. The other individuals, David Lewiecki from the southern part of the county as well. And then there's Vicente Roybal-Jasso

COMMISSIONER TRUJILLO: But Vicente Roybal-Jasso is applying for the alternate position.

MR. OJINAGA: He is. That's correct.

COMMISSIONER TRUJILLO: The other two are applying for the permanent position?

2090071

SFC CLERK RECORDING 08/17/2004

MR. OJINAGA: I believe David Lewiecki was—I'm not sure if his application—if I could just check real quick.

CHAIRMAN DURAN: Did you have any recommendations for that?

COMMISSIONER SULLIVAN: Mr. Chairman, I spoke with both of these individuals. In fact I had lunch with Dr. Meuli and he expressed his strong interest in the program. He works part time for PMS, half time. The big issue from the southern part of the state is getting the people to the meetings and having the time to attend the meetings, from the Edgewood area. So both of these individuals are for Edgewood. We have three tiers, isn't that right? A northern, a central, and a southern?

MR. OJINAGA: Mr. Chairman, Commissioner, that's correct.

COMMISSIONER SULLIVAN: Yes. And how do we stack up now in terms of alternates and members in each tier?

MR. OJINAGA: We have three central, four north, and two in the south at this current time.

COMMISSIONER SULLIVAN: Two in the south? Other than Dotson, who's the other one?

MR. OJINAGA: Rick Dotson, Michael Richardson, and Arlene Walsh just resigned last month. So we two individuals, Rick Dotson and Michael Richardson.

COMMISSIONER SULLIVAN: Okay. So we have three in the central, two in the south and four in the north.

MR. OJINAGA: That's correct.

COMMISSIONER SULLIVAN: So if we do another alternate in the north, we'll have five in the north.

COMMISSIONER TRUJILLO: Who are the ones that we have in the north? I'm sorry, Commissioner.

MR. OJINAGA: Mr. Chairman, Commissioners, we have Sue Martin, Bruce Richardson, Eduardo Vigil, and Mary Louise Williams.

COMMISSIONER TRUJILLO: Is Eduardo Vigil still attending the meetings? I understand he's—

MR. OJINAGA: He has not been attending due to an illness.

COMMISSIONER TRUJILLO: He's been pretty sick.

MR. OJINAGA: I haven't heard one way or another from Eduardo.

COMMISSIONER TRUJILLO: It could be long-term I understand.

COMMISSIONER SULLIVAN: Perhaps we could—I'm interested in kind of evening things up if we can and my suggestion would be, in speaking with both of these would be to suggest Dr. Meuli as the two-year member and Mr. Alarid [sic] as the alternate and then if there's a change-over here then—excuse me. The other way around. Dr. Meuli as the regular and then Mr. Lewiecki as the alternate and then if you have a situation with attendance there then to recommend Mr. Roybal-Jasso as the alternate from that, from the north.

COMMISSIONER TRUJILLO: That's fine. That's fair.

COMMISSIONER CAMPOS: Commissioner, Mr. Jasso-Roybal, is he from the

2090072

SFC CLERK RECORDING 08/17/2004

north?

COMMISSIONER TRUJILLO: He's from the north. He's from the Pojoaque

Valley.

COMMISSIONER CAMPOS: Because it seems then that the central—

COMMISSIONER SULLIVAN: I think we're four-four and three. So we're

pretty well—

CHAIRMAN DURAN: How many are in the central?

COMMISSIONER SULLIVAN: Three.

CHAIRMAN DURAN: And who are they?

MR. OJINAGA: Matthew McQueen, Orlando Romero and Robert Romero.

COMMISSIONER SULLIVAN: So if that's all right, Mr. Chairman, I would
make a motion that Dr. Chris Meuli be appointed to a two-year term—

COMMISSIONER CAMPOS: Do them one at a time.

COMMISSIONER SULLIVAN: You don't want to lump them together?

COMMISSIONER CAMPOS: I would suggest.

CHAIRMAN DURAN: What's wrong with lumping them together?

COMMISSIONER CAMPOS: Okay, let's lump them.

CHAIRMAN DURAN: Get it over with.

COMMISSIONER SULLIVAN: Okay. Finish it, eh? And Mr. David
Lewiecki, whom I also talked with, as the alternate and Mr. Vicente Roybal-Jasso as an
alternate in the event of a resignation by Mr. Eduardo Vigil.

COMMISSIONER CAMPOS: Does that mean that Mr. Roybal would become
an permanent member if Mr. Vigil resigned? Is that what you're saying?

COMMISSIONER SULLIVAN: I think he's a permanent member, isn't he?

COMMISSIONER TRUJILLO: Yes.

COMMISSIONER SULLIVAN: Then he would become a permanent member.

COMMISSIONER TRUJILLO: He would become a permanent member.

CHAIRMAN DURAN: And then we'd be looking for an alternate again.

COMMISSIONER SULLIVAN: No. The alternate becomes the permanent
member. He would become the alternate.

COMMISSIONER CAMPOS: I would just say let's vote for the two-year
position and the alternate position, and the other one whenever it comes up.

COMMISSIONER SULLIVAN: Wait until it comes up?

COMMISSIONER TRUJILLO: That's fine. That's fine.

COMMISSIONER SULLIVAN: Is that fine? Then I would—

CHAIRMAN DURAN: Is that a motion?

COMMISSIONER SULLIVAN: That would be a motion for the two, member
and alternate, and keep this in abeyance until we see what happens.

CHAIRMAN DURAN: Is there a second?

COMMISSIONER TRUJILLO: Second.

CHAIRMAN DURAN: Any further discussion? Are you clear on the motion?

2090073

SFC CLERK RECORDING 08/17/2004

COMMISSIONER SULLIVAN: Are you clear?

MR. OJINAGA: Yes, I am.

COMMISSIONER SULLIVAN: We haven't voted yet.

CHAIRMAN DURAN: Those in favor signify by saying "aye."

[Unanimous] Opposed? Motion carries.

I just have one quick question. When does our COLTPAC program—Will you bring them around to meet us all?

VIII. B. Community & Health Development Department

1. **Request approval of amendment #1 to the professional services agreement #22-0066-IH with Recovery of Alcoholics Program, Incorporated to increase by \$50,000 to provide alcohol and/or substance abuse treatment services**
2. **Request approval of amendment #1 to the professional services agreement #22-0067-IH with Rio Grande Alcoholism Treatment Program, Incorporated to increase by \$27,037 to provide alcohol and/or substance abuse treatment services**
3. **Request approval of amendment #1 to the professional services agreement #21-0071-IH with La Familia Medical Center to increase by \$157,962 to provide health care services**
4. **Request approval of amendment #1 to the professional services agreement #22-0075-IH with Women's Health Services to increase by \$25,541 to provide health care services**

STEVE SHEPHERD (Community Health Director): Mr. Chairman, Commissioners, this afternoon we're bringing four amendments to you, items B. 1 through 4. Item 1 increases the compensation for the RAP or Recovery of Alcoholics Program by \$50,000. This program is run by the Indigent Fund.

CHAIRMAN DURAN: Are these items that we discussed in the Indigent Fund meeting?

MR. SHEPHERD: That's correct.

CHAIRMAN DURAN: And did we approve those in Indigent?

MR. SHEPHERD: You didn't necessarily approve them but we did talk about them last month and they were in this month's packet as well for Indigent.

CHAIRMAN DURAN: Any questions of Steve?

COMMISSIONER SULLIVAN: Mr. Chairman, I just wanted to reiterate very briefly the discussion we had this morning in the Indigent Fund meeting that we need to work on some of these providers being open on the weekends. And we put a lot of money into these groups and I understand that Steve, you are going to look into that and see if we can provide some services, some health care services during the weekends.

2090074

SFC CLERK RECORDING 08/17/2004

MR. SHEPHERD: Mr. Chairman, Commissioner Sullivan, that's correct.

COMMISSIONER SULLIVAN: We have certainly some clout, some financial clout to perhaps encourage some services.

MR. SHEPHERD: I believe we do.

COMMISSIONER SULLIVAN: But other than that, I think we need to move forward with these.

CHAIRMAN DURAN: Then specifically, on item 1—are we ready to move on items 1 through 4, or do you want to take them individually?

COMMISSIONER SULLIVAN: I'm fine. Do them all at once.

CHAIRMAN DURAN: Okay, then we'll just enter items 1, 2, 3, and 4 into the record, and the Chair will entertain a motion to approve those items.

COMMISSIONER TRUJILLO: So moved, Mr. Chairman.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: There's a second. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

Thank you, Steve.

VIII. B. 5. Resolution No. 2002-32. A resolution requesting authorization to apply to the Department of Finance and Administration for \$300,000 recurring funds for fiscal year 03 as recommended by the CARE Connection

DAVID SIMS (DWI Director): Mr. Chairman, Commissioners, this is a part of the application process for the \$300,000 that's recurring annually to be allocated to Santa Fe County for the purposes that have been described recently at last month's County Commission meeting. There was a presentation of the CARE Connection. There's a work-study for this Friday. And this is simply a part of the requirement of the application process that the Commission pass a resolution for that funding to be applied for.

CHAIRMAN DURAN: Any questions of staff?

COMMISSIONER SULLIVAN: Dave, would you just make a more specific announcement about that meeting this Friday so that if anyone's who's interested—

MR. SIMS: I think I'll defer to Robert because he knows more of the details of exactly what the content of that meeting is going to be.

MR. ANAYA: Mr. Chairman, Commissioners, the CARE Connection meeting will be this Friday from 9:00 to 11:00 and it will deal with both DWI program related issues as well as behavioral health issues around the CARE Connection, specifically, site selection for the CARE Connection project.

CHAIRMAN DURAN: Is that being noticed as a possible quorum?

MR. ANAYA: Mr. Chairman, Commissioners, yes. Based on your direction at the last meeting it is being noticed as a meeting.

2090075

SFC CLERK RECORDING 08/17/2004

CHAIRMAN DURAN: So anyone that can attend that would be great. Okay. Any other questions of David?

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: I have a question for Mr. Anaya. As far as the CARE Connection, I've received some calls expressing some concern about different issues: location, whether some providers are being left out, whether there is some jockey with the medical providers as to who benefits most here. Are these issues we're going to be discussing? Are we going to be discussing these issues on Friday?

MR. ANAYA: Mr. Chairman, Commissioner Campos, yes. We will be responding to specific questions you have on the process that we've gone through with the CARE Connection and I would just say we are leaving the memorandum of understanding that you'll be discussing later in this meeting, leaving that door open for any and all providers to join on and we've had an open door policy on the CARE Connection from day one. But we will respond to specific questions and areas of concern that you have.

COMMISSIONER CAMPOS: Thank you.

CHAIRMAN DURAN: Excuse me Robert, and at this meeting, people from RAP will be there and also Mr. Sandoval from the City?

MR. ANAYA: Mr. Chairman, there will be people from RAP and I do believe Mr. Sandoval will be there as well to discuss any questions you might have on their sobering center project as well.

CHAIRMAN DURAN: Isn't he part of the RAP organization?

MR. ANAYA: Mr. Chairman, Mr. Sandoval is the City representative. He works for the Community Development Department under Mr. Montoya at the City of Santa Fe.

CHAIRMAN DURAN: But he did have some input into the decision, into making the decision that the State Road 14 facility—that the facility would be appropriate at that State Road 14 area, is that correct?

MR. ANAYA: Mr. Chairman, he did have input. The City has only been involved—I shouldn't say only—we're glad to have them back at the table. But they've been involved over the last three months. So they have had some input, but not as much input as the majority of the members of the CARE Connection because they've been there longer. But he has had some input, yes.

CHAIRMAN DURAN: Because I recall at the last meeting that we had discussing this that he agreed to attend that meeting, the meeting that we would set up to have this discussion. So it would be nice to have him there.

MR. ANAYA: Mr. Chairman, I'll follow up with him today to make sure that he will be there. My understanding is he will, but I will follow up.

CHAIRMAN DURAN: Okay. Because I think it's important to get his input. What's the pleasure of the Board?

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

2090076

SFC CLERK RECORDING 08/17/2004

CHAIRMAN DURAN: Is there a second?
COMMISSIONER SULLIVAN: Second.
CHAIRMAN DURAN: Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

VIII. B. 6. Request approval for a memorandum of understanding for the Santa Fe CARE Connection

MR. ANAYA: Mr. Chairman, Commissioners, as you directed us at the last meeting, I'm bringing for your approval the memorandum of understanding for the CARE Connection. The providers listed there on the MOU are the current providers that have made a commitment to sign on at this time. However, as new providers continue to work with the CARE Connection and would like to be part of the MOU, I will be bringing those back as they become available. It may be monthly but it will be whenever other providers wish to be part of the MOU, I will bring them back to the Commission for your consideration. I stand for questions, Mr. Chairman.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: This organization or this memorandum of understanding, how do they interface, Mr. Anaya, with the Health Planning Council?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, the CARE Connection regularly reports back to the Health Planning Commission and the DWI Council on progress that they have made. They've been doing this historically and they'll continue to do this to make sure that they work together. And they have worked effectively together. We actually have a Health Planning Commissioner here, Jaime Estremera, that could elaborate on that. But they are working closely with DWI Council and the Health Planning Commission.

COMMISSIONER SULLIVAN: Mr. Chairman, if it's not a problem, I'd just like to ask Jaime if he had any comments on this. Does the memorandum of understanding fit in with our Health Planning Council's activities?

JAIME ESTREMERERA-FITZGERALD: Mr. Chairman, Commissioner Sullivan, yes, it really does, because one of the things at Health Policy and Planning Commission, we can't be on top of all the issues and they serve to really give us recommendations when it comes to the behavioral area that's so crucial for us to understand and know. But they deal with it on a much more detailed basis.

COMMISSIONER SULLIVAN: That's all I have.

CHAIRMAN DURAN: Thank you, Jaime. What's the pleasure of the Board?

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: There's a motion and a second. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

VIII. C. Financial Department

1. A report of the mid-year budget reviews and the financial status of the County

MS. MILLER: Everything looks great, so if there's no questions—

CHAIRMAN DURAN: Excellent. Move for approval.

COMMISSIONER TRUJILLO: Good job.

MS. MILLER: Mr. Chairman, Commissioners, in January, the beginning of February, the County Manager and Finance met with all departments and elected officials concerning the status of their budget, where they are as far as expenditures, and also we reviewed—we review on a monthly basis but prepared a report for the Commission for mid-year review on our revenues and expenditures by fund and by department and office.

If you have any questions concerning the information that was provided in your packet or if you'd like even more detailed reports I'd be happy to give those to you. I tried to keep this at a fairly summarized level rather than go through all \$100 million by account line item.

CHAIRMAN DURAN: How about the jail? How's the jail doing?

MS. MILLER: Mr. Chairman, the jail currently, if you'll notice in this revenue picture, the jail looks as though it is doing well but I would like to state that the jail is not doing as well as anticipated this year. Part of the reason, it appears that we're on with revenues in the jail is that we do a \$4.4 million transfer from general fund to the jail fund and all of that is realized immediately at the beginning of the year. We do that transfer in total. So it appears that we're right on target with it.

However, our revenues from other entities are down substantially. The population of the jail for the last two years has been about 600 inmates, 600 to 625 inmates. But since last summer we've had less than 500 with over 300 of those being Santa Fe County inmates, which means that there's not the revenue off of the other 300 to 370 beds from other agencies. I anticipate, and I'm working currently with Finance and with the rest of the Finance staff and Greg Parrish on estimating what our population will be between now till the end of the fiscal year.

I do anticipate that we'll need approximately a half million dollars more to the jail fund. Some of that will be cash that is not budgeted that is already in the jail fund, but we also might need to tap the reserves that we had set aside a few months ago from the general fund.

CHAIRMAN DURAN: What do you attribute that to? The decrease in

2090078

SFC CLERK RECORDING 08/17/2004

inmates?

MS. MILLER: One of the major decreases that we've seen is with the US Marshals. We used to have an average of 170 to 200 US Marshall inmates at \$65 a day. We're currently sitting around 100. That is a substantial portion of our revenue.

CHAIRMAN DURAN: How many did we used to have?

MS. MILLER: Around 170 to 200. And that was last spring.

CHAIRMAN DURAN: And we're now down to about 100?

MS. MILLER: Yes. We were actually down to around 65 to 70 but MTC has been working with US Marshals to increase those numbers and they have been going up with new assignments to the facility. They have not taken some from other facilities; it's just been new inmates.

CHAIRMAN DURAN: My last question: Where have they been going? The other, say, 70 or so?

MS. MILLER: I believe—

CHAIRMAN DURAN: Is this all kind of marketing? Why would they select one, Valencia, over our facility?

MS. MILLER: Mr. Chairman, there are several factors that go into where the US Marshals put their inmates. One, they keep contracts without minimums throughout the state. And some of it is location, based on upon where those inmates will need to go to court and that. Also, it's based upon their confidence in the operator of the facility and previously we had issues with the US Marshals and that's why they took them out. There were issues with the federal judge with our facility under the management of Cornell and about 100 inmates have been removed and only those were assigned to the court here in Santa Fe were being housed at our facility.

And now we are receiving more, an increase to those inmates beyond the ones—there's about 80 that typically are heard in Santa Fe so those are, they have continued to keep those here but they have not given us any extra inmates beyond those. And they are now building that number back up with us. They feel more confident how the facility is being run now.

CHAIRMAN DURAN: So even though the inmates have to go to, end up going to court closer to the Valencia facility than the Santa Fe facility?

MS. MILLER: Mr. Chairman, it can be that. There are several factors that they use but as I said, the US Marshals have agreements all over the state and they do, they assign inmates based upon what works best for them as far as their operations go, transportation costs and also their confidence in the facility.

CHAIRMAN DURAN: So is their confidence in the facility more important than the proximity of the court, where the inmate has to go to court? All I'm leading up to, is there any way that we can get the Marshals to consider our facility? Something must have happened for them to lose confidence and if it was because Cornell was operating the facility, we now have a new operator and what's it going to take to build that confidence?

2090079

SFC CLERK RECORDING 08/17/2004

MS. MILLER: Mr. Chairman, I do know that the gentleman that we were working with, that position is vacant right now and I believe they have committed to increase our population but it has not been happening as rapidly as we had hoped, due to the fact that there's a vacancy at the US Marshals that would be directly involved in determining whether—

CHAIRMAN DURAN: Oh, it's a vacancy at the US Marshals.

MS. MILLER: Yes.

CHAIRMAN DURAN: How long has it been vacant?

GREG PARRISH (Correctional Services Manager): It's been vacant, the acting US Marshal has been reassigned to El Paso and they're waiting the—it's a political appointment for the head marshal to be appointed. I think that's the reason there's some reluctance in making a commitment to us at this time. But they did lose some confidence in us and the majority of US Marshal prisoners go to court in Albuquerque, so we're still convenient enough to service that.

We have a court, a federal court here. There's one in Roswell and there's one in Las Cruces. We have been receiving all the new books, the new books meaning new arrests. But unfortunately we get new bookings, three or four a day, and then we'll get an airlift out where they'll take ten that have been there. Because all they're doing is they're awaiting sentencing in our facility. They're not kept there. They're awaiting sentencing or they're awaiting trial. After their actual sentence, then they go to a BOP facility somewhere else to be housed.

And we're attempting to restore their confidence in us as an institution that we can maintain their prisoners safely and what they expect from us. They have at least expressed to us that they have more confidence in us now. The federal judge who previously been quite critical of our operation has recently toured the facility and sent a letter to all the chief judges reassuring them that she has complete confidence in the facility now. That's been a big boost for us.

CHAIRMAN DURAN: Is that Judge Vazquez?

MR. PARRISH: Yes, it was, Mr. Chairman.

COMMISSIONER CAMPOS: Mr. Chairman, a question.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: What about state government? Have you been talking to people in state government about bringing some of the inmates? I was told, I thought I was told that some progress had been made?

MR. PARRISH: In fact, Commissioner and Mr. Chairman, we are having a meeting, MTC is going to have a meeting with the Department of Corrections. They had some in December and January but it's been delayed because of the legislature. Now that the legislature has concluded we hope to go forward with that contract and take a look at it. That was a contract to house 150 to 200 state inmates. Along that same lines, there are certain requirements with state inmates that we would have to address regarding programming and exercise facilities that—our facility is actually a jail rather than a prison.

So we have some programming issues that we would have to address. But we are in discussions with them to get part of the state population housed at the facility.

COMMISSIONER CAMPOS: If this happened, when do you think it would happen? Is it this year? Are we looking at this year?

MR. PARRISH: Yes, Commissioner. I believe we will have to make some type of decision because it may require a capital outlay on our part to make some improvements to decide if what they propose is cost-effective for us to establish programming, possibly additional bringing in trailers or something for training and programming of the inmates. Because the state requires specific programming per week for their inmates that we would have to provide. And with a large population like that, it's quite a significant investment.

COMMISSIONER CAMPOS: Sure. How much of a capital outlay are we thinking about or are you thinking about?

MR. PARRISH: I really don't have an estimate on that yet. Depending on the number, we would have to do more programming. We'd have to do double-fencing around our facility. There are specific concerns regarding security. We bring in a large population like that that's an established population we have additional problems we have to deal with.

COMMISSIONER CAMPOS: Okay. Thank you.

MR. PARRISH: Any other questions?

CHAIRMAN DURAN: Okay, any other questions of Katherine relative to this budget?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: A couple of quick ones, Katherine. In your spreadsheet comparison, number five, spreadsheet five, and thanks for doing these spreadsheets. I know at the beginning of last year I had a lot of difficulty following some of these fiscal summaries and this seems a lot more easy to read.

Under Community Health and Economic Development, I see we have a Frost Foundation grant for \$49,079 with 100 percent budget balance remaining. What's the status of that? Is that something we're supposed to be committing? From page 1 of spreadsheet five.

MS. MILLER: Mr. Chairman, Commissioner Sullivan, if Robert's here he might be able to address that more appropriately from a program side.

CHAIRMAN DURAN: I think that was for the tribal summit effort, wasn't it?

MS. MILLER: No, the Frost grant, Frost Foundation—

MR. SHEPHERD: Those are funds that are dedicated to our MCH program, specifically the Child Infant program. They're expended last behind our Department of Health funds. So you'll see the expenditure come at that end of this fiscal

year.

COMMISSIONER SULLIVAN: Okay, so the MCH is the Maternal and Child Health—

MR. SHEPHERD: Council, right.

COMMISSIONER SULLIVAN: They're the last funds out.

MR. SHEPHERD: Right. That's correct.

COMMISSIONER SULLIVAN: Okay. So that's appropriate that they wouldn't be expended in mid-year.

MR. SHEPHERD: That's correct, because we are allowed to carry them.

COMMISSIONER SULLIVAN: Okay. And the second one that caught my eye was under Public Works and I guess we'll discuss this in a moment when we get to the Solid Waste issue. We're half-way through the year on Solid Waste and we only have 37 percent of our budget left. So I assume we'll be talking about that, because I see that on the budget.

MS. MILLER: Mr. Chairman, Commissioner Sullivan, also in there, if you'll notice, there's \$367,000 encumbered and that's probably for our tipping fees. The majority is for tipping fees. We encumber the entire amount that we estimate we'll need for the year so it doesn't get spent on anything else but it's probably encumbered on a purchase order to the Solid Waste Management Agency. So although, if you were to take their expended portion, the \$590,000, that's actually how much has been expended of their budget, \$367,000 is encumbered with the remaining \$574,000 that has not been tapped yet as of January 1st.

COMMISSIONER SULLIVAN: Which represents 37 percent.

MS. MILLER: Right.

COMMISSIONER SULLIVAN: Of money left.

MS. MILLER: Right. But you could, if you added that \$367,000 to the \$574,000, that's really what is available that they'll send out as payments for contractors as well as payroll and that. So it's not quite 50 percent.

COMMISSIONER SULLIVAN: Okay, I thought the available budget balance considered encumbrances.

MS. MILLER: No. If you look at for instance, their budget is \$1.5 million with all budget adjustments. They have actually expended, where the money has left the County, \$590,000. Then they have \$367,000 encumbered and \$574,000 remaining. That percent does not add back the encumbrances.

COMMISSIONER SULLIVAN: Okay. We'll hear more about that, I guess, in a minute. The other question I had going two pages further, page 3, right at that top under Eldorado Road projects we have a budget of \$48,916 and we haven't expended any, 100 percent budget remaining. What's the situation there?

MS. MILLER: On that particular project, Commissioner, it may not necessarily be—some of the projects it's a little bit difficult as to how they're represented in a budget status and that is a project may be addressed and already running and if they're

2090082

SFC CLERK RECORDING 08/17/2004

using general fund or road maintenance staff time, when they finally complete the project they will then transfer, essentially bill the County and that fund in order to reimburse general fund and road maintenance.

So James may know the actual status of that Eldorado Road project but quite often on road projects there is progress but we don't transfer the monies between funds until the project is complete.

MR. LUJAN: Mr. Chairman, Commissioner Sullivan, exactly what happened and the job is 100 percent complete. We're just waiting to bill it out.

COMMISSIONER SULLIVAN: Which job is that?

MR. LUJAN: The Eldorado road, we've completed paving, Compadres.

COMMISSIONER SULLIVAN: Okay. Los Compadres. Then the last question I had, Mr. Chairman, was under all of the facility projects, which is Eldorado Library and the La Puebla Athletic Facility, Youth Agricultural Facility, Chupadero/Rio en Medio project, we seem to have almost the entire budgets remaining for almost all of them. Or 98 percent or 92 percent. Are those all going to occur at the end of the year? Is this the same thing where all the accounting comes crashing in on you at the end of the project? Doesn't it seem reasonable that we should be accounting for these as we go along?

MS. MILLER: Mr. Chairman, Commissioner Sullivan, when I brought the audit report, that was one of the issues in the audit report and we have actually already—as I said, this is the budget status as of mid-year, but we have already requested reimbursement and hit the expenditures on a lot of these projects that they were already underway. But that was one of the issues that was of concern to Finance and to the auditors that those not sit out there waiting to be reimbursed. So we have already collected on quite a few of these, or billed. Been working since we set up the Facilities Division. We've been working very closely with Tony and his staff to make sure that these are brought current.

COMMISSIONER SULLIVAN: Tell me, are most of these projects well underway, like the Agua Fria Park improvements and the teen complex and so forth?

MR. FLORES: Mr. Chairman, Commissioner Sullivan, most of these projects are either well underway or completed. So it's a matter of the division now requesting reimbursements which we've instituted a policy and are working with the Finance Department to develop that on a monthly basis, they will be billed. We are now in a process of closing out the Rio en Medio project, the La Puebla Athletic Facility is anticipated to be closed out in its entirety by the end of June. Same thing with Youth Agricultural Facility. The homeless housing teen complex is actually Youth Shelters which is underway in the design phase. The Old Pecos Trail Gateway is actually closed out and the Agua Fria Park improvement is another one that should be closed out by the end of this fiscal year.

We have made commitments to DFA to get these older projects closed out by the end of this fiscal year. So they are either underway or completed and are awaiting

2090083

SFC CLERK RECORDING 08/17/2004

reimbursement back from DFA.

COMMISSIONER SULLIVAN: Okay. Thank you.

CHAIRMAN DURAN: Any other questions of staff? What's the pleasure of the Board?

MS. MILLER: Mr. Chairman, it was more just a status report to you. I'm not asking for any action, but if there's anything that you would like to have Finance do as far as additional reporting, or follow-up, I'd be happy to do that.

CHAIRMAN DURAN: Thank you very much.

VIII. E. Public Works Department

1. Discussion and request for direction of the Solid Waste Program

JILL HOLBERT (Solid Waste Manager): Good afternoon. I'd first like to comment if I may on Commissioner Sullivan's question before I forget on some of the solid waste encumbrances. What Katherine said is exactly correct. When we start off the year, we encumber approximately \$400,000 for the Santa Fe Solid Waste Management Agency, i.e., the landfill. That is taken out of my available funds immediately and we draw off that PO for the entire year. So out of a \$1.6, \$1.7 million operating budget, \$400,000 is a sizable amount. But we're in good shape as far as our expenditures to date, we're right on track.

I'm before you this afternoon, gentlemen, due to the meeting on January 29th I was asked to come back with some more information regarding potential changes as well as the status of the Solid Waste program. I'll briefly go over the item but I'd also entertain any questions that you may have. The issue currently facing the Solid Waste program is a lack of a second caretaker to cover the Jacona station because it's open seven days a week. We currently cover that by an equipment operator who has other duties that need to be completed. An additional pick-up truck is needed to move employees and equipment. Supervision is needed. Right now, we have one supervisor for 16 field staff and I think we should consider a Sunday pay incentive program. Eleven employees are regularly scheduled on Sundays.

And also I wanted to point out the purchase of a stationary compacting unit will be put in the budget next year. We received a \$30,000 grant from the state solid waste facility fund and that's coming up in the agenda, on the approval of that grant agreement. The \$30,000 buys approximately 1 1/2 compacting units, so if the County would like to fund the complete second compactor unit we'll have two compactors out there. Compactors compact the waste on the site at the transfer station, which helps with the efficiency of delivery. It helps with the capacity of the site as well as the delivery, the transportation of that waste.

For the additional items I just mentioned it would cost an additional \$110,000 over our current budget. I looked at the expansion that was mentioned, expanding all the transfer stations to operate seven days of the week and that would require five additional FTEs to cover those additional days. It also is recommended that because that's a fairly significant expansion of time and effort with not necessarily any more trash it's recommended that compactors be

2090084

SFC CLERK RECORDING 08/17/2004

installed at each site.

This is a direction I think that we'd like to go anyway. It would just move that installation of compactors up rather than one or two a year as I'm currently heading towards. A second pick-up truck would be needed and overall, including \$110,000 that I'm proposing will be requested in fiscal year 03, another, including the \$110,000, there's be \$361,500 to open all the transfer stations five days a week.

Due to the lack of revenue in the program, and there is an attachment that we can go over, currently the revenues including environmental gross receipts tax, the general fund, property tax levy, and solid waste impact fees don't cover all the expenses in the program and additional funding from the general fund is needed every year. So based on the lack of revenue, and also the majority of residents preferring to visit the sites on weekends, which are open both days at all sites, and finally the upgrades on the sites. We've only done two so far, La Cienega and Eldorado. And the recommendation is that we'd proceed with upgrading the sites before we'd entertain expansion of the program.

I'd be happy to entertain any questions and I can go over any attachments if you have questions on the attachments.

COMMISSIONER TRUJILLO: Mr. Chairman, Jill, have you done any sort of analysis regarding—I understand that we only charge \$3 a year now for 24 punches. Do we know if we could charge \$10 a year for 24 punches, how much that would generate, if we could charge \$15 or \$20 a year, how much money that would generate that can be used for operations, for equipment and even salaries if we're talking about doing the expanded operation. Do we have any ideas as to how we can defray some of those expenses through augmentation of the other fees?

MS. HOLBERT: Katherine and I were just discussing, Commissioner, that right now I think we're selling between 7,500 and 8,000 of those permits per year. So if you consider each dollar raised, there's be approximately \$7,500 to \$8,000 per dollar that you raise the fee over the current \$3. So for example, raising it to \$10 is a seven dollar increase so it's approximately \$50,000.

COMMISSIONER TRUJILLO: So \$20 would be \$100,000 and like that.

MS. HOLBERT: In that range, yes.

COMMISSIONER TRUJILLO: So what—my communication with the community is that they're really happy with the way that the infrastructure, the program is running and they're willing to pay a little bit more if they continue to get the same level of service that they're getting. So I think the discussion would be appropriate to talk about increasing these fees and generating some more money. And let the program not be self-sustaining but supplement the program with some of the fee income. So I would like to toss that out for discussion and see what the rest of the Commission feels.

COMMISSIONER SULLIVAN: Discussion.

COMMISSIONER CAMPOS: Ms. Holbert, is there a number that you would recommend as far as fees, something that would not be too dramatic that would help out?

MS. MILLER: Commissioner Campos, one of the things that we have done,

2090085

SFC CLERK RECORDING 08/17/2004

because we had an issue with replacement. We did initiate a policy internally for replacement of permits at \$25, and that has been accepted by people who have lost their permits to replace them. They do have to sign an affidavit that their permit was lost and it's not a matter of giving it to somebody. But that has not been—people have not objected to the \$25. If we went from \$3 to \$25 annually for the permit, that would generate about \$170,000 additional revenue. So I don't think we have every discussed a number between Finance and Public Works but I can just say that that's something that's out there that has not been balked at in needing to replace a permit.

COMMISSIONER CAMPOS: Commissioner Trujillo, what do you think of the \$25?

COMMISSIONER TRUJILLO: I think that that's a nominal fee for the type of service that's being provided, and if we generate \$170,000, that would go a long way in supplementing the program.

COMMISSIONER CAMPOS: I think that's a good way to go.

COMMISSIONER SULLIVAN: This is a discussion item here, so are you making some recommendations, Jill, or are you coming back with some recommendations?

MR. LUJAN: Mr. Chairman, Commissioner Sullivan, what it is is some recommendations. We're looking for direction ourselves from you so we can publish general summary and title and follow through with it.

COMMISSIONER SULLIVAN: I think what Commissioner Trujillo is asking for is perhaps an analysis as to where we would be with the \$25 annual permit. Do you have a time constraint here for the reprinting of the permits?

MS. HOLBERT: Commissioner Sullivan, I think we still have plenty of time. The permit fees are not actually in the ordinance. It says that we may charge a fee but it does not explain the exact fee in the ordinance. Which means that the Commission can give direction on a fee change and we can implement it without having an interim meeting with a public hearing, unless you'd like to have one. At that point, I'd like to print permits in April so we have May and June to distribute them and distribute public education and notification of the new permits.

So I think as long as we have a decision by April we can proceed.

COMMISSIONER SULLIVAN: What's your thought, Commissioner Trujillo? Should we be having a public hearing on this issue?

COMMISSIONER TRUJILLO: I don't know if a public hearing is necessary. I think through the educational process we can inform the public why we've made the decision to increase the fees, delineate what they're going to be used for, equipment, salaries, infrastructure, that sort of thing. Like I said, I think the community is congruent with the way the program is being run and they don't have any problem in paying the fees as long as the service is rendered. And \$25 is nominal. If you compare it with the City of Santa Fe where they charge \$5 a pick-up, it's nothing. And we have to run a program. That's the reality. So I don't think we need a public hearing.

COMMISSIONER SULLIVAN: It sounds like the direction then is to come

2090086

back with an action item for Commission action that would include a \$25 permit fee in the next permit cycle.

MS. HOLBERT: Yes sir. Would you also like to see any expansion of the program? That was the other issue on the table was whether the program should remain the same or be expanded as far as hours of operation.

COMMISSIONER TRUJILLO: We already know how much that is going to cost, \$361,500. And the only facility now that has a seven-day service is Jacona, right?

MS. HOLBERT: That is correct.

COMMISSIONER TRUJILLO: I'm being biased. I'd like to see the seven-day service continue in Jacona because that generates, that is the most active transfer station in the County. I'm sure that the other Commissioners have a different position or opinion, but I'm open for discussion.

COMMISSIONER SULLIVAN: Well, I think one of the issues aside from Jacona or equalizing all of the hours which I think Chairman Duran was speaking in favor of last time was let's go seven days a week for everything was your suggestion to close down on Tuesdays, I believe it was.

MS. HOLBERT: That's correct.

COMMISSIONER SULLIVAN: But you would still be trucking on Mondays but you'd be closed on Tuesdays.

MS. HOLBERT: That is correct.

COMMISSIONER SULLIVAN: Are we at the point where that can be implemented with the fee increase that we just talked about? Maybe if we take these things in incremental steps here.

MS. HOLBERT: Commissioner Sullivan, I believe that we can continue to operate Jacona at seven days a week with an implementation of an additional FTE to cover that station for the seven days a week. As far as trucking, hopefully, we'll get two compactors this year. One and a half is paid for by the grant. The compactors are going to make our trucking operation more efficient. Over the years I would like to ask for an additional compactor perhaps each year depending on funding, and as we implement more compactors our trucking will get more efficient and I think it will become less of a strain on the trucking, the seven-day a week that we're doing right now.

COMMISSIONER SULLIVAN: Some of them are already closed on Tuesday.

MS. HOLBERT: That's correct.

COMMISSIONER SULLIVAN: Eldorado is closed on Tuesday.

MS. HOLBERT: San Marcos is also closed on Tuesday.

COMMISSIONER SULLIVAN: San Marcos. And you were proposing to close everything. And we have five transfer stations?

MS. HOLBERT: Seven transfer stations.

COMMISSIONER SULLIVAN: Seven. So suppose, would it be workable to close six of them all except Jacona on Tuesdays? Does that give us anything? Does that give us any freedom to get trucks repaired and so forth?

2090087

SFC CLERK RECORDING 08/17/2004

MS. HOLBERT: Commissioner, I think at this time it would be a better course of action, if I may express my opinion, to change maybe one thing at a time. If we do go forward with a fee increase it might be a little much to ask people also to change the day that they go to the transfer station. I think that with some additional funding in the areas that I've outlined, to continue the program, that we have a little time to analyze where we are next year and again, it won't be all at one time for the public to pay more and also have to go on a different day, perhaps go on a different day.

COMMISSIONER SULLIVAN: Well, according to your chart, Jacona gets the largest share of the refuse, 33 percent, 4,455 tons a year. The second largest is Eldorado. Now, Jacona is open seven days a week and Eldorado is open five days a week. So I think we need to take a look at where the usage is in terms of opening times and it may not be reasonable to just have a blanket, seven-day a week open day policy because some of these are very small amounts. Tesuque Pueblo is only four percent and Stanley is only five percent and so forth. So it seems like that would be not cost-effective to have those open seven days a week.

MS. HOLBERT: That's correct. The other issue, sir, now that we're looking at attachment C is that in my analysis I find that the commercial users are the ones that prefer weekdays, whereas the residential users tend to prefer weekends, and I'm doing that based on usage counts of those commercial versus residential. You can also see that Jacona has a number of commercial accounts that are used regularly, approximately 50 trips a week, whereas Eldorado's commercial accounts, on a regular basis are only about 17 trips a week, and La Cienega has no commercial users. And those are our top three sites by volume.

COMMISSIONER SULLIVAN: That's all I had.

CHAIRMAN DURAN: Any other questions of staff?

COMMISSIONER CAMPOS: Mr. Chairman, one issue raised, Ms. Holbert was commercial rates. What are they now? How do you charge commercial users?

MS. HOLBERT: Commercial users, Commissioner Campos, Mr. Chairman, are \$45 per ton. There is a separate fee for school systems, which is \$35 per ton. Those rates at Eldorado are based on scaled weights. At all the other stations that we accept commercial, at four other stations we accept commercial waste, they're based on what we call a typical load. They had to weigh in in the past and give us those weights and we average them and come up with kind of a flat rate for that customer.

COMMISSIONER CAMPOS: Are these rates fair and reasonable in light of you operation needs?

MS. HOLBERT: I think that the County is actually subsidizing those rates slightly as far as our costs to the landfill and then our operations. However, I think that it's difficult to charge commercial customers very high amounts because I think there are other avenues, either illegal dumping, they become residential users over night. However, one of my concerns is that the Caja del Rio landfill at this time charges \$55 a ton for our commercial customers based on their size. So at that point, we are actually charging less than the Caja del Rio landfill, although we are taking on expenses that the landfill doesn't have, such as trucking that waste to the landfill. So in the future that may be something you want to look at as far as

our fees and/or what Caja del Rio is charging those same customers.

COMMISSIONER CAMPOS: Is there a number that you think would be a reasonable number as far as charging commercial per ton?

MS. HOLBERT: Commissioner Campos, Mr. Chair, I actually think \$45 a ton is reasonable. I think that when you go higher than that for a somewhat rural area that we are, not being in the eastern seaboard or any of the very high landfill rate areas of the country, I think \$45 is pretty much the max as to what we'd want to charge. Again, the issue is that Caja is charging more than that.

COMMISSIONER CAMPOS: I understand. The County is subsidizing the \$10 plus the overhead.

MS. HOLBERT: Well, excuse me, Commissioner, if I may make a correction. Caja is charging the customers \$55 a ton. They charge us \$25 a ton. That's based on the size. We're bringing large loads in and these customers that come to us, commercial customers that come to us are by definition smaller commercial. When the smaller commercial goes to Caja del Rio, they're charged \$55 a ton.

COMMISSIONER CAMPOS: Okay. Now on page 2 at the very top you talk about an additional 1/10 over the 02 budget will be requested for 03 to continue current operations, as they are right now?

MS. HOLBERT: That is correct.

COMMISSIONER CAMPOS: Are you talking about the additional FTE at Jacona.

MS. HOLBERT: That is correct.

COMMISSIONER CAMPOS: Now, other than the residential rates, the issue about either five or seven, what other issues do we need to discuss with you today.

MS. HOLBERT: I believe that's all, Commissioner.

CHAIRMAN DURAN: Any other questions of staff? Thank you, Jill.

MS. HOLBERT: I guess if I may ask clarification from Steve, because it's not in the ordinance, the actual fee that's being charged, should I come back to the next Commission meeting and ask for action? Because it's not in the ordinance.

MR. KOPELMAN: Mr. Chairman, members of the Commission, that sounds as though what you would like staff to do is bring something formal back that you could act on. It wouldn't have to—it doesn't need to be in the ordinance because the fee is not part of the ordinance, so that's the action.

MS. HOLBERT: Okay. Thank you for that clarification.

COMMISSIONER CAMPOS: Mr. Chairman,

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: I would like to hear what the Commissioners have to say about what we have now versus a seven-day program. Commissioner Trujillo, do you want a seven-day program for everything?

COMMISSIONER TRUJILLO: I guess I support what Commissioner Sullivan is saying. Have a seven-day program for those transfer stations where there's a

2090089

SFC CLERK RECORDING 08/17/2004

large volume, where we can justify a seven-day program, where there's continuous usage. For those transfer stations that are at the four percent or the five percent or the seven percent, close it one day at those transfer stations, but continue to keep Jacona and maybe Eldorado open for seven days, because those are large volume generating transfer stations. And you can justify the existence of the seven days.

COMMISSIONER CAMPOS: Ms. Holbert, what about Eldorado? Are they getting to the point where they need a seven-day program?

MS. HOLBERT: Mr. Chairman, Commissioner, at this point I don't believe so. The majority of the waste going to Eldorado is by residents and by far our busiest days are Saturdays and Sundays. We actually slow down quite significantly during the weekdays that we are open, Wednesday through Friday. So at this point I do not believe that we need to expand those hours. As well as the concern, and I haven't heard directly from the residents, but it is in a more residential area and I believe that the residents enjoy that we're closed some of the days.

COMMISSIONER CAMPOS: That's true. Have we given sufficient direction at this point?

MS. HOLBERT: Yes.

COMMISSIONER TRUJILLO: Hopefully, that will help.

CHAIRMAN DURAN: Thank you.

VIII. E. 2. Request authorization to publish title and general summary of Ordinance No. 2001-6, Comprehensive Solid Waste Management Ordinance

MS. HOLBERT: The next item, sir, we don't need to go over, as long as there have been no indications to change the ordinance itself.

CHAIRMAN DURAN: Okay. So what's the pleasure of the Board on item E. 2?

COMMISSIONER CAMPOS: We don't need it. We don't need any changes.

MS. HOLBERT: That is correct.

COMMISSIONER CAMPOS: We don't need any changes to the ordinance.

MS. HOLBERT: The issues that you've brought forward do not require an ordinance change at this time.

CHAIRMAN DURAN: So we'll delete item 2 from the agenda.

VIII. E. 3. Resolution No. 2002-33. A resolution amending and certifying the 2002 Santa Fe County road map

ROBERT MARTINEZ (Deputy Public Works Director): Mr. Chairman,

2090090

SFC CLERK RECORDING 08/17/2004

Commissioners, the County is required on an annual basis to submit certification of the County road map to the New Mexico State Highway Department by April 1st of each year. In your packet you have what shows the adjustments to the 2001 map. The town of Edgewood annexed a portion of County Road 10. There were some adjustments that were done. Some errors, particularly County Road 110, where our distance grew by .27 mile due to them proving that the County did accept that last .27 mile a while back.

There are some other adjustments in there. The only additions are the roads in the Rancho Viejo area that were accepted by Resolution 2001-180. Public Works is recommending the approval of the County road map.

CHAIRMAN DURAN: Any questions of staff?

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman, of the County road map.

CHAIRMAN DURAN: Second. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

VIII. E. 4. Resolution No. 2002-34. A resolution authorizing the County of Santa Fe to enter into a grant agreement with the New Mexico Environment Department for the purchase of one or more stationary compactor units

MS. HOLBERT: We received notification that we were awarded \$30,000 towards the purchase of compactor units. Again, that's going to buy approximately 1.5 compactor units. In order to submit the agreement, the Board needs to approve Resolution 2002-34 for the amount of \$30,000 with the New Mexico Environment Department.

CHAIRMAN DURAN: Any questions of Jill? If not, the Chair will entertain a motion to approve.

COMMISSIONER TRUJILLO: So moved, Mr. Chairman.

CHAIRMAN DURAN: Is there a second?

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: Any further discussion?

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: As far as the budget, this is totally grant money, 1.5. Is that correct, Ms. Holbert?

MS. HOLBERT: That's correct. \$30,000, which will buy approximately 1.5 units.

COMMISSIONER CAMPOS: So basically, as far as getting the money to buy the second one, have you talked to Ms. Miller in Finance to see if there's money available for that?

MS. HOLBERT: Mr. Chairman, Commissioner, because this money was

2090091

SFC CLERK RECORDING 08/17/2004

not included in the fiscal year 2002 budget, I had planned to put it into the fiscal year budget. At that point, I was asking for an additional approximately \$12,000 for the remainder of the second unit.

COMMISSIONER CAMPOS: Thank you.

CHAIRMAN DURAN: Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

VIII. G. Matters from the County Manager

1. Request authorization to appropriate \$250,000 of Commission capital outlay funds for expenditure in fiscal year 2002

MS. MILLER: Mr. Chairman, Commissioners, before you we have the request for the capital outlay money that we had in the budget for the Commissioners. Either Rudy Garcia or I have spoken to each of you individually concerning where you would like to appropriate those funds. We're bringing this forward to the Commission just on a formal basis because we had had several discussions as to how this money would be appropriated. It is currently in the budget but staff would like direction on how it's to be spent so that anywhere we need to do a solicitation, we have time to do that prior to the end of the fiscal year and to award any contracts that will be necessary in order to expend these funds before June 30th. If you have any questions, I'll be happy to answer those that I can.

CHAIRMAN DURAN: So Katherine, the request forms that are in our packet, that's where the money will go?

MS. MILLER: Mr. Chairman, the request forms that are in the packet are the areas that Commissioners have indicated that they would like to see us either do a solicitation for programs of that type. For instance, the first set of forms are Commissioner Sullivan's and those amounts and the description of the project are the areas of concern that Commissioner Sullivan would like to direct some of those funds, through summer reading programs in Eldorado, with mentoring through the school system, phase two of the County teen center and playground equipment in the town of Edgewood with a match.

As I said, some of these will require us to go out on solicitations. Some of them, if it's another governmental entity, we'll just work directly with those governmental entities. But this is just to initiate the funding directed at these programs so that we can move to the next step. If there are contracts to be awarded, those, depending on the dollar amount would either go to the County Manager for approval or back to the Commission for approval.

CHAIRMAN DURAN: I think I have—I'd like the \$5,000 that's left in my budget to go to the mentoring program. Gene Weisfeld was to have gotten a hold of you or you were going to call him. Have you talked to him?

MS. MILLER: Mr. Chairman, yes I have and he has sent me a proposal and I will share that with you.

CHAIRMAN DURAN: Okay, good. So other than—has the Commission read

2090092

SFC CLERK RECORDING 08/17/2004

through the other requests for funding? Are there any objections to any of those? Any discussion that you want to have?

COMMISSIONER TRUJILLO: Yes. The teen court's in there, right?

CHAIRMAN DURAN: Yes.

COMMISSIONER TRUJILLO: Yes, the teen court. That's the one that I was interested in. And this is for FY03?

CHAIRMAN DURAN: No, this is for this budget. I thought this was the money that we set aside for this year.

COMMISSIONER CAMPOS: It is.

MS. MILLER: Mr. Chairman, this is for, out of the \$250,000 that was appropriated in this fiscal year, we are getting ready to do the budget requests for next year. As a matter of fact, you had asked that the Commission put in their requests for funding for next year because we're going to have a much tighter budget next year. We will not see the growth in gross receipts that we have in the past few years. So I'd like to know what those requests are ahead of time so we can start to incorporate them into the budget process as well.

COMMISSIONER TRUJILLO: Because I've already earmarked my \$50,000 for this year to Chimayo and to Cundiyo. Those monies.

CHAIRMAN DURAN: That's what's in here.

COMMISSIONER SULLIVAN: That's what this is.

CHAIRMAN DURAN: My understanding is that the reason that we are doing this is that this was money that was not budgeted. How can we give you lists of projects that we want to fund if we don't even know if we're going to have any extra money?

MS. MILLER: Mr. Chairman, we put \$250,000 into the capital package for the Commission. It's just, it was not earmarked for any specific projects. That is in this current year. That is what these forms are to indicate where it's to go. For instance, for Commissioner Trujillo, there was \$25,000 he'd requested to go to start the design for a meeting room in the village of Cundiyo and then I also believe \$25,000 to an after-school and summer program for youth up in the Chimayo area.

COMMISSIONER TRUJILLO: Yes, and in Cundiyo, Commissioner Sullivan brought it to my attention, it's not a design, it's a construction. It's renovation of an existing facility. So it would construction. Thank you, Commissioner Sullivan.

COMMISSIONER SULLIVAN: Mr. Chairman, and I think one issue that we want to think about is in going into next year's budget, given that we're now tightening the screws down on the finances, whether we want to do this at all, whether we want to take each project as it comes, whatever the issue may be, whether it's recodifying the codes, land use codes and so forth which need to be done on a one-on-one basis or whether we want to scale the amount back that we're going to do for this to \$100,000 or something like that, or eliminate it completely. I think we need to be thinking about that very soon here.

CHAIRMAN DURAN: I think it's a great—I think it's a wonderful expenditure of funds. We've done it traditionally and this is the first year that we've had so much money. It's always been less than that, \$100,000, \$125,000.

2090093

SFC CLERK RECORDING 08/17/2004

MS. MILLER: Mr. Chairman, Commissioners, it's been handled differently over the course of operations with the County but last year was approximately the same amount of money but we actually did it during the budget process, during the capital package. And the Commission stated at that particular time, if it was to go to a low-water crossing, a believe we had a couple of low-water crossings and various County projects as well as some contracts for services.

But because it is not a recurring revenue, we take a look at what the cash balance is going to be that's available for capital outlay. So in fiscal year 2001, we did it during the actual budget hearings and the Commission indicated where they wanted to see that money go and some of it went to projects to supplement County projects that we already had going and some of it went to additional service contracts. This year, fiscal year 2002, the Commission, we just put the sum of money in there, \$250,000, and at the budget time all the projects were not indicated and that's why we're bringing it back to you at this time.

And then prior to that, it was just each project within a particular district or that was of concern to a Commissioner was brought forward along with the entire capital package. And one of the things that I mentioned is that it would probably be best to try and get those out on the table right during the budget process so that we're sure that we have the funds for those projects that are of concern to the Commission as we do the budget.

COMMISSIONER TRUJILLO: From my perspective, because District One is so diverse, with ditch issues, low-water crossing issues, the whole gamut of quality of life issues, I've been very grateful for having the discretion of earmarking these monies to specific projects. To me, that has been a great benefit because again, the district is really diverse and there's a whole gamut of different issues that need to be addressed and they get lost at this level.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chairman, just a comment. One, I would urge the Commissioners at this point to reconsider. I think we have a tight budget. We have basic needs that aren't being met and if we allow this money to go back to general fund I think we could be more effective in using money. We're looking at the jail. We're looking at solid waste. We're looking at so many things, even at our last meeting we had a huge discussion about the dip sections in the subdivision in La Cienega. That could cost half a million dollars right there. We're squeezing the general fund and I think it would show restraint in a very positive way to focus on what we really have to do, our basic services.

Two, as far as next year, I would recommend against it. And three, I'd like to ask a question. Some of these request forms have a description of project that discusses faith members, law enforcement, interfaith resources—this counseling with the churches? What is it? I know Commissioner Sullivan has one. I think Commissioner Gonzales has one. What is this? I don't quite understand what that is.

CHAIRMAN DURAN: Well, I know that between Commissioner Trujillo and myself we are contributing or earmarking \$50,000 of Santa Fe County money to battle the black tar heroin problem in northern New Mexico. And if you don't think that that's a worthy venture then I don't know what to say but they didn't have enough money, Representative

Trujillo didn't have enough money from the state to battle that problem and between the two of us we contributed \$50,000. So I understand what you're saying but I think that this is responsible management of County funds and if we can make just a small dent in the black tar heroin problem up north, I think that the entire community is going to benefit by taking care of these people that are causing problems throughout the county and that need our help.

So hopefully, a majority of the Commission won't agree with you.

COMMISSIONER CAMPOS: Mr. Chairman, I do want some more information about what this project is. Commissioner Sullivan, you're asking that \$10,000 be appropriated. You're talking about community faith members, interfaith. Is this a religious organization that you're thinking about? I don't know.

COMMISSIONER SULLIVAN: How this program works—

COMMISSIONER CAMPOS: What program is it?

COMMISSIONER SULLIVAN: Well, it's a program that Representative Patsy Trujillo-Knauer has been working on and they are working through the schools and through the churches on the drug abuse issue and they're trying to, as I understand it and maybe Robert or some of the staff may be able to expound on it. They're trying to approach the youngest generation that they can to reduce trafficking in drugs, not just in the areas that we know are high traffic areas but in the areas that may be affected by those high traffic areas.

So I felt that particularly the schools in District Five that this would help out, would be a good issue. The drug and black tar heroin problems are in all of the schools, not just in some. And so I felt, which was the reason that I committed \$10,000 toward that. I want to see how the program works. I wanted to see some results so I can't say from experience that I know that this is the answer but I want to try it at that local level, on a more dispersed level as opposed to the focused level that the black tar heroin program has been approached and see if we can prevent those tentacles from grasping out that far. I don't know. I can't guarantee you that the program is going to work but I quite frankly don't have any other alternative to suggest at this point to tackle the problem.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: Question for Mr. Kopelman. Do you have any, from a legal perspective, any problems with the description of this proposed expenditure? The description of the program or project?

MR. KOPELMAN: Mr. Chairman, Commissioner Campos, the description is very general. I think there are certain requirements once we move forward with a contract that have to be met. And so there needs to be services, definite services provided for the money that's spent. They have to be well defined and something that's ascertainable and specific. So having said that, the County's grant of statutory authority is very, very broad, health, safety, welfare. So I think this does fall within the scope of what the County can contract for. But again, I think it's very important, the contract has to be drawn in a particular way that makes it clear that there's a tangible service being provided for the money expended.

COMMISSIONER SULLIVAN: And, Mr. Chairman, it is a little on the

forefront of these kinds of programs. And again, as explained to me, when I had lunch with Representative Knauer that they biggest opportunities and the biggest successes in this type of prevention seem to come through church leaders. And this is not acting in the capacity as a church, but acting as a church leader, as some type of a faith leader. And that seems to have perhaps, I don't know if it's more or less that the Boys and Girls Club or non-profit groups, but that seems to be the one area that we haven't capitalized on individuals who are there and are willing and able and have an impact on the youth and the young adults that we're trying to stop from getting into these habits.

So, yes, I want to see how we draft that and how it works. And if it works, we have a resource there that we haven't fully utilized in the religious community, again, working as they do with youth all the time. I think it's worth a try is all I can say.

COMMISSIONER TRUJILLO: Everything that I'm hearing now tells me that the Commission is struggling on the expenditures of these monies to make sure that they benefit their communities and nothing is being done in a secret or clandestine way. These are added value projects in our communities and I would appreciate that we continue to get these monies so that we expend at our discretion through discussion at this level for projects that benefit our communities. Because in our district, District One, I'm the only one that knows specifically what the needs are and I yield to Commissioner Sullivan in his district and the same for Commissioner Campos.

And I'd like to have the opportunity to come and petition this Commission to expend a specific amount of monies to address needed projects in my district.

CHAIRMAN DURAN: So the Chair will entertain a motion.

COMMISSIONER SULLIVAN: Mr. Chairman, I would move approval of the capital outlay fund requests included in this agenda item.

COMMISSIONER TRUJILLO: Second.

CHAIRMAN DURAN: That's with the \$5,000—that's with my initial \$5,000.

COMMISSIONER SULLIVAN: Oh, yes. In addition to your—

CHAIRMAN DURAN: For the mentoring program.

COMMISSIONER SULLIVAN: For the mentoring program.

CHAIRMAN DURAN: You gave \$5,000 to that also?

COMMISSIONER SULLIVAN: Well, mine's a different mentoring program.

Mine's the HOSTS program.

CHAIRMAN DURAN: Okay, good.

COMMISSIONER SULLIVAN: It's a younger mentoring program. Gene Weisfeld's program is in the middle schools.

CHAIRMAN DURAN: Oh good.

COMMISSIONER SULLIVAN: So we're covered.

CHAIRMAN DURAN: Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

2105553

SANTA FE
BOARD OF COUNTY COMMISSIONERS

SPECIAL MEETING

March 1, 2002

Paul Duran, Chairman
Jack Sullivan, Vice Chairman
Paul Campos
Javier Gonzales [Excused]
Marcos Trujillo

2105554

SANTA FE COUNTY
SPECIAL MEETING
BOARD OF COUNTY COMMISSIONERS

March 1, 2002

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 9:20 a.m. by Chairman Paul Duran, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Roll was called by County Clerk Bustamante and indicated the presence of a quorum as follows:

Members Present:

Commissioner Paul Duran, Chairman
Commissioner Marcos Trujillo
Commissioner Paul Campos
Commissioner Jack Sullivan

Members Absent:

Commissioner Javier Gonzales

III. APPROVAL OF THE AGENDA

- A. Amendments**
- B. Tabled or withdrawn items**

CHAIRMAN DURAN: Any changes to the agenda?

ESTEVAN LOPEZ (County Manager): Mr. Chairman, no. I think the agenda is as posted.

CHAIRMAN DURAN: What's the pleasure of the Board?

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: There's a motion and a second. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

IV. Community and Health Development Department
A. Discussion on the DWI Program Budget

CHAIRMAN DURAN: I asked Estevan and Robert to bring forward an analysis of the DWI Program because I was a little concerned that out of the—is it \$800,000?

ROBERT ANAYA (CHDD Director): Mr. Chairman, there's a little more than that and we have the actual amounts in here, \$770,000 plus the CDWI program.

CHAIRMAN DURAN: Because I had heard that roughly out of \$800,000, \$150,000 of it was being used for actual treatment, and that the balance of it was spent on other programs within the DWI Program. And I just wanted to find out if there might be some way of streamlining the administrative portion of the budget and try to get more money allocated towards treatment. Robert.

MR. ANAYA: Mr. Chairman, Commissioners, I just want to thank you for giving us the opportunity to come before you to go over the DWI budget and also later on discuss the CARE Connection project. In front of you, I'd like to just give you a heads-up as to what's sitting in front of you. The first thing I'd like to point out is this invitation that you all received. It's for the DWI-Law Enforcement Awards Banquet. It's going to be held Friday, March 8th at 6:30 at the La Fonda Hotel. It's sponsored by Impact DWI and the Santa Fe County DWI Program. It's an annual event that recognizes those law enforcement officials throughout Santa Fe County, throughout all agencies that do an excellent job in helping to keep DWI offenders off the road.

The other thing I'd like to point out is the gray packet that Mr. Sims will be going over that gives an overview of the DWI program. [Exhibit 1] And then there are two other items, the CARE Connection power point is the same power point presentation that you had in your BCC packet. I put it in front of you as a reference point for later on. And then the new item that's in front of you is a schematic flow chart of the CARE Connection project.

Mr. Chairman, Commissioners, we do have with us today the chairman of the DWI Council and with your permission, Mr. Chairman, I would to ask Mr. Alan Wheeler to come forward. He would like to address the Commission and say a few words.

CHAIRMAN DURAN: Robert, I'm looking at the information that you handed out and I don't see a budget. I don't see anything showing line item where the money goes. Do you have that?

MR. ANAYA: Yes sir, Mr. Chairman. We have a substantial amount of information. There is some in the gray packet, there is some budget items within there and we'll be going through that in as much detail as you would like.

CHAIRMAN DURAN: Okay.

MR. ANAYA: On page 24 specifically, if you want to jump ahead to that. But Mr. Chairman, I would ask that Mr. Wheeler be given an opportunity to say a few words if that's okay.

CHAIRMAN DURAN: Sure. No problem. We are very familiar with the DWI Program. I just really want to get to the meat of the matter which is the budget. So

2105556

SFC CLERK RECORDING 08/17/2004

please step forward.

ALAN WHEELER (Chair, DWI Planning Council): Good morning, Mr. Chairman, Commissioners. I'm Alan Wheeler. I'm the current chairman of the DWI Planning Council. I now understand what the purpose of this meeting is this morning so I won't spend the time I thought I was going to explain to you where we've come from the last two years to the time I've been part of the Planning Council. But suffice to say that we have now a strategic plan which we hadn't had two years ago and the purpose of that strategic plan as all strategic plans are is to try to focus in on where the loopholes are, where the gaps, the voids are.

And certainly prevention is a very, very—and treatment is a very, very large part of it. We now have four subcommittees, which we never had before. One is dedicated to prevention and to treatment. I won't take any more of your time. If you have any questions for me, I'll be available to answer them. I can give you a pretty good history of where we've come over the last couple years. But I don't want to interfere with what your objectives are.

CHAIRMAN DURAN: Well maybe the rest of the Commissioners want to handle it differently, but I was really specific in my request in that I wanted to know, I wanted a breakdown of the \$800,000. I know all the—for me, maybe the other Commissioners need some more background information on the program and what it does and I would yield to their requests, but I asked the meeting to be called so that I really wanted to get down to where the money was going, how it was being spent, and that was the objective. But I do appreciate your coming today.

MR. WHEELER: Are there any questions for me as far as background? I'm available for questions later.

COMMISSIONER CAMPOS: Mr. Chairman, I'd like to hear the background in a summary form. I'm interested in putting all this into context and learning where we've come.

MR. WHEELER: Okay. Fine. As you probably know, our purpose is to put together people in the country or from the County who work for the County in one manner, shape or form to help reduce the level of DWI in this county. And I'd say about three years ago, there was the flow of monies to various organizations, prevention, treatment, law enforcement, adjudication and things of that nature. It was not particularly controlled. And I don't mean to say that the money wasn't controlled but the results, we weren't monitoring. It was just the nature of the fact that this had started—in the past two years we have put together a strategic plan and it has identified four areas that we're approaching in an organized way. The areas of prevention, areas of law enforcement, screening and assessment—screening and assessment also includes adjudication, and then treatment.

We have subcommittees who meet each month. They're made up of both the members of the DWI Planning Council and also people who are actually there on the front lines. And they are helping to put together plans which can actually address this particular problem in all of its facets. I also have to wear another hat. It's as president of a non-profit organization called Impact DWI. We identified about three years ago and put into effect two years ago the fact that there was no meeting between the victims of DWI and the offenders. Now all the

2105557

SFC CLERK RECORDING 08/17/2004

courts mandate first and second offenders attend our impact panel which meets once a month.

This has grown out of the strategic plan. So what I'm trying to shape for you to show you is that we're gradually getting our hands around this huge problem and the many facets necessary in order to address it. For instance, I would say the majority of our members, I certainly have the perspective that jail doesn't really work except in extremes. Number one, on the front end for people who have something to lose, it scares the heck out of them to spend a night in jail. And so we've encouraged the courts and the courts in most cases do put somebody in jail for overnight to let them see what it's like.

On the other end there are people who are multiple, multiple offenders. They are a danger to society and they have to really be, society really has to be protected from them.

Now what do we do with all those in the middle? Several years ago we identified that there is a device out on the market called the ignition interlock. And the ex-chairman, the former chairman of the DWI Planning Council, Dick Roth, has spent a good part of his life for the last three years gaining legislation which you probably have heard of so that this can be installed in second and third offenders' automobiles. It's kind of like having a parole officer on the seat alongside of the driver, who has been convicted of DWI. And the computer in this breathalyzer, which is hooked up to the ignition of the car, keeps the car from being activated if it registers a certain level of alcohol consumption.

It also shows on the computer, which is taken out, a tape is taken out every 60 days, sent to the probation officers whether this individual is actually starting to turn their life around as far as drinking or if they're not. If they're not, then it indicates that they need other things, most likely treatment. This is just one of the many things that we've started to put in place to try to close this gap, but in a humane way. Again, not using jail, because jail just doesn't really work.

I could go on for quite a while with other programs we're doing. For instance, every 15 minutes, something we're working on now through our prevention committee, it will be presented this year in May, the middle of April and in May to students at Santa Fe High School. A very shortened version of it is a person dressed up as the grim reaper comes in and taps a designated kid on the shoulder, and they come out every 15 minutes. Their faces are colored black, with their parents' permission. They write a letter to their parents as if they had just died and this is the last communication that they could make to their loved ones. It's a very powerful program. It's been used up in Farmington and in Las Cruces.

These are the many things we're gathering together and starting to put into place in order to try to attack this problem in its breadth. One of the major things that we've recognized is that we need to change community norms, but that is going to be, as you can imagine, a major, major project. We put together a speakers bureau, which has just started out. We have not given any speeches yet. We're enlisting the aid of people to do that. We'll be visiting various faith communities and also the Lions Club and other clubs like that to give them an idea of what we're doing and where they can help. For there are many, many needs for volunteers. Again, another idea, another method to try to stop this horrible, avoidable, unnecessary problem. Any questions that I can answer?

2105558

SFC CLERK RECORDING 08/17/2004

COMMISSIONER TRUJILLO: Mr. Chairman, Mr. Wheeler, I understand that the DWI issue is quite a cantankerous issue in our communities. With all this myriad of efforts that you're implementing or putting in place, have you seen any results? Any impact, added value if you will coming through you? For example, the drive-up windows were closed. Has that had a direct effect on alcohol-related accidents or deaths or injuries, and that sort of thing? Do you have any demographics that shows what impact these efforts are having in our communities?

MR. WHEELER: Well, I can give you one statistic which is very, very heartening. Over the last five years on average, there have been six to eight fatal crashes in the City of Santa Fe. Last year there were two. Hopefully this was not an abnormality, that it actually shows a downward trend. I think it certainly reflects the fact that the DWI unit has been reactivated by Chief Denko under Sergeant Salazar. Overall, in the state of New Mexico, five, six years ago we were, we had twice the number of accidents per 100,000 population. We still have that. The good news though is that it's dropped from about 11.6 to about half that.

But the rest of the country has dropped also. It's awfully difficult to measure things that are in effect a deterrent. However, there is some information on this sheet which David just passed out, which gives you some idea of the trends from 1995 through 1999.

CHAIRMAN DURAN: It's gone down.

MR. WHEELER: One of the things, part of our strategic plan is to measure everything, every one of the elements. We're doing saturation patrols with the police department that we would be underwriting for overtime, treatment, other things of that nature, to see what kinds of results that they have. Usually it's measured in crashes per thousand or absolutes like that. I wish I could give you and I hope in two years from now I can come back and give you a much more definitive answer to that question.

COMMISSIONER TRUJILLO: I agree with you that this is a problem that is cultural and is embedded in our society and it's really hard to deal with unless we change behaviors and that's the hard things to do. But I appreciate the efforts that you're making and your people are making in this regard.

MR. WHEELER: Thank you.

CHAIRMAN DURAN: Any more questions? Commissioner Sullivan.

COMMISSIONER SULLIVAN: What's been your experience in the connection between DWI and Motor Vehicles. What I'm driving at is my understanding is that sentences or modified sentences that are issued by the court often are not recognized by Motor Vehicles in terms of whether it's a second conviction or a third conviction. And for that reason, whatever innovative mechanisms the court may impose on the individual, Motor Vehicles doesn't recognize that. And what's been your experience in the connection with Motor Vehicles?

MR. WHEELER: I wish I could talk intelligently about that. That is not an area that I really could give you any insight into. I have some opinions but that's all. It's not fact. So I'm much more comfortable having that question answered by someone who knows

2105559

SFC CLERK RECORDING 08/17/2004

more about that.

DAVID SIMS (DWI Coordinator): Mr. Chairman, Commissioner Sullivan, I have been invited to be a part of what's called the inner agency group that has representation of AOC, Traffic Safety Bureau, Department of Health, State Police, Special Investigations Division, several Department of Traffic Safety, DMV, all the players that are involved in making sure that records don't fall through the cracks. And having been involved in those discussions, it seems to me that there's multiplicity of places where records can be lost.

Some times it's the District Attorney's office not working hard enough in my opinion or my observation to discover previous convictions. Sometimes it's that a court didn't send the information to DMV. Sometimes it's a lag time at DMV. Sometimes it's a problem of DMV is in the process of changing their computerized database. There's just an overwhelming opportunity for convictions to not be recorded correctly. Another issue has to do with tribal. For instance, it's my understanding that the gentlemen that killed the folks, the four people in Albuquerque a few months ago that had already been convicted multiple times in tribal court, which was not reported at all to DMV.

So there's just a lot of different ways that multiple offenders can go to trial for a first offense. In some cases a court will choose to, for whatever reason will choose to prosecute someone at a lower offense, number of offenses. So there's just a multiplicity of opportunities for that to happen. And one of the things that this interagency group that I mentioned is concerned about and is working toward is to reduce that opportunity.

COMMISSIONER SULLIVAN: And I'm glad to see that. I hope something comes of it because I think that sometimes the courts will reduce what might be third to a second in exchange for the individual undergoing treatment, monitoring or so forth. But again, my understanding, and I may be incorrect and that's what I'd like to find out about, is that the DMV doesn't recognize that. Period. In other words, they're their own court. And they don't recognize that. And the penalty is ten years license suspension.

Now, if you think that anybody that has to make a living is not going to drive a car for ten years, you're crazy. It's going to happen. So we're going through all these innovative mechanisms of monitoring and so forth and the DMV says, No, it's a ten-year license suspension. So what's going to happen when somebody has his license suspended for ten year and they have to earn a living? If they're a single parent or even if they're not a single parent, they're going to drive. And hopefully they won't drive while they're intoxicated but they're not going to be monitored. They're not going to be under a program that---they're going to be breaking the law.

And again, I would like to see where this leads as you attend these meetings, but I just see a big disconnection between DMV and what everyone else is trying to do in DWI. And maybe that's just a perception but I wanted to ask you if you see the same thing.

MR. SIMS: I do and it's so complicated because there's so many different agencies, so many different entities, so many different courts, so many different people that are quite frankly used to being the chief and sometimes when everybody is a chief, they don't necessarily want to yield or work as a team as much when they're the big cheese. That's my

2105560

SFC CLERK RECORDING 08/17/2004

opinion.

COMMISSIONER SULLIVAN: Well, I appreciate your keeping track of that and letting us know what comes out of that, but I think the Chairman wants to get back to his question which is Where's the money going?

MR. SIMS: Commissioner Duran and Commissioners, I apologize personally for not putting together a packet that targeted specifically the information that you apparently asked for and I apologize for that but I think I can, with some information that I just got copies made of, supplement what is in this packet. And I do hope that you as Commissioners will take the opportunity to look through the packet and see some things perhaps that you weren't familiar with. And also I have for you a glossary of terms because a lot of times I've found that I'm personally guilty of buzzing through LDWI, CDWI and all the media literacy and curriculum infusion and all kind of terms that are not necessarily familiar to people that I'm talking to.

So I've made a glossary so that if I mention something today or if you see something in the packet that you're not sure what that means or what that's about, hopefully the glossary will at least give you a brief synopsis of what that is.

I would like to, in terms of answering the question of how much money is going to treatment? What percentage?

CHAIRMAN DURAN: David, I'd like to ask you some specific questions, if you don't mind, and then you could supplement those with your comments. The Local DWI funds from excise taxes on alcohol sales in the year 2001 were \$770,000.

MR. SIMS: Yes sir.

CHAIRMAN DURAN: In fiscal year 2002 that was \$785,000?

MR. SIMS: That's my projection, yes sir.

CHAIRMAN DURAN: Okay. And what's this other \$300,000?

MR. SIMS: That's the CARE Connection \$300,000 that we—

CHAIRMAN DURAN: But that's a different line item, right?

MR. SIMS: Yes sir, but it integrates. It is still from the same funding source. It's from the same pool of money, the excise tax on the sale of alcohol. I submit an application to DFA in the same format as I do for the distribution and grant money from LDWI.

CHAIRMAN DURAN: Okay, but for purposes of getting a handle on where the DWI funds are being spent, we are talking about \$835,000. Is that correct?

MR. SIMS: Yes sir.

CHAIRMAN DURAN: Okay. And that includes the Local DWI funds from excise taxes and the Community DWI funds from fines paid by DWI offenders.

MR. SIMS: That's correct.

CHAIRMAN DURAN: You have an item here, grants from various sources, and there's not an amount. We don't have any grants?

MR. SIMS: No sir, the reason I didn't put any specific amounts are usually those are one-time grants.

CHAIRMAN DURAN: And last year we didn't receive any?

2105561

SFC CLERK RECORDING 08/17/2004

MR. SIMS: No sir. We did. In fact we had two media literacy grants. One of them was from Children, Youth and Families and one of them was from Traffic Safety Bureau.

CHAIRMAN DURAN: And how much were those?

MR. SIMS: One of them, the Children, Youth and Families was \$12,500 and the Traffic Safety Bureau was \$65,000.

CHAIRMAN DURAN: So then we are actually talking about \$912,500. If I wanted to actually know where all the DWI funds went, and where they were budgeted for this past year, so the amount I'm asking for a break-down on would be \$912,500.

MR. SIMS: Technically, that's true. However, as far as money that we can make a decision about how we spend, it's the LDWI/CDWI. Any of the grants that we apply for that supplement the program are applied for to do a specific thing that we can't chose to do treatment with that money, for instance.

CHAIRMAN DURAN: Okay, good. I understand. So then it is \$835,00.

MR. SIMS: Yes sir.

CHAIRMAN DURAN: So out of that \$835,000 you've broken down how we've spent that money on prevention, law enforcement, screening and assessment, outpatient treatment, intensive supervision and coordinate and evaluation? And all that—I didn't do the math—but all that equals the \$835,000?

MR. SIMS: No sir. What that does is that includes the \$300,000.

CHAIRMAN DURAN: It includes the \$300,000?

MR. SIMS: Yes sir.

CHAIRMAN DURAN: Okay. So if I added all these up—

MR. SIMS: It would be \$300,000 more than the number you were talking about.

CHAIRMAN DURAN: More than the \$835,000. Okay. And where did you spend that? Where do I take that \$300,000 out of? The outpatient treatment?

MR. SIMS: A lot of it is. Yes sir. There's actually, let me hand this out to you now. [Exhibit 3]

CHAIRMAN DURAN: Well, how much of the outpatient treatment is from this \$300,000?

MR. ANAYA: Mr. Chairman, before David goes on, you cannot use CDWI money for treatment or screening. That's not an allowable use.

MR. SIMS: So again, you're really back then to what we're projecting for this fiscal year is \$785,000. We actually—

CHAIRMAN DURAN: \$785,000?

MR. SIMS: Yes sir. Our actual budget, if you notice on the second page, under the first column under Grant Total, line item 59 on the second page of what you have, this is actually how our budget is set up for this fiscal year.

CHAIRMAN DURAN: I'm sorry. What page are you on?

MR. SIMS: Page 2, line 59. We actually have budgeted \$742,502. And the reason for the difference between what we actually have budgeted and what I'm projecting, the

\$785,000 is simply the fact that we do not know until the middle of June, we find out exactly how much money we have for this current fiscal year. So in working with our County Finance Director and the Finance Department, we felt comfortable budgeting the \$742,505 simply because we are—essentially the County is fronting the money and we're getting reimbursed for that funding. And we are projecting based on what we anticipate the sales of alcohol in Santa Fe County to be this fiscal year. So we're actually spending the money concurrently as it's being collected.

So we don't want to get into a situation where we actually spend more money than comes in and then the County has to pick up the tab out of general fund money to cover that differential. I know that's really complicated and it's real complicated for all of us that work with it as well.

CHAIRMAN DURAN: Okay, David, so the DWI funds from fines paid, that money can be used for what specific purpose?

MR. SIMS: It can be used for enforcement—for all the categories. It can be used for prevention, for enforcement.

CHAIRMAN DURAN: And that would be where on this chart? It would be on page 1, item 19?

MR. SIMS: On the materials I just handed out to you, there's the first category is prevention and the second category is enforcement. And I take that back. I think some of it, technically I think some of it can be used in coordination and planning but currently and in the next fiscal year we do not have any money budgeted in that.

CHAIRMAN DURAN: So the \$67,000 in fiscal year 2002 can be applied to all those items that fall under prevention, which are items 1 through 18.

MR. SIMS: Yes sir.

CHAIRMAN DURAN: And enforcement, 19 through 23.

MR. SIMS: That's correct.

CHAIRMAN DURAN: So \$67,000 can be applied towards the total of both, of 1 through 23.

MR. SIMS: That's correct.

CHAIRMAN DURAN: And that would be 162, and roughly \$89,000. Right? And then the balance of that would come out of the \$785,000? Maybe I'm oversimplifying the whole thing.

MR. SIMS: What you have in what I just handed out to you is something that we use as a tool in the planning council as we prepare. We have a budget subcommittee of the planning council that made this recommendation of how we should allocate the funding and that recommendation came based on our strategic plan, based on our mission statement. And one of the things that we are working at collectively with staff and with our planning council is that we have a comprehensive program that is balanced in doing prevention work and doing law enforcement and doing screening and treatment. All the other components of the program, so that we have a balanced program and that we are not leaving undone anything. There is not a single category that we couldn't use more money in.

2105563

SFC CLERK RECORDING 08/17/2004

However, we are recognizing that we have to have a balanced approach and specifically dealing with treatment. While it is true that if you look at what is in the outpatient treatment category for the current fiscal year, which is on page 2 of what you have, the second page of what you have under outpatient treatment, lines 28 and 29 tell you what the outpatient therapy and also transitional living are. We currently have a budget of \$120,000 devoted to treatment.

CHAIRMAN DURAN: I'm sorry. How much? \$120,000?

MR. SIMS: \$120,000, yes, sir, of the \$742,000.

CHAIRMAN DURAN: And who—how do you use that money? What contracts—

MR. SIMS: We have contracts with treatment providers. Currently we have a contract for \$95,000 for Life Link and we have a contract for \$25,000 with St. Elizabeth's Shelter.

CHAIRMAN DURAN: How much was St. Elizabeth's?

MR. SIMS: \$25,000. That's the transitional living that's in line 29.

CHAIRMAN DURAN: Okay. Then when we start talking about the \$300,000 from the CARE Connection, that money is going to be all for assessment, right?

MR. SIMS: No sir. If you look at page 24 in the packet that I prepared, if you subtract the \$120,000 that's currently in this budget for this fiscal year, you subtract \$120,000 from that and you have \$245,000 if I'm doing the math right in my head. \$245,000 of the \$300,000 of the CARE Connection funding that we're applying for is going to treatment. And one of the reasons that we are cognizant of that when we're preparing our budget for the traditional LDWI/CDWI funds, we're aware that we can also devote a large portion of that \$300,000 to treatment to complement what we're doing because we, again, are looking at this as best we can in a comprehensive way of what funding is available.

We have some—working with the CARE Connection, even as we work with the planning council, we have flexibility to augment and complement each others' programs in the work so that there is as much funding for treatment as is possible without diminishing other components of the comprehensive program.

CHAIRMAN DURAN: And the CARE Connection program is critical to providing treatment and prevention services to the community.

MR. SIMS: Not so much prevention. It's more geared towards treatment.

CHAIRMAN DURAN: Treatment.

MR. SIMS: Yes sir. And that's why \$245,000 of \$300,000 is going to treatment.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Dave, of that \$300,000, \$245,000 is going to treatment. I understood that a lot of that was going to go towards, or was proposed to go towards building this assessment facility that we'll talk about later. If you're putting \$245,000 to treatment, which sounds fine, that means there's only \$55,000 left, right?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, during the current

allocation of money that's going to treatment, we had to expend, as you'll recall, those revenues between now and the end of the fiscal year. But the entire CARE Connection process does not just include treatment under DWI program and the \$300,000, it also has and includes the MOA revenue which is another large piece of the pie that will be utilized for program income. But as we move forward with the project and depending on the direction that the Commission gives us, the allocation of the \$300,000 can change annually based on the recommendations of the CARE Connection and ultimately the decision that you as County Commissioners make as to where you want to spend it.

In this current fiscal year, \$245,000 will go to treatment. But annually, through the DWI Council coordination, also with Indigent Funds. There's indigent revenue, a lot of indigent revenue that goes into substance abuse as well. And what we're trying to do as staff is pool all of those resources together to give you a picture of what exists and then work through a body like the CARE Connection and the Health Planning Commission and the DWI Council, to make sure that we're fairly making recommendations on distribution.

COMMISSIONER SULLIVAN: Let me understand. So this current year, of the \$300,000 that we got, \$245,000 went to outpatient treatment. So your proposal is that next year, the whole \$300,000 will go toward the building of the assessment facility?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, until I receive direction from this Commission as to whether or not the actual facility is going to be moved on and until you provide me with that direction, the only thing we've dealt with is this year's funding. The discussion we're going to have after the DWI, that's when I'm going to seek your direction and then we'll come back with recommendations as to how you want to spend it, but it's your decision.

COMMISSIONER SULLIVAN: Okay, let's suppose the decision is to go ahead. Then the whole \$300,000 will go towards building the facility next year?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, I don't think that will be the case, no.

COMMISSIONER SULLIVAN: What's your recommendation?

MR. ANAYA: My recommendation will be that we utilize the capital dollars that we've received from the New Mexico state legislature towards the building, that we utilize some of the MOA dollars towards the building and that some of the remaining balance of MOA and some of the \$300,000 be put into potentially the building but also into operations and treatment as well.

COMMISSIONER SULLIVAN: Thank you.

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, what we put in the proposal that can be modified by this body, by yourselves, what we have as a tentative item is that \$150,000 would be designated for treatment, \$120,000 for screening, and \$30,000 for intensive supervision. This meets the requirements to get the application to the DFA but this can be amended. But that's what we have as a tentative item. But until we receive your specific direction, we're not going to move on expenditure of any of that.

CHAIRMAN DURAN: We have—so this \$300,000 is one-time, or do we get

2105565

SFC CLERK RECORDING 08/17/2004

\$300,000 every year through the CARE Connection?

MR. ANAYA: Mr. Chairman, Commissioners, the \$300,000 allocation recommendations from DWI Council and the Health Planning Commission and the work of Virginia Vigil and the direction of this Commission, we went to the state legislature and said, We're moving forward on this CARE Connection project but we need more revenues for substance abuse treatment and assessment services and they gave us that allocation. It's recurring even though we need to put in an application every year it is recurring revenue every year.

CHAIRMAN DURAN: Oh, it is. Well, that's good. So we're using some of the Indigent Funds to supplement the expense of providing outpatient treatment, prevention and treatment? But those individuals, that money has to be specific for people who qualify under the Indigent Fund, correct?

MR. ANAYA: Mr. Chairman, that's correct. What we've been doing throughout this entire process, staff and the committees, is beginning to really pool all the money together and find out where our resources are all going and look at it overall. But yes, it does have to be specific and meet the requirements of the Indigent Fund, but nonetheless, it's substance abuse treatment services, without a doubt.

CHAIRMAN DURAN: But if we didn't have specific, if we don't specifically allocate the funds out of the Indigent Fund for a particular patient, do we violate any of the statutes? Or I guess my question is can we use some of these Indigent Funds to provide, say, a facility that not only would serve indigent people but other individuals in the community?

MR. ANAYA: Mr. Chairman, we have to work within the indigent criteria to spend Indigent Funds. But the MOA that we have in place and this \$300,000, that is where we can be flexible about assisting those programs that don't just help the indigent population but help everyone.

CHAIRMAN DURAN: So St. Vincent's can assist us in providing this prevention and this treatment through our MOA.

MR. ANAYA: Yes sir, Mr. Chairman and in fact we're currently doing that as we speak.

CHAIRMAN DURAN: And there could be some funds allocated from—I'm having a hard time just finding the right words here, but through our MOA is it possible to use some of those funds towards providing, toward the prevention and the treatment?

MR. ANAYA: Mr. Chairman, yes. We have budgeted within the MOA revenue that has been sitting idle until we receive your direction on the CARE Connection project, which will do exactly that.

CHAIRMAN DURAN: Okay. Any further questions?

COMMISSIONER TRUJILLO: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER TRUJILLO: The teen court, that would be prevention? Or what would you consider that? Is that prevention?

MR. ANAYA: Mr. Chairman, I think it could be classified as both prevention

2105566

SFC CLERK RECORDING 08/17/2004

and treatment, but I think the technical term would probably be more appropriate under prevention.

COMMISSIONER TRUJILLO: And I'm not a purveyor of punditry in finances and numbers and that, but I understand that we're having some budgetary problems in the teen court. Can you tell me why, if we're distributing monies and everything else looks quite buoyant, why is the teen court then suffering financially?

MR. ANAYA: Mr. Chairman, Commissioner Trujillo, that's an excellent question. The state DWI Grant Council through DFA has made a decision over the last couple of years to cut back, to require, to actually require that all DWI Councils throughout the state of New Mexico reduce the amount of DWI funds that go to teen court. Based on the direction of this Commission and based on our working with the teen court program, we know that the teen court program is very good for our community and have continued to do whatever has been necessary within the revenue that we have to keep teen court moving forward.

Currently we're working on a rather extensive application to expand teen court, to get a grant to expand teen court, but the bottom line is that the state has come back and said You will reduce teen court expenditures by the levels we have been, but we have been making sure that it is buoyant and that is it continued. There may come a day, Mr. Chairman, Commissioners, where if we're not successful in getting grant money, where there may need to be some other infusion of other County revenue to make sure the program continues to exist. But our goal is to get other resources before we come back to you to ask for those general fund resources. We want to exhaust every mechanism we can before we actually come back and request that.

COMMISSIONER TRUJILLO: Do you see that this commitment to teen court by the state is long term?

MR. ANAYA: Mr. Chairman, Commissioner, we're in constant dialogue through Mr. Sims and the DWI affiliate, through the Association of Counties, to have more input in the decision making process. What's happening now is a lot of the decisions aren't taking into consideration all of the DWI groups throughout the state, so we're constantly working and could use your support quite frankly, to help encourage the state DWI Grant Council to pay more attention to what the individual localities are doing without rendering decisions that don't necessarily always take in the input that they need.

COMMISSIONER TRUJILLO: Thank you.

CHAIRMAN DURAN: So, Robert, is there any way of using any of the MOA money to supplement the teen court needs?

MR. ANAYA: Mr. Chairman, Commissioners, we have not discussed that, but if that's something you'd like us to look into for the upcoming MOA we'll surely do that.

CHAIRMAN DURAN: Well, I think if the trend at the state is to redirect, to diminish the amount of funds used for the teen court, and if this Commission feels that it's a worthwhile project then maybe we should find a way of keeping them at least at the same level that they are accustomed to so that the program continues and maybe we can fit it in there somehow.

2105567

MR. ANAYA: Mr. Chairman, I would be—we will look into that and I will just ask that we be allowed to continue. There are resources available for teen court programs that we're seeking right now and I think if we exhaust those avenues and we can't get any revenues then without a doubt, we need to find other resources and we can look at the MOA as a possible funding source.

CHAIRMAN DURAN: Okay. So I have just one last—I think I'm pretty clear on where this money is going. So I'll just ask you a pretty—well, I'll just ask the question. Do you think that we're a little top-heavy on administrative costs and if so, do you think we can find a way of streamlining that, the administrative costs so that more money goes towards the prevention? Because I've heard that. That we might just be a little top-heavy on the administrative. I'm not sure that occurs, that that's a question people have everywhere but if you could answer that for me that would be great.

MR. ANAYA: Mr. Chairman, Commissioners, I'd be happy to answer it. I think at first glance, if you look down at the teen court—not the teen court. If you look down at the evaluation and coordination budget, at first glance there is an appearance that it is inflated.

CHAIRMAN DURAN: Where are you Robert?

MR. ANAYA: If you just look at the overall coordination and evaluation budget it's at \$187,306.

CHAIRMAN DURAN: Okay. Thank you.

MR. ANAYA: I would just say this: That one of the things that's happened at Santa Fe County over the last couple of years through the support of this Commission and the DWI Council is about 2 ½ years ago, this County was returning money back to the state of New Mexico that was unspent. This County has worked hard over the last two years to refine our practices and to get more revenues into the coffers. The current team that you have in place right now, I would put up against any DWI staff in this state. They have been very successful at not only making sure that we expend the money within the requirements of the DWI program, but Frank Margaroulis, David Sims, Joyce Varela, the entire staff, Linda Dutcher, all of them have been successful at going out and getting new money into the community.

And what we're doing now is we're taking steps to coordinate all of the substance and alcohol abuse money around DWI programs and social service programs and we're leveraging and getting more dollars. So my direct answer, Mr. Chairman, is I don't think it's top-heavy. I think that we have the staff in place now that is going to bring more money annually to this community to provide those services.

One last comment. Our DWI Coordinator Mr. Sims apologized at the beginning of his statement relative to what you asked for, Mr. Chairman, and I would say that he gave a rather comprehensive detailing of what is actually going on and did a great job with that. But I don't think it's top-heavy. I think it's just right and I think we're going to be seeing more money come to the Santa Fe County, not less, and we're not going to turn back money as we had in the past.

2105568

SFC CLERK RECORDING 08/17/2004

CHAIRMAN DURAN: Okay. Thank you, Robert. I guess as we move forward into the next budget cycle, could you give me a little bit more detailed analysis of the structure of the DWI program. I don't need it any time soon but I'm pretty pleased with what you have done. I'm real concerned now about how we deal with the CARE Connection. Do you have any other questions, Commissioners?

COMMISSIONER SULLIVAN: Mr. Chairman, also what I'd like to see is the \$187,000 of course appears to be administration. There's also salaries and benefits under the prevention category of another \$80,000. But just looking at that \$187,000, we're looking at about 25 percent of the funds going towards what appears to be administration, although it's not quite, I don't know if it's exactly broken out that way. And I'd be curious to see how that compares to other programs throughout the state, with other municipal and county programs to see if we're on track with our administrative costs.

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, I'd be happy to do that for you. Keep in mind when you're looking at that budget, it's not taking into consideration the other grants that these individuals are applying for, getting those revenues, but I will provide you with those allocations.

A lot of the DWI programs around the state hire a DWI Coordinator and use up 50, 60 percent, even higher of their actual DWI budget, but I will provide you with an analysis of how the other programs stack up against ours.

CHAIRMAN DURAN: Any other questions?

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Anaya, your power point presentation, you have funding policy changes from DFA in recent year and you have item 3, administrative costs with funding caps for fiscal year 01 at ten percent and then going down. Can you explain that to me?

COMMISSIONER SULLIVAN: Page 25.

MR. ANAYA: Mr. Chairman, Commissioner Campos, I think I'm going to allow Mr. Sims to respond.

MR. SIMS: Mr. Chairman, Commissioner Campos, this is—not only has the teen court component of the DEWI program but other components have also been diminished and put caps, whether it's a percentage or a dollar amount. Let me kind of just go down this list that you're referring to on page 25 of the packet. First of all the teen court, this is something that is something that has been in the works of reduction from DFA and/or the state DWI Grant Council at least since 1999 that I have—I've gone back and found documentation of. And the cap for this current fiscal year for teen court is \$50,000, next year \$40,000, the next year \$30,000 and we've been given assurances from DFA that beyond that it will not be decreased.

So just so you know what the long term plan is at this point from DFA and or the Grant Council. So it appears that teen court will be allowed to use \$30,000 of the LDWI funds annually for an indefinite period of time. Another thing that this year, the grant that we are

submitting now for FY03, something that does impact our program here in Santa Fe County is the ten percent cap in the distribution funds for law enforcement. If you look at the last page of the materials I handed out to you, that have the detailed budget. This is by the way from one of the planning council, the December DWI Planning Council meeting packet.

If you look at right in the middle of the page, recommendation as per DFA's letter basically saying that we can ask in April when the DWI state Grant Council meets that we are allowed to appeal to them on some of the caps, whether it be for teen court, whether it be for law enforcement or other categories, the budget subcommittee recommends that we as Santa Fe County request an exception so as not to reduce the current funding level for law enforcement. And that was adopted and passed unanimously by the planning council.

In addition to that, in the application that I have submitted to DFA for FY03, distribution funds, I indicated in the grant application that I would be appealing when I stand before the Grant Council in April, not only the law enforcement but also the teen court cap and also the administration reduction to zero and just because of principle, even though it does not affect our program, I will be appealing also the cap on the clerks for DWI clerks.

And the reason that I feel so strongly personally about this is in reviewing the legislation that established this funding stream, the intention of the legislature, it appears to me from reading the legislation is that the money be allocated based on the percentages to the different counties. And the intention, as I understand in reading the legislation was that intention was for the local people to decide how the money was best spent on a local level based on the gaps and needs in that community. And it seems to me that DFA and/or the state Grant Council is violating that intention of the legislature. And based on that understanding, I will be appealing these limitations that are coming down to us on a local level

And by the way, in our affiliates meeting of the DWI coordinators around the state that happened in January in conjunction with the Association of Counties meeting, this is not something that just we in Santa Fe are feeling. This is something, there is a strong discontent among DWI coordinators around the state because of the constrictions that are being placed on us administratively and not allowing us to do our programs locally as the legislation was intended. I'll get off my soap box.

But the administrative costs, again, this is simply, on page 25, this is simply something that has happened that has been again, either a DFA and/or a state Grant Council move. When I first started the budget had a ten percent allowance for administrative costs that would allow us to pay our legal department for reviewing documents, our procurement department for putting our RFPs and all the processes involved etc. with the costs that the County has to incur just to administer these programs.

This current fiscal year it's down to five percent and next year zero. Again, this is something that I will be personally appealing to the state Grant Council. There is one, just as a sideline, one of the county programs, Sierra County, is considering discontinuing their DWI program because of the administrative costs that their county is having to incur without being reimbursed, allowing that to be a part of the grant. So this is a very significant statewide occurrence. I hope I've responded to your question.

2105570

SFC CLERK RECORDING 08/17/2004

COMMISSIONER CAMPOS: I think so. I don't know how—is the County general fund required to pick up what they don't pick up on administrative costs? So it's something we have to consider in the upcoming budget cycle to see how we're going to deal with this issue of reduced caps that are going down. Thank you.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I think also that probably what they're saying, and usually you have to look deeply into what those administrative costs include and there's a lot of ways around that. But I think what they're saying, is if you add up all these percentages, ten percent funding cap on law enforcement, ten percent administrative, ten percent on DWI clerks, there's 30 percent plus a cap that's about five to ten percent on teen court. What they're trying to say is, I think, that they don't want these funds just used to supplement your normal clerks' function, which in the smaller counties the clerk does it all. They don't want to use it to supplement your law enforcement, your normal law enforcement functions and they don't want to use it to supplement your normal administrative functions.

They want, I assume the intent is to get the rubber on the road and get the money down to the level where it is useful to the people who are impacted.

MR. SIMS: Thank you for that comment, Commissioner Sullivan. I agree with that in principle, but I think that the problem that's being created is that one size does not fit all. For instance, if a county, which there are some counties, that have 16 to 18 to 20 percent of their money going into law enforcement currently, and now they're having to be cut back to ten. Well, if you have \$40,000 or \$100,000, that's not comparable to a county like ours that has \$770,000. It's a whole different set of things. So I think that's one of the reasons for the upheaval is that these percentages or a dollar amount does not necessarily correlate to what is needed on a local level or what is functional on a local level.

COMMISSIONER SULLIVAN: I think we can take a look at these as the Chairman said when we get into the budget cycles. I did want to add one other thing as we move into the CARE Connection discussion, which I think the Chairman wants to get into now, is that since we're talking about the CARE Connection dealing with assessment and not so much with detox as I think it was originally perceived, and we discussed this a little bit at the indigent meeting. I'd like to see some more emphasis and coordination with St. Vincent as to what happened to their detox center that was originally planned that we thought we were going to be using MOA monies for.

Because I think we're talking about assessment and that's important as is law enforcement and these other functions, but other than the expanded RAP program that the City's been involved in, I don't see the County or St. Vincent doing anything in the detox field unless Robert, I'm missing something.

MR. ANAYA: Mr. Chairman, I think there is some areas that we can fill in for you today that in fact we are expending those revenues on detox and we'll be working with the Sobering Center project and I think we can address some of those concerns in this presentation on the CARE Connection.

2105571

COMMISSIONER SULLIVAN: Okay, we'll wait and see what that looks like.
CHAIRMAN DURAN: Any other questions? Thank you, Robert.

IV. B. Discussion and authorization to proceed with the Santa Fe CARE Connection project (Behavioral Health Services in Santa Fe County)

CHAIRMAN DURAN: I know you made a presentation to us a couple meetings ago, Robert. I had some concern that there was a movement in place to have this assessment facility constructed out on State Road 14. And I'm not sure that that location actually serves the community well and that was part of my reason for asking you to have a special meeting so that you could invite those individuals that shared that thought with me and to hear your reasons or anyone else's reasons for moving it to that location on State Road 14.

And as we start talking about it I just want you to know that we are vacating several buildings here in the downtown area. One of them is when the Sheriff moves to the new facility. And I think that there might be some spaces in those buildings that would qualify, that would work better for this assessment need that the CARE Connection requires. So with that I'll turn it over to you.

MR. ANAYA: Mr. Chairman, Commissioners, as you said, you've heard the presentation and discussion that I've had and the comments that I've made and I just want to briefly summarize the flow chart that's in form of you. [Exhibit 2] And then I want to turn it over to people that work in the trenches that I've been working with over the last 2 ½ years so that they could make comments and you could ask them direct questions, because by no stretch of the imagination am I an expert in this field but I've learned a tremendous amount over the last 2 ½ years and the process that we've developed and worked with has been truly developed by this community and these people that are here today.

CHAIRMAN DURAN: Well, Robert, let me just add one more thing. We're at a point—I'm happy that you were able to get this \$300,000 as a recurring revenue and I'm just, my main concern is that we spend it initially to have a facility so we can provide this service to the community and I'm not opposed to using this first \$300,000 to establish a location. I think we probably need that. So I'm not opposed to doing it, I just want to make sure that we make the right decision.

MR. ANAYA: Okay, Mr. Chairman. We'll definitely do our best to give you the options that you need to consider and wait for your decision. If you look at the flow chart that I've provided for you, I think this best summarizes what the CARE Connection is trying to accomplish. The partners that are inside the box, those are the partners that have committed and signed on to the MOU but there's several others that I don't want to leave out that are going to continue to work with us and it's my feeling will ultimately sign on to the MOU and we have an open door policy to those participants as you've directed.

If you start on the left, what are we going to accomplish through the assessment center? Centralized information on who it is we're serving, coordinated resources to ensure that we're all working together to maximize the use of those resources, referral to existing programs,

2105572

SFC CLERK RECORDING 08/17/2004

including but not limited to Life Link, Millennium, RAP, Presbyterian Medical Services. An access point for public safety and EMS within the City, County and state. On the top right, transportation services. If you do, regardless of where you would like us to place the facility. If the facility is placed adjacent to Highway 14, we're not just talking about trying to serve those individuals that need detox that will probably utilize the Sobering Center that Mr. Silva will elaborate on shortly, but we will be providing assistance to those individuals that are exiting the jail that need treatment services, so that as they leave the jail they can come into the assessment center, so that they can get put in the right treatment setting in the community and we will need to provide transportation as part of the facility to get them to the treatment setting.

Case management, which is very important. As people access services, whether they come directly through the assessment center or they go through a facility like RAP, we begin to track them through the process so that we can have data and evaluate outcomes and see where our gaps are and where we need to work harder. It will be a way for us through the CARE Connection to coordinate our grant writing efforts so that we focus on those entities around grants that are coming about that need additional services, need additional money.

Expansion of RAP for the Sobering Center, like I said, I'd like to let Mr. Silva expand on that. We also have a representative here from the City. Mr. Sandoval was unable to attend. However, one of his staff is here and she will be responding on the City's issues. An access point for individuals leaving the jail, as I mentioned earlier. All in all on the bottom, I would say that this process isn't happening independent of anything else. This process is happening in close coordination with the Health Planning Commission, with the DWI Council, with the Community Services Network and with the Sangre de Cristo partnership.

Ultimately, we are all striving to make the best possible recommendations that we can to the Commission based on a plan that's coordinated. And with that, Mr. Chairman, Commissioners, I would like to just add one other thing specific to Commissioner Sullivan's comment about the Sobering Center aspect and whether or not we're actually doing detox. Right now, Mr. Chairman, Commissioner Sullivan, through the MOA, we're expending, finalizing contracts and expending money to provide detoxification at RAP on a pilot project basis. The City of Santa Fe is also contributing to this project, but St. Vincent and Santa Fe County is going to be contributing the largest sum of revenue actually to detoxification and what the hospital has done is they've worked closely with David and assigned a physician, Dr. Kalman, that actually is going out to RAP as the medical director and assisting with that process. And I want to let Mr. Silva expand on that but we're actually expending revenue right now towards that means. We are the largest contributor, we being the MOA team, St. Vincent, Santa Fe County, to that pilot project.

And what we're envisioning is that as the Sobering Center gets built out that we will assist in the operating dollars of that facility through the direction of the Commission based on recommendations of the CARE Connection. And with that, Mr. Chairman, I'd like to ask Mr. Silva to come forward if I could unless you have some quick questions you'd like to ask of me.

CHAIRMAN DURAN: I have a question, Robert. In looking at your flow chart here, I don't see the Santa Fe School systems as part of the organizations that have been

2105573

SFC CLERK RECORDING 08/17/2004

asked to participate in the program and I was wondering if there's a way of getting them included. And then the other question I have is I see where—is this program basically designed to deal with individuals that are under protective custody and mental health holds, or is there a way of using this facility to develop some outreach programs to help those individuals that need help prior to becoming a mental health hold or being held in protective custody?

MR. ANAYA: Mr. Chairman, I think that's an excellent question and the answer to your question is we're going to do both. The CARE Connection project is not only about what's going on at the jail and the hospital, protective custody and mental health holds, it's about what's going on in the community and how do we provide access to those individuals that don't necessarily go through either one of those systems but that we have an access point for anybody in the community in need of these services. So absolutely. That is an integral part about the project and a lot of the discussion has been centered around PCs and mental health holds only, but it's a lot larger than that when you consider the population in the jail alone that isn't necessarily PC or mental health hold but just individuals that have been sentenced there that need treatment and assistance and those you just brought up that are in the community and just need treatment. We want to serve both.

CHAIRMAN DURAN: Because I really think we need some outreach programs at the public school level, the Pojoaque Schools, the Santa Fe Schools, since this is a countywide effort. I'm sure that Edgewood probably has some problems down there too. So I just think that we need to try to get to those individuals that need some help prior to becoming a mental health hold or getting into protective custody.

MR. ANAYA: Mr. Chairman, if I could respond to the youth component, the Juvenile Justice Board, which you are a part of in working in this community, they are focusing on individuals under 18 years of age. And we've intentionally not discussed the juvenile piece in the CARE Connection because Fred Sandoval and the entire Juvenile Justice Board is tackling that issue to work on the substance and alcohol abuse and substance abuse issues for youth. What I can tell you is we will have to work hand in hand, the CARE Connection with the Juvenile Justice Board, but I would ask you that we be able to allow the two to work in tandem and together at the same time, if that makes sense because they're already invested a lot of time focusing on the youth aspects. So they need to work with us but we're dealing with two distinct populations that are real different when it comes to how you treat them and how you take care of them in the community.

Without elaborating any further I think I would need to have somebody from the treatment world come up and actually give a greater, a better response than that. But it is a very important piece but the Juvenile Justice Board is working very hard on that particular aspect. We need to work with the Juvenile Justice Board together.

COMMISSIONER TRUJILLO: Robert, Mr. Chairman, it would seem to me that something is missing from this network without having the youth component, whether we're synchronizing or complementing each other, I think the component needs to be part of this network

MR. ANAYA: Mr. Chairman, Commissioner Trujillo, I agree with you. I

210557

don't disagree with you at all. I just ask that we invite that component in through an intense planning effort that's already in process and not try and start from ground zero. But I agree. I just ask that we invite that component in through all of the work that's been done over the last couple of years on the juvenile justice effort so we don't duplicate. But I agree with you 100 percent.

CHAIRMAN DURAN: I'll turn the floor over to you in just a second. I agree. I think we need to do—or we need to be made aware of efforts that are being made. But if you look at the suicide portion here, New Mexico has the highest suicide rate for 15 to 24 year-olds. Santa Fe County had the highest youth suicide rate in New Mexico and I think that our community is experiencing a lot of pressures that are unique to our community and I would just like to see—and I think that RAP has done a wonderful job. I just think that since we have this additional funding available to us through the CARE Connection that we should try to find a way of coordinating RAP's efforts and the CARE Connection's efforts so that there are no gaps and we're out there reaching everybody in our community that needs help.

LAURIE SCHRADER: My name is Laurie Schrader from Crisis Response and I just wanted to tell you about Crisis Response. We're very invested in the CARE Connection and we have a youth team of licensed counselors that are all credentialed at St. Vincent Hospital. Any time a youth is brought in that is suicidal or with any sort of mental health issue, the hotline is called by the hospital and we have a youth team member go there within 20 minutes to do an assessment and case coordination, linkage, possibly to Memorial Hospital or Su Vida.

We work very, very closely with Su Vida. They recently opened an RTC for males under the age of 18. I believe it's 14 to 18 years of age and Ellen also has another treatment facility that's going to be opening up. So I just actually want to assure you we are coordinating the assessment with the youth. We work very closely with the school district. Any time that they have any sort of needs, we're called in immediately. We do large scale debriefings with the kids, with the schools, any time there's a situation that goes down there.

Also there's a new program called Youth Works and they're providing group and individual counseling in the schools and they seem to be providing some really good services. So we'll be linking up with them as well with this. So I just wanted to assure you that the youth piece is actually there. It's very strong. It's been growing steadily over the last two years and especially with St. Vincent Hospital and the sole community provider fund and the support of their two youths in our program at Crisis Response.

CHAIRMAN DURAN: Thank you.

ELLEN KENNEY: Mr. Chairman, Commissioners, my name is Ellen Kenney and I am one of the board members of Millennium Treatment Services. What I wanted to report to you is that last week we just recently signed the RFP, or we received the RFP for juvenile drug court. We will be starting a program from district court for all of the juveniles that originally would be going to some other form of incarceration, and instead of incarceration they're going to be going through a very stringent program with Millennium Treatment Services.

2105573

Our structure is again the drug court model, mandatory drug testing, random, as well as treatment, family therapy, individual counseling and what we use for the detox period, we use acupuncture, which seems to be extremely effective. The other piece is Dr. Lou Ring who is the medical liaison for the Santa Fe Public School System, approached me less than two weeks ago or so about coming up with a grant for once we get this up and running and really in place for the drug court, if they could also become involved in the grant process for the Santa Fe Public Schools for referrals for drug and alcohol treatment.

So these things are in the works and for sure the one program is up. We hope to have our first client by the middle of March, adolescent client.

CHAIRMAN DURAN: Ellen, is this drug court, is it a duplication of the teen court, or it in conjunction with it?

MS. KENNEY: No, it's not a duplication. At this point, teen court is more of a peers or the first-time offenders. You're looking at people who have not really had a lot of experience. They've just had the first blush with alcohol and drugs. Teen court really is focused, as I understand it, is really to try to get them to change their ways. When you're at district level, when you have committed a crime at district level or for district court to go through, you are oftentimes looking at six to ten years in the penitentiary. And if not in the penitentiary, you're looking at Springer or some other correctional facility.

There is a panel that says this person, this adolescent is worth trying to get into this drug and alcohol treatment center and process. So these are not, they're not first-time offenders.

CHAIRMAN DURAN: Where have they been going?

MS. KENNEY: I don't know in the past. This program is new. We are creating it. The drug court, we've been up and running for four years for municipal, magistrate and for district for the last four years. Now what we're trying to do is include adolescents into it as well. So just to answer that one question is indeed the adolescents are not being ignored. To get the students and the school systems in, that would be a wonderful thing.

COMMISSIONER TRUJILLO: Mr. Chairman, and the service that is provided transcends Santa Fe Public School District, it goes beyond that, Pojoaque, Española, Edgewood. It's a countywide service.

MS. KENNEY: Yes, sir. Any other questions?

CHAIRMAN DURAN: Any other questions of Ellen?

MR. ANAYA: Mr. Chairman, I'd like to ask, the topic of a lot of discussion has been the City issues and the County issues and I'd like to ask Mr. Silva to come forward at this time so that he could give you an overview of that the Sobering Center is going to accomplish and how in fact it will be working hand in glove with the CARE Connection project.

CHAIRMAN DURAN: And Mr. Silva is with the City?

DAVID SILVA: With RAP.

CHAIRMAN DURAN: Oh, you're with RAP. Oh, good.

MR. SILVA: Yes, Mr. Chairman, Commissioners, Mr. Anaya is handing out just a very brief outline of what was presented to the City Councilors several months ago

2105576

SFC CLERK RECORDING 08/17/2004

regarding this project. [Exhibit 4] It's pretty much as a result of Mr. Anaya's calling together informally and then it's become pretty official, the CARE Connection which was formerly known as the Santa Fe CARE Connection or Santa Fe CARE Network. St. Vincent had come to us when they found out that we're primarily state funded but the beds were not used, all 23 beds that we have were not used in its entirety. So St. Vincent approached us and asked is there a possibility for you to be able to expand your detox program?

And as a result of that, what's come about, what Mr. Anaya mentioned under the MOA with St. Vincent is what happens is we're, St. Vincent is buying three detox beds from us and they're providing the medical support in the form of a physician assistant and Dr. Kalman as the medical director to be able to assess these people.

One of the problems we have, and not just us, but it's other substance abuse providers in the region or in the state is that in order for someone to come in to treatment they need a medical clearance. Most of these people are indigent. They don't have a primary care physician, so as a result, they end up going to the hospital to get a medical clearance. When you get to the hospital you have a long wait. It's real costly effort to get this medical clearance in order to come to our facility, whether it's detox, rehab or what have you.

We've had some pilot projects in the past with Crisis Response as well as the City Police in order to divert people from the jail into treatment. The idea of the Sobering Center came about as a result of visiting the Albuquerque Metropolitan Sobering Center in Albuquerque and in its simplicity was very attractive, in terms of making it an emergency shelter with the ability to bring in people, not have all the state requirements in terms of amount of space, square footage per room, kitchen, what have you. We have that already at our other facility. We have it as a separate facility to do social detox and it talks a little bit about what social detox is.

Basically, it's an emergency stabilization. We provide a period of psychological readjustment and readiness for engagement in treatment. We will be a locked facility. We'll provide safe, supportive, non-judgmental care by licensed substance abuse professionals, 24 hours, seven days a week. When you think of sobering you think primarily alcohol, maybe other illegal drugs. The state has been pushing people into programs in the region to look at co-occurring disorders, that is, people with a combination of substance abuse and mental health issues.

So as a program, we're growing and getting involved in the co-occurring area and for good reason. Fifty-three percent of people with a drug dependence or dependence disorder have at least one psychiatric diagnosis, 37 percent of alcoholics meet criteria for a mental disorder other than drug or alcohol, 29 percent who have ever had a mental disorder have also had a diagnosable alcohol and/or drug abuse problem. 64 percent of drug abusers currently in treatment meet the criteria for existing mental disorder. So we're exploring even the possibility now of changing the name from "sobering" to maybe just "emergency stabilization."

But the whole idea is that people, as you can see just from the City's perspective, almost 900 people come into the system yearly just for protective custody. Mental health holds are about another 199. There's a huge recidivism rate in terms of people coming into the jail,

2105577

SFC CLERK RECORDING 08/17/2004

leaving, into the jail, leaving, and naturally, in order for—they'll show up at the emergency room and the official definition of protective custody is their judgement is impaired and they need help and jail is not the place to send someone who's in that kind of a state.

So what we do is we would be able to contract with the City Police, with a number of different entities to share in the cost to be able to divert people not only from the jail but from the emergency room to be able to come into treatment. And it's one of the pieces in the CARE Connection. It's one small piece as to where we would have people who have not committed a crime and who are out there looking for help but because of our limited capacity currently, we have to turn away.

So with that, that's the piece in the CARE Connection that as our job we see that was missing was the ability to be able to expand the detox services. By doing that it also puts all of our detox services in one location and it opens up a few more beds for rehab and long term. The CARE Connection, if you look at the flow chart, basically, or the last page on that flow chart it show how, in the way it would flow, people would come in either directly from the Sobering Center, they would come maybe from Crisis Response, from another program that has someone who showed up at their place. It would come from the police, it would come from a number of different entities into the Sobering Center for short-term emergency detox.

From there they would be discharged back to the assessment center, because there's where you need the collaboration of the other community providers to address the issues that they're dealing with, whether it's sexual trauma, counseling, the more in-depth mental health, case management, employment, housing issues, all of those that impact the people that we see.

And then we have the ability to move those into the rehab or the extended care piece and then it's a circle. There will be some repeat. What Albuquerque found last year when we visited their place from January through April when we went to visit for a three-month period, about 50 percent of the people that were coming into their Sobering Center were repeats. By the time they came back in about June or July to make the presentation to the City Councilors, that number had dropped to 25 percent and what they, as best as they could tell, because a lot of people don't have good numbers, telephone numbers, addresses, so they got lost through lack of case management, but what they were able to see is that there's a lot of resources in Albuquerque in outpatient services and these programs were getting hooked up—or these people were getting hooked up with these programs. Because they didn't drop them off at their home when they left the facility. They took them to a public place. They took them to other treatment providers. They took them and got them hooked up into the services that they needed.

And that's briefly it as best as I can do unless there's questions or something that's not quite clear without taking too much time.

COMMISSIONER TRUJILLO: I think, Mr. Silva that you're getting to the root cause of the issue here and I agree that recidivism and the revolving door effect is a major problem. I'm sure that all of us have members in our families that have been in and out of the facilities from a revolving door perspective without getting the true nature of fixing the problem.

2105578

SFC CLERK RECORDING 08/17/2004

MR. SILVA: Well, yes. Mr. Chairman, Commissioner Trujillo, the statistics are the 61 percent of those in a survey recently from the research and polling in 1997 knew friends or relatives who had experienced problems related to alcohol. 41 percent stated that there's a problem with alcohol and substance abuse in their own family. Taking them to jail doesn't expose them to any treatment. Sure, it's only five or seven days initially to kind of dry out if you will, but the idea is they're connected. There's the idea they'll then be referred to the programs that probably could help them.

The other thing that they're finding out in looking at this whole idea of the recidivism rate, relapse rate with substance abuse is the fact that there's a huge percentage, and I think I mentioned about 50 percent with a co-occurring illness, post traumatic stress disorder, bi-polar, a number of different mental health illnesses that people come in, they never really get fully addressed in a substance abuse setting. They go back out, they've never addressed these issues, which is a huge reason for some of the relapses that they have. So as a facility dedicated or committed to expanding into the mental health field, not just us but at the other programs that are part of this, it's really incumbent on us to deal with those mental health issues in order to really make a change in the people's ability to see recovery.

CHAIRMAN DURAN: So Mr. Silva, how do you see the CARE Connection and RAP working together?

MR. SILVA: Mr. Chairman, Commissioners, very intimately. Very closely. The idea is that we can't do everything and no one program can. And the idea that first of all we're collaborating probably as never before in that right now, Crisis Response, St. Vincent and the County as well as the City support have been very instrumental in getting the dialogue going from the other programs. As I mentioned, it was the result of just being in this small group that St. Vincent learned that we had beds available.

Social detox is difficult. You're dealing with a 24-hour facility, four to five people every day coming in intoxicated, and anyone who's ever had to deal with an intoxicated person knows it's not easy. And that doesn't change. Every day it's new people that are coming in as people are getting well. So it's the idea that because we can't do it all, we're going to have to refer to these other programs that are part of the CARE Connection and having a place like an assessment center, for example, to be able to properly assess and then case manage these people to make sure they get their mental health appointment, that they maybe get the medications that they need to be able to deal with whether it's domestic violence or sexual trauma or whatever it is that they have as underlying issues.

CHAIRMAN DURAN: So would you say out of all of the things that the CARE Connection is going to be working on, the assessment portion of the program is the one item that's going to be dealt with—I'm sorry, that RAP and the CARE Connection will be dealing with exclusively. Or maybe not exclusively. Let me see if I can rephrase that. The efforts of the CARE Connection in the assessment of the individual, is that the area that's going to have—that RAP and the CARE Connection are going to be working on specifically? Or I guess what I'm trying to lead to is that at the last meeting we talked about the assessment taking place possibly at the RAP location.

2105579

SFC CLERK RECORDING 08/17/2004

And I'm wondering if that is something that can happen or is your facility too small to do that? And where would be an appropriate place for this assessment to take place?

MR. SILVA: Well, Mr. Chairman and Commissioners, you remember, I think it was Commissioner Sullivan that mentioned, it might have been some others, the idea is that you can't really properly assess someone who's real intoxicated. So we get them clean. We get them sobered up and then they're able to do that. And even after seven days sometimes you still, as you get to know them, the relationship develops with their counselor, the story changes. It goes from Well, I just drank a 12-pack, to well, yes, I also have a cocaine problem. Well, I forgot that I've been using pot since I was 13 years old

So as a result of that, we do get a lot of information. But the Sobering Center per se in the design that we're currently using with the City of Santa Fe it's probably no more than a 3,000 square foot building and it would be primarily for the stabilization. The big benefit of having someone sent to an assessment center so to speak is the idea that they not only get the assessment but they get linked up with some good case management services. It's very difficult to follow up with people who come in constantly and the rehab portion of our program has its own level of what they need to do.

For the amount of money that it's going to cost just to do that it probably wouldn't—you would need a separate location.

CHAIRMAN DURAN: So currently, there is no Sobering Center?

MR. SILVA: Not separately. That's correct. What we have is one facility whereby we have all 23 beds. We use about five of them for social detox. We use another seven or eight, or ten or twelve for rehab and then a few long-term beds. It's very difficult to have all three people in one place as well. You have people at different levels of their sobriety. And then to be able to watch them and to be able to give the proper care that you need to. So there is no end place right now as Sobering Center. That's what we're working on with the City in terms of getting some capital monies to develop it, to obtain, and then operational money from all the different entities that would benefit from having a center like this.

CHAIRMAN DURAN: So the funds available to the CARE Connection, would they be part of the funds that you're considering to use to establish this new Sobering Center?

MR. SILVA: The money that we now get, you mean? In terms of the St. Vincent contract or the agreement that we have? Is that—

CHAIRMAN DURAN: No, the \$300,000 that—I guess I'm somewhat confused. What is RAP's involvement in the CARE Connection's future plans on how to expend this \$300,000 and provide the services that they are going to provide with this recurring money. I guess, what is RAP's involvement specifically in this effort?

MR. SILVA: Mr. Chairman, we haven't actually set an amount or anything when we've talked with Mr. Anaya.

CHAIRMAN DURAN: I don't mean amount but what are your goals?

MR. ANAYA: Mr. Chairman, if I could and David, Mr. Silva, you correct me if I misspeak. RAP is part of the MOU as part of the CARE Connection and they're one of the

2105580

SFC CLERK RECORDING 08/17/2004

many providers that will be working together to make recommendations on things to be funded. The group, the entire group of the CARE Connection has recognized that the Sobering Center piece is a needed piece in the community and that that will be one of the initial issues that we do consider and make recommendations to you on funding. But RAP's part of the team, they're part of the CARE Connection MOU and the Sobering Center is one aspect that's needed in the community that we'll be working to bring recommendations on expenditure.

So I do envision, to clarify, I do envision that there will some expenditure of revenue that we'll come back to you and recommend being spent on operating this facility.

CHAIRMAN DURAN: So, and this Sobering Center, is this the facility that was being planned for State Road 14? Was this part of the—is the Sobering Center and the assessment location one and the same?

MR. ANAYA: Mr. Chairman, Commissioners, no. They're two different pieces. The assessment, referral and screening center that we proposed on Highway 14 incorporates referrals that will go not only to Mr. Silva's group, RAP, but will go to the hospital, to Life Link, to Millennium Treatment Services, to Ayudantes, to other settings within the community. The assessment information, even though the screening and assessment can take place at RAP, what RAP has agreed to do as part of the MOU is work closely with the CARE Connection to provide us the data and the information from those screenings and assessments so that we can put them all together along with the other providers that are represented here today.

Two separate facilities. He's addressing one problem or several problems in the community within the Sobering Center, but that's not all there is to the CARE Connection. It's many other substance abuse and treatment needs in the community dealing with people coming out of the jail, dealing with people like you brought up earlier that are just coming directly from the community that maybe haven't even accessed any programs through law enforcement or the courts, all of the entire realm of substance and alcohol abuse issues. Not just PCs or mental health holds. That's the piece that Mr. Silva is going to address. But he's one part and player within the CARE Connection.

CHAIRMAN DURAN: Okay. I'm sorry I'm so confused. I thought that we were talking about where we're going to spend this \$300,000 to build a facility, an assessment facility. So this Sobering Center has nothing to do with where we're going to build? I need some help here.

COMMISSIONER SULLIVAN: Mr. Chairman, it could. RAP's got a lot of land out there. And if you're looking to put the facility in a more centralized location it certainly—and they haven't built it yet. It hasn't been designed and hasn't been funded. So I certainly think that's on the table as a possible location. It could possibly avoid some of the things like we have now where when we release prisoners from the jail they're put out on the street and they have to walk down Highway 14 to Santa Fe. This way they could walk over to the assessment center.

And downtown it makes sense too, to have a more convenient location in buildings that we're vacating now as we move the Sheriff. I think it's open for discussion.

2105581

SFC CLERK RECORDING 08/17/2004

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, I would clarify for you though that the Sobering Center project is not the assessment project.

COMMISSIONER SULLIVAN: I understand that Robert.

MR. ANAYA: But Mr. Silva has—

COMMISSIONER SULLIVAN: I understand that too.

MR. ANAYA: Mr. Silva has not—has made it public that he has board that he has to deal with. He can't make a determination to allow us to build facilities there that would deal with the entire community. I just want to make sure that's clarified.

COMMISSIONER SULLIVAN: Right. But if we're talking about coordinating services here and if we are, as you just said, the major participant in the Sobering Center—that's just what you said, financially.

MR. ANAYA: Mr. Chairman, I would beg to differ. That I did not say that.

COMMISSIONER SULLIVAN: You didn't? You just said that through the MOU and the County that we are the major financial participant in the Sobering Center. That's what I understood you to say just five minutes ago.

MR. ANAYA: Mr. Chairman, I'll clarify my statement for you. What I said was, of the beds that we're currently servicing in the Rap facility, we are the largest contributor of the current beds. There has been no commitments made by the CARE Connection or the County Commission as to the expenditure of revenue. Mr. Chairman, I would also like to point out that we're not talking about a \$300,000 allocation. We're talking about over a million dollars of revenue that's been sitting idle as per your direction that deals with capital improvement as well as operating dollars. So I would just make that clarification.

COMMISSIONER SULLIVAN: But are you saying—let me just clarify here. So you're saying there's no possibility that the assessment center could be done on RAP property? Or in conjunction, in the same physical vicinity as RAP?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, the Sobering Center is being brought forward as a facility—

COMMISSIONER SULLIVAN: I'm not talking about the Sobering Center. I just said the assessment center, Robert. Is there, in your judgement are you saying, let me repeat the question, that there is no possibility that the assessment center could be in conjunction with the RAP Sobering Center? It could be a separate building, but I mean in the same general vicinity.

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, I can't speak on behalf of RAP. That would be a question that Mr. Silva would have to answer.

COMMISSIONER SULLIVAN: So, it's on the table. It's on the table. I think we need to look at a number of physical locations for this facility, as well as its function and how it functions because a lot of assessments will continue to be done, with existing providers. So we've got to look at both physical location and function.

CHAIRMAN DURAN: Well, Estevan, I don't know where we go from here but I think you need to figure out how we can coordinate everybody's efforts here, the Sobering Center, RAP, the CARE Connection, and you need to put a team together, I think, to figure

2105582

SFC CLERK RECORDING 08/17/2004

out what is going to be the best location to serve the community and how all of these efforts can be centralized so that we're as effective as we possibly can. And that includes talking to Mr. Sandoval, seeing if we can get some consensus from their organization that we need to work together on this so that we better serve the community.

MR. ANAYA: Mr. Chairman, if I could just briefly respond and maybe recap a little. We still have some people here from the hospital and from the City of Santa Fe that came to speak today. The Sobering Center we're supporting as part of the CARE Connection. The CARE Connection group, I feel is bringing forth a recommendation, if there's another potential site, I think the CARE Connection is willing to look at it. But we have an available site and for the record, the CARE Connection as a group is comfortable in working with the site that we have and also working and partnering with the Sobering Center.

CHAIRMAN DURAN: And what site is that?

MR. ANAYA: That would be the Highway 14 site, Mr. Chairman.

CHAIRMAN DURAN: Well, I've talked to people that are in that CARE Connection organization that disagree with what you just said, that they don't think that's an appropriate site for this.

MR. ANAYA: Mr. Chairman, the CARE Connection, I would ask you to allow those people to come forward so that staff can bring you a recommendation in the future. We're at a position in time where we have revenue that's state appropriation. Some of which we just got reauthorized and we hope we're going to be able to move forward. But I would ask those to come forward so that we can have clear direction to move forward because the consensus at the meetings and if there's other discussions that are happening outside the meetings that's okay, but the consensus at the meetings has been that we are ready to move forward as a group. And if that's different, then I would ask that we, that those people be given an opportunity so that we can have some action and move forward.

Or if the direction is to continue to plan and study, we'll take that as well. But I believe the CARE Connection and staff is ready to move forward and I believe we have the commitment from the City of Santa Fe and the partnership of Mr. Sandoval and I think it's a testament in the fact that they signed onto the MOU. But I would hope that we could have Dr. Gonzales—

CHAIRMAN DURAN: So what you just said is everybody wants to move, have this facility out on State Road 14. Is that what you just said?

MR. ANAYA: What I said, Mr. Chairman, Commissioners, is that there's some people in the CARE Connection group. Granted we have—

CHAIRMAN DURAN: You just said everybody wants, everybody that's on this CARE Connection, in this CARE Connection, that's part of this CARE Connection effort, believes, including the City of Santa Fe and RAP, believes that the State Road 14 location is an appropriate location for the assessment effort that's going to take place under the CARE Connection. That's exactly what you just told me.

MR. ANAYA: Then I misspoke, Mr. Chairman. The vast majority of them feel that that's the most appropriate site and we're working off, similar to the situations you

2105583

SFC CLERK RECORDING 08/17/2004

deal with on coming to a crossroads where we actually make a decision and the vast majority of them do agree with that. There are a couple that still have concerns, transportation being the largest one, which I think we're going to be able to address at the facility. And with that, Mr. Chairman, I would ask that Dr. Gonzales be able to come up and give a few brief words on how the CARE Connection project ties in overall with what the hospital has done and the MOA has done.

CHAIRMAN DURAN: Well, I would like for Dr. Gonzales to come up and specifically address the concern that I have. The only thing I'm concerned about is this is the wrong location.

MR. LOPEZ: Mr. Chairman, may I suggest, you asked me how we might want to proceed and so forth and I guess one, I think this is a good opportunity to lay out some of these issues and the positions of the various entities relative to some of these issues. And I think that it's worthwhile using this time to do some of that. But further, I just want to throw out a couple of other—just conceptual issues for you to also think about as you're listening to all this. And I've only spoken of these issues to Robert very preliminarily but at least put them in the mix and perhaps if we need to, after today's discussion, if we need to still follow up with some study I think this will not have been all for naught because I'm certainly learning some things as I listen to all of this and it will help us bring forward to you a final product, even if it's not today.

But these are the two specific things that I'd ask for you to think about. One of the ideas that Mr. Anaya had put forth, I believe at his last presentation was that if there's going to be an assessment facility that we also consider the possibility of that being used to house County health staff. And I think that that may make some sense, both indigent, DWI and some of the programs that are under Mr. Anaya right now. So that should be, I believe, in the mix.

Further, and this may not be something that makes sense. Anytime in the immediate future, but in terms of longer term concepts, I think that we ought to keep in mind that we also have a responsibility to house some of the state of New Mexico health facilities and so forth and already in their current facility there, they're requesting more space. At some point it may make some sense to just think about all of this thing in terms of where we might be able to house all of these. I don't want to complicate the issue any further than we need to; I simply don't want to overlook any of the long-term planning issues that we need to be thinking about.

So with that, I would encourage that we allow the various entities to weigh in on the issues that you've raised. I think those are certainly very valid.

CHAIRMAN DURAN: I'm sorry I'm so stubborn on this issue but I just want to know why everyone thinks that State Road 14 is the best location for this assessment facility. That's all I want to know. I mean, I know that the program is great. I am so happy that we're going to be able to provide this to the community. I just want to make sure that if someone's having a problem out there with suicide or drug-related issues that they don't have to take a taxi out to State Road 14 to talk to somebody about it. Or have to wait around for a bus to take them somewhere. I just want it to be available to the community at the best possible location. So please, I don't want to know anymore, I don't want to hear that it's such a great program. I

2105584

SFC CLERK RECORDING 08/17/2004

already know that. Help me get around the problem that I have.

MEREDITH LOWERY: Mr. Chairperson, Commissioners, can I address this for a moment. We have agreed that there are some pluses to the Highway 14 location, partly because we've been told you have land out there that's available. Also it would more easily address the corrections facility people who would need to use it. I do think a number of us do have concerns about accessibility to the general public.

My name is Meredith Lowery. I run Church of the Holy Faith Christ assistance outreach here in town. I deal with the homeless. I deal with people who have recently got out of prison, the correction facilities. I deal with mentally ill. I'm one of those people who have clients coming to me from every avenue out there and it is more difficult for me to find ways to meet their needs because of that. When you mentioned the fact that the Sheriff's building might be available and there are other possible locations, I think a lot of us would like to hear more concretely what might be out there.

The other thing I'd like to point out is that we also have talked about the possibility of mobile assessment units. They're different pieces, but I do think while Highway 14 meets a lot of needs, many of us would like to hear if there are other sites available that might—because getting people out there is one of the biggest problems and I know a lot of us feel that if there are other sites available that could be moved on in a reasonable amount of time, we would like to hear about it. And to date, there have not been many sites that have been put forth as possible to do ahead and build or renovate for this facility that would also meet the County office space needs that are brought up.

But personally, I would like to know of more sites that are available and I think a number of the other members would also.

CHAIRMAN DURAN: Well, I think that we probably need to have another discussion about what other possible sites are out there. We have some buildings that are being vacated by the Sheriff. We have a facility over there by the train park. I think there are a lot of options available to us and I heard what you said, Estevan, about there are other things that need to be considered but I really think that this issue stands alone and shouldn't be grouped into other—for me it's so important.

So I think it's a stand-alone issue, shouldn't be included in whether or not we need a building to take care of some other department that the County has and I just think that if I'm involved in some substance abuse or if I'm considering taking my life, that the last thing I'm going to do is wait around to go somewhere.

MS. LOWERY: It would be more user-friendly to have it closer in for community members and that is a concern. But we need your help on what sites are available.

CHAIRMAN DURAN: And maybe, and I know you want to deal with the corrections facility inmates. Maybe we need two locations.

MS. LOWERY: We have discussed that as a possibility.

CHAIRMAN DURAN: Maybe in this building that we're talking about building for the County, we have an assessment facility there so that those people that are helping with the treatment would drive out there to take care of—it's easier for us who don't

have substance abuse problems to get in the car and drive to where the problem exists than to expect those people with the problem to come to us.

MS. LOWERY: Well, most of them don't have transportation. Many don't even have money for a bus, and we're aware of that. But we would love to have any input you guys might offer as to other possible locations.

COMMISSIONER TRUJILLO: Mr. Chairman, I think that at the heart of this matter is the best interest of the community. We're getting bogged down in location. If Route 14 is not accessible, I mean it is accessible but it's out of the way from the city, but it's also out of the way from the northern part of the county and it's also out of the way from the southern part of the county. What we need to understand is that the CARE Connection, we need this program, whether it's located in the City of Santa Fe or on State Highway 14, paramount to the issue is that it exists and that it is accessible to everybody, from the northern part of the county to the southern part of the county, to the City of Santa Fe. We need to give impetus to putting this program in place. We need to implement it as soon as possible. And we can't not get bogged down with location.

If we find out that State Highway 14 is not the best place, we can move it. We can move it to the City of Santa Fe when we find a place. But at this point, I don't agree that location is the most important issue but we sure do need to implement the program.

CHAIRMAN DURAN: Any other questions of Robert? Is there anyone out there that came here today to make a presentation please come on up.

DR. ARTURO GONZALES: Mr. Chairman, members of the Commission, the comments that I would make on behalf of the memorandum of agreement between Santa Fe County and St. Vincent Hospital are working at as well how that will collaborate with the Santa Fe CARE Connection. I believe that the comments made by Commissioner Trujillo are probably the wisest comments to digest at this particular point in time. The elements, I believe, St. Vincent's believes that the first important part of the CARE Connection that they've been able to achieve at this point is number one, to bring the whole host of behavioral health organizations and professionals in the community together to sit down at one table and to discuss this issue and to come up with some beginning plan.

That's a critical thing that is taking place. The second part is that in the MOA you as County Commissioners and the hospital have dedicated dollars to the Santa Fe CARE Connection that are still there, that haven't been expended, as Robert mentioned, it's closer to \$600,000, \$700,000, half a million for this project that you can put whatever way you want, hopefully the way that the CARE Connection is advising in terms of services.

The third part is that this group has been able to come together and to decide on a basic level of assessment and services that need to be provided. And that's an important element. So you have that going for this project. The fourth element is they've been able to bring the City of Santa Fe into the mix to participate in the discussions as well as to potentially come up with some dollars. So you have four positive elements of the CARE Connection that have already taken place. And I believe Commissioner Trujillo is correct. Not to negate your question, Commissioner Duran but to try to address it. Perhaps the way to address it as Commissioner

2105586

Trujillo said is to first of all decide on the level and the quality and the type of services that you want, who's participating and these are recommendations from the Santa Fe CARE Connection that are in place.

And then once you feel comfortable with those elements which I believe are already in place and ready to be presented, you can decide, based on that discussion, St. Vincent feels as to where you want to place this thing. There are some pluses for the County area out there but as was stated earlier, there's some negatives. You also have the option with what we're working on in the MOA with the mobile health care van that you may be able to do mobile health care assessments out there. With the relationship that you have with the MOA, with the RAP program, as Commissioner Sullivan mentioned, you may be able to expand some of that and do some of the things off the side at the RAP program if their board is willing to do that.

I believe that to get bogged down on where it's going to be, although that's an important question and it needs to be addressed pretty quickly, but to get bogged down and to throw, to not move forward or to lose momentum because of that, I believe that question can be answered in further discussion at another session once you decide on the other elements of the services, the funding, which is there, the potential alternatives, getting some kind of a needs assessment as to what other County property or buildings are available to place this, etc. Once that data is there I think the question that you're asking, Commissioner Duran, which is an excellent question, can perhaps be answered more easily.

CHAIRMAN DURAN: I guess, Doctor, my only concern is that I think that if we don't incorporate location, we're all committed to the project, but if we don't consider location that I don't think we would be doing our job.

DR. GONZALES: I agree.

CHAIRMAN DURAN: And the other thing is the way I look at it is if we're talking about a Sobering Center, which I think could tie into the assessment facility and all I'm trying to do is get us all, all those entities that are trying to deal with the suicide issue and the mental health issues are community is faced with that we all work together to try to centralize all our efforts. And I think we need to do that soon. But I really see where the Sobering Center would help in the assessment of these individuals because if they're going to be there for any prolonged period of time, what better time to start assessing them than when they're right there with you on a daily basis. I think that works a lot better than having them come in once a week, going somewhere once a week.

Let's start dealing with them on an intensified level at the beginning. And that could take place at the Sobering Center assessment facility. Maybe they're one and the same. I don't know. That's what I'm really trying to is try to understand how, what's the difference between the Sobering Center and the assessment facility? Is there any way of them being able to work together to deal with it? Because it's the same issues, right?

DR. GONZALES: Correct.

CHAIRMAN DURAN: It's the same problem.

DR. GONZALES: I believe that what the participants in the Santa Fe CARE Connection have been trying to do is to address that very issue. What is the role of the

2105587

SFC CLERK RECORDING 08/17/2004

Sobering Center? What is the assessment? How do they collaborate with one another? And I think everyone, I may be wrong, but I believe that everyone has been participating in the Santa Fe CARE Connection, all the individuals and agencies, are trying to get to where you just stated you want to get, namely the coordination, some kind of centralization, some type of access, easy to access, so that I don't think there's any disagreement with that or any obstacles to trying to achieve that goal. I think the work that has been done to this point has been so intense and laborious in terms of just getting people to sit down and to discuss and to reach some level of consensus that we're here now and we need to take it to the next level which is developing consensus on where this thing is to be located.

And I think now that that foundation has been set with the discussion and the participants willing to participate, I think that second question, where's it going to be located, what are the alternatives, what are the creative ways to do this including one suggested by Commissioner Sullivan and it will come a lot easier. It's just not there yet I believe. That's my opinion.

CHAIRMAN DURAN: And plus we have Indigent Funds available. They should be factored into this whole mix of ideas and thoughts so that there's not a duplication for the indigent people. So that it's all in one facility and we better utilize all the funds that are available to us because we've pooled them together to create one-stop shopping.

DR. GONZALEZ: Yes, sir. I'm sorry I haven't been more helpful, Mr. Chairman.

CHAIRMAN DURAN: Oh no. You've been more than helpful.

COMMISSIONER SULLIVAN: Mr. Chairman, I have one—Dr. Gonzales, one short question. Could you fill in a gap for me? And this I believe may have come about before I came on the Commission. But my understanding was the initial thinking was that the third floor of St. Vincent's being vacant at the time that the detox center—and I'm concerned, was going to be there. And I'm concerned when we're talking about sobering centers we may be dealing with individuals who have medical problems that are beyond the ability of the med techs there to handle. And they need to be in a hospital for undiagnosed problems, perhaps that only were manifested in the intoxication or the drug use, or masked by those issues.

So can you fill in that gap? What happened to that? I understand now it's becoming office space up on the third floor. What happened to the detox center at St. Vincent's?

DR. GONZALES: Commissioner Sullivan and members of the Commission, to the best of my knowledge, because when I came on board just before you did so to the best of my knowledge I'll relate to you what I believe occurred. In the initial memorandum of agreement, the very first one that the County entered into with St. Vincent Hospital when there was some tension between the two organizations, there were two major things that stood out besides the use of the Indigent Fund. One was the creation of the Community Services Network Department, which we have done, and the second was, you're correct, the detox center within the hospital.

When I came on board, and this was the issue, how we were going to do that, there was a—El Cariño was located on the third floor and was being used for long-term care and at the

2105588

SFC CLERK RECORDING 08/17/2004

same time you recall that Piñon Hills Hospital was still in operation. So they were taking up a lot of the load and the utilization and the demand for that kind of a facility. A unique set of events kind of converged on one another at the same time. St. Vincent started to experience some financial difficulties if you'll recall and at that time we laid off approximately I think maybe 18 to 25 individuals from the organization. El Cariño was closed. So programs were cut back such as physical therapy, people were laid off. And just to keep the doors open the detox center was kind of put in abeyance at that time.

Secondly, Piñon Hills also closed their operation if you recall. And so we had this major crisis of what was going to take place. And I remember you established the Health Policy Commission. We were trying to address that issue and through a series of discussions, what ultimately took place was MOA funding for the Su Vida program, St. Vincent's unable to open up a detox center because of the financial crisis that it was in elected to deal with a few beds for inpatient care but the deal with the detox issue by sending some of their behavioral health providers to work on the actual floors where those patients were being housed, to work with them on addictionology and to help them get over the crisis and then perhaps refer them internally to some of those limited beds, there weren't many beds left.

Then they also set up, we also set up some programs with respect to outpatient care with regard to group sessions, addictions, etc., that are currently in place. But it's not to the magnitude of a detoxification center like was initially conceived of, what we had planned. So we kind of, we basically have put in place through the MOA the funding for Crisis Response, the funding for the Su Vida program, the funding with other entities in the community like Millennium, Pastoral Counseling Center, La Madera program in the schools, some of those programs that are located in the community, have provided funding with them so that they're able to deal with some of these issues on an outpatient rather than inpatient basis.

And now with the funding with RAP, the collaboration that we've taken place with RAP we have funded through the MOA three beds. We're going to move it to five beds for this particular effort. The funding of the medical clearances through Dr. Fred Kalman and a family nurse practitioner/physician assistant to try to put the finger in the dike, so to speak. And now with the work of the Santa Fe CARE Connection to take it to another level, but we just didn't come forth with that detox center for those reasons. That doesn't mean that it couldn't in the future but I think we at least at St. Vincent taking the lead of the memorandum of agreement and some of the leadership of Mr. Anaya and his staff have been looking at how do we use some of the funds that we have in order to do some of these things in the community.

I don't know if that satisfies your questions.

COMMISSIONER SULLIVAN: It seems like it still may be an alternative.

DR. GONZALES: It still may be. It still, based upon your concern may need to have some kind of support from St. Vincent's in that and obviously we would be willing to work with you and Mr. Anaya and all the behavioral health care providers to see what we need to do.

COMMISSIONER SULLIVAN: Thank you, Mr. Chairman.

2105590

SFC CLERK RECORDING 08/17/2004

community services that we have available in Santa Fe.

Santa Fe is not lacking services. What we're lacking is the ability to provide them effectively and coordinated through the many organizations that are willing to put up either through charities, through churches, through their own non-profits to provide the services. The ability to coordinate them and effectively make change is what's needed to happen. And the plans that have been going on for many, many years now have come to a real important juncture and I think we're getting to the point of really being smart enough to say this is how we can fill those gaps in our services, and we're at that point and I really would encourage the Commission to take these next steps, to say Yes, we see these. We want to support the efforts and the plans that have been going on by these groups to move to those next points.

And the City of Santa Fe is willing to put their money where their mouth is and we want to be able to effectively work with the County Commission to provide those services to our citizens. Sixty-five percent or something like that of our citizens live in the Santa Fe urban area in Santa Fe County. We do need to have accessibility for folks in our northern and in our southern, but they come to Santa Fe. They come to Santa Fe for those services. And we want to be able to coordinate those effectively. And we've been willing to work with the County Manager who has come to Fred Sandoval, which has really been the crux of his work as the Human Services planner for the City of Santa Fe for many, many years, to put these plans to a place where they're ready to be implemented and used.

We've worked with RAP to provide applications to the federal government and as you know, the federal government is also saying, Yes, we want to give you money, but we want to be able to make sure that it's doing something. That it's making some effective changes in your community. And so we've gone to that point of where we can say this is how we believe we can effectively change things that are happening for our citizens and unfortunately, Fred is in Las Cruces this weekend. He's working with another project, the Santa Fe Regional Juvenile Justice Board, which is working to again, plan and coordinate and effectively make some changes for our kids in Santa Fe because those are our future as well.

And we're going to be able to plug those plans into what's been going on from your staff, from those perspectives of the service providers in Santa Fe. Is there anything I can answer?

CHAIRMAN DURAN: Thanks. That was great.

MS. RODRIGUEZ: Thank you.

CHAIRMAN DURAN: We're looking forward to a coordinated effort.

BRUCE EVANS: My name is Bruce Evans. I was asked to speak by Fred Sandoval and Mary Ann Shaning. I am a member of the CARE Connection Network. I'm a past president of the Inner Agency Forensic Network, which is a statewide organization funded by the state, and I have worked on similar projects to this in numerous other counties, Bernalillo County, Dona Ana County, Chavez County, Grant County, McKinley County, Taos County and San Miguel County. And only a few of those counties have successful programs.

A lot of the reason for that is the lack of buy-in by County Commissioners or City Councilmen. Also buy-in by the judicial system. Chairman Duran, you were very prescient in

2105589

SFC CLERK RECORDING 08/17/2004

CHAIRMAN DURAN: Arturo, when I toured the hospital with you a couple years ago, when we were discussing the MOU, you showed me an area where there was—it wasn't at the location that Commissioner Sullivan had mentioned.

DR. GONZALES: Yes. It was in the medical/dental building.

CHAIRMAN DURAN: Right.

DR. GONZALES: Yes, I didn't address that part of your question, Commissioner Sullivan and Commissioner Duran. The Community Services Network was located in the medical/dental building. We were working out of a very nice office there; I still miss it and it was very convenient for the community, etc. If you recall, there was a big move by Congressman Udall's office and the Veterans Administration to develop a veterans' clinic in Santa Fe County. And they had been working with the hospital on that to see what could be done.

They wanted it close—they meaning the Veterans Administration—wanted to have a clinic close to the hospital because of the access to the ER, radiology, all the support laboratory, pharmacy, all the support services that are needed for that kind of a primary care clinic for veterans. They didn't want it in the hospital. They wanted it somewhere on St. Vincent's land. They didn't have the dollars for a new facility so what was elected to do was that we would move the Community Services Network Department out of that medical/dental office building and put us on the third floor where Cariño used to be.

So we're currently utilizing about four or five offices for administration of the MOA and the Sangre de Cristo Center and the Veterans Administration moved their primary care clinic into where we were located in order to make it accessible to patients. So that's transpired with the facility and the property.

CHAIRMAN DURAN: Thank you. Is there anyone else out there that wanted to address the Commission?

TERRY RODRIGUEZ: Good morning. I'm representing the Community Services Department with the City of Santa Fe and I just wanted to reassure the Commission that the City of Santa Fe is very dedicated to these types of programs that we've been working on. It's been a movement that the City has been working on for many, many years now. Several years along with the County and many of the other service providers that are here to coordinate our plan, to collaborate, to be able to effectively use the dollars that we have in our city to provide the services that our citizens are so desperately needing.

I've come to you more prepared to talk to you about some of the sustaining pieces that we've been looking at for the assessment center and for RAP's Sobering Center because in some of these committees and things that the studies that have been done, we come up again and again finding the gap of services of not having the facilities and the places for these people to receive services. To not have the long-term treatment beds, to not have a place where people can coordinate their types of—what is it called? Where you coordinate the services, the long-term treatment plans of folks, so that you don't have the recidivism of coming back again and again. It's kind of that old 80/20 rule. You end up with the same people, 80 percent of your same people coming back again and again because they're not connected into the many

2105591

SFC CLERK RECORDING 08/17/2004

your question about the juvenile justice system. The juvenile justice system is a very important player and it must be integrated and it has not been integrated heretofore in our plan. And you were correct in pointing that out. We have had trouble getting participation up until recently from some important players. The City was not represented until fairly recently and as you know, or as you may know, Fred Sandoval is the chairman of the Santa Fe National Alliance, or the president of the Santa Fe National Alliance for the Mentally Ill and he is a national board member also.

I am a member of that board also. I'm on the Governor's Mental Health Planning Council and I've testified before the legislature, various committees regarding jail diversion and detox and so forth, worked with the Department of Health on a lot of these. I have a little different perspective on some of these because I have looked at other counties. I've been there. I've talked to other county people, other judges and so forth. And I am much more interested in the programmatic aspects of this scheme than I am physical location.

I would like to compliment Robert Anaya and the County Commissioners for your efforts and your support and your financial support and commitment to this project. It's very important. But the County is spending a great deal of money as you know on recidivism and we're having a lot of people not getting adequate treatment. I have been very critical of St. Vincent and the whole process over there in the past. Things have gotten a lot better recently, especially since Arturo came on board. Our board, our local board, National Alliance for the Mentally Ill is so concerned about some of the issues that we're going to sit down with the CEO of St. Vincent's in the next couple of months and try to get some of these issues addressed a little better.

They have a history, they have promised us in the past that they would make more beds available for the mentally ill. It is very difficult to get people into St. Vincent's. It is difficult to get into the psych unit. It is very difficult to get people into the state hospital for numerous reasons. When you hear the Crisis Response talk and the hospital talk, and I'm going to be very frank and honest with you, they make it sound like things are a lot better than they really are. As a couple of you pointed out, the suicide rate is completely unacceptable. The suicide rate for adults in this area is much too high. And that tends to be concentrated primarily with persons under 30 and substance abuse is a big factor that ties in there.

The detox aspects of this are extremely important. What is happening now is that most of the detoxification is being done at the County jail. And that's just not an acceptable way of doing things. There is a lack of integration. There is a lack of places to send people. There is a lack of beds. This program is a very good program but it is inadequate. It is underfunded. It is not integrated well enough. We need to have better financial commitment from the City, from the state, from the feds and from the Justice Department.

And that is not to belittle anyone's efforts. Mark Boschelli as head of the Crisis Response Network has done a good job seeking out funds, trying to deal with a lot of these issues. They have fairly recently hired Paul Vreeland as a jail diversion personnel. And he goes out to the County jail and does what is necessary in terms of assessment and linkage and so forth. And that's a very commendable effort. But we have got to have much better

2105592

SFC CLERK RECORDING 08/17/2004

integration. This plan has to be thought through in a better sense and form.

The whole—and I have not really committed as to which way we ought to go. Robert has good reasons for wanting to integrate a lot of facilities out there on South 14. We had our last meeting of the CARE Connection out at the jail and we looked at some of the facilities and so forth. I am not really so opposed to that. But that is a County Commission decision as to how you're going to spend your money. I just don't think that we ought to invest too much money in bricks and mortar. You already have a facility on Letrado Street, the old County health building. You're going to have space available on Sandoval Street in the Sheriff's office.

Fred and I and our other board members have sat down and talked with District Attorney Henry Valdez. I've worked with him at the legislature on numerous issues. We're very concerned about the legal aspects also. People, if they get charged a lot of times by police officers, then a lot of unnecessary money is being spent by the City and the County. If we can train the police officers and the police officers have been trained to a fair degree on this issue not to charge people, to use more protective custody and to use detox facilities more, that will save a great deal of money for the City and the County and the hospital.

But there are competing issues here. There are differing groups and a lot of them are only looking out for their own interest. One issue that has concerned me very greatly is that there is such a lack of beds available for people. And RAP's idea and St. Vincent's is to have two or three beds available, and that's just not going to cut it. It's just not anywhere near enough. RAP should be expanded. Their efforts towards integrating with the hospital are very good, getting better medical services and all of that, but they don't have enough personnel. They don't have enough beds. They don't have enough building space. They do have land available as has been pointed out. I would not be opposed to seeing a facility created there.

But I really think the transportation is a big issue. At our last meeting out at the jail, I suggested to the County monitor or to Robert that the County monitor maybe modify the contract with the jail, the management company out there, to help provide transportation. And I don't see why that couldn't be done. A lot of us are very concerned about this transportation issue. We have a lot of people who are walking back to town and they're put out at 5:00 and 6:00 in the morning. It's very cold and they have to walk all the way back. And some of these individuals are not getting the kind of services they need in terms of mental health services or in detoxification services.

The network integration is incomplete. The funding issues are incredibly important. Most of you I think are already reasonably familiar with a lot of this planning process and I really appreciate your support. But these issues are not as simple or as easily dealt with or as cut and dried as some people would have us believe. There has been a lot of good work done. There are numerous components in this city and county which are underutilized. And the hospital would bear a lot of blame for that. Presbyterian Medical Services, they need to step up and do a better job too.

I would urge you, as County Commissioners to use your leverage over the County Indigent Funds to put a little more pressure on St. Vincent's to do a better job in dealing with some of these issues. I have had numerous discussions in the past with Gary Buff and with

2105593

SFC CLERK RECORDING 08/17/2004

PMS people and there's always reasons why they don't follow through and get things done as they should. As I said, Arturo is doing a much better job. But there's been too many cop-outs. There has been a lack of commitment. Su Vida is a good program, but the juvenile justice system needs to be much better integrated into this and the school system, as you have pointed out, that's very important.

We have had difficulty getting buy-in from some of these players, including the Police Department. And that concerns me very greatly. When we can get the DA and some of his people on board, and they're very busy and overworked, that's a big step forward. Judge Frances Gallegos came to our last meeting and she had a lot of very good and cogent comments. And I think that she is going to make a big difference.

But there are still, as several people have pointed out, there are still gaps to be filled in. And I didn't cover everything, but I just wanted to hit some of the highpoints, things that are concerning me particularly as an individual and our board. There are still a lot of things to be dealt with. And funding is so important.

CHAIRMAN DURAN: Could you do me a favor. When Fred gets back to town, could you set up a meeting? I'd like to meet with you and Fred and just kind of go over all this. Thank you.

Estevan, I've heard three times today that they're letting people out at the jail and making them walk. I think that that's inhumane. Can you see if we can do something about that? I know it's probably a budgetary item but I think to let them go out there and then make them walk 15 miles back to town is—it's not safe. I don't think it's right. Anyone else out there that would like to address the Commission? What do we do next? I need to think about it. Do you want to give staff direction or what's the pleasure of the Board?

COMMISSIONER SULLIVAN: Mr. Chairman, I think this is an information session. I think we've gotten a lot of good feedback. As we knew at the beginning, I think there's still programmatic questions and I think there's site questions. And the site questions are not just turfdom but they're more questions of how that entity integrates with the other entities effectively. And I think if we have any direction to give to the staff it's to do some rethinking here and come back at the next Commission meeting or whenever you designate it and open up some options to us. If you want to do another work session, I'm fine with that.

COMMISSIONER TRUJILLO: Mr. Chairman, I think that it was quite eloquently articulated here that we're at a juncture now where we have all the resources in our community converged that will help the community in a better way. We need to act. It's very important. We're at the crossroads. We need to act on that now. Site is important of course, but the paradigm I think is in place and needs to be implemented. And that's what's important about this issue.

COMMISSIONER SULLIVAN: And I think we've agreed, Mr. Chairman. We've approved the memorandum of agreement that the City's approved, so I think the mechanism is in place. And I think from what the comments of all the Commissioners are that we're all on board with the concept. And I think we're, at least I'm searching for a little more specificity and a little more detail in options on the part of the staff and all the other participants

2105594

SFC CLERK RECORDING 08/17/2004

in the CARE Connection. It sounds like they're looking for some additional information, from us, from the County.

CHAIRMAN DURAN: I think we all just move forward through the fog here, onward through the fog and get to where we need to go. I have a lot to think about myself about all these things and I look forward to the meeting with Fred Sandoval and yourself and Commissioner Campos would like to attend so let's keep on chipping away at this as quickly as we possibly can.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: Next time we meet, I'd like information as to how we're going to fund the operational aspects of this, Mr. Anaya. I'd like to know if there's a position that the City is taking as to how they want to spend their contribution. Are they pushing for a particular location or ideas? I'd like—that's something that wasn't really touched upon but I'm interested in that.

MS. RODRIGUEZ: I'm afraid we'll have to let Fred talk to that one about the actual location, but I do know where the funding would be preferred to be placed by the City of Santa Fe, which is that it would be used to fund positions, to fund the people who are providing the hands-on work, which is typically where the Human Services funds go.

COMMISSIONER CAMPOS: So the money would be to operational costs?

MS. RODRIGUEZ: Yes. Yes. The money that we have kind of, we've outlined about almost \$500,000 for operations, about \$480,000 or something like that for operations. There is a \$50,000 amount in there from CDBG which are Community Development Block Grant funds which could be used for capital or for operations.

COMMISSIONER CAMPOS: Thank you.

CHAIRMAN DURAN: Estevan, I thought that we had \$500,000 allocated towards the detox effort. I thought the City and the County had matching funds. I know in my first term we had met with the Mayor and several other councilors and we had agreed to have, to contribute \$500,000 apiece. And I thought that there was \$500,000 set aside through our bond money when we built the facility, the jail facility for that. Do you, does anybody know anything about that?

MR. ANAYA: Yes, Mr. Chairman, I know exactly where that money is. The money from the bond was used to help actually finish the Public Safety Complex but we made up the money through the MOU and the other sources that we have and like I said, we have \$1.2 million for the entire project. But the actual bond money, in order to complete the Public Safety Complex, that money was utilized as part of that. But like I said, we made up the money as part of the MOU committed to this endeavor. Like I said, it's up to \$1.2 million.

CHAIRMAN DURAN: So the \$500,000 which was directioned from the County Commission several years ago, because we haven't made a decision yet how we were going—my understanding, I don't remember, making a different decision that we were going to put that \$500,000 to the detox center somewhere else. I know that when Mr. Montoya was around I know that there was some discussion about what are we going to do with this detox

allocation. So you're telling me that the \$500,000 that we had agreed to match, it was a matching amount with the City is now \$1.2?

MR. ANAYA: Well, I wouldn't clarify it as matching amount with the City project. When I took over the program, and you asked me to move forward on the detox project, the only money in the project was County money. There was no City money at that time.

CHAIRMAN DURAN: No, there was a commitment from both the City and the County to contribute.

MR. ANAYA: There was a commitment and the City pulled back their commitment and when I took on this department, the only money that was on the table at that time was the money from the County. This new allocation that was just referred to from the City of Santa Fe was just recently approved under a new allocation. The old allocation went away. But the actual money we have is \$1.2 million available and that will be waiting for your direction. Point of clarification, there is capital money in there that we do need to act on that cannot be used for operating dollars that's strictly capital. And the other pots of money are more flexible where you can use them for capital or operating.

CHAIRMAN DURAN: So we do have in excess of the \$300,000 though the CARE Connection grant or money. We have some funds available that we can use to build a facility to deal with the detoxification issue.

MR. ANAYA: Mr. Chairman, if you would like to change gears and move away from the assessment facility and strictly into the Sobering Center concept that is entirely—

CHAIRMAN DURAN: I see that as maybe all-inclusive. I guess—I don't know how to ask you this question so you can tell me what I'm trying to get to. If this Commission decides that they want to build a facility, how much money would be available to us to do that?

MR. ANAYA: Mr. Chairman, Commissioners, you could theoretically use all \$1.2 million to actually get the facility constructed and then in subsequent years, when you have the reoccurring revenue use those revenues to operate the facility.

CHAIRMAN DURAN: So does the \$300,000 that we have, is that included in the \$1.2?

MR. ANAYA: Mr. Chairman, yes it is.

CHAIRMAN DURAN: Okay.

MR. ANAYA: Keep in mind, Mr. Chairman, Commissioners, that you have a brand new allocation of MOA money that if the MOA with St. Vincent continues, that \$1.2 million will get increased even higher. Because that's also contingent on the number of times the County Commission decides to renew the MOA, so that pot of money will grow.

CHAIRMAN DURAN: Well, I'm getting a headache. I need some food. Jaime, did you want to say something?

JAIME ESTREMERA-FITZGERALD: Mr. Chairman and Commissioners, I just wanted to say something that I think perhaps could be helpful to you. While we at the Health Policy and Planning Commission have looked at some of these issues, I personally

believe that you should direct the Health Policy and Planning Commission to at their next meeting, address this issue only and come out with some recommendations for you, taking into account what the CARE Connection has brought out in other folks, because I think that it's a tool that you have that you set in place that ought to be making a recommendation to you, and that's just an observation that I wanted to make.

CHAIRMAN DURAN: And that is site?

MR. ESTREMERER-FITZGERALD: No, I'm talking about a recommendation in any of these areas. You should have one from the Health Policy and Planning Commission which would help you folks. Let us dig some and be able to come up with that. I think that makes sense to me.

CHAIRMAN DURAN: Because we need your help figuring out what to do here.

MR. ESTREMERER-FITZGERALD: Well, I just think you've put it in place for a reason and I think I see the urgency in all of you and I also see that perhaps we really ought to wrestle with that issue.

MR. ANAYA: Mr. Chairman, Commissioners, the Health Planning Commission has reviewed the program element and made a recommendation to support the CARE Connection element. I believe our Health Planning Commissioner was out of state at that time but the site issues was not discussed with the Health Planning Commission at that time, but the program element was taken to the Health Planning Commission. They did endorse it.

MR. ESTREMERER-FITZGERALD: I was talking more of the site issue. It may be something that you need some recommendations on that.

CHAIRMAN DURAN: We'll talk more.

MR. LOPEZ: Mr. Chairman, I've been hearing an awful lot but clearly, I certainly get the impression that you're not ready to make any concrete decisions right now and I think it's incumbent on us to go back and use all of the resources that we have available to us to further re-evaluate one, program, two, location and come back to you and bring back our evaluation of the various options.

As to location, what I've heard this Commission speak to is the State Road 14 site, the RAP site, the Sheriff's office site, and then I would just throw out we ought to look at other things that might be thrown out that haven't been talked about. Have I missed anything?

COMMISSIONER SULLIVAN: St. Vincent's.

CHAIRMAN DURAN: St. Vincent's exactly. You bet.

COMMISSIONER SULLIVAN: And I think Estevan, that I know the Health Policy Commission has discussed this and it supports the general concept. I don't think they've discussed it in the detail that we'd like to see and evaluated it in the detail and gotten down to the nitty-gritty. And I think we would like to see more of their participation and some more specifics and recommendations. And even if they are, as you might anticipate, of differing opinions, I'd like to hear those differing opinions. I don't want to pit one group against another but if there's four or five people that feel one way then let them, let's enunciate that idea. And

if there's four or five that feel another way, I'd like to hear that idea. I'm not necessarily looking for them just to wave the flag and move forward. I'm looking because they're made up of so many health care professionals to assimilate all of their opinions and let us try to sort them out and decide from those.

MR. LOPEZ: Mr. Chairman, Commissioner Sullivan, point well taken and I think I was glad to hear Mr. Estremera-Fitzgerald raise that as a possibility. I think that we ought to follow through on that. And further, I'm getting the sense from this Commission that you feel like it's time to really move this to a head and so I think what I would propose is that we take this direction and go back and evaluate those things and in the time frame of the second March Commission meeting roughly come back to you with recommendations relative to those issues, including what was raised by Commissioner Campos as to how we would fund this operation of whatever is being recommended.

I guess the reason I say in that time frame is that today we've already used two hours to discuss this and we could easily probably go another two hours when we come back with that. So depending on how much we have on the regular meeting agenda, maybe another session like this might be warranted.

COMMISSIONER TRUJILLO: I just have a comment. My position is that there's a real need out there in the community and we sure hate to see that we prolong the agony out there and next year at this same time we're still talking about location. We need to address the needs. And this is the appropriate time.

CHAIRMAN DURAN: I agree. I don't think we're talking about a year, though. I think we're ready to make a decision.

MR. LOPEZ: Mr. Chairman, I would propose that we not delay this beyond a month and a half from now, so no later than, say, April 15.

CHAIRMAN DURAN: Would you remind us, Estevan, about having another special meeting if after you pull everything together and the Commission feels comfortable enough, has enough information to make a decision, that we make that decision soon.

COMMISSIONER CAMPOS: Mr. Chairman, I'd just like to say also that I think time is of the essence. We need to move forward. If we could have another meeting—I don't know how quickly the Planning Council can get back to us but if maybe in 30 days, just to keep the momentum. If we can't do it at the last March meeting, perhaps shortly thereafter. I think it's important to keep the momentum going and I think this is a great time. We've had a lot of good information. It's a great time to move forward.

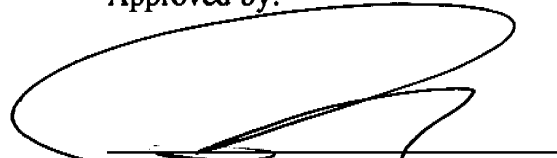
CHAIRMAN DURAN: Good. Thank you all for joining us today.

2105598

ADJOURNMENT

Chairman Duran declared this meeting adjourned at approximately 12:05 p.m.

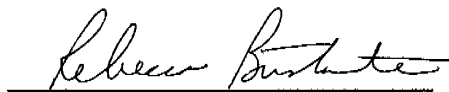
Approved by:

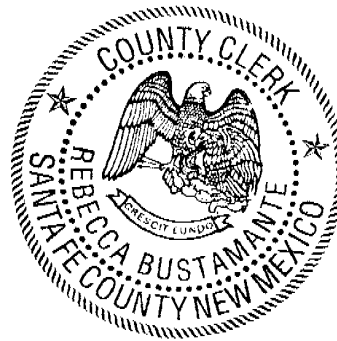

Board of County Commissioners
Paul Duran, Chairman

Respectfully submitted:


Karen Farrell, Commission Reporter

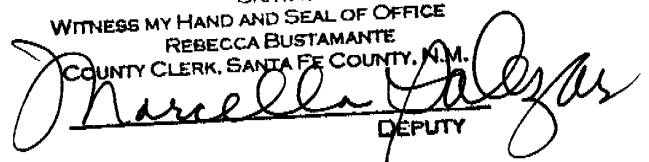
ATTEST TO:


REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK



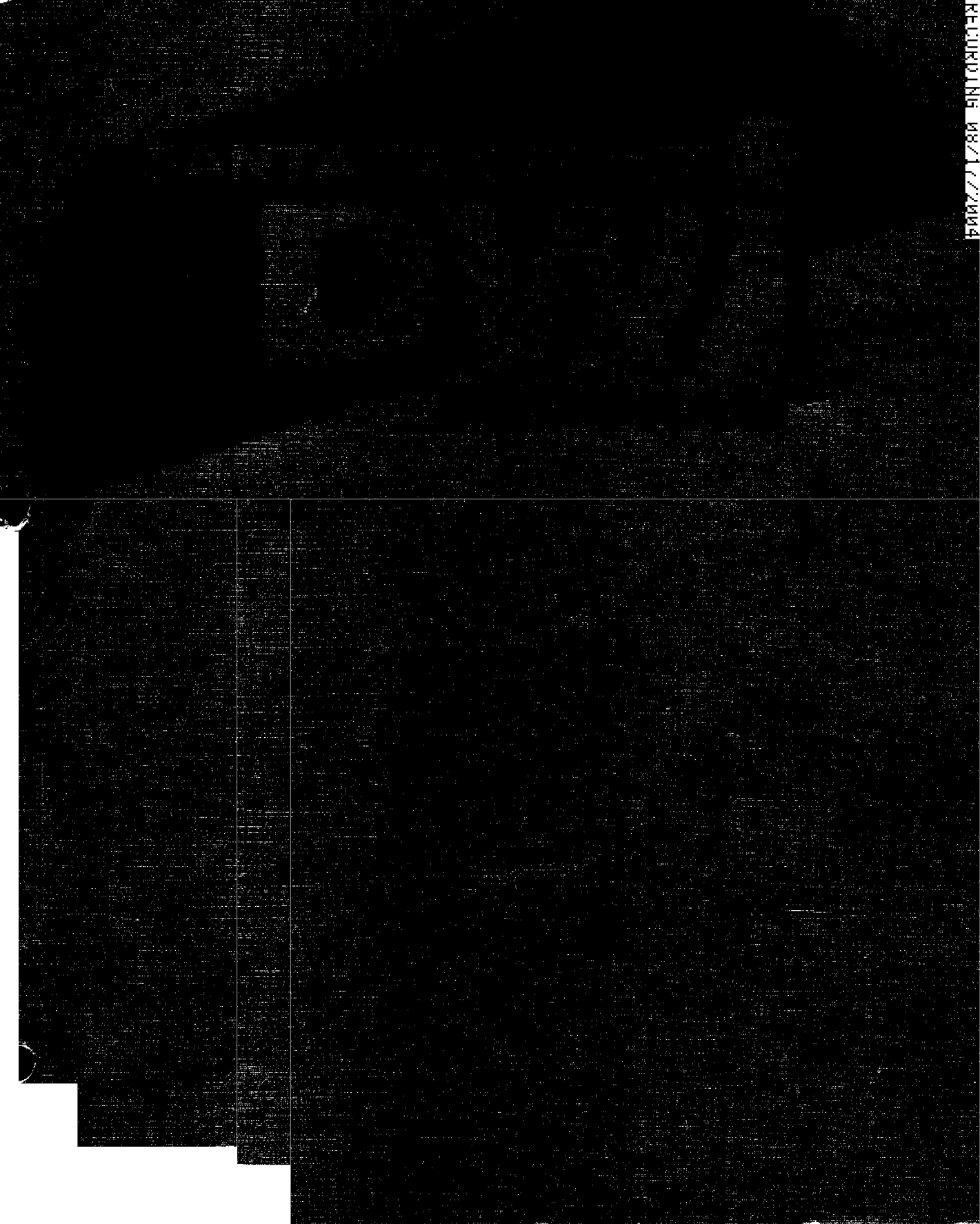
1201.110
COUNTY OF SANTA FE
STATE OF NEW MEXICO
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED
FOR RECORD ON THE 10 DAY OF APR A.D.
20 02 AT 1:00 O'CLOCK P.M.
AND WAS DULY RECORDED IN BOOK 2105
PAGE 553-630 OF THE RECORDS OF
SANTA FE COUNTY

WITNESS MY HAND AND SEAL OF OFFICE
REBECCA BUSTAMANTE
COUNTY CLERK, SANTA FE COUNTY, N.M.


DEPUTY

~~2105599~~

SFC CLERK RECORDING 08/11/2004



SANTA FE COUNTY DWI PROGRAM

OVERVIEW PRESENTED TO THE
SANTA FE COUNTY COMMISSIONERS
MARCH 1, 2002

2105600

THE SCOPE OF THE NEW MEXICO DWI PROBLEM

In New Mexico...

- About 200 people are killed in alcohol-related crashes each year
- There are about 3,500 alcohol-related crashes each year

2105602

THE SCOPE OF THE SANTA FE COUNTY DWI PROBLEM

In Santa Fe County...

- Approximately **15** people are killed in alcohol-related crashes each year
- There are about **375** alcohol-related crashes each year

2105603

SANTA FE COUNTY

DWI PROGRAM

MISSION STATEMENT

The Santa Fe County DWI Program promotes the safety of the people of Santa Fe County by developing and implementing programs to prevent or reduce the incidence of DWI, alcoholism, and alcohol and other drug abuse in Santa Fe County.

2105604

THE STRATEGIC PLAN

- **Prevention**
- **Law Enforcement**
- **Adjudication**
- **Screening**
- **Treatment**

2105605



PREVENTION

GOAL:

**To use proven
practices that stop
DWI's before they
happen**

2105606

PREVENTION

PUTTING DWI'S ON I. C. E.

- Information and Education
 - Media Literacy / Schools
 - Pojoaque Natural Helpers
 - San Ildefonso Youth Program

2105607



PREVENTION

- Community Norms and Attitudes
 - Designated Drivers
 - Sober-only Driving
 - Media

2105608

PREVENTION

- Early Intervention
 - Teen Court
 - Youthful Drunk Driver Visitation Program
 - Alive At 25

2105609



LAW ENFORCEMENT

GOAL:

**To stop motor vehicle
collisions due to
impaired drivers**

2105610

LAW ENFORCEMENT

- Integration of resources
- Road blocks / Check points
- Specialized training for officers
- Equipment
- Warrant enforcement
- Underage drinking enforcement

2105611

ADJUDICATION

GOAL:

**To achieve swift and
certain justice for
those arrested for DWI**

2105612

ADJUDICATION

- Process DWI cases fairly, uniformly and objectively
- Comply with sentencing requirements
- Implement appropriate sentencing

2105613

ADJUDICATION

- Issue bench warrants for DWI offenders who do not comply with sentencing requirements
- Retain and report all appropriate records on DWI offenders

2105614

● ●

SCREENING AND TREATMENT



GOAL:

**To gain the power of
self-control**

SCREENING AND TREATMENT

- identify underlying problems
- intervention by personalized prescription of treatment
- involvement through specific sentencing consequences
- integration of the offender in society

2105616

COORDINATION,
PLANNING, EVALUATION

GOAL:

**To efficiently facilitate,
administer, coordinate,
and evaluate the DWI
Program**

COORDINATION, PLANNING, EVALUATION

- Program Staff
- Program Evaluation
- Staff training
- Program support: travel, vehicle maintenance, supplies, postage, rent, utilities, telephone, equipment contracts

DWI PLANNING COUNCIL

- Established by the SF County Board of County Commissioners (BCC)
- Members appointed by the BCC
- Advises the DWI Staff
- Makes recommendations to the BCC regarding DWI matters

DWI PLANNING

COUNCIL INCLUDES

- EMT Kevin Henson
- Students Katrina Kain
- DOH Glenn Wieringa
- Law enforcement
- Capt. Quintin McShan,
Sgt. Ken Johnson,
Sgt. Michael Salazar
- Media Sarah Van Cott
- Liquor Industry
Hilary Noskin
- Judges Hon. Roman
Duran, Hon. Bill Dimas,
Hon. Frances Gallegos
- School prevention experts
Zana Burns
- Advocacy groups
Allan Wheeler
- Elected officials Rep.
Patsy Trujillo Knauer
- Traffic Safety
Mary Pacheco

2105620

**FUNDING FOR THE SANTA FE
COUNTY DWI PROGRAM**

- **LDWI** Local DWI funds from
excise taxes on alcohol sales
- **CDWI** Community DWI funds
from fines paid by DWI offenders
- **GRANTS** from various sources

2105621

FUNDING FOR THE SANTA FE
COUNTY DWI PROGRAM

LDWI

FY01:

\$770,000

FY02:

\$785,000*

\$300,000

CDWI

FY01:

\$65,000

FY02:

\$67,000

FUNDING FOR THE SANTA FE
COUNTY DWI PROGRAM

PREVENTION	\$209,888
LAW ENFORCEMENT	\$109,329
SCREENING / ASSESMENT	\$121,541
OUTPATIENT TREATMENT	\$365,000
INTESIVE SUPERVISION	\$101,525
COORDINATE / EVALUATE	\$202,306

2105623

FUNDING POLICY CHANGES FROM DFA IN RECENT YEARS

- Teen Court
 - FY02 Teen Court a Prevention subcategory
 - Funding caps: FY02 \$50,000, FY03 \$40,000, FY04 \$30,000
- Law Enforcement
 - Funding caps: FY03 10% of distribution
- Administrative Costs
 - Funding caps: FY01 10%, FY02 5%, FY03 0%
- DWI Clerks
 - Funding caps: FY03 10%

2105624

SANTA FE COUNTY

DWI PROGRAM

RECENT PROJECTS

- Media literacy
- Designated driver
- School presentations
- Roundhouse event

2105625

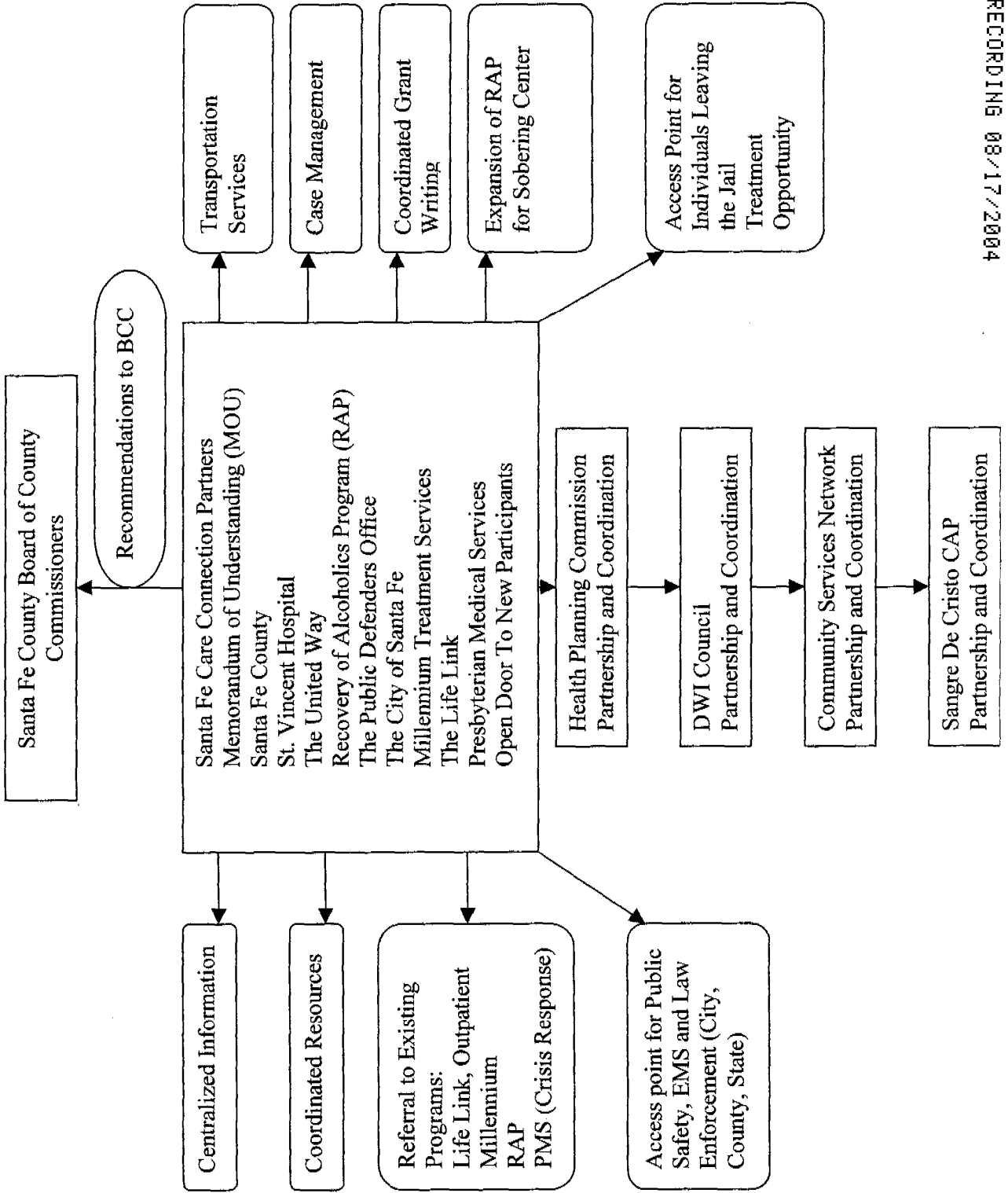
SANTA FE COUNTY

DWI PROGRAM

NEW PROJECTS UNDERWAY

- Expansion of Teen Court
- Every 15 Minutes
- Joint road blocks
- Underage drinking enforcement
- Radio spots
- Curriculum Infusion

Santa Fe CARE Connection
 Coordinate Assessment for Engage
 Behavioral Health Services Model



2105627

SANTA FE COUNTY DWI PROGRAM
 CONSOLIDATED BUDGET
 FY 2003

ASSUMES INCLUSION OF TEEN COURT

PROPOSED
 FY 2003

ITEM	FY 2002			PROPOSED FY 2003		
	LDWI	CDWI	CONSOLIDATED	LDWI	CDWI	CONSOLIDATED
1 PREVENTION	\$162,642.00	\$47,246.00	\$209,518.00	\$180,590.00	\$55,300.00	\$235,890.00
2 Public Information and Education Mater.	\$9,500.00	\$0.00	\$9,500.00 x	\$12,300.00	\$0.00	\$12,300.00
3 C-Graphic Art	\$4,138.00	\$0.00	\$4,138.00 x	\$2,000.00	\$0.00	\$2,000.00
4 Salaries and Benefits	\$80,224.00	\$47,246.00	\$127,470.00 xx	\$84,280.00	\$49,300.00	\$133,580.00
5 C-Volunteer Coordinator	\$0.00	\$0.00	\$0.00 xx	\$4,000.00	\$0.00	\$4,000.00
6 C- Pueblo Youth Coordinator	\$11,350.00	\$0.00	\$11,350.00	\$11,350.00	\$0.00	\$11,350.00
7 C- Prevention Specialist	\$20,000.00	\$0.00	\$20,000.00	\$20,000.00	\$0.00	\$20,000.00
8 C- Alive @ 25	\$7,560.00	\$0.00	\$7,560.00	\$7,560.00	\$0.00	\$7,560.00
9 C- Pojoaque Natural Helpers	\$6,000.00	\$0.00	\$6,000.00	\$6,000.00	\$0.00	\$6,000.00
10 C- YDDVP	\$6,000.00	\$0.00	\$6,000.00	\$6,500.00	\$0.00	\$6,500.00
11 C- Family Therapist*	\$6,000.00	\$0.00	\$6,000.00 xx	\$0.00	\$0.00	\$0.00
12 C-SAP Facilitator*	\$3,870.00	\$0.00	\$3,500.00 xx	\$2,100.00	\$0.00	\$2,100.00
13 C-Screener*	\$8,000.00	\$0.00	\$8,000.00 xx	\$0.00	\$6,000.00	\$6,000.00
14 Vendor Education	\$0.00	\$0.00	\$0.00 x	\$7,000.00	\$0.00	\$7,000.00
15 Direct In-school Initiatives	\$0.00	\$0.00	\$0.00 x	\$7,500.00	\$0.00	\$7,500.00
16 Media Literacy	\$0.00	\$0.00	\$0.00 x	\$10,000.00	\$0.00	\$10,000.00
18 Curriculum Infusion in LDWI Grant						

19 ENFORCEMENT	\$89,491.00	\$19,838.00	\$89,491.00 x	\$75,000.00	\$10,000.00	\$75,000.00
20 Salaries and Benefits	\$88,491.00	\$0.00	\$88,491.00 x	\$75,000.00	\$0.00	\$75,000.00
21 Overtime	\$1,000.00	\$0.00	\$1,000.00 xx	\$0.00	\$0.00	\$0.00
22 Joint Enforcement Efforts	\$0.00	\$19,838.00	\$19,838.00 xx	\$0.00	\$10,000.00	\$10,000.00
23 Incentive Program	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

24 SCREENING AND ASSESSMENT	\$81,541.00	\$0.00	\$83,950.00	\$83,000.00	\$0.00	\$83,000.00
25 Salaries and benefits	\$44,741.00	\$0.00	\$47,150.00	\$46,200.00	\$0.00	\$46,200.00
26 C- Municipal Court Screener	\$36,800.00	\$0.00	\$36,800.00	\$36,800.00	\$0.00	\$36,800.00

including Teen Court page 2

	\$108,000.00	\$0.00	\$108,000.00
	\$100,000.00	\$0.00	\$100,000.00
	\$8,000.00	\$0.00	\$8,000.00

	\$105,282.00	\$0.00	\$105,282.00
	\$65,495.00	\$0.00	\$65,495.00
	\$6,000.00	\$0.00	\$6,000.00
	\$17,460.00	\$0.00	\$17,460.00
	\$12,327.00	\$0.00	\$12,327.00
	\$4,000.00	\$0.00	\$4,000.00

	\$198,420.00	\$0.00	\$198,420.00
	\$0.00	\$0.00	\$0.00
	\$134,370.00	\$0.00	\$134,370.00
	\$20,000.00	\$0.00	\$20,000.00
	\$6,000.00	\$0.00	\$6,000.00
	\$1,000.00	\$0.00	\$1,000.00
	\$11,000.00	\$0.00	\$11,000.00
	\$1,000.00	\$0.00	\$1,000.00
	\$4,000.00	\$0.00	\$4,000.00
	\$10,200.00	\$0.00	\$10,200.00
	\$2,500.00	\$0.00	\$2,500.00
	\$5,500.00	\$0.00	\$5,500.00
	\$850.00	\$0.00	\$850.00
	\$1,500.00	\$0.00	\$1,500.00
	\$500.00	\$0.00	\$500.00
	\$0.00	\$0.00	\$0.00

27	OUTPATIENT TREATMENT	\$120,000.00	\$0.00	\$120,000.00
28	C- Outpatient Therapy	\$95,000.00	\$0.00	\$95,000.00 x
29	C- Transitional Living	\$25,000.00	\$0.00	\$25,000.00 x

30	INTENSIVE SUPERVISION	\$101,525.00	\$0.00	\$101,525.00
31	Salaries and Benefits	\$60,924.00	\$0.00	\$60,924.00
32	Warrant Enforcement	\$6,814.00	\$0.00	\$6,814.00 x
33	C- Municipal Court Clerk	\$17,460.00	\$0.00	\$17,460.00
34	C- Municipal Court Compliance Monitor	\$12,327.00	\$0.00	\$12,327.00
35	Ignition Interlock	\$4,000.00	\$0.00	\$4,000.00

36	COORDINATION, PLANNING & EVAL.	\$187,306.00	\$0.00	\$187,306.00
37	Administrative Personnel Services	\$15,740.00	\$0.00	\$15,740.00 x
38	Salaries and Benefits	\$126,913.00	\$0.00	\$126,913.00
39	C-Evaluation	\$0.00	\$0.00	\$0.00 x
40	Travel	\$5,619.00	\$0.00	\$5,619.00
41	Vehicle Maintenance	\$675.00	\$0.00	\$675.00 x
42	Supplies	\$11,000.00	\$0.00	\$11,000.00
43	Postage and Shipping	\$500.00	\$0.00	\$500.00 x
44	Capital Purchases	\$2,059.00	\$0.00	\$2,059.00
45	Rent (\$850 / mo)	\$10,200.00	\$0.00	\$10,200.00
46	Utilities (\$200 / mo)	\$2,400.00	\$0.00	\$2,400.00
47	Telephone	\$5,500.00	\$0.00	\$5,500.00
48	Office Equipment Maintenance Contracts	\$800.00	\$0.00	\$800.00
49	Conference Fees / Training	\$1,400.00	\$0.00	\$1,400.00
50	Advertisement	\$500.00	\$0.00	\$500.00
51	Data Entry	\$4,000.00	\$0.00	\$4,000.00 x

LDWI - FY 03	CDWI - FY 03	CONSOL - 03
\$170,590.00	\$55,300.00	\$235,890.00
\$75,000.00	\$10,000.00	\$85,000.00
\$83,000.00	\$0.00	\$83,000.00
\$108,000.00	\$0.00	\$108,000.00
\$105,282.00	\$0.00	\$105,282.00
\$198,420.00	\$0.00	\$198,420.00

LDWI - FY 02	CDWI - FY 02	CONSOL - 02
\$162,642.00	\$47,246.00	\$209,888.00
\$89,491.00	\$19,838.00	\$109,329.00
\$81,541.00	\$0.00	\$81,541.00
\$120,000.00	\$0.00	\$120,000.00
\$101,525.00	\$0.00	\$101,525.00
\$187,306.00	\$0.00	\$187,306.00

\$750,292.00	\$65,300.00	\$815,592.00
--------------	-------------	--------------

\$742,505.00	\$67,084.00	\$809,589.00
--------------	-------------	--------------

SANTA FE COUNTY DWI PROGRAM
CONSOLIDATED BUDGET

page 1

FY 2003

ASSUMES ALTERNATIVE FUNDING FOR TEEN COURT

PROPOSED
FY 2003

ITEM	LDWI	CDWI	CONSOLIDATED	LDWI	CDWI	CONSOLIDATED
1 PREVENTION	\$162,642.00	\$47,246.00	\$209,888.00	\$158,390.00	\$0.00	\$158,390.00
2 Public Information and Education Mater.	\$9,500.00	\$0.00	\$9,500.00 x	\$12,300.00	\$0.00	\$12,300.00
3 C-Graphic Art	\$4,138.00	\$0.00	\$4,138.00 x	\$2,000.00	\$0.00	\$2,000.00
4 Salaries and Benefits	\$80,224.00	\$47,246.00	\$127,470.00 xx	\$49,180.00	\$0.00	\$49,180.00
5 C-Volunteer Coordinator	\$0.00	\$0.00	\$0.00 xx	\$5,000.00	\$0.00	\$5,000.00
6 C- Pueblo Youth Coordinator	\$11,350.00	\$0.00	\$11,350.00	\$11,350.00	\$0.00	\$11,350.00
7 C- Prevention Specialist	\$20,000.00	\$0.00	\$20,000.00	\$20,000.00	\$0.00	\$20,000.00
8 C- Alive @ 25	\$7,560.00	\$0.00	\$7,560.00	\$7,560.00	\$0.00	\$7,560.00
9 C- Pojoaque Natural Helpers	\$6,000.00	\$0.00	\$6,000.00	\$6,000.00	\$0.00	\$6,000.00
10 C- YDDVP	\$6,000.00	\$0.00	\$6,000.00	\$6,500.00	\$0.00	\$6,500.00
11 C- Family Therapist*	\$6,000.00	\$0.00	\$6,000.00 xx	\$0.00	\$0.00	\$0.00
12 C-SAP Facilitator*	\$3,870.00	\$0.00	\$3,870.00 xx	\$0.00	\$0.00	\$0.00
13 C-Screener*	\$8,000.00	\$0.00	\$8,000.00 xx	\$0.00	\$0.00	\$0.00
14 Vendor Education	\$0.00	\$0.00	\$0.00 x	\$7,000.00	\$0.00	\$7,000.00
15 Direct In-school Initiatives	\$0.00	\$0.00	\$0.00 x	\$7,500.00	\$0.00	\$7,500.00
16 Media Literacy	\$0.00	\$0.00	\$0.00 xx	\$11,000.00	\$0.00	\$11,000.00
17 Every 15 Minutes	\$0.00	\$0.00	\$0.00 xx	\$3,000.00	\$0.00	\$3,000.00
18 Curriculum Infusion	\$0.00	\$0.00	\$0.00 x	\$10,000.00	\$0.00	\$10,000.00

19 ENFORCEMENT	\$89,491.00	\$19,838.00	\$89,491.00 x	\$75,000.00	\$65,000.00	\$80,000.00
20 Salaries and Benefits	\$88,491.00	\$0.00	\$88,491.00 x	\$75,000.00	\$0.00	\$75,000.00
21 Overtime	\$1,000.00	\$0.00	\$1,000.00 x	\$0.00	\$5,000.00	\$5,000.00
22 Joint Enforcement Efforts	\$0.00	\$19,838.00	\$19,838.00	\$0.00	\$20,000.00	\$20,000.00
23 Incentive Program	\$0.00	\$0.00	\$0.00 x	\$0.00	\$40,000.00	\$40,000.00

24 SCREENING AND ASSESSMENT	\$81,541.00	\$0.00	\$81,541.00	\$83,000.00	\$0.00	\$83,000.00
25 Salaries and benefits	\$44,741.00	\$0.00	\$44,741.00	\$46,200.00	\$0.00	\$46,200.00
26 C- Municipal Court Screener	\$36,800.00	\$0.00	\$36,800.00	\$36,800.00	\$0.00	\$36,800.00

without Teen Court page 2

27	OUTPATIENT TREATMENT	\$120,000.00	\$0.00	\$120,000.00
28	C- Outpatient Therapy	\$95,000.00	\$0.00	\$95,000.00 x
29	C- Transitional Living	\$25,000.00	\$0.00	\$25,000.00 x

		\$130,000.00	\$0.00	\$130,000.00
		\$120,000.00	\$0.00	\$120,000.00
		\$10,000.00	\$0.00	\$10,000.00

30	INTENSIVE SUPERVISION	\$101,525.00	\$0.00	\$101,525.00
31	Salaries and Benefits	\$60,924.00	\$0.00	\$60,924.00
32	Warrant Enforcement	\$6,814.00	\$0.00	\$6,814.00 x
33	C- Municipal Court Clerk	\$17,460.00	\$0.00	\$17,460.00
34	C- Municipal Court Compliance Monitor	\$12,327.00	\$0.00	\$12,327.00
35	Ignition Interlock	\$4,000.00	\$0.00	\$4,000.00

		\$105,282.00	\$0.00	\$105,282.00
		\$65,495.00	\$0.00	\$65,495.00
		\$6,000.00	\$0.00	\$6,000.00
		\$17,460.00	\$0.00	\$17,460.00
		\$12,327.00	\$0.00	\$12,327.00
		\$4,000.00	\$0.00	\$4,000.00

36	COORDINATION, PLANNING & EVAL.	\$187,306.00	\$0.00	\$187,306.00
37	Administrative Personnel Services**	\$15,740.00	\$0.00	\$15,740.00 x
38	Salaries and Benefits	\$126,913.00	\$0.00	\$126,913.00
39	C-Evaluation	\$0.00	\$0.00	\$0.00 x
40	Travel	\$5,619.00	\$0.00	\$5,619.00
41	Vehicle Maintenance	\$675.00	\$0.00	\$675.00 x
42	Supplies	\$11,000.00	\$0.00	\$11,000.00
43	Postage and Shipping	\$500.00	\$0.00	\$500.00 x
44	Capital Purchases	\$2,059.00	\$0.00	\$2,059.00 x
45	Rent (\$850 / mo)	\$10,200.00	\$0.00	\$10,200.00
46	Utilities (\$200 / mo)	\$2,400.00	\$0.00	\$2,400.00
47	Telephone	\$5,500.00	\$0.00	\$5,500.00
48	Office Equipment Maintenance Contracts	\$800.00	\$0.00	\$800.00
49	Conference Fees / Training	\$1,400.00	\$0.00	\$1,400.00
50	Advertisement	\$500.00	\$0.00	\$500.00
51	Data Entry	\$4,000.00	\$0.00	\$4,000.00 x

		\$198,420.00	\$0.00	\$198,420.00
		\$0.00	\$0.00	\$0.00
		\$134,370.00	\$0.00	\$134,370.00
		\$20,000.00	\$0.00	\$20,000.00
		\$6,000.00	\$0.00	\$6,000.00
		\$1,000.00	\$0.00	\$1,000.00
		\$11,000.00	\$0.00	\$11,000.00
		\$1,000.00	\$0.00	\$1,000.00
		\$4,000.00	\$0.00	\$4,000.00
		\$10,200.00	\$0.00	\$10,200.00
		\$2,500.00	\$0.00	\$2,500.00
		\$5,500.00	\$0.00	\$5,500.00
		\$850.00	\$0.00	\$850.00
		\$1,500.00	\$0.00	\$1,500.00
		\$500.00	\$0.00	\$500.00
		\$0.00	\$0.00	\$0.00

52	SUMMARY	LDWI - FY 02	CDWI - FY 02	CONSOL - 02
53	Prevention	\$162,642.00	\$47,246.00	\$209,888.00
54	Enforcement	\$89,491.00	\$19,838.00	\$109,329.00
55	Screening and Assessment	\$81,541.00	\$0.00	\$81,541.00
56	Outpatient Treatment	\$120,000.00	\$0.00	\$120,000.00
57	Intensive Supervision	\$101,525.00	\$0.00	\$101,525.00
58	Coordination, Planning and Evaluation	\$187,306.00	\$0.00	\$187,306.00

		LDWI - FY 03	CDWI - FY 03	CONSOL - 03
		\$158,390.00	\$0.00	\$158,390.00
		\$75,000.00	\$65,000.00	\$140,000.00
		\$83,000.00	\$0.00	\$83,000.00
		\$130,000.00	\$0.00	\$130,000.00
		\$105,282.00	\$0.00	\$105,282.00
		\$198,420.00	\$0.00	\$198,420.00

59	GRAND TOTAL	\$742,505.00	\$67,084.00	\$809,589.00
----	-------------	--------------	-------------	--------------

		\$750,092.00	\$65,000.00	\$815,092.00
--	--	--------------	-------------	--------------

BUDGET SUBCOMMITTEE

December 7, 2001

2105632

PC Members: Alan Wheeler, Kevin Henson
Staff: David Sims

David provided copies of the letter from DFA with the funding guidelines for FY2003. There was discussion relative to the impact of these guidelines on the work previously done by this committee and what was presented to the PC in the November meeting.

David prepared a draft revision of the budget accommodating these changes. In the discussion, several items were modified from the draft and all present were comfortable with the end product.

As requested at the November PC meeting, items that are significantly different from FY2002 are indicated on the attached budgets. Note that there are two versions: one with and one without Teen Court funding.

RECOMMENDATION: As per DFA's letter: "Any program concerned that an above change will be detrimental to their program, may request of the DWI Grant Council in their application that an exception be made for their program," **the Budget Subcommittee recommends that Santa Fe County request an exception so as not to reduce the current funding level for Law Enforcement.**

Explanation of line item changes:

VERSION INCLUDING TEEN COURT

- 2 PI and E expansion of prevention efforts requires more resources. Radio spots
- 3 Much of the graphic art has already been developed and can be re-used or updated
- 5 Volunteer coordinator could help with multiple tasks that do not require staff
- 14 Vendor Education will provide positive outreach to liquor outlets
- 15 Direct in-school will allow expansion of work with youth in the schools
- 16 Media literacy is a valuable part of prevention that needs secure funding
- 18 Curriculum Infusion in GRANT request
- 19 LE reduced to the 10% cap
- 28 Outpatient: incorporate into Health Division and have multiple contractors
- 29 Transitional living not seen as being clearly a direct DWI program
- 32 Warrant Enforcement reduced to come in line with actual expenses
- 37 Admin. Services no longer allowed
- 39 Evaluation of the program needed
- 41 Vehicle maintenance in line with cost
- 43 Postage and shipping in line with cost
- 51 Data Entry to be completed in FY 2002

VERSION NO INCLUDING TEEN COURT

- 17 Every 15 Minutes included
- 18 Curriculum Infusion included in DISTRIBUTION request

SFC CLERK RECORDING 08/17/2004



Abstract

The Sobering Center will provide 16-28 emergency stabilization and short term detoxification beds in lieu of jail for individuals experiencing non-criminal substance abuse crisis up to 5 days. The facility will provide a 24 hour secure, safe and appropriate shelter and detoxification with access to on-going treatment at RAP.

2105633

Statement of Problem

- In April 2000 to March 2001 there were 869 protective custody referrals (97 were repeat users, 512 were unduplicated) made by city police to the local jail facility.
- Between April 2000 and 2001 there were 199 mental health hold referrals (13 were repeat users) made by city police to the local jail facility.
- Protective custody cases make up 1/3 of the jail population, 14 people accounted for 60% of all PCs referrals.
- Hispanic and Native American males make up 84% of all protective custody cases.
- Over half of PC individuals are 26-45 years of age.
- 34% self-report being suicidal, 12% mentally ill and 4% psychotic in the past.
- 6 out of 10 SA & MH cases are repeat users.

2105634

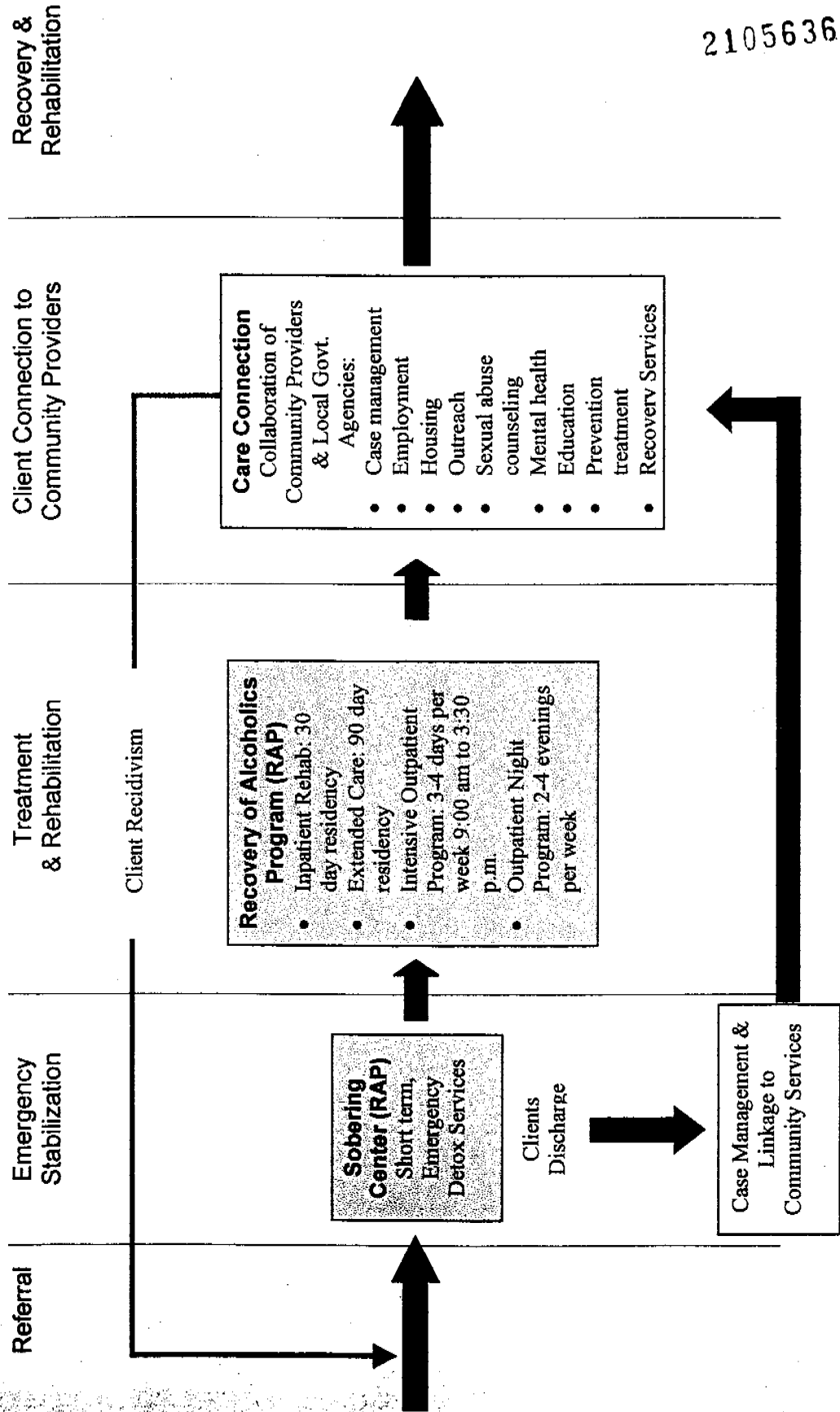
Program Design

“Social Detox” Treatment Model

- Social detox includes 24 hour supervision, observation, clinical support for intoxication and withdrawal.
- Structured daily activities include therapeutic and AA/NA/CA group meetings.
- Referral to RAP 30 day rehabilitation and 6 month long-term alcohol treatment and other community services.
- Access to medication administration at RAP.

2105635

Program Model for The Recovery of Alcoholics Program and Sobering Center



2105636

2106636

SFC
CLERK RECORDING 08/17/2004

SANTA FE BOARD OF COUNTY COMMISSIONERS

COMMISSION CHAMBERS

COUNTY ADMINISTRATION BUILDING

SPECIAL MEETING

March 1, 2002 – 9:00 A.M.

Notice of Special Meeting & Agenda

Notice is hereby given that the Santa Fe Board of County Commissioners will hold a Special Meeting on March 1, 2002, at 9:00 a.m. in the Commission Chambers at the County Administration Building, 102 Grant Avenue, Santa Fe, New Mexico to discuss the following items:

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. **Community and Health Development Department**
 - A. Discussion on the DWI Program Budget
 - B. Discussion on and Authorization to Proceed with the Santa Fe Care Connection Project (Behavioral Health Services in Santa Fe County)
- V. Adjournment

The County of Santa Fe makes every practical effort to assure that it's meetings and programs are accessible to the physically challenged. Physically challenged individuals should contact Santa Fe County in advance to discuss any special needs (e.g., interpreters for the hearing impaired or readers for the sight impaired)