

2226526

SANTA FE
BOARD OF COUNTY COMMISSIONERS

MEETING

May 28, 2002

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



1226 991
COUNTY OF SANTA FE } SS
STATE OF NEW MEXICO
I hereby certify that this instrument was filed
for record on the 4 day of oct A.D.
20 02 at 12:11 o'clock P.m
and was duly recorded in book 2226
page 526-601 of the records of

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

[Handwritten Signature]
Deputy

SANTA FE BOARD OF COUNTY COMMISSIONERS

2226527

COMMISSION CHAMBERS

COUNTY ADMINISTRATION BUILDING

REGULAR MEETING

(Administrative Items)

May 28, 2002 - 10:00 a.m.

started at 10:45 AM

PUBLIC HEARING

May 28, 2002 - 4:00 p.m.

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 - B. Tabled or Withdrawn Items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
- VI. Matters of Public Concern - Non-Action Items
- VII. Matters from the Commission
 - A. Resolution No. 2002 - ⁵⁴ A Resolution Dedicating the New Public Safety Complex as the Leopoldo C. Gurule Public Safety Complex
- VIII. Consent Calendar
 - A. Resolution No. 2002 - ⁵⁷ A Resolution Requesting an Increase to the Section 8 Voucher Fund (227) to Realign the Fiscal Year 2002 Budget With the Revised Budget Approved by the U.S. Department of Housing and Urban Development (Community and Health Development Department)
 - B. Resolution No. 2002 - ⁵⁹ A Resolution Requesting a Transfer from the State Special Appropriations Fund (318) to the General Fund (101) Budget to Reduce Expenditure for a Prior Fiscal Year (Community and Health Development Department)
 - C. Resolution No. 2002 - ⁶⁵ A Resolution Requesting a Transfer from the Low Rent Fund to the State Special Appropriations Fund (318) to Match Expenditure for a Prior Fiscal Year (Community and Health Development Department)
 - D. Resolution No. 2002 - ⁶⁰ A Resolution Requesting an Increase to the Clerk's Filing Fees Fund (218) to Budget Prior Fiscal Year Cash Balance for Expenditure in Fiscal Year 2002 (County Clerk's Office)

- Amended XG-2 = removed

*Amul 30, 2002 - changes
May 3, 2002
April 12, 2002 - OK*

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-2*

*VET A
A-2 } buy after
+ love after
Matter from
Commission*

- E. Resolution 2002 ⁶¹ - A Resolution Requesting a Transfer Within the General Fund (101)/County Clerk's Office and the Finance Department to Budget Prior Fiscal Year Cash Balance for Expenditure in Fiscal Year 2002 (County Clerk's Office)
- F. Resolution No. 2002 ⁶² - A Resolution Requesting an Increase to the General Fund (101)/County Sheriff for D.A.R.E. Contributions Received for Expenditure in Fiscal Year 2002 (County Sheriff's Office)
- G. Resolution No. 2002 ⁶³ - A Resolution Requesting an Increase to the Fire Protection Fund (209)/La Cienega Fire District to Budget Fire Impact Fees for Expenditure in Fiscal Year 2002 (Fire Department)
- H. Request Approval to Extend the Ban on the Sale and Use of Fireworks for an Additional 30-Day Period due to Wildland Fire Conditions (Fire Department)
- I. Requesting Authorization to Accept and Award IFB 322-21-FD, Light Rescue Apparatus for the Agua Fria Fire District to AAA Fire Pro, Inc. for \$154,674 (Fire Department)
- J. Requesting Authorization to Accept and Award IFB 322-22-FD, Light Rescue Apparatus for the Tesuque Fire District to AAA Fire Pro, Inc. for \$134,807 (Fire Department)
- K. Resolution No. 2002 ⁶⁴ - A Resolution Requesting an Increase to the General Fund (1010)/County Sheriff for Miscellaneous Contributions Received for Expenditure in Fiscal Year 2002 (County Sheriff's Office)

IX. Administrative Items

A. Committee Resignations:

- 1. Resignations from the Santa Fe Health Policy and Planning Commission
- 2. Resignation from the DWI Planning Council

B. Committee Appointments/Reappointments:

- 1. Appointments to the Santa Fe Health Policy and Planning Commission
- 2. Appointment to the Road Advisory Committee

< **Public Announcement of Items Removed From Agenda If Needed** >

X. Staff and Elected Officials' Items

A. Community and Health Development Department:

- 1. Request an Increase in Professional Services Agreement #22-0067-IH with the Rio Grande Alcoholism Treatment Program, Incorporated by \$20,000 to Provide Alcohol and Substance Abuse Treatment Services ⁵⁸
- 2. Resolution No. 2002 ⁶⁵ - A Resolution Approving the Public Housing Operating Budget and Calculation of Performance Funding System Operating Subsidy

B. Finance Department:

- 1. Resolution No. 2002 - A Resolution Approving the Fiscal Year 2003 Interim Budget
- 2. Request Approval to Sell and Dispose of Surplus Fixed Assets

*Res. 1
for
Board*

- Approved*
3. Request Approval to Pay Medical Providers who Rendered Medical Services to Inmates Incarcerated at the Santa Fe County Adult Detention Facility During the Period of June 1998 Through September 2001
- C. Land Use Department:**
1. Discussion and Direction Regarding a Water Restriction Enforcement Policy and Procedures (with Utilities Department)
 2. Update on Current Planning Projects Within the 2 Mile Extraterritorial Zoning District
- D. Public Works Department:**
1. Request Approval of Change Order Number Two (Final) for the County Road 64-L (Richards Avenue) Road Improvements Projects-EMCO
 2. Resolution No. 2002 - A Resolution Designating a Project Representative and Signature Authority Regarding the Camino Carlos Rael Waterlines
- Approved*
- E. Utilities Department:**
1. Resolution No. 2002 - A Resolution Recognizing a Regional Water Contamination Issue; Outlining What Has Been Done to Identify Options to Address the Issue; Concurring With the Need for a Regional Solution; and Asking Congress and the State of New Mexico to Support this Regional Cooperative Effort with Funds and Legislative and Regulatory Assistance
- F. Matters from the County Manager, Estevan Lopez:**
1. Status Report on SR 14 Business Park
- G. Matters from the County Attorney, Steven Kopelman:**
1. Executive Session:
 - a. Discussion of Pending or Threatened Litigation
 - i. Santa Fe County vs. Edgewood
 - b. Discussion of Limited Personnel Issues
- Approved*
- XI. Public Hearing (4:00 PM)**
- A. Utilities Department**
1. Resolution No. 2002 - A Resolution Adopting Water Service Rates for the Santa Fe County Water Utility

XII. 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).

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SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

May 28, 2002

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 10:40 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 Jack Sullivan
Commissioner Paul Campos

Members Absent:
Commissioner Marcos Trujillo
Commissioner Javier Gonzales

III. Invocation

An invocation was given by Pastor Tom Anderson.

IV. Approval of the Agenda

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

CHAIRMAN DURAN: Estevan, are there any changes to the agenda?

ESTEVAN LOPEZ (County Manager): Mr. Chairman, there's only one change. I'm requesting that under X.G.1.b be tabled. That's under the executive session, the discussion of limited personnel issues and all the rest of the agenda would remain as noticed.

CHAIRMAN DURAN: Okay. Any other changes? The Chair will entertain a motion to approve the agenda as amended.

COMMISSIONER CAMPOS: So moved.

COMMISSIONER SULLIVAN: Second.

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The motion to approve the agenda as amended passed by unanimous [3-0] voice vote.

V. Approval of the Minutes: April 12, 2002, April 30, 2002 and May 3, 2002 (cont.)

CHAIRMAN DURAN: Are there any changes to the minutes?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I think we had two sets, or was it three sets of minutes. I had some minor typographical changes on the first two.

CHAIRMAN DURAN: So that would be April 12 and April 30. The Chair will entertain a motion to approve those with the minor changes given to the recorder.

COMMISSIONER CAMPOS: So moved.

COMMISSIONER SULLIVAN: Second.

The motion to approve the meeting minutes, as corrected, for April 12, April 30 and May 3, 2002 passed by unanimous [3-0] voice vote.

VI. Matters of Public Concern - Non-action items

CHAIRMAN DURAN: I'd like to welcome Mayor Delgado and Councilor Heldmeyer to today's meeting and Mayor, did you have something you wanted to address the Commission about? Please step forward.

MAYOR LARRY DELGADO: Thank you, Mr. Chairman, members of the Commission for allowing us a few minutes. As you've probably read, the City Council and the governing body of the City of Santa Fe has been working with Las Campanas in regard to water issues up there. We've met with some of your staff members, with Steve and Estevan, in regard to the contract or the master plan and how it reads. Councilor Heldmeyer and I thought we'd drop in, take a little bit of your time to ask you to review that and I'm sure Steve is reviewing the contract and seeing what our position is and what methods we have in order to encourage Las Campanas to continue into the conservation mode which we have put on the people of Santa Fe and the people of the County of Santa Fe also.

We want Las Campanas to be able to step up and say, Yes, we're going to live by the same restrictions that you're putting on the residents of Santa Fe and Santa Fe County. So our discussion with your staff went very well last week. We sat down and reviewed it. As you might have read, we have made some recommendations and that's that Las Campanas cut back on their water usage out there in regard for exchange of treated effluent that would be piped up for the watering of their golf courses. We think that they're going to accept the offer that we made. We're looking forward to it. I'm sure there's some fine-tuning that still has to be done. But the City of Santa Fe is very interested in seeing, in getting Las Campanas to work with us and being the County is actually was the generator of the master plan, we would hope that it

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would be looked at and the people of Las Campanas would be made aware of what their responsibilities are as we go through this difficult time.

Councilor Heldmeyer, you might want to say a few words.

COUNCILOR KAREN HELDMEYER: We just wanted to thank the Board of County Commissioners for the foresight that they showed for putting these conditions for approval into the master plan approval lo these many years ago when people weren't worrying so much about the shortage of water. But at the time, realizing that the day might come when we were all looking at a decrease in the amount of available water and we were all going to have to share the shortage.

You've acknowledged that by going to Stage 3 in the county as we've gone to Stage 3 in the city and we're hopeful that both the City and the County can be working together to help Las Campanas meet the kinds of requirements that were put on either through our contract with them or through the conditions of approval. And we see this as another area in which the City and the County can show cooperation over water issues. Thank you.

CHAIRMAN DURAN: Great. Steve, have you completed your analysis of that contract?

STEVE KOPELMAN (County Attorney): Mr. Chairman, members of the Commission, I've reviewed the condition and I was planning on discussing it with you in executive session since it may be a possible litigation issue.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: Question for the Mayor and Councilor Heldmeyer. I understand that the City Council is working on a new Stage 4. Is that correct?

MAYOR DELGADO: That's correct.

COMMISSIONER CAMPOS: If you should go into a new Stage 4, how will that affect your current negotiations with Las Campanas?

COUNCILOR HELDMEYER: The offer that we offered Las Campanas specified that if we went to Stage 4, that the amount of potable water would be recalculated on the basis of the restrictions of Stage 4. The 800,000 potable that we're currently offering them is based on what we would calculate that they would be using if they were following the Stage 3 restrictions. If we go to Stage 4, the offer is that we will recalculate based on Stage 4 restrictions. I have a feeling that may be the thing they want to discuss.

MAYOR DELGADO: I think Councilor Heldmeyer is correct. I think that's what they wanted to meet with us again on in regard to if we do move to Stage 4, how it's going to impact them.

COMMISSIONER CAMPOS: When do you think you're going to have some resolution to this discussion?

MAYOR DELGADO: When? I would think, I'm hoping in the next couple of days. Tomorrow night we're going to be talking about Stage 4 at City Council. So we're hoping, I would think no later than Thursday and I intend to meet with the people from Las Campanas soon to see what maybe their hang-ups are, so we can put them on the table and

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discuss them.

COUNCILOR HELDMEYER: They were given a deadline of today to respond to us and it is on the afternoon agenda for the Council tomorrow to discuss their response.

MAYOR DELGADO: But again, Mr. Chairman, thank you so much. We stand for questions, but we appreciate that and I appreciate the time that your staff has given us to have this discussion and we hope to continue discussing the matter.

CHAIRMAN DURAN: Well, I'd like to thank you for working so diligently and thoughtfully with Las Campanas. I think that they really need a little bit of guidance from this community and the Mayor and the Council and I'm pleased to see that they are cooperating and that you're able to find some common ground.

MAYOR DELGADO: Well, Mr. Chairman, we're all in this together. Every one of us.

CHAIRMAN DURAN: Right. And we're behind all your efforts too, so wherever we can help you, we're willing to do that.

MAYOR DELGADO: Thank you very much for your time.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Mayor and Councilor Heldmeyer, just one question. What's the term of this agreement if they do agree with you?

MAYOR DELGADO: It would be the end of September. We're looking at about 90 days.

COMMISSIONER SULLIVAN: And what happens beyond that?

MAYOR DELGADO: Well, I guess beyond that, we need to and we've discussed this with Steve and Estevan, I think we need to continue to look at this contract and I don't know if there will be possible litigation on it or what the plan is but I think we've got to continue the dialogue with Las Campanas even after the 90 days are over, would be my position.

COMMISSIONER SULLIVAN: But if it worked out, I understand Las Campanas would build a temporary pipe to pipe this at their expense.

MAYOR DELGADO: That's right.

COMMISSIONER SULLIVAN: And the City would provide the effluent. So I assume after 90 days the effluent would still be available so if it worked out, would there be the possibility that they would continue that 800,000 gallons of potable and 400,000—

MAYOR DELGADO: I think at the end of 90 days, Commissioner Sullivan, I think that discussion will be brought forward again.

COMMISSIONER SULLIVAN: So we have at least the beginnings of a game plan for what happens 90 days from now.

MAYOR DELGADO: That's correct.

COMMISSIONER SULLIVAN: I think that's important. Thanks again for all your efforts in this.

MAYOR DELGADO: You're welcome, and again, thank you for the time, Mr.

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Chairman, Commissioners.

COUNCILOR HELDMEYER: Thank you, Commissioners.

CHAIRMAN DURAN: Thank you. Okay, is there anyone else out in the public that would like to address the Commission on any matter? We're going to move now into—do you want to do Matters from the Commission, Estevan, or what did you want to do next?

MR. LOPEZ: Mr. Chairman, I do recommend that we continue on the agenda and once we're done with the Matters from the Commission, I would ask that we convene, concurrent with the Commission meeting the Housing Authority Board for two specific items. I can tell you which two those are right off and that would be VII. A. under the Consent Calendar, the increase in the Section 8 voucher fund, and the second item that I would ask be moved up to right behind that for concurrent action between the Commission and the Authority would be item X. A. 2, the resolution approving a public housing operating budget and calculation of performance funding system. So for the time being I would recommend continuing with Matters from the Commission.

CHAIRMAN DURAN: Okay, so how about a motion to amend the agenda as just stated.

COMMISSIONER CAMPOS: We're going to recess? I assume we're going to recess briefly and convene as the Housing Board?

CHAIRMAN DURAN: Oh, is that what we're going to do?

MR. KOPELMAN: Mr. Chairman, Commissioner Campos, what you can do is, these items, these two agenda items are also listed on the Commission agenda. And so I think we can keep the Commission meeting going and convene simultaneously the Housing Board meeting.

CHAIRMAN DURAN: Okay. We'll do that.

VII. Matters from the Commission

A. Resolution No. 2002-56. A resolution dedicating the new Public Safety Complex as the Leopoldo C. Gurule Public Safety Complex

RON MADRID (Sheriff's Office): Mr. Chairman, Commissioners, Ron Madrid, representing the Sheriff's office, Stan Holden, Fire Department. Commissioners, June 7, 1980 was a very sad day for Santa Fe County. Deputy Leopoldo Gurule lost his life responding to a domestic dispute call. Deputy Gurule dedicated his life to Santa Fe County and to law enforcement. Because of this I would like that you pass a resolution dedicating the new Public Safety Complex as the Leopoldo Gurule Safety Complex and also that at this point we do have the Anacon building named after Leopoldo Gurule but we would like to go back to the name which we once had as the Anacon Building. Any questions?

CHAIRMAN DURAN: Any questions of Deputy Madrid?

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

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COMMISSIONER CAMPOS: Would you have any problem calling this the Santa Fe County Public Safety Complex Leo Gurule Building? Would there be any problem with that?

MR. MADRID: I would not.

COMMISSIONER CAMPOS: Stan?

STAN HOLDEN (Fire Chief): No, sir.

CHAIRMAN DURAN: What is it suggested now? That it's the—

MR. MADRID: It would be the Leopoldo Gurule Public Safety Complex.

CHAIRMAN DURAN: And you want to add Santa Fe County?

COMMISSIONER CAMPOS: I would suggest that it should be prominently named Santa Fe County, and to honor Mr. Gurule we should call it the Leo Gurule Building but it should be the Santa Fe County Public Safety Complex Leo Gurule Building. That's my suggestion for discussion. And the other question is do we need to name the Anacon Building? Does it need a name? Anacon—what does that mean? Why is it the Anacon?

MR. MADRID: I have no idea, Commissioner.

CHAIRMAN DURAN: It just seems to me that the name should come first in honor of the individual. We have the Steven Herrera Judicial Complex. We don't say Santa Fe County Steven Herrera Judicial Complex. I don't really know the real significance of putting Santa Fe County in front of it and I think that it actually honors the individual a little bit more by putting his name first if that's what we decide to do.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I think it needs to be identified as a Santa Fe County building and I think that's probably a good way to do it. I think we do want to honor this individual who gave his life for the service of Santa Fe County citizens. This is both the Sheriff's Department, the EMS and the Fire Department building and God forbid we may encounter a situation where we lose someone, also a firefighter or an EMS person. And we also may have other buildings later in this complex as well, which could then possibly honor that individual. So I think that the Commissioner's suggestion from Commissioner Campos is a good one to simply call it the Santa Fe Public Safety Complex and then right underneath that Leopoldo Gurule Building.

And there was a question as to whether the middle initial should be in there also. I see on the agenda the middle initial is there and on the resolution it's not. I don't know what the desire of the department is on that but we should probably decide that as well.

CHAIRMAN DURAN: So what do you want the sign on the building to say?

COMMISSIONER SULLIVAN: I'm just suggesting as Commissioner Campos did that it read on the first line Santa Fe County Public Safety Complex, and then directly under that in the same size lettering, Leopoldo Gurule Building.

CHAIRMAN DURAN: Is that a motion?

MR. MADRID: That's fine, Commissioner.

COMMISSIONER SULLIVAN: How does that sound?

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MR. MADRID: That sounds fine.

COMMISSIONER SULLIVAN: Does that sound reasonable? We're not trying to diminish the service of anyone in the Sheriff's Department or the Fire Department. We know that this is a sensitive issue so we want everyone to feel right about this.

MR. MADRID: Mr. Chairman, Commissioner Sullivan, myself and the Chief, we talked about it and we have no problem with it.

CHIEF HOLDEN: Mr. Chairman, in regards to the initial, the family is requesting that we put the middle initial in the name of the complex, include the C.

COMMISSIONER SULLIVAN: The C. Okay so my motion would be to amend the name to read the Santa Fe Public Safety Complex, and on the second line, Leopoldo C. Gurule Building.

COMMISSIONER CAMPOS: Second.

MR. LOPEZ: Mr. Chairman, I would just like to point out that I believe there are people in the public that have an interest in this particular issue and perhaps to acknowledge those individuals and perhaps ask if they might have an interest in how this discussion in going. Just for your consideration.

CHAIRMAN DURAN: Okay. I was wondering, why do we need to name the building, turn it back to the Anacon Building? Can we just delete that from the resolution?

COMMISSIONER SULLIVAN: I don't see anything compelling, Mr. Chairman, about naming it the Anacon Building if nobody knows what the name means. I think we can leave that open until a future time. I agree with you on that.

MR. LOPEZ: Mr. Chairman, I understand that's just the name of the building or that was the name of the building at the time that we bought it and really the intent of that whole section of the resolution was just to make note that the name of that building will no longer be Leopoldo c. Gurule Building, so we don't have that confusion. Whether it goes back to Anacon or just an unnamed building is probably neither here nor there as far as that goes.

CHAIRMAN DURAN: It's probably easier to say the Anacon Building than that building formerly known as the—right? We'll just leave it that way.

COMMISSIONER CAMPOS: Is that part of the motion, just to leave the Anacon Building?

COMMISSIONER SULLIVAN: Well, we could keep it as the Anacon Building until a more appropriate name comes up. How's that? Without—don't spend a lot of money on big signs that say "Anacon Building." Okay?

COMMISSIONER CAMPOS: Sounds good.

CHAIRMAN DURAN: So is there anyone out there in the audience that would like to address the Commission concerning this issue?

BEVERY LENNEN (Deputy Police Chief): Good morning, Board of Commissioners. I would like to, on behalf of the Gurule family thank the Board of Commissioners and the Sheriff's Department, the County Fire Department for bringing this dedication forward. It's an honor for the family that the sacrifice that Leo gave is being remembered and it's fitting and proper that his name would be shown on that complex. The

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family does appreciate and certainly it doesn't bring anyone back but it does honor his memory. We thank you.

CHAIRMAN DURAN: Is there anyone else?

MR. MADRID: Mr. Chairman, Commissioners, one point I'd like to bring up is we did not start his name by having Deputy in the front of it. I think that would be important to put that.

CHAIRMAN DURAN: You and the family would like to have "Deputy."

MR. MADRID: Leopoldo Gurule Building. Yes, sir. Being that that was his official title at the time.

CHAIRMAN DURAN: Let me ask a question. Is this the regional emergency communications center building?

COMMISSIONER SULLIVAN: Same building.

COMMISSIONER CAMPOS: I would propose that we honor the family's wishes to call it Deputy Leopoldo Gurule.

COMMISSIONER SULLIVAN: I'll amend my motion to Deputy Leopoldo C. Gurule Building.

The motion to approve Resolution 2002-56, as amended, passed by unanimous [3-0] voice vote.

CHAIRMAN DURAN: We are now going to convene the Housing Authority Board.

MR. LOPEZ: Mr. Chairman, assuming that those were all the Matters from the Commission, that's right.

CHAIRMAN DURAN: Are there any other Matters from the Commission?

COMMISSIONER SULLIVAN: I had one item, Mr. Chairman and Estevan. Could you give us a brief status of the Rancho Viejo well application?

MR. LOPEZ: Mr. Chairman, I would ask that Mr. Gary Roybal give that status. I think he's more up on the issues than I am.

GARY ROYBAL (Utilities Director): Good morning, Mr. Chairman, Commissioners. My name's Gary Roybal. I'm the Utilities Department Director. Right now, we are in the process of exploring how to get this well permitted. One of the issues that we came across in going forward on this initiative is that in order to make this an emergency well for emergency uses we have to make this permit supplemental to another permitted well. We have contacted the state of New Mexico and also the City of Santa Fe to see if we can utilize one of their permitted wells to make this well permit supplemental to those wells.

At the present time the state of New Mexico said that they're not in the process of doing this and we've pretty much negated that option. We have contacted the City and did not receive a very favorable response from them but we are still in discussions with them on that issue. We are also considering other options at this point. So the permit, I guess the short answer is the permit hasn't been filed yet.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: On the same issue, a question for the County Manager. Mr. Lopez, last week we talked about the possibility of having a special meeting to discuss this. There's a lot of public concern about that. Any updates on that? Have you had a chance to speak with other members on staff to see if that's possible this week?

MR. LOPEZ: Mr. Chairman, Commissioner Campos, I have spoken to specifically Gary and to Steve Kopelman about that suggestion, and also previously, when we met with the Mayor about some Las Campanas issues, this issue also came up and we tossed around the idea of possibly trying to have some sort of a session to let the public know what it is we are actually thinking and so forth. And I think that everybody that I spoke to seemed to view that as a favorable option, however I don't think, and Gary, correct me if I'm wrong, I don't think that we've actually gotten anywhere in terms of trying to schedule anything so far.

MR. ROYBAL: That's correct.

COMMISSIONER CAMPOS: Mr. Roybal, as far as scheduling, are you looking at any, this week, next week? It doesn't have to be a BCC special meeting. I think if staff can be there and answer questions and present what they're trying to do, what they see the facts to be, I think that would be good, because there are a lot of people who are very concerned about these issues and it's important that we get the County's point of view, at least the staff's point of view on these issues for discussion with a lot of people who I think are very interested.

MR. ROYBAL: Mr. Chairman, Commissioner Campos, we can have this public hearing at the Commission's convenience. We could do it in the next couple of weeks, at the next BCC meeting.

COMMISSIONER SULLIVAN: Mr. Chairman, Gary, I would suggest maybe out at the Turquoise Trail Elementary School or somewhere that's in proximity to the area where the well will be. I don't think there's any public facilities at Rancho Viejo that would be available. I don't know schools, other than Turquoise Trail. But in looking at the minutes from the last meeting, I think it was Commissioner Gonzales who suggested perhaps a meeting in the area, as opposed to a more formal meeting here at the Commission. I think that's what would be more useful in letting people have some input on the issue.

MR. ROYBAL: Mr. Chairman, Commissioner Sullivan, I can certainly schedule something. I think the Community College has facilities available for meeting which seems a local place to be able to hold this. And I'd also just kind of in response to where we are in the permit process in our discussions with the City of Santa Fe which I failed to mention is that they're also taking other steps to look at their source of supply and bring in additional water into the system. They're looking at drilling another well at the Buckman area this summer in addition to what they're going to be doing next year also. So there are also other steps being taken by the City to supplement their supply also. And we're in discussions with them on this issue.

COMMISSIONER CAMPOS: Mr. Chairman.

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CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: Quick comment. It seems to me that we have to consider the other option of maybe using the \$180,000 to buy water rights instead of committing it to this pipeline for the long term. I think that's something that would be important to the area also.

CHAIRMAN DURAN: That's not our \$180,000, is it?

MR. ROYBAL: Mr. Chairman, that would be our \$180,000. And we are discussing these options. There is state funding available that we've looked in to. There's \$90 million of emergency funding that the state has appropriated for drought relief and we have talked with the administrator of this fund and discussed with them the very type of project that we're looking at, and based on our discussions with the administrator, this project would fall within the guidelines of appropriating state funds to build this project because it's temporary in nature. It's not a permanent structure that we're enhancing at this point. So we are looking at funding options also that are available to do this.

What this process has done has brought up a lot of interesting issues that we're exploring right now to see how we can address the issue that we're faced with in the region.

CHAIRMAN DURAN: How close is this well to the state pen wells?

MR. ROYBAL: Mr. Chairman, I would probably say it's within a couple, two to three miles.

CHAIRMAN DURAN: Is it basically in the same aquifer?

MR. ROYBAL: Yes it is, Mr. Chairman.

CHAIRMAN DURAN: And what has been the production of that state pen well in the past and what is it today?

MR. ROYBAL: I believe the production in the well, in the state penitentiary wells, is right around 200 acre-feet. I believe it was higher than that when the facility was at full capacity, when they had the main online. I think they may have reached their capacity of 375 acre-feet.

CHAIRMAN DURAN: They may have reached—

MR. ROYBAL: Their water rights capacity or production. They have approximately 375 acre-feet of water rights available at their facility.

CHAIRMAN DURAN: And they're using that amount right now?

MR. ROYBAL: They're using approximately 200 at this point. Somewhere in that area. But in our discussions with them to see about making our well supplemental to theirs, because they are a state agency, they're not interested in proceeding in that manner, because they're a different government entity at this point. They're just a different governmental entity.

The other option we may have is we're also looking into the possibility of maybe using the Hagerman well, of which we're in negotiations with to purchase also, but that's just an option that we're looking at.

CHAIRMAN DURAN: But aren't all these wells below the master meter so even if we were successful in getting the water into our system it really wouldn't—the City wouldn't be able to use it because of the flow, right?

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MR. ROYBAL: Mr. Chairman, the City—the water that would be produced out of this well wouldn't go into the City system. It would go into our system and it would be a stand-alone production. In other words we would use the water in our system. None of it would get transferred or be put into the City system. What happens is we would displace what the City provides the County. So if we produce 200,000 gallons per day, or a quarter million gallons per day on our system, that's a quarter million gallons less that the City has to provide to us that they could use on their system for their relief.

CHAIRMAN DURAN: But in reality, how many acre-feet do we actually use right now?

MR. ROYBAL: In the summer months, for the three months last year we used approximately 50 acre-feet. That's just a summer three-month average.

CHAIRMAN DURAN: But our commitment right now to provide water represents how many acre-feet?

MR. ROYBAL: For the summer months or on an annual basis?

CHAIRMAN DURAN: The customers that we have on our system right now require that we have how much acre-feet?

MR. ROYBAL: Mr. Chairman, I believe last year we used approximately 160 to 170 acre-feet of water rights. That may be a little bit more now because we've had some increase usage or growth on the system. So I would probably say less than 200 acre-feet on a conservative number. It's less than 200 acre-feet per year that we would use this year. We have 500 acre-feet available and allocated to us for use on an annual basis.

CHAIRMAN DURAN: So do you think any of this is going to make any difference in the next six months in terms of the City being able to experience any water savings?

MR. ROYBAL: Mr. Chairman, yes. A quarter million gallons per day is significant. What it also does from a County perspective is it also maintains a sustainable supply for the water utility customers also.

CHAIRMAN DURAN: This is relative to the Rancho Viejo well, right?

MR. ROYBAL: Yes.

CHAIRMAN DURAN: Which probably, it doesn't sound to me that we're going to get any approvals. The State Engineer is not even considering it. He hasn't given us a favorable opinion on that, correct?

MR. ROYBAL: Mr. Chairman, he hasn't given any opinion because he hasn't had the permit before him. His opinion would come out once we issued a permit. Once we applied for the permit, the hydrological studies will be conducted and then he will issue his opinion on whether to approve this on an emergency basis or not. At this point we don't have anything official from the State Engineer's Office on this permit.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: Quick question. How many gallons a day does the City system go through?

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MR. ROYBAL: Mr. Chairman, Commissioner Campos, on an average non-watering day, it's about 10 million gallons per day. I believe it's gone as high as 18 million gallons per day on a peak day, on an irrigating day.

COMMISSIONER CAMPOS: So basically you're saying that we could add 250,000 gallons to let's say a 10 to 18 million gallon per day need.

MR. ROYBAL: Mr. Chairman, Commissioner Campos, we would be able to relieve that by a quarter million gallons per day approximately, yes.

MR. LOPEZ: Mr. Chairman, just a point of clarification then. I understand then that the Commission would like for staff to convene, to the extent that we're moving forward with an application on that well, for use of that well on an emergency basis, that you would ask us to convene a public information meeting that doesn't—that's not necessarily a Commission meeting and preferably in the Community College District area. Is that correct? Okay. We'll move forward with that, with that direction.

CHAIRMAN DURAN: I'd like the Commission to consider giving staff direction as follows. Right now we have 500 acre-feet which we get through our wheeling agreement and we only use 180 of that, less than 200?

MR. ROYBAL: Mr. Chairman, that's correct.

CHAIRMAN DURAN: And I'm not sure that the City actually in their analysis of the water they have available—I'm sure, I think that they factor in that 500 acre-feet or they deduct it from the water they have available. They don't? I guess what I'm leading to is I'd like to make sure that when they do their analysis of the water that's available to them that we come out and basically say that for the next nine months or so that they have 300 acre-feet more because we're not using 300 acre-feet. Does that make sense?

MR. ROYBAL: Mr. Chairman, in their water calculations, they go based on what they can produce. And it's limited by their production. So they're producing everything they can to meet their demand. So they don't factor in an additional 300 acre-feet that we may be using or we were entitled to. What they're doing is saying Our wells can produce x-amount. And that's where they're capped at.

CHAIRMAN DURAN: But when they are considering a Stage 4 or a Phase 4, it seems to me that they would look at what the demand is, or what their commitments are, and their commitment is to provide us 500 acre-feet.

MR. ROYBAL: Mr. Chairman, in the wheeling agreement, there's a provision in there that if they cut back their water consumption or if they have an allocation, we would be under the same allocation proportionately. So I would believe that their analysis may look at what our demand is today and not what our contractual demand.

CHAIRMAN DURAN: So what you're telling me, we don't need to give them notice that we are willing to not require 300 acre-feet of the 500 acre-feet in our wheeling agreement because they've already factored that in.

MR. LOPEZ: Mr. Chairman, if I may, I think that's exactly correct. Right now, when they look at their overall demand, they're simply looking at what we're using today, not what we have a contractual agreement to take under the wheeling agreement. So

that's already been taking into account.

CHAIRMAN DURAN: So when they start negotiating with, for instance, Las Campanas, the demand that they're contractually obligated to provide us with is not factored in to the availability of water. I'm sure they use when they decide how they're going to negotiate a reasonable deal with Las Campanas.

MR. LOPEZ: Mr. Chairman, my understanding is that all they're looking at right now is what they're actually delivering to us, not what we might take if we were to fully utilize the wheeling agreement.

CHAIRMAN DURAN: Okay. Any other questions of staff? So I guess we're going to convene the Housing—

MR. LOPEZ: Mr. Chairman, I would recommend a couple of things. I would recommend that the Board's agenda be modified to move up item X. A.2. the resolution approving the public housing operating budget and that that item and the first item on the Consent Calendar be considered together and that you convene the Housing Authority Board to deal with that concurrently with the Board of County Commissioners, action on those two items.

CHAIRMAN DURAN: Do we need a motion or is that clarification adequate?

MR. KOPELMAN: Mr. Chairman, motion I think is appropriate.

COMMISSIONER SULLIVAN: So moved.

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: Any further discussion?

The motion to modify the agenda to bring forward items VIII. A. and X. A. 2 to be considered jointly with the Authority Board passed by unanimous [3-0] vote.

The Housing Authority Board convened jointly with the Board of County Commissioners with the following members present: Chairman Duran, Commissioner Sullivan, Commissioner Campos and Housing Representative Raymond Martinez.

VIII. Consent Calendar

- A. Housing Authority Resolution No. 2002-6. [County Commission Resolution No. 2002-57.] A resolution requesting an increase to the Section 8 voucher fund (227) to realign the fiscal year 2002 budget with the revised budget approved the US Department of Housing and Urban Development**

ROBERT ANAYA (CHDD Director): Mr. Chairman, Commissioners, the first item is a Consent item requesting an increase to the voucher fund to realign the Section 8 fund and I would stand for any questions.

CHAIRMAN DURAN: Any questions of Robert? if not, what's the pleasure of the Board?

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RAYMOND MARTINEZ: After reviewing this, the request is necessary to reconcile the budget, so I move that it is passed.

CHAIRMAN DURAN: Okay, I second that motion. Any further discussion?

The motion to approve Housing Authority Board Resolution 2002-6 passed by unanimous [4-0] voice vote.

IX. Staff and Elected Officials' Items

A. Community and Health Development Department

2. Housing Authority Board Resolution No. 2002-7. [County Commission Resolution No. 2002-58.] A resolution approving the public housing operating budget and calculation of performance funding system operating subsidy

MR. ANAYA: Mr. Chairman, Commissioners, this is the resolution to approve the public housing and Housing Authority operating budget. The only other comment that I have is this is the first budget since 1997 that the County will not infuse additional general fund revenue into the Housing Authority for the next upcoming fiscal year. I stand for questions.

CHAIRMAN DURAN: Any questions of Robert?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Robert, in the budget you have an \$89,257 in administration other than salaries. Of that, \$18,660 is travel. What's the nature of that travel?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, the entire staff of the Housing Authority does attend a substantial amount of training throughout the year to keep up with the ongoing requirements of the federal government. We could provide a specific breakdown of each of those trainings and what they are. That entails the entire staff of the Housing Authority, goes to training throughout the course of the year.

COMMISSIONER SULLIVAN: It seems to represent about 20 percent of the budget and that seems a little high to me. How does that compare with previous years?

MR. ANAYA: Mr. Chairman, that particular line item is similar to what we've had in previous years. As far as it being 20 percent of the budget, the only budget that you're looking at here is the operating budget for the agency, but it also entails, we also have the Section 8 budget that goes along with this. We have the capital improvement that goes along with this that are all also components of the Housing Authority. So it's not necessarily 20 percent of this amount. It's all of the employees within the Housing Authority. We also do have management improvement monies within the capital improvement program, CFP program, but that comes under the regular submittal. This is the operating budget for the Housing Authority aspect, the public housing authority aspect, Mr. Chairman, Commissioner Sullivan.

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COMMISSIONER SULLIVAN: I understand. That \$89,000 excludes salaries, but in addition to the \$18,000 in travel, there's also \$11,000 in training that adds to that. Is that—what does that account for?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, historically we have had the training that comes forward and the travel but we've historically had our cash balance increase where we haven't spent the entire allocation of that travel expenditure. But if you'd like a specific breakdown with everybody in the staff has done and how it improves or enhances the agency, I'd be happy to provide that to you.

COMMISSIONER SULLIVAN: That wasn't my question. My question was what is the \$11,210 for?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, that's for specific seminar costs and fees associated directly with the training. Travel is broken into two categories. One is for travel where you're actually physically getting on a plane or cutting a travel voucher for the travel, physical travel aspect. The other aspect is budgeted as an expense to a seminar or workshop or whatever the case might be.

COMMISSIONER SULLIVAN: So the \$11,000 would be to pay for the people who are conducting the training and to pay for the facility. Is that the type of thing?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, no. It's registration fees relative to the courses that the employees are actually attending. That's where seminars and workshops line item. That's where that's paid out of. And then the actual physical travel aspect is, like I said, getting on the plane and meals and lodging and the like.

COMMISSIONER SULLIVAN: So that totals about \$30,000 of the \$89,000. Is all of this training training that's required by HUD to keep the housing personnel up to date on procedures?

MR. ANAYA: Mr. Chairman, no training is mandated by HUD but keeping in mind that we came from a troubled housing designation, it's been important to me to ensure that the staff is adequately trained so that we run the agency properly. But it's not mandated at all.

COMMISSIONER SULLIVAN: I'm not familiar with what we spent before so it just seemed that a third of the budget, the non-salary budget was quite high. I'd rather see the money go into sprucing up the homes. But maybe that can't be transferred. Maybe this type of line item is not transferable to that.

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, you can transfer some of this revenue. Like I said, I think that it's important to train staff and we haven't been spending every dime of the travel. The balances have been rolling in the cash balance and if you look at the cash balance for the Housing Authority it's very healthy and fiscally sound.

COMMISSIONER SULLIVAN: Thank you.

CHAIRMAN DURAN: Mr. Anaya, I was just wondering, who prepares the budget?

MR. ANAYA: Mr. Chairman, staff prepares the budget, being myself, Ms. Salazar, the supervisory staff, Mr. Gonzales, Mr. Narvaiz, Mr. Chairman.

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CHAIRMAN DURAN: And does Finance Department—I guess not many of us in the County really know much about the Housing Division except you and your staff so I'm wondering what kind of mechanism is in place for review and analysis of the budget to ensure that money is being allocated to the proper programs and that everything is actually being addressed based on our goals and the vision that we have for the Housing Authority. Does Mr. Martinez get involved with that too?

MR. ANAYA: Mr. Chairman, yes he does. And Mr. Chairman, I would add that the entire staff at Santa Fe County has helped us over the course of the years get to the point we're at. And this Commission, you yourself, Mr. Chairman, have been very instrumental to get us to the position we're at. But this body, the County Commission, has provided the direction that's got us to this point and I think it's a good positive direction.

CHAIRMAN DURAN: Good.

COMMISSIONER SULLIVAN: Mr. Chairman, maybe we could just get an interim update on that if we haven't spent all the money from the prior year and maybe just keep an eye on that as the year progresses and see if we can do a budget adjustment and if we're not utilizing all that travel we can do some improvements onsite.

MR. ANAYA: Mr. Chairman, Commissioner, we'd be happy to do that for you.

CHAIRMAN DURAN: At the next meeting, why don't you bring us a breakdown of that and maybe, since there's some concern about this amount of money in the travel, you could just come forward at some meeting some time soon and just kind of give us a breakdown and the need for it.

MR. ANAYA: Be happy to, Mr. Chairman.

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

COMMISSIONER SULLIVAN: This is the Housing Board, right?

CHAIRMAN DURAN: The Housing Board. Do we want to approve?

COMMISSIONER SULLIVAN: Move for approval, Mr. Chairman, of Resolution 2002-7 of the Housing Board.

MR. MARTINEZ: I'll second that motion.

CHAIRMAN DURAN: Any further discussion?

The motion to approve Housing Authority Board Resolution 2002-7 passed by unanimous [4-0] voice vote.

CHAIRMAN DURAN: The Chair will entertain a motion to approve VII.A, Resolution 2002-57, and item X. A. 2, Resolution 2002-58, which were previously approved by the Santa Fe County Housing Authority. The Chair will entertain a motion.

COMMISSIONER CAMPOS: So moved.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: Any further discussion?

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The motion to approve Resolutions 2002-57 and Resolution 2002-58 passed by unanimous [3-0] voice vote.

VIII. Consent Calendar

- B. Resolution No. 2002-59. A Resolution Requesting a Transfer from the State Special Appropriations Fund (318) to the General Fund (101) Budget to Reduce Expenditure for a Prior Fiscal Year (Community and Health Development Department)**
- C. Resolution No. 2002-__ . A Resolution Requesting a Transfer from the Low Rent Fund to the State Special Appropriations Fund (318) to Match Expenditure for a Prior Fiscal Year (Community and Health Development Department)**
- D. Resolution No. 2002-60. A Resolution Requesting an Increase to the Clerk's Filing Fees Fund (218) to Budget Prior Fiscal Year Cash Balance for Expenditure in Fiscal Year 2002 (County Clerk's Office)**
- E. Resolution 2002-61. A Resolution Requesting a Transfer Within the General Fund (101)/County Clerk's Office and the Finance Department to Budget Prior Fiscal Year Cash Balance for Expenditure in Fiscal Year 2002 (County Clerk's Office)**
- F. Resolution No. 2002-62. A Resolution Requesting an Increase to the General Fund (101)/County Sheriff for D.A.R.E. Contributions Received for Expenditure in Fiscal Year 2002 (County Sheriff's Office)**
- G. Resolution No. 2002-63. A Resolution Requesting an Increase to the Fire Protection Fund (209)/La Cienega Fire District to Budget Fire Impact Fees for Expenditure in Fiscal Year 2002 (Fire Department)**
- H. Request Approval to Extend the Ban on the Sale and Use of Fireworks for an Additional 30-Day Period due to Wildland Fire Conditions (Fire Department)**
- I. Request Authorization to Accept and Award IFB 322-21-FD, Light Rescue Apparatus for the Agua Fria Fire District to AAA Fire Pro, Inc. for \$154,674 (Fire Department)**
- J. Request Authorization to Accept and Award IFB 322-22-FD, Light Rescue Apparatus for the Tesuque Fire District to AAA Fire Pro, Inc. for \$134,807 (Fire Department)**
- K. Resolution No. 2002-64. A Resolution Requesting an Increase to the General Fund (1010)/County Sheriff for Miscellaneous Contributions Received for Expenditure in Fiscal Year 2002 (County Sheriff's Office)**

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

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COMMISSIONER SULLIVAN: Mr. Chairman.
CHAIRMAN DURAN: Commissioner Sullivan.
COMMISSIONER SULLIVAN: Just item VIII. C. please.
CHAIRMAN DURAN: VVVI. C. Commissioner Campos?
COMMISSIONER CAMPOS: None, Mr. Chairman.
CHAIRMAN DURAN: Okay, the Chair will entertain a motion to approve on the Consent Calendar items B, D, E, F, G, H, I, J, K.
COMMISSIONER SULLIVAN: So moved.
COMMISSIONER CAMPOS: Second.

The motion to approve items B, D, E, F, G, H, I, J, and K on the Consent Calendar passed by unanimous [3-0] voice vote.

VIII. C. Resolution No. 2002-65. A Resolution Requesting a Transfer from the Low Rent Fund to the State Special Appropriations Fund (318) to Match Expenditure for a Prior Fiscal Year (Community and Health Development Department)

MR. ANAYA: Mr. Chairman, I stand for questions. Commissioner Sullivan, this particular adjustment is general fund cash that went to the Housing Authority that's in the low rent budget but was not used for Housing Authority functions. We had the \$7,000 drawdown that was not made to the State Department of Finance and Administration and this request is to cover that expense. I stand for questions.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I guess then, Mr. Anaya, my question that I didn't understand on this was the purpose of this BAR is to reimburse the state appropriation fund for \$7,447.99 from the Housing Enterprise fund. County staff waited too long to request the reimbursement from the State Department of Finance and Administration. A request was made to the state to do so but they have stated that our only option is to pay for the work ourselves. So is this money that we're having to take out of our general fund because we didn't get eligible funds from DFA in time or what's the drill here?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, you're absolutely correct.

COMMISSIONER SULLIVAN: Well, what happened?

MR. ANAYA: Mr. Chairman, I don't know. Commissioner Sullivan, I don't know exactly why the reason is it didn't get drawn down. We had multiple projects open on this particular Caja del Rio fund, multiple funding years. They money didn't get drawn down in a timely fashion. Mr. Chairman, Commissioner Sullivan, that's the best response I can give you. We've taken steps over the last several months through the confusion of the new employees in this division and additional staff support provided to where we're dealing with these issues in a more timely manner. You're also considering or creating an FTE to help with

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the Finance Department on grant financing issues as well. I think those things together are going to assure that this does not happen. I can't tell you any more than that, Mr. Chairman, Commissioner Sullivan.

COMMISSIONER SULLIVAN: So this \$7,500 is budgeted in our upcoming year's budget or are we just adjusting within our current year?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, I believe we're just trying to adjust that within our current year.

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

CHAIRMAN DURAN: So how do we avoid this occurring in the future?

MR. ANAYA: Mr. Chairman, I think the close coordination that we're continuing to build with the new division and project management but across all departments and having that individual that's going to also assist specifically on grants in the Finance Department is going to help alleviate this situation so that it doesn't occur again. I think we have put the mechanisms in place right now that have been place where it's not going to happen again and I think we're moving forward.

CHAIRMAN DURAN: Isn't it true that our reorganization effort several months ago was to try to avoid this kind of thing from occurring?

MR. ANAYA: Mr. Chairman, that's correct. And this is an old issue that happened prior to the reorganization occurring. I guess, Mr. Chairman, to be quite honest, that's why I'm standing before you, because it was an issue that came up when that responsibility was under my department.

CHAIRMAN DURAN: And now it's under Corky's department?

MR. ANAYA: That's correct.

COMMISSIONER SULLIVAN: Let's blame Corky.

CHAIRMAN DURAN: Okay, Corky. Any other questions of staff? What's the pleasure of the Board?

COMMISSIONER CAMPOS: Move to approve.

CHAIRMAN DURAN: Second. Any further discussion?

The motion to approve Resolution 2002-65 passed by unanimous [3-0] voice vote.

CHAIRMAN DURAN: I just hope that we don't have these kind of occurrences ever again.

COMMISSIONER SULLIVAN: Stan, you get your new trucks with no controversy. That's great. It's a change.

CHAIRMAN DURAN: Oh, did that slip by us?

MR. KOPELMAN: Mr. Chairman, you can always reconsider if you like.

COMMISSIONER SULLIVAN: I've looked at them. I think they're needed and it seems that they were good bids for good equipment.

I. Administrative Items

A. Committee Resignations:

1. Resignations from the Santa Fe Health Policy and Planning Commission

STEVE SHEPHERD: (Health Division Director): Mr. Chairman, Commissioners, the Santa Fe Health Policy and Planning Commission is asking the BCC to accept the resignation of Mr. Glenn Wieringa. Mr. Wieringa submitted his resignation in February. He's taken a new job that requires him to resign this post as he reviews grants that Santa Fe County has. I'd stand for any questions.

CHAIRMAN DURAN: Any questions of staff?

COMMISSIONER CAMPOS: Move to approve the resignation of Mr. Wieringa.

COMMISSIONER SULLIVAN: Second and with regret. He's certainly served the Commission well and he's been on the phone to me numerous times and e-mailing me numerous times on issues having to do with the Commission.

CHAIRMAN DURAN: There's a motion and a second. Any further discussion?

The motion to approve Glenn Wieringa's resignation passed by unanimous [3-0] voice vote.

CHAIRMAN DURAN: Are we looking for someone to take his place?

MR. SHEPHERD: That's in the appointments. We've already got a candidate.

IX. A. 2. Resignation from the DWI Planning Council

MR. SHEPHERD: Mr. Chairman, the DWI Planning Council requests that the BCC accept the resignation of Ms. Hilary Noskin. She's been unable to regularly participate on the Council and staff recommends acceptance.

CHAIRMAN DURAN: Any questions of staff?

COMMISSIONER CAMPOS: Move to accept.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: There's a motion and a second. Any further discussion?

The motion to approve Ms. Noskin's resignation passed by unanimous [3-0] voice vote.

IX. B. Committee Appointments/Reappointments:

1. Appointments to the Santa Fe Health Policy and Planning

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MR. SHEPHERD: Mr. Chairman, Commissioners, the DWI Planning Council and the Health Policy and Planning Commission request the appointment of Mr. Allan Wheeler. He was suggested by the DWI Planning Council to the Health Policy and Planning Commission to take Mr. Wieringa's place. He's served well on the DWI Planning Council. We look forward to having him and we do recommend his appointment. One other notice to Mr. Wieringa and the past officers of the Health Policy and Planning Commission, we'd like to recognize them at the June meeting for their service.

COMMISSIONER CAMPOS: Move to appoint Mr. Allan Wheeler.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: There's a motion and a second. Any further discussion?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Steve, in the DWI Planning Council meeting minutes it mentioned Mr. Wieringa was stepping down as the PC Representative. What is the PC Representative?

MR. SHEPHERD: The Planning Council.

COMMISSIONER SULLIVAN: That's the Planning Council to the DWI—

MR. SHEPHERD: To the DWI program.

COMMISSIONER SULLIVAN: Program. That's a separate thing from the DWI Planning Council?

MR. SHEPHERD: No, that's—

COMMISSIONER SULLIVAN: That is the DWI Planning Council.

MR. SHEPHERD: Yes, that's their little notation.

COMMISSIONER SULLIVAN: Okay. So the DWI Planning Council, how does that interact with the Health Planning Commission?

MR. SHEPHERD: The Health Planning Commission and the Maternal and Child Health Planning Council both have representatives that sit on the Health Planning Commission, and generally, the way in which they get appointed is the Council, the DWI Planning Council will suggest one of their members to sit on Health Planning, that is voted on at the Health Planning Commission and then taken to the Board of County Commissioners for approval.

COMMISSIONER SULLIVAN: So the DWI Planning Council has a member on the Health Planning Commission?

MR. SHEPHERD: That's correct.

COMMISSIONER SULLIVAN: That's correct. And let me just ask Mr. Estremera-Fitzgerald. Do you have any comments or anything that you'd like to say? I don't know this individual. Is he someone that will serve as well as our past—

JAIME ESTREMER-FITZGERALD: Mr. Chairman, Commissioner

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Sullivan, yes. In fact he has already been here and testified several times for the Planning Council. Mr. Wheeler will be a good addition and I think he will definitely be able to do a good job. As to whether he'll do as good as Glenn, you know Glenn's just a top advocate so we really are going to miss him on the Planning Commission.

COMMISSIONER SULLIVAN: Thank you.

CHAIRMAN DURAN: Any other questions of Steve?

The motion to appoint Allan Wheeler to the Health Policy and Planning Commission passed by unanimous [3-0] voice vote.

IX. B. 2. Appointment to the Road Advisory Committee

ROBERT MARTINEZ (Deputy Public Works Director): Mr. Chairman, Commissioners, Area 14 of the Road Advisory Committee encompasses the Edgewood, Cedar Grove and Golden communities, which are in Commission District 3. Mr. Stephen Caruso has volunteered to fill the Area 14 alternate vacancy. Public Works recommends the appointment of Mr. Caruso as the alternate member for this area.

CHAIRMAN DURAN: Any questions of Mr. Martinez? What's the pleasure of the Board?

COMMISSIONER SULLIVAN: Move for approval

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: There's a motion and a second.

The motion to appoint Mr. Caruso as alternate for Area 14 passed by unanimous [3-0] voice vote.

CHAIRMAN DURAN: This is new on the agenda. We're making a public announcement, and we need to thank the County Clerk, Rebecca Bustamante for this item because she brought it to my attention and I think it's great that most people that come here and are totally unaware that we've tabled or removed some items from the agenda. They sit here for quite some time and the other time they sat here for the whole meeting, right? So thank you for that comment and suggestion. So this is a public announcement of items removed from the agenda. Estevan, are there any?

MR. LOPEZ: The only item that has been tabled is an item under executive session, discussion of limited personnel issues. All of the rest of the agenda is as had been presented.

CHAIRMAN DURAN: Okay. Good. Thank you.

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X. Staff and Elected Officials' Items

A. Community and Health Development Department:

1. Request an Increase in Professional Services Agreement #22-0067-IH with the Rio Grande Alcoholism Treatment Program, Incorporated by \$20,000 to Provide Alcohol and Substance Abuse Treatment Services

BECKY BEARDSLEY (Indigent Fund Director): Mr. Chairman, I stand for questions.

CHAIRMAN DURAN: Any questions of staff?

COMMISSIONER SULLIVAN: I think perhaps a little discussion would be good for the public. If we don't have to drag it out of you here.

MS. BEARDSLEY: I'm sorry, Commissioner Sullivan. Staff requests that we increase the professional services agreement for Rio Grande Treatment Services by \$20,000 in order to continue serving the residents of Santa Fe County.

COMMISSIONER SULLIVAN: Mr. Chairman, this was brought up at the Indigent Fund Board meeting and discussed somewhat this morning. And I pointed out at that time that this is one contract that has increased four-fold during the year. This is the third amendment to it, bringing it up to over \$100,000. And I asked why, was there that substantial an increase in alcoholism treatment in the northern part of the county where this program operates and Rebecca, perhaps if you just re-explain your answer to that.

MS. BEARDSLEY: Certainly, Mr. Chairman, Commissioner Sullivan. We have had a substantial increase in clients that we are serving in northern New Mexico in the area of alcohol and substance abuse. Through, I believe it was April of this year we had already expended in the area of \$1 million is what was contracted to provide treatment for alcohol and substance abuse. We had already expended to that point over \$600,000 and we continue to see an increase in treatment providers' bills that are coming though.

COMMISSIONER SULLIVAN: And there's funds available for this particular expenditure through the DWI funding, is that correct?

MS. BEARDSLEY: Mr. Chairman, Commissioner Sullivan, that's correct. There are funds available through the DWI, the liquor excise tax money, and that money is earmarked strictly for alcohol treatment.

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

CHAIRMAN DURAN: Any other questions? Thank you, Rebecca. What's the pleasure of the Board?

COMMISSIONER SULLIVAN: Move for approval, Mr. Chairman.

COMMISSIONER CAMPOS: Second.

The motion to approve an additional \$20,000 to Rio Grande Treatment Center passed by unanimous [3-0] voice vote.

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X. B. Finance Department

1. Resolution No. 2002-66. A resolution approving the fiscal year 2003 interim budget

COMMISSIONER SULLIVAN: I like item B.1, Mr. Chairman. It's the whole interim budget for the fiscal year 2003 and it's on one page. This is really efficiency. Oh I knew there was more than that.

MR. LOPEZ: Mr. Chairman, it's five minutes to twelve. Do you want to get into this before noon or do you want to wait? Katherine would love to do it. I know she can do it in five minutes.

KATHERINE MILLER (Finance Director): I can do it in three.

COMMISSIONER SULLIVAN: Let her try.

CHAIRMAN DURAN: Do you want to try it? Okay, you have three minutes Katherine.

MS. MILLER: Is the clock on? Mr. Chairman, Commissioners, at the last budget meeting on the 15th of May, staff was given direction to go back and look at the requests for full-time employees. The budget books that I just handed out to you is the identical book that you had been given at the May 15th meeting. The only changes that we did make were in the area of full-time employees. So that was why we didn't hand the book out again last week. In the pocket on the inside of the book on the left side is the FTE requests and that's a summary of what we had in the last packet. [Exhibit 1].

All we did is in the last packet, all we did is go through and make some adjustments, the Manager and myself and then the department directors that were affected by making changes. We met with them about reducing some of the FTE requests. The ones that we did take out of the budget, one was in Land Use, a community planner. We reduced that position. We also removed the position, one of the custodians in Projects and Facilities Management. In Fire, we removed the fleet mechanic, and the EMS captain is contingent upon an amendment with the MOA with St. Vincent's so that one is not in there. It would be brought forward if we make a change to the MOA with St. Vincent's.

We also, in the Clerk's office, the voting machine technician, the term position was reduced to a half of an FTE. So that position would be funded as a term position through December 31st. And the County Sheriff, we also removed a deputy, the deputy sheriff. So those were the changes that were made. Also the issue with the deputy is that we would also work with Edgewood to get a JPA for law enforcement services in Edgewood and then revisit that, the Sheriff's budget in that area.

So those were the changes that were made to the budget, removing those positions. I stand for any other questions.

CHAIRMAN DURAN: Any questions of staff? Everybody's okay with the budget? Great. What's the pleasure of the Board?

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COMMISSIONER SULLIVAN: Move for approval, Mr. Chairman.
CHAIRMAN DURAN: Second. Any further discussion?

The motion to approve the 2003 interim budget passed by unanimous [3-0] voice vote.

COMMISSIONER SULLIVAN: Three minutes.

CHAIRMAN DURAN: All right.

MS. MILLER: Thank you. Staff appreciates it.

CHAIRMAN DURAN: This was the easiest one I've been involved in.

MS. MILLER: That's because you weren't here for it. Mr. Chairman, Commissioners, also I would like to say we will bring the budget back. This is the interim budget and we will bring the budget back in July for final approval. If there are changes that need to be made we can address those at that time as well.

CHAIRMAN DURAN: Okay, good. We'll take a lunch break until 1:15. Is that okay?

[The Commission recessed from 12:00 to 1:35.]

CHAIRMAN DURAN: We'll call the meeting back into order.

X. B. 2. Request approval to sell and dispose of surplus fixed assets

MS. MILLER: Mr. Chairman, Commissioners. The list in the packet are items that the County departments and the elected officials' offices would like to surplus. It's a law that we surplus them first before we dispose of them through the Commission and we're requesting authorization to surplus these items and notify the State Auditor.

CHAIRMAN DURAN: Any items on the list that any of the Commissioners want? Just kidding. Any questions of Katherine?

COMMISSIONER CAMPOS: I have a quick question. Ms. Miller, item 2, unable to locate assets. Are there many assets that you've not been able to locate?

MS. MILLER: Mr. Chairman, Commissioner Campos, one of the things that we have tried to do for the County over the past few years is get an accurate fixed asset list. Several years ago, the County had a finding on the audit for fixed assets and some of it being that we could not locate items. And typically the reason for that was that they were not surplused properly. They had been tagged as used, worn out, obsolete and just disposed of. So they were not useful items and disposed of but not on our books. So some of the items that fall into that category are on here.

For the most part though, the County is very good now and surplusning fixed assets and transferring items. We set up a system of forms to transfer an item from one department to another and anything that is tagged we actually require a fixed asset certification at the end. Twice a year we do it, in January and in June for the audits, so that each department is required

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to certify that the items that are on the books for their department are certified and can be located. And then if they're not located, we require an explanation as to what occurred to that item.

COMMISSIONER CAMPOS: And the final category is duplication of assets within the fixed asset data base. What does that mean?

MS. MILLER: Mr. Chairman, Commissioner Campos, that was also another item that—the fixed asset module in our accounting system had not been maintained very well for several years.

COMMISSIONER CAMPOS: Are you talking about software?

MS. MILLER: I'm talking about our software, the information that was in there had not been maintained for several years due to there not being an employee in Finance that dealt directly with fixed assets. About two years ago we reorganized and I actually have an individual who is a fixed asset accountant and they have gone through and cleaned up and we actually have gone out physically to the departments to locate items or worked with an administrative assistant in each one to see if we're seeing tagged twice or in one year, somebody couldn't find the tag and they thought it was—so they wrote it down as a new item but it had already been entered into the system. So it's things like that where it was there, but the tag had disappeared.

We're also going to a bar-coding system, not the heavier foil tags, to try and improve our ability to track our fixed assets. This has been one area that the County has done quite a bit to clean up tracking of our fixed assets. The state legislature also increased the fixed asset reporting requirement from \$500 to \$1000. It's very cumbersome to track items that are small-dollar. And they found that's 80 percent of your fixed asset list is 20 percent of the value items that are very small-dollar. So we've tried to, on our system and within departments to track those items that are of a higher value to the County and depreciate them properly.

And also items that are not on here but we do tag are items like cell phones, palm pilots, things that have a tendency to walk off from the County even though they're less than the state requirement we still track them to make sure that departments are accountable for them.

COMMISSIONER CAMPOS: Thank you.

CHAIRMAN DURAN: Katherine, after we approve the disposal of these assets, do you—is there some company that comes in and bids on all of it, or do you have a sale? And what happens to the revenues that are generated?

MS. MILLER: Mr. Chairman, what we're going to do this year with this list of items, anything that is not of no value—like a lot of the computer monitors don't even have the guts in them anymore. They've actually been dismantled and parts that could be used were used on other items. So those items would just be thrown away. We actually have auctioneers come in and take a look and give us an estimate of whether we could get anything for those items. Those items of zero value will be disposed of.

The items that have a value are taken to a State Highway auction in July and after they take an administrative fee they will issue us a check for the value of what we sold. And that is

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put back into the general fund. We do count on a certain amount of fixed assets every year, a revenue of sale of fixed assets, usually \$40,000 to \$50,000. So it's already budgeted.

CHAIRMAN DURAN: And were you all horsing around in the Finance Department? That's how you broke these two chairs?

MS. MILLER: Yes. We were zooming around on the wheels and the wheels fell off.

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

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: I'd move to approve the disposal of fixed assets as presented by staff.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: Any further discussion?

The motion to approve the surplusing of fixed assets passed by unanimous [3-0] voice vote.

X. B. 3. Request Approval to Pay Medical Providers who Rendered Medical Services to Inmates Incarcerated at the Santa Fe County Adult Detention Facility During the Period of June 1998 Through September 2001

MS. MILLER: Just a brief overview. During the time that Cornell was the contractor at the jail, their contract stated that neither the County nor the contractor would pay for offsite medical services but the inmate would. So when an inmate needed medical care offsite Cornell would take them offsite and medical services would be provided. Quite often though services could not be provided at St. Vincent's where we have sole community indigent funds to cover those types of issues.

After about two years we started receiving bills from entities, the different medical providers throughout the community that said they were not being compensated and that the contractor had indicated Bill Santa Fe County. So we did some research on this and it turns out that the County is liable to pay for the medical care of the inmates and we actually had a contractor review all the medical bills and determine whether there were any overcharges or anything like that. We did knock off quite a bit of the charges, over charges by the medical providers. We also worked with Cornell on this issue and they agreed to split the costs with us.

We've had several calls and letters from the providers requesting payment on these. Where they have been able to collect from an inmate they have. These are the total amounts that we anticipate are outstanding. It's approximately \$100,000 and we're requesting authorization. The money has been budgeted for this. It was budgeted actually last year and

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carried into this year because we knew it was an issue and we're asking to be able to enter into agreements with these providers and pay them for the services that they provided to inmates of Santa Fe County.

CHAIRMAN DURAN: Any questions of Katherine?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Katherine, are these all offsite services?

MS. MILLER: Mr. Chairman, Commissioner Sullivan, yes they are.

COMMISSIONER SULLIVAN: Onsite services were the requirement of Cornell to provide.

MS. MILLER: Mr. Chairman, Commissioner Sullivan, under their contract, their subcontractor, which I believe was CMS Medical had to pay for all of their onsite medical and any offsite x-rays and I believe it was ultrasound. Anything other than that was not included in their subcontract and that is what most of these charges are for. Things like surgery or a specialty type item. Eye items or orthopedic type surgery. If they have broken bones in their hand. Things like that that were not dealt with specifically at St. Vincent's. Minor surgery or day surgery.

Under our current contract we addressed that issue and said that the subcontractor covers everything onsite and anything offsite up to \$500. It has substantially decreased the amount of offsite visits that we receive bills for.

COMMISSIONER SULLIVAN: And who are these providers?

MS. MILLER: They are various providers like same-day surgery. I could actually provide a list of all of them to the Commission if they would like.

COMMISSIONER SULLIVAN: How many are there?

MS. MILLER: There's probably 20 different providers at least.

COMMISSIONER SULLIVAN: I'd like to see that list. And who decided where the inmates went?

MS. MILLER: That was Cornell. Well, their subcontractor.

COMMISSIONER SULLIVAN: So they would just take them to a provider that they deemed was appropriate or that they had a working relationship with or how did they make that decision?

MS. MILLER: Mr. Chairman, Commissioner Sullivan, this was an issue that we negotiated at length with Cornell because we thought that we should have a say in where the inmates went. One of the issues that comes into play is that nobody has the right to override a doctor saying that an inmate needs care. Not Cornell, not the County. If a doctor in his professional opinion believed that an inmate needed surgery or something like that then by statute and by the authority of a medical doctor they needed to have that treatment.

So we were somewhat at odds with them on this issue because we said, Well, if we're having to cover that cost where does that leave the County in the say? And that was why we changed the contract with PNA. We also asked that CMS, the subcontractor under Cornell, have set agreements with set rates with the local providers, which in the last part of their

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contract they did. And they also notified us in the last 6 to 12 months of the contract under Cornell. Most of these bills are from '97, '98 and '99. They're quite old.

I believe that this was during a time when the County did not realize—first of all, we didn't realize it was occurring. We did not realize that they were stating to build the County. Because the medical providers would not take the inmates initially. And then they were told the County by the contractor from Cornell. And that was why we negotiated with them. Because statutorily they had no obligation to pay it but the County does.

COMMISSIONER SULLIVAN: Thank you.

COMMISSIONER CAMPOS: Mr. Chairman, a question.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: Ms. Miller, you said you have split this with Cornell?

MS. MILLER: Mr. Chairman, Commissioner Campos, yes.

COMMISSIONER CAMPOS: So the bill now is about \$100,000.

MS. MILLER: That's the total bill that they have. They're going to compensate us or we're going to retain from payment to them on inmate care, \$50,000.

COMMISSIONER CAMPOS: So it will be kind of a 50/50 split?

MS. MILLER: Yes.

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

BECKY BUSTAMANTE (County Clerk): Mr. Chairman, I'd just like to point out that this was not noticed as a resolution. In the packet there's a resolution.

CHAIRMAN DURAN: Well, the agenda says request approval to pay medical providers. Where do you see a resolution?

MS. BUSTAMANTE: In your packet.

MS. MILLER: Mr. Chairman, it was probably my fault. What happened is we had put the caption in and then I was out of town last week and I think Susan believed that it needed to be a resolution. I don't know that it has to be. I don't think it has to be a resolution. We just need approval. The budget has already been approved with this in it and what Finance Department is looking for, because we did not have contracts prior to the service being provided, I felt that we needed authorization from the Commission to pay these bills.

CHAIRMAN DURAN: What do you say, Steve? Will it work as an action item without the resolution?

MR. KOPELMAN: Yes, Mr. Chairman, this one will. I'm just wondering about B.2 because that wasn't noticed as a resolution on the surplus. Does that need to be a resolution, Katherine?

MS. MILLER: We have not in the past done it as a resolution.

MR. KOPELMAN: Okay. Then I think we're fine. We don't need to do them as resolutions. The vote of the Commission would be adequate as an action item.

CHAIRMAN DURAN: Okay. Thank you. Thank you, Becky for bringing that up. Is there a motion?

COMMISSIONER SULLIVAN: Move for approval.

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COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: There's a motion and a second.

The motion to approve payment of medical bills incurred by inmates passed by unanimous [3-0] voice vote.

MS. MILLER: And Mr. Chairman, Commissioner Sullivan, I'll get the list of all of them to you and anyone else who'd like to see it.

X. C. Land Use Department

1. **Discussion and direction regarding a water restriction enforcement policy and procedures**

KATHERINE YUHAS (County Hydrologist): Mr. Chairman and Commissioners, I was actually asked to update you on the well metering program throughout the county. So the memo that I've prepared addresses that issue and some further work that I have done addresses water conservation throughout the county. So if you'll let me run through the well metering program then I'll kind of discuss the ordinance that I've developed at the end.

Currently, all new land divisions and commercial developments are required to install water meters on their property and submit water meter readings to the County Hydrologist annually. This program has been in place for approximately a year and a half and we receive those meter readings that people send in voluntarily, but we don't have the authority through ordinance right now to enforce that program. So in order for our domestic well metering program to really be effective, I think we need to take the following actions.

The first is to adopt an ordinance authorizing the well metering program and establishing procedures and penalties for those people who don't comply with it. The second is that we need to create a database to track those people that need to send things in so that we can send out reminded notices to people a month before they're actually due to send in the notice. Also we could keep track of when people need to replace their water meter with this database.

We need to be performing final building permit inspections.

CHAIRMAN DURAN: Sorry. Could you say that one more time?

MS. YUHAS: Final building permit inspections need to be conducted. Charlie's staff currently handles that, and they don't have enough people to always get out and do these final inspections. Part of the checklist for these inspections includes having the water meter installed, but if they can't get out to do the inspection, they maybe the meter's not there.

We also need to get all the lots that have been required in the past to install water meters into the database so that we can keep track of all of them along with the ones we're currently requiring.

Finally, we need to establish a County water conservation fund or at least the way I've envisioned it is that we would set up a conservation fund and when people had to pay fines, the

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money would go into the conservation fund to further conservation efforts and to assist in paying for some of what we will need to do in order to get this program established.

Some of the additional funding that we will need will be to print the reminder cards, pay for the postage to send those out. Possibly to purchase software for a database if it proves out that the AS-400 isn't going to meet the needs that we have for this. In terms of personnel, I think it might take another one-half to full-time employee to keep track of all of this work and further, we would need some assistance from MIS in developing the database.

What I would like to do is ask your permission to bring forward at the next Commission meeting on June 11th, an ordinance that targets water conservation throughout the county and it includes this well metering program. And for authorization to publish title and general summary.

CHAIRMAN DURAN: I have a question. Do any—does any of this conflict with—do we have jurisdiction to do this? Are we going to be in conflict with the State Engineer at all?

MS. YUHAS: Mr. Chairman, no. Currently the State Engineer's permits even say on them that each person who drills a domestic well is authorized to use up to three acre-feet, but it further advises them that their local government may restrict this. So the State Engineer recognizes our authority to lower that amount. So I don't think we'll run into a problem. I would of course defer to Steve.

CHAIRMAN DURAN: And how would this apply to wells that predate the Code?

MS. YUHAS: Mr. Chairman, it would not apply to wells that predate the Code. It would only apply to those people who have voluntarily signed these water restriction covenants as part of creation of their lot. And most of the lots that are created, people are signing those covenants.

CHAIRMAN DURAN: How could we require those people who have wells that predate the Code to participate in this program?

MS. YUHAS: Mr. Chairman, the way in which I would target the people who predate the Code is not through this well metering program necessarily, unless I rework it. I hadn't thought about it that way. But much of what is in the ordinance that I've written targets water waste. Times of the day that are okay to water, not lettering water run off your property, fugitive water, things like that. And the list is quite long. And that would apply to everyone throughout the county.

CHAIRMAN DURAN: So in the old forms, they don't have that language in it that says that you're allowed, say, three acre-feet. For those permits that were issued prior to the Code or predate the Code, that language is not part of that permit? Where the County has the right to—

MS. YUHAS: Mr. Chairman, I'm not sure if that language is in there. I'm not sure if we could go back and take a permit that was issued in 1970 and say we are now enacting our right to limit how much you can take out. I hadn't thought about that. Steve has something to say.

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MR. KOPELMAN: Mr. Chairman, members of the Commission, the answer to that is that we legally couldn't but one thing to really think about as we moved it through this process is one, what are going to be the penalties or ramifications if a property owner goes over their allotment? If they agree on a land division that they're only going to use a quarter of an acre-foot and it turns out they use more—we need to really think hard about what we're going to do. The other question is in terms of reading the meters. We're going to end up sending County employees on to private property. So there are some real issues that we need to work through as we develop the ordinance. It's not a very simple matter is what I'm trying to point out.

CHAIRMAN DURAN: Any questions of Katherine?

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: Question for Mr. Kopelman. You're saying that the County does not have authority to regulate other domestic wells, other than the ones that are coming in for lot approvals?

MR. KOPELMAN: Mr. Chairman, Commissioner Campos, that's my legal opinion.

COMMISSIONER CAMPOS: Does the City have authority to regulate 72-12-1 wells?

MR. KOPELMAN: Mr. Chairman, Commissioner, I don't believe so. No. There is a provision in state statute that some read as saying that the authority is there. I don't believe that's an appropriate reading and I don't think—I think the State Engineer has total authority over issuing the well permits, but because somebody, a property owner is coming to the County for a land division, that gives us authority then to put reasonable requirements on it.

COMMISSIONER CAMPOS: If the State Engineer stamps on the back of it that you have a 72-12-1 well but you're subject to County regulation, could the County adopt a regulation saying you are subject to certain restrictions?

MR. KOPELMAN: Mr. Chairman, Commissioner Campos, what the State Engineer stamps on the back of a permit is not state law. And the state statute would need to be changed. I know we've talked about that in the past and it would probably be a good idea to talk about bringing legislation at the next session to really clarify that issue. That would be my recommendation on this point.

COMMISSIONER CAMPOS: I know we talked about this a couple of months ago. I would guess that we do need to go to the legislature and maybe to the Association of Counties. Have we made any contact? Have we done any studies? Are we moving in that direction?

MR. KOPELMAN: Mr. Chairman, Commissioner, we certainly can put a letter together, send it out to the Association of Counties and maybe set up a meeting with the State Engineer, and I think that's probably a good starting point on this project.

COMMISSIONER CAMPOS: Because the legislature is maybe six months away and it would be important to get it done soon.

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COMMISSIONER SULLIVAN: Mr. Chairman, following up on Commissioner Campos' question, doesn't the City of Santa Fe restrict the drilling of domestic wells within the municipal boundary?

MR. KOPELMAN: Mr. Chairman, Commissioner Sullivan, they restrict the drilling of wells if it's in the service area. We do the same thing. But that's different than going back and saying that a well that's been drilled that has no County condition can be regulated by the County.

COMMISSIONER SULLIVAN: So your comments are limited to "grandfathered" wells, as it were.

MR. KOPELMAN: That's correct, Mr. Chairman, Commissioner Sullivan. And then I raised the issue about what would be the enforcement mechanism when we do regulate the use of water and private wells. It presents some interesting and difficult issues.

COMMISSIONER SULLIVAN: Yes, I raised that myself a couple of months ago. I think it's something we need to attack. Otherwise, this is just an exercise in limiting wells that nobody's checking on. If we have that ability as the City does to regulate wells within our service boundary, what is our service water system service boundary?

MR. LOPEZ: Mr. Chairman, Commissioner Sullivan, our water system, the County water system service boundary, we have some maps that basically detail it, but it's largely the area south of I-25 to include most of the Community College District and extending down to the exist at La Cienega and last fall we extended the service area boundary to include the Paseo C de Baca area in La Cienega. We also added the Airport Development District as part of our service area. Up in the north we have just south our Las Campanas, we have a small service area that we refer to as our west sector system. It's in the Los Sueños—I can't remember some of the other subdivisions out in that area. La Serena, El Prado, those subdivisions we serve a small area out in that area.

COMMISSIONER SULLIVAN: So the PRC recognizes us as the sole entity in that service area.

MR. LOPEZ: Mr. Chairman, Commissioner Sullivan, we are not subject to the jurisdiction of the PRC, so it's simply a designation that this Commission adopts and claims as its service area. Part of that service area that I've just described, a couple of specific pieces actually overlap what the City claims as being their service area, notably the area that's just to the north of the intersection of 599 and I-25. There's a small overlap there. And then there's a section up in what I described earlier, our west sector. Our maps show an entire block as being our service area. In fact the City serves the La Mirada Subdivision and most recently they also serve the Aldea Village, which used to be Los Frijoles. Both of those are shown on our service area as being within our service. Both of those are shown on our maps as being within our service area. Excuse me.

COMMISSIONER SULLIVAN: So once we have a service area, can a private water company come in and establish a water system within our service area?

MR. KOPELMAN: Mr. Chairman, Commissioner Sullivan, I believe it's within our purview to pass an ordinance that would restrict the ability of private companies

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coming into our service area.

COMMISSIONER SULLIVAN: We don't have that control at this point in time.

MR. KOPELMAN: Mr. Chairman, Commissioner Sullivan, I don't believe there's an ordinance in place right now.

COMMISSIONER SULLIVAN: Okay. So then this ordinance that Katherine is working on, would this apply just to our service area or would this apply for the whole county?

MS. YUHAS: Mr. Chairman, Commissioner Sullivan, it would apply throughout the county.

COMMISSIONER SULLIVAN: And do we, Katherine, have an estimate of how many meters this would impact?

MS. YUHAS: Mr. Chairman, Commissioner Sullivan, I don't have that estimate now, but I'll have it for you at the next meeting.

COMMISSIONER SULLIVAN: I just wondered how you came up with your one-half to one FTE, what the size of the task we're undertaking here. Of course there is a possibility—I hope you'll look at contracting that out. That's not always the answer. The City did that and ran into a hornets' nest. And the other issue would of course be getting grant funds. There was some discussion earlier about the \$90 million drought funds that the Governor has approved and this would certainly seem to be a drought protection issue.

So we might get a system up and running under that. I guess that's all my questions. I think it's something we need to move forward and do. We need to establish what restrictions and what, as Mr. Kopelman says, fines or other enforcement measures are appropriate to keep people within the allocated amounts of water. And then we ourselves need to be even-handed in terms of requiring the same allocations of everyone. Making sure that the same provisions are appurtenant to each subdivision. I think it's a good step forward.

CHAIRMAN DURAN: I think so too. I have a question. As we move forward in this I was wondering if you could find out what the cost of that meter is that we're going to require these individuals to install and think about that individual that's not going to have the money. Maybe there's a—maybe some people can't afford it. It all depends on how much it costs. My understanding is they're something like \$250, \$300.

MS. YUHAS: Mr. Chairman, we already require the meters. We don't have the enforcement to make people put them on, but the requirement that they be installed is already there. And the cost of the meter is maybe \$80.

CHAIRMAN DURAN: Oh, good. Okay.

MR. KOPELMAN: Mr. Chairman, Commissioners, the other legislative measure we've talked about with the National Association of Counties is to impose civil fines. That's something we've talked about before also. I think that might be an integral part of a regulatory scheme of this sort also. So that's also something we probably need to talk about down the road.

CHAIRMAN DURAN: Okay.

COMMISSIONER SULLIVAN: Mr. Chairman, and I think also we need to

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have some definition of the entities because where we get convoluted here is that it's one thing with an individual but usually there's an entity of several homes on a well and that entity may be a homeowners association, it may be just an informal group of people who are utilizing a shared well and I don't know what authority we have over each of those types of entities. It may be a water and sanitation district. It may be a mutual domestic, it may be a co-op. It may be an individual. It may be a homeowners association. There's a number of different entities that manage wells in the county. So whatever enforcement mechanism we come up with needs to be sure that we've got the authority to enforce over those entities.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: Quick question for the County Manager. Mr. Lopez, have you talked to Ms. Yuhas about the one and a half positions? Are they part of our budget now or would it be something we would have to consider down the road?

MR. LOPEZ: Mr. Chairman, those are not part of our current budget requests. And I think that this is something that would be prospective at some point in the future. We would have to build that in.

COMMISSIONER CAMPOS: Thank you. What's the pleasure of the Board?

COMMISSIONER SULLIVAN: I would move to direct the staff to proceed with the preparation of an ordinance regarding the well metering enforcement issue and bring it forward at the June 11 Commission meeting for the publishing of title and general summary.

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: Okay. There's a motion and a second. I think it's a great idea too. I think this is one way that we'll be able to manage this resource. Any further discussion?

The motion to direct staff to prepare a well metering ordinance passed by unanimous [3-0] voice vote.

X. C. 2. Update on the current planning projects with the Two-mile Extraterritorial Zoning District

JACK KOLKMEYER (Planning Director): Mr. Chairman, thank you.

CHAIRMAN DURAN: Which projects are these? Is this everything like in the Community College District, the northwest quadrant?

MR. KOLKMEYER: Mr. Chairman, I believe you have a memo in your packet that outlines—

CHAIRMAN DURAN: Okay.

MR. KOLKMEYER: I'm just going to go over them to mention the project and give the status of where it's at right now and then I'll be happy to answer any more detailed

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questions that you may have. And you do have a map in there also that shows you. But I would like to just start by saying again to remind us that the plans that we do are really just the beginning of the work that we undertake. I know there's been discussion, a lot of discussion about our planning efforts recently. And there have been a couple of comments made as we've discussed our budgets and things that, Well, once we get done with the plan, the work's finished. And I want to reiterate that that's not the case.

Actually the plan is just the beginning of the work that we do because it is to define the problems that we're trying to solve in a particular area and to outline for us a mechanism for problem solving. So for us to have the assumption that the plan is the end of the work that we do is not quite right. It's actually the beginning because then comes the ordinance and then comes the action items that we're trying to fix. So I think we need to bear that in mind because there's lots of plans going on, a lot of planning going around and when we get done with the plan it isn't the end of it.

I think a good example is the Highway Corridor Plan, where it took us 2 ½ years to do the plan, two more years to get it adopted, and then we had to write the ordinance for it. And we still haven't fixed all the problems in the Highway Corridor. Having said that, I want to use that just to reference this list of things that we have right now. On your list there, the first one is the Southwest Area Plan that we're doing jointly with the City. We're actually doing two plans with the City. One is the Southwest Area Plan and another that's not on your list is the City open space and park plan. We're actually also working on the Santa Fe River plan with them as well.

The Southwest Area Plan was approved last week by the RPA. It's a finished plan. It's going through the adoption process, needs to be adopted by the RPA, the EZA, the City and the County. Our suggestion has been that once it received RPA approval, that we could have a joint meeting between the EZA, the City Council and the County Commission to adopt it. And we're concerned about this because that was the problem we ran into with the Highway Corridor Plan. We wanted to adopt it all at the same time like we did with the Arterial Roads Plan, to get it all over with, get everybody listening to it all at the same time and do one meeting or two, whichever is required.

But we didn't do that with the Highway Corridor Plan. That's one of the reasons it took us so long to adopt. And we think that's really critical with the Southwest Area Plan, that we have a really expedited and expedient adoption process or we're going to run into a real morass of problems with trying to get that adopted because again, this is the point. It's going to need an ordinance for the EZA, an ordinance for the City and an ordinance for the County. Once we get the plan down, we're off into three more efforts to get the ordinance done. So these are very complex and we think that we need to put some thought into the adoption process for that.

Secondly, the Agua Fria Community Plan. It's actually really not fair to call it that yet because there is no community plan. What we're doing is just starting some very elementary and fundamental organizational work with that community as they have requested again that we help them to try to look at solving some of the problems of zoning, traffic, water and design issues in the traditional historic community of Agua Fria. There's going to be, and I'll pass this

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out to you, maybe Roman can help me with this. There's going to be our first organizational meeting with residents of the Agua Fria area on June 18th at the Agua Fria Elementary School and we're just going to open it up to them in a very structured way because what we need to do before we actually embark on a plan with them is to ask residents of that area what is Agua Fria at this point? What is contemporary Agua Fria and what do you need? And then we would proceed from that.

We think probably getting organized to do a planning committee like we do according to our ordinance and to pull together a map for the area and to structure that, probably is going to take us into the fall, even to just get started with that project. But we have made a commitment to them and we're proceeding with that.

The Tesuque community plan and ordinance are both finished. Their three-year review is coming up shortly in the end of the fall or early winter we would plan to do that because we want to monitor with them what action items now need to be addressed as a result of their plan and ordinance. One of the issues in that community is still wastewater. And we hope to be able to make some movement with them in that direction.

The Community College District, only a portion of that is within the Two-mile. As you know, we have done the plan and the ordinance. We are working on ordinance amendments for the Community College District. That would of course be in both the EZ and the County area and those ordinance amendments are things that we've been working on for affordable housing, for mapping issues and of course more issues will be raised as we work through the projects that are coming forward for us to review. And in fact now we think that's a really good way to do that because these projects raise real life issues such as the issues that we're discussing about residential and commercial uses and institutional uses and those kinds of things and we think that that's really a good way for us to be able to make adjustments to the ordinance as that moves forward.

We would remind you that also there's a roads plan that we're moving forward to the MPO, will be the next step for the roads plan for the Community College District.

The Highway Corridor Plan as I mentioned is now an ordinance in the EZ. That was passed by the EZ a couple of weeks ago and we now need to move on for ordinances for that plan in the City and in the County. And we will be working on that as soon as get the EZ ordinance published and ready to go out to the public.

Related to the Highway Corridor, and it's on the second page, is the transfer of development rights program, the TDR program at the request originally of Councilor Bushee and several other City Councilors that we initiate that program and then the County took it on to do the program, is related to the Highway Corridor to protect and provide open space in that area and we have one project, one TDR project that has been completed except for the final deed transaction. We have three projects in negotiation with various property owners and we feel it's actually—it's slow moving but we feel it's accomplishing certain things that it was set out to.

One of the problems with the TDR program and plan is that the primary growth area for the TDR program was, in our County General Plan, growth area number one, which is the

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Los Solares area. If Los Solares area is annexed by the City, it will not include the transfer of development rights program. And we think it should because it borders the Highway Corridor area and it was set up in particular for those kinds of areas and as you may recall from the many meetings we had with Mr. Pruetz is why should be just give zoning away? Why not set a limit to density, and then is somebody wants to exceed that, go back and use the TDR program for that purpose.

So we think we would suffer quite a loss if we're not able to somehow work the TDR program into the Los Solares project. The criticism of that effort has been, Well, you guys didn't use it in the Community College District. The fact is that we completed the Community College District plan and ordinance before we did the TDR program. But I'd like to remind all of us that we are using the TDR program in the Airport Development District area. So we think that we're doing our burden on our growth area in this area and that we would really like to get the City and the RPA's support on the TDR program because it relates to the Highway Corridor and the need for us to acquire open space in that area.

That's a couple of them together there. The Santa Fe Northwest Plan known as the SNCC Plan. That plan was completed almost two years ago. It too is having its three-year review and we are also now in very preliminary discussions with members of that community to begin writing an ordinance for that plan. It isn't started yet. They are going through the plan right now to help us focus on items that they want turned into an ordinance and we'll be meeting with them throughout the summer to do that. The neighbor to the southwest of the SNCC area is called Tres Arroyos. That's not on your list either. That's another planning process that's going right now. Judy McGowan is heading that up and that plan is pending as it's still being worked for that area.

We did the TDR program. There are two other items on there. The Los Solares Plan, I don't really know very much about that I'm sorry to say but what we know from the RPA meetings that we've attended is that it's going forward with a general plan amendment and that's pending, but I also do know that it does not include a provision for transfer of development rights, which I mentioned. And the Mountain Special Review District is another plan and ordinance within the Two-mile and that ordinance has been completed. Are there amendments being proposed? That's completed. And the amendments are completed for that.

Those are all the projects, Mr. Chairman and Commissioners, that are in the Two-mile. And I stand for questions.

CHAIRMAN DURAN: Any questions of staff?

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Kolkmeier, what in the EZ, what big issues do we have let's say as far as sprawl, similar issues? Strike that, problems like we're experiencing on Airport Road? Do you have any solutions, ideas, how we can deal with those issues by changing the EZ legislation?

MR. KOLKMEYER: Mr. Chairman, Commissioner Campos, I believe that we get into the same kind of discussion that we got into about five years ago in the area of the

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Community College District. And I think it's pretty simply stated to begin with, is if we don't like what's going on, what do we change to? Now, that's a very simplistic response in a way, but in the Community College District area we asked that question and part of the response was well, we really need to do something about the proliferation of 2.5-acre, 5-acre lots, because in many people's issues that's sprawl.

If you flip that over and you ask the same question about this area, you come to kind of a similar answer and it's equally troubling is if we don't like that pattern that has evolved there, well, what do we do? And the pattern for the Southwest Area Plan and the Airport Road area has been mobile home parks, high-density apartment buildings mixed in with very low density. Now, we think that the solution to that really is contained in the Southwest Area Plan. That worked out really, really well, and there's a couple of reasons that it worked out really well. One is, first of all to give the City and Diane Quarles in particular a lot of credit, they had somebody that they could devote to that to give a lot of time to a real thorough investigation of existing conditions and to moving forward.

Secondly, I think, a large part of the credit is due to the County because we insisted that they take that southwest area and divide it into neighborhoods. And as you recall from the presentation, there are I think six or seven neighborhood areas. So then the question becomes how do you go in and fix up those areas so that they become really livable places that start to make sense. We think that the Southwest Area Plan addressed a lot of that by saying that there needs to be community centers, there needs to be a variation in the densities and there needs to be new roads, new open space and parks.

Now the answer is, and I wish I could answer this, is it comes down almost always to infrastructure and particularly water and roads. And until we can address that and really come up—and I think the point that Commissioner Sullivan raised at the last RPA meeting was really a good one when he was critiquing the Southwest Area Plan from the same perspective as the Community College District plan since I started off that way too, is to say, Well, it's one thing to come up with these development patterns and these ideas, but why don't you do the water planning along with them? Or why can't we do the infrastructure planning along with them?

That's a really valid question and a lot of it is maybe a little bit chicken-and-eggish if you will, but we'd like to get a grasp on what the pattern is first, because then we do come back to the issue of water. The Southwest Area Plan for example, north of the river, proposes densities of seven to 22 DU's per acres in some areas. That won't happen in the EZ because there's no water. So how we're going to address infrastructure, water, sewer and roads, is really the challenge and that may be that that falls back, Commissioner Campos, to a real—I was going to use the word revolutionary, just because I'm wearing my Hawaiian shirt I guess doesn't give me that. But I think we're going to have to do something very, very different. We're going to have to go back and look at the EZ plan and refigure that in relation to infrastructure.

COMMISSIONER CAMPOS: A follow-up question. Southwest Sector Plan, that requires annexation. If the City votes to adopt the Southwest Sector Plan, they also have to vote for annexation of about 3400 acres? Is that right?

MR. KOLKMEYER: Yes.

COMMISSIONER CAMPOS: They can't separate the two issues? They can't adopt the Southwest Sector Plan without doing an annexation?

MR. KOLKMEYER: Commissioner Campos, that's the way it's been stated but I don't agree with that. And I'll tell you why. Because it seems that the Southwest Area Plan could also be adopted and implemented by changing the EZO, because the fear is, as I've stated it, almost all the RPA meetings and I know it's come up with a number of you, also is what good is the plan, or what are we going to do if annexation doesn't occur in those areas. That's why I tie it back to infrastructure, particularly water, sewer, and roads is because we could do the Southwest Area Plan by amending the EZO, but also reaching resolution with the City about who's going to do infrastructure.

And this question came up early on in the discussions in the RPA for example, is, well, if we get to the river and we get the water, how much water should the County get, especially to be able to provide and use in the growth areas? That's one of the issues here. If it's not annexed, then shouldn't we get water to be able to continue to change the development pattern there, provide centeredness, open space and parks through the EZ, through that mechanism. It would be better if it was all annexed. Well, some people would disagree with being annexed at all, but in terms of the infrastructure argument, a lot of it is based on the fact that there's a believe that it should be annexed. But I don't necessarily think that we have to exclude it. If it's not annexed, we need to just go back and figure out how to work the EZ again.

COMMISSIONER CAMPOS: That's the financing issues? How do you finance infrastructure?

MR. KOLKMEYER: Well, where we get it from, how we finance it, yes.

COMMISSIONER CAMPOS: Right. Other than the City actually providing infrastructure, what ideas do you have?

MR. KOLKMEYER: That's a difficult question and I don't know if I'm prepared to give you a really detailed answer to that, but I guess again it goes back to issues that we're facing in the Community College District and even the Airport Development District and elsewhere. If we can't get water through our wheeling agreement to give there, and we want to see densities change, for example. Maybe we don't, but let's just say for the sake of our discussions of the moment we do, then maybe we're back to looking at additional wells in the area. That's water.

Wastewater? Maybe we have to consider community systems in certain areas again that are in the EZ. Roads? We have a road plan and we think we just need to really stick with the Arterial Roads Plan for that area and be diligent about that. Bus service? That became a big argument a couple of years ago but in issues like that, we think that maybe it's time to belly-up. And if areas don't get annexed and don't become part of the city then we need to really talk about a joint services agreement for such things as transit, for example.

But it's probably, all the issues are really part of a very cooperative dialogue between the City and the County and probably a very good role for the Regional Planning Authority to play once the regional plan is resolved.

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COMMISSIONER CAMPOS: Thank you.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Jack, a question on the TDR program. The TDR program has a requirement in order to transfer development rights that they be transferred to an area that has municipal sewer and water. I understand on the 5th there's a proposal coming forward that would eliminate that requirement. And I'm wondering, we seem to be going backward in that regard with higher density I think we would want the safety of sewer and water and yet the proposal apparently is to allow TDRs to areas where there's not municipal or County sewer and water. What's the genesis of that? What developer is requesting that?

MR. KOLKMEYER: First of all, Commissioner Sullivan, you're right in a way. It's going backwards. The original TDR ordinance did not have County sewer and water in it. That was put in.

COMMISSIONER SULLIVAN: That was put in by—

MR. KOLKMEYER: That was put in.

COMMISSIONER SULLIVAN: By the unanimous vote of the Commission.

MR. KOLKMEYER: Yes, but it was not the original ordinance.

COMMISSIONER SULLIVAN: I didn't say original. I mean the ordinance.

MR. KOLKMEYER: Well, I'm going backwards all the way to the very beginning. You said it's going backwards and I'm taking us back to actually where it started.

COMMISSIONER SULLIVAN: That's not the ordinance that was approved by the County Commission.

MR. KOLKMEYER: But you all made the changes to put in community—or to put in County or City sewer and water. Now the real problem where this rises is again back to Los Solares, for example. They can just blow us off if they're annexed. And that was an area that we were looking at to be able to use City water, for example, to negotiate the densities for that area and use the TDR program. So we're very concerned, for example, that if that's not annexed, let's say, then, and the City says, Well, we're not going to give you any water but we believe that because that's growth area number one in our general plan, that we should have some ability to be able to go back in there and to discuss using community sewer and water, the ability to use the TDR program.

You asked me which developer. I have no idea what developer that recommendation comes from.

COMMISSIONER SULLIVAN: Shouldn't we wait until a decision is made on Los Solares before we do that? I listened to the Los Solares presentation and they're planning City sewer and water. So that's obviously a precursor to higher density, which they'll be seeing there. Why are we changing the ordinance now? It seems like we're fixing something that ain't broke.

MR. KOLKMEYER: Commissioner Gonzales gave us direction to do that but I don't know if that's coming from a developer or not. In our opinion we should go back to the original ordinance so that we have the ability to work the TDR program the way that we need

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to because the Airport Development District is another area. What if we get projects that we feel are really for the good of that area and the City has now said they don't want to hook anybody up. So that really straps us unless they're going to cooperate with us and use the TDR program, then we're in a really tough spot to be able to use a program that in fact was recommended by them to begin with.

So I think that leaves us in a real funny position and we feel we'd rather be able to get back to having the ability to really enact the TDR program. It's not going that fast anyway, as you know. But it allows us to be able to move some projects forward that we think might be very helpful at this time, and in fact then if Los Solares doesn't get annexed they have a tool to be able to work with us.

But it's on your agenda at the request of Commissioner Gonzales.

COMMISSIONER SULLIVAN: Well, there was an individual that came to the County Commission a couple of months ago who proposed this. I don't remember which development that is. Is that a development that's in process?

MR. KOLKMEYER: Oh, Steve Wershaur. He runs a Waldorf School off Old Pecos Trail, and they've been meeting with us regularly to try to do a project to expand the Waldorf School by using TDRs that they get from somebody in their neighborhood, which is actually a really good project, but they can't do it because they have to hook up to City water again, and there's no City water there for them or County water for them to be able to hook up to. They are one that will probably be coming forward again to make this request again.

Now maybe there's a combination there that we can do this—maybe we need to give some thought to this is that maybe this should be done not on City and County sewer and water but only under certain circumstances. And I don't know yet since we haven't thought this all the way through but I don't know exactly that we'd welcome any comments or suggestions that you have on this because we basically stripped the program of being workable unless we have some way to be able to use community sewer and water. So it presents itself as a dilemma.

COMMISSIONER SULLIVAN: Well, I don't take as a given, for example in the Airport Road area, if the City says that it doesn't have water or sewer or it can't at this point in time provide those, although it may in the future, that then we should leapfrog out and say, Okay, let's approve our own development beyond that using the TDRs. I think we need to consider some pace to the growth and I'm curious—I mean I understand what you're saying about Los Solares, that that's an area that you're targeting in your priority area. But there it would seem we could wait. But I can't understand why we have to assume that ipso facto we need to continue with growth beyond the areas that the City can't serve and provide this mechanism to do it. I think this mechanism is to enhance infill and to enhance more dense growth in the areas that can be served by it. I don't understand that rationale.

MR. KOLKMEYER: Well, the City, Commissioner, has already leapfrogged out to the airport. The City put in the Community College District. We're just trying to keep up with what the City has already done to us in effect, by being able to keep up with the development that's now occurring around those areas. If you look at the City's future land use map, it has an industrial park right where the Airport Development District is right now, and

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yet that's not even in the county. Our effort is simply to try to do some up front planning with these. Try to institute the best programs that we can to take advantage of trying to get the best possible developments that we can right now, because they'll happen anyway.

So we can discuss this when this comes up because that's just a request for title and general summary and I think this probably needs some good debate again and we'd be happy to dialogue with you at that point but I guess my opinion is very different than yours again. I don't see us as leapfrogging. I see us fighting a diligent battle against things that have already been put out there against us. So we're just trying to keep up with the situation that's been presented to us.

COMMISSIONER SULLIVAN: When you say—let me just finish then by understanding this. When you say that you want to change the TDR to make it eligible for community water systems, you mean to make it eligible so they don't need City or County water, that they can drill wells. Is that correct?

MR. KOLKMEYER: That may be an option, yes.

COMMISSIONER SULLIVAN: What other option would there be other than drilling wells?

MR. KOLKMEYER: There might be an existing well.

COMMISSIONER SULLIVAN: But it would be either drilling or using or taking water from a well.

MR. KOLKMEYER: Or getting water through our own wheeling agreement, additional water through our system, because again, you asked the question before what the service area is. The Airport Development District is in our water service area.

COMMISSIONER SULLIVAN: But then that would be on the County water system, you would think.

MR. KOLKMEYER: Possibly.

COMMISSIONER SULLIVAN: So then they would have a County—that would meet the—

MR. KOLKMEYER: They could. Yes.

COMMISSIONER SULLIVAN: Meet the requirements of the—

MR. KOLKMEYER: But there may be instances where the project is deemed a project that we want. Maybe it needs a well. We can debate that at a later date.

COMMISSIONER SULLIVAN: We'll discuss it more. I just was trying to get the—because you say here in your memorandum, TDR program ordinance completed, and I thought it was completed. And now I see we're uncompleting it and I just wondered what the background on that was.

MR. KOLKMEYER: I would say that we're not uncompleting it. We're doing the same thing that we're doing in the Community College District. We're relooking at the need to make any additional changes.

COMMISSIONER SULLIVAN: That's what I was afraid of. Thank you.

CHAIRMAN DURAN: So let me get this straight. If Los Solares gets annexed, they will only be annexed with the understanding or the commitment from the City to provide

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services. Otherwise they won't annex. This is a question for Steve. Can a municipality annex and not provide infrastructure?

MR. KOPELMAN: Mr. Chairman, we're kind of in litigation on that with Edgewood right now. I think the answer is by statute, no. The municipality has to be able to provide services. The municipality can provide services through a JPA for example with the County. I think that would be valid. But the provision of services is a baseline for annexation. That's my understanding.

CHAIRMAN DURAN: Okay, for purposes of discussion here, let's assume that the only way that the City would agree to—let me back up. The only way the City would annex the Los Solares project is with the understanding that they would provide water and sewer. If they don't annex, the densities and the zoning that they are trying to get cannot be granted at the EZ level.

MR. KOLKMEYER: That's correct.

CHAIRMAN DURAN: Or the BCC. We don't have those densities available out there.

MR. KOLKMEYER: That's correct.

CHAIRMAN DURAN: So I'm just concerned, what's this about—I don't understand the leapfrog concern.

COMMISSIONER SULLIVAN: My concern, Mr. Chairman, wasn't on Los Solares. I think Los Solares is logical for annexation and that's what the developer is doing. If they don't get annexed, I think they'll probably go back and keep trying to get annexed. That's how that's going about. The leapfrogging, I was thinking more on the comment about Airport Road. As subdivisions are developing out further on the Southwest Sector along Airport Road, the comment from staff was that in some of those, City water or sewer is not currently available or they have a limitation against extensions right now. So therefore we need to go further and amend the ordinance to eliminate the need to have sewer and water so that these subdivisions can go forward in the Airport Development District.

My comment was maybe it's not time for them to go forward until the City can provide sewer and water. And that's what I meant by leapfrogging.

CHAIRMAN DURAN: And I think that that's where we have to go. We can't allow development to occur where we don't have the ability to manage the resource, the water resource. I think we need to make that message very clear. That's what we talked about earlier, right?

COMMISSIONER SULLIVAN: And I think the only way we manage the resource is through either the County water system or the joint County/City water system through the RPA, through some municipal or regional mechanism. I don't think we can leave that to these so-called community systems. They have their value in the rural areas where you have a small number of people, a few people that get together and go on a well and that's economical and that's reasonable. But as a municipal, high-density solution they're not the solution.

CHAIRMAN DURAN: As a high-density solution to providing water.

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COMMISSIONER SULLIVAN: Correct. Correct. That's why in order to control, we need to have that mechanism available. That's what I meant by leapfrogging.

CHAIRMAN DURAN: Okay. I understand that.

MR. KOLKMEYER: In the Southwest Area Plan, Mr. Chairman and Commissioners, it really does outline a lot of that. Don't forget that Agua Fria is a combination of a community water system and City water and that's right in the urban area.

CHAIRMAN DURAN: But even when we talked about creating the Airport Development District and the Airport Redevelopment District which is now combined, we always that that was going to have regional water.

MR. KOLKMEYER: Yes.

CHAIRMAN DURAN: We weren't talking about wells, individual wells.

MR. KOLKMEYER: Yes. And particularly—

CHAIRMAN DURAN: Although there was some discussion about that, excuse me, about a well, but I'm not sure how—I guess what I'm saying is that we, my feeling is that although we need to be concerned about it, we need to be open to other options that might be available to us so that we can manage that resource. But I agree that high density is definitely a limiting factor to that.

MR. KOLKMEYER: Well, Mr. Chairman, we've been working on the Airport Development District now for a year and there's no high-density residential being proposed there. It's mixed use, industrial, light industrial, business park type things. We won't see much residential in that area. But again the issue is, if we're concerned about jobs, that—I agree with what you just said. We need to really kind of put everything in the bag and be able to have it work to the best advantage that we can, whether it's community water, sewer or municipal systems or if there are some other options. Because the fact of the matter is that there's been development in the Airport Development District now for years, mostly mining, and there will be projects that are coming forward and we just want to be able to be prepared the best that we can to handle what kind of projects come up in that area.

I think the real test case though, and again, that's far in the future out in the Airport Development District. Some of the Baca properties are probably 40, 50 years away. But to kind of bring this back into focus, I think it really does come back to areas of Airport Road further in and back to the questions that Commissioner Campos asked. If it's not annexed, what are we going to do? Because the real threat then is that we're going to do what we're doing right now, which is nothing, or a minimal amount. I shouldn't say nothing.

But we are not really utilizing the Extraterritorial Zoning Ordinance to the best of its capacity. The EZO has a provision in it for village districts and we've never enacted that. It's in a sense exactly what the Southwest Area Plan is proposing. So if things don't get annexed, if it's Los Solares or anything else out there, we're going to need to come back and say now, what are we going to do? We're going to need to go back and fix the amendments, not undo them or whatever, but we're going to be faced with a situation again where we have ordinances on the books that we're going to need to go back and fix to be able to deal with some of these problems.

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So I think the same is true with Los Solares, Mr. Chairman.

CHAIRMAN DURAN: I think that—I've had this conversation with you and I think David Schutz was the Land Use Administrator at the time that the EZO was created and adopted. And in talking to him, he told me that that ordinance was, at the end was kind of put together real quick because they'd worked on it long enough and they closed it up realizing that it was only going to last ten, fifteen years, and at some point it was going to have to be revamped and reviewed and actually probably rewritten. And I think that that's where we are right now, is that there's some areas in the EZ than can accommodate higher densities and I'm not suggesting that we do wells but I think that when we start talking about infill projects that the City needs to kind of buy into the higher densities that can be obtained in the EZ so that we chip away at the sprawl issue and try and do some infill.

Let's face it. I think that it's proven that the City and the community—the community actually has some problem with infill projects. Because they do change the character of the neighborhood. And maybe the EZ is a place that we can, where we might be able to accommodate some urban densities.

MR. KOLKMEYER: And Mr. Chairman, we also, when we were originally working on looking at transfer of development rights programs, when we started our research on that three years ago, we were also actually looking at the Airport Road area too. We don't even dare tread on this ground yet with them because of the discussions about the Southwest Area annexation, but that might be another really good mechanism again to use further in to the urban area, particularly if there's areas along the Santa Fe River or there's other open space areas and then shift that density closer in to the city and use City, municipal sewer and water systems that are there.

But again, as I said before, that's another thing we should throw into the tool bag. We have a lot of things that we can look at in a lot of ways to do this and I think the point that you made, Mr. Chairman, is a really good one that it was said that we were going to relook at the Extraterritorial Zoning Ordinance and try to figure out some of the problems with it and we didn't. We think again we would agree with you that that's where we're at right now. And as part of the Southwest Area plan, the annexation strategies that are being discussed, and the regional planning authority, it seems like that is at our doorstep.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Just one final comment. I can't, Jack, accept the fact that the Southwest Area is not growing and going to grow in high density fashion. Just tonight, coming up at the EZA meeting, right in that area we have a 44-unit residential apartment on 3.5 acres. That's 13 dwelling units per acre. That's going to be the pattern. That has sewer and water, and that's going to be the pattern. I think what we want the TDR ordinance to do is to encourage efficiency of development and that's the reason for municipal sewer and water. We want to encourage that infill philosophy. If we remove that incentive and say, that's okay, you can just go out and do it in the farm fields, then that will be the route that the development pattern will occur.

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We want to say that this program, which benefits you, the incentives for this program are to go into the potential high-density areas with sewer and water. I think if we eliminate that as a requirement and make it only an option then the natural flow will go out into the more rural areas where we don't want to go without facilities.

MR. KOLKMEYER: Mr. Commissioner though, the TDR ordinance is very clear. You can only go to receiving areas. We're not going to be going way out into other areas of the county.

COMMISSIONER SULLIVAN: But receiving areas can be changed.

MR. KOLKMEYER: The TDR is only for receiving areas and there are very few cases of that right now. It's not like again, you're sounding like we're going to go out and proliferate growth all over the County. Very, very clear and specific places, with only using TDRs. And again, don't forget some of the projects you're talking about are leapfrogs that the City did. They pushed sewer and water out into those areas, and then there's pockets of the County way back in. How are we supposed to deal with them if we're supposed to have an even development pattern?

And again, that's our concern is the playing field is not even. It's not fair. And if we're all going to be concerned about density and where it should go and where it should be, and our TDR program only focuses on the places where we said our growth areas, that was adopted by the Commission, and that was debated for many years. We're saying that we're right on target, but we just need to be able to have the correct tools and the commitment to be able to rectify in many situations a situation that the City has leapfrogged and done to us and that we need to bear that in mind and keep that in consideration as we try to figure out what the development pattern should be for those areas.

CHAIRMAN DURAN: We need to move on but I'd just like to say that when we start talking about the TDR program, part of the reason that we wanted to adopt this program was because there were some areas that were being considered annexed that weren't annexed. They didn't have the densities that they were going to get upon annexation, and we were trying to take advantage of that annexation process so that the densities, we could negotiate with the property owner for higher densities than what they can get now in the EZ if they agree to participate in the transfer of development rights program.

MR. KOLKMEYER: That's correct.

CHAIRMAN DURAN: With the higher densities that they got they would be a receiving center and some of the increased densities that they would get would be part of the TDR program.

MR. KOLKMEYER: That's correct, Mr. Chairman. They could go up to five DU's per acre, because we've created that TDR-5 zoning district.

CHAIRMAN DURAN: Right.

MR. KOLKMEYER: So if they're not annexed, they could, we could work out a project with them that could go up to five DU's per acre, which is as Commissioner Sullivan just said, that that's an area viewed as one that should absorb that kind of growth, but if it's not annexed and we don't get City sewer and water, we need a mechanism to be able to provide

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that to do the five DU's per acre.

So again, I'd like to close on the comment that I made, is that we just don't think it's a level playing field at this point. We need to be able to have the tools that we as the County need.

COMMISSIONER CAMPOS: Mr. Chairman, just a couple of quick questions. Mr. Kolkmeier, Los Solares is proceeding with annexation proposal or petition because the City will not give them water or sewer unless they're annexed?

MR. KOLKMEYER: Commissioner, first of all, I think they're proceeding with a general plan amendment.

COMMISSIONER CAMPOS: I understand.

MR. KOLKMEYER: So there's nothing about annexation yet, or no plan, but I guess, as I understand it they're doing that so they will get City sewer and water, and the density that's related to that.

COMMISSIONER CAMPOS: There are waterlines, aren't there, and sewer lines out there already? Major trunk lines?

MR. KOLKMEYER: There must be down Richards, right? I don't know, Commissioner. I'd have to look.

CHAIRMAN DURAN: Governor Miles.

MR. KOLKMEYER: They're close if they're not there.

COMMISSIONER SULLIVAN: There's a major trunk line right down Governor Miles. It goes all the way to the Arroyo Chamiso intersection. It goes right through the property.

CHAIRMAN DURAN: Right.

MR. KOLKMEYER: Along Governor Miles.

COMMISSIONER CAMPOS: Okay, so basically, they need sewer and water and that's why they're asking for annexation? Okay. The other idea I'd like to discuss with you just very briefly, I know we're in a hurry to get moving. What about changing the densities out there? We have a density for the basin area but you can always lower it by doing a hydrological study. Is that a problem in the EZ? People coming in, doing their hydros and breaking lots below the—

MR. KOLKMEYER: Commissioner, it limits it to a certain mechanism. They can go down to one DU per acre if on water or sewer. Otherwise, the underlying density is 2.5. Now, the way that we've been approaching potential density changes then is through community planning. A community can also go and do a community plan and make recommendations that it wants to be able to change that. But right now we are limited to hydrologic zoning the way that we have it.

COMMISSIONER CAMPOS: Is that something that should be addressed as a remedy to the problems that we've been talking about?

MR. KOLKMEYER: It should be. We kind of brought up an obverse of this in doing the County General Plan was that the actual zoning is one dwelling unit per ten acres. It's not one dwelling per 2.5 acres. You get 2.5 by providing water. We could change that, I suspect,

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to whatever we would want but the problem is, as I stated when we started this conversation and you asked me what the biggest problem, the biggest issues are, they're infrastructure. And the densities need to be supported by the infrastructure, which is why we have one DU per 2.5 acres because the water supports that, and then the sewer can support that. And then they're private roads or whatever.

So the infrastructure is what is supporting that. And when you asked a question and my response to you, and it's still the same is that all needs to be based on what infrastructure we're providing. So if we can do that some new way then we can change those densities. If we can't, then we're stuck in the same situation that we're in right now where we're just going to get a pattern that is spread the way it is. That's what concerns us.

COMMISSIONER CAMPOS: We're going to the larger lot sizes because we don't have infrastructure, it seems.

MR. KOLKMEYER: I'm sorry, Commissioner.

COMMISSIONER CAMPOS: It seems that we would go to the larger lot size because we do not have the necessary infrastructure and the financing mechanism to provide that infrastructure.

MR. KOLKMEYER: That clearly, Commissioner Campos, could be an argument. But then there are some areas where you have those same densities right now, like Los Solares for example. Again, let's go back to the example and say it's not annexed. Then should that be 2.5-acre lots?

COMMISSIONER CAMPOS: You could do a village district, couldn't you?

MR. KOLKMEYER: We could. We could do a plan for that area and recommend change for that. Exactly.

COMMISSIONER CAMPOS: Okay. Thank you.

CHAIRMAN DURAN: Okay, I think that's enough of an update, don't you.

MR. KOLKMEYER: This was an informational item. Thank you for the information.

CHAIRMAN DURAN: We'll take a five-minute break.

[The Commission recessed from 2:55 to 3:20.]

X. D. Public Works Department

1. Request approval of change order number two (final) for the County Road 64-L (Richards Avenue) road improvements projects-EMCO

MR. MARTINEZ: Mr. Chairman, Public Works request approval of this change order with EMCO for the amount of \$44,786.34. This change order is for striping and adjustment of final quantities for reclaiming and curb and gutter. Stand for questions.

CHAIRMAN DURAN: Any questions of staff?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Just one question, Robert. It looks like the

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bulk of this change order was for reclaiming existing asphalt, which I assume means removing it or recycling it into the road for \$35,915. Was this not anticipated in the original contract?

MR. MARTINEZ: Mr. Chairman, Commissioner Sullivan, I believe the depth that was needed to go to reclaim the existing asphalt was a little bit thicker than what was anticipated.

COMMISSIONER SULLIVAN: The original amount estimated was \$37,570 and the revised amount is \$35,558. So it was actually a little bit less than what you had originally estimated. Am I reading that correctly on that tally sheet?

MR. MARTINEZ: Mr. Chairman, Commissioner Sullivan, the original quantity for the reclaiming was 16,335 cubic yards. The revised quantity is 31,795 cubic yards. It was almost double.

COMMISSIONER SULLIVAN: Almost double the amount. And that was because the depth of the existing asphalt was more than what was originally anticipated.

MR. MARTINEZ: I believe that's what the case is.

COMMISSIONER SULLIVAN: Because it couldn't have been the width. The road didn't grow wider.

MR. MARTINEZ: No.

COMMISSIONER SULLIVAN: So that was the major element. Okay. Thank you.

CHAIRMAN DURAN: Any other questions of Robert? If not, what's the pleasure of the Board? Move to approve the request for change order number two for County Road 64-L.

COMMISSIONER SULLIVAN: Second.

The motion to approve the requested change order passed by unanimous [3-0] voice vote.

X. D. 2. Resolution No. 2002-67. A resolution designating a project representative and signature authority regarding the Camino Carlos Rael waterlines

MR. MARTINEZ: Mr. Chairman, this resolution is designating James Lujan, the Public Works Director as the project representative and Estevan Lopez as the signature authority for the Camino Carlos Rael waterline project. This project is already complete. The City is applying for reimbursement and we just needed to change these designees prior to them being reimbursed.

COMMISSIONER SULLIVAN: Move for approval, Mr. Chairman.

CHAIRMAN DURAN: Second for discussion. Commissioner Campos.

COMMISSIONER CAMPOS: We have four whereas clauses and only one be it resolved clause. The be it resolved clause doesn't appoint anybody and that clause isn't clear.

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Does it mean, "Now, therefore, be it resolved that the Board of County Commissioners supports the proposed", and opposed to "by the proposed"?

MR. MARTINEZ: I believe so.

COMMISSIONER CAMPOS: Now, therefore, be it resolved that we appoint James Lujan and Estevan Lopez?

MR. MARTINEZ: Correct. That is what it should be.

COMMISSIONER CAMPOS: Because we have no resolution. Just whereases.

MR. MARTINEZ: That's what it should be worded as I believe. Do we need to change that, Steve?

COMMISSIONER CAMPOS: I'd think so.

MR. MARTINEZ: Okay. We can make those changes, Commissioner.

COMMISSIONER SULLIVAN: We'll amend the motion to read Now, therefore, be it resolved that the Board of County Commissioners designated James D. Lujan as the official representative authorized to submit final and any documents pertaining to the project and Estevan Lopez, County Manager, as the signatory authority authorized to sign and submit reimbursement requests.

COMMISSIONER CAMPOS: The resolution as stated, you'd leave that alone, right? You're just adding two new—

COMMISSIONER SULLIVAN: I was adding that in lieu of the current Now, therefore be it resolved.

CHAIRMAN DURAN: Right.

COMMISSIONER CAMPOS: Because they're asking for the Commission to state that they support the project and are authorized to proceed with the project.

COMMISSIONER SULLIVAN: Yes, but it's already done. So I think that's left over from an old version. I was substituting—is that correct, Robert?

MR. MARTINEZ: Sounds good to me.

CHAIRMAN DURAN: How about you, Steve?

MR. KOPELMAN: Mr. Chairman, that's correct and I apologize for not having caught that sooner.

CHAIRMAN DURAN: Shame on you. Since we're here on this Camino Carlos Rael issue, when are we going to find some money to do a concrete, all-weather crossing?

MR. MARTINEZ: Mr. Chairman, if you request, we could include that in the ICIP packet this coming legislative session. We start putting that together around August or September I believe and if that's your request we can include that in there.

CHAIRMAN DURAN: Could you remind me to request that?

MR. MARTINEZ: Sure.

CHAIRMAN DURAN: Because we spend a lot of money grading that thing and—

MR. MARTINEZ: That's the only unimproved section of that road, by the way. And I believe the City/County line is right in the middle of the river, so we'd have to enter into a JPA with the City.

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The motion to approve Resolution 2002-67 passed by unanimous [3-0] voice vote.

X. E. Utilities Department

- 1. Resolution No. 2002-68. A resolution recognizing a regional water contamination issue; outlining what has been done to identify options to address the issue; concurring with the need for a regional solution; and asking Congress and the state of New Mexico to support this regional cooperative effort with funds and legislative and regulatory assistance**

MR. ROYBAL: Good afternoon, Mr. Chairman, Commissioners. The resolution before you basically does the four things you just mentioned in the caption. It recognizes a regional groundwater contamination issue. It supports a regional direction and solution towards the resolution of that issue. It also requests federal assistance in supporting the capital expenditures on these solutions, and it does one other thing. It designates myself, Gary Roybal, and Doug Sayre as the contacts for Santa Fe County to participate in this regional initiative. And basically, that's what this resolution before you does.

CHAIRMAN DURAN: Okay. Any questions of Gary?

COMMISSIONER CAMPOS: Mr. Roybal, is there anything in particular that has caused you to come forward today with this resolution, or is this something you've been thinking of for a long time?

MR. ROYBAL: Mr. Chairman, Commissioner Campos, this is a regional initiative. Rio Arriba County has passed a similar resolution. So has the City of Santa Fe. This is the beginning to get a group of entities together, governmental and tribal entities to come together and act as a unit or body to start addressing these issues.

COMMISSIONER CAMPOS: What is the status of the funding issue? I know Congress has I think appropriated several million dollars for the planning and studies. Is that right?

MR. ROYBAL: Mr. Chairman, Commissioner Campos, I'm aware of one study that was just completed recently that was the feasibility study on the solutions that would be used in this region to address this issue. And I'm not sure how much money was appropriate for that but that was like the end of Phase 1. Phase 2 is this phase right here where we're bringing the parties together to develop legislation for authorization to go forward as a regional body to accomplish these goals.

COMMISSIONER CAMPOS: Okay. Thank you.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Gary, should there be anything in here

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about the County Manager also being a representative?

MR. ROYBAL: Mr. Chairman, Commissioner Sullivan, it was the County Manager that nominated me.

COMMISSIONER SULLIVAN: He was shifting it over onto you. I see. Okay. We'll give him that executive privilege.

MR. LOPEZ: Mr. Chairman, if it's the desire of the Commission that I be another alternate, I'd be happy to be on there as well.

COMMISSIONER SULLIVAN: I didn't quite know, as Commissioner Campos mentioned, what the initiative for this was. If it's high level talks about the infiltration galleries and so forth, certainly you're going to want to be involved in that. There's a number of technical meetings that go with that which obviously Mr. Roybal and Mr. Sayre are going to have to participate in. I don't know how much time you're still devoting to the water issue. It used to be 100 percent of your time.

MR. LOPEZ: Mr. Chairman, Commissioner Sullivan, I am devoting considerably less of my overall time to the water issue, but Gary is doing a real good job of keeping me informed on all of those. We confer regularly and to the extent that he needs to, he's usually pretty good about pulling me into those discussions.

COMMISSIONER SULLIVAN: And this is something that—this resolution is going to go where? We're going to send it to whom?

MR. ROYBAL: Mr. Chairman, Commissioner Sullivan, I don't believe it's going to go to anybody. I believe this is the County's commitment to participate in this regional body to address these issues. I believe it would be attached to any type of congressional support I believe, or request for funding.

COMMISSIONER SULLIVAN: Because it's not a specific item that one of our congressional delegations has asked for right now.

MR. ROYBAL: Mr. Chairman, Commissioner Sullivan, they are interested in this. It's my understanding that they want to begin this also but they also want buy-in from the parties in some official form and this is the County's official way of saying they're buying into this entity to begin this process.

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

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

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: Move that we adopt Resolution 2002-68.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: Any further discussion?

The motion to approve Resolution 2002-68 passed by unanimous [3-0] voice vote.

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X. F. Matters from the County Manager

1. Status report on State Road 14 business park

MR. LOPEZ: Mr. Chairman, Rudy Garcia will be making that presentation.

RUDY GARCIA (Policy Analyst) Mr. Chairman, Commissioners, at the last Board of County Commissioner meeting you asked for an update on the business park. As you all know, we have a 25-year lease on the business park. We have 21 years remaining on the lease. We asked the State Land Office to go into a 99-year lease. The State Land Office agreed to that. They have to send that in for a public bid. The process has been started. The State Land Office had actually begun on May 22nd of this year and will run through July 24th and that will be on every Wednesday until July 24th.

This week I got a call from the State Land Office that they have their bid package ready which actually outlines how we go about the bidding process, the contact personnel and so on and so forth. As soon as we get that bid package I'll sit down with the Attorney's office and Steve Kopelman and I would like to set up a team to go through that bid process and see how we're going to go about bidding on the business park. So we basically wait until the advertisement of the ten consecutive weeks is up and then we bid for the—

CHAIRMAN DURAN: What's that date again?

MR. GARCIA: July 24th.

CHAIRMAN DURAN: So it's out right now being published?

MR. GARCIA: Yes. It comes out every Wednesday in the legal advertisement of the Santa Fe *New Mexican*.

CHAIRMAN DURAN: Can you check with the State Land Office and make enquiries as to how many people have asked for a bid package? Or is there any competition? Is there any interest? And if you find that there is some can you let us know?

MR. GARCIA: Mr. Chairman, I will do that.

CHAIRMAN DURAN: When are we going to make our bid?

MR. GARCIA: Mr. Chairman, we probably need to go through the bid package and actually see if there's a deadline for all the applicants or the interested parties in that to submit for the 99-year lease, so we basically need to get the bid package.

CHAIRMAN DURAN: Do you think it's a good idea that we wait to the last minute to put our bid in?

MR. KOPELMAN: Mr. Chairman, members of the Commission, as Rudy indicated, we're going to be sitting down either later this week or early next week and we'll begin responding. So hopefully, we'll have a response ready, we'll bring it to the Commission far before the deadline. So if we need to amend it we can make changes. It's on the top of the list.

CHAIRMAN DURAN: I meant, once we do that, shouldn't we wait to the last minute to give our bid to the state?

MR. KOPELMAN: We can talk about that down the road. We can see what's

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going on there. But it is probably from a strategic standpoint better to submit it toward the very end rather than early on because that gives other potential bidders something to shoot add.

CHAIRMAN DURAN: Plus we would know, I just think we'd have more information if we waited. Especially if you find out if there's been interest. Because if we lose the bid, they have to pay us the money that we got from the RDC?

MR. GARCIA: Mr. Chairman, if we do lose the bid, the State Land Office will reimburse us for the improvements we have there to date. At that time we'd actually need to repay RDC.

CHAIRMAN DURAN: Or maybe we could ask them to use it somewhere else.

MR. GARCIA: Mr. Chairman, that's a possibility. Yes.

CHAIRMAN DURAN: Can you find out if we can do that before we actually—it would be nice to know early whether or not we could ask for that money to be diverted somewhere else. Okay, thank you. Any questions of Rudy?

MR. LOPEZ: Mr. Chairman, if I may, I'd like to take this opportunity to remind the Commission. We received a letter from Senator Bingaman's office regarding a public gathering at the plaza tomorrow at 1:00 p.m. regarding designation of northern Rio Grande Heritage Area and there will be a meeting on the plaza at 1:00 p.m. where the Senator will be present and he's invited all of the Commission to attend as well and hopefully show some support for that initiative.

Secondly, I got a call from the City/County emergency management coordinator that's been up kind of monitoring the efforts to fight the Borrego fire. He's extended to the Commissioners if there's any interest that he can arrange for a fly-over with the Forest Service, if there's any of the Commissioners that are interested in doing that. He said that it would probably be good to do it as soon as possible, possibly tomorrow if there's any interest, and he said up to six people could be taken on such a flight. So if you let me know if there's interest I can try and arrange that.

CHAIRMAN DURAN: How small is the plane?

COMMISSIONER SULLIVAN: You replace the fire retardant.

MR. LOPEZ: I believe it is a helicopter that they would be taking us up in. So if you'll just let me know, perhaps at the end of the meeting if you're interested, I can try and set it up. If there's no interest, then that's fine too.

CHAIRMAN DURAN: I think Commissioners Campos and Sullivan want to go. I don't want to go. But tell him thank you.

COMMISSIONER SULLIVAN: I'm interested.

MR. LOPEZ: Commissioner Campos, would you be interested in going? Okay, I'll talk to you at the end of the meeting. Thank you.

CHAIRMAN DURAN: How long would it take?

MR. LOPEZ: I really don't know. Stan, do you know? Do know how long such a fly-over would take?

COMMISSIONER SULLIVAN: It's not a Blackhawk.

CHAIRMAN DURAN: Can they pick us up here?

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MR. LOPEZ: On the roof of the Commission building?

CHAIRMAN DURAN: I don't want to go. Are you through? I just forgot to ask the Commission to consider something. Commissioner Sullivan and I went to Phoenix last month and went to a wastewater infiltration facility and a wastewater injection facility. And Estevan was with us. And I'm wondering if—I think it would be a good idea if we asked that individual—remember that guy that gave us the presentation on the chalkboard? I forget what his name was. If it wouldn't be such a bad idea to ask him to come and make a presentation to us. And I ask that now because it's kind of timely. I'm on another committee, if you can imagine that with the City. It's the Wastewater Reuse Advisory Task Force. And I'm on it along with Councilor Chavez, Don Dayton, Robert Romero, William Seedorf, Neva Van Peski and Ted Williams.

It may not be a bad idea to have the individual come and not only speak to us but to speak to this Wastewater Reuse Advisory Task Force. Our first meeting is May 31st. But would you have any interest in hearing that? Having them make a presentation?

COMMISSIONER SULLIVAN: I think it would be good for them—I heard it of course in Phoenix as you did and so did Estevan. I think it would be good for them to make a presentation to that task force and advertise it to the public because there's a lot of concern and a lot of information and misinformation about what constitutes injection and that might be a good place to start the public process. Get people there and have them listen before. Once it comes to the Commission or the City Council level it develops an urgency that I don't think we're at yet.

CHAIRMAN DURAN: Right. I agree. What if we ask him to attend this meeting. So you wouldn't mind if the County picked up the tab for his travel?

COMMISSIONER SULLIVAN: No, I think he was a very knowledgeable person. He had some technical background but he also had a lot of county administrative background.

MR. LOPEZ: That would be to attend the meeting on the 31st for the Wastewater Reuse Advisory Task Force?

COMMISSIONER SULLIVAN: Or maybe some subsequent meeting. I don't know if we can barge into their agenda there, but maybe the next meeting after that or something.

CHAIRMAN DURAN: Yes. If we can't do it on this one because it's not timely—

MR. LOPEZ: A subsequent meeting of that task force?

CHAIRMAN DURAN: Yes. And then at whatever meeting he decides to come to and if we can coordinate, then invite all the other elected officials to come and listen, and those that can attend or have an interest in attending can do so. Does that sound okay?

MR. LOPEZ: Mr. Chairman, if it's all right then, what I'll do is I'll ask Gary to coordinate what meeting this individual ought to be asked to come to attend and then try and coordinate the travel.

CHAIRMAN DURAN: Do you have a copy of this?

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MR. LOPEZ: Is that only for the 31st?

CHAIRMAN DURAN: Right.

MR. LOPEZ: I'll get that from you. Thank you, Mr. Chairman.

COMMISSIONER SULLIVAN: One question I had, Mr. Chairman.

CHAIRMAN DURAN: Sure.

COMMISSIONER SULLIVAN: At our last meeting it was estimated that the Public Safety Complex would be substantially completed in the middle of May and would be ready for occupancy, I believe, June 15th. I didn't want to let Stan get out of here today without giving him an opportunity to tell us that he's on schedule and we're ready to have a groundbreaking on June 15th.

CHIEF HOLDEN: Actually, Mr. Chairman, Commissioner Sullivan, I understand from an earlier report from Mr. Flores that substantial completion will be tomorrow. The Fire Department is moving forward with our plans to move in on the fifth of June and then following that, the Sheriff's Department and then of course the cut-over date for the RECC is the first of July.

COMMISSIONER SULLIVAN: Okay, then perhaps some time after that it might be good to have an open house or once you're settled in, show the public what they've bought.

CHIEF HOLDEN: Absolutely. We've been discussing that internally from a logistic standpoint of whether or not we want to try to accomplish that before the RECC goes live or after, because there are some security concerns, obviously, associated with that. We're debating that at this time. But we certainly will have some type of viewing session for the general public so they can see what they purchased.

COMMISSIONER SULLIVAN: Good.

CHAIRMAN DURAN: And Commissioner Campos and I decided that we're fine with three members on the Commission so you can tell Javier and Marcos they can take the rest of the year off.

MR. LOPEZ: Shall we cancel the election next week?

CHAIRMAN DURAN: Okay, nothing else, Estevan?

MR. LOPEZ: Mr. Chairman, nothing else from me.

- X. G. Matters from the County Attorney
- 1. Executive session
- a. Discussion of pending or threatened litigation
- i. *Santa Fe County v. Edgewood*

Commissioner Sullivan moved to go into executive session pursuant to NMSA Section 10-15-1 (7) to discuss the matter delineated above. Chairman Duran seconded the motion which passed upon unanimous roll call vote with Chairman Duran and Commissioners Campos and Sullivan all voting in the affirmative.

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[The Commission met in executive session until 5:10]

Commissioner Sullivan moved to come out of executive session having discussed only the matter outlined in the agenda, and Commissioner Sullivan seconded. The motion passed by unanimous voice vote.

CHAIRMAN DURAN: Hello, everybody. We hear that you're here to talk to us. We're going to complete the agenda and before we adjourn, I understand there are several of you that would like to address the Commission and we'll give you that opportunity.

XI. Public Hearing

A. Utilities Department

1. Resolution No. 2002-69. a resolution adopting water service rates for the Santa Fe County Water Utility

MR. ROYBAL: Mr. Chairman, Commissioners, I'm here before you today requesting a rate increase to our water service rates that are provided to our customers of the Santa Fe County Water Utility Department. The Santa Fe County Water Utility Department has basically seven rate schedules. One of them is for residential water service. One is non-residential water service, which is commercial, industrial, and municipal use. One is for special charges. One is private fire hydrant service. One is fire service lines. One is the water conservation charge and another is bulk water sales. Bulk water sales is a new service we started to provide probably over the last six weeks and I'll get into that when I get into that rate schedule.

The overall rate analysis that we performed indicated that the Santa Fe County Water Utility will be operating at a deficit of approximately \$76,683 next year based on our proposed FY2003 budget. The proposed rate structure, the rate increase will result in additional revenues that would put us, not only cover the revenue deficiency but would give us a revenue operating margin of \$17,683. And what I'm looking at is attachment A. That's our revenue requirement analysis. The attachment A that was included in your packet had administrative and general expense of \$389,366. That was reduced down to \$381,187 after we went through our budget review and some cuts were made. So I amended that number. That's the only number that changed on that schedule, which resulted in an increase of approximately \$8,000 to our operating margin.

The only increase in rates that we're looking at is for the residential and non-residential services. We are proposing that the rates be increased to near those that the City of Santa Fe are charging their current residential and non-residential customers. The special charges that we have also in our rate schedules are reflected on rate schedule 3 of your packet, and these are just

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miscellaneous charges that we would charge to customers when they apply for service or there's a reconnection charge, a return check charge, and also for customer deposits and meter testing. These are just miscellaneous expenses that we incur in providing service and this chart basically outlines those charges for new customers.

The private fire hydrant service charge has been a charge that we've had in place since the beginning and there's no change to that one. Fire service line charge, the same. It's been a charge that's been in place and we're not requesting a change to that. The water conservation surcharge is a rate schedule that reflects the same conservation surcharges that are imposed by the City. I have separated this separately just so that people can understand that there is a summer conservation surcharge.

The next rate schedule, the bulk water sales rate schedule number 7, as I indicated earlier, this is a new service that we began providing this summer. The City of Santa Fe used to provide this service out in the County who either needed to supplement their well water or just needed water for other purposes. The City discontinued that service and they send them over to the County Water Utility to do this and we've taken that on and we've established a rate schedule right now to do this. And the rate schedule is basically a \$10 monthly service charge with a \$5 commodity charge for an allotment or up to 500 gallons per trip. We have two days that we provide that service. Right now it's Tuesday and Friday from 8:00 to 10:00 I believe in the morning, so that customers have water over the weekend and they can recharge early in the week.

That is the package.

CHAIRMAN DURAN: Any questions of Gary?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Just two questions, Gary. One is that we're getting water from the City at the commercial bulk rates from the City in our wheeling agreement. Is that correct?

MR. ROYBAL: Yes, that's correct.

COMMISSIONER SULLIVAN: And I mentioned that a while back to one or two City Councilors and they said, Well, we really don't have a category for the County of Santa Fe because the County of Santa Fe is a large user so that's the category that we use to bill you. Obviously, it's to their benefit to use that category. Have we tried negotiating a better rate with the City for that bulk delivery?

MR. ROYBAL: Mr. Chairman, Commissioner Sullivan, I brought it up but we haven't actually sat down at the table to negotiate that. It is an issue that's ongoing with us and it is something that we are pursuing. Because we are a bulk water or a sale for resale customer, not necessarily a commercial customer, however, the wheeling agreement does refer to rates schedules for commercial service. And the wheeling agreement is in effect until 2004.

COMMISSIONER SULLIVAN: Yes, well, they could of course approve a rate schedule for commercial service for bulk users too.

MR. ROYBAL: Mr. Chairman, Commissioner Sullivan, that's correct. And we

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are pursuing that. That is an issue that we are very interested in and wanting to resolve.

COMMISSIONER SULLIVAN: Because I don't think we should be paying the same rate as Walmart. We're a much bigger customer and so it seems like we should get a better rate, which we could then pass on to the residents.

MR. ROYBAL: Mr. Chairman, Commissioner Sullivan, you're correct. We don't get the same type of retail service that a commercial customer on their system such as Walmart. We do our own distribution and we do our own maintenance to our own system. So you're correct.

COMMISSIONER SULLIVAN: Right. They don't maintain our fire hydrants. They don't repair out waterlines. They don't check our meters or anything. We're just buying bulk water from them. So it seems like we should get a better rate. Another question I had was on your attachment E where you gave a sample of what the change in the rates would be for a typical resident using 5,100 gallons. Could you explain that to me because it looks like the first increment is \$3.94 per thousand gallons, and then it drops down to \$2.50 per thousand and then the final increment is \$5.00 per thousand. In looking at the water rate schedule for the City, I thought the City's rates went straight up and the more you used the greater the per-gallon cost is.

MR. ROYBAL: Mr. Chairman, Commissioner Sullivan, the way their rate structure works is that they have that summer surcharge that in the summer, that \$2.50 increase that you say goes into effect between May and October. So they have a flat rate of \$3.94 beginning in May of this year. So the summer surcharge is that additional block that you see, so I think if we look at attachment B, it shows that for the summer conservation surcharge, for anything above 12,000 gallons, they would be charged an additional \$2.50. On top of that, now that they're in Stage 3, you would add another \$5.00 to every thousand gallons above that. So these are incremental costs above the flat rate of \$3.94.

COMMISSIONER SULLIVAN: So it is a progressive rate. As the usage increases, the cost per gallon increases with the City and that's proposed for the County as well.

MR. ROYBAL: Yes, Mr. Chairman, Commissioner Sullivan. That's correct.

COMMISSIONER SULLIVAN: So in the summer then, on that attachment E, the \$2.50 applies and then in the winter that goes away.

MR. ROYBAL: Mr. Chairman, that's correct.

COMMISSIONER SULLIVAN: And then they're back to the progressive schedule.

MR. ROYBAL: Yes.

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

CHAIRMAN DURAN: Commissioner Campos?

COMMISSIONER CAMPOS: No questions.

CHAIRMAN DURAN: Okay. This is a public hearing. Is there anyone out there that would like to address the Commission concerning this resolution? Seeing as there's no one out there, the Chair will ask what's the pleasure of the Board?

COMMISSIONER SULLIVAN: Mr. Chairman, I'd move for approval of the

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recommended rate increases, which match and mirror the City of Santa Fe rate increases.

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: There's a motion and a second. Any further discussion?

The motion to approve Resolution 2002-69 passed by unanimous [3-0] voice vote.

CHAIRMAN DURAN: Okay, how many of you want to address the Commission?

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: I just want to let everybody know that at least two Commissioners have a meeting at 6:00 that's going to last probably to 10:00 or 12:00 tonight. This is a surprise visit and they need to get out to have dinner, so if you could keep it to maybe five or ten minutes?

CHAIRMAN DURAN: If there's only three or four of you that want to speak, that's fine. I just also would like to tell you that in our first analysis of the budget we had meetings, or were made aware of the problems with the Sheriff's Department in terms of losing individuals to other communities and other jobs because we were unable to provide competitive salaries. So we went back and we analyzed our budget and cut wherever we could the hiring of new FTEs for County government and I think that we've done everything that we possibly can to provide our negotiating team with more money to sit down at the negotiating table with you and hopefully come up some resolution to your concerns and our budget constraints. So who would like to be the first speaker please? Please step forward and state your name for the record.

SHAWN BECK: Mr. Chairman, honorable Commissioners, my name is Shawn Beck.

CHAIRMAN DURAN: Shawn, could you please bring the microphone up to your mouth.

MR. BECK: My name is Shawn Beck. I am currently the president of Santa Fe County Deputy Sheriff's Association and I'm also Deputy Sheriff of Santa Fe County.

I understand that you are well aware that we are currently in negotiations with your negotiation team who is representing you the Commission on behalf of the County. I'm part of the association team. We're not here to negotiate with you today. We're just here to insure that the Commission has all the facts we believe they need, which you need, to make the decisions that need to be made. We've been in the process of negotiation since February 2002. Earlier this month, we reached an impasse, and the majority part of that impasse was over the pay issues.

The sheriff's department, as you are aware now, is facing a critical loss in manpower. Based on current estimates and the trend we're facing in 35 percent loss of seasoned and trained deputies, that figure can increase to at least 50 percent, possibly more, by the end of the year. The reason for this is the low pay and the low morale. We

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have departments who are actively recruiting our deputies, who are offering greater pay, greater benefit packages, and greater incentives to steal them away from the county. I've tried to bring this up through the negotiations, because it's a critical issue for the safety of the citizens of Santa Fe county. In the past, the county has given 2-3 percent a year, their estimate of the cost of living during contractual negotiations.

That hasn't even met with the consumer price index for the Southwest and western United States, which has been at 4.6 percent for the past several years, and that's the national average, based on national statistics. We can't even maintain our cost of living. Our deputies can't afford to raise their families and live in Santa Fe County, not at what we're getting. This is not a problem that's just unique to Santa Fe County. You may be well aware that the city of Santa Fe is down 25-30 officers and looking to fill their ranks with our deputies. That's been public knowledge. Several members of their senior administrative staff and several members from the city government have made it known that they intend to recruit our deputies. Bernalillo County is actively recruiting our deputies, Albuquerque Police Department, civil outside agencies outside of the state of New Mexico are recruiting our people.

It's happening all across the country. It is just not unique to us. Gentleman, we need to become competitive to maintain the people we have, or we cannot provide the services that the citizens of this county demand, and that we are to provide them as public servants. Along with that 2-3 percent pay increase that we're received over the past few years, the cost that the deputies incur for insurances has been skyrocketing. It was 12 percent last year, and we're looking at 13-17 percent increases just this year alone.

We're losing deputies at a cost the county, who is going to have a hard time funding the replacements. The average is \$80,000 to replace and train a new deputy. If you pull a citizen off the street who applies no prior experience, and they wish to become a deputy sheriff of Santa Fe County, gentleman, it's going to cost you at least \$80,000 and year of time before that person is out on their own serving the citizens of Santa Fe County.

The county over the past two years has made some efforts in addressing this problem. Two years, in the year 2000, there was a pay increase that the Commission approved. It averaged out to be about 8 and a quarter percent across the board for the deputies.

There were some deputies who received more, some deputies who received nothing. What that has brought us to is approximately 25 percent below the regional average as of today right now. I have personally spoken to 22 deputies now who are in the process of applying elsewhere. That is, they've filled out the applications, turned them in and are going through the testing procedures, the backgrounds. Several of the deputies sitting here behind me are those deputies. They have job opportunities, they're waiting to hear. We've got several going into the city police department, several going to the state police, four going to Bernalillo county, one looking at Phoenix police department, there's one, possibly two others looking to going to the Denver police department, and so on. We are currently authorized 68 deputies from the sheriff on down for a population of 67,000 plus citizens in the [inaudible] portion of Santa Fe County.

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The city of Santa Fe has 62,000 citizens and current authorized strength is about 128 officers. It's almost double what we are authorizing, as far strength, with fewer citizens to be responsible for. We're already down 6 positions out of 68, so we've only got 62 able bodies out there, and only approximately half of those are actually patrol deputies, are out on the street day in and day out, driving and patrolling, wearing the uniform that our citizens see when they call for our services. Because of these shortages throughout the country, as I've stated, law enforcement agencies throughout the country are going and becoming very creative in their recruitment efforts. I'm sure you gentlemen have seen advertisements on TV and the newspaper.

Surrounding areas, Farmington Police Department, up in the northwest part of the state, starting pay for any one of these deputies sitting in here to go over there, it would be \$38,000 a year. That's \$18.50 an hour plus gentleman, just to walk in the door, with a better benefits package and a better retirement. The City of Santa Fe is offering a \$2000 sign-on bonus to recruit people. We tried to address some of the efforts in the negotiations and have been rebuffed. The issue was, and I've thought about this issue from day one because you gentleman would be the first ones to ask me: how are we going to pay for this? So the deputies decided to take our own money and to hire someone to look at fiscal budget so we could answer that question for you gentleman. And we found upwards of 14 million dollars in funds in the fiscal year 2002 budget, including the 9 million dollars in the contingency fund, that could be tapped into. And that's based on figures and facts that we've received from the county.

Nothing we're pulling out of thin air. That's not counting the monies that will be seen this coming fiscal year based on the 444 million dollars in increased property tax valuations, which is roughly 2.8 million dollars in additional revenues the County will see. And that's not counting any monies that will be saved out of the current budget as a result of the gross receipt tax that was passed back in April, and that's 7.8 million dollars roughly a year that's going to be coming in to address the water problems, for the most part, roads and open space. Those are critical issues that citizens are worried about. But they're also worried about public safety. We could have a grand water system, wonderful open space and good roads, but if we don't have anybody protecting them, citizens are going to be concerned. Especially since the events of September 11th, we'll never forget that.

Nationally, public safety is the number one concern in each American's life. And law enforcement is suffering throughout the country. Our ranks are getting stretched thin. But the requirements that we have to meet, what's expected of us, is not going down. We saw it that day on September 11th, firefighters and law enforcement officers rushing into buildings that collapsed a few minutes later. To save people. That's what we're here to do. We're not here, doing this job, to get rich, gentleman. We don't expect to make a fortune, but we would try to make a reasonable wage.

CHAIRMAN DURAN: I have question for you, please.

MR BECK: Yes sir.

CHAIRMAN DURAN: How much over what we have budgeted for the salary

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increases do you anticipate the Sheriff's Department—what does that need? How much more do you need in order to satisfy your needs?

MR. BECK: Mr. Chairman, we have not gone back to negotiation tables, so I'm not sure what the Commission has allocated since our last mediation. We aware that the Commission has informed their party there is going to some changes and there is going to be some additional funds. But based on the 30 percent over three years, 10 percent a year was our last negotiation offer that we presented to the county. Based on that alone, it's approximately \$177,000 a year for that 10 percent on current strength of 60 deputies who are eligible for the association, that would be the additional cost just for that 10 percent.

CHAIRMAN DURAN: So the last time you guys negotiated, we were \$178,000 off?

MR. BECK: That's what my estimate would be, based on the current hourly rate that each deputy is being paid. Taking that figure, multiplying it by an additional 10 percent and then taking a cumulative total of that for the deputies that I'm responsible, and again, that does not include the lieutenants, and that 5 lieutenants, actually 4 now because we're down one, a captain, a major, and of course anything for the under-sheriff, that would be figured in because I understand the sheriff's is based on statute. So there would be some additional cost. But even with those—

CHAIRMAN DURAN: But isn't the main focus right now the deputies?

MR. BECK: It is just the deputies, yes, Mr. Chairman.

CHAIRMAN DURAN: If we want to take care of this—I don't know if we can take care of everybody, but isn't the focus today, or the focus of the negotiation, to take care of the deputies and those that are out there patrolling?

MR. BECK: That is correct, Mr. Chairman. I am only responsible for those deputies who are eligible to be covered under the collective bargain agreement, and those are sergeants on down, as far as the ranking structure goes.

CHAIRMAN DURAN: Ok, so Esteban, is that 178 thousand, is that the total impact on the budget, or do we have other—does it increase because of retirement and the rest of what we have to provide our match to that?

MR. LOPEZ: Mr. Chairman, I'm probably not the best one to answer that question, because I haven't been dealing with those issues directly. However, I understand that wouldn't be reflective of the overall impact to us, because of things like the overall benefits and other things that have a monetary value, including things like overtime. As we increase salaries, our overtime allocation also grows with it. But frankly, I'm not really the best one to answer that question right now.

COMMISSIONER CAMPOS: Mr. Beck, does that amount reflect benefits?

MR. BECK: No, Commissioner, it does not.

COMMISSIONER CAMPOS: That's what I thought. Okay.

MR. BECK: To completely answer your question, Mr. Chairman, that figure, it would be just for the first year, the 10 percent alone, not including the addition that has been negotiated for the benefits.

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CHAIRMAN DURAN: Okay. You think you could wrap up your presentation soon, Mr. Beck?

MR. BECK: Yes, I can. The funding is available in the budget. We did hire an expert, he is a professor in Albuquerque who teaches accounting. He is also a city councilor for the city of Rio Rancho. So he was able to answer both of our questions to address the budgetary issues, as to what the budget states, and what we should consider, putting ourselves in your shoes, and whether or not our requests were reasonable to even take into the table.

We found that they are reasonable, they are needed. The overall cost that we're looking at, even each year as they increase, is less than the money that the Santa Fe County makes in interest on its investments and the monies from the general fund as they sit in the bank collecting interest. And that's in the budget. The county can afford to make these adjustments, the county needs to make these adjustments, because gentlemen, we can't afford not to. Thank you, Mr. Chairman, Commissioners, for your time and allowing me to address you.

CHAIRMAN DURAN: Thank you. Next speaker please.

KIT AYALA: Mr. Chairman, Commissioners, my name is Kit Ayala. I'm an assistant district attorney with the district attorney's office here in the first judicial district. I'm here today to express the district attorney's appreciation of the work that the Santa Fe County sheriff's office does. You'll see that they are wearing T-shirts that say "Underpaid and Under Appreciated," and I trust that this governing body will do everything they can to make sure they are adequately paid. I'm here to let both the sheriff's office and this governing board know that we appreciate the work of the Santa Fe County Sheriff's Office, the men and women of that department are some of the hardest working, dedicated, thorough, and responsible law enforcement team in the first judicial district. And that shapes out, is that when we go to court on a case, we need to know that it was thoroughly investigated, that everything that could have been done was done, and in working with the sheriff's office in Santa Fe County, we can almost always count on that, that they're going to do their job to the utmost, if that means risking their lives or injuring themselves. I was very disappointed today to learn that one of the most dedicated officers that they have, officer Emily Montoya, left the department. I'm really crushed about that because she worked very hard and specialized in working with children on child abuse cases, and that type of expertise is not something that comes easily. So on behalf of the district of the attorney's office, I would like to express our appreciation for the dedicated and hard work of the Santa Fe Sheriff's office. Thank you.

CHAIRMAN DURAN: Thank you.

[Applause]

CHAIRMAN DURAN: Mr. Beck, can I ask you one quick question? What's the average hourly rate right now that the deputies are being paid?

MR. BECK: The average hourly rate, Mr. Chairman, I would have to estimate, is about—the highest I can think of, with the sergeant, is going to be 18, the lowest is \$11.11 an hour.

CHAIRMAN DURAN: And that's a patrolman, or—

MR. BECK: That is patrolman, the highest is a sergeant, and I believe is 18,

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19—I don't have my figures with me.

CHAIRMAN DURAN: Well, because you mentioned 18 dollars an hour is what—

MR. BECK: 18 dollars an hour is for a sergeant—

CHAIRMAN DURAN: But you said there's some community out there that's recruiting your—whose phone is that? Could you turn it off please, or are you being called out to arrest somebody? Thank you.

MR. BECK: For an example, Mr. Chairman, if I were to leave the Santa Fe County Sheriff's department, I would currently make \$14.40 an hour.

CHAIRMAN DURAN: And how long have you been with the Sheriff's Department?

MR. BECK: I've been with the Sheriff's Department for six years, and 17 years in law enforcement.

CHAIRMAN DURAN: And you're making 14 dollars an hour?

MR. BECK: And 40 cents, an hour. I also have a bachelor's degree, I'm a master's candidate.

CHAIRMAN DURAN: Ok, you've answered my question. Thank you very much. Next speaker please.

MICHAEL POST: If I could, may I have all the certified salary deputies please stand up. Now if you would please, turn around, this is not to show your backs, but I'd like you to turn around please. Members of the Commission and Commissioner, I don't represent this department, I am a representative of the department. I don't stand in front of these deputies, I stand behind them, as you can see. What I'd like you to know—my name is Michael Post, and I've been a deputy sheriff here for almost 2 years, but I did come from another department, which was Sandoval County. I've got almost 10 years, and I make a dollar less than the man you just spoke to. He has 17 years, and I make a dollar less than him. So I speak for him, and the rest of these deputies—go ahead guys, turn around. He does not deserve to make a dollar more than I, and that's the important thing that people need to understand. We're going to lose half these guys in here, and all these people that are here are representing the department, there's only five guys on duty right now. Oh, three, maybe a supervisor, and that's it. And here we are. And the only reason that we're here is because we're trying to support ourselves and our families. We're just human beings. We have families. We'd like to go home after a hard day, and seeing death and dismemberment, and go home to a house where we could feel safe, not to a shamble because that's all we can afford because we have to live within 15 miles of the county, otherwise we'd have to work somewhere else. And if we live somewhere else, shouldn't we support that community? Why should we live in Albuquerque and travel 50 miles to support this community, where the community doesn't support us? All I'm saying is, they're here, we're here, and I'm here, as human beings. I've not met any of you, you've not met me, but imagine, if I showed up at your door. You'd wonder who I was, what's my motive? To support my family. We could do other things. We could certainly do other things, and we're going to do other things, because it's not

grandiose to be poor. It's not. So listen to what these people say. They're people. Listen to us. We're trying to do what we can do, and we're going to stay, we are going to stay, until we cannot stay. Then we're going to leave. Thank you.

CHAIRMAN DURAN: How many more speakers after this gentleman? Okay, good.

BILL RITCH: I'm not going to take much time, but Mr. Chairman, Commissioner Sullivan, Commissioner Campos, my name is Bill Ritch, I'm the vice president to the Santa Fe County Deputy Sheriff's association, I'm also a deputy sheriff, I've been in law enforcement 21 years, all within Santa Fe County, and I'm making \$14.19 an hour. I've got my kids here, I've got another one at home. All we're asking is to be treated fairly. That's all we're asking. And what I'm asking from you is to support some of the finest men and women in law enforcement, that represent you and the citizens of this community. Thank you.

CHAIRMAN DURAN: Thank you. Next speaker please.

OFFICER BECK: Hello, my name is Officer Beck and I work with Santa Fe Police Department, and I am Shawn's wife, wherever he's at. And I get nervous when I do this, so, I'm here to support these deputies, who I work with all the time. And I find it astonishing that I can go to work and be working with a group of people where there's 12 officers on the street, where you're deputies, there's three deputies taking care of your county. And I guess if I was a citizen of Santa Fe County, I'd be concerned about that.

But what I find most amazing is that Shawn has been a deputy sheriff with Santa Fe County for about a year and a half, longer than I've been with Santa Fe Police Department, and Shawn earns \$14.40. I make \$16.90 an hour, in less time, plus I earn an extra \$150 a month for incentive for a bachelor's degree and for speaking Spanish. I realized that they went to negotiations they didn't think that an education and their speaking Spanish or having a second language was important, but officers that do speak a second language end up taking additional calls that other officers cannot take.

The workload that these men and women carry is astonishing, as far as I'm concerned, because it's impossible for them to be doing the work that they're doing and not having complaints from your citizens, because you just don't have enough officers on the street. And if you lose the amount of officers that are applying, and I can tell you that there's quite a few, I've been on light duty now for a few months, and so I see the officers that are coming in our door every day, and are applying with us, and are checking in, and they know when testing is, and they're going through the process.

So I know that a lot of these officers, we'll be happy to have them, but I think it's sad that you're going to lose them, because you guys do have a problem if you do lose them, if you have 3 officers on the street right now, you're going to be down to 1. The only ones that are going to be staying for awhile are probably the ones that have been here for a very long time. The rest have no reason to stay. We can pay them more than they're making right now, and even what Shawn's making, he can go to the city and start making more than what he's making right now. They can go to Los Alamos and they can start making 15 dollars an hour. Thank you for your time.

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CHAIRMAN DURAN: Thank you.

ROY DENNIS: Good evening Mr. Chairman, Commissioners, my name is Roy Dennis, and I come to you tonight speaking as a private citizen of Santa Fe County.

CHAIRMAN DURAN: Excuse me, Mr. Dennis, I need to ask you to limit your speech to three minutes please. There was someone else that was over there, and I think that we pretty much get the gist of your concern, and we really—

MR. DENNIS: It will be very brief. The main thing that I wanted to say is most people don't get into law enforcement for the money. We all start out young, most of us single or newly married, and at that time, money's not important. But as you get married, you have a family, then money becomes important, and I would like to invite each of you to take a tour, an 8 hour tour, with one of these deputies, see what they go through, what they have to put up with, and try to walk a mile in their moccasins, so to speak. I'd like to commend you gentlemen for the job that you're doing, for allowing us to speak, since you've had a very long and tiring day, and it's not even close to being over yet. And I thank you again for allowing to speak two weeks ago to you, when you didn't have to. I understand your concerns, and that you're concerned with the budget. But his is a time for us all to be creative and find various ways to attract deputies, to keep deputies, because everyone in the nation is in this boat of keeping and retaining and recruiting good people. And you, as well as the rest of us, deserve to be protected to the best of our ability. And that would entail paying the deputies of Santa Fe County what they deserve. Thank you very much.

CHAIRMAN DURAN: Thank you, sir. I need to ask a question. How much do we invest in each deputy before they come on board? Or as part of the employment process? What does the training cost us per deputy?

MR. BECK: Mr. Chairman, I don't know the exact figure from the County itself. National average is \$80,000, and that's across the board from any department. To one, recruit, to go through the hiring process of an uncertified citizen who wants to get into law enforcement for the first time.

CHAIRMAN DURAN: And how many deputies did we lose last year?

MR. BECK: In the six years I've been here, we've lost—half the department's been replaced. We, on average, usually lose about five deputies a year, some years can be more. They are eventually rehired.

CHAIRMAN DURAN: So we lose five deputies, and do we retrain the five that come in?

MR. BECK: If they are hired as what are known as lateral officers, that means that another department somewhere else—

CHAIRMAN DURAN: Has trained them?

MR. BECK: Has paid for their training and they come over to our Sheriff's Department already certified as a police officer of New Mexico. So that saves money there. However, that's what a lot of those other agencies are looking for, because it saves them money. They don't have to empty out their coffers to fill their ranks.

CHAIRMAN DURAN: Ok, thank you. Next speaker please.

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BEN CERRERA: Mr. Chairman, Commissioners, my name is Ben Cerrera. I'm one of the private citizens speaking on behalf for the deputies of Santa Fe County. As you were saying, as Officer Beck was saying, they're not in it to get rich, they're in it because they love doing the job, they love taking care of the community, they love getting out there and meeting the people. But I feel that the love has to go both ways, and as you asked just a minute ago, what's the cost of training an officer? Look at the cost that the county's footing for the other officers to go be trained for another agency. I feel that all these officers, like I know Mr. Bill Ritch and Shawn, they specialize in accident reconstruction. Those are specialties that not just any of the officers—deputies know, they're trained, higher educated for that type of stuff. And I feel that if he's making \$14.40 an hour, they can't make a living. They have a family. And our concern is, if there's three officers out there for the whole Santa Fe County, and I have a police scanner, I listen at home, and I hear the deals with the officers, where they're shorthanded on the north patrol because there's not enough officers out there to handle their having a call from Tesuque Tribal Police. Our families are all out there, in spread of the county, North patrol, South Patrol, and I think that the County cc does need to take a serious look at the budget, and as you told them earlier, you trimmed to what you think is going to be available. I think you need to look at it again and trim it to where it is going to be available. It's not going to be a maybe, it has to be a positive thing to keep these officers out here to support our county. Thank you.

CHAIRMAN DURAN: Sir, you're the last speaker.

JEREMY GARCIA: I'm the last speaker. I'll be real short. My name is Jeremy Garcia. I've been a deputy sheriff since May of 1992. Since that day I worked back on the field, I'm a field commander. I have 5 guys on my shift. 4 of them are brand new to the department, which means that over the last year since I've been here, not a single face that I work with is the same. We're training ground for other agencies, that's just the bottom line. This year alone, to this day, the Sheriff's Department has handled over 57,000 calls for service. You got four guys working a night. Four guys handling that call volume.

Calls are getting more dangerous. Things are happening—it's a serious risk in our community to be a police officer. Beginning of the year, we've had vacancies open in this department. Five vacancies right now. Ask staff if you need to, but we've had zero applicants.

And you might ask the question why, because who's going to apply with the Sheriff's Department, when they can get a job with the city police department and make twice as much as we're making here? I'm a field commander, and I make \$16 an hour. They've got deputies that work with us, some deputies make more than I do.

We have some deputies that make just about the same as us. The compaction issue is amazing. I've been here since 1992, and the only reason I stay is because I love working in this community. I love working in Santa Fe County. A lot of the other deputies, they love working here in Santa Fe County. We don't want to be forced to leave. I don't want to be forced to leave. But I need to make a decision that's going to affect my family, and it'd be easy for us to get jobs. Because we're a small agency, we wear many hats. You got deputies that are SWAT team members, that are fatal team accident reconstructionists, all in the same shift.

2226599

Our specialty guys—it's amazing. We were talking about it the other day, and we figure that about 45 percent of our deputies working for us right now, 45 percent of the deputies that are currently working for us are all brand new.

They probably have less than five years experience with us. We have those figures, those figures are available to us, and we're willing to give them to you guys, publish them to you guys, if you request them to us. We can provide you with any type of stats or statistics that you guys need. But it's a serious problem. Our demands aren't incredibly outstanding or outlandish. We're not asking to be rich. We're just asking to make a proper living for our families. And that's it. Thank you, Commissioner.

CHAIRMAN DURAN: Thank you. I don't think I can live on 14 dollars an hour, so hopefully we can do something about that. I'm sure that—we just approved an interim budget, and I'll convey your concerns to the other two Commissioners that aren't here, and maybe we can come up with another idea. Thank you very much.

ADJOURNMENT

Chairman Duran declared this meeting adjourned at approximately 5:40 p.m.

Approved by:



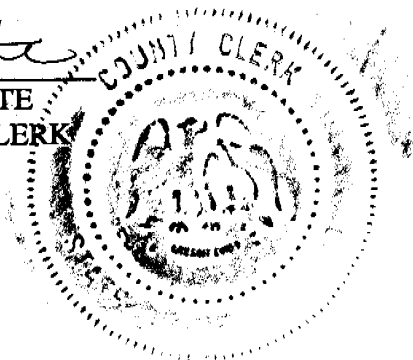
Board of County Commissioners
Paul Duran, Chairman

Respectfully submitted:


Karen Farrell, Commission Reporter

ATTEST TO:

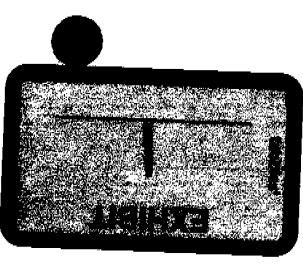

REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK



2226600

FY2003 PROGRAM CHANGE INCREASES FOR SALARIES AND BENEFITS

DEPARTMENT	CLASS	REQUEST	SALARIES/ BENEFITS REQUEST	FTE Change		MANAGER RECOMMENDS
				Request	Recommend	
County Manager	exempt	Transfer a Policy Analyst to a Project Manager under PFMD per reorg.	(53,791)	(1.0)	(1.0)	(53,791)
			(53,791)	(1.0)	(1.0)	(53,791)
		Subtotal	\$ (53,791)			\$ (53,791)
Legal	exempt	Reclass Assistant Account Attorney to full time position	17,408			17,408
		Subtotal	\$ 17,408			\$ 17,408
Finance	perm	Project Cost/Grant Administrator	55,182	1.0	1.0	53,000
		Subtotal	\$ 55,182	1.0	1.0	\$ 53,000
Comm. Health Dev.	perm	Senior Services Coordinator	22,002	0.5	-	-
		Fair Grounds Custodian	14,041	0.5	-	-
		Subtotal	\$ 36,043	1.0	-	\$ -
Land Use	perm	Community Planner	48,000	1.0	-	-
		Economic/Community Planner	50,000	1.0	1.0	48,000
Development Review	perm	Ment Increase (1.5%)	889			-
		Ment Increase (1.5%)	985			-
Permits and Inspections	term	Plans Examiner / (business licenses)	28,877	-	-	-
		Development Inspector	44,798	-	-	-
		Ment Increase	10,662			-
		Subtotal	\$ 184,211	2.0	1.0	\$ 48,000
Public Works	perm	Ment Increases (4% for 6 employees)	13,069			-
		Overtime	4,306			4,306
Administration	perm	Ment Increases (4% for 6 employees)	7,695			-
		Ment Increases (ave \$0.914 for 10 employees)	25,855			-
Project Development	perm	Overtime	43,060			43,060
		Ment Increase (ave \$0.278 for 8 employees)	17,246			-
Solid Waste	perm	Overtime	12,918			12,918
		Reclass Apprentice Equip Operator to Crew Foreman	15,972			15,972
		Reclass Truck Drive II to Transportation Crew Foreman	11,285			11,285
		Transfer Station Caretaker	22,601	1.0	1.0	22,601
		Sunday Incentive Pay \$1/hr - Solid Waste Employees	7,213			-
Road Maintenance	perm	Overtime (Fund 204)	59,208			59,208
		Ment Increase (ave \$0.63 for 19 employees) (Fund 204)	33,946			-
		Subtotal	\$ 274,374	1.0	1.0	\$ 159,350
Project and Facilities Mgmt	perm	(2) Custodians (Public Safety Complex)	45,280	2.0	1.0	22,630
		Web Content Administrator	63,096	1.0	-	-
Information Technology	perm	Telecommunications Specialist (reclassification)	1,606			-
		(3) GPS Technician (5 mos)	42,024	3.0	3.0	42,024
Project Development	perm	GPS Technician salary increase	2,101			-
		GIS Technician salary increase	2,402			-
		GIS Coordinator salary increase	3,841			-
		Transfer a Policy Analyst from Manager to a Project Manager per reorg.	53,791	1.0	1.0	53,791
		Subtotal	\$ 214,061	7.0	5.0	\$ 118,445
Fire Department	perm	Fire Protection Specialist II	48,127	1.0	1.0	48,127



2226601

FY2003 PROGRAM CHANGE INCREASES FOR SALARIES AND BENEFITS

DEPARTMENT	CLASS	REQUEST	SALARIES/ BENEFITS REQUEST	FTE Change		MANAGER RECOMMENDS
				Request	Recommend	
County Assessor Administration	perm	Fleet Mechanic	33,946	1.0	1.0	33,946
	perm	EMS Captain	60,095	1.0	-	-
	perm	Reclassify Fire Prev Spec II to Captain - Fire Prev. (\$2,65/hr)	7,093	-	-	-
	perm	Reclassify (3) EMT-Basic to EMT-Intermediate (\$1,07/hr)	13,298	-	-	-
	perm	Overtime	10,765	-	-	-
	perm	Overtime	38,754	-	-	-
	perm	Overtime	38,754	-	-	-
	perm	Overtime	38,754	-	-	-
	perm	Overtime	38,754	-	-	-
	perm	Overtime	38,754	-	-	-
		Subtotal	\$ 328,220	3.0	2.0	\$ 203,854
County Clerk	perm	Recording Clerk (\$9.00/hr)	25,459	1.0	1.0	25,459
	perm	Voting Machine Technician (\$9.50/hr)	26,874	1.0	1.0	26,874
	term	Voting Machine Technician (\$11.00/hr)	31,117	1.0	0.5	15,559
		Subtotal	\$ 83,450	3.0	2.5	\$ 67,892
County Treasurer	perm	Merit Increase for 5 employees	19,320	-	-	-
		Subtotal	\$ 19,320	-	-	\$ -
County Assessor Administration	perm	Overtime	21,530	-	-	21,530
	perm	Merit Increase for (2) ADT I positions (3%)	2,249	-	-	-
	perm	Merit Increase for (2) ADT II positions (2%)	3,048	-	-	-
	perm	Merit Increase for GIS Technician (5%)	2,690	-	-	-
	perm	Appraiser Certification pay for M.H. Clerk (\$1K/year)	1,360	-	-	1,360
	perm	Appraiser Certification pay for (2) Field Auditors (\$1K/year)	2,720	-	-	2,720
	perm	Appraiser Certification for (2) Field Auditors (\$500/year)	1,360	-	-	1,360
	perm	Appraiser Certification for Field Auditor (Fund 203)	690	-	-	690
	perm	Appraiser Certification for (2) Appraisers (\$1K/year) (Fund 203)	4,080	-	-	4,080
	perm	Overtime (Fund 203)	7,536	-	-	7,536
		Subtotal	\$ 47,253	-	-	\$ 39,266
County Sheriff	perm	Overtime	618,988	-	-	296,038
	perm	(10) Deputy Sheriff (\$12,22/hr)	466,574	10.0	-	-
	perm	(6) Court Security and Transport Officer (\$12,07/hr) (0.5 FTE each)	124,241	3.0	1.0	34,144
	perm	(3) SWAT Team Member positions (on-call)	3,047	-	-	3,047
		Subtotal	\$ 84,100	3.0	1.0	\$ 28,854
County Surveyor	perm	Survey Technician @10.00/hr	28,288	1.0	-	-
		Subtotal	\$ 28,288	1.0	-	\$ -
Administrative Services	perm	Receptionist @\$8.00/hr	22,630	1.0	-	-
		Subtotal	\$ 22,630	1.0	-	\$ -
Utilities	perm	Merit Increase (3% for all employees)	11,070	-	-	-
	perm	Water and Wastewater Operator Assistant	22,288	1.0	-	-
	perm	Merit Increase (3% for all employees)	4,884	-	-	-
		Subtotal	\$ 38,242	1.0	-	\$ -
		GRAND TOTAL	\$ 2,591,821	36.0	13.5	\$ 1,025,507