



COUNTY OF SANTA FE)
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Deputy _____ County Clerk, Santa Fe, NM

SANTA FE

BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

July 26, 2005

Michael Anaya, Chairman
Harry Montoya, Vice Chair
Paul Campos
Jack Sullivan
Virginia Vigil

SFC CLERK RECORDED 09/21/2005

SANTA FE BOARD OF COUNTY COMMISSIONERS

COMMISSION CHAMBERS

COUNTY ADMINISTRATION BUILDING

**REGULAR MEETING
(Administrative Items)
July 26, 2005 - 10:00 a.m.**

Please turn off cellular telephones during the meeting.

Agenda

- I. Call to Order**
- II. Roll Call**
- III. Pledge of Allegiance**
- IV. State Pledge**
- V. Invocation**
- VI. Approval of Agenda**
 - A. Amendments**
 - B. Tabled or Withdrawn Items**
 - C. Consent Calendar: Withdrawals**
- VII. Approval of Minutes**
 - A. June 28, 2005**
- VIII. Matters of Public Concern – Non-Action Items**
- IX. Matters from the Commission**
 - A. Resolution 2005 – A Resolution Setting Priorities for Water Allocation of the 375 Acre Feet of Temporary Wholesale Water Delivery Identified in Part 2 of the Water Resources Agreement Between the City of Santa Fe and Santa Fe County Dated January 11, 2005 (Commissioner Sullivan and Commissioner Vigil)**
 - B. Resolution 2005 - A Resolution Authorizing Santa Fe County to Participate in the National Association of Counties Prescription Discount Card Program (Commissioner Montoya)**
 - C. Resolution 2005- A Resolution Urging Congress to Research and Resolve Pueblo Boundary and Access Issues Related to Adjoining Properties Within Santa Fe County (Commissioner Montoya)**
- X. Presentations**
 - A. Presentation to Acknowledge the Santa Fe County Fair August 10-14 2005 by 4-H Kids (Commissioner Anaya)**
 - B. Presentation by Marianne Pratt of Santa Fe Chamber of Commerce (Commissioner Montoya)**
 - C. Update and Status on the Hydrologic Model, by Intera (Water Resources Department)**

SFC CLERK RECORDED 09/21/2005

- D. **Presentation from the Affordable Housing Task Force and Discussion Concerning Authorization to Publish Title and General Summary**
- E. **Honoring the Service of Dr. Cleveland Pardue, Dr. Mario Pacheco, and Fernando Sena for Their Work with the Santa Fe County Health Policy & Planning Commission**

XI. Consent Calendar

- A. **Resolution 2005- A Resolution Requesting a Budget Increase to the Fire Impact Fees Fund (216) / Eldorado Fire to Budget Fire Impact Fees Revenue for Expenditure in Fiscal Year 2005 (Fire Department)**
- B. **Request Approval of Amendment #2, Contract #24-0178-FD to Tracy Baca, for a Professional Service Agreement for Database Entry and Other Related Services for the Santa Fe County Fire Department, to Extend for an Additional Year from 6/30/05 to 6/30/06 and Increase Compensation for \$6,500.00 for FY06 (Fire Department)**
- C. **Request Approval of Amendment #1, Contract #24-0177-FD to Patricia Lucero, for a Professional Service Agreement for Database Entry and Other Related Services for the Santa Fe County Fire Department, to Extend for an Additional Year from 6/30/05 to 6/30/06 and Increase Compensation for \$10,000.00for FY06 (Fire Department)**
- D. **Request Approval of Community DWI (CDWI) Grant Agreement with the New Mexico Department of Transportation Traffic Safety Bureau in the Amount of \$70,358 for FY 2006 (Health & Human Services Department)**
- E. **Request Approval of Professional Service Agreement with Las Cumbres Learning Services, Inc. to Provide Santa Fe County with Parent-Infant Therapeutic Mental Health Services in the Amount of \$138,000 for FY 2006 (Health & Human Services Department)**
- F. **Request Approval of Amendment No. 2 to Agreement #25-0094-HHSD with Presbyterian Medical Services in the Amount of \$391,537 for Operation of the Care Connection Assessment Center for the Period of August 1, 2005-June 30, 2006 (Health & Human Services Department/ CARE Connection)**
- G. **Request Approval of the Joint Powers Agreement Between the City of Santa Fe and Santa Fe County for \$350,000 in Capital Funds for Renovation of the CARE Connection Sobering Center (Health & Human Services Department/ CARE Connection)**
- H. **CDRC Case #DP-04-5780 Application of Suerte Del Sur LLC for Master Plan Approval; Final Order (Approved) (Land Use Department)**
- I. **Resolution 2005 – A Resolution Requesting an Increase to the Developers' Fees Fund (231) to Budget Prior Fiscal Year Cash Balance for Expenditure in Fiscal Year 2006 / \$8,500 (Manager's Office)**
- J. **Resolution 2005- A Resolution Requesting an Increase to the State Special Appropriation's Fund (318) / Sobering-Detox Program to Budget a Prior Fiscal Year 2005 Special Appropriation Project (SAP) Grant Balance Received from the NM 2004 Legislature for Expenditure in Fiscal Year 2006 (Project & Facilities Management Department)**
- K. **Request Authorization to Enter into Amendment No. 3 to the Professional Services Agreement #24-0030-PFMD with Professional Document Systems for the Document Imaging Project \$28,695.00 (Project & Facilities Management Department)**

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- L. Request Authorization to Award Professional Services Agreement 26-031-PFMD to the Highest Rated Offeror, Ellis/Browning Architects, Ltd., Responding to RFP #25-58, "Design of a DeTox/Sobering Center for Santa Fe County" (Project & Facilities Management Department)
 - M. Request Authorization to Enter into a Contract with IBM in the Amount of \$22,917.60 for Software and Hardware Maintenance on the AS/400, the County's Main Application Server (Project & Facilities Management Department)
 - N. Request Authorization to Enter into a Maintenance Agreement with SUNGUARD, Inc. in FY06 in the Amount of \$54,125.00 to Provide Financial and Land Software Application Service and Support (Project & Facilities Management Department)
 - O. Resolution 2005 – A Resolution Requesting a Budget Increase to the Road Projects Fund (311) / Various Road Projects to Budget Prior Fiscal Year 2005 Grant Balances Awarded Through the New Mexico Department of Transportation for Expenditure in Fiscal Year 2006 (Public Works Department)
 - P. Acceptance of Offers Regarding IFB 25-51RB-1, and Authorization to Enter into a Construction Agreement with Khani Co. for the Camino Carlos Rael Bank Stabilization Project / \$145,619.42 (Public Works Department)
 - Q. Request Authorization to Accept and Award Price Agreement with Multiple Sources to Lowest Responsive Bidder for IFB-25-57 (Public Works Department)
 - R. Request Authorization to Enter into Memorandum of Agreement Between Santa Fe County and the City of Santa Fe for a Project Regarding Governor Miles Road Between Nava Ade to Cerrillos Road Project, a Regional County Capital Outlay Gross Receipts Tax Project Approved by the Regional Planning Authority (RPA) \$310,000.00 (Public Works Department)
 - S. Request Authorization to Enter into Amendment No. 2 to the Professional Services Agreement #25-0008-SD with Ralph W. Lopez to Provide the Services as Region III Coordinator /\$52,620.00 (Sheriff's Office)
 - T. Request Authorization to Enter into Lease Agreement #25-0028-SD with Santa Fe Animal Shelter & Humane Society to Provide Office Space for Santa Fe County Animal Control Employees /\$14,245.00 (Sheriff's Office)
- XII. Staff and Elected Officials' Items**
- A. Finance Department
 - 1. Resolution No. 2005 – A Resolution Requesting Authorization to Reimburse County for Funds it Intends to Advance for Capital Expenditures Related to the Construction of Roads Located within the County
 - 2. Resolution 2005- A Resolution Requesting an Operating Transfer From General Fund (101) / to the General Obligation Bond 2005 Series Fund (330) / Various Roads (CR 94/94A, South Meadows, and CR42) to Budget Prior Fiscal Year 2005 Cash Balance for Expenditure in Fiscal Year 2006 (\$542,396)
 - 3. Resolution 2005 – A Resolution Requesting Approval of the Final Budget for Fiscal Year 2005-2006\

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4. **Acceptance and Approval of Financial Report Conducting Analysis of Collections and Payments of Lodger's Tax by the Payees of the Tax in Santa Fe County**
 5. **Request Authorization to Accept and Award a Professional Services Agreement to the Lowest Responsive Bidder for RFP # 25-61-FI for the Financial Advisor**
- B. Land Use Department**
1. **Discussion Regarding Planning Activities and Sequence for the Santa Fe Area Metro Area Highway Corridor and Redevelopment District**
- C. Project and Facilities Management Department**
1. **Approval of Amendment No. 2 to a Memorandum of Agreement Between the County of Santa Fe and the City of Santa Fe for the Joint Regional Trails and Open Space Santa Fe River Trail Project to Facilitate Santa Fe County's Purchase for Property Along the Santa Fe River (Projects & Facilities Management Department)**
 2. **Recommendation to the Board of County Commissioners from the County Open Land and Trails Planning and Advisory Committee (COLTPAC) Regarding Acceptance of a Donation of Trail Easements, Acceptance of a Donation of a 51 Acre Parcel, and Purchase of a 109 Acre Parcel for the Little Tesuque Creek Project (\$300,000)**
- D. Public Works Department**
1. **Resolution 2005 - A Resolution Amending the Time Expiration Date of Resolution No. 2004-84 "A Resolution Adopting a Traffic Calming Policy for Residential and Local County Roads"**
- E. Treasurer's Office**
1. **Resolution 2005 - A Resolution Designating the Los Alamos National Bank to Become a Depository Financial Institution for Santa Fe County as Outlined in the County's Investment Policy, Resolution No. 2004-107**
- F. Water Resources Department**
1. **Request Approval of a Water Service Agreement with Robert Pearson**
- G. Matters from the County Manager**
1. **Resolution 2005 - A Resolution Requesting an Increase to the General Fund (101) / Various Departments to Budget Additional Property Tax Revenue to Create a Voter Outreach Coordinator Position, for Several Staff Salary Adjustments, and for a Personnel Classification Study for Expenditure in Fiscal Year 2006 (\$178,755)**
 2. **Consideration of Ordinance 2005 - An Ordinance Adopting a County Gross Receipts Tax (1/16 % Increment of the County Gross Receipts Tax)**
 3. **Consideration of Resolution No. 2005 - A Resolution Adopting the Negative Referendum Option for the 1/16 % Increment of the County's Gross Receipts Tax**
 4. **Update on Various Issues**
- H. Matters from the County Attorney**
1. **Executive Session**

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- a. **Discussion of Pending or Threatened Litigation**
- b. **Limited Personnel Issues**
- c. **Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights**

XIII. 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).

SFC CLERK RECORDED 09/21/2005

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

July 26, 2005

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 10:07 a.m. by Chairman Mike Anaya, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

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

Members Present:

Commissioner Mike Anaya, Chairman
Commissioner Harry Montoya, Vice Chairman
Commissioner Paul Campos
Commissioner Jack Sullivan
Commissioner Virginia Vigil

Members Absent:

[None]

V. Invocation

An invocation was given by County Treasurer Victor Montoya.

VI. Approval of the Agenda

- A. Amendments**
- B. Tabled or withdrawn items**
- C. Consent Calendar: Withdrawals**

ROMAN ABEYTA (Deputy County Manager): Thank you, Mr. Chairman. The only change we have is under XI. F. We have a change to the amount. The new amount will read \$356,993.

CHAIRMAN ANAYA: Okay. Any other changes?

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MR. ABEYTA: There are no further changes.

CHAIRMAN ANAYA: Okay, Commission, do you have any changes?
Commissioner Sullivan.

COMMISSIONER SULLIVAN: On item IX. A, Mr. Chairman, I think we'd like to do a little more fine tuning of that so my request to the Commission would be to table that for the time being, till the next meeting.

CHAIRMAN ANAYA: Okay. We're going to table IX. A. Any other changes?

COMMISSIONER SULLIVAN: Do you want the Consent Calendar withdrawals at this time?

CHAIRMAN ANAYA: Yes.

COMMISSIONER SULLIVAN: And I'd also like to discuss item I and item R.

CHAIRMAN ANAYA: Okay. So we'll move those off and talk about them after we approve the Consent Calendar. Are there any other changes? I would like to move Presentations up from X to IX and move Matters from the Commission right after Presentations if that's okay. Is there a motion to approve the agenda as amended?

COMMISSIONER CAMPOS: So moved.

COMMISSIONER MONTOYA: Second.

CHAIRMAN ANAYA: Motion and a second. Any discussion?

The motion to approve the agenda as amended passed by unanimous [5-0] voice vote.

VII. Approval of Minutes: June 28, 2005

CHAIRMAN ANAYA: Is there a motion?

COMMISSIONER MONTOYA: Move for approval, Mr. Chairman.

CHAIRMAN ANAYA: There's a motion.

COMMISSIONER CAMPOS: Second.

CHAIRMAN ANAYA: And a second. Any discussion?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: A couple of minor typos for correction on the record.

CHAIRMAN ANAYA: Okay, a motion and second as amended on the minutes.

The motion to approve the minutes as corrected passed by unanimous [5-0] voice vote.

VIII. Matters of Public Concern – Non-Action Items

CHAIRMAN ANAYA: Is there anybody in the public that would like to address the Commission at this time? Hearing none, we'll move on to item X.

X. Presentations

A. Presentation to Acknowledge the Santa Fe County Fair August 10-14 2005 by 4-H Kids (Commissioner Anaya)

CHAIRMAN ANAYA: Four-H kids, go ahead and come forward. I believe we have Jackie Baca, Christina Turner, Mary Irene, Elizabeth Howard, Cody Gonzales, Kendra Werner, and Mary Howard, our 4-H leader. So come forward and state your name and tell us what you're all about.

ELIZABETH HOWARD: Good morning, County Commissioners. Thank you for having us. We'd like to thank you for your past support to the Santa Fe County 4-H program and we'd like to invite you to our Santa Fe County Fair, August 10th through the 14th. Thank you.

CHAIRMAN ANAYA: Okay. Thank you.

MARY IRENE: Good morning, County Commissioners. My name is Mary Irene. I'm the 2005 Santa Fe County Fair Queen, as well as the 2005/2006 Santa Fe County Council vice president. I'd just like to thank you for your continual support and say that we're looking forward to seeing you all at the fair this year.

CHAIRMAN ANAYA: Thank you, Mary.

KENDRA WERNER: Hello, County Commissioners. I'm Kendra Werner and I'm the Santa Fe County Fair princess and I encourage you to join us at our County Fair. Thank you.

CHAIRMAN ANAYA: Thank you.

CODY GONZALES: Good morning, County Commissioners. My name is Cody Gallegos. I'm a 4-H member. I'd like to see you all out there to support us. Thank you.

JACKIE BACA: Good morning, County Commissioners. I'm Jacqueline Baca and I'm a 4-H home economist for Santa Fe County. As you can see, we've brought some of our wonderful 4-H-ers and our leaders in the county are doing a superb job in providing the youth in our county leadership throughout this year. We're very proud of them and we hope that you are all able to join us this year at our County Fair.

CHAIRMAN ANAYA: Thank you.

CHRISTINA TURNER: Good morning. My name is Christina Turner and I am the 4-H ag agent in Santa Fe County and I'd just like to invite you all to join us for our fair, August 10th through the 14th, and I'd also like to have you guys have some of our gifts that we've brought you, some of our 4-H promotional stuff. So thank you for your time.

CHAIRMAN ANAYA: Thank you very much, Christine. We always like to have the 4-H-ers come because they're the only ones that bring us gifts. Hats and cups and candy. At this time I'd like to just - while I was in Hawaii this last weekend at the National Association Conference, I sit on the Agricultural and Rural Affairs Steering Committee and I'm also a member of the Western Interstate Region Board, along with Pat Torres, our County Extension agent. When we heard that President Bush was going to take away some of the funding for our 4-H kids, four our 4-H programs and our experiment stations that we have throughout the county and the state, well, Pat brought that to my attention and we quickly jumped on board and passed a resolution here in Santa Fe County to continue to let the president know that 4-H is a very important program here in Santa Fe and in our state.

So we passed a resolution here and then we took it to Hawaii at the National Association conference and we passed it at the Agricultural and Rural Affairs Steering Committee with no problem because they had similar 4-H programs and extension programs and we passed it at the Western Interstate Region. So we are continuing to fight for our 4-H programs and we appreciate what you do, there at the staff. Thank you very much for being here. And I also want to thank Pat for bringing that to the attention of Santa Fe County and moving that resolution forward. So with that, thank you all for the gifts and if the Commission would like to say a few words, Commissioner Vigil.

COMMISSIONER VIGIL: Thank you, Mr. Chairman. I just don't think that 4-H receives the credit that they deserve. The youth who participate in 4-H programs, it seems to be such a silent majority. We get so much news media and coverage about youths who are in trouble, but if that was balanced with those youths like you that, gosh, are shining in many ways and creating such a focus for the future of our community and for yourselves in particular. I congratulate all of you for moving into the 4-H program and wish you success. If there's anything the Santa Fe County Commission can do to create a successful County Fair please contact us.

I know in the past the Commissioners used to be judges or participate in some of the activities that were there and I think we should resurrect that and get us more connected with the actual activities that go on there. I plan to be there myself and wish you the best of luck. Congratulations on making really good choices in your life and I hope that continues to be the way it is for you and for all the 4-H participants.

CHAIRMAN ANAYA: Thank you, Commissioner. Commissioner Sullivan.

COMMISSIONER SULLIVAN: Let me congratulate you all as well on your new positions and on your election as the queen and princess. I look forward to enjoying the fair as I do every year and we did participate one year, I as judge of the salsa contest. I think they ran me off because I didn't come back the next year. Maybe I have a different taste in salsa.

COMMISSIONER MONTROYA: You started dancing?

COMMISSIONER SULLIVAN: Yes, it was not the salsa dance; it was the salsa food. But it was a wonderful opportunity and just so that you know, the Commission

has done an extensive master plan of the fairgrounds. Over \$25,000 was spent on that, and the purpose was to be sure that we had a plan for the future so we could get capital improvements money for the fairgrounds and so we could focus on youth activities at the fairgrounds as well as the other 4-H activities and extension service activities that we have there that serve all the public of Santa Fe and a lot of people don't realize that, that anyone can go to the extension service and get information on bugs or trees or plants and a number of gardening classes and so forth are held out there. But aside from that, we wanted that master plan to be sure that we preserved the youth activities that have occurred out there and will continue to occur. Since the County fairgrounds are in District 5, which happens to be the district I represent, I take a real pride in what we have out there. And again, thanks for coming today.

COMMISSIONER MONTOYA: Mr. Chairman, I just also would like to wish you all well. I've had the opportunity and privilege of at least not participating but going over the last couple of years since I've been on the Commission and really enjoy and like what I see that there's a lot of participation from youth. This I think is a critical element that is somewhat being lost within our culture, our traditions and our practices and I'm glad that you all are continuing that because it's part of who we are here in Santa Fe County, so I'm sure I'll see you, hopefully, God willing, on the 14th. I always like to go to that luncheon.

COMMISSIONER SULLIVAN: You have to be a buyer to go to that luncheon.

CHAIRMAN ANAYA: Commissioner Campos.

COMMISSIONER CAMPOS: I would also like to thank you very much for doing what you do, all the effort that that takes, but also, as Commissioner Montoya says, the tradition of agriculture and ranching is so important to our part of New Mexico and to our part of the world, so I thank you for your efforts in committing your time and your family's time and your friends' time to this effort. Thank you very much.

CHAIRMAN ANAYA: Thank you. Let's wrap it up with a picture.

GERALD GONZALEZ (County Manager): Mr. Chairman, as everybody's returning to their seats, I just want to thank Pat Torres for the outstanding work that he's done with us as County Extension Agent. Just as an aside, he also had an opportunity to go out and take a look at some of the tree issues that we've been dealing with so if the Commission has some questions for him, either now or at a future point I'm sure he'd be able to address them. As you know, he's a man of many talents. He serves us in so many ways and that's just one more in addition to the 4-H work that he has promoted that has served the county so well. Thank you, Pat.

COMMISSIONER MONTOYA: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Chairman, if it would be appropriate I would certainly like to hear your assessment of what's going on, Patrick, with the tree situation. We've been inundated with phone calls. We're working on setting up a

community meeting either Monday or Tuesday in Tesuque so that we can address some of the issues and concerns. But I'd like to hear and find out a little bit more about maybe what you've observed, what you've come up with over the last couple of days since this whole incident has kind of taken a whole direction of its own, it seems like.

PAT TORRES (County Extension Agent): Mr. Chairman, members of the Commission, I actually drove through there this morning to look at the situation and there's no doubt in my mind that there are some public safety hazards there waiting to happen. There is some selective pruning that needs to take place. A lot of dead branch removal. And then aside from the dead branch removal there's other limbs that certainly need to be removed.

CHAIRMAN ANAYA: Hold on one second. Let's just back up a little bit because I don't think the public really understands what we're really dealing with and maybe if we could start from the beginning and I think it was a Tesuque issue where the County went out and trimmed some trees and the public isn't very happy with the way the County trimmed the trees. Is that correct?

JAMES LUJAN (Public Works Director): Mr. Chairman, members of the Commission, actually, it's County Road 73, and we hired a contractor to go in there and prune some trees on County Road 73. We had done approximately three days of work and on the third day is when they came out and started this about the concerns of the trees and the way they were being trimmed. It's not they didn't like the way, I think it's more that they didn't want them trimmed. And that's where we're at today.

CHAIRMAN ANAYA: All right. Thanks. I'm sorry Pat, we had a few puzzled faces in the crowd.

MR. TORRES: Anyhow, I did get a chance to drive through there this morning and I did see some branches that need to be removed and part of the reason that some of those branches need to be removed is that, granted, it may not be a main thoroughfare for semis but occasionally - well, it is a public road and occasionally you will have some of those bigger trucks driving through there. And as high as some of those trucks are, they're going to strike some of those branches and cause them to break and could do more damage that what pruning itself can do. When you have some of those breaks in branches that often end up stripping bark and those trees don't get the opportunity to heal properly and then you get some decay setting in, you get some bugs setting in and then you end up doing more damage that way than if you actually go in and do proper trimming.

So like I say, there is no doubt in my mind that some of those trees do need to be cleaned up some. Perhaps we don't need to make the cuts all the way back to the trunk. Again, it depends on how soon you want to go back there to do some more trimming once you've done this initial trimming. Because keep in mind trees do grow and so do some of those branches. There is some regrowth. And so you may want to trim far enough to where you won't have to get it down for at least another five to ten years again and you make it cost-effective for the County as well.

So there are several factors to consider.

CHAIRMAN ANAYA: Thank you, Pat.

COMMISSIONER MONTOYA: Thank you, Pat.

CHAIRMAN ANAYA: Robert, did you have any comments?

ROBERT MARTINEZ (Deputy Public Works Director): Mr. Chairman, I just wanted to comment on the agenda item before, which was the 4-H. So if these guys are done, then I'll just - I'm the president of the 4-H Rodeo Council.

CHAIRMAN ANAYA: Hold on one second. Was there any other comments on the -

COMMISSIONER MONTOYA: Mr. Chairman, again, just to reiterate and hopefully you all can make it, but I've just had this discussion with Lisa Roybal yesterday afternoon, so this morning she's working on setting this up so hopefully you gentlemen can be there and it will hopefully be either Monday or Tuesday evening, there in Tesuque, hopefully at the elementary school.

MR. GONZALEZ: Mr. Chairman, I did have one question for Mr. Torres if it's possible. I just wanted to ask him whether he thought the trimming that he saw was basically appropriate and whether the canopy would regenerate following the trimming that he saw.

MR. TORRES: Mr. Chairman, members of the Commission, Mr. Gonzalez, the trimming that I saw certainly is one option. There are things to consider in trimming as well. Some of the goals that you might want to achieve. For instance, as far as some of the trees that I saw that were trimmed this morning, basically they will allow some daylight to shine on some of those roadways as well that will maybe hold some - granted during the winter you don't have foliage on those trees but still, when you have excessive branches it can slow down the snow-melt along those right-of-ways. But even during the growing season, the way some of those trees are trimmed right now, it will allow some daylight to shine on some of those floors and allow for other plant growth as well. In other words, if you want some species diversification on those floors, trimming the way it's been done thus far will allow for that.

CHAIRMAN ANAYA: Okay. Thank you, Pat. Robert.

MR. MARTINEZ: I'm here as a member of the Rodeo Council, 4-H and I just wanted to bring it to your attention that one of the Santa Fe County 4-H-ers that participates in rodeo, competed in the national high school finals in rodeo in Gillette, Wyoming this week and that would be Chase Massengill. He ended up 10th in the nation in calf-roping and he's in Commissioner Montoya's district out of Pojoaque. So I just thought I'd bring that to your attention.

CHAIRMAN ANAYA: Thank you, Robert. See, we do have some great athletes that come out of Santa Fe County and thank you for the information. That's great. Any other questions or comments? Commissioner.

COMMISSIONER MONTOYA: Robert, do they have, I would assume, coaches? So-called coaches that teach them -

MR. MARTINEZ: Mr. Chairman, Commissioner Montoya, it's called their parents.

COMMISSIONER MONTOYA: So their parents teach them.

MR. MARTINEZ: That is correct.

COMMISSIONER MONTOYA: So Mr. Massengill must have rode.

MR. MARTINEZ: John Massengill, his dad and his mom, Sandra. Along with all the other 4-H rodeo kids. We continue to coach them, be their chauffeurs, be their stable boys, everything that they need.

COMMISSIONER MONTOYA: Wow. That's great. So it's a real family affair.

CHAIRMAN ANAYA: Congratulations to the parents because if it wasn't for the parents, and Robert, I know you have three kids of your own that you drive all over the state with. I have to commend you on that because it takes a lot of time and all the parents are working hard for their children. Pat, did you want to comment?

MR. TORRES: Mr. Chairman, members of the Commission, I'm not going to let Robert sell himself short. We call some of these parents 4-H leaders. So not only the parents themselves but occasionally we do have some members of the community who have a vested interest in our youth and step up to the plate and offer their volunteer service to teach some of these skills, be it on actual competition or even in the safety aspect. Safety is very important, first and foremost for us in order for them to compete.

CHAIRMAN ANAYA: I don't think it would operate if we didn't have our volunteers and our parents to keep moving forward.

MR. TORRES: Absolutely right.

CHAIRMAN ANAYA: Thank you, Pat.

X. B. Presentation by Marianne Pratt of Santa Fe Chamber of Commerce (Commissioner Montoya) [Exhibit 1: Informational Packet]

COMMISSIONER MONTOYA: Thank you, Mr. Chairman. Marianne, if you'd come forward please. We had the opportunity to meet, it's probably been about three months ago I guess already. Marianne is the new director for the chamber and I asked her to maybe briefly describe some of the activities that she has going on and maybe how the Commission and the County can get involved as well. Marianne, I'll turn it over to you. Welcome. Good to see you this morning.

MARIANNE PRATT: Mr. Chairman and Commissioner, especially Commissioner Montoya, thank you very much for inviting me to be here. I'm very happy to talk to you about what the chamber of commerce is doing and at the end I am going to ask you to consider becoming more involved in chamber activities because I think the potential partnerships between the chamber and the County are tremendous.

The chamber of commerce is a member-supported, private business organization.

It's a 501 (c)(6) non-profit, so we are a little bit different than (c)(3)s in that we are a business organization. We're not a charity. We do have a (c)(3) affiliate, however, that we refer to as the Santa Fe Chamber Opportunities Fund, and through that (c)(3) we are able to raise additional funds to do special community projects and business education activities which the chamber might not otherwise be able to do.

We have about 1200 members in the chamber overall. They represent pretty much the same range of businesses, sizes and types that you would find within Santa Fe and Santa Fe County. About 45 percent of our members are related to the tourism industry, one way or another, so a little more than half are what you might find in any community that's not tourism. But not surprisingly, lots of our folks are directly related to hospitality.

Most of our members, also not surprisingly, are located here in Santa Fe but a lot of them are outside the city limits within the county, and we actually have quite a few members that are in the Taos area and Albuquerque. Those would be some businesses that are engaged in hospitality business and other that just do business statewide and either do business here in Santa Fe or would like to do business here in Santa Fe.

The underlying mission of the chamber is to be the voice of business here. That's not always an easy task but we try to do our best. We work primarily in four areas to accomplish that. One is to work towards the creation of a strong local economy. One is to represent the interests of business with government. One is to promote the community at large, and the fourth then is just providing networking and marketing opportunities for our members so that their individual businesses can grow and prosper.

Specifically, we have a new year that started July 1st and so we have a new plan of work for the year. I will not bore you by reading the whole thing, but I thought I would hit some of the highlights so you can see some of the things that the chamber is going to be focusing on between now and next June. In the area of creating a strong local economy, we are working within our resource center within our office, which I will talk about a little more in a minute, to develop stronger business relocation materials. Typically, the chamber of commerce is the place that people contact when they're thinking of relocating to a new community, and a lot of people that we here from are either bringing a business with them, as well as moving personally, or they're thinking about starting a business here. So they need information on what does it take to do business in Santa Fe and in New Mexico and how can they best go about that, and what resources are available to them. So we are working to expand those opportunities so that we can do a better job of helping new businesses get off to a good start.

We're also looking to create an economic development resource guide. As you all know, there are a lot of entities in the area working in some way or another on economic development but it's come to our attention as we've been contemplating what are the best ways for the chamber to be involved in those processes but there isn't necessarily general knowledge of who is doing what at this time. So we're going to put together a matrix that will show who is working on which kind of economic development issues that will help all of us be better focused about what we want to work on and how we can work together.

We are also working with the City of Santa Fe's Economic Development Department to determine what aspects of the Angelou economic development plan are most appropriate for the chamber and its business members to be involved with in implementing all of the many, many goals outlined in that program. And in particular we're interested in some workforce development issues that are coming forward now relating to customer service and hospitality service here in Santa Fe. And we are excited. We're working with the Community College and the Lodgers Association on some programs.

In the interests of representing the interests of business to government, we're going to continue the voter education and registration program that the chamber's been involved in the last couple of years. That has been very successful and it's been a good way for individual businesses to get involved in helping with voter registration as well. We are also working specifically to strengthen and broaden our relationship with the City Council and also with the County Commissioners, with you all. I think in the year that I've been here my sense is that the chamber and the County have had certainly a positive relationship but I think there are many areas in which we could look a lot more closely together and there are probably a lot of ways in which the chamber and our members could help you achieve the goals that you are trying to achieve for Santa Fe County.

When we met with mm we talked about some of those relating to tourism and that kind of thing but clearly in the other economic development areas and even things like housing, I think the chamber could be a lot stronger partner for you and I hope you will continue to think about ways in which we could work together.

Some of the other key things that we are working on are the idea that we might be able to promote Santa Fe as a healthy city. That's a national title, given out by a national entity and we're exploring this year the idea that Santa Fe might be a good candidate for that and if so, how would we go about doing that and what kind of activities could we create and promote here in Santa Fe that would forward that goal. We also have a couple of things that we're working on in regard to development of the chamber itself. Probably the most interesting one to you is that we're going to put together a task force to really assess where the chamber's office should be located, or, I suppose in fact if we need more than one office.

As you know, we are currently located in the county, just outside the city limits at the outlet mall. This is an excellent location for us in terms of the work that we do with visitors that come to Santa Fe. The chamber is not responsible for recruiting tourists, if you will, but a lot of them come here of course and as a membership organization, we want the people that come here to Santa Fe to do business with our own members. The location of our office where it is now is wonderful for them because it's easy to find and there's plenty of parking and we do have an enormous resource center.

On the other hand, our primary audience, you might say is our business members that pay to belong to the chamber and not having an office downtown or close to downtown is a hardship for some of them. It's perceived as a long ways from the outlet mall so we're having some conversation about where we think would be the most

appropriate location for the chamber.

The chamber's resource center that I've mentioned is particularly important, I think because it offers us a way to promote our business members, not just to visitors that come to Santa Fe but also to our local business community. We have thousands of people each year that come into our office to get information on Santa Fe and Santa Fe businesses and also on the county, what's available in the county. What's available outside the county. We're very proud of the work that we do in helping disseminate that information. I know there is a wonderful brochure about Santa Fe County that Lisa Roybal and I have had some conversations, trying to figure out where that brochure came from, because if we can find out where it came from and get more copies, we'd really like to have some in our resource center. But it's been sort of a mystery so far. But we continue to work on that.

Underlying all those activities and goals that I've mentioned is the chamber's overwhelming desire to do whatever we can to help improve the community's attitude towards business. As you know, a lot of people here feel that business, just in and of itself is not a positive and clearly that's not the case. If we had no businesses we would have no economy here. So we are working to find ways to help promote the positive things that businesses are doing and the things that their employees are doing, either within their business or within the community.

The chamber has a new radio show on KAGM radio, 1260. I invite you to tune in and listen. It's on Saturdays from 11 to noon and I would be particularly interested to learn if some of you would be willing to come and be interviewed on the program. We don't do it live. We tape on Thursday afternoons and with an hour each week we have lots of time to talk about lots of important issues. So I urge you to keep that in mind too.

My last point is the one I started out with. Santa Fe County is a member of the chamber of commerce. That means that all of the staff people at the County and also you as Commissioners are members of the chamber. The chamber does lots of different kind of things throughout the year that I hope are interesting to you and I would encourage you to participate as you are able. I know that your schedules are very, very full, but one of the handouts that has been put before each of you is a little orange postcard. We sent those out every month and I will double check with my staff. I hope that you are all individually on our mailing list. If you are not, I will see that you get on the mailing list. If you are not, I will see that you get on the mailing list so that you will individually receive the chamber newsletter that's in front of you that comes out the first week of each month inside the *New Mexico Business Weekly*, but you will also get that little postcard each month that reminds you of what I think of as the big three, the business over breakfast, the lunch with a punch and our business after hours event.

These are great opportunities to interact with businesses that are here in Santa Fe County. And when you're working on things where you want additional input from business people and that sort of thing, or when election time rolls around and you want to meet more people, chamber events are a wonderful time to do that. So that's my plea to you, my invitation. I encourage you to get involved personally and also to continue to

think about ways in which the chamber and the County can work together to solve the many issues that we all are working on. And thank you again for the opportunity.

CHAIRMAN ANAYA: Thank you, Marianne. Is there any questions?
Commissioner Vigil.

COMMISSIONER VIGIL: Well, not a question, Marianne but I just wanted you to stay up there just so you could follow up if there's any – I did meet with Marianne and one of the projects that is current for the chamber is a partnership with New Mexico First and I will be bringing forth a resolution that supports that partnership. The partnership is intended to serve youth through a particular program that provides a curriculum for facilitation and perhaps some mediation. I'm not sure how much, that will focus training for consensus building. New Mexico First is partner with the chamber to provide scholarships for youths throughout Santa Fe County that we can create this leadership and facilitation service. So I wanted to give the Commission a heads-up that a resolution would be coming forth supporting the chamber's partnership with New Mexico First, with Santa Fe County and SFEDI with regard to that. And if there's anything you need to add on that, Marianne.

MS. PRATT: Just that we're hoping to involve the City informally too, via the City Councilors. Yes, I hope you will all support that. I think it's exciting that New Mexico First is looking to reach out in a more overt way to communities around the state. The chamber is very excited to be a part of that program. Thanks for bringing that up. Thanks.

COMMISSIONER MONTOYA: Mr. Chairman, Marianne, I would like to – I know that I don't get these postcards so whatever we could do to personally get them I would certainly like to do that. And I'll just offer again, if you see it appropriate to have lunch with a punch or business over breakfast, I would be glad to participate in one of those as well in terms of maybe updating the membership on what the County's doing.

MS. PRATT: That sounds wonderful.

COMMISSIONER MONTOYA: And I'd love to be on your radio program
as well.

MS. PRATT: Oh, good. Okay, we'll be in touch.

COMMISSIONER MONTOYA: Thank you, Marianne.

CHAIRMAN ANAYA: Thank you very much. Larry, are all your people
here?

X. E. Honoring the Service of Dr. Cleveland Pardue, Dr. Mario Pacheco, and Fernando Sena for Their Work with the Santa Fe County Health Policy & Planning Commission

LARRY MARTINEZ: Mr. Chairman, members of the Commission, actually the three people we wish to recognize today were unable to make it. When I

explain who they are -

COMMISSIONER MONTOYA: Are they going to be here at all?

MR. MARTINEZ: No, they won't be, Mr. Chairman, and if I could just indulge the Commission to make a brief statement in recognizing the three individuals, that would take care of that item on the agenda.

Thank you, Mr. Chairman, members of the Commission. As you know, I'm Larry Martinez, the chairman of the Santa Fe County Health Policy and Planning Commission and unfortunately, Drs. Pardue and Pacheco could not make it because they're busy in their practices, but their terms have come up as members of the Health Policy and Planning Commission and I do have certificates which are given to each of the individuals and they're signed by each member of the Santa Fe County Commission, the Board of County Commissioners, and I certainly appreciate that because it certainly means a lot to these members who have given a lot of their time and effort to addressing healthcare issues in Santa Fe County and coming up with solutions and recommendation which we hope have been helpful to you as a body.

Let me just say that Fernando Sena served as our first youth commissioner, representing quite a number of a very important population in this community. He was very active in quite a number of initiatives aimed at trying to address some of the problems that the youth population faces in a very pro-active way. He served his term during a very troubled time in his own life as his mother passed away during the course of his membership. We also had Dr. Mario Pacheco, who I consider one of the county's foremost experts with respect to primary care needs in this community, and he will continue to serve as a resource to us and a wonderful source of information with respect to what healthcare needs are. As you well know he is serving as a practitioner right now at the Pojoaque Medical Center sponsored by St. Vincent Regional Medical Center and is going a wonderful job in meeting healthcare needs. And finally, Dr. Cleve Pardue who is a well known and long-time member of the medical community in Santa Fe as an obstetrician, has done a wonderful job in bringing to our attention the need for increased obstetric care, gynecological care in this community and as a result of his efforts, we have taken some pro-active actions in terms of allocating some resources to encourage obstetricians to practice in this community through agreements with La Familia Medical Center and other healthcare resources in the community.

These three individuals have given a great deal, have contributed greatly and we will honor and recognize them each personally, and again, unfortunately, they were unable to be here, Mr. Chairman, but I appreciate the opportunity for us to express our appreciation and thanks for a wonderful job they did.

CHAIRMAN ANAYA: Thank you, Larry. Is there any questions or comments? Commissioner Vigil.

COMMISSIONER VIGIL: Larry, thank you so much for bringing this to the attention of the BCC. Having worked with the Health Policy and Planning Commission I want to restate how significant the volunteers are who participate in this, and Dr. Pardue

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and Dr. Pacheco and Fernando Sena were part of what I call perhaps the neo-natal infancy band of volunteers who were part of the Health Policy and Planning Commission. I know each one of their schedules was incredibly demanding. But their commitment to the community certainly was shown through their volunteerism, through the Health Policy and Planning Commission. I'm sorry they're not with us anymore. I think they're valuable members and I hope they do remain available to us because I think they're incredible resources to the community and to the Health Policy and Planning Commission. Thanks for bringing their names forward for recognition and I'm sorry they weren't able to be here today for us to personally thank them.

MR. MARTINEZ: Mr. Chairman, Commissioner Vigil, I will personally communicate your sentiments to them, and thank you for your efforts in helping to bring this commission into being as a body.

CHAIRMAN ANAYA: Larry, thank you, and you know we can't do it by ourselves so we rely on volunteers and again thank them from the Commission. We appreciate all the service they've done and hopefully they'll be back.

MR. MARTINEZ: Thank you, Mr. Chairman. Thank you, members of the Commission.

COMMISSIONER MONTROYA: Thank you, Larry.

X. C. Update and Status on the Hydrologic Model, by Intera (Water Resources Department)

STEPHEN WUST (Water Resources Director): Thank you, Mr. Chairman. This Commission at an earlier time had recognized the need as we moved forward on the Buckman Direct Diversion project to have a conjunctive use strategy that would include a complementary groundwater source for our utility. That would be pursued in a multi-phase approach in which the County would be pro-active and take control of the locations of those wells. Phase 1 of that study is a computer hydrologic model which will give us a better understanding of the characteristics of the aquifer in this area so we could look at areas that have potential for groundwater sources, that is, wells, to be drilled.

A contract for that phase 1 hydrologic model work was let this year with Intera. One of the deliverables of that contract is that Intera would provide to the Commission an update and status report after the data analysis has been completed and they've taken the first stab at developing the parameters of the model. So the data collection has been done. The data analysis has been done and the first step in developing the model has been done. So it's time to provide an update and a status to the Commission. I note in the meantime that the County and the City have formed an agreement to work collaboratively because the City was working on a model also. So what you'll see on some of this is an indication coming out of that collaboration of the model boundaries and parameters and things like that because we're working with the City to have a comprehensive regional model that will

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be a lot more comprehensive than either of us could have done on our own.

So here today to present to the Commission this update and status report is Cynthia Ardito from Intera.

CYNTHIA ARDITO: I'll just start by thanking you for having me. Chairman Anaya and members of the Commission, I appreciate the opportunity to provide this update to you. Again, my name is Cindy Ardito and I'm the project manager for this project. Thank you again. You have the slides in front of you. As Stephen mentioned, this is our progress report for the first phase of this work. I'm just going to do a quick background on the scope of work and where we stand in the overall project summary of the data evaluation and the model evaluation that we have completed, a little bit about our collaboration with the City and their contractor, CDM, to develop this model, and then I'll stand for questions at the end.

We were hired not in February 2002, but in 2005. Sorry for the mistake there, to complete this geo-hydrologic study and aquifer evaluation. We are at Task A now. We're at the end there you see making presentation to the Commission. We've conducted the data evaluation, evaluated which of the data is going to be appropriate to use. We've reviewed existing models to make sure that we're not re-inventing the wheel and making use of everything that's out there that's appropriate. We've made a recommendation for the appropriate model to go forward with, and we've completed both an interim and final report on this phase of the work.

Task B which is ahead of us is to construct the model which will have four components. It will identify groundwater and aquifer sources and locations according to depth, flow and water quality. We'll have compiled the existing well locations by density, well depth, yield and classification. We'll be identifying water quality issues, particularly areas of concern if there are any. And we will be looking at the current and proposed County water and wastewater facilities.

Once the model is built, we'll actually be installing it on the County's computers. We'll be training personnel to how to use it so that it can be used going forward as different issues come up to make evaluations of impact. We will be using, our primary objective is to recommend optimal locations for water supply wells, and you'll see the four criteria. We'll be doing a decision analysis approach to do that evaluation with the model and those are four of the important criteria we'll be using to make that evaluation.

Obviously, greatest potential to produce sustainable yield, least long-term impact to aquifers and area springs, lowest expected impairment to existing wells, and then of course costs for infrastructure and permitting have to be taken into consideration.

We'll be doing a final report and presentation to the Commission, and there will be three public meetings which we will have towards the end of the project after we have some results, and we'll be doing them probably concurrently at different places around the county.

CHAIRMAN ANAYA: Cindy, could you explain this greatest potential to produce sustainable yield? What does that mean?

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MS. ARDITO: Yes. Chairman Anaya, that means putting a well in an area where the aquifer is most viable. It will have the greatest source of water, greatest volume of water, in consideration of all these others. These criteria have to be evaluated sort of all together. It's got to be economical as well, but obviously we want to site a well that would be the most prolific aquifer if you will. Does that answer your question?

CHAIRMAN ANAYA: Yes. Thank you.

MS. ARDITO: So quickly, I know that you've got a full agenda today. I won't spend a lot of time here. I just want to give you an idea of the type of data that we've been collecting that goes into building our model. Physiography and climate data, geology, hydrology, groundwater pumping, stream gauge data, spring data - all these data are put together to evaluate how much water is coming into the system versus how much is going out of the system, so we have a complete understanding of the hydrologic system as a whole.

These are the sources of data that we've been going through. The County obviously has a lot of published consultant reports with geologic logs and pumping test data that are very important to us. Also their infrastructure data. The City, we've been collaborating with and I'll be going over that in a little more detail. Their consultant, CDM, has provided us with some reports. They also have a lot of in-house data of course on Buckman wells and pumping that's important to building the model and evaluating what's going on.

The Española Basin Technical Advisory Group, or EBTAG, that's a group that's been in existence for several years that meets annually and involves people from all walks of the scientific community to bring together the most current information about our hydro-geologic conditions here in the Española Basin. The New Mexico Bureau of Geology, Mineral Resources, I should say, has also been doing a lot of work in this area and their resources have been very useful to us. The Office of the State Engineer, obviously is a great resource. Then USGS, United States Geological Survey in Denver and Albuquerque have been doing recent studies of the geologic conditions here and we actually met with them in Denver and they provided us with some great data that they've been collecting using geophysics to understand what the basement of the Española Basin looks like and how the Española Basin and the Albuquerque Basin are connected, which is going to be very critical to us in our model.

Just some quick examples here of the kinds of - we are putting the data together through a Geographic Information System, a GIS, that we use to organize the data and feed it into the model. The next few slides are just some examples of what we've been collecting. Faults are going to be a real important aspect of our model and how we implement them in the model is going to be important because they affect groundwater flow and groundwater yields. And some of the more critical faults in the area are shown here. The Cerrillos Intrusions, all the volcanics down there in the Cerrillos/Madrid area are also important to understanding how groundwater will flow. This shows the boundary of the model, basically shown in the green there. The green is the border. That's some of the

inactive parts of the model, but that shows the full extent of it.

This is a compilation of the hydrologic data that we have been able to access via the New Mexico Bureau of Geology. Peggy Johnson has been doing some work both for the County and the State Engineer in compiling all the aquifer transmissivity measurements, which are measurements of how well the aquifer yields water, essentially. And that's a compilation of where we know there are data that we can use to calibrate the model. Water level data is very important also for model calibration. If we are going to build a model we've need to make sure that it's going to be able to reproduce known measurements and water level data are critical to making sure that the model is behaving as it should.

We are going to be putting in what we refer to as model stresses, which are all the pumping wells that are in the area and this is a compilation of the ones that we know about today. Some of the bigger ones, the more well known ones are actually labeled there, but there are other smaller ones that are also shown there as dots on the figure.

Then the County infrastructure, when we get around to using the model to help us understand and make recommendations about potential new water supply wells, we'll need to evaluate that again in the context of costs associated with infrastructure and development of that resource.

The model evaluation is one of the first steps we took in addition to the data evaluation where we reviewed, there were basically six models that have been done in the county area, one of them being the City of Santa Fe and their consultants, Camp Dresser & McKee, model, they all are done in a code called Modflow, which is a publicly available code that's very popular and very good for this type of application, but we realized in the review that they all had some limitations. One of the bigger ones was none of them covered the exact area of interest to the County. You can see there, outlines of the various models that are in existence. The yellow outline is our model boundary that we have agreed to work with the City in this same area, and again I'll be talking about that in a little bit. But we are using the existing models to help us, using the good aspects of the existing models so that we're not wasting time and starting from scratch.

To get into quickly the City/County collaboration, the City developed a model that I referred to earlier as the CDM model, I'll call it, in 2002. They are in the process of wanting to update that model. The County embarked on a similar course in 2005 with the contract that we are now working under. In March of this year the County and the City agreed to collaborate on this model in order to maximize the benefit of limited scientific and economic resources and hopefully develop a model of the highest quality possible. If we can work together collaboratively we can improve the quality of the model.

We have other collaborators in the process - the Office of State Engineer, the USGS, New Mexico Bureau of Geology and Los Alamos National Labs are all part of our collaboration. They participated in our initial kick-off meeting in March and they have been invited to attend our weekly meetings although they have not participated that frequently, probably because everybody is too busy but we do send out the notes from these meetings so they've been kept informed of what we're doing.

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We initially divided the model into two areas, north and south of the line that you see there - Intera focusing on the southern part, which is the shaded portion in the south there, and CDM focusing on the northern part to build the geologic conceptual model. We did that mainly because again, if we can sort of divide and conquer if you will we can focus more on a smaller area and do a better job. We have weekly meetings, as I mentioned, and we talk about the various progress that we're making, issues are discussed and resolutions are made, and we distribute meeting notes as I said.

Part of a result of this collaboration was a slight change in Intera's schedule for deliverables to the County in that now we are doing our final report in December, whereas on the original contract it was going to be in October. We felt it was important to get on track with the City's schedule, so we can be all marching down the same path.

So I talked about the geologic model. Just to give you an idea, the Bureau of Geology has been doing active mapping in the area. This is a listing of the geologic quadrangles that we've been using in this southern area to put all of this data into a geologic model that would be used to constrain the hydrologic parameters that we will be building into the model for evaluating flow.

The cross-sections are shown there where data, basically the mapping is done at the surface, cross-sections are developed for the subsurface and how the various geologic layers are positioned in the subsurface. We use those data to build the model as well. CDM and Intera agreed to these schematic cross-sections if you will to basically tie our two pieces of the puzzle together and we have completed this activity and are now - this is just an example of a cross-section that we completed with our geologic model. Basically, once you build the geologic model you can cut a cross-section anywhere within the boundary of the geologic model and get a sense of what the geologic layers are doing in that area.

So we are now at the point of constructing the model now that we've developed the geologic conceptual model, and we've agreed, CDM and Intera and the City and the County have agreed to eliminate this geographic north-south distinction because we want to ensure that at the end of this process, we have one model that everybody can agree to that's consistent for the whole area. So we changed the approach a little bit in that we developed these six areas, these six components are going to be required for constructing the computer model. Intera and CDM will divide these areas into taking the lead in completing the model layering, material properties, boundary conditions, recharge, pumping, and surface water inputs are all key to the model construction.

We've had a few differences in technical approach that we've had to talk about, which is not surprising but that's also what the USGS and State Engineer are there for. If we reach an impasse they've agreed to come in as outside members of the collaboration to help us resolve those difficulties. But in general things are going along well and we're making progress.

This just is a schematic of the various components that are going into the model construction, all the types of data that are important to building the model. And this is a summary from our GIS system of again, key data, County wells, City wells, springs and

various water supply system inputs, to give you a feel for how all this data is put together.

And with that, I hope I didn't go into too much detail for you, and I'm happy to stand for questions and I hope that was -

CHAIRMAN ANAYA: Thank you, Cindy. Commissioner Vigil.

COMMISSIONER VIGIL: Thank you. Thank you, Cindy for your report. It seemed quite comprehensive. This is a real specific question. Let me see. I really want to phrase it appropriately. To what extent, and how will you be able to quantify recharge in the aquifer?

MS. ARDITO: That's a very good question, Mr. Chairman, Commissioner Vigil. In fact just last week we were discussing that in our weekly call. There have been a number of studies that have been done, both by USGS, Los Alamos National Labs, people have actually gone out and taken geo-chemical samples of isotopes to evaluate how old water is. There's one my method by understanding the isotopes, the age of the water. You can compute how long it's taken to travel there and then basically back out recharge. There are infiltration studies going on as we speak by USGS. We will be looking at all of those and deciding on input parameters, based on the data that have been collected.

And then what happens is, once all the pieces of the model are put together, we go through a process called calibration and that's where we look at the existing water level data versus what our model says it is, based on turning it on, if you will. And then we make adjustments in the parameters until we get the closest possible fit for the existing data. One of the key and most sensitive parameters, typically in a flow model is recharge. So we will make an educated, professional estimate if you will, based on what we understand today, but it is a very difficult parameter to get a handle on and there's definitely differences of opinion about - we're fortunate today in that we have some great government agencies like the GS and the State Engineer and the Bureau of Geology that are studying it and realizing how critical it is and how sensitive it is in building these kinds of models. Does that answer your question?

COMMISSIONER VIGIL: It does. Thank you, Mr. Chairman. Thank you, Cindy.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: A question that I had, you talk about one of the parameters being that the location needs to be economical. How do you plan to quantify that?

MS. ARDITO: Mr. Chairman, Commissioner Sullivan, we have an engineering subcontractor, ASCG, and they are on board specifically to help us evaluate the costs associate with various scenarios that we might come up with for well locations. That's what they do; that's a huge part of their business is to build water systems. So we will come up with a scenario based on hydro-geologic issues. We'd like to think about putting wells here, here and there, and we will be asking ASCG to provide us with the cost data associated with those various scenarios, and that will be one factor in the decision analysis.

COMMISSIONER SULLIVAN: But once you receive those costs, then how do you – if you say one location is x-dollars and another location is y-dollars, how do you make a recommendation that location A is economical and location B is not?

MS. ARDITO: Well, it would be – again, that's only one factor in the decision analysis. They are basically weighting criteria and we will come up with a score for various scenarios and cost is going to be one factor of the weighting criteria. It's a statistical decision analysis approach that we're going to use and I can provide you with more detail on that. Not having gotten to that point in our project, it's difficult to give you more specifics at this point.

COMMISSIONER SULLIVAN: How much weighting do you think you will give to the economical criteria?

MS. ARDITO: We haven't determined that yet. That's going to be something that we will be determining with the County and with the other members of the technical review team on exactly how to do that. Again, we are right now just in the process of building the model.

COMMISSIONER SULLIVAN: My concern is that we not eliminate viable sites because they may be a little bit far-sighted in terms of costs. We might like to be right next to the County water system, but on the other hand, I think the County has the option and the responsibility to look long-term and if necessary, to develop a new Buckman system, as it were, and that new system could be miles from where the County system is now. I think we need to look hard if it's that's the best place and how we want to finance that and how we want to plan for that and how we want to request developer contributions and so forth to pay for that over a period of years.

So I just want to be sure that we don't eliminate Site A because it's \$10 more expensive than Site B. I think those alternatives need to be clearly put out. A lot of times what happens when we get numerical scores is that everyone says, well, this site scores 96 and this site scores 94 and so everybody needs to decide that we're going to go to the 96 scoring site or whatever the number may be. That's a concern that I have that we not limit ourselves to that focus.

Your site model goes beyond the Rio Grande to the west, is that correct?

MS. ARDITO: No, it doesn't.

COMMISSIONER SULLIVAN: It doesn't? It looked to me on the map when you showed the yellow lines that it did. Does it stop at the Rio Grande or does it stop short of it?

MS. ARDITO: Is it possible to go back up to – right there. If you go back a couple more, how about that one?

COMMISSIONER SULLIVAN: That's fine. Isn't that the Rio Grande?

MS. ARDITO: Yes, actually, you're right. I was thinking in the southwestern. In the southern part we're not quite that far.

COMMISSIONER SULLIVAN: So you go west of White Rock, but you don't go as far as Cochiti Lake.

MS. ARDITO: That's right.

COMMISSIONER SULLIVAN: Cochiti Lake is down to the left.

MS. ARDITO: That's right.

COMMISSIONER SULLIVAN: I'd wonder, because there's been some discussions in reports, past reports, over ten years old, of the viability of doing water service projects from that area, particularly diversion projects.

MS. ARDITO: In the Cochiti area?

COMMISSIONER SULLIVAN: In the Cochiti area. So I'm just wondering whether that study area should be moved all the way to the Rio Grande from that side. It's certainly a pretty wet area because of the water that seeps from Cochiti Dam. Just something for you to consider. Most of those studies were dealing with surface water diversions. They weren't talking about groundwater diversions. So that was something I had a question about.

And then the last thing that I wanted to be certain of is I think this collaboration is great, that you've developed with the City model so we don't have a war of the models.

MS. ARDITO: Yes. Nobody wants that.

COMMISSIONER SULLIVAN: That's all we need. But I do want to be certain, again, you are our consultants and that you are overseeing the entire model production. Is that correct?

MS. ARDITO: I'm sorry. Could you repeat that?

COMMISSIONER SULLIVAN: You are our consultants.

MS. ARDITO: That's right. The County -

COMMISSIONER SULLIVAN: And you are overseeing the total model production, including that being done by CDM.

MS. ARDITO: Yes. In fact that's again why we made the decision to not maintain that geographic separation, because we want to ensure that both the City and the County have full access to one completed model at the end of this project. And the reason that we made that separation initially was because the City had more information on the northern part, and the southern part, the County has more interest in, so there were good reasons for doing for the geologic part. But now, I believe we both agree it's important for exactly the reasons you suggest, that we both are working with the complete model, but on different aspects.

Then we will be reviewing each other's work. We'll do our part and we'll provide it to them and vice versa.

COMMISSIONER SULLIVAN: I just want to be sure that you understand that in the end, if there's a difference of technical opinion that we are hiring you, not CDM.

MS. ARDITO: Oh, believe me, I understand.

COMMISSIONER SULLIVAN: And that we are interested in the north and there are potentials for water projects in the north and there's a great need in the north, in fact more so than in the south right now, because of the contamination issues. So we want

to be sure that we have alternatives laid out in the north that are every bit as viable as those that you might come up with in the south because that's where much of the existing population is now that has problems. In the south there's much of the population perhaps in the future that may have problems, not the same problems. Water quantity instead of water quality.

MS. ARDITO: Exactly.

COMMISSIONER SULLIVAN: But I just want to get this comfort level that you all are in charge there and it sounds like the technical difficulties that you mention are minor ones and not developing into political ones and if it does, I want to be sure that we are alerted to that immediately.

MS. ARDITO: Commissioner Sullivan, I am strictly speaking about some technical difficulties and at this point I am optimistic that we will be able to work through those and that we'll end up with a model that the City and the County can both be very happy with.

COMMISSIONER SULLIVAN: Okay. Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Thank you. Any other questions?

COMMISSIONER MONTOYA: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Cindy, you mentioned that meeting notes are part of, I guess ongoing distribution, and I was wondering if I could maybe get an electronic version sent to me.

MS. ARDITO: Mr. Chairman, Commissioner Montoya, I think so. We just need to get your e-mail. There's a lot of them. We've been meeting weekly since March, pretty - I think we've only missed maybe one or two weeks, but I'm happy to send them all to you if you wish.

COMMISSIONER MONTOYA: Well, from where we are now forward.

MS. ARDITO: Going forward. You just want to be on the distribution list.

COMMISSIONER MONTOYA: I don't need to get the retros. So and then the other piece. You mentioned a change in date from October to December. Why is it being put off another two months? Is it because of the gathering of all the different types of data or working with CDM? I'm just curious. This has been an ongoing thing that I've been waiting 2 1/2 years for. I'm really concerned about the timing element here. So could you explain why it's been put off for another two months?

MS. ARDITO: Chairman Anaya, Commissioner Montoya, when we met in March at a kick-off meeting, we looked at the schedules for the two projects and combined them again for the reason that we're both trying to get to the same endpoint. It has taken longer to do this than it would if we were working independently. That's just the nature of the beast. When you involve more people it takes longer. But I think it's worth it. Again, we're getting the benefit of work that the City has done. They're going to benefit from the work we're doing and I think again ultimately, it's going to be a better product. But in order to get there, the schedule changes really were necessary.

COMMISSIONER MONTOYA: Okay. Thank you.

MS. ARDITO: And just so you know, we will be starting - the calibration is scheduled to be completed in September. We'll be starting to run the scenarios in October. So probably soon after the October period we would be able to come in front of you again and start sharing with you the results. So December is when that final report is going in and we'll probably be doing the public meetings, I would think, in late October, early November too. So we'll have results of it in December.

CHAIRMAN ANAYA: Cindy, thank you very much for your presentation and we look forward to seeing the final model.

MS. ARDITO: Thank you, Chairman Anaya. Thank you, Commissioners.

X. D. Presentation from the Affordable Housing Task Force and Discussion Concerning Authorization to Publish Title and General Summary

DIANE QUARLES (Strategic Planner): Thank you, Commissioners. I wanted to give you an update of where we are in the affordable housing discussions. The Affordable Housing Task Force will be holding what I consider to be probably their most important meeting tomorrow night, actually beginning at 3:00. They have formulated their guidelines and policies and there's been general consensus as to what those overarching policies will be.

We also, we as staff, the County Manager, Gerald had created what we call a housing team. It's an internal group, made up of expertise in the fields all related to housing. We have been working in tandem a little bit behind the scenes, taking the work that the housing task force is doing and producing, and then going back into the housing team and then taking those policies and playing the what-if scenarios, trying to figure out all the details and combinations if you were to apply a certain regulation or ordinance. What would that look like? How would it affect the Land Development Code? What would have to be changed? How would it be implemented? And playing all those scenarios out.

We are at a point now where we are ready to take those constructs, all the details, and go back to the housing task force and we're going to report back, we as the housing team are going to report back to the housing task force and say this is what we envision. This is how we think all this would actually end up working and how it would translate both to ordinance, to regulations and even into the submittal requirements. That's the level of detail that we're trying to get through.

We've had discussions so far - without the housing team working independently with the Utility Division, working somewhat with legal, working with - actually, I'm going to be meeting with the development review crowd this afternoon to finalize that portion of it and of course working closely with the Housing and Health group.

We will be doing that presentation and what we're hoping is, at that point, the housing task force will agree with the findings. We're going to actually pose a couple of alternatives where we think there might be difficulties making some certain things work. If there's

consensus, at that point we expect tomorrow night the housing task force will tell us that we're done. We're ready to do the presentation to the Board of County Commissioners. At that point we're probably at the point where we can write the ordinance rather quickly. Again, we would have to refer back to Mr. Ross. But I think the ordinance could come forward rather quickly if we have consensus after tomorrow night.

The regulations of course will probably take a little bit longer because they're going to very detailed and if what we have constructed at this point probably will cause some changes to Code to make some of the land use issues in concert with the affordable housing requirements. If tomorrow night, everything goes well we would be more than happy to actually take the information that we present and any changes that get made out of the task force and actually give it back to you, including the presentation in this kind of framework that we've created, and then bring all that information to the next BCC and do a presentation. Again, I would have to refer to legal at what point you'd want to do the notice to publish for the ordinance. But I would think that we're not far off. I would stand for any questions if you want to know more information or give me more direction.

CHAIRMAN ANAYA: Okay. Thank you, Diane.

COMMISSIONER MONTOYA: Mr. Chairman, regarding the ordinance that we were given from the City, how does it parallel with what we're working on?

MS. QUARLES: Commissioner Montoya, one of the difficulties we've had is the City is moving along in its process and of course it's very detailed and it's been influencing the task force because we've been using it and watching it and taking things and borrowing them. The problem is that you can't translate it directly to the County because the land use issues are so different. So what we've had to do is kind of educate a little bit the housing task force and get them to understand why it's different and why you can't just directly model after the City ordinance. I can tell you that they're similar, but the land use piece is going to be different because of the way we zone and regulate land is so different.

COMMISSIONER MONTOYA: Okay. Thank you.

CHAIRMAN ANAYA: Thank you, Commissioner. Thank you, Diane, very much for your presentation.

IX. Matters from the Commission

B. Resolution 2005-__ . A Resolution Authorizing Santa Fe County to Participate in the National Association of Counties Prescription Discount Card Program (Commissioner Montoya)

COMMISSIONER MONTOYA: Thank you, Mr. Chairman. Before you is the resolution, and I'd like to just get a little direction from Steve. Are we ready to move forward on this?

MR. ROSS: Mr. Chairman, Commissioner Montoya, Jack Hiatt was looking into that. Maybe if we go on to the third item I'll run up and see if he's made any progress.

COMMISSIONER MONTOYA: Okay.

IX. C. Resolution 2005-98. A Resolution Urging Congress to Research and Resolve Pueblo Boundary and Access Issues Related to Adjoining Properties Within Santa Fe County (Commissioner Montoya)

COMMISSIONER MONTOYA: Mr. Chairman, this resolution, we're asking our congressional delegation to essentially help in resolving some of the issues that we have regarding access to adjoining properties off of our County maintained roads, some County owned roads, but certainly County maintained. This is certainly something that I've been getting a lot of calls over the last couple of years about. I know that Commissioner Trujillo prior to me received the same inquiries and really, this is something beyond our control and really needs some congressional assistance in getting this done. So what we're asking for here is the congressional delegation to research and resolve, hopefully in a timely manner, any and all boundary and access issues affecting the pueblos, the tribes, Santa Fe County, and the citizens who reside in this area. I move for approval, Mr. Chairman.

CHAIRMAN ANAYA: There's a motion. Is there a second?

COMMISSIONER CAMPOS: Second for discussion.

CHAIRMAN ANAYA: Motion and a second. And discussion, Commissioner Campos.

COMMISSIONER CAMPOS: Commissioner Montoya, what is the pueblo position on this resolution?

COMMISSIONER MONTOYA: I'm not sure what it is. We haven't discussed it with them, Commissioner.

COMMISSIONER CAMPOS: We've been talking about easements and roadways for a long time and there's been little progress. Is that what you're saying?

COMMISSIONER MONTOYA: Right.

COMMISSIONER CAMPOS: So you think we need a third party, the US Congress to intervene. We're talking about roadways and other utility easements.

COMMISSIONER MONTOYA: Correct.

COMMISSIONER CAMPOS: Okay.

COMMISSIONER MONTOYA: And not only utilities but them actually having access to their property as well, without having access fees applied to the non-pueblo property owners. Gerald.

MR. GONZALEZ: Mr. Chairman, Commissioner Campos, I actually first encountered this issue when I was working for Congressman Udall's office and got a call from a congressman's daughter who had purchased property in Tesuque and indicated that she was having to pay a yearly fee to the tribe in order to access her property. The issue arises in part out of the fact that when the Pueblo Lands Board, years ago, in the 1930s looked at the pueblo claims and the inholdings. In some instances they were very careful about ensuring that the non-

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pueblo inholdings had access, and in other instances, they were not as careful.

So as a consequence, over the years, what has happened as the pueblos have been more focused on protecting their property, where there have been gray areas or the Pueblo Lands Board did not address access, they have taken the position that that access was not permitted and that people therefore have to pay in order to access their property off of County Roads or public thoroughfares in order to get into their property. And that's the issue that I think this resolution is trying to stimulate the congressional delegation to address.

Some of the pueblos have indicated to us that it's possible, it might be possible to do an exchange of federal land that the pueblos are looking for in order to permit permanent access to the private inholdings within those pueblo claims and I think that's where we're headed for is just trying to get the congressional delegation to step in and take a role in trying to smooth over those difficulties and create permanent accesses for those inholdings, so that we don't have to continue with them on an ongoing basis. I hope I covered that clearly enough.

COMMISSIONER CAMPOS: Mr. Gonzalez, that doesn't resolve if we have County roads within pueblos. That issue is not addresses here.

MR. GONZALEZ: Right.

COMMISSIONER CAMPOS: Private access of the owners of property within the boundaries.

MR. GONZALEZ: That's correct. As you know, we're doing our own study to take a look at strictly the County roads and what their status is within the pueblo grants.

COMMISSIONER CAMPOS: Next step, I guess, Commissioner Montoya is going to go to our congressional delegation, present the problem, resolution and see what we can get done. Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Thank you. Commissioner Sullivan.

COMMISSIONER SULLIVAN: Mr. Chairman, I wondered two things. I wondered, number one, if we ought not to be somewhat more specific here in what we're asking our delegation to do in terms of laying out some of the issues that Gerald just laid out there, and even suggesting where it goes. It seems like sometimes, if we can focus the issues more - we're giving them almost it seems insurmountable task here. If we could narrow the focus of the issues down, maybe even suggest an agency that would be appropriate or agencies that would be appropriate for this review. I assume it's BLM and the Forest Service or other lands or maybe not. I just feel that we ought to tell them a little bit more about how we think this could be resolved rather than just saying do what you can.

And then the second thing that comes to mind is, I wonder since we have the tribal summit Thursday, that if we didn't want to bring this up as an issue at the summit, and in doing that be able to send a resolution to our congressional delegation that also had the support of the pueblos. I know sometimes it's a long, lengthy process to get everyone, all the pueblos to sign off on it but perhaps we could at least say in the whereases that we had discussed it at the tribal summit and maybe summarize what those discussions were as opposed to having - I know it's sometimes very difficult to get each and every one to sign off on it.

Those are some ideas that I had, Commissioner Montoya. Does that - what are your

thoughts on those ideas?

COMMISSIONER MONTOYA: I think in terms again, maybe the specificity would be that hopefully the staffs of the delegation would know who's responsible for what regarding the boundaries that we're looking at within here in Santa Fe County. The other is that I have discussed these with the pueblos that we've had concerns about in terms of access and even into the properties, specifically with Pojoaque and Nambe and some with San Ildefonso. San Ildefonso hasn't really been a huge problem. That one is more with roads than with property, adjoining property. So I think that one will hopefully be addressed when we discuss the study that is being worked on and hopefully will be completed soon.

I don't know, Gerald, do we need specificity in this do you think?

MR. GONZALEZ: Mr. Chairman, Commissioner Montoya, actually too much specificity might be a problem because the delegation and their staffs understand the issue I think and would know how to work with a particular department. If we needed to come back and do something more specific as we move forward with this then that might be the appropriate time, as for example when San Ildefonso had the piece of land at the far end of their watershed that this County supported them getting. But what I would do, just from my own experience as a staffer at the congressional delegation, I think this is just to get their attention, get them focused on it and to begin to talk to the agencies that they would need and then as we move forward then come back with specifics.

COMMISSIONER MONTOYA: And Mr. Chairman, Commissioners, I have also brought this to the attention of our delegation as well. When I was visiting with them over a year ago already I mentioned to them that this has been an ongoing issue. In fact when Senator Bingaman was here a couple weeks ago I mentioned it to him again and hopefully his staff is looking into - in fact the land deal that Gerald referred to when San Ildefonso and Santa Clara got I forget how many thousands of acres, that there may have been a clause in there that would have granted perpetual easement for adjoining properties. So we're trying to research that as well.

This has been something that I have brought to all of their attention and they're aware of it and we're just taking a formal action now in terms of a Commission to hopefully will get further resolution on this issue.

CHAIRMAN ANAYA: Okay, and Commissioner, this is another item that we are discussing at the Western Interstate Region. We're starting to talk about this particular case. It's not just here in Santa Fe; it's throughout the western states. So maybe if this is approved we can take this to the board. There's been a motion and a second.

COMMISSIONER VIGIL: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: And this is a question for Commissioner Montoya. Having worked on this issue previously, and it was with regard to County Road 84-C and the maintenance that the County was providing, I understand the intricacies of the problem. One of the things that I just became very sensitized to through that process is working strongly together with the tribal governments. I'm concerned that if we move forward with this resolution

without some kind of joint resolution or something of that nature with them, or at least the opportunity perhaps through our tribal summit to let them know that we would like to take action of this nature, that it may be perceived as a unilateral step on our part with regard to creating a resolution to this. I did hear you say that you've spoken to many of the tribal governments but I'm wondering if you think strategically, it might not be really important to bring this issue up at the tribal summit and let them know we are looking for their support, perhaps even through a joint resolution to Congress to provide the resolution to this.

COMMISSIONER MONTROYA: Again, I think this is something that I have discussed with them so that they're aware that this is an issue. I think they want some sort of resolution as well. I don't think with us doing this today and having the summit on Thursday that strategically we're jumping the gun or shooting off a little too early because again, this has been something that has been ongoing. I think if anything, if it's going to be a joint resolution, number one, it has to be approved by each of their tribal councils before it is even considered as a joint resolution. So that in itself would be a process that could potentially be engaged once if and when we do approve this one ourselves, then we can approach their tribal councils to enter into some sort of a joint resolution as well that they would each have to approve.

So I don't see this and again, Gerald, I don't know if you have different thoughts. Gerald has been pretty involved in these discussions as well.

MR. GONZALEZ: I think it's simply inviting the congressional delegation to look at the problem that's been identified on both sides, both the pueblo side and the County side. Beyond that, beyond inviting them to do that, it's not proposing any specific action or anything like that. The delicate issue that will need to be laid out at some future point and will require, I think, some more specific dialogue with the individual pueblos is when we come to the point of beginning to look at the claims regarding County Roads themselves. That issue is probably coming up sooner rather than later. As I indicated, we've been doing the study, looking at those under the auspices of our County Attorney. But that sets the framework for beginning what are probably going to be some difficult negotiations with the individual pueblos.

I think we need to think there more carefully about what mechanism would be employed in order to move that forward. With respect to the resolution that's before you, I think some of the delegation members have already kind of broached the issue with some of the pueblos. So it's not as if this comes out of the clear blue. I know in fact some of the pueblos have expressed their own concern to the delegation about access issues. And I agree that if we're going to find a mechanism for adopting this resolution jointly it may take quite a long time before we get there in terms of simply petitioning the congressional delegation to turn its attention here.

CHAIRMAN ANAYA: Thank you, Gerald. There's a motion and a second.

The motion to approve Resolution 2005-98 passed by unanimous [5-0] voice vote.

IX. B. Resolution 2005 - __. A Resolution Authorizing Santa Fe County to Participate in the National Association of Counties Prescription Discount Card Program (Commissioner Montoya)

CHAIRMAN ANAYA: Let's go back to the one before. Are we ready for this one, Steve?

MR. ROSS: Mr. Chairman, we haven't been able to get a hold of anybody at either NACo or PCS, the card company to talk about the specific terms of the contract. Just a little background, in order to participate in this program, eventually, not now, but eventually the County would have to sign a contract whereby we would become a party to this large, nationwide contract that's been negotiated by NACo. There's two terms in that master contract that concern us. One is an indemnity clause which is probably void under New Mexico law and we'd just as soon not have it in the contract if it is void, and the other one is an exclusivity clause. We want to talk to them a little bit about the terms of that clause as well but we haven't been able to reach anybody.

So my suggestion would be either you just pass the resolution and allow staff to continue working on this or you could defer it and give us a few more weeks to try and get somebody on the telephone.

CHAIRMAN ANAYA: Okay, what's the pleasure of the Board?

COMMISSIONER VIGIL: Hearing the concerns of our legal department, I think probably, unless there's any opposition to that it would be more appropriate to defer this.

COMMISSIONER CAMPOS: I agree.

CHAIRMAN ANAYA: Okay, so did you want to table it?

COMMISSIONER CAMPOS: Let's table it.

CHAIRMAN ANAYA: To a future date?

COMMISSIONER CAMPOS: Until legal staff has an opportunity to review the contract and discuss the issues with NACo staff. Motion to table.

COMMISSIONER VIGIL: Second.

CHAIRMAN ANAYA: Motion and a second. Any more discussion?

The motion to table the resolution on participation in NACo's discount card program passed by unanimous [5-0] voice vote.

IX. Other Matters from the Commission

CHAIRMAN ANAYA: Commissioner Campos, do you have anything?

COMMISSIONER CAMPOS: Not today, Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Well, should we dismiss for lunch.

CHAIRMAN ANAYA: You've got six minutes.

COMMISSIONER VIGIL: Let me see if I can do this in six minutes. Actually, I'll try to. Let me synthesize this as much as possible. This is either directional or informational. Several Commissioners met with Economic Development, SFEDI and the State Department of Economic Development this last week and one of the questions they posed to us was whether or not the County has enacted an ordinance supporting the State Economic Development Initiative. I don't know if we have or haven't. But if we haven't, I'd like to bring that forth at a future Commission meeting. I know that we've adopted a resolution and we've adopted a plan that is required by the State Economic Development Department but I don't know if we've adopted the specific ordinance that they made reference to. Is there any response from staff to that?

JACK KOLKMEYER (Planning Director): Good morning, Mr. Chairman. Commissioner Vigil, we adopted it in 1996.

COMMISSIONER VIGIL: Is that the one they were referencing?

MR. KOLKMEYER: Yes. It was when we first did that economic development plan. And we'll double check on it because that was one of the questions that came up when we embarked on the CCI program, that we had to do that, and it was determined that when the Commission adopted that ordinance in 1996, we didn't need to go back and readopt it.

COMMISSIONER VIGIL: Would you look into that Jack and if we do, I'd like to bring it forth. There seemed to be no response when it was posed at the meeting the other day that we have or haven't adopted it. So I just wanted to follow up and make sure that we have.

MR. KOLKMEYER: Yes. You have a little booklet that was given to us at that meeting and if you look in the front part of that book there's a copy of the 1996 ordinance from the BCC.

COMMISSIONER VIGIL: And is that the ordinance they were referencing?

MR. KOLKMEYER: We'll double check just to make sure that's exactly what we had to do.

COMMISSIONER VIGIL: Okay. The other announcement I had we did already. We have an item on the Consent Calendar with regard to the Camino Carlos Rael Crossing. This particular item is of issue because it brings for the problem that the northwest quadrant has had and that is river crossings. We did issue a press release last Friday and informed the public that we received some funding from the state legislature to work on retainer walls at Camino Carlos Rael thanks to Senator Nancy Rodriguez who provided that funding. There is a safety issue. So the crossing has actually been closed. I think today we'll be awarding the bid and hopefully the construction will get started right away. It's one of those issues that historical and if none of you Commissioners have received phone calls about it I am really surprised. City Council and I receive a lot of phone calls because it's one of the direct accesses from Alameda to Agua Fria to Cerrillos, to the airport, to the southern part of the district, and as you know, there are very few now.

So for those residents who rely on that crossing, I being one of them, the closest crossings are Camino Alire and then further on down, San Ysidro Crossing is the next one

that's currently available and will be. The time of construction for this I guess is right now unpredictable but we do hope to get it down sometime at the end of August or perhaps into early September. I don't know if that's fair to state. It's going to depend on the construction schedule. But if you haven't received calls about that you may in the future. Let them know that there's a safety issue regarding the retainer walls on Camino Carlos Rael and that's why they have been closed and until construction is complete on that we'll probably not open them.

The other I guess direction that I'd like the Commission to know about is I have been speaking to Code Enforcement staff and other key staff with regard to looking into the possibility of 30 percent open space in new subdivisions and requiring new subdivisions to have .25 acre-feet for water for their proposals for water allocation. That's just a general blanket statement. All of those issues need to be worked out but I'd like to move forward in looking to see how the County could take a leadership role in providing ordinances and other appropriate legislation to pursue 30 percent open space in subdivisions and .25 acre-feet for water.

The other issue I have, and James, you might be able to reference this. For those of us who work with the public, there are peaks and valleys of when we get issues regarding graffiti. We are recently going through a peak right now. Graffiti has increased, at least in my district in the summer months. In particular in the last couple of weeks. I know Santa Fe County does not have a particular graffiti program but I'd like to be able to find out how we can support some of the graffiti - I know we can probably help out in the areas that involve public places and there's a huge amount of graffiti in the San Ysidro Crossing and there's private residences up and down Agua Fria who have been victims of graffiti that I've tried to speak with personally. I'll be looking to see how the County can create a response to that and I think that's if for now.

COMMISSIONER CAMPOS: Could I have a follow-up?

CHAIRMAN ANAYA: Sure.

COMMISSIONER CAMPOS: Commissioner Vigil, you talked about 30 percent open space. Is that a standard that comes from the Community College District or where did you come up with that?

COMMISSIONER VIGIL: Actually, 30 percent is not sort of fixed figure in the Community College District. We have received proposals that have 50 percent open space and some proposals that don't. Through the planning process that's going on in my district, the Tres Arroyos, I know they're proposing through their planning district that they have 30 percent open space. So that requirement is not fixed. It's something that's sort of a starting place to look at. It may be less. In the Community College District, perhaps Jack or Dolores could answer that, there is a requirement for open space and the subdivisions that have come before us have varied that requirement.

COMMISSIONER CAMPOS: Okay. I was just curious about the number. I think it's important to have that discussion but I was just wondering about the number. The second question is about the .25 acre-feet. I would support the idea that we should have not more than .25 acre-feet. With current technology and modern appliances and rooftop harvesting and limitation of outdoor watering, I think a house can do with a lot less than .25.

COMMISSIONER VIGIL: I agree.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Thank you, Mr. Chairman. Just again, regarding the issue of the tree trimming and everything that's occurred, I just wanted again to re-announce that we will be working on setting up a town meeting in Tesuque, hopefully within the next week or so, probably Monday or Tuesday as I mentioned before, and also, just to briefly update people in terms of the NACo conference which just concluded. I was fortunate to have been appointed by the president of NACo to the methamphetamine task force. There's about 21 other members from throughout the country that were appointed to that task force, looking at the whole issue of methamphetamine and the impact that it's having in our communities throughout the country.

I willing be coming out also with an information press release regarding the whole conference because I think it's important that people, our constituents know exactly what it is that I did, anyway, while I was there because I think the misperception is still there that we were out there and just had a great time at the beach and all of that stuff and that's quite the contrary to what actually happened. Because I can say we were not the first Commissioners in Santa Fe County to attend a NACo conference in Hawaii, nor will be probably be the last Commissioners to attend that conference when they may have it again in Hawaii. It was pretty clear while we were there that they were very grateful for us being there, number one, because it doesn't happen very often where a national conference goes to that part of the United States. These people know that Hawaii is a part of the United States. They still forget New Mexico is even a part of the United States.

So I think just to dispel a lot of misconception. It was pretty interesting because everybody that was there was under some sort of scrutiny by the local media in one way or another and I think what we learned, what I learned there was certainly something that is going to benefit the constituents that I represent here in Santa Fe County. So I will be coming out with an itinerary and a press release on what I was involved with while I was there at the NACo conference. Thank you, Mr. Chairman. That's all I have.

CHAIRMAN ANAYA: Thank you, Commissioner Montoya. Commissioner Sullivan.

COMMISSIONER SULLIVAN: Thank you, Mr. Chairman. Two issues, and one is an issue that I brought up last month and it involved procurement. We were talking about economic development and we were talking about buying local and supporting our businesses in Santa Fe County when the County does procurement. And I'd like to ask the staff to get a little more specific about that. Specifically I think where we can start is in the professional services solicitations and procurement. We can under the procurement code give some points in the evaluation process to companies that have their headquarters in Santa Fe County and I think we should do that. It's not the overarching selection criterion but it does indicate that where are there are two firms that would be equally qualified that we would prefer to deal with that firm that is located in Santa Fe County. And that can be done by putting some point preferences into the procurement.

If a firm is significantly more qualified than another then they'll be able to overcome

that point difference. Bu if they are equal then the recommendation would be to the county-based firm. I'd like us to come forward with some specifics about that or if there's any actions needed by the BCC I think we can do it just simply under existing statutes. But if there's anything we need to do in terms of a resolution or direction to give to the staff on that, I'd like to see us do it. I think it's appropriate.

Let me stop there and ask if Gerald or Steve have any questions or any issues with that. Does that pose any problems?

MR. ROSS: Mr. Chairman, Commissioner Sullivan, it does pose some problems. It's a complex area of the law. The chief problem it poses is that the County doesn't have its own procurement regulations now. I understand we're operating under the state regulations. So that's the kind of thing that would be appropriately placed in the County, the local regulations and we have none, so that just highlights kind of in my view a hole in our system that we need to plug. I've talked to Ms. Lucero about that a little bit. We've talked about bringing forward some proposed regulations for you to adopt. They're statutory specific. You, the Board of County Commissioners have to adopt regulations in order for them to be binding.

Now to get outside architects and engineers, what you suggest Commissioner Sullivan is completely do-able without any formal action. In other words, including consideration of local businesses – as an evaluation factor it's perfectly permissible, but when you get into the area of architects and engineers, attorneys, some of the higher tier professional services that are dealt with separately in the statutes, that's where our local regulations can really make what you suggest work.

COMMISSIONER SULLIVAN: I think that's the next step that we should take is to develop those procurement regulations. We certainly have to piggy-back on the state and I know the General Services Department has procurement regulations for all the state agencies that they supervise and they essentially recite the state statutes with some exceptions and I think we can do the same. I know when it comes to low bids, bidding criteria, you have to be very careful and you have to take the low bid. But in many of these solicitations we're not doing them on the basis of bid. So if that's the next step is to do some procurement regulations I think that's certainly in order. We're a large enough entity that we should have, as a governing body, our own procurement regulations. We're not a home rule body so we don't come under that, which the City of Santa Fe does, which gives them some more flexibility that we don't have. So I would certainly encourage you to continue that discussion with our procurement staff and get some regs up here for us to look at.

The other thing I had, Mr. Chairman, I'd like to ask again the staff and the water resources group to look at our fire standby fees. We're getting developments that are coming in that are proposing not to be on County water but that are using the County's water system as fire service, as fire protection. So in essence we're building a whole water system and providing fire protection, yet those users aren't paying in the sense that they normally pay through your metered monthly fees for fire protection. We have fees that address that. My feeling is that they're awful low and we're creaming the crop here, so to speak. Building all this

infrastructure and then charging very low fees. Mr. Wust, could you give me some feeling about how our fees compare with say, the City of Santa Fe's or anybody else's?

DR. WUST: Mr. Chairman, Commissioner Sullivan, I don't know but we'll certainly look at that and try to get a comparison and resolve that, make sure we're consistent.

COMMISSIONER SULLIVAN: I think there's two levels that we need to look at. One is an initial fee that in come part compensates the County for the infrastructure that they build for that and then there's a continuing fee. Those fire hydrants take service. They have to be flushed. They take maintenance. They have to be repaired. From time to time parts have to be replaced and so forth and all of this comes within a fire service fee. In looking in some past correspondence I think ours is perhaps in need of updating.

DR. WUST: We'll certainly look at that.

COMMISSIONER SULLIVAN: And come back with some recommendations if you would. Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Thank you, Commissioner. I'd just like to let everybody now that our healthcare van is now out and about and if you see it in your community, stop in and get your blood pressure checked and I think maybe we should have staff do a little presentation on our healthcare van to the Commission and to the public so that they know what it is when it does come to their community. It will be going throughout Santa Fe County.

Just a little touch on the National Association of Counties that we just came back from. I do sit on the Agricultural and Rural Affairs Steering Committee. It was a long -- we were very busy on the first five days of our conference, and some of the resolutions that were passed were supporting, as I mentioned earlier when 4-H was here, was supporting historical methods of funding for experiment stations and cooperative extension services. Another resolution that was passed and Commissioner Montoya touched on it a little bit was support of increased funding to the methamphetamine research, enforcement, treatment, education. So this is a very big problem that we have in our country. A resolution against a reduction of the US Department of Agriculture funding.

So those were a few of the resolutions that were presented and passed at the National Association of Counties conference. I do also sit on the Western Interstate Region Board, which I was appointed by New Mexico Association of Counties. We had several meetings. We talked about the PILT funding and the state received \$22 million and that helps our counties out. The counties have received \$22 million and that helps our counties out and our county has received \$426,000. That goes into the general fund to help out with various things.

So that's just a little report on what we had done at the Association of Counties, and with that we can adjourn for lunch and be back in about an hour.

COMMISSIONER SULLIVAN: Mr. Chairman, do you want to do the Consent Calendar before we go for lunch?

XII. Consent Calendar

- A. Resolution 2005-99. A Resolution Requesting a Budget Increase to the Fire Impact Fees Fund (216) / Eldorado Fire to Budget Fire Impact Fees Revenue for Expenditure in Fiscal Year 2005 (Fire Department)**
- B. Request Approval of Amendment #2, Contract #24-0178-FD to Tracy Baca, for a Professional Service Agreement for Database Entry and Other Related Services for the Santa Fe County Fire Department, to Extend for an Additional Year from 6/30/05 to 6/30/06 and Increase Compensation for \$6,500.00 for FY06 (Fire Department)**
- C. Request Approval of Amendment #1, Contract #24-0177-FD to Patricia Lucero, for a Professional Service Agreement for Database Entry and Other Related Services for the Santa Fe County Fire Department, to Extend for an Additional Year from 6/30/05 to 6/30/06 and Increase Compensation for \$10,000.00 for FY06 (Fire Department)**
- D. Request Approval of Community DWI (CDWI) Grant Agreement with the New Mexico Department of Transportation Traffic Safety Bureau in the Amount of \$70,358 for FY 2006 (Health & Human Services Department)**
- E. Request Approval of Professional Service Agreement with Las Cumbres Learning Services, Inc. to Provide Santa Fe County with Parent-Infant Therapeutic Mental Health Services in the Amount of \$138,000 for FY 2006 (Health & Human Services Department)**
- F. Request Approval of Amendment No. 2 to Agreement #25-0094-HHSD with Presbyterian Medical Services in the Amount of \$356,993 for Operation of the CARE Connection Assessment Center for the Period of August 1, 2005-June 30, 2006 (Health & Human Services Department/CARE Connection)**
- G. Request Approval of the Joint Powers Agreement Between the City of Santa Fe and Santa Fe County for \$350,000 in Capital Funds for Renovation of the CARE Connection Sobering Center (Health & Human Services Department/CARE Connection)**
- H. CDRC Case #DP-04-5780 Application of Suerte del Sur LLC for Master Plan Approval; Final Order (Approved) (Land Use Department)**
- I. Resolution 2005-___. A Resolution Requesting an Increase to the Developers' Fees Fund (231) to Budget Prior Fiscal Year Cash Balance for Expenditure in Fiscal Year 2006 / \$8,500 (Manager's Office)
ISOLATED FOR DISCUSSION**
- J. Resolution 2005-100. A Resolution Requesting an Increase to the State Special Appropriation's Fund (318) / Sobering-Detox Program to Budget a Prior Fiscal Year 2005 Special Appropriation Project (SAP) Grant Balance Received from the NM 2004 Legislature for Expenditure**

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- in Fiscal Year 2006 (Project & Facilities Management Department)
- K.** Request Authorization to Enter into Amendment No. 3 to the Professional Services Agreement #24-0030-PFMD with Professional Document Systems for the Document Imaging Project \$28,695.00 (Project & Facilities Management Department)
- L.** Request Authorization to Award Professional Services Agreement 26-031-PFMD to the Highest Rated Offeror, Ellis/Browning Architects, Ltd., Responding to RFP #25-58, "Design of a DeTox/Sobering Center for Santa Fe County" (Project & Facilities Management Department)
- M.** Request Authorization to Enter into a Contract with IBM in the Amount of \$22,917.60 for Software and Hardware Maintenance on the AS/400, the County's Main Application Server (Project & Facilities Management Department)
- N.** Request Authorization to Enter into a Maintenance Agreement with SUNGUARD, Inc. in FY06 in the Amount of \$54,125.00 to Provide Financial and Land Software Application Service and Support (Project & Facilities Management Department)
- O.** Resolution 2005-101. A Resolution Requesting a Budget Increase to the Road Projects Fund (311) / Various Road Projects to Budget Prior Fiscal Year 2005 Grant Balances Awarded Through the New Mexico Department of Transportation for Expenditure in Fiscal Year 2006 (Public Works Department)
- P.** Acceptance of Offers Regarding IFB 25-51RB-1, and Authorization to Enter into a Construction Agreement with Khani Co. for the Camino Carlos Rael Bank Stabilization Project / \$145,619.42 (Public Works Department)
- Q.** Request Authorization to Accept and Award Price Agreement with Multiple Sources to Lowest Responsive Bidder for IFB-25-57 (Public Works Department)
- R.** Request Authorization to Enter into Memorandum of Agreement Between Santa Fe County and the City of Santa Fe for a Project Regarding Governor Miles Road Between Nava Ade to Cerrillos Road Project, a Regional County Capital Outlay Gross Receipts Tax Project Approved by the Regional Planning Authority (RPA) \$310,000.00 (Public Works Department) ISOLATED FOR DISCUSSION
- S.** Request Authorization to Enter into Amendment No. 2 to the Professional Services Agreement #25-0008-SD with Ralph W. Lopez to Provide the Services as Region III Coordinator /\$52,620.00 (Sheriff's Office)
- T.** Request Authorization to Enter into Lease Agreement #25-0028-SD with Santa Fe Animal Shelter & Humane Society to Provide Office Space for

Santa Fe County Animal Control Employees /\$14,245.00 (Sheriff's Office)

CHAIRMAN ANAYA: Is there a motion to approve?

COMMISSIONER CAMPOS: So moved.

COMMISSIONER SULLIVAN: Mr. Chairman, I second with the two withdrawals.

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

The motion to approve the Consent Calendar with the exception of items I and R passed by unanimous [5-0] voice vote.

CHAIRMAN ANAYA: We'll take up I and R when we get back, and we'll be back at 1:30.

[The Commission recessed from 12:20 to 1:40]

CHAIRMAN ANAYA: Call this meeting back to order. I believe we are on Consent Calendar XI. I.

XI. I. Resolution 2005-102. A Resolution Requesting an Increase to the Developers' Fees Fund (231) to Budget Prior Fiscal Year Cash Balance for Expenditure in Fiscal Year 2006 / \$8,500 (Manager's Office)

MR. ABEYTA: Thank you, Mr. Chairman. In 1996 Santa Fe County was going to undertake a traffic study for widening US 285 South, the road between Eldorado and Lamy, and as a result, the County was requiring that developers or developments that came in off of that are contribute towards this traffic study that the County was going to undertake. Well, subsequent to that the WIPP route changed and so the highway got widened without the County's participation. But before that some developers paid for this traffic study. The stud was never done. So one of them, Dennis Kensil, who had written a check to the County in May of 1996 for \$8,500, he's requested that he be refunded his money since the County never used it.

We've researched. We went through our records. We went through all of our receipts and found that he did pay that money; we did receive and account for it. We didn't do a traffic study so we're willing to give him his money back. That's what this request is all about.

CHAIRMAN ANAYA: Okay. Any questions? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Roman, were there others who contributed to this? How much was this study supposed to be?

MR. ABEYTA: I don't know how much the study was supposed to be. I don't even know how many other contributed to it. He may be the only one; we don't know. He's the only one that's asked for his money back so far. We've had a request from him for a couple

of years now but it's taken us that long to do the research and finally find that indeed there was money paid into this account by him.

COMMISSIONER SULLIVAN: Was this a condition of a development of his?

MR. ABEYTA: Yes, I believe it was.

COMMISSIONER SULLIVAN: And did that development go forward?

MR. ABEYTA: I believe the development went forward.

COMMISSIONER SULLIVAN: So I'm wondering if this was a condition that he paid \$8,500 as a condition of approval of the development for a traffic study -

MR. ABEYTA: It's my understanding, Commissioner Sullivan, it was for the express purpose of widening 285 South and that was the only reason why the condition was imposed. He did his required traffic study for his development at the time. But then the County wanted him to do another study so we started imposing this condition on developments that came in.

COMMISSIONER SULLIVAN: Because I know there were questions on traffic with regard to Vista Grande which is I think where his development was. And so did we look at the conditions - you're confident that this study had to do with widening 285 and not with the traffic on Vista Grande which is think is where his development was.

MR. ABEYTA: Mr. Chairman, Commissioner Sullivan, Penny Ellis-Green from our Land Use Department is more familiar with this and this specific project than I am so I'll let her address that.

PENNY ELLIS-GREEN (Planner): Thank you, Mr. Chairman, Commissioners. The applicant, it was for an 85-lot subdivision. The condition of approval was that at that point people paid \$100 per lot for a district-wide traffic study. They had done their own traffic study looking at their local roads and I believe this was further south than Vista Grande. The district-wide study was to look at 285 and look at whether or not that road needed to be widened. And when the WIPP Route developed that, that study was really redundant. So I believe that there was the Monte Alto Homes and then there was one other subdivision that paid in. Due to the moratorium other people didn't go further with their subdivisions so didn't pay into that. So that was a condition of approval and it was specifically for a district-wide traffic study.

COMMISSIONER SULLIVAN: Thank you, Penny. So let me ask legal. What's your take on this?

MR. ROSS: Mr. Chairman, Commissioner Sullivan, I haven't looked at this in any detail. I think if we took someone's money for a particular purpose and didn't accomplish that purpose we certainly have a basis to refund the money. But I haven't looked at this any more than that. I've just heard what you've heard.

COMMISSIONER SULLIVAN: Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Okay. Any other questions? Hearing none, what's the pleasure of the Board? Is there a motion?

COMMISSIONER CAMPOS: Motion to approve.

COMMISSIONER MONTOYA: Second.

CHAIRMAN ANAYA: Any more discussion?

The motion to approve Resolution 2005-102 passed by unanimous [5-0] voice vote.

XI. R. Request Authorization to Enter into Memorandum of Agreement Between Santa Fe County and the City of Santa Fe for a Project Regarding Governor Miles Road Between Nava Ade to Cerrillos Road Project, a Regional County Capital Outlay Gross Receipts Tax Project Approved by the Regional Planning Authority (RPA) \$310,000.00 (Public Works Department)

MR. MARTINEZ: Mr. Chairman, I stand for questions.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Robert, I didn't remember the RPA approving any road projects and there was nothing in the packet about that. I remember approving participation in the Buckman wells. Was this the only project that we approved or were there others? Have you got minutes or anything that can refresh my memory?

MR. MARTINEZ: Mr. Chairman, Commissioner Sullivan, the RPA did pass Resolution 2003-06 which was a five-year plan. Then they came back and approved Resolution 2003-7 which adopts their funding of the 2004 projects. And the projects in here for 2004 were this particular road that the City is requesting to enter into an MOA with, and the other one is South Meadows Road.

COMMISSIONER SULLIVAN: And what were the cost estimates were approved?

MR. MARTINEZ: The amount that the RPA had recommended was \$310,000 for Governor Miles and \$70,000 for the design of South Meadows Road.

COMMISSIONER SULLIVAN: So was \$310,000 the total or was \$310,000 the amount to come out of the regional gross receipts tax?

MR. MARTINEZ: Mr. Chairman, Commissioner Sullivan, I believe the project was in excess of \$1 million. But \$310,00 of it was from the quarter percent GRT.

COMMISSIONER SULLIVAN: Okay. I just totally did not remember us approving any road projects but if you've got the resolution there then we must have done it.

MR. MARTINEZ: Mr. Chairman, the board also approved the open trails portion of this GRT which was included.

COMMISSIONER SULLIVAN: I remember the trails.

MR. MARTINEZ: In the resolution.

COMMISSIONER SULLIVAN: I remember us doing the trails. Okay. Thank you, Mr. Chairman.

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

COMMISSIONER VIGIL: Move to approve.

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CHAIRMAN ANAYA: Is there a second?

COMMISSIONER CAMPOS: Second.

CHAIRMAN ANAYA: Any more discussion?

The motion to authorize an MOA with the City regarding Governor Miles Road passed by unanimous [5-0] voice vote.

CHAIRMAN ANAYA: We've got the executive director from the New Mexico Mortgage Finance Authority here, Katherine Miller, who used to work for Santa Fe County. She was the director of Finance. Katherine, do you want to come and say a few words to the Commission.

COMMISSIONER VIGIL: Mr. Chairman, Katherine, before you do. I requested this that Katherine address the County Commission. I had the opportunity to visit with her about it because I know she's been participating in our Affordable Housing Task Force. Katherine, when she worked with Santa Fe County had a broad sort of perspective on issues and that's where I think she created the greatest benefit. I actually have an article that I will hand out to the Commissioners entitled "Housing Supply and Affordability: Do Affordable Housing Mandates Work?"

I think when we pursue an ordinance with regard to affordable housing we need to look at it from the widest of spectrums and I haven't read it, Katherine, but I appreciate the opportunity to look at it and ask Chairman Anaya if we might be able to share some of your wisdom through that process.

KATHERINE MILLER: Thank you, Chairman Anaya, Commissioner Vigil. Thanks for letting me talk to you. It's so funny to be up here not asking for an approval of something after six and a half years or something like that. But it's always fun to come back to visit everybody at Santa Fe County. I feel like I still have such a connection here and I actually miss working here quite a bit. I enjoyed working with the Commission, with the staff in Finance and all the departments so it's a great place to come back and visit and it feels just like yesterday and it's been about 2 ½ years since I left.

MFA is doing a lot across the state in affordable housing initiatives, working with the state and I actually went to the Association of Counties meeting and a couple of the Commissioners were there in the presentation that I made that we talked about. A lot of the things that we're doing at the state level to help at the local level. MFA traditionally has just had lending programs and they're a quasi-governmental entity that generates its own revenues through single family mortgages and multi-family mortgages, plus we administer the HUD programs for the state. But there's not a lot of state activity in affordable housing, and that's becoming different now. This last legislative session we passed the state housing tax credit, which allows for non-profits to sponsor an affordable housing initiative and to receive donations into that project from businesses or individuals and those individuals that donate, or businesses that donate into the project actually receive a 50 cents on the dollar state tax credit. They also, if it's done through a non-profit entity, receive the deduction on their federal income taxes and

their state income taxes.

So it's a great tool for getting equity investment into affordable housing initiatives. That's one item. We also established the housing trust fund to assist in single-family affordable housing development and received a \$10 million allocation into that trust fund. As a member of the Santa Fe County task force I've been trying to bring some of the things that we've done at the state level to the local level so one, you understand those tools are out there and can be leveraged with anything that you've set up at the County. For instance if you do your own trust fund you could use your trust fund for one source of funding, ours for another, tax credits, tax-exempt financing, a multitude of tools are out there to bring the cost of housing development down. And it's usually not one silver bullet; it's five or six different programs being wrapped together, five or six different financing mechanisms being wrapped together with additional items, perhaps density bonuses and things like that. It can really bring the cost of development down and make homes more affordable.

So those are some of the things that I've been trying to add to the discussion at the task force, as well as looking at how do you balance the developer needs and their requirements along with the public purpose and the needs of the County. And the study that I handed out, it is just one opinion. I gave you that, Virginia. It's just some thing to consider. I'm not saying it's right or wrong by any means but it's something when you look at putting in mandates, look at potentially some of the down-side to those as well because you can often put something in and not realize you've created the opposite effect and restricted housing supplies to the degree that - 30 percent of nothing is nothing.

So if we go forward with in the county a certain percentage, or in the city, inclusionary zoning, if you bring down the level of housing production you actually drive up the median home price and reduce the number of homes available at the lower income level. So I try to keep that perspective in that as well, because these are issues that we're dealing with in all of the organizations across the state, as well as impact fees, inclusionary zoning and other subsidies and I'm working at the federal level with the National Council of State Housing Association on what we can do at a national level to help affordable housing initiatives.

It's a hot political item right now across the country. There's a lot of awareness that it is becoming an issue. Just one other thing that I wanted to mention, we have initiatives that we're doing on workforce housing development because that's the gap. There's high incomes and then there's a lot of programs at the federal level for low-income housing. The federal tax credit program, a lot of the HUD programs, they target 80 percent of the area median income or lower. But what's happening to a two-person working family where you have a firefighter and a police officer or a teacher and a nurse? What's happening to those individuals in our community, and can they afford the market rate homes? Because there isn't an subsidy for them.

MFA has actually created a program, a master developer program where we're working with entities who own land, sponsor owned land, to help, number one, generate a revenue source for the local government, for the entity, off of a ground lease, but also preserve affordable housing for the workforce and keep them in the community so they're not driving

down to Rio Rancho and your response time for fire and police is an hour and a half because they don't live here.

So those are some really key issues beside just inclusionary zoning. It's who do you want to have stay in your community as well, not just do you want to have affordable housing across the spectrum, but do you want to target particular individuals in your community that you're losing. And this is a problem across the country in high-cost areas. So I bring that forward because we have some initiatives and I'd love to come back and present possibly to the RPA what we're doing in that area because Santa Fe County and the City, particularly with their northwest quadrant, they may have some land that they could dedicate to that type of initiative and preserve affordable housing for those folks that work for the City and for the County right here in the community.

So if there's an opportunity that I could do that I'd really appreciate that as well. I think if nothing else, it gives you something else to think about how you could approach it. So that's it and I appreciate the time.

CHAIRMAN ANAYA: Thank you, Katherine.

MS. MILLER: Do you have any questions or anything you want to know about what we do? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Yes, Katherine. I appreciate - we're glad to get all the input and all the opinions. I see in the conclusion of this document it says inclusionary zoning should only be enacted if the goal is to make housing more expensive and decrease the quantity of new housing and such policies hurt homebuyers and will price out most low-income families. That's basically saying that we shouldn't do anything of the sort that requires affordable housing other than these subsidy programs.

So I guess my question would be who financed this study? I know who prepared it according to what it said, but who financed it?

MR. MILLER: I don't know who financed the study, Commissioner Sullivan, and as I said I don't necessarily agree with the opinion of it because there are equally studies that say that inclusionary zoning is - and that's what we've been working from the perspective of, inclusionary zoning does provide affordable housing. As I said, it all is there, what the organization is, what they do. I merely offer that as another piece of information. We have lots of information as well. In the task force we've been handed numerous items that say here's what level of inclusionary zoning we should have here, the target markets. This is merely one piece of information to add as food for thought. It is not my position on it at all and I don't take that position to the task force. I actually bring in that as you move forward with inclusionary zoning just realize there can be the other side to it. And you might not get the same result if you're only looking at one side of the issue. That's the only reason I provided that study. There's other sides to it as well and those all need to be balanced.

COMMISSIONER SULLIVAN: Thank you.

CHAIRMAN ANAYA: Thank you. Thank you, Katherine. It's always a pleasure for you to come back and give us your input. Take care.

COMMISSIONER VIGIL: Thanks, Katherine.

CHAIRMAN ANAYA: Okay, if it's okay with the Commission, I'd like to move down to under Staff and Elected Officials, XII. E. Treasurer's Office.

XII. E. Treasurer's Office

- 1. Resolution 2005-103. A Resolution Designating the Los Alamos National Bank to Become a Depository Financial Institution for Santa Fe County as Outlined in the County's Investment Policy, Resolution No. 2004-107**

VICTOR MONTOYA (County Treasurer): Thank you, Commissioner Anaya. Good afternoon, Commissioners and I'd like to thank you for moving this up on the agenda. I know that you have a heavy agenda. Before I start I just want to take a few minutes here to introduce my new Deputy County Treasurer, Dean Milligan, to the County Commissioners. Just a couple of things about Dean. He's a retired state employee from the State Highway Department. He's a graduate of UNM with a degree in engineering. We'll be doing a press release probably later on in the week. But I just wanted to take this opportunity to introduce him.

CHAIRMAN ANAYA: Thank you. Congratulations.

MR. MONTOYA: As you know I'm here this afternoon to present a resolution designating the Los Alamos National Bank as a depository financial institution. With me this afternoon are Fidel Gutierrez, senior vice president, and Anne Kain, cashier for the Los Alamos National Bank, who are here at my request to answer any additional questions you may have. I also want to take a few minutes just to thank Greg Shaffer from the County Attorney's office for all his assistance in helping me draft his resolution and for all his work with Santa Fe County's investment policy.

In brief, under state statute and the investment policy for the County, the Board of County Commissioners, BCC, acting as the County Board of Finance, is responsible for selecting depository financial institutions and establishing the minimum collateral level they must maintain as security for County deposits. I just wanted to let you know that I personally have reviewed Los Alamos National Bank's entire application and I urge you or I recommend to you to appoint them as a depository financial institution.

In brief, Los Alamos National Bank offers attractive rates under certificates of deposit, is financially strong and qualifies for a Class A risk classification which is the highest available under our investment policy, and they have agreed, as signed by Steve Wells, the president of Los Alamos National Bank, in his cover letter to me, to invest 100 percent of the money the County deposits or invest with their bank in Santa Fe County via loans that will further the economic development and vitality of the community.

I just wanted to tell you a little bit about the Investment Committee. We've been meeting each month since April of 2005 and I have begun - with the advice and consent of the Investment Committee, I have begun to invest County funds in safe alternatives that will

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increase the interest income that the County earns on funds not required to meet the County's immediate cash flow needs. I sent all of you an e-mail regarding this particular memo that I am quoting right now and I believe Greg has provided all of you with a copy of the investment policy so that each of you can add it to your active working files.

Now to digress to the bank itself. Los Alamos National Bank is locally owned and operated with offices in Santa Fe, Los Alamos and White Rock. They have two full-service offices in Santa Fe with over 70 employees and the two offices are on Galisteo Street and Griffin Street. I don't know if you've all looked at the rates that the Los Alamos National Bank proposed to provide us with but the form that I am looking at looks something like this. I don't know if you have it in your packet, but the column that we are interested in is the next to the last column and basically what it states in that column is the APY with 100 percent collateral and letters of credit.

The intention of Los Alamos National Bank to secure the County's deposits per their cover letter and per their application to us, they propose to secure us at a rate of 102 percent with a Federal Home Loan Bank of Dallas irrevocable letter of credit. The Federal Home Loan Bank of Dallas currently has Moody's and S & P ratings of AAA and I have in this binder, if any of you would like for me to provide you with a copy of it - I didn't add it to your packet because it's only about two inches thick and I thought that for this short meeting you may not want to have all that information in there. But any of you feel free to come by my office or to call me and say get me a copy of that information and I'll be happy to provide it for you.

With that, Mr. Chairman, we stand for questions. If I can't answer them I'll be happy to ask the bankers here.

CHAIRMAN ANAYA: Thank you. Commissioner Vigil.

COMMISSIONER VIGIL: Mr. Chairman, Victor, this is for strictly Certificates of Deposit?

MR. MONTOYA: Yes. This is in excess of \$100,000.

COMMISSIONER VIGIL: Okay. Certificates of Deposit in excess of \$100,000? For how long a period?

MR. MONTOYA: Well, as the chart here shows, it can go up, or the rates that they're operating go up to five years. And what we have gotten from the bank is a certification, I guess that if the County requires early withdrawal to meet unanticipated needs or cash flow needs, Los Alamos National Bank will waive the early withdrawal penalties.

COMMISSIONER VIGIL: So they're liquid. I mean they have liquidity?

MR. MONTOYA: Yes.

COMMISSIONER VIGIL: Okay. I'm not sure whether Greg should be here to answer this question, the 102 percent collateral, that's by state statute, is it not?

MR. MONTOYA: Well, it's by state statute, but there's a caveat I guess and that caveat is based on their reports to the State Treasurer, they have an A, B, C, or D rating. If you have an A rating, all that's required is 50 percent collateral and those forms are here and that's what we base our recommendation on is that they are in excess, but we would only have to request 50 percent collateral, but I recommend that we go with 100 percent collateral so

we're fully protected and they can do this fairly easily with a letter of credit from the Federal Home Loan Bank of Dallas.

COMMISSIONER VIGIL: Thank you, Victor. I guess the only concern I have and you've explained that issue so well for me I hope you can explain this. In the resolution under item 3, after the Now, therefore, it says the County Treasurer is hereby authorized to deposit as much money with LANB as LANB can secure at the collateral level required by the County Treasurer. Now, my understanding of the investment policy is that there are certain limitations for Certificates of Deposit. Is that correct?

MR. MONTOYA: No, ma'am. The FDIC insures up to \$100,000, and using this process that I have in our policy, which is basically them applying for the designation of a financial depository institution, this allows us, with your approval, to invest in excess of that \$100,000. And we can go up to whatever level of security they can provide on that money. Currently, I have met with Susan and the Investment Committee and we have determined that we could invest, not just with Los Alamos National Bank but in all our investments, in the neighborhood of \$20 to \$25 million.

Now, just to give you an idea of the State Treasurer Local Government Investment Pool only generated 2.54 percent in the month of June for us. Now, if you look at the rates here on a five-year CD, and understand that the State Treasurer has limitations and we can go out a little bit further and with these kinds of assurances and certifications from the bank I think we're well protected. On a 24-month CD we can get, using this process, 4.4 percent. That's two percentage points above what the Local Government Investment Pool is generating for us.

Certainly we would not place all our available money with one bank. I propose to contact, and I've tried to contact even our custody bank and ask them for a similar proposal. They have kind of told me that they're working on it, they're working on it, so I expect in the near future that they will also be requesting something along these lines.

COMMISSIONER VIGIL: Thank you, Mr. Chairman and Victor, thank you for the explanation. I do know and I recognize on a personal level that Los Alamos National Bank is actually offering a very high interest level, hence they hold some of my CDs. But I'm glad to also hear you say that diversification is going to be a part of the portfolio because I think that's part of the mission that the investment policy sort of focuses on and how portfolios should actually exist. So I appreciate that, Victor. Thank you. Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Thank you, Mr. Chairman. We don't have a legal. Maybe you can act as legal for us, Gerald. We're not acting as the Board of Finance, correct?

MR. GONZALEZ: I'm assuming that you are, since you're dealing with Treasurer's issues.

COMMISSIONER MONTOYA: So procedural-wise, do we need to convene?

MR. GONZALEZ: I don't think necessarily because I think we had talked about that and as long as you recognize that you're acting as Board of Finance, I think you're okay.

COMMISSIONER MONTOYA: We're okay. Thank you, Gerald. Mr. Chairman, Victor, could you remind me, who do we have now? Who's our –

MR. MONTOYA: Custody bank? Yes. The custody bank doesn't change by doing this. This is strictly for investment purposes. But the custody bank is still First State Bank. The people that we deal with on a daily basis are over here on the corner of Guadalupe and Alameda.

COMMISSIONER MONTOYA: Right. Then do we have anybody else that we're utilizing or having these type of investments with other institutions at this point?

MR. MONTOYA: Mr. Chairman, Commissioner Montoya, as I was telling Commissioner Vigil, I've been working with the Investment Committee making presentations to the committee from various people. Now, we've only been meeting since April, okay, so we're just starting off in this process, but just to give you an idea of what I've done so far with the advice and consent of the committee, we have currently about \$1.1 million in CDs in several local credit unions. We also have a CD over at First State Bank for \$100,000. All of these have a limit of \$100,000 and they're all FDIC secured. But this goes beyond that because we can invest a lot more money and put it to work in the community. But like I say, we have about 12 different institutions right now that I have \$100,000 in each one.

I also recently, about two months ago, purchased three bonds from Federal Home Loan Bank and from Fannie Mae. And there's three bonds that total \$1 million. So little by little we're going out and allocating our investments. Like I just told Commissioner Vigil, I hope to be bringing First State Bank with a similar proposal to you. I don't know how soon. I will also be contacting the other local banks in our county, like First National, Century Bank, all of those to see if they're interested in taking any of our money.

COMMISSIONER MONTOYA: Okay. Then, Mr. Chairman, Victor, did the Investment Committee approve of this?

MR. MONTOYA: Yes.

COMMISSIONER MONTOYA: Okay. Thank you. Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Victor, help me understand on the risk assessment ratios for banks form that you included in our packet where it talks about percent level of collateralization, if you have interest on primary capital assets less than five percent, which you indicated was 4.4 percent, then there's a requirement that there be 100 percent collateralization. There appears to be situations where collateralization can go down to as much as 50 percent. So if the County were to decide that 50 percent were adequate collateralization, would we get a percent or more better interest rate?

MR. MONTOYA: Well, Commissioner Sullivan, that possibility exists. It's part of the negotiation with the bank. However, up to this point in time, we've always asked for 102 percent collateralization. So right now, since we're kind of in the infancy stage of our investment, we're trying to be as conservative as possible and not go out with that type of thing. It's certainly a viable thing that we can ask the bank to deal with this and perhaps Fidel would

like to answer that.

COMMISSIONER SULLIVAN: Well, I guess - and that would be fine if you'd like to add to your comments. What I was just thinking, and I'm all in favor of being conservative, because we don't want Orange County coming to Santa Fe County, but if we're going to invest \$25 million and if we get, let's say less than five percent 100 percent collateralization and we get a percent more at 50 percent collateralization, that's \$250,000 a year for a letter of credit. So my question is, is that letter of credit, in your judgment worth \$250,000 a year, or are there other mechanisms, ways of dealing with it that we could get the same level of security?

MR. MONTOYA: Mr. Chairman, Commissioner Sullivan, up to this point what we had done, our money has always been secured at 102 percent by First State Bank and what they pledged during this whole process is securities. And when you pledge securities that's when you have a greater expense because they tie up a lot of the bank's assets. This particular process allows the bank to purchase a letter of credit from the Federal Home Loan Bank of Dallas and in order to purchase that letter of credit they have to be a member bank, number one. Number two, they have to own stock in the Federal Home Loan Bank of Dallas. That's my understanding. And this is a much less expensive way to secure our funds. And with that I'd like to see if maybe Fidel would like to answer more.

COMMISSIONER SULLIVAN: Before you do that, let me ask then, what rate of interest were we getting with First State Bank on these?

MR. MONTOYA: At First State Bank we don't have anything except \$100,000. And what we have in excess of that is our overnight deposits, which we carry in a money market fund. Currently, as we collect funds from our Treasury operations and property taxes and all the other revenues that come in, that money is deposited at First State Bank. And until we transfer it via wire over to the State Treasurer's Office to be invested in the Local Government Investment Pool, they secure it with pledge securities.

COMMISSIONER SULLIVAN: So we don't have any CDs that are pledged with securities. If Los Alamos National Bank were to pledge them with securities instead of a letter of credit, what would the interest rate be?

MR. MONTOYA: I don't have those exact numbers, Commission.

COMMISSIONER SULLIVAN: By the way, we don't have that form that we're referring to.

MR. MONTOYA: APY with 100 percent collateral in securities, on a 24-month CD we would get 3.75, versus 4.4 with a letter of credit.

COMMISSIONER SULLIVAN: So the difference is .7 percent.

MR. MONTOYA: Right. So we're getting almost one percentage point more. And that translates down, up to a 60-month CD we would get 4.75 versus 5.4. That's 65 basis points over -

COMMISSIONER SULLIVAN: Right. So again, if we were investing \$25 million, that letter of credit is worth 65 basis points or about \$200,000. Is that what it costs to get that letter of credit? \$200,000? That seems a little high per year. It doesn't cost that. Maybe

he could just answer that then.

FIDEL GUTIERREZ: No, it doesn't cost that.

COMMISSIONER SULLIVAN: Seems like a pretty big gap to me.

MR. GUTIERREZ: It is a larger gap but what the letter of credit allows the bank to do is rather than keep that security as collateral it frees up money to be lent out to the local communities.

COMMISSIONER SULLIVAN: I understand that point but my point is, of that \$200,000 that involved in that, it seems like more of that should go to the County.

MR. GUTIERREZ: No, I don't think so.

ANNE KAIN: Perhaps I - my name's Anne Kain. If I pledge 100 percent to you or even 50 percent in the form of securities, these are government agency securities, Federal Home Loan Bank, the amount of yield that I can get on those securities is very limited. If we pledged you 100 percent at a certain yield, you can see that in order for the bank to make any type of spread we would have to offer you a much lower rate, hence being 100 percent collateralized, an institution can only pay you as much as a government agency security and actually less, can pay you. However, what we've done with the Federal Home Loan Bank letter of credit is we no longer have to pay you a rate that's based on the security, because the security - it's the form of I've got one asset here and another liability here and they must be offset. In this case, with the Federal Home Loan Bank letter of credit, we are going to pay a fee up front, but what we're going to do instead is we're going to turn it around and we're going to invest it in the community, and what we've done with these rates is we've done an analysis on the part of Los Alamos National Bank to say these are really the best rates that we can offer, and we're coming out with our best to you because we want to give you the best rates we can, given the fact we don't have to have these invested into the securities with a much lower yield. We can reinvest these, hopefully into the community in the form of loans and other types.

And even at that, these rates are much higher than we're giving our normal customers. We're negotiating these rates on a higher level. But the idea is you can benefit by getting a higher rate. The community can benefit from getting the advantage of getting the investment into the community through loans, and we can benefit because we can make more interest as well because we're not locked into this very small interest spread that we can offer you. So it's really a win-win for everybody involved.

COMMISSIONER SULLIVAN: Okay. I understand. I don't want to prolong this, Mr. Chairman. But let's suppose, in a typical security situation, what would the interest rate be today?

MS. KAIN: Commissioner, I don't have the rates in front of me today but I can tell you that a federal home loan agency is considered the next most secure type of bond above a regular treasury. So the rates are fairly limited as far as what they can offer. But I'm sure Victor could - I apologize. I don't have it - could access that for you, and give you what those rates currently are today.

COMMISSIONER SULLIVAN: One and a half percent? Can you make a guess? Do we have anyone with financial experience here?

MR. GUTIERREZ: It's probably a one-year CMG is – it's about 2.3 percent.

COMMISSIONER SULLIVAN: Okay, call it 2.3.

MR. GUTIERREZ: But the one thing, to get back, and I want to make sure that the County Commissioners, or to answer your question along these rates, the one-year CD with the letter of credit as collateral at 4.15 percent, looking at, this is the *Albuquerque Journal* publication, "Business Outlook", where they list the highest CD rates in the country per banks, what they're offering, and the highest CD rate out there for a one-year CD, the national average yield is 2.84 percent and there's a bank in Chicago, Illinois that's offering 4.21 percent and then it goes down from there to 4.15 and then 4.05.

So as far as the rates for CDs, these are aggressive rates for CDs. We're still lending money out at about six percent. So anyway, I think that's why we look at the win-win for the County. The bank obviously can use the County's funds to lend out locally but at the same time increase the yield to some of the top CD rates that are offered throughout the United States.

COMMISSIONER SULLIVAN: Okay, so the question that I was asking was if we had required securities, those just have to lock in at 2.3 percent or whatever the number happened to be. How much, when you loan out to the community, what will your average interest rate be on those loans?

MR. GUTIERREZ: Average loan rate will probably be – 3.6 is our net interest margin, so when you add probably our cost of funds, it would probably be about 6.5 to 7 percent.

COMMISSIONER SULLIVAN: Okay, so by virtue of agreeing to this letter of credit arrangement, which doesn't lock you into the securities, we're enabling you to make, instead of 2.3 percent earnings on your investments, 6.5 percent earnings on your investments. Is that correct?

MS. KAIN: I don't think that the interest margin would be that large on those investments. You have to remember we invest in multiple types of items at different rates. And I do want to point out that we have one of the largest numbers of mortgages filings in Santa Fe County for mortgages. And I understand where you're coming from and I do want to point this out. This product is something that the state has just started using and we're one of the first institutions to start using. But what it's going to allow us to do in any terms about it is offer you the most highest, aggressive rate, and we are the most highest, aggressive rates. As you can well see the other banks, as Victor was pointing out, are not jumping on it, but I encourage them to. If that's what gets the County the higher rate. But right now, of course, obviously the bank has to somehow make some level of profit but this is what we've come up with as a reasonable level to all those involved and like I said, I encourage other banks that want to try to do the same thing to offer these rates because it benefits you. Not only, if they're willing to offer rates above ours.

Certainly I see where you're coming from with the costs.

COMMISSIONER SULLIVAN: If I could finish please. My question is quite frankly, whether we're getting a fair share of this deal. If this mechanism enables you to make an additional four percent on your investments, which I think is fine. The more you make the

more we can make and as Victor says it's a secure and reasonable way to go we should consider it. But in turn for your making four percent more, we only get .7 percent difference between a fully secured and a secured by letter of credit. So it seems like we're not getting very much out of this. It seems like we ought to split it down the middle. Doesn't that seem reasonable?

MR. GUTIERREZ: No, it doesn't. Because I think you're forgetting that there's overhead to operate a bank. I get paid. There's an employees' stock ownership plan that we fund. That interest margin that I talked about is just the interest margin. It doesn't factor into the cost of funds that we have a facility that we operate. If you look at four percent, 2.5 that we're earning on securities in our portfolio, we'd love to pay our depositors more interest rate. We have one of the lowest net interest margins for any bank out there nationally, that we charge lower rates on loans and pay higher rates on deposits. So our overhead factors into that four percent. Employee salaries, government taxes, 40 percent tax rates, gross receipts tax, so all of that comes out of that operating, so it's not just that straight four percent. That doesn't factor into bad loans that people don't pay back. It doesn't factor into investments that the bank makes such as Community College bonds, Santa Fe Public Schools issues where we earn a total of 2.96 percent. It's the right thing to do to invest in communities. So I guess that's really where there's a lot more factors, Commissioner Sullivan, that factor into that calculation that you worked out.

COMMISSIONER SULLIVAN: Okay. I'm finished, Mr. Chairman. I understand from Victor this is not an exclusive deal, that he's going to be negotiating with other banks and I would just ask Victor when you do that that we look at a little bit larger gap there between the secured and the - we'll call them conditionally secured or whatever you like to call them, interest rates. Because I think there's more flexibility there. I'm sure everybody has overhead but I wouldn't think Los Alamos National Bank's overhead is more than 100 percent and 100 percent would in essence be one percent of those amounts. So I think certainly I'm agreeable to go with your recommendation on this proposal but I think maybe a little more negotiation as the Investment Committee moves forward in looking at these other applicants. And obviously, you're going to put the money where you can get the best interest for the County.

MR. MONTROYA: Commissioner Anaya, Commissioner Sullivan, I understand what your concerns are and I share them. Believe me, I would not have brought them up here if I didn't think we were getting the best deal from them. I have talked to Wells Fargo. I don't have such a terrific presentation to make because they just gave me a sheet off the cuff, so to speak, but the most that they would offer collateralized - we didn't discuss whether it would be through securities or whether it would be through a letter of credit. But they were looking at, if I remember, if memory recalls correctly, but somewhere in the neighborhood of 3.75, 3.85, and this was about a month ago, six weeks ago. I know the interest rates have gone up another quarter of a percent.

But, yes. Even Wells Fargo who is the custody bank for the State Treasurer or the State of New Mexico, they're not offering comparable rates like this. So I could tell you from that

point. And like I say, if we have \$20 to \$25 million to invest, we're not going to put it all with them. We want to – in addition to having this process of becoming a depository financial institution, there is also what is called the pro rata share that we have to be concerned about with the banks here in this town. And based on that, we're looking at dividing up what we feel we can comfortably invest, and base it on the collateral that they can provide. So with that, Commissioner –

CHAIRMAN ANAYA: Thank you very much, Victor. I'm getting even antsy up here. I want to get this case over with. We've got some people involved in this on the Investment Committee. Very competent people. They look at this. We've met, how many times? You guys are the professionals. I recommend we approve this, so I'm looking for a motion.

COMMISSIONER MONTOYA: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: I would like to, before we act on that motion actually move that we move into the Board of Finance role prior to taking any action.

CHAIRMAN ANAYA: So let's have a motion to move into the Board of Finance.

COMMISSIONER VIGIL: So moved.

CHAIRMAN ANAYA: Is there a second?

COMMISSIONER CAMPOS: Second.

The motion to move into the Board of Finance passed by unanimous [5-0] voice vote.

CHAIRMAN ANAYA: Okay, motion, Commissioner Vigil.

COMMISSIONER VIGIL: Mr. Chairman, I move we accept the recommendations from the County Treasurer and move forward with the resolution designating Los Alamos National Bank as a depository financial institution for Santa Fe County.

COMMISSIONER CAMPOS: Second.

CHAIRMAN ANAYA: There's a second. Any more discussion?

COMMISSIONER CAMPOS: Just to state that I'm glad you're going local. We need to keep our money turning in our local community and Los Alamos National Bank is a great institution. Thank you very much.

The motion to approve Resolution 2005-103 passed by unanimous [5-0] voice vote.

COMMISSIONER MONTOYA: Mr. Chairman, I move to go back into the BCC.

COMMISSIONER VIGIL: Second.

The motion to go back into session as the Board of County Commissioners passed

by unanimous [5-0] voice vote.

XII. Staff and Elected Officials' Items

A. Finance Department

3. Resolution 2005-104. A Resolution Requesting Approval of the Final Budget for Fiscal Year 2005-2006

PAUL GRIFFIN (Budget Director): Mr. Chairman, Board of Commissioners, this is a resolution requesting approval of the final budget for 2005-2006. We call this the 2006 fiscal year budget. The amount is \$123,628,110 for an increase of \$1,358,526 over the interim budget. The changes from the interim are summarized as follows: There were a number of grants that were included in this budget. There were reductions in other grants. There was the creation of a definitive capital package with capital items. This resulted in a \$405,000 increase to the general and road funds.

There were salary adjustments made and mid-year COLA inserted into the juvenile and adult facility budget from the jail enterprise fund. However, we looked at the revenue in the jail enterprise fund and determined that we could also decrease the general fund transfer to the jail fund by \$100,000.

The general obligation 2005 road bond receipts fund was created, and this is where the proceeds from the road bond will go. We have advanced in this budget \$425,000 for certain road projects that we wanted to undertake this summer before the fall and winter season came on. So we have advanced from the general fund, \$425,000 which will be paid back by the road bond receipts fund when the bond is underwritten and we receive those proceeds.

Approval of the final budget is a required step in order to submit the budget to the State Department of Finance and Administration. The deadline for that submission is this Friday the 29th of July. If the Board wishes to make changes to the budget of course there is the resolution process by which that can be done and in fact we have two other resolutions on this list here that will make a change to that budget. So we're asking you to approve the fiscal year 2005/2006 budget for this coming year so that we can submit it to the state.

CHAIRMAN ANAYA: Any questions?

COMMISSIONER MONTROYA: Move for approval.

CHAIRMAN ANAYA: There's a motion. Is there a second?

COMMISSIONER VIGIL: Second.

CHAIRMAN ANAYA: And a second. Any more discussion?

The motion to approve Resolution 2005-106 passed by unanimous [5-0] voice vote.

SFC CLERK RECORDED 09/21/2005

XII. A. 2. Resolution 2005-105. A Resolution Requesting an Operating Transfer From General Fund (101) / to the General Obligation Bond 2005 Series Fund (330) / Various Roads (CR 94/94A, South Meadows, and CR42) to Budget Prior Fiscal Year 2005 Cash Balance for Expenditure in Fiscal Year 2006 (\$542,396)

MR. GRIFFIN: This is a resolution again dealing with another further advance from the general fund in the amount of \$542,000 for the design of County Road 94/94A projects on South Meadows Road and the completion of County Road 42. Again, this money will be reimbursed to the general fund when that bond is underwritten and we receive those bond funds. That's why I wanted to put number 3 first because it establishes the budget and now this is the first change you're going to make to the budget.

CHAIRMAN ANAYA: Okay. Mr. Chairman, move for approval.

CHAIRMAN ANAYA: There's a motion. Is there a second?

COMMISSIONER CAMPOS: Second.

CHAIRMAN ANAYA: Any discussion?

The motion to approve Resolution 2005-105 passed by unanimous [5-0] voice vote.

XII. A. 1. Resolution No. 2005-106. A Resolution Requesting Authorization to Reimburse County for Funds it Intends to Advance for Capital Expenditures Related to the Construction of Roads Located within the County

MR. GRIFFIN: This is simply the authorization to make that refund back from the road project bond fund, back to the general fund when those funds become available. So it's kind of tied to the last two resolutions that you passed.

COMMISSIONER SULLIVAN: Move for approval.

COMMISSIONER VIGIL: Second.

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

The motion to approve Resolution 2005-106 passed by unanimous [5-0] voice vote.

CHAIRMAN ANAYA: Are we done with you, Paul?

MR. GRIFFIN: You're done with me.

XII. A. 4. Acceptance and Approval of Financial Report Conducting Analysis of Collections and Payments of Lodger's Tax by the Payees of the Tax in Santa Fe County

TERESA MARTINEZ (Finance Department): Mr. Chairman, Commissioners, this is an annual requirement by both state statute and ordinance that we review the lodging facilities. We have a total of 25 facilities and we reviewed 20. We are requesting Board approval of this report so we can go now and refund the money to those that overpay and collect the money from the facilities that underpaid.

CHAIRMAN ANAYA: Any questions of Teresa?

COMMISSIONER VIGIL: Move to approve.

CHAIRMAN ANAYA: There's a motion.

COMMISSIONER CAMPOS: And a second.

CHAIRMAN ANAYA: Any discussion?

The motion to approve the Lodgers Tax report passed by unanimous [5-0] voice vote.

XII. A. 5. Request Authorization to Accept and Award a Professional Services Agreement to the ~~Lowest Responsive Bidder~~ Highest Responsive Offeror for RFP # 25-61-FI for the Financial Advisor

RANDY HERRERA (Procurement Director): Mr. Chairman, members of the Board, I stand for questions.

CHAIRMAN ANAYA: Any questions of Randy?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: The heading says to award to the lowest responsive bidder and the packet material says to the highest rated offeror. Were these bids or were these non-bid procurements?

MR. HERRERA: Mr. Chairman, Commissioner Sullivan, this was an RFP and I guess I should have started by qualifying the request to highest rated offeror, not lowest responsive bidder.

COMMISSIONER SULLIVAN: Okay, so the staff is recommending RBC Dain Rauscher as being the highest rated offeror. They weren't necessarily the low bidder. Is that correct?

MR. HERRERA: Mr. Chairman, Commissioner Sullivan, that's right.

COMMISSIONER SULLIVAN: But in your judgment their bid, although not the lowest was outweighed by their qualifications.

MR. HERRERA: Mr. Chairman, Commissioner Sullivan, that's right. The

qualifications base plus their experience.

COMMISSIONER SULLIVAN: Thank you.

CHAIRMAN ANAYA: Any other questions?

COMMISSIONER MONTOYA: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Chairman, who were the other bidders?

MR. HERRERA: Mr. Chairman, Commissioner Montoya, we had Cabrera Capital Markets, Kaious Company, First Southwest Company, RBC Dain, and GK Bob.

COMMISSIONER MONTOYA: Okay. Thank you.

COMMISSIONER VIGIL: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: It was left blank, the compensation was left blank.

Do you want to explain that?

MR. HERRERA: Mr. Chairman, Commissioner Vigil, it was left blank after the fact that we had done the negotiations with RBC Dain. There was several I guess compensations that were involved, depending on what type of bonds we sell.

COMMISSIONER VIGIL: Okay. And do they receive a certain percentage of that or why can't we at least know what price range we're in?

MR. HERRERA: Mr. Chairman, Commissioner Vigil, it's noted in the contract because there are several different bonds that sell GOB bonds. New issues, old issues, it depends on what type of sale we do, depending.

COMMISSIONER VIGIL: So the financial advisor receives a certain percentage? Am I accurate in that? Or do we know?

MR. HERRERA: Mr. Chairman, Commissioner Vigil, I don't know the answer to that.

COMMISSIONER VIGIL: Okay.

MR. ROSS: Mr. Chairman, Commissioner Vigil, I have looked at the contract itself. I don't have the numbers in front of me but it seems to me there was an hourly rate presumptively applied to all the work but that if the bond was of a certain amount the compensation would be limited for that size of an issue. So a larger issue, the ceiling on the fees was higher, for the smaller issue the ceiling on the fees was lower. But it was based on an hourly rate.

COMMISSIONER VIGIL: Okay. I'm just concerned, and if you could communicate this to Susan that we're not issuing a blank check here, that in fact what the awarded entity gets is what they bid for and that we don't go above that or have to amend it later. Perhaps we might. I don't know. Just not knowing what that compensation is I'm a little nervous.

MR. HERRERA: Mr. Chairman, Commissioner Vigil, yes, there is a cap based on what they can make.

COMMISSIONER VIGIL: Okay. And what is that cap?

MR. HERRERA: It depends on what we sell the bond for. It depends, in the

millions of dollars – the cap is \$35,000. That’s what they’ll make.

COMMISSIONER VIGIL: Okay. Do we want to hold ourselves to that number in public? Not knowing –

MR. ROSS: Mr. Chairman, Commissioner Vigil, there is no do-not-exceed cap, overall cap on the contract that I recall. The caps are based on the size of the issue. Like Randy was just saying. But I believe this gentleman may have a copy of the contract. I’m sorry I don’t have one in front of me either. Okay, here’s the fee run-down. Like I said, there’s an hourly rate imposed on all the work and for the managing director and principal, that fee is \$175 an hour, and for the work of any associates or financial analysts, the fee would be \$125 an hour.

Now for an issue up to \$7.5 million, those hourly fees would accrue but they’d be capped at \$16,000 for an issue up to \$7.5 million. Up to \$15 million, the cap would be \$19,000 for the professional fees, up to \$22 million from there, the fee would be capped at \$22,000. And then above that it’s one dollar per thousand, not to exceed \$35,000 for the issue. I don’t believe there’s a do-not-exceed clause so this contract will go on for many years without needing to be amended.

COMMISSIONER VIGIL: Would you restate that please. The contract could go on for many years – what?

MR. ROSS: Without needing to be amended. I think that’s what you were alluding to a minute ago. If the caps were set too low we’d have to come back and ask for an amendment to the contract if there were do-not-exceed clauses.

COMMISSIONER VIGIL: But there is a termination date on the contract?

MR. ROSS: Let’s see what the term is. It’s either four or eight years.

MR. HERRERA: Mr. Chairman, Commissioner Vigil, it’s a one-year contract.

MR. ROSS: Oh, it’s a one-year contract, with a possibility of up to four years through an option process.

CHAIRMAN ANAYA: Any other questions?

The motion to award the financial advisor contract to RBC Dain Rauscher passed by unanimous [5-0] voice vote.

COMMISSIONER MONTROYA: Mr. Chairman, I just want to say real quickly that having dealt with Dain Rauscher in the past for the Pojoaque Valley School Board they did an excellent job for us there and built some really nice facilities and I’m looking forward to them doing the same thing for Santa Fe County.

CHAIRMAN ANAYA: Good. Thank you, Commissioner.

XII. B. Land Use Department

1. Discussion Regarding Planning Activities and Sequence for the Santa Fe Area Metro Area Highway Corridor and Redevelopment District

MR. KOLKMEYER: Thank you, Mr. Chairman. Good afternoon. Good afternoon, Commissioners. In your packet you have a memorandum from us regarding this brief discussion that we're going to have with you this afternoon. We're going to do a short power point to kind of include some maps and some discussion items in a very succinct manner and that is what was just given to you and also a couple of really nice maps now to lay out the geography of this area.

Before I start on that though I'd like to take a second to introduce our latest planner in our department in case you haven't met her. Her name is Melissa Antol. She comes to us from Tucson, Arizona and has been with us a couple of months now and this actually will be the primary project that she'll be working on. She's done a really fantastic job already of pulling some very complex issues together so we're real happy to have her with us. She's a little gunshy yet so she just wants to click here this afternoon. But we're happy to have her.

The Land Use Department has received a variety of inquiries from both the County Commission and property owners living in the southwest portion of the county about the status of the Santa Fe Metro Area Highway Corridor Ordinance and the Redevelopment District plan and ordinance. It's our hope that the information provided to you today and some of the maps that we're giving to you will be able to update you on the status and the timing of the planning process for the highway corridor.

Back in July, two years ago in July of 2003, we came before the Board to actually change the boundaries of what then was called the Airport Development District and it changed a little bit of the boundaries of the redevelopment district and the highway corridor and we think created a little bit of a confusion a couple years ago back at that time and also during that two-year period we've been working on an economic development study for this area with Southwest Planning and Marketing and of course as some of you know, the Regional Planning Authority plan was drafted and included lots of information about these areas as future growth areas.

So it's somewhat of a complex situation but we think that where we have it right now we're really simplified and distilled it for you so we're going to take just a few moments to go through this and then answer questions. There'll be no real formal action needed from you today but we do think as we start to proceed on the detailed planning activities, and we're not going to talk about the plans themselves today, just the pieces of the planning areas and the process that we're going through, but we think it will clarify a lot of things for all of us and it will be also referring to these things and talking about them in the same way.

COMMISSIONER SULLIVAN: Could I ask Jack one quick question, before you get started since you have this nice map here right in front. You mentioned in your memo that the Commission nor the City has adopted the Highway Corridor Ordinance. But the EZA

has adopted it. Is that correct?

MR. KOLKMEYER: Yes, Commissioner. That's correct.

COMMISSIONER SULLIVAN: Could you explain on this map – the highway corridor is in blue, correct?

MR. KOLKMEYER: Correct.

COMMISSIONER SULLIVAN: So the portion of the Highway Corridor Ordinance that have been adopted, correct me if I'm wrong, inside the inner ring?

MR. KOLKMEYER: Well, with one exception. We're going to go through all this. I'm going to go all through this. But the answer to your question –

COMMISSIONER SULLIVAN: It's a burning question. I can't wait for the answer.

MR. KOLKMEYER: Sure. Okay. If you follow the little red dot up there, it's the two-mile – you're correct there. It's all that blue in there and then up there, all this blue, with the exception that it has not been adopted in the city limits. So there's the city limit line right there. So that has not been adopted by ordinance, nor has our part out here, but everything else in the blue there has been adopted by ordinance.

COMMISSIONER SULLIVAN: A funny looking thing, it looks like a distended apple.

MR. KOLKMEYER: It's been called other things too.

COMMISSIONER SULLIVAN: And so it hasn't been adopted in the outside area or as you said in the city.

MR. KOLKMEYER: That's correct.

COMMISSIONER SULLIVAN: Is there a reason for that or just something we haven't gotten around to doing?

MR. KOLKMEYER: From our part or the City's part?

COMMISSIONER SULLIVAN: From our part.

MR. KOLKMEYER: From our part, as you may recall, the creation of the whole highway corridor district goes back quite a few years, before most of you actually were on the Commission. After we adopted the plan, what the directive was to us, it was to go to do a study for the redevelopment district which is what we've been working on. But concurrent with that it was also decided that it would probably be a good thing to get part of it adopted so the first director of the RPA, Steve Burstein took that on as a project of the RPA and had an ordinance done for this and adopted.

It's just kind of taken us a long time to get all the pieces of it sorted out and we went off and did the redevelopment district study as well. So it's just kind of a timing thing.

COMMISSIONER SULLIVAN: Okay. Thanks, Jack. I didn't want to butt into your presentation thing but it's been a burning misunderstanding on my part as to which part is adopted and which part isn't.

MR. KOLKMEYER: Hopefully this will really clarify it for you because we have some other really good maps in here too and as we go through we'll break it down for you and break it out for you.

Now, just to go back, for just a little bit so everybody understands, for those of you who aren't well schooled in the complexity of all this, I'll just run through a couple of really quick things for you. The Highway Corridor Ordinance was adopted by the EZ as Commissioner Sullivan just pointed out back in July of 2000 and it provided for land use, zoning and development standards for the highway corridor up to the two-mile outside of the city limits. And we just went through that. The intention - again, it's real important to kind of grasp and understand and remember the intention of the Highway Corridor Plan so we don't get things confused about some of their standards and concepts of the Highway Corridor Plan and zoning, but the intention of the Highway Corridor Plan was to protect the gateways in and out of the city and the county, not just the city but the gateways into the county as well. To protect viewsheds, scenic vistas, minimize visual distractions, address safety concerns and at intersections in particular and importantly, to locate commercial development so that it complements the area and is integrated into community planning districts.

This was also - another important intention was that the redevelopment district was created as part of the Highway Corridor Plan and is a part of the Highway Corridor Plan and the intent of this also identified the redevelopment district as an area in need of planning. Now, again, this is really technically the highway corridor. It's the area in blue, 599 and I-25, and also the redevelopment district. And that's the pink piece. So we have now, we have the EZ portion, the city portion, we have our portion of the highway corridor and we have the redevelopment district piece in there.

So our present situation, where we're at right now, is that the community district plans integrate Highway Corridor Planning principles, areas that are not part of our community or district planning area are unregulated by community plans but are regulated by the County Code, and there's now coming to be a lot of developer interest along this corridor so we believe that at this point it's very timely for us to move forward with the adoption of the Highway Corridor Ordinance and then the redevelopment district.

Now, Commissioner Sullivan, I think this is real important regarding the question that you asked also. This blue now is what we have not adopted by ordinance in the County. I think maybe that's - is that where you were going with your question so you can see that? It's not a lot but as you see it's really critical especially because our gateway piece up Cerrillos Road and then the area along I-25 south to Cerrillos. But this is the only piece of the Highway Corridor Plan that we yet need to adopt. And again a reminder of what the Highway Corridor Ordinance will contain will be standards for architectural design, scale, massing, height limitations and setbacks.

Then the next piece - so there's two pieces, just so we all understand, of the proposed sequence that we're going to lay out and work on between now and probably the end of the fall and that will be the adoption of the Highway Corridor Ordinance, and then we're going to come forward after we do that with the redevelopment district plan and that will be followed by an ordinance for that area as well. And I believe, again, just to reiterate that this is the corridor piece and then the other piece that we want to move forward with is the redevelopment district. We're not going to go into the plan. We've pretty much finished this plan, actually, but we

wanted to just make sure that the sequence of how we're going to work all these things out is clear.

This is the redevelopment district. Okay, so this is Airport Road and County Road 56, and then this is 599. As some of you may recall, we actually had a much larger piece that we did planning for which two years ago we called the Airport Development District. It also includes a piece further to the west that we've now named the Calabazas District. We'll deal with the Calabazas District only after we deal with the highway corridor and the redevelopment district. So we'll do the Highway Corridor Ordinance first and then we'll come back with a plan for this area.

As the County Growth Management Plan and the RPA plan and the City's general plan, we've all agreed that this is a growth area of some kind. We think it's really important, particularly with what's happening now with the City and its desire to annex more properties along Airport Road in this area that we feel it's really incumbent upon us since this is in the county to take some initiative for planning and coming up with a plan for this area as long as it's in the county. So there will be two pieces to it. There will be the gateway piece that is actually at the intersection of 599 and Airport Road and then the area along the river which we call the Santa Fe River Corridor.

In support for prioritizing planning in the redevelopment district, before we do anything else, after we've done the Highway Corridor Plan, there's a number of really important reasons for this now. Again, even though it seems like sometimes these things take a long time this has kind of fallen into place at kind of the right moment, given the water discussion, annexation, the Regional Planning Authority's growth plan and the County's Growth Management Plan. We have new information that adds value to this area for benefits of community planning, particularly now in the planning that we've done for the La Cienega neighborhood area which is right adjacent to this and also from a lot of the experience and cases that have moved forward now in the Community College District, which as you know is really kind of a unique way for us to have started to do planning and zoning in the County and it hasn't been easy but we're learning now that a really good way to take on some of the problems that we're faced with is in larger district type geographies so that we can get our hands around some of the important issues that were faced.

The growth projections, no matter who does them or where they come from, are all really pointing a finger at this area as a significant growth area. And we know that we have infrastructure issues, particularly with road, sewer and water, but we also know that the pressure is starting to come to bear on this area, the redevelopment district area in particular. So we feel again, that it's timely for us to have some notion of what we'd like to see happen there and how we'd like to see it evolve. Again, the redevelopment district coming after the highway corridor.

The economic development opportunities for us in this area are really significant and we're starting to see for example a lot of the things that are occurring along Airport Road and a lot of the entrepreneurial energy that's being expended in that part of our community, a lot of it's coming from the immigrant population that's moving into our community and has over the

last five or ten years. We see an incredible opportunity for us in the county, and the city also, to begin to look at these areas as economic development opportunities for some of those aspects of our population as well.

It's also a logical location for extension of infrastructure and for phasing of development. The wastewater treatment plant is right there. Both the City's and the County's water systems either are there or plan to be in this neighborhood in the not too distant future. So in terms of we don't have all the answers to exactly who gets what in terms of infrastructure right now but the actual infrastructure is there and is available to us to integrate into our planning activities as we move forward.

And finally, the really important aspect of this area is the Santa Fe River. We're starting to work on it in parts of town. Now the community of Agua Fria has taken a real active involvement in the role of the Santa Fe River as we see mining activity start to move out of the redevelopment district we again view that as an opportunity to go into those areas and perhaps reuse them and redevelop them in some very significant ways for the County.

So the recommendation – it's not so much of a recommendation; it's more or less the logical next steps that we would like to move forward with and I guess what we would like today from the Commission is just simply an opportunity to discuss some of this with you, not again in the details of the plan but in the procedure and the process. What we're suggesting, what we as your planners see as the best way to move forward here is that we would like to publish title and general summary for the Santa Fe Metro Area Highway Corridor Ordinance next month and get on with that. And pull it together for you and bring it back and start initiating public hearings on that final piece of the highway corridor in August and September.

And then the redevelopment district plan we'd like to bring forward to you sometime in early or mid-fall. So this is going to be a lot and some times we kind of let a few years go by before we get on with them but this is a lot. It would essentially be a plan and two ordinances that will come down the pike so we just wanted to prepare that for you. We think probably it wouldn't be a bad idea if sometime after we come forward with the authorization to publish title and general summary that maybe we had a study session together or an opportunity to spend some time in one of the administrative BCC meetings and go over the draft of the plan and ordinance in some detail with you.

That's our presentation and we'd be happy to answer any questions for you at this point.

CHAIRMAN ANAYA: Thank you, Jack. I'd like to recognize Judge Michael Vigil in the audience. Mike, thank you for being here. Any questions of Jack? Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Kolkmeier, what is the City doing for its part of the corridor within the city limits?

MR. KOLKMEYER: That's a really good question, Commissioner Campos. We haven't really heard. Actually, the City is taking forward a resolution to adopt by resolution the Highway Corridor Ordinance in both the city and the county. They took that forward last week at the Planning Policy Commission. I thought that was rather strange that they would be doing planning for the County but we haven't heard anything more about that, and it's my

understanding that as far as I know they have no intention of adopting the Highway Corridor Ordinance in that northwest quadrant portion of the city either. I haven't heard anything that they are taking that forward. They also, as we all know, have put forth a fairly aggressive concept for annexation that would include all of these areas if they went that tack.

COMMISSIONER CAMPOS: Would it be possible to ask them directly what their plans are?

MR. KOLKMEYER: Do you want to do that or do you want me to do that?

COMMISSIONER CAMPOS: I'd like you to do that.

MR. KOLKMEYER: We could ask them the question. Well, the answer to your question is yes. It would be possible to do that. It also would seem that again, this is a logical question to ask and logical information to get from the Regional Planning Authority, because this is supposedly the work that we were supposed to have done together. And I believe that Commissioner Montoya, you weren't there at the last meeting but I think they made you the chairman of the RPA.

COMMISSIONER MONTROYA: That's why they did that.

MR. KOLKMEYER: That happens. And that might be a good thing to put on the agenda again and just put it out before the County and City elected officials. We need an answer to that. Your question is really a good one. We need an answer to that and that might be the venue to do it in.

COMMISSIONER CAMPOS: The second question is the redevelopment plan. The City does too, near the Airport. Do you know what the status is of the City's efforts near the airport? Don't they have a redevelopment plan in that area?

MR. KOLKMEYER: They are proposing a business park that is just to the southeast of the existing airport property right now. And we've had several discussions with them about that. In fact it's a fairly good plan, and we think that there would be some opportunities for us to work together on that, but again, how we do that, the mechanism for working on that isn't really clear and that again, probably would be - if the Regional Planning Authority and the City and the County, all three of us agree that that is a primary growth area that would seem like a good thing to discuss, how we might be doing some joint planning there.

COMMISSIONER CAMPOS: What would the jurisdiction be of the City to plan outside of the city in the county.

MR. KOLKMEYER: They would have no jurisdiction.

COMMISSIONER CAMPOS: They have no jurisdiction. They're just doing the planning because they intend to do what?

MR. KOLKMEYER: It's not entirely clear but from the agenda of the Planning Policy Commission meeting the other night they had that as an item on there and then updating the City's general plan, and then a discussion on annexation. And it may be that their intention is to offer some standards that they think are appropriate for this area, work them into their general plan and then move forward with some annexation strategy. But again, I don't know the direct answer to that question.

COMMISSIONER CAMPOS: Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Any other questions? Thank you, Jack. Thank you, Melissa and welcome to Santa Fe County.

MR. KOLKMEYER: Thank you, Commissioners.

XII. C. Project and Facilities Management Department

1. Approval of Amendment No. 2 to a Memorandum of Agreement Between the County of Santa Fe and the City of Santa Fe for the Joint Regional Trails and Open Space Santa Fe River Trail Project to Facilitate Santa Fe County's Purchase for Property Along the Santa Fe River (Projects & Facilities Management Department)

PAUL OLAFSON (Open Space and Trails Director): Mr. Chairman, Commissioners, this item before you is amending an MOA with the City. We previously approved an MOA for \$222,500 to do a joint river corridor project. Subsequently, we've had the opportunity, the County has, to purchase approximately 11 acres along the river. We have worked with the City and agreed that we would take the funding out of this \$222,000 and we need to amend the MOA to do that accounting, to back out the cost of this land. So we're amending the agreement, taking out \$50,000 that will go to the County to purchase this land. And I'd stand for any questions.

CHAIRMAN ANAYA: Any questions?

COMMISSIONER MONTOYA: Mr. Chairman, \$50,000 more than the original amount? Is that correct?

MR. OLAFSON: No, right now the City is acting as the fiscal agent. So the agreement says that we will reimburse them up to \$222,000. So we're reducing that amount to approximately \$172,000 to allow the County then to take those shared funds and put them into the purchase for us. So it's a transaction in our benefit.

CHAIRMAN ANAYA: Any other questions?

COMMISSIONER VIGIL: Move to approve.

COMMISSIONER MONTOYA: Second.

CHAIRMAN ANAYA: There's a motion and a second. Any more discussion?

The motion to approve an amendment on the river corridor passed by unanimous [5-0] voice vote.

XII. C. 2. Recommendation to the Board of County Commissioners from the County Open Land and Trails Planning and Advisory Committee (COLTPAC) Regarding Acceptance of a Donation of Trail Easements, Acceptance of a Donation of a 51-Acre Parcel, and Purchase of a 109-Acre Parcel for the Little Tesuque Creek Project (\$300,000)

MR. OLAFSON: Thank you, Mr. Chairman. This project was originally approved in 2003 and we have subsequently been working on it in working for the Trust for Public Land in trying to arrange the purchase and donation of several parcels in this area. The original project included three parcels and trail connections from the Dale Ball trails north along Hyde Park Road or adjacent to Hyde Park Road up to the Little Tesuque Creek. Subsequently, one of the landowners that we've been negotiating with has not been able to make a determination as to how they can move forward, so we are coming forward with the two parcels that we do have as well as the trail easements we've been able to secure at this time and then intend to continue on the final land piece.

And I have a big map here I can kind of point it out right here on paper. It maybe will help show some context, because I included a map in your packets that may not have shown the entire connections. These are the parcels we're speaking of. Up here, this is a parcel owned by Lend Lease. It's also referred to as Bishop's Lodge. This is the 109-acre Thomas/Nydes piece, and this is a 50-acre piece owned by Brutsche.

CHAIRMAN ANAYA: Show us where Ten Thousand Waves is.

MR. OLAFSON: Ten Thousand Waves is approximately right here. And the end of the Dale Ball trails in the city is right here. So all these gray lines are the Dale Ball trails. We're proposing in three different easements to connect the Dale Ball trails up to Little Tesuque Creek and then eventually connect this piece up near the national forest. And there's also talk with the national forest about connecting from the Chamisa Trailhead westerly into this project area as well.

So what had happened originally, also, just a background, this parcel was for sale, this parcel was donated and we contemplated that this parcel would also be donated. As the project has evolved, this parcel will still be donated. This parcel will be purchased at fee, but at a substantially reduced price, and we'll continue to work on trail connections with this property owner. And we do have the trail connections here for pedestrian trails from the end of the Dale Ball trail into the project area.

CHAIRMAN ANAYA: Any questions? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Paul, refresh my memory. I thought that those three parcels being donated was a condition of a subdivision approval that we did earlier. Was it not?

MR. OLAFSON: Mr. Chairman, Commissioner Sullivan, that is correct but this portion, the red circled area, that was part of Bishop's Lodge. What they did is they transferred their development rights from this area into their development here. So that was not

a donation for subdivision approval. This parcel with Brutsche was part of his, I think it's called Tesuque View or Summit III, I can't remember the exact name. It's one of the Summit approvals up here. And he agreed to donate this parcel as well as \$600,000 towards the purchase of this parcel, and that has been completed.

So what we're asking for today is that the County accept donation of this parcel from TPL, because Brutsche already gave it to TPL and TPL gave it to us, as well as \$300,000 to complete this transaction. This property was appraised at approximately \$1.1 million and the property owners reduced the price to \$900,000. Brutsche put in \$600,000 and then the County is being asked for the remaining \$300,000 to complete the purchase.

COMMISSIONER SULLIVAN: But I thought there were three parcels involved in that.

MR. OLAFSON: The three parcels are the 50-acre Brutsche, the 109-acre Thomas/Nydes and then the Bishop's Lodge, but the Bishop's Lodge is not able to bring that to the table right now, so that's the third parcel.

COMMISSIONER SULLIVAN: That's my question. Wasn't that a condition of the approval that we gave? We were told that all three of those would be available and that Brutsche would be the last piece in the puzzle, so to speak, to give us a complete piece there.

MR. OLAFSON: Mr. Chairman, Commissioner Sullivan, I can't speak to that as part of a subdivision development. My knowledge only extends to what I've been working on as open space.

COMMISSIONER SULLIVAN: So the Bishop's Lodge transfers its development rights from there to Bishop's Lodge.

MR. OLAFSON: To this area here.

COMMISSIONER SULLIVAN: Oh. To there. Leaving the pink area without any development potential.

MR. OLAFSON: Correct. But still under ownership of the corporation.

COMMISSIONER SULLIVAN: And we don't have anything that they were ever going to donate that to the County's open space program.

MR. OLAFSON: Mr. Chairman, Commissioner, not that I'm aware of.

COMMISSIONER SULLIVAN: I understand it's not specific to your trails problem but I would certainly ask the staff to research that. Something doesn't smell right here because I remember voting on that and there was a part of the entire package was we were piecing together this entire assemblage with this final approval. I'm not sure who was guaranteeing what but it sure was painted in a very pretty picture and now it looks like Lend Lease LLC with the 212 acres is backing out, or is not going forward. Let's put it that way.

MR. OLAFSON: And Mr. Chairman, Commissioner Sullivan, again, I'm not aware of that as being part of a land use case. I do know that development rights were transferred off and the presentation that when we originally brought this project forward, that's maybe what you're referring to, it was presented that Lend Lease would then donate that to the County but I don't know that that agreement to donation was ever tied to a previous land use case.

COMMISSIONER SULLIVAN: I see. Okay, we'll ask Land Use to take a look at that. Roman, if you could, in your spare time.

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

COMMISSIONER MONTOYA: Mr. Chairman, move for approval.

CHAIRMAN ANAYA: There's a motion.

COMMISSIONER CAMPOS: Second.

CHAIRMAN ANAYA: And a second. Any more discussion?

The motion to approve the purchase of land for the Little Tesuque Creek project passed by unanimous [5-0] voice vote.

XII. D. Public Works Department

- 1. Resolution 2005-107. A Resolution Amending the Time Expiration Date of Resolution No. 2004-84 "A Resolution Adopting a Traffic Calming Policy for Residential and Local County Roads"**

MR. LUJAN: Mr. Chairman, members of the Commission, on July 27, 2004, the County Commission adopted the resolution 2004-84 adopting traffic calming policies for residential and local County roads. This calming policy also included an expiration date of July 26, 2005, which is today, and we are asking for an amendment to that resolution to extend it for five years.

CHAIRMAN ANAYA: Is there a motion?

COMMISSIONER MONTOYA: Move for approval?

CHAIRMAN ANAYA: Second?

COMMISSIONER VIGIL: Second.

CHAIRMAN ANAYA: There's a second. Any more discussion?

The motion to approve Resolution 2005-107 passed by unanimous [5-0] voice vote.

XII. F. Water Resources Department

- 1. Request Approval of a Water Service Agreement with Robert Pearson**

DR. WUST: Mr. Chairman, the Pearson property at 599 and the interstate is a commercial development that received master plan approval and a condition of that master plan approval was that they hook up to the County Utility. At the time of the original approval, the utility was not able to provide service. Subsequently, the developer has come before the

Commission to ask for an extension on that master plan which has been granted and therefore has created the impetus to develop a water service agreement so that we can provide the water utility service that is a requirement of the master plan approval and that water service agreement is what is in front of you today.

There's also, Doug Sayre's here, our department engineer in case there's some question about this or services that are there. And Scott Hoeft is here, who represents Mr. Pearson in case some questions come up. Mr. Pearson was going to be here but I don't know him so I'm not sure if he's here right at the moment and Land Use has a representative in case you have some questions on the development plan approval. I'll note that there's one change that we found this morning, an incorrect word in two places. It's on page 3 under Part III, Agreement to transfer water rights, A. 1 and 2, it should say transfer the water rights to the County and to a location designated by the County, not or. That's also true in number 2 there right below it. And we'll certainly make that change.

COMMISSIONER MONTOYA: Say that again, Steve.

DR. WUST: In Part III. A.1 and 2, on page 3, it says, the end of the sentence says transfer of the water rights to the County or to a location designated by the County, that should be and. Both in 1 and 2, it should say to the County and to a location designated by the County. And we'll make those changes prior to the final draft for signature and any other that the Commission deems that they'd like us to make.

COMMISSIONER MONTOYA: So not or but and.

DR. WUST: That is correct.

CHAIRMAN ANAYA: Okay. Any questions? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Steve, is this for the entire development or for the first phase of the development?

DR. WUST: Well, it's only three acre-feet and it's a commercial development so it's for the entire Pearson development.

COMMISSIONER SULLIVAN: I wonder how this fits into our strategy all along which has been to use this temporary water to alleviate our affordable housing problem and to, as we have in the past, allocate at lease on a phase basis, temporary water for affordable housing.

DR. WUST: Mr. Chairman, Commissioner Sullivan, there's a couple issues in play here. One is that, and the first is one that I've been working with the County Manager's office to try to develop some policy. We've been concentrating on affordable housing and we needed to look at a parallel policy for commercial development. This is a commercial development and we haven't been pursuing that very aggressively; we're still trying to formulate that. So this falls out of the realm of affordable housing because it's a commercial development.

The other thing is that because this was a condition imposed on this development by the Commission in terms of their master plan, that is that they hook up to the County utility, they came to us and said, this is a condition. We'd like to get a water service agreement. So we've been pursuing that because it is a condition on their master plan approval.

COMMISSIONER SULLIVAN: Does this set a precedent that any commercial development can come in now and request water from that 375 acre-foot temporary allocation?

DR. WUST: Mr. Chairman, Commissioner Sullivan, we've already had other commercial developers request approval but we've been working on developing this policy so it's not a given that we'll just do a water service agreement with any commercial development. As I said, this one had a dual purpose because it's a condition on their plan approval as well as them being - so we couldn't really fall back on the affordable housing part because they are a commercial development, but they have this condition on their master plan approval that they need a water service agreement, so that's why we pursued this particular one.

COMMISSIONER SULLIVAN: Are there others that have this condition also?

DR. WUST: Commissioner Sullivan, I'm not aware. There may be, but I haven't been researching that so I'm not sure that they're there. Pearson came to us because they had requested an extension on their master plan because of the condition. This happened a few months ago. So that's why this one is on the front burner at the moment.

COMMISSIONER SULLIVAN: Roman, do you recall, are there others? Because I think on this particular development this was before my time so I don't know if there were others before my time that had this condition.

MR. ABEYTA: Mr. Chairman, Commissioner Sullivan, the Komis development may have this condition. I remember dealing with something similar when I was in Land Use but we haven't heard from Komis or his representative over the last six months to a year. They may have one.

COMMISSIONER SULLIVAN: And that was a larger development, wasn't it?

MR. ABEYTA: Yes.

COMMISSIONER SULLIVAN: In terms of water budget, do you remember what that was?

MR. ABEYTA: I don't, but it was a much larger development and a much larger water budget.

COMMISSIONER SULLIVAN: So we may be committing to potentially yet some other allocation out of this 375.

MR. ABEYTA: We may be. We'd have to look into that. I don't know.

DR. WUST: Mr. Chairman, Commissioner Sullivan, Doug Sayre just told me that he believes Komis is a residential development. So that's one way the affordable housing policy that's being considered probably would come into play. It's not a commercial development.

COMMISSIONER SULLIVAN: Thank you, Mr. Chairman.

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

COMMISSIONER VIGIL: Mr. Chairman, I have a question for legal before we entertain a motion. Steve, the Commission required the hook-up. How binding are we to make this water agreement allocation based on that recommendation?

MR. ROSS: Mr. Chairman, Commissioner Vigil, I'm not 100 percent sure I understand your question. What we did with this particular party is condition master plan

approval on hooking up to the County utility. And to that extent he can't move forward unless he's able to get a water service agreement from us, where he normally might have the choice between going on the County water and using a well, for example, to supply the development.

COMMISSIONER VIGIL: Thank you, Mr. Chairman.

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

COMMISSIONER MONTOYA: Mr. Chairman, move for approval?

CHAIRMAN ANAYA: There's a motion. Is there a second? I'll second it for discussion. Any more discussion?

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Campos.

COMMISSIONER CAMPOS: I'd be more inclined to table this until we get some better thinking on it because we may be setting a precedent here. I'm just not comfortable. We haven't developed a full range of policies that we had talked about initially. On the other hand I do understand that the developer is stuck with that condition of master plan.

The motion to approve the Pearson water service agreement failed by 2-3 voice vote with Commissioners Montoya and Anaya voting in favor.

CHAIRMAN ANAYA: What do you want to do?

COMMISSIONER VIGIL: Mr. Chairman, I move to table this item for reconsideration at a future date once we have more information in terms of what the County is actually going to do with the 375 acre-feet allocation. So I would move to table this item for a reconsideration at a future date.

CHAIRMAN ANAYA: Now, staff, didn't Mr. Pearson - has he followed all the conditions and rules the County has given him in the past?

MR. ROSS: Well, Mr. Chairman, there really are no procedures. The procedure for awarding a water service agreement has been largely ad hoc up until this point.

CHAIRMAN ANAYA: Didn't the water system have to be a certain amount of feet away and now it is and now he's asking for water? Isn't that the case?

MR. ROSS: No, it was a condition of master plan approval is my understanding. He's outside the distance that would normally be applied to that particular kind of a condition. I think he's like 800 or 900 feet away from our system. In fact that would be a substantial burden on his were this water service agreement awarded. He would have to put in a substantial amount of pipeline. But he's outside the normal 200 or 300 feet that we require.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner.

COMMISSIONER SULLIVAN: Steve, would it be - you talk about being in the process of developing this policy, would it be reasonable within 60 days for you to have something that we could consider on this? We don't want to table this forever. Obviously, it needs to be dealt with. Is that a reasonable period of time?

DR. WUST: Mr. Chairman, Commissioner Sullivan, I'm not the person to

ask. I'm contributing to the policy but it's being coordinated through the Manager's office. I don't know the time frame.

COMMISSIONER SULLIVAN: Could we set that perhaps as a logical goal? Again, we're dealing simply with the interim question. The County was going to make good on its agreements to provide water once we get water out of the San Juan/Chama project. That was the intention back when the condition was made and the developer agreed to the condition, is my understanding. Again, I wasn't here so I can't specifically state that. So there was no knowledge of any 375 acre-feet when this project was brought forward and when it was passed and when the master plan was approved and when the developer agreed to that.

Now there is this window of opportunity here which of course we're going to have a lot of requests for and that's where we're working on this policy and we've been focusing on the affordable housing but as you indicate, we need to focus on commercial requests as well, and by the way, that's to be included. I'm just saying, is that, or 90 days - maybe I should ask Gerald. Would that be - I'm just a little nervous about tabling something indefinitely.

MR. GONZALEZ: Mr. Chairman, Commissioner Sullivan, one of the issues, obviously is that we're having to make sure that what we're doing here goes in parallel and in conjunction with the what the Commission is considering with respect to affordable housing, because that will have an impact as well on what we create in terms of a prioritization policy. As long as we stay on track with affordable housing, then the 90 days would appear to be reasonable. That's my only caveat is that we need to make sure we finish sorting through the affordable housing piece and then tackle the priority associated with affordable housing in conjunction with the other issues that have been raised about prioritization. There has been some discussion, for example, from the Commission about also how do we look at prioritization in terms of economic development. Is that something we need to consider?

So if we get the affordable housing piece in place, then that allows us to move forward with the next pieces that I think also need to be considered as part of that policy. Assuming we stay on track, 90 days would work. If it doesn't, I'd certainly be happy to come back and let you know that there's a problem there.

COMMISSIONER SULLIVAN: Make a report, or at least with the guidance that there would be a report within 90 days.

MR. GONZALEZ: Yes.

COMMISSIONER SULLIVAN: Commissioner, could that be a part of your tabling motion?

COMMISSIONER VIGIL: Yes.

CHAIRMAN ANAYA: I'd like to let the applicant say a few words. If you could just be brief.

SCOTT HOEFT: Scott Hoeft, Santa Fe Planning Group. I just wanted to iterate a couple of points. I came before this Board to get an extension about two months ago, which you granted, and at that time I asked if you don't allow the extension and we're still hung on this condition, can we be allowed to drill a well. We got the extension with the conditions as the same. We've been waiting since 1998 and the condition states that we have to have the

County hook-up. This is one of the few projects that have that, going back to 1998. We've had two extensions now on our master plan. We cannot even proceed with the preliminary development plan submittal, and now we're being required here, it sounds like to be tabled and extended again another three months, from what I understand, based upon an affordable housing policy and we're a commercial development.

That, combined with the fact that we're requesting three acre-feet, not for a phase but for the entire project. Three acre-feet. The total water budget is 2.52 acre-feet and we're allowing ourselves to transfer 3.15 acre-feet. So it seems like another delay of another three months while this policy works out. It doesn't quite seem just as it's already been extended now on several occasions, just for three acre-feet of water on a commercial development. So I ask you to consider this in your decision.

It's been a long process here for Mr. Pearson as he's been waiting since 1998 just to proceed with the preliminary development plat submittal. Thank you.

CHAIRMAN ANAYA: Thank you, Scott. Does the maker of the tabling want to –

COMMISSIONER VIGIL: I stand by my motion, Mr. Chairman.

CHAIRMAN ANAYA: You're staying with it?

COMMISSIONER VIGIL: Yes, I'm staying with it.

CHAIRMAN ANAYA: There's been a motion to table.

MR. ROSS: Mr. Chairman, as I recall, the motion was defeated so I think before we move to the tabling we're going to have to deal with a motion to reconsider.

COMMISSIONER VIGIL: And that was my statement to reconsider and perhaps table for a future date. The motion is to reconsider this.

CHAIRMAN ANAYA: To reconsider.

COMMISSIONER VIGIL: To reconsider it at a future date, so tabling it for reconsideration at a future date.

MR. ROSS: Mr. Chairman, I think we need a motion to reconsider the defeat of the proposed contract. Then, at that point, we'll have a clean slate where we can entertain a motion to table at that point.

CHAIRMAN ANAYA: Is there a motion to reconsider?

COMMISSIONER VIGIL: Mr. Chairman, I'll restate my motion. I move to reconsider the original motion.

COMMISSIONER CAMPOS: Second.

The motion to reconsider the water service agreement passed by unanimous [5-0] voice vote.

CHAIRMAN ANAYA: Okay, what's the pleasure of the Board?

COMMISSIONER CAMPOS: Is there a motion to table for 90 days?

COMMISSIONER VIGIL: Motion.

COMMISSIONER CAMPOS: I'll second that.

The motion to table the water service agreement for 90 days passed by majority 3-2 voice vote with Commissioners Anaya and Montoya voting no.

CHAIRMAN ANAYA: It's tabled for another date.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN ANAYA: Yes.

COMMISSIONER CAMPOS: Would it be possible to move to G. 2 since we have three district judges here, I assume to talk to the 1/16 GRT tax.

CHAIRMAN ANAYA: Okay. We can do that. Thank you, Commissioner.

XII. G. 2. Consideration of Ordinance 2005-7. An Ordinance Adopting a County Gross Receipts Tax (1/16 % Increment of the County Gross Receipts Tax)

MR. GONZALEZ: Thank you, Mr. Chairman, members of the Commission. I know we have several distinguished district judges here who may also want to address the Commission, but just as a quick update, this is on the agenda because at the last Commission meeting, the Commission asked that we bring the ordinance forward in order to move forward with the adoption of the 1/16, with the negative referendum, items 2 and 3 are the two items needed to accomplish that.

CHAIRMAN ANAYA: So welcome judges. Thank you for coming. Are 2 and 3 the same thing, or do we have to go 2 and 3?

MR. ROSS: Mr. Chairman, they go together, but item 2 requires a public hearing. So they could be all taken together. I would suggest you take 2 first and then 3.

Mr. Chairman, as you recall, in the administrative meeting in June you instructed staff to publish title and general summary of a proposed ordinance enacting the 1/16 gross receipts tax, which as you recall is a new increment of the gross receipts tax authorized by the legislature I think in 2004. The draft ordinance is in your book. It's a form that's prescribed by the Taxation and Revenue Department. We have published notice of today's public hearing in the *Santa Fe New Mexican* and it's ready for consideration at this time.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: One question, and then Mr. Chairman, I'd like to hear from any or all of our district judges who are here today if they would like. And I support our efforts and we're already into the land acquisition, potential land acquisition phase of this to develop a new district in a secure and functioning district court. Does this 1/16 percent go specifically to that purpose?

MR. GONZALEZ: Mr. Chairman, Commissioner Sullivan, this issue was discussed at the previous Commission meeting as I indicated at that time and the motion I

think that was adopted by the Commission did not dedicate it to a specific purpose. However, my comments at that time indicated that once we move forward with the proposed project the likelihood was that it would assume most if not all of the amount that would be generated by the 1/16.

COMMISSIONER SULLIVAN: And is there a particular reason for not dedicating it to it?

MR. GONZALEZ: As I indicated at the last discussion, Mr. Chairman, Commissioner Sullivan, what it does do is until it's actually been put into the revenue stream in order to support the project that's being contemplated, it also gives the County additional leeway since that is designated for operations as well as capital projects. It does give us some additional leeway to make sure that with respect to the adult facility, for example, that we have the margins that we need to make sure that we're okay there, and any other projects that may develop between now and the time that this moves forward.

COMMISSIONER SULLIVAN: Thank you, Mr. Chairman, and I'd like to hear from any or all of our judges. It's a pleasure to have you here, judges, welcome.

MICHAEL VIGIL: Thank you. I'm Judge Michael Vigil I'm the acting chief judge this week. Judge Hall is not available. We're not really prepared to make a formal presentation. I think you are all well informed as to the need of a new County district courthouse. We are here to answer any questions anyone may have, anyone from the public who may have questions about the courthouse or the need for a new courthouse.

Also present here today is Judge Barbara Vigil from the children's court and family court of the First District. We also have Judge Tim Garcia who is here. He is our Rio Arriba District Judge, stationed up in Tierra Amarilla, Angela Piñeda is here. She is the deputy court administration. Vangie Olivas, our district court clerk. We also have Adrian Herrera, our technology person is here. All of these folks are here to answer any questions you might have about the new courthouse or the need for a new courthouse. We also have Jeremy Garcia, who is our chief of security at the courthouse. He's a deputy, works for the Sheriff's office. He's also present.

So we really stand for any questions you might have about the proposed project and the need for this increase in tax to support it. Also, if you all got my letter in response to your questions about the detention center. I don't know if that was hand-delivered to you all. It should have been. I'm also prepared to answer any questions you might have about that letter and some of the things we're doing to try to reduce detention costs.

CHAIRMAN ANAYA: Thank you. Any questions of the judge?

COMMISSIONER MONTROYA: Mr. Chairman, Judge Vigil, so I take it that you support the increment increase?

JUDGE M. VIGIL: Yes. Yes, the need for a district courthouse - we've been through this process for about ten years now. Every since I came on the bench. The first year I was on the bench, we formed a task force to start looking, but even then, ten years ago we saw what was occurring there. We are growing and we have grown so much in that ten years and then of course there's always the safety issues of that building. It's

really not a safe building for a courthouse.

COMMISSIONER MONTROYA: Thank you, Judge. I really appreciate it and Judge Vigil, you support it too?

BARBARA VIGIL: Mr. Chairman and members of the Commission, yes, absolutely. This is a critical need for the citizens of Santa Fe County and I just wish to remind you that the safety issues at the existing facility are so severe that unless action is taken very quickly there's likely to be a critical situation that may result. Let me give you an example. I do the children's court and the children are kept in a holding cell downstairs so our Sheriff's deputies have to escort children who are in custody - these are in children who are in custody from the juvenile detention facility down on Airport Road. They're transported downtown. They're kept in the holding cell downstairs. They have to be escorted up the stairs to the children's court and in that process they come into contact with people of the public, other family members, jurors. Same thing for our adult criminal defendants who are in custody.

It's not appropriate to have that kind of process in a courthouse. We need secure facilities, and also the impact that it has on society in general for us to see our kids in shackles being escorted up the stairs in a public building in front of everyone. It's humiliating and also a very serious, risky situation.

That's just one of many, many issues. The public needs access to the building. The parking downtown is critical. People cannot get to court. Jurors cannot get to trials on time. The public needs access. They need parking. They need availability of the facility for public use. Safety is critical, space - the building is looking more and more deteriorated as the years pass. We need a facility that represents the citizens of Santa Fe and is functional for the citizens of Santa Fe and in particular for the justice system. I appreciate all of the consideration you've given us over the years and just hope that the citizens of Santa Fe support this gross receipts tax increase. It will be used for a very worthwhile purpose. Thank you.

COMMISSIONER MONTROYA: Thank you, Judge. Judge Garcia, do you also support it?

TIM GARCIA: Mr. Chairman, members of the Commission, staff, yes, I am in support as well of the gross receipts tax. My understanding as well as the rest of us is that this is one of the financial pieces of the puzzle of trying to get the new courthouse eventually in place. I agree with County Manager, Mr. Gonzalez that obviously earmarking it may not be the appropriate thing because clearly there are other County need and until the time the funds need to be implemented towards the courthouse, obviously the County may have other needs for some of these funds in that period. We're not trying to bind the County's hands or asking for that in this increase, to answer Commissioner Sullivan's question about earmarking or designating. And I agree with what the judges have said here.

The County has provided a good facility for us but we have outgrown it for quite a while now and in the changes of technology and in security and courthouses, times have

changed and security needs have changed. And we are in need not only for the additional room in the courthouse. Obviously, I sit mostly up in Rio Arriba but I do hear a number of Santa Fe cases. In fact we're hearing a jury trial right now and I excused the jury so I could come be here.

There are those issues and we don't have the space. There is no space for me to come and hear a trial in Santa Fe right now. I have to work with the other judges to find a courtroom to do that. So clearly that shows one of the needs. And on the security side, I think Judge Barbara was pretty clear, and a better example you might understand is that we don't want defendants and victims and everybody mixed together with the public in a courthouse. It's kind of like in the situation when President Kennedy was shot, obviously the suspect was shot in public, in a public transport area of the courthouse in Dallas, many years ago.

Now we've come forward 40 years, we still have that same environment in our courthouse in Santa Fe. So that's not the ideal environment safety-wise for not only defendants that are being accused but for the public and everyone else. So that's one of the priorities we're trying to help face and correct. And we're all available for any questions, but thank you.

CHAIRMAN ANAYA: Thank you.

COMMISSIONER MONTOYA: Thank you, Judge. Mr. Chairman, Gerald, and I don't know who can answer this question but when the new facility is built, does that stay, in terms of the name, the Steve Herrera Judicial Complex? Does that go along with the building?

MR. GONZALEZ: Mr. Chairman, Commissioner Montoya, I'm not sure how the naming took place in the first place but I'm assuming if it was a Commission action or a judicial action that it would stay the same.

COMMISSIONER MONTOYA: Okay. Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Thank you, Commissioner. Gerald, could you tell me once again how much money this would raise in the first one to three years? And I guess, Commissioner Sullivan asked if this money was going to be earmarked to this complex and the answer was no because we have other things in the County that we might be looking at.

MR. GONZALEZ: Mr. Chairman, Commissioner Anaya, the first full cycle, I believe would generate approximately \$2 to \$3 million, somewhere in that range on an annual basis. Obviously, we won't start with a full cycle because of the time that this will hit. Once the revenues have been dedicated to supporting the creation of a new facility at the County level, then that would probably be done by bonding and I'm assuming that we would dedicate the entire revenue stream at that point to the bond. Until that occurred we would accrue a small amount of - I won't call it surplus but we would accrue a small amount of additional money that I think would enable us to make sure that we bridge the gap as we bring the adult facility on board, because we still don't know what the total costs of that are going to be.

Doing that might also allow us to move forward a little sooner with taking another look at the roughly \$900,000 that was held in reserve and has not gone yet to doing those building blocks yet in the budget because we were holding that to make sure that we had enough to get us through. So if we adopt the 1/16, that would – once we knew that that money was going to be coming into the County, there would be enough then for us to know that we could release the \$900,000, roughly, the \$800,000, whatever that number is, in order to address building blocks sooner, rather than having to wait till January 1st.

Then once we get to doing the bonding for a new facility, that bond would absorb probably the entire revenue stream. So then it goes away. So it's like we get a little bump and then the money goes away in order to construct the facility.

CHAIRMAN ANAYA: Okay. Thank you. Any other comments? Well, I'd like to just throw in my comments and that is I've been to your facility. I know what it's like in there. I know we need a facility. We need a new courtroom very bad. Very bad. But I feel that this Commission and the County has not looked at other ways at getting funding, for example, through the federal government. That's one of the things that the Commission should look at before we pass this 1/16 percent. I just don't feel like we should go to the voters again and ask for more money to increase their taxes. And I've said it over and I'll say it again. I think we need to look at it and I realize – I know. I've been through the building. But I just don't feel that we've done our job in going and looking for other funding.

COMMISSIONER CAMPOS: Mr. Chairman, we do have a public hearing so we have to open it up to anybody who would like to address this Commission.

CHAIRMAN ANAYA: Is there anybody in the audience that would like to come forward and speak? Hearing none, what's the pleasure of the Board?

COMMISSIONER VIGIL: Mr. Chairman, I move to approve.

COMMISSIONER CAMPOS: Second.

CHAIRMAN ANAYA: There's a motion and a second. Any more discussion?

The motion to approve Ordinance 2005-7 passed by majority 4-1 roll call vote with Chairman Anaya voting against.

XII. G. 3. Consideration of Resolution No. 2005-109 A Resolution Adopting the Negative Referendum Option for the 1/16 % Increment of the County's Gross Receipts Tax

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Campos.

COMMISSIONER CAMPOS: If there's no need for discussion, I'd like to move for adoption of the resolution, adopting a negative referendum. I think we've had this

discussion before.

COMMISSIONER MONTROYA: Second.

CHAIRMAN ANAYA: There's a motion and a second. Any more discussion?
Commissioner Sullivan.

COMMISSIONER SULLIVAN: Discussion.

CHAIRMAN ANAYA: I just wanted to make a point here that we've adopted an ordinance to pass this gross receipts tax. We still have two options on how to implement that. We can either go through a negative referendum or through a vote to the public. My concern initially all along has been that we haven't been specific about where the money is going for this 1/16. We seem to be getting more and more specific which I'm glad to see, but we could, Gerald, am I not correct, that we could do one of two things. We could either vote to place this out to a referendum to the public or we could adopt a negative referendum. Is that correct?

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

COMMISSIONER SULLIVAN: So if we wanted the public to have a public discourse about the need for a district court and so forth, we could put it out for a public referendum. If we wanted to save that time, and time is critical, we could undertake the negative referendum procedure which still enables the public to come back and require a referendum if a certain percentage submits a petition. Mr. Ross, could you tell me again what that time period is and what that number is that would have to negatively petition the Board?

MR. ROSS: Mr. Chairman, Commissioner Sullivan, 60 days after the ordinance is recorded, somebody could bring forth a petition containing five percent of I believe the folks who voted for governor in the last election.

COMMISSIONER SULLIVAN: Who voted for governor in the last election?
Which governor? Who voted in the election.

MR. ROSS: Who cast a ballot for the office of the governor.

COMMISSIONER SULLIVAN: All right. So five percent in the last election in Santa Fe County. So I'm guessing - what did we have? 50,000? 40,000 voters?

MR. ROSS: Last time I figured it out I think last year when we were having this same discussion about one of the 1/8 increments, I think I figured it out about over 6,000 voters would have to sign.

COMMISSIONER SULLIVAN: So 6,000 would have to come back negatively, which, that ain't going to happen. I just wanted to clarify that those are the two options.

CHAIRMAN ANAYA: Commissioner Sullivan, I would support the positive referendum if this Board chooses to go that way. I think that if we send it out to the public and let them decide then I think that would be the right way to do it. Any other comments?

COMMISSIONER MONTROYA: Mr. Chairman, I think time is of the essence in terms of what we're looking at and what we've been trying to do for a number of years. Judge Vigil mentioned ten years, Michael. That's been a long time in coming and I think we have been given the alternative by the legislature to implement this tax, which has been

something that other Commissions in the past have not had the ability to do, so I see it as being very flexible in terms of allowing us as the policy makers to do what we see needs to be done in terms of improving facilities in the county. And I think, as I mentioned at the last discussion that we had regarding this, I think this is good policy. I think this is good for all of the citizens of Santa Fe County and I think the way we're doing it still allows people through the democratic process the ability to come forward and say no. We're going to put it through a positive referendum and do it that way as opposed to the negative referendum. But I think in light of the time and what we're looking at, the negative referendum is what is on the agenda for our action now and I think we're hopefully ready to move forward and I know that this is going to be something that certainly will benefit everyone in the county. So I want to thank the legislature also for giving us that ability to exercise this task.

CHAIRMAN ANAYA: What is the time frame? In terms of, if we pass it as a negative, versus if we go to the positive?

MR. ROSS: Okay, if we pass it as a negative referendum then as long as there's not a petition filed within 60 days, the tax is then imposed beginning January 1. If you do the positive referendum then there has to be an election scheduled and conducted and there would still be time to do that and still have the tax imposed beginning January 1, were the public to approve the tax. But it does take us out right to the very edge of the time envelope, acting as we are in July.

CHAIRMAN ANAYA: Okay, so wouldn't it be in the best interest of this Commission to impose a positive referendum and still have it be enacted by January if it were to pass, and let the voters decide?

COMMISSIONER MONTOYA: Mr. Chairman, how much would an election cost?

MR. ROSS: Mr. Chairman, Commissioner Montoya, I'm told around \$100,000.

COMMISSIONER MONTOYA: And if it were to fail then we'd just contribute \$100,000 to an election. I don't know. That's half of what we're potentially going to generate with this.

COMMISSIONER CAMPOS: Mr. Chairman, I agree with Commissioner Montoya. I think we were elected to make decisions, tough decisions sometimes. I think a negative referendum is in the public interest. We need a courthouse and we have a lot of safety concerns. There's no question about that. I think we need to act on that today and we do have a motion.

CHAIRMAN ANAYA: But we don't know if this money is going for the courthouse.

COMMISSIONER CAMPOS: We've got a motion on the floor.

CHAIRMAN ANAYA: We've got a motion and a second.

The motion to approve Resolution 2005-108 passed by majority 4-1 voice vote with Chairman Anaya voting against.

XII. G. 1. Resolution 2005-109. A Resolution Requesting an Increase to the General Fund (101) / Various Departments to Budget Additional Property Tax Revenue to Create a Voter Outreach Coordinator Position, for Several Staff Salary Adjustments, and for a Personnel Classification Study for Expenditure in Fiscal Year 2006 (\$178,755)

MR. ABEYTA: Thank you, Mr. Chairman. In our 2006/2007 budget we identified a \$900,000 reserve for employee development, new FTE positions and anticipated costs that we may have with the takeover of the County jail. We have – we're requesting approval to create a voter outreach coordinator position that would identify as a building block in our budget. It's an existing position that we temporarily budgeted this past year. It's a Department of Justice mandate that we have this position, so we're asking that the Commission approve the creation of that position at this time. We have had several staff salary adjustments. For example, we had budgeted for a deputy County Attorney position. We had actually reclassified an existing position so that we could have a deputy County Attorney. However, that position, the salary wasn't adequate to fill that, so we needed to make an increase there.

We also have a strategic planner position that the Board authorized and the constituent service position/strategic planner position that we're having to adjust the salaries for in order to accommodate the Board's wishes there. Then as far as our personnel classification study, we're requesting \$75,000 from that so that we can undertake a contract with a firm that could evaluate our existing compensation package that we have for our employees and we can see whether or not how our employees salaries compare to other municipalities and counties in the surrounding area. So we're requesting approval of this resolution to fund these various increases.

CHAIRMAN ANAYA: Any questions? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Roman, on the personnel classification study, it seems like we've done this several times here recently and isn't that type of information available from the Association of Counties as to what salaries there are throughout, comparable salaries in other counties?

MR. ABEYTA: Mr. Chairman, Commissioner Sullivan, that's one resource, the Association of Counties, but we'd also like to look at municipalities such as the City of Santa Fe and also the Town of Los Alamos.

COMMISSIONER SULLIVAN: Well, then the Municipal League might be a resource. I'm a little uneasy about another contract for salary reviews. It just seems to always come back with a conclusion that we need to pay everybody more money. We'd love to pay everybody more money, including the County Commissioners but the budget doesn't always permit that. That's the one comment I have on that. I'd be somewhat skeptical of that.

But then, talking about the \$900,000 in building blocks and getting back to the 1/16 percent gross receipts tax, if we're able to use the income from that for these so-called building

blocks, then those are irrevocably committed. Once the salaries are up they're not going to go back down again. Then when it comes time to say, now we need the money from the 1/16 gross receipts tax to pay off the bond, we're \$900,000 in the hole. We've been using that money to pay. What's the strategy there? Where do we then suddenly come up with \$900,000 when we have to divert that 1/16 to the bond revenue repayment?

MR. GONZALEZ: Mr. Chairman, Commissioner Sullivan, dealing with salary issues is always an ongoing issue. You're correct there. However, in the past, what has happened is that the growth in our property tax revenues and our gross receipts tax revenues has been enough to absorb the increase in salaries that has occurred as we've moved along. So for the long-term future we would have to look at the continued growth in revenues that we have. I understand that we're looking into the crystal ball in some respects, but that's how we've always funded those increases on a continuing basis, by looking at the continuance of revenues coming into the County and the fact that those revenue continue to grow enough to be able to meet those salary needs.

Obviously, if we reached hard times when we were unable to then we'd have to look at options that have been considered in the past when we haven't – either hiring freezes or not filling positions that are less critical and/or even going to RIF sort of mode. But given the growth in the County, the fact that we're now Class A and that at this point, the needs and demands on staff have continued to increase, which I think we've added some additional demands here and imposed some additional needs on staff at this meeting, we need to just make sure that we continue to meet those demands in the future.

But the short answer is that we looked at the increase in revenues as we go along in order to fund the continuing building blocks once we've created them.

CHAIRMAN ANAYA: Any other comments?

COMMISSIONER MONTOYA: Mr. Chairman.

COMMISSIONER SULLIVAN: Commissioner Montoya.

COMMISSIONER MONTOYA: The voter outreach coordinator, what again will that individual be doing?

MR. GONZALEZ: Mr. Chairman, Commissioner Montoya, actually, we've done some rewriting of that job description and the way that we're currently contemplating employing that position is that during the election, the high election season, that person would be available in order to do voter outreach. But the rest of the year would actually provide support for our intergovernmental activities. As you know the pueblos have requested that we have somebody on board who's able to bridge the cultural gap there between us and they and this person would do a portion of that bridging as well as doing some additional projects that would support the Manager's office when this person was not being used by the Clerk's office for voter outreach.

COMMISSIONER MONTOYA: So, Mr. Chairman, Gerald, would that mean then that this someone would need to be bilingual in one way or another in terms of maybe Tewa/Spanish?

MR. GONZALEZ: The person who currently would be targeted for this

position is in fact bilingual and perhaps partially trilingual.

COMMISSIONER MONTOYA: Okay. So this is something –

MR. GONZALEZ: Bilingual in Tewa.

COMMISSIONER MONTOYA: Bilingual in Tewa. So this is something that we had been under scrutiny under the previous clerk that we're correcting.

MR. GONZALEZ: That's correct, Mr. Chairman, Commissioner Montoya. As you know, the DOJ paid us a visit and they've got us under the microscope right now and by the skin of our teeth, I think we've managed to keep ourselves out from some sort of a consent decree and hopefully we will continue to do that. It becomes more costly once you get under that scrutiny.

COMMISSIONER MONTOYA: Okay. Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Thank you, Commissioner. Gerald, didn't we hire Hutch to do some of that?

MR. GONZALEZ: Mr. Chairman, Commissioner Anaya, that's who this position would be for.

MR. ABEYTA: Mr. Chairman, you're right. We hired Hutch but it was with temporary money we had available in FY05. That's why we're asking you now to make it permanent with the new budget.

CHAIRMAN ANAYA: Okay. Any other questions.

COMMISSIONER MONTOYA: So it's not a new position then.

MR. ABEYTA: Technically, it's new but it's something we had started funding since last year.

CHAIRMAN ANAYA: Okay. I thought maybe you were going to hire somebody else. Okay. You've cleared it up. Commissioner Vigil.

COMMISSIONER VIGIL: Mr. Chairman, thank you. I really want to support the initiatives that come before us from the County Manager but I'm having some reservations about the study. When union negotiations go forth, don't they bring forth their own independent studies?

MR. GONZALEZ: Mr. Chairman, Commissioner Vigil, they often do that. The difficulty that we've had is there is not a coherent salary plan for the County as a whole, which makes it difficult for us to sit across the table and talk rationally about having increases, because as you know, last time we met with the Sheriff there was all the tinkering that took place with creating the – I don't know if it's Sergeant III positions or whatever it was but that was made up out of whole cloth because we didn't have in place a salary system that made sense.

Part of the reason for the salary analysis is not only to look at comparable salaries, which is important, because we as a County need to make sure that critical employees are not hired away from the County, and this would tell us whether salaries are within the margin that would allow us to keep employees here rather than lose them. But the other thing is that across the County we do not have a coherent salary structure. We do not have coherent position classifications. There are departments where people are stuck and don't have any upward

mobility because we don't have the positions that would allow them to do that. We don't have a plan that allows us to be able to move people and there it makes it very difficult to reward some individuals, despite their hard work, because we don't have the structure in place that allows it.

Doing a salary plan is not, as I said, just comparing salaries from the County to surrounding organizations, but it's also taking a coherent look across the County, so as people, for example transfer from department to department there are comparable transfer positions so as we put them in particular jobs they have mobility for those jobs in a coherent way and it has the right incremental structure in order to be able to hold them.

COMMISSIONER VIGIL: Mr. Chairman, Gerald, does not our classification system sort of mirror the state's?

MR. GONZALEZ: It may have at some point but I don't think at this point that it does. We've drifted apart and I'd have to have HR speak to that but my understanding of it is that that may have been a starting point some seven or eight years ago but we've created ad hoc our own position description, salary structure, mobility structure here within the County.

MR. ABEYTA: Mr. Chairman, if I may add, maybe what we can do for the Commission is before we actually go out and actually award a contract, we could come back to the Board with a scope of work showing the Board what areas we're going to try to address with the study and that may be less than the \$75,000 we're requesting right now. And if that's the case, then we would take the remaining money and move it back out into this other fund or use it for something else. But the Finance Director had put this amount forward just so that we'd have it set aside so that we can do a study. But it doesn't mean that we're going to use the whole \$75,000. As I said, we'd be willing to come back to the Board with the areas that we want to study and get the Board okay or let the Board modify that as the Board wishes at that time.

COMMISSIONER CAMPOS: Thank you.

COMMISSIONER VIGIL: That sounds reasonable and I'd like to approach it that way. There's also an additional \$22,000 that's a salary request. Could you clarify for who that is?

MR. ABEYTA: Mr. Chairman, Commissioner Vigil, that's going to be a combination of things. That's going to be to help us fund the constituent service position that we just recently authorized and hired. We had underbudgeted for that position a little bit and then also for our strategic planner position that we moved over.

COMMISSIONER VIGIL: Mr. Chairman, Roman, there's only two salaried positions in the personnel study that you're requesting.

MR. ABEYTA: There's only one salaried position. There's Hutch's position's is a new FTE. The other ones were adjustments to existing positions you had already authorized.

COMMISSIONER VIGIL: Okay. Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chairman, Mr. Gonzalez, in the past I've raised the issue about how we organize our departments. This seems to me a related issue to the

question of contractual services, the study of salary plan. Is it or is it not connected? Have you considered a department assessment, now we best organize our departments to function effectively?

MR. GONZALEZ: Mr. Chairman, Commissioner Campos, there is a relationship in the sense that as you create a salary structure for a department you're also creating an organizational structure. The two have to go hand in hand. I think if the thought and preference of the Commission would be to combine the two or else do at least two phases or two pieces so that we have them running in conjunction. One, taking a look at the salary structure and the other taking a look at the organizational structure, we'd be more than happy to do that.

COMMISSIONER CAMPOS: Just to address the Board on that issue, it seems to me that in the last so many – certainly since I've been here, the organization just gets shifted around ad hoc to satisfy certain particular needs and it seems to me that we need a coherent evaluation of the organization to see if it's working the way it was supposed to work. There's just too many little changes and they've been made for decisions that were very – and perhaps we needed to move somebody, create another department, split a department. It's gone over and over again, so we do need an organizational kind of review and assessment. So that was my thinking.

CHAIRMAN ANAYA: Good point. Any other questions? What's the pleasure of the Board? Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Chairman, I think, if I'm understanding this, just for my own clarification, we're going to be looking at more than just how much people are getting paid, we're going to be looking at a classification. We're going to be looking at salary schedules, development of those, so it's a full-blown personnel –

MR. GONZALEZ: Mr. Chairman, Commissioner Montoya, basically yes. I know the states themselves have retrenched from what, from the personnel system that they had in place some time ago. They had over 1000 job descriptions and recently did a study to narrow those down to somewhere on the order of 400 to 500 because they felt that their system was basically out of control. This would take a look at all of those aspects, not only salary but classifications are in the right place. Does it make sense? Is there room for mobility where there needs to be room for mobility and so on?

CHAIRMAN ANAYA: Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chairman, Mr. Gonzalez, is there room at this point, if the Commission wanted to review the organizational structure and kind of look at these issues together because I think they do go hand in hand?

MR. GONZALEZ: Mr. Chairman, Commissioner Campos, I'm sure we could put that out into an RFP. That would be no problem.

COMMISSIONER CAMPOS: How do the Commissioners feel about that?

CHAIRMAN ANAYA: That's fine.

COMMISSIONER MONTOYA: I agree.

COMMISSIONER VIGIL: I agree too.

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

COMMISSIONER VIGIL: Move to approve.

CHAIRMAN ANAYA: Motion.

COMMISSIONER CAMPOS: Second.

CHAIRMAN ANAYA: And a second. Any more discussion?

The motion to approve Resolution 2005-109 passed by majority 4-1 voice vote with Commissioner Sullivan dissenting.

XII. G. 4. Update on Various Issues

MR. GONZALEZ: Mr. Chairman, members of the Commission, I have a couple of quick updates and then Roman has a couple also. I just wanted to let you know that with respect to the solid waste permits, we've extended the sales of those through this Thursday and on Thursday, the Finance Department will be open until 7:00 pm in order to make sure we can accommodate people who are coming in after work and desire to do that. And simultaneously, we're also taking a look at the possibility of selling permits through the fire stations, the local fire stations. So I'll update you as soon as I can on how we can work out those arrangements.

Second of all, there's been an appeal from the Assessor's office for Tax Protest Board members. They need two members and one alternate. This is a volunteer citizen service so I guess it's sort of a citizen service announcement but anyway, that position pays \$80 per day plus mileage to and from the meetings for the Tax Protest Board. The time required is roughly a week to a week and a half at this point and then, when they get to further appeals or rescheduled hearings, we're looking at perhaps another two or three days down the road. So I would say about two weeks, max. That's all I had on my part and I know that Roman also had some announcements.

MR. ABEYTA: Mr. Chairman, briefly, we've received notice from our Project and Facilities Management Department that they're ready to go out into the community and start the planning for our 2006/2010 infrastructure capital improvement plan or ICIP plan. We're going to start having the community meetings now in August. On the first we'll have a meeting at the Stanley Community Center and also at the Arroyo Seco Teen Center. On the second, we'll be at the Pojoaque Fire Station and the Edgewood Fire Station. On the third we'll be at the La Cienega Community Center. On the fourth we'll be at the Eldorado Community Center, EDIA building, and the County Fair rodeo grounds on Rodeo Road. On the 8th, we'll be at the Agua Fria Fire Station, and also there'll be a public hearing here at the Commission Chambers, which will be at 3:00. that's actually going to be the day after on the 9th. And then on the 10th, we'll be out at the Bennie J. Chavez Community Center.

Joseph is passing out a memo that has those dates in it. [Exhibit 2] We'll be back in front of the Board in the next few months to discuss this item in more detail with you. But I did

want to let the Board know that the community meetings are going to begin within the next week.

CHAIRMAN ANAYA: Thank you, Roman, and I'm glad to see that you're going out to the communities again and asking for their input. And I want to thank Gerald for getting out with the permits. I like that idea about having them at the fire stations so it makes it easier for the public. So we need to notice that so people know it's going to be there. I'm sure you'll do that. But I like that idea. Any other comments? Commissioner Montoya.

COMMISSIONER MONTOYA: Possibly, and I don't know, Roman, if you think this is too much, but we did get confirmation for that meeting in Tesuque next Tuesday at 6:30 to 8:00 regarding the trees issue, but I don't know if that may be an appropriate time or not to bring up ICIP related – do we want to even try that?

MR. ABEYTA: I don't see why we couldn't raise it and let them know we're having these meetings and start talking to them about it after that. I don't think that would be a problem.

COMMISSIONER MONTOYA: Okay. Could we get more trees?

MR. GONZALEZ: Mr. Chairman, Commissioner Montoya, do we have a location for that?

COMMISSIONER MONTOYA: Yes, it's at the Tesuque Elementary School, at 6:30 to 8:00 Tuesday August 2nd.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Campos.

COMMISSIONER CAMPOS: Is there anything here for District 4? Any community visits?

RUDY GARCIA (PFMD): Mr. Chairman, Commissioner Campos, I spoke with Paige Morgan today. I spoke for a few others yesterday and I made contact with Anita Stetler and actually the water association. Her name is Chita Gillis. I have a call into them and we'll actually have some sort of a separate meeting with those neighborhood groups. Those are the two individuals that Paige Morgan had me give a call to.

COMMISSIONER CAMPOS: You need to include Glorieta on there too, don't you?

MR. GARCIA: We can include Glorieta if you like.

COMMISSIONER CAMPOS: Glorieta, Canoncito, all those smaller communities in that area.

MR. GARCIA: Mr. Chairman, Commissioner Campos, we'd actually like to include pretty much one meeting for all those communities where we can do Glorieta and Canoncito in one meeting.

COMMISSIONER CAMPOS: Like last year, what happened. You need some better outreach out there.

MR. GARCIA: Mr. Chairman, Commissioner Campos, we can have three different meetings if you'd like.

COMMISSIONER CAMPOS: I'd just like to see a meeting that brings the three

communities in.

MR. GARCIA: Sir, we'll actually have a meeting in Glorieta, Canoncito and Canada de los Alamos.

CHAIRMAN ANAYA: And if we could -- are you done?

COMMISSIONER CAMPOS: I'm just amazed that District 4 is never remembered. I don't know what's going on.

MR. GARCIA: Mr. Chairman, during the legislative session District 4 is remembered. Canoncito got tons of money as well as Canada with their water tank. Inside joke. But actually, these meetings do start at 6:00 unless otherwise stated on the list that they are at 6:30. There are two or three of them on the list that start at 6:30.

CHAIRMAN ANAYA: Do you think we can include Cerrillos and Madrid, and possibly Golden in one meeting?

MR. GARCIA: Mr. Chairman, yes. We could do that.

COMMISSIONER CAMPOS: Combine it with Stanley.

CHAIRMAN ANAYA: Any other comments? Commissioner Vigil.

COMMISSIONER VIGIL: Thank you, Mr. Chairman. I don't think it's too early to start thinking about the coordinated effort that we need to have with regard to the legislative lobbying that's going to be the result of this ICIP plan. I think one of the connections that I'd like to make is with our state legislature because irregardless of all of the public hearings that we have out there in the community, unless we get that legislative support for that particular project we can fill our ICIP plan as large as it possibly can be.

So I'm going to suggest that possibly we send out letters to our delegation and let them know when one of the areas are conducting their meeting and invite them to attend at the very minimum. And secondly, I guess, more of a leap into the future. When you come before us for approval of the ICIP I think we really have to create a coordinated effort for those projects that directly affect our state legislators' districts. I know last year we attempted to do sort of a countywide and a country broad-based request and we identified three priorities. That worked well; we got some money. But I think what I heard at the legislature and what my experience has been is we really also want to look at those particular projects that affect the districts that the legislators represent.

MR. GARCIA: Mr. Chairman, Commissioner Vigil, we actually, from the Manager's office, we already had a couple of legislative team meetings. We have another one I believe next Tuesday the 2nd, during the day. So we are talking about these issues and how we're going to coordinate it and you're exactly right. We definitely will send a letter out to the different legislative delegates in that area for the specific meeting to invite them to have them put on that plan so that when we do go to the legislature we're all talking, we're all on the same page. That's definitely the idea. But we are strategizing as to how we need to do this year's legislative meetings, definitely way before the January session so we are talking with the Manager's office as a legislative team. So we are moving forward on that.

COMMISSIONER VIGIL: Thank you. Gerald, if you want to respond to that.

MR. GONZALEZ: Mr. Chairman, Commissioner Vigil, one of the things that

we will be doing is providing each of the legislators with a map indicating what projects are ongoing in their districts so that we have a beginning point for that discussion. Rudy's been working on that.

COMMISSIONER VIGIL: Thank you.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Campos.

COMMISSIONER CAMPOS: Just a quick follow-up, Mr. Gonzalez. We had been talking at one point having year-round legislative liaison connection, linkage. And now Jaime is gone. Have you guys, have you folks started to think about what we do now?

MR. GONZALEZ: We're in the process of discussing that in light of the distressing news that Jaime would and in fact is virtually on his way out of the county at this point. So that's the topic for discussion at the next legislative team meeting. The RFP for a possible contract lobbyist or lobbyists, depending on the wishes of the Commission is being finalized as we speak. I was hoping it would be out Friday but it probably won't be out until tomorrow.

COMMISSIONER CAMPOS: Okay. Thank you.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Chairman, Commissioner Campos, just asked my question. Gerald answered it.

MR. GONZALEZ: I hope I answered the question that you would have asked.

COMMISSIONER MONTOYA: Sure did. Thank you.

CHAIRMAN ANAYA: Okay, thank you, Manager.

XII. H. Matters from the County Attorney

1. Executive session

- a. Discussion of pending or threatened litigation**
- b. Limited personnel issues**
- c. Discussion of possible purchase, acquisition or disposal of real property or water rights**

Commissioner Montoya moved to go into executive session pursuant to NMSA Section 10-15-1-H (7, 2, and 8) to discuss the matters delineated above.

Commissioner Sullivan seconded the motion which passed upon unanimous roll call vote with Commissioners Campos, Montoya, Sullivan, Vigil and Anaya all voting in the affirmative.

[The Commission met in executive session from 4:40 to 5:40.]

Commissioner Sullivan moved to come out of executive session having discussed only limited personnel issues and purchase, acquisition or disposal of real property,

and Commissioner Montoya seconded. The motion passed by unanimous voice vote.

MR. GONZALEZ: Mr. Chairman, if I could, there was one item that I didn't update you on that slipped my mind and I just want to put it out there as a possibility for discussion among the Commission. But we have received a number of inquiries in people who are interested in providing federal lobbying services. Most of those inquiries seem to be in kind of the \$100,000 range. That seems to be sort of the going cost, but I just want to put it out there so you would have an opportunity to talk about it among yourselves and see if there's anything you want us to come back to you with from the staff level.

CHAIRMAN ANAYA: Okay. Anybody have any comments on – you're talking about looking at hiring a lobbyist in Washington to take care of some of our needs in the County.

MR. GONZALEZ: Mr. Chairman, Commissioners, because of the cost and the kind of services involved, we'd probably have to go out to RFP, see if we could get responses from a number of folks, see what they would propose in terms of providing lobbying services. I've already received I think, over the last three or four months something like three or four inquiries and I know that there was a presentation before the Commission recently in which the folks who are working with the City but also with the County in terms of lobbying for Buckman Direct Diversion monies have also indicated that they would have some interest. So I just wanted to open it up for your discussion to see if you had any direction or feedback that I could take and come back to you with something more concrete in the future.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chairman, I'd be more interested in what you have, Mr. Manager. Do we need one? The staff has to do some kind of an evaluation. In the past we've had history with these folks and we've gotten very little back. We paid out a lot of money when Javier Gonzales was a County Commissioner.

MR. GONZALEZ: That's always an issue and I know that on the City side, just observing what's gone on there in terms of what may have been promised moving forward with the Buckman Direct Diversion, I think the results from the City side may have been somewhat disappointing. The numbers that were aggregated and represented as what had come out of that process so far I don't think exceeded maybe more than a million dollars, something like that.

The other thing that's going on at the DC level is because of the impact on the federal budget on, shall we say, the conflict in the Middle East and other dynamics of the federal budget, what we're seeing increasingly is that federal agencies are going rather from grant programs, they're going to low-interest loan programs. From the experience I had in Congressman Udall's office I know that he feels that annually, the requests from the individual counties and a number of the municipalities for projects, the amount of dollars moved, depending on what agency you were talking about, were at most in increments of one to two million dollars. That was sort of the upper ceiling.

So if we're looking at obtaining funding for something like a \$35 or \$40 million County

facility, it would take probably 20 years to get enough funding to do that, assuming that they continued to appropriate for it. On the other hand, if you're looking at other interests that involve federal agencies and which the congressional delegation has a deep interest in, like Aamodt, like the Buckman, then I suppose the ceiling could theoretically rise higher. But what we've seen with respect to Buckman has not been a very encouraging kind of development and also what we've seen going on with Aamodt has not been an encouraging development in terms of looking to the federal appropriation process for funding.

But we can always put out feelers and see what sort of promises we get and let you take a look at that at some point.

COMMISSIONER CAMPOS: Mr. Chairman, my impression is that we are getting fewer and fewer dollars from the federal government. There's less and less out there and we've had experiences with federal lobbyists. Javier said that these guys were good and great and we didn't get much. And we spent some money and we spent a lot of time discussing it. I don't feel very strongly about that.

CHAIRMAN ANAYA: Okay. Any other comments?

COMMISSIONER VIGIL: Mr. Chairman, I'm not willing to dismiss it only because I guess there are so many sort of overlying issues that I wanted to address. I first of all believe the Buckman Diversion and the Aamodt settlement are really stand-alone as projects with regard to support from the federal government. I do believe that the federal government, and I learned this specifically from our congressman, would like to see the City and the County getting along a lot better. We've made a lot of strides with regard to that but I think part of the hesitancy on the part of the congressional support for those is looking and testing the climate and the responses between local government entities and how well they're working together.

I do however believe that there are specific projects out there and I use the same argument Commissioner Campos does, that there is really not that much more federal dollars actually and not that available. I think on some level it behooves us or it's incumbent upon us to start looking for where they are. I know the presentation we had - I can't remember the name of the firm, from Washington, but they were here several months ago, made several proposals and identified several areas of US Departments where funding could be made available. I don't know. My question to them, if you will recall, Mr. Chairman, was is it too late in the funding cycle to ask for specific dollars. In particular I was looking for dollars to offset Santa Fe County jail and perhaps help with our open space program and indeed our solid waste management program. And they were able to identify some of the avenues for funding with regard to that.

I don't think we'll be able to get federal support unless we get the lobbying efforts put in place from the companies and the lobbyists who actually know where to go and for what. I'd like to see the County - I don't know if an RFP is the appropriate way, but in view of the fact that the funding cycle is where it's at, perhaps we could look at contracting for someone for a certain amount to be able to find out how much we might be able to get from specific state funding sources and then look at those results without having to invest a huge amount initially.

So I'd love the Commission to consider that option and perhaps with the firms that

we're familiar with. I think if we do go to an RFP we're going to start getting the large national firms who have a lot of clients who are counties and cities and it's going to be a difficult task.

CHAIRMAN ANAYA: Thank you, Commissioner Vigil. Any other comments?

COMMISSIONER MONTOYA: Mr. Chairman, I think I would at least – and I've had this discussion with Gerald would be at least maybe to put it out in terms of a request for information or proposals and see what we get and see if from there it's something that we want to pursue or not. But I'm willing to take that next step at least.

CHAIRMAN ANAYA: Thank you, Commissioner. Commissioner Sullivan.

COMMISSIONER SULLIVAN: I think I was quite impressed with the firms that we dealt with when we last went to Washington and talked about the Buckman project. I think that there may be an issue there that they're working for the City and where the situation of having two clients both going after similar monies. That could provide a conflict. I would support looking at it from an RFP standpoint, if we really make the RFP specific. I think rather than just saying, well, we're going to pay \$10,000 a month. Go find us what you can. I'd focus ahead of time. And you can do this I think by talking to the firm. You can say where are the next – and we are at the end of the funding cycle so we really, we have some time to do this, because we're not into this period now. Where are the opportunities and what can you propose to us? And in fact you can say that in the RFP. You can say, We have a budget of x-dollars per month and what we want you to do is come back and specify to us where you would focus that effort. Would you focus it in the Department of Agriculture? The Department of Transportation? Would you focus it in the Federal Bureau of Prisons? Where you need it. Get up to speed on what Santa Fe County's needs are, and that's pretty easy to do, and then come back with a specific proposal within a budget as to how, what services you would provide.

And I think we need to look at the little things. I think the big Buckmans are not there. I think we need to look at little grants, little funding things. But if we pass out \$75,000 and they bring us back \$300,000, well, we've done okay. And I think those firms themselves can best respond. Some of them only take on big projects and that's fine. We need to scale our thinking down and let them start that way. Then, if we really like them and they really seem to be producing an have a good relationship with us, we can then move it on to a larger contract. I'd really, in your RFP I'd make it very specific about we have a specific budget and we want you to be specific, and you could even say in there, here are the areas that Santa Fe County has a major concern. Corrections is obviously top of the list, and we could throw out some others, whether it's open space funding. Things where we can go after kind of funding that not everybody else is going after, which is of course water funding and road funding. We may look at some of these lesser known programs. We might come out pretty good. But we've got to really focus that RFP and if we can do that, I think it's worth a look.

CHAIRMAN ANAYA: Okay. You know how I feel. I'm all for going out and trying to find monies. So you'll look at that for us? You'll look into that for us, Gerald?

There's one more thing and that is the summer interns, intern help that we had. We had – how many students did we have, Gerald?

MR. GONZALEZ: Somewhere around 30 or 35 I believe.

CHAIRMAN ANAYA: I just wanted to thank them from the Commission. They've helped us a lot. Their last day is Wednesday I believe. And boy, time does fly, doesn't it?

MR. GONZALEZ: They sure have made it easier to sell the permits, certainly, for solid waste. They're the ones that have manned that desk and provided some relief for finance in an area where they've been strapped in the past. And I know with the other departments they've also helped tremendously.

CHAIRMAN ANAYA: Are we going to be giving them a certificate signed by us?

MR. GONZALEZ: I believe that's what we did last year and that's what we'd like to do this year and of course we invited them to the employee picnic as well and made sure that they were able to come.

COMMISSIONER VIGIL: Mr. Chairman, Gerald, would you explain that to me. I guess maybe I don't know the full scope of the summer intern program. My understanding was that each one of the Commissioners had three appointees for summer interns. Why - to me that adds up to 15.

MR. GONZALEZ: Right, but there are other positions as well that have been identified in the different departments. The 15 provide some relief and they also provide you some options with respect to bringing individuals on board, but in terms of what we've planned for in the past and what we have available, there have been additional positions based on department needs.

COMMISSIONER VIGIL: And who makes those appointments?

MR. GONZALEZ: Those are done through the personnel office. We have people apply.

COMMISSIONER VIGIL: And do each one of these summer interns receive the same summer salary that our appointees do?

MR. GONZALEZ: All the interns receive the same salary. And one other thing that we are looking at, we've had a request from Congressman Udall's office to actually do an exchange program. They have difficulty paying their interns. What I suggested to them was that we might be able to some sort of a sharing program in which we would take some of our interns, give them an opportunity to experience spending some time in the congressman or the senator's office and at the same time rotate their folks into our office so that they would have a local government experience.

They're definitely interested. They followed up with that so it may be another iteration on our intern program.

CHAIRMAN ANAYA: Thank you. Commissioner Campos.

COMMISSIONER CAMPOS: Just on the same subject, Mr. Gonzalez. It seems that I think we need to consider the budget because they're paid very little. I think these kids can get a job almost anywhere for more money and I would think that we should increase the budget.

COMMISSIONER VIGIL: Maybe through that new personnel classification you can have them look at that. Thank you for bringing that up, Commissioner Campos, because the interns that I originally wanted to expose to County government experience, when they found out what they were making, they actually needed the money and these are juniors and seniors in high school and as a result I think what we're doing is getting 13 and 14-year olds more aren't so marketable out there for the summer market. So perhaps through the personnel study we can actually look at creating a structure for that intern program where those youth who perhaps are older might receive a proportionate salary that's more competitive with the market out there. And we do have a competitive market now that we have a living wage ordinance. So everyone that I had appointed, Gerald, refused it when they found out what they were getting paid because they needed to earn some money.

MR. GONZALEZ: Mr. Chairman, Commissioner Vigil, I hear what you're saying. The congressional offices are strapped even more. The only think that they're able to pay is a stipend.

CHAIRMAN ANAYA: But it's not about the money. Why do you think people work at the County?

MR. GONZALEZ: That's what I tell - never mind.

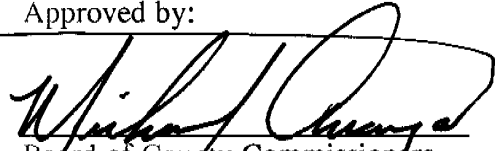
COMMISSIONER VIGIL: For the benefits.

CHAIRMAN ANAYA: It's about working for the County. Okay, if that's it, we'll adjourn.

XIII. ADJOURNMENT

Chairman Anaya declared this meeting adjourned at approximately 5:50 p.m.

Approved by:

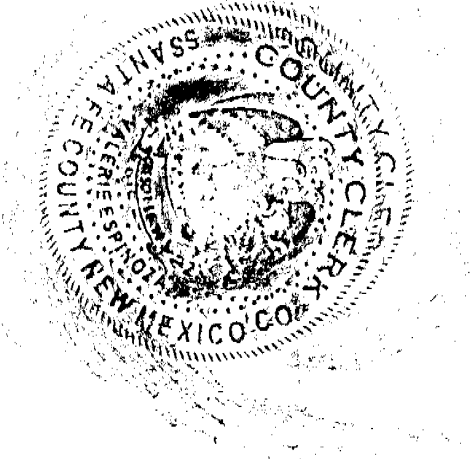

Board of County Commissioners
Mike Anaya, Chairman

Respectfully submitted:


Karen Farrell, Commission Reporter

ATTEST TO:


VALERIE ESPINOZA
SANTA FE COUNTY CLERK



SFC CLERK RECORDED 09/21/2005